



**REGULAR MEETING OF COUNCIL  
AGENDA**

**Monday, August 10, 2020, 6:00 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](http://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. Sarah Sacheli, Chair, Kingsville Municipal Heritage Advisory Committee**

**1**

RE: Presentation of Report RE: By-law 12-2017 Heritage Designation of 107 Elm Street (The Cowan-Valentine House)

SEE: Committee Recommendation (Motion #MHC35-2020) excerpted from the Committee Minutes dated June 18, 2020 SEE ALSO: Designation By-law 12-2017, and proposed amending By-law #-2020.

**Recommended Action**

That Council amends By-law 12-2017 to remove the reference in Schedule "A" to the five old-growth trees on the property.

**D. MATTERS SUBJECT TO NOTICE**

**1. Application for Zoning By-law Amendment and Consent ZBA/09/2020 by Solid Rock Homes Inc., 273 and 281 Glass Avenue, Kingsville (to be**

**10**

**deferred at the Request of the Applicant)**

K. Brcic, Town Planner

i) Notice of Complete Application and Public Meeting: Zoning By-law Amendment and Consent, dated July 17, 2020.

**Recommended Action**

That Council defers the Zoning By-law Amendment Application ZBA/09/2020 as requested by the Applicant, Solid Rock Homes Inc. to a future Regular Meeting of Council.

**2. Combined Application for Consent and Zoning By-law Amendment File B/01/20 & ZBA/05/20 by David & Rosanne Nickels 1246 & 1250 County Road 34 Part of Lot 19, Concession 4, WD, Pt. 1, RP 12R 14075**

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K. Brcic, Town Planner

i) Notice of Complete Application and Public Meeting: Zoning By-law Amendment and Consent, dated July 10, 2020;

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

iii) Proposed By-law 41-2020, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville.

**Recommended Action**

That Council:

Approves Consent Application B/01/20 to sever two existing dwellings, deemed surplus to the needs of the applicants' farming operation on parcels shown as Part 1 (1246 County Rd 34) - 0.28 ha (0.692 ac.) and Part 2 (1250 County Rd 34) - 0.25 ha (0.626 ac.), on the applicants' sketch, in the Town of Kingsville, subject to the following conditions:

- a. That a reference plan be deposited in the registry office, both an electronic and paper copy of the registered plan is to be provided to the Town.
- b. That any special assessment imposed pursuant to the provisions of the Local Improvement Act and/or Municipal Act be paid in full along with all municipal taxes.
- c. That any necessary drainage apportionments be undertaken.
- d. That a clearance letter of approval for the septic systems on Parts 1 and/or 2 must be obtained from the Town's Building Department.
- e. That as a result of the severance, owners shall become liable by way of up front monies for the assessment and taxation of their properties for any waterworks or sanitary sewer systems affecting their properties, in accordance with the Fees By-law in effect on the date of certification of the deed.



- f. The zoning of the retained parcel be amended to prohibit future dwellings prior to certification.
- g. That the applicants convey a 9m x 9m daylight triangle (at the corner of Graham Sideroad & Road 5 E) including vegetation removal, free of charge and clear of all encumbrances.
- h. That the applicants obtain the necessary permit for and install a new access to the retained farm parcel at the applicant's expense and to the satisfaction of the Town and/or County;
- i. That the necessary deed(s), transfer or changes be submitted in triplicate, signed and fully executed (no photocopies), including a copy of the reference plan, prior to certification.
- j. The conditions imposed above shall be fulfilled by August 10, 2021 or this application shall be deemed to be refused in accordance with Section 53(41) of the Planning Act. And Further That Council approves Zoning By-law Amendment Application ZBA/05/20 to rezone the retained parcel, in Part of Lot 19, Concession 4, WD, Pt. 1, RP 12R 14075, in the Town of Kingsville, from 'Agriculture (A1)' to 'Agriculture – Restricted (A2)' and adopt the implementing by-law.

**3. Combined Application for Consent and Zoning By-law Amendment File B/06/20 & ZBA/08/20 by David Armstrong 257 Rd 10 E Part of Lot 16, Concession 10**

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K. Brcic, Town Planner

i) Notice of Complete Application and Public Meeting: Zoning By-law Amendment and Consent, dated July 17, 2020;

ii) Report of K. Brcic, Town Planner, dated July 21, 2020;

iii) Proposed By-law 73-2020, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville.

**Recommended Action**

That Council:

Approve consent application B/06/20 to sever an existing dwelling, deemed surplus to the needs of the applicants farming operation on a 0.48 ha (1.19 ac.) lot shown as Part 1 on the applicants sketch, known as 257 Road 10 E, in the Town of Kingsville, subject to the following conditions:

- 1. That a reference plan be deposited in the registry office, both an electronic and paper copy of the registered plan is to be provided to the Town.
- 2. That any special assessment imposed pursuant to the provisions of the Local Improvement Act and/or Municipal Act be paid in full along with all municipal taxes.
- 3. That any necessary drainage apportionments be undertaken.

4. That as a result of the severance, owners shall become liable by way of up front monies for the assessment and taxation of their properties for any waterworks or sanitary sewer systems affecting their properties, in accordance with the Fees By-law in effect on the date of certification of the deed.
5. The zoning of the retained parcel be amended to prohibit future dwellings prior to certification (ZBA/08/20).
6. That the applicant provide confirmation to the satisfaction of the Town the location of any existing septic systems in relation to the revised lot line locations.
7. That the necessary deed(s), transfer or changes be submitted in triplicate, signed and fully executed (no photocopies), including a copy of the reference plan, prior to certification.
8. The conditions imposed above shall be fulfilled by August 10, 2021 or this application shall be deemed to be refused in accordance with Section 53(41) of the Planning Act. Approve zoning by-law amendment application ZBA/08/20 to rezone the retained parcel, in Part of Lot 16, Concession 10, in the Town of Kingsville, from 'Agriculture (A1)' to 'Agriculture – Restricted (A2)' and adopt the implementing by-law.

**4. Application for Draft Plan of Subdivision Approval SUB/01/2020 (37-T- 20002) & Zoning By-law Amendment ZBA/06/2020**

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**Application for Draft Plan of Subdivision Approval SUB/01/2020 (37-T- 20002) and Zoning By-law Amendment ZBA/06/2020 by Wobocorp Ltd. and David Armstrong Farms Inc. V/L NE Side County Road 34 E, Part of Lot 269, Concession NTR, Parts 1 and 2, RP 12R-26017 and Part 2 RP 12R 26659**

R. Brown, Manager of Planning Services

i) Notice of Complete Application and Public Meeting: Draft Plan of Subdivision and Zoning By-law Amendment, dated July 10, 2020;

ii) Report of R. Brown, dated July 27, 2020;

iii) Proposed By-law 77-2020, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville.

**Recommended Action**

That Council approves Zoning Amendment Application ZBA/06/2020 to amend the Residential Zone 2 Rural/Urban, holding (R2.2(h)) to establish regulations for the subdivision of permitted semi-detached dwellings into individual freehold units;

And That Council Approves a Resolution in support of the draft plan of subdivision, County File No. 37-T-20002, and subject to conditions outlined by the County in the draft approval and subject to approval of the necessary development agreement between the applicant and Town;

And Further That Council Directs Administration to forward the resolution of support to the County Planner for final approval.

**5. Application for Zoning By-law Amendment ZBA/03/2020 by Jennifer Gagnon, 111 Queen St., Pt. Lot 5, Plan 187**

102

R. Brown, Manager of Planning Services

i) Notice of Complete Application and Public Meeting: Zoning By-law Amendment, dated July 10, 2020;

ii) Report of R. Brown, Manager, Planning Services, dated July 22, 2020;

iii) Proposed By-law 78-2020, being a by-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville.

**Recommended Action**

That Council approves Zoning Amendment Application ZBA/03/2020 to rezone 111 Queen St. from Residential Zone 1 Urban (R1.1) to a site-specific Residential Zone 1 Urban Exception (R1.1-29) to add a private school limited to a maximum student occupancy of 20 or as determined by the change of use permit process, whichever is less.

**6. Application for Zoning By-law Amendment ZBA/07/2020 & Site Plan Amendment SPA/05/2020 by Jeremy Capussi, 140 Main St. East, Pt. Lot 1, Concession 1, ED, Parts 1 and 2, RP 12R-14569**

140

R. Brown, Manager of Planning Services

i) Notice of Complete Application and Public Meeting: Zoning By-law Amendment and Site Plan Approval, dated July 10, 2020;

ii) Report of R. Brown, Manager, Planning Services, dated July 24, 2020;

iii) Proposed By-law 76-2020, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville.

**Recommended Action**

That Council approves Zoning By-law Amendment Application ZBA/07/2020 to amend the site-specific Residential Zone 4 Urban Exception 5, 'R4.1-5' to:

limit the proposed apartment building to three (3) stories;

permit a maximum of 30 residential dwelling units;

maintain the front yard setback requirement of 8 m (26 ft.), and

limit the maximum height of the building to 10 m (32.8 ft.), and adopt the implementing by-law;

And That Council Approves Site Plan Approval Application SPA/05/2020 for the development of a three storey, 30 unit multiple unit apartment dwelling, subject to the terms and conditions of the associated Site Plan

Agreement and authorizes the Mayor and Clerk to sign the Agreement and register said Agreement on title.

**E. AMENDMENTS TO THE AGENDA**

**F. STAFF REPORTS**

**1. Financial Support for Businesses due to COVID-19 171**

R. McLeod, Director of Financial Services

**Recommended Action**

That Council approves the proposed Business Relaunch Fund of \$150,000.00 to assist eligible businesses and non-profit organizations with increased operating and facility expenses due to the COVID-19 pandemic;

And, That the funding for such program be obtained from the Budget Stabilization Reserve.

**2. Open Streets Program Update 174**

G. A. Plancke, Director of Financial Services

**Recommended Action**

That Council receives Report MS 2020-33 as sufficient response to Council's request for a verbal report as to how the Town has prepared for the Open Streets program along with any problems that may have been encountered the weekend of July 10, 11 and 12, 2020;

And That Council provide direction on whether the Town should continue to support the Open Streets Program, with the understanding that a Base Level of staffing at a cost of \$1,950 per weekend will be required to ensure a safe event;

And That Council provide direction on whether the cost of Town staffing the event, on a go forward basis, should be assessed to participating businesses, at fixed rate of \$55.00 per day of the Open Streets Program, per participating business;

And That Council withdraw their support of Open Streets if BIA cannot provide or supply a minimum of 4 volunteers or staff members, plus an event coordinator, that is on-site for the duration of the event per day.

**3. Reopening Plan for Kingsville Arena and Recreation Facilities 179**

D. Wolicki, Manager of Municipal Facilities and Property

**Recommended Action**

That Council receives Report MS-2020-32 Reopening Plan for Kingsville Arena and Recreation Facilities; And That the reopening timelines and Financial Implications as outlined in the report be approved.

## **G. BUSINESS/CORRESPONDENCE-ACTION REQUIRED**

1. **Essex Region Conservation Authority--Correspondence dated July 31, 2020 from Dr. Katie Stammier, Water Quality Scientist and Source Water Project Manager, ERCA--RE: Essex Region Source Protection Committee-Municipal Representation** 200

### **Recommended Action**

That Council of The Corporation of the Town of Kingsville endorses the following individuals' appointment to the Essex Region Source Protection Committee: Albert Dionne, Town of Lakeshore, appointment date: September 10, 2020; expiration of appointment September 10, 2025; Ian Wilson, City of Windsor, appointment date: September 10, 2020; expiration of appointment September 10, 2021; Nelson Santos, Union Water Supply System, appointment date: September 10, 2020; expiration of appointment November 30 2022.

2. **Proposed Terms of Reference for the West Side Collector Road Steering Committee** 202

### **Recommended Action**

That Council consider endorsing the Terms of Reference for the West Side Collector Road Steering Committee.

3. **Mayor N. Santos--Striking Committee Update Report dated August 6, 2020** 204

### **Recommended Action**

That Council endorses the following appointments to the Main Street Development Committee as presented by the Striking Committee to include: 1. David Hunt; 2. Karla Kroslak; 3. Tasha Slater.

### **Recommended Action**

That Council confirms the appointment of Mayor Nelson Santos, Councillor Laura Lucier, and Councillor Larry Patterson to the West Side Collector Road Steering Committee.

## **H. MINUTES OF THE PREVIOUS MEETINGS**

1. **Regular Meeting of Council--July 27, 2020** 205
2. **Regular Closed Session Meeting of Council--July 27, 2020**

### **Recommended Action**

That Council adopts Regular Meeting of Council Minutes dated July 27, 2020 and Regular Closed Session Meeting of Council Minutes dated July 27, 2020.

## **I. MINUTES OF COMMITTEES AND RECOMMENDATIONS**

1. Police Services Board--June 24, 2020 222

**Recommended Action**

That Council receives Police Services Board Meeting Minutes dated June 24, 2020.

2. Committee of Adjustment--June 16, 2020 228

**Recommended Action**

That Council receive Committee of Adjustment Meeting Minutes dated June 16, 2020

**J. BUSINESS CORRESPONDENCE - INFORMATIONAL**

1. Town of Tecumseh--Correspondence dated June 16, 2020 RE: Letter of Support for Broadband Access across Ontario 239
2. Municipality of Northern Bruce Peninsula--Correspondence dated July 17, 2020 RE: Resolution of Support (Rent Assistance Program) 240
3. Township of South Glengarry--Resolution No. 229-2020 passed July 20, 2020 RE: Long Term Care Homes 243
4. Municipality of Chatham Kent--Correspondence dated July 21, 2020 RE: Emancipation Day Resolution 244
5. Town of Gore Bay--Correspondence dated July 21, 2020 RE: Support of OPP Diversity Training 246
6. Town of Gore Bay--Correspondence dated July 21, 2020 RE: Support of Universal Basic Income Resolution 248
7. Town of Essex--Correspondence dated July 23, 2020 RE: Request for Raw Data on Positive COVID-19 Cases in Essex County 250
8. City of Windsor--Correspondence dated July 28, 2020 RE: Windsor City Council's Resolution CR333/2020 adopted July 13, 2020 252
9. Township of Huron-Kinloss--Correspondence dated July 28, 2020 RE: Copy of Resolution #451 Common Training Requirements for All Members of Police Services in Ontario 254
10. County of Essex--Correspondence dated July 29, 2020 RE: Support for Federal Assistance for People with Disabilities--COVID-19 Pandemic 255
11. Town of Mono--Correspondence dated July 24, 2020 RE: Diversity Training Requirements for Police Services in Ontario 259
12. City of Owen Sound--Correspondence dated July 31, 2020 RE: Support for Private Member's Bill M-36--Emancipation Day 262
13. Ontario Energy Board--COVID-19 Energy Assistance Program (CEAP) 264

information--Full program details including eligibility criteria is available at [oeb.ca/CEAP](http://oeb.ca/CEAP).

**Recommended Action**

That Council receives Business Correspondence-Informational items 1 through 13.

**K. NOTICES OF MOTION**

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

That Council be provided with any and all information that the Town may have in respect to the proposed Kratz Road Extension to the north or Road 2, to the Third Concession; The concept was referenced at a recent meeting of Council, yet I do not recall it being on our Roads Needs Study, or seeing any draft plans on any of the recent site plans for the greenhouse developments in the subject area.

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

265

That the Committee (Main Street Development Review Committee) be started with or without any vacancies that may exist on or before September 8, 2020; And Further That Council and the Committee so appointed be provided with a sample type or style of agreement that might be considered as well as the details as to when the term might be (two vs. one year in term) by the end of September 2020. (SEE: Notice of Motion correspondence dated August 5, 2020).

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

**M. BYLAWS**

**1. By-law 41-2020**

266

Being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (1246 and 1250 County Road 34, Part of Lot 19, Concession 4, WD, Pt. 1 RP 12R 14075; ZBA/05/20)

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

**2. By-law 73-2020**

269

Being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (257 Road 10 E, Part of Lot 16, Concession 10; ZBA/08/20)

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

**3. By-law 76-2020**

272

Being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-

law for the Town of Kingsville (140 Main St. East; ZBA/07/2020)

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

**4. By-law 77-2020**

274

Being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (V/L NE Side County Road 34 East, Part of Lot 269, Concession NTR, Pts. 1 and 2, RP 12R 26017 and Pt. 1 RP 12R 26659; ZBA/06/20)

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

**5. By-law 78-2020**

277

Being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (111 Queen St., Part of Lot 5, Plan 187; ZBA/03/20)

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

**N. 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)(c) a proposed or pending acquisition or disposition of land by the municipality or local board; being a Report of Director of Corporate Services J. Astrologo dated July 22, 2020 regarding the proposed granting of an easement by the Town to a property owner on Park Lane.

2. Subsection 239(2)(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; being an update from Director of Corporate Services J. Astrologo regarding 183 Main St. East, Kingsville.

**O. REPORT OUT OF CLOSED SESSION**

**P. CONFIRMATORY BY-LAW**

**1. By-law 79-2020**

280

Being a By-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its August 10, 2020 Regular Meeting

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

**Q. ADJOURNMENT**



**KINGSVILLE MUNICIPAL HERITAGE ADVISORY COMMITTEE REPORT  
RE. BYLAW 12-2017 HERITAGE DESIGNATION OF 107 ELM STREET  
(THE COWAN-VALENTINE HOUSE)**

**BACKGROUND**

Council in 2017 designated the property at 107 Elm Street, known as the Cowan-Valentine House. The list of heritage attributes in Schedule “A” of the designation bylaw includes five old-growth, native trees on the property. Since the time of designation, one of the trees became uprooted and fell over. As the designation is no longer accurate because of the loss of one of the trees, and in the interest of safety and expediency for the maintenance of the remaining trees referenced in the designation bylaw, the committee recommends the reference to specific trees be removed from the designation.

**RECOMMENDATION**

The Kingsville Municipal Heritage Advisory Committee recommends Council amend Bylaw 12-2017 to remove the reference in Schedule “A” to the five old-growth trees on the property.

Respectfully submitted:

Sarah Sacheli

Chair, Kingsville Municipal Heritage Advisory Committee

## **F. NEW AND UNFINISHED BUSINESS**

### ***UNFINISHED BUSINESS***

1. Re: 107 Elm Street--Discussion Re: Draft Amending By-law #-2020, to amend By-law 12-2017, being a by-law which designated The Cowan Valentine House (107 Em Street)

The sole purpose of the amendment is to remove the reference to the designated old growth trees on the property for safety reasons. The amendment is considered a minor amendment to the designation by-law. One tree has already fallen and has since been removed, and the amendment is being made at the request of the property owner.

#### **MHC35-2020**

Moved by S. Olson, seconded by E. Cacciavillani that the Committee recommends that the Proposed Amendment to By-law 12-2017, be presented to Kingsville Council for approval; and Further That Council issues a Notice of Proposed Amendment to be served upon the property owner.

**CARRIED**

**THE CORPORATION OF THE TOWN OF KINGSVILLE**

**BY-LAW 12 - 2017**

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*Being a by-law to designate a certain property, including land and buildings, known as The Cowan-Valentine House (107 Elm St., Kingsville) as being of cultural heritage value or interest under the provisions of the Ontario Heritage Act, R.S.O. 1990, c.O.18 as amended*

**WHEREAS** Section 29 of the *Ontario Heritage Act* authorizes the council of a municipality to enact by-laws to designate real property, including all the buildings and structures located thereon, to be of cultural heritage value or interest;

**AND WHEREAS** the Council for The Corporation of the Town of Kingsville has consulted with the Kingsville Municipal Heritage Advisory Committee with respect to the designation of 107 Elm St. as being of cultural heritage value or interest;

**AND WHEREAS** authority was granted by Council to designate such property;

**AND WHEREAS** the Council for The Corporation of the Town of Kingsville has caused to be served upon the owner of the lands municipally known as 107 Elm St., Kingsville and upon the Ontario Heritage Trust, Notice of Intention to Designate the foregoing property and has caused the Notice of Intention to be published in a newspaper having general circulation in the municipality as required by the *Ontario Heritage Act*;

**AND WHEREAS** the statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property are set out in Schedule "A" to this By-law;

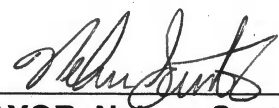
**AND WHEREAS** no notice of objection to the proposed designation of the foregoing property has been served on the Clerk for The Corporation of the Town of Kingsville.

**NOW THEREFORE** the Council for The Corporation of the Town of Kingsville enacts as follows:

1. That the property known as The Cowan-Valentine House and municipally known as 107 Elm St., including lands and buildings, more particularly described in Schedule "B" attached to this By-law, is hereby designated as being of cultural heritage value or interest under Part IV of the *Ontario Heritage Act*, R.S.O. 1990, c.O.18, as amended;
2. That the municipality's solicitor is hereby authorized to cause a copy of this By-law to be registered against the property described in Schedule "B" to this By-law in the proper Land Registry Office;
3. That the Clerk of The Corporation of the Town of Kingsville is hereby authorized to cause a copy of this By-law to be served upon the owners of the aforesaid property and upon the Ontario Heritage Trust, and to cause notice of this By-law to be published in a newspaper having general circulation in The Corporation of the Town of Kingsville as required by the *Ontario Heritage Act*;

4. That Schedules "A" and "B" form an integral part of this By-law.

**READ a FIRST, SECOND and THIRD time and FINALLY PASSED this 23<sup>rd</sup> day of January, 2017.**



MAYOR, Nelson Santos



CLERK, Jennifer Astrologo

**The Corporation of the Town of Kingsville  
By-law 12-2017**

**Schedule "A"**  
107 Elm St., Kingsville, Ontario  
The Cowan-Valentine House

**Description of Property:** The Cowan-Valentine House

Constructed in 1902, the Cowan-Valentine House is a 2 ½ storey brick house in the Queen Anne academic style located in the Town of Kingsville.

**Statement of Cultural Heritage Value or Interest:**

The cultural value of the house lies partly in its association with two prominent Kingsville citizens: Alexander Cowan and William Valentine.

Alexander Cowan (1853-1913) was born in Olinda, Ontario. Cowan served as clerk and purser on the steamer, 'City of Dresden' which began its regular route between Windsor, Amherstburg, and other lake shore ports on March 29, 1886. Cowan next became purser on the steamer 'Lakeside'. By 1894 Cowan started a career in commerce as a general merchant. In the fall of 1901 Cowan proposed establishing a regular boat service to run between the mainland and Pelee Island. The steamer, 'Greyhound', built in 1888 was also known as 'Lincoln' and 'Premier'. Due to Cowan's efforts it provided a ferry service operating between the Lake Erie Canadian mainland north shore and Pelee Island for the season of 1903. In 1904 'Lincoln' provided a longer service operating from Windsor to Pelee Island and Sandusky, Ohio. Alexander Cowan died on April 11, 1913 at the home of his brother-in-law, Mr. E. R. Scratch.

William Valentine (1868-1961) was born in Pickering, Ontario but lived most of his life in Kingsville. He was the bookkeeper for the Ontario Gas Company. He also served as secretary of the Hodge Tobacco Company Ltd. for 27 years and was a member of St. George's Lodge A.F. & A.M. No. 41. William Valentine died suddenly at his Elm Street residence on July 16, 1961.

The cultural heritage value of the Cowan-Valentine House also lies in it being a particularly fine example of the Queen Anne Academic style of private dwelling Kingsville, Ontario. The 2 ½ storey brick house has a gable/hip roof, eaves in the gables, spindle work, flat arches, smooth faced sills, open round tower, Doric columns, decorative capitals on the columns and a two-storey partial porch with a peaked roof. The house is constructed of red brick from the local Jack Miner brickyard. The foundation is cut fieldstone. There is a stepping stone near the curb; this is a block of stone placed near the edge of the street usually in line with the front doorway of a home to help passengers as they climbed in and out of carriages.

**Description of Heritage Attributes:**

Key attributes that embody the heritage value of the Cowan-Valentine house include several examples of fine and/or unique craftsmanship. The main entryway/foyer includes the original wooden staircase made of ash. An area of wall and sloped ceiling constructed with ash in a parallel board pattern contribute to the refinement of the entry. Nine inch ash baseboard surrounds the living room walls. There is an arched stained glass window on the wall leading up the stairs and 2 rectangular stained glass transom windows in the living room.

The property includes 5 old growth giant native trees: a tulip tree, a red oak tree and 3 white oak trees. The most impressive one is the Tulip tree (*Liriodendron tulipifera* L.). Considered one of Canada's most distinctive trees, it is also one of the largest hardwood trees. The red oak (*Quercus rubra* L.) specimen tree is located near the garage. The 3 white oak (*Quercus alba* L.) trees are near the back of the property.

**The Corporation of the Town of Kingsville**  
**By-law 12-2017**

**SCHEDULE “B”**

**Description:**

LT 37-38, 48-49 PL 227 GOSFIELD; KINGSVILLE

The applicant(s) hereby applies to the Land Registrar.

**Properties**

PIN                75183 - 0245   LT  
Description    LT 37-38, 48-49 PL 227 GOSFIELD; KINGSVILLE  
Address        107 ELM ST  
                     KINGSVILLE

**Applicant(s)**

This Order/By-law affects the selected PINs.

Name                THE CORPORATION OF THE TOWN OF KINGSVILLE  
Address for Service    2021 Division Road N.  
                              Kingsville, Ontario  
                              N9Y 2Y9

This document is being authorized by a municipal corporation Nelson Santos, Mayor and Jennifer Astrologo, Clerk.  
This document is not authorized under Power of Attorney by this party.

**Statements**

This application is based on the Municipality By-law See Schedules.

**Signed By**

Shawna Diane Martindale	22 Queens Ave Leamington N8H 3G8	acting for Applicant(s)	Signed	2017 02 22
Tel        519-326-4415				
Fax        519-326-1844				

I have the authority to sign and register the document on behalf of the Applicant(s).

**Submitted By**

PMHS Law Office	22 Queens Ave Leamington N8H 3G8	2017 02 22
Tel        519-326-4415		
Fax        519-326-1844		

**Fees/Taxes/Payment**

Statutory Registration Fee	\$63.35
Total Paid	\$63.35

**File Number**

Applicant Client File Number :                17-0217

**The Corporation of the Town of Kingsville**  
**By-law \*\*-2020**

**Schedule “A”**  
107 Elm St., Kingsville, Ontario  
The Cowan-Valentine House

**Description of Property:** The Cowan-Valentine House

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**Statement of Cultural Heritage Value or Interest:**

The cultural value of the house lies partly in its association with two prominent Kingsville citizens: Alexander Cowan and William Valentine.

Alexander Cowan (1853-1913) was born in Olinda, Ontario. Cowan served as clerk and purser on the steamer, ‘City of Dresden’ which began its regular route between Windsor, Amherstburg, and other lake shore ports on March 29, 1886. Cowan next became purser on the steamer ‘Lakeside’. By 1894 Cowan started a career in commerce as a general merchant. In the fall of 1901 Cowan proposed establishing a regular boat service to run between the mainland and Pelee Island. The steamer, ‘Greyhound’, built in 1888 was also known as ‘Lincoln’ and ‘Premier’. Due to Cowan’s efforts it provided a ferry service operating between the Lake Erie Canadian mainland north shore and Pelee Island for the season of 1903. In 1904 ‘Lincoln’ provided a longer service operating from Windsor to Pelee Island and Sandusky, Ohio. Alexander Cowan died on April 11, 1913 at the home of his brother-in-law, Mr. E. R. Scratch.

William Valentine (1868-1961) was born in Pickering, Ontario but lived most of his life in Kingsville. He was the bookkeeper for the Ontario Gas Company. He also served as secretary of the Hodge Tobacco Company Ltd. for 27 years and was a member of St. George’s Lodge A.F. & A.M. No. 41. William Valentine died suddenly at his Elm Street residence on July 16, 1961.

The cultural heritage value of the Cowan-Valentine House also lies in it being a particularly fine example of the Queen Anne Academic style of private dwelling Kingsville, Ontario. The 2 ½ storey brick house has a gable/hip roof, eaves in the gables, spindle work, flat arches, smooth faced sills, open round tower, Doric columns, decorative capitals on the columns and a two-storey partial porch with a peaked roof. The house is constructed of red brick from the local Jack Miner brickyard. The foundation is cut fieldstone. There is a stepping stone near the curb; this is a block of stone placed near the edge of the street usually in line with the front doorway of a home to help passengers as they climbed in and out of carriages.

**Description of Heritage Attributes:**

Key attributes that embody the heritage value of the Cowan-Valentine house include several examples of fine and/or unique craftsmanship. The main entryway/foyer includes the original wooden staircase made of ash. An area of wall and sloped ceiling constructed with ash in a parallel board pattern contribute to the refinement of the entry. Nine inch ash baseboard surrounds the living room walls. There is an arched stained glass window on the wall leading up the stairs and 2 rectangular stained glass transom windows in the living room.





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

**APPLICATION:** ZONING BY-LAW AMENDMENT - ZBA/09/20  
(Section 34 of the Planning Act, R.S.O. 1990, C.P. 13)

**APPLICANTS:** Solid Rock Homes Inc

**LOCATION OF PROPERTY:** 273 & 281 Glass Ave

**PURPOSE OF APPLICATION:** The Town of Kingsville has received the above-noted application for lands located on the south side of Glass Ave, on the eastern corner of Wigle Ave. The subject property is designated Residential by the Official Plan and zoned Residential Zone 1 Urban (R1.1) under the Kingsville Comprehensive Zoning By-law.

The subject land is comprised of two properties. 273 Glass Ave being 784.3 sq. m (8,442.14 sq. ft.) and 281 Glass Ave being 784.5 sq. m (8,444.29 sq. ft.) in area. There is currently a single dwelling located on 273 Glass Ave to be demolished. The applicant proposes to build a semi-detached dwelling on each property. In order to build a semi-detached dwelling unit to a favourable size on the corner of Wigle Ave and Glass Ave, the applicant is seeking to amend the exterior side yard setback from 15 ft. to 10 ft. Approval of the Zoning By-law Amendment would permit the applicant to begin construction on the semi-detached dwellings. Once constructed, the applicant will apply for Consent in order to create separately conveyable units.

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

**WHEN:** August 10, 2020  
**WHERE:** ELECTRONIC MEETING ON ZOOM  
**TIME:** 6:00 p.m.

If you have comments on this application, they may be forwarded in writing via email to [kbrbic@kingsville.ca](mailto:kbrbic@kingsville.ca) or letter mail, to the attention of: Kristina Brcic, Town Planner, 2021 Division Road North, Town of Kingsville, ON N9Y 2Y9. Comments and opinions submitted on these matters, including your name and address, may become part of the public record and may be viewed by the general public and may be published in a planning report or reproduced in a Council agenda and/or minutes.

**If a Person or Public Body** that files an appeal of a decision of The Town of Kingsville in respect of the proposed consent does not make written submissions to The Town of Kingsville before it gives or refuses to give a provisional consent, the Local Planning Appeal Tribunal may dismiss the appeal.

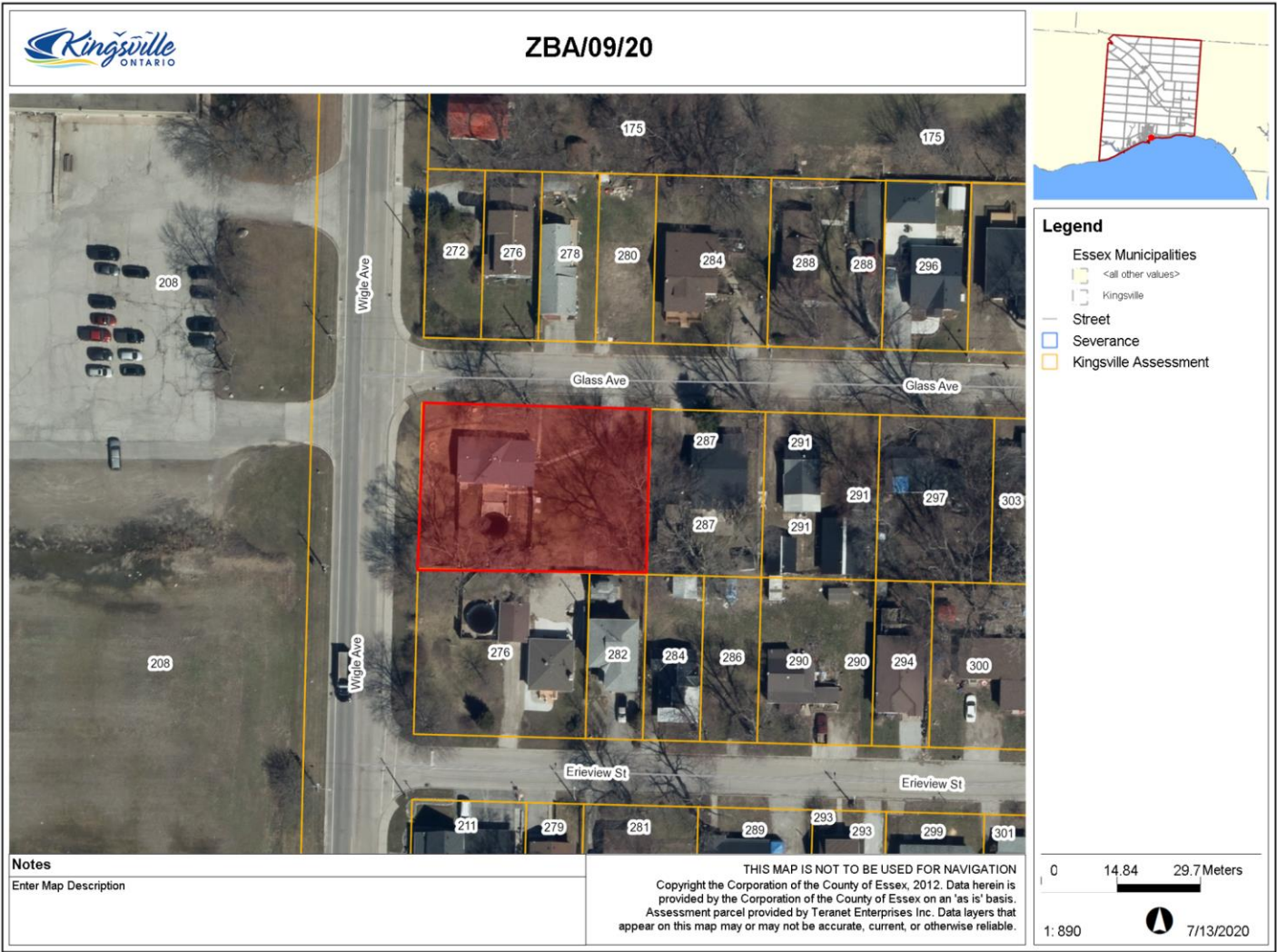
**If You Wish** to be notified of the decision of The Town of Kingsville in respect of the proposed consent, you must make a written to the **Municipal Clerk, Town of Kingsville, 2021 Division Road North, Kingsville, Ontario, N9Y 2Y9.**

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

**DATED AT THE TOWN OF KINGSVILLE** on July 17<sup>th</sup>, 2020.



## ITEM POSTPONED

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

**APPLICATION:** ZONING BY-LAW AMENDMENT - ZBA/09/20  
(Section 34 of the Planning Act, R.S.O. 1990, C.P. 13)

**APPLICANTS:** Solid Rock Homes Inc

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

**WHEN:** ~~August 10, 2020~~ **POSTPONED DATE TBD**  
**WHERE:** **ELECTRONIC MEETING ON ZOOM**  
**TIME:** 6:00 p.m.

If you have comments on this application, they may be forwarded in writing via email to [kbrbic@kingsville.ca](mailto:kbrbic@kingsville.ca) or letter mail, to the attention of: Kristina Brcic, Town Planner, 2021 Division Road North, Town of Kingsville, ON N9Y 2Y9. Comments and opinions submitted on these matters, including your name and address, may become part of the public record and may be viewed by the general public and may be published in a planning report or reproduced in a Council agenda and/or minutes.

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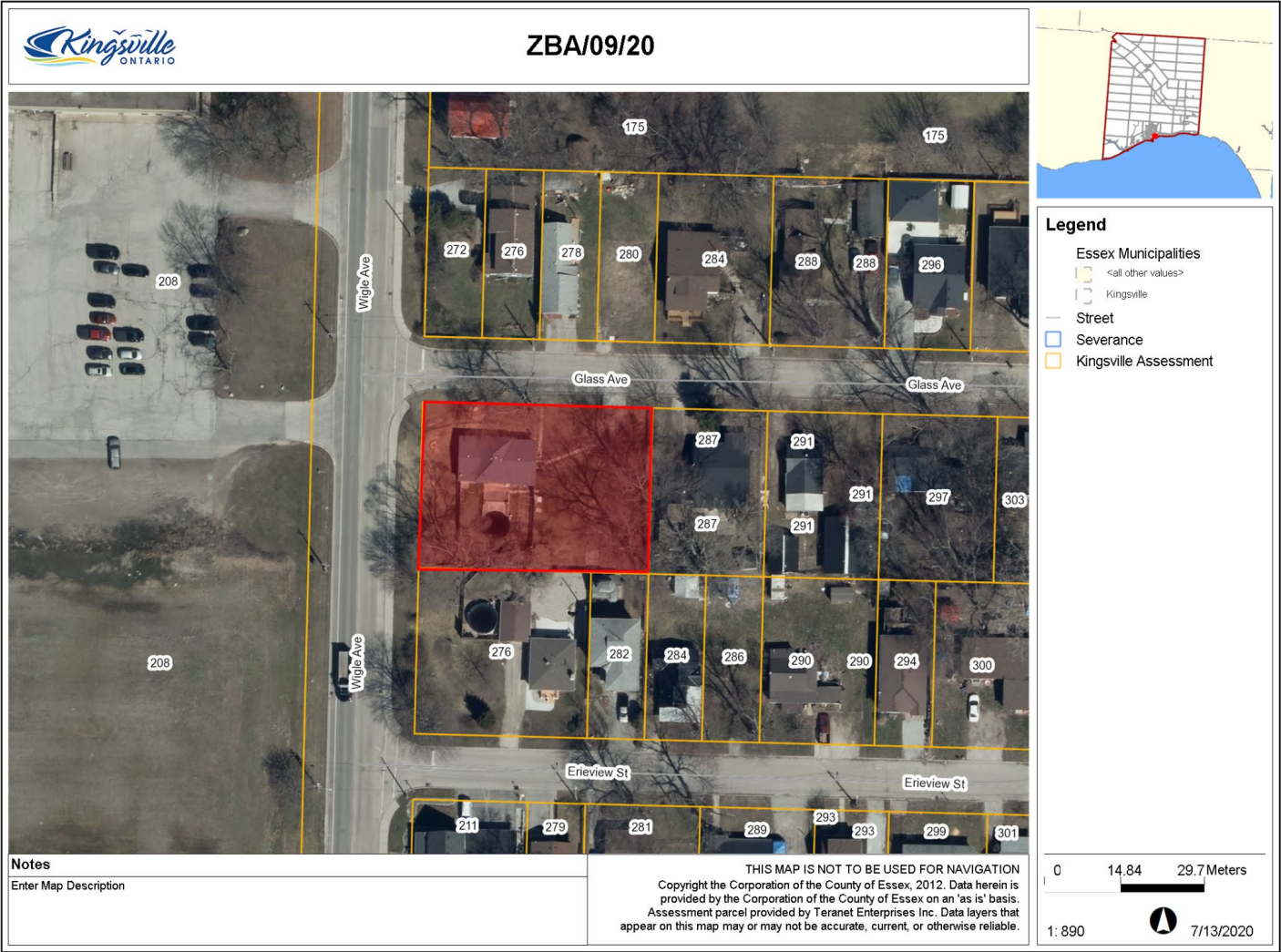
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**ADDITIONAL INFORMATION** relating to these matters matter is available for review at the Kingsville Municipal Office during regular office hours.

**DATED AT THE TOWN OF KINGSVILLE** on July 17<sup>th</sup>, 2020. **Amended: July 30th, 2020**





**Monday, August 10, 2020 at 6:00 p.m.**

### Electronic Participation

This Meeting will be held electronically in accordance with the Town of Kingsville's Procedure By-law, by-law 55-2016, as amended, and the provisions of the *Municipal Act, 2001*. The *Municipal Act, 2001* was amended by adding subsections 238 (3.3) and (3.4), which sections expand the ability of municipal councils to conduct electronic meetings in the wake of a declared emergency under section 4 or 7.0.1 of the *Emergency Management and Civil Protection Act*.

The Town of Kingsville continues to take COVID-19 seriously, and in following the advice of provincial and federal governments, is making significant changes to services and programming to help protect health and wellbeing of the community. Town Hall is temporarily closed to the public to help stop the spread of COVID-19. In-person Committee and Council meetings have been cancelled. Such meetings, as warranted, will be held electronically until further notice.

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### Presentation/Delegation Details

#### Remote Participation

The electronic meeting for Council will take place via Zoom. Council, Town Administration, Applicants / Representatives and Delegates will be given access to the meeting. If you wish to participate please read the instructions below.

#### Public Comments

a) **Submit comments in writing:** Written comments are strongly encouraged. Please provide your name (first and last), your address and which item you are commenting on. They may be submitted in writing or by email, to Kristina Brcic, Town Planner (see contact info. below). Comments received by 4:00 PM on Monday, August 3rd will be part of the Council Agenda package prior to the meeting. Comments received after this time will be forwarded to Members of Council as soon as possible, and prior to the meeting on August 10th.

b) **Request to speak at the Meeting:** Prior to 4:00 PM on Friday, August 7th you must contact Kristina Brcic, Town Planner to request to speak during the meeting. Please provide your name (first and last), your address, the item/application you wish to speak on and your email address / phone number.

#### Remote participation for public comments

Once confirmed to speak at the meeting, delegates will be provided the Zoom meeting details and password prior to the meeting. Please note that neither a computer, nor a video sharing device, is required to participate in the meeting via Zoom; you may call in from a cell phone or landline.

The following information is provided for your consideration and guidance during remote participation in the meeting:

- Please join the meeting at least 15 minutes prior to the start of the meeting in order to avoid any delays. If you have not joined the Council meeting when your Agenda Item is called upon, you may be deferred to a future meeting.
- When you join the meeting, you will be admitted in as an attendee. You will be able to hear the meeting and see the active speaker (if you have video capability), but your mic will be muted until it is your turn to speak. If attending through a computer, with video capabilities, please turn off your camera until your Agenda Item is called upon.

- If you join the meeting through your phone, please **Do not put the phone on hold at any time**, as this will result in broadcasting “hold music” online once your mic function is unmuted.
  - To optimize call quality when using a laptop, a headset with microphone is best if available to you; otherwise, whether using your laptop microphone or cell phone, please speak directly into the receiver and do not use speaker phone.
  - **Please do not forward the Zoom meeting details with anyone or post through social media.** Only registered participants will be admitted to the meeting.
  - **Participants must keep their presentation directly related to the matter to which they are speaking.**
  - Once your delegation is complete, you will be disconnected from the meeting. You may continue to view the meeting through the Town’s website, via live stream (<https://calendar.kingsville.ca/council>).
- 

**For more information, please contact:**

Kristina Brcic, Town Planner – Planning Services  
Phone: 519-733-2305 Ext. 249  
Email: [kbrbic@kingsville.ca](mailto:kbrbic@kingsville.ca)  
The Corporation of the Town of Kingsville  
2021 Division Road North  
Kingsville, Ontario N9Y 2Y9

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

**APPLICATION:** ZONING BY-LAW AMENDMENT - ZBA/05/20  
(Section 34 of the Planning Act, R.S.O. 1990, C.P. 13)

CONSENT APPLICATION B/01/20  
(Section 53 of the Planning Act R.S.O. 1990, C.P. 13)

**APPLICANTS:** David & Rosanne Nickels

**LOCATION OF PROPERTY:** 1246 & 1250 County Road 34

**PURPOSE OF APPLICATION:** The Town of Kingsville has received the above-noted application for lands located on the north side of County Road 34, just east of Graham Side Road. The subject property is designated 'Agriculture' by the Official Plan and zoned 'Agricultural (A1)' under the Kingsville Comprehensive Zoning By-law.

The subject land is 12.14 ha (30 ac.) in area and contains two single detached dwellings and three outbuildings. It is proposed that the two dwellings, deemed surplus to the farming operation of the owners, be severed on a 0.28 ha (0.692 ac.) lot, shown as Part 1 (Parcel A – 1246, dwelling & garage) and a 0.25 ha (0.626 ac.) lot, shown as Part 2 (Parcel B – 1250, dwelling only) on the applicant's sketch. The owners maintain another farm parcel containing a qualifying dwelling.

As a condition of the consent, an application to rezone the retained farm parcel from 'Agricultural (A1)' to 'Agriculture - Restricted (A2)' is required to prohibit dwellings as per Provincial and Town policies (File ZBA/05/20).

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

**WHEN:** August 10, 2020  
**WHERE:** ELECTRONIC MEETING ON ZOOM  
**TIME:** 6:00 p.m.

If you have comments on this application, they may be forwarded in writing via email to [kbric@kingsville.ca](mailto:kbric@kingsville.ca) or letter mail, to the attention of: Kristina Bric, Town Planner, 2021 Division Road North, Town of Kingsville, ON N9Y 2Y9. Comments and opinions submitted on these matters, including your name and address, may become part of the public record and may be viewed by the general public and may be published in a planning report or reproduced in a Council agenda and/or minutes.

**If a Person or Public Body** that files an appeal of a decision of The Town of Kingsville in respect of the proposed consent does not make written submissions to The Town of Kingsville before it gives or refuses to give a provisional consent, the Local Planning Appeal Tribunal may dismiss the appeal.

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

**DATED AT THE TOWN OF KINGSVILLE** on July 10<sup>th</sup>, 2020.







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

**Date:** June 12, 2020

**To:** Mayor and Council

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

**RE:** Combined Application for Consent and Zoning By-law Amendment  
File B/01/20 & ZBA/05/20 by  
David & Rosanne Nickels  
1246 & 1250 County Road 34  
Part of Lot 19, Concession 4, WD, Pt. 1, RP 12R 14075

**Report No.:** PS 2020-027

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## **AIM**

To provide the Town of Kingsville with information regarding the consent to sever two existing dwellings deemed surplus to the owners, and a Zoning By-law Amendment to rezone the remnant farm parcel to restrict future development of residential dwellings, on lands known as 1246 & 1250 County Road 34, in the Town of Kingsville.

## **BACKGROUND**

The subject land is 12.14 ha (30 ac.) in area and contains two single detached dwellings and three outbuildings. It is proposed that the two dwellings, deemed surplus to the farming operation of the owners, be severed on a 0.28 ha (0.692 ac.) lot, shown as Part 1 (Parcel A – 1246, dwelling & garage) and a 0.25 ha (0.626 ac.) lot, shown as Part 2 (Parcel B – 1250, dwelling only) on the applicant's sketch. The owners maintain their base of farming operations to the east at 1474 County Road 34.

As a condition of the consent, an application to rezone the retained farm parcel from 'Agricultural (A1)' to 'Agriculture - Restricted (A2)' is required to prohibit dwellings as per Provincial and Town policies (File ZBA/05/2020).

## **DISCUSSION**

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

## **1.0 Provincial Policy Statement**

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

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

## **2.0 Official Plan**

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

The requested consent to sever the surplus dwellings conforms to the policies of Section 7.3.1, Agriculture Land Division, of the Official Plan. Both proposed severed parcel are within the recommended size limit of 0.8 ha (1.977 ac.) or less.

Comment: The application conforms to the Kingsville Official Plan.

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

Part 1 on the applicant’s sketch (1246 County Rd 34), has an area of 0.28 ha (0.692 ac.) with 44.81 m (147 ft.) of frontage.

Part 2 on the applicant’s sketch (1250 County Rd 34), has an area of 0.25 ha (0.626 ac.) with 40.54 m (133 ft.) of frontage.

The retained parcel will have an area of approximately 11.33 ha (28 ac.) and provide a frontage of 86.33 m (283.22 ft.) on County Road 34.

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

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

## **LINK TO STRATEGIC PLAN**

Manage growth through sustainable planning.  
To promote a safe community.

## **FINANCIAL CONSIDERATIONS**

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

## **CONSULTATIONS**

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

### **Agency & Administrative Consultation**

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

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

- The parcel falls within the regulated area of the Orton Sideroad Drain.
- The property owner will be required to obtain a Permit and/or Clearance from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by Section 28 of the Conservation Authorities Act.
- ERCA has no objection to the Application for consent and the Zoning By-Law Amendment.
- See full comment in Appendix D.

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

- Drainage re-apportionment required.
- Confirm that the location of the septic systems and water service are aligned with the proposed limits of both Part 1 and 2.
- Septic system inspections are required.
- New access is required to the retained farm parcel.
- If a new entrance is being created obtain required permits from municipal services or Essex County Highways, which ever applies. Prior to obtaining a building permit.
- Daylight sight triangle requirement (Graham @ Road 5 E). 9m x 9m conveyance including vegetation removal within conveyance

### **County of Essex**

- Provided Engineering comments.
- Minimum setback for proposed structures is 85 feet from the centre of the original ROW.
- Requesting a copy of the Decision.

## RECOMMENDATION

That Council:

Approve consent application B/01/20 to sever two existing dwellings, deemed surplus to the needs of the applicants' farming operation on parcels shown as Part 1 (1246 County Rd 34) - 0.28 ha (0.692 ac.) and Part 2 (1250 County Rd 34) - 0.25 ha (0.626 ac.), on the applicants' sketch, in the Town of Kingsville, subject to the following conditions:

- a) That a reference plan be deposited in the registry office, both an electronic and paper copy of the registered plan is to be provided to the Town.
- b) That any special assessment imposed pursuant to the provisions of the Local Improvement Act and/or Municipal Act be paid in full along with all municipal taxes.
- c) That any necessary drainage apportionments be undertaken.
- d) That a clearance letter of approval for the septic systems on Parts 1 and/or 2 must be obtained from the Town's Building Department.
- e) That as a result of the severance, owners shall become liable by way of up front monies for the assessment and taxation of their properties for any waterworks or sanitary sewer systems affecting their properties, in accordance with the Fees By-law in effect on the date of certification of the deed.
- f) The zoning of the retained parcel be amended to prohibit future dwellings prior to certification.
- g) That the applicants convey a 9m x 9m daylight triangle (at the corner of Graham Sideroad & Road 5 E) including vegetation removal, free of charge and clear of all encumbrances.
- h) That the applicants obtain the necessary permit for and install a new access to the retained farm parcel at the applicant's expense and to the satisfaction of the Town and/or County;
- i) That the necessary deed(s), transfer or changes be submitted in triplicate, signed and fully executed (no photocopies), including a copy of the reference plan, prior to certification.
- j) The conditions imposed above shall be fulfilled by August 10, 2021 or this application shall be deemed to be refused in accordance with Section 53(41) of the Planning Act.

Council approve zoning by-law amendment application ZBA/05/20 to rezone the retained parcel, in Part of Lot 19, Concession 4, WD, Pt. 1, RP 12R 14075, in the Town of Kingsville, from 'Agriculture (A1)' to 'Agriculture – Restricted (A2)' and adopt the implementing by-law.

*Kristina Brcic*

Kristina Brcic, MSc, BURPI  
Town Planner

*Robert Brown*

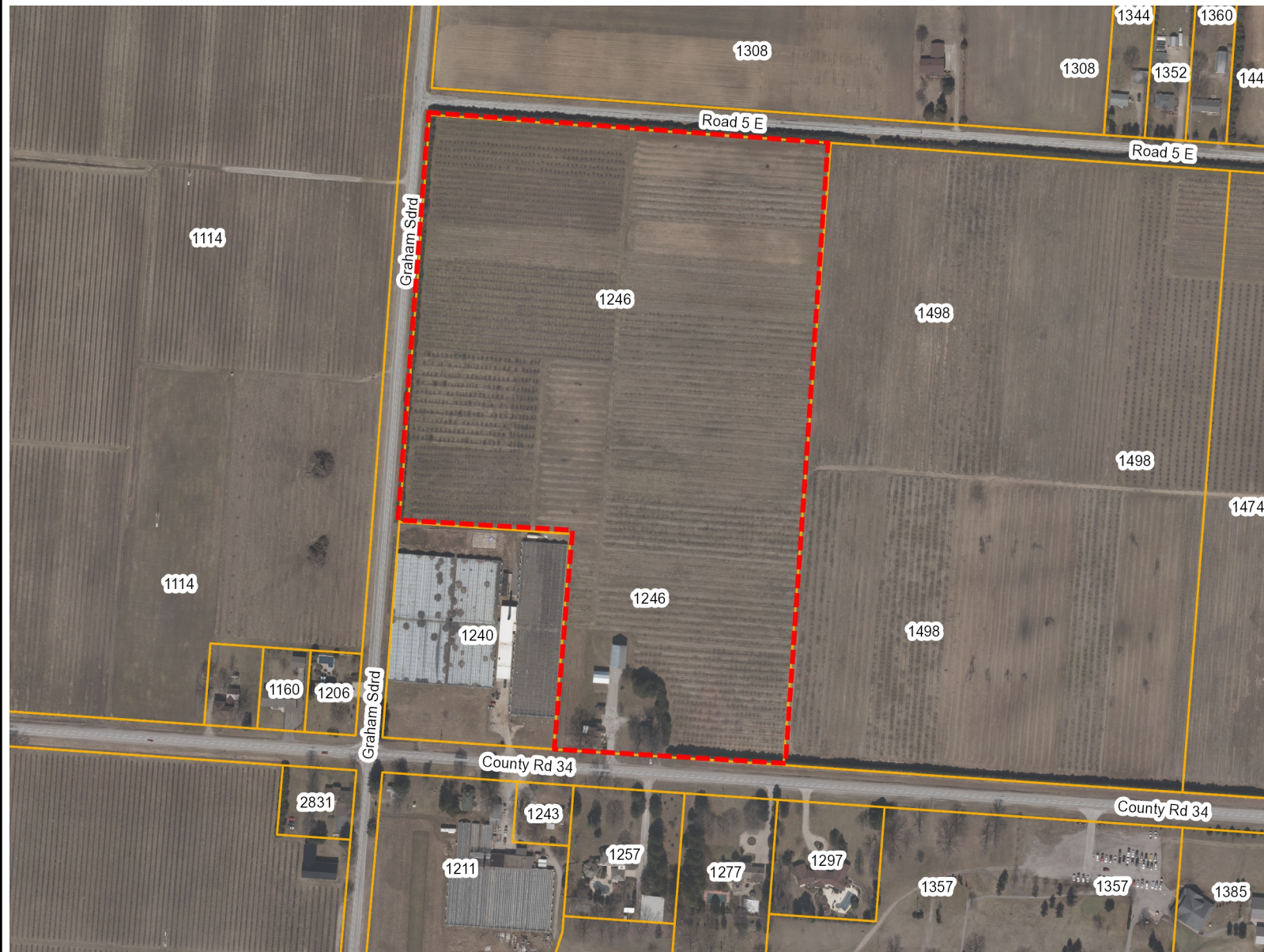
Robert Brown, H. Ba, MCIP, RPP  
Manager, Planning Services



# Appendix A - Location Map



**B/01/20 & ZBA/05/20**



## Legend

Essex Municipalities

<all other values>

Kingsville

Street

Severance

Kingsville Assessment

## Notes

Enter Map Description

THIS MAP IS NOT TO BE USED FOR NAVIGATION

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

0 74.21 148.4 Meters

1: 4,452



3/31/2020







March 02, 2020

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

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

Dear Mr. Brown:

RE: Application for Consent B-014-2020 & ZBA-05-2020, and Zoning By-Law Amendment  
1246 & 1250 County Road 34  
ARN 371139000005100, 371139000005200; PIN: 751480183, 751480182

The following is provided as a result of our review of Application for Consent B-014-2020 & ZBA-05-2020 for purpose of lot severance of surplus dwellings and Zoning By-Law Amendment from A-1 Agriculture to Agriculture A-2 Restricted to prohibit dwellings within remaining agricultural lands.

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

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

The above noted lands are subject to our Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation under the *Conservation Authorities Act* (Ontario Regulation No. 158/06). The parcel falls within the regulated area of the Orton Sideroad Drain. The property owner will be required to obtain a Permit and/or Clearance from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by Section 28 of the *Conservation Authorities Act*.

### **WATERSHED BASED RESOURCE MANAGEMENT AGENCY**

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

Mr. Brown  
March 02, 2020

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

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

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

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

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

**FINAL RECOMMENDATION**

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

Sincerely,



Fernando Cirino, MUD  
*Resource Planner*  
/fc

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

## **BY-LAW 41-2020**

---

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

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

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

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

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

1. Schedule "A", Map 44 of By-law 1-2014 is hereby amended by changing the zone symbol on a portion of land, in Part of Lot 19, Concession 4, WD, Pt. 1, RP 12R 14075, as shown on Schedule 'A' in cross-hatch attached hereto from 'Agriculture (A1)' to 'Agriculture - Restricted (A2)'.
2. This by-law shall come into force and take effect from the date of passing by Council and shall come into force in accordance with Section 34 of the Planning Act.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS  
10<sup>TH</sup> DAY OF AUGUST, 2020.**

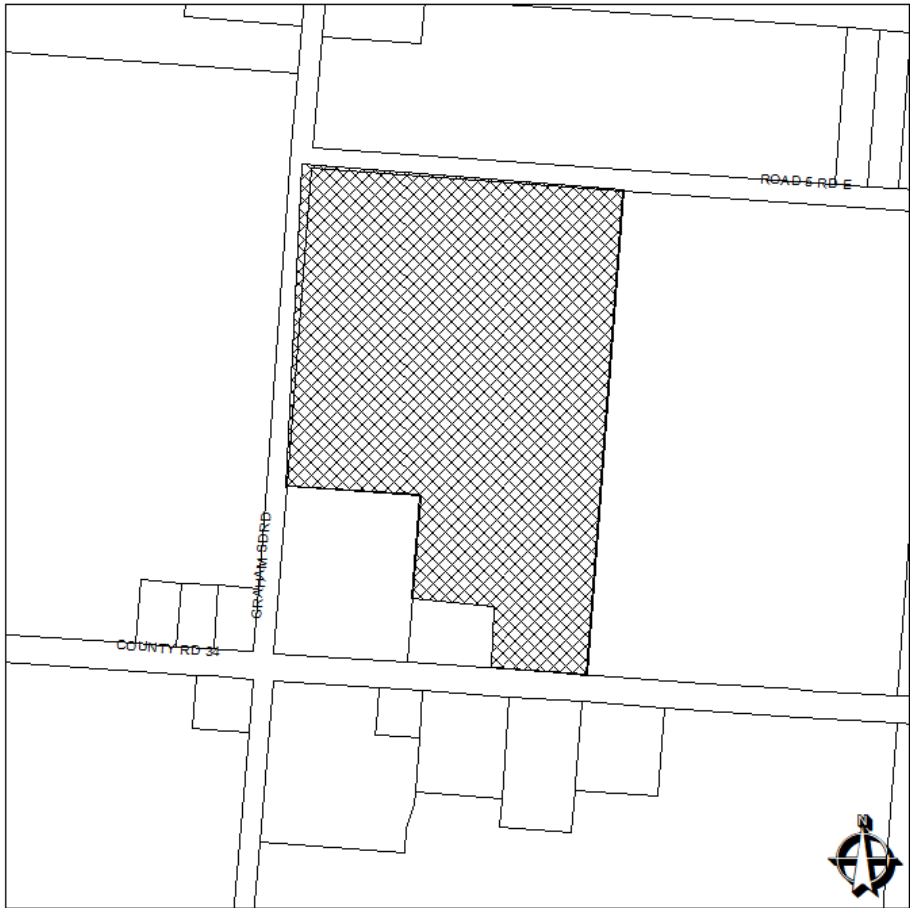
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**MAYOR, Nelson Santos**

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**CLERK, Jennifer Astrologo**

Schedule A



**1246 & 1250 County Road 34**  
**Part of Lot 19, Concession 4, WD**  
**Pt. 1, RP 12R 14075**  
**ZBA/05/20**

Meters  
0 37.575 150 225 300

Schedule "A", Map 44 of By-law 1-2014 is hereby amended by changing the zone symbol as shown on Schedule 'A' in cross-hatch attached hereto from 'Agriculture (A1)' to 'Agriculture - Restricted (A2)'.



## Appendix D – Site Pictures



Looking southeast across the retained farm lot.



Looking south across the retained farm lot from the stop sign located on Rd 5 E intersecting with Graham SdRd.



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

**Date:** July 21, 2020

**To:** Mayor and Council

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

**RE:** Combined Application for Consent and Zoning By-law Amendment  
File B/06/20 & ZBA/08/20 by  
David Armstrong  
257 Rd 10 E  
Part of Lot 16, Concession 10

**Report No.:** PS 2020-040

---

## **AIM**

To provide the Mayor and Council with information regarding a consent to sever an existing dwelling deemed surplus to the owner, and a Zoning By-law Amendment to rezone the remnant farm parcel to restrict future development of residential dwellings, on land known as 257 Road 10 East, in the Town of Kingsville.

## **BACKGROUND**

The Town of Kingsville has received the above-noted application for lands located on the north side of Road 10 East, west of Graham Side Road. The subject property is designated 'Agriculture' by the Official Plan and zoned 'Agricultural (A1)' under the Kingsville Comprehensive Zoning By-law.

The subject land is 41.59 ha (102.78 ac.) in area and contains one single detached dwelling with a detached garage and three outbuildings. It is proposed that the dwelling, deemed surplus to the farming operation of the owner, be severed on a 0.48 ha (1.19 ac.) lot, shown as Part 1 on the applicant's sketch. The owner's base of operations is located in the community of South Woodslee in the Municipality of Lakeshore.

As a condition of the consent, an application to rezone the retained farm parcel from 'Agricultural (A1)' to 'Agriculture - Restricted (A2)' is required to prohibit dwellings as per Provincial and Town policies (File ZBA/08/2020).

A map showing the location of the subject parcel (see Appendix A) and a sketch showing the proposed lot configurations (see Appendix B) is attached.

## **DISCUSSION**

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

### **1.0 Provincial Policy Statement**

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

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

### **2.0 Official Plan**

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

The requested consent to sever the surplus dwelling conforms to the policies of Section 7.3.1, Agriculture Land Division, of the Official Plan. The proposed severed parcel is within the recommended size limit of 0.8 ha (1.977 ac.) or less.

Comment: The application conforms to the Kingsville Official Plan.

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

The subject property is presently zoned ‘Agriculture (A1)’ in the Comprehensive Zoning By-law. The severed surplus dwelling, shown as Part 1 on the applicant’s sketch, has an area of 0.48 ha (1.19 ac.) with 64.01 m (210 ft.) of frontage on Road 10 E. The retained farm parcel will have an area of approximately 41.11 ha (101.59 ac.) and provide a frontage of 237.74 m (780 ft.) on Road 10 E.

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

## **LINK TO STRATEGIC PLAN**

Manage growth through sustainable planning.



## **FINANCIAL CONSIDERATIONS**

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

## **CONSULTATIONS**

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

### **Agency & Administrative Consultation**

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

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

- The parcel falls within the regulated area of the McMahon and Rivest Drain.
- The property owner will be required to obtain a Permit and/or Clearance from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by Section 28 of the Conservation Authorities Act.
- ERCA has no objection to the Application for consent and the Zoning By-Law Amendment.
- See full comment in Appendix C.

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

- Drainage re-apportionment required.
- Confirm that the location of the septic systems and water service are aligned with the proposed limits of Part 1.
- Septic system inspections are required to ensure the system is located entirely within the newly proposed lot.

## RECOMMENDATION

That Council:

Approve consent application B/06/20 to sever an existing dwelling, deemed surplus to the needs of the applicants farming operation on a 0.48 ha (1.19 ac.) lot shown as Part 1 on the applicants sketch, known as 257 Road 10 E, in the Town of Kingsville, subject to the following conditions:

- 1) That a reference plan be deposited in the registry office, both an electronic and paper copy of the registered plan is to be provided to the Town.
- 2) That any special assessment imposed pursuant to the provisions of the Local Improvement Act and/or Municipal Act be paid in full along with all municipal taxes.
- 3) That any necessary drainage apportionments be undertaken.
- 4) That as a result of the severance, owners shall become liable by way of up front monies for the assessment and taxation of their properties for any waterworks or sanitary sewer systems affecting their properties, in accordance with the Fees By-law in effect on the date of certification of the deed.
- 5) The zoning of the retained parcel be amended to prohibit future dwellings prior to certification (ZBA/08/20).
- 6) That the applicant provide confirmation to the satisfaction of the Town the location of any existing septic systems in relation to the revised lot line locations.
- 7) That the necessary deed(s), transfer or changes be submitted in triplicate, signed and fully executed (no photocopies), including a copy of the reference plan, prior to certification.
- 8) The conditions imposed above shall be fulfilled by August 10, 2021 or this application shall be deemed to be refused in accordance with Section 53(41) of the Planning Act.

Approve zoning by-law amendment application ZBA/08/20 to rezone the retained parcel, in Part of Lot 16, Concession 10, in the Town of Kingsville, from 'Agriculture (A1)' to 'Agriculture – Restricted (A2)' and adopt the implementing by-law.

Kristina Brcic

Kristina Brcic, MSc, BURPI  
Town Planner

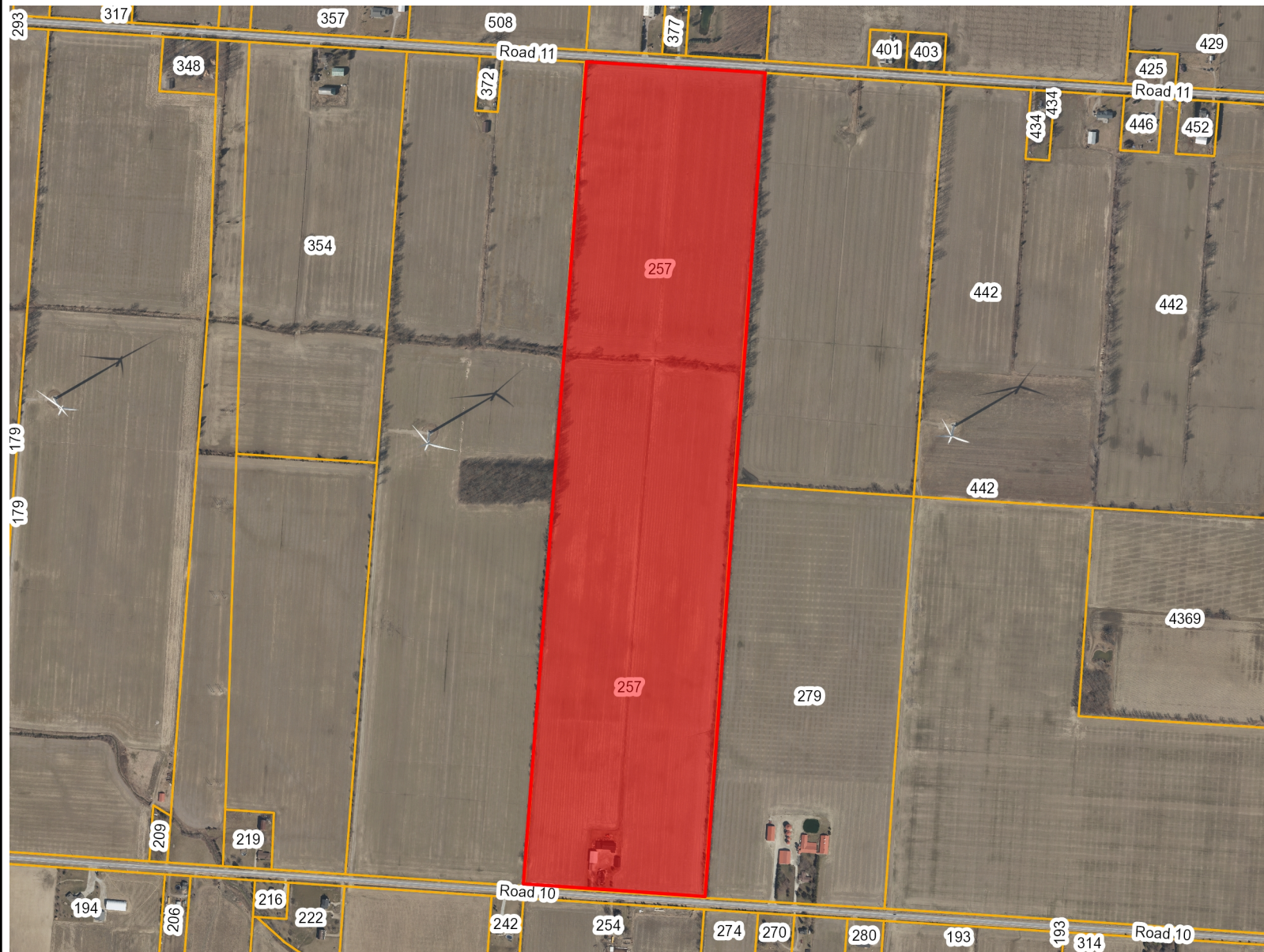
Robert Brown

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

# Appendix A - Location Map



B/06/20 & ZBA/08/20



## Legend

### Essex Municipalities

<all other values>

Kingsville

Street

Severance

Kingsville Assessment

## Notes

257 Road 10 E

THIS MAP IS NOT TO BE USED FOR NAVIGATION

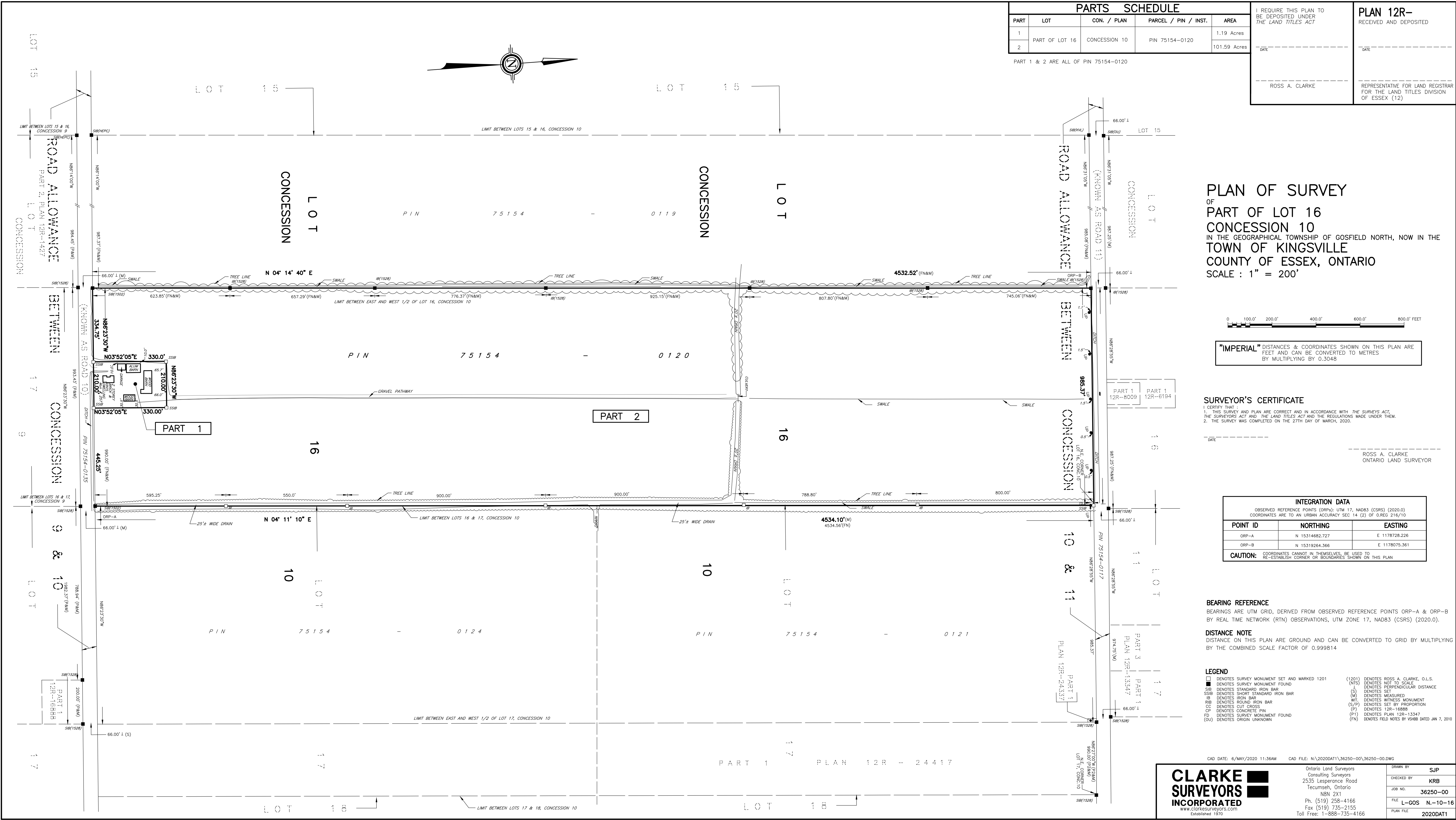
Copyright the Corporation of the County of Essex, 2012. Data herein is provided by the Corporation of the County of Essex on an 'as is' basis. Assessment parcel provided by Teranet Enterprises Inc. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

0 166.62 333.2 Meters

1: 9,996



6/25/2020







planning@erca.org

P.519.776.5209

F.519.776.8688

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

July 17, 2020

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

Dear Ms. Brcic:

RE: Application for Consent B-06-20 & Zoning By-Law Amendment ZBA-08-20; 257 ROAD 10; ARN 371163000000300; PIN: 751540120; Applicant: David Armstrong

The following is provided as a result of our review of Application for Consent B-06-20 and Zoning By-Law Amendment ZBA-08-20. The application is to sever a parcel of land, which includes one single detached dwelling with a detached garage and three outbuildings, which is surplus to the needs of the farming operation. The purpose of the ZBA is to rezone the retained lands to prohibit future residential dwellings.

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

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

The above noted lands are subject to our Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation under the *Conservation Authorities Act* (Ontario Regulation No. 158/06). The parcel falls within the regulated area of the McMahon Drain and Rivest Drain. The property owner will be required to obtain a Permit and/or Clearance from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by Section 28 of the *Conservation Authorities Act*.

We have no objections to the application with respect to our natural hazards or regulatory perspective.

### **PLANNING ADVISORY SERVICE TO MUNICIPALITIES - NATURAL HERITAGE POLICIES OF THE PPS**

The following comments are provided from our perspective as a service provider to the Municipality on matters related to natural heritage and natural heritage systems as outlined in Section 2.1 of the PPS. The comments in this section do not necessarily represent the provincial position and are advisory in nature for the consideration of the Municipality as the planning authority.



Ms. Brcic  
July 17, 2020

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

**FINAL RECOMMENDATION**

Therefore, we have no objections to this application.

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

Sincerely,



Michael Nelson, BSc, MSc (Planning)  
*Watershed Planner*  
/mn

## Appendix D – Site Pictures



Looking north across the surplus dwelling lot.



Looking north across the retained farm lot.



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

## **BY-LAW 73-2020**

---

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

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

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

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

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

1. Schedule "A", Map 27 of By-law 1-2014 is hereby amended by changing the zone symbol on a portion of land, known municipally as 257 Road 10 E, in Part of Lot 16, Concession 10, as shown on Schedule 'A' in cross-hatch attached hereto from 'Agriculture (A1)' to 'Agriculture - Restricted (A2)'.
2. This by-law shall come into force and take effect from the date of passing by Council and shall come into force in accordance with Section 34 of the Planning Act.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS  
10<sup>TH</sup> DAY OF AUGUST, 2020.**

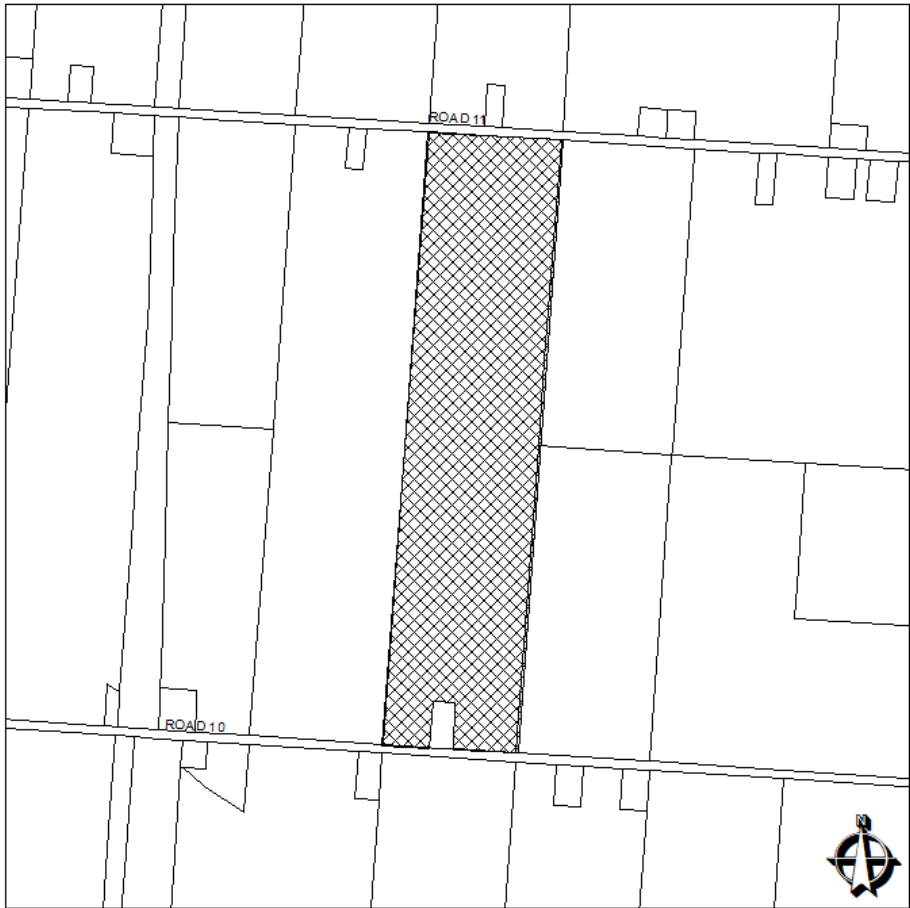
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**MAYOR, Nelson Santos**

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
**CLERK, Jennifer Astrologo**

Schedule A



**257 Road 10 E**  
**Part of Lot 16, Concession 10**  
**ZBA/08/20**

0 90 180 360 540 720 Meters

 Schedule "A", Map 27 of By-law 1-2014 is hereby amended by changing the zone symbol as shown on Schedule 'A' in cross-hatch attached hereto from 'Agriculture (A1)' to 'Agriculture - Restricted (A2)'.



## NOTICE OF COMPLETE APPLICATION AND PUBLIC MEETING: DRAFT PLAN OF SUBDIVISION & ZONING BY-LAW AMENDMENT

**APPLICATIONS:** **ZONING BY-LAW AMENDMENT FILE ZBA/06/2020**  
(Section 34 of the Planning Act, R.S.O. 1990, C.P. 13)  
**DRAFT PLAN OF SUBDIVISION FILE SUB/01/2020**  
(Section 50 (3) of the Planning Act, R.S.O. 1990, C.P. 13)

**OWNERS:** **Wobocorp Ltd. & David Armstrong Farms Inc.**

**LOCATION OF PROPERTY:** **V/L NE side County Road 34 E**  
**Pt. of Lot 269, Concession NTR**  
**Parts 1 & 2, RP 12R 26017 & Part 2, RP 12R 26659**

### **PURPOSE OF APPLICATION:**

The Town of Kingsville has received the above-noted applications for lands located on the northeast side of County Road 34 E, southeast of County Road 27. The subject property is designated Residential by the Official Plan and zoned Residential Zone 2 Rural/Urban, holding (R2.2 (h)) under the Kingsville Comprehensive Zoning By-law.

The subject land is a 4.143 ha (10.24 ac.) vacant property. The applicants are proposing a new residential subdivision consisting of 19 lots for single detached dwellings and 10 blocks for semi-detached dwellings (20 units). The background studies have been completed, application filed with the County and the County Planner has requested that the statutory public meeting be held. A storm water management plan has been completed to direct storm water through the Woodside Estates subdivision to the northeast which is also being developed. The requested zoning amendment is to establish the necessary regulations for the proposed semi-detached development. The R2.2 zone permits semi-detached dwellings but does not contain regulations for creating individual units. Hard copies of the plan can be requested for pick-up at the Town office by appointment only. This notice is also available for review on the Town website under Do Business/Planning and Zoning/Upcoming Public Meetings

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

**WHEN:** **August 10, 2020**  
**WHERE:** **ELECTRONIC MEETING ON ZOOM**  
**TIME:** **6:00 p.m.**

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

**IF A PERSON OR PUBLIC BODY** does not make oral submissions at a public meeting, if one is held, or make written submissions to the Town of Kingsville or County of Essex in respect of the proposed plan of subdivision before the County of Essex gives or refuses to give approval to the draft plan of subdivision, the person or public body is not entitled to appeal the decision of the County of Essex to the Local Planning Appeal Tribunal.

**IF A PERSON OR PUBLIC BODY** does not make oral submissions at a public meeting, if one is held, or make written submissions to the Town of Kingsville or County of Essex in respect of the proposed plan of subdivision before the County of Essex gives or refuses to give approval to the draft plan of subdivision, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal there are reasonable grounds to do so.

If you wish to be notified of the decision of the County of Essex in respect of the proposed plan of subdivision, you must make a written request to the County of Essex, c/o Rebecca Belanger, Manager, Planning Services, County of Essex, 360 Fairview Avenue West, Essex, Ontario N8M 1Y6 and indicating the **County of Essex File #: 37-T-20002**.



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

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

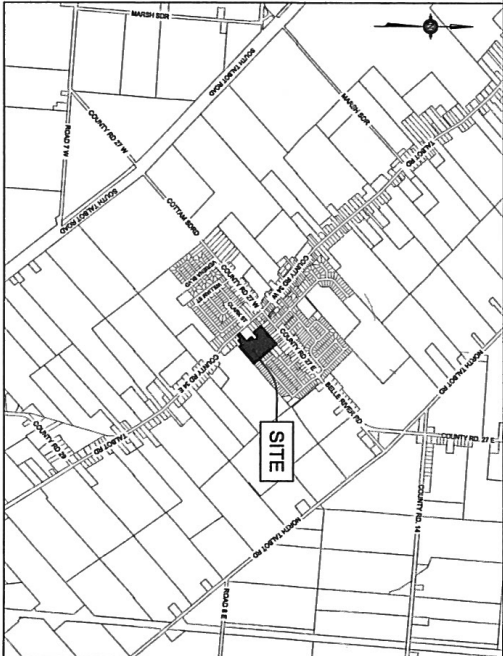
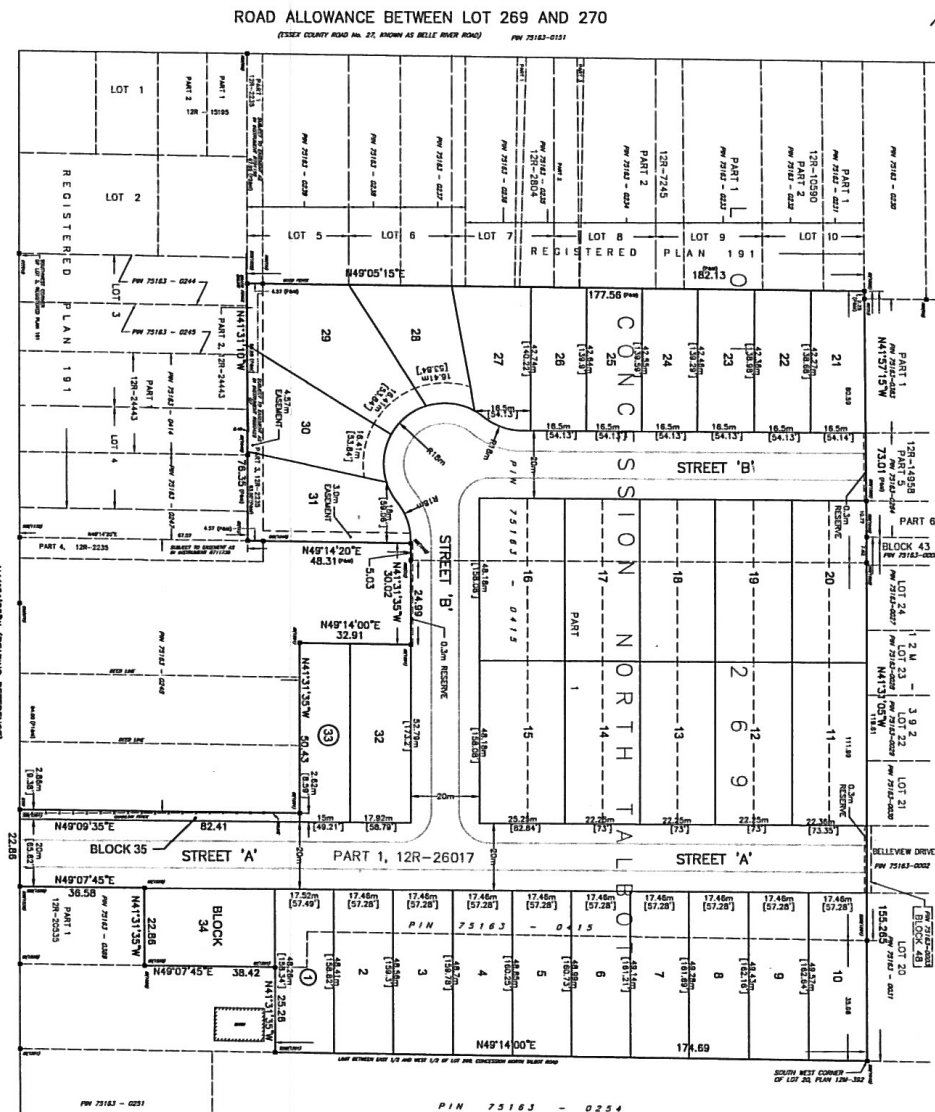
**ADDITIONAL INFORMATION** relating to this matter is available for review at the Kingsville Municipal Office during regular office hours.

**DATED AT  
THE TOWN OF KINGSVILLE  
on July 10, 2020.**

**Robert Brown, H. Ba, MCIP, RPP  
Manager, Planning Services  
519-733-2305 (ext. 250)  
rbrown@kingsville.ca**



DRAFT PLAN OF THE SUBDIVISION  
PART OF LOT 269  
CONCESSION NORTH TALBOT ROAD  
GEOGRAPHIC TOWNSHIP OF  
GOSFELD NORTH  
TOWN OF KINGSVILLE  
COUNTY OF ESSEX, ONTARIO



RELEVANT INFORMATION			
USE	LOTS/ BLOCKS	RESIDENTIAL UNITS	AREA (ha)
RESIDENTIAL BLOCKS (SINGLE FAMILY)	23	23	1.825
RESIDENTIAL BLOCKS (Semi-Detached)	10	20	1.101
PARK / GREEN SPACE (BLOCK 34 & 35)	2	-	0.111
R.O.W.	-	-	0.088
TOTAL	35	43	4.143

ADDITIONAL INFORMATION  
Required Under Section 51(17) of the Planning Act

- 1) Boundaries of Land to be Subdivided are Shown on Draft Plan.
- 2) Street Names are Shown on the Draft Plan.
- 3) Any Other Features are Shown on the Draft Plan.
- 4) The Draft Plan is a true and correct copy of the original.
- 5) The Draft Plan is a true and correct copy of the original.
- 6) The Draft Plan is a true and correct copy of the original.
- 7) The Draft Plan is a true and correct copy of the original.
- 8) The Draft Plan is a true and correct copy of the original.
- 9) The Draft Plan is a true and correct copy of the original.
- 10) The Draft Plan is a true and correct copy of the original.

OWNERS CERTIFICATE  
I HEREBY CERTIFY THAT THE PLANS OF  
THIS PLAN IN DRAFT FORM  
WAS CORRECTLY  
SIGNED  
Ed HODDER

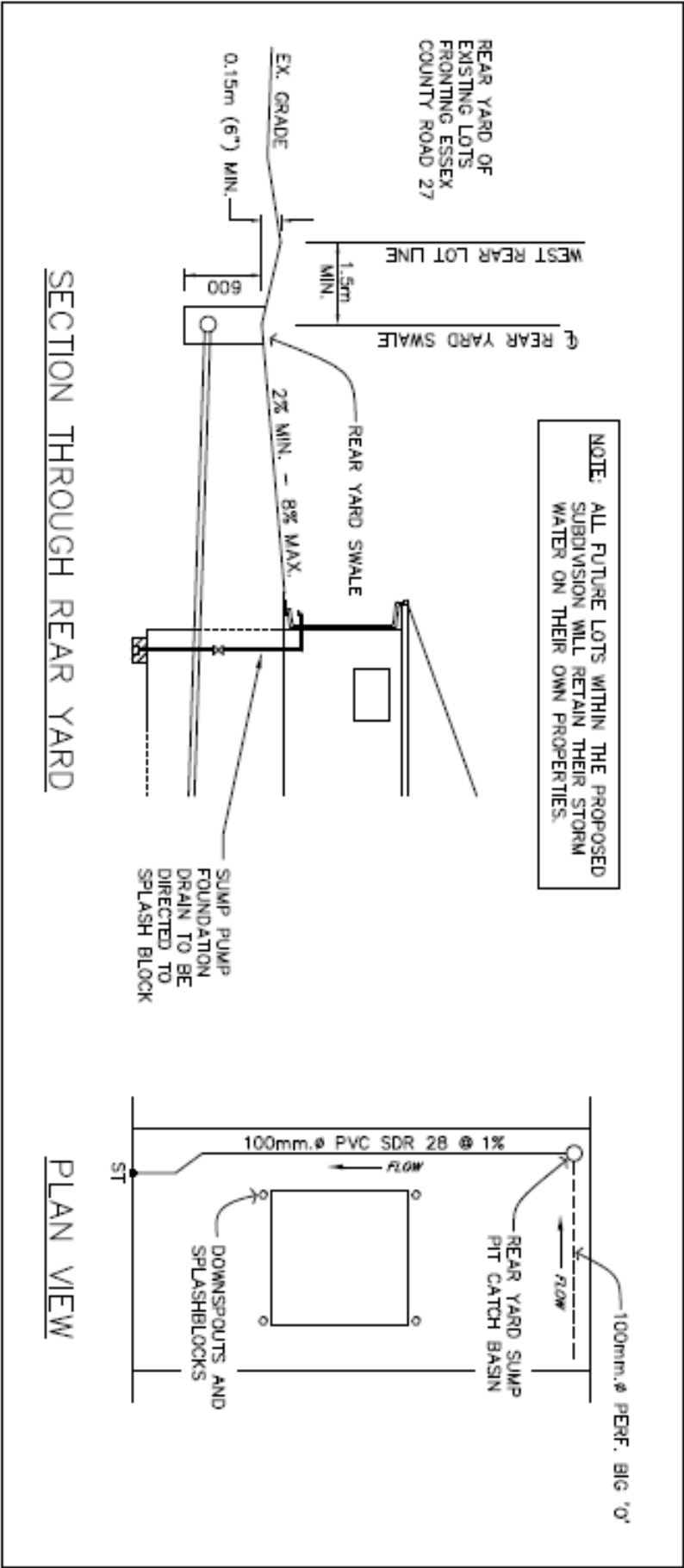
SURVEYOR'S CERTIFICATE  
I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LAND TO BE  
SUBDIVIDED AND THEIR RELATIONSHIP TO THE ADJACENT LANDS,  
ARE ACCURATELY AND CORRECTLY SHOWN ON THIS PLAN.  
DATED March 12, 2018  
SIGNED [Signature]  
for CLARKE SURVEYORS INCORPORATED

REVISION DATA			
POINT ID	DATE	BY	REVISION
1	2018-03-12	Ed HODDER	1.0
2	2018-03-12	Ed HODDER	2.0
3	2018-03-12	Ed HODDER	3.0
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100	2018-03-12	Ed HODDER	100.0



NO.	REVISION	DATE	BY	NO.	REVISION	DATE	BY
1	RECEIVED DRAFT PLAN FOR S.W. UPDATE	19 MAR 2018	Ed HODDER	1	RECEIVED DRAFT PLAN FOR S.W. UPDATE	19 MAR 2018	Ed HODDER
2	RECEIVED FOR DRAFT PLAN SUBMISSION	20 MAR 2018	Ed HODDER	2	RECEIVED FOR DRAFT PLAN SUBMISSION	20 MAR 2018	Ed HODDER
3	RECEIVED FOR STORM WATER MANAGEMENT BLOCK	22 FEB 2018	Ed HODDER	3	RECEIVED FOR STORM WATER MANAGEMENT BLOCK	22 FEB 2018	Ed HODDER
4	RECEIVED FOR STORM WATER MANAGEMENT BLOCK	22 MAR 2018	Ed HODDER	4	RECEIVED FOR STORM WATER MANAGEMENT BLOCK	22 MAR 2018	Ed HODDER

ARMSTRONG COTTAM DEVELOPMENT				PROJECT NO.	
KINGSVILLE				17-657	
DRAFT PLAN				1	



LOTS 21 TO 29 (WEST SIDE DETAIL)



This meeting will be held through Electronic Participation in accordance with Bill 187, the Municipal Emergency Act, and an Order in Council of March 23, 2020, which amended the Emergency Management and Civil Protection Act and prohibits organized public events of more than five people.

The Town of Kingsville continues to take COVID-19 seriously, and in following the advice of provincial and federal governments, is making significant changes to services and programming to help protect health and wellbeing of the community. Town Hall is temporarily closed to the public to help stop the spread of COVID-19. In-person Committee and Council meetings have been cancelled.

Such meetings, as warranted, will be held electronically until further notice.

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### Remote Participation

The electronic public meeting will take place via Zoom. Elected Officials, Committee Members, Town Staff and Applicants or those representing them will be given access to the meeting. If you wish to participate please read the instructions below.

### Public Comments

a) **Submit comments in writing:** Written comments are strongly encouraged.

Please provide your name (first and last), your address and which item you are commenting on. They may be submitted in writing or by email, to Robert Brown, Manager, Planning Services (see contact info below). Comments received **by 4:00 PM on Monday, August 3rd** will be part of the Council Agenda package prior to the meeting. Comments received after this time will be forwarded to Members of Council as soon as possible, and prior to the meeting on August 10th.

b) **Request to speak at the Council Meeting:** Prior to 4:00 PM on Friday, August 7th you must contact Robert Brown, Manager, Planning Services to request to speak during the meeting. Please provide your name (first and last), your address, the item/application you wish to speak on and your email address.

### Remote participation for public comments

Upon receipt of your request to speak at the meeting participants will be provided the Zoom meeting details and password prior to the meeting.

Please note that neither a computer, nor a video sharing device, is required to participate in the meeting via Zoom. You may also opt to call in from a cell or landline. Persons who intend to participate during the meeting may wish to register/sign up in Zoom, if they have not already done so. The following information is provided for your consideration and guidance during remote participation in the meeting:

- Please join the meeting at 5:55 PM in order to avoid any delays. If you have not joined the public meeting while your Agenda Item is up for public comment you will have forfeited your request.
- When you join the meeting, either by phone or online, you will be admitted in as an attendee. You will not be greeted upon joining the call. You will be able to hear the meeting and see the active speaker (if you have video capability), but your mic will be muted until it is your turn to speak.
- If you join the Zoom meeting through your phone, please Do not put the phone on hold at any time, as this will result in broadcasting "hold music" online once your mic function is unmuted.
- To optimize call quality when using a laptop, a headset with microphone is best if available to you; otherwise, whether using your laptop microphone or cell phone, please speak directly into the receiver and do not use speaker phone
- Please do not forward the Zoom meeting details to anyone or post through social media. Only registered participants will be admitted to the meeting.
- Participants should keep comments directly related to the matter to which they are speaking to. Questions are to be directed to the Council chairperson. Council members may choose to ask you follow-up questions following your remarks, comment, or ask staff to respond to what you have said.
- After providing your comments and answering any questions that may be directed to you, the Meeting Coordinator will disconnect you from the Zoom meeting.

### For more information, please contact:

Robert Brown, H. Ba, MCIP, RPP, Manager, Planning Services Phone: 519-733-2305  
Ext. 250 Email: [rbrown@kingsville.ca](mailto:rbrown@kingsville.ca)



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

**Date:** July 27, 2020

**To:** Mayor and Council

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

**RE:** Application for Draft Plan of Subdivision Approval SUB/01/2020  
(37-T- 20002) & Zoning By-law Amendment ZBA/06/2020 by  
Wobocorp Ltd. & David Armstrong Farms Inc.  
V/L NE side County Rd E, Part of Lot 269, Concession NTR,  
Parts 1 & 2, RP 12R 26017 and Part 2, RP 12R 26659

**Report No.:** PS 2020-022

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## **AIM**

To provide the Mayor and Council with details of a proposed residential subdivision and the associated zoning by-law amendment to permit a mix of residential uses.

## **BACKGROUND**

The subject property is a 4.143 ha (10.24) irregular shaped vacant lot. The applicants are proposing a new residential subdivision consisting of 22 lots for single detached dwellings and 10 blocks for semi-detached dwellings (20 units). (Appendix A) The development will have access to County Road 34 E and eventual connect to the Woodside Estates subdivision to the northeast. Storm water will be directed to the northeast, with agreement of the neighbouring developer. Sanitary servicing will be connected to an existing service line located at the rear of the lots fronting on County Rd 34 E with connection to the main line on County Road 27 W. Water service will be from County Road 34 E.

## **DISCUSSION**

### **1) Provincial Policy Statement (PPS), 2020:**

PPS, Section 1.1.3.1 states that, "Settlement areas shall be the focus of growth and development."

Section 1.1.3.3 further outlines that, “Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

Section 1.1.3.6 goes on to say, “New development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

Comment: The development of the subject lands is a combination of both infill and new development. It has existing residential development on three sides but is also on the edge of the community of Cottam and is a logical rounding out of the area. There is existing water distribution and sanitary collection service available to the development. Capacity in the lagoon system is being expanded and will need to be completed prior to commencement of construction. Storm water management is being co-ordinated with the abutting new development to the northeast and will utilize one new retention pond reducing Town maintenance on multiple facilities.

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

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

Both the Town and County require a number of background studies to be completed as part of all subdivision development and include the following:

### **i) Archaeological screening**

Comment: The Ministry of Tourism, Culture and Sport provides a screening checklist which help to provide guidance on if full assessment is required. The result of that screening in this case did not support further assessment.

### **ii) Traffic impact assessment**

Comment: A traffic impact assessment was requested by the County of Essex given the main access to the development is off County Road 34 E. The study was completed by RC Spencer and Associates and reviewed by County Infrastructure. The County noted that no improvements would be required to either County Road 34 E or County Road 27 W as a result of the development and had no objection to the project moving forward as presented. (see TIS and County comment as Appendix B and B-1)

### **iii) Storm water management plan**

Comment: A plan was prepared for the development. Storm water will be collected via road drains and rear yard catch basins designed in accordance with the Town's development standards. The system will connect to the storm sewer system on the abutting lands being developed to the northeast and collected in a retention pond. Outlet of the pond is then into the Smith Newman drain.

The Town also requested that the applicants provide details on the intended drainage and grading between the proposed development (Appendix C) and the existing lots along County Road 27. As with all development water must be contained on a lot by lot basis. Each lot will require a rear yard catch basin along with a lot grading plan prepared by a qualified individual.

iv) Environmental impact screening

Comment: The applicants had the subject site reviewed by a qualified ecologist who in turn provided that information to the Ministry of Environment, Conservation and Parks (MECP). The Ministry advised that based on the ecologists review there was a low probability for species at risk (SAR) given the state of the lands and use as agricultural. Correspondence related to this is attached as Appendix D.

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

The subject parcel is designated 'Residential' within the Official Plan for the Town of Kingsville. Section 3.6.1 states, "It is the intent of this Plan that a broad range of residential types be permitted on lands designated "Residential" in order to meet the needs of all households anticipated during the 20 year planning period of this Plan."

Comment: The proposed development is consistent with the goals outlined in Section 3.6.1 as it is being done in a controlled manner, required servicing is or will be available in the short-term, is infilling, provides a greater variety of housing type and will encourage the provision of additional draft approved lots and blocks.

Section 3.6.1 Policies go on to outline that:

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

Comment: The proposed development would be considered low density residential (9.4 ha per ha) and will include a mix of single detached and semi-detached dwellings. The latter is a form of housing not currently available in the community of Cottam.

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

The subject property is zoned Residential Zone 2 Rural/Urban (R2.2). The proposed zoning would not alter the permitted uses on the subject lands. It would however establish regulations for subdividing the semi-detached dwellings into individual semi-

detached dwelling units for individual sale consistent with current standards for similar development.

The site-specific zoning will address the following:

- i) increase lot coverage from 35% to 45%;
- ii) reduce the exterior side yard setback (corner lots) from 4.5 m to 3 m;
- iii) establish the minimum frontage for a semi-detached dwelling at 18 m, and
- iv) establish a minimum lot frontage for a semi-detached dwelling unit at 9 m

## **5) Plan of Subdivision Layout**

The overall layout of the subdivision is based on the irregular shape of the property. The main road and connection to County Road 34 E will extend northeast and eventually connect with Belleview Drive in the Woodside Estates subdivision (under construction). The secondary street on the plan will run northwest from the main road and around to eventually connect with an extension of Redwood Ave. There will be no cul-de-sac or dead end roads. The lands abut existing residential lots along County Road 27 W and Country Road 34 E will contain single detached dwellings. The semi-detached development will be located on the interior of the subdivision and not abut any existing development.

The proposed lot size for the single detached dwellings range from 15.24 m to 18.89 m (50 ft. to 62 ft.) of frontage, 42 m to 48.5 m (138 ft. to 159 ft.) of depth and areas of 692 sq. m to 916 sq. m (7,450 sq. ft. to 9,860 sq. ft.) The semi-detached dwelling lots are each 22.25 m x 48.15 m (73 ft. x 158 ft.) for an area of 1,071.5 sq. m (11,534 sq. ft.).

Block 34 and 35 will be conveyed to the Town as green space. This will partially address the required parkland conveyance. The remaining amount will be addressed as cash-in-lieu. A servicing easement will also be established over Lot 31 for connection into the existing sanitary service easement along the rear of lots 29, 30 and 31.

## **LINK TO STRATEGIC PLAN**

Manage residential growth through sustainable planning.

## **FINANCIAL CONSIDERATIONS**

Development of the subject lands will result in an increase in assessment along with the collection of building permit fees and development charges.

## **CONSULTATIONS**

### **Public Consultations**

In accordance to O. Reg 544/06 and 545/06 of the Planning Act, property owners within 250 m of the subject site boundaries received the Notice of Public Meeting by mail.

There has been some feedback and question on the development related to the following:

Drainage impact of proposed development on existing farm and residential lands.

Comment: As noted in the report storm water management is a requirement of all new development. Water will be collected from the subject lands and directed to the existing storm water retention pond constructed on the abutting subdivision to the northeast. Individual lots will be graded to contain and direct water to rear yard catch basins. In addition to the final system installation it is recommended that the developer outline an interim grading plan to be implemented prior to the beginning of servicing. This should include temporary swales, berms and or slit fencing to safeguard abutting lands.

Removal of existing private surface drain.

Comment: Along the south side of the subject land and the lands to the northeast is or was a private surface drain that collected surface water and directed it to the Branch of the Smith Newman drain. As this drain is private, not a municipal drain and not required to drain the subject or abutting lands it is being removed in favour of the formal storm water management system. Any abutting lands that have had the indirect benefit of draining into the surface drain may need to take corrective action to redirect and drain overland flow.

Traffic impact of development on County Road 34.

Comment: This was addressed under the Essex County Official Plan discussion.

Sanitary sewer capacity related to the lagoon system

Comment: upgrades to the lagoon treatment system are in process and will be completed within approximately 12 months of the start of construction. Any release of permits on the subject lands will not proceed until the upgrades have been commissioned. Service installation on the subject lands can proceed in the meantime. The holding symbol currently in place on the existing zoning will also remain in place on the amending zoning until the development agreement is approved.

General density and type of development: introduction of semi-detached dwellings into the development mix in Cottam.

Comment: The development is arranged in such a way that all the single detached dwelling lots will abut other existing single detached lots or the abutting farm land to the south. All lot area and frontage requirements meet the standard requirements laid out in the existing R2.2 zoning.

Semi-detached dwellings are a permitted use under the R2.2 zoning, which is the predominate zoning in Cottam. There is little if any current semi-detached development in this area. Although a permitted use the zoning does lack full regulation for the subdividing of semi-detached dwellings into individual free hold units. The proposed amendment that has been requested will address this need.

The overall density level of the development is 9.4 units per hectare which is will under the 20 units per ha. considered to be low density residential development.

Fencing of existing the retention pond on development to the east and can fencing be required between farm land and back of residential lots.

In the Kingsville Development Standards manual fencing of storm water management ponds is not required. The existing pond was approved as part the abutting development and fencing was not a requirement of either the existing approval from the 90s nor was it added to the revised approval from earlier this year.

Fencing related to other issues such as boundary demarcation and protection of environmentally sensitive areas have been requirements in the past but are also problematic to maintain in the long-term. In this case the fencing request was related to prohibiting access to the farm field from the proposed residential lots. This becomes an issue of the Town trying to police potential future trespassing. Property owners, regardless of fencing, must respect private property rights and insure they respect property lines. Even in cases where the Town has required fencing to be installed residents have later removed the fencing or added gates for access to the abutting lands.

### **Agency & Administrative Consultation**

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

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

- The parcel is not within a regulated area.
- ERCA has no objection to the proposed development but has asked that conditions be included in the development agreement regarding storm water management
- See full comment in Appendix E.

### **County of Essex**

- County Infrastructure provided comment regarding the traffic review
- County Planner has requested that the statutory public meeting be held and a resolution of Council be provided if the Town is in support of the proposed draft plan (Appendix F)

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

- Much of the remaining specific details of the servicing and storm water management will be part of the development agreement
- Water capacity is available for the development
- Sanitary capacity is pending upgrades



## RECOMMENDATION

That Council:

Approve zoning amendment application ZBA/06/2020 to amend the Residential Zone 2 Rural/Urban, holding (R2.2(h)) to establish regulations for the subdivision of permitted semi-detached dwellings into individual freehold units.

Approve a resolution in support of the draft plan of subdivision, County File No. 37-T-20002, and subject to conditions outlined by the County in the draft approval and subject to approval of the necessary development agreement between the applicant and Town.

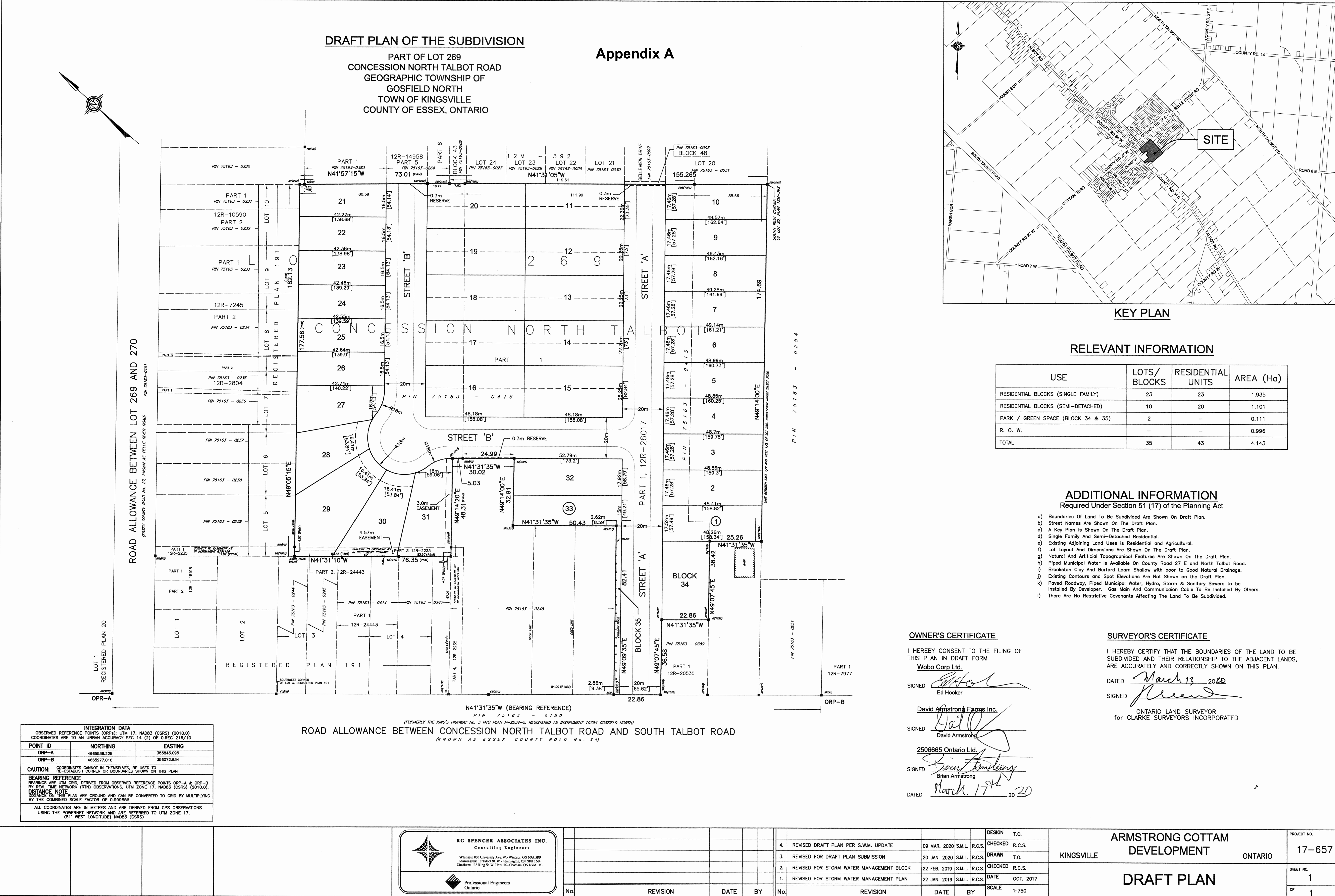
Direct administration to forward the resolution of support to the County Planner for final approval.

*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



INTEGRATION DATA		
OBSERVED REFERENCE POINTS (ORPs): UTM 17, NAD83 (CSRS) (2010.0)		
COORDINATES ARE TO AN URBAN ACCURACY SEC 14 (2) OF O.Reg. 216/10		
POINT ID	NORTHING	EASTING
ORP-A	4665536.225	355843.095
ORP-B	4665277.016	356072.834
CAUTION: COORDINATES CANNOT IN THEMSELVES BE USED TO RE-ESTABLISH CORNER OR BOUNDARIES SHOWN ON THIS PLAN		
BEARING REFERENCE		
BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS ORP-A & ORP-B BY REAL TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010.0).		
DISTANCE NOTE		
DISTANCE ON THIS PLAN ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999856		
ALL COORDINATES ARE IN METRES AND ARE DERIVED FROM GPS OBSERVATIONS USING THE POWERNET NETWORK AND ARE REFERRED TO UTM ZONE 17, (81° WEST LONGITUDE) NAD83 (CSRS)		

**RC SPENCER ASSOCIATES INC.**  
Consulting Engineers

Windsor: 800 University Ave. W. - Windsor, ON N9A 5R9  
Leamington: 18 Talbot St. W. - Leamington, ON N8E 1A4  
Chatham: 118 King St. W. Unit 102 - Chatham, ON N7M 1E3

Professional Engineers  
Ontario

No.	REVISION	DATE	BY

No.	REVISION	DATE	BY	SCALE
4.	REVISED DRAFT PLAN PER S.W.M. UPDATE	09 MAR. 2020	S.M.L.	R.C.S.
3.	REVISED FOR DRAFT PLAN SUBMISSION	20 JAN. 2020	S.M.L.	R.C.S.
2.	REVISED FOR STORM WATER MANAGEMENT BLOCK	22 FEB. 2019	S.M.L.	R.C.S.
1.	REVISED FOR STORM WATER MANAGEMENT PLAN	22 JAN. 2019	S.M.L.	R.C.S.

DESIGN			T.O.
CHECKED	R.C.S.		
DRAWN	T.O.		
CHECKED	R.C.S.		
DATE	OCT. 2017		
SCALE	1:750		

ARMSTRONG COTTAM DEVELOPMENT			PROJECT NO.
KINGSVILLE	ONTARIO		17-657
DRAFT PLAN			SHEET NO.
			1
			OF 1

# Appendix B

**ARMSTRONG COTTAM**

**DEVELOPMENT**

## **TRAFFIC IMPACT STUDY**



**RC SPENCER ASSOCIATES INC.**  
**Consulting Engineers**

**Windsor:** 800 University Ave. W. - Windsor ON N9A 5R9  
**Leamington:** 18 Talbot St. W. - Leamington ON N8H 1M4  
**Chatham-Kent:** 138 King St. W. Unit 102 - Chatham ON N7M 1E3

## INTRODUCTION AND BACKGROUND

A residential development has been proposed for lands in the Community of Cottam on the north side of County Road 34 east of County Road 27. The proposed development is situated in the Town of Kingsville, in the County of Essex. The area is illustrated on Figure 1.

The proposed site plan consists of 32 single family detached housing units, as illustrated on Figure 2. The proposed residential development is situated behind existing residential units, with one access point into and out of the development onto County Road 34.

It has been requested that the study take account of the undeveloped lands to the north of this development. Figure 3 illustrates the location of these presently undeveloped lands. It is assumed that these lands will eventually be developed to consist of 47 single family detached housing units. Realistically, all of the future developed lands will access County Road 27 and County Road 34 by Whitewood Road and the Belleview Drive extension respectively. Greenwood Avenue will not likely be used by any of the trips generated by the proposed developments.

County Road 34 and County Road 27 are arterial roads with a County of Essex County Road status. Within the study area of this report, the intersection of these two roadways is stop-controlled with County Road 34 having the right-of-way.

The purpose of this study is to examine the traffic implications of the proposed developments on traffic operations in the area, particularly on the intersection of County Road 34 and County Road 27.

## EXISTING CONDITIONS

Turning movement counts were obtained on Wednesday, December 20, 2017, for the intersection of County Road 34 at County Road 27, as provided in Appendix A. These counts were analyzed in the Synchro 10 program, which calculates various parameters of intersection performance such as Level of Service (LOS) and Intersection Capacity Utilization (ICU).

The results of the analysis show that the intersection of County Road 34 at County Road 27 is performing very well in the PM peak time period, with an overall LOS A during the peak hour. The ICU is 39.5% in the PM peak hour.



## TRIP GENERATION AND DISTRIBUTION

The proposed development contains one type of land use. ITE Land Use Code 210 (Single-Family Detached Housing) is the most appropriate code for this use. The respective land use code can be found in Appendix B. Trips under this land use code are typical for the expected use of the proposed residential area. It provides generation rates of 0.99 trips per unit in the PM peak hour with 63% in and 37% out. The AM peak was not considered because the trip generation rate is much lower, with 0.74 trips generated per unit. Likewise, the same land use code also applies to the adjacent undeveloped land. Again, it provides generation rates of 0.99 trips per unit in the PM peak hour with 63% in and 37% out.

The basis of the trip distribution assumptions is the turning movement count data obtained on Wednesday, December 20, 2017 for this location. The ratio of westbound to eastbound movements at the intersection of County Road 34 and County Road 27 formed the basis of the distribution to and from the proposed site. The ratios of turning movements by approach were the basis of distributing the site generated trips at the identified intersection. At full build-out, all trips to and from the north are expected to use the Whitewood Road access onto County Road 27, while all trips to and from the south, east, and west are expected to use the proposed Belleview Drive extension onto County Road 34.

When these estimates of trip distribution are applied to the trip generation estimates as previously summarized, the turning movements illustrated on Figure 4 - Site Generated Traffic result. These numbers have been added to existing and future volumes in order to analyze the traffic impact of the proposed developments.

## CAPACITY AND LEVEL OF SERVICE ANALYSIS

Figure 5A illustrates the existing traffic volumes for the PM peak hour for the intersection of County Road 34 and County Road 27. Subsequently, Figure 5B illustrates the anticipated traffic volumes for the PM peak hour when site generated traffic is added to the existing traffic at the aforementioned intersection.

In order to accommodate future growth, existing volumes have been increased across the board by 10%, which would be approximately equal to growth in the range of 1% per year compounded over 10 years. Site generated traffic was added to this future estimate, and the results are presented in Figure 5C.

The data summarized in Figures 5A to 5C were used in the Synchro analysis of intersection performance. The results are summarized in tabular form in Figure 6 - Intersection Performance Summaries and in detailed form in Appendix C - Detailed Synchro Results. Each Synchro report found in Appendix C corresponds to an aforementioned figure reference.

From the summary table in Figure 6, for this intersection, it is observed that the addition of site traffic to existing traffic conditions does not change the LOS A rating, nor does it change for the future and site generated traffic conditions. In the future growth scenario, the ICU for the County Road 34 and County Road 27 intersection is 44.5%. Therefore, no traffic operations concerns stemming from the development of the proposed site can be anticipated, as the proposed development does not add a significant amount of vehicular activity to on-street traffic conditions in either the immediate or future peak hour scenarios.

## **SITE-SPECIFIC TRAFFIC SAFETY CONSIDERATIONS**

Regarding the safety of site-specific traffic operations, it is noted that the access to the proposed residential development is about 90m southeast of the Clark Street at County Road 34 intersection. To determine if existing geometries could pose a traffic safety hazard, the Transportation Association of Canada's Geometric Design Guide for Canadian Roads was used as a reference. From the manual, for a design speed of 50 km/h, intersection sight distance of 104m is considered sufficient for safe operations at the site access. The corresponding calculations for intersection sight distance can be found in Appendix D.

Based on existing geometries, there is no obstruction to sight lines, and both Clark Street and the proposed Bellevue Drive extension to County Road 34 will be able to operate safely and independently of each other. Therefore, daylight corners are not necessary at the proposed Bellevue Drive access to County Road 34.

Additionally, it should be noted that, given the anticipated low turning volumes at Whitewood Road and Greenwood Avenue at County Road 27, there is no concern regarding safe traffic operations at these two intersections. Both intersections will continue to operate very similarly to status quo.

## SUMMARY AND CONCLUSIONS

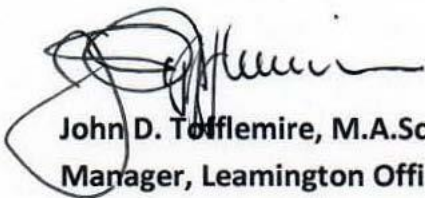
A residential development has been proposed for lands just east of the intersection of County Road 34 and County Road 27, consisting of 32 single family detached housing units. Future trip generation of the presently undeveloped lands to the north of this proposed development were also considered.

Using recently obtained turning movement counts and the best available trip generation and distribution data, an analysis was completed to measure the operational impact of the development on conditions at the stop-controlled intersection of County Road 34 and County Road 27. The results indicate that the intersection will continue to operate at a very good level of service under full site development, even with future traffic growth of 10% above existing.

Since intersection sight distance of 104m is considered sufficient for safe operations at the site access and there is no obstruction to sight lines, both Clark Street and the proposed Bellevue Drive extension to County Road 34 will be able to operate safely and independently of each other. Therefore, daylight corners are not necessary at the proposed Bellevue Drive access to County Road 34. Also, both Whitewood Road and Greenwood Avenue at County Road 27 will continue to operate very similarly to status quo with no concern regarding safe traffic operations.

All of which is respectfully submitted,

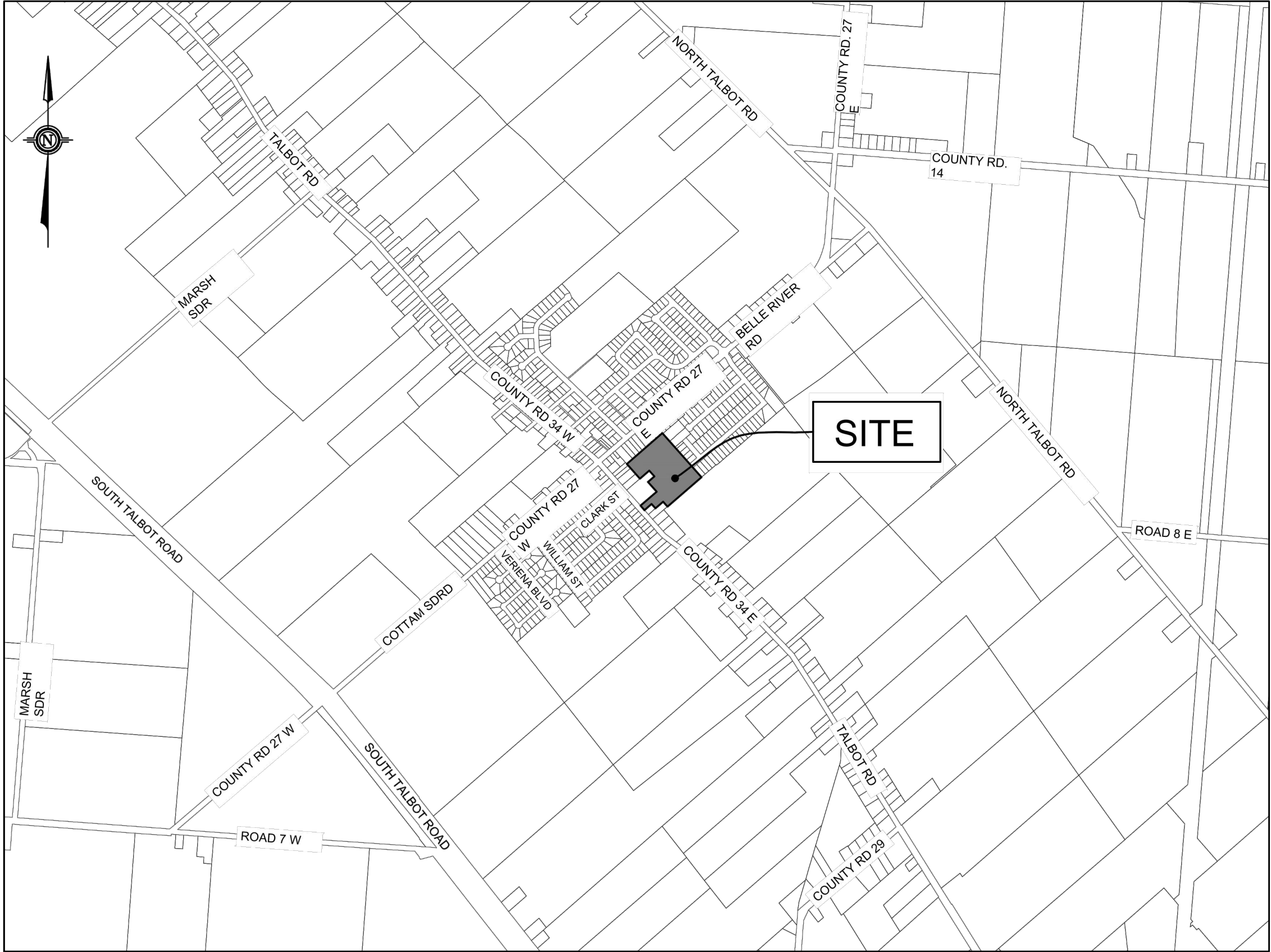
**RC Spencer Associates Inc.**



**John D. Tofflemire, M.A.Sc., P. Eng.**  
**Manager, Leamington Office**









RC SPENCER ASSOCIATES INC.

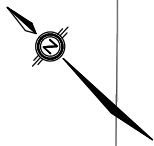
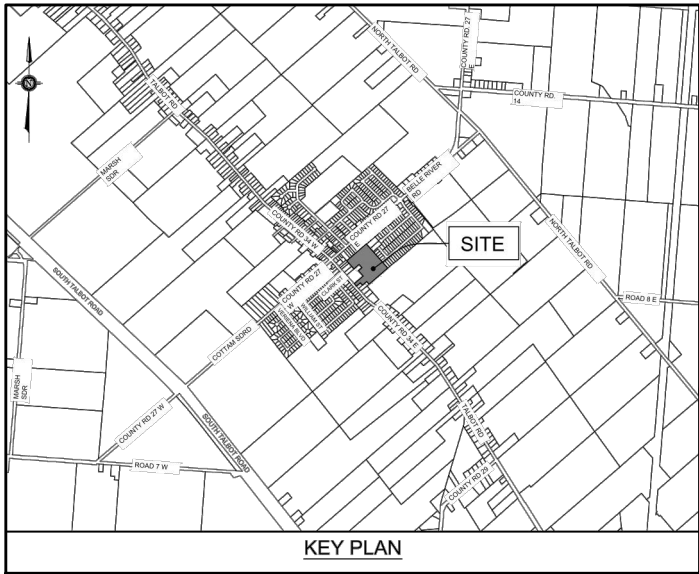
Consulting Engineers

Windsor 820 University Ave. W. Windsor ON N9A 5R9  
Leamington 18 Talbot St. W. Leamington ON N8H 1M4  
Chatham-Kent 138 King St. W. Unit 102 - Chatham ON N7M 1E3

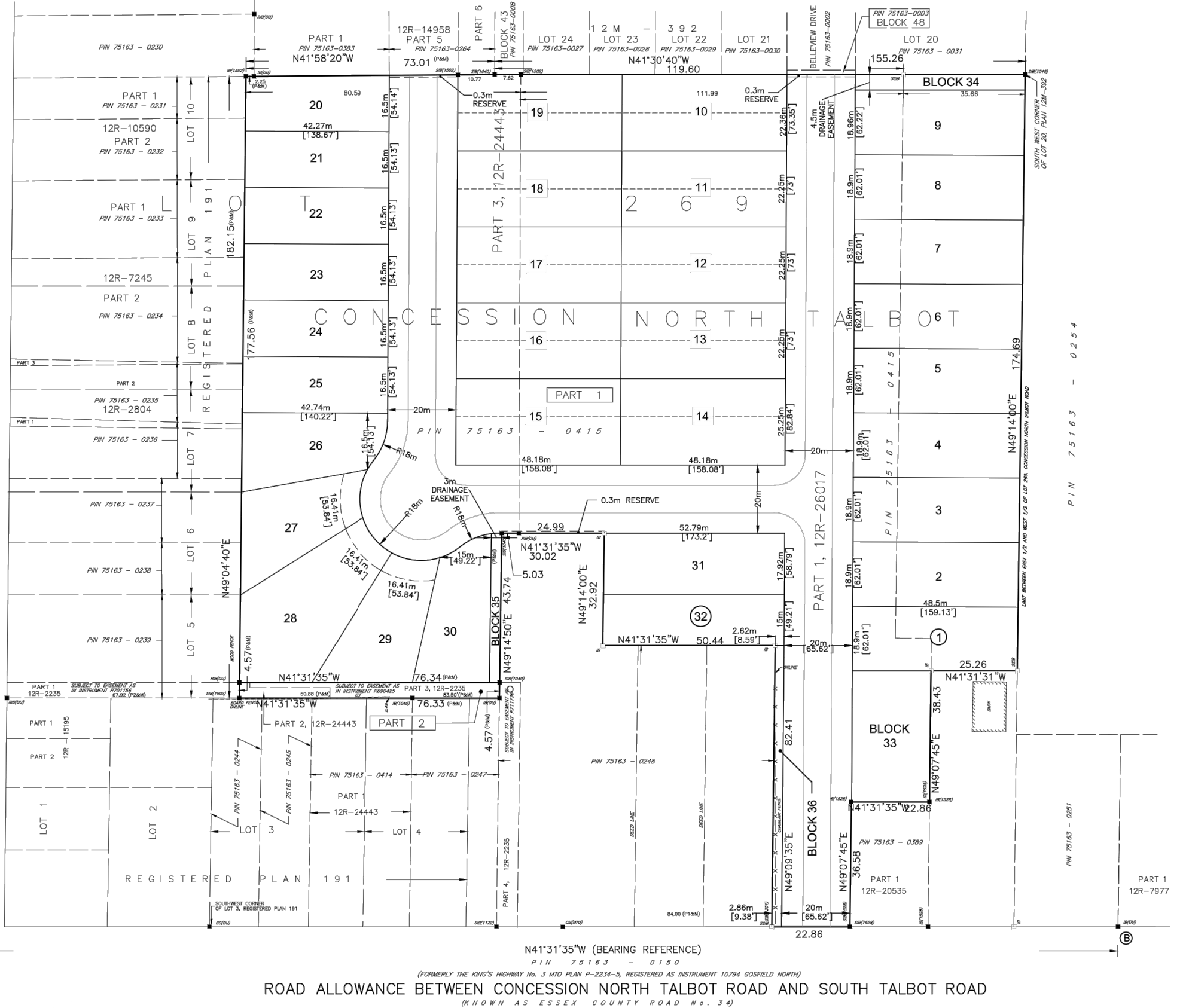
Professional Engineers  
Ontario

					DESIGN	A.D.B.
					CHECKED	J.T.
					DRAWN	A.D.B.
					CHECKED	J.T.
1.	COMPLETED REPORT FIGURES	DEC 22 2017	A.D.B.	J.T.	DATE	JANUARY 2018
NO. 61	REVISION	DATE	BY	APP	SCALE	N.T.S.

ARMSTRONG COTTAM DEVELOPMENT	PROJECT NO. 17-657
AREA PLAN	FIGURE NO. 1
	OF 6



ROAD ALLOWANCE BETWEEN LOT 269 AND 270  
(ESSEX COUNTY ROAD No. 27, KNOWN AS BELLE RIVER ROAD) PIN 75163-0151



**RC SPENCER ASSOCIATES INC.**  
Consulting Engineers  
Windsor 830 University Ave. W., Windsor ON N9A 5R9  
Leamington 18 Talbot St. W., Leamington ON N8H 1M4  
Chatham-Kent 138 King St. W. Unit 102 - Chatham ON N7M 1E3

Professional Engineers  
Ontario

					DESIGN	A.D.B.
					CHECKED	J.T.
					DRAWN	A.D.B.
					CHECKED	J.T.
1.	COMPLETED REPORT FIGURES	DEC 22 2017	A.D.B.	J.T.	DATE	JANUARY 2018
NO. 62	REVISION	DATE	BY	APP	SCALE	N.T.S.

ARMSTRONG COTTAM DEVELOPMENT	PROJECT NO. 17-657
SITE PLAN	FIGURE NO. 2
	OF 6





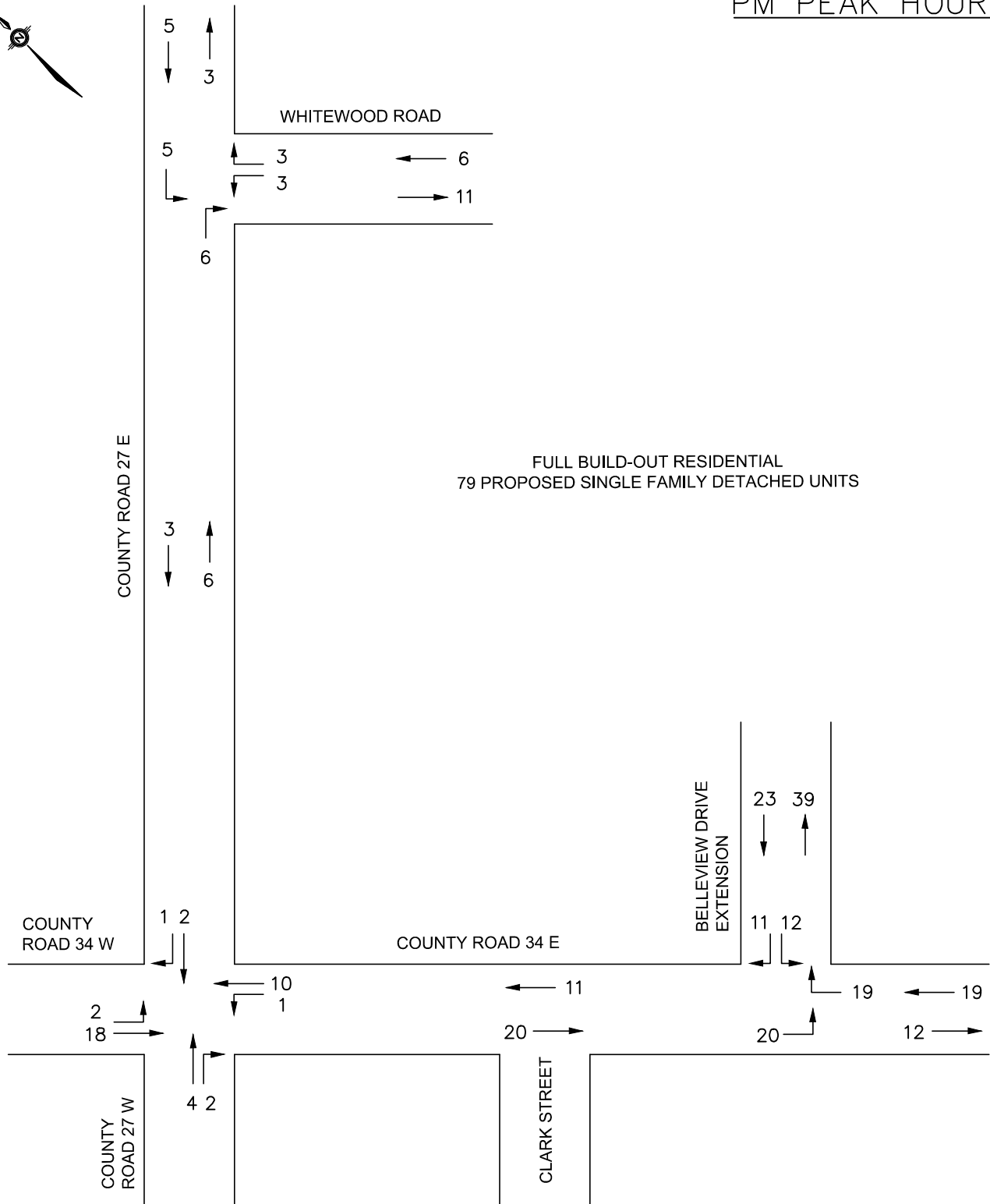
**RC SPENCER ASSOCIATES INC.**  
Consulting Engineers  
Windsor 820 University Ave. W. Windsor ON N9A 5R9  
Leamington 18 Talbot St. W. Leamington ON N8H 1M4  
Chatham-Kent 138 King St. W. Unit 102 - Chatham ON N7M 1E3

Professional Engineers  
Ontario

					DESIGN	A.D.B.
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					DRAWN	A.D.B.
					CHECKED	J.T.
1.	COMPLETED REPORT FIGURES	DEC 22 2017	A.D.B.	J.T.	DATE	JANUARY 2018
NO. 63	REVISION	DATE	BY	APP	SCALE	N.T.S.

ARMSTRONG COTTAM DEVELOPMENT	PROJECT NO. 17-657
PLAN OF UNDEVELOPED NORTHERLY LANDS	FIGURE NO. 3
	OF 6

PM PEAK HOUR



**RC SPENCER ASSOCIATES INC.**  
Consulting Engineers  
Windsor: 800 University Ave. W. - Windsor ON N9A 5R9  
Leamington: 18 Talbot St. W. - Leamington ON N8H 1M4  
Chatham-Kent: 138 King St. W. Unit 102 - Chatham ON N7M 1E3



Professional Engineers  
Ontario

DESIGN A.D.B.  
CHECKED J.T.  
DRAWN A.D.B.  
CHECKED J.T.  
DATE JANUARY 2018  
SCALE N.T.S.

ARMSTRONG COTTAM DEVELOPMENT

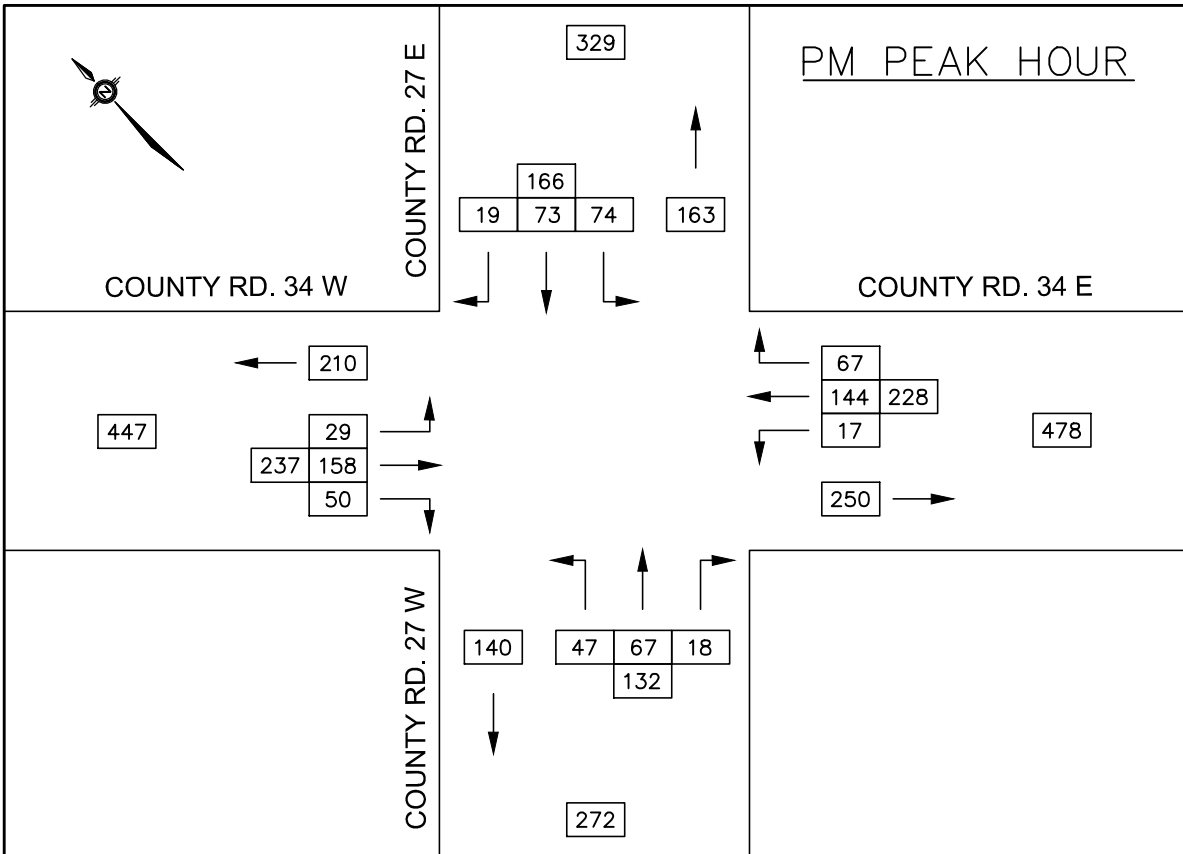
SITE GENERATED TRAFFIC

PROJECT NO.  
17-657

FIGURE NO.  
4

OF  
6





**RC SPENCER ASSOCIATES INC.**  
Consulting Engineers

Windsor: 800 University Ave. W. - Windsor ON N9A 5R9  
Leamington: 18 Talbot St. W. - Leamington ON N8H 1M4  
Chatham-Kent: 138 King St. W. Unit 102 - Chatham ON N7M 1E3

Professional Engineers  
Ontario

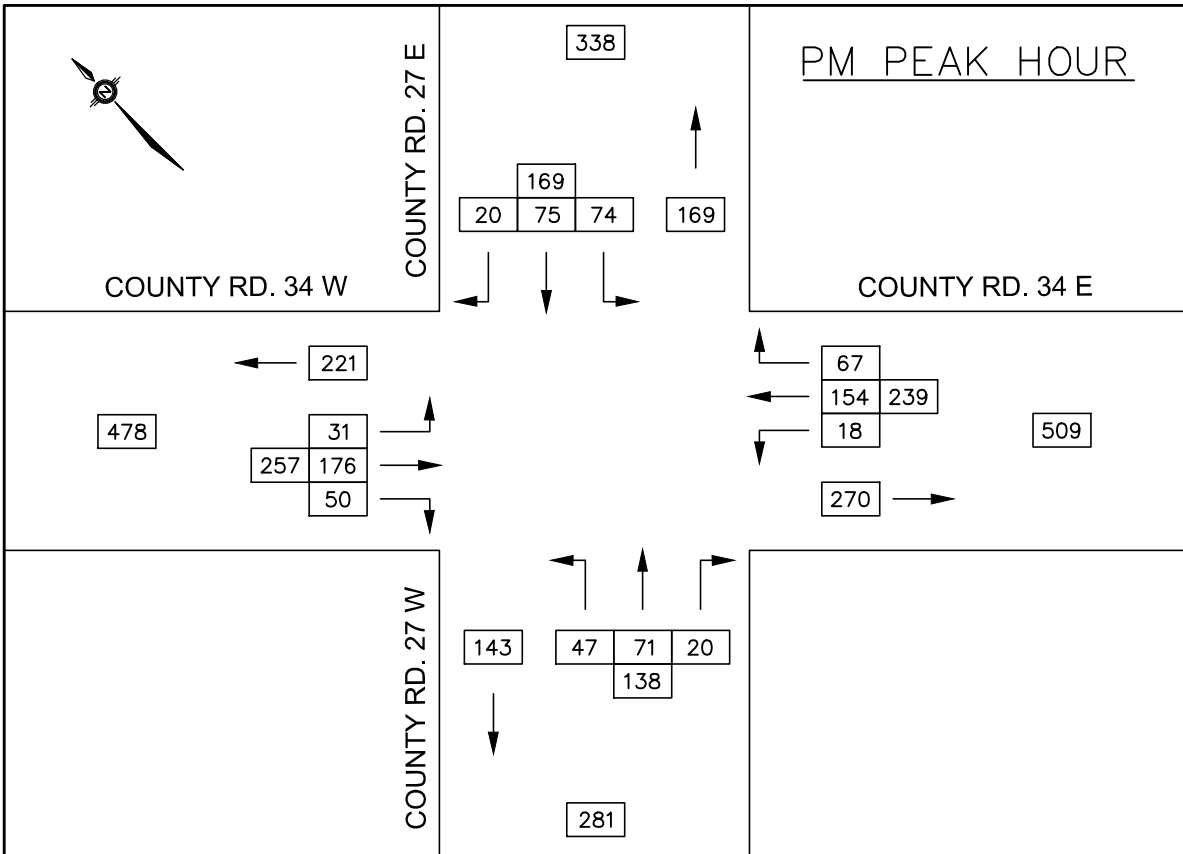
DESIGN	A.D.B.
CHECKED	J.T.
DRAWN	A.D.B.
CHECKED	J.T.
DATE	JANUARY 2017
SCALE	N.T.S.

ARMSTRONG COTTAM DEVELOPMENT

C.R. 27 / C.R. 34

EXISTING TRAFFIC

PROJECT NO.	17-657
FIGURE NO.	5A
OF	6



**RC SPENCER ASSOCIATES INC.**  
Consulting Engineers  
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Chatham-Kent: 138 King St. W. Unit 102 - Chatham ON N7M 1E3



Professional Engineers  
Ontario

DESIGN A.D.B.

CHECKED J.T.

DRAWN A.D.B.

CHECKED J.T.

DATE JANUARY 2017

SCALE N.T.S.

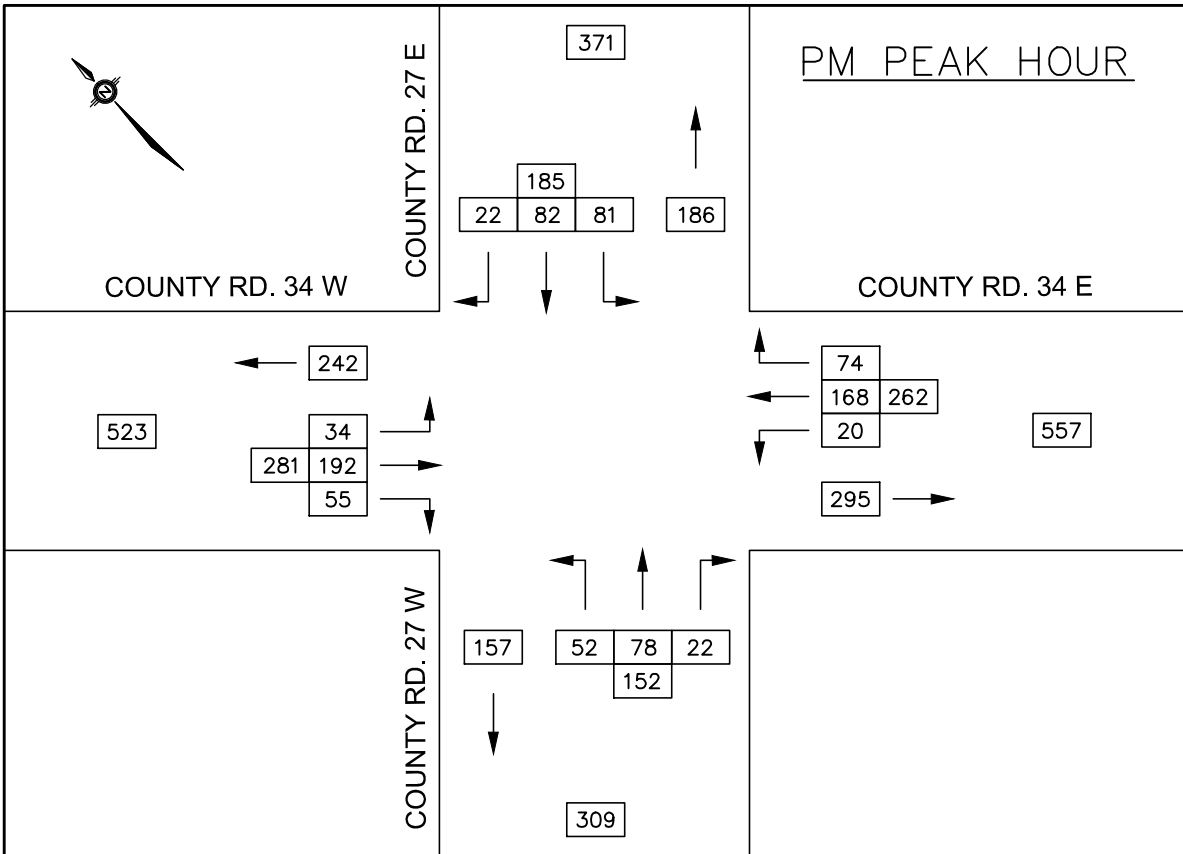
ARMSTRONG COTTAM DEVELOPMENT

**C.R. 27 / C.R. 34**  
EXISTING + SITE GENERATED TRAFFIC

PROJECT NO.  
17-657

FIGURE NO.  
5B

OF  
6



**RC SPENCER ASSOCIATES INC.**  
Consulting Engineers  
Windsor: 800 University Ave. W. - Windsor ON N9A 5R9  
Leamington: 18 Talbot St. W. - Leamington ON N8H 1M4  
Chatham-Kent: 138 King St. W. Unit 102 - Chatham ON N7M 1E3



Professional Engineers  
Ontario

DESIGN A.D.B.

CHECKED J.T.

DRAWN A.D.B.

CHECKED J.T.

DATE JANUARY 2017

SCALE N.T.S.

**ARMSTRONG COTTAM DEVELOPMENT**

**C.R. 27 / C.R. 34**  
**EXISTING & 10% INCREASE**  
**+ SITE GENERATED TRAFFIC**

PROJECT NO.  
17-657

FIGURE NO.  
5C

OF  
6



## Intersection Performance Summary

		<b>County Road 27 @ County Road 34</b>	
		LOS	ICU
<b>Existing</b>	AM	N/A	N/A
	PM	A	39.5%
<b>Existing &amp; Site Generated</b>	AM	N/A	N/A
	PM	A	41.4%
<b>Future &amp; Site Generated</b>	AM	N/A	N/A
	PM	A	44.5%



**RC SPENCER ASSOCIATES INC.**  
Consulting Engineers  
Windsor: 800 University Ave. W. - Windsor ON N9A 5R9  
Leamington: 18 Talbot St. W. - Leamington ON N8H 1M4  
Chatham-Kent: 138 King St. W. Unit 102 - Chatham ON N7M 1E3



Professional Engineers  
Ontario

DESIGN A.D.B.

CHECKED J.T.

DRAWN A.D.B.

CHECKED J.T.

DATE JANUARY 2017

SCALE N.T.S.

ARMSTRONG COTTAM DEVELOPMENT

## INTERSECTION PERFORMANCE SUMMARY

PROJECT NO.  
17-657

FIGURE NO.  
6

OF  
6

## **Appendix A**

# **TRAFFIC COUNTS**



**RC SPENCER ASSOCIATES INC.**  
Consulting Engineers

Windsor: 800 University Ave. W. - Windsor ON N9A 5R9  
Leamington: 18 Talbot St. W. - Leamington ON N8H 1M4  
Chatham-Kent: 138 King St. W. Unit 102 - Chatham ON N7M 1E3

Date: December 20, 2017  
Counted by: Robert Botham  
Weather Conditions: Clear  
Intersection: CR34 at CR27

**Groups Printed- P. Veh. - Trucks - Buses**

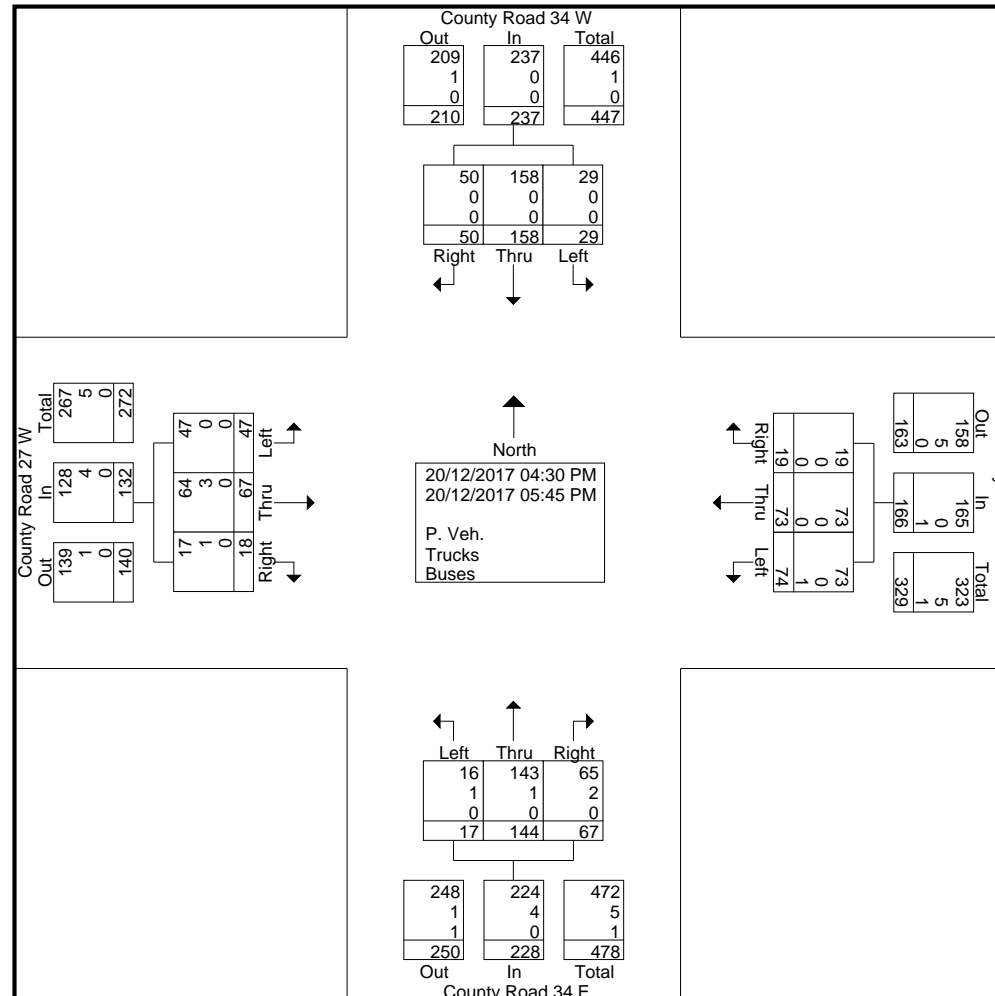
	County Road 34 E N/B				County Road 34 W S/B				County Road 27 W E/B				County Road 27 E W/B				
Start Time	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Int. Total
04:30 PM	8	29	2	39	7	22	5	34	1	13	10	24	5	15	11	31	128
04:45 PM	12	23	4	39	6	28	8	42	6	11	11	28	4	15	12	31	140
Total	20	52	6	78	13	50	13	76	7	24	21	52	9	30	23	62	268
05:00 PM	15	22	2	39	7	29	6	42	5	11	5	21	1	13	9	23	125
05:15 PM	8	24	5	37	9	28	2	39	3	13	6	22	3	10	14	27	125
05:30 PM	17	27	3	47	12	29	1	42	3	9	8	20	1	14	16	31	140
05:45 PM	7	19	1	27	9	22	7	38	0	10	7	17	5	6	12	23	105
Total	47	92	11	150	37	108	16	161	11	43	26	80	10	43	51	104	495
Grand Total	67	144	17	228	50	158	29	237	18	67	47	132	19	73	74	166	763
Apprch %	29.4	63.2	7.5		21.1	66.7	12.2		13.6	50.8	35.6		11.4	44	44.6		
Total %	8.8	18.9	2.2	29.9	6.6	20.7	3.8	31.1	2.4	8.8	6.2	17.3	2.5	9.6	9.7	21.8	
P. Veh.	65	143	16	224	50	158	29	237	17	64	47	128	19	73	73	165	754
% P. Veh.	97	99.3	94.1	98.2	100	100	100	100	94.4	95.5	100	97	100	100	98.6	99.4	98.8
Trucks	2	1	1	4	0	0	0	0	1	3	0	4	0	0	0	0	8
% Trucks	3	0.7	5.9	1.8	0	0	0	0	5.6	4.5	0	3	0	0	0	0	1
Buses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	1
% Buses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1.4	0.6	0.1



# RC SPENCER ASSOCIATES INC.

## Consulting Engineers

Windsor: 800 University Ave. W. - Windsor ON N9A 5R9  
 Leamington: 18 Talbot St. W. - Leamington ON N8H 1M4  
 Chatham-Kent: 138 King St. W. Unit 102 - Chatham ON N7M 1E3





**RC SPENCER ASSOCIATES INC.**  
**Consulting Engineers**

Windsor: 800 University Ave. W. - Windsor ON N9A 5R9  
 Leamington: 18 Talbot St. W. - Leamington ON N8H 1M4  
 Chatham-Kent: 138 King St. W. Unit 102 - Chatham ON N7M 1E3

	County Road 34 E N/B				County Road 34 W S/B				County Road 27 W E/B				County Road 27 E W/B				
Start Time	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Int. Total
<b>Peak Hour Analysis From 04:30 PM to 05:45 PM - Peak 1 of 1</b>																	
Peak Hour for Entire Intersection Begins at 04:45 PM																	
04:45 PM	12	23	4	39	6	28	8	42	6	11	11	28	4	15	12	31	140
05:00 PM	15	22	2	39	7	29	6	42	5	11	5	21	1	13	9	23	125
05:15 PM	8	24	5	37	9	28	2	39	3	13	6	22	3	10	14	27	125
05:30 PM	17	27	3	47	12	29	1	42	3	9	8	20	1	14	16	31	140
Total Volume	52	96	14	162	34	114	17	165	17	44	30	91	9	52	51	112	530
% App. Total	32.1	59.3	8.6		20.6	69.1	10.3		18.7	48.4	33		8	46.4	45.5		
PHF	.765	.889	.700	.862	.708	.983	.531	.982	.708	.846	.682	.813	.563	.867	.797	.903	.946

## **Appendix B**

# **ITE TRIP GENERATION MANUAL – 10<sup>TH</sup> EDITION REFERENCES**

# Single-Family Detached Housing (210)

Vehicle Trip Ends vs: Dwelling Units

On a: Weekday,  
Peak Hour of Adjacent Street Traffic,  
One Hour Between 7 and 9 a.m.

Setting/Location: General Urban/Suburban

Number of Studies: 173

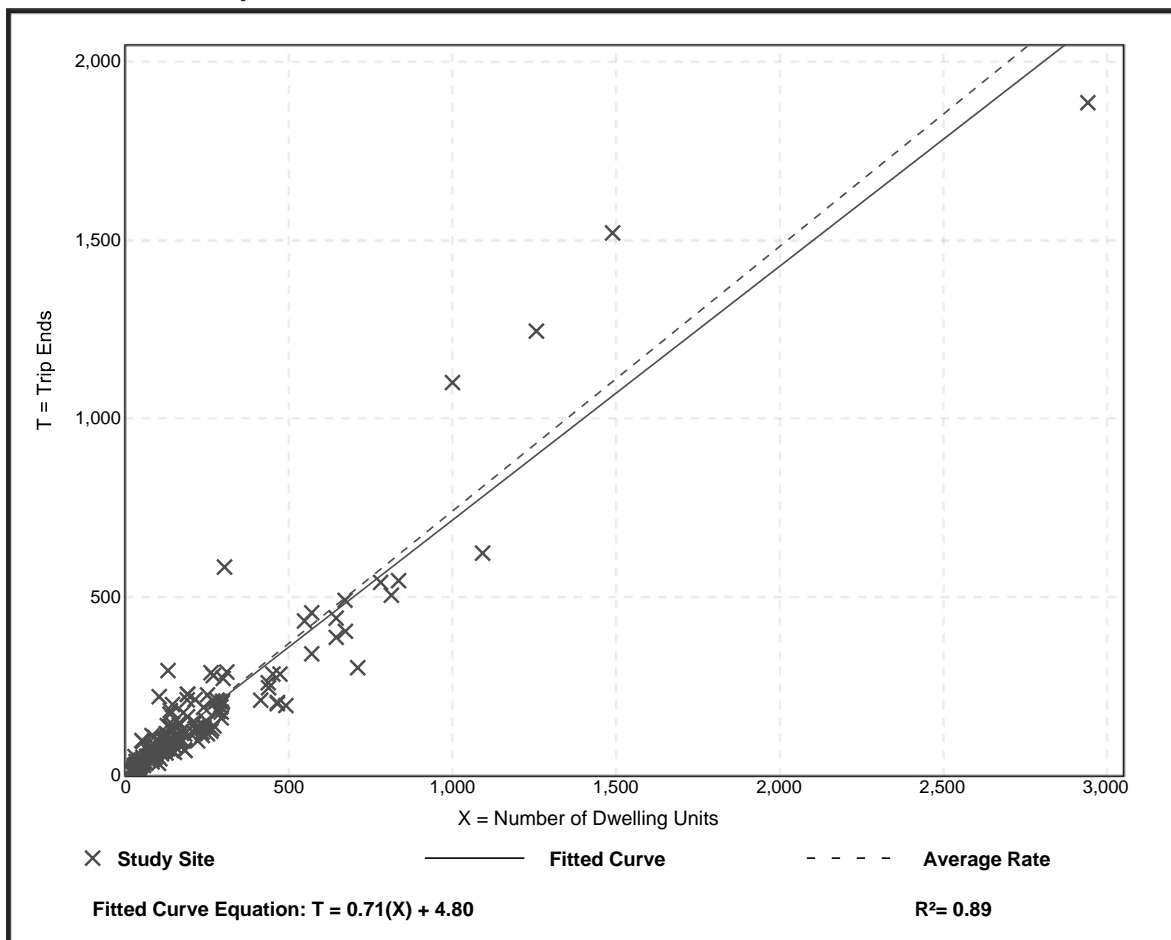
Avg. Num. of Dwelling Units: 219

Directional Distribution: 25% entering, 75% exiting

## Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.74	0.33 - 2.27	0.27

## Data Plot and Equation



Trip Generation Manual, 10th Edition • Institute of Transportation Engineers



# Single-Family Detached Housing (210)

Vehicle Trip Ends vs: Dwelling Units

On a: Weekday,  
Peak Hour of Adjacent Street Traffic,  
One Hour Between 4 and 6 p.m.

Setting/Location: General Urban/Suburban

Number of Studies: 190

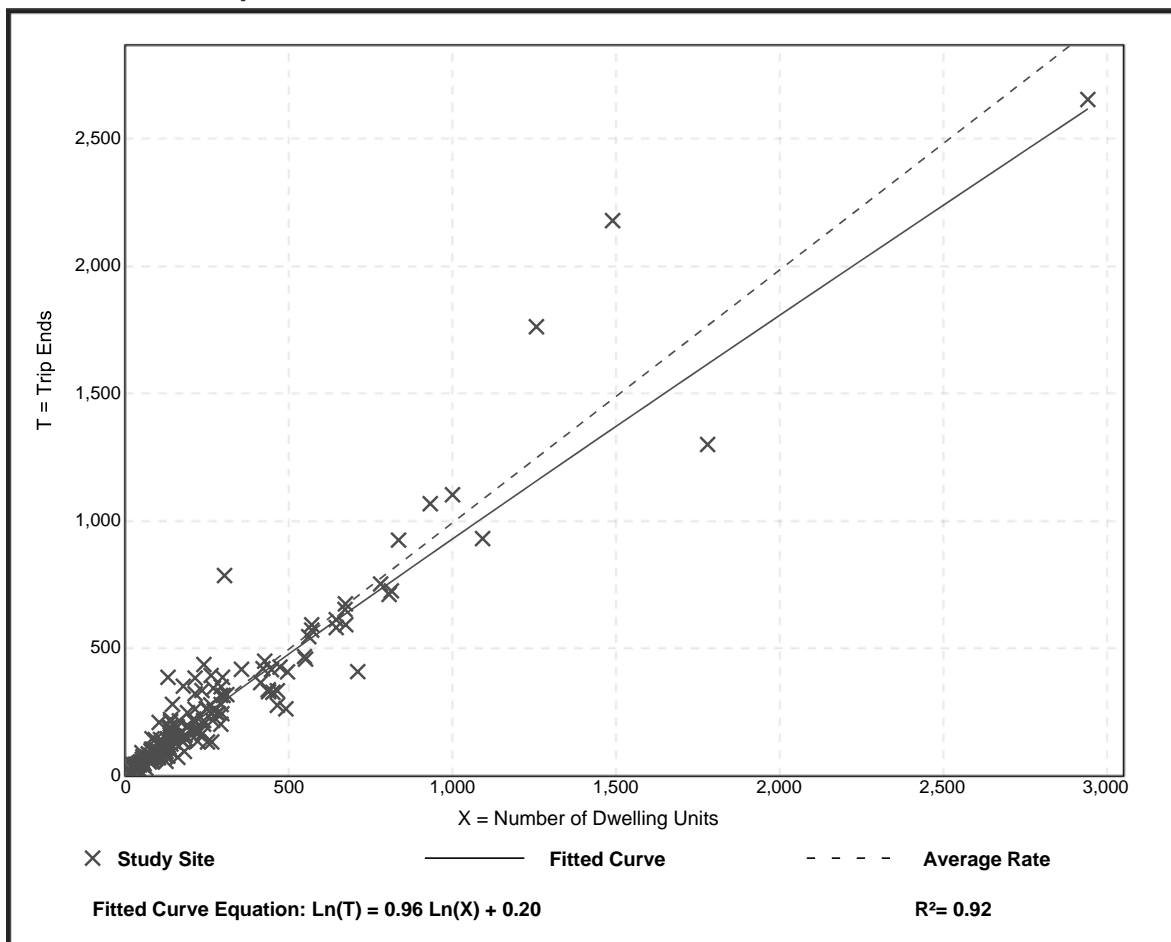
Avg. Num. of Dwelling Units: 242

Directional Distribution: 63% entering, 37% exiting

## Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.99	0.44 - 2.98	0.31

## Data Plot and Equation



Trip Generation Manual, 10th Edition • Institute of Transportation Engineers

















## **Appendix C**

# **DETAILED SYNCHRO RESULTS**

County Road 27 at County Road 34  
Existing Traffic - PM Peak

Reference: Figure 5A

















01/04/2018

												
Lane Group	SEL	SET	SER	NWL	NWT	NWR	NEL	NET	NER	SWL	SWT	SWR
Lane Configurations												
Traffic Volume (vph)	29	158	50	17	144	67	47	67	18	74	73	19
Future Volume (vph)	29	158	50	17	144	67	47	67	18	74	73	19
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Frt		0.972			0.960			0.981			0.984	
Flt Protected		0.994			0.996			0.983			0.978	
Satd. Flow (prot)	0	1800	0	0	1781	0	0	1796	0	0	1793	0
Flt Permitted		0.994			0.996			0.983			0.978	
Satd. Flow (perm)	0	1800	0	0	1781	0	0	1796	0	0	1793	0
Link Speed (k/h)		50			50			50			50	
Link Distance (m)		223.2			281.3			234.2			285.7	
Travel Time (s)		16.1			20.3			16.9			20.6	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	32	172	54	18	157	73	51	73	20	80	79	21
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	258	0	0	248	0	0	144	0	0	180	0
Sign Control		Free			Free			Stop			Stop	
<b>Intersection Summary</b>												
Area Type:	Other											
Control Type:	Unsignalized											
Intersection Capacity Utilization	39.5%											
Analysis Period (min)	15											
	ICU Level of Service A											

County Road 27 at County Road 34  
Existing + Site Generated Traffic - PM Peak

Reference: Figure 5B

















01/04/2018

												
Lane Group	SEL	SET	SER	NWL	NWT	NWR	NEL	NET	NER	SWL	SWT	SWR
Lane Configurations												
Traffic Volume (vph)	31	176	50	18	154	67	47	71	20	74	75	20
Future Volume (vph)	31	176	50	18	154	67	47	71	20	74	75	20
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Frt		0.974			0.962			0.980			0.984	
Flt Protected		0.994			0.996			0.983			0.979	
Satd. Flow (prot)	0	1803	0	0	1785	0	0	1794	0	0	1794	0
Flt Permitted		0.994			0.996			0.983			0.979	
Satd. Flow (perm)	0	1803	0	0	1785	0	0	1794	0	0	1794	0
Link Speed (k/h)		50			50			50			50	
Link Distance (m)		223.2			281.3			234.2			285.7	
Travel Time (s)		16.1			20.3			16.9			20.6	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	34	191	54	20	167	73	51	77	22	80	82	22
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	279	0	0	260	0	0	150	0	0	184	0
Sign Control		Free			Free			Stop			Stop	
Intersection Summary												
Area Type:	Other											
Control Type:	Unsignalized											
Intersection Capacity Utilization	41.4%											
Analysis Period (min)	15											
ICU Level of Service A												

County Road 27 at County Road 34  
Existing & 10% Increase + Site Generated Traffic - PM Peak

Reference: Figure 5C

01/04/2018

												
Lane Group	SEL	SET	SER	NWL	NWT	NWR	NEL	NET	NER	SWL	SWT	SWR
Lane Configurations												
Traffic Volume (vph)	34	192	55	20	168	74	52	78	22	81	82	22
Future Volume (vph)	34	192	55	20	168	74	52	78	22	81	82	22
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Frt		0.974			0.962			0.980			0.984	
Flt Protected		0.994			0.996			0.983			0.979	
Satd. Flow (prot)	0	1803	0	0	1785	0	0	1794	0	0	1794	0
Flt Permitted		0.994			0.996			0.983			0.979	
Satd. Flow (perm)	0	1803	0	0	1785	0	0	1794	0	0	1794	0
Link Speed (k/h)		50			50			50			50	
Link Distance (m)		223.2			281.3			234.2			285.7	
Travel Time (s)		16.1			20.3			16.9			20.6	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	37	209	60	22	183	80	57	85	24	88	89	24
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	306	0	0	285	0	0	166	0	0	201	0
Sign Control		Free			Free			Stop			Stop	
Intersection Summary												
Area Type:	Other											
Control Type:	Unsignalized											
Intersection Capacity Utilization	44.5%											
Analysis Period (min)	15											
	ICU Level of Service A											

## **Appendix D**

# **SIGHT LINE ANALYSIS CONSIDERATIONS**

**17-657: Armstrong Cottam Development**

**Design Intersection Sight Distance (TAC Geometric Design Guide for Canadian Roads)**

**Design Speed: Posted 50km/h**

**Table 9.9.3: Time Gap for Case B1, Left Turn from Stop**

Design Vehicle	Time Gap ( $t_g$ )(s) at Design Speed of Major Road
Passenger car	7.5
Single-unit truck	9.5
Combination truck (WB 19 and WB 20 )	11.5
Longer truck	To be established by road authority

$$\text{Intersection Stopping Distance (ISD)} = 0.278 V_{\text{major}} t_g$$

Where:

ISD = intersection sight distance (m)  
(length of the leg of sight triangle along the major road)  
 $V_{\text{major}}$  = design speed of the major road (km/h)  
 $t_g$  = time gap for minor road vehicle to enter the major road (s)

$$\text{ISD}_{\text{passenger car}} (\text{left turn from stop}) = 0.278 \times 50 \times 7.5 = \mathbf{104 \text{ m}}$$

**Table 9.9.5: Time Gap for Case B2—Right Turn from Stop and Case B3—Crossing Maneuver**

Design Vehicle	Time Gap ( $t_g$ )(s) at Design Speed of Major Road
Passenger car	6.5
Single-unit truck	8.5
Combination truck (WB 19 and WB 20 )	10.5

$$\text{ISD}_{\text{passenger car}} (\text{right turn from stop}) = 0.278 \times 50 \times 6.5 = \mathbf{90 \text{ m}}$$





March 4, 2020

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

Dear Mr. Brown:

**Re: COA Submissions, SUB-01-2020 & ZBA-06-2020, David Armstrong Farms Inc.**

---

Please be advised that the County has reviewed the aforementioned applications and the comments provided are engineering related only. These applications have not been reviewed from a planning perspective. The subject lands have frontage on County Road No. 34. The Applicant will be required to comply with the following County Road regulation:

County By-Law Number 2481 – A By-Law to Provide for the Protection of Highways and to Provide for the Installation of Entrance Ways.

County By-Law Number 2480 – A By-Law of the Corporation of the County of Essex to Regulate the Location of Buildings and Structures on Land Adjacent to County Roads.

The minimum setback for any proposed structures on this property must be 85 feet from the centre of the original ROW of County Road No.34. Permits are necessary for any changes to existing entrances and structures, or the construction of new entrances or structures.

The County of Essex has been involved and has commented on this proposed property in the past, therefore the County of Essex is requesting to be included as the proposed progresses further.

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

Should you require further information, please contact the undersigned by email at [kbalallo@countyofessex.ca](mailto:kbalallo@countyofessex.ca) or by phone at extension 1564.

Regards,



Kristoffer Balallo  
Engineering Technician

**From:** Dale Myer  
**To:** RC Spencer - Rick Spencer; Jane Mustac; Bill King  
**Cc:** [armstrong2550@hotmail.com](mailto:armstrong2550@hotmail.com); "Ed Hooker"; "John Tofflemire"; [4realestate@royalpage.ca](mailto:4realestate@royalpage.ca); Robert Brown; Andrew Plancke  
**Subject:** RE: Armstrong Cottam Development - Traffic Impact Study  
**Date:** Wednesday, February 28, 2018 11:10:46 AM  
**Attachments:** [Twitter\\_7d425643-44d5-4c71-bf70-80ddc2b5b0c511111111.png](#)  
[Facebook\\_f1ab0de0-1179-48a2-a981-bbf05129d66c11111111.png](#)

---

Rick,

We have reviewed the revised study dated January 15, 2018.

We concur that this development will have no significant impact on the adjacent County Road system.

We will not require the developer to make any improvements to either County Road 34 or County Road 27.

We have no objection to this development proceeding.



Dale Myer  
*Engineering Technician*  
360 Fairview Ave. W. Suite 201 | Essex, ON | N8M 1Y6  
P: 519-776-6441 ext. 1564  
F: 519-776-4455  
TTY: 1-877-624-4832

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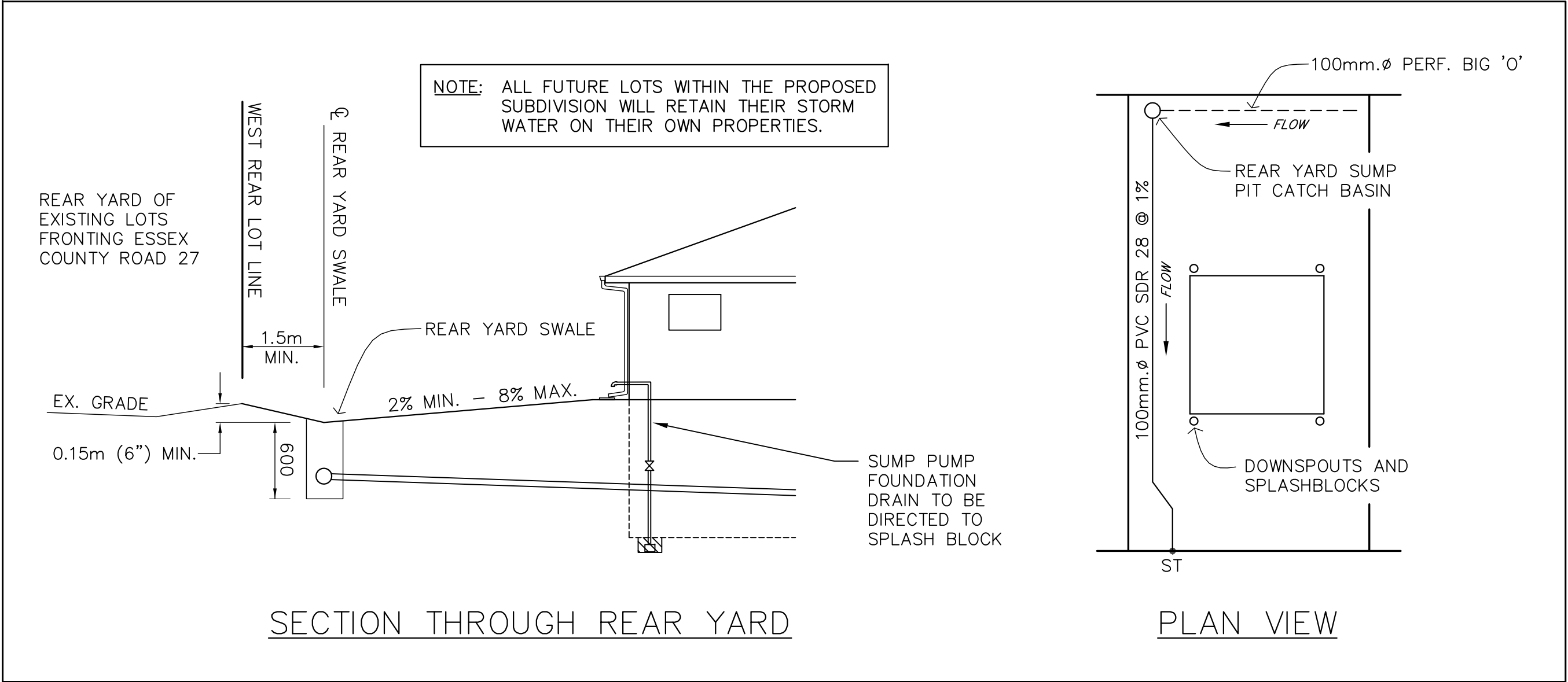
---

**From:** RC Spencer - Rick Spencer [<mailto:rcspencer@rcspencer.ca>]  
**Sent:** Wednesday, January 10, 2018 8:30 AM  
**To:** Dale Myer <[DMyer@countyofessex.on.ca](mailto:DMyer@countyofessex.on.ca)>; Jane Mustac <[JMustac@countyofessex.on.ca](mailto:JMustac@countyofessex.on.ca)>  
**Cc:** [armstrong2550@hotmail.com](mailto:armstrong2550@hotmail.com); 'Ed Hooker' <[ehooker@wolfhooker.com](mailto:ehooker@wolfhooker.com)>; 'John Tofflemire' <[jtofflemire@rcspencer.ca](mailto:jtofflemire@rcspencer.ca)>; [4realestate@royalpage.ca](mailto:4realestate@royalpage.ca); Robert Brown <[rbrown@kingsville.ca](mailto:rbrown@kingsville.ca)>; 'Andrew Plancke' <[aplancke@kingsville.ca](mailto:aplancke@kingsville.ca)>  
**Subject:** FW: Armstrong Cottam Development - Traffic Impact Study

Dale

Please see the attached Traffic Impact Study for your review and approval.

Appendix C



LOTS 21 TO 29 (WEST SIDE DETAIL)

**Ed Hooker**

---

**From:** Species at Risk (MECP) <SAROntario@ontario.ca>  
**Sent:** Wednesday, September 4, 2019 7:33 PM  
**To:** Anthony Goodban  
**Cc:** Ed Hooker; rcspencer@rcspencer.ca; 'Shane LaFontaine'; 'David Armstrong'; 'Brian Armstrong'  
**Subject:** RE: Follow-up for Ridge Side Estates, Cottam - Species at Risk Stage 1 (Information Request) Screening

Hello Mr. Goodban,

The Ministry of Environment, Conservation and Parks (MECP) has reviewed species at risk (SAR) information as well as the previous response provided by MNRF for the proposed Ridge Side Estates development along County Road 34 East, in Cottam, Town of Kingsville, Essex County.

The Species at Risk in Ontario (SARO) List is Ontario Regulation 230/08 issued under the Endangered Species Act, 2007 (ESA 2007). The ESA 2007 came into force on June 30, 2008, and provides both species protection (section 9) and habitat protection (section 10) to species listed as endangered or threatened on the SARO List. The current SARO List can be found on e-laws (<http://www.e-laws.gov.on.ca/navigation?file=home&lang=en>).

There are no known occurrences of SAR on the property. There are known occurrences of SAR in the general area of the property, but with low potential to occur on the property under its current vegetated state / agricultural use. Based on the information provided, including the proposal to retain the perimeter hedgerows, the project will likely not contravene the ESA 2007.

Eastern Foxsnake (Carolinian population) and its habitat are protected under the ESA 2007. This species regularly inhabits agricultural lands throughout the area, and so, woodlands, farm hedgerows, old fields, wetlands, and drainage corridors can be important habitats as well as seasonal migration linkages. Specific features such as rotting logs or stumps, piles of organic material (such as compost, sawdust, or woodchips), rock piles, brush piles, and dump sites of old agricultural debris/equipment are likely to provide habitat functions for Eastern Foxsnake in the project area. This species may also utilize old bridges, culverts, and foundations as communal over-wintering sites. If any of the above features are found to occur, they must be protected from all disturbances that would result in damage or destruction of their habitat functions. It is recommended that netting type erosion control measures not be used for projects over drains and rivers. At these locations an alternative product such as Curlex Netfree® blanket or the use of riprap over geotextile fabric should be used for erosion control to prevent entanglement of Eastern Foxsnake.

This guidance is valid until December 31<sup>st</sup>, 2020. MECP should be contacted for a new review if the project activities have not been completed by this date, or if land ownership has changed.

Should any of the project parameters change, please notify the Permissions and Compliance Section immediately to obtain guidance on whether additional actions will need to be taken to remain in compliance with the ESA 2007. Also, if any SAR species and/or habitats are observed in the project area, please contact the Permissions and Compliance Section as soon as possible.

Please visit <https://www.ontario.ca/page/species-risk> for more information on SAR species and habitat.

Please note that this is an initial screening for SAR and the absence of an element occurrence does not indicate the absence of species. The province has not been surveyed comprehensively for the presence or absence of SAR, and provincial data relies on observers to report sightings of SAR.

It is important to note that changes may occur in both species and habitat protection which could affect whether proposed projects may have adverse effects on SAR. The ESA 2007 applies to endangered and threatened species listed on the Species at Risk in Ontario (SARO) List (<http://www.ontario.ca/environment-and-energy/species-risk-ontario-list>). The Committee on the Status of Species at Risk in Ontario (COSSARO) meets regularly to evaluate new species for listing and/or re-evaluate species already on the SARO List. As a result, species designations may change, which could in turn change the level of protection they receive under the ESA 2007. Also, habitat protection provisions for a species may change if a species-specific habitat regulation comes into effect.

Please be advised that it is your responsibility to comply with all other relevant provincial or federal legislation, municipal by-laws or required approvals from other agencies.

If you have any concerns or questions regarding this letter, please contact me by email at [SAROntario@ontario.ca](mailto:SAROntario@ontario.ca).

Thank you,

**Kathryn Markham**  
Management Biologist  
Permissions and Compliance Section, Species at Risk Branch  
Ministry of Environment, Conservation and Parks

---

**From:** Anthony Goodban <[anthony.goodban@sympatico.ca](mailto:anthony.goodban@sympatico.ca)>  
**Sent:** August 12, 2019 10:47 AM  
**To:** Species at Risk (MECP) <[SAROntario@ontario.ca](mailto:SAROntario@ontario.ca)>  
**Cc:** 'Ed Hooker' <[ehooker@wolfhooker.com](mailto:ehooker@wolfhooker.com)>; [rcspencer@rcspencer.ca](mailto:rcspencer@rcspencer.ca); 'Shane LaFontaine' <[slafontaine@rcspencer.ca](mailto:slafontaine@rcspencer.ca)>; 'David Armstrong' <[davidarmstrongfarmsinc@gmail.com](mailto:davidarmstrongfarmsinc@gmail.com)>; 'Brian Armstrong' <[4realestate@royallepage.ca](mailto:4realestate@royallepage.ca)>  
**Subject:** Follow-up for Ridge Side Estates, Cottam - Species at Risk Stage 1 (Information Request) Screening

Dear Sir or Madam,

Goodban Ecological Consulting Inc. (GEC) was retained by Wolf Hooker Professional Corporation, on behalf of WOBOCORP LTD., DAVID ARMSTRONG FARMS INC. and 2506665 ONTARIO LTD. to prepare a Stage 1 (Information Request) Species at Risk Screening Request for their proposed Ridge Side Estates development in Cottam (see Figures 1 and 2).

A site visit was completed by GEC on July 4, 2017, in order to generally characterize the subject lands and search for Species at Risk that may be detected at that time of year. GEC submitted a request for a Ministry of Natural Resources and Forestry (MNRF) Species at Risk Stage 1 (Information Request) Screening on August 2, 2017 (see below and attached).

Aylmer District MNRF provided a response to the SAR screening on September 12, 2017 (see below). MNRF reached the following conclusions:

*"There are no known occurrences of SAR on the property. There are known occurrences of SAR in the general area of the property, but with low potential to occur on the property under its current vegetated state / agricultural use..."*

*...Based on the information provided, including the proposal to retain the perimeter hedgerows, the project will likely not contravene the ESA 2007. However, it is recommended that MNRF be re-contacted if the project has not begun within the anticipated 24 months [emphasis added], since changes to the ESA 2007 and SARO List may have come into effect."*

It is now anticipated that construction for the Ridge Side Estates project will not commence within 24 months of MNRF's September 12, 2017, SAR screening email. As recommended by MNRF (see above), we are now following-up with the Ministry of Environment, Conservation and Parks (MECP) since the project will not have commenced within the originally anticipated time frame (i.e. by September 2019).

GEC revisited the site on July 14, 2019 to confirm that site in a condition similar to that observed during the original GEC site visit on July 4, 2017. The site is being maintained on a regular basis, in anticipation of the site being developed. Conditions observed by GEC on July 14, 2019 were very similar to conditions originally observed on July 4, 2017. A series of representative site photographs taken by GEC on July 14, 2019 are provided in Attachment C.

It is requested that MECP provide a letter of advice or email indicating that the Ridge Side Estates project will likely not contravene Section 9 (Species Protection) or Section 10 (Habitat Protection) of the *Endangered Species Act* (ESA 2007), consistent with MNRF's previous conclusions in their September 17, 2017 SAR screening. It is anticipated that the project will commence within the next 24 months.

Please do not hesitate to contact me if you have any questions or require further information.

Thank you for your attention to this matter.

Anthony G. Goodban, B.Sc., M.E.S.(Pl.), MCIP, RPP  
Consulting Ecologist and Natural Heritage Planner

**GOODBAN ECOLOGICAL CONSULTING INC. (GEC)**  
879 Cabot Trail, Milton, ON L9T 3W4  
Office: (905) 693-9064  
Mobile: (905) 691-0774

---

**From:** ESA-Aylmer (MNRF) [<mailto:ESA.Aylmer@ontario.ca>]

**Sent:** September 12, 2017 11:03 AM

**To:** Anthony Goodban

**Cc:** 'RC Spencer - Rick Spencer'; [davidarmstrongfarmsinc@gmail.com](mailto:davidarmstrongfarmsinc@gmail.com); [4realestate@royallepage.ca](mailto:4realestate@royallepage.ca); 'Ed Hooker'; MNRF Ayl Planners (MNRF)

**Subject:** RE: Ridge Side Estates, Cottam - Request for MNRF Species at Risk Stage 1 (Information Request) Screening

Hello Anthony,

MNRF Aylmer District has completed the species at risk (SAR) information request screening for the proposed Ridge Side Estates development along County Road 34 East in Cottam, Town of Kingsville, Essex County.

The Species at Risk in Ontario (SARO) List is Ontario Regulation 230/08 issued under the *Endangered Species Act, 2007* (ESA 2007). The ESA 2007 came into force on June 30, 2008, and provides both species protection (section 9) and habitat protection (section 10) to species listed as endangered or threatened on the SARO List. The current SARO List can be found on e-laws (<http://www.e-laws.gov.on.ca/navigation?file=home&lang=en>).



There are no known occurrences of SAR on the property. There are known occurrences of SAR in the general area of the property, but with low potential to occur on the property under its current vegetated state / agricultural use.

Eastern Foxsnake (Carolinian population) and its habitat are protected under the ESA 2007. This species regularly inhabits agricultural lands throughout the area, and so, woodlands, farm hedgerows, old fields, wetlands, and drainage corridors can be important habitats as well as seasonal migration linkages. Specific features such as rotting logs or stumps, piles of organic material (such as compost, sawdust, or woodchips), rock piles, brush piles, and dump sites of old agricultural debris/equipment are likely to provide habitat functions for Eastern Foxsnake in the project area. This species may also utilize old bridges, culverts, and foundations as communal over-wintering sites. If any of the above features are found to occur, they must be protected from all disturbances that would result in damage or destruction of their habitat functions. It is recommended that netting type erosion control measures not be used for projects over drains and rivers. At these locations an alternative product such as Curlex Netfree® blanket or the use of riprap over geotextile fabric should be used for erosion control to prevent entanglement of Eastern Foxsnake.

Please note that this is an initial screening for SAR and the absence of an element occurrence does not indicate the absence of species. The province has not been surveyed comprehensively for the presence or absence of SAR, and MNRF data relies on observers to report sightings of SAR.

Based on the information provided, including the proposal to retain the perimeter hedgerows, the project will likely not contravene the ESA 2007. However, it is recommended that MNRF be re-contacted if the project has not begun within the anticipated 24 months, since changes to the ESA 2007 and SARO List may have come into effect.

It is important to note that changes may occur in both species and habitat protection which could affect whether proposed projects may have adverse effects on SAR. The Committee on the Status of Species at Risk in Ontario (COSSARO) meets regularly to evaluate new species for listing and/or re-evaluate species already on the SARO List. As a result, species designations may change, which could in turn change the level of protection they receive under the ESA 2007. Also, habitat protection provisions for a species may change if a species-specific habitat regulation comes into effect.

Thank you,

**Catherine Jong**  
Management Biologist  
MNRF Aylmer District  
615 John Street North  
Aylmer, ON N5H 2S8

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**From:** Anthony Goodban [<mailto:anthony.goodban@sympatico.ca>]  
**Sent:** August-02-17 10:37 AM  
**To:** ESA-Aylmer (MNRF)  
**Cc:** 'RC Spencer - Rick Spencer'; [davidarmstrongfarmsinc@gmail.com](mailto:davidarmstrongfarmsinc@gmail.com); [4realestate@royallepage.ca](mailto:4realestate@royallepage.ca); 'Ed Hooker'  
**Subject:** Ridge Side Estates, Cottam - Request for MNRF Species at Risk Stage 1 (Information Request) Screening

## Introduction

Goodban Ecological Consulting Inc. (GEC) was retained by Wolf Hooker Professional Corporation, on behalf of WOBORP LTD., DAVID ARMSTRONG FARMS INC. and 2506665 ONTARIO LTD. to prepare a Stage 1 (Information Request) Species at Risk Screening Request for their proposed Ridge Side Estates development in Cottam.

To assist in your review, the following materials are attached:

- Figure 1 - Local Landscape - Broad View - ERCA Imagery (Scale 1:7625).
- Figure 2 - Local Landscape - Property View - ERCA Imagery (Scale 1:3812).
- Figure 3 - Cottam Properties - North Portion - MNRF Imagery (Scale 1:2256)
- Figure 4 - Cottam Properties - South Portion - MNRF Imagery (Scale 1:2256)
- Plan 12R-26017
- Plan 12R-26659
- Attachment A - Drainage Petition Map
- Attachment B - Photo Album (Note: photo locations are shown on Figure 4)

A site visit was completed by GEC on July 4, 2017, in order to generally characterize the subject lands and search for Species at Risk that may be detected at that time of year.

The site comprises two properties located in Cottam on the northeast side of County Road 34, close to the intersection of Belle River Road East and County Road 34 (see Figures 1 to 4, and Plans of Survey). The legal description is as follows:

Concession and Lot No: Part Lot 269, Concession N.T.R.

Part No. and Reference Plan: Pt. 1 & 2, 12R-26017, Pt. 2, 12R-26659

The site covers approximately 4.0 ha in total. The property includes regularly mown areas, fallow farmland, areas cleared in order to resume farming, a small farm pond overgrown with Narrow-leaved Cattail and perimeter hedgerows. The site is essentially one large open field.

#### **Proponent Information**

- The registered owners of the properties are WOBOCORP LTD., DAVID ARMSTRONG FARMS INC. and 2506665 ONTARIO LTD.
- The owners are represented by:

Mr. E. Hooker  
Wolf Hooker Professional Corporation  
100-72 Talbot Road North  
Essex, Ontario N8M 1A2

Phone: (519) 776-4244  
E-mail: [ehooker@wolfhooker.com](mailto:ehooker@wolfhooker.com)

#### **Project Understanding**

Our understanding of the proposed development is that the site will be developed as a residential subdivision. Stormwater from the proposed subdivision will be directed to a stormwater management pond in the northeast corner of the site, which will outlet into a new drain that will connect to a branch of the Smith Newman Drain. A municipal drainage petition has been filed at Town of Kingsville in order to accommodate the provision of the necessary outlet from the site to a municipal drain (see Attachment A - Drainage Petition Map).

Access to the site will be from County Road 34 to the south. The development will include 40 single family and semi-detached residential units, a SWM pond and park area.

The site will be graded and prepared accordingly for the installation of standard services to accommodate the planned residential development. The lands within the Cottam area (including the subject property) are currently identified in

the Town's zoning by-law for residential uses but largely constrained by availability of sewage capacity and await expansion of the existing lagoon (see details below). As timing of the expansion has yet to be determined and one of the owners is a farmer, the site has been cleared for interim agricultural uses.

The Plan of Subdivision application has not yet filed, pending the outcome of this MNRF Species at Risk Stage 1 (Information Request) Screening request. The Town of Kingsville has recently held a meeting on sewage lagoon upgrades to accommodate the requirements of this proposed development and those of other property owners also in need of sewage capacity. Town administration will be obtaining an updated costing of the upgrades and the anticipated time frame for completion of the works and thereafter report back to the property owners.

The majority of the site will be required to accommodate the development and there will be rear-lot tree-saving opportunities for the perimeter hedgerows. It is anticipated that site preparation activities could commence within 12 to 24 months (subject to available sewage capacity) and it may take up to 3 years for the full build-out of the development to be completed.

#### NHIC Database

A check on the Natural Heritage Information Centre's website was completed to find out which SAR had been reported from the 1 km x 1 km squares (17LG5565 and 17LG5665) in which most of the subject property occurs and a summary of records is provided below in Table 1.

Table 1: NHIC Database SAR Records for 17LG5565 and 17LG5665 1km x 1km Squares						
Element Occurrence ID	Scientific Name	Common Name	S-Rank	MNR Status*	Last Observed	Extirpated?
2429	<i>Oenothera gaura</i>	Biennial Gaura	S3		1917-09-04	
2474	<i>Polygonum erectum</i>	Erect Knotweed	SH		1972-09-20	
5615	<i>Ptelea trifoliata</i>	Common Hoptree	S1	SC	1982-10	
11682	<i>Sistrurus catenatus</i> Pop. 2	Massasauga (Carolinian Population)	S1	END	1930	Yes
13327	<i>Tyto alba</i>	Barn Owl	S1	END	1939-06	
59499	<i>Platanthera ciliaris</i>	Yellow Fringed-orchid	SX		1881-08-15	Yes
95617	<i>Euphyes dukesi</i>	Duke's Skipper	S2		1986-07-23	

**Table 1: NHIC Database SAR Records for 17LG5565 and 17LG5665  
1km x 1km Squares**

Element Occurrence ID	Scientific Name	Common Name	S-Rank	MNR Status*	Last Observed	Extirpated?
<p><b>*Note:</b></p> <p>END = Endangered in Ontario          THR = Threatened in Ontario          SC = Special Concern</p>						

### Site Description

Non-native introduced species listed in the site description below are denoted with a "+" sign.

Please refer to **Figures 3 and 4**, and **Attachment B**.

The site covers approximately 4.0 ha in total. The site is essentially one large open field (see **Attachment B: Photos 1-3, 6-9**). Historically the whole property was in agricultural use. Some areas are mown on a regular basis. Some woody regeneration (mainly Green Ash [*Fraxinus pennsylvanica*]) was cleared in order to resume farming activity. There are some perimeter hedgerows.

There is a small farm pond onsite that is overgrown with Narrow-leaved Cattail (*Typha angustifolia*)(see **Attachment B: Photos 4 and 5**). Adult Green Frogs were observed around the pond.

Hedgerows "A" and "B" (see **Figure 4**) mainly comprises young trees (5 to 15 cm dbh) such as Green Ash, White Elm (*Ulmus americana*), White Mulberry (*Morus alba* +), Black Walnut (*Juglans nigra*), Basswood (*Tilia americana*), Pin Oak (*Quercus palustris*) and Manitoba Maple (*Acer negundo*), with occasional larger Silver Maple (*Acer saccharinum*) and Eastern Cottonwood (*Populus deltoides*). The main shrubs are Gray Dogwood (*Cornus foemina* ssp. *racemosa*), Common Buckthorn (*Rhamnus cathartica* +) and Staghorn Sumac (*Rhus typhina*). The ditches are very shallow and discontinuous; they were dry on July 4, 2017.

Hedgerow "C" includes a cluster of trees offsite and the fenceline trees. Tree and shrub species include Black Walnut, Manitoba Maple, White Mulberry (+), Green Ash, White Elm, Gray Dogwood, Staghorn Sumac and Common Buckthorn (+). There are a few large (>60 cm dbh) specimen Bur Oak (*Quercus macrocarpa*) on the property line.

No plant or wildlife species at risk were observed during the July 4, 2017 field visit. The site was searched assiduously for plant species at risk such as Butternut, Eastern Flowering Dogwood and Red Mulberry, and none were observed. No species at risk grassland birds (e.g. Bobolink and Eastern Meadowlark) were observed during the site visit.

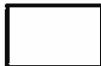
We look forward to MNRF's response to our Stage 1 (Information Request) Species at Risk Screening. Please let me know if you have any questions or require further information.

Anthony

When responding to this e-mail, please request a "Read Receipt" so that you will know if I actually receive your e-mail. For some reason I am having difficulty

**Anthony G. Goodban, B.Sc., M.E.S.(Pl.), MCIP, RPP**  
**Consulting Ecologist and Natural Heritage Planner**

**GOODBAN ECOLOGICAL CONSULTING INC. (GEC)**  
**879 Cabot Trail, Milton, ON L9T 3W4**  
**Office: (905) 693-9064**  
**Mobile: (905) 691-0774**



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March 30, 2020

Rebecca Belanger  
Manager, Planning Services  
County of Essex  
360 Fairview Avenue West, Suite 302  
Essex, Ontario, N8M 1Y6

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

Dear Ms. Belanger:

RE: Request for pre-consultation comments on a draft plan of subdivision  
37-T-20002 Ridge Side Estates, COUNTY RD. 34 E.,  
ARN 371159000003451; PIN: 751630437  
Applicant: WOBOCORP LTD

The comments are provided as a result of our review of Request for Comments for a proposed Draft Plan of Subdivision, Town of Kingsville – Ridge Side Estates, File No: 37-T-20002. Our office reviewed the circulated draft plan of subdivision, prepared by R. C. Spencer, dated October 2017 and the Armstrong Cottam Development Storm Water Management Report, prepared by R. C. Spencer, dated July 05, 2019. Please note that this letter replaces the previously provided comments on the draft plan of subdivision, dated March 27, 2020.

**DELEGATED RESPONSIBILITY TO REPRESENT THE PROVINCIAL INTEREST IN NATURAL HAZARDS AND REGULATORY RESPONSIBILITIES ASSOCIATED WITH THE CONSERVATION AUTHORITIES ACT**

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

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

**WATERSHED BASED RESOURCE MANAGEMENT AGENCY**

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



Ms. Belanger  
March 30, 2020

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

ERCA has concerns with the potential impact of the quality and quantity of runoff in the downstream watercourse due to the proposed development on this site. ERCA recommends that stormwater quality and stormwater quantity will need to be addressed up to and including the 1:100 year storm event and be in accordance with the guidance provided by the Stormwater Management Planning and Guidance Manual, prepared by the Ministry of the Environment (MOE, March 2003) and any other local requirements (e.g., Windsor-Essex Region Stormwater Management Standards Manual).

We therefore request inclusion of the following conditions in the Development Agreement:

1. That the developer undertakes an engineering analysis to identify stormwater quality and quantity measures as necessary to control any increases in flows in downstream watercourses, up to and including the 1:100 year design storm, to the satisfaction of the Municipality and the Essex Region Conservation Authority.
2. That the developer installs stormwater management measures identified above, as part of the development of the site, to the satisfaction of the Municipality and the Essex Region Conservation Authority.
3. That the developer obtains the necessary permit or clearance from the Essex Region Conservation Authority prior to undertaking site alterations and/or construction activities.
4. That prior to undertaking construction or site alteration activities of any kind, any necessary permits or clearances be received from the Essex Region Conservation Authority.

#### **PLANNING ADVISORY SERVICE TO MUNICIPALITIES - NATURAL HERITAGE POLICIES OF THE PPS**

The following comments are provided from our perspective as a service provider to the Municipality on matters related to natural heritage and natural heritage systems as outlined in Section 2.1 of the PPS. The comments in this section do not necessarily represent the provincial position and are advisory in nature for the consideration of the Municipality as the planning authority.

It is our recommendation to the Municipality that an Environmental Impact Assessment is not required because the location of the subject property is physically separated from the natural heritage feature by existing development or infrastructure. Therefore, we can advise the Municipality that this application is consistent with the natural heritage policies of the PPS.





Ms. Belanger  
March 30, 2020

In summary, this letter represents the position of the Essex Region Conservation Authority and we recommend the five (4) four above noted conditions of approval.

Sincerely,



Michael Nelson, BSc, MSc (Planning)  
*Watershed Planner*  
/mn

C: Robert Brown, Manager of Planning & Development Services, Town of Kingsville



Rebecca Belanger, MCIP, RPP  
Manager of Planning Services  
The Corporation of the County of Essex

March 2, 2020

**VIA EMAIL ONLY**

Town of Kingsville  
Attention: Ms. Jennifer Astrologo,  
Town Clerk  
2021 Division Road North  
Kingsville, Ontario  
N9Y 2Y9

**Subject: Request to Hold a Public Meeting**  
**Location: Part of Lot 269, Concession North Talbot Road**  
**Applicant: Armstrong- Ridge Side Estates (Cottam)**  
**County of Essex File No.: 37-T-20002**

Dear Ms. Astrologo:

Pursuant to Subsection 51(21) of the Planning Act the County of Essex requests the Town of Kingsville to give notice and hold a public meeting concerning the attached proposed draft plan of subdivision, County of Essex File No. 37-T-20002.

It is also requested that you give Public Notice of the Application in accordance with Subsection 51(20) of the Planning Act and Subsection 4 of Ontario Regulation 544/06 as amended by Regulation 298/19. As noted in Subsection 51(20) the approval authority for plans of subdivision is required to give notice of the receipt of an application at least 14 days prior to making a decision. The regulation provides that the approval authority may require the local municipality to provide public notice of the receipt of an application on its behalf.

Notice of the public meeting shall be given to the public and identified agencies in accordance with Subsection 4 of Ontario Regulation 544/06. The notice of a public meeting shall:

- (i) indicate the date, time and location of the public meeting;
- (ii) include a description of the proposed plan of subdivision;
- (iii) include a description of the subject land or a key map showing the location of the land proposed to be subdivided;
- (iv) indicate where and when additional information regarding the proposed plan of subdivision will be available to the public for inspection;
- (v) if applicable, a request that the notice be posted by the owner of any land that contains seven or more residential units in a location that is visible to all of the residents;

(vi) include the following statements:

If a person or public body does not make oral submissions at a public meeting, or make written submissions to the County of Essex in respect of the proposed plan of subdivision before the approval authority gives or refuses to give approval to the draft plan of subdivision, the person or public body is not entitled to appeal the decision of the County of Essex to the Local Planning Appeal Tribunal.

If a person or public body does not make oral submissions at a public meeting, or make written submissions to the County of Essex in respect of the proposed plan of subdivision before the approval authority gives or refuses to give approval to the draft plan of subdivision, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

(vii) include the following statement:

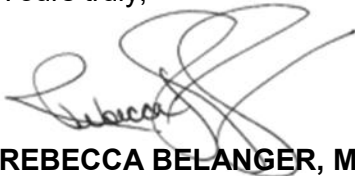
For more information about this matter, contact the Manager, Planning Services, County of Essex, 360 Fairview Avenue West, Essex, ON, N8M1Y6, indicating the County of Essex file number.

The public meeting shall be held no sooner than 14 days after the requirements for the giving of notice of the public meeting have been met.

Within 15 days of the public meeting, the municipality or planning board must submit the information in Subsection 6 of Ontario Regulation 544/06 to the Manager, Planning Services, County of Essex.

Thank you for your assistance in this matter.

Yours truly,



**REBECCA BELANGER, MCIP, RPP**  
Manager, Planning Services

c.c. Robert Brown, Town of Kingsville

# THE CORPORATION OF THE TOWN OF KINGSVILLE

## BY-LAW 77-2020

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

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

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

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

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

1. That Subsection 6.2.2 e) RESIDENTIAL ZONE 2 RURAL/URBAN (R2.2) is amended by adding subsection 6.2.2.11 as follows:

#### **6.2.2.11 'RESIDENTIAL ZONE 2 RURAL/URBAN EXCEPTION 11 (R2.2-11)'**

For lands shown as R2.2-11 on Map 7 Schedule "A" of this By-law.

##### **a) Permitted Uses**

Those uses permitted under Section 6.2.2 Residential Zone Rural/Urban (R2.2);

##### **b) Permitted Buildings and Structures**

Those buildings and structures permitted in Section 6.2.2 Residential Zone Rural/Urban (R2.2);

##### **c) Zone Provisions**

Provisions of the (R2.2) Section 6.2.1 c) shall apply to the lands zoned R2.2-11;

Notwithstanding Section 6.2.1 c) of the by-law to the contrary the following shall apply to lands zoned R2.2.-11:

	<b><i>Single detached dwelling</i></b>	<b><i>Semi-detached dwelling</i></b>	<b><i>Semi-detached dwelling unit</i></b>
<b><i>Lot area (minimum)</i></b>	680 m <sup>2</sup>	1,000 m <sup>2</sup>	500 m <sup>2</sup>
<b><i>Lot frontage (minimum)</i></b>	15 m	22 m	11 m
<b><i>Landscaped open space (minimum)</i></b>	30%	30%	30%
<b><i>Lot coverage (maximum)</i></b>	40%	50%	50%
<b><i>Building height (max)</i></b>	10.6 m	10.6 m	10.6 m
<b><i>Front yard (minimum)</i></b>	6 m	6 m	6 m
<b><i>Interior Side yard (min)</i></b>	1.5 m, or where there is no garage 1.5 m on one side and 3 m on the other side	1.5 m, or where there is no garage 2 m	1.5 m, or where there is no garage 2 m, 0 m along the common wall
<b><i>Exterior Side yard (min)</i></b>	3 m	3 m	3 m
<b><i>Rear yard (minimum)</i></b>	7.5 m	7.5 m	7.5 m

- Schedule "A", Map 7 of By-law 1-2014 is hereby amended by changing the zone symbol on a portion of land, in Part of Lot 269, Concession NTR, Parts 1 & 2, RP 12R 26017 & Part 2 RP 12R 26659, as shown on Schedule 'A' in cross-hatch attached hereto from 'Residential Zone 2 RURAL/URBAN – holding (R2.2-(h))' to 'Residential Zone 2 RURAL/URBAN Exception 11 –holding (R2.2-11-(h))'.
- The Holding (h) provisions will be removed after approval of a development (subdivision) agreement by Council and confirmation of a completion date for the sanitary sewer service upgrades to the Cottam lagoon.
- This by-law shall come into force and take effect from the date of passing by Council and in accordance with Section 34 of the Planning Act.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 10<sup>th</sup> DAY OF AUGUST, 2020.**

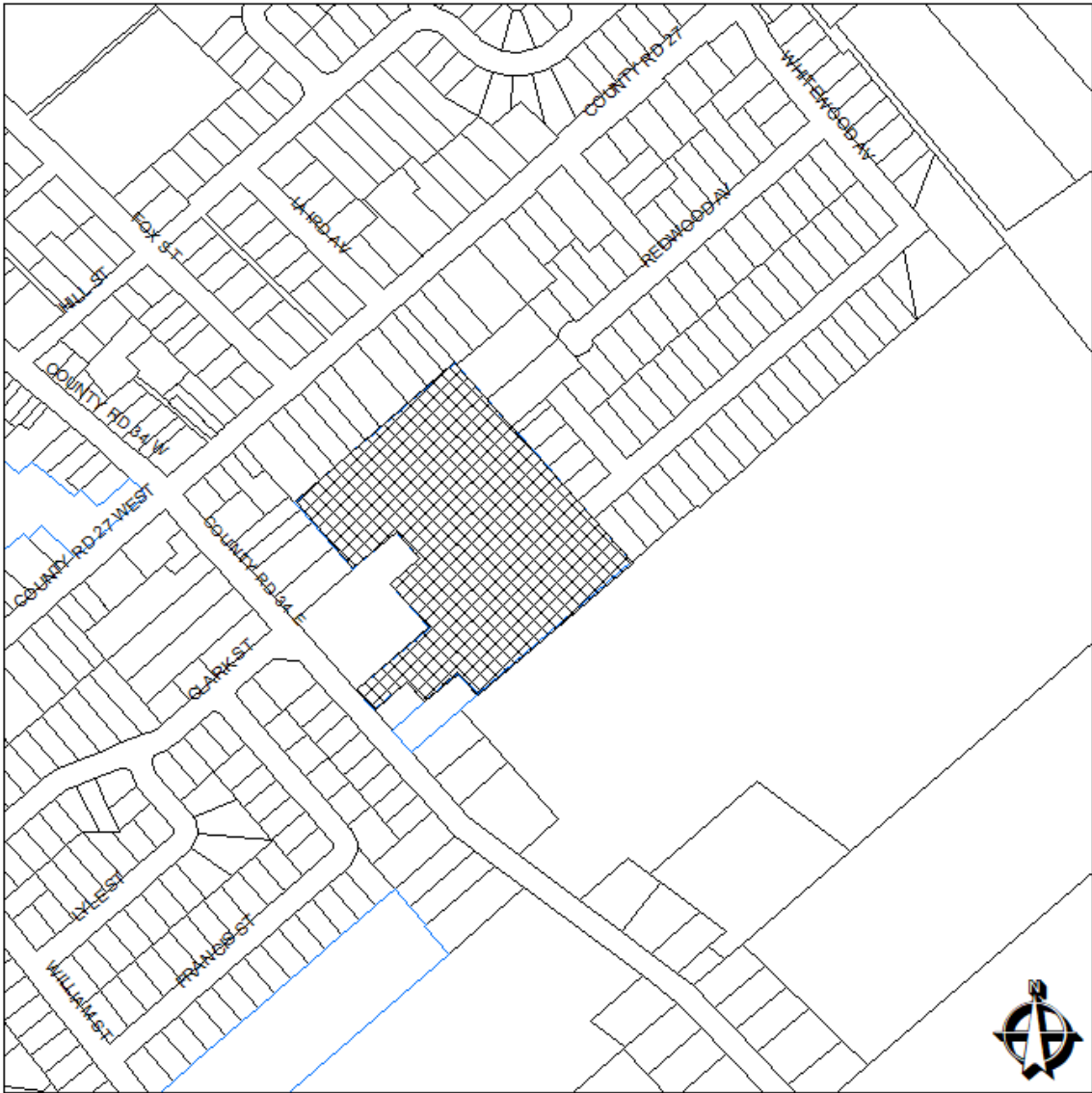
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**MAYOR, Nelson Santos**

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**CLERK, Jennifer Astrologo**

# Schedule A



**V/L NE Side County Road 34 E**  
**Part of Lot 269, Concession NTR**  
**Pts. 1 & 2, RP 12R 26017 & Pt. 1 RP 12R 26659**  
**ZBA/06/20**

0 40 80 160 240 320 Meters



Schedule "A", Map 7 of By-law 1-2014 is hereby amended by changing the zone symbol as shown on Schedule 'A' in cross-hatch attached hereto from 'Residential Zone 2 Rural/Urban - holding (R2.2-(h))' to 'Residential Zone 2 Rural/Urban Exception 11 - holding (R2.2-11-(h))'.

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

**APPLICATIONS:** **ZONING BY-LAW AMENDMENT FILE ZBA/03/2020**  
**(Section 34 of the Planning Act, R.S.O. 1990, C.P. 13)**

**APPLICANT:** **Jennifer Gagnon**

**LOCATION OF PROPERTY:** **111 Queen St.**  
**Pt. of Lot 5, Plan 187**

### **PURPOSE OF APPLICATION:**

The Town of Kingsville has received the above-noted application for lands located on the east side of Queen Street, north of Elm Street. The subject property is designated Residential by the Official Plan and zoned Residential Zone 1 Urban, (R1.1) under the Kingsville Comprehensive Zoning By-law.

The subject land is a 928 sq. m (9,988 sq. ft.) residential property with an existing single detached dwelling and detached garage. The applicant currently does home schooling as a home occupation from her dwelling at 89 Queen St. The subject parcel has been purchased with the intent to establish a more formal private school operation within the existing dwelling. A zoning amendment would be required to add a private school as an additional permitted use with specific limitations on rooms and student numbers. A change of use through Building Services will also be required if the zoning amendment is approved to meet building code requirements for use as a private school.

The notice has also been posted to the Town website under Do Business/Planning and Zoning/Upcoming Public Meetings.

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

**WHEN:** **August 10, 2020**  
**WHERE:** **ELECTRONIC MEETING ON ZOOM**  
**TIME:** **6:00 p.m.**

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

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

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

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

**DATED AT**  
**THE TOWN OF KINGSVILLE**  
**on July 10, 2020.**

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



## 111 Queen St.



Notes

Zoning Amendment

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



**Legend**

Essex Municipality

all other values

15 Hong Kong

Sireen

Severance

Kingsville Assessment

0 12.40 24.8 Meters

1: 744



2/18/2020

This Meeting will be held through Electronic Participation in accordance with Bill 187, the Municipal Emergency Act, and an Order in Council of March 23, 2020, which amended the Emergency Management and Civil Protection Act and prohibits organized public events of more than five people.

The Town of Kingsville continues to take COVID-19 seriously, and in following the advice of provincial and federal governments, is making significant changes to services and programming to help protect health and wellbeing of the community. Town Hall is temporarily closed to the public to help stop the spread of COVID-19. In-person Committee and Council meetings have been cancelled. Such meetings, as warranted, will be held electronically until further notice.

---

### Remote Participation

The electronic public meeting will take place via Zoom. Elected Officials, Committee Members, Town Staff and Applicants or those representing them will be given access to the meeting. If you wish to participate please read the instructions below.

### Public Comments

**a) Submit comments in writing:** Written comments are strongly encouraged.

Please provide your name (first and last), your address and which item you are commenting on. They may be submitted in writing or by email, to Robert Brown, Manager, Planning Services (see contact info ). Comments received **by 4:00 PM on Monday, August 3rd** will be part of the Council Agenda package prior to the meeting. Comments received after this time will be forwarded to Members of Council as soon as possible, and prior to the meeting on August 10th.

**b) Request to speak at the Council Meeting:** Prior to 4:00 PM on Friday, August 7th you must contact Robert Brown, Manager, Planning Services to request to speak during the meeting. Please provide your name (first and last), your address, the item/application you wish to speak on and your email address.

### Remote participation for public comments

Upon receipt of your request to speak at the meeting participants will be provided the Zoom meeting details and password prior to the meeting.

Please note that neither a computer, nor a video sharing device, is required to participate in the meeting via Zoom. You may also opt to call in from a cell phone or landline. Persons who intend to participate during the meeting may wish to register/sign up in Zoom, if they have not already done so. The following information is provided for your consideration and guidance during remote participation in the meeting:

- Please join the meeting at 5:55 PM in order to avoid any delays. If you have not joined the public meeting while your Agenda Item is up for public comment you will have forfeited your request.
- When you join the meeting, either by phone or online, you will be admitted in as an attendee. You will not be greeted upon joining the call. You will be able to hear the meeting and see the active speaker (if you have video capability), but your mic will be muted until it is your turn to speak.
- If you join the Zoom meeting through your phone, please Do not put the phone on hold at any time, as this will result in broadcasting "hold music" online once your mic function is unmuted.
- To optimize call quality when using a laptop, a headset with microphone is best if available to you; otherwise, whether using your laptop microphone or cell phone, please speak directly into the receiver and do not use speaker phone
- Please do not forward the Zoom meeting details to anyone or post through social media. Only registered participants will be admitted to the meeting.
- Participants should keep comments directly related to the matter to which they are speaking to. Questions are to be directed to the Council chairperson. Council members may choose to ask you follow-up questions following your remarks, comment, or ask staff to respond to what you have said.
- After providing your comments and answering any questions that may be directed to you, the Meeting Coordinator will disconnect you from the Zoom meeting.

### For more information, please contact:

Robert Brown, H. Ba, MCIP, RPP, Manager, Planning Services    Phone: 519-733-2305  
Ext. 250 Email: [rbrown@kingsville.ca](mailto:rbrown@kingsville.ca)



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

**Date:** July 22, 2020

**To:** Mayor and Council

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

**RE:** Application for Zoning By-law Amendment by  
Jennifer Gagnon  
111 Queen St., Pt. Lot 5, Plan 187

**Report No.:** PS 2020-042

---

## **AIM**

To provide the Mayor and Council with information regarding a zoning by-law amendment request to permit a private school as an additional permitted use in a single detached dwelling.

## **BACKGROUND**

The subject land is a 928 sq. m (9,988 sq. ft.) residential property with an existing single detached dwelling and detached garage. The applicant currently does home schooling as a home occupation from her home at 89 Queen St. She has purchased the subject dwelling at 111 with the hope of establish a more permanent and dedicated private school at the location. The proposed zoning would be a site-specific addition to the current R1.1 zoning, limited to the addition of a private school with a limited student capacity.

## **DISCUSSION**

### **1) Provincial Policy Statement (PPS), 2020:**

PPS, Section 1.1.3.1 states that, "Settlement areas shall be the focus of growth and development." Section 1.1.3.3 further outlines that, "Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the

availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

Comment: PPS does not speak directly to the provision of or location of education facilities either public or private. Schools in Kingsville, with the exception of Jack Miners and Gosfield North are located within residentially designated areas and incorporated as part of the community at large. How location is determined then becomes a matter of compatibility and scale which are more specifically addressed in the Town's Official Plan and zoning by-law.

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

The subject property is designated Residential. Section 3.6.1 Residential, Policies, item b) notes the following: other uses which are considered necessary and complimentary to serve residential areas, such as schools, parks, churches, day care centres and home occupations and essential buildings and structures for public utilities, may be permitted where they are compatible with the residential area.

Comment: The applicant acquired the home with the intention of preserving the home in its current residential form with no significant planned exterior modifications beyond that of possible entrance upgrades. As a note the property is not on the heritage interest list in the Official Plan but does contribute to the overall character of the area and streetscape.

The applicant has provided their own review of the proposal and some background information about the school. (Appendix A). The proposal does offer an alternative to the traditional school setting and is well located to access a number of resources in the area. It is centrally located so it can be accessed for walking students and the roadway can accommodate drop off with limited impact to traffic on Queen St.

The development of new and the expansion of existing institutional uses such as schools, churches, cemeteries, community halls, government buildings, public works facilities and public utilities shall be permitted in all designations, except the "Agriculture" designation, without an amendment to this Plan, subject to a site specific rezoning and the following policies:

- a) new and existing institutional uses shall be appropriately zoned in the implementing Zoning By-law and physical expansions to existing institutional uses which are limited to the confines of the current zoning shall be permitted; however expansions into the "Agriculture" designation would require an amendment to this Plan;

Comment: The purpose of the application is to amend the zoning to permit a private school.

- b) adequate precautions shall be taken to ensure that the permitted uses minimize adverse impacts on adjacent land uses;

Comment: The recommended zoning of the property will be limited. It will continue to permit a single detached and add private school as an additional use. The zoning will also need to provide for a limited number of students based on the permitted occupancy.



- c) adequate parking, vehicular access, tree planting, landscaping using local native plantings, buffering and site and building design will be required to create an attractive appearance and ensure compatibility with surrounding land uses;

Comment: As noted earlier the applicant is not looking to alter the outside of the dwelling but rather would like to preserve the residential exterior. The site has an existing driveway which can accommodate teacher parking. Queen St. has street parking on the east side of the road and can accommodate drop-off without blocking traffic. The applicant would need to educate parents on appropriate drop-off so that children are not crossing the road.

- d) suitable arrangements will be made for potable water supply, sanitary sewage treatment and disposal, storm drainage and all other similar services;

Comment: The property is on full municipal services and no additional development is proposed that would impact on storm water drainage.

- e) no other suitable location within the Town serviced by municipal potable water and municipal sanitary sewage and storm drainage services is available; and

Comment: The subject location is in close proximity to the applicant homes. In consultation with the Town it was suggested that the applicant should consider use of possible Town locations such as the arena, Unico, or Grovedale. I suspect that while this provides an option it likely does not work ideally as there are not individual classrooms at each of these facilities.

- f) the retention, renewal and conservation of institutional built resources such as schools, churches, jails, monuments, courthouses and other buildings of historic or architectural merit will be encouraged if they are affected by an application of development or re-development. The impact of such development plans on the character of the surrounding area will also be considered; &

Comment: This is similar to item c) in that the applicant is intending to maintain the residential character of the exterior to minimize impact to the surrounding area.

- g) new institutional and emergency service facilities will not be permitted to locate within Natural Hazard Areas.

Comment: Not applicable

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

The subject property, which is under consideration, is zoned Residential Zone 1 Urban, (R1.1). The proposed zoning would not rezone the site to commercial classification but rather add a private school with a limited occupancy as an additional site-specific permitted use. The exact number of students in the school at any given time will be based on the final determined occupancy through the change of use process. Building Services has indicated that based on the dwelling size they are of the opinion that an occupancy of more than 20 is unlikely. As such the amending by-law will cap the

maximum number of student at one time at 20 or as determined by the final occupancy through both Fire and Building Code, whichever is less.

## **LINK TO STRATEGIC PLAN**

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

## **FINANCIAL CONSIDERATIONS**

The change of use for the property will be subject to building permit fees. As a private school there also may be some increase in assessment once the use is developed.

## **CONSULTATIONS**

### **Public Consultations**

In accordance to O. Reg 544/06 and 545/06 of the Planning Act, property owners within 120 m of the subject site boundaries received the Notice of Public Meeting by mail. Comment was received both in support of and in objection to the proposed zoning amendment. See Appendix B and C

### **Agency & Administrative Consultation**

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

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

- The parcel is not within a regulated area.
- ERCA has no objection to the proposed development
- See full comment in Appendix D.

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

- Municipal Services, Fire and Building Dept. staff met with the applicant to outline the need for consultation with a private designer, engineer or architect to determine the specific requirements for use of the dwelling as a school
- Parking and traffic impact remain an item of interest
- Any form of servicing upgrades such as water or sewer would be the applicant responsibility

## RECOMMENDATION

That Council:

Approve zoning amendment application ZBA/03/2020 to rezone 111 Queen St. from Residential Zone 1 Urban (R1.1) to a site-specific Residential Zone 1 Urban Exception (R1.1-29) to add a private school limited to a maximum student occupancy of 20 or as determined by the change of use permit process, whichever is less.

*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



## Appendix A

Town of Kingsville, Ontario  
R. Brown, Manager, Planning Services  
Mayor, Deputy Mayor and Councillors of Kingsville

January 27, 2020

Application to have the zoning amended to permit a private school as an additional permitted use at 111 Queen Street, Kingsville, ON N9Y 2A1

Submitted by Jennifer Gagnon  
Founder and Owner of WONDERfield: for Charlotte Mason education

89 Queen Street, Kingsville, N9Y2A1  
Jengagnon3@gmail.com  
519-990-4459

**CONTENTS:**

**Page 1** Considering: The Town of Kingsville, The Neighbourhood, The Students

**Page 2** Commercial and Residential Diversity of Immediate Area

**Page 3** Key points addressed to the Corporation of the Town of Kingsville  
Official Plan December 2011: Consolidated Official Plan with City Mods  
pdf/document

**Page 5** Key points addressed to the Provincial Policy Statement 2014 Planning  
Act

**Attached:**

3 pages of Specifics of the Property of 111 Queen Street, Kingsville, ON N9Y 2A1

Documents of consent signed by neighbours in proximity to 111 Queen Street,  
Kingsville N9Y 2A1

### Considering the Town of Kingsville

- preservation of a century home in Kingsville.
- the property remain residential with the added institutional zoning specifically for only a private school
- a small school integrated into a neighbourhood
- minimal impact on neighbourhood
- support of neighbours
- addition of a private school in Kingsville
- first Charlotte Mason school in Canada
- alternative choice in education for families of Kingsville and area
- regular attendance from students being able to walk to:  
Access Community Garden, Kingsville Public Library, Post Office, Carnegie Arts and Visitors Centre, Kingsville Historical Park Museum, Lakeside Park, Lake Erie, Chrysler Greenway, and Kingsville Arena Complex
- weekly use of Kennedy Woods of Jack Miner Migratory Bird Sanctuary

### Considering the Local Neighbourhood:

- preservation of integrity of neighbourhood by maintaining a century home
- minimal impact on neighbours
- adequate parking
- school hours of operation for school

### Considering the Students:

- a small school integrated into a neighbourhood
- small classes
- Charlotte Mason curriculum including nature study, science, folk songs, artist study, handicrafts, nature walks, daily outdoor time, history and literature through living books, geography and mapping, guest teachers
- hand-written pen-pal relationship with the Charlotte Mason school in Birmingham, Alabama.
- within walking distance of Access Community Garden, Kingsville Public Library, Post Office, Carnegie Arts and Visitors Centre, Kingsville Historical Park Museum, Lakeside Park, Lake Erie, Chrysler Greenway.
- weekly nature and exploration walks in Kennedy Woods of Jack Miner Migratory Bird Sanctuary and weekly skating at Kingsville Arena Complex
- seasonal excursions to John R. Park Homestead, Fort Malden, Point Pelee, Cedar Creek Conservation Area, Ojibway Nature Preserve, Jack Miner Migratory Bird Sanctuary Museum, Amherstburg Freedom Museum

## **Commercial and Residential Diversity of Immediate Area:**

Between the Chrysler Greenway and Pearl Street, Laurel and Division Street, we have:

Sweet Memories Bakery

local artists working out of their homes

Daisy Mart convenience store

Brad Graham Salon 29

Bed and Breakfasts

Airbnbs

Rental properties

Commercial spa at 101 Mill Street

Little Free Library including a town installed cement pad and bench

Little Free Garden (Canada's first one)

Photography and Framing by Anna

Access Community Garden

Access Community Support Services,

Epworth United Church,

Carnegie Art and Visitors Centre

### **3.4 INSTITUTIONAL USES**

The development of new institutional uses such as schools shall be permitted in all designations subject to a site-specific rezoning and the following policies.

- a) new institutional uses shall be appropriately zoned in the implementing zoning by-law
- b) there will be a minimum impact on the adjacent land uses
- c) Vehicular access will be in front of the building where there is a parking lane. There is adequate parking for teachers.
- f) 111 Queen Street is a building of some historical and architectural merit. It is “The Queen House” owned by Tom and Gertrude Queen, founders of Queen’s Auto Supply. Daughter Marion (Max Simmers) and son Jack Queen. After sixty years, the Queens sold it to the current owner Avis Anne Elcomb. Mrs. Elcomb wishes that The Queen House not be torn down but remain as one of the century homes that adds to the Victorian charm of the Town of Kingsville. WONDERfield will use this building while maintaining the residential character of the neighbourhood.
- g) 111 Queen is not located within any Natural Hazard Areas.

#### **3.4.1 Schools**

Gosfield North Public School in Cottam.

Jack Miner Public School, Kingsville Public School and Kingsville District High School will soon be amalgamated into one super school.

There is one private school in Kingsville and one in Ruthven.

St. John de Brebeuf Catholic Elementary School is also in a residential area but had to tear down a Victorian home to make more room for a yard.

## **3.6 RESIDENTIAL 3.6.1 Residential**

### **iii. Redevelopment of Older Neighbourhoods**

Proposals to locate medium and high-density residential development in older established residential neighbourhoods will be discouraged if they involve the extensive redevelopment of existing single unit dwellings;

*\*WONDERfield will not involve extensive redevelopment of the dwelling*

11. l) home occupations carried out for remuneration as defined in the Zoning By-law are permitted in the "Residential" designation;

12. m) institutional uses are permitted in the "Residential" designation but shall require a site-specific amendment to the Zoning By-law. When considering the appropriateness of a particular institutional use, the criteria contained in Section 3.4 of this Plan shall be considered; 111 Queen Street, Kingsville, ON, will remain residential with the added institutional zoning to permit a private school. \*

*\*criteria contained in Section 3.4 of this Plan is addressed above*

# Provincial Policy Statement 2014 (PDF).pdf

## **Part V: Policies**

### **1.0 Building Strong Healthy Communities**

Ontario is a vast province with urban, rural, and northern communities with diversity in population, economic activities, pace of growth, service levels and physical and natural conditions. Ontario's long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns. Efficient land use and development patterns support sustainability by promoting strong, liveable, healthy and resilient communities, protecting the environment and public health and safety, and facilitating economic growth.

Accordingly:

#### **1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns**

1.1.1 Healthy, liveable and safe communities are sustained by:

- 2. b) accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;
- 6. f) improving accessibility for persons with disabilities and older persons by identifying, preventing and removing land use barriers which restrict their full participation in society;



January 2020

To the Town of Kingsville and Council,

I understand that Jennifer Gagnon is going to use 111 Queen Street, Kingsville, as a private school. I support the change in zoning to institutional for that purpose.

I (We), Paul Caza  
(your name(s) here, please print)

At 85 Queen Street  
(your address here)

Do hereby give my consent to have the zoning of 111 Queen Street changed to institutional.

signature: Paul Caza

\_\_\_\_\_

date: January 18, 2020

January 2020

To the Town of Kingsville and Council,

I understand that Jennifer Gagnon is going to use 111 Queen Street, Kingsville, as a private school. I support the change in zoning to institutional for that purpose.

I (We), LLYD BOOSE  
(your name(s) here, please print)

At 88 QUEEN  
(your address here)

Do hereby give my consent to have the zoning of 111 Queen Street changed to institutional.

signature: Lloyd Boose

date: 19/01/20

January 2020

To the Town of Kingsville and Council,

I understand that Jennifer Gagnon is going to use 111 Queen Street, Kingsville, as a private school. I support the change in zoning to institutional for that purpose.

I (We), Phil + Jennifer Gagnon  
(your name(s) here, please print)

At 89 Queen St  
(your address here)

Do hereby give my consent to have the zoning of 111 Queen Street changed to institutional.

signature: Phil Gagnon  
Jennifer Gagnon

date: Jan 18, 2020

January 2020

To the Town of Kingsville and Council,

I understand that Jennifer Gagnon is going to use 111 Queen Street, Kingsville, as a private school. I support the change in zoning to institutional for that purpose.

I (We), CATHIE PENNER  
(your name(s) here, please print)

At 94 QUEEN ST. KINGSVILLE, ON.  
(your address here)

Do hereby give my consent to have the zoning of 111 Queen Street changed to institutional.

signature: 

date: January 17, 2020

January 2020

To the Town of Kingsville and Council,

I understand that Jennifer Gagnon is going to use 111 Queen Street, Kingsville, as a private school. I support the change in zoning to institutional for that purpose.

I (We), CHRIS HEIL  
(your name(s) here, please print)

At 95 QUEEN  
(your address here)

Do hereby give my consent to have the zoning of 111 Queen Street changed to institutional.

signature: 

date: JAN 18/20

January 2020

To the Town of Kingsville and Council,

I understand that Jennifer Gagnon is going to use 111 Queen Street, Kingsville, as a private school. I support the change in zoning to institutional for that purpose.

I (We), Cornelius Dyck  
(your name(s) here, please print)

At 98 Queen St Kingsville  
(your address here)

Do hereby give my consent to have the zoning of 111 Queen Street changed to institutional.

signature: [Signature]

date: Jan 18/20

January 2020

To the Town of Kingsville and Council,

I understand that Jennifer Gagnon is going to use 111 Queen Street, Kingsville, as a private school. I support the change in zoning to institutional for that purpose.

I (We), I. Anthony Nespolon  
(your name(s) here, please print)

At 108 Queen Street, Kingsville  
(your address here)

Do hereby give my consent to have the zoning of 111 Queen Street changed to institutional.

signature: 

date: Jan. 20, 2020



January 2020

To the Town of Kingsville and Council,

I understand that Jennifer Gagnon is going to use 111 Queen Street, Kingsville, as a private school. I support the change in zoning to institutional for that purpose.

I (We), <sup>(Scotter)</sup> Avis Anne Elcom  
(your name(s) here, please print)

At 111 Queen St  
(your address here)

Do hereby give my consent to have the zoning of 111 Queen Street changed to institutional.

signature: Dan Anne Elcom

date: Jan 20 / 20

January 2020

To the Town of Kingsville and Council,

I understand that Jennifer Gagnon is going to use 111 Queen Street, Kingsville, as a private school. I support the change in zoning to institutional for that purpose.

I (We), Adele Sims  
(your name(s) here, please print)

At 115 Queen St., Kingsville, ON N9Y 2A1  
(your address here)

Do hereby give my consent to have the zoning of 111 Queen Street changed to institutional.

signature: Adele Sims

date: Jan. 21, 2020

January 2020

To the Town of Kingsville and Council,

I understand that Jennifer Gagnon is going to use 111 Queen Street, Kingsville, as a private school. I support the change in zoning to institutional for that purpose.

I (We), Tim & Patti Ramsey  
(your name(s) here, please print)

At 116 Queen St- Kingsville  
(your address here)

Do hereby give my consent to have the zoning of 111 Queen Street changed to institutional.

signature: Patti Ramsey  
Tim Ramsey

date: 1-29-2020

*Please no large commercial sign*

January 2020

To the Town of Kingsville and Council,

I understand that Jennifer Gagnon is going to use 111 Queen Street, Kingsville, as a private school. I support the change in zoning to institutional for that purpose.

I (We), Daniel + Audrey Verkoeyen  
(your name(s) here, please print)

At 49 Elm St.  
(your address here)

Do hereby give my consent to have the zoning of 111 Queen Street changed to institutional.

signature: 

date: Jan 21, 2020

January 2020

To the Town of Kingsville and Council,

I understand that Jennifer Gagnon is going to use 111 Queen Street, Kingsville, as a private school. I support the change in zoning to institutional for that purpose.

I (We), GERRY R. DODGE  
(your name(s) here, please print)

At 59 ELM ST.  
(your address here)

Do hereby give my consent to have the zoning of 111 Queen Street changed to institutional.

signature: Gerry R. Dodge

\_\_\_\_\_

date: JAN. 18 / 20

**From:** [Jen Augustine](#)  
**To:** [Robert Brown](#)  
**Subject:** Comment on zoning bylaw amendment for 111 Queen St  
**Date:** Friday, July 31, 2020 3:40:35 PM

---

Hi,

This is a comment on the zoning by-law amendment for 111 Queen St. I live nearby and fully support the zoning amendment to add a private school as an additional permitted use. The homeschool at 89 Queen St. has been a wonderful addition to our street. We enjoy special mail in our mailbox from the students and seeing and hearing them in our community. I am confident that the private school would be a great use of this property and that the students will continue to be a benefit to our street.

Thanks

Jen Augustine

82 Queen St, Kingsville

Get [Outlook for Android](#)

**From:** [Will Cowell at Will Cowell](#)  
**To:** [Robert Brown](#)  
**Subject:** New message "FWD: Re: Zoning By-Law Amendment File ZBA/03/2020" on job "Cowell New Home Build"  
**Date:** Monday, August 3, 2020 2:49:41 PM

---



**FWD: Re: Zoning By-Law Amendment File ZBA/03/2020**

**Will Cowell at Will Cowell**

**CC:** Will Cowell

Hello Robert, i am checking in that you received this email from July 18th as i have not seen or missed the response and invite to join?

Thank you and i look forward to your response.

Will Cowell

---

**From:** Will Cowell  
**Sent:** Jul 18, 2020, 8:56 AM  
**To:** [rbrown@kingsville.ca](mailto:rbrown@kingsville.ca)  
**Cc:** Will Cowell ([wcowell1@gmail.com](mailto:wcowell1@gmail.com))  
**Subject:** Re: Zoning By-Law Amendment File ZBA/03/2020

Hello Robert, thank you for inviting us into this process.

I have received the notice of complete application and public meeting: zoning by-law amendment.

We are Will & Dorrey Cowell of 112 Laurel St. Kingsville. We are currently building a new home on Lot # 57 Laurel St. and one of the reasons for this selection and location is that it is a residential, quaint, and quiet street with single family dwelling zone in the older part of town. We did not expect to hear that there would be an application for rezoning within our block from residential to some kind of school / commercial zoning.

We are not in favour of rezoning the property on 111 Queen St. I expect there should be an extensive search of all available current commercial / school zoning with in the Town of Kingsville. With the new plan for a Kingsville "mega-school" / multi-plex school there should be opportunities, space and or availability within already commercial zoning for private enterprise.

It sounds like the person purchased the property 111 Queen with intension of having a more formal private schooling operation without the proper zoning. I would question was this assumed by the purchaser as a done deal for changing the zoning? We are concerned about the traffic, parking, and attraction of the property as people will avoid the morning and afternoon rush by diverting up and down Laurel St.

Kingsville is a lovely town and we are very excited about moving home as i grew up there from 1958 ~ 1988, before pursuing an International Automotive career. Now retiring in Kingsville we would like to maintain the quaint quiet neighborhood of the "old town" and once the zoning changes for one property, whats to stop every property owner from expecting the same even prior to purchasing the parcel.

Thank you for your time to consider our concerns and to include us in the dialogue. We have never been a part of such a process before so please understand if our approach is elementary or incomplete. I would like to register to listen in on the zoom connection on August 10th to learn more of how this process works.

We look forward to a response.

Will & Dorrey Cowell

**Reply All**



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**From:** [Tk2](#)  
**To:** [Robert Brown](#)  
**Subject:** Jennifer Gagnon application for zoning bylaw amendment file ZBA/03/2020  
**Date:** Tuesday, July 21, 2020 9:24:41 PM

---

Mr R. Brown

My concerns going forward in changing the current zoning for a private school operation are:

The number of students and staff attending on a daily basis.

The affect on traffic with pickups, drop-offs, parking, congestion, idling vehicles, and parking.

Traffic on Queen Street has increased. Commercial traffic from the new taxi operation on the corner of Elm and Division is constant. The safe discharge and collection of students is a major concern.

As part of this application is there a requirement to provide user traffic access to the property that address the above concerns or will no street improvement/changes be made?

Tom Klassen  
127 Queen Street

Sent from [Mail](#) for Windows 10

Robert Brown  
Manager, Planning Services  
Town of Kingsville

Re: Proposed Zoning Amendment for 111 Queen, Kingsville

August 3, 2020

Dear Mr. Brown,

I would like to comment on the proposed zoning amendment for the property located at 111 Queen, Kingsville.

In the 40 years that I have been a resident of Kingsville, I have seen a network of unique and varied grassroots businesses spring up in our downtown core and also as home businesses in residential areas. This has happened because of creative entrepreneurs in our midst and a supportive Town Council. It's made our town what it is today – culturally rich and vibrant, and a place where business owners can count on some degree of success.

We've all seen how Kingsville has been growing in the recent years. At first we saw an increase in retirees moving to the area. Now we are seeing families relocate here. I think we can say that they are coming because of the 'flavour' that our little town is providing to those who want what we have – an environment of innocence combined with opportunities for active participation brought on by a welcoming spirit.

Jen Gagnon lives across the street from us and at the request of some various parents in the community has been teaching a few children full time for the past couple of years along with tutoring in her home for a number of years. This need is obviously enough to support Jen's teaching activity as she endeavours to grow into a school setting. She will be able to provide an alternative way for children to discover and grow in a setting that is nurturing and peaceful through a curriculum that is based on learning from nature, truly a unique opportunity for our local families.

I would like to support Jennifer Gagnon's application for a zoning amendment for at least these 3 reasons –

- I don't feel that having the school at the proposed property will take away from our peaceful neighbourhood – parking, traffic, noise or excessive activity has never been an issue due to students coming or going to or from Jen's residence. I'd be pleased to have a small school in our neighbourhood!
- Jen's teaching style and proposed school will provide a very unique alternative to the norm/standard. It's important for communities to have alternatives and choices available.
- We all benefit if a culture of open acceptance for new ideas is nurtured by our residents and its Town Council. It makes us interesting!! (No one decides to move to a town because it's boring!) We are making progress in that regard if we support Jen's school in the ways that she needs us to support it.

**From:** [Janet Willoughby](#)  
**To:** [Robert Brown](#)  
**Subject:** 111 QUEEN STREET  
**Date:** Tuesday, August 4, 2020 9:36:55 AM

---

Good Morning

I have a few questions about the application to turn 111 to a private school.

In the letter it says that there will be a change to the building code for a school, can you point me in the direction of that bylaw and is there different set backs for this change, because we are right next door to the property.

It will change the zoning.

What does this do to the value of my property and what difference does it make to my property, ei. Codes and bylaws to adjoining properties.

Can you also tell me the size of the school, rooms and number of students, can this be changed at any time or do they have to re-apply to change the size.

When would these changes take effect? How long does this process take?

Thank you in advance

Janet Willoughby

103 Queen Street.

Sent from [Mail](#) for Windows 10



planning@erca.org

P.519.776.5209

F.519.776.8688

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

March 03, 2020

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

Dear Mr. Brown:

RE: Zoning By-Law Amendment: ZBA-03-2020,  
111 Queen St., ARN 371108000012000; PIN: 751830318

The following is provided as a result of our review of Zoning By-Law Amendment ZBA-03-2020 to permit home schooling.

**DELEGATED RESPONSIBILITY TO REPRESENT THE PROVINCIAL INTEREST IN NATURAL HAZARDS AND REGULATORY RESPONSIBILITIES ASSOCIATED WITH THE CONSERVATION AUTHORITIES ACT**

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

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

**WATERSHED BASED RESOURCE MANAGEMENT AGENCY**

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

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

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



Mr. Brown  
March 03, 2020

**FINAL RECOMMENDATION**

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

Sincerely,



Fernando Cirino, MUD  
*Resource Planner*  
/fc

# THE CORPORATION OF THE TOWN OF KINGSVILLE

## BY-LAW 78 - 2020

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

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

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

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

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

1. That Subsection 6.1.1 e) RESIDENTIAL ZONE 1 URBAN (R1.1) EXCEPTIONS is amended with the addition of the following new subsection:

#### **6.1.1.29 'Residential Zone 1 Urban Exception 29 (R1.1-29)'**

For lands shown as R1.1-29 on Map 71 Schedule "A" of this By-law.

##### **a) *Permitted Uses***

Those uses permitted under Section 6.1 Residential Zone 1 Urban (R1.1).  
A private school

##### **b) *Permitted Buildings and Structures***

- i) Those *buildings and structures permitted* in Section 6.1
- ii) An existing dwelling for a private school
- ii) *Buildings and structures accessory to the permitted uses.*

##### **c) *Zone Provisions***

All lot and building requirements shall be in accordance with the provisions of the (R1.1) Section 6.1.1 c) for the lands Zoned (R1.1-29);

- ii. Notwithstanding the Zone provisions of Section 6.1, for lands zoned (R1.1-29) the maximum number of students attending a private school shall be limited to 20 or in accordance with the prescribed occupancy limit determined by Fire and Building Code, whichever is less.

2. Schedule "A", Map 71 of By-law 1-2014 are hereby amended by changing the zone symbol on lands, known municipally as 111 Queen Street, in Part of Lot 5, Plan 187, as shown on Schedule 'A' in cross-hatch attached hereto from 'Residential Zone 1 Urban (R1.1)' to 'Residential Zone 1 Urban Exemption 29 (R1.1-29)'.

3. This by-law shall come into force and take effect from the date of passing by Council and shall come into force in accordance with Section 34 of the Planning Act, R.S.O. 1990 Chapter P.13, as amended.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS  
10<sup>nd</sup> DAY OF AUGUST, 2020.**

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**MAYOR, Nelson Santos**

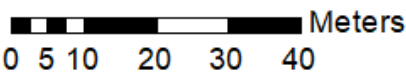
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**CLERK, Jennifer Astrologo**

Schedule A



**111 Queen St.**  
**Part of Lot 5, Plan 187**  
**ZBA/03/20**



Schedule "A", Map 71 of By-law 1-2014 is hereby amended by changing the zone symbol as shown on Schedule 'A' in cross-hatch attached hereto from 'Residential Zone 1 Urban (R1.1)' to 'Residential Zone 1 Urban Exception 29 (R1.1-29)'.



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

**APPLICATIONS:** **ZONING BY-LAW AMENDMENT FILE ZBA/07/2020**  
(Section 34 of the Planning Act, R.S.O. 1990, C.P. 13)  
**SITE PLAN APPROVAL FILE SPA/05/2020**  
(Section 41 of the Planning Act, R.S.O. 1990, C.P. 13)

**OWNER:** **Jeremy Capussi**

**LOCATION OF PROPERTY:** **140 Main St E**  
**Pt. of Lot 1, Concession 1, ED**

### **PURPOSE OF APPLICATION:**

The Town of Kingsville has received the above-noted applications for lands located on the north side of Main St. East, east of Spruce St. N. The subject property is designated 'Residential' by the Official Plan and zoned 'Residential Zone 4 Urban Exception (R4.1-5)' under the Kingsville Comprehensive Zoning By-law.

The subject land is a 1.45 ha (3.6 ac.) vacant residential parcel (shown in red). Council approved a zoning amendment in 2018 to permit the front portion of the property to be developed with a mixed-use residential/commercial building with a total of 24 residential units and up to 705 sq. m (7,600 sq. ft.) of ground floor commercial space. The applicant has completed the final site plan for consideration and approval. However, the applicant has chosen to remove the ground floor commercial in favour of 6 additional residential units. The partial fourth floor amenity area has also been removed. Therefore, a further amendment to the zoning is required to increase the number of permitted residential units, remove the commercial space and revise the permitted height to three storeys to a maximum of 32 ft. Additional details on the applications have been posted to the Town website under Do Business/Planning and Zoning/Upcoming Public Meetings. Hard copies of the plans can be requested for pick-up at the Town office by appointment only.

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

**WHEN:** **August 10, 2020**  
**WHERE:** **ELECTRONIC MEETING ON ZOOM**  
**TIME:** **6:00 p.m.**

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

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

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

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

**DATED AT**  
**THE TOWN OF KINGSVILLE**  
**on July 10, 2020.**

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







Notes

Enter Map Description

THIS MAP IS NOT TO BE USED FOR NAVIGATION

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



Legend

Essex Municipalities

all other values

Kingsville

Street

Sewerance

Kingsville Assessment

0 27.86 55.7 Meters

1:1,671

3/12/2020

This Meeting will be held through Electronic Participation in accordance with Bill 187, the Municipal Emergency Act, and an Order in Council of March 23, 2020, which amended the Emergency Management and Civil Protection Act and prohibits organized public events of more than five people.

The Town of Kingsville continues to take COVID-19 seriously, and in following the advice of provincial and federal governments, is making significant changes to services and programming to help protect health and wellbeing of the community. Town Hall is temporarily closed to the public to help stop the spread of COVID-19. In-person Committee and Council meetings have been cancelled. Such meetings, as warranted, will be held electronically until further notice.

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**Remote Participation**

The electronic public meeting will take place via Zoom. Elected Officials, Committee Members, Town Staff and Applicants or those representing them will be given access to the meeting. If you wish to participate please read the instructions below.

**Public Comments****a) Submit comments in writing:** Written comments are strongly encouraged.

Please provide your name (first and last), your address and which item you are commenting on. They may be submitted in writing or by email, to Robert Brown, Manager, Planning Services (see contact info below). Comments received **by 4:00 PM on Monday, August 3rd** will be part of the Council Agenda package prior to the meeting. Comments received after this time will be forwarded to Members of Council as soon as possible, and prior to the meeting on August 10th.

**b) Request to speak at the Council Meeting:** Prior to 4:00 PM on Friday, August 7th you must contact Robert Brown, Manager, Planning Services to request to speak during the meeting. Please provide your name (first and last), your address, the item/application you wish to speak on and your email address.

**Remote participation for public comments**

Upon receipt of your request to speak at the meeting participants will be provided the Zoom meeting details and password prior to the meeting.

Please note that neither a computer, nor a video sharing device, is required to participate in the meeting via Zoom. You may also opt to call in from a cell phone or landline. Persons who intend to participate during the meeting may wish to register/sign up in Zoom, if they have not already done so. The following information is provided for your consideration and guidance during remote participation in the meeting:

- Please join the meeting at 5:55 PM in order to avoid any delays. If you have not joined the public meeting while your Agenda Item is up for public comment you will have forfeited your request.
- When you join the meeting, either by phone or online, you will be admitted in as an attendee. You will not be greeted upon joining the call. You will be able to hear the meeting and see the active speaker (if you have video capability), but your mic will be muted until it is your turn to speak.
- If you join the Zoom meeting through your phone, please Do not put the phone on hold at any time, as this will result in broadcasting "hold music" online once your mic function is unmuted.
- To optimize call quality when using a laptop, a headset with microphone is best if available to you; otherwise, whether using your laptop microphone or cell phone, please speak directly into the receiver and do not use speaker phone
- Please do not forward the Zoom meeting details to anyone or post through social media. Only registered participants will be admitted to the meeting.
- Participants should keep comments directly related to the matter to which they are speaking to. Questions are to be directed to the Council chairperson. Council members may choose to ask you follow-up questions following your remarks, comment, or ask staff to respond to what you have said.
- After providing your comments and answering any questions that may be directed to you, the Meeting Coordinator will disconnect you from the Zoom meeting.

**For more information, please contact:**

Robert Brown, Manager, Planning Services Phone: 519-733-2305  
Ext. 250 Email: [rbrown@kingsville.ca](mailto:rbrown@kingsville.ca)



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

**Date:** July 24, 2020

**To:** Mayor and Council

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

**RE:** Application for Zoning By-law Amendment ZBA/07/2020 &  
Site Plan Amendment SPA/05/2020 by  
Jeremy Capussi  
140 Main St. E.  
Pt. Lot 1, Concession 1, ED, Parts 1 & 2, RP 12R 14569

**Report No.:** PS 2020-024

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## **AIM**

To provide the Mayor and Council with details regarding a zoning by-law amendment to remove the permitted commercial uses in favour of additional residential dwelling units and approve the associated site plan for the initial phase of development.

## **BACKGROUND**

In November of 2018 a partial rezoning was approved on the subject lands for the initial stage of development that would include a mixed use commercial/residential building. The ground floor would be split equally between commercial and residential space, the second and third floor would be completely residential and a partial fourth floor would be used for private amenity space. The zoning permitted a total of 24 dwelling units, 705 sq. m (7,590 sq. ft.) of commercial space and a partial fourth floor limited to 50% of the total foot print of the building. The final design was the result of approximately 18 months of work which included an open house held by the developer, presentation of the final design to the Planning Advisory Committee and eventual approval by Council.

With the zoning in place the next step in the development of the property is to submit the final plans for site plan approval. As part of the final review the owner is, seeking to make some changes to the final plan. They would like to eliminate the ground floor commercial space and the partial fourth floor and limit the development to a three storey, multiple unit residential building with 30 rather than 24 residential units. The proposed plan is attached as Appendix A.



## **DISCUSSION**

In order to proceed with site plan approval of the revised development a zoning amendment is required to remove the permitted commercial space, increase the number of permitted dwelling units from 24 to 30 and update the height limitation consistent with the current plans.

### **Provincial Policy Statement (PPS), 2020:**

PPS, Section 1.1.3.1 states that, "Settlement areas shall be the focus of growth and development." Section 1.1.3.3 further outlines that, "Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

Comment: Multiple unit development has been very limited for quite some time making the availability of this particular type of housing in short supply. The subject lot has been vacant for some time. Proposed higher density residential is generally common and best suited to locations along arterial roads such as Main St. E. The lot will also not require extension of services and takes advantage of existing lands within the Kingsville Settlement area.

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

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

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

The subject lands are designated Residential and permit all forms of residential development. Section 3.6.1 Residential – Goals item d) states "encourage the development of a greater variety of housing types.

Comment: This is one of the more important points in the assessment of this proposal as much of the development in Kingsville in the last ten years has been generally low density single detached, semi-detached and townhouse development. Although Kingsville does have a good stock of designated residential lands, the inventory of serviced, shovel ready property is limited to approximately a 3 to 4 year supply, based on the current growth rate and development of only low density residential. The addition of 30 residential units expands the variety of housing and does not impact on the current supply of serviced residential lands.

Section 3.6.1 Policies item i) outlines the following, "when considering applications to amend the Zoning By-law to permit a medium or high density residential development, the Town shall have regard to the following:

- i) the need for the proposed development as identified through an analysis of housing supply and demand;

Comment: It is important to provide opportunities for the construction of all forms of housing. There has only recently been limited construction of condominium type development in Kingsville and there has been little to no rental housing construction in the last 20 years. This has resulted in a very low vacancy rate and generating a significant demand. The primary form of housing in Kingsville has been singles, semis and limited townhouses with the majority being individual freehold ownership. The applicant has indicated the building will be of a condominium tenure however regardless it provides additional housing stock variety which is very limited at present.

- ii) the density and form of adjacent development;

Comment: The subject parcel is located in the heart of Kingsville along one of its two main corridors. The area between Spruce St. N. and Wigle Ave has been an area of interest and area of transition for sometime. The density and form of adjacent development is mixed, at best, including single detached homes, vacant land, mixed use commercial, a seniors' home, KDHS and Migration Hall.

- iii) the adequacy of, and extent of uncommitted reserve capacity in the municipal potable treatment and supply system, the municipal sanitary sewage treatment and collection system, storm drainage and roads to service the proposed development;

Comment: Sanitary sewer capacity and Town water supply have been confirmed for the site. An acceptable storm water management plan was also completed and reviewed by Municipal Services.

- iv) the adequacy of school, park and community facilities to serve the proposed development;

Comment: There is no lack of school, parks or community facilities within walking or short driving distance of the property.

- v) the adequacy of off-street parking facilities to serve the proposed development;

Comment: The proposed 30 units require a total of 38 parking spaces, including visitor spaces, 40 spaces are provided on-site in compliance with the applicable zoning requirements.

- vi) the provision of adequate buffering measures deemed necessary to protect and provide general compatibility with the adjacent lands uses; and

Comment: The development has been laid out in such a way to either maintain separation from abutting sensitive uses or provide buffering by way of landscaping or fencing or a combination of both. A full detailed landscape plan has been prepared and is attached as Appendix B.

Buffering also becomes important with multiple storey buildings from a privacy and shadowing standpoint. The initial plan proposed a slightly higher building. A shadow

case study was completed that did indicate some impact to the residential lot immediately to the west however this was limited to late winter and early spring during the morning. The building height is shown as 9.9 m (32.4 ft.). The height permitted under the amended zoning was 11.2 m (36.75 ft.) which was actually only a minor increase of less than 1 ft. over what was permitted prior to the zoning change in 2018. In order to provide no question moving forward with the revised Phase 1 plans it is recommended that the zoning amendment be set with a permitted height at 10 m (32.8 ft.).

vii) accessibility in relation to the location of arterial and collector roads;

Comment: The property is located on Main Street E. which is the Town's main arterial road. A traffic study was completed in 2017 which included the overall development of the entire site. When the plan was revised in 2018 the study was updated to reflect the direct impact of the single mixed use building. A further revision was completed in 2020 to show the new traffic impact of the current plan.

The study outlined that the mixed use development from 2018 would generate 24 vehicle trips per hour at the AM peak, 45 at the PM peak and 51 during Saturday peak. The 2020 assessment concludes those numbers will be reduced by more than 50% at 11 for the AM peak, 14 for the PM peak and 19 for the Saturday peak time. The conclusion in 2017 was that, 'site-related traffic will have a negligible impact upon the study area intersections and that the road network will be able to adequately accommodate the increase in traffic resulting from the development proposal.' (See Appendix C)

The addition of any development along Main St. E. will add traffic to what is clearly a busy street. The purpose of traffic studies is not about impact but rather to determine if the road network will continue to function as designed. The other factor to consider is the location of the development is that it is very supportive of walkability being centrally located between the downtown to the west and large format commercial to the east. This does not mean that walking is the sole mode of transportation for the developments residents. It means that residents have the option to walk to everyday conveniences and perhaps even work. Kingsville is a small community and very walkable. This is something that planning policy strongly supports and encourages and I believe helps to maintain that small community feeling that is so dear to the existing residents and the principle reason for continuing to attract residents to Kingsville.

Item j) further states that all medium and high-density residential development will be subject to site plan control pursuant to the Planning Act;

Comment: Revised final plans and elevations have been prepared and included for review. (Appendix D)

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

The portion of the subject property which is under consideration is zoned Residential Zone 4 Urban, Exception 5 (R4.1-5). The balance of the property remains within the Residential Zone 1 Urban, holding (R1.1(h) until future plans are assessed. The intended amendment would make the following revisions:



- i) Permit one apartment building, reducing the number of storeys from 4 to 3, and increase the maximum dwelling units from 24 to 30 total;
- ii) Remove neighborhood commercial, maximum commercial floor area and reference to mixed use residential commercial;
- iii) Maintain the front yard setback of 8 m (26 ft.) as outlined in the standard R4.1;
- iv) Limit the permitted height to 10 m (32.8 ft.).

## **5) Proposed Site Layout**

The attached Phase One plan and elevations (Appendix A & D) shows the proposed location of the building, parking, landscaping and access points. The parking area connection to Cherry Lane is not for use as a day-to-day entrance or exit. It will be limited to secondary emergency access only. Flexible bollards and signage will be in place to block access.

As noted in the 2018 review process the Town will require a road widening along the frontage of the property.

## **LINK TO STRATEGIC PLAN**

Manage residential growth through sustainable planning.

## **FINANCIAL CONSIDERATIONS**

Development on the property will increase assessment once complete. The construction itself will also generate permit fees and development charges.

## **CONSULTATIONS**

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

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

- The parcel is not within a regulated area.
- ERCA has no objection to the proposed development but has asked that conditions be included in the development agreement regarding storm water management
- Although not within a natural heritage feature the applicant did undertake a species at risk review of the property
- See full comment in Appendix E.

## **Bell Canada**

- Bell Canada requested wording in the site plan agreement for the granting of any necessary easements to service the property

## **Town of Kingsville Management Staff**

- Comments provided to the applicant by Municipal Service have been addressed
- Water capacity is available for the development
- Sanitary capacity will be in place prior to completion of the building.

## **Public Consultations**

In accordance to O. Reg 545/06 of the *Planning Act*, property owners within 120 m of the subject site boundaries must receive the Notice of Public meeting. The actual circulation included all property owners within 350 m who were provided the Notice of Public meeting via direct mail. The notice was also post to the Town website with a link to the site plan details. Comments received as of August 4, 2020 are attached as Appendix F.

## **RECOMMENDATION**

That Council:

Approve zoning by-law amendment application ZBA07/2020 to amend the site-specific Residential Zone 4 Urban Exception 5, 'R4.1-5' to:

limit the proposed apartment building to three (3) stories;

permit a maximum of 30 residential dwelling units;

maintain the front yard setback requirement of 8 m (26 ft.), and

limit the maximum height of the building to 10 m (32.8 ft.), and adopt the implementing by-law.

Approve site plan approval application SPA/05/2020 for the development of a three storey, 30 unit multiple unit apartment dwelling, subject to the terms and conditions of the associated site plan agreement and authorize the Mayor and Clerk to sign the agreement and register said agreement on title.

*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

TOPOGRAPHIC SURVEY  
OF  
PART OF LOT 1  
CONCESSION 1 EASTERN DIVISION  
GEOGRAPHIC TOWNSHIP OF GOSFIELD SOUTH  
NOW IN THE  
TOWN OF KINGSVILLE  
COUNTY OF ESSEX, ONTARIO  
© VERHAEGEN LAND SURVEYORS

SCALE : 1"=20'



"IMPERIAL" DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE  
IN FEET AND CAN BE CONVERTED TO METRES BY  
MULTIPLYING BY 0.3048

ELEVATIONS

ELEVATIONS SHOWN ON THIS PLAN ARE IN FEET TO CANADIAN GEODETIC DATUM

BENCH MARK

BENCH MARK 71(1)02, ELEVATION 625.43'  
DEEP BENCH MARK IN MANHOLE IN GROUNDS OF KINGSVILLE DISTRICT HIGH SCHOOL,  
IN FRONT LAWN, OPPOSITE THE ONLY CONCRETE LAMP STANDARD, 93.8' SOUTHEAST  
OF SOUTHEAST CORNER OF WALL WITH MOSAIC, 88.9' EAST OF WEST LAWNWAY TO  
MAIN ENTRANCE, 69.8' NORTH OF CENTRE LINE OF HIGHWAY 18, 62.0' SOUTHWEST  
OF FLAG POLE, 21.0' SOUTHWEST OF "KINGSVILLE DISTRICT HIGH SCHOOL" SIGN.

SITE BENCH MARK

AS SHOWN ON FACE OF PLAN

AREA

3.603 acres

CAUTION

UNDERGROUND UTILITIES AND SERVICES SHOWN ON THIS PLAN ARE  
APPROXIMATE AND MUST BE VERIFIED BEFORE CONSTRUCTION

INTEGRATION DATA

COORDINATES ARE DERIVED FROM GRID OBSERVATIONS USING THE CAN-NET NETWORK SERVICE AND ARE REFERRED TO UTM ZONE 17 (81° WEST LONGITUDE) NAD83 (CSRS) (2010.0) COORDINATE VALUES ARE TO AN URBAN ACCURACY IN ACCORDANCE WITH SECTION 14(2) OREG 216/10		
POINT ID	NORTHING	EASTING
ORP-A	N15274649.635	E1169840.052
ORP-B	N15273929.445	E1169823.100
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.		

LEGEND AND NOTES

BEARINGS ARE UTM GRID DERIVED FROM OBSERVED REFERENCE POINTS "A" AND "B" BY  
REAL TIME NETWORK OBSERVATIONS.

DISTANCES ON THIS PLAN ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING  
BY THE COMBINED SCALE FACTOR OF 0.99982867

LEGEND

○ MHH	DENOTES HYDRO MANHOLE	◆ FH	DENOTES FIRE HYDRANT
○ MHS	DENOTES SEWER MANHOLE	◆ WM	DENOTES WATER METER
○ MHT	DENOTES TELEPHONE MANHOLE	◆ WVS	DENOTES WATER VALVE (Service)
○ MHTR	DENOTES TRAFFIC MANHOLE	◆ WVM	DENOTES WATER VALVE (Main)
○ MHH	DENOTES WATER MANHOLE	◆ GM	DENOTES GAS METER
○ CB	DENOTES CATCH BASIN	◆ GV	DENOTES GAS VALVE
▢ DCB	DENOTES DOUBLE CATCH BASIN	◆ HM	DENOTES HYDRO METER
● L5w	DENOTES LIGHT STANDARD CONCRETE	◆ PedT	DENOTES TELEPHONE PEDESTAL
● L5s	DENOTES LIGHT STANDARD STEEL	◆ PedCTV	DENOTES CABLE TV PEDESTAL
● L5w	DENOTES LIGHT STANDARD WOOD	◆ TRs	DENOTES TRAFFIC SIGN
● UPc	DENOTES UTILITY POLE CONCRETE	◆ TRsg	DENOTES TRAFFIC SIGNAL
● UPs	DENOTES UTILITY POLE STEEL	◆ TRsb	DENOTES TRAFFIC SIGNAL BOX
● UPw	DENOTES UTILITY POLE WOOD	◆ TH	DENOTES TESTHOLE
● GP	DENOTES GUY POLE	◆ BM	DENOTES BENCH MARK
● GW	DENOTES GUY WIRE	△ HCP	DENOTES HORIZONTAL CONTROL POINT
● Bsl	DENOTES BOLLARD	○ VCP	DENOTES VERTICAL CONTROL POINT
● PM	DENOTES PARKING METER	◆ SC	DENOTES SEWER CLEANOUT
70C	DENOTES TOP OF CURB	○ IV	DENOTES INVERT
80C	DENOTES BOTTOM OF CURB		

DECIDUOUS AND CONIFEROUS TREES ARE DENOTED DT AND CT RESPECTIVELY.  
A PREFIX TO THE DESCRIPTION DESIGNATES THE NUMBER OF TREE TRUNKS WHEN  
TREES ARE CLUMPED TOGETHER AND A SUFFIX DENOTES THE TREE DIAMETER OR  
(NTS) NOT TO SCALE.

C	(pipe size)	C	DENOTES OVERHEAD CABLE TV LINE
G	(pipe size)	G	DENOTES GAS LINE
H	(pipe size)	H	DENOTES OVERHEAD HYDRO LINE
CS	(pipe size)	CS	DENOTES COMBINED SEWER
SA	(pipe size)	SA	DENOTES SANITARY SEWER
ST	(pipe size)	ST	DENOTES STORM SEWER
T	(pipe size)	T	DENOTES OVERHEAD TELEPHONE LINE
W	(pipe size)	W	DENOTES WATER LINE

UNDERGROUND CABLE, HYDRO OR TELEPHONE LINES ARE PREFIXED WITH THE LETTER "u"  
(CABLE = uC HYDRO = uH TELEPHONE = uT)

LEGEND AND NOTES

ALL MONUMENTS SHOWN THUSLY □ ARE IRON BARS (IB) UNLESS OTHERWISE NOTED.  
SIB DENOTES 1" X 1" X 4'-0" STANDARD IRON BAR  
SIB DENOTES 1" X 1" X 2'-0" SHORT STANDARD IRON BAR  
IB 3/8" DENOTES 3/8" X 5/8" X 2'-0" IRON BAR  
IB 1/2" DENOTES 1/2" diameter X 2'-0" ROUND IRON BAR  
CC DENOTES CUT-CROSS  
CP DENOTES 50mm X 50mm STEEL PIN  
□ DENOTES SURVEY MONUMENT FOUND  
□ DENOTES SURVEY MONUMENT SET AND MARKED 1744  
WIT DENOTES WITNESS  
(S) DENOTES SET (M) DENOTES MEASURED  
ORP DENOTES OBSERVED REFERENCE POINT  
SIB'S SHOWN ON THIS PLAN HAVE BEEN SET IN LIEU OF SIB'S WHERE THE  
POSSIBILITY THAT UNDERGROUND UTILITIES EXIST.  
(S/P) DENOTES SET PROPORTIONALLY (OU) DENOTES ORIGIN UNKNOWN  
(P) DENOTES PLAN 12R-14569  
(1744) DENOTES VERHAEGEN STUBBERFIELD HARTLEY BREWER BEZAIRE INC., O.L.S.  
(1040) DENOTES WILLIAM J. SETTERINGTON, O.L.S.  
(OH) DENOTES ONTARIO HYDRO  
(WKS) DENOTES VERHAEGEN AND BEZAIRE LIMITED, O.L.S.

DESIGN DATA TABLE		
BUILDING CLASSIFICATION - O.B.C. 3.2.2.4.3 GROUP C, UP TO 6 STOREYS, SPRINKLERED, NON-COMBUST. ZONING - RESIDENTIAL ZONE 4 URBAN EXCEPTION 5 (R4.1-5)		
DESCRIPTION/REGULATION	REQUIRED	PROPOSED
INTENDED USE	MIXED USE COMMERCIAL/RESIDENTIAL	CONDOMINIUM
LOT AREA	MINIMUM 10,225 s.f. (950.0 s.m.)	LOT AREA 133,424.28 s.f. (12,395.52 s.m.) 3.063 acres (1.239ha)
LOT FRONTAGE	MINIMUM 80'-0" (25.00 m)	MAIN ST. 135'-1" (41.2 m)
BUILDING AREA		CONDOMINIUM 14,772.50 s.f. (1,372.36 s.m.)
LOT COVERAGE	45 % (MAXIMUM)	TOTAL BUILDING/MAIN LOT 11.07 %
PAVED AREA		NEW PARKING LINES 22,707.75 s.f. (2,109.55 s.m.) NEW CONCRETE WALKS 5,603 s.f. (427.62 s.m.) TOTAL 27,310.75 s.f. (2,537.17 s.m.)
TOTAL CURBING		1,309'-8" Lf. (399.19 Lm.)
LANDSCAPED AREA OPEN SPACE	30 % (MINIMUM)	LOT AREA 133,424.28 s.f. (12,395.52 s.m.) TOTAL AREA OF BUILDINGS 14,772.50 s.f. (1,372.36 s.m.) TOTAL PAVED AREA 27,310.75 s.f. (2,537.17 s.m.) TOTAL LANDSCAPED AREA 91,343.03 s.f. (8,485.99 s.m.) % OF SITE AREA LANDSCAPED 68.46%
NUMBER OF FLOORS		3 FLOORS
MAIN BUILDING HEIGHT		CONDOMINIUM HEIGHT 33'-6" (10.21 m)
SETBACKS	MIN. FRONT YARD 36'-0" (11.0 m) MIN. REAR YARD 26'-0" (8.0 m) MIN. SIDE YARD 33'-6" (10.21 m) a) EAST 9'-2" (2.8 m) b) WEST 14'-6" (4.5 m)	SEE DRAWING SEE DRAWING SEE DRAWING
PARKING SPACES	REQUIRED CONDOMINIUM DWELLING UNITS = 30 1.25 SPACES REQUIRED PER UNIT SPACES REQUIRED (9'X18' MIN.) = 38 SPACES DEDICATED AS VISITOR SPACES REQUIRED X 0.25 38 X 0.25 = 10 BARRIER-FREE SPACES (8-50 SPACES) SPACES REQUIRED (15'-4'X18' MIN) = 1 TOTAL SPACES REQUIRED = 39	PROVIDED PARKING REGULAR PARKING SPACES (9'-0" x 20'-0") = 36 ACCESSIBLE PARKING (15'-6" x 20'-0") = 4 TOTAL SPACES PROVIDED = 40
BICYCLE PARKING	NOT REQUIRED	
LOADING AREA	REQUIRED SPACES REQUIRED SIZE 11'-6" (3.5m) X 44'-0" (13.5m) REQUIRED FOR APARTMENT BLDG (5.16d) = 1	1 SPACE PROVIDED
FIRE ACCESS ROUTE	MIN. TURNING RADIUS 39'-4" (12m) MIN. WIDTH 19'-8" (6m)	PROVIDED TURNING RADIUS 40'-0" (12.19m) PROVIDED WIDTH 24'-0" (7.3m)

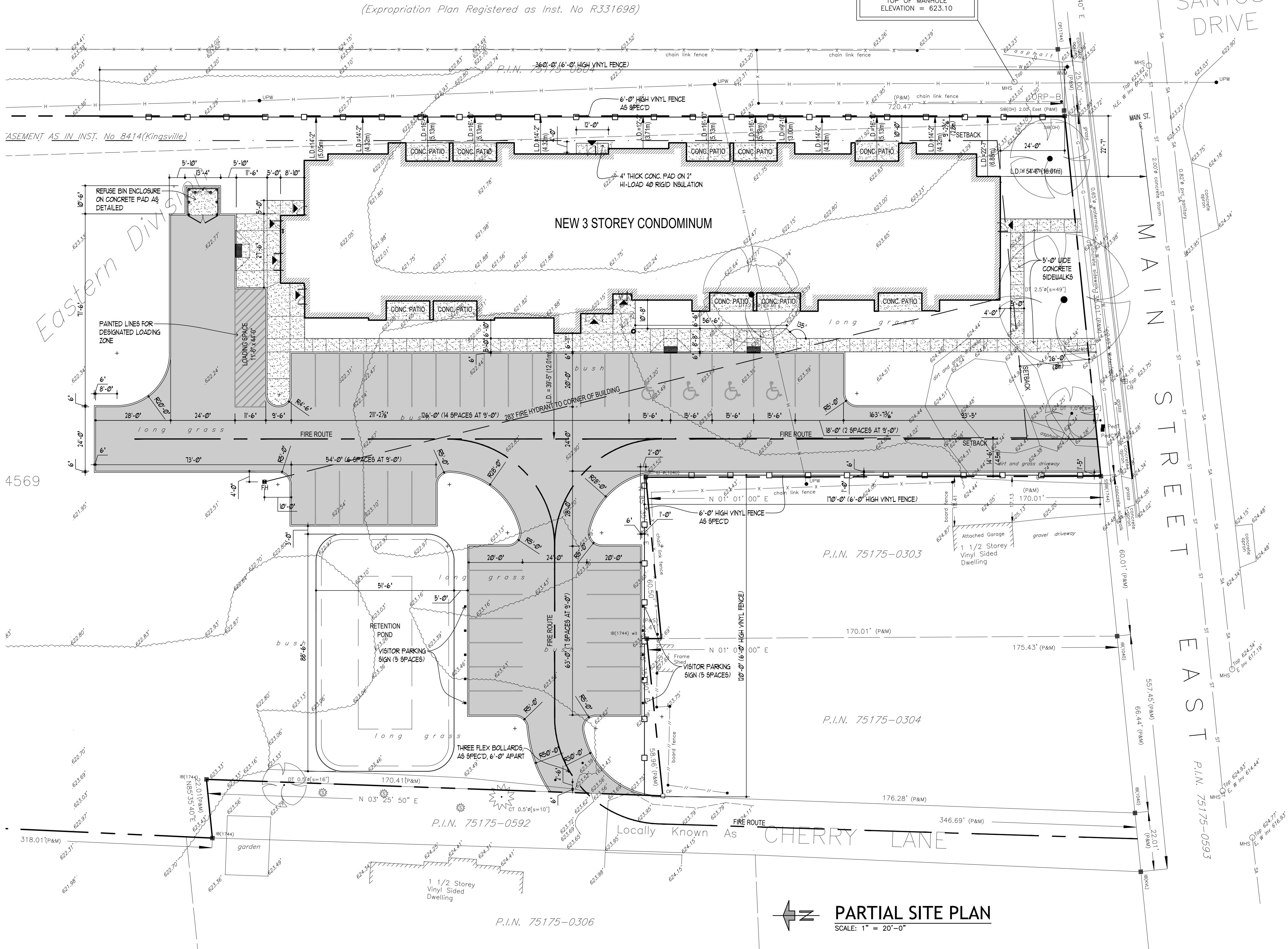
Appendix A

A BUILDING SHALL NOT BE LOCATED BENEATH EXISTING ABOVE GROUND  
ELECTRICAL CONDUCTORS. WHERE A BUILDING IS TO BE CONSTRUCTED IN  
PROXIMITY TO ABOVE GROUND ELECTRICAL CONDUCTORS, HORIZONTAL  
CLEARANCES BETWEEN BUILDINGS AND CONDUCTORS SHALL COMPLY WITH  
SUBSECTION 3.1.19 OF THE ONTARIO BUILDING CODE.

SITE LEGEND

■	NEW ASPHALT PAVING TYPE 'A'
■	NEW CONCRETE
▲	ENTRY / EXIT

SITE BENCH MARK  
TOP OF MANHOLE  
ELEVATION = 623.10



WINDSOR  
ONTARIO

T 519.254.2600  
F 519.254.2670

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A	A. DETAIL NO.
B	B. DETAILED ON

ISSUE DATE	ISSUED FOR
DEC. 00, 2019	OWNER REVIEW

PROJECT

140 MAIN STREET

KINGVILLE, ONTARIO

DRAWING TITLE

SITE PLAN

DRAWING DATE: DEC. 1, 2019

DRAWN BY:

CHECKED BY:

SCALE: AS SHOWN  
JOB FILE NO.:  
20101

DRAWING NO.:  
A-100



## Plant List

KEY	BOTANICAL NAME	COMMON NAME	SIZE	ROOT	QUAN
<b>DECIDUOUS TREES</b>					
AcTF	AMELANCHIER CANADENSIS TREE FORM	TREE FORM SHAD-BLOW SERVICEBERRY	6'0" mm	UB	8
AfJ	ACER FREEMANNII 'JEFFERSON'	AUTUMN BLAZE MAPLE	10" mm	UB	2
AxF	ACER RUBRUM FRANKSRED	RED SUNSET RED MAPLE	10" mm	UB	3
Co	CELTIS OCCIDENTALIS	COMMON HACKBERRY	10" mm	UB	1
GtSk	GLEDITSIA TRIACANTHOS 'SKYLINE'	SKYLINE HONEY-LOCUST	10" mm	UB	1
PaB	PLATANUS ACERIFOLIA 'BLOODGOOD'	BLOODGOOD LONDON PLANETREE	10" mm	UB	2
<b>TREE STANDARDS &amp; SPECIMEN SHRUBS</b>					
HsSt	HIBISCUS SYRIACUS STANDARD	LAVENDER HIBISCUS STANDARD	175 cm	POT	3
SmPbL	STRINGA MEYERI 'PALIBIN' STANDARD	PALIBIN DWARF LILAC STANDARD	125 cm	POT	2
<b>CONIFEROUS TREES</b>					
PpBB	PICEA PUNGENS 'BABY BLUE EYES'	BABY BLUE EYES SPRUCE	175cm	UB	3
PpFA	PICEA PUNGENS 'FAT ALBERT'	FAT ALBERT BLUE SPRUCE	175 cm	UB	5
PpG	PICEA PUNGENS 'GLAUCA'	BLUE COLORADO SPRUCE	200 cm	UB	5
<b>DECIDUOUS SHRUBS</b>					
Bc	BERBERIS THUNBERGI 'CONCORDE'	CONCORDE BARBERRY	30" cm	POT	13
Dg	DEUTZIA GRACILIS	SLENDER DEUTZIA	50" cm	POT	10
FNG	FORSYTHIA NORTHERN GOLD'	NORTHERN GOLD FORSYTHIA	60" cm	POT	10
RaGL	RHUS AROMATICA 'GRO-LOW'	GRO-LOW FRAGRANT SUMAC	40" cm	POT	22
ScAW	SPIRAEA BUNALDA 'ANTHONY WATERER'	ANTHONY WATERER SPIREA	50" cm	POT	6
SjS	SPIRAEA BUNALDA 'GOLDFLAME'	GOLDFLAME SPIREA	40" cm	POT	5
SjS	SPIRAEA JAPONICA 'SHIROBANA'	SHIROBANA SPIREA	40" cm	POT	8
SmP	STRINGA MEYERI 'PALIBIN'	PALIBIN DWARF LILAC	50" cm	POT	10
<b>EVERGREENS</b>					
BGV	BUXUS GREEN VELVET	GREEN VELVET BOXWOOD	40" cm	POT	40
TnD	TAXUS MEDIA 'DENSIFORMIS'	DENSE YEW	50" cm	POT	31
<b>PERENNIALS &amp; ORNAMENTAL GRASS</b>					
HDC	HEMEROCALLIS 'DOUBLE CUTIE'	DOUBLE CUTIE DAYLILY	2 gal	POT	28
MtML	MISCANTHUS SINENSIS 'MORNING LIGHT'	MORNING LIGHT JAP. SILVER GRASS	2 gal	POT	5
PvHM	PANICUM VIRGATUM 'HEAVY METAL'	HEAVY METAL SWITCH GRASS	2 gal	POT	6
THE CONTRACTOR IS RESPONSIBLE FOR THE COUNT OF THE PLANTS. REPORT ANY DISCREPANCY TO THE LANDSCAPE ARCHITECT. IN THE CASE OF A DISCREPANCY, THE QUANTITY OF PLANTS ON THE LANDSCAPE PLAN SUPERSEDES THE QUANTITY SHOWN IN THE PLANT LIST.					

## General Landscape Notes

FINE GRADE ALL AREAS DESIGNATED FOR SEED OR SOD, REMOVING ALL EXISTING VEGETATION, DEBRIS, AND STONES WHETHER IMPORTED OR NATIVE TO THE SITE. SEED OR SOD ALL SITE AREAS AS INDICATED ON THE LANDSCAPE PLAN EXCEPT THOSE WHERE PLANTING BEDS, PAVEMENT, OR BUILDINGS ARE INDICATED. EXTEND SOD TO PROPERTY LINES FOR INTERIOR LOT LINES AND TO THE CURB FOR STREET FRONTAGE. APPLY A ROOTING FERTILIZER PRIOR TO INSTALLING SOD OR SEED. RESTORE ANY AREAS OF THIS SITE OR ADJACENT PROPERTIES RESULTING FROM CONSTRUCTION OF THIS PROJECT.

### SOD/SEED ESTABLISHMENT AND PLANTING BED MAINTENANCE:

PROVIDE WATER, CARE AND PROTECTION TO ENSURE PROPER AND FULL ESTABLISHMENT OF ALL TURF AREAS. REPAIR ALL BARE AREAS. CARE OF SOD AREAS WILL EXTEND FROM THE TIME OF INSTALLATION TO THE FIRST CUT BY THE CONTRACTOR. AT TIME OF FIRST CUT, REMOVE WEEDS THAT HAVE COME THROUGH THE SOD FROM THE SOIL AND REMOVE ANY WEEDS IN THE PLANTING BEDS (WEED BEDS 30 DAYS AFTER INSTALLATION IF NO SOD HAS BEEN INSTALLED).

SPREAD EXISTING TOPSOIL OVER SMOOTH SUBGRADE IN ORDER TO ACHIEVE A 4" MINIMUM DEPTH FOR ALL TURF AREAS. PROVIDE ADDITIONAL TOPSOIL AS REQUIRED.

ADVISE THE LANDSCAPE ARCHITECT OR PROJECT MANAGER OF THE LOCATION OF THE STOCKPILE AND ALLOW ADEQUATE TIME FOR TESTING PRIOR TO IMPORTING SOIL.

REMOVE PAVEMENT BASE AND ALL DEBRIS FROM PLANTING BEDS AND PARKING LOT ISLANDS AND ENSURE THERE IS FRIABLE TOPSOIL TO A DEPTH OF 18" IN ALL PLANTING AREAS. SUPPLY ADDITIONAL TOPSOIL AS REQUIRED.

INSTALL 15mm (3/4") DEPTH 1"-3" BEACH FEEBLE IN ALL PLANTING BEDS AND CANADA RED MULCH IN THE ROOT SAUCERS OF TREES THAT ARE IN TURF AREAS. MULCH SHOULD BE 15mm (3/4") DEPTH OF CANADA RED MULCH. USE THE FOLLOWING GUIDELINES TO DETERMINE THE DIAMETER OF THE TURF TO BE REMOVED AND MULCHED AROUND EXISTING TREES:

TREE DIAMETER	DIAMETER OF CIRCLE TO BE MULCHED
LESS THAN 300mm (12")	1250mm (48")
GREATER THAN 300mm (12")	DIAMETER OF TREE PLUS 1250mm (48")

SUPPLY AND INSTALL COMMERCIAL GRADE POLYEDGER WHERE PLANTING BEDS ARE ADJACENT TO TURF. SECURE EACH 20' LENGTH OF POLYEDGER WITH 6 STEEL PEGS AND JOIN WITH A PLASTIC CONNECTOR.

WHERE EAVES TROUGHS DISCHARGE INTO PLANTING BEDS, SUPPLY AND INSTALL CONCRETE SPLASH BLOCKS. ADJUST PLANTING AS REQUIRED TO ENSURE THAT THE PLANTS WILL NOT BE IN LINE WITH THE WATER DISCHARGED FROM THE DOWN SPOUTS.

GUARANTEE ALL PLANT MATERIAL FOR A PERIOD OF ONE YEAR FROM ACCEPTANCE. REPLACE ALL DEAD OR WEAK PLANT MATERIAL PROMPTLY WHEN DIRECTED BY THE OWNER OR PROJECT MANAGER. GUARANTEE REPLACEMENT PLANT MATERIAL FOR A PERIOD OF ONE YEAR FROM PLANTING. PLANTS DAMAGED DUE TO VANDALISM ARE NOT GUARANTEED.

VERIFY QUANTITIES OF PLANTS INDICATED IN THE PLANT KEYS AND PLANT LIST WITH THOSE SHOWN ON THE PLAN.

NOTIFY THE LANDSCAPE ARCHITECT OF ANY DISCREPANCIES PRIOR TO TENDERING.

ALL WORK TO BE PERFORMED IN COMPLIANCE WITH THE HEALTH AND SAFETY ACT 1980, ONTARIO Reg. 213/91, 114/82 AND LATEST REVISIONS.

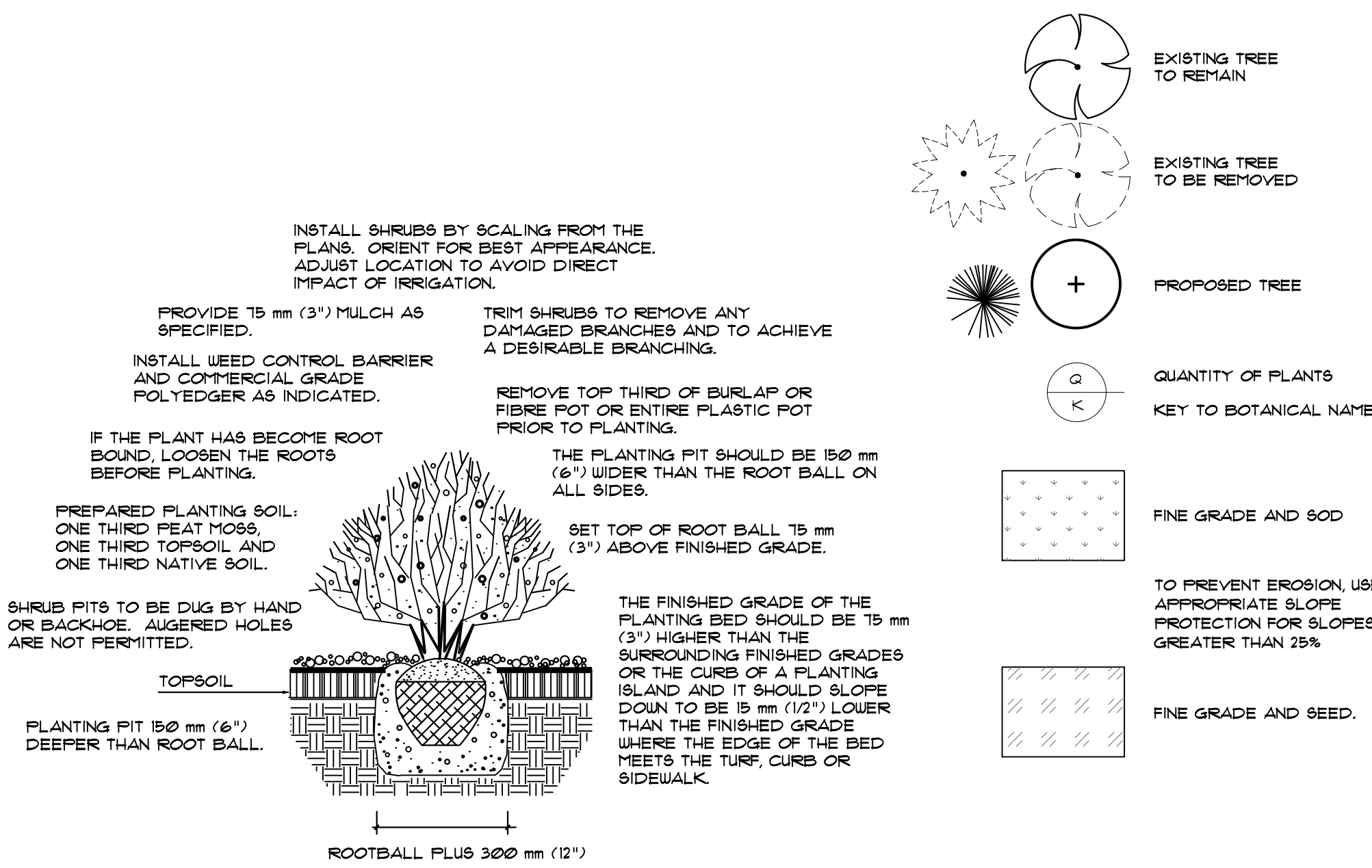
DETERMINE AND VERIFY THE LOCATION AND EXISTENCE OF ALL UNDERGROUND UTILITIES AND IRRIGATION SYSTEM COMPONENTS PRIOR TO COMMENCING CONSTRUCTION.

ADVISE THE LANDSCAPE ARCHITECT OF ANY CONFLICT BETWEEN THE PROPOSED WORK AND EXISTING UTILITIES AND/OR EXISTING IRRIGATION PIPE, VALVES ETC.

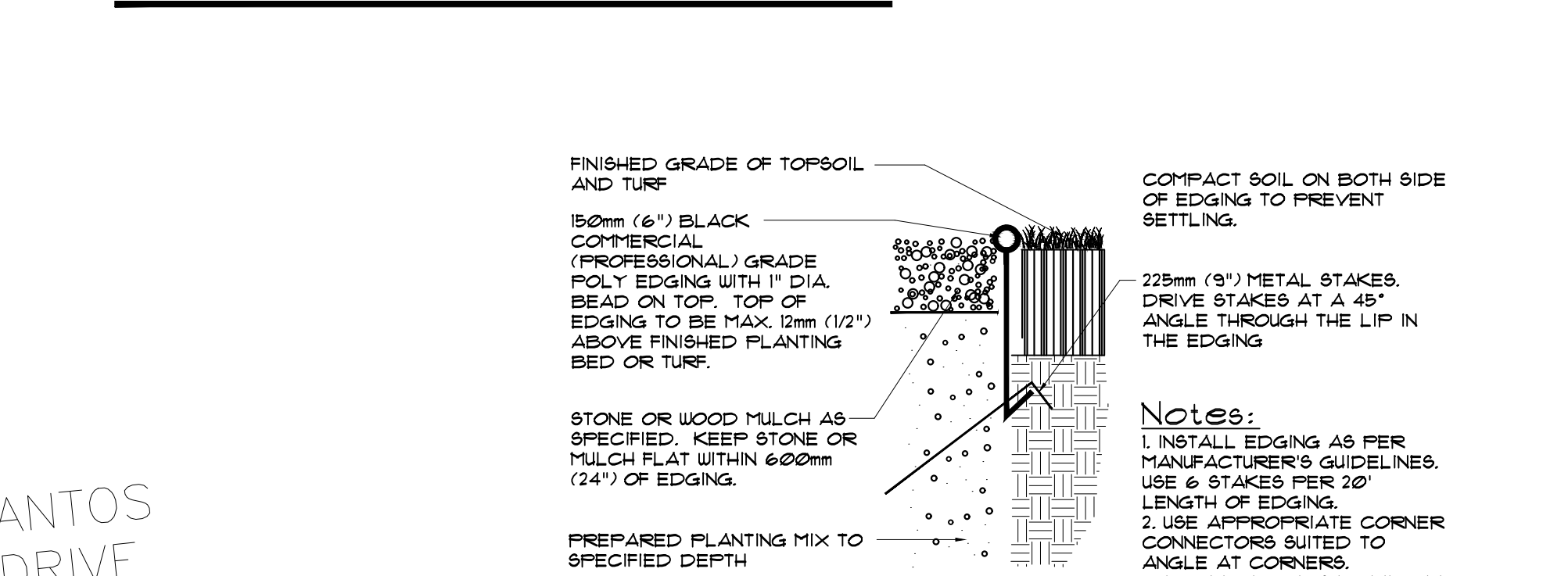
REPAIR ANY AND ALL DAMAGE DONE TO THIS SITE OR ADJACENT SITES RESULTING FROM CONSTRUCTION OF THIS PROJECT.

VERIFY THAT ALL EXISTING SITE CONDITIONS ARE AS SHOWN ON THIS PLAN.

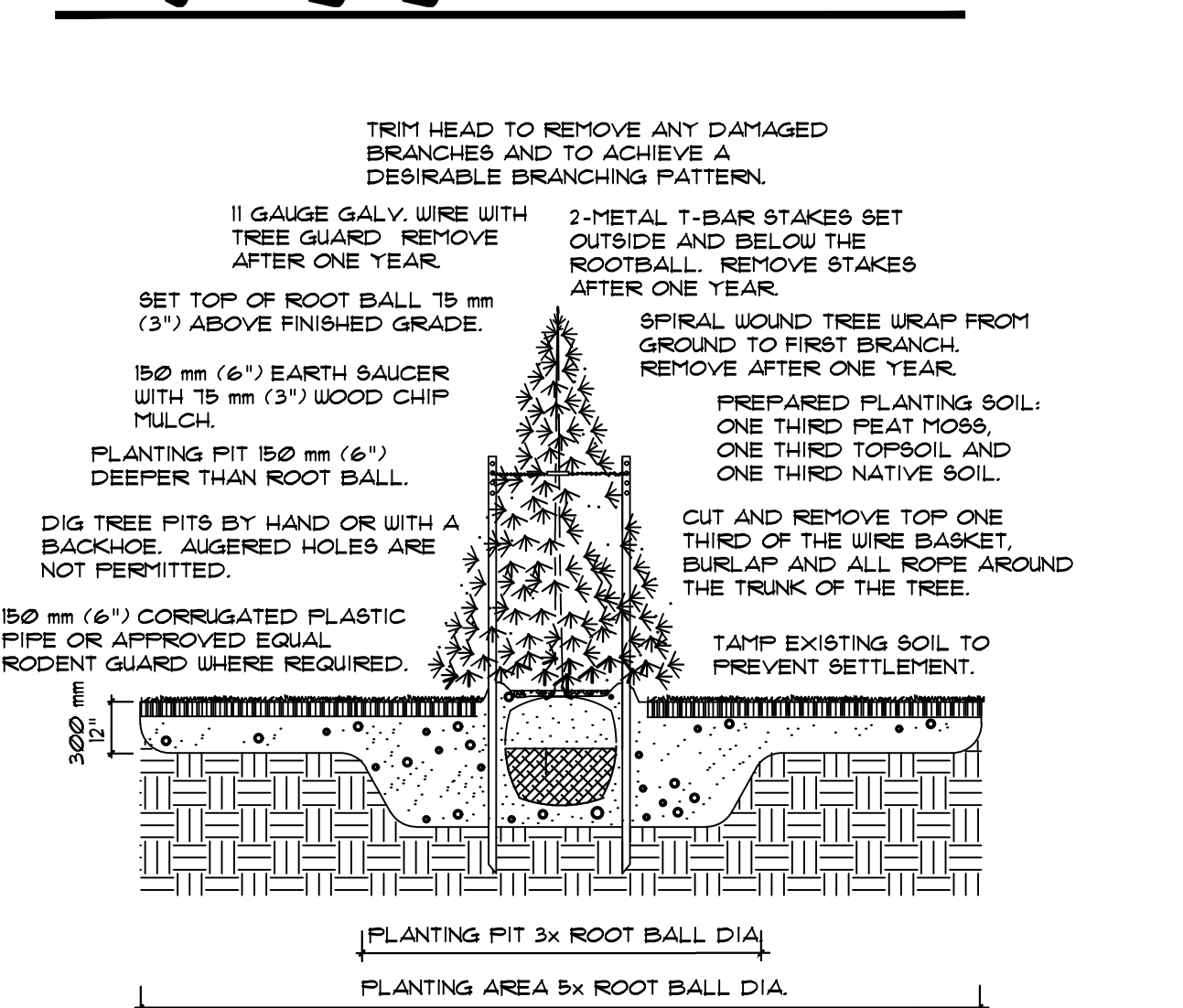
## Legend



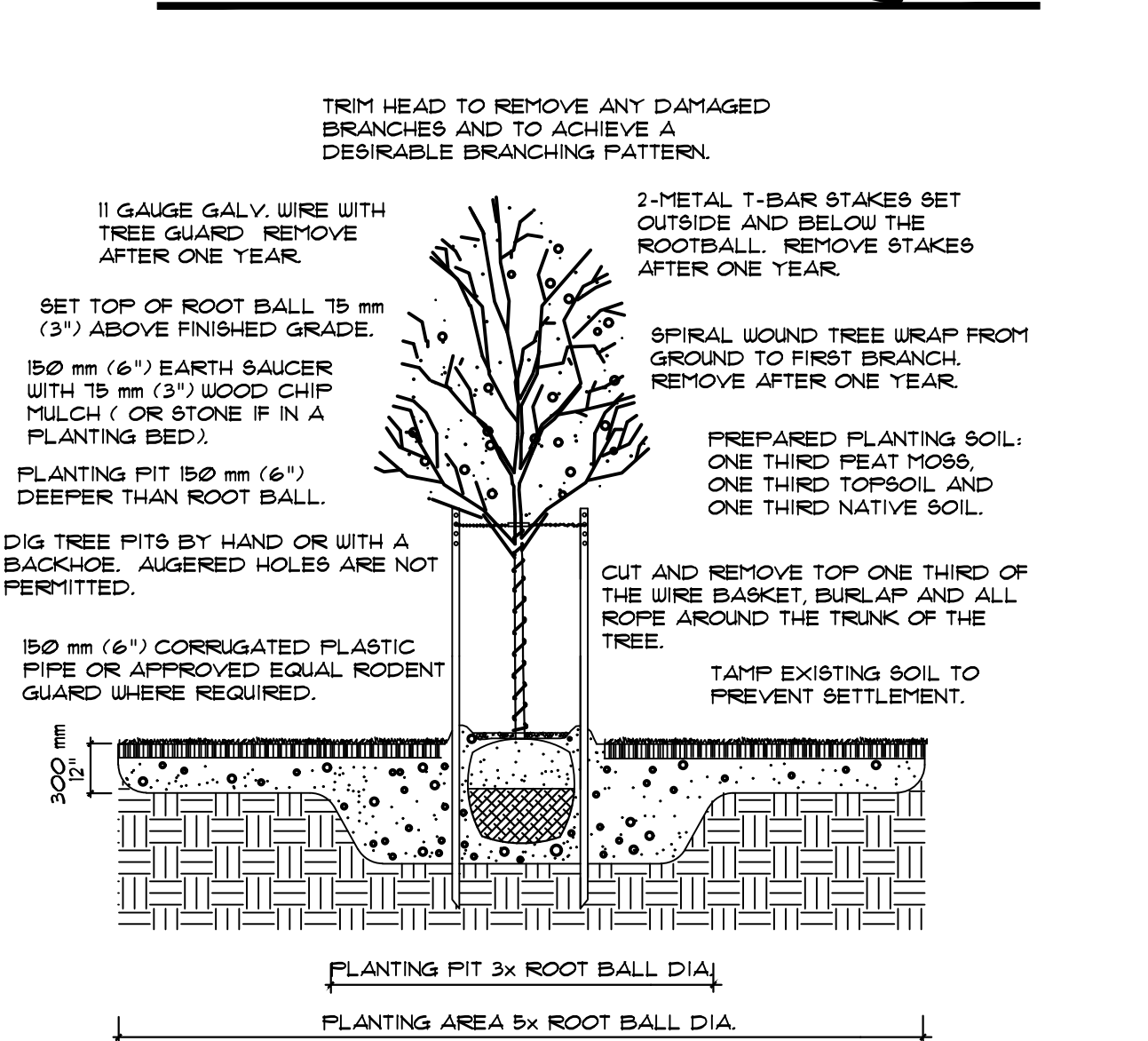
## Shrub Planting



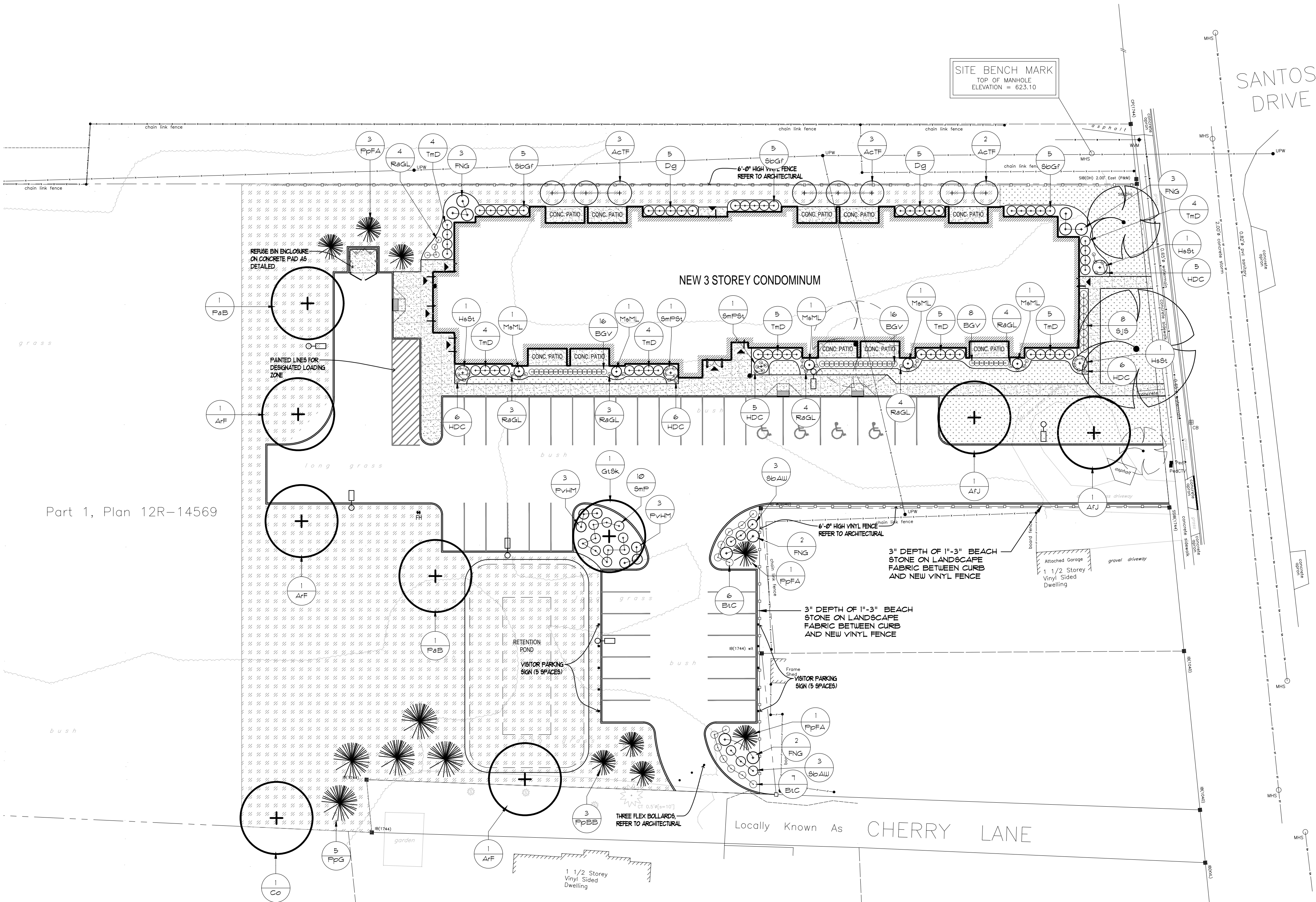
## Poly Edging Installation



## Coniferous Tree Planting



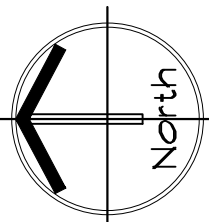
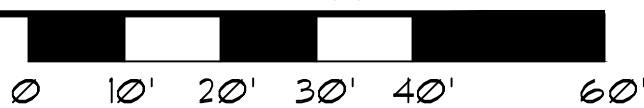
## Deciduous Tree Planting



## LANDSCAPE PLAN

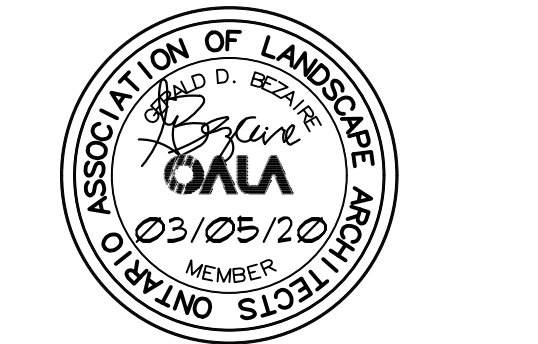
ORIGINAL SHEET SIZE: 24" x 36"

SCALE 1" = 20'-0"



WINDSOR ONTARIO T 519.254.2600 F 519.254.2670

**BP**  
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A. DETAIL NO.  
B. DETAILED ON

ISSUE DATE MARCH 05, 2020  
ISSUED FOR SITE PLAN APPROVAL

PROJECT

140 MAIN STREET

KINGVILLE, ONTARIO

DRAWING TITLE

LANDSCAPE PLAN  
NOTES AND DETAILS

DRAWING DATE: MARCH 2020

DRAWN BY: GDB

CHECKED BY: PLB

SCALE: DRAWING NO.:

AS SHOWN JOB FILE NO.:

20101 L-100

CAD file: 1404 LND5



# MEMO

TO: Robert Brown, H. Ba., MCIP, RPP - Manager of Planning Services  
Town of Kingsville

FROM: Mike Walters, P.Eng.

DATE: March 23, 2020

SUBJECT: 140 Main Street East, Town of Kingsville  
Review of Revised Development Concept on Site Trips

OUR FILE: 17-5234

---

## 1.0 Introduction

In May 2017, Dillon prepared a traffic impact study (TIS) in support of Official Plan and Zoning By-law Amendment applications for a proposed retail/commercial development located at 140 Main Street East in the town of Kingsville. That study found that the proposed retail/commercial development would have a negligible impact on operations at intersections within the immediate vicinity of the site and that the existing road network will be able to adequately accommodate the increase in traffic resulting from the development proposal.

The development concept assessed as part of the May 2017 TIS consisted of two phases. The first phase included two buildings containing a total of 1,440 m<sup>2</sup> (15,500 ft<sup>2</sup>) of space. The first building was envisioned to include:

- 3,000 ft<sup>2</sup> Event Centre (meeting hall/business space intended for private functions or meetings);
- 2,500 ft<sup>2</sup> Pharmacy;
- 2,500 ft<sup>2</sup> Walk-in Clinic; and
- 2,000 ft<sup>2</sup> Restaurant.

The second building was envisioned to include 5,500 ft<sup>2</sup> of event centre space.

Office space was assumed for Phase 2 of the development, which was envisioned for an area of approximately 2.1 acres. Phase 2 plans have been put on hold for the time being.

In October 2018, the applicant sought to modify the Phase 1 plan to eliminate the restaurant and event centre space, and replace it with 2,500 ft<sup>2</sup> of professional office space and 24 residential units. That resulted in a memorandum being prepared (dated October 23, 2018) which outlined the difference in site trips stemming from this proposed change in uses for Phase 1.

Once again, the plans for Phase 1 have changed. The plan for Phase 1 now consists solely of 30 residential units within a three-storey condominium building.

This memorandum has been prepared to give Town of Kingsville staff an indication of the difference in site trips that could be expected as result of this change in land use for the Phase 1 component of the development.

## 2.0 Previous TIS Trip Generation Estimates

Table 1 summarizes the expected number of trips that were forecast for the site in the May 2017 TIS report.

Table 1: Previous Site Trip Generation

Space	Land Use	ITE Code	Weekday AM peak hour			Weekday PM peak hour			Saturday peak hour		
			In	Out	2-Way	In	Out	2-Way	In	Out	2-Way
2,500 ft <sup>2</sup>	Pharmacy w/o Drive Thru	880	5	2	7	10	11	21	13	14	27
2,000 ft <sup>2</sup>	High Turnover (Sit-Down) Restaurant	932	12	10	22	12	8	20	15	13	28
2,500 ft <sup>2</sup>	Medical Clinic <sup>1</sup>	720	5	1	6	3	8	11	5	4	9
8,500 ft <sup>2</sup>	Private Club <sup>2</sup>	710	24	3	27	15	73	88	2	2	4
Internal capture (Clinic/Pharmacy trips)			-2	0	-2	-1	-3	-4	-2	-2	-4
Phase 2	Office	710	38	5	43	16	80	96	4	3	7
Total			82	21	103	55	177	232	37	34	71

Notes:

1. 'Medical Office' ITE code used

2. 'Office' ITE code used

The total number of site trips envisioned for the site was 103 in the weekday AM peak hour, 232 in the weekday PM peak hour and 71 on a Saturday mid-day peak hour. A number of those site trips were related to Phase 2 of the development. Extracting those trips out, leaves 60 weekday AM peak hour trips, 136 weekday PM peak hour trips and 64 Saturday mid-day peak hour trips for Phase 1.

## 3.0 October 2018 Plan - Phase 1 Site Trips

In the October 2018 concept for Phase 1, the following uses (and sizes) were proposed:

- 2,500 ft<sup>2</sup> Pharmacy;
- 2,500 ft<sup>2</sup> Walk-in Clinic;
- 2,500 ft<sup>2</sup> Office Space; and
- 24 residential units.

Table 2 summarizes the trips that were expected for Phase 1 based on the October 2018 concept.

Table 2: Revised Phase 1 Site Trip Generation

Space	Land Use	ITE Code	Weekday AM peak hour			Weekday PM peak hour			Saturday peak hour		
			In	Out	2-Way	In	Out	2-Way	In	Out	2-Way
2,500 ft <sup>2</sup>	Pharmacy w/o Drive Thru	880	5	2	7	10	11	21	13	14	27
2,500 ft <sup>2</sup>	Medical Clinic <sup>1</sup>	720	5	1	6	3	8	11	5	4	9
2,500 ft <sup>2</sup>	Office Space <sup>2</sup>	712	4	1	5	2	4	6	1	1	2
Internal capture (Clinic/Pharmacy trips)			-2	0	-2	-1	-3	-4	-2	-2	-4
24 units	Mid-rise residential units	221	2	6	8	7	4	11	8	9	17
Total			14	10	24	21	24	45	25	26	51

Notes:

1. 'Medical Office' ITE code used

2. 'Small Office Building' ITE code used

Under the October 2018 development concept, Phase 1 was anticipated to generate 24 weekday AM peak hour trips, 45 weekday PM peak hour trips and 51 Saturday mid-day peak hour trips. All of these site trip estimates for Phase 1 were less than the trips assumed for Phase 1 under the previous development concept (assessed in the May 2017 TIS).

#### 4.0 March 2020 Plan - Phase 1 Site Trips

The current concept for Phase 1 consists of 30 residential units within a three-storey condominium building.

Table 3 summarizes the trips that can now be expected for Phase 1 based on the March 2020 concept.

Table 3: Revised Phase 1 Site Trip Generation

Space	Land Use	ITE Code	Weekday AM peak hour			Weekday PM peak hour			Saturday peak hour		
			In	Out	2-Way	In	Out	2-Way	In	Out	2-Way
30 units	Mid-rise residential units	221	3	8	11	9	5	14	9	10	19
	Total		3	8	11	9	5	14	9	10	19

Under the March 2020 development concept, Phase 1 is anticipated to generate 11 weekday AM peak hour trips, 14 weekday PM peak hour trips and 19 Saturday mid-day peak hour trips. All of these site trip estimates for Phase 1 are less than half of the trips assumed for Phase 1 under the October 2018 development concept, which in turn, predicted fewer trips than the development concept assessed in the May 2017 traffic impact study.

Therefore, it can be expected that the traffic impact stemming from the current (March 2020) development concept for Phase 1 will be less than that concluded in the May 2017 TIS report.

#### 5.0 Summary

In May 2017, Dillon prepared a traffic impact study in support of Official Plan and Zoning By-law Amendment applications for a proposed retail/commercial development located at 140 Main Street East in the town of Kingsville. That study found that the proposed retail/commercial development would have a negligible impact on operations at intersections within the immediate vicinity of the site and that the existing road network will be able to adequately accommodate the increase in traffic resulting from the development proposal.

In October 2018, Phase 1 of the development concept was revised. The plan consisted of professional office space and 24 residential units.

The current plan (March 2020) for Phase 1 eliminates the professional office space component and includes 30 residential units only.

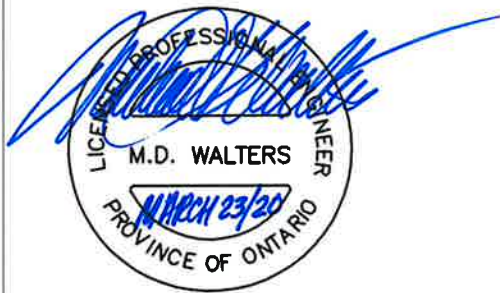
Under the development concept assessed in the May 2017 TIS, Phase 1 was forecast to generate 60 weekday AM peak hour trips, 136 weekday PM peak hour trips and 64 Saturday mid-day peak hour trips. The October 2018 development concept was expected to generate 24 weekday AM peak hour trips, 45

weekday PM peak hour trips and 51 Saturday mid-day peak hour trips in Phase 1. The current concept (March 2020) is expected to generate 11 weekday AM peak hour trips, 14 weekday PM peak hour trips and 19 Saturday mid-day peak hour trips.

During each peak hour (weekday AM, weekday PM and Saturday mid-day), the number of site trips is expected to be less than that previously forecasted. As a result, the traffic impact stemming from the current Phase 1 concept (March 2020) is anticipated to be less than that found in the May 2017 traffic impact study report.

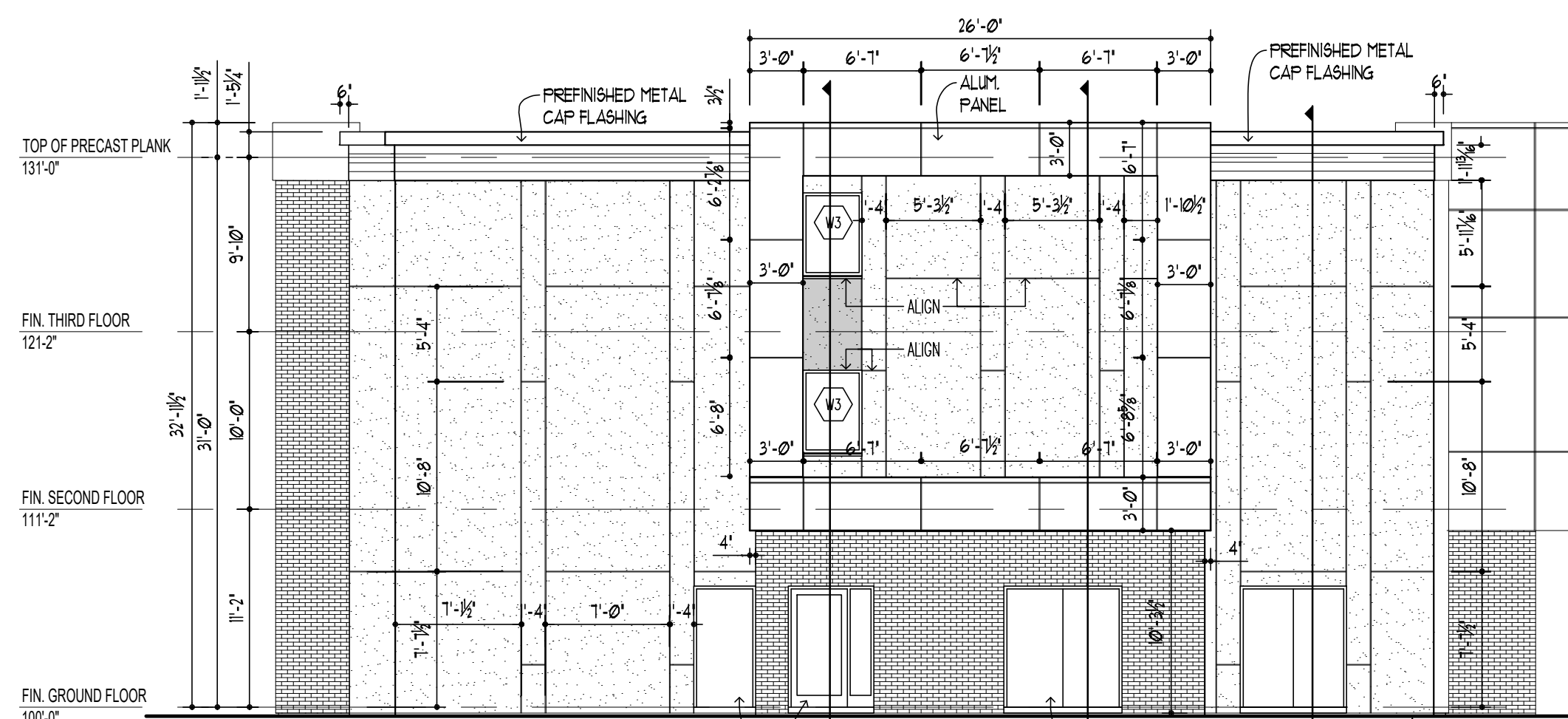
Yours sincerely,

**DILLON CONSULTING LIMITED**

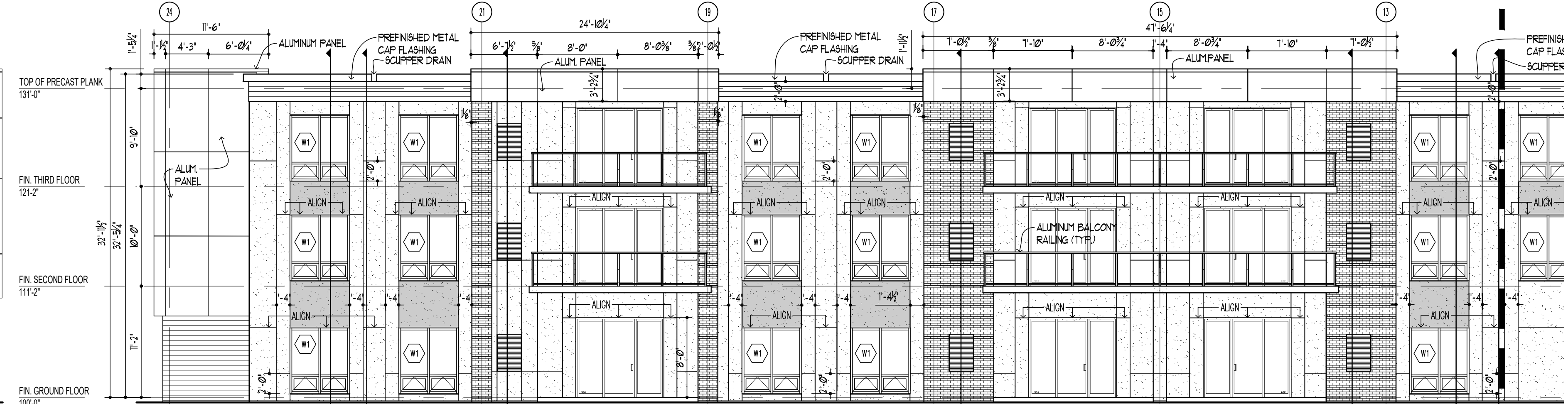


Mike Walters, P.Eng.  
Transportation Engineer





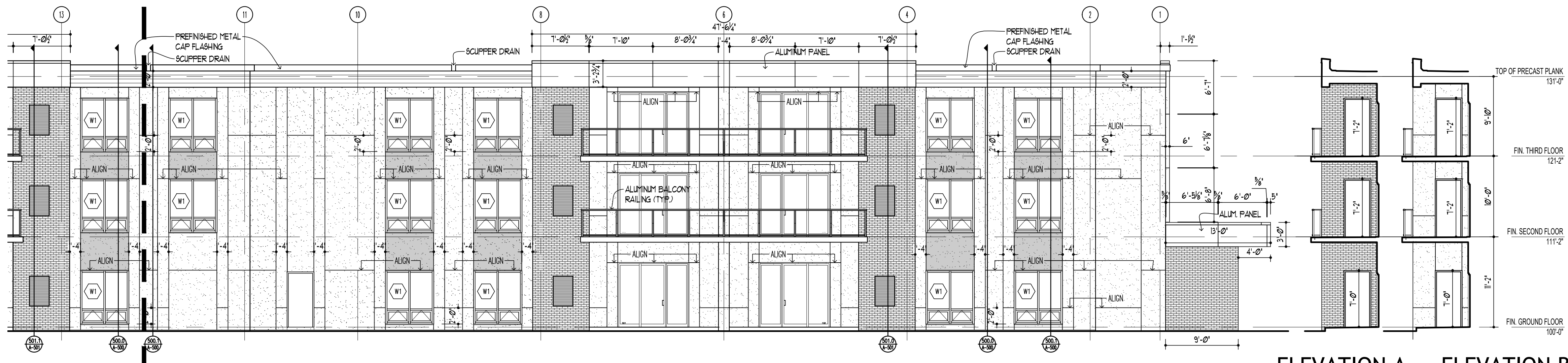
**NORTH ELEVATION**



**EAST ELEVATION**

SCALE = 1/8" = 1'-0"

MATCH LINE



**ELEVATION A**

SCALE = 1/8" = 1'-0"

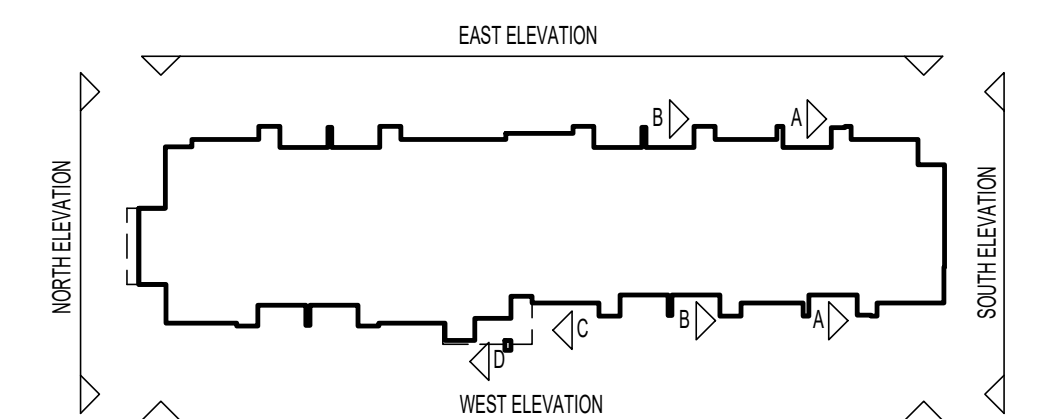
**ELEVATION B**

SCALE = 1/8" = 1'-0"

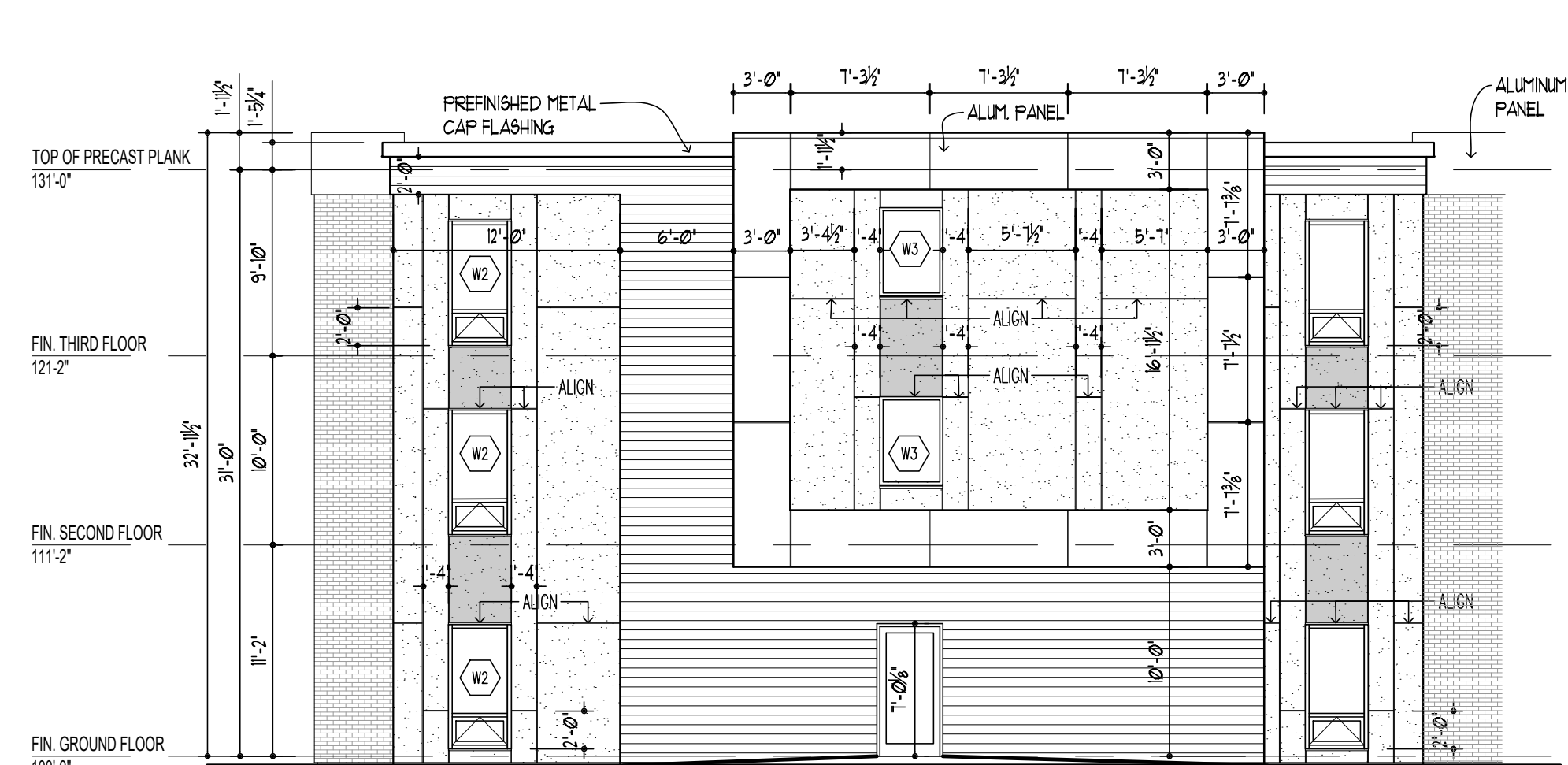
**EXTERIOR FACADE LEGEND**

	MODULAR BRICK AS SPECIFIED
	MATERIAL: HORIZONTAL ALUMINUM SIDING MANUFACTURER: LONGBOARD COLOUR: ITALIAN ROSEWOOD
	MATERIAL: EIFS MANUFACTURER: COLOUR:
	MATERIAL: EIFS MANUFACTURER: COLOUR:
	MATERIAL: SPANDEL PANEL MANUFACTURER: COLOUR:
	MATERIAL: ALUMINUM COMPOSITE PANELING MANUFACTURER: COLOUR:

NOTE: SEE A-300 FOR WINDOW SCHEDULE

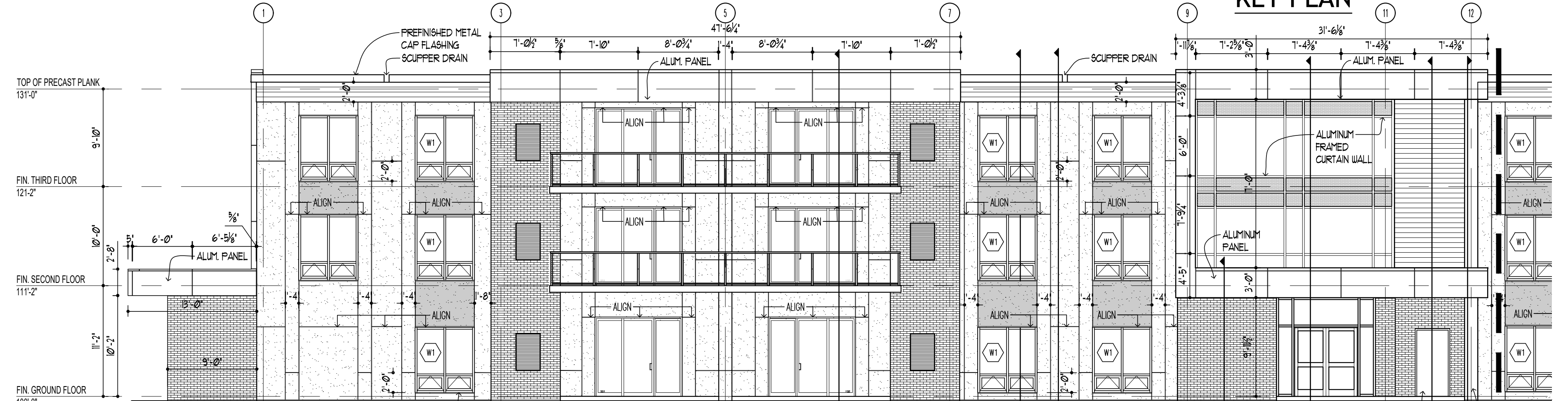


**KEY PLAN**



**SOUTH ELEVATION**

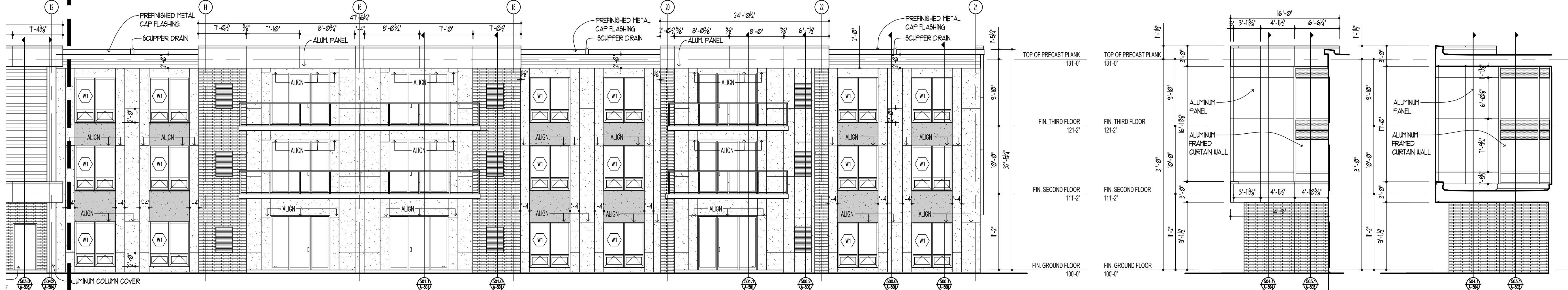
SCALE = 1/8" = 1'-0"



**WEST ELEVATION**

SCALE = 1/8" = 1'-0"

MATCH LINE



**ELEVATION C**

SCALE = 1/8" = 1'-0"

**ELEVATION D**

SCALE = 1/8" = 1'-0"

All drawings and related documents are the copyright property of the ARCHITECT and must be returned upon request. Reproduction of drawings and related documents in part or whole is forbidden without the ARCHITECT'S WRITTEN PERMISSION.

A	A. DETAIL NO.
B	B. DETAILED ON

ISSUE DATE	ISSUED FOR
DEC. 00, 2019	OWNER REVIEW

PROJECT

**140 MAIN STREET**

KINGVILLE, ONTARIO

DRAWING TITLE

**ELEVATIONS**

DRAWING DATE: DEC. 1, 2019

DRAWN BY:

CHECKED BY:

SCALE: AS SHOWN

JOB FILE NO.:

**20101**

DRAWING NO.:

**A-400**



planning@erca.org

P.519.776.5209

F.519.776.8688

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

April 30, 2020

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

Dear Mr. Brown:

RE: Zoning By-Law Amendment ZBA-07-2020 & Site Plan Control Amendment SPA-05-2020 - 140 MAIN ST EARN 371122000000100; PIN: 751750603Applicant: Jeremy Capussi

The following is provided as a result of our review of Zoning By-Law Amendment ZBA-07-2020 & Site Plan Control Amendment SPA-05-2020. The purpose of the application is to amend a previous circulation for site plan approval to change the use of the first floor from commercial to residential as well as amending the provision of an amenity area on the fourth floor. The revisions to the site plan necessitate an amendment to the zoning provisions of the subject property.

**DELEGATED RESPONSIBILITY TO REPRESENT THE PROVINCIAL INTEREST IN NATURAL HAZARDS AND REGULATORY RESPONSIBILITIES ASSOCIATED WITH THE CONSERVATION AUTHORITIES ACT**

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

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

**WATERSHED BASED RESOURCE MANAGEMENT AGENCY**

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

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



Mr. Brown  
April 30, 2020

ERCA has concerns with the potential impact of the quality and quantity of runoff in the downstream watercourse due to the proposed development on this site. ERCA recommends that stormwater quality and stormwater quantity will need to be addressed up to and including the 1:100 year storm event and be in accordance with the guidance provided by the Stormwater Management Planning and Guidance Manual, prepared by the Ministry of the Environment (MOE, March 2003) and the "Windsor-Essex Region Stormwater Management Standards Manual".

We further recommend that the stormwater management analysis be completed to the satisfaction of the Municipality. We do not require further consultation on this file with respect to stormwater management. Our office recognizes that the submission of the stormwater management plan by the consultant is required to comply with the regional standards and that the subject lands will outlet into an existing municipal sewer.

#### **PLANNING ADVISORY SERVICE TO MUNICIPALITIES - NATURAL HERITAGE POLICIES OF THE PPS**

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

Our information also indicates that the subject property may support habitat of endangered species and threatened species. Specifically, this is associated with the existing trees and vegetation on the site as represented by aerial photography. As per Section 2.1.7 of the PPS, 2014 – "Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements". All species listed as endangered or threatened (aquatic species, plants, mammals, birds, reptiles, amphibians, etc.) as well as their related habitats, are protected under the provincial Endangered Species Act. Prior to any proposed works on this property, contact should be made with the Species at Risk Branch of the Ministry of Environment, Conservation and Parks (MECP) to confirm any issues with respect to the Endangered Species Act on this property. It is the proponent's responsibility to ensure all issues related to the Endangered Species Act are addressed.

Our review of the application confirms that all other aspects of the natural heritage policies of the PPS 2014 have been addressed, we would therefore have no objections to this application.

#### **FINAL RECOMMENDATION**

Our office has no objection to the requested amendment to the zoning by-law or revision to the application for site plan control.



Mr. Brown  
April 30, 2020

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Mike Nelson", is placed on a light blue rectangular background.

Michael Nelson, BSc, MSc (Planning)  
*Watershed Planner*  
/mn



ZONING BY-LAW # ZBA/07/2020  
 DEAR ROBERT BROWN

JUL 31/2020

MANAGER PLANNING SERVICES  
 TOWN OF KINGSVILLE / COUNCIL

RE; THIS LETTER IS IN RESPONSE TO  
 A REQUEST FOR COMMENTS IN  
 REFERENCE TO A FORMAL REQUEST  
 AS REQUIRED FOR A ZONING BY-LAW  
 AMENDMENT AT PROPERTY LOCATION  
 140 MAIN S.E. PT OF LOT 1 CONC 1, EID,  
 THEREFORE I FOLLOW VERBAL  
 COMMENTS MADE VIA PHONE MESSAGING  
 WITH THIS LETTER.

KIND OF  
 I BELIEVE THAT THIS HIGH-DENSITY  
 HOUSING IS CREATING CONGESTION ON ALL  
 STREETS IN THIS TOWN WHERE STREETS  
 AND SPRAWLS ARE NARROW, ROAD  
 LAYOUT (GRID) WASNT BUILT FOR THIS  
 OUT-OF CONTROL, COULD CARE-LESS  
 WHERE HIGH DENSITY HOUSING IS BUILT  
 BY COMPANIES WHO COULD CARE LESS ABOUT  
 THE DEGRADATION OF ~~ONE~~ QUIET STREETS  
 BECAUSE DEVELOPER'S BY NATURE DON'T  
 CARE IN THE DEVELOPMENT AND USE  
 THEIR CONNECTIONS WITH TOWN COUNCIL  
 BUILDING DEPT'S ETC. ETC. ETC. TO INFLECT  
 THEIR MONEY GRAB DEGRADATION TO  
 PEACEFUL CO-EXISTENCE!

THEREFORE TO MITIGATE THE  
 ALREADY DANGER OF CROSSING ANY  
 AND MORE IMPORTANTLY THE INTERSECTION  
 IN FRONT OF MY HOUSE (BEECH + SPRUCE,  
 I REQUEST AND DEMAND THAT THIS  
 INTERSECTION BE TURNED INTO A

3 WAY STOP. NOW BEFORE!

SECONDLY I ASK THAT THIS DEVELOPER NOT BE ALLOWED AND ANY OTHER WHOM DEVELOPES THAT PROPERTY IN FUTURE NOT EVER BE ALLOWED TO CREATE A ROAD THAT LINKS THIS DEVELOPMENT TO SPRUCE ST. N.

THIS COULD BE DONE BY EASILY PLOUGHING A LAKE ON THE SOUTH SIDE OF THE LUTHERAN CHURCH, AND CONNECT WITH CHERRY LAKE.

I HAVE NO DOUBT IN MY MIND THAT THE COUNCIL WE'VE BEEN ELECTING THESE PAST 20 YEARS ARE DEVELOPER ECCENTRIC AND REVISIONS ETC. ARE GOING TO BE THE NORM AND TO THE DETRIMENT TO LONG-TIME RESIDENCE AND ANYONE ELSE WHO THINKS THAT GOING TO MEETINGS, WRITING LETTERS ETC. IS JUST A FORMALITY THAT DEVELOPERS "PUT UP WITH" AND ULTIMATELY IGNORE AND OR RESIST.

IT'S THE LAW AND IT HAS TO BE DONE SO COUNCIL CAN HAVE A CLEAR LEGAL WAY TO GIVE THE ORDINARY TAXPAYER THE ATTENTION AND THEN GIVE + RELIEVED THEM THE BRUSH-OFF!

THANK YOU FOR YOUR UNDERSTANDING IN THIS MATTER, I REMAIN SINCERELY,

DAVID BEAVER  
733-6473

**From:** [Mary Ellen Havlik](#)  
**To:** [Robert Brown](#)  
**Cc:** [Nelson Santos](#); [Gord Queen](#); [Larry Patterson](#); [Thomas Neufeld](#); [Laura Lucier](#); [Kim DeYong](#); [Tony Gaffan](#)  
**Subject:** Plans for Property Adjacent to Migration Hall (Formerly Thomas Property)  
**Date:** Monday, July 20, 2020 9:32:46 AM

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Good morning, Robert,

I understand from speaking with a number of my neighbours that a letter was recently circulated by mail regarding proposed changes to the plans for the above-noted property.

I did not receive a copy of this correspondence and was wondering if you could explain why that might have happened. Clearly, this type of oversight is problematic and contributes to the erosion of trust between the Town and taxpayers like myself.

Regarding the documents, can you please forward these to me as soon as soon as possible along with any proposed changes to the original plans including any amendments to zoning regulations including height of the building; proximity to the sidewalk or property line; etc.

Additionally, I have a few questions which are here:

1. If the plans are being changed, would this not have to go to the planning advisory committee, as well?
2. Does this not fall under the development moratorium since the changes are being requested after the moratorium was agreed? You may say that this is an open file since the original plans were filed prior to the moratorium but has that point been debated with the public? On that note, do you have any idea when the Main Street Committee will commence?

Clearly, this development will have a massive impact on my enjoyment of my property. A number of neighbours are of the same mind. After the imbroglio that occurred at 200 Main Street East, I would expect that the planning and execution of this development are handled professionally and to the letter of the laws that direct it.

If there is an opportunity to speak about this development at any future council meetings, I would like to be included in any list of delegates to do so.

Kind regards,  
Mary Ellen Havlik  
147 Main Street East



**From:** [John Morand](#)  
**To:** [Robert Brown](#)  
**Subject:** Notice of Compete Application and Public Meeting  
**Date:** Monday, August 3, 2020 12:17:42 PM

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I recently received notice regarding a zoning bylaw amendment file ZBA/07/2020 concerning the property at 140 Main St. East.

I fail to understand why this is being referred to Council rather than being referred to the Planning Advisory Committee (PAC).

From the literature I received, it appears that there is a substantial departure in design from that which was originally presented to PAC. Many concerns by the public were expressed when considering the original application including set-back requirements, impact on traffic, sanitary and storm sewers, style and access in case of fire emergency. In my opinion, many questions were left inadequately answered. This new proposal may have an impact on some of these concerns and should bear additional scrutiny by PAC in a public setting before presentation to Council.

I realize that the town has satisfied the minimum requirements to notify adjacent property owners. I have previously expressed that due to the potential impact of such proposals, the notifications should be more widely circulated. This need has become evident with issues related to proposals for 183 Main as well as 190-200 Main. The concept of the Main Street Development Review Committee (MSDRC) partially addresses this concern but unfortunately this committee is not yet operational. Its involvement in this matter would have been beneficial but may not be appropriate retroactively.

Furthermore, I feel that dealing with this issue in a Zoom media format whether at Council or PAC will not be conducive to permit the public to have satisfactory opportunity for comment. In fact, the full page of instructions which was provided for remote participation for public comments would only discourage or deter potential participation. It was my understanding that due to the Covid-19 situation, applications requiring broad public input would not be conducted in this manner. I realize that Council has recently dealt with site plan amendments with little or no public comment at regular meetings but these were not of the same nature or magnitude as the application being considered for 140 Main E.

In the early Covid-19 days the Grovedale location was utilized when public input was required. Although not many attended, the public at least had an opportunity to address the committee in person. There was more than sufficient space to maintain social distance requirements. Unfortunately, requirements to limit attendance to the current Covid-19 standard for the application before us may hinder this approach.

In summary, I was not comfortable with the set-backs specified in the original plan as well as the appearance of the structure as it does not conform with the Victorian theme for the town. And now, this reversion presents a change in elevation and additional residential main floor units.. I also have concerns over access via Cherry Lane for fire emergency purposes. Is this even a public thoroughfare? Does access via Cherry Lane without upgrade satisfy the Fire Department requirements? With the addition of more residential units, will there be an impact on traffic, parking and sewers? One must also remember that this only addresses Phase 1 of the development. What will Phase 2 bring to the table? Perhaps there will not be a Phase 2...

I am hopeful that PAC will be given an opportunity to consider this revised plan, that the public will be afforded a proper venue to express their concerns and that this will not evolve into another 190-200 debacle.

Thank you for your time.

John Morand  
66 Augustine Drive  
Kingsville, ON  
N9Y 1C5

(519) 733-4135

Dec 15, 2018

To: Rob Brown, Manager of Planning, Town of Kingsville

**Re: Development of 140 Main Street East Kingsville**

Dear Mr. Brown,

We reside at 23 Cherry Lane, Kingsville, which is directly adjacent to the future development at 140 Main Street East. We are concerned about the transition between the development and our home and as suggested during our deputation at the Nov 26<sup>th</sup> meeting of Kingsville Council, we are writing to provide some input as to the development of the transition between the properties that would enhance the vista of the land in keeping with the beauty of the town, provide privacy for both ourselves and the property and support the environmental life of the area.

As was stated at the Council meeting, the current plan includes a fence as well as landscaping. We support this plan but would like more details and if possible more direct input into the site planning process. We strongly recommend that the fence should be at a height to provide an adequate level of privacy and reduce the noise from the adjacent site. The fence should be of such quality to last a number of years and be maintained on a regular basis. A wide grass verge should be created to act as a buffer on the development side between the parking lot and the fence. We strongly recommend that the area on both sides of the fence should be planted with trees and shrubs to support a more natural looking barrier and a habitat to the wildlife that use this area. If possible as much of the older growth trees should be kept.

We have appreciated the consultative process that has accompanied the proposed development so far and hope that our input will be helpful. If possible we would appreciate a meeting with the committee that plans the landscape in order to discuss our ideas in greater length.

Yours truly,

John & Carmen Smith

23 Cherry Lane, Kingsville ON

Email: [jmsmithbw@gmail.com](mailto:jmsmithbw@gmail.com), [carm.smith1@gmail.com](mailto:carm.smith1@gmail.com)

Cc: Nelson Santos, Mayor of Kingsville, Karl Tanner, Dillon Consulting, Jeremy Capussi

July 20, 2020

**Attention: Rob Brown, Manager, Planning Services, Town of Kingsville, via Email**

**Re: Zoning By-Law and Site Plan Approval of 140 Main Street E. Kingsville**

Dear Mr. Brown,

We reside at 23 Cherry Lane, Kingsville, which is directly adjacent to the future development at 140 Main Street East. We are responding to the notice of Application and Public Meeting for Zoning By-Law Amendment and Site Plan Approval with some comments and concerns and with a request to speak at the Electronic Council Meeting on August 10<sup>th</sup>. We are requesting a hard copy of the plan as indicated in the Notice of Application above.

We have three concerns. The first concern we expressed at the Council Meeting on November 26<sup>th</sup> 2018 regarding the development of the transition between our property and the property of 140 Main Street east. We put those concerns in writing as requested at the council meeting which we sent to you on December 15<sup>th</sup> 2018. Please find attached a copy of that correspondence stating our concerns. Also at the council meeting we were assured that we would be consulted as to the development of the site plan concerning the transition issue. That consultation has not occurred and the site plan has been developed; hopefully this part of the process will still allow us to give input into that section of the development.

Our second concern regards the use of Cherry Lane as an access to the development at 140 Main Street East. We were reassured at the council meeting that Cherry Lane would only be used as an “emergency” access only to the Main Street development. The site plan states this also. What we need clarity on is the meaning of “emergency” access. Our understanding of that would be Cherry Lane would only be used by Emergency Service vehicles when the access from Main Street was not available. We would appreciate clarity on this issue; preferably before the council meeting on August 10<sup>th</sup>. Any other use of Cherry Lane to gain access to the Main Street development would create environmental issues, privacy issues and safety issues to all the residents of Cherry Lane ; especially the small children. A secondary concern is connected to the transition between Cherry Lane and the Main Street property and the access between the two. We imagine some form of gate or barrier be erected and would be in keeping with the thoughtful transition landscaping as laid out in the attachment.

Thirdly we do have concerns about the large trees on the Main Street development property and would request if possible that some of them not be taken down but left to enhance the beauty of the property, support the bird and wild life of the land and the health, drainage and air quality of the area.

As we stated at the Council meeting of November 26<sup>th</sup> 2018 we are not opposed to development and recognize the need for it for Kingsville to thrive and grow. All we are requesting is that the transition between the two properties is done with thought and discussion, the health and safety of the residents

protected by keeping Cherry Lane restricted to emergency use only and some of the beautiful trees left to enhance the beauty of our town.

Kindly advise when we may be able to pick up a hard copy of the plan.

Yours truly

John and Carmen Smith

23 Cherry Lane

Email: [jmsmithbw@gmail.com](mailto:jmsmithbw@gmail.com) [carm.smith1@gmail.com](mailto:carm.smith1@gmail.com)

Cc. Mayor Nelson Santos, Deputy Mayor Gord Queen, Councillors Kim DeYong, Tony Gaffan, Laura Lucier, Thomas Neufeld, Larry Patterson, Karl Tanner, Dillon Consulting

**From:** [Henry](#)  
**To:** [Robert Brown](#)  
**Cc:** [Councillors](#)  
**Subject:** 140 main St. East  
**Date:** Thursday, July 23, 2020 1:39:28 PM

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Dear Sir:

Received the above Notice of Zoning Amendment for 140 Main St. E. The drawings are illegible and I have basically two questions.

- 1) What are the setback regulations for buildings along Main St., and is there a request for a change for this building?
- 2) Are you looking at putting traffic lights at Santos, to replace the lights at the crosswalk?

I strong objections to any change to setback rules. The building east of the Highschool is a prime example of ugliness. Also traffic lights have been a contentious issue.

Having a remote meeting makes it difficult to have public participation.

Henry Van Vliet  
29 Santos Dr.  
Kingsville, ON  
519-733-3764

# THE CORPORATION OF THE TOWN OF KINGSVILLE

## BY-LAW 76-2020

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

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

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

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

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

1. That Subsection 6.4.1 e) RESIDENTIAL ZONE 4 URBAN (R4.1) EXCEPTIONS is amended by deleting 6.4.1.5 and replacing with the following:

#### **6.4.1.5 'RESIDENTIAL ZONE 4 URBAN EXCEPTION 5 (R4.1-5)'**

For lands shown as R4.1-5 on Map 66 Schedule "A" of this By-law.

##### **a) Permitted Uses**

An apartment building

##### **b) Permitted Buildings and Structures**

- i) Apartment building
- ii) Buildings and structures accessory to the permitted use.

##### **c) Zone Provisions**

All lot and building requirements for the permitted buildings and structures shall be in accordance with Section 6.4.1 c) of this By-law.

Notwithstanding Section 6.4.1 c) of the by-law to the contrary the following shall apply:

- i) Easterly side yard setback for a permitted residential building shall be 2.8 m, minimum;
- ii) Maximum number of dwelling units for a permitted apartment building shall be 30;
- iii) Maximum height for a permitted residential building shall be 10 m or three storeys whichever is less.



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

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS  
10<sup>th</sup> DAY OF AUGUST, 2020.**

---

**MAYOR, Nelson Santos**

---

**CLERK, Jennifer Astrologo**



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

**Date:** July 29, 2020  
**To:** Mayor and Council  
**Author:** Tiffany Hong, Manager of Financial Services  
**RE:** Financial Support for Businesses due to COVID-19  
**Report No.:** FS-2020-16

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## **AIM**

To provide Council with a proposal for financial support to registered businesses in the Town of Kingsville, in response to COVID-19.

## **BACKGROUND**

On July 7, 2020, the Town of Kingsville moved to Stage 2 of the Provincial re-opening framework. Under Stage 2, more businesses and services are permitted to open, as well as community, recreational and outdoor spaces.

On July 28, 2020, Council requested Administration to provide a proposal on how the Town of Kingsville can further support its business community in response to COVID-19.

## **DISCUSSION**

Stage 2 will allow more people to get back to work safely. However, businesses must stay vigilant and remain responsible to prevent the spread of COVID-19. Businesses are strongly recommended to review and implement workplace health and safety guidance. Guidance can be found at Ontario.ca/covidsafety<sup>1</sup> to develop workplace policies and safety plans.

The Town recognizes that keeping employees and customers safe will result in increased operating costs to the local business community. In response to these pressures, Administration is proposing to establish a Business Relaunch Fund, similar to the program

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<sup>1</sup> <https://www.ontario.ca/page/resources-prevent-covid-19-workplace>

recently developed by the Town of Essex. These funds will help support the reopening costs associated with operating under the new safety guidelines.

Administration is proposing a \$150,000.00 fund for eligible businesses and non-profits to access up to \$500.00. The fund is intended to offset a portion of costs such as fixtures, equipment, cleaning supplies and other costs associated with implementing new measures to be compliant with COVID-19 health and safety requirements. The proposed eligibility and details are as follows:

**Eligibility:**

- Be located in the Town of Kingsville; and
- Be a registered business (sole proprietorship, partnership or corporation where the applicant is the major shareholder); and
- Be a business assessed in the commercial tax class; or
- Non-profit, charitable, cultural organizations with a physical location.

**Ineligible:**

- Corporately owned franchise; or
- Home based businesses or multi-level marketing ventures; or
- Businesses that are strictly conducted online.

**Application process:**

- If you are not a registered business within the Town, please register at <https://forms.kingsville.ca/Licensing/Business-Registry-Application>.
- If you are a registered business and meet the eligibility criteria above, applicants can apply online for this program.
- Applications will be reviewed and assessed for eligibility.
- Applications will be accepted and available online from August 24 to October 23<sup>rd</sup>, 2020.

## **LINK TO STRATEGIC PLAN**

To promote a safe community.

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

## **FINANCIAL CONSIDERATIONS**

There are currently 336 registered businesses in the Town of Kingsville. However, a number of these businesses will not meet the criteria stated above which should result in an uptake that is within the proposed \$150,000.00 fund.

The funding for this program would be financed from the 2019 operating surplus which was previously allocated to the Budget Stabilization Reserve.

## CONSULTATIONS

Nelson Silveira, Economic Development Officer, Town of Essex

Jeffrey Morrison, Director of Corporate Services, Town of Essex

## RECOMMENDATION

That Council approve the proposed Business Relaunch Fund of \$150,000.00 to assist eligible businesses and non-profit organizations with increased operating and facility expenses due to the COVID-19 pandemic

And, that the funding for such program be obtained from the Budget Stabilization Reserve.

*Tiffany Hong*

\_\_\_\_\_  
Tiffany Hong, CPA, CMA  
Manager of Financial Services

*Ryan McLeod*

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



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**Date:** August 6, 2020  
**To:** Mayor and Council  
**Author:** G.A. Plancke / Director of Municipal Services  
**RE:** Open Streets Program Update  
**Report No.:** MS 2020-33

---

## **AIM**

To provide Council with a formal update regarding the preparations for the Open Streets initiative as a whole.

## **BACKGROUND**

### **426-2020**

**Moved By** Deputy Mayor Gord Queen

**Seconded By** Councilor Tony Gaffan

That Council be provided with a detailed verbal report from Director of Municipal Services A. Plancke and Manager of Parks and Recreation Programs M. Durocher outlining how they have prepared for the Open Streets program along with any problems that may have been encountered the weekend of July 10, 11 and 12th, 2020.

In June 2020, Heather Brown from the Kingsville BIA presented a proposal for Open Streets to the Parks Recreation Arts and Culture Committee.

Following the meeting, the following recommendations were approved by the committee and forwarded to council.

### Request to Town

- Social distancing markers in street with temporary paint
- Garbage and recycling receptacles
- Barricades
- Hand sanitizing stations for the 4 entry points
- Parking and directional signage
- Large parking signs in all parking lots
- Pylons

- Preferred parking signs
- Generic letter from Town of Kingsville endorsing the event

### SERT committee comments and requests

AGCO-no objection

Public works provided the following comments following the meeting:

MS can provide the barriers for road closures, but if they want, the roads closed Friday and Saturday evening it may be a challenge to get staff to do this work. Are volunteers setting up the road closures?

Facilities Manager -no objection

O.P.P.-Organizers need to ensure that the O.P.P driveway is not restricted

O.P.P. can only be guaranteed if this is a paid duty position

Auxiliary officers can be requested through Constable A. Allen

Fire-Chief Parsons indicated that the Fire Department's response time would be delayed due to access restrictions owing to this event

Noted that all tents will require 2A10bc fire extinguishers

Pre-inspection of the site will be completed prior to opening

All fire hydrants must have 10-foot clearance on either side of the hydrant

Barricades must be manned in the event they need to be moved

Recommendation: that the PRAC committee approve the request from the BIA to create their "Open Streets" type event, and further that this approval be relayed to council via the council members present at this PRAC meeting

## **DISCUSSION**

Prior to the first weekend members of public works staff were scheduled to set up the barricades, with two members remaining for the duration of the event. As the summer progressed, it was noted that Municipal Services staff would take less of a role in this project with the BIA open streets coordinator working with volunteers to look after the street closures and barricades.

After the first week of open streets, the following recommendations we sent to the BIA to assist with the role of the volunteers and what the safest street closure protocol would entail.

- A minimum of five radios to be on site. One at each major barricade intersection and one for the communications coordinator-this is in addition to the Town staff when present. The radios could be set up to work with the Town's frequency so that communication with the public works staff can be easily achieved. Radios can be rented through the 2-way radio division of Kelcom
- The Coordinator is the person to whom ALL radio messages are directed-this is called a command style system and is used by all parades, Folk Fest, Highland Games, other large town events, and Emergency Services

- Limit unnecessary communication. All communications are directed only to communications coordinator. Communication utilizing two-way radios prohibits other radios from accessing the system in the event of an emergency
- Communications coordinator works with volunteers and staff to ensure that street closures and openings are done in a safe and secure manner-Typically one direction then the next. Barricades should not be removed until communications coordinator has checked the entire street and verifies that it is safe to do so

The BIA are also responsible for the following:

- Ensuring that if an EMS vehicle needs to get through or needs access they inform the volunteers
- Train the volunteers on radio protocol
- Train volunteers on responsibilities of their positions
- Inform all radio personnel of impending weather situations-and relay safety measures needed
- Coordinates protocols for missing children
- Works with EMS services in the event of an accident or injury
- Informs public works staff of any situations that require assistance-i.e. Garbages, sanitizer shortage etc.
- Communications coordinator is the person that the restaurants and retailers can reach out to and vice versa in the event of a situation
- Communications coordinator should prepare a quick checkpoint list for the volunteer positions
- Communications coordinator insures that volunteers have safety vests, and that safety vests are returned following shifts
- Communicates and identify themselves to OPP at the beginning of each night as OPP come on site
- Communications coordinator also receives questions, concerns comments from volunteers and sends them out to appropriate person
- Ensure that appropriate emergency access space is left in middle of street-16 feet
- Communication coordinator is the back up for anyone contravening by-law-smoking, vaping or taking liquor from one patio to the next
- Liaise with the Health Unit inspectors when on site

As of August 6, 2020, there has not been any communication back from the BIA with reference to this proposed plan.

On Friday July 31, there were NO volunteers present on site at any barricade, specifically the major intersections. Only the BIA coordinator was present, and clearly overwhelmed. Concerns are related to the effective, efficient, and most importantly safe removal and set up of barricades during the event. It was noted by the Manager of Public Works that on that Friday evening, there were no volunteers to take down the barricades and staff members (and possibly patrons) of the various restaurants took them down. Cars were seen jumping the curbs to get by while this was being done.

Recommendations are that the following base requirements need to be followed in order for this event to safely continue:



1. The BIA supply a minimum of 4 volunteers or staff/paid members to man the barricades, plus an event coordinator, that is on-site for the duration of the event per day.
2. Town staff manage the street closures in conjunction with the BIA, and that cost recovery be worked out with the BIA in accordance with expenses defined below. (It should be noted that the “Base Level” of Town staffing is conditional on item 1.).

Should these recommendations not be attainable, it is strongly advised that the Open Streets Program be deferred and or cancelled until such times as confirmed arrangements can be made.

In recent discussions, the BIA, is now requesting one Town staff member remain on site for entire weekend during the street closure period. The resultant cost to the Town would be \$1,719.55 / weekend.

Administratively this is not a realistic option.

If the Town placed one staff member for the entire event, plus one for the first 4 hours each day to assist with the closures (as two staff members is the minimum required to safely close the streets), this would cost approx. \$1,950.00 / weekend.

Costing aside, concerns from staff report they are no longer interested in taking the shifts due to the impact on family life. It is unclear whether continuing to provide Town staff to man this event remains attainable.

Municipal Services acknowledges that a dedicated BIA coordinator has been hired to facilitate the Open Streets program, however recruiting and properly training, and retaining reliable volunteers has been more than problematic.

## **LINK TO STRATEGIC PLAN**

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

To promote a safe community.

## **FINANCIAL CONSIDERATIONS**

Labour (Full Support): 2 staff members	\$ 2,600.00 per weekend
Labour (Base Support): 2 staff members	\$ 1,950.00 per weekend
Total Costs to Date:	
Labour	\$ 8,870.44
Signage	\$ 5,888.36
Speed Humps ( can be re-purposed)	\$ 4,356.48
To Aug 06 <sup>th</sup> .	<b>\$19,115.28</b>

A fixed rate can be assessed to the participating businesses for the Base Level of service of \$1,950 per weekend / 12 participating businesses / 3 days per weekend.

## CONSULTATIONS

SERT Committee  
Manager of Recreation Programming  
Manager of Public Works  
Director of Financial Services  
Director of Corporate Services  
Kingsville BIA

## RECOMMENDATION

That Council receive report MS 2020-33 as sufficient response to Council's request for a verbal report how the Town has prepared for the Open Streets Program along with any problems that may have been encountered the weekend of July 10, 11 and 12th, 2020 and that;

Council provide direction on whether the Town should continue to support the Open Streets Program, with the understanding that a Base Level of staffing at cost of \$1,950 / weekend will be required to ensure a safe event

Council provide direction on whether the cost of Town staffing the event, on a go forward basis, should be assessed to participating businesses, at fixed rate of \$55 per day of the Open Streets Program, per participating business

And that, Council withdraw their support of Open Streets if the BIA cannot provide and supply a minimum of 4 volunteers or staff members, plus an event coordinator, that is on-site for the duration of the event per day.

*G.A. Plancke*

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



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**Date:** August 10, 2020  
**To:** Mayor and Council  
**Author:** Dan Wolicki, Manager of Municipal Facilities and Property  
**RE:** Reopening Plan for Kingsville Arena and Recreation Facilities  
**Report No.:** MS-2020-32

---

## **AIM**

To provide Council with initial information regarding the Town's tentative reopening plan for Kingsville Arena and indoor recreation facilities.

## **BACKGROUND**

On March 11, 2020, COVID-19 was declared a pandemic by the World Health Organization and shortly thereafter, declarations of emergency were issued by the Province of Ontario and locally by Mayor Santos. Measures were taken to protect Town staff and the community including closing all municipal facilities on March 17. Protocols have been put in place as well as measures taken to implement Provincial Orders necessitating changes in service delivery and cancellation of events and activities.

On July 7, the Town formally entered Stage 2 of the Ontario government's plan to reopen the Province. As Public Health and Ontario Health have now issued guidance on how to safely return, plans are being developed to reopen the Kingsville Arena and Recreation Facilities provided that the Town is moved into Stage 3. The purpose of this report is to outline how these plans will unfold, barring any changes in circumstances locally and/or provincially with respect to the pandemic.

## **DISCUSSION**

Based on the province-wide discussions with other communities, the general consensus support tentative reopening dates of arenas, pools and community centres in the August to September timeframe. Additional time may be necessary to provide the ability for community groups, local sport organizations and local governments to navigate current uncertainties surrounding insurance and liability, COVID-19 Safety Plans, and Return-To-Play Plans.

Town staff have analyzed various scenarios to re-designing services in order to meet the new regulations. Considerations has been given to information provided in various guidance documents, advice from Windsor-Essex County Health Unit (WECHU), and understanding community expectations and demand. Financial viability and protecting the safety of staff and the public are other vigilant factors that contribute to formalizing the reopening plan of facilities and resumption of services.

With an increased emphasis and concentration on cleaning and disinfecting, other service delivery and obligations may become affected or delayed due to adjusting staffing levels in order to properly adhere to the cleaning requirements.

The following provincial guidelines are permitted under Stage 3 of the Provincial Reopening Framework:

- Games and scrimmages allowed for team sports, with a modified approach to prevent prolonged or deliberate physical contact.
- Indoor gathering limits will increase to a maximum of fifty (50) people.
- Outdoor gathering limits will increase to a maximum of one hundred (100) people.
- Amateur and recreational sport leagues may resume, avoiding physical contact and enabling physical distancing measures.

A Safety Plan has been developed through discussions with Town staff, senior administration and the Joint Health & Safety Committee, to provide guidance and establish expectations amongst all user groups and private renters along with understanding the necessary requirements that Town staff will follow in order ensure safety of all patrons within municipal facilities.

Attached in Appendix A of this report is a copy of the Safety Plan for Kingsville Arena and Recreation Facilities.

Included below is high-level information outlining the approximate reopening timelines for indoor recreation facilities, provided that it may be subject to change.

#### Kingsville Arena:

The Kingsville Arena is tentatively scheduled to reopen on Tuesday, September 8<sup>th</sup>, under a modified schedule and operations provided that Windsor-Essex County including the Town of Kingsville proceeds into Stage 3 of the Province's Reopening Plan. Details will be publicly communicated in advance that outlines the specifics surrounding the reopening and protocols. It appears that Stage 3 allows for training to resume for indoor team sports and individual high-contact sports with measures to enable physical distancing.

Initial limitations will be applied for the amount of on-ice users for scheduled sessions, therefore, there is a general understanding that on-ice non-contact play will be permitted for minor hockey and recreational leagues given that guidelines and limitations as outlined are adhered to.

User groups have indicated interest in securing scheduled ice times as per the previous year in anticipation of the Town moving into Stage 3.

#### Unico Community Centre and Ridgeview Hall:

Unico Community and Ridgeview Hall are both tentatively scheduled to reopen in the month of August dependant on user group demand. Under provincial restrictions, gatherings will be limited to fifty (50) people, however, by enabling physical distancing, the amount of people within each space will be reduced due to its limited capacity.

#### Lakeside Park Pavilion and Grovedale Cultural & Arts Centre:

The Lakeside Park Pavilion and Grovedale Cultural & Arts Centre are both tentatively scheduled to reopen in the month of August given that the Town is moved into Stage 3. Under provincial restrictions, gatherings will be limited to fifty (50) people. Safety plans may be required for all users groups, in addition to further insurance requirements.

Prior to reopening the following measures will be put into effect:

- Installation of glass enclosures at front desk service counters to provide for a physical barrier between staff and the public.
- Provision of hand sanitizer at entry doors.
- Installation of appropriate signage and decals indicating entry rules.
- Continuation of twice daily cleaning of surfaces with common touch point areas.
- Prepare rooms for use by posting maximum capacity, ensuring two (2) metre separation distance.

The provincial-wide reopening process remains fluid with frequent changes to safety and return to play planning. The early consensus of municipalities around the province suggests most communities will reopen indoor rinks, pools and recreational centres in the August to September timeframe, or potentially even later. Based upon the Town's current planning process, we expect to reopen within this timeframe as well, provided the Town has moved into Stage 3 of the Province's Reopening Plan.

### **LINK TO STRATEGIC PLAN**

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

### **FINANCIAL CONSIDERATIONS**

Revenue and cost-recovery rates are expected to be significantly reduced across all facilities. Cost containment measures were put in place in attempt to minimize the impact of the pandemic which may not completely offset any loss of revenue.

This report considers reopening Kingsville Arena in September based from a utilization rate of 70% in comparison to 2019. The adjusted revenue projections for Kingsville Arena in 2020 would see a budget shortfall of approximately \$72,450.

## CONSULTATIONS

Administration Management Group  
Parks and Recreation  
Municipal Services  
Financial Services  
User Groups

## RECOMMENDATION

That Council receive Report MS-2020-32 Reopening Plan for Kingsville Arena and Recreation Facilities;

And that the reopening timelines and Financial Implications as outlined in the report, be approved.

*Dan Wolicki*

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Dan Wolicki  
Manager of Municipal Facilities and Property

*G.A. Plancke*

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



TOWN OF KINGSVILLE

## COVID-19 SAFE OPERATIONS

# KINGSVILLE ARENA & RECREATION FACILITIES SAFETY PLAN

*A guide for the safe operations of Kingsville Arena and Recreation Facilities  
in accordance with the provincial guidelines as set by the Provincial Health  
Officer to minimize the risk of transmission of the COVID-19 virus.*



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## Introduction

This Safety Plan will outline steps taken by the Town of Kingsville staff to ensure that the Kingsville Arena and other recreational facilities meet the requirements of the Province and local health unit for their re-opening to minimize the risk of transmission of the COVID-19 virus.

Additionally, through consultation and guidance from Ontario Recreation Facilities Association (ORFA) along with other industry partners, extra measures have been taken to ensure that the highest standards and processes have been adopted as they relate to preventing the transmission of COVID-19 amongst our user and rental groups.

The Safety Plan will form the framework for employees, user groups and patrons alike as we adapt our operations to resume a level of business activity within our facilities while faced with the threat of this pandemic.

It is through our combined efforts, cooperation and sense of duty that we work together to minimize the risk to our employees, user groups, participants, renters, contractors and the community.

Thank you for your anticipated support and cooperation.  
Stay Safe.

Town of Kingsville / Parks & Recreation

## **Parks & Recreation Employee Safety Plan**

### **COVID-19 Staff Assessment**

To avoid transmission between employees and guests, every employee suspected or confirmed to have contracted COVID-19 must stay home.

Any employee experiencing respiratory illness similar to the flu or a cold such as fever, chills, cough, and shortness of breath, sore throat and painful swallowing, stuffy or runny nose, loss of sense of smell, headache, muscle aches, fatigue or loss of appetite should stay home from work and start to self-isolate immediately. Contact the Windsor-Essex County Health Unit (WECHU) at 519-258-2146 ext. 1420 for advice. Follow the advice you receive and inform your supervisor.

It is likely that you will be required to self-isolate at home for a minimum of fourteen (14) days from the onset of these symptoms and to stay home until these symptoms are completely resolved. If you are advised to be tested for COVID-19 and your test result is negative, you must continue to isolate until your symptoms are resolved.

### **Sick Workers**

- Sick workers should report to first aid, even with mild symptoms
- Sick workers should be asked to wash or sanitize their hands and provided with a mask, and isolated. Ask the worker to go straight home and call the COVID-19 information line for further guidance related to testing and self-isolation.
- If the worker is severely ill (e.g. difficulty breathing or chest pain), call 911.
- Clean and disinfect any surfaces that the ill worker has come into contact to.

### **Hand Hygiene**

Employees must wash their hands upon entry to the building and before and after:

- Eating
- Breaks
- Blowing one's nose, coughing, or sneezing
- Using the toilet
- Using shared equipment, supplies, materials

**Face Masks** – staff should wear face masks if physical distancing cannot be maintained with other staff members or facility user groups/patrons. At this time, wearing a face mask at all times is not mandatory. This will be updated as required according to provincial health recommendations.

### **Shared Spaces/Equipment**

- Staff should try to maintain physical distancing in all areas including shared spaces such as offices, designated staff rooms and locker spaces.
- Personal items brought in to the workplace (e.g. bags, shoes, jackets) must be kept to a minimum.
- If personal items are brought into the workplace, adequate space must be provided between each employee's items to encourage physical distancing and to reduce transmission.
- All personal belongings must be brought home at the end of each shift.
- Shared equipment such as photocopier, and other office equipment should be properly disinfected after each use.
- All surface areas in shared common spaces should be properly disinfected after each use.
- Capacity signage will be posted for each staff room.
- Staff room should be cleaned after each use with a deep clean of all equipment at the end of the day.

When interacting with patrons, staff should practice social distancing. If social distancing is not possible then face masks and/or covering should be worn.

## COVID-19 Working Safety Plan

The Town of Kingsville has involved frontline employees, management, and our joint health and safety committee representatives in the creation of procedures for staff safety during the COVID-19 pandemic. The procedures listed in this document meet the requirements for:

- Areas identified where people gather (washrooms, meeting rooms, change rooms and staff rooms).
- Job tasks identified where employees are close to one another or the public.
- Tools and equipment identified which could be shared while working.
- Surfaces identified which people touch often (door knobs, light switches).
- Occupancy limits posted for each used space.
- Barriers are installed at the front desk (administration office) for physical distancing. Barrier cleaning is included in the cleaning protocol.
- Clearly communicated new guidelines to staff through a combination of training and signage.
- PPE training completed prior to opening.
- Hand sanitizing and/or handwashing locations are visible and easily accessible.
- Cleaning protocols implemented for shared work spaces and equipment.
- Training provided for COVID-19 training procedures.
- Unnecessary shared equipment removed from staff spaces.
- Policies are in place for employees who are showing symptoms of COVID-19.
- Visitors are prohibited or limited in staff dedicated spaces.
- Staff should leave the building immediately after their shift ends.
- Regular risk assessment and procedure review will occur to ensure safety for staff and patrons.

## Facility Admission and Access

To mitigate risks related to its facilities The of Town of Kingsville and Kingsville Arena is implementing the following facility admission and access protocols:

1. Access will be limited to those participating in the booked activity i.e. participants, instructors, coaches.
2. Participants will be dropped off in the nearby parking lots.
3. Designated separate entrance and exits will be located to the exterior of the facility.
4. At the entrance, signs are installed to inform patrons that:
  - a. Patrons must not enter if they suspect they have COVID-19 or if they have any of the known COVID-19 symptoms
  - b. Patrons must maintain physical distance of two (2) metres from other patrons and staff
  - c. Patrons must wear a face mask and/or covering while in common areas of Kingsville Arena; ice users can remove once situated within the rink.
  - d. On arrival, patrons must disinfect their hands with hand sanitizer
  - e. Avoid the facility if they are at high-risk of COVID-19 contraction or severe illness.
5. Participants must come dressed in full gear and a full water bottle.
6. A COVID Ambassador be assigned and be a visible presence: this individual (parent/coach/volunteer/instructor) would oversee adherence to the return to play plan, facility guidelines, and ensure that COVID protocols are being followed.
7. Should any participant require first aid or medical attention, please call 911.
8. Parents and/or siblings will not be permitted access into the facility; exceptions made for programming that require a parent and/or caregiver to be present.
9. Player/participant dressing rooms are not available for use at this time.
10. Participants will go to the designated seating locations \*if applicable
11. Seating will be used to tie skates, fasten helmets, and remove skate guards.
12. Skate guards/shoes and equipment bag will be left in the designated seating area as the participant takes the ice.
13. **NO SPITTING ANYWHERE IN THE FACILITY OR ON THE ICE.**
14. On-ice access will be regulated. Participants must place their own labelled water bottles on the top rail at bench in marked area.
15. The facility will not be permitting use of the water filling stations.
16. No other food or drink can be brought into the facility.

## On-Ice Procedure

1. For hockey related activities, there is a **total maximum of ten (10) participants permitted** per booking (including coaches, instructor and/or a designated Ambassador).
2. A coach, instructor and/or designated Ambassador is permitted to check-in no earlier than ten (10) minutes before the scheduled ice time; a list of participants must be provided for each session.
3. For those user groups with consecutive ice rentals, there will be a mandatory ten (10) minute flood and disinfection of the occupied area before the next group takes the ice as part of the rental. A standard ten (10) minute flood/disinfection period of the space will be scheduled, in between, when different user groups book the facility.
4. Washrooms will be made available within the rink floor; each user(s) must acknowledge in using the washroom by completing the posted form.

## General Access

16. General public will not be permitted access to the venue without a pre-scheduled meeting. All guests must report to the Reception Desk for approved access into the venue.
17. Facility access is provided with separate entry and exit points. Entrances will have signage and floor markings to encourage physical distancing and to control access through the facility.
18. Signage, floor markings and barriers are installed to guide patrons in and out of the facility and to each of the rentable spaces.
19. Capacity signage will be posted in all areas including washrooms and other accessible areas of the facility.
20. Lounge seating will be removed from all common areas.
21. Change room/shower areas remain off limits at this time.
22. There will be **NO DRYLAND TRAINING SPACE PROVIDED** in the facility at this time. Self-led off ice warm up can be done outside.
23. User groups will be required to attend a mandatory facility walk through that will be scheduled prior to the beginning of ice use.
24. Facility guidelines and protocols must be followed for the safety of all staff, participants and the greater community; any violations could result in termination of the booking contract.

## User Group and Patron Safety

The health and safety of our user groups, patrons, participants, contractors and employees is our number one priority. The Kingsville Arena and Parks & Recreation staff has employed several measures to ensure the personal and collective wellbeing of all of our guests.

Guests will be asked to conduct a self-assessment prior to entering the facility and will be asked not to proceed into the venue should they display any of the following symptoms:

- Fever
- Chills
- New or worsening cough
- Shortness of breath
- New muscle aches or headache
- Sore throat
- Have travelled outside of Canada within the last fourteen (14) days
- Are a close contact of a person who tested positive for COVID-19

**Physical Distancing:** guests will be reminded to practice social distancing by adhering to the 2 meter (6 foot) separation guideline.

- Signage throughout the facility along with engineered controls will serve as constant reminders that maintaining social distancing is key to the prevention of transmission of COVID-19.
- Washrooms will be modified with capacity signage posted to the exterior, as well, as urinals sectioned off to ensure appropriate distancing is applied.
- All dryland training spaces will remain off limits and common areas will be reconfigured to adjust to the distancing guideline with arena capacities being adjusted to meet the new regulations.
- Social distancing floor markers and signage will be used to direct flow throughout the venue and in each of the designated arenas.

**Hand Sanitizers:** Hand sanitizers, touchless where possible, will be placed at various locations throughout the venue including all entrances, elevator landings, pre-function areas and in each of our meeting rooms.

**Signage:** Signage will be posted through the venue to communicate a variety



of key messaging reminders concerning health and hygiene, social distancing guidelines, capacity guidelines and to assist with directional flow throughout the venue.

**User Groups/Private Renters:** A return to play safety plan, including a guest list, is required by all user groups and private renters as part of the rental booking agreement. This is to ensure the safe and responsible use of the booked space in accordance with Provincial and local health guidelines.

**NOTE:** these protocols are being implemented to ensure the safety of all staff, participants, user groups and the greater community. Together, through our combined efforts we can reduce the transmission of COVID-19 resulting in a safe environment for all to enjoy!

## Safety Plans

All user groups renting municipal facilities are required to have a COVID-19 Safety Plan that clearly demonstrates how activities will be conducted to align with the directives of the Provincial Health Officer, local authorities and other relevant regulators.

All user groups and private renters wishing to rent space at municipal facilities will be required to submit a Safety Plan along with a new booking application and the appropriate insurance coverage.

Each local sport organization is expected to follow its Provincial Sport Organization's Return to Sport plan approved by its Board of Directors and in reference to the guidelines provided for the sport sector. Other user groups are expected to have a similar plan outlining its safe practices to reduce transmission of COVID-19. Sport groups should consider the following when developing their return to play plans:

- Meet the provincial guidelines in the delivery of the activity by:
  - Maintaining social distancing
  - Minimal sharing of equipment
  - Focus on skill development and small group training

User groups need to be flexible to accommodate and respond to changes in community, if you are unsure of restrictions with the community contact the Windsor-Essex Community Health Unit (WECHU).

## Facility Cleaning Protocols and Requirements

Facility operators, and dedicated cleaners, will be responsible for the cleaning and disinfecting of the Kingsville Arena and other recreation facilities.

Facility Operators, and dedicated cleaners when required, will be trained and understand the required level of cleaning services applied throughout the Kingsville Arena and other recreation facilities to ensure employees, patrons and contractors are protected against the transmission of the COVID-19 virus.

The level of cleaning services have been determined by evaluating areas and touch points surrounding the probability of contamination, vulnerability of population, and potential for exposure:

Frequency	Areas of Interest
After each user group	<ul style="list-style-type: none"> <li>▪ All Door Handles and Push Plates on Interior and Exterior Doors</li> <li>▪ Garbage / Recycle</li> <li>▪ Hockey Bench Area</li> <li>▪ Chairs / Tables</li> <li>▪ Hockey Nets</li> </ul>
Daily	<ul style="list-style-type: none"> <li>▪ Floor Surfaces</li> <li>▪ Partitions</li> <li>▪ Carpeting</li> <li>▪ Office Spaces</li> <li>▪ Vestibule Areas</li> <li>▪ Countertops</li> <li>▪ Viewing Areas</li> <li>▪ Washrooms (Faucets, Toilet Flushers, Stall Handles/Locks, Dispensers)</li> <li>▪ Change Rooms</li> </ul>
As scheduled	<ul style="list-style-type: none"> <li>▪ Windows</li> <li>▪ HVAC Vents</li> </ul>

## Facility Operator Protection

To ensure the wellbeing and health of our employees, decrease operational costs, and maintain business continuity, the Kingsville Arena and Parks & Recreation Department will utilize the following practices:

- All employees and patrons exhibiting any COVID-19 symptoms will be asked to stay home and report to a health care provider.
- Sick employees should use the Ontario COVID-19 self-assessment tool. Anyone with symptoms can now be assessed and receive a COVID-19 test.
- Frequent hand-washing with soap and water for at least twenty (20) seconds each time; otherwise, alcohol-based hand sanitizer will be provided throughout the facility.
- Safety talks will be conducted on a daily basis between Management and operators to discuss:
  - Inventory
  - Personal hygiene practices
  - Worker safety and concerns
  - Guest safety and concerns
- Employees who choose to wear a non-medical mask should be aware of the following:
  - Masks can become contaminated on the outside when touched by hands so employees should avoid touching or adjusting them often.
  - Masks that become wet, soiled or damaged are less effective and must be replaced immediately.
  - Masks must be put on and taken off correctly, including not touching the front of the mask, and washing hands.
  - Cloth masks must be washed every day using the warmest water setting, and store in a clean dry place to prevent contamination.
  - Never share masks with others.
- Use of phone service to trouble-shoot any issues or fulfill customer requests is recommended; otherwise, safe physical distancing, 2 meters or 6 feet, will be practiced between workers and patrons
- A plexiglass protection panel has been installed at the front desk counter of our Administrative office to serve as a protective barrier when interacting with customers.
- Lounge furniture has been removed from common areas for patron and employee safety.
- Engineering controls will be utilized to direct flow, control access/egress and space capacities

The risk of exposure to cleaning staff is inherently low; however, cleaning staff should wear disposable gloves and appropriate prescribed PPE for all cleaning tasks that includes, but not limited to, handling trash and cleaning washrooms. PPE should be removed carefully to avoid contamination of the user and surrounding area and then follow up with proper hand washing with soap and water for twenty (20) seconds or using an alcohol-based hand sanitizer.



## Scheduling of Rentals and Protocols

**Kingsville Arena** / 1741 Jasperson Lane, Kingsville

### Ice Rentals

- On-Ice Occupancy:  
Maximum of ten (10) individuals including coach/instructors permitted on ice during scheduled booking (\*as of 07-20-2020)  
  
*\*Subject to change pending considerations from framework of return plans of associations and/or local organizations.*
- Participants may arrive no earlier than ten (10) minutes prior to the scheduled ice time; Coach / Instructor / Ambassador will provide access at the identified entry point.
- Coach / Instructor / Ambassador must provide a list of participants for each scheduled ice time; must ensure a self-assessment has been completed by each participant upon arrival.

Note: Use of dressing rooms will be implemented at a later time along with the allowance for parents and spectators subject to gathering limits and physical distancing measures, with assigned seating where possible.

### Ice Schedule

Daily (Monday through Sunday)	7:00am – 7:50am
	8:00am – 8:50am
	9:00am – 9:50am
	10:00am – 10:50am
	11:00am – 11:50am
	12:00pm – 12:50pm
	1:00pm – 1:50pm
	2:00pm – 2:50pm
	3:00pm – 3:50pm
	4:00pm – 4:50pm
	5:00pm – 5:50pm
	6:00pm – 6:50pm
	7:00pm – 7:50pm
	8:00pm – 8:50pm
	9:00pm – 9:50pm
	10:00pm – 10:50pm

\*Note: Ice Maintenance will occur on every Thursday from 10:30am – 3:30pm

## Community Rooms

Auditorium A  
Community Room B  
Community Room C  
Meeting Room D

- Booking Protocol: Maximum of two (2) bookings per day for each space
- Disinfection Period: Four (4) hours between bookings and/or rentals
- Occupancy Limit: Ten (10) Persons (*\*as of 07-20-2020*)
  - Auditorium A (\*Stage 3: Fifty (50) Persons)
  - Community Room B (\*Stage 3, 30% of Capacity: Eighteen (18) Persons)
  - Community Room C (\*Stage 3, 30% of Capacity: Eighteen (18) Persons)
  - Community Room B-C (\*Stage 3: Fifty (50) Persons)
  - Meeting Room D (\*Stage 3, 30% of Capacity: Eighteen (18) Persons)

## Unico Community Centre / 37 Beech Street, Kingsville

- Booking Protocol: Maximum of two (2) bookings per day
- Disinfection Period: Four (4) hours between bookings and/or rentals
- Occupancy Limit: Ten (10) Persons (*\*as of 07-20-2020*)
  - \*Stage 3: Fifty (50) Persons

## Grovedale Cultural & Arts Centre / 103 Park Street, Kingsville

- Booking Protocol: One (1) Booking per day
- Disinfection Period: Eight (8) hours between bookings and/or rentals
- Occupancy Limit: Ten (10) Persons (*\*as of 07-20-2020*)
  - \*Stage 3: Fifty (50) Persons

## Lakeside Park Pavilion / 315 Queen Street, Kingsville

- Booking Protocol: One (1) Booking per day
- Disinfection Period: Eight (8) hours between bookings and/or rentals
- Occupancy Limit: Ten (10) Persons (*\*as of 07-20-2020*)
  - \*Stage 3: Fifty (50) Persons

## Ridgeview Hall / 124 Fox Street, Cottam

- Booking Protocol: Maximum of two (2) bookings per day
- Disinfection Period: Four (4) hours between bookings and/or rentals
- Occupancy Limit: Ten (10) Persons (*\*as of 07-20-2020*)
  - \*Stage 3, 30% of Capacity: Thirty (30) Persons

## Operational Considerations

Upon approval for reopening of facilities and programming to resume, a three (3) week timeframe will be required to prepare facilities and confirm bookings with user groups and private renters:

### Facilities

	Timeline
Cleaning/Disinfection Plan (All Facilities)	Three (3) Weeks Prior
Arena Floor (Cleaned)	Two (2) Weeks Prior
Staff Schedules (Developed)	Two (2) Weeks Prior
Arena Refrigeration Plant Start-up	Two (2) Weeks Prior
Ice Surface Installed	One (1) Week Prior

### Programs

	Timeline
Re-evaluate schedule based on restrictions and new determined practices	Three (3) Weeks Prior
Determine preventative measures for staff and participants	Three (3) Weeks Prior
Contact user groups	Three (3) Weeks Prior
Process adjustments/changes to contracts	Two (2) Weeks Prior

### Overview of Challenges and Objectives

- All recreation stakeholders and private renters will anticipate a prompt reopening when permitted which may result in operational issues if processes and procedures have not been appropriately planned for a safe return.
- Meeting the needs of user groups and/or renters while ensuring the safety of all staff and patrons using our facilities.
- The need to adjust staffing levels and service deliveries; greater flexibility and resources are needed.
- Following the Provincial Orders and guidelines and industry best practices as they are introduced and altered through each phase of reopening.
- Determine and proceed in following steps for reopening with timelines to ensure a safe and effective opening.



31 July, 2020

Sent to all Clerks of Member Municipalities

## **Re: Essex Region Source Protection Committee – Municipal Representation**

As required by the Clean Water Act, 2006, the Essex Region Source Protection Authority (ERSPA) has an established Source Protection Committee (SPC), which follows the guidance of Ontario Regulation 288/07 (O.Reg 288/07). The SPC is composed of 15 members, including five (5) representatives from the municipal sector. The remaining two-thirds of the SPC are representatives of key industries (e.g. agriculture, greenhouse operations, and fuel suppliers) and members of the public at large.

In 2007, the ERSPA striking committee proposed the following composition of municipal representation on the SPC.

- City of Windsor – 2 members
- Union Water Supply System – 1 member
- Town of Lakeshore – 1 member
- Town of Amherstburg – 1 member

The striking committee felt that those municipalities responsible for the Water Treatment Plants that provide the largest water supplies should have the opportunity to have representation on the SPC. A letter was sent to all Clerks of Member Municipalities on July 30, 2007 to this effect, and this distribution of representation was subsequently endorsed by all municipalities in 2007. At this time, the term of appointment is expiring for one municipal member, one municipal member is retiring and one municipal member has taken a new position and can no longer sit on the SPC in this role.

As of November 1, 2020, the term of appointment for Mayor Nelson Santos, representing Union Water Supply System, is expiring. Mr. Santos has indicated his intention to remain on the SPC until the end of his term on the Union Water Supply System Board in November 2022. Mr. Santos has been on the SPC since 2015 and we are grateful for his contribution and continued commitment to the protection of our sources of drinking water.

Kevin Girard, who was representing the Municipality of Lakeshore, moved to a new position elsewhere. The Municipality of Lakeshore named Albert Dionne as his replacement. Mr. Dionne has 20 years of experience in water management, serving in various roles building, designing and maintaining water distribution systems. Mr. Dionne began working for the Town of Lakeshore in February 2019 and is now their Manager of Environmental Services.

Paul Drca, a member of the SPC representing the City of Windsor since 2015, announced his retirement from his position at the City, and therefore from the SPC. Mr. Drca was a valued member of the SPC and will be missed. Ian Wilson will be temporarily taking Mr. Drca's place on the SPC until such time as Mr. Drca's position at the City is filled. Mr. Wilson has been a member of the SPC since 2014 in the Economic/Industry sector representing consultants; however, he has just taken a new position as an Engineer at the City of Windsor. We are pleased that Mr. Wilson is able to continue on the SPC during this transition. His now vacant position in the Economic/Industry sector has been advertised.

Municipal Councils are asked to endorse all municipal candidates prior to their formal appointment by the Essex Region Source Protection Authority as a regular SPC member. In keeping with our previous practices, at this time we are asking that all member Municipalities endorse the following individuals' appointment to the Essex Region Source Protection Committee:

- **Albert Dionne, Town of Lakeshore**, appointment date: September 10, 2020; expiration of appointment September 10, 2025.
- **Ian Wilson, City of Windsor**, appointment date: September 10, 2020; expiration of appointment September 10, 2021.
- **Nelson Santos, Union Water Supply System**, appointment date: September 10, 2020; expiration of appointment November 30, 2022.

Responses in the form of Council Resolutions are kindly requested by **31 August, 2020**. The Essex Region Source Protection Authority is scheduled to address this matter at their meeting on September 10, 2020.

This letter is sent under separate cover to municipal staff who have been appointed by their municipality to assist with Source Water Protection. Please contact me if you require any further information.

Sincerely,



Katie Stammiller, PhD  
Water Quality Scientist and Source Water Project Manager  
Essex Region Conservation Authority

## **TERMS OF REFERENCE WEST SIDE COLLECTOR ROAD STEERING COMMITTEE**

Authorizing or Mandating Legislation: None

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

Approved: August 10, 2020

Evaluation Date: December 2020

Date of Formation: August 2020

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### **1.0 PURPOSE**

- 1.1** The purpose of the Committee is to make a recommendation to Council on the need/appropriateness of the Town proceeding with a West Side Collector Road, and for the presentation to Council of design alternatives and options.

### **2.0 COMMITTEE PARTICULARS**

- 2.1 Type:** Advisory

**2.2 Resources:**

- 2.2.1 Members of Administration: Minimum three (3) members of Senior Administration
- 2.2.2 Staff Support: Deputy Clerk-Administrative Services
- 2.2.3 Number of Council Members: Three (3)
- 2.2.4 External Resources: TBD

- 2.3 Term:** August 2020 to December 31, 2020

- 2.4 Meeting Frequency:** As required, and to include: Friday, August 14 at 10:00 a.m.; Thursday, August 20 at 10:00 a.m., Thursday, August 27 at 10:00 a.m., and Thursday, September 3 at 10:00 a.m.

- 2.5 Remuneration:** TBD

### **3.0 SCOPE OF WORK**

- 3.1** The Committee will prepare a recommendation report for Council's consideration prior to the end of September, 2020 regarding the need/appropriateness for a West Side Collector Road that addresses the following:

- 3.2** The recommended general location of the road;

**3.3** The land required to accommodate the road and offer suggestions on how best to acquire the land required for the road;

**3.4** Outline the process to be followed to implement the decision;

**3.5** The general costs associated with providing the road;

**3.6** Suggestions on how to best fund/finance/pay for the road;

**3.7** Suggest a timeline for the completion of the road construction.

#### **4.0 REQUIRED SKILLS**

Strategy

Stakeholder Relations

Risk Management

Project Management

Communications

Critical Thinking/Analysis

Business Management



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August 7, 2020

To: Members of Kingsville Council  
From: Kingsville Striking Committee

**RE: Striking Committee Update re: Appointments for Main Street Development & Adhoc Collector Road**

Members of the Kingsville Striking Committee, comprised of Mayor Nelson Santos, Deputy Mayor Gord Queen and Councillor Tony Gaffan met on Friday, August 7th, 2020 to review updated applications for Lay & Council Appointees in response to the follow-up recruitment call for the following external and internal committees as approved by Council.

**Main Street Development Committee**

The Committee is pleased to report that the supplementary effort to pursue letters of interest and applications from specific sectors was successful as the town received three additional candidates for the Main Street Development Committee. Summarizing the new applicants, the representatives being recommended for appointment fill the vacancies in the sectors of real estate, economic development and youth (post-secondary student) are provided for Council consideration.

**Recommendation #1**

That Council endorse the following appointments to the Main Street Development as presented by the Striking Committee to include: 1. David Hunt 2. Karla Kroslak 3. Tasha Slater

**Adhoc West Side Collector Road Steering Committee**

In accordance with council direction to review and seek members to the Kingsville West Side Collector Road Steering Committee, as discussed at the July 27<sup>th</sup> Regular Council Meeting, the Striking Committee brings forward a recommendation to confirm the appointment of three members of council.

In consideration of the council appointments, the committee received interest from six (6) members of council to serve on this interim committee. In review of recent appointments, interest, and balance, the Striking Committee recommends the following:

**Recommendation #2**

That Council confirm the appointment of Mayor Nelson Santos, Councillor Laura Lucier and Councillor Larry Patterson to the West Side Collector Road Steering Committee.

Respectfully submitted,

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

Mayor Nelson Santos



**REGULAR MEETING OF COUNCIL  
MINUTES**

**Monday, July 27, 2020  
6:00 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 Administration	R. Brown, Manager of Planning Services  T. Del Greco, Municipal Services Manager S. Kitchen, Deputy Clerk-Council Services S. Martinho, Public Works Manager R. McLeod, Director of Financial Services A. Plancke, Director of Municipal Services R. Baines, Deputy Clerk - Administrative Services T. Hong, Manager of Financial Services

**A. CALL TO ORDER**

Mayor Santos, in attendance in the Council Chambers, called the Regular Meeting to order at 6:00 p.m. All other members 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. PRESENTATIONS/DELEGATIONS**

1. **Cindy Prince, Amico Properties Inc. RE: Request Council to explore the feasibility of establishing a Steering Committee to review the appropriateness of developing a West Side Collector road in the Town of Kingsville**

Cindy Prince, Vice President, Amico Properties Inc., presented a PowerPoint slide presentation entitled "West Side Collector Road--Kingsville July 2020".

**434-2020**

**Moved By** Deputy Mayor Gord Queen

**Seconded By** Councillor Laura Lucier

That Council receives the PowerPoint presentation of Amico Properties Inc. entitled "West Side Collector Road--Kingsville July 2020" as presented by Cindy Prince.

**CARRIED**

**435-2020**

**Moved By** Deputy Mayor Gord Queen

**Seconded By** Councillor Larry Patterson

That Council directs that at its next Regular Meeting to be held on August 10, 2020 Council deals with a motion on this particular subject matter, giving all members of Council an opportunity to think about the proposal to establish a steering committee to explore the appropriateness of a West Side Collector Road with staff input.

**CARRIED**

**D. AMENDMENTS TO THE AGENDA**

Deputy Mayor Queen added one Unfinished Business item and one Announcement. Mayor Santos added an update item.

**E. CLOSED SESSION**

**436-2020**

**Moved By** Councillor Larry Patterson

**Seconded By** Councillor Thomas Neufeld

Pursuant to Subsection 239(2) of the *Municipal Act, 2001*, Council at 6:24 p.m. entered into Closed Session to address the following item:

Subsection 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board; being a Report of Tim Del Greco, Manager of Municipal Services dated July 20, 2020 RE: a proposed or pending acquisition of land on Pearl Street East by the municipality for municipal purposes.

**CARRIED**

**F. REPORT OUT OF CLOSED SESSION**

Upon rising from Closed Session at 6:35 p.m. the meeting resumed in Open Session. Mayor Santos reported that Council addressed Item E in closed session being a Report of Tim Del Greco, Manager of Municipal Services, regarding a proposed acquisition of land on Pearl Street East by the municipality.

**437-2020**

**Moved By** Councillor Kimberly DeYong

**Seconded By** Councillor Larry Patterson

That Council approves the purchase of land from E.L.K. Energy Inc. known as Plan 184-185, Pt Lot 3 at a cost of \$1.00; And Further That Council authorizes the Mayor and Clerk to execute the requisite Agreement of Purchase and Sale.

**CARRIED**

**G. STAFF REPORTS**

**1. Reconstruction of Main Street West**

T. Del Greco, Manager of Municipal Services



**438-2020****Moved By** Councillor Thomas Neufeld**Seconded By** Councillor Tony Gaffan

That Council directs that the entire Main Street West corridor be placed in a Community Safety Zone from Heritage to Division and that a future Report and draft by-law be brought back to Council for consideration.

**CARRIED**

Information and/or any recommendations regarding speed limits in that corridor will be part of the report to Council.

**439-2020****Moved By** Deputy Mayor Gord Queen**Seconded By** Councillor Kimberly DeYong

That Council states for the record that the Town is not taking the trees down, nor altering the boulevard in front of the Anglican Church.

<b>Recorded</b>	<b>For</b>	<b>Against</b>
Mayor Nelson Santos	X	
Deputy Mayor Gord Queen	X	
Councillor Tony Gaffan	X	
Councillor Thomas Neufeld	X	
Councillor Larry Patterson	X	
Councillor Kimberly DeYong	X	
Councillor Laura Lucier	X	
<b>Results</b>	<b>7</b>	<b>0</b>

**CARRIED (7 to 0)**

Mayor Santos clarified that as the boulevard in front of the Anglican Church will not be altered, the parking area component of the tender on the north side of Main St. West is excluded from the project.

**440-2020****Moved By** Councillor Thomas Neufeld**Seconded By** Councillor Tony Gaffan

That Council move the balance of the Recommendations contained in the Report of T. Del Greco, Manager of Municipal Services with the provision that the East end of the left centre turning lane from Greenhill not be the full length as proposed, but rather tapers down toward Prince Albert Street.

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

**LOST (1 to 6)****441-2020****Moved By** Deputy Mayor Gord Queen**Seconded By** Councillor Kimberly DeYong

That Council approves the first four bullet items on page 1 of the Report of Manager of Municipal Services T. Del Greco dated July 20, 2020 as follows:

- installation of new watermain, storm sewer, and street lighting;
- reconstruction of curb and gutter and new asphalt road surfacing;
- reconstruction of all existing sidewalk and driveway aprons; and
- minor repair and waterproofing of Mill Creek Bridge.

**CARRIED**

**442-2020**

**Moved By** Councillor Thomas Neufeld

**Seconded By** Councillor Larry Patterson

That Council approves the 5th bullet point in the Report of Manager of Municipal Services T. Del Greco dated July 20, 2020 being:

- installation of a centre turning lane from Heritage Road to Home Hardware.

<b>Recorded</b>	<b>For</b>	<b>Against</b>
Mayor Nelson Santos	X	
Deputy Mayor Gord Queen	X	
Councillor Tony Gaffan	X	
Councillor Thomas Neufeld	X	
Councillor Larry Patterson	X	
Councillor Kimberly DeYong		X
Councillor Laura Lucier		X
<b>Results</b>	<b>5</b>	<b>2</b>

**CARRIED (5 to 2)**

**443-2020**

**Moved By** Deputy Mayor Gord Queen

**Seconded By** Councillor Tony Gaffan

That Council receives the Report of Manager of Municipal Services T. Del Greco, dated July 20, 2020 RE: Reconstruction of Main Street West.

**CARRIED**

Mayor Santos clarified that with the motion failing regarding the installation of a tapered and shortened left centre turning lane from Greenhill, there is no adjustment to the road, nor inclusion of a lane that is tapered.

**444-2020**

**Moved By** Councillor Thomas Neufeld

**Seconded By** Councillor Larry Patterson

That Council authorizes \$100,000.00 from Account #03-000-032-39005 (Reserves--Water Maintenance) to balance an expected deficit with respect to Main Street West watermain reconstruction; and That Council authorizes the use of surplus funds from Jasperson Drive reconstruction to balance an expected deficit with respect to Main Street West reconstruction.

**CARRIED**

**2. Tree Management Policy**

S. Martinho, Manager of Public Works

**445-2020**

**Moved By** Deputy Mayor Gord Queen

**Seconded By** Councillor Kimberly DeYong

That Council endorses substituting the existing Tree Removal Policy, Tree Planting Policy, and Commemorative Tree Policy with MS 017 Kingsville's Tree Management Policy which regulates the protection, planting, and removal of trees from public spaces including the municipal right-of-way, town owned properties, and municipal parks; And Further That Council requests an update in twelve months with more detail on tree protection procedures.

**CARRIED**

**3. Application for Site Plan Amendment SPA/08/2020 by Jeremy Capussi; 1233 Rod 4 E (County Road 18), Part of Lots 7 and 8, Concession 3 ED, Parts 1 and 6, RP 12R-18084**

R. Brown, Manager of Planning Services

**446-2020**

**Moved By** Councillor Kimberly DeYong

**Seconded By** Councillor Larry Patterson

That Council approves Site Plan Amendment Application SPA/08/2020 for the addition of bunkhouses to the existing approved site plan, subject to the conditions and requirements outlined in the Amending Site Plan Agreement and authorizes the Mayor and Clerk to sign the Agreement and register said Amendment on title.

**CARRIED**

**4. Application for Site Plan Approval SPA/09/2020 by Marcovecchio Holdings Inc. 24 and 28 Dimar Drive, Lots 10 and 11, Plan 12M 609**

R. Brown, Manager of Planning Services

**447-2020**

**Moved By** Deputy Mayor Gord Queen

**Seconded By** Councillor Larry Patterson

That Council approves Site Plan Approval Application SPA/09/2020 for a two-phase industrial development at 24 and 28 Dimar Drive, subject to the conditions and requirements outlined in the Site Plan Agreement and authorizes the Mayor and Clerk to sign the Agreement and register said Agreement on title.

**CARRIED**

**5. Application for Site Plan Approval SPA/10/2020 by Boem Berry Farms Inc., 542, 556, 600 and 672 Road 2 E, Part of Lot 2, Concession 2 ED Parts 1 and 2, RP 12R 26445**

R. Brown, Manager of Planning Services

**448-2020**

**Moved By** Councillor Larry Patterson

**Seconded By** Councillor Tony Gaffan

That Council approves Site Plan Application SPA/10/2020 for the phase 4 expansion of the existing greenhouse facility and expansion of support facility as shown on the attached Site Plan, subject to the conditions and requirements

outlined in the Site Plan Agreement and authorizes the Mayor and Clerk to sign the Agreement and register said Agreement on title.

**CARRIED**

**6. Shipping Container Regulation Update**

R. Brown, Manager of Planning Services

**449-2020**

**Moved By** Deputy Mayor Gord Queen

**Seconded By** Councillor Thomas Neufeld

That Council receives the shipping container regulation update report for information purposes; And Further That Council directs Administration to incorporate updated regulations for shipping containers in a comprehensive housekeeping amendment to be presented to the Planning Advisory Committee for public input prior to presentation to Council.

**CARRIED**

At 8:22 p.m. Mayor Santos called for a short recess, and the Meeting reconvened at 8:31 p.m.

**7. Service Delivery Review – Award of Contract**

R. McLeod, Director of Financial Services

**450-2020**

**Moved By** Councillor Laura Lucier

**Seconded By** Councillor Kimberly DeYong

To award the consulting services for the 2020 Municipal Service Delivery Review to StrategyCorp.

**CARRIED**

**8. Financial Impact due to COVID-19**

T. Hong, Manager of Financial Services

**451-2020**

**Moved By** Councillor Kimberly DeYong

**Seconded By** Councillor Laura Lucier

That Council directs that Administration bring back a report to the next Regular Meeting of Council regarding a potential grant or funding program for reopening businesses in the Town of Kingsville.

**CARRIED**

**452-2020**

**Moved By** Councillor Thomas Neufeld

**Seconded By** Deputy Mayor Gord Queen

That Council receives the Financial Impact due to COVID-19 Report dated July 20, 2020 for information.

**CARRIED**

**9. Temporary Outdoor Patio Extensions**

R. McLeod, Director of Financial Services presented the Report as prepared by Ms. Astrologo

**453-2020**

**Moved By** Deputy Mayor Gord Queen

**Seconded By** Councillor Laura Lucier

That Council receives this Report regarding Temporary Patio Extensions for Information;

And That, Council supports temporary patio extensions through to January 1, 2021, provided that businesses adhere to the application process and comply with the requirements established by the Town; And Further That, Council waives the fees normally associated with providing Non-Objection Letters for the duration of 2020.

**CARRIED**

**H. MINUTES OF THE PREVIOUS MEETINGS**

- 1. Regular Meeting of Council--July 13, 2020**
- 2. Regular Closed Session Meeting of Council--July 13, 2020**

**454-2020**

**Moved By** Councillor Larry Patterson

**Seconded By** Councillor Tony Gaffan

That Council adopts Regular Meeting of Council Minutes dated July 13, 2020 and Regular Closed Session Meeting of Council Minutes dated July 13, 2020.

**CARRIED**

**I. MINUTES OF COMMITTEES AND RECOMMENDATIONS**

- 1. Tourism and Economic Development Committee--June 11, 2020**

**455-2020**

**Moved By** Councillor Tony Gaffan

**Seconded By** Deputy Mayor Gord Queen

That Council receives Tourism and Economic Development Committee Meeting Minutes dated June 11, 2020.

**CARRIED**

- 2. Union Water Supply System Joint Board of Management--June 17, 2020**

**456-2020**

**Moved By** Councillor Larry Patterson

**Seconded By** Councillor Thomas Neufeld

That Council receives Union Water Supply System Joint Board of Management Meeting Minutes dated June 17, 2020.



**CARRIED**

**3. Kingsville Municipal Heritage Advisory Committee--June 18, 2020**

**457-2020**

**Moved By** Councillor Laura Lucier

**Seconded By** Deputy Mayor Gord Queen

That Council receives Kingsville Municipal Heritage Advisory Committee Meeting Minutes dated June 18, 2020.

**CARRIED**

**4. Parks, Recreation, Arts and Culture Committee--June 18, 2020**

**458-2020**

**Moved By** Deputy Mayor Gord Queen

**Seconded By** Councillor Kimberly DeYong

That Council receives Parks, Recreation, Arts and Culture Committee Meeting Minutes dated June 18, 2020 together with Minutes from the following sub-committees: Fantasy of Lights - April 28, 2020, Migration Festival - April 28, 2020, and Communities in Bloom - April 23, 2020.

**CARRIED**

**J. BUSINESS CORRESPONDENCE - INFORMATIONAL**

- 1. City of Oshawa--Correspondence dated June 26, 2020 RE: COVID-19 Funding**
- 2. Township of Perth South--Correspondence dated July 9, 2020 RE: Farm Property Class Tax Rate Program**
- 3. Township of Armour--Correspondence dated July 15, 2020 RE: Resolution in Support of Kingsville Resolution requesting Province expand Rent Assistance Program**
- 4. Township of Harley--Correspondence dated July 15, 2020 RE: Resolution in Support of Kingsville Council Resolution requesting Province Expand Rent Assistance program**

5. **Township of Amaranth--Correspondence dated July 20, 2020 RE:  
Resolution in Support of Kingsville Council Resolution requesting Province  
expand Rent Assistance Program**

**459-2020**

**Moved By** Councillor Kimberly DeYong

**Seconded By** Councillor Tony Gaffan

That Council receives Business Correspondence-Informational items 1 through 5.

**CARRIED**

**K. NOTICES OF MOTION**

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

**460-2020**

**Moved By** Deputy Mayor Gord Queen

**Seconded By** Councillor Tony Gaffan

That staff consider and provide the Council of The Corporation of the Town of Kingsville with cost estimates to install security camera or cameras in the Lions Park area in light of ongoing activity, this costing to be presented with the budget process in 2021.

**CARRIED**

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

**461-2020**

**Moved By** Councillor Kimberly DeYong

**Seconded By** Councillor Larry Patterson

WHEREAS to manage municipal services, municipalities require daily data on COVID-19 cases broken down by all acquisitions i.e. close contact, Agri-farm, Long Term Care Home/Retirement Home, Travel, hot zones and outbreaks (historical and current);

AND WHEREAS in reviewing other regions such as Durham, Hamilton, Peel, and Toronto, they provide an interactive website that allows the public to drill down to not only the municipality level but to the neighbourhoods;

AND WHEREAS our Health Unit uses static reporting on a weekly basis with a municipal breakdown using percentages of region and this provides no granularity to allow the public and municipalities to evaluate health risks, openings, potential hot zones, and effectiveness of measures put in place to help control the spread;

AND WHEREAS as a municipality, our public needs to see the municipality and neighbourhood data trending over time from the beginning of the pandemic to help show our progress but also to allow us to evaluate future outbreaks and react based on the raw data;

AND WHEREAS the health units are mandated to provide transparency and there should be no privacy concerns as can be seen using municipality and neighbourhood data in other regions;

AND WHEREAS as the Town approaches the move to Stage 3 and beyond, municipality and neighbourhood data will allow our Council and the public to be informed and make decisions on protecting health and supporting our way to a successful reopening of our region.

NOW THEREFORE BE IT RESOLVED that Administration send a letter to the Windsor-Essex County Health Unit Board of Directors and Medical Officer of Health Dr. Wajid Ahmed, requesting more detailed information and data regarding the spread of COVID-19, with a copy of such letter to be sent to the MPPs of Kingsville and Leamington.

**CARRIED**

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

**1. Main Street Development Committee**

Deputy Mayor Queen indicated that the Town struck a Main Street Development Committee, has appointed a number of individuals to that Committee, and a first meeting has not yet been called. Director of Financial Services R. McLeod will follow-up with Manager of Planning Services R. Brown as to the status of the matter, and an update will be provided at the August 10, 2020 Regular Meeting.

**2. Pelee Island Ferry Service from Kingsville Ferry Terminal**

Deputy Mayor Queen advised of the recent announcement pertaining to the Pelee Island Ferry service.

Mayor Santos advised that on July 23, 2020 an announcement was made that the Pelee Island Ferry Service will be held off from leaving from the Kingsville Ferry Terminal for the balance of the year. The concern with the announcement is that it was not discussed with the Municipality of Leamington, the Township of Pelee, the Pelee Island Transportation Services Advisory Committee, nor this municipality. The County Warden has been advised of the serious negative impacts the lack of service from the Kingsville Ferry Terminal will have on the upcoming harvest season, on tourism, and on transportation.

### 3. COVID-19 updates by the Mayor

- i) Mayor Santos advised that the Province's Emergency Medical Assistance Team (EMAT) arrived in our community last week. Mayor Santos and Leamington Mayor Hilda MacDonald will be touring the site on July 28, 2020.
- ii) The Premier and Provincial Government officials have been requested to strengthen language regarding the temporary worker program and to try to encourage programs to include testing as part of the protocols.
- iii) New funding was announced today by the Province in terms of a federal/provincial grant program, wherein funds are to be allocated to municipalities to help deal with the response to COVID-19.

## **M. BYLAWS**

### **1. By-law 68-2020**

**462-2020**

**Moved By** Deputy Mayor Gord Queen

**Seconded By** Councillor Tony Gaffan

That Council reads By-law 68-2020, being a by-law authorizing the entering into of an Agreement with Sherway Contracting (Windsor) Limited for the Main Street West Reconstruction (N. J. Peralta Engineering Ltd. Project No. E-15-039), as amended, a first, second and third and final time.

**CARRIED**

### **2. By-law 70-2020**

**463-2020**

**Moved By** Deputy Mayor Gord Queen

**Seconded By** Councillor Laura Lucier

That Council reads By-law 70-2020, being a By-law authorizing the entering into of a Contribution Agreement with Kingsville Pickleball, Inc. a first, second and third and final time.

**CARRIED**

**3. By-law 71-2020**

**464-2020**

**Moved By** Deputy Mayor Gord Queen

**Seconded By** Councillor Larry Patterson

That Council reads By-law 71-2020, being a by-law to amend By-law 2-2019, as amended, being a By-law to appoint certain members of Council and individuals to boards and committees a first, second and third and final time.

**CARRIED**

**N. CONFIRMATORY BY-LAW**

**1. By-law 72-2020**

**465-2020**

**Moved By** Deputy Mayor Gord Queen

**Seconded By** Councillor Kimberly DeYong

That Council reads By-law 72-2020, being a By-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its July 27, 2020 Regular Meeting, a first, second and third and final time.

**CARRIED**

**O. ADJOURNMENT**

**466-2020**

**Moved By** Councillor Larry Patterson

**Seconded By** Councillor Tony Gaffan

That Council adjourns this Regular Meeting at 9:14 p.m.

**CARRIED**



# MINUTES

## **POLICE SERVICES BOARD MEETING WEDNESDAY, JUNE 24, 2020 @ 4:00 P.M. Via Webex**

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

Vice Chairperson, Will Chisholm called the Meeting to order at 4:05 p.m. with the following persons confirming their attendance via teleconference:

Nelson Santos	-	Chairperson (at 4:34 p.m.)
William Chisholm	-	Vice Chairperson
Kimberly DeYong	-	Board member
Barry Wilson	-	Board member
Bill Baird	-	Board member
Glenn Miller	-	O.P.P. Inspector
Silvano Bertoni	-	O.P.P. Constable
Brian Johnson	-	O.P.P. Staff Sergeant

Member of Administration: Roberta Baines, Deputy Clerk-Administrative Services

### **B. DISCLOSURE OF PECUNIARY INTEREST**

Where a member of the board has any pecuniary interest, direct or indirect, in any matter which is the subject of consideration at the Regular Meeting of the Board, the member shall disclose the pecuniary interest and its general nature, prior to any consideration of the matter. There were none.

### **C. DELEGATIONS/PRESENTATIONS**

There were none.

### **D. ADOPTION OF ACCOUNTS**

#### **1. Police Services Accounts – RE: Budget actuals ending May 31, 2020**

**24-2020** Moved by Kim DeYong, seconded by Bill Baird to receive the accounts ending May 2020

**CARRIED**

## **2. Windsor/Essex Provincial Offences (POA) Annual Report 2019**

**25-2020** Moved by Bill Baird, seconded by Barry Wilson to receive the POA Annual Report

**CARRIED**

## **E. REPORTS**

### **1. Monthly Status Reports**

- i) Town of Kingsville PSB report and Crime Stoppers report for May 2020

Staff Sergeant Johnson provided an overview of the reports for May.

There was discussion regarding a group of concerned citizens posting online about various incidents occurring around town. Board members requested a report back on patrol hours as a result of recent thefts.

Board members inquired on the Auxilliary service and Staff Sergeant Johnson indicated this program is on hold during COVID-19. He added that with the auxiliary on hold, there has been an increase in foot patrol and ATV hours for parks and the greenway trail.

**26-2020** Moved by Barry Wilson, seconded by Bill Baird to receive Kingsville PSB Reports and Crime Stoppers reports for May 2020 as information.

**CARRIED**

## **F. BUSINESS/CORRESPONDENCE**

### **1. Ministry of Solicitor General:**

- i) Memorandum: RE Correctional Facilities, Court Administration, and Policing Functions, issued May 22, 2020 (Index: 20-0078)
- ii) Memorandum: RE: New Standards for Reporting Collisions on Ontario's Roads involving Electric Kick-Style Scooters (also known as E-Scooters), issued May 25, 2020 (Index: 20-0079)





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- iii) Memorandum: RE: New Process for Ordering Appearance Notice (Form 9), issued May 27, 2020 (Index: 20-0080)
- iv) Memorandum: RE: Distracted Driving Exemptions: Amendments to Highway Traffic Act Ontario Regulation 366/09 (Display Screens and Hand-Held Devices), issued May 29, 2020 (Index: 20-0081)
- v) Memorandum: RE: Serious Fraud Office, issued May 29, 2020 (Index: 20-0082)
- vi) Memorandum: RE: Funeral Services during the COVID-19 Pandemic, issued May 30, 2020 (Index: 20-0083)
- vii) Memorandum: RE: Recent Changes to Emergency Orders, issued May 31, 2020 (Index: 20-0084)
- viii) Memorandum: RE: Basic Constable Training (BCT) Program, issued June 1, 2020 (Index: 20-0085)
- ix) Memorandum: RE: 2020 Promotional Exams, issued June 2, 2020 (Index: 20-0086)
- x) Memorandum: RE: Extension of the Expiry of Driver and Vehicle Products and Services - Reminder, issued June 3, 2020 (Index: 20-0087)
- xi) Memorandum: RE: Bill C-75 and COVID-19 Updates to Police Training Material on (1) Police Powers and Judicial Interim Release and (2) Endorsing Warrants, issued June 3, 2020 (Index: 20-0088)
- xii) Memorandum: RE: Update to Essential Businesses List, issued June 5, 2020 (Index: 20-0089)
- xiii) Memorandum: RE: Reduce Impaired Driving Everywhere (RIDE) Grant Program – Call for Applications (2020/21 – 2021/22), issued June 5, 2020 (Index: 20-0090)
- xiv) Memorandum: RE: Audit of the First Responders COVID-19 Risk Look-Up Tool Web Portal, issued June 11, 2020 (Index: 20-0091)
- xv) Memorandum: RE: COVID-19 Testing for Police Services, issued June 12, 2020 (Index: 20-0092)



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- xvi) Memorandum: RE: Stage 2 of Re-Opening of Ontario, issued June 14, 2020 (Index: 20-0093)
- xvii) Memorandum: RE: RE-Opening of Ontario Courts to In-Person Hearings (Hearing Preparation and Witness Notification), issued June 16, 2020 (Index: 20-0094)
- xviii) Memorandum: RE: Interim Guidance on Pascal Decision, issued June 18, 2020 (Index: 20-0095)
- xix) Memorandum: RE: 2020/2021 Constable Joe MacDonald Public Safety Officers' Survivors Scholarship Fund (CJMPSOSSF) Call for Applications, issued June 18, 2020 (Index: 20-0096)

**27-2020** Moved by Kim DeYong seconded by Bill Baird to receive Ministry of Solicitor General communication items 1 i) to xxvi)

**CARRIED**

2. OAPSB RE: Zone 6 Minutes from April 22, 2020

**28-2020** Moved by Bill Baird seconded by Barry Wilson to receive OAPSB communication item 2

**CARRIED**

3. OAPSB RE: Annual General Meeting Update from May 29, 2020

**29-2020** Moved by Bill Baird seconded by Kim DeYong to receive OAPSB communication item 3

**CARRIED**

4. Ontario Provincial Police RE: Recent Protest Activity, issued June 4, 2020

**30-2020** Moved by Kim DeYong seconded by Bill Baird to receive Ontario Provincial Police communication item 4

**CARRIED**



## MINUTES

### **G. ADOPTION OF MINUTES OF PREVIOUS MEETING**

#### **1. Adoption of Police Services Board Minutes – held on May 27, 2020**

**31-2020** Moved by Barry Wilson, seconded by Kim DeYong adopt the Police Services Board meeting minutes held on May 27, 2020 via Webex.

**CARRIED**

### **H. NEW AND UNFINISHED BUSINESS**

#### **1. Individual causing disturbance**

Board members inquired about the status of the suspicious person who has been disturbing the peace and been the subject of Facebook complaints. Officer Bertoni advised that this individual was apprehended under the Mental Health Act and is currently in hospital receiving treatment.

#### **2. Foot/Directed Patrol**

Officer Bertoni stated that over the past several months, Platoon C has increased the amount of late night foot patrols and checking businesses in the area. During the directed patrols several insecure premises were found and corrective actions were taken to re-secure the building after being cleared. Many residents have reached out to the OPP to express their gratitude.

#### **3. Speed Trailer**

Officer Bertoni stated that he had sent various speed trailer results to the Municipal Office for sharing with the board members. He also noted that complainants were advised of the results.

Mayor Nelson Santos joined the meeting at 4:34 p.m.

#### **4. RIDE Grant Program**



## MINUTES

Officer Bertoni announced that the 2020/2021 – 2021/2022 RIDE Grant application was submitted for processing.

### I. ADJOURNMENT

**32-2020** Moved by Nelson Santos, seconded by Barry Wilson, that Police Services Board adjourns the meeting at the hour of 4:37 p.m. and to meet again on July 29, 2020 or at the call of the Chair.

**CARRIED**

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**CHAIRPERSON, Nelson Santos**

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**DEPUTY CLERK-ADMINISTRATIVE SERVICES,  
Roberta Baines**



## COMMITTEE MINUTES

**COMMITTEE OF ADJUSTMENT  
JUNE 16, 2020 @ 6:00 p.m.  
ELECTRONIC PARTICIPATION – Via Zoom**

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

Chairperson Thomas Neufeld called the Meeting to order at 6:05 p.m. with the following persons in virtual attendance:

#### **MEMBERS OF COMMITTEE OF ADJUSTMENT:**

Councillor Thomas Neufeld  
Deputy Mayor Gord Queen  
Allison Vilardi  
Shannon Olson  
Russell Horrocks

#### **MEMBERS OF ADMINISTRATION:**

Town Planner, Kristina Brcic  
Administration, Stephanie Coussens

### **B. DISCLOSURE OF PECUNIARY INTEREST**

Chairperson Thomas Neufeld reminded the Committee that any declaration is to be made prior to each items being discussed and to identify the nature of the conflict, if any, as the agenda items come forward.

### **C. MINUTES OF THE PREVIOUS MEETING**

#### **1. ADOPTION OF COMMITTEE OF ADJUSTMENT MEETING MINUTES DATED MARCH 17<sup>th</sup>, 2020.**

##### **CA-17-2020**

Moved by Gord Queen, seconded by Allison Vilardi that the Committee of Adjustment Meeting Minutes dated March 17<sup>th</sup>, 2020 be adopted.

**CARRIED**

## D. HEARINGS

### 1. B 02 20 – 2064 Seacliff Drive – Angelo Mastronardi

Town Planner, Kristina Brcic introduced the Consent application and reviewed her report dated, April 6<sup>th</sup>, 2020 which provides details regarding the requested to sever and convey lands from two parcels, as lot additions to an abutting farm parcel at 2064 Seacliff Drive, all owned by the applicant and his spouse, in the Town of Kingsville.

The Town of Kingsville has received the above-noted application for lands located on the north side of Seacliff Drive (County Road 20), west of Albuna Townline (County Rd 31). The subject property is designated 'Agriculture' by the Official Plan and zoned 'Agriculture (A1)' under the Kingsville Comprehensive Zoning By-law.

The subject lands involve three parcels (shown on the attached subject parcel map): i) a 4.03 ha (9.96 ac.) farm parcel at 2064 Seacliff (the receiving lot shown in blue) with an existing pole barn; ii) a 6.99 ha (17.28 ac.) farm parcel with outbuildings at 2058 Seacliff (retained parcel 1 shown in red) and; iii) a 4.35 ha (10.77 ac.) farm parcel with an existing dwelling at 2074 Seacliff (retained parcel 2, shown in green).

The applicant is proposing to build a new home at 2064 Seacliff Drive and would like to widen the receiving lot (in red) by conveying land from abutting parcels to the east and west. A 0.037 ha (0.093 ac.) strip of land shown as Part 1 will be severed and conveyed to the west side of the receiving lot and a 0.038 ha (0.096 ac.) strip of land will be severed and conveyed to the east side of the receiving lot (both shown in blue on Appendix A). This will increase the frontage of the receiving lot by 6.096 m (20 ft.) resulting in a total frontage of 47.95 m (157.3 ft.). There are no zoning issues raised as a result of the proposed lot additions.

The applicant, Angelo Mastronardi was in attendance.

Chairperson, Thomas Neufeld asked if there were any comments or questions from the committee, applicant or the public.

Chairperson, Thomas Neufeld confirmed there were no other comments or questions from the committee, applicant or the public.

### CA-18-2020

Moved by Gord Queen, seconded by Shannon Olson that Consent application B/02/20 to sever and convey two portions of land, Part 1 being 0.037 ha (0.093 ac.) in area from the lands known as 2068 Seacliff Dr (County Rd 20) (P.I.N. 75143-0119), and Part 2 being 0.038 ha (0.096 ac.) from the lands known as 2074 Seacliff Dr (County Rd 20) (P.I.N. 75143-0121) to an abutting parcel, known as 2064 Seacliff Dr (County Rd 20) (P.I.N. 75143-0120) as a lot additions, in the Town of Kingsville, be **Approved** subject to the following conditions;

- i) That the lot additions to be severed, shown on the applicant's sketch as Part 1 & Part 2, be conveyed to the owner of the abutting parcel (2064 Seacliff Dr (County Rd 20)) and Section 50(3 or 5) of the Planning Act applies to any subsequent conveyance of or transaction involving the parcels of land that are the subject of this consent.
- ii) That a reference plan be deposited in the registry office, **both an electronic and paper** copy of the registered plan is to be provided for the files of the Secretary-Treasurer.
- iii) That the deeds, such plan of survey or reference plan, for property lines being newly created, shall be in accordance with the existing zoning requirements for the municipality.
- iv) That the owner shall provide that all municipal taxes be paid in full.
- v) That as a result of severance, owners shall become liable by way of up front monies for the assessment and taxation of their properties for any waterworks or sanitary sewer systems affecting their properties, in accordance with the Fees By-law in effect on the date the consent is being endorsed on the deeds.
- vi) That any special assessment imposed pursuant to the provisions of the Local Improvement Act and/or the Municipal Act be paid in full.
- vii) That the necessary deed(s), transfers or charges be **submitted in triplicate**; signed and fully executed (**no photocopies**), including a copy of the reference plan, prior to certification.
- viii) That any necessary drainage reapportionments be undertaken.
- ix) That the applicant provide proof to the satisfaction to the Town of the location of the municipal water service connections in relation to the revised lot line locations.
- x) That the applicant provide confirmation to the satisfaction of the Town for the location of any existing septic systems in relation to the revised lot line locations.
- xi) The conditions imposed above shall be fulfilled by **June 16, 2021** or this application shall be deemed to be refused in accordance with Section 53(41) of the Planning Act.

**CARRIED**

## **2. B 03 20 – 1688 ROAD 4 W – Brad ANGER, Brenda ANGER & Donald ANGER**

Town Planner, Kristina Brcic introduced the Consent application and reviewed her report dated, April 6<sup>th</sup>, 2020 which provides details regarding a consent application to sever a 0.559 ha (1.381 ac.) lot with an existing dwelling surplus to the farming operations of the applicant at 1688 Road 4 W (County Rd 18), in the Town of Kingsville.

The Town of Kingsville has received the above-noted application for lands located on the north side of Road 4 West (County Rd 18), east of Arner Townline (County Rd 23). The subject property is designated 'Agriculture' by the Official Plan and zoned 'Agriculture (A1)' under the Kingsville Comprehensive Zoning By-law.

The subject land is a 20.88 ha (51.6 ac.) farm parcel (in red on Appendix A) and contains a dwelling and outbuildings. The applicant's base of operations is located at 5025 County Rd 23 in the neighbour Town of Essex as such the existing dwelling is surplus to the farm operation. The proposal is to sever the existing dwelling on a 0.556 ha (1.375 ac.) lot (shown as Part 1 on the attached survey sketch). The applicants also own abutting lands (shown in blue on Appendix A) and have indicated the remnant farm parcel of 20.33 ha (50.22 ac.) will be consolidated with the vacant farm parcel to the west, which has access to Road 4 W (County Rd 18). A zoning amendment will not be necessary as the retained farm parcel will be required, as a condition of consent, to be consolidated with the owner's abutting farm parcel.

The applicant, Brad Anger was in attendance.

Chairperson, Thomas Neufeld asked if there were any comments or questions from the committee, applicant or the public.

Chairperson, Thomas Neufeld confirmed there were no comments or questions from the committee, applicant or the public.

#### **CA-19-2020**

Moved by Gord Queen, seconded by Russell Horrocks that Consent application B/03/20 to sever and existing dwelling surplus to the farming operation of the applicants on a 0.559 ha (1.375 ac.) lot at 1688 Road 4 W (County Rd 18), in the Town of Kingsville, be **Approved** subject to the following:

- i) That a reference plan be deposited in the registry office, ***both an electronic and paper*** copy of the registered plan is to be provided to the Town for the files of the Secretary-Treasurer.
- ii) That the retained lands, shown on the applicants' sketch be conveyed to and consolidated with the abutting agricultural parcel (V/L Road 4 W / PIN 75167-0049) and Section 50(3 or 5) of the Planning Act applies to any subsequent conveyance of or transaction involving the parcel of land that is the subject of this consent.
- iii) That the deeds, such plan of survey or reference plan, for property lines being newly created, shall be in accordance with the existing zoning requirements for the municipality including satisfactory proof as to compliance of the location of all buildings on the subject lands either by way of a plan showing the location of all buildings located thereon, or a certificate from a qualified surveyor indicating the



location and sizes of all buildings on the said lands and/or favourable minor variances shall have been processed for any non-compliances.

- iv) That the owner shall provide that all municipal taxes be paid in full and that necessary apportionments of storm drainage be undertaken for any special assessment imposed pursuant to the provisions of the Local Improvement Act and/or the Municipal Act.
- v) That as a result of severance, owners shall become liable by way of up front monies for the assessment and taxation of their properties for any waterworks or sanitary sewer systems affecting their properties, in accordance with the Fees By-law in effect on the date the consent is being endorsed on the deeds.
- vi) That the owner confirm that all building services are contained within existing property lines and do not cross over newly established lot lines.
- vii) That the owners provide proof to the satisfaction to the Town of the location of the municipal water service connection to the severed parcel.
- viii) The owners submit an agreement for drainage apportionment due to land severance.
- ix) That the buildings on the applicants' survey sketch shown as "to be removed" be removed in compliance with the applicant zoning standards.
- x) A clearance letter for the septic system on the severed parcel (surplus dwelling lot) must be obtained from the Town's Building Department or a deposit of \$10,000 be submit to the Town, to be held until such time as a new septic system is installed to the satisfaction of the Town.
- xi) The conditions imposed above shall be fulfilled by **June 16, 2021** or this application shall be deemed to be refused in accordance with Section 53(41) of the Planning Act.

**CARRIED**

## **2. B 04 & 05 20 – 1364674 Ontario Limited – Anthony Abraham – 1021 Oak Ave**

Town Planner, Kristina Brcic introduced the Consent application and reviewed her report dated, June 8<sup>th</sup>, 2020 which provides details regarding the requested consents to create individual lots for the existing semi-detached dwelling units, on lands known as 1021 Oak Avenue, in the Town of Kingsville.

The Town of Kingsville has received the above-noted applications for lands located in the southwest corner of the intersection of Oak Avenue and McCain Sideroad. The subject parcel is designated 'Lakeshore Residential West' by the Official Plan and is zoned 'Lakeshore Residential Exception 33 (LR-33)' under the Kingsville Comprehensive Zoning By-law.

The subject parcel is a 854.708 sq. m (9,200 sq. ft.) residential lot, on which a semi-detached dwelling is currently being constructed. It is proposed that the lot be subdivided so that each semi-detached dwelling unit is on a separately conveyable parcel. The applicant has requested that both Parts 1 and 2 receive Consent concurrently in order for both of the lots to be conveyable. The lots will be subdivided as shown on the Applicant's Sketch attached:

- Part 1: 18.4 m (60.40 ft.) of frontage and an area of 449.20 sq. m (4,835.16 sq. ft.) as B/04/20;
- Part 2: 16.64 m (54.60 ft.) of frontage and an area of 404.69 sq. m (4,356 sq. ft.) as B/05/20.

It should be noted that in 2018 a zoning by-law amendment (ZBA/32/18) was passed to permit the semi-detached dwelling and established site-specific setbacks under 'Lakeshore Residential Exception 33 (LR-33)'.

The applicant, was not in attendance however their legal representative, Simon Yared, was in attendance.

Chairperson, Thomas Neufeld asked if there were any comments or questions from the committee, applicant or the public.

Committee Member Allison Vilardi, asked if the sewer and water connections are separate.

Simon Yared, representing the applicant, spoke to the confirmation of separate services.

Chairperson, Thomas Neufeld confirmed there were no other comments or questions from the committee, applicant or the public.

## **CA-20-2020**

Moved by Gord Queen, seconded by Shannon Olson that Consent application B/04/20 for the creation of a lot being 449.20 sq. m (4,835.16 sq. ft.) in area, shown as Part 1 on the applicants survey and currently known as 1021 Oak Avenue in the Town of Kingsville, be **Approved** subject to the following conditions;

- i) That the subject property is to be angle staked and a plan of survey prepared and reference plan deposited in the registry office, **both an electronic and paper** copy of the registered plan is to be provided for the files of the Secretary-Treasurer;
- ii) That the necessary deed(s), transfer or charges be submitted in triplicate; signed and fully executed (no photo copies), prior to certification;
- iii) That the owner shall provide that all municipal taxes be paid in full and that necessary apportionments be undertaken for any special assessment imposed

pursuant to the provisions of the Local Improvement Act and/or the Municipal Act;

- iv) That as a result of severance, owners shall become liable by way of up front monies for the assessment and taxation of their properties for any waterworks or sanitary sewer systems affecting their properties, in accordance with the Fees By-law in effect on the date the consent is being endorsed on the deeds;
- v) That any necessary drainage reapportionments be undertaken.
- vi) The applicant provide a servicing drawing confirming, to the satisfaction of the Town that the separate sanitary and water services are contained within the proposed lot lines.
- vii) The conditions imposed above shall be fulfilled by **June 16, 2021** or this application shall be deemed to be denied in accordance with Section 53(41) of the Planning Act.

**CARRIED**

#### **CA-21-2020**

Moved by Gord Queen, seconded by Allison Vilardi that Consent application B/05/20 for the creation of a lot being 404.69 sq. m (4,356 sq. ft.) in area, shown as Part 2 on the applicants survey and currently known as 1021 Oak Avenue in the Town of Kingsville, be **Approved** subject to the following conditions;

- i) That the subject property is to be angle staked and a plan of survey prepared and reference plan deposited in the registry office, ***both an electronic and paper*** copy of the registered plan is to be provided for the files of the Secretary-Treasurer;
- ii) That the necessary deed(s), transfer or charges be submitted in triplicate; signed and fully executed (no photo copies), prior to certification;
- iii) That the owner shall provide that all municipal taxes be paid in full and that necessary apportionments be undertaken for any special assessment imposed pursuant to the provisions of the Local Improvement Act and/or the Municipal Act;
- iv) That as a result of severance, owners shall become liable by way of up front monies for the assessment and taxation of their properties for any waterworks or sanitary sewer systems affecting their properties, in accordance with the Fees By-law in effect on the date the consent is being endorsed on the deeds;
- v) That any necessary drainage reapportionments be undertaken.
- vi) That the applicant apply for a new address and 911 sign with the Town Planner.

vii) The applicant provide a servicing drawing confirming, to the satisfaction of the Town that the separate sanitary and water services are contained within the proposed lot lines.

viii) The conditions imposed above shall be fulfilled by **June 16, 2021** or this application shall be deemed to be denied in accordance with Section 53(41) of the Planning Act.

**CARRIED**

### **3. A 03 20 – 888 County Rd 8 – David & Katharina Schmitt**

Town Planner, Kristina Brcic introduced the Minor Variance application and reviewed her report dated, April 7<sup>th</sup>, 2020 which provides details regarding the requested minor variance to increase the accessory structure height to allow construction of a new agricultural building on lands known as 888 County Road 8, in the Town of Kingsville.

The Town of Kingsville has received the above-noted application for lands located on the south side of County Road 8, west of Albuna Town Line (County Rd 31). The subject property is designated 'Agriculture' by the Official Plan. The parcel is zoned 'Agriculture (A1)' under the Kingsville Comprehensive Zoning By-law.

The subject land is a 0.57 ha (1.420 ac.) rural residential lot with a single detached dwelling and outbuildings. The applicants wish to build a 297.29 sq. m (3,200 sq. ft.) storage building with a maximum height of 5.4 m (18 ft.) shown on Applicants' Sketch, in the rear yard. Relief is being requested from the Town of Kingsville Zoning By-law Accessory Buildings and Structures Section 4.2 h) i) which limits the maximum permitted height is 5m (16.4 ft.). Therefore the applicants have requested a minor variance for the additional 0.4 m (2.4 ft.) in height for the pole barn. All other zone performance standards comply with the Agricultural, (A1) zone.

The applicants, David & Katharina Schmitt were in attendance.

Chairperson, Thomas Neufeld asked if there were any comments or questions from the committee, applicant or the public.

Committee Member Allison Vilardi, asked if discussion was had with the applicant regarding a home occupation, storage of commercial.

K. Brcic, Town Planner, informed that the applicant intends to store equipment and materials that are currently located on the lands and not currently stored within a building. Some of these items may be related to a personal business but storage of such is permitted. The applicant also submitted a new site plan, as shown in the report, showing that the new outbuilding will not be behind the neighbours property.

Chairperson, Thomas Neufeld confirmed there were no other comments or questions from the committee, applicant or the public.

## CA-22-2020

Moved by Gord Queen, seconded by Shannon Olson that Minor Variance application A/03/20 pertaining to the lands known as 888 County Road 8 to increase the maximum accessory building height from 5m (16.4 ft.) to 5.4 m (18 ft.) for the construction of a new storage building, be **Approved** subject to the following conditions;

1. that any new construction complies with all other applicable provisions of the By-law.
2. that the owner(s) obtain any applicable permits for new construction, which must comply with the Ontario Building Code.

**CARRIED**

### 4. A 04 20 – 4029 Graham Side Road – Domric Holdings

Town Planner, Kristina Brcic introduced the Minor Variance application and reviewed her report dated, June 8<sup>th</sup>, 2020 which provides details regarding the requested minor variance to decrease the rear yard setback for an addition to an existing dwelling on lands known as 4029 Graham Side Road, in the Town of Kingsville.

The Town of Kingsville has received the above-noted application for lands located on the west side of Graham Side Road. The subject property is designated 'Agriculture' by the Official Plan, and zoned 'Agriculture (A1)' under the Kingsville Comprehensive Zoning By-law.

The subject land is an 858.4 sq. m (9,240 sq. ft.) rural residential lot with an existing single detached dwelling. The applicant is undertaking renovations on the dwelling to expand the home and upgrade the structure. The owner is requesting a minor variance to further reduce the existing rear yard setback from 11.2 m (37 ft.) (actual zoning requirement is 15 m (49.2 ft.) to 9.4 m (31 ft.) to accommodate a 6 ft. addition at the rear of the building.

The applicants agent, Jackie Lassaline, was in attendance.

Chairperson, Thomas Neufeld asked if there were any comments or questions from the committee, applicant or the public.

Gord Queen, asked will this home be used for a Bunkhouse.

K. Brcic, a bunkhouse will not be permitted as the parcel is not attached to a farm.

Jackie Lassaline, commented that the owner Rick Pollicella is moving into the home. Ms. Lasalline further explained the need for the Minor Variance where during a home renovation they found an issue with the septic which needed to be replaced but the lot did not accommodate for the size and location required. Ms. Lasalline included that it is a Rural Lot, with lots of room to accommodate the minor variance.

Committee Member, Shannon Olson, asked if the photo in the report which shows the rear wall if that is to be further extended or it is built to the request of the current minor variance.

K. Brcic confirmed the new wall is already constructed to the minor variance.

Chairperson, Thomas Neufeld confirmed there were no other comments or questions from the committee, applicant or the public.

### **CA-23-2020**

Moved by Shannon Olson, seconded by Allison Vilardi that Minor Variance application A/04/20 pertaining to the lands known as 4029 Graham Side Road, to further reduce the existing rear yard setback from 11.2 m (37 ft.) (actual zoning requirement is 15 m (49.2 ft.) to 9.4 m (31 ft.) to accommodate a 6 ft. addition at the rear of the building, be **Approved** subject to the following conditions;

1. that any new construction complies with all other applicable provisions of the By-law.
2. that the variance is granted for the existing use as a single detached dwelling.
3. that the owner(s) obtain any applicable permits for new construction, which must comply with the Ontario Building Code.

**CARRIED**

### **5. A 05 20 – 1321 Road 3 W – Nicholas & Amy Warkentin**

Town Planner, Kristina Brcic introduced the Minor Variance application and reviewed her report dated, June 5<sup>th</sup>, 2020 which provides details regarding the requested minor variance to increase the accessory structure height to allow construction of an outbuilding on lands known as 1321 Road 3 W, in the Town of Kingsville.

The Town of Kingsville has received the above-noted application for lands located on the south side of Road 3 W. The subject property is designated 'Agriculture' by the Official Plan, and zoned 'Agriculture (A1)' under the Kingsville Comprehensive Zoning By-law.

The subject land is a 7,153 sq. m (77,000 sq. ft.) rural residential lot with an existing single detached dwelling. The applicant is proposing a new detached outbuilding for personal use. The owners are requesting a minor variance to increase the permit maximum height from 5 m (16.4 ft.) to 6.1 m (20 ft.).

The applicants, Nicholas & Amy Warkentin were in attendance.

Chairperson, Thomas Neufeld asked if there were any comments or questions from the committee, applicant or the public.

Committee member, Allison Vilardi asked about running a business out of the out building.

K. Brcic explained the difference between Rural Residential and Agricultural Use.

Allison would like to have noted that the applicant will not be permitted to operate a business.

Nick Warkentin, no comment.

Chairperson, Thomas Neufeld confirmed there were no other comments or questions from the committee, applicant or the public.

#### **CA-24-2020**

Moved by Gord Queen, seconded by Shannon Olson that Minor Variance application A/05/20 pertaining to the lands known as 1321 Road 3 W, to increase the maximum accessory structure height from 5m (16.4 ft.) to 6.1 m (20 ft.) for the construction of a new pole barn, be **Approved** subject to the following conditions;

1. that any new construction complies with all other applicable provisions of the By-law.
2. that the owner(s) obtain any applicable permits for new construction, which must comply with the Ontario Building Code.

**CARRIED**

#### **E. NEW AND UNFINISHED BUSINESS**

#### **F. NEXT MEETING DATE**

The next meeting of the Committee of Adjustment shall take place on July 21<sup>st</sup>, 2020 at The Council Chambers, 2021 Division Road North, Kingsville @ 6:00 p.m.

#### **G. ADJOURNMENT**

#### **CA-25-2020**

Moved by Gord Queen, seconded by Russell Horrocks to adjourn this Meeting at 7:00 p.m.

**CARRIED**

---

**CHAIR, Thomas Neufeld**

---

**SECRETARY TREASURER,  
Kristina Brcic**



## The Corporation of the Town of Tecumseh

June 16, 2020

The Honourable Navdeep Bains.  
Minister of Innovation, Science and Industry  
[Navdeep.Bains@parl.gc.ca](mailto:Navdeep.Bains@parl.gc.ca)

The Honourable Catherine McKenna  
Minister of Infrastructure and Communities  
[Catherine.McKenna@parl.gc.ca](mailto:Catherine.McKenna@parl.gc.ca)

The Honourable Maryam Monsef  
Minister of Rural Economic Development  
Minister for Women and Gender Equality  
[Maryam.Monsef@parl.gc.ca](mailto:Maryam.Monsef@parl.gc.ca)

Dear Ministers,

The Council of the Town of Tecumseh, at its regular meeting held Tuesday, June 09, 2020, gave consideration to correspondence from The Honourable Steve Clark, Minister of Municipal Affairs and Housing, requesting urgent federal action to provide immediate funding for reliable broadband access across Ontario.

At their meeting, Tecumseh Council passed the following resolution:

**“That** Tecumseh Council **support** the request of The Honourable Steve Clark, Minister of Municipal Affairs and Housing, and other Ontario Municipalities calling for urgent federal action to provide immediate funding for reliable broadband access across Ontario;

**And that** a copy of Council’s resolution **be sent** to the Minister of Innovation, Science and Industry; Minister of Infrastructure and Communities; Minister of Rural Economic Development and Minister for Women and Gender Equality; Minister of Municipal Affairs and Housing, as well as the Local MPPs, area municipalities and Association of Municipalities of Ontario.

Carried

Please consider this letter as confirmation of the Town of Tecumseh’s support on the above matter.

Yours very truly,

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

LM/kc

CC: Minister of Municipal Affairs and Housing, [minister.mah@ontario.ca](mailto:minister.mah@ontario.ca)  
MPP – Provincial Windsor West, [lgretzky-qp@ndp.on.ca](mailto:lgretzky-qp@ndp.on.ca)  
MPP – Provincial Windsor-Tecumseh, [phatfield-qp@ndp.on.ca](mailto:phatfield-qp@ndp.on.ca)  
MPP – Essex, [Tnatyshak-qp@ndp.on.ca](mailto:Tnatyshak-qp@ndp.on.ca)  
Association of Municipalities of Ontario, [amo@amo.on.ca](mailto:amo@amo.on.ca)  
Town of LaSalle, [arobertson@lasalle.ca](mailto:arobertson@lasalle.ca)  
Town of Leamington, [bpercy@leamington.ca](mailto:bpercy@leamington.ca)  
Town of Kingsville, [jastrologo@kingsville.ca](mailto:jastrologo@kingsville.ca)  
Town of Lakeshore, [knewman@lakeshore.ca](mailto:knewman@lakeshore.ca)  
Town of Amherstburg, [pparker@amherstburg.ca](mailto:pparker@amherstburg.ca)  
Town of Essex, [rauger@essex.ca](mailto:rauger@essex.ca)  
City of Windsor, [clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)





# Municipality of Northern Bruce Peninsula

56 Lindsay Road 5, R.R. #2, Lion's Head, ON N0H 1W0  
Telephone: (519) 793-3522 • Fax: (519) 793-3823  
[www.northbrucepeninsula.ca](http://www.northbrucepeninsula.ca)

July 17, 2020

Jennifer Astrologo  
Director of Corporate Services/Clerk  
2021 Division Road North  
Kingsville, ON  
N9Y 2Y9

Dear Ms. Astrologo,

Re: Rent Assistance Program to include all Businesses in a Lease Agreement  
Within all Residential-Above-Commercial Properties without a Cap on  
Commercial/Residential Ratio

The letter received from Jennifer Astrologo, Director of Corporate Services/Clerk, a copy of which is enclosed, was reviewed by the Council of the Municipality of Northern Bruce Peninsula on July 13, 2020 relating to the above noted item. The following, Resolution #29-23-2020, was carried and adopted by Council:

"THAT Council supports a resolution from the Town of Kingsville with respect to a Rent Assistance Program to include all businesses in a lease agreement within all residential-above-commercial properties without a cap on commercial/residential ratio."

The above is being provided for your information.

Yours truly,

A handwritten signature in black ink, appearing to read "PVM", is written over a horizontal line.

Peggy Van Mierlo-West  
Chief Administrative Officer

Encl.

cc. Premier, Doug Ford; Minister of Finance, Rod Phillips; MPP, Bill Walker



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

June 29, 2020

The Honourable Doug Ford ([premier@ontario.ca](mailto:premier@ontario.ca))  
Premier of Ontario  
Legislative Building, Queen's Park  
Toronto, Ontario M7A 1A1

-and to-

The Honourable Rod Phillips ([rod.phillips@pc.ola.org](mailto:rod.phillips@pc.ola.org))  
Minister of Finance  
Frost Building South; 7<sup>th</sup> Floor  
7 Queen's Park Crescent  
Toronto, Ontario M7A 1Y7

Dear Premier Ford and Minister Phillips:

**RE: Kingsville Council request that the Rent Assistance Program to include all businesses in a lease agreement within all "residential-above-commercial" properties without a cap on commercial/residential ratio**

At its Regular Meeting of June 22, 2020, Kingsville Council resolved the following:

**391-2020**

**Moved By** Councillor Kimberly DeYong

**Seconded By** Councillor Larry Patterson

Whereas the COVID-19 Pandemic has greatly impacted the business community in the Town of Kingsville;

And Whereas the Province of Ontario has provided financial assistance including a multi-level Rent Assistance program to the business community impacted by the COVID-19 Pandemic;

And Whereas the Rent Assistance program offered by the Province of Ontario established an arbitrary cap on multi-use properties where it is common for "residential-above-commercial" developments, especially in downtown and Main Street corridors;

And Whereas Kingsville, particularly in our downtown business centres, has several properties with residential-above-commercial where the ratio of commercial storefront businesses represents less than 30 per cent of the entire building, thus leaving a gap where local business owners cannot qualify for rent relief with their willing landlords;

And Whereas the Town of Kingsville's newly adopted Business Retention and Expansion Project Report identified that Kingsville businesses would benefit from the Province expanding the Rent Assistance program to include all commercial lease properties regardless of overall footprint.

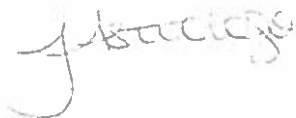
Now Therefore Be It Resolved That the Town of Kingsville requests that the Province of Ontario expand their Rent Assistance program to include all businesses in a lease agreement within all "residential-above-commercial" properties without a cap on commercial/residential ratio;

And Finally, That this Resolution be circulated to the Premier, Doug Ford, the Minister of Finance, Rod Phillips, our local MPP Taras Natyshak, and all Ontario municipalities requesting their support.

**CARRIED**

Thank you for your consideration.

Sincerely,



Jennifer Astrologo, Director of Corporate Services/Clerk  
Corporate Services Department

[jastrologo@kingsville.ca](mailto:jastrologo@kingsville.ca)

/sjk

CC: Taras Natyshak, MPP ([tnatyshak-qp@ndp.on.ca](mailto:tnatyshak-qp@ndp.on.ca))

CC: All Ontario Municipalities



**CORPORATION OF THE TOWNSHIP OF SOUTH GLENGARRY**

**MOVED BY** Stephanie Jaworski

**RESOLUTION NO** 229-2020

**SECONDED BY** Lyle Warden **DATE** July 20, 2020

WHEREAS the COVID-19 pandemic has disproportionately affected the vulnerable elderly population in Canada's long-term care (LTC) homes and some of Ontario's LTC homes are among those with the highest fatality rates in the country as the pandemic has exposed deplorable conditions in many LTC homes across Canada; and

WHEREAS it is the mandate of the Ministry of Long-Term Care to inspect long term care homes on an annual basis and these inspections have consistently dropped in number since 2017 with only nine completed out of 626 long term care homes in 2019; and

WHEREAS residents have been endangered by personnel moving between infection zones without adequate equipment; and

NOW THEREFORE BE IT RESOLVED THAT the Council of the Township of South Glengarry urges the Ontario government to provide funding to increase full-time positions in place of casual and part-time labour in long term care homes and requests that the Ministry of Long-term Care acts to regularly inspect all long term care homes, and sound infection control measures are put in place at all Ontario long term care homes, and that this resolution be forwarded to Premier Ford, the Minister of Long-term Care Merrilee Fullerton and all Ontario municipalities for consideration.

☒ CARRIED

☐ DEFEATED

☐ POSTPONED

  
Mayor Frank Prevost

Recorded Vote:	Yes	No
Mayor Prevost	—	—
Deputy Mayor Warden	—	—
Councillor Lang	—	—
Councillor Jaworski	—	—
Councillor McDonell	—	—

July 21, 2020

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

**Re: Emancipation Day Resolution**

Please be advised the Council of the Municipality of Chatham-Kent at its regular meeting held on July 20, 2020 passed the following resolution:

That Chatham-Kent Council acknowledges and supports the following Private Members Bill put forward by Majid Jowhari; M-36, *Emancipation Day*, 43rd Parliament, 1<sup>st</sup> Session that reads as follows:

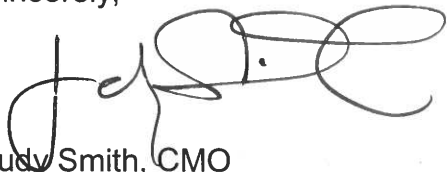
That the House recognizes that:

- a) The British Parliament abolished slavery in the British Empire as of August 1, 1834
- b) Slavery existed in the British North America prior to its abolition in 1834
- c) Abolitionists and others who struggled against slavery, including those who arrived in Upper and Lower Canada by the Underground Railroad, have historically celebrated August 1, as Emancipation Day
- d) The Government of Canada announced on January 30, 2018 that it would officially recognize the United Nations International Decade for People of African Descent to highlight the important contributions that people of African Descent have made to Canadian society, and to provide a platform for confronting anti-black racism; and
- e) The heritage of Canada's people of African descent and the contributions they have made and continue to make to Canada; and that in the opinion of the House, the government should designate August 1 of every year as "Emancipation Day" in Canada

That support for this motion is sent to our Member of Parliament and all House of Commons representatives. And that support for this motion be sent to all Municipalities.”

If you have any questions or comments, please contact Judy Smith at [ckclerk@chatham-kent.ca](mailto:ckclerk@chatham-kent.ca)

Sincerely,



Judy Smith, CMO  
Director Municipal Governance  
Clerk /Freedom of Information Coordinator

C

All House of Commons Representatives  
Ottawa, ON K1A 0A6

Majid Jowhari, MP

Hon Wanda Thomas Bernard  
Senator- Nova Scotia (East Preston)

Lianne Rood, MP, Lambton-Kent-Middlesex

Dave Epp MP Chatham-Kent –Leamington

C Ontario Municipalities

Municipal Office  
15 Water Street  
Telephone (705) 282-2420  
Fax (705) 282-3076

Postal Box 590  
Gore Bay, Ontario  
P0P 1H0



Office of the  
Clerk

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July 21, 2020

Tracy Macdonald  
Assistant Clerk  
Town of Orangeville  
87 Broadway  
Orangeville, ON L9W 1K1

Dear Tracy;

**Re: Support of OPP Diversity Training**

Please be advised that at a recent Council meeting held on July 13, 2020 Council reviewed your correspondence regarding common training requirements for all members of Police Services in Ontario as it relates to diversity, empathy and use of force.

The Town of Gore Bay supports the town of Orangeville in their efforts to encourage common training requirements to all members of the Ontario Provincial Police Force. Please find attached a certified true copy of Resolution No. 14851 indicating the Town of Gore Bay's support.

Yours truly,

Stasia Carr  
Clerk  
Encl.  
SC/cp

cc: The Honourable Sylvia Jones, Solicitor General  
AMCTO

**THE CORPORATION OF THE TOWN OF GORE BAY**

**RESOLUTION NUMBER 14851**

14851

*Moved by Paulie Nodecker*

*Seconded by Aaron Wright*

***WHEREAS the Town of Orangeville is requesting support of their motion regarding OPP Diversity Training;***

***AND WHEREAS they are concerned that although the OPP have indicated they have a comprehensive diversity training program, there may not be the same resources available throughout the province detachments;***

***AND WHEREAS there is public concern regarding the use of force, such as neck restraints, and oversight;***

***THEREFORE BE IT RESOLVED THAT Gore Bay Council supports the Town of Orangeville in their efforts to encourage common training requirements to all members of the Ontario Provincial Police Force and they be so advised;***

***FURTHER this motion be sent to the Solicitor General's Office and be circulated to all Ontario Municipalities.***

***Carried***

THIS IS A CERTIFIED TRUE COPY  
OF RESOLUTION NUMBER 14851  
ADOPTED BY COUNCIL ON  
July 13, 2020

  
.....  
Stasia Carr  
Clerk



*Municipal Office  
15 Water Street  
Telephone (705) 282-2420  
Fax (705) 282-3076*

*Postal Box 590  
Gore Bay, Ontario  
POB 1H0*



*Office of the*

Clerk

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July 21, 2020

Jerri-Lynn Levitt  
Deputy Clerk  
Council and Legislative Services  
Municipality of Grey Highlands  
206 Toronto Street South, Unit One  
P.O. Box 409  
Markdale, ON N0C 1H0

Dear Jerri-Lynn;

**Re: Support of Universal Basic Income Resolution**

Please be advised that at a recent Council meeting held on July 13, 2020 Council reviewed your correspondence regarding the Universal Basic Income Resolution.

The Town of Gore Bay is in support of the Municipality of Grey Highlands urging the provincial and federal government to investigate the feasibility of implementing a universal basic income program. Please find attached a certified true copy of Resolution No. 14853 indicating the Town of Gore Bay's support.

Yours truly,

Stasia Carr  
Clerk  
Encl.  
SC/cp

cc: Mr. Justin Trudeau, *The Right Honourable Prime Minister of Canada*  
Mr. Douglas Ford, *The Honourable Premier of Ontario*  
*All other Municipalities with the Province of Ontario*

**THE CORPORATION OF THE TOWN OF GORE BAY**

**RESOLUTION NUMBER 14853**

14853

*Moved by Kevin Woestenenk*

*Seconded by Leeanne  
Woestenenk*

***WHEREAS the Municipality of Grey Highlands is urging the Provincial and Federal Government to consider a universal basic income as presented in the 2018 Parliamentary Budget Office Report;***


***AND WHEREAS a basic income has the potential to improve individual physical and mental health, labour market participation, food security, housing stability, and raise the standard of living for vulnerable members of society;***

***THEREFORE, BE IT RESOLVED THAT Gore Bay Council supports the Municipality of Grey Highlands urging the provincial and federal government to investigate the feasibility of implementing a universal basic income program and they be so advised;***

***FURTHER this resolution be forwarded to the Right Honourable Prime Minister of Canada, the Premier of Ontario, and all municipalities within the Province of Ontario.***

***Carried***

THIS IS A CERTIFIED TRUE COPY  
OF RESOLUTION NUMBER 14853  
ADOPTED BY COUNCIL ON  
July 13, 2020

  
.....  
Stasia Carr  
Clerk



July 23, 2020

The Windsor Essex County Health Unit  
Attention: Theresa Marentette, CEO  
1005 Ouellette Avenue  
Windsor, Ontario  
N9A 4J8  
Email: [tmarentette@wechu.org](mailto:tmarentette@wechu.org)

Dear Ms. Marentette,

**RE: Request for Raw Data on Positive COVID-19 Cases in Essex County**

At its Regular Meeting of July 20, 2020, the Town of Essex Council discussed the need for a more detailed breakdown of positive COVID-19 cases in our municipalities to assist with decision making. As a result of Council's discussion, the following resolution was passed,

"Moved by Councillor Bondy  
Seconded by Councillor Bjorkman

That the Town of Essex requests that The Windsor Essex County Health Unit provide a detailed breakdown of data reporting on positive COVID 19 cases in our municipality and the region, based on classification relating to Travel, Close Contact, Community Contact and Agri-Farm as examples. This information is important and necessary to local decision makers and the general public to make decisions about programs and activities; and

That a copy of the correspondence be sent to the County municipalities and the County of Essex. Carried"

Accordingly, on behalf of Town of Essex Council we request that The Windsor Essex County Health Unit respectfully provides municipalities with more specific data as it relates to the reporting of COVID-19 cases. By providing this more specific data it will hopefully enable municipalities and the public to see the progress at a more granular level and react and make local decisions based on the raw data.



If you have any questions or comments regarding this matter, please contact the undersigned.

Yours truly,

A handwritten signature in black ink, appearing to read "Robert Auger".

Robert Auger, L.L.B.  
Town Solicitor, Legal and Legislative Services/Clerk  
Email: [rauger@essex.ca](mailto:rauger@essex.ca)

cc Mary Birch, Director of Council and Community Services/Clerk  
County of Essex  
Email: [mbirch@countyofessex.ca](mailto:mbirch@countyofessex.ca)

Paula Parker, Municipal Clerk/Risk Manager  
Town of Amherstburg  
Email: [pparker@amherstburg.ca](mailto:pparker@amherstburg.ca)

Jennifer Astrologo, Director of Corporate Services/Clerk  
Town of Kingsville  
Email: [jastrologo@kingsville.ca](mailto:jastrologo@kingsville.ca)

Agatha Robertson, Director of Council Services/Clerk  
Town of LaSalle  
Email: [arobertson@lasalle.ca](mailto:arobertson@lasalle.ca)

Kristen Newman, Director of Legislative and Legal Services/Clerk  
Town of Lakeshore  
Email: [knewman@lakeshore.ca](mailto:knewman@lakeshore.ca)

Brenda Percy, Municipal Clerk/Manager of Legislative Services  
Municipality of Leamington  
Email: [bpercy@leamington.ca](mailto:bpercy@leamington.ca)

Laura Moy, Director of Corporate Services/Clerk  
Town of Tecumseh  
Email: [lmoy@tecumseh.ca](mailto:lmoy@tecumseh.ca)

Valerie Critchley, City Clerk  
City of Windsor  
Email: [clerks@citywindsor.ca](mailto:clerks@citywindsor.ca)

**COUNCIL SERVICES DEPARTMENT**

**VALERIE CRITCHLEY**  
CITY CLERK

IN REPLY, PLEASE REFER  
TO OUR FILE NO. \_\_\_\_\_

July 28, 2020

Hon. Doug Ford  
Premier of Ontario  
Premier's Office  
Room 281, Legislative Building, Queen's Park  
Toronto, ON M7A 1A1

Dear Premier Ford

Windsor City Council, at its meeting held July 13, 2020 adopted the following resolution:

Decision Number: CR333/2020

That a letter **BE SENT** to the Honourable Doug Ford, Premier of Ontario requesting the Province to look into all possible ways of providing tax and/or other financial relief to our community non-profit and service clubs and organizations as a result of those organizations not being able to operate and be open as a result of the COVID-19 pandemic; and further,

That a copy of this resolution of support **BE FORWARDED** to local MPPs and all County of Essex municipalities.

Carried.

Your consideration to Windsor City Council's resolution would be most appreciated.

Sincerely,



Steve Vlachodimos  
Deputy City Clerk and Senior Manager of Council Services  
SV/wf

cc: Ms. Lisa Gretzky, Member of Provincial Parliament, Windsor West  
Mr. Percy Hatfield, Member of Provincial Parliament, Windsor-Tecumseh  
Mr. Taras Natyshak, Member of Provincial Parliament, Essex  
Jennifer Astrologo, Director of Corporate Services/Clerk-Town of Kingsville  
Mary Birch, Chief Administrative Officer-Town of Essex  
Kristen Newman, Director of Legislative and Legal Services - Clerk  
Ruth Orton, Director of Legal & Legislative Services - Municipality of Leamington  
Paula Parker, Municipal Clerk - Town of Amherstburg  
Agatha Robertson, Director of Council Services/Clerk - Town of Lasalle



**The Corporation of the Township of Huron-Kinloss**

P.O. Box 130  
21 Queen St.  
Ripley, Ontario  
N0G2R0

Phone: (519) 395-3735

Fax: (519) 395-4107

E-mail: [info@huronkinloss.com](mailto:info@huronkinloss.com)

Website: <http://www.huronkinloss.com>

Municipalities of Ontario

July 28, 2020

Re: Copy of Resolution #451 Common training requirements for all members of Police Services in Ontario

At the July 6, 2020 Council of the whole Meeting, the Council for the Corporation of the Township of Huron-Kinloss passed the following resolution.

Motion No: 451

Moved by: Jeff Elliott Seconded by: Jim Hanna

IT BE RESOLVED:

THAT the Township of Huron-Kinloss supports the Town of Orangeville in asking the Solicitor General to encourage common training requirements for all members of Police Services in Ontario as it relates to diversity, empathy and use of force and FURTHER directs staff to forward a copy of the resolution to all Ontario municipalities seeking their support.

Sincerely,

Emily Dance, CMO  
Clerk

July 29, 2020

The Right Hon. Justin Trudeau, Prime Minister of Canada  
House of Commons  
Ottawa Ontario  
K1A 0A6

**Sent by Email** [justin.trudeau@parl.gc.ca](mailto:justin.trudeau@parl.gc.ca)

Dear Prime Minister Trudeau,

**Re: Support for Federal Assistance for People with Disabilities - COVID-19 Pandemic**

---

At their regular meeting on July 15, 2020 Essex County Council received a letter from the Chair of the Essex County Accessibility Advisory Committee outlining the ECAAC's appeal for Federal Assistance for People with Disabilities - COVID-19 Pandemic. Essex County Council passed the following resolution:

**140-2020**

**Moved By Gord Queen**

**Seconded By Crystal Meloche**

That Essex County Council supports the request of the Essex County Accessibility Advisory Committee to seek additional funding from the Federal government for certified holders of the Disability Tax Credit (DTC) to assist with the added financial burden that many people living with disabilities are facing during the COVID-19 Pandemic;

And further, that the resolution be circulated to the Prime Minister, the Minister of Employment, Workforce Development and Disability Inclusion, local members of parliament, local municipalities and to the Federation of Canadian Municipalities. –

**Carried**

As such, please find enclosed a copy of the ECAAC letter.



Should you require further information, please feel free to contact the undersigned at [mbirch@countyofessex.ca](mailto:mbirch@countyofessex.ca).

Regards,



Mary Birch  
Director of Council and Community Services / Clerk

CC:

- The Hon. Carla Qualtrough, Minister of Employment, Workforce Development and Disability Inclusion - [Carla.Qualtrough@parl.gc.ca](mailto:Carla.Qualtrough@parl.gc.ca)
- Chris Lewis, MP Essex - [Chris.Lewis@parl.gc.ca](mailto:Chris.Lewis@parl.gc.ca)
- Irek Kusmierczyk, MP Windsor-Tecumseh - [Irek.Kusmierczyk@parl.gc.ca](mailto:Irek.Kusmierczyk@parl.gc.ca)
- Dave Epp, MP Chatham-Kent-Leamington - [Dave.Epp@parl.gc.ca](mailto:Dave.Epp@parl.gc.ca)
- Brian Masse, MP Windsor West - [brian.masse@parl.gc.ca](mailto:brian.masse@parl.gc.ca)
- Municipalities of Amherstburg, Essex, Kingsville, Lakeshore, LaSalle, Leamington and Tecumseh
- Federation of Canadian Municipalities, President Bill Karsten - [info@fcm.ca](mailto:info@fcm.ca)



June 30, 2020

Gary McNamara, Warden and Members of Essex County Council  
360 Fairview Ave. W.  
Essex, Ontario  
N8M 1Y6

Dear Warden and Members of Council,

**Re: Federal Assistance for People with Disabilities - COVID-19 Pandemic**

---

Recently, the Federal government announced a 'Special one-time tax-free payment for certified holders of the Disability Tax Credit (DTC)'. They have committed to providing a special one-time tax-free payment to individuals as of June 1, 2020, as follows:

- \$600 for Canadians with a valid DTC certificate.
- \$300 for Canadians with a valid DTC certificate and who are eligible for the Old Age Security (OAS) pension.
- \$100 for Canadians with a valid DTC certificate and who are eligible for the OAS pension and the Guaranteed Income Supplement (GIS).

These payments, while appreciated, are inadequate compared to the added financial burden that many people living with disabilities are facing during the COVID-19 Pandemic. There is no end in sight to this crisis and people are running out of resources. Many of our most vulnerable people are suffering as a result of inadequate care, reduced availability of care-givers, added expenses, the loss of their ability to be independent and possibility the ability to provide for themselves during the pandemic. The need for additional living supports coupled with their limited means to cover those costs have put a great burden on an already marginalized group of citizens. Many people living with a disability have other underlying health issues, which means that they may be particularly vulnerable to contracting the virus, and thus need added PPE and to rely on goods and services to be delivered to them at their own expense. The cost of these added supports add-up quickly and the financial impact can mean disaster.

It is not enough to provide a one-time payment and we ask that the Federal government reconsider and increase their funding for people with disabilities during this crisis.

We ask that Council offer their support for people living with disabilities and forward this request to the Prime Minister as well as to the Minister of Employment, Workforce

519-776-6441  
TTY 1-877-624-4832

360 Fairview Ave. W.  
Essex, ON N8M 1Y6

countyofessex.ca

Development and Disability Inclusion, to our local members of parliament, to our local municipalities and to the Federation of Canadian Municipalities.

The Essex County Accessibility Advisory Committee wishes to raise awareness regarding this issue and is hopeful that people living with disabilities get the financial assistance that is not only vital, but also for some, could be a matter of life and death. The ECAAC is thankful to Council for continued support and for your attention to this very important matter.

On behalf of the ECAAC,

*Christine Easterbrook*

Christine Easterbrook  
Chair, Essex County Accessibility Advisory Committee



July 24, 2020

Honourable Sylvia Jones, Solicitor General  
George Drew Bldg 18th Flr  
25 Grosvenor St  
Toronto, ON M7A 1Y6

Dear Honourable Sylvia Jones:

On behalf of Council of the Town of Mono, I wish to add my support to the resolution passed by the Council of the Town of Orangeville on June 8, 2020 regarding the necessity to develop a comprehensive diversity training program for municipal police services, including the Ontario Provincial Police. It is important that we acknowledge the reality that individuals within communities, and communities within larger populations, differ in many ways. Police services must have a broad understanding of what constitutes these differences so they can recognize them and strive to ensure equitable treatment of people. This can include differences in gender, race, age, culture, disability, religion, sexual orientation, or any other characteristic that helps to shape a person's perspective.

The unique role of law enforcement officials in our community makes cross-cultural understanding imperative. In addition to the need to ensure officer-to-officer sensitivity, and to accurately represent our constituents, law enforcement officials need understanding, respect, and a willingness to communicate in a culturally sensitive manner with all segments of our society. We need to critically examine stereotypes and cultural assumptions that are often held by the community and by the law enforcement professionals who serve the community.

I encourage you to ensure that a comprehensive diversity training program is developed to ensure that our police services are in a position to recognize and respond appropriately to the lived experience of members of all communities within our society. The training program should examine how people perceive the police and how this impacts officer effectiveness and, ultimately, the safety of both officers and the members of all of our communities.

Regards,

**TOWN OF MONO**

Laura Ryan  
Mayor

Enclosure: Town of Orangeville Resolution regarding Police Diversity Training

Copies:

Mayor Sandy Brown, Town of Orangeville  
All Dufferin County Municipalities

## **Diversity Training Program**

Town of Orangeville Resolution 2020-194, passed June 8, 2020

Moved by Mayor Brown, Seconded by Deputy Mayor Macintosh

WHEREAS The Town of Orangeville recognizes there have been questions in the public related to both diversity training and use of force training and protocols for Police Services, including in Ontario;

WHEREAS the Town recognizes that police officers join this profession out of a desire to do good, to serve and to protect the communities they serve;

AND WHEREAS an understanding of community diversity can foster authentic inclusion;

AND WHEREAS empathy training, and de-escalation training, can support understanding other people's perspectives;

AND WHEREAS the Town recognizes that policing can be a dangerous profession, and officer as well as community safety are critical considerations in law enforcement;

AND WHEREAS the Ontario Provincial Police have indicated they have a comprehensive diversity training program, however there may not be the same resources available across the entire province for smaller Police Services;

AND WHEREAS there is concern in the public about the boundaries of use of force, such as neck restraints, and oversight;

AND WHEREAS there isn't clarity on a common bar on diversity and empathy training or on use of force and oversight;

THEREFORE BE IT RESOLVED that the Mayor write to the Solicitor General to encourage common training requirements for all members of Police Services in Ontario as it relates to diversity, empathy and use of force;

AND THAT the Solicitor General provide clarity on police oversight going forward given the anticipated changes to legislation to ensure effective accountability continues;

AND THAT annual updates or refresher courses be mandatory to ensure our Police Services have the best and current information available to them;

AND THAT THE TOWN request that the use of force protocols be reviewed to ensure they are safe and would meet current standards, and then shared across the province;

AND THAT THE TOWN circulate this resolution to all Ontario municipalities seeking their support.

**"Carried"**

July 31, 2020

Alex Ruff, Member of Parliament  
Bruce – Grey – Owen Sound  
1102 2<sup>nd</sup> Avenue East, Suite 208  
Owen Sound, ON N4K 2J1

Dear Mr. Ruff:

**Re: Support for Private Member's Bill M-36 – Emancipation Day**

At its Regular meeting held on July 27, 2020, the Council of the Corporation of the City of Owen Sound considered the above noted matter and passed Resolution No. R-200727-023 as follows:

R-200727-023

**"THAT Owen Sound City Council acknowledges and supports the following Private Members Bill put forward by Majid Jowhari: M-36, Emancipation Day, 43rd Parliament, 1st Session that reads as follows:**

**"THAT the House recognizes that:**

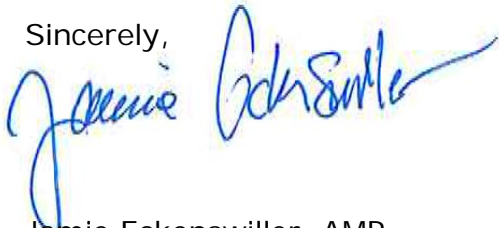
- a. The British Parliament abolished slavery in the British Empire as of August 1, 1834;**
- b. Slavery existed in the British North America prior to the abolition in 1834;**
- c. Abolitionists and others who struggled against slavery, including those who arrived in Upper and Lower Canada by the Underground Railroad, have historically celebrated August 1st as Emancipation;**
- d. The Government of Canada announced on January 30, 2018 that it would officially recognize the United Nations International Decade for people of African Descent to highlight the important contributions that people of African descent have made to Canadian society, and to provide a platform for confronting anti-Black racism;**
- e. The heritage of Canada's peoples of African descent and the contributions they have made and continue to make to Canada and in the opinion of the House, the Government should designate August 1 of every year as "Emancipation Day" in Canada."; and**

**THAT support for this motion be sent to the Member of Parliament for Bruce-Grey-Owen Sound and all House of Commons representatives; and**

**THAT support for this motion be sent to all municipalities in Ontario."**

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

Sincerely,



Jamie Eckenswiller, AMP  
Deputy Clerk  
City of Owen Sound

cc. All Members of the House of Commons  
All Ontario Municipalities



### **COVID-19 Energy Assistance Program: Applications Begin July 13**

The Government of Ontario is making \$9 million available to support residential customers struggling to pay their energy bills because of COVID-19. The COVID-19 Energy Assistance Program (CEAP) provides a one-time, on-bill credit to eligible residential electricity and natural gas customers to help them catch up on their energy bills and resume regular payments.

Electricity and natural gas utilities and unit sub-meter providers (USMPs) will begin accepting applications for CEAP on July 13, 2020, delivering the program in accordance with rules laid out by the OEB. CEAP funding is limited, with utilities and USMPs expected to process applications in the order in which they are received. Please note, submitting an application does not guarantee funding. To apply for CEAP funding, customers should contact their utility or USMP directly.

For more information, including eligibility requirements and on-bill credit amounts, visit [oeb.ca/ceap](https://oeb.ca/ceap).



**Paul Gordon Queen**, 28 Pulford Street, Kingsville, Ontario N9Y 1B4

August 5, 2020

Jennifer Astrologo,  
Director of Corporate Services, Clerk  
Corporation of  
The Town of Kingsville

**Notice of Motion**  
**Subject: Main Street Development Review Committee**

**Background:**

The above noted Committee Creation was approved by Council Earlier this year.

April 29<sup>th</sup> Notice of Vacancies was posted.

June 22, several Appointments made by Council to this Committee,  
and Notice posted noting the sections or areas of representation vacant.

July 20, was the date posted for additional applications.

July 31, City of Windsor Posted their " Notice of Passing of Interim Control By-law 103-2020 ( note includes one year and option for Council " will be to extend the period during which the by-law will be in effect to a total period of not exceeding two years."

**In light of the delay in getting this Committee Started:**

**At the Next regular meeting of Council**

**I may move, or Cause to have moved that**

**:the Committee ( Main Street Development Review Committee )be started with or with out any vacancies  
that may exist on or before Sept 8<sup>th</sup>, 2020**

Further that Council and the Committee so appointed be provided with a sample type or style of agreement that might be considered as well as the details as to when the term might be two vs one year in term by the end of September 2020.

Gord Queen

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

## **BY-LAW 41-2020**

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

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

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

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

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

1. Schedule "A", Map 44 of By-law 1-2014 is hereby amended by changing the zone symbol on a portion of land, in Part of Lot 19, Concession 4, WD, Pt. 1, RP 12R 14075, as shown on Schedule 'A' in cross-hatch attached hereto from 'Agriculture (A1)' to 'Agriculture - Restricted (A2)'.
2. This by-law shall come into force and take effect from the date of passing by Council and shall come into force in accordance with Section 34 of the Planning Act.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS  
10<sup>TH</sup> DAY OF AUGUST, 2020.**

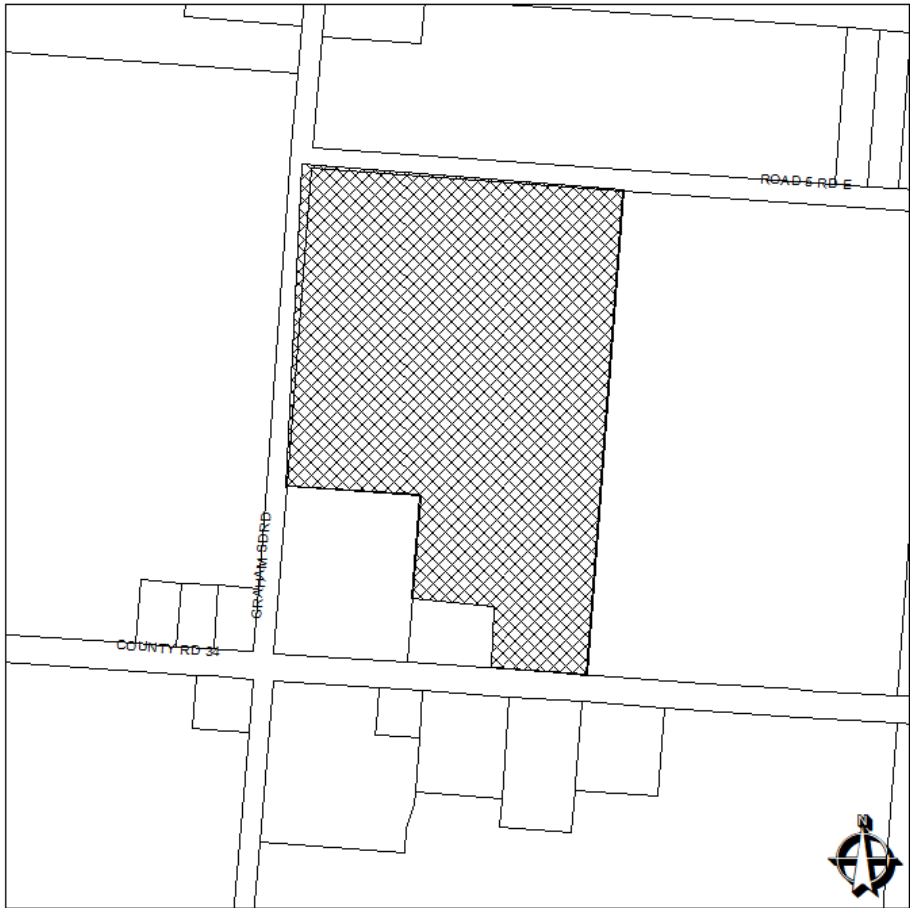
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**MAYOR, Nelson Santos**

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**CLERK, Jennifer Astrologo**

Schedule A



**1246 & 1250 County Road 34**  
**Part of Lot 19, Concession 4, WD**  
**Pt. 1, RP 12R 14075**  
**ZBA/05/20**

Meters

Schedule "A", Map 44 of By-law 1-2014 is hereby amended by changing the zone symbol as shown on Schedule 'A' in cross-hatch attached hereto from 'Agriculture (A1)' to 'Agriculture - Restricted (A2)'.



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

## **BY-LAW 73-2020**

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

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

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

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

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

1. Schedule "A", Map 27 of By-law 1-2014 is hereby amended by changing the zone symbol on a portion of land, known municipally as 257 Road 10 E, in Part of Lot 16, Concession 10, as shown on Schedule 'A' in cross-hatch attached hereto from 'Agriculture (A1)' to 'Agriculture - Restricted (A2)'.
2. This by-law shall come into force and take effect from the date of passing by Council and shall come into force in accordance with Section 34 of the Planning Act.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS  
10<sup>TH</sup> DAY OF AUGUST, 2020.**

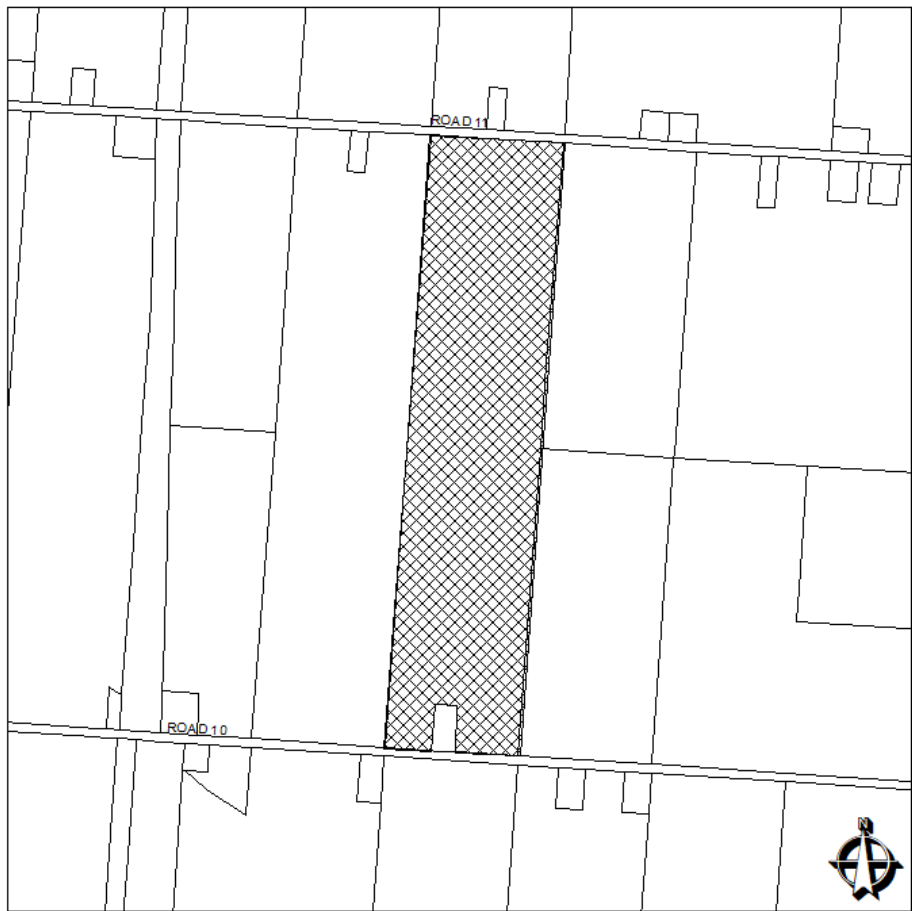
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**MAYOR, Nelson Santos**

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
**CLERK, Jennifer Astrologo**

Schedule A



**257 Road 10 E**  
**Part of Lot 16, Concession 10**  
**ZBA/08/20**

0 90 180 360 540 720 Meters

 Schedule "A", Map 27 of By-law 1-2014 is hereby amended by changing the zone symbol as shown on Schedule 'A' in cross-hatch attached hereto from 'Agriculture (A1)' to 'Agriculture - Restricted (A2)'.





# THE CORPORATION OF THE TOWN OF KINGSVILLE

## BY-LAW 76-2020

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

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

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

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

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

1. That Subsection 6.4.1 e) RESIDENTIAL ZONE 4 URBAN (R4.1) EXCEPTIONS is amended by deleting 6.4.1.5 and replacing with the following:

#### **6.4.1.5 'RESIDENTIAL ZONE 4 URBAN EXCEPTION 5 (R4.1-5)'**

For lands shown as R4.1-5 on Map 66 Schedule "A" of this By-law.

##### **a) Permitted Uses**

An apartment building

##### **b) Permitted Buildings and Structures**

- i) Apartment building
- ii) Buildings and structures accessory to the permitted use.

##### **c) Zone Provisions**

All lot and building requirements for the permitted buildings and structures shall be in accordance with Section 6.4.1 c) of this By-law.

Notwithstanding Section 6.4.1 c) of the by-law to the contrary the following shall apply:

- i) Easterly side yard setback for a permitted residential building shall be 2.8 m, minimum;
- ii) Maximum number of dwelling units for a permitted apartment building shall be 30;
- iii) Maximum height for a permitted residential building shall be 10 m or three storeys whichever is less.

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

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS  
10<sup>th</sup> DAY OF AUGUST, 2020.**

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**MAYOR, Nelson Santos**

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**CLERK, Jennifer Astrologo**

# THE CORPORATION OF THE TOWN OF KINGSVILLE

## BY-LAW 77-2020

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

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

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

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

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

1. That Subsection 6.2.2 e) RESIDENTIAL ZONE 2 RURAL/URBAN (R2.2) is amended by adding subsection 6.2.2.11 as follows:

#### **6.2.2.11 'RESIDENTIAL ZONE 2 RURAL/URBAN EXCEPTION 11 (R2.2-11)'**

For lands shown as R2.2-11 on Map 7 Schedule "A" of this By-law.

##### **a) Permitted Uses**

Those uses permitted under Section 6.2.2 Residential Zone Rural/Urban (R2.2);

##### **b) Permitted Buildings and Structures**

Those buildings and structures permitted in Section 6.2.2 Residential Zone Rural/Urban (R2.2);

##### **c) Zone Provisions**

Provisions of the (R2.2) Section 6.2.1 c) shall apply to the lands zoned R2.2-11;

Notwithstanding Section 6.2.1 c) of the by-law to the contrary the following shall apply to lands zoned R2.2.-11:

	<b><i>Single detached dwelling</i></b>	<b><i>Semi-detached dwelling</i></b>	<b><i>Semi-detached dwelling unit</i></b>
<b><i>Lot area (minimum)</i></b>	680 m <sup>2</sup>	1,000 m <sup>2</sup>	500 m <sup>2</sup>
<b><i>Lot frontage (minimum)</i></b>	15 m	22 m	11 m
<b><i>Landscaped open space (minimum)</i></b>	30%	30%	30%
<b><i>Lot coverage (maximum)</i></b>	40%	50%	50%
<b><i>Building height (max)</i></b>	10.6 m	10.6 m	10.6 m
<b><i>Front yard (minimum)</i></b>	6 m	6 m	6 m
<b><i>Interior Side yard (min)</i></b>	1.5 m, or where there is no garage 1.5 m on one side and 3 m on the other side	1.5 m, or where there is no garage 2 m	1.5 m, or where there is no garage 2 m, 0 m along the common wall
<b><i>Exterior Side yard (min)</i></b>	3 m	3 m	3 m
<b><i>Rear yard (minimum)</i></b>	7.5 m	7.5 m	7.5 m

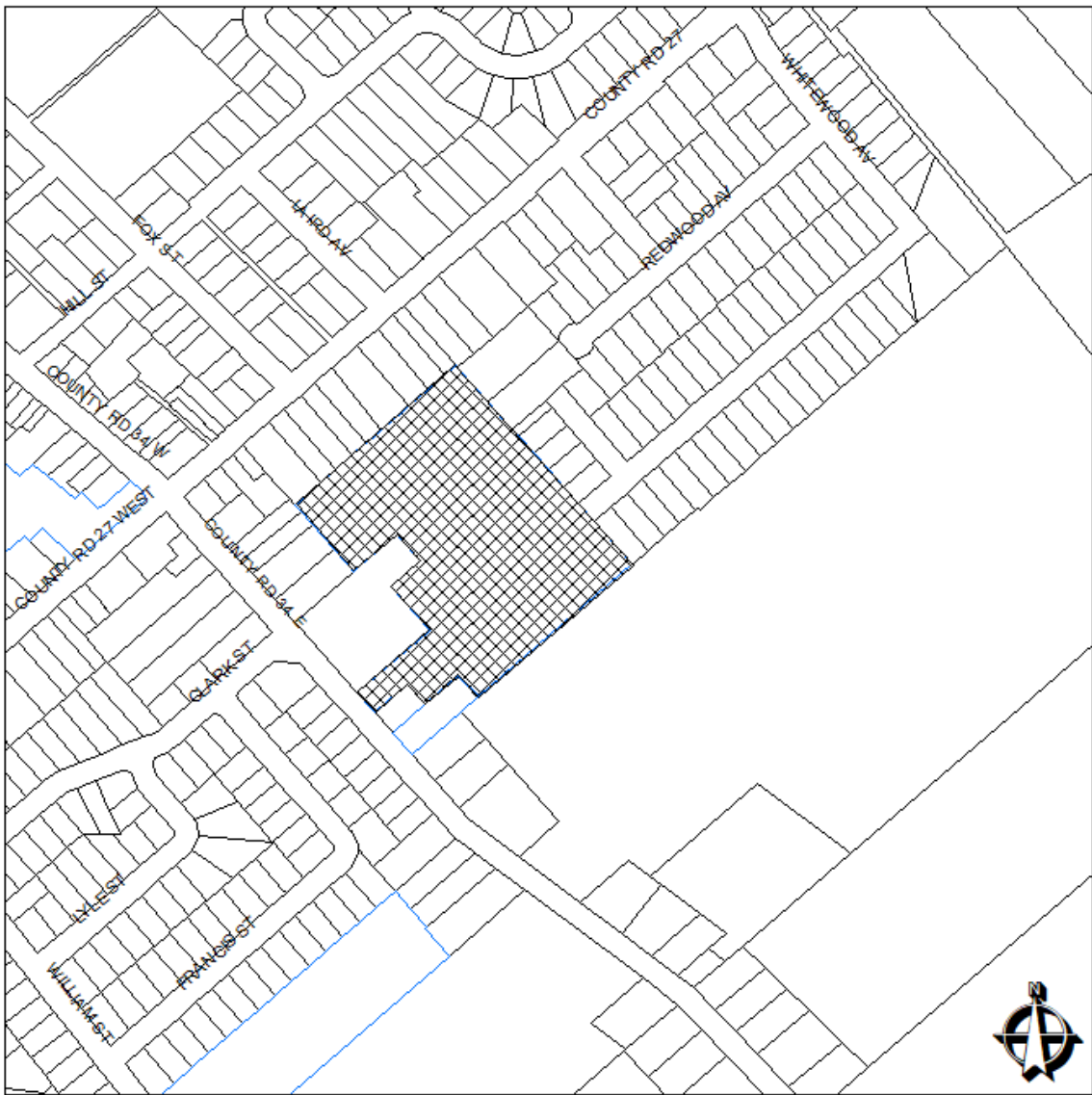
- Schedule "A", Map 7 of By-law 1-2014 is hereby amended by changing the zone symbol on a portion of land, in Part of Lot 269, Concession NTR, Parts 1 & 2, RP 12R 26017 & Part 2 RP 12R 26659, as shown on Schedule 'A' in cross-hatch attached hereto from 'Residential Zone 2 RURAL/URBAN – holding (R2.2-(h))' to 'Residential Zone 2 RURAL/URBAN Exception 11 –holding (R2.2-11-(h))'.
- The Holding (h) provisions will be removed after approval of a development (subdivision) agreement by Council and confirmation of a completion date for the sanitary sewer service upgrades to the Cottam lagoon.
- This by-law shall come into force and take effect from the date of passing by Council and in accordance with Section 34 of the Planning Act.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 10<sup>th</sup> DAY OF AUGUST, 2020.**

**MAYOR, Nelson Santos**

**CLERK, Jennifer Astrologo**

# Schedule A



**V/L NE Side County Road 34 E**  
**Part of Lot 269, Concession NTR**  
**Pts. 1 & 2, RP 12R 26017 & Pt. 1 RP 12R 26659**  
**ZBA/06/20**

0 40 80 160 240 320 Meters



Schedule "A", Map 7 of By-law 1-2014 is hereby amended by changing the zone symbol as shown on Schedule 'A' in cross-hatch attached hereto from 'Residential Zone 2 Rural/Urban - holding (R2.2-(h))' to 'Residential Zone 2 Rural/Urban Exception 11 - holding (R2.2-11-(h))'.

# THE CORPORATION OF THE TOWN OF KINGSVILLE

## BY-LAW 78 - 2020

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

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

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

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

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

1. That Subsection 6.1.1 e) RESIDENTIAL ZONE 1 URBAN (R1.1) EXCEPTIONS is amended with the addition of the following new subsection:

#### **6.1.1.29 'Residential Zone 1 Urban Exception 29 (R1.1-29)'**

For lands shown as R1.1-29 on Map 71 Schedule "A" of this By-law.

##### **a) *Permitted Uses***

Those uses permitted under Section 6.1 Residential Zone 1 Urban (R1.1).  
A private school

##### **b) *Permitted Buildings and Structures***

- i) Those *buildings and structures permitted* in Section 6.1
- ii) An existing dwelling for a private school
- ii) *Buildings and structures accessory to the permitted uses.*

##### **c) *Zone Provisions***

All lot and building requirements shall be in accordance with the provisions of the (R1.1) Section 6.1.1 c) for the lands Zoned (R1.1-29);

- ii. Notwithstanding the Zone provisions of Section 6.1, for lands zoned (R1.1-29) the maximum number of students attending a private school shall be limited to 20 or in accordance with the prescribed occupancy limit determined by Fire and Building Code, whichever is less.

2. Schedule "A", Map 71 of By-law 1-2014 are hereby amended by changing the zone symbol on lands, known municipally as 111 Queen Street, in Part of Lot 5, Plan 187, as shown on Schedule 'A' in cross-hatch attached hereto from 'Residential Zone 1 Urban (R1.1)' to 'Residential Zone 1 Urban Exemption 29 (R1.1-29)'.

3. This by-law shall come into force and take effect from the date of passing by Council and shall come into force in accordance with Section 34 of the Planning Act, R.S.O. 1990 Chapter P.13, as amended.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS  
10<sup>nd</sup> DAY OF AUGUST, 2020.**

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**MAYOR, Nelson Santos**

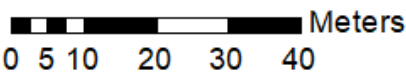
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**CLERK, Jennifer Astrologo**

Schedule A



**111 Queen St.**  
**Part of Lot 5, Plan 187**  
**ZBA/03/20**



Schedule "A", Map 71 of By-law 1-2014 is hereby amended by changing the zone symbol as shown on Schedule 'A' in cross-hatch attached hereto from 'Residential Zone 1 Urban (R1.1)' to 'Residential Zone 1 Urban Exception 29 (R1.1-29)'.



# THE CORPORATION OF THE TOWN OF KINGSVILLE

## BY-LAW 79-2020

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### Being a By-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its August 10, 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 August 10, 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  
10<sup>th</sup> day of August, 2020.**

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**MAYOR, Nelson Santos**

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**CLERK, Jennifer Astrologo**