



**REGULAR MEETING OF COUNCIL  
AGENDA**

**Monday, September 28, 2020, 7:00 PM**

**Council Chambers**

**2021 Division Road N**

**Kingsville, Ontario N9Y 2Y9**

**Pages**

**A. CALL TO ORDER**

In light of the ongoing COVID-19 pandemic, this Regular Meeting of Council is being held electronically. Members will meet via electronic participation. Members of the public can view the meeting at: [www.kingsville.ca/meetings](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. AMENDMENTS TO THE AGENDA**

**D. STAFF REPORTS**

**1. Storage Area Network Replacements**

**1**

T. Iacobelli, Manager of Information Technology

**Recommended Action**

That Council direct Mayor and Clerk to execute an agreement with Attache Group for the replacement of the current storage area networks and servers at Town Hall and Kingsville Arena

**2. Application for Site Plan Approval SPA/12/2020 by Amico Properties Inc. V/L east side Division Road North; Part of Lot 1, Concession 1 ED, Parts 2, 3, 4 and 5 RP 12R 20470 and S/T ROW and Easement**

**4**

R. Brown, Manager of Planning Services

**Recommended Action**

That Council approves Site Plan Application SPA/12/2020 for a 213 sq. m (2,290 sq. ft.) drive-thru/dine-in restaurant on lands located in the southeast corner of the intersection of Division Rd. N and Road 2 E., 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.

**3. Subdivision Drainage Design and Compliance 14**

R. Brown, Manager, Planning Services

**Recommended Action**

That Council directs Administration to ensure that all pre-consultations on proposed development reinforce the importance of storm water drainage, including: i) consideration for the impact of new development on drainage for existing abutting lands; and ii) that new development must be able to demonstrate that any change to approved designs, i.e. draft plans of subdivision, site plan approval or basic lot creation, will not negatively impact on existing development.

**E. MINUTES OF THE PREVIOUS MEETINGS**

**1. Regular Meeting of Council--September 14, 2020 30**

**2. Regular Closed Session Meeting of Council--September 14, 2020**

**Recommended Action**

That Council adopts Regular Meeting of Council Minutes dated September 14, 2020, and Regular Closed Session Meeting of Council Minutes dated September 14, 2020.

**F. MINUTES OF COMMITTEES AND RECOMMENDATIONS**

**1. Union Water Supply System Joint Board of Management--July 15, 2020 42**

**Recommended Action**

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

**2. Kingsville Municipal Heritage Advisory Committee--August 11, 2020 47**

**Recommended Action**

That Council receives Kingsville Municipal Heritage Advisory Committee Meeting Minutes dated August 11, 2020.

**3. Tourism and Economic Development Committee--August 13, 2020 51**

**Recommended Action**

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

4. **Parks, Recreation, Arts and Culture Committee--August 20, 2020** 54

**Recommended Action**

That Council receives Parks, Recreation, Arts and Culture Committee Meeting Minutes dated August 20, 2020 together with the Program Manager's Report dated September 17, 2020 and Minutes of the following sub-committees: Migration Festival--June 23, 2020, Communities in Bloom--July 16, 2020.

5. **Striking Committee Update RE: Youth/Student Appointment for Main Street Development Committee (See: unadopted Kingsville Striking Committee Minutes, dated September 24, 2020)** 69

**Recommended Action**

That Gideon Spevak be appointed to the Main Street Development Review Committee, effective the date of Council decision, And Further That the Town of Kingsville Appointment By-law be amended to reflect the new appointment.

**G. BUSINESS CORRESPONDENCE - INFORMATIONAL**

1. **Township of North Algona Wilberforce--Correspondence dated August 20, 2020 RE: Support of Town of Kingsville Council Resolution** 71
2. **Municipality of Tweed--Resolution No. 343 received September 10, 2020 RE: Cannabis Production Facilities, the Cannabis Act, and Health Canada Guidelines** 73
3. **Town of LaSalle--Correspondence received September 11, 2020 RE: Resolution 239/20 passed September 8, 2020 re: Widespread media bankruptcies and layoffs** 75
4. **Loyalist Township--Correspondence dated September 15, 2020 RE: Ferries** 83
5. **Town of Amherstburg--Correspondence dated September 21, 2020 RE: AODA Website Compliance Request** 85
6. **Town of Amherstburg--Correspondence dated September 21, 2020 RE: Request for Consideration of Amendments to Bill 108 re. The Ontario Heritage Act** 87

**Recommended Action**

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

**H. NOTICES OF MOTION**

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

WHEREAS the Kingsville COVID-19 Business Relaunch grant program is currently available to non-profit, charitable and cultural organizations with a physical location assessed in the commercial property tax class;

NOW THEREFORE BE IT RESOLVED that the COVID-19 Business Relaunch grant program be amended to include non-profit, charitable and cultural organizations that provide youth programming, without a permanent physical location, but operating primarily within the Town of Kingsville, to be eligible for up to \$300.00 from the COVID-19 Business Relaunch fund.

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

**J. BYLAWS**

**1. By-law 88-2020**

89

Being a by-law authorizing the entering into of an Agreement with D'Amore Construction (2000) Ltd. for Road 11 Irwin Drain Culvert Replacement in the Town of Kingsville(Dillon Consulting Limited Project No. 19-1745) (full contract document available for review in Department of Municipal Services)

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

**K. CLOSED SESSION**

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

- i) Subsection 239(2)(b) personal matters about an identifiable individual, including municipal employees RE: Update from CAO RE: Matters involving the Kingsville Fire Department; and
- ii) Subsection 239(2)(e) litigation affecting the municipality; being an update from Director of Corporate Services RE: Robert Kissner and The Corporation of the Town of Kingsville ats. T.A.W.

**L. REPORT OUT OF CLOSED SESSION**

**M. CONFIRMATORY BY-LAW**

**1. By-law 90-2020**

94

Being a by-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its September 28, 2020 Regular Meeting

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

**N. ADJOURNMENT**





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

**Date:** September 18, 2020  
**To:** Mayor and Council  
**Author:** Tony Iacobelli, Manager of Information Technology  
**RE:** Storage Area Network Replacements  
**Report No.:** IT 2020-03

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## **AIM**

To award the contract for the replacement of the current storage area networks (SAN) and physical servers at Kingsville Town Hall and Kingsville Arena

## **BACKGROUND**

In the 2020 IT Capital Budget, Council approved the replacement of current Storage Area Network (SAN).

As per Kingsville Procurement Policy, all tenders exceeding \$50,000 require Council approval.

## **DISCUSSION**

A Request for Proposal (RFP) was advertised on Kingsville Bids and Tenders website July 17, 2020 and closed August 13, 2020 at noon.

The Town received nine responses to the RFP. Three of the responses offered two solutions, resulting in twelve potential solutions to review.

RFP indicated the Town would consider alternate solutions to the SAN replacement and consider possible replacement of current physical servers. Five of twelve solutions offered these options. All responses cover installation, data migration and support for five years.

Results of the top three choices (excluding HST) are as follows:

<b>Contractor/Vendor Name</b>	<b>Bid Amount</b>
Attache Group / Scale Computing	\$128,899
Applied Computer Solutions / Lenovo SAN	\$127,386
Alphakor / HPE MSA	\$127,257

Attache Group is able to satisfy requirements related to experience with similar projects. Initial purchase price variance was 1.0% between the three vendors. Over the five-year term, current operational costs will decrease with each solution. Attache decreases operational costs by \$27,500 over the five-year term. Applied Computer Solutions and Alphakor proposals decrease operational costs by \$17,500 over five-year term. Over the course of the term, Attache net cost will be approximately 8% lower.

Other features of Attache solution include less service disruption, reduced downtime during migration and elimination of future SAN replacement projects. The solution will leverage the recently completed private fiber connection between Town Hall, Kingsville Arena and Kingsville Fire Department.

## **LINK TO STRATEGIC PLAN**

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

## **FINANCIAL CONSIDERATIONS**

The total cost of the project is expected to be within the 2020 budget allocation of \$153,000.

## **CONSULTATIONS**

Kingsville IT Department

## **RECOMMENDATION**

That Council direct Mayor and Clerk to execute an agreement with Attache Group for the replacement of the current storage area networks and servers at Town Hall and Kingsville Arena

*Tony Iacobelli*

Tony Iacobelli, MCSE, CCEA  
Manager of Information Technology

*Ryan McLeod*

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Ryan McLeod, CPA, CA  
Director of Financial Services

*John Norton*

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John Norton, B.A., M.A., LL.B  
Chief Administrative Officer



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

**Date:** September 15, 2020

**To:** Mayor and Council

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

**RE:** Application for Site Plan Approval SPA/12/2020 by  
Amico Properties Inc.  
V/L east side Division Rd N  
Part of Lot 1, Concession 1 ED  
Parts 2, 3, 4 & 5, RP 12R 20470 and S/T ROW and Easement

**Report No.:** PS 2020-043

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## **AIM**

To provide the Mayor and Council with details regarding a request for site plan approval on a portion of the subject lands located in the southeast corner of the intersection of Division Rd N and Road 2 E.

## **BACKGROUND**

The subject land is a 2.31 ha (5.72 ac.) vacant commercial lot which was the remnant parcel of an earlier severance. The lands to the south of the subject parcel were developed in 2003 with the construction of the Chartwell long-term care facility. The applicant, under a separate application for consent, is proposing to subdivide the vacant lands into four lots with shared access and servicing easements for leasing and or sale to individual businesses. A site plan approval application has been submitted for the development of one of the lots fronting on Division Rd N. (Part 6 on the attached draft R-Plan) Appendix A. The proposal would be on a 0.75 ac. lot and contain a new drive-thru/eat-in restaurant. The full site layout is shown on Appendix B.

## **DISCUSSION**

### **1.0 Provincial Policy Statement**

There are no issues of Provincial significance raised by this application.

## **2.0 Official Plan**

The subject property is designated 'Highway Commercial' and subject to the policies under Section 3.2.3 of the Official Plan for the Town of Kingsville. The proposed use is permitted in the highway commercial area. The property has been assessed under the Site Suitability criteria of Section 2.8 and conforms or will conform through the site plan process. The development of this property as a whole helps in moving toward the decentralization of commercial use which has partially lead to some of the traffic volume issues along Main St. E.

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

The subject property is zoned 'Rural Commercial, (C6-7)'. The attached site plan has been reviewed and the proposed new development will be in compliance with all setback regulations of the Town of Kingsville Zoning By-law 1-2014. Other items of interest include 12 required stacking spaces in the drive-thru, a total of 36 parking spaces including barrier free and a sizable setback from both Division Rd N and the existing open drain. The by-law also notes a requirement that if an outdoor intercom (order board) is within 60 m of a residential use such as that on the Chartwell property that a noise study must be completed. The order board in this location will be located over 80 m from the abutting use. Landscaped area for the property is 34.9% including the proposed patio area.

## **4.0 Site Plan**

The applicant has provided an overall development plan for the entire site which includes the subject development under consideration along with four other commercial units, a gas bar and accessory carwash. This provides the full build out concept and where the subject parcel fits within that. Site plan approval in this case will only apply to the proposed drive thru/eat in restaurant. Additional Council approval will be required once plans for the other developments are finalized.

The current proposal by the prospective purchaser of the subject lot is a 213 sq. m (2,290 sq. ft.) building with a drive-thru lane, outdoor patio area and associated parking and garbage enclosure. The site will be fully serviced with Town water and sanitary sewer. Storm water is managed on the site with the parking area and underground storage.

Because the overall site is intended to function as a single development each lot will require interconnection for access purposes. The developer will be servicing the entire site to provide water and sanitary services. An internal service road will be constructed to provide connection to each of the proposed lots and act as a servicing corridor. The main entrance to the site will be limited to the existing shared entrance between the Chartwell property and the vacant lands. The proposed internal service road will also provide a shared access from Road 2 E.

As noted in the Background section there is a pending severance application on the property to create lots for each of the proposed developments including a lot for the subject use. This approval gives additional review ability for the Town to address any ongoing items. The pending severance will also include a condition that any

items still under review, related to the site plan, be completed to the satisfaction of the Town prior to finalization of the severance. The applicant has indicated that they would like to begin construction no later than mid October for an early opening date in the spring.

## **LINK TO STRATEGIC PLAN**

Support growth of the business community.

## **FINANCIAL CONSIDERATIONS**

Direct financial considerations of the development will include development charges, building permit fees and an increase in assessment value at build out. Indirect considerations are the creation of a new business in the Town along with new employment opportunities.

## **CONSULTATIONS**

### **Agency and Administration**

Applicable agencies and Town Administration were circulated for comment by email.

### **Public Consultation**

A notice of meeting was provide to all property within 60 m of the subject site.

<b>Agency or Administrator</b>	<b>Comment</b>
Essex Region Conservation Authority Watershed Planner	<ul style="list-style-type: none"> <li>• Full comment is attached as Appendix 'C';</li> <li>• Storm water management will be required along with any necessary permits.</li> <li>• ERCA has requested wording for the site plan agreement that addresses its requirements.</li> </ul>
Town of Kingsville Management Team	<ul style="list-style-type: none"> <li>• The proposed building needs to comply with the requirements of the OBC.</li> <li>• Municipal Services is reviewing the storm water management plan for capacity, design and quality of discharge standards.</li> <li>• An overall service plan has been submitted for review</li> <li>• A traffic assessment has been submitted and was under review at the time of writing</li> </ul>
County of Essex	<ul style="list-style-type: none"> <li>• The County requested a copy of the traffic impact for the development but did not have specific comment for the proposal</li> </ul>

## RECOMMENDATION

That Council:

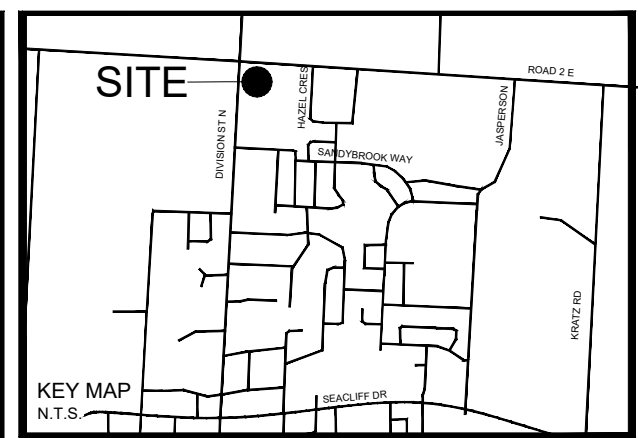
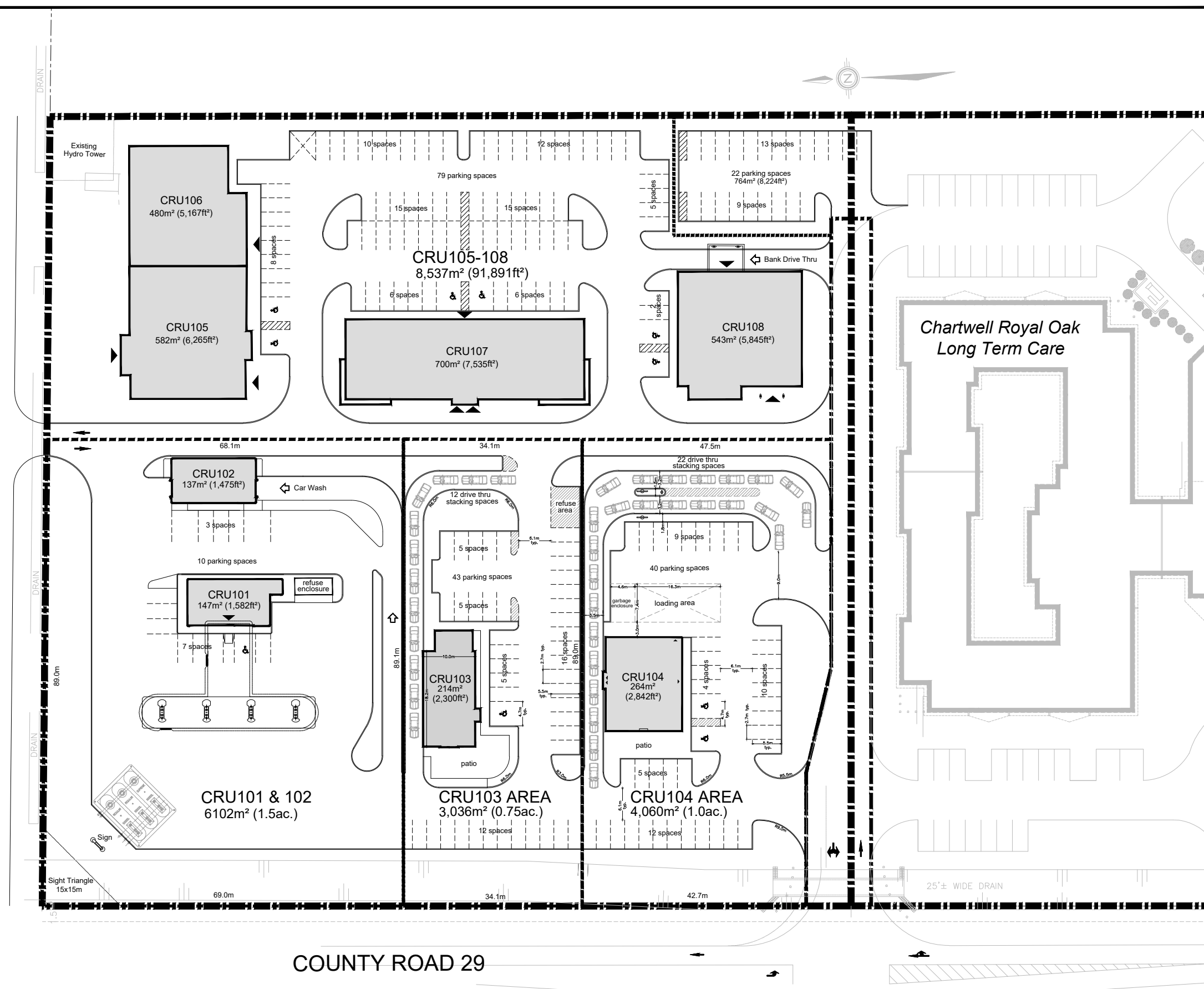
Approve site plan application SPA/12/2020 for a 213 sq. m (2,290 sq. ft.) drive-thru/dine-in restaurant on lands located in the southeast corner of the intersection of Division Rd. N and Road 2 E, subject to the conditions and requirements outlined in the site plan agreement and authorize the Mayor and Clerk to sign the agreement and register said agreement on title.

*Robert Brown*

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

*John Norton*

John Norton, B.A., M.A., LL.B.  
Chief Administrative Officer



# CONCEPT PLAN

PART OF LOT 1, CONCESSION 1  
EASTERN DIVISION  
TOWN OF KINGSVILLE, ONTARIO

## SITE DATA:

ZONING: Rural Commercial (C6-7) Zone

TOTAL SITE AREA: 22,495m² (5.5ac.)

TOTAL GFA: 3,067m² (33,012ft²)

- CRU101: 147m² (1,582ft²) - build to suit
- CRU102: 137m² (1,475ft²) - build to suit
- CRU103: 214m² (2,300ft²) - build to suit
- CRU104: 264m² (2,842ft²) - build to suit
- CRU105: 582m² (6,265ft²) - build to suit
- CRU106: 480m² (5,167ft²) - build to suit
- CRU107: 700m² (7,535ft²) - build to suit
- CRU108: 543m² (5,845ft²) - build to suit

TOTAL PARKING REQUIRED: 137 spaces

(Minor Commercial Centre - 1 space for each 22.5m² (242ft²) GFA and when the combined GFA of all restaurants and entertainment lounges exceeds 30% of the centre, 1 additional space for each 7.5m² (80ft²) GFA of all restaurants and entertainment lounges in excess thereof.)

TOTAL PARKING PROVIDED: 172 spaces

CHARTWELL TOTAL PARKING: 22 spaces (764m² / 8,224ft²)

## NOTES:

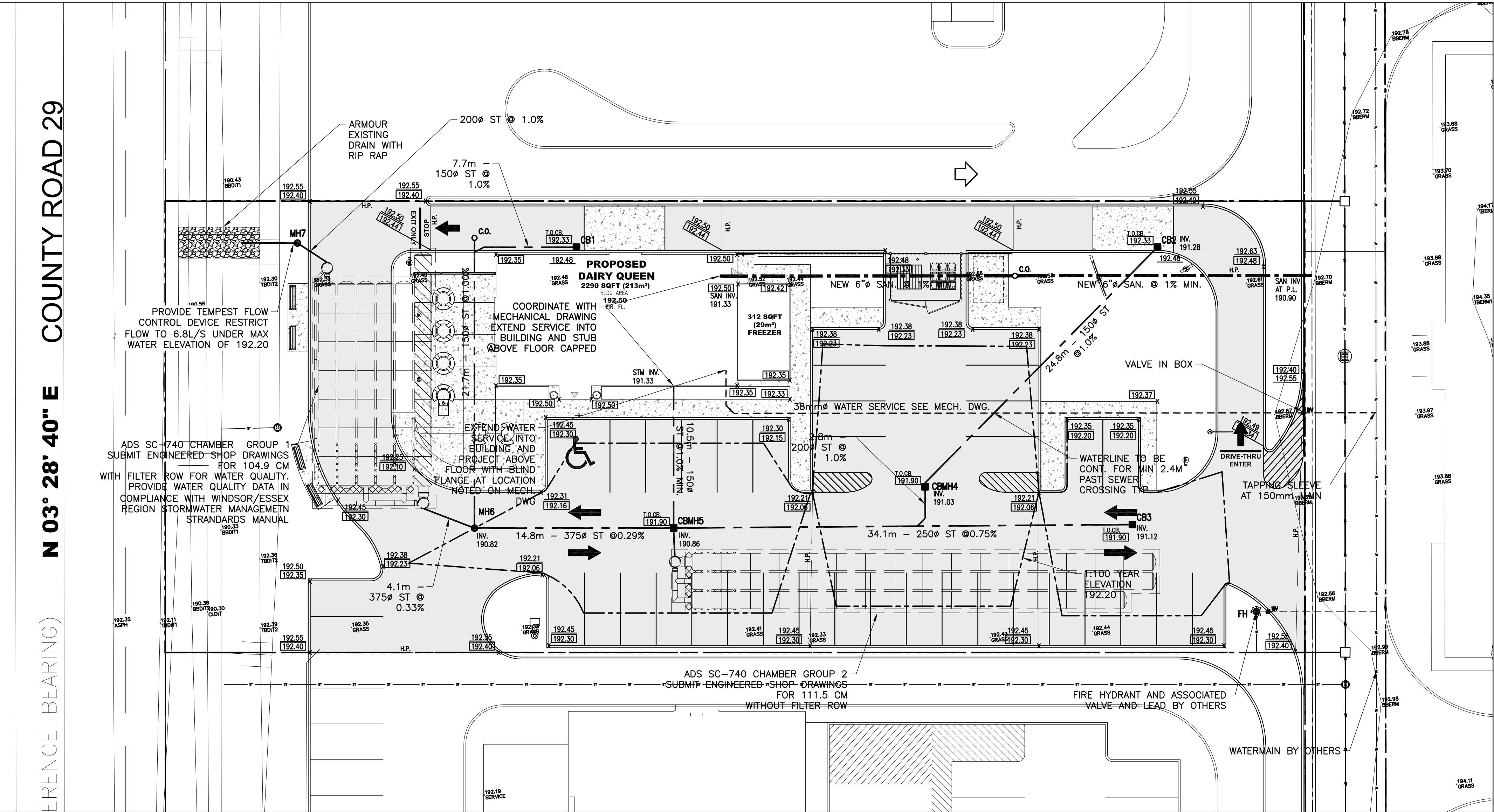
- Buildings denoted "build to suit", individual building space and parking area can be designed to suit tenant.
- Site boundary and dimensions are approximate and subject to change based on formal land survey.



2199 Blackacre Drive, Oldcastle  
ON, N0R 1L0, Canada  
Tel.: 519.737.1577  
Fax: 519.737.1929  
Email: info@triamico.com

Scale 1:1,100 metric	Date: 05/06/2020
	Drawn By: J.S.Thibert





LEGEND

- X" ST  
X" SAN  
X" W  
PROPERTY LINE  
INV. XXX.XX  
MH  
CBMH  
CB  
SPCB  
XXX.XX  
XXX.XX  
C.O.  
T.O.C.  
T.O.C.B.  
E/P  
H.P.  
F-1  
WV  
FH  
PROPOSED STORM SEWER  
PROPOSED SANITARY SEWER  
PROPOSED WATERMAIN  
PROPOSED INVERT ELEVATION  
PROPOSED MANHOLE  
PROPOSED CATCH BASIN—MANHOLE  
PROPOSED CATCH BASIN  
PROPOSED 18" x 24" DEEP SUMP PIT CATCH BASIN  
PROPOSED GRADE  
PROPOSED TOP OF CURB  
PROPOSED CLEAN-OUT  
TOP OF CONCRETE CURB  
TOP OF CATCH BASIN  
EDGE OF PAVEMENT  
HIGH POINT  
STAINLESS STEEL SLEEVE  
PROPOSED WATER VALVE  
PROPOSED FIRE HYDRANT  
PROPOSED DOOR LOCATION

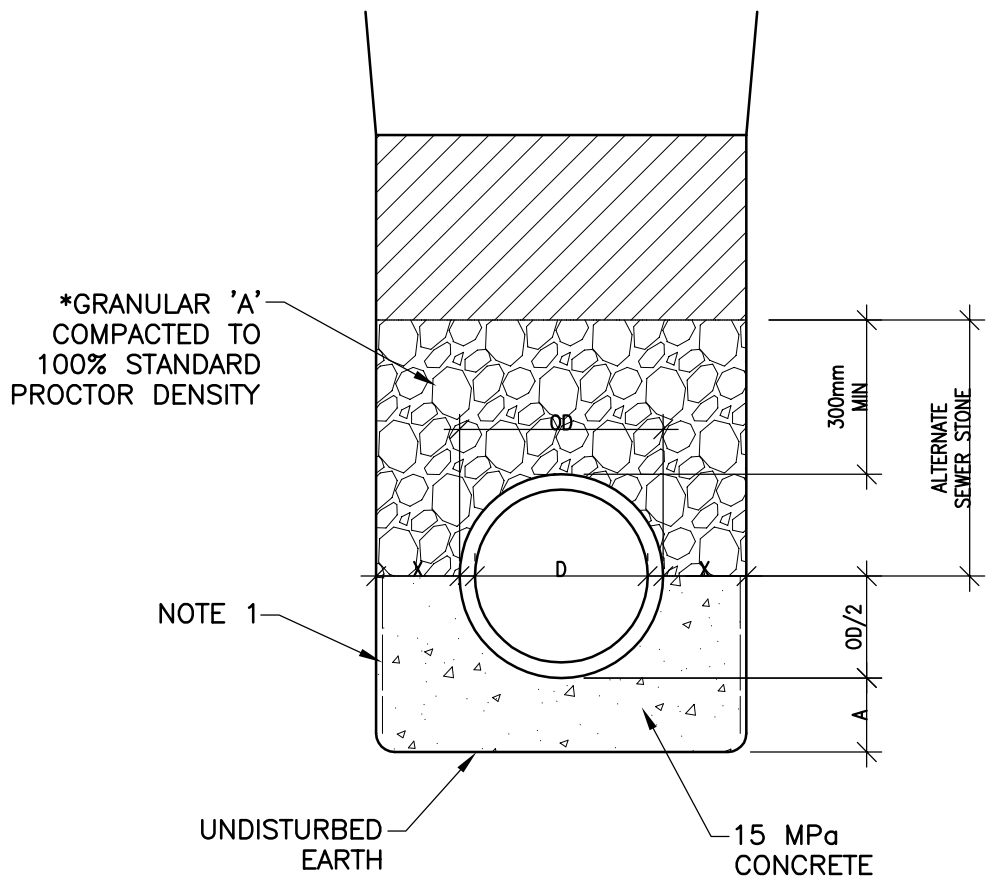
ALL MEASUREMENTS SHOWN ON THIS DRAWING ARE METRIC UNLESS MENTIONED OTHERWISE.

SITE BENCHMARK:

REFER SURVEY BY AMICO

THIS DRAWING SHALL BE READ IN CONJUNCTION WITH THE FOLLOWING DRAWINGS:

1. SURVEY BY AMICO
2. SURVEY BY VERHAEGEN LAND SURVEYORS REFERENCE NO. 20-48-099-000
3. ARCHITECTURAL SITE PLAN
4. MECHANICAL SITE PLAN



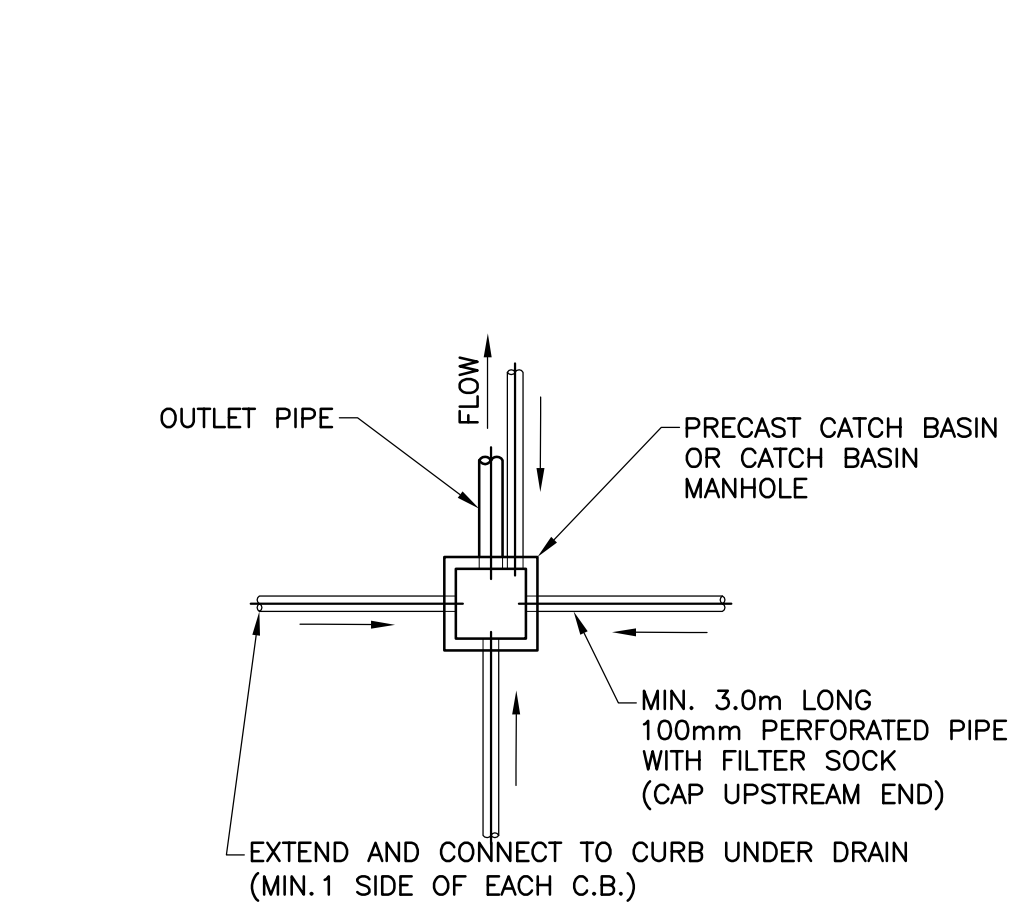
- NOTES:
1. WHERE SHEATHING IS USED, A BOND BREAKING MATERIAL IS REQUIRED BETWEEN CONCRETE AND SHEATHING.
  2. O.D. IS NOT TO INCLUDE BELL.

LEGEND:

A = D/4 BUT NOT LESS THAN 150mm  
(100mm MIN. - 150mm MAX. (D 900mm OR LESS)  
X = 150mm MIN. - 225mm MAX. (D 975mm TO 1500mm INCL.)  
(225mm MIN. - 300mm MAX (D 1650mm OR OVER)

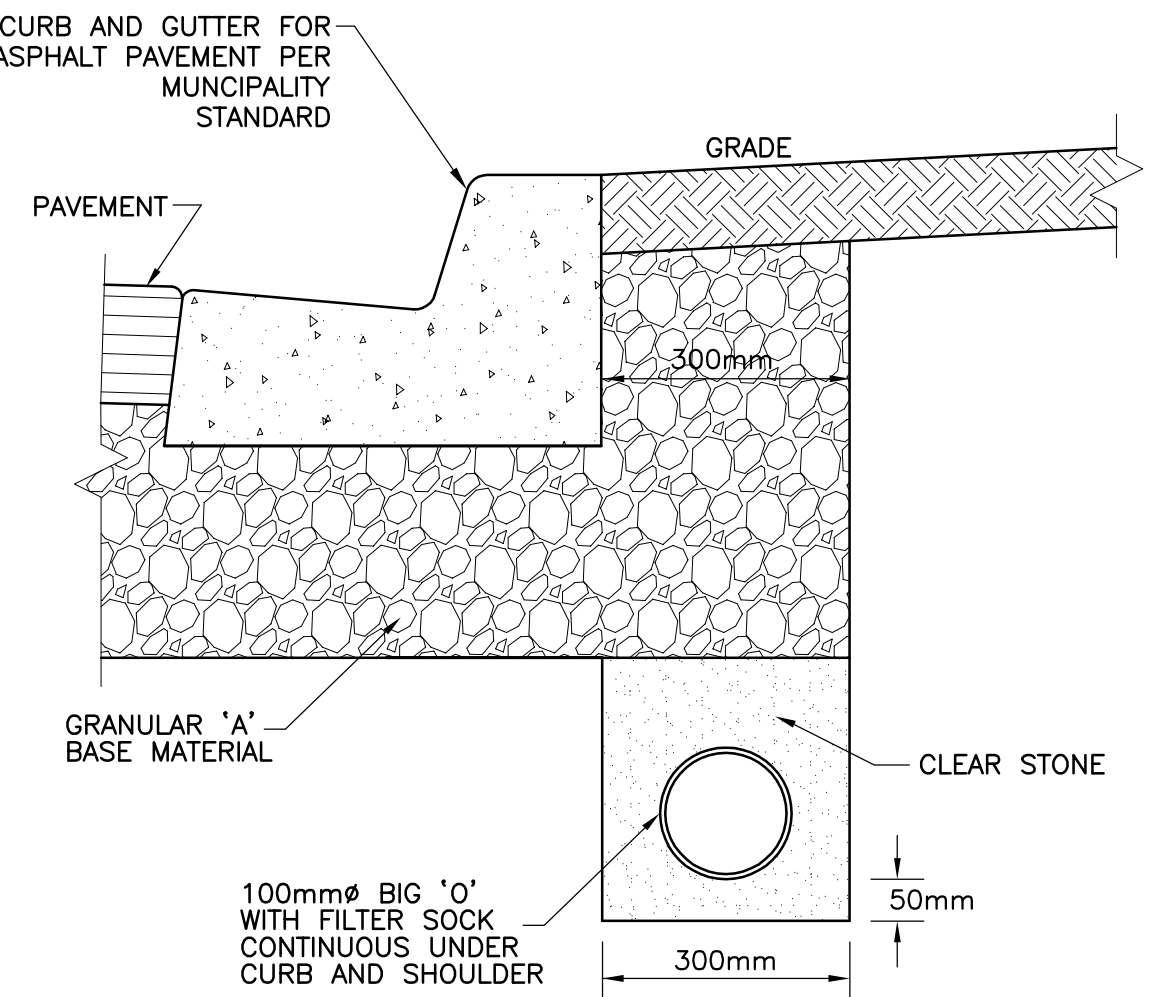
CLASS 'A' BEDDING DETAIL

NOT TO SCALE



SUBDRAINS AT CATCHBASIN DETAIL

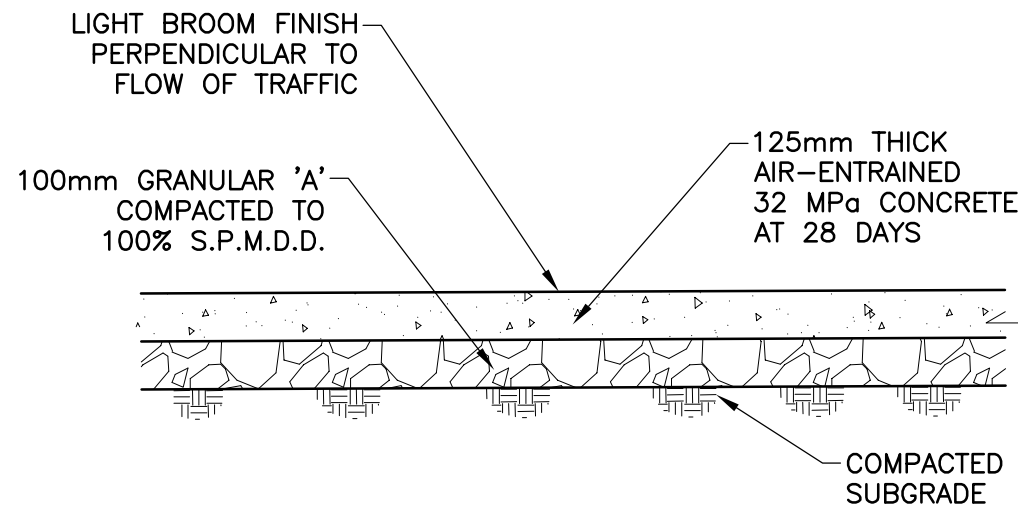
NOT TO SCALE



NOTE: ALL CONNECTIONS TO BE MADE AT THE REAR OF THE CATCH BASIN AND TO BE MORTARED AT THE INSIDE AND OUTSIDE OF THE CATCH BASIN WALL. THE SUBDRAIN SHALL BE CAPPED WITH A MANUFACTURED CAP AT THE HIGH POINT WHERE THERE IS NO CATCH BASIN.

SUBDRAINS AT BACK OF CURB

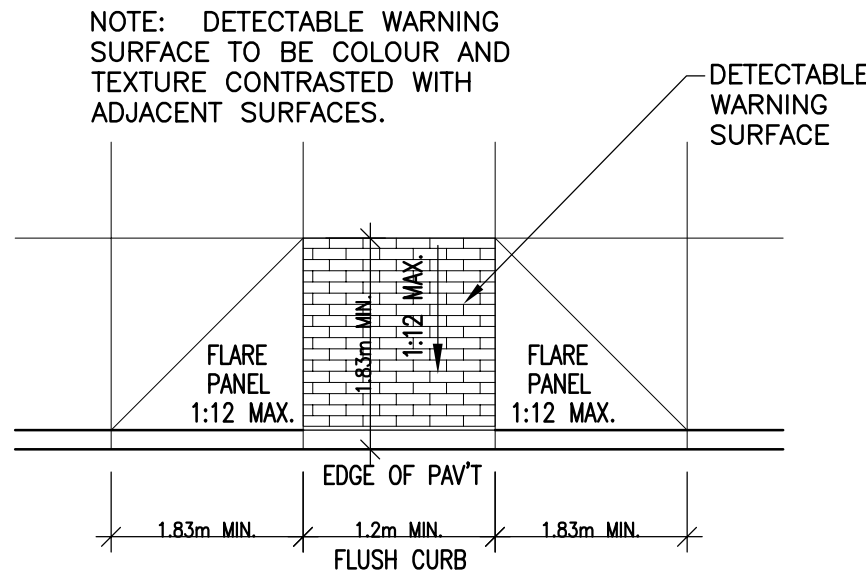
NOT TO SCALE



- NOTES:
1. CONTRACTION JOINTS SHALL BE SPACED AT 1.5m MAXIMUM INTERVALS.
  2. EXPANSION JOINTS SHALL BE PREMOULDED FILLER, SPACED AT A MAXIMUM OF 15.0m O.C. AND SHALL BE PROVIDED WHERE THE WALK ABUTS STRUCTURES, BEGINNING AND END OF RADI AND WHERE WALK ABUTS EXISTING CONCRETE.

CONCRETE SIDEWALK

NOT TO SCALE

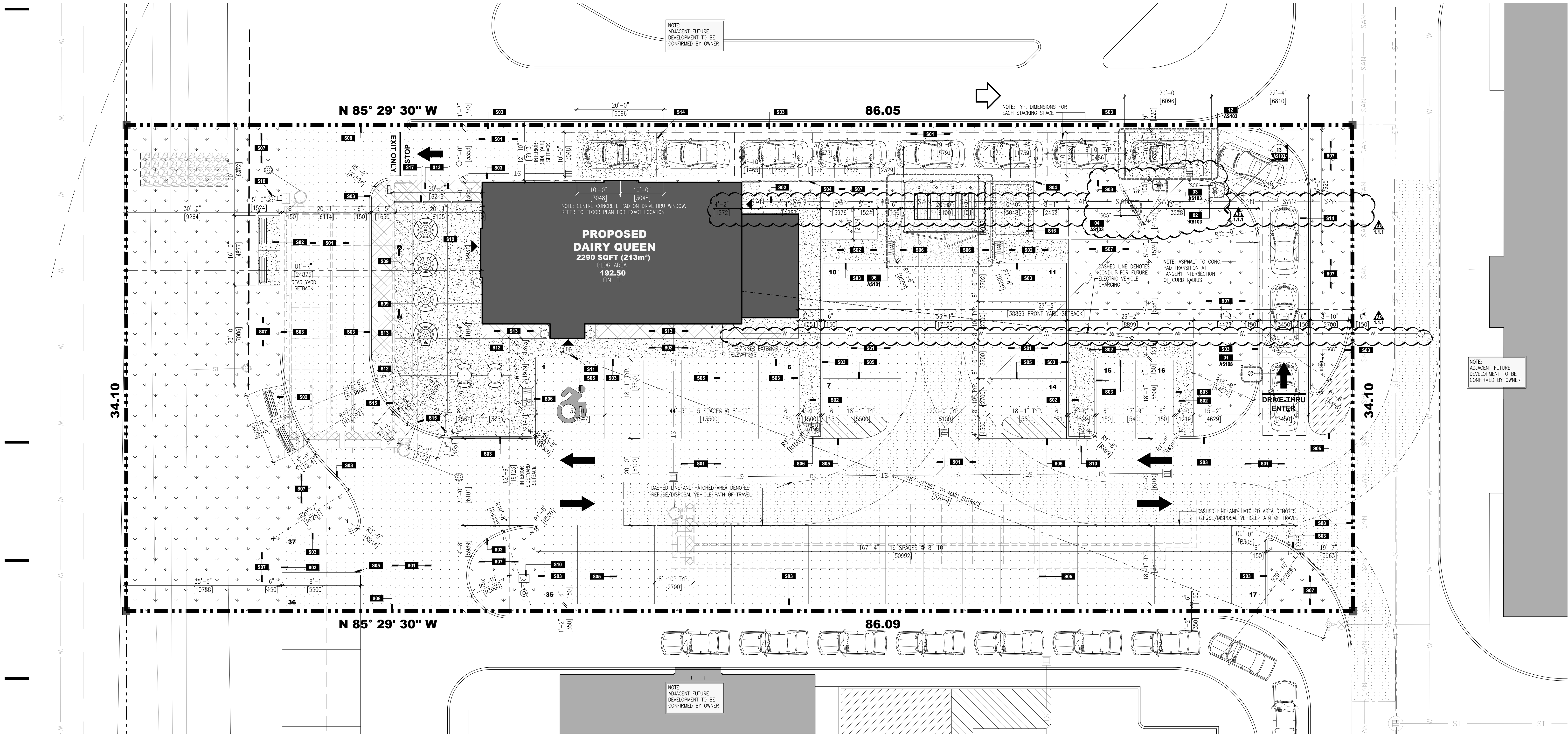


SIDEWALK RAMP

NOT TO SCALE

NOTES	PROJECT IDENTIFICATION	DRAWING IDENTIFICATION	ORIENTATION	SUB-CONSULTANT	PRIME CONSULTANT	PRIME CONSULTANT	DISCIPLINE SEAL	DRAWING SUBMISSION(S)	INTERNAL INFO	COPYRIGHT 2020																																			
THE CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ANY ERRORS OR OMISSIONS TO THE ARCHITECT PRIOR TO COMMENCING OR PROCEEDING WITH ANY WORK ON THIS PROJECT. ALL DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY OF THE ARCHITECT COPYRIGHT 2018. THESE DRAWINGS AND SPECIFICATIONS ARE DESIGNED FOR THE CLIENT AND THE PROPERTY INDICATED ON THESE DRAWINGS ONLY AND SHALL NOT BE CONSTRUCTED FOR ANY OTHER CLIENT OR ANY OTHER PROPERTY. DO NOT SCALE DRAWINGS.	DAIRY QUEEN ESSEX COUNTY ROAD 29 KINGVILLE, ONTARIO	SERVICE AND GRADING PLAN AND DETAILS		 HADDAD MORGAN & ASSOCIATES LTD CONSULTING ENGINEERS 24 Shepherd St. E. Windsor, ON N8X 2J8 (519) 973-1177 hma@haddadmorgan.com	 67 KING STREET WEST, CHATHAM ON N7M 1C7 TEL . 519.397.0943 EMAIL . info@roastudio.com			<table><tr><td></td><td></td><td>MM-DD-YY</td></tr><tr><td></td><td></td><td></td></tr><tr><td>4</td><td>SPA REVISION</td><td>9.18.2020</td></tr><tr><td>3</td><td>BID &amp; PERMIT</td><td>9.11.2020</td></tr><tr><td>2</td><td>ISSUED FOR 80% CLIENT REVIEW</td><td>2.09.2020</td></tr><tr><td>1</td><td>ISSUED FOR SPC</td><td>8.07.2020</td></tr><tr><td>NO.</td><td>DESCRIPTION</td><td>DATE</td></tr></table>			MM-DD-YY				4	SPA REVISION	9.18.2020	3	BID & PERMIT	9.11.2020	2	ISSUED FOR 80% CLIENT REVIEW	2.09.2020	1	ISSUED FOR SPC	8.07.2020	NO.	DESCRIPTION	DATE	<table><tr><td>CIVIL</td><td></td></tr><tr><td>PROJECT ID</td><td>ROA20-028</td></tr><tr><td></td><td>HMA 20-222</td></tr><tr><td>DRAWN BY</td><td>A.K./W.T.</td></tr><tr><td>REVIEWED BY</td><td>W.T.</td></tr><tr><td>DATE</td><td>AUGUST 2020</td></tr><tr><td>SCALE</td><td>1:200</td></tr></table>	CIVIL		PROJECT ID	ROA20-028		HMA 20-222	DRAWN BY	A.K./W.T.	REVIEWED BY	W.T.	DATE	AUGUST 2020	SCALE	1:200	
		MM-DD-YY																																											
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DATE	AUGUST 2020																																												
SCALE	1:200																																												





01 PARTIAL ENLARGED ARCHITECTURAL SITE PLAN

AS102 SCALE: 3/32" = 1'-0"

CONSTRUCTION NOTES

TAG	CONSTRUCTION NOTES
S01	INSTALL NEW ASPHALT DRIVE ON COMPACTED GRANULAR BASE. REFER TO CIVIL DRAWINGS FOR GRADING & ADDITIONAL DETAILS.
S02	INSTALL NEW CONCRETE SIDEWALK. REFER TO CIVIL DRAWINGS FOR ADDITIONAL DETAILS.
S03	INSTALL NEW CONCRETE CURB. PROVIDE DROP CURB AS NOTED. REFER TO CIVIL DRAWINGS FOR ADDITIONAL DETAILS.
S04	INSTALL NEW 6'-0" PRESSURE TREATED WOOD FENCE. LOCATE FENCE AS SHOWN. REFER TO AS101 FOR FURTHER DETAILS.
S05	PAINT PARKING SPACE LINES, DIRECTION ARROWS, CROSS-WALKS & BARRIER FREE PARKING DESIGNATION TO MUNICIPAL STANDARDS.

TAG	CONSTRUCTION NOTES
S06	DROP CURB AT THIS LOCATION. PROVIDE TACTILE SURFACE INDICATORS 12" FROM EDGE OF ASPHALT. REFER TO CIVIL DRAWINGS FOR ADDITIONAL INFORMATION.
S07	PROVIDE TOPSOIL AND HYDROSEED. REFER TO SPECIFICATION FOR ADDITIONAL INFORMATION.
S08	PROPERTY LINE DENOTES THE EXTENT OF NEW ASPHALT PAVING. REFER TO CIVIL DRAWINGS FOR ADDITIONAL INFORMATION.
S09	NEW PATIO LIGHT STANDARD C/W CONCRETE BASE. REFER TO ELECTRICAL DRAWINGS AND ARCHITECTURAL 09AS103 FOR CONCRETE BASE DETAIL.
S10	INSTALL LIGHT STANDARD ON NEW CONCRETE BASE. REFER TO ELECTRICAL DRAWINGS AND ARCHITECTURAL 04AS101 FOR CONCRETE BASE DETAIL.

TAG	CONSTRUCTION NOTES
S11	PROVIDE NEW BARRIER FREE PARKING SIGN AS PER DETAIL 03AS101.
S12	NEW CONC. PATIO SLAB WITH BROOM FINISH ON COMP. GRANULAR BASE. REFER TO CIVIL DRAWINGS FOR GRADING AND ADDITIONAL DETAILS. CONTRACTOR TO PROVIDE SEPARATE PRICE FOR STIMPED CONCRETE FINISH. REFER TO SPECIFICATION FOR DETAILS.
S13	PROVIDE AND INSTALL 6" MIN. CEDAR MULCH C/W GEOTEXTILE UNDERLAYMENT ON COMPACTED SUBGRADE. ALL NEW PLANTS/VEGETATION TO BE PROVIDED BY OWNERS VENDOR.
S14	INSTALL NEW 6" CONCRETE SLAB C/W PREFORMED MAGNETIC LOOP INDUCTION SYSTEM. REFER TO AS103 FOR FURTHER DETAILS. REFER TO CIVIL DRAWINGS FOR ADDITIONAL DETAILS.

TAG	CONSTRUCTION NOTES
S15	INSTALL CONCRETE BOLLARD C/W CONCRETE BASE AS PER DETAIL 08AS101.
S16	DASHED LINE DENOTES LOCATION OF PRE-FAB. STORAGE SHED (MANUFACTURER & MODEL TO BE CONFIRMED WITH OWNER). CONTRACTOR TO ANCHOR SHED TO CONCRETE SLAB AT COMPLETION OF WORK IN THIS AREA. COORDINATE EXACT LOCATIONS OF ANCHORS ON SITE. SHED MAX. OVERALL SQUARE FOOTAGE NOT TO EXCEED 108 SQFT.
S17	PROVIDE AND INSTALL 72" PATIO FENCE (EQUIP #632) IN 10" DIA. CONCRETE PIER (32MPA) @ 4'-0" DEEP PER POST. INSTALL POSTS USING MANUFACTURERS RECOMMENDATIONS & TYP DETAILS - BASED ON FORTRESS BRAND FENCING (BLACK FINISH)

SITE SYMBOL LEGEND

SYMBOL	DESCRIPTION
M1	MATERIAL TAG
■	PROPERTY IRON BAR
---	PROPERTY SETBACK LINE
---	TELEPHONE/FIBRE LINE REFER TO CIVIL DRAWINGS
---	STORM SEWER REFER TO CIVIL DRAWINGS
CB	CATCH BASIN REFER TO CIVIL DRAWINGS

SYMBOL	DESCRIPTION
▼	ENTRANCE   EXIT
■	BUILDING
---	PROPERTY LINE
---	HYDRO LINE REFER TO CIVIL DRAWINGS
---	WATER LINE REFER TO CIVIL DRAWINGS
HP	HYDRO POLE

SYMBOL	DESCRIPTION
S15	CONSTRUCTION NOTE
■	EXISTING BUILDING
P.B.	DOOR OPERATOR TAG ACTIVATION BUTTON
GAS	GAS LINE REFER TO CIVIL DRAWINGS
---	SANITARY LINE REFER TO CIVIL DRAWINGS
GW	GUIDE WIRE

SITE SYMBOL LEGEND

SYMBOL	DESCRIPTION
MANHOLE	MANHOLE REFER TO CIVIL DRAWINGS
LS	LIGHT STANDARD REFER TO ARCH BASE DETAIL
F.R.S.	POST MOUNTED FIRE LINE SIGNAGE. REFER TO DETAIL
BF	BARRIER FREE MAIN ENTRANCE
PAINTED BARRIER FREE PARKING SPACE SYMBOL	PAINTED BARRIER FREE PARKING SPACE SYMBOL REFER TO DETAIL
NEW ASPHALT PAVING	NEW ASPHALT PAVING
SYMBOL	DESCRIPTION
HYDRANT	HYDRANT REFER TO CIVIL
BOLLARD	BOLLARD REFER TO DETAIL
POST MOUNTED BARRIER FREE PARKING SIGNAGE	POST MOUNTED BARRIER FREE PARKING SIGNAGE. SEE DETAIL
TACTILE INDICATOR	TACTILE INDICATOR
SOD AREA	SOD AREA
NEW CONCRETE PAVING	NEW CONCRETE PAVING

NOTES	PROJECT IDENTIFICATION	DRAWING IDENTIFICATION	ORIENTATION	SUB-CONSULTANT	PRIME CONSULTANT	DISCIPLINE SEAL	DRAWING SUBMISSION(S)	INTERNAL INFO	COPYRIGHT 2020®																		
THE CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ANY ERRORS OR OMISSIONS TO THE ARCHITECT PRIOR TO COMMENCING OR PROCEEDING WITH ANY WORK ON THIS PROJECT. ALL DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY OF THE ARCHITECT COPYRIGHT 2019. THESE DRAWINGS AND SPECIFICATIONS ARE DESIGNED FOR THE CLIENT AND THE PROPERTY INDICATED ON THESE DRAWINGS ONLY AND SHALL NOT BE CONSTRUCTED FOR ANY OTHER CLIENT OR ANY OTHER PROPERTY. DO NOT SCALE DRAWINGS.	<div>DAIRY QUEEN ESSEX COUNTY ROAD 29 KINGSVILLE, ONTARIO</div> <div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div></div> <div>DESIGN REVIEW SITE PLAN APPROVAL BUILDING PERMIT BIDS DOCUMENTS CONTRACT DOCUMENTS CONSTRUCTION DOCUMENTS AS-BUILT DOCUMENTS</div>	ARCHITECTURAL SITE NEW			<div>67 KING STREET WEST, CHATHAM ON N7M 1C7 TEL . 519.397.0943      EMAIL . info@roastudio.com</div>		<table><tr><td></td><td></td><td>MM-DD-YY</td></tr><tr><td>4</td><td>ISSUED FOR SPA REVISIONS &amp; ADDENDUM</td><td>09-18-2020</td></tr><tr><td>3</td><td>ISSUED FOR BIDS &amp; PERMIT</td><td>09-11-2020</td></tr><tr><td>2</td><td>ISSUED FOR 80% CLIENT REVIEW</td><td>09-04-2020</td></tr><tr><td>1</td><td>ISSUED FOR SPA</td><td>07-08-2020</td></tr><tr><td>NO.</td><td>DESCRIPTION</td><td>DATE</td></tr></table>			MM-DD-YY	4	ISSUED FOR SPA REVISIONS & ADDENDUM	09-18-2020	3	ISSUED FOR BIDS & PERMIT	09-11-2020	2	ISSUED FOR 80% CLIENT REVIEW	09-04-2020	1	ISSUED FOR SPA	07-08-2020	NO.	DESCRIPTION	DATE	<div>ARCHITECTURE</div> <div>PROJECT ID DRAWN BY REVIEWED BY DATE SCALE</div> <div>ROA20-028 R.VILLALTA J.OUELLETTE 07.28.2020 AS NOTED</div>	AS102-R1
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1	ISSUED FOR SPA	07-08-2020																									
NO.	DESCRIPTION	DATE																									





August 31, 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 Site Plan Control (SPA-12-2020) E-S DIVISION RD N  
ARN 371135000000800; PIN: 751750632  
Applicant: AMICO PROPERTIES INC

The following is provided as a result of our review of Application for Site Plan Control SPA-12-2020, related to the development of a 0.75 acre commercial lot which will contain a new drive-thru/eat-in restaurant. This lot is part of a larger commercial complex that is included as a component of a Concept Plan circulated as part of this application. Our office received but has not reviewed the Stormwater Management Plan for the development:

1. Stormwater Study, Proposed Dairy Queen Kingsville, Ontario: prepared by William Tape, Haddad Morgan & Associates Ltd.

**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 Division Road Drain. The property owner will be required to obtain a Permit 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*.

Our office will not be in a position to provide specific detailed comments on the Site Plan Control application and the associated Stormwater Management Study requirement unless the applicant submits and application for permit to our office via our online application located at <https://essexregionconservation.ca/planning-and-permits/>

**WATERSHED BASED RESOURCE MANAGEMENT AGENCY**



Mr. Brown  
August 14, 2020

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, 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 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.

#### **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.

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

Sincerely,



Mr. Brown  
August 14, 2020

A handwritten signature in blue ink that reads "Mike Nelson".

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



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

**Date:** September 17, 2020

**To:** Mayor and Council

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

**RE:** Subdivision Drainage Design and Compliance

**Report No.:** PS 2020-019

---

## **AIM**

To provide the Mayor and Council with information on the steps taken to review satisfactory design for storm water drainage in new subdivisions and outline the steps taken to ensure compliance with the approved design.

## **BACKGROUND**

Notice of Motion 642-2019 requested the following:

‘That Council request a comprehensive report that includes Planning, Municipal Services (Engineering), and Building to demonstrate to Council:

- i) how the subdivision site plans are designed with levels of drains and catch basins;
- ii) how Subdivisions constructed are checked to ensure compliance with the engineered designs;
- iii) how Subdivisions constructed do not, or will not, have an adverse effect on adjacent property owners;
- iv) such report expected within ninety (90) days’

Storm water run-off and management has become a common concern at the approval stage of most developments and an ongoing issue as developments build out. There are a number of steps that lead up to approval and a number of ongoing review mechanisms in place which deal with this issue.

## DISCUSSION

All property owners in Kingsville are required to collect, control and direct their storm water within the limits of their property. Not controlling your water is a building code violation and is typically addressed by Building Services/Enforcement. To address the questions direct we provide the following:

- i) How the subdivision site plans are designed with levels of drains and catch basins;

Comment: A subdivision as a whole, when it is submitted for review and eventual consideration of approval does not have a site plan associated with it. The development of a subdivision requires a wide variety of different drawings including services, road design, grading, lot layout and storm water management. For drainage specifically there are up to three levels of detailed plans potentially prepared for any given subdivision. An overall plan, a plan for individual phases (if applicable) and a plan for each lot. The overall subdivision plan will include overall grading, drain locations, storm water pond design and outlet location. A phase plan is similar, but on a smaller scale. For each lot on a plan specific drain and catch basin details are included on a grading plan that shows the location and height of catch basins and drain elevations and in some cases retaining walls where there is a significant grade difference. All of these plans are prepared by a qualified engineer and based on measurements provided by an Ontario Land Surveyor. At the initial approval stage only the overall subdivision plan is prepared.

- ii) How Subdivisions are checked to ensure compliance with engineered designs;

Comment: Municipal Services provided the following regarding design.

Prior to the municipality assuming ownership of the sub-division the storm sewer manholes are inspected and the sewers/connections are flushed and videoed. The videos are reviewed for deficiencies by the department. At no time does the MS department inspect private infrastructure. As such we do not verify lot grading or rear yard catch basins. The Building Department is responsible for the review of lot grading and confirmation of rear yard catch basin installation. A detailed outline of that process has been prepared by Building and is included as Appendix A.

Rear yard catch basins are designed to address the potential for changes in lot grading between various phases of a multi-phase development. We have no control over homeowners who choose to eliminate or alter them after the fact. However, if they convey overland water towards neighbouring properties it could be addressed through property standards or through the drainage act.

Drainage is designed in accordance with the Kingsville Development Standards Manual as well as the Windsor/Essex Regional Stormwater Management Standards Manual. The developer is required to procure a

reputable drainage engineer in order to prepare a design in accordance with these 2 manuals.

Developers are required to have their engineer/inspector on site during construction to confirm it is in accordance with the construction plans. MS also performs periodic inspection during the construction phase.

As noted above, engineers design in accordance with best practices (the 2 manuals) to mitigate flooding to the new development or adjacent. There are practical limitations however to stormwater management and flooding will always be possible in an extreme weather event. See below from the Windsor/Essex Manual.

### 1.5.1 Defining Risk/Reliability

The acceptable risk for a project must ultimately consider the consequence of failure or capacity exceedance of the design. The minimum standard level of service has been defined herein as a 100-year design storm. This minimum standard does not guarantee that a given site will never flood but rather, it guides the design of mitigating measures to achieve a low risk of flooding.



At the individual lot development stage the Building Department requires the submission of a lot grading plan. The specific details of that process are outlined in Appendix A.

- iii) How subdivisions constructed do not, or will not, have adverse effect on adjacent property owners;

Comment: The intent of storm water management plans along with grading plans is to provide a view of how rain water is collected and directed on a subject property whether it is a single lot or a plan of subdivision. What is missing is what impact the new grading would have on existing abutting properties and how this would need to be addressed. For example older subdivisions often did not include rear yard catch basins or outlets and simply relied on unofficial overland flow to the abutting property. If the property remained undeveloped then there was no impact to the existing development. When new development is introduced this overland flow is interrupted and can potentially back up on the existing lots. The new subdivision may be in full compliance with its plans however the elevated grade is now stopping water from draining off the existing lot(s) and is viewed as flooding caused by the new development. Moving forward developers should be required to provide a greater level of detail on the grading and drainage between the proposed development and existing development including potential solutions for outletting. In addition developers will be required to address interim drainage between initial approval and final build out. This is one consideration that has not been directly addressed in the past. These items will need to be addressed during the pre-consultation stage of planning. Recent applications have already started this discussion.



Such report expected with ninety (90) days.

Comment: This particular issue has been one that is ongoing and involves different departments and a wide variety of different circumstances to consider in order to provide Council with a complete answer. The report has been in draft form and undergone several different versions since March of this year as more information and understanding have come forward.

What is seen as the best answer to the overall issue is that subdivision designs have to expand their field of consideration from a drainage standpoint. This means that development cannot be designed in isolation. For example consider other items that are often raised during the approval process such as increases to traffic, need for expanded infrastructure, and type of development, all are consideration that have impacts beyond the boundary of the subject parcel.

Additional consideration to keep in mind as we move forward is that not all property owners fully understand the importance of maintaining their individual storm water collection and drainage system nor do they fully understand how it is intended to work. There are examples of this throughout the Town and involve education on the part the Town but also need property owners to check with the Town before making significant alterations to existing drainage systems.

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

To become a leader in sustainable infrastructure renewal and development.

#### **FINANCIAL CONSIDERATIONS**

There are no direct financial considerations for this item, however additional consideration at the initial stages of development will result in a reduction in future enforcement issues and potential Town based solutions that result in cost to the Town and potentially individual land owners.

#### **CONSULTATIONS**

Building, Municipal Services and management staff

## RECOMMENDATION

That Council:

Direct administration to ensure that all pre-consultations on proposed development reinforce the importance of storm water drainage including:

- i) consideration for the impact of new development on drainage for existing abutting lands;
- ii) that new development must be able to demonstrate that any change to approved designs, i.e. draft plans of subdivision, site plan approval or basic lot creation, will not negatively impact on existing development.

Robert Brown

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

John Norton

John Norton, B.A., M.A., LL.B.  
Chief Administrative Officer

## APPENDIX A



### Building Department Review of Rear Yard Drains and Approval Process

The following presentation is a brief summary of the steps and procedures that are followed when a permit under the building code act for a rear yard drain is applied for and installed.

# Ontario Building Code Act

Under the Ontario Building Code Act a permit must be applied for to install a rear yard drain per 8(1) of the Act.

8(1) No person shall construct or demolish a building or cause a building to be constructed or demolished unless a permit has been issued therefor by the chief building official. 1992, c. 23 s. 8(1); 1997, c. 30 Sched. B, s. 7(1).

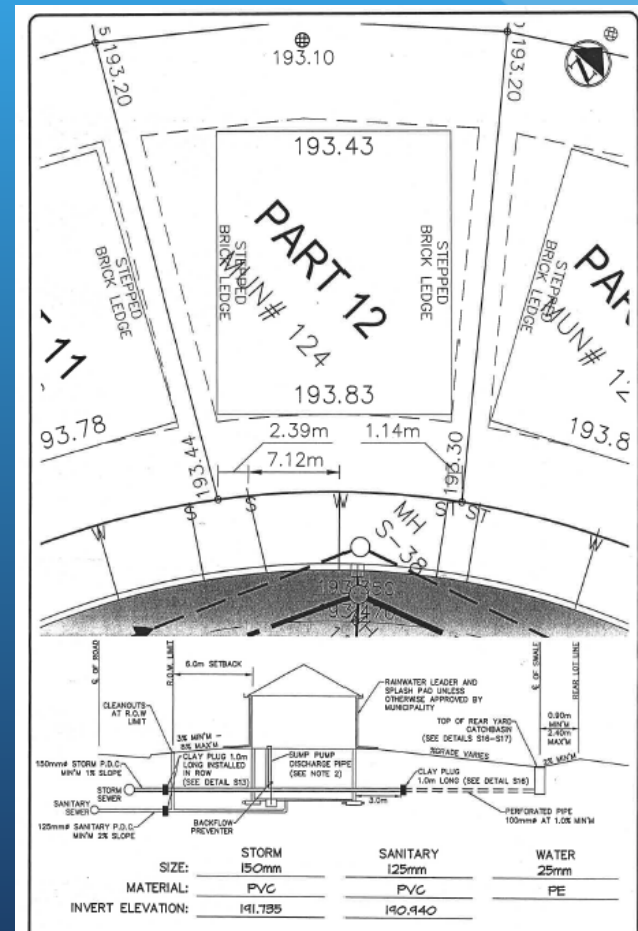
A “building” as defined in the act means:

“building” means,

- (a) a structure occupying an area greater than ten square metres consisting of a wall, roof and floor or any of them or a structural system serving the function thereof including all plumbing, works fixtures and service systems appurtenant thereto,
- (b) A structure occupying an area of ten square metres or less that contains plumbing, including the plumbing appurtenant thereto,
- (c) plumbing not located in a structure,
  - (c.1) a sewage system, or
- (d) Structures designated in the building code;

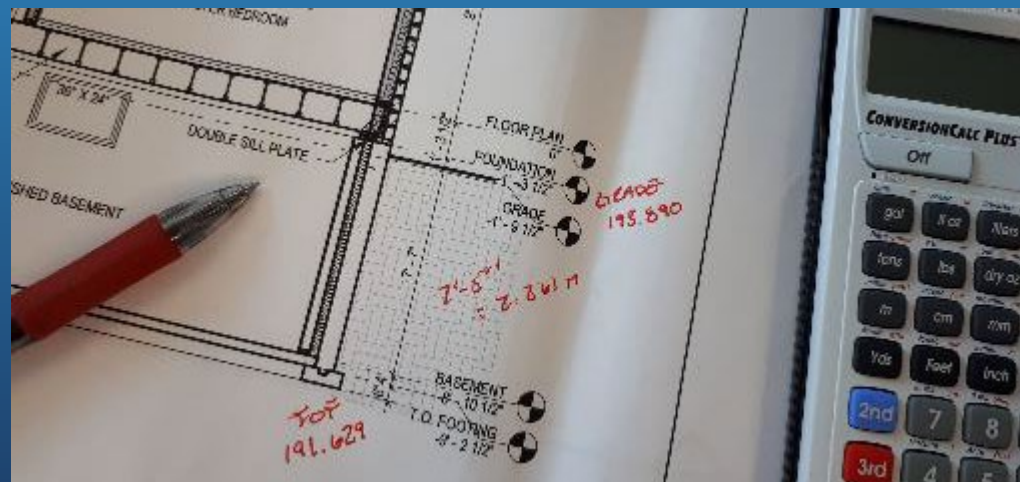
Once the Building Department receives an application to build a new home. The following are the steps in our procedure and policy.

1. The inspector will pull up the subdivision file and the individual lot grading plan that has been specifically prepared for the Town by an engineer and approved by Municipal Services.



Once the Building Department receives an application to build a new home. The following are the steps in our procedure and policy.

2. The inspector will review the plans submitted and determine the top of footing elevation by subtracting the finished grade from the height of the proposed foundation and footings on the drawings.



This calculation will provide the inspector the elevation we expect to be confirmed to us at the footing inspection on site by the way of a footing certificate prepared by an OLS (Ontario Land surveyor). We have historically excepted a variance of 6" due to over dig or soil and site conditions.

This variance can be adjusted within the final grade or by a brick ledge if necessary. Sometimes the contractor fails to coordinate in having a footing certificate on site at time of inspection.

If this is the case the inspector does not pass the footing inspection and advises the contractor, they are pouring at their own risk. If the footing certificate comes in over the calculated height the contractor still has an option to adjust the foundation wall with brick ledges which they can set to meet the approved grade.



### 3. The rear yard drain elevation by a Ontario professional engineer

When the rear yard drain is set by a professional Ontario professional engineer it will correspond with the grade also set by the engineer. The catch basin of the rear yard drain is set at a lower elevation so water can flow into it.

We do inspect the installation of the rear yard drain and piping to carry the water into the storm sewer.

At this time the grade is typically in a rough state due to the construction traffic on the property.

## 4. Inspection for Occupancy

Typically, we do an Occupancy inspection of the home to determine that all Building Code items have been met. We will review the surrounding grade for any concerns.

At times the finish grade may not have been completed and the inspector will issue a deficiency list noting this as incomplete.

Finish grade is not a required item to have during the occupancy inspection. These detailed inspections are laid out in the Building Code and are specified on the permit card issued with the Town approved drawings.

## 5. Final Lot Grading Certificate

We have a policy that the contractor must provide us with a finish grade certificate so the Building Department can close the permit. The finish grade certificate is supplied by an OLS (Ontario Land Surveyor).

This certificate confirms the final elevations have met the proposed site plan. It is common for the grade to be out slightly and historically the policy has been, as long as it is within a 6" tolerance it can be acceptable.

Sometimes grade elevations are off the approved lot grading plan and due to landscaping choices or materials. This typically does not adversely affect the drainage and that is why the tolerance has been widely accepted.

## 6. Grading of fill lots

For grading of fill lots (severed parcels not in an engineered subdivision) it has been our policy that all fill lots provide a lot grading plan to determine the elevation of the proposed house and neighboring properties.

The goal is to manage water on site and not adversely affect adjoining properties.

These fill lots can be challenging because they have sat vacant for years and for years the adjoining property was draining towards them, this is usually because they are at a lower elevation.

This at times is contentious and the existing property owner may have never had an issue with drainage until a new home goes next door and they can no longer drain on the lower lot.

At times and over the recent years all these regulations and requirements fall to the way side during heavy rain fall events with large deluges of water.

These events have a significant impact on infrastructure. The challenge in keeping up with massive flows of water. These are often referred to as one in 100 year events which we see far too often these days.

During these events even the best engineered systems struggle to keep up and usually create some type of short term flooding. This is also true with rear yard drains in engineered subdivisions. When storm sewers cannot keep up, rear yard drains will pool water in the back yard until the flows reduce in volume.

Rear yard drains act as mini SWM (storm water retention ponds). The goal is to flood a backyard and not a basement until sewers can pick up the excess volume.



**REGULAR MEETING OF COUNCIL  
MINUTES**

**Monday, September 14, 2020  
7:00 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	J. Norton, CAO  J. Astrologo, Director of Corporate Services R. Brown, Manager of Planning Services J. Galea, Human Resources Manager K. Brcic, Planner T. Del Greco, Municipal Services Manager  S. Kitchen, Deputy Clerk-Council Services R. McLeod, Director of Financial Services A. Plancke, Director of Municipal Services

**A. CALL TO ORDER**

Mayor Santos, in attendance in the Council Chambers, called the Regular Meeting to order at 7:00 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. BYLAWS**

At the request of Mayor Santos, Deputy Mayor Queen presented By-law 85-2020, being a By-law to appoint the Chief Administrative Officer of The Corporation of the Town of Kingsville.

**1. By-law 85-2020**

**518-2020**

**Moved By** Deputy Mayor Gord Queen

**Seconded By** Councillor Laura Lucier

That Council reads By-law 85-2020, being a By-law to appoint the Chief Administrative Officer of The Corporation of the Town of Kingsville a first, second and third and final time.

**CARRIED**

**D. PRESENTATIONS/DELEGATIONS**

Mayor Santos welcomed Town of Kingsville CAO John Norton to the Town of Kingsville.

Mr. Norton stated that he is looking forward to getting to know Council, Administration, and the residents of this community, and that it is a privilege and an honour to have the opportunity to serve the Town and its residents.

**E. MATTERS SUBJECT TO NOTICE**

**1. PUBLIC MEETING--Application for Zoning By-law Amendment File ZBA/09/20 by Solid Rock Homes Inc.; 273 and 281 Glass Avenue, Lots 29, 30, 31 and 32, Plan 1013**

K. Brcic, Town Planner

i) Notice of Complete Application and Public Meeting: Zoning By-law Amendment, dated August 26, 2020;

ii) Report of K. Brcic dated July 24, 2020;

iii) Proposed By-law 74-2020, being a by-law to amend By-law 1-2014, the Comprehensive Zoning By-law of the Town of Kingsville.

Ms. Brcic presented the Planning Report dated July 24, 2020.

Comments from the Applicant:

The Applicant, Adam Penner of Solid Rock Homes Inc. indicated that he had no further comments to add to the Planning Report presented by Ms. Brcic.

There were no comments from the public in connection with this Application.

**519-2020**

**Moved By** Councillor Kimberly DeYong

**Seconded By** Councillor Tony Gaffan

That Council approves Zoning By-law Amendment Application ZBA/09/20 to rezone the subject parcels, Lots 29, 30, 31 and 32, on Plan 1013, in the Town of Kingsville from 'Residential Zone 1 Urban (R1.1)' to 'Residential Zone 1 Urban Exception 29 (R1.1-29)' to permit: i) a semi detached dwelling and semi-detached dwelling unit, and; ii) reduction of the required exterior side yard setback from 4.5 m (15 ft.) to 3 m (10 ft.); and That Council adopts the implementing by-law.

**CARRIED**

**2. PUBLIC MEETING--Application for Zoning By-law Amendment File ZBA/09/20 and Minor Development Agreement File AGR/03/20 by 1185609 Ontario Inc., 1473 Wellington Union Avenue, Lots 3-6, Part of Lots 1 and 2, RP 30, Pt Lot 9, Conc. 1 ED**

K. Brcic, Town Planner

i) Notice of Complete Application and Public Meeting: Zoning By-law Amendment, dated August 26, 2020;

ii) Report of K. Brcic dated August 25, 2020;

iii) Proposed By-law 75-2020, being a by-law to amend By-law 1-2014, the Comprehensive Zoning By-law of the Town of Kingsville.

Ms. Brcic presented the Planning Report dated August 25, 2020. She also informed Council that the Executive Director of 1185609 Ontario Inc. is a Town employee.



Mr. Norton commented that he has no concerns about the Town employee being an officer of the Applicant in this circumstance and is satisfied that it is an appropriate Application, however, wanted that information to be disclosed so that both Council, and the public, is aware of the relationship.

Comments from the Applicant:

Shaun Martinho of 1185609 Ontario Inc. commented that he enjoys the natural features of the property, that the terms of the Agreement will protect those features and ensure the property will be developed in the right way.

There were no comments from the public.

#### **520-2020**

**Moved By** Councillor Larry Patterson

**Seconded By** Councillor Kimberly DeYong

That Council approves Zoning By-law Amendment Application ZBA/30/18 to: remove the holding (H) symbol on the subject lands known as Lots 3-6, Part of Lots 1 and 2, RP 30, Pt Lot 9, Conc. 1 ED, in the Town of Kingsville; and rezone a portion of the subject parcel (the area shown as Part 2 on the Applicant's Sketch), from 'Lakeshore Residential (LR)' to 'Lakeshore Residential Exception 34 (LR-34)' to recognize the reduction of the required lot frontage from 24 m (78.5 ft.) to 13.29 m (43.60 ft.); and adopt the implementing by-law;

And Further That Council approves the proposed Minor Development Agreement Application AGR/03/20 to administer the ERCA recommendations and building envelope over Part 2 in the Applicant's Survey on the subject lands known as Lots 3-6, Part of Lots 1 and 2, RP 30, Pt Lot 9, Conc. 1 ED, in the Town of Kingsville and authorize the Mayor and Clerk to sign the Minor Development Agreement and register said Agreement on title.

**CARRIED**

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

Councillor Patterson added one Notice of Motion, and Mayor Santos added one Announcement.

#### **G. ADOPTION OF ACCOUNTS**

1. **Town of Kingsville Accounts for the monthly period ended August 31, 2020 being TD cheque numbers 0073792 to 0074101 for a grand total of \$2,633,553.27**

**521-2020**

**Moved By** Councillor Thomas Neufeld

**Seconded By** Councillor Laura Lucier

That Council receives Town of Kingsville Accounts for the monthly period ended August 31, 2020 being TD cheque numbers 0073792 to 0074101 for a grand total of \$2,633,553.27.

**CARRIED**

## **H. STAFF REPORTS**

1. **Application for Minor Development Agreement AGR/02/2020 by Benjamin and Sara Epp, 3621 County Road 31, Part of Lot 25, Concession 7**

R. Brown, Manager of Planning Services

**522-2020**

**Moved By** Councillor Thomas Neufeld

**Seconded By** Councillor Kimberly DeYong

That Council approves the proposed Minor Development Agreement to permit a second single detached dwelling at 3621 County Road 31, temporarily during the construction of a new dwelling on the property, and authorizes the Mayor and Clerk to sign the Minor Development Agreement and register said Agreement on title.

**CARRIED**

2. **Federation of Canadian Municipalities Grant Opportunity**

T. Del Greco, Manager of Municipal Services

**523-2020**

**Moved By** Councillor Larry Patterson

**Seconded By** Councillor Thomas Neufeld

That Council directs Administration to apply for a grant opportunity from the Federation of Canadian Municipalities' Municipal Asset Management Program for a Roads Condition Assessment;

And That Council commits to conducting the following activities in its proposed project submitted to the Federation of Canadian Municipalities' Municipal Asset Management Program:

- Surface Condition Data Collection and Analysis for 258 km's of Kingsville Roads.
- Custom data analysis software and visualization in a secure web-based GIS application including software hosting and support;

And That Council commits \$13,552 in the 2021 Capital Budget towards the cost of a Roads Condition Assessment.

**CARRIED**

**I. MINUTES OF THE PREVIOUS MEETINGS**

- 1. Regular Meeting of Council--August 24, 2020**
- 2. Regular Closed Session Meeting of Council--August 24, 2020**

**524-2020**

**Moved By** Deputy Mayor Gord Queen

**Seconded By** Councillor Tony Gaffan

That Council adopts Regular Meeting of Council Minutes dated August 24, 2020 and Regular Closed Session Meeting of Council Minutes dated August 24, 2020

**CARRIED**

**J. MINUTES OF COMMITTEES AND RECOMMENDATIONS**

- 1. Kingsville Accessibility Advisory Committee--March 5, 2020**

**525-2020**

**Moved By** Councillor Laura Lucier

**Seconded By** Councillor Kimberly DeYong

That Council receives Kingsville Accessibility Advisory Meeting Minutes dated March 5, 2020.

**CARRIED**

**2. Kingsville B.I.A--July 14, 2020**

**526-2020**

**Moved By** Councillor Tony Gaffan

**Seconded By** Councillor Thomas Neufeld

That Council receives Kingsville B.I.A. Meeting Minutes dated July 14, 2020.

**CARRIED**

**3. Parks, Recreation, Arts and Culture Committee--July 16, 2020**

**527-2020**

**Moved By** Deputy Mayor Gord Queen

**Seconded By** Councillor Kimberly DeYong

That Council receives Parks, Recreation, Arts and Culture Committee Meeting Minutes dated July 16, 2020 together with Minutes of the following sub-committees: Fantasy of Lights - May 26, 2020; Migration Festival - May 26, 2020; Communities in Bloom - May 21, 2020; Highland Games - April 2, 2020.

**CARRIED**

**4. Committee of Adjustment--July 21, 2020**

**528-2020**

**Moved By** Councillor Laura Lucier

**Seconded By** Councillor Larry Patterson

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

**CARRIED**

**5. Police Services Board--July 29, 2020**

**529-2020**

**Moved By** Councillor Thomas Neufeld

**Seconded By** Councillor Tony Gaffan

That Council receives Police Services Board Meeting Minutes dated July 29, 2020.

**CARRIED**

A request was made that a breakdown be provided regarding Kingsville and Cottam foot patrol hours.

**K. BUSINESS CORRESPONDENCE - INFORMATIONAL**

- 1. Town of Essex--Correspondence dated August 14, 2020 RE: Request for more detailed information and data regarding the spread of COVID-19 in Essex County**
- 2. Township of Front of Yonge--Correspondence dated August 25, 2020 RE: Support of Kingsville Resolution regarding the rent assistance program**
- 3. Town of Amherstburg--Correspondence dated August 26, 2020 RE: Support for Increased Provincial Funding**
- 4. City of Windsor--Correspondence dated August 28, 2020 RE: Endorsement of legislation and regulations to support and rejuvenate news outlets across Canada**
- 5. Windsor-Essex County Health Unit--Correspondence dated September 2, 2020 RE: Request for more detailed information and data regarding the spread of COVID-19 in Essex County**

**530-2020**

**Moved By** Councillor Laura Lucier

**Seconded By** Councillor Tony Gaffan

That Council receives Business Correspondence-Informational Items 1 through 5.

RE: Business Correspondence-Informational Item 5

Deputy Mayor Queen commented that while he appreciates the response from the Windsor-Essex County Health Unit to the Town's request for more detailed information and data regarding the spread of COVID-19 in Essex County, he wished to bring Council's attention to an article published in The Star's Toronto newspaper this morning. The article reported that a recent COVID-19 outbreak has occurred at a Mississauga business involving 61 employees, but the name of the business was not identified. Mr. Queen commented that the Town is not unique in its request for more transparency, and that Brampton Mayor Patrick Brown is also seeking complete transparency for the public.

Deputy Mayor Queen commented that the Town is still not receiving complete transparency from the Health Unit.

**L. NOTICES OF MOTION**

Councillor Patterson did not add a Notice of Motion at this Regular Meeting.

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

**1. Councillor Neufeld--RE: Maintaining Accessibility Routes / Unfinished Business**

Councillor Neufeld requested an update from Administration as to the where the Town stands on the issue of maintaining accessibility standards in the Town of Kingsville when construction projects create barriers to accessibility. The photograph Councillor Neufeld provided showed a cut in a sidewalk with no warning signage and no accessible corridor created for pedestrians to go around the barrier. Director Plancke explained that during construction within a Town right-of-way, a utility must enter into an encroachment permit with the Town. In the photo example, the Town had entered into two previous permits for this project site (one with Cogeco, one with Bell) and both were in compliance with the Town's standards. Unfortunately, E.L.K. Energy performed the sidewalk works without notice, and without a permit. Director Plancke will make appropriate revisions to the Development Standards manual (to add signage requirements, etc.) when the Manual comes forward for review.

Deputy Mayor Queen suggested that Administration write to the Town's E.L.K. board representative, Dr. Lydia Miljan, notifying her of E.L.K.'s failure to follow the required permit process, so that she can present the correspondence item at the next Board Meeting.

**531-2020**

**Moved By** Councillor Tony Gaffan

**Seconded By** Councillor Kimberly DeYong

That Council receives the update from Director Plancke in regard to Maintaining Accessibility Routes.

**CARRIED**

**2. Status update from Administration RE: Site grading causing no adverse affects (follow-up from August 24, 2020 Regular Meeting)**

Director Astrologo updated that the Administration Management Group will be discussing the matter of Subdivision Drainage design and compliance at its meeting to be held September 17, and a Report will be provided at an upcoming Regular Meeting

**3. Declaration of Partial State of Emergency in response to gasoline leak--**

Mayor Santos advised that earlier today, the Town of Kingsville declared a localized state of emergency in response to a petroleum leak at the gas station located at the corner of County Road 20 and County Road 23. The site is being monitored as the clean up continues. He thanked the Kingsville Fire Department, the Ontario Provincial Police, and the Windsor Fire and Rescue Service HAZMAT team for their continuing assistance to resolve this incident while protecting residents and property. The public is advised to avoid the area as the road closures remain in effect.

**N. BYLAWS**

**1. By-law 74-2020**

**532-2020**

**Moved By** Deputy Mayor Gord Queen

**Seconded By** Councillor Tony Gaffan

That Council reads By-law 74-2020, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (ZBA/09/20; Solid Rock Homes Inc.; 273 and 281 Glass Avenue) a first, second and third and final time.

**CARRIED**

**2. By-law 75-2020**

**533-2020**

**Moved By** Deputy Mayor Gord Queen

**Seconded By** Councillor Thomas Neufeld

That Council reads By-law 75-2020, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (ZBA/30/18; 1473 Wellington Union Ave.) a first, second and third and final time.

**CARRIED**

**O. CLOSED SESSION**

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

**534-2020**

**Moved By** Councillor Larry Patterson

**Seconded By** Councillor Laura Lucier

That Council at 7:59 p.m. pursuant to Subsection 239(2) of the *Municipal Act, 2001*, enter into Closed Session to address the following items:

i) Subsection 239(2)(b) personal matters about an identifiable individual, including municipal employees RE: CAO Performance; and

ii) Subsection 239(2)(b) personal matters about an identifiable individual, including municipal employees RE: Matters involving the Kingsville Fire Department

**CARRIED**

**P. CLOSED SESSION - Item 1. ii)**

**Q. REPORT OUT OF CLOSED SESSION**

Upon rising from Closed Session at 9:02 p.m. Mayor Santos advised that Council had entered into Closed Session to address items 1.i and 1.ii, captioned above, both relating to matters under Subsection 239(2)(b), being personal matters about an identifiable individual, including municipal employees. Mayor Santos



reported that Council received information on each item, and provided additional direction to Town Administration.

**R. CONFIRMATORY BY-LAW**

**1. By-law 86-2020**

**535-2020**

**Moved By** Deputy Mayor Gord Queen

**Seconded By** Councillor Kimberly DeYong

That Council reads By-law 86-2020, being a By-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its September 14, 2020 Regular Meeting a first, second and third and final time.

**CARRIED**

**S. ADJOURNMENT**

**536-2020**

**Moved By** Councillor Larry Patterson

**Seconded By** Councillor Thomas Neufeld

That Council adjourns this Regular Meeting at 9:03 p.m.

**CARRIED**



# JOINT BOARD OF MANAGEMENT

Wednesday, July 15, 2020  
9:00 AM

Virtually in Zoom

## MINUTES

Members Present: Mayor MacDonald (Chair); Deputy Mayor Verbeke, Councillors  
Dunn, Jacobs, Hammond - Leamington  
Mayor Santos, Deputy Mayor Queen, Councillors DeYong, Neufeld,  
Patterson - Kingsville  
Councillor VanderDoelen - Essex  
Mayor Bain (alternate) - Lakeshore

Municipal Staff Present: Councillor Wilkinson - Leamington

UWSS Staff Present: Rodney Bouchard, Manager UWSS  
Khristine Johnson, UWSS Recording Secretary

Municipal Staff Present: Kevin Girard - Essex  
Shaun Martinho - Kingsville  
Albert Dionne - Lakeshore  
Shannon Belleau - Leamington

OCWA Staff Present: Susan Budden  
Dale Dillen, Ken Penney

**Call to Order: 9:05 am**

**Disclosures of Pecuniary Interest: none**

**Adoption of Board Minutes:**

The Regular Minutes of the Union Water Supply System Joint Board of Management meeting held virtually on Wednesday, June 17, 2020 is received.

**No. UW-33-20**

Moved by: Deputy Mayor Verbeke

Seconded by: Councillor DeYong

That the Regular Meeting Minutes of the UWSS Joint Board of Management meeting of June 17, 2020 is approved..

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Carried**Business Arising Out of the Minutes:**

There was none.

**Report UW/18/20 dated July 10, 2020 re: Status Update of the UWSS Operations & Maintenance Activities and Capital Works to June 12, 2020**

The Manager thanks all members for attending the zoom meeting and reminds members that staff are continuing to work remotely as much as possible.

The Manager updates members on the projects that are ongoing and repairs taking place throughout the system.

Particularly the Manager indicated Low Lift pump #5 has been received from supplier and should be installed and commissioned during the following week.

The Manager reminds members that UWSS supplied water to the Harrow/Colchester WTP from June 8 to June 19, 2020. During the last board meeting members were informed that the interconnect should be closed by the end of the week. He confirmed that indeed the interconnects were closed and the UWSS was no longer supplying water to Harrow. Currently, he is working with OCWA staff to determine the amount of water that needs to be charged to Harrow.

At the beginning of June, while reading the billing meters, it was noted that billing meter #21 has failed. This billing meter is one of the four that are connected to the Town of Lakeshore. This particular meter was replaced and staff will be working to ensure that the flows numbers are corroborated, but the next reading is not until the end of July.

The actuator on Filter #5 "A" side failed. Staff removed the part and ordered the replacement part. It is expected that the work to re-install the new actuator will be completed by the end of this week. A spare actuator will now be ordered and kept in storage as it can be used on Filters #5-8.

The Manager informed the board that unfortunately a roof leak was detected near the operator's desk and adjacent to the SCADA server cabinet. This leak has caused some issues during heavy rain events. Repairs have been made several times, but unfortunately they do not last long. The UWSS/OCWA staff are in the process of obtaining quotes for a full roof repair. The Manager notes that the roof is not really that old, but there have been several issues. He is looking into any potential warranties that still might be viable.

The SCADA project continues to be on hold until September when flows are lower and the contractor can come in and actually work on the system. This will require lower flows as parts of the system will have to be shut down during this process. The Manager also notes that the CO2 pH Adjustment system project is complete aside from some of the land grading, which didn't take very well and will have to be adjusted. He does confirm that the system is working well and operators are liking the new system.

The Manager then explains that the project engineer for the Kingsville Water Tower (KWT) project has suggested that this project be placed on hold until 2021. This recommendation is due to a number of issues; namely, at this time costs have become prohibitive and over budget due to extra costs associated with COVID, contractors are very busy, it is getting later in the year and runs the risk of running into colder weather, shipping delays from the USA and the timing would be very tight. The Manager feels Spring 2021 might be a better consideration, with tendering occurring in the Fall of 2021.

The Manager reminds members of the hydrant retrofit project, but confirms that this project will most likely be completed the following week and he is hopeful that data will start being collected one week after installation completion. He notes that this will help with pressure fluctuations and main breaks.

Empire Communications should be on the UWSS properties on August 10th to start installing the security cameras and the controlled access to the facilities. This will allow the UWSS properties to be monitored safely.

The Manager notes that he is waiting for an update from the project engineer NJ Peralta regarding the sewer force main. The County of Essex and the Town of Kingsville are working together to get this item approved.

The Manager is hoping to acquire the services of Associated Engineering (AE) to complete a Computational Fluid Dynamics Study for the Cottam Booster Station (CBS). This is part of the capital works budget. This will help determine the best reservoir mixing strategy for the CBS.

The Manager then confirms that the flows from the WTP are very high this summer, especially during the heat wave experienced at the beginning of July. He notes that the WTP has the capacity however, at several points in time the plant was pushing out 22,000 gallons per minute, which is above production capacity. This occurred for about four (4) hours. He is now considering another reservoir on site to help with this situation, once he has further information he will bring this back to the board.

The Manager then answers several questions regarding the report. Councillor Neufeld asks how long the data will be stored from the hydrant retrofit project. The Manager notes that data is collected every 15 minutes to start and should be kept in perpetuity. The package purchased can be adjusted as things progress.

Councillor Hammond inquires about water use and how much is being used by greenhouses and residential. The Manager feels it might be as high as 50% towards greenhouses, but he will work with municipalities to determine a more accurate number. He notes that he has sent out an email to municipal colleagues and there is a meeting scheduled regarding this topic prior to the end of July. The UWSS really needs to be on top of this as the greenhouse applications keep coming in.

Councillor DeYong asks if there are any development charges assigned to the municipalities regarding the reservoir expansion. The Manager indicates that this is something that could be determined with further meetings.

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Councillor Patterson commends the Manager for waiting on the KWT project. He has noted that the trend among some contractors is to try and ply extra cash for project completion, sighting being busy as the reason. He confirms that it is a good idea to wait on this project to try and keep costs down. The Manager confirms he was assured that by waiting the project would obtain better costing.

**No. UW-34-20**

Moved by: Councillor Patterson

Seconded by: Deputy Mayor Queen

That report UW//18/20 dated July 10, 2020 re: Status Update of the UWSS Operations & Maintenance Activities and Capital Works to July10, 2020 is received.

Carried (UW/18/20)

**Report UW/19/20 dated July 10, 2020 re: Payments from June 26 to July 10, 2020****No. UW-35-20**

Moved by: Mayor Santos

Seconded by: Councillor Neufeld

That report UW/19/20 dated July 10, 2020 re: Payments from June 26 to July 10, 2020 is received.

Carried (UW/19/20)

**New Business**

Mayor Santos asks for confirmation from the Manager that the greenhouse applications are going through the standards protocols for completion. The Manager explains that the applications are:

- received by the Municipalities from the greenhouse operations
- forwarded to the engineer and the UWSS
- Stantec Consulting reviews and assesses the greenhouse applications and creates a report
- Stantec's report is then sent back to the Municipalities and the UWSS providing their recommendations

The Manager notes that Stantec Consulting maintains the model for the pressures.

Councillor Patterson notes that the algae has been spotted at the tip of Point Pelee. The recording secretary notes that the Harmful Algae Bloom bulletins are still being

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posted on the website as received and that NOAA is still predicting a smaller bloom than usual, but thanks Councillor Patterson for the observation.

## **Adjournment**

### **No. UW-36-20**

Moved by: Councillor Dunn

Seconded by: Councillor Jacobs

That the meeting adjourn at 9:33 am

Carried

**Date of Next Meeting:** Wednesday, September 16th, 2020 virtually in zoom.

/kmj



## COMMITTEE MINUTES

### **KINGSVILLE MUNICIPAL HERITAGE ADVISORY COMMITTEE TUESDAY, AUGUST 11, 2020 AT 4:00 P.M Via ZOOM**

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

Chair S. Sacheli, in attendance at the Municipal Office, Committee Room A, 2021 Division Road North, Kingsville, called the Meeting to order at 4:00 p.m. All other members in attendance participated in the meeting through video conferencing technology from remote locations.

#### **MEMBERS OF MUNICIPAL HERITAGE ADVISORY COMMITTEE:**

Sarah Sacheli  
Kimberly DeYong  
Bruce Durward  
Anna Lamarche  
Margie Luffman  
Shannon Olson  
Christine Mackie

#### **MEMBERS OF ADMINISTRATION:**

Sandra Kitchen, Deputy Clerk-  
Council Services

Absent: Matt Biggley and Elvira Cacciavillani (absent on personal business)

#### **B. DISCLOSURE OF PECUNIARY INTEREST**

Chair S. Sacheli reminded the Committee members in attendance that any declaration is to be made prior to each item being discussed and to identify the nature of the conflict, if any, as the agenda items come forward.

#### **C. REPORTS AND ACCOUNTS**

##### **1. Accounts (Budget vs. Actual, to period ended July 31, 2020)**

**MHC44-2020** Moved by K. DeYong, seconded by B. Durward to accept the Accounts.

**CARRIED**

##### **2. August 2020 Research report submitted by V. Brown, Research Assistant on August 10, 2020**

Ms. Sacheli presented Ms. Brown's research report including the following:

13 Maple built c.1887  
33 Maple built 1921  
49 Maple built 1920  
14 Myrtle built 1921  
37 Myrtle built 1922  
28 Prospect built 1920  
25 Prospect built 1923  
33 Prospect built 1924  
37 Prospect built 1920  
41 Prospect built 1920  
45 Prospect built 1922  
49 Prospect built 1923  
51 Mill St. East built 1927  
27 Pearl St. E. built 1924  
31 Pearl St. E built 1924

**MHC45-2020** Moved by S. Olson, seconded by C. Mackie to receive the August 2020 Research Report of V. Brown.

**CARRIED**

## **D. MINUTES OF THE PREVIOUS MEETING**

1. Review and adoption of Kingsville Municipal Heritage Advisory Committee Meeting Minutes dated July 15, 2020.

**MHC46-2020** Moved by M. Luffman, seconded by A. Lamarche to adopt the Minutes of the July 15, 2020 Meeting as amended.

**CARRIED**

## **E. BUSINESS CORRESPONDENCE-INFORMATIONAL**

1. Approved invoices:
  - i) V. Brown – Invoice for research services-July 2020
  - ii) V. Brown—Invoice for Ancestry.ca annual membership
  - iii) V. Brown—Newspapers.com monthly membership (Jan to July 2020)



**MHC47-2020** Moved by B. Durward, seconded by C. Mackie to receive the Research Invoices.

**CARRIED**

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

### 1) Main St. Development Committee

Ms. Sacheli advised that the Town has recently established a Main St. Development Committee and Ms. DeYong, Ms. Sacheli and Mr. Durward have been appointed by Council to that Committee. In anticipation of a presentation to such Committee, it would be advisable to have Ms. Brown draft a short 1-2 page summary statement on Kingsville's architecture. The purpose of the statement is to clear up the widely held misconception that Kingsville is a "Victorian" town. The statement would be reviewed by the Committee, and presented to the Main St. Development Committee sometime in the future.

**MHC48-2020** Moved by K. DeYong, seconded by B. Durward that the Committee request that Veronica Brown provide a statement about Kingsville's historical architecture, based on the Architecture binder research she has already done, for the purpose of the Committee presenting the same to the newly-formed Main St. Development Committee.

**CARRIED**

2) Jack Miner Bird Sanctuary report—B. Durward will bring the research report to the next meeting.

**G. NEXT MEETING DATE** –September 8, 2020 at 4:00 p.m.

## **H. ADJOURNMENT**

**MHC49-2020** Moved by B. Durward, seconded by K. DeYong to adjourn the Meeting of the Kingsville Municipal Heritage Advisory Committee at 4:50 p.m.

**CARRIED**



## COMMITTEE MINUTES

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**CHAIR, Sarah Sacheli**

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**DEPUTY CLERK-COUNCIL SERVICES,  
Sandra Kitchen**



## MINUTES

**TOURISM AND ECONOMIC DEVELOPMENT COMMITTEE  
THURSDAY, AUGUST 13, 2020 @ 5:30 P.M.  
ZOOM**

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

Mayor Santos called the Regular Meeting to order at 5:33 p.m. with the following persons in attendance via ZOOM:

**Members:**

B. Durward  
M. Somerville  
T. Gaffan  
D. Hunt

**Members of Administration:**

Executive Assistant to the Mayor and CAO, T. Hewitt

**Regrets:**

S. Lowrie  
M. Law

### **B. DISCLOSURE OF PECUNIARY INTEREST**

When a member of the Committee has any pecuniary interest, direct or indirect, in any matter which is the subject of consideration at this Meeting of the Committee (or that was the subject of consideration at the previous Meeting of the Committee at which the member was not in attendance), the member shall disclose the pecuniary interest and its general nature, prior to any consideration of the matter. None were reported.

### **C. STAFF REPORTS**

#### **1. Budget vs. Actuals for the period ending July 31, 2020**

N. Santos presented the budget vs. actuals for the period ending July 31, 2020.

**33-2020** Moved by B. Durward, seconded by D. Hunt to receive the report.

**CARRIED**

### **D. MINUTES OF THE PREVIOUS MEETING**

1. **Tourism/Economic Development Committee Meeting Minutes—Thursday, July 9, 2020**

**34-2020** Moved by D. Hunt, seconded by T. Gaffan to adopt the minutes of the Tourism/Economic Development Committee Meeting dated July 9, 2020.

**CARRIED**

**E. NEW AND UNFINISHED BUSINESS**

1. **BIA Update – T. Gaffan**

T. Gaffan provided an update on the BIA, including the plan to move toward a part-time coordinator with a seasonal assistant. There is a hiring committee set up.

He reported that the \$10,000 Summer Giveaway has been very successful.

He stated the BIA is doing a BINGO contest with businesses and showcasing individual business videos on social media.

There was discussion about Open Streets. It was confirmed that volunteers are in place to take care of the next four weeks.

2. **Business Awards**

**a) Scoring**

**b) Presentation Plan**

T. Hewitt presented the numbers for the businesses. The winners were selected by blowing out the top and bottom scores for an average. T. Hewitt will recirculate the Business Innovation category. T. Hewitt will order the awards. The presentations will take place via pop in presentations and T. Hewitt will put together a video presentation following the presentations, which will take place via facebook live.

3. **T-Shirt Monkey Proposal**

N. Santos provided some background on the “Kingsville Strong” merchandise booth. It was recommended to move the merchandise online. N. Santos stated that T-Shirt Monkey was not interested in quoting for the second round of t-shirts if they were planning to use them at the Open Streets booth. Opportunity to sell at the arena. Tara will put it on merch page, promote on social media, get some at the front of town hall and to the arena. It was suggested to give masks to businesses to give away.

4. **Advertising Partnership Opportunities**

Information about potential advertising partnership with TWEPI to destigmatize Kingsville for being the last in Stage 3. T. Hewitt will reach out to make our dollars go further.

There was a discussion on social media policies and responses.

T. Gaffan asked if there were any grants coming down the line that the BIA could apply for. N. Santos stated that there is nothing specific but that TWEPI and SWOTC are working on a few campaigns that should be revealed while in Stage 3.

#### **F. NEXT MEETING DATE**

1. The next meeting of the Tourism and Economic Development Committee is on Thursday, September 10, 2020 via ZOOM @ 5:30 p.m.

#### **G. ADJOURNMENT**

**35-2020** Moved by B. Durward seconded by M. Somerville to adjourn this Meeting at 6:56pm.

**CARRIED**

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**CHAIR, Nelson Santos**

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**RECORDING SECRETARY, T. Hewitt**



## COMMITTEE MINUTES

### **PARK RECREATION ARTS AND CULTURE COMMITTEE AUGUST 20, 2020 @ 5:30 P.M. VIA ZOOM**

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

Deputy Mayor Queen called the Meeting to order at 5:30 p.m. with the following persons in attendance:

#### **MEMBERS OF PARKS, RECREATION ARTS & CULTURE COMMITTEE:**

Mayor N. Santos  
Deputy Mayor G. Queen  
Councilor T. Neufeld  
M. Tremaine-Snip  
A. Hickmott  
M. Shields-joined at 6:08pm

#### **MEMBERS OF ADMINISTRATION:**

M. Durocher Program Manager  
  
D. Wolicki, Facilities Manager

#### **B. DISCLOSURE OF PECUNIARY INTEREST**

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

#### **C. PRESENTATIONS/DELEGATIONS**

##### **Les McDonald**

##### **Jack Del Brocco**

1. Les McDonald made a presentation about an Aerial Adventure Park that he and partners are interested in putting at Mettawas Park. This is a private endeavor that he would like to make permanent attraction. It was noted that this company had opened 10 of this play structures around the world with the closest one being in London, which is an indoor facility.

**71-2020** Moved by Councilor T. Neufeld seconded by M. Shields to move receipt of the presentation and request a timeline and further information with respect to this project.

**CARRIED**

M. Durocher and D. Wolicki to follow up.

2. Jack Del Brocco presented a letter that he had written on behalf of fellow boaters. He indicated that the Marina is in need of repairs. There were a number of concerns Raised by the committee and Mr. Del Brocco including:

- Modernization of marina
- Size of the boat ramp
- Electrical issues
- Fuel Service
- Transient Boat Wells
- Staff Levels
- Washrooms
- Dredging

D. Wolicki addressed staffing issues, cleaning issues, and fueling.

**72-2020** Moved by Councilor T. Neufeld seconded by A. Hickmott to move receipt of the report as received.

**CARRIED**

## **C. AMENDMENTS TO THE AGENDA**

None.

## **D. STAFF REPORTS**

### **1. M. Durocher- Manager of Parks and Recreation Programs and Events**

M. Durocher provided an update on events, the marina and programs scheduled to take place.

**73-2020** Moved by M. Tremaine Snip seconded by Councilor T. Neufeld to receive the report of the Manager of Programs as presented.

**CARRIED**

## **2. D. Wolicki-Manager of Municipal Facilities and Properties**

D. Wolicki provided an update on various facilities and parks and their status based on Covid-19 including the following:

- Range Light concerns-Dan and Maggie to request update from Laws regarding fencing
- Sand Bar at Marina
- Fuel Service at Marina
- Lions Park

**74-2020** Moved by M. Tremaine Snip, seconded by A. Hickmott to receive the report of D. Wolicki as presented

**CARRIED**

## **E. MINUTES OF THE PREVIOUS MEETING**

1. Parks Recreation Arts and Culture Meeting Minutes—July 16, 2020

**75-2020** Moved by Councilor T. Neufeld, seconded by A. Hickmott, to receive the minutes of Parks Recreation Arts and Culture Committee Meeting dated July 16, 2020

**CARRIED**

## **F. COMMITTEE REPORTS**

1. Migration Fest Committee

**76-2020** Moved by M. Tremaine Snip and seconded by Councilor T. Neufeld to receive the minutes of the Migration Fest committee dated June 23, 2020

**CARRIED**



## 2. Communities in Bloom Committee

**77-2020** Moved by Councilor T. Neufeld and seconded by M. Tremaine Snip receive the minutes of the Communities in Bloom committee dated July 16, 2020

**CARRIED**

## G. NEW AND UNFINISHED BUSINESS

### 1. Splash Pad Update

D. Wolicki provided an update on the survey, which will be presented to council before the public. The committee asked that the survey be aligned to show the true cost of the splash pad and not park development.

### 2. Status of Open Facilities

D. Wolicki indicated that the arena is set to open on September 8 and return to service. Procedures may change if warranted, as all steps that are being taken are being done for the protection of everyone.

### 3. Curb at Larry Santos Park

A. Hickmott noted that it had been brought to his attention that the park is not accessible because of the curb. D. Wolicki to take this to Public Works.

**78-2020** Moved by M. Shields seconded by M. Tremaine Snip to receive the new business items.

**CARRIED**

## H. NEXT MEETING DATE

September 17, 2020 at 5:30 p.m. via ZOOM.



## COMMITTEE MINUTES

### I. ADJOURNMENT

**79-2020** Moved by Councilor T. Neufeld seconded by Mayor N. Santos to adjourn this Meeting at 6:50 p.m.

**CARRIED**

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**CHAIR, Deputy Mayor Queen**

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**RECORDING SECRETARY,  
M. Durocher**



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

**Date:** September 17, 2020

**To:** Parks Recreation Arts and Culture Committee

**Author:** Maggie Durocher, Manager of Programs and Special Events

**RE:** Monthly Updates/Information

---

### **Pickleball**

Pickleball memberships continue to sell well at a prorated cost for the end of the season. The members appear to be happy with their new courts.

The Pickleball fundraising committee is working to solicit more donations. The naming rights have been purchased for \$25,000 and a new addition to the sign depicting their new location will be erected next week, with an unveiling to take place in the very near future.

### **User Groups**

Monday night men's hockey, Skate Kingsville and Erie North Shore Hockey have all returned to play. We continue to monitor safety, and staff are working to insure adherence to the Town's safety plan. Continual conversation between staff and groups is taking place to ensure that everyone's concerns are being heard and that constructive ways are being worked out to deal with any issues that arise.

### **Migration Fest**

The Migration Fest committee is continuing to work to ensure that the 51<sup>st</sup> festival takes place given the current COVID restrictions. To date the following activities are taking place;

- Great Migration Paint out and meet the painters BBQ
- Opening Ceremonies Saturday morning at Carnegie
- Welcome video prepared by Eric Hansen
- Porch Parade
- Wild Goose chase
- Entertainment via buskers downtown
- Marketplace-Carnegie

- Walk With your Flock activities throughout town
- Pajamas and Pancakes with stories by local heroes
- Jack Miner Activities at Unico

## **Communities in Bloom**

We have applied for 3 achievement awards this year, Winter Life, Youth Involvement and Community Blooms. I will be attending a number of Virtual functions this year as part of their annual symposium

## **Facility Bookings**

Bookings for various facilities continue to slowly come in, along with rebooking of 2020 dates. With the new booking, software individuals will have more opportunity to visually see the facilities on line and review their amenities. Once the financial package is fully functional relative to this software, we will have the opportunity to highlight these facilities on line.

## **Programs**

We are looking to begin our community programing after thanksgiving which includes are public skating programs. Our Kindergym and kids in the Kitchen programs will not be able to be restarted until our full complement of staff is back, Amanda is currently at town hall filling in. We are also reaching out to create new program opportunities in the adult fitness and culture sector for our Florida snowbirds that will not be able to return to the south this winter.



# COMMITTEE MINUTES

## **MIGRATION FESTIVAL COMMITTEE JUNE 23, 2020 @ 6:00 P.M. VIA ZOOM**

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

Chair S. Girardin called the Meeting to order at 6:02 p.m. with the following persons in attendance:

#### **MEMBERS OF MIGRATION FESTIVAL COMMITTEE:**

Diane-Marie Swiderski  
Robyn Braybrook-Gard  
Stephanie Allen-Santos  
Councilor L. Lucier  
M. Fogel  
A. Araujo  
S. Wye  
M. Law

#### **MEMBERS OF ADMINISTRATION:**

M. Durocher

REGRETS: M. KRAUS

### **B. DISCLOSURE OF PECUNIARY INTEREST**

Chair S. Girardin reminded the Committee 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**

There were none.

### **D. AMENDMENTS TO THE AGENDA**

There were none.

### **E. STAFF REPORTS**

M. Durocher provided an update to the committee on the concept of Porch Parades.

## **F. MINUTES OF THE PREVIOUS MEETING**

1. Migration Festival Committee Meeting Minutes dated May 26, 2020-via Zoom.

**14-2020** Moved by Councilor L. Lucier, seconded by R. Braybrook-Gard to receive the minutes of the Migration Festival Committee Meeting dated May 26, 2020 as amended

**CARRIED**

## **G. NEW AND UNFINISHED BUSINESS**

### **1. Family Friendly Launch**

M. Law and R. Braybrook-Gard led the discussion with the respect of altering Migration Fest to adhere to COVID-19 guidelines to include the following activities:

#### **Friday**

Opening Night

On line Performance

FaceTime live-Mayor Santos providing welcoming remarks

On line or real time musical performances

Some kind of free food type giveaways-Popcorn, Carmel Apples, Candy Apples, Donuts, hot dogs etc. I have no clear notes on any definitive

#### **Saturday**

Open Streets type activities

Marketplace at various locations-Unico, Lakeside

Plein Aire Painters

Late Afternoon-Bubble Walk-with bubbles for the children

Jangles-Balloon Twist

Picnic Tables at strategic locations

Vendors at Carnegie-with Tent

Small bands playing-3 or 4 piece groups in different spaces

Jack Miner Videos at Unico

## **Sunday**

Pan Cake Breakfast-available as pick up to make at home

On line, Readings relative to Jack Miner and migratory themed story book readings made by front line workers/First responders

Plein Aire Artist art show at Grovedale

Porch Parade-all weekend

M. Durocher suggested doing this whereby people decorate their porches before Migration Fest-send their pictures into AM 800 to win a prize pack. WE can offer judges then announce the prize winners on the Morning Drive.

Wild Goose Hunt

Children's Event where kids look for geese similar to Robyn's Surprise locations, then once they have found them they get that location initialed. We could also have goose prints located around town to help them-member of Communities in Bloom and PRAC Committee Melissa Tremaine Snip has volunteered to assist.

**15-2020** Moved by Councilor L. Lucier, seconded by M. Fogal that the committee agrees to put on hold fundraising and advertising through the pandemic in favour of family friendly activities to bring the community together.

**CARRIED**

## **2. Marketplace**

The marketplace was discussed. Committee members indicated the following:

- Should have smaller number of crafters
- Children's marketplace at Lakeside was debated
- S. Wye indicated she could cold call vendors
- Different venues were reviewed
- Carnegie with a tent was proposed
- Committee suggests that Unico, Grovedale and Lakeside all be booked for the committee
- M. Law noted that the Town could provide picnic tables at the Carnegie

## **H. NEXT MEETING DATE**



## COMMITTEE MINUTES

1. \*\*The next meeting of the Migration Festival Committee shall take place on July 28, 2020 at 6:00 p.m. via ZOOM

### **I. ADJOURNMENT**

- 16-2020** Moved by D. Swiderski seconded by M. Law to adjourn this meeting at 7:47 p.m.

**CARRIED**

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**CHAIR, Sue Girardin**

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**RECORDING SECRETARY,  
M. Durocher**





## COMMITTEE MINUTES

### COMMUNITIES IN BLOOM COMMITTEE JULY 16, 2020 @ 4:00 P.M. VIA ZOOM

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

Councilor T. Neufeld called the Meeting to order at 4 p.m. with the following persons in attendance:

#### **MEMBERS OF COMMUNITIES IN BLOOM COMMITTEE:**

M. Tremaine-Snip  
C. Bedal  
J. Willoughby  
S. Haefling-BIA  
L. Janisse-arrived at 4:10  
M. Fogal

#### **MEMBERS OF ADMINISTRATION:** M. Durocher-Program Manager

REGRETS: A. BATKE

#### **B. DISCLOSURE OF PECUNIARY INTEREST**

Councilor 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. PRESENTATIONS/DELEGATIONS**

There were none.

#### **D. AMENDMENTS TO THE AGENDA**

There were none.

#### **E. STAFF REPORTS**

M. Durocher reported that her report items would be captured under new business.

#### **F. MINUTES OF THE PREVIOUS MEETING**

1. Communities in Bloom Meeting Minutes—June 24, 2020



## COMMITTEE MINUTES

**15-2020** Moved by M. Fogal seconded J. Willoughby, to receive the minutes of Communities in Bloom Committee Meeting dated June 24, 2020

**CARRIED**

### **G. NEW BUSINESS**

#### **1. Shout Outs**

Committee suggested that the Horticultural Society's Front Yard Campaign be identified and provided with a shout out. This is a wonderful example of leading by example.

#### **2. Yellow Fish**

S. Martinho manager of public works has indicated that due to staffing levels the yellow fish program could not be accomplished this year. The committee was encouraged to make the request in 2021.

#### **3. Communities in Bloom Logos**

M. Durocher discussed the Kingsville Strong shirts that would be sold at open streets administration and it was noted that the shirts were being sold at cost, therefore a donation back to the Communities in Bloom Committee was not feasible. It was further discussed whether it would be possible to put the Logos on the sleeve and just be reimbursed for the cost of the logo. At this time, it was not possible however, it was indicated that perhaps during the second printing of the shirts it may be considered.

#### **4. New Flower Beds**

M. Fogal spoke with the Horticultural Society about the feasibility of creating the new Tribute gardens. It was decided that the Horticultural Society would work with the Communities in Bloom committee with respect to this. M. Fogal to ask the Horticultural Society about who would be responsible for the maintenance. M. Durocher to also inquire with Parks and Recreation Department.

The committee discussed the option of creating three COVID community Gardens.

## 5. Tulip Bulbs

M. Durocher reported that Tulip Bulbs were available from \$50-\$65 per 100 from Versey Bulbs. The question was asked by M. Tremaine-Snip as to what the best method of dispersing the bulbs to the public would be.

**16-2020** Moved by M. Fogal seconded L. Janisse that the bulbs be given out in packages of five to the first 100 people who come forward. The packages would have C.I.B logos on and would be handed out at the pumpkin parade

**CARRIED**

## 6. Pumpkin Parade

It was determined that the committee would go ahead with the pumpkin parade for 2020 and use social distancing measures to ensure the safety of guests.

## 7. Communities in Bloom Gateway Sign-Cottam

M. Durocher noted that the gateway sign in Cottam is no longer displayed in Cottam. She will work with Municipal Services to have it put back up.

## H. NEXT MEETING

Next meeting of the Communities in Bloom Committee will take place August 20, 2020 at 4:00 p.m. through Zoom.

## I. ADJOURNMENT

**17-2020** Moved by M. Fogal, seconded by J. Willoughby to adjourn this Meeting at 4:35 p.m.

**CARRIED**



## COMMITTEE MINUTES

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**CHAIR, Councilor T. Neufeld**

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**RECORDING SECRETARY,  
M. Durocher**



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September 24, 2020

To: Members of Kingsville Council  
From: Kingsville Striking Committee

**RE: Striking Committee Update re: Youth/Student Appointment for Main Street Development**

Members of the Kingsville Striking Committee, comprised of Mayor Nelson Santos, Deputy Mayor Gord Queen and Councillor Tony Gaffan met on Thursday, September 24, 2020, to review updated applications for a Youth/Student Appointee in response to the follow-up recruitment call for the Main Street Development Committee.

**Main Street Development Committee**

The Committee is pleased to report that the continued effort to pursue letters of interest and applications for the student representative was successful.

**Recommendation**

That Gideon Spevak be appointed to the Main Street Development Review Committee, effective the date of Council decision, and further that the Town of Kingsville Appointment By-Law be amended to reflect the new appointment.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Nelson Santos", is written over a light blue circular stamp.

Mayor Nelson Santos

# Town of Kingsville Striking Committee Minutes

Thursday, September 24, 2020

4:00 P.M.  
Council Chambers

1. Call to Order by Chair N. Santos.  
Members in Attendance: Deputy Mayor G. Queen  
Councillor T. Gaffan
2. Disclose of Pecuniary Interest  
None Declared.
3. A call for a student representative on the Main Street Development Review Committee was opened by the Town of Kingsville and closed on September 21, 2020.  
A complete application was received from Gideon Spevak. Members of the Committee reviewed the submission and provided the following direction:  
  
Moved by G. Queen, Seconded by T. Gaffan that:  
Gideon Spevak be recommended to Town Council for appointment to the Main Street Development Review Committee to be effective the date of Council decision and further that the Town of Kingsville Appointment By-Law be amended to reflect the new appointment.  
MOTION CARRIED
4. Adjournment  
Moved by T. Gaffan, Seconded by G. Queen to adjourn the Striking Committee.  
MOTION CARRIED



**North Algona Wilberforce Township**

1091 Shaw Woods Road  
RR #1 Eganville, Ontario K0J 1T0

Tel: 613-628-2080  
Fax: 613-628-3341

August 20, 2020

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

Dear Premier Ford:

RE: Rent assistance program

The Province of Ontario has provided a financial multi-level rent assistance program to the business community with an established arbitrary cap on multi use properties.

The township of North Algona Wilberforce supports a resolution from Town of Kingsville calling on the Province to expand their Rent Assistance program to include all businesses in a lease agreement within all residential-above-commercial lease properties without a cap on commercial/residential ratio.

Attached you will find a certified true copy of resolution No. 9.2.2 passed by Council on August 18, 2020. Your consideration of this resolution is appreciated.

Yours truly,

James Brose, Mayor  
Encl.

CC: Rod Phillips Minister of Finance  
MPP John Yakabuski  
Jennifer Astrologo, Town of Kingsville

**NORTH ALGONA WILBERFORCE TOWNSHIP**  
**AUGUST 18, 2020**

**MOVED BY**

- ☐ Mayor Brose
- ☐ Councillor Buckwald,
- ☒ Councillor Berndt
- ☐ Councillor Reiche-Schoenfeldt
- ☐ Councillor Robinson

**SECONDED BY**

- ☒ Mayor Brose
- ☒ Councillor Buckwald,
- ☐ Councillor Berndt
- ☐ Councillor Reiche-Schoenfeldt
- ☐ Councillor Robinson

9.2.2

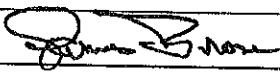
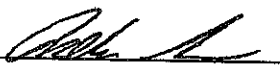
Whereas the Township of North Algona Wilberforce received correspondence from the town of Kingsville with respect to rent assistance programs to include all businesses with a lease agreement within all "residential-above-commercial" properties without a cap on commercial/residential ratio.

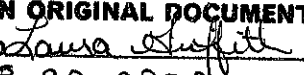
BE IT RESOLVED that the Township of North Algona Wilberforce hereby supports their resolution passed on June 29, 2020; and

BE IT FURTHER RESOLVED THAT this resolution be sent to Hon. Doug Ford, Premier of Ontario, and Rod Phillips the Minister of Finance, MPP John Yakabuski and town of Kingsville Director of Corporate Services/Clerk, Jennifer Astrologo.

Carried: <input checked="" type="checkbox"/>	Defeated: <input type="checkbox"/>	Withdrawn: <input type="checkbox"/>
Declaration of Interest: _____		Recorded Vote: _____

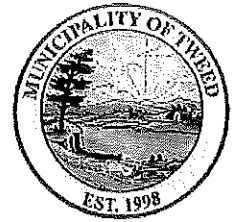
YES	Voting	NO
<input checked="" type="checkbox"/>	Councillor Doug Buckwald	
<input checked="" type="checkbox"/>	Councillor Melvin Berndt	
<input checked="" type="checkbox"/>	Councillor Janet Reiche-Schoenfeldt	
<input checked="" type="checkbox"/>	Councillor Maria Robinson	
<input checked="" type="checkbox"/>	Mayor James Brose	

Mayor: <u></u>
Clerk: <u></u>

**CERTIFIED TRUE COPY  
OF AN ORIGINAL DOCUMENT**  
SIGNED   
DATE 8-20-2020  
North Algona Wilberforce Township



## Municipality of Tweed Council Meeting



Resolution No.

343.

Title:

County of Hastings and County of Lennox & Addington

Date:

Tuesday, August 25, 2020

Moved by

J. Flieler

Seconded by

J. Palmateer

WHEREAS the Government of Canada passed the *Cannabis Act S.C. 2018, c. 16* legislation legalizing properties to grow a maximum of 4 plants without a licence; and

WHEREAS Health Canada issues licences for medicinal cannabis production that are specific to set properties without municipal consultation and regardless of land use zoning by-laws; and

WHEREAS pharmaceutical companies and industries are required to follow strict regulations and governing legislation to produce medicinal products including *Narcotic Control Regulations C.R.C., c 1041* and *Controlled Drugs and Substances Act (Police Enforcement) Regulations SOR/9-234*; and

WHEREAS Municipalities are authorized under the *Planning Act, R.S.O. 1990, C. P 13* to pass a comprehensive zoning by-law that is in compliance with the appropriate County Official Plan which must be in compliance with the Provincial Policy Statement, Under *The Planning Act, 2020*; and

WHEREAS the Provincial Policy Statement, Official Plan and Zoning By-Law in effect for each area is designed to secure the long-term safety and best use of the land, water and other natural resources found in that area's natural landscape; and

WHEREAS the Municipality of Tweed has passed *Comprehensive Zoning By-Law 2012-30* and further amended it by the *Cannabis Production By-Law 2018-42*, limiting cannabis production facilities to rural industrial zoned lands with required setbacks from residential zoned properties; and

WHEREAS the Municipality of Tweed has not been consulted by Health Canada prior to the issuance of licences for properties not in compliance with the Municipal zoning by-laws for a cannabis production facility; and

WHEREAS the Province needs to amend legislation to establish a new Provincial Offence Act fine regime that creates an offence(s) when unlicensed cannabis operations break planning and environmental regulations, ignore Building Code requirements and build without a permit at a fine of at least \$100,000 per offence;

NOW THEREFORE BE IT RESOLVED THAT the Municipality of Tweed requests that immediate action be taken by all levels of government for medical cannabis licencing to follow similar regulations and guidelines as all other pharmaceutical industries;

AND FURTHER, that the Association of Municipalities of Ontario advocate with the Federation of Canadian Municipalities for advocacy to the Government of Canada for similar regulations and guidelines for medical cannabis licencing in alignment with other pharmaceutical industries;

AND FURTHER, that the distribution of medical cannabis be controlled through pharmacies in consistency of all other medications;

AND FURTHER, that Health Canada withhold licencing until the potential licence holder can provide evidence of acceptable zoning of the intended property in question;

AND FURTHER, that licenced locations be disclosed in advance to the municipalities hosting the licenced locations; and

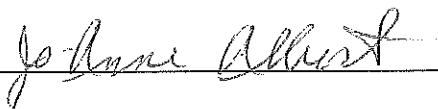
AND FURTHER, that this resolution be circulated to the Prime Minister of Canada, Health Canada, the Premier of the Province of Ontario, the Minister of Municipal Affairs and Housing, the Ontario Provincial Police, the Association of Municipalities of Ontario, and all upper, lower and single tier municipalities within the Province of Ontario.

**Carried**

**Defeated by a Tie**

**Defeated**

Mayor





## Corporation of the Town of LaSalle

5950 Malden Road, LaSalle, Ontario, N9H 1S4  
Phone: 519-969-7770 Fax: 519-969-4029 [www.lasalle.ca](http://www.lasalle.ca)

### Department of Council Services

Association of Municipalities of Ontario (AMO)  
Mr. Brian Rosborough, Executive Director  
200 University Avenue, Suite 801  
Toronto, ON M5H 3C6

Dear Mr. Rosborough,

At the September 8, 2020 Council Meeting, Town of LaSalle Council gave consideration to correspondence received by Jim Angus on behalf of [ink-stainedwretches.org](http://ink-stainedwretches.org).

At the Meeting the following motion passed:

239/20

*That the correspondence received from Jim Angus, on behalf of [inkstainedwretches.org](http://inkstainedwretches.org), BE RECEIVED; and that the following resolution BE ENDORSED:*

**Whereas** a healthy, professional news media is essential for the proper functioning of civil society and democracy at the local, regional, federal and international levels;

**Whereas** the Public Policy Forum declares — on its website for the 2017 report *The Shattered Mirror: News, Democracy and Trust in the Digital Age* (commissioned by the federal government) — that “real news is in crisis” in this country;

**Whereas** the U.S. Federal Communications Commission (FCC) cited eight “critical information needs” the media help to provide including emergencies; other public risks to health; education; the environment; economic opportunities; civic and political knowledge of policy initiatives; and the conduct of public officials, and candidates for office (*The Shattered Mirror* p.4);

**Whereas** Canadians, including residents of LaSalle, have lost the essential services provided by roughly 2,000 media workers in 100 communities across Canada due to layoffs in only six weeks from the time the COVID-19 pandemic began — a time it became clearer to the public how important it is for Canadians to receive accurate information — and advertising revenues have plunged, prompting an emergency \$30-million advertising-buy by the federal government;



**Whereas** residents of 190 Canadian communities — including residents of nearby Amherstburg, Windsor and Tecumseh — lost 250 established news outlets due to closings or mergers between 2008 and 2018;

**Whereas** two thirds of Canadians agree or somewhat agree that because of the Coronavirus/Covid-19 outbreak the federal government should treat widespread media bankruptcies and layoffs as an emergency, according to a Nanos Research poll of April 2020;

**Whereas** the federal government allocated nearly \$600 million in aid for Canadian media over five years in its 2019 budget, including a 25-per-cent tax credit for newsroom salaries; a 15-per-cent tax credit for digital media subscribers; and charitable tax status for non-profit news outlets;

**Whereas** Canada's federal government acknowledged in its 2019 budget (p.173) that "A strong and independent news media is crucial to a well-functioning democracy.";

**Whereas** at least seven municipal councils in Ontario have already passed resolutions similar to the one proposed below;

**Whereas** the local news media have been instrumental during the COVID-19 pandemic, ensuring local citizens have accurate local information;


**Therefore** Be It Resolved that the Town of LaSalle Council recognizes that a healthy, professional news media is essential to the proper functioning of democracy in our municipality, urges nearby municipal councils and across Canada to recognize that a robust news media is essential to the proper functioning of democracy in their jurisdictions; endorses legislation and regulations to support and rejuvenate news outlets across Canada; and urges the federal government to move quickly to pass legislation to ensure an ecosystem for a healthy news media to serve all Canadians. And that the resolution be forwarded to the area municipalities, local M.P.s and M.P.P.s and the Federation of Canadian Municipalities and Association of Municipalities of Ontario.

**Carried.**



Thank you for considering the Town of LaSalle's resolution.

Yours truly,



Linda Jean  
Deputy Clerk

cc: Bill Karsten, President, Federation of Canadian Municipalities  
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  
Mr. Irek Kusmierczyk, Member of Parliament, Windsor-Tecumseh  
Mr. Chris Lewis, Member of Parliament, Essex  
Mr. Brian Masse, Member of Parliament, Windsor West  
Jennifer Astrologo, Director of Corporate Services/Clerk, Town of Kingsville  
Robert Auger, Clerk, Town of Essex  
Kristen Newman, Director of Legislative and Legal Services / Clerk, Lakeshore  
Ruth Orton Director of Legal & Legislative Services, Municipality of Leamington  
Paula Parker, Municipal Clerk, Town of Amherstburg  
Valerie Critchley, City Clerk, City of Windsor



Greetings Town of LaSalle councillors:

On behalf of [ink-stainedwretches.org](http://ink-stainedwretches.org), composed of a group of former newsroom employees, I ask that you please consider the accompanying resolution requesting your support in encouraging elected leaders to build an ecosystem in which local journalism can provide vital service to people of the Town of LaSalle and beyond.

Region of Waterloo councillors, during their council meeting on June 3, 2020, unanimously passed a similar resolution. The wording of the motion that regional councillors passed is as follows:

***“Therefore Be It Resolved** that Waterloo Regional Council recognizes that a healthy, professional news media is essential to the proper functioning of democracy in the region; urges other municipal councils within the region and across Canada to recognize that a robust news media is essential to the proper functioning of democracy in their jurisdictions; endorses legislation and regulations to support and rejuvenate news outlets across Canada; and urges the federal government to move quickly to pass legislation to ensure an ecosystem for a healthy news media to serve all Canadians. And that the resolution be forwarded to the area municipalities, local M.P.s and M.P.P.s and the Federation of Canadian Municipalities and Association of Municipalities of Ontario.”*

As we have outlined in our proposed resolution to your council, and in the accompanying backgrounder document, we are concerned by the fact that residents in our municipality and throughout Canada have already lost vital services provided by local journalism outlets — and are in serious risk of imminently losing more.

According to the university based journalism website [j-source.ca](http://j-source.ca), from 2008 to 2018, 190 communities across Canada lost about 250 established news outlets due to mergers or closures. And more recently, in [six weeks](#) from the time the novel coronavirus pandemic struck in early March, more than 100 media outlets across Canada made cuts; nearly 50 community newspapers shuttered; and about 2,000 workers were laid off.

So we are asking your help to encourage our elected leaders, at the provincial and federal levels, to help build an ecosystem in which local journalism — which is essential to the functioning of a healthy democracy — can thrive.

Thank you for your consideration,

Jim Angus  
LaSalle, Ont.

██████████  
██████████



Backgrounder for the Town of LaSalle, Ont.

Re: Proposed resolution supporting local journalism

By: [ink-stainedwretches.org](http://ink-stainedwretches.org)

- The name of our group is [ink-stainedwretches.org](http://ink-stainedwretches.org) (the same as our URL).
- Our project promotes support for local journalism in ALL FORMS (print, broadcast, digital) not only newspapers.
- Whereas our campaign is a local grassroots effort started in the Region of Waterloo, Ontario, we hope that it will spread across Canada because residents across the country are experiencing a dwindling supply of reliable local journalism.
- We have support from every province and territory in Canada: As of July 21, 2020, our [online petition](#) has been endorsed by more than 800 people from all provinces and territories save Nunavut. (However, an Ottawa-based editor working for a Nunavut news outlet has signed the petition.)
- We have not sought the blessing of media executives because this is a grassroots effort by media workers past and present. Of course, we welcome endorsements from news media executives. But they have their own associations and avenues for advocacy.
- Three possible action items for council:
  - We would be happy if council would write letters encouraging nearby municipal councils to adopt a similar resolution.
  - We would be delighted if council would send letters to the Association of Municipalities Ontario (AMO) and the Federation of Canadian Municipalities (FCM) asking them to encourage their members to adopt similar resolutions.
  - And we would appreciate it if council would write and send similar letters of support — to ensure an ecosystem for robust local journalism — to elected federal leaders including local MPPs, MPs; Steven Guilbeault, minister of Canadian heritage; Bill Morneau, federal minister of finance; and Prime Minister Justin Trudeau.

-31-

Proposed resolution for the Town of LaSalle, Ont.  
Purpose: To support a healthy ecosystem for local journalism  
Submitted by Jim Angus on behalf of [ink-stainedwretches.org](http://ink-stainedwretches.org)

**Whereas** a healthy, professional news media is essential for the proper functioning of civil society and democracy at the local, regional, federal and international levels;

**Whereas** the Public Policy Forum declares — on its website for the 2017 report *The Shattered Mirror: News, Democracy and Trust in the Digital Age* (commissioned by the federal government) — that “real news is in crisis” in this country;

**Whereas** the U.S. Federal Communications Commission (FCC) cited eight “critical information needs” the media help to provide including emergencies; other public risks to health; education; the environment; economic opportunities; civic and political knowledge of policy initiatives; and the conduct of public officials, and candidates for office (*The Shattered Mirror* p.4);

**Whereas** Canadians, including residents of LaSalle, have lost the essential services provided by roughly 2,000 media workers in 100 communities across Canada due to layoffs in only six weeks from the time the COVID-19 pandemic began — a time it became clearer to the public how important it is for Canadians to receive accurate information — and advertising



revenues have plunged, prompting an emergency \$30-million advertising-buy by the federal government;

**Whereas** residents of 190 Canadian communities — including residents of nearby Amherstburg, Windsor and Tecumseh — lost 250 established news outlets due to closings or mergers between 2008 and 2018;

**Whereas** two thirds of Canadians agree or somewhat agree that because of the Coronavirus/Covid-19 outbreak the federal government should treat widespread media bankruptcies and layoffs as an emergency, according to a Nanos Research poll of April 2020;

**Whereas** the federal government allocated nearly \$600 million in aid for Canadian media over five years in its 2019 budget, including a 25-per-cent tax credit for newsroom salaries; a 15-per-cent tax credit for digital media subscribers; and charitable tax status for non-profit news outlets;

**Whereas** Canada's federal government acknowledged in its 2019 budget (p. 173) that "A strong and independent news media is crucial to a well-functioning democracy.";

**Whereas** at least seven municipal councils in Ontario have already passed resolutions similar to the one proposed below;

**Whereas** the local news media have been instrumental during the COVID-19 pandemic, ensuring local citizens have accurate local information;

**Therefore Be It Resolved** that the Town of LaSalle Council recognizes that a healthy, professional news media is essential to the proper functioning of democracy in our municipality, urges nearby municipal councils and across Canada to recognize that a robust news media is essential to the proper functioning of democracy in their jurisdictions; endorses legislation and regulations to support and rejuvenate news outlets across Canada; and urges the federal government to move quickly to pass legislation to ensure an ecosystem for a healthy news media to serve all Canadians. And that the resolution be forwarded to the area municipalities, local M.P.s and M.P.P.s and the Federation of Canadian Municipalities and Association of Municipalities of Ontario.

September 15, 2020

Hon. Caroline Mulroney  
5<sup>th</sup> Floor, 777 Bay St.  
Toronto ON, M7A 1Z8

Dear Hon. Caroline Mulroney,

Please be advised that at the Regular Meeting of Council on August 24, 2020, the Council of Loyalist Township passed the following resolution:

**Resolution No. 2020.33.11**

**Moved by: Councillor Porter**

**Seconded by: Councillor Townend**

Whereas the Ontario government, in partnership with the federal government, is delivering on its commitment to provide up to \$4 billion in urgently needed one-time assistance to Ontario's 444 municipalities;

And Whereas in addition to the support for municipalities, the government is providing over \$660 million in the first phase of transit funding to the 110 municipalities with transit systems to provide immediate relief from transit pressures, such as lower ridership, as well as for new costs due to COVID-19, such as enhanced cleaning and masks for staff;

And Whereas in the second phase, additional allocations will be provided based on expenses incurred to ensure the funding meets the needs of municipalities;

And Whereas as part of the Safe Restart Agreement with the federal government, up to \$2 billion is being provided to support public transit in Ontario;

And Whereas Ontario Regulation 191/11 being the Integrated Accessibility Standards, which applies to every designated public sector organization including municipalities, establishes accessibility standards, including transportation and as such, recognizes ferries as a form of public transportation;

And Whereas many municipalities located along large bodies of water such as Lake Ontario, including the Township of Frontenac Islands and Loyalist Township, are only accessible by public ferries which are connecting links to mainland highways and roads and form part of Ontario's road systems, making them critical public services;

And Whereas due to the COVID-19 Pandemic and restrictions placed on ferry services by Transport Canada as well as public health guide lines, ferry transit, similar to conventional transit, has experienced reduced ridership, additional costs to cover increased sanitization and requirement for masks for ferry operators, and reduced revenue due to the inability to collect cash fares;

Therefore, Be It Resolved that Loyalist Township requests that the Ministry of Transportation support the Canadian Ferry Association's request that ferries be considered part of the local transit system and that lost revenue be eligible for reimbursement;

And Further That a portion of the (pandemic) Federal funds be allocated towards municipal transportation ferry revenue loss and ferry expenditures resulting from the pandemic;

And that this resolution be circulated to all Ontario municipalities.

Regards,

A handwritten signature in cursive script, appearing to read "BTeeple".

Brandi Teeple  
Deputy Clerk  
Loyalist Township

cc. All Ontario Municipalities



# The Corporation of The Town of Amherstburg

September 21, 2020

VIA EMAIL

The Right Honourable Raymond Cho, Minister for Seniors and Accessibility  
College Park 5<sup>th</sup> Flr, 777 Bay St,  
Toronto, ON  
M7A 1S5

**Re: AODA Website Compliance Extension Request**

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At its meeting of September 14, 2020, Council passed the following for your consideration:

Resolution # 20200914-281

- “1. **WHEREAS** Section 14(4) of O.Reg 191/11 under the Accessibility for Ontarians with Disabilities Act requires designated public sector organizations to conform to WCAG 2.0 Level AA by January 1, 2021;
2. **AND WHEREAS** the municipality remains committed to the provision of accessible goods and services;
3. **AND WHEREAS** the municipality provides accommodations to meet any stated accessibility need, where possible;
4. **AND WHEREAS** the declared pandemic, COVID-19, has impacted the finances and other resources of the municipality;
5. **AND WHEREAS** the Accessibility for Ontarians with Disabilities Act contemplates the need to consider the technical or economic considerations in the implementation of Accessibility Standards;
6. **BE IT THEREFORE RESOLVED THAT** the municipality requests that the Province of Ontario extend the compliance deadline stated in Section 14(4) of O.Reg 191/11 to require designated public sector organizations to meet the compliance standards, by a minimum of one (1) year to at least January 1, 2022; **AND**,
7. **BE IT THEREFORE RESOLVED THAT** the municipality requests that the Province of Ontario consider providing funding support and training resources to meet these compliance standards.”

The impacts of the pandemic on municipal finances and resources affect the ability of municipalities to meet the January 1, 2021 deadline for full compliance with WCAG 2.0 Level AA.

We humbly request the Ontario government consider an extension request, in addition to financial support and training due to the unprecedented impacts of the global pandemic.

Regards,



Tammy Fowkes  
Deputy Clerk, Town of Amherstburg  
(519) 736-0012 ext. 2216  
[tfowkes@amherstburg.ca](mailto:tfowkes@amherstburg.ca)

cc:

The Right Honourable Doug Ford, Premier of Ontario  
The Association of Municipalities of Ontario  
All Ontario Municipalities



# The Corporation of The Town of Amherstburg

September 21, 2020

VIA EMAIL

Hon. Lisa McLeod, Minister of Heritage, Sport, Tourism and Culture Industries  
6<sup>th</sup> Flr, 438 University Ave,  
Toronto, ON  
M7A 1N3

**Re: Request for Consideration of Amendments to Bill 108 re. The Ontario Heritage Act**

At its meeting of September 14, 2020, Council passed the following for your consideration:

**Resolution # 20200914-258:**

**"WHEREAS** Royal Assent has been granted to Bill 108 entitled 'More Homes, More Choice Act, 2019' on June 6, 2019; and,

**WHEREAS** Schedule 11 of Bill 108 contains amendments to the Ontario Heritage Act which require appeals under the Ontario Heritage Act to be heard by the Local Planning Appeal Tribunal not the Conservation Review Board; and,

**WHEREAS** the Conservation Review Board is an adjudicative tribunal that, through the mandate provided by the Ontario Heritage Act, considers a number of matters such as:

- The proposed designation of a property as having cultural heritage value or interest;
- Applications for the repeal of a By-law on a specific property;
- Applications related to the alteration of a property covered by a By-law; and,
- Matters related to archaeological licensing. AND,

**WHEREAS** Schedule 11 of Bill 108 will come into effect on a date to be proclaimed by the Lieutenant Governor; and,

**WHEREAS** the Local Planning Appeal Tribunal are not experts in heritage matters unlike members of the Conservation Review Board; and,

**WHEREAS** the Local Planning Appeal Tribunal decisions are binding decisions unlike the Conservation Review Board non-binding recommendations; and,

**WHEREAS** the Ontario Heritage Act provides a means for municipalities to protect and preserve the cultural heritage value or interest of the municipality for generations to come; and,

**WHEREAS** the Conservation Review Board currently provides reports to municipal council's setting out its findings of fact, and its recommendations so that a final decision can be rendered by municipalities about what is valuable in their community;

**WHEREAS** the Town of Amherstburg remains committed to the preservation and protection of property of cultural heritage value or interest;

**NOW THEREFORE BE IT RESOLVED THAT** the Town of Amherstburg strongly recommends that Schedule 11 of Bill 108 be amended to remove the powers provided to the Local Planning Appeal Tribunal, retaining authority for hearing certain appeals by the Conservation Review Board; and,

**BE IT FURTHER RESOLVED THAT** the Town of Amherstburg strongly recommends that Schedule 11 of Bill 108 be amended to return the authority for final decisions to municipal council's as the elected representative of the communities wherein the property and its features of cultural heritage value exist; and,

**BE IT FURTHER RESOLVED THAT** a copy of this motion be sent to the Honourable Doug Ford, Premier of Ontario, Lisa McLeod the Minister of Heritage, Sport, Tourism and Culture Industries, Andrea Horwath, MPP and Leader of the Official Opposition and the Ontario NDP Party, MPP John Fraser Interim Leader of the Ontario Liberal Party, Mike Schreiner MPP and Leader of the Green Party of Ontario, Taras Natyshak MPP Essex County; and,

**BE IT FURTHER RESOLVED THAT** a copy of this motion be sent to the Association of Municipalities of Ontario (AMO), all MPP's in the Province of Ontario, the County of Essex and all Municipalities in Ontario for their consideration."

We strongly recommend that the Ontario government consider amendments to Bill 108 to return the final authority to municipal Council's to determine what is of cultural heritage value or interest in their communities with the benefits of the expert and professional advice provided by the Conservation Review Board.

Regards,



Tammy Fowkes  
Deputy Clerk, Town of Amherstburg  
(519) 736-0012 ext. 2216  
[tfowkes@amherstburg.ca](mailto:tfowkes@amherstburg.ca)

cc:

The Right Hon. Doug Ford, Premier of Ontario  
Andrea Horwath, MPP, Leader of the Official Opposition and the Ontario NDP Party  
John Fraser, MPP and Interim Leader of the Ontario Liberal Party  
Mike Schreiner, MPP and Leader of the Green Party of Ontario  
Taras Natyshak, MPP of Essex County  
All Ontario Municipalities



# THE CORPORATION OF THE TOWN OF KINGSVILLE

## BY-LAW 88 - 2020

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**Being a By-law authorizing the entering into of an Agreement with D'Amore Construction (2000) Ltd. for Road 11 Irwin Drain Culvert Replacement in the Town of Kingsville (Dillon Consulting Limited Project No. 19-1745)**

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

**AND WHEREAS** The Corporation of the Town of Kingsville (the "Town") deems it expedient for the Town to enter an Agreement with D'Amore Construction (2000) Ltd for the Road 11 Irwin Drain Culvert Replacement in the Town of Kingsville (Dillon Consulting Limited Project No. 19-1745).

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

1. **THAT** the Town enters into and executes with D'Amore Construction (2000) Ltd. an Agreement for the Road 11 Irwin Drain Culvert Replacement in the Town of Kingsville, attached hereto as Schedule "A" and forming part of this By-law.
2. **THAT** the Mayor and Clerk are hereby authorized and directed on behalf of the Town to execute the Agreement attached as Schedule "A".
3. **THAT** 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 28<sup>TH</sup> DAY OF SEPTEMBER, 2020.**

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**MAYOR, Nelson Santos**

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**CLERK, Jennifer Astrologo**

**FORM OF AGREEMENT  
FOR  
ROAD 11 IRWIN DRAIN CULVERT REPLACEMENT  
IN THE TOWN OF KINGSVILLE**

**THIS AGREEMENT** made (in triplicate) this 3<sup>rd</sup> day of September A.D. 2020

**BETWEEN:**

**THE CORPORATION OF THE TOWN OF KINGSVILLE**  
hereinafter called the "OWNER"

Of the First Part;

- and -

**D'AMORE CONSTRUCTION (2000) LTD.**  
hereinafter called the "CONTRACTOR"

Of the Second Part.

WHEREAS the tender of the Contractor respecting the construction work, hereinafter referred to and described, was accepted by the Corporation of the Town of Kingsville on the 24<sup>th</sup> day of August 2020.

THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises and the covenants hereinafter contained, the Parties hereto agree as follows:

1. The Contractor hereby covenants and agrees to provide and supply at its expense, all and every kind of labour, machinery, equipment and materials for and to undertake and complete in strict accordance with its tender dated the 7<sup>th</sup> day of August 2020 and the contract documents, including the general conditions of the contract, the plans and drawings and specifications prepared by DILLON CONSULTING LIMITED all of which said documents are annexed hereto and form part of this agreement to the same extent as if fully embodied herein, for the Road 11 Irwin Drain Culvert Replacement in the Town of Kingsville and for the price or sum of FIVE HUNDRED AND FOUR THOUSAND AND EIGHT HUNDRED AND FIFTY-THREE DOLLARS AND FORTY-NINE CENTS (H.S.T. Included) (\$504,853.49).

2. The Contractor further covenants and agrees to undertake and complete the said work in a proper workmanlike manner within the period of time specified in the said tender.

3. The Contractor further covenants and agrees that it will at all times indemnify and save harmless the Owner, its officers, servants and agents, from and against all loss or damage, and from and against all actions, suits, claims and demands whatsoever which may be made or brought against the Owner, its officers, servants and agents by reason or in consequence of the execution and performance or maintenance of the said work by the Contractor, its servants, agents or employees.

4. The Contractor further covenants and agrees to furnish in accordance with the above specifications a Performance Bond and a Labour and Material Payment Bond each in the amount equivalent to one hundred percent (100%) of the Total Tender Price, in such form and issued by such surety as may be approved by the Owner's Solicitor, guaranteeing the faithful performance of the said work, in accordance with the terms of this agreement.

5. It is understood and agreed that the Contractor will not commence or proceed with the construction work herein before described or any part thereof, unless and until the Contractor has been instructed in writing to do so.

6. The Owner hereby covenants and agrees that if the said work shall be duly and properly executed and materials provided as aforesaid, and if the Contractor shall carry out, perform and observe all of the requirements and conditions of this agreement, the Owner will pay to the Contractor the contract price herein set forth in its tender, such payment or payments to be made in accordance with the provisions of the general conditions of the contract referred to above.

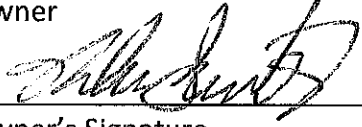
7. This agreement and everything herein contained shall enure to the benefit of and be binding upon the Parties hereto, their successors and assigns, respectively.

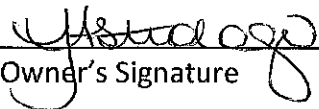
**IN WITNESS WHEREOF** the Parties hereto have hereunto affixed their corporate seals duly attested by the hands of their proper Officers in that behalf, respectively.

**OWNER'S SEAL**

**THE CORPORATION OF THE TOWN OF KINGSVILLE**

Owner

  
Owner's Signature

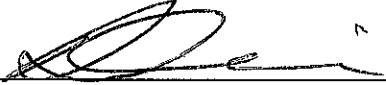
  
Owner's Signature

September 21, 2020  
Date

**CONTRACTOR'S SEAL**

**D'AMORE CONSTRUCTION (2000) LTD.**

Contractor

  
Contractor's Signature

\_\_\_\_\_  
Contractor's Signature

SEPT. 21 2020  
Date

**3914 North Service Road East**  
**Windsor, ON N8W 5X2**  
Contractor's Address

# THE CORPORATION OF THE TOWN OF KINGSVILLE

## BY-LAW 89-2020

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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 September 28, 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 September 28, 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  
28<sup>th</sup> day of September, 2020.**

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**MAYOR, Nelson Santos**

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**CLERK, Jennifer Astrologo**