



**REGULAR MEETING OF COUNCIL
AGENDA**

Monday, November 27, 2017, 7:00 PM

Council Chambers

2021 Division Road N

Kingsville, Ontario N9Y 2Y9

Pages

- A. CALL TO ORDER**
- B. MOMENT OF SILENCE AND REFLECTION**
- C. PLAYING OF NATIONAL ANTHEM**
- D. DISCLOSURE OF PECUNIARY INTEREST**

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

E. PRESENTATIONS/DELEGATIONS

- 1. Fran Chartrand and Donna Murawski of the Erie Shores Quilters Guild (SEE Staff Report H-1)**

Recommended Action

That council deny the request from the Erie Shores Quilters Guild charity quilters for rent free space at the Unico Centre to hold their monthly meetings.

- 2. Maureen Nefs RE: Flooding issues on property (266 Lansdowne Ave.)**

1

F. MATTERS SUBJECT TO NOTICE

- 1. PUBLIC MEETING - Housekeeping Amendment to Comprehensive Zoning By-law (32 Prince Albert St. S.)**

2

R. Brown, Manager of Planning Services

(Amendment was deferred from the October 23, 2017 Public Meeting)

- i) Public Notice, dated November 3, 2017.
- ii) Report of R. Brown, dated November 3, 2017 RE: Housekeeping Amendment to Comprehensive Zoning By-law -- Amendment of existing zoning on property located at 32 Prince Albert St. S.
- iii) Proposed By-law 104-2017

Recommended Action

That Council approve zoning amendment application ZBA/21/17 to rezone property located at 32 Prince Albert St. S. from 'Residential Zone 3 Urban (R3.1)' to "Residential Zone 4 Urban Exception 3 (R4.1-3)" and adopt the implementing by-law.

2. PUBLIC MEETING - Zoning By-law Amendment (ZBA/17/17)

7

R. Brown, Manager of Planning Services

- i) Public Notice, dated September 28, 2017
- ii) Report of R. Brown, dated November 8, 2017 RE: Zoning By-law Amendment ZBA/17/17, Vince Moceri Holdings Inc., 2071 Road 3 E, Part of Lot 13, Concession 2 ED Part 2, RP 1R 12742
- iii) Proposed By-law 120-2017

Recommended Action

That Council approve zoning amendment application ZBA/17/17 to rezone the subject property at 2071 Road 3 E from 'Heavy Industrial, M3' and 'Heavy Industrial Exception 1, M3-1' to an amended site-specific 'Heavy Industrial Exception 1, holding, M3-1(h)' to add a waste transfer station as an additional permitted use and adopt the implementing by-law.

G. AMENDMENTS TO THE AGENDA

H. STAFF REPORTS

1. Erie Shores Quilters Guild

41

M. Durocher, Parks & Recreation Program Manager

Recommended Action

That council deny the request from the Erie Shores Quilters Guild charity quilters for rent free space at the Unico Centre to hold their monthly meetings.

2. Recent Legislation Changes per Bill 68, Modernizing Ontario's Municipal Legislation Act, 2017

44

L. Brohman, Tax Collector.

Recommended Action

That council recommend the continuation of the existing 3 year tax registration process.

3. **Affordable Housing Tax Rate By-Law (225 Prince Albert St N)** 48
L. Brohman, Tax Collector
Recommended Action
Council authorize by-law 114-2017 to authorize a single residential tax rate for municipal purposes for the municipal capital facility for affordable housing at 225 Prince Albert St N.
4. **Delegation of Authority Regarding the Assessment Review Board** 51
L. Brohman, Tax Collector
Recommended Action
That council delegate the municipality's authority for the collection of property taxes and the related assessment maintenance to the Treasurer, which then allows the Treasurer to delegate specific authorities to any other person or licensed legal service providers.
5. **Cottam Community Improvement Plan** 55
R. Brown, Manager of Planning and Development Services
Recommended Action
That Council approve the Cottam Community Improvement Plan and adopt the implementing by-law.
6. **Application for Site Plan Approval Kingsville Plaza Inc., PA/16/17 - Lots 7 to 10, SS Main St E. Plan 184 or 185 & Pt. Lots 5 – 8, SS Main St. E. Plan 185 & Pt. 1, Plan EXR 139** 81
R. Brown, Manager of Planning Services
Recommended Action
That Council approve site plan control application SPA/16/17 to cover property at 39, 41 and 59 Main St. E. and the construction of a 368 sq. m (3,958 sq. ft.) addition to accommodate a new medical clinic and authorize the Mayor and Clerk to sign the site plan agreement and register said agreement on title.
7. **Municipal Services 5 Year Capital Forecast** 98
K. Girard, Manager of Municipal Services
Recommended Action
That Council receives the Municipal Services capital forecast for the 2018-2022 period with the understanding that these projects will make up part of the Municipal Services capital budgets.

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

1. **Shooters Photography Club** 207

Correspondence dated November 9, 2017 RE: Fee Waiver for Use of Unico Building

Recommended Action

That Council extend an invitation to the Shooters Photography Club as a delegation to provide more information about the Club and the request for a fee waiver.

J. MINUTES OF THE PREVIOUS MEETINGS

- | | | |
|----|---|-----|
| 1. | Regular Meeting of Council--November 14, 2017 | 209 |
| 2. | Regular 'Closed Session' Meeting of Council-November 14, 2017 | |

Recommended Action

That Council adopt the Regular Meeting of Council Minutes, dated November 14, 2017 and the Regular 'Closed Session' Meeting of Council Minutes, dated November 14, 2017.

K. MINUTES OF COMMITTEES AND RECOMMENDATIONS

- | | | |
|----|--|-----|
| 1. | Kingsville Municipal Heritage Advisory Committee--October 24, 2017 | 225 |
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Recommended Action

That Council receive the Kingsville Municipal Heritage Advisory Committee Meeting Minutes, dated October 24, 2017.

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|----|--|-----|
| 2. | Striking Committee - November 14, 2017 | 228 |
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Recommended Action

That Council receive the Striking Committee Meeting Minutes, dated November 14, 2017;

And That Council appoint the following Community Members to the Cottam Revitalization Committee: Kathy Cormier, Heather Parise, Kim Gilliland, Sherri Dutot, Melisa Wiper, Mike Eaton, and Kelly Frail;

And That Council appoint Council nominees J. Driedger and T. Neufeld to the Cottam Revitalization Committee;

And That the Appointment By-law be amended to reflect the appointments.

L. BUSINESS CORRESPONDENCE - INFORMATIONAL

- | | | |
|----|--|-----|
| 1. | Town of Lakeshore - Correspondence dated October 11, 2017 RE: Council resolution regarding the Provincial Flood Insurance Program | 230 |
| 2. | Town of Tillsonburg - Correspondence dated November 13, 2017 RE: Council resolution for municipal authority to approve landfill projects | 232 |

- | | | |
|----|--|-----|
| 3. | OPP - Correspondence dated November 14, 2017 RE: Updates from the Municipal Policing Bureau | 233 |
| 4. | Ontario Municipal Board - Correspondence dated October 24, 2017 RE: File No. PL171077 | 235 |

Recommended Action

That Council receive Business Correspondence- Informational items 1 to 4.

M. NOTICES OF MOTION

- | | | |
|----|---|-----|
| 1. | Deputy Mayor Queen may move, or cause to be moved that | 237 |
| | Council direct Administration and another member or members of Council to deal with the issue of Migration Hall as it relates to Community Use and Community Interest, with the assistance of the Clerk/Director of Corporate Services. (correspondence attached) | |

N. UNFINISHED BUSINESS, ANNOUNCEMENTS AND UPDATES

O. BYLAWS

- | | | |
|----|--|-----|
| 1. | By-law 104-2017 | 239 |
| | Being a by-law to amend By-law NO. 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville | |
| | To be read a first, second, and third and final time. | |
| 2. | By-law 113-2017 | 241 |
| | Being a By-law to adopt and maintain a policy with respect to violence and harassment in the workplace | |
| | To be read a first, second, and third and final time. | |
| 3. | By-law 114-2017 | 254 |
| | Being a by-law to authorize a single residential tax rate for municipal purposes for the municipal capital facility for affordable housing at 225 Prince Albert St. N. | |
| | To be read a first, second, and third and final time. | |
| 4. | By-law 116-2017 | 255 |
| | Being a By-law to provide for the delegation of authority to initiate and/or resolve certain matters before the Assessment Review Board | |
| | To be read a first, second, third and final time. | |
| 5. | | 257 |

By-law 120-2017

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

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

6. By-law 121-2017 259

Being a By-law to approve a Community Improvement Plan for the Downtown Cottam Core Community Project Area

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

7. By-law 122-2017 261

Being a By-law authorizing the entering into of a Management Agreement #201201 ON 002 with Her Majesty the Queen, in right of Canada, represented by the Minister of Fisheries and Oceans (the Small Craft Harbours' Facility at Cedar Beach, Ontario)

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

8. By-law 123-2017 272

Being a By-Law to Appoint a Deputy Clerk, Deputy Division Registrar and Deputy Issuer of Marriage Licences for The Corporation of the Town of Kingsville

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

9. By-law 124-2017 273

Being a by-law to amend By-law 1-2015, being a By-law to appoint certain members of Council and individuals to boards and committees

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

P. CLOSED SESSION

Recommended Action

Pursuant to section 239 of the *Municipal Act, 2001*, Council enter into Closed Session.

- 1. Personal matters about an identifiable individual , including municipal and local board employees, being a member of the Administration Management Team (subsection 2(b))**
- 2. Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board, being OMB Case No. PL171077 (subsection 2(e))**
- 3. Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board, being appeal to OMB**

regarding 194 Division St. N (subsection 2(e))

4. Labour relations or employee negotiations, being part-time collective agreement negotiations (subsection 2(d))

Q. REPORT OUT OF CLOSED SESSION

R. CONFIRMATORY BY-LAW

1. By-law 125-2017

274

Being a By-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its November 14, 2017 Regular Meeting

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

S. ADJOURNMENT



**NOTICE OF STATUTORY PUBLIC MEETING:
HOUSEKEEPING ZONING BY-LAW AMENDMENT**

PURPOSE OF AMENDMENT: The Town of Kingsville has initiated a Housekeeping Amendment to the Town's Comprehensive Zoning By-law (1-2014), as amended, to undertake:

Note: This is a revised notice to the one you received in early October which noted 32 Prince Albert Street N. The subject property is located at 32 Prince Albert St. S. Council requested a deferral of the zoning correction on this property was recirculation to the affected neighbours.

The subject parcel contains an apartment. As part of the consolidation from the former Kingsville, Gosfield North and Gosfield South Zoning By-laws a new by-law was prepared. This exercise was intended to transfer all existing zoning permissions or development rights. Given the comprehensive nature of this exercise errors can be made during this transfer. In this case the conclusion was made that the R3 zoning of the former Kingsville Zoning By-law was to be transferred to the R3.1 Zoning of the new consolidated Kingsville Zoning By-law. However, the permitted uses of these two zones was far from similar and in affect the transfer from R3 to R3.1 made all six of the existing uses on the subject parcels legal non-conforming. The proposed correction is to amend the zoning on the affected properties from R3.1 to R4.1 which will restore it to a level similar to that of their former zoning.

A PUBLIC MEETING OF COUNCIL will be held on:

WHEN: **NOVEMBER 27, 2017**
WHERE: Town of Kingsville Municipal Building (Council Chambers)
TIME: **7:00 p.m.**

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

ALL PERSONS RECEIVING NOTICE of this meeting, will receive a Notice of Passing of a By-law including appeal procedures. Any other person who wishes to receive a Notice of Passing in respect of the proposed zoning by-law amendment must make a written request to the Municipal Clerk at the address noted above.

IF A PERSON or public body does not make oral submissions at the public meeting or make written submissions to Council before the by-law is passed, the person or public body is not entitled to appeal the decision of the Council to the Ontario Municipal Board.

IF A PERSON or public body does not make oral submissions at the public meeting, or make written submission to Council before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

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

**DATED AT
THE TOWN OF KINGSVILLE
ON NOVEMBER 3, 2017.**

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



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

Date: November 3, 2017

To: Mayor and Council

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

RE: Housekeeping Amendment to Comprehensive Zoning By-law,
Amendment of Existing Zoning on Property Located at
32 Prince Albert St. S.

Report No.: PDS 2017-048

AIM

To provide the Mayor and Council with information regarding a necessary housekeeping amendment to correct a zoning error as a result of the consolidation of the former Gosfield South, Gosfield North and Town of Kingsville by-laws.

BACKGROUND

At the October 23rd meeting Council was provided with the details of a number of zoning errors involving properties with existing apartment dwellings and how the zoning of those properties had be incorrectly transferred. The property at 32 Prince Albert St. S was included in that report however, the notice of public meeting noted 32 Prince Albert St. N in error as such consideration of the zoning amendment specific to that property was deferred until notice was recirculated with the correct address referenced.

DISCUSSION

The notice of public meeting was recirculated to the property owners within 120 m as per the Planning Act with the correct address.

Provincial Policy Statement/County Official Plan/Kingsville Official Plan

There are no issues raised as a result of the housekeeping amendment

Zoning By-law

The subject property will be rezoned from the current Residential Zone 3 Urban '(R3.1)' to a site specific Residential Zone 4 Exception 3 '(R4.1-3)' which will restore the uses permitted under the former R3 of the former Kingsville Zoning By-law.

LINK TO STRATEGIC PLAN

There is no direct link to the Strategic Plan

FINANCIAL CONSIDERATIONS

Addition postage was required to recirculate the notice.

CONSULTATIONS

Management was advised of the required change. No concerns have been expressed.

RECOMMENDATION

It is recommended that Council approve zoning amendment application ZBA/21/17 to rezone property located at 32 Prince Albert St. S. from 'Residential Zone 3 Urban (R3.1)' to "Residential Zone 4 Urban Exception 3 (R4.1-3)" and adopt the implementing by-law.

Robert Brown

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

Peggy Van Mierlo-West

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

THE CORPORATION OF THE TOWN OF KINGSVILLE
BY-LAW NUMBER 104-2017

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

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

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

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

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

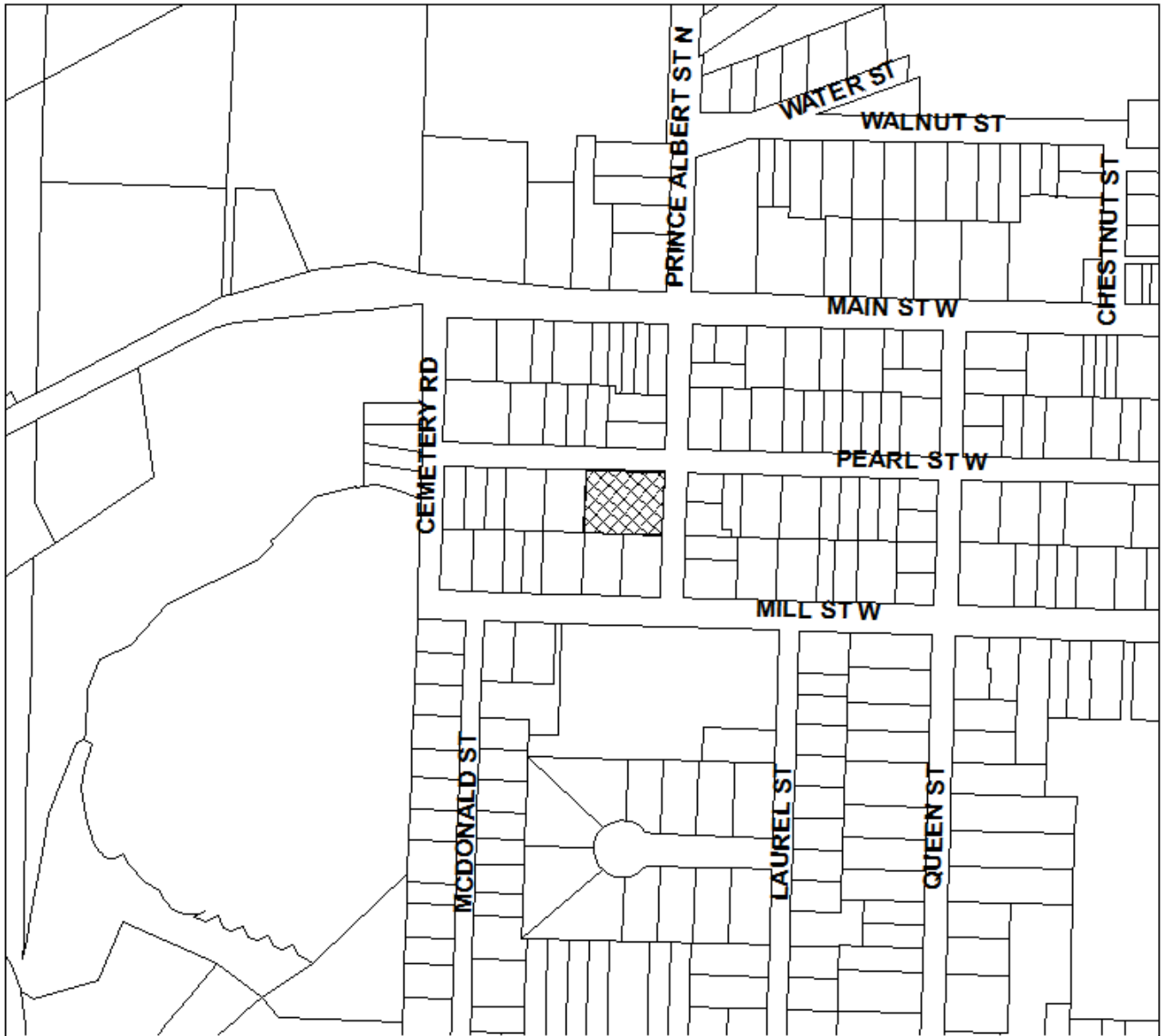
1. Schedule "A", Map 68 of By-law 1-2014 is hereby amended by changing the zone symbol on lands known municipally as Part of Lot 2, Concession 1 WD and locally known as 32 Prince Albert St. S., as shown on Schedule 'A' in cross-hatch attached hereto from 'Residential Zone 3 Urban, (R3.1)' to 'Residential Zone 4 Exception 3, (R4.1-3)'.
2. This by-law shall come into force and take effect from the date of passing by Council and shall come into force in accordance with Section 34 of the Planning Act.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 27th day of November, 2017.

NELSON SANTOS, MAYOR

JENNIFER ASTROLOGO, CLERK

Schedule 'A'



Part of Lot 2, Concession 1 WD
(32 Prince Albert St. S.)
Zoning By-law Amendment ZBA/21/17



0 25 50 100 150 200 Meters



Schedule "A", Map 68 of By-law 1-2014 is hereby amended by changing the zone symbol as shown on Schedule 'A' in cross-hatch attached hereto from
'Residential Zone 3 Urban (R3.1)' to 'Residential Zone 4 Urban Exception 3 (R4.1-3)'

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

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

OWNER: **Vince Mocerri Holdings Inc.**

LOCATION OF PROPERTY: **2071 Road 3 E**
Pt. Lot 13, Concession 2 ED
Part 2, RP 12R 12742

PURPOSE OF APPLICATION:

The subject parcel is a 4.1 ha (10.2 ac.) vacant heavy industrial lot. The applicant is proposing the development of a waste transfer station. In order to proceed with the proposal a zoning amendment is required to add a waste transfer station as an additional permitted use and site plan approval will be required for the actual development of the building and supporting facilities. The facility will require a Certificate of Approval (C of A) from the Ministry of Environment & Climate Change prior to beginning operations as such it will be recommended the zoning include the H – Holding provision which would only permit the waste transfer use once the C of A is received. A preliminary site plan is attached for review.



A **PUBLIC OPEN HOUSE** OF THE PLANNING ADVISORY COMMITTEE will be held on:

WHEN: **Tuesday, October 17th, 2017**
WHERE: Town of Kingsville Municipal Building (Council Chambers)
TIME: 7:00 p.m.

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

WHEN: **Monday, November 27th, 2017 (Tentative)**
WHERE: Town of Kingsville Municipal Building (Council Chambers)
TIME: 7:00 p.m.

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

IF A PERSON or public body does not make oral submissions at the public meeting or make written submissions to Council before the by-law is passed, the person or public body is not entitled to appeal the decision of the Council to the Ontario Municipal Board.

IF A PERSON or public body does not make oral submissions at the public meeting, or make written submission to Council before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

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

DATED AT

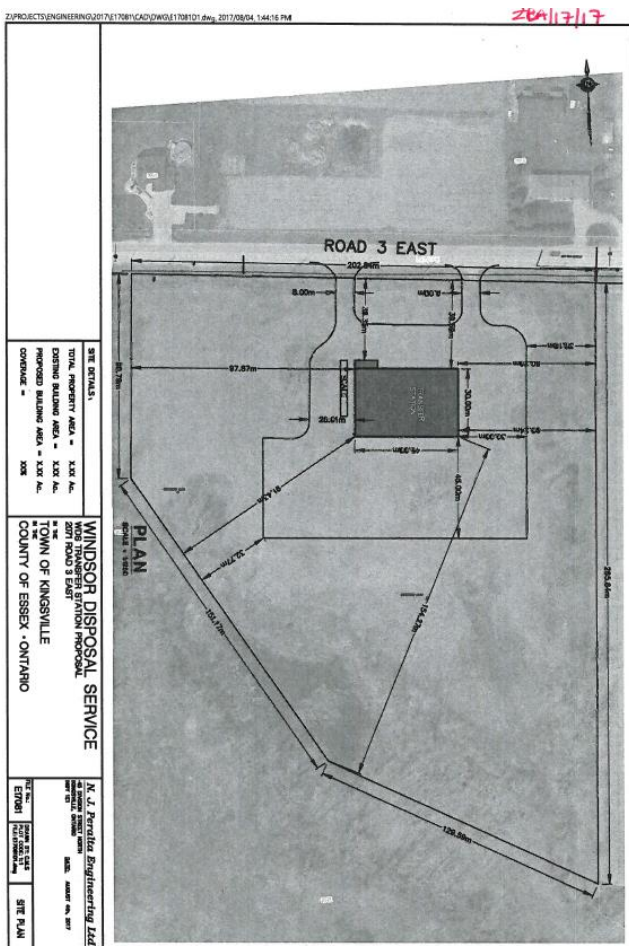
Robert Brown, H. Ba, MCIP, RPP

THE TOWN OF KINGSVILLE

Tel: (519) 733-2305 (ext. 250)

THIS 28th DAY OF SEPTEMBER, 2017

E-Mail: rbrown@kingsville.ca





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

Date: November 8, 2017

To: Mayor and Council

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

RE: Zoning By-law Amendment ZBA/17/17
Vince Mocerì Holdings Inc.
2071 Road 3 E
Part of Lot 13, Concession 2 ED
Part 2, RP 12R 12742

Report No.: PDS 2017-049

AIM

To provide the Town of Kingsville Mayor and Council with information regarding a proposed Zoning By-law Amendment (ZBA) for lands owned by Vince Mocerì Holdings Inc., located at 2071 Road 3 E, in the Town of Kingsville.

BACKGROUND

The subject land is a 4.1 ha (10.2 ac.) vacant heavy industrial lot. The applicant is proposing the development of a recycling and waste transfer station similar to the one they currently operate in Windsor (Windsor Disposal Service). In order to proceed with the waste transfer portion of the development a zoning amendment is required to add a waste transfer station as an additional permitted use. Site plan approval will also be necessary for the actual development of the building and support facilities. A waste transfer station will also require an Environmental Compliance Approval (ECA) from the Ministry of Environment and Climate Change (MOECC) prior to beginning operations as such it will be recommended the zoning include the H – Holding provision which would only permit the waste transfer portion of the facility once the (ECA) is received. A preliminary site plan has been included outlining the potential location of the building and surrounding yard area.

DISCUSSION

1) Provincial Policy Statement (PPS), 2014:

PPS, Section 1.2.6.1 states that, “Major facilities and sensitive land use should be planned to ensure they are appropriately designed, buffered and/or separated from each other to prevent or mitigate adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term viability of major facilities.

Comment: Waste management systems are considered to be a major facility. Through the combination of the site plan approval process and use of the H-Holding provision, the operation will have to have its ECA in place and develop a comprehensive site plan design and layout to adequately address the proximity of agriculture or rural residential dwellings to the north and east. WDS provides waste collection services to the Town and the location is intended for the collection of waste and loading on larger trucks for transport to landfill. It is not intended as a waste storage location which will help to mitigate impacts and all activities related to the transfer of waste are confined to the proposed building.

2) County of Essex Official Plan

The County OP Section 2.9 states, “There may be a need during the planning period of this Plan to establish new waste management related facilities, such as transfer stations, within the County of Essex. This Plan supports the development of such facilities, when required, provided all applicable statutory approvals from the Ministry of the Environment are obtained, and the facilities are located in accordance with the land use policies contained within this Plan and the local Official Plan, or amendments are obtained where necessary.”

Comment: As noted under PPS a Certificate of Approval from MOECC is required prior to operations starting at the site. WDS is currently a licenced waste hauler in the County of Essex. With the regionalization of landfill sites the need for additional transfer stations within local areas is an effort to reduce transportation costs to the regional facilities.

3) Town of Kingsville Official Plan

The subject lands are designated Industrial. Section 3.3 Industrial Policies item b) outlines the following, “It is a basic policy of this Plan that the amenities of adjacent non-industrial areas shall be safeguarded and industrial development shall not be allowed to adversely affect the surrounding areas from, but not necessarily limited to, noise, odour, dust, vibration and lighting. All industries shall meet the requirements of, and where necessary, obtain the statutory approval(s) of the Ministry of the Environment with respect to: water intaking, provision of potable water, waste water/sanitary sewage disposal, storm drainage, solid waste disposal and all emissions to the natural environment, including air, noise and vibration.

Comment: There are two main requirements that will help to address and mitigate any issues that may be a factor for the proposed development; 1) the requirement for an

ECA from MOECC and 2) the requirement for site plan control which will address setback requirements, buffering, screening and access locations.

4) Proposed Site Layout

The applicant has provided a site layout of the proposed building and surrounding yard area. (Appendix 'B') The building will be used for the sorting and transfer of waste/recyclables from smaller local collection trucks and contractors into larger semi-trucks for transportation to the Windsor/Essex landfill. The surrounding yard area will contain empty disposal bins used for collection by WDS and the parking of trucks used in the day-to-day operations in the Kingsville area. The building is located approximately 80 metres from the existing dwelling at 2082 Road 3 E and 100 m from the existing dwelling at 2068 Road 3 E. There is existing tree/bush cover along much of the frontage of the lot and it is recommended that this remain, be maintained and supplemented where needed to provide continued screening. As part of the PAC direction the applicant will need to provide specifics on how issues raised at the PAC meeting and from ongoing public input will be addressed at the site plan approval stage.

5) Comprehensive Zoning By-law

The subject property is zoned Heavy Industrial '(M3)' and a site specific Heavy Industrial Exception 1 '(M3-1)'. The M3-1 zoning was carried forward from the former Gosfield South Zoning By-law however it is no longer necessary as the standard M3 would permit a transfer station for the storage, crushing and recycling of asphalt, concrete, brick and tile, an asphalt plant and accessory uses. The M3-1 did however contain special provisions specific to location and screening which will be reviewed for possible inclusion in the amendment. The proposed zoning would reuse the existing site-specific M3-1 for the entire property and would permit the addition of the proposed waste transfer station and establish appropriate setbacks from existing dwellings and any required operational guidelines. The zoning will also include the use of the H – Holding provision which will remain in place until such time as the required ECA from MOECC is issued. Since it may not be possible to address all concerns raised as part of the proposed zoning amendment it is suggested that removal of the H Holding symbol also be conditional on submission of a satisfactory site plan specific to the waste transfer use.

Planning Justification Report (PJR)

The applicant's planner has provided a planning justification report that is attached as Appendix 'C'. Appendix A-5 of the PJR provides a detailed description of the proposal and operations that are planned for the site.

LINK TO STRATEGIC PLAN

To become a leader in sustainable infrastructure renewal and development.

FINANCIAL CONSIDERATIONS

There will be an increase in assessment for the subject property once development is completed subject to site plan approval.

CONSULTATIONS

Public Consultations

In accordance to O. Reg 545/06 of the *Planning Act*, property owners within a minimum of 120m of the subject site boundaries received the Notice of Open House/ Public Meeting by mail. The actual circulation was expanded to 150 m to ensure that all properties with residential uses in the immediate area were notified.

Planning Advisory Committee (PAC)

A PAC meeting was held October 17, 2017 and was attend by several of the abutting landowners. The concerns expressed included the following:

- i) Type of waste to be accepted at the facility

Comment: the site will accept non-hazardous solid waste, no greenhouse waste such as vines or growing material,

- ii) Reduction of neighbouring property values

Comment: The zoning on the property is Heavy Industrial, M3 and M3-1. This permits a wide variety of uses that could have an impact on surrounding lands. Many of these uses do not require an ECA and would only be subject to site plan approval.

- iii) Impact to sensitive orchard crops on abutting lands

Comment: The operations on the site will be indoors which should minimize impact to the abutting orchard. The orchard is currently also down wind of the Kingsville transfer station which has outdoor storage and composting on the site that this site will not have.

- iv) Smell, rodents, increased traffic & noise

Comment: Because the operation of the site is as a transfer station to collect, sort and redirect waste to the landfill there will be very little waste on site for more than 24 hours. The applicant has indicated that there will be additional truck traffic to and from the site however as noted above the site is intended for heavy industrial uses and the area as a whole is industrial and already generates traffic and noise.

- v) Impact on the natural environment on the property

Comment: As part of the initial pre-consultation process for this application, the applicant was advised that a review of the property from an environmental impact and

species at risk standpoint was advisable. This work has been completed and a letter of clearance issued by MNRF.

vi) Storm water management

Comment: As with all new development on green field sites there is concern expressed regarding how storm water will be addressed. Site plan approval is required for any development on the site, regardless of zoning and this will need to be addressed as part of that approval process. It is my understanding that the existing drain along the front of the property may not be the outlet point for the property.

The direction from the Planning Advisory Committee was as follows:

PAC 17-2017

Moved by, Gord Queen seconded by Murray McLeod that the Planning Advisory Committee approve the recommendation to move the application to Council for a decision with detailed information to be provided on how the concerns raised will be addressed through Site Plan Control.

A letter of objection was received from an abutting property owner and is attached to this report.

Agency & Administrative Consultations

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

Agency or Administrator	Comment
Essex Region Conservation Authority Watershed Planner	<ul style="list-style-type: none">ERCA expressed no objection to the proposed planning approvals related to storm water, natural heritage or species at risk.(Appendix 'A')
Town of Kingsville Management Team	<ul style="list-style-type: none">No concerns at this stage, site plan approval will require storm water management and construction of appropriate access to Road 3 E
County of Essex	<ul style="list-style-type: none">The Essex-Windsor Solid Waste Authority indicated that there was no objection to the proposed facility
Other	<ul style="list-style-type: none">MNRF – has provided clearance for the proposed use (attached with Appendix 'D')MOECC – an ECA will be required prior to operation of the waste transfer station and for removal of the H-Holding provision

RECOMMENDATION

It is recommended that Council approve zoning amendment application ZBA/17/17 to rezone the subject property at 2071 Road 3 E from 'Heavy Industrial, M3' and 'Heavy Industrial Exception 1, M3-1' to an amended site-specific 'Heavy Industrial Exception 1, holding, M3-1(h)' to add a waste transfer station as an additional permitted use and adopt the implementing by-law.

Robert Brown

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

Peggy Van Mierlo-West

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

November 10th, 2017

Robert Brown (Manager, Planning Services)
Kingsville Town Council
Tom Storey (W.D.S. Representative)

Dear Sir or Madam,

I am writing today with regard to the application of zoning by-law amendment ZBA/17/17 (section 32 of the Planning Act, R.S.O. 1990, C.P. 13) by Vince Mocerri Holdings Inc., at 2071 Road 3 E. I am the resident and owner of the property located at 2068 Road 3 E. situated directly north of the property owned by Vince Mocerri Holdings Inc. During the recent public open house of the Planning Advisory Committee held on October 17th, 2017, Windsor Disposal Services (WDS) presented a proposal to have the zoning of the property located at 2071 Road 3 E. amended to include provisions allowing them to build a waste transfer station. Mr. Tom Storey spoke on behalf of WDS outlining plans to construct and operate a waste transfer station at the property, primarily consisting of a building in which the waste would be contained in. However, current zoning does not allow such a facility.

At the meeting, individuals impacted by the zoning change and construction of this facility presented some concerns to both the committee and WDS:

- A zoning amendment and construction of a waste transfer station will result in a severe reduction in property values of the neighboring residential / agricultural parcels.
- Development and operation of the WDS waste transfer facility will increase traffic and road noise on Road 3 E.
- Operation of the WDS facility brings increased noise pollution from site equipment and customer deliveries, e.g. backup alert, dumping of trucks, usage of front end loaders, etc.
- Local residents' quality of life will be negatively affected by noxious odours, including odours from the waste, odours from diesel equipment exhaust, etc.
- The WDS facility may potentially harbour or transfer waste infected with disease capable of contaminating our crops and soil, thus resulting in irreversible damage to rare prime farmland and our livelihood.
- The parcel's vacancy has allowed wildlife to return and flourish for decades. This new construction will negatively impact the parcel's current ecosystem.
- The increase in water runoff due to the development of the property will task a municipal drain already at its capacity. Recently completed drainage upgrades along the road now include properties upstream. This ditch crests every time we get an average rainfall, and any increase in runoff would potentially flood our properties.

I am not in support of constructing such a facility on the parcel and ask the town council to consider my concerns listed above prior to making any decisions that allow this zoning amendment to proceed. I also ask that the council consider the quality of life for the families that have been living and working in this area for several decades and who can remember when this property was zoned and utilized for agriculture. If the council still feels

compelled to allow the zoning amendment I would request that the council stipulate and enforce the following recommendations with the support of WDS:

- The current value of our property shall be determined and secured in the event that a future sale occurs. If we receive less than what is determined prior to the construction and operation of this facility, WDS would compensate us for any losses.
- WDS will construct a noise barrier wall along the entire north side of the property at 2071 Road 3 E. similar to highway noise barriers. This will reduce the noise from the facility to our homes.
- WDS will take all precautions necessary and utilize all technology available to eliminate noxious smells associated with waste (including the restriction that waste must be kept indoors at all times and never outdoors in a yard), along with a written commitment that wet or hazardous waste will never make its way to the property.
- WDS will invest, construct, and maintain a natural corridor along the north, east, and west boundaries of the property for the betterment of the wildlife and quality of life of the residents.
- In the event a soil or crop disease is introduced to our properties while the facility is in operation, WDS will financially support the investigation to determine what the disease is, be responsible for costs associated with elimination of the disease, and will compensate for any losses incurred.
- WDS agrees to pay for any upgrades and additional maintenance to the municipal drainage system that our properties utilize, driven by the construction and operation of this site.

As I stated before, I do not support the development of this property as it will negatively impact the quality of life of the residences surrounding its borders. I ask that the town council review and consider our concerns and ensure that we are fully protected prior to making any decisions regarding the zoning amendment and development of this property. I ask that each councillor place themselves in my shoes and truly consider the ramifications of their decision for the people who are most closely affected. Would you support this development if it were next to your own home?

Thank you.

Michael Araujo
2068 Road 3 East, Kingsville, Ontario



Essex Region Conservation

the place for life



regs@erca.org

P.519.776.5209

F.519.776.8688

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

September 18, 2017

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

Dear Mr. Brown:

RE: Zoning By-Law Amendment ZBA-17-17 ROAD 3 E (just W of Cty Rd 31)
ARN 371129000026600; PIN: 751460095
Applicant: 971174 ONTARIO LIMITED

The following is provided for your information and consideration as a result of our review of Zoning By-Law Amendment ZBA-17-17. The purpose of the re-zoning application is to add an additional permitted use for a waste transfer station. It is also understood that the application will be subject to site plan control. Staff from our office have met with the applicants on this application and provide pre-consultation comments on ERCA requirements.

NATURAL HAZARD POLICIES OF THE PPS, 2014

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

WATER RESOURCES MANAGEMENT

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

NATURAL HERITAGE POLICIES OF THE PPS, 2014

The subject property is within, and/or is adjacent to (within 120 metres of), a natural heritage feature that is identified as a significant wildlife habitat under the Provincial Policy Statement (PPS, 2014).

Section 2.15 of the PPS, 2014 states - Development and site alterations shall not be permitted in and significant wildlife habitat...unless it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

Section 2.1.8 of the PPS 2014 states – "Development and site alteration shall not be permitted on adjacent lands to the natural



Mr. Brown
September 18, 2017

heritage features and areas identified in policies 2.1.4, 2.1.5 and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions." The required demonstration of no negative impact, in accordance with the relevant PPS policies outlined above, is most effectively accomplished through the completion of an Environmental Impact Assessment (EIA).

FINAL RECOMMENDATION

Through discussions with the applicant and the agent we have advised that this application would not require an Environmental Impact Assessment. Further we understand that the applicant has obtained direction from the Ministry of Natural Resources and Forestry that would satisfy PPS 2.1.7 related to the potential for habitat of threatened species and endangered species.

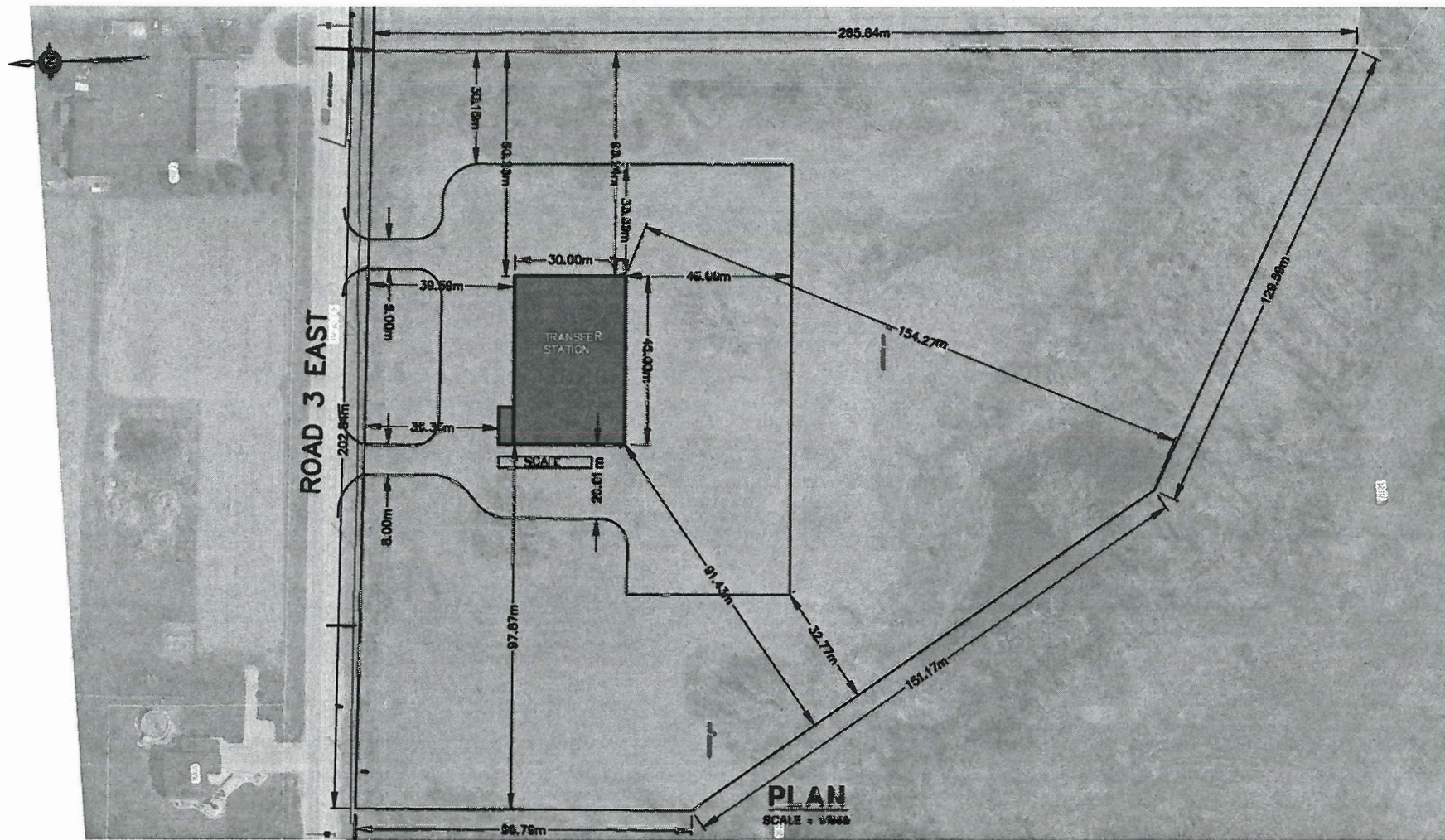
Our office requests a copy of the decision on this file. If you have any questions or require any additional information, please contact the undersigned.

Sincerely,



284/17/17

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SITE DETAILS

TOTAL PROPERTY AREA = X.XX Ac.
 EXISTING BUILDING AREA = X.XX Ac.
 PROPOSED BUILDING AREA = X.XX Ac.
 COVERAGE = XXX%

WINDSOR DISPOSAL SERVICE
 WDS TRANSFER STATION PROPOSAL
 2071 ROAD 3 EAST
 IN THE
 TOWN OF KINGSVILLE
 IN THE
 COUNTY OF ESSEX • ONTARIO

N. J. Peralta Engineering Ltd.
 45 DIVISION STREET NORTH
 KINGSVILLE, ONTARIO
 N6Y 1E1
 DATE: AUGUST 4th, 2017

FILE NO.:
E17081

DRAWN BY: CML
 PLOT CODE: 1:1
 FILE: E17081D1.dwg

SITE PLAN

PLANNING JUSTIFICATION REPORT

**Proposed Waste Transfer and Processing Station
For Windsor Disposal Services (Vince Mocerri Holdings)
Part of Lot 13, Concession 2, Eastern Division Gosfield
Part 2, Plan 12R-12742
2071 Road 3 East, Town of Kingsville**

October 6, 2017

1.0 PURPOSE

The purpose of this report is to support a zoning by-law amendment application for the property known as Part 2, Plan 12R-12742, 2071 Road 3 East, in the Town of Kingsville to permit the erection of a waste transfer and processing station for Windsor Disposal Services (WDS).

2.0 SITE DESCRIPTION

The subject site is a 4.12 hectare (10.2 ac.) parcel, with approximately 200 metres (656 ft.) of frontage, located in Part of Lot 13, Concession 2, Eastern Division Gosfield, on the south side of Road 3 East, about 160 m (525 ft.) west of County Road (CR) 31. The parcel is presently vacant but at one time it was used as a quarry, which has since been filled.

The site is designated Industrial in the Official Plan, which permits the proposed use, and is zoned Heavy Industrial – Exception Zone 1 (M3-1) on the west side, and Heavy Industrial (M3) on the east side, neither of which zone permits the proposed use, hence the need for a zoning amendment.

As the proposed use, if approved, will result in a waste disposal site, as defined under the Environmental Protection Act (EPA), an application for an Environmental Compliance Approval (ECA) is being made by the applicant simultaneous to the zoning amendment application.

Finally, a site plan approval application will also ultimately be required, but will be applied for separately at a later date.

Neighbouring Land Uses

Immediately adjacent to the west and south is a closed landfill. To the east is a small 4.5 ha (11.1 ac.) farm parcel with a single detached dwelling. Across Road 3 East to the north are two more dwellings and additional farmland. Further to the west, on both sides of Road 3 East, are a variety of industrial uses.

Please refer to the following Appendices:

- A-1 Key Map
- A-2 Site Aerial Photo
- A-3 Proposed Site Plan
- A-4 Zoning Map 54
- A-5 Excerpt from Design and Operations Report
- A-6 June 8, 2017 ERCA meeting summary

- A-7 MNRF correspondence re Endangered Species Act 2007

3.0 BACKGROUND

WDS currently operates a waste processing and transfer facility in the City of Windsor. The facility is licensed to process up to 999 tonnes per day of solid non-hazardous waste generated by industrial, commercial and institutional clients throughout the County of Essex. Materials brought into the facility are processed into two streams: recyclables such as cardboard, paper and ferrous which are shipped to markets; and, Residual Waste is sent to licensed waste disposal facilities.

A similar facility is proposed for the Kingsville property on Road #3. Attached as Appendix 5 is an excerpt from the Design and Operations Report prepared by WDS to support the Environmental Compliance Approval (ECA) application, which describes the operation in more detail. Refer also to Appendix 3, Conceptual Site Plan.

The overall approach desired by WDS is to construct the building once a site plan is approved and begin the recycling function, a use permitted in the existing zoning by-law, but hold off on the waste transfer use until the ECA has been procured. This is discussed further in the Analysis below.

4.0 ANALYSIS

Provincial Policy Statement (PPS)

There are no issues with the PPS arising from this application.

Essex County Official Plan (COP)

There are no issues with the COP arising from this application.

Kingsville Official Plan (KOP)

As noted above the subject lands are designated Industrial in the KOP. Policy 3.3(d) states:

- (d) the Zoning By-law implementing this Plan may divide the industrial areas into "heavy" or "light" or "restricted" zones so that industrial activities likely to give rise to noise and other nuisances are located where they will not cause an adverse effect to existing uses and other permitted uses;

Comment: the existing zoning has classified the subject area as "heavy", which would cover the proposed waste transfer use.

Policy 3.3(b) states:

- (b) it is a basic policy of this Plan that the amenities of adjacent non-industrial areas shall be safeguarded and industrial development shall not be allowed to adversely affect the surrounding areas from, but not necessarily limited to, noise, odour, dust, vibration and lighting. All industries shall meet the requirements of, and where necessary, obtain the statutory approval(s) of the Ministry of the Environment with respect to: water taking, provision of potable water, waste water/sanitary sewage disposal, storm drainage, solid waste disposal and all emissions to the natural environment, including air, noise, and vibration;

Comment: the proposed waste transfer use, which will be added to the list of heavy industrial uses already permitted, will be subject to the regulations of the Environmental Protection Act and must obtain an Environment Compliance Approval before being allowed to proceed.

Therefore, once the proposed use receives the ECA, it will conform to the Kingsville Official Plan.

Zoning By-law

The site is presently divided into two zones, Heavy Industrial (M3), and Heavy Industrial Exception Zone 1 (M3-1), as can be seen on the zoning map schedule attached as Appendix 4, with the M3-1 zone on the west side. Also, as is evident from the conceptual site plan, Appendix 3, the proposed building will lie in the Heavy Industrial (M3) Zone, which permits the following uses:

Main use

- All the uses identified in the (M1) and (M2) zone
- Building and construction material recycling facility
- Asphalt and Concrete batching plant
- Fertilizer dealerships, warehousing and processing facility
- Grain warehousing and processing facility
- General Salvage Operation
- Heavy Industrial uses
- Materials transfer facility
- Motor Vehicle Salvage Operation Petroleum resource operations

Accessory use

- Outside storage
- Enclosed storage

Secondary Uses

- offices
- retail component
- showrooms, merchandizing centres and retail or wholesale outlets;
- cafeterias

The M3-1 zone permits a “transfer station for the storage, crushing and recycling of asphalt, concrete, brick and tile, and asphalt plant and accessory uses.”

Clearly the waste transfer station will have similar or far less impact than that of the other uses permitted on the site, an impact which can be further mitigated through site plan control and the operational requirements arising from the Environmental Compliance Approval under the Environmental Protection Act.

In considering the ECA application, the Ministry of the Environment will take into consideration the position of the Town with regard to the proposed, therefore it is of importance to the applicant to gain the support of the Town, best achieved through the zoning by-law. Thus it is proposed as follows:

- the zoning by-law be amended to permit a “waste transfer station” on the subject lands
- the amending by-law be subject to the “h” – holding symbol which will permit those uses presently permitted, with the “h” to be removed once an ECA has been granted for the facility.

Site Plan

The site plan provided is conceptual. A separate formal site plan application will be submitted once the stormwater management plan has been completed.

5.0 OTHERS CONSULTED

WDS representatives and the writer met with ERCA representatives on June 8, 2017. The conclusion of that meeting was that there was no requirement for an Environmental Impact Assessment, but WDS was urged to prepare and submit to the Ministry of Natural Resources and Forestry a Stage 1: Information Request as required under the Endangered Species Act. The meeting summary is attached as Appendix 6.


The Information Request was completed and the MNRF response, attached as Appendix 7, was that no further submissions were required.

6.0 CONCLUSION

In my opinion the application for the establishment of a combined Waste Transfer and Material Transfer Station can be supported for the following reasons:

- a) It satisfies the intent of the Official Plan policies with regard to Industrial Uses;
- b) It will provide for a use more benign than most uses presently permitted on the site;
- c) Performance standards which will reduce, mitigate or eliminate any negative impacts can be provided through the zoning by-law, site plan control and the Environmental Compliance Approval required by the Environmental Protection Act.

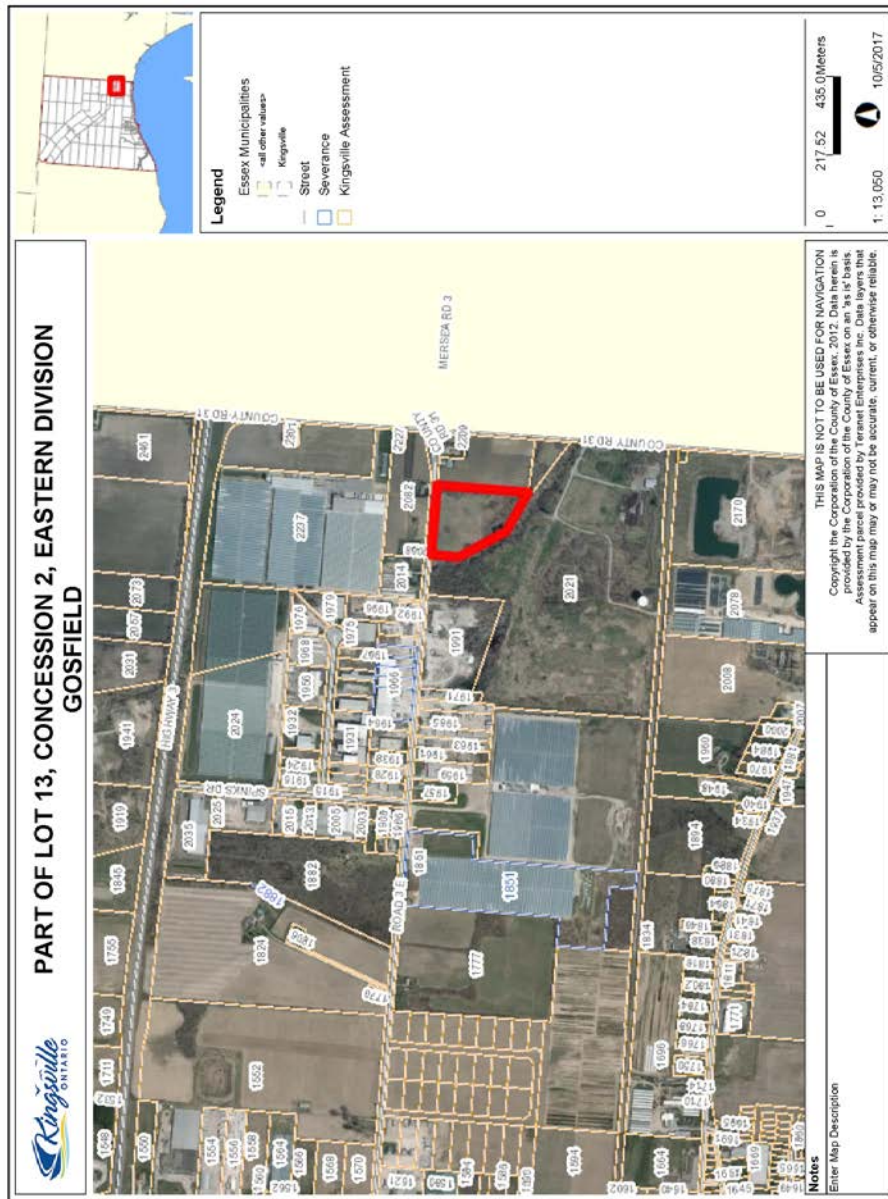
Prepared by:


 Tom Storey, M.Sc., RPP, MCIP
 Storey Samways Planning Ltd.

Attachments:

- | | |
|-----|--|
| A-1 | Key Map |
| A-2 | Site Aerial Photo |
| A-3 | Proposed Site Plan |
| A-4 | Zoning Map 54 |
| A-5 | Excerpt from Design and Operations Report |
| A-6 | June 8, 2017 ERCA meeting summary |
| A-7 | MNRF correspondence re Endangered Species Act 2007 |

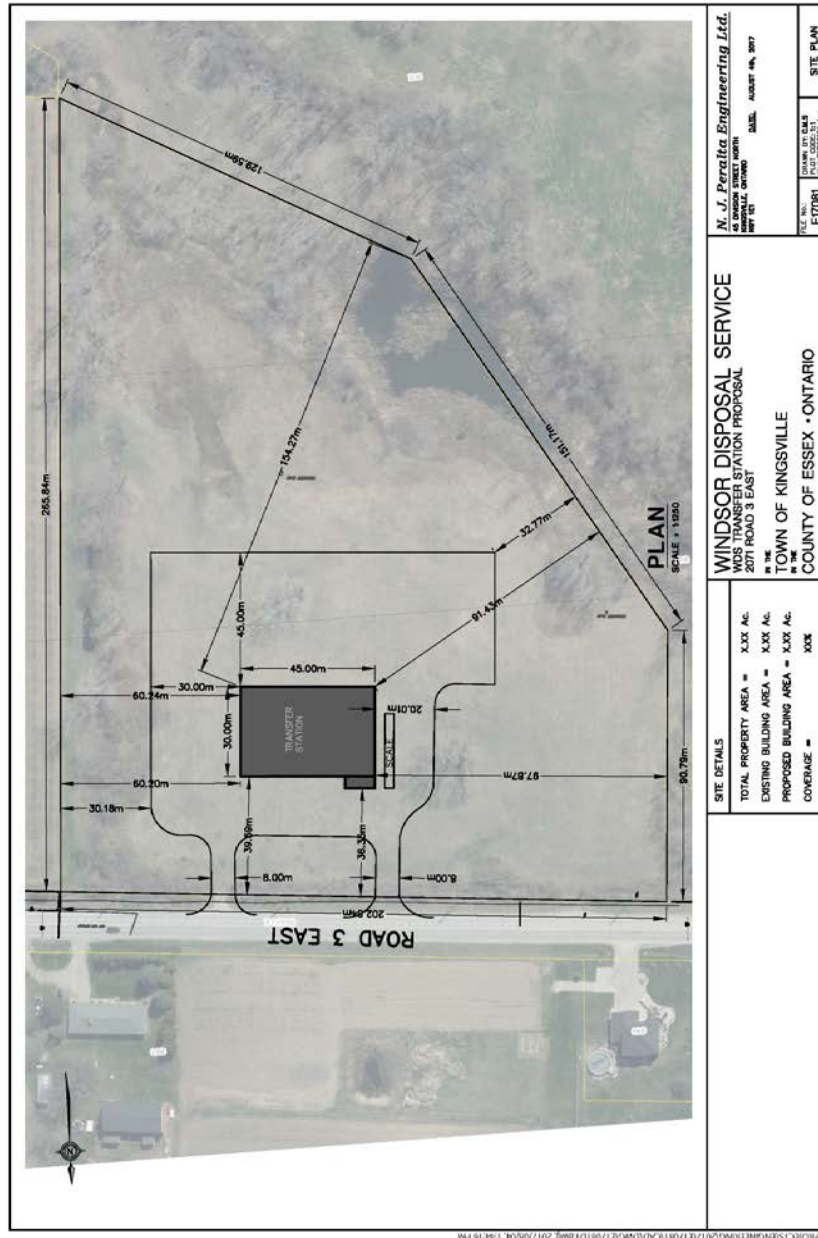
APPENDIX A-1: Key Map



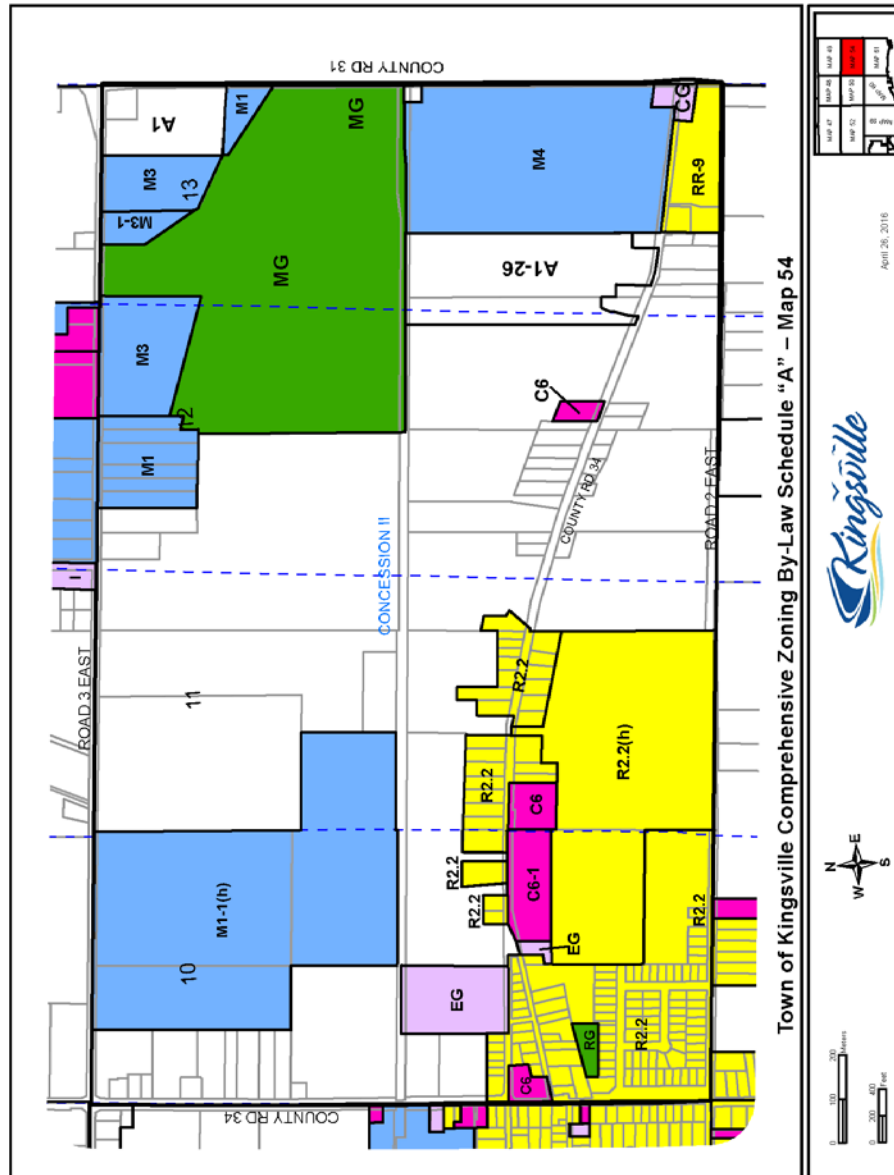
APPENDIX A-2: Site Aerial Photo



APPENDIX A-3: Site Plan



APPENDIX A-4: Zone Map 54



APPENDIX A-5: Excerpt from Design and Operations Report

VMH Waste Transfer
and Processing Facility

- 3 -

Design and Operations Report

1.0 INTRODUCTION

This Design and Operations (D&O) Report is prepared to support an application by Vince Mocerri Holdings (VMH) for a Environmental Compliance Approval for a waste disposal site for a non-hazardous solid waste transfer and processing facility.

The VMH waste transfer and processing facility is proposed for a 5 hectare (ha) property located on Road 3 (Part Lot 13, concession 2 Eastern Division Gosfield being Part 2 on Plan 12R-12742) in Kingsville, Ontario. The building will have a total floor area of 1,400 square metres (m²). Waste will be received from roll-off trucks, front-end trucks, private vehicles and municipal collection vehicles. The waste will be sorted into waste and recyclable material. Waste will be transferred into tractor trailers for haulage to approved landfill sites and recyclable materials will be hauled to market. Waste wood will be processed into woodchips to be used as fuel in the local greenhouse industry.

This D&O Report has been prepared to describe the initial design of the facility and the on-site operations, which will include the following activities:

- The receipt, processing and transfer of an annual average of 250 tonnes per day of solid non-hazardous waste from residential, and industrial, commercial, institutional (IC&I) and municipal generators.
- The receipt or shipment off-site of a maximum of 75,750 tonnes of waste annually.
- In order to account for seasonal fluctuations in waste generation, the operator may receive or ship off-site up to a maximum of 400 tonnes of waste per day, provided that the maximum annual limit of 75,750 tonnes per year is not exceeded.
- A maximum waste storage quantity of 160 tonnes at any one time.
- Shipping and Receiving hours of 7:00 am to 8:00 pm Monday to Saturday.
- Operating hours of 24 hours a day, Monday to Sunday.

The D&O Report has been prepared in accordance with the MOE's *Guide to Applying for Approval of Waste Disposal Sites*.

2.0 FACILITY DESIGN

2.1 Function of the Site

The function of the site is to receive, process and transfer non-hazardous municipal solid waste, including waste from residential, and industrial, commercial, institutional (IC&I) and municipal generators.

Waste will be deposited on the floor in the facility, processed to remove recyclable material and then loaded into trucks or tractor trailers to be hauled to other locations for recycling or disposal.

All waste sources will be located in the Province of Ontario.

2.2 Site Location and Land Use

The waste transfer and processing facility is proposed for a 5 hectare (ha) property located at Road 3 in Kingsville, Ontario. The Site Location Plan (Figure 1) shows the location of the property relative to major arterial roads and highways.

The property is owned by VMH and consists of undeveloped land that is zoned Heavy Industrial (M3). Permitted uses include all the uses identified in the (M1) and (M2) zone such as:

- Building and construction material recycling facility
- Asphalt and concrete batching plant
- Fertilizer dealerships, warehousing and processing facility
- Grain warehousing and processing facility
- General salvage operation
- Heavy industrial uses
- Materials transfer facility
- Vehicle salvage operation
- Petroleum resource operations.

The Zoning Plan (Figure 2) shows the current zoning in the vicinity of the site. This was confirmed by officials with the Town of Kingsville. The site and vicinity are fairly flat. The proposed facility is consistent with the allowable site zoning and surrounding land use. Businesses in the area include a concrete batch plant to the west, greenhouse to the north, a waste transfer facility and former landfill to the south and a farm/orchard to the east. The closest residential receptor is 100 metres away from the facility.

2.3 Building Layout and Site Plan

The building lay out is shown in Figure 3. The building will be constructed of metal siding and has a total floor area of 1,400 m², which consists of

- 950 m² of waste unloading and storage area;
- 400 m² of waste loading area; and,
- 50 m² of office area.

The waste unloading, processing, storage and loading areas are located within a large open area. A 3 metre high concrete retaining wall encloses the waste storage area on two sides and allows the waste to be piled against the wall without concern for possible structural damage to the building. All waste will be unloaded, stored, and loaded inside this area. The retaining wall abuts the compactor hopper, allowing waste to be compacted into transfer trailers. The waste unloading and storage area has a 9 metre high clear span ceiling. The office area is in the front (north) part of the transfer building. A pedestrian doorway connects the two areas.

There is an overhead access door into the waste loading area to allow for a tractor trailer to hook-up the waste compactor. The access door is located in the north-east corner of the building. There are four overhead doors leading into the waste unloading area on the south side of the building to allow for four waste receiving vehicles to be unloaded at once. A loading dock is located in the south-west corner of the building and will be used for shipping and receiving recyclable material.

A floor drain is located in the waste loading area. These floor drains discharge into a 4,500 liter holding tank where the wastewater will be stored prior to haulage to the municipal wastewater treatment facility in the Town of Leamington. It is expected that the wastewater would be well within the allowed limits of the sewer-use by-law of Leamington. Wastewater from the office area is discharged into a septic system located on-site.

Figure 4 shows the site plan, including the on- site access roads and buildings. There is one access road into the site and it provides egress/ingress for all vehicular traffic. A roadway around the back (south) of the building provides entrance into the unloading and loading areas of the facility. Weigh scales are located to the west of the office area.

Trucks with incoming waste will enter the site via the access road and proceed to the scales where the vehicle will be weighed and directed to proceed to the receiving area through the access doors on the south side of the plant. The waste will be unloaded onto the receiving floor. A loader operator will then transfer the waste from the receiving floor into the waste compactor and transfer trailer.

2.4 Hours and Days of Operation

Waste receiving and shipping will take place at the site between 7:00 am to 8:00 pm, Monday to Saturday. Internal operations at the facility, including the loading of trucks may occur 24 hours each day, 365 days of the year.

2.5 Truck Traffic

There is sufficient queuing capacity on the access roads at the site to allow for vehicles entering and exiting the site.

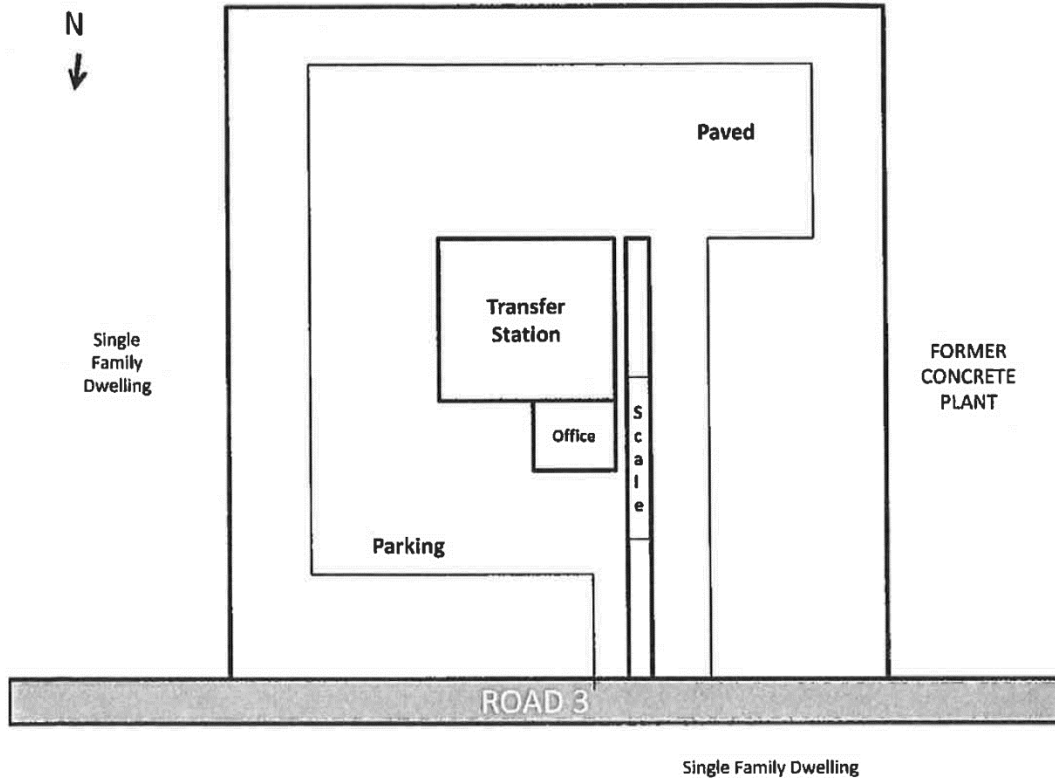
The facility's initial design is to accept a maximum of 75,750 tonnes of waste per year. Based on shipping and receiving six days a week, there would be an a maximum of 7 loaded tractor trailers hauling waste from the site and 2 loaded tractor trailers containing recovered recyclable material exiting the site per day.

2.6 Wastes Accepted at the Site

The site will receive non-hazardous solid municipal waste from residential, and IC&I generators, including Construction & Demolition (C&D) waste. The IC&I generator sector includes, but is not limited to warehousing, storage, apartment buildings, manufacturing facilities, schools, and stores.

The site will receive on an annual basis, an average of no more than 250 tonnes of waste per day (75,750 tonnes per year). The maximum waste that can be received in any one day is capped at 400 tonnes. All waste will be loaded into transfer trailers and transported to an approved disposal site, with the exception of recovered recyclables which would be loaded into roll-off bins and tractor trailers and hauled to an end user.

ESSEX-WINDSOR SOLID WASTE AUTHORITY
WASTE TRANSFER FACILITY/LANDFILL



VMH 2700 DEZIEL DRIVE WINDSOR, ONTARIO N8W 5H8	FIGURE 4 SITE PLAN ROAD 3 KINGSVILLE, ONTARIO	WASTE TRANSFER AND PROCESSING FACILITY
TO: MINISTRY OF ENVIRONMENT AND CLIMATE CHANGE	SCALE: NTS	April 2016 DRAWN BY: MC

APPENDIX A-6: June 8, 2017 ERCA Meeting Summary

MEETING SUMMARY

PROPOSED WASTE TRANSFER AND PROCESSING FACILITY
WINDSOR DISPOSAL SERVICES LTD. (WDS)

SITE LOCATION – Road 3 (Part of Lot 13, Concession 2, Eastern Division, Gosfield, being Part 2, RP 12R-12742), Town of Kingsville, ON

MEETING DATE – June 8, 2017

MEETING LOCATION – Essex Regional Conservation Authority (ERCA) office, Essex County Building, Essex, ON

PRESENT

- Vince Mocerj, WDS
- Mike Coulson, WDS
- Lou Cuiro, WDS
- Tom Storey, consulting planner to WDS
- Dan Lebedyk, ERCA Biologist
- Mike Nelson, ERCA Watershed Planner

PURPOSE OF MEETING – Discuss need for review of natural heritage issues and role of ERCA

MEETING SUMMARY

1. Mr. Storey explained that WDS proposes to construct a waste disposal transfer and processing (recycling) facility on a vacant site zoned for heavy industrial uses. The waste processing use is not permitted so a rezoning is required. A site plan approval is also necessary. As well the application will require an Environmental Compliance Approval (ECA) under the Environmental Protection Act (EPA). The recycling use requires neither a rezoning or ECA. It is proposed that the rezoning proceed with a "H" – Holding Symbol, to be removed once the ECA is given by the MOECC. In the meantime WDS wishes to proceed with the building construction and establishment of the recycling use.
2. The WDS reps described the site (and as could be seen from the aerial photos) as being a former quarry which had been backfilled and was now vacant. There is some vegetation along the rear and west lot lines. The majority of the site is grassed and mown on a regular basis. A single mature tree is found in roughly the middle.
3. The WDS reps also asked if a parking area could be established on the site for the storage of certain materials. ERCA had no concerns but noted that this was an issue to be addressed by the Town Administration.

4. The ERCA observations and advice were as follows:

- The site is not covered by a Conservation Authority Act regulation and therefore ERCA's role with regard to the Planning Act applications was as an advisor to the Town regarding stormwater management and natural heritage.
- ERCA would be a commenting agency on the ECA.
- WDS was urged to prepare the Stage 1: Information Request document required by the Ministry of Natural Resources and Forestry (MNRF) as part of the Species at Risk screening process. WDS was also urged to provide as much information as possible to ensure a response was provided to all the bullet points under Stage 1 in Technical Memo. The best estimate for turnaround by the MNRF is three months.
- WDS should establish the facility envelope.
- At this stage it does not appear that an Environmental Impact Assessment (EIA) will be necessary to satisfy 2.1.5(d) of the Provincial Policy Statement (PPS) – *Development and Site Alteration shall not be permitted in significant wildlife habitat.*
- Preparation of the Stage 1: Information Request document and addressing any issues arising therefrom will meet the requirement of PPS 2.1.7 – *Development/site alteration of the habitat of endangered or threatened species is not permitted except in accordance with provincial and federal requirements.*
- A biologist will only be required if MNRF elevates the Information Request to Stage 2, based on the Stage 1 information.

ACTION POINTS

1. Tom S. to provide Mike Coulson with a copy of the MNRF technical memo.
2. Mike Nelson to contact Tom S. with regard to further information on the role of ERCA in the ECA.
3. WDS to arrange a meeting with Kingsville Administration regarding use of the site while the ECA and Planning Act approval processes are underway.

APPENDIX A-7: MNRF Correspondence re Endangered Species Act 2007

**Ministry of Natural
Resources and Forestry**
615 John Street North
Aylmer ON N5H 2S8
Tel: 519-773-9241
Fax: 519-773-9014

**Ministère des Richesses
naturelles et des Forêts**
615, rue John Nord
Aylmer ON N5H 2S8
Tél: 519-773-9241
Télé: 519-773-9014



August 8, 2017

AYL-L-067-17

Vince Mocerì
Vince Mocerì Holdings Inc.
2700 Deziel Drive
Windsor, ON N8W 5H8

Dear Mr. Mocerì:

RE: Recycling and Waste Transfer Facility and the *Endangered Species Act, 2007*

The Ministry of Natural Resources and Forestry (MNRF) has reviewed the information that was provided on the proposed recycling and waste transfer facility development project to assess the potential impacts of the proposal on endangered or threatened species and their habitats. From the information provided, it is our understanding that the proposed project falls within these parameters:

- a) The project is located at 2071 Road 3 East, west of County Road 31, in the Town of Kingsville, Essex County.
- b) The proposed project involves the construction of a recycling and waste transfer facility and parking lot.
 - The project footprint will occur within the northeastern portion of the property, which is regularly mowed.
- c) The proposed project will begin upon receipt of all required approvals.
- d) MNRF has reviewed species occurrence information on file and determined that there are no known occurrences of endangered or threatened species, or areas of protected habitat, on or in the immediate project area.

Based on a review of the above information, MNRF staff have determined that the activities associated with the project, as currently proposed, **will likely not contravene** section 9 (species protection) and/or section 10 (habitat protection) of the *Endangered Species Act, 2007* (ESA 2007) for species at risk (SAR).

This Letter to Proponent (AYL-L-067-17) is valid until December 31, 2018. MNRF should be contacted for a new review if the project activities have not been completed by this date.

If you become aware of any SAR species and/or habitats in the project area, please contact the MNRF Aylmer District office as soon as possible to help determine if the project activities could impact the species or its habitat.

Please note that the province has not been surveyed comprehensively for the presence or absence of SAR, and MNRF data relies on observers to report sightings of SAR. As such, the absence of an element occurrence does not indicate the absence of species and/or habitat.

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

If you have any concerns or questions regarding this letter, please contact me at 519-773-4736 or by email at ESA.Aylmer@ontario.ca.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Jong'.

Catherine Jong
Management Biologist, Aylmer District
Ministry of Natural Resources and Forestry

**Ministry of Natural
Resources and Forestry**
615 John Street North
Aylmer ON N5H 2S8
Tel: 519-773-9241
Fax: 519-773-9014

**Ministère des Richesses
naturelles et des Forêts**
615, rue John Nord
Aylmer ON N5H 2S8
Tél: 519-773-9241
Téléc: 519-773-9014



August 8, 2017

AYL-L-067-17

Vince Mocerì
Vince Mocerì Holdings Inc.
2700 Deziel Drive
Windsor, ON N8W 5H8

Dear Mr. Mocerì:

RE: Recycling and Waste Transfer Facility and the *Endangered Species Act, 2007*

The Ministry of Natural Resources and Forestry (MNRF) has reviewed the information that was provided on the proposed recycling and waste transfer facility development project to assess the potential impacts of the proposal on endangered or threatened species and their habitats. From the information provided, it is our understanding that the proposed project falls within these parameters:

- a) The project is located at 2071 Road 3 East, west of County Road 31, in the Town of Kingsville, Essex County.
- b) The proposed project involves the construction of a recycling and waste transfer facility and parking lot.
 - The project footprint will occur within the northeastern portion of the property, which is regularly mowed.
- c) The proposed project will begin upon receipt of all required approvals.
- d) MNRF has reviewed species occurrence information on file and determined that there are no known occurrences of endangered or threatened species, or areas of protected habitat, on or in the immediate project area.

Based on a review of the above information, MNRF staff have determined that the activities associated with the project, as currently proposed, **will likely not contravene** section 9 (species protection) and/or section 10 (habitat protection) of the *Endangered Species Act, 2007* (ESA 2007) for species at risk (SAR).

This Letter to Proponent (AYL-L-067-17) is valid until December 31, 2018. MNRF should be contacted for a new review if the project activities have not been completed by this date.

If you become aware of any SAR species and/or habitats in the project area, please contact the MNRF Aylmer District office as soon as possible to help determine if the project activities could impact the species or its habitat.

Please note that the province has not been surveyed comprehensively for the presence or absence of SAR, and MNRF data relies on observers to report sightings of SAR. As such, the absence of an element occurrence does not indicate the absence of species and/or habitat.

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

If you have any concerns or questions regarding this letter, please contact me at 519-773-4736 or by email at ESA.Aylmer@ontario.ca.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Jong'.

Catherine Jong
Management Biologist, Aylmer District
Ministry of Natural Resources and Forestry

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 120-2017

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

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

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

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

AND WHEREAS it is deemed advisable to make the said lands subject to a holding classification for which the owner may apply to have the said holding classification removed once; an Environmental Clearance Approval (ECA) is issued by MOECC and a satisfactory site plan and associated site plan agreement are prepared, specific to the waste transfer use, to the satisfaction of the Town;

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

1. That Subsection 9.3.1 HEAVY INDUSTRIAL ZONE 3 EXCEPTION 1 (M3-1) is deleted and replaced with the following:

9.3.1 'HEAVY INDUSTRIAL ZONE 3 EXCEPTION 1 (M3-1)'

For lands shown as M3-1 on Map 54 Schedule "A" of this By-law.

a) *Permitted Uses*

All uses identified in the (M1), M2 and (M3) zone;
A waste transfer station

b) *Permitted Buildings and Structures*

Industrial buildings
Accessory structures and buildings

c) *Zone Provisions*

All lot and building requirements for the permitted buildings and structures shall be in accordance with 9.3 (c).

Notwithstanding Section 9.3 (c) the easterly side yard setback shall be 15 m minimum and the permitted use shall be limited to a passive green space buffer and may include berming, landscaping and/or fencing abutting the existing agricultural use to the east.

d) *Other Requirements*

- i) Permitted Uses, Buildings and Structures for lands zoned 'Heavy Industrial Zone 3 Exception 1, holding, (M3-1(h))' shall not include a waste transfer station.

- ii) For lands zoned 'Heavy Industrial Zone 3 Exception 1, holding, (M3-1(h))' the zoning may be amended under Section 36 of the Planning Act to '(M3-1)' once:
 - a. An Environmental Clearance Approval is issued by MOECC and a site plan and associated site plan agreement are prepared, specific to the waste transfer station use, to the satisfaction of the Town.
- 2. This by-law shall come into force and take effect from the date of passing by Council and shall come into force in accordance with Section 34 of the Planning Act.

READ a FIRST, SECOND and THIRD time and FINALLY PASSED this 27th day of November, 2017.

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo



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

Date: November 2, 2017
To: Mayor and Council
Author: M. Durocher
RE: Erie Shores Quilters Guild
Report No.: PR-2017-7

AIM

To provide council with information relative to the request from the Erie Shores Quilters Guild Charity Sewers for a waiver of rental fees, at the Unico Centre for their meetings.

BACKGROUND

At the August 28 meeting of council Fran Chartrand the chairperson of the Charity Program of the Erie Shores Quilters Guild requested 4 months of rent free space at the Unico Hall to work on their quilts. Upon review of the request council granted the following:

Erie Shores Quilting Guild--Correspondence dated August 18, 2017 requesting waiver of fee for Unico Building

565-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councilor Susanne Coghill

That Council approve request for a period of six months to Erie Shores Quilting Guild for the Unico Building.

DISCUSSION

November 1 we received notification that the quilters guild was going to appear before council to request the following:

The Erie Shores Quilters' Guild-Charity Group have provided a Delegation to Council request form to provide a demo of finished quilts designated for Royal Oak Retirement Home, and they have also indicated they want to make a request to Council to be further scheduled for the Unico Building and to have the rental fee waived.

The Quilters have rented space at the arena for an extended period of time pre-dating my employment with the Town. They are now asking to rent the Unico on an ongoing basis for their charity quilters group.

We are currently working to make the best use possible of all of our facilities and allow for maximum revenue generation and maximum efficiency of our work force. We do not have a precedent in place allowing for ongoing free rentals for any group. Our user groups who wish to host meetings in various rooms are required to book those rooms and provide payment. Should we begin to waive the fees on long term rentals then we will be considerably challenged in terms of revenue compensation for our facilities, and with the anticipated increase in requests to waive fees for other groups. The rental fee for the UNICO for this group would be \$75 per session for an annual 10 month fee of \$750

LINK TO STRATEGIC PLAN

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

FINANCIAL CONSIDERATIONS

Erie Shores Charity Quilters set up requires numerous tables and chairs for their set up. The cost for a rental is \$75 and includes set up and take down. We have other groups that utilize the Unico at reduced rates such as the Friendly Club and the Lily Rebekah's however no group is able to utilize this space on a long term basis without some kind of compensation.

CONSULTATIONS

Facility Manager-T. Del Greco

RECOMMENDATION

That council deny the request from the Erie Shores Quilters Guild charity quilters for rent free space at the Unico Centre to hold their monthly meetings.

Maggie Durocher

Maggie Durocher Hons. BHK
Manager of Parks and Recreation Programs

Peggy Van Mierlo-West

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



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

Date: November 6, 2017

To: Mayor and Council

Author: Linda Brohman, Tax Collector

RE: Recent Legislation Changes per Bill 68, Modernizing Ontario's
Municipal Legislation Act, 2017

Report No.: FS-2017-21

AIM

To provide council with information regarding recent legislation changes per Bill 68, *Modernizing Ontario's Municipal Legislation Act, 2017*.

BACKGROUND

On May 30, 2017, Bill 68, *Modernizing Ontario's Municipal Legislation Act, 2017* ("MOMLA") passed third reading and received royal assent. One of the major changes is the reduction in the time in which the tax registration process can begin on a property. Previously, a tax arrears certificate could be registered on a property if there were 3 years of arrears owing on January 1st of the current year. For example, On March 21, 2017 the Town of Kingsville started the tax registration process for 9 properties which had 2014 tax balances. Recent changes to the legislation now allow a tax arrears certificate to be registered if there were 2 years of tax arrears owing on January 1st of the current year.

The second major change in *MOMLA* is in regards to the payment out of court. Previously, after a tax sale was completed, municipalities would make a payment into court for any monies paid above the cancellation price. Under Section 380 (4) & (5) of the *Municipal Act, 2001*, interested parties had one year from the date of payment into court to apply for a payment out of court for the amount that they are entitled. Under Section 380 (6) of the *Municipal Act, 2001*, if no one has made application for any of those surplus funds within the one-year period then the surplus funds are forfeited to the municipality. Due to the legislation changes, Section 380 (6)(b) and 380(6.1)(b) will be repealed. The funds will no longer be forfeited to the municipality and the municipality cannot make an application for payment out of court for surplus funds. According to *MOMLA* 63 (6)5, interested parties can apply for payment out of court up to ten years after the payment into court was made. After ten years, any funds remaining are forfeited to the Crown, and the Public Guardian and Trustee may apply (*MOMLA* 63(6)(8) and(9)). If a tax arrears

certificate was registered prior to this coming into force, the municipality may still apply for the excess funds one year after the payment into court.

DISCUSSION

Each year, the Town of Kingsville submits a Financial Information Report (FIR) to the Province. The Ministry of Municipal Affairs and Housing (MMAH) reviews the information and provides feedback using key performance indicators. One of the key performance indicators that they review is the Total Taxes Receivable as a Percentage of Total Taxes Levied. MMAH defines Low Risk as having a percentage less than 10%, Moderate Risk as 10-15%, and High Risk as greater than 15%. The Town of Kingsville's Total Taxes Receivable is in the low risk range as indicated in the chart below:

	2016	2015	2014
Annual Tax Levy	\$32,259,425.70	\$ 30,268,491.45	28,826,473.83
Amount Owning as of Dec 31	\$1,799,881.19	\$1,592,269.35	\$1,677,476.72
% of arrears to levy	5.58%	5.26%	5.82%

The tax sale process is used to collect tax receivables on a property. The Town of Kingsville sends arrears notices the month following a due date for any accounts that have a past due balance. In September and December, letters are included with the arrears notices and mailed to properties that will be eligible for the tax registration the following calendar year. In February, a final notice and letter is sent via registered mail for eligible properties. The majority of property owners will pay at least the minimum (penalty plus third year of arrears) to avoid registration. A small percentage of properties will make it to the actual tax registration process. The property owner has one year from the date of the tax registration to pay the arrears in full to avoid a tax sale of the property. If a property is registered, the associated costs will be charged back to the tax roll. The tax registration costs may accumulate to over \$5000 during the full process. Historically, few properties have been sold by tax sale in the Town of Kingsville. The chart below shows the number of properties that have been eligible for tax sale, and then the number of properties that are actually sold by tax sale.

	2016	2015	2014
Properties that will be eligible for tax sale at the beginning February	43	37	40
Properties registered – March or April	19	3	12
Properties with valid extension agreements	3	0	0
Properties that paid arrears in full prior to tax sale	12	3	12
Properties eligible for public tax sale	4	0	0
Properties sold by public tender	2	0	0
Properties defaulted on extension agreement - still processing through tax registration procedures	2	0	0

Bill 68 allows a municipality to reduce the time that a municipality can register a property for tax arrears. This is not a mandatory requirement and is left up to the discretion of the municipality.

Below is a comparison of the number of properties and amount of arrears outstanding for the current process and the reduced timeline process:

Status Quo - Register Property after 3 years of arrears owing			
	2016	2015	2014
Total Arrears as of Dec 31	\$ 1,799,881.19	\$ 1,592,269.35	\$ 1,677,476.72
Total number of properties	2,665	2,686	2,723
Number of Eligible Properties with 3 years of arrears	57	50	47
Total Tax Arrears on Eligible Properties - 3 years in arrears	\$ 496,636.58	\$ 429,528.02	\$ 442,826.00
Portion of tax/penalty that is 3rd year of arrears owing	\$ 100,941.17	\$ 99,436.44	\$ 118,709.66

Reduced Timeline Process - Register Property after 2 years of arrears owing			
	2016	2015	2014
Total Arrears as of Dec 31	\$ 1,799,881.19	\$ 1,592,269.35	\$ 1,677,476.72
Total number of properties	2,665	2,686	2,723
Number of Eligible Properties with 2 & 3 years of arrears	195	230	228
Total Tax Arrears on Eligible Properties - 2 & 3 years in arrears	\$ 1,090,346.65	\$ 1,282,384.01	\$ 1,177,466.27
Portion of tax/penalty that is 2 & 3 year of arrears	\$ 527,963.54	\$ 584,941.99	\$ 564,800.99

Benefits of reducing the timeline:

- The Town may collect tax arrears sooner for some properties.
- The Town will have an increased cash flow.
- Property owners will have less taxes and interest/penalty owing, which will hopefully make it easier to pay arrears.

Negative Impacts of reducing the timeline:

- The interest/penalty revenues will decrease, as arrears need to be paid in a shorter period.
- The number of warning notices sent will increase, resulting in an increase of costs estimated to be \$1230. These costs include:
 - Staff time to pull the arrears and include the warning letter
 - Staff time to respond to phone calls regarding the warning letters
 - Costs to print warning letters
 - Postage costs will not increase as notices are sent with the regularly scheduled arrears notices.
 - Registered mail costs for notices sent in February are recovered through the tax roll.
- The number of properties that are registered may increase as the total number of properties eligible is increased.
- The tax registration process is costly.
 - Expenses related to the registration may total to over \$5000
 - The property owner must pay these expenses including arrears to cancel the registration, or
 - If the property goes to tax sale, the successful tenderer pays these costs.

As The Town of Kingsville's Tax Receivables are currently in "Low Risk", reducing the time line will have little impact for our FIR key performance indicator. Cash flow is not a problem that the Town faces currently.

Staff time and resources may be better utilized for assessment base management (ABM). ABM is a range of activities focusing on property assessments. The goal is to monitor and audit property assessments to ensure they are fair and accurate. ABM also prevents loss of the Town's assessment base.

The tax registration process may always be revisited in the future if economic situations change.

LINK TO STRATEGIC PLAN

To encourage leadership and management that will provide the direction to achieve our goals and maximize the effectiveness of our strategies.

FINANCIAL CONSIDERATIONS

Fees associated with the tax registration are recoverable through the tax roll. If the tax registration time line is shortened, the amount of staff time spent on sending notices and responding to inquiries will increase, at an estimated cost of \$1230 per year. Interest and Penalty revenues will decrease due to the reduced amount of time that arrears can be accumulated. The Town will see an increase of cash flow as property owners pay the taxes in a more timely fashion to avoid the registration process.

CONSULTATIONS

Sandra Zwiers, Director of Financial Services

RECOMMENDATION

That council recommend the continuation of the existing 3 year tax registration process.

Linda Brohman

Linda Brohman, BBA
Tax Collector

Sandra Zwiers

Sandra Zwiers, MAcc CPA, CA
Director of Financial Services

Peggy Van Mierlo-West

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



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

Date: October 26, 2017
To: Mayor and Council
Author: Linda Brohman, Tax Collector
RE: Affordable Housing Tax Rate By-Law (225 Prince Albert St N)
Report No.: FS-2017-23

AIM

Obtain council authorization to charge property taxes at the single residential (RT) tax rate for the Affordable Housing units located at 225 Prince Albert St N.

BACKGROUND

On July 13, 2015, council approved the site plan approval application SPA/13/15 for the development of a three building, fourteen unit multiple dwelling unit complex at the location of 225 Prince Albert St N. Motion 555-2015, moved by G. Queen and seconded by T. Neufeld.

On August 22, 2016, council confirmed the Town of Kingsville's participation in 2016 and 2017 in the Rental Housing Component of the Social Infrastructure Fund also known as SIF RHC. Motion 495-2016, moved by L. Patterson and seconded by G. Queen.

DISCUSSION

The Federal Government introduced the 2016 Social Infrastructure Fund (SIF), which will increase investment under the Investment in Affordable Housing Program. The program will increase affordable housing by providing developers with funding assistance. For rental housing projects, developers can apply for a forgivable capital loan of 75% of the total capital cost per unit up to \$150,000. The projects must meet the eligibility requirements laid out in the guidelines to receive approval. Projects must remain affordable for a minimum of 20 years. The target tenants are aboriginals, persons eligible for social housing, persons with disabilities, recent immigrants, seniors, victims of domestic violence, and working poor.

The owner for 225 Prince Albert St N has met the requirements set out under the program. The City of Windsor Housing Authority has authorized the property to be included in the SIF rental Housing component of the Investment in Affordable Housing Program.

One of the program requirements is that the municipality set the property taxes equal to, or less than, the single residential tax rate for the 20 year duration of the program. Once the by-law is passed, the tax collector would need to process a manual adjustment on the roll to amend the taxes from the multi-residential tax rate to the residential tax rate. The adjustment will result in an increase the municipal write-off budget.

LINK TO STRATEGIC PLAN

To maintain and improve the health, safety and well-being of our residents.

FINANCIAL CONSIDERATIONS

The 2017 municipal impact of the tax class change of \$4,515.05 is within the write-off budget. The write-off budget for futures years will be budgeted to absorb the impact of the tax class change.

CONSULTATIONS

Jennifer Astrologo, Director of Corporate Services

Sandra Zwiers, Director of Financial Services

RECOMMENDATION

Council authorize by-law 114-2017 to authorize a single residential tax rate for municipal purposes for the municipal capital facility for affordable housing at 225 Prince Albert St N.

Linda Brohman

Linda Brohman, BBA

Tax Collector

Sandra Zwiers

Sandra Zwiers, MAcc CPA, CA

Director of Financial Services

Peggy Van Mierlo-West

Peggy Van Mierlo-West, C.E.T.

Chief Administrative Officer

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 114-2017

Being a by-law to authorize a single residential tax rate for municipal purposes for the municipal capital facility for affordable housing at 225 Prince Albert St N

WHEREAS section 110(1) of the *Municipal Act, 2001* provides that the council of a municipality may enter into agreements for the provision of municipal capital facilities by any person;

AND WHEREAS section 110(6) of the *Municipal Act, 2001* provides that the council of a municipality may pass by-laws exempting property, or a portion of it, from taxation for municipal and school purposes on which municipal capital facilities are located;

AND WHEREAS paragraph 18 of section 2 of Ontario Regulation 46/94, as amended, prescribes municipal facilities for municipal housing project facilities as eligible municipal capital facilities;

AND WHEREAS at its meeting of August 22, 2016 Council carried motion 495-2016 which authorized participation with the City of Windsor pursuant to the Rental Housing Component of the Social Infrastructure Fund also known as SIF RHC;

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

1. Fourteen residential units on the property located at 225 Prince Albert St N in the Town of Kingsville legally described as CON 1 WD PT LOT 1 PT LOT 2 (Roll 37-11-120-000-00600-0000) (the "Premises") shall be assessed at a single residential tax rate for municipal purposes while this by-law is in force and so long as the Premises are used by the Housing Provider as a municipal capital facility, namely as affordable housing.
2. The tax exemptions referred to herein shall be effective from the date the first unit of affordable housing on the Premises is occupied by a tenant selected in accordance with the SIF RHC.
3. This by-law shall be deemed repealed if the Housing Provider or its successor in law ceases to use the Premises for purposes of affordable housing.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 27th DAY OF NOVEMBER, 2017.

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo



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

Date: October 31, 2017
To: Mayor and Council
Author: Linda Brohman, Tax Collector
RE: Delegation of Authority Regarding the Assessment Review Board
Report No.: FS-2017-22

AIM

To request council authorization to delegate the municipality's authority for the collection of property taxes and the related assessment maintenance to the Treasurer, which then allows the Treasurer to delegate specific authorities to any other person or licensed legal service providers.

BACKGROUND

Sections 39 and 40 of the Assessment Act allows that any person, including a municipality, may appeal to the Municipal Property Assessment Corporation (MPAC) or the Assessment Review Board (ARB), that a property assessment may be too high, too low, wrongly classified or omitted from the assessment roll.

Section 23.1 of the Municipal Act, requires that a by-law must be enacted for Council to delegate its authority to staff, and section 286 of the Municipal Act allows that Council may permit the Treasurer to delegate his/her authority related to the collection of taxes.

As of April 1st, 2017, the ARB implemented new Rules and Procedures. There is now a mandatory requirement to hold mediation and/or settlement conferences before scheduling hearings. To participate in mediation, the Town must authorize its representative to make and accept settlement offers.

DISCUSSION

The Town has an assessment base of over \$2 billion. This base must be managed to ensure that property tax is levied and collected in a fair and equitable way. This base is challenged every year through property assessment and property tax appeals.

The delegation of authority for staff to perform the tasks associated with these appeals, and the related collection of property taxes, will allow them to be performed in an efficient and expedient manner. These tasks include initiating and filing notices of assessment

appeal, withdrawing any appeals initiated by the Town, attend any Mediation or Settlement Conferences on property tax or assessment matter as a party to all appeals, attending before the Assessment Review Board on property tax or assessment matters as a party to all appeals and executing settlement agreements reached in the course of a taxation or property assessment appeal, mediation or settlement conference.

Reaching an agreement and settlement with the property owner and MPAC on any possible correction required and processing an adjustment to the property tax account will conclude the mediation or settlement conference and/or reconsideration and appeal. Should the Town, MPAC and the property owner not be able to reach an agreement, the appeal will ultimately be heard and decided by the ARB.

LINK TO STRATEGIC PLAN

To encourage leadership and management that will provide the direction to achieve our goals and maximize the effectiveness of our strategies.

FINANCIAL CONSIDERATIONS

There is no immediate budgetary impact to this delegation, however, there should be a positive impact realized as new processes are implemented that will reduce the Town's costs for outside assistance as well as protection of the Town's assessment base.

CONSULTATIONS

Municipal Tax Equity Consultants Inc.
Tax Collectors from other municipalities

RECOMMENDATION

That council delegate the municipality's authority for the collection of property taxes and the related assessment maintenance to the Treasurer, which then allows the Treasurer to delegate specific authorities to any other person or licensed legal service providers.

Linda Brohman

Linda Brohman, BBS
Tax Collector

Sandra Zwiers

Sandra Zwiers, MAcc CPA, CA
Director of Financial Services

Peggy Van Mierlo-West

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

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 116 - 2017

Being a By-law to provide for the Delegation of Authority to Initiate and/or Resolve Certain Matters before the Assessment Review Board

WHEREAS all real property in Ontario is liable to assessment and taxation unless it is subject to an explicit exemption from this liability in accordance *Assessment Act*, R.S.O. 1990 c. A.31, as amended (hereinafter referred to as the “*Assessment Act*”);

AND WHEREAS pursuant to sections 40 and 40.1 of the *Assessment Act* any person, including a municipality may appeal the assessment of their land or the land of another person to the Assessment Review Board on the basis that the current value of the land, the classification of the land and/or the share of the current value as distributed across differently classified portions of the land is incorrect; or on the basis that they or another person has been wrongly placed on, or omitted from the assessment roll in respect of land or school support;

AND WHEREAS pursuant to section 39.1 of the *Assessment Act* the owner of a property or a person who has received or would be entitled to receive a notice of assessment under that *Act* may request the assessment corporation to reconsider matters related to the assessment of real property;

AND WHEREAS a municipality may, within 90 days of being notified of a settlement agreement made under section 39.1 of the *Assessment Act*, appeal that agreement to the Assessment Review Board;

AND WHEREAS a person may appeal the determination of a municipality, or the failure of the municipality to make a determination in respect of a rebate or adjustment made, or applied for under sections 356, 357, 357.1, 359, 359.1 or 364 of the *Municipal Act, 2001* S.O. 2001, C. 25 (hereinafter referred to as the “*Municipal Act, 2001*”);

AND WHEREAS the property tax and payments in lieu of property tax paid to the municipality in respect of real property is the municipality’s largest source of revenue;

AND WHEREAS it is deemed prudent and expedient to ensure the municipality’s interests can be actively and effectively pursued and protected with respect to matters before or falling within the jurisdiction of the Assessment Review Board;

AND WHEREAS Section 9 of the *Municipal Act, 2001* states that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under that or any other Act;

AND WHEREAS Council of the Corporation of the Municipality of Kingsville may, in accordance with, and as limited by section 23.1 of the *Municipal Act, 2001* delegate any its powers and duties under any Act;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF KINGSVILLE ENACTS THE FOLLOWING TO PROVIDE FOR THE ADMINISTRATION, INITIATION AND RESOLUTION OF MATTERS BEFORE THE ASSESSMENT REVIEW BOARD:

1. In this By-Law:

“assessment appeal” means an appeal made to the Assessment Review Board by the municipality or another person under section 40 or 40.1 of the *Assessment Act*, or an appeal made by the municipality in accordance with subsection 39.1(11) of that Act;

“assessment corporation” means the Municipal Property Assessment Corporation;

“Municipal Act appeal” means an appeal made to the Assessment Review Board in respect of a matter relating to sections 356, 357, 357.1, 359, 359.1 or 364 of the *Municipal Act, 2001*;

“Municipality” means the Corporation of the Town of Kingsville;

“request for reconsideration” means a request made to the assessment corporation pursuant to section 39.1 of the *Assessment Act*.

2. THAT the Corporation of the Town of Kingsville hereby delegates the authority to resolve outstanding assessment appeals before the Assessment Review Board, to file assessment appeals with the Assessment Review Board in respect of proposed settlement agreements pursuant to section 39.1 of the Assessment Act, and to resolve outstanding Municipal Act appeals before the Assessment Review Board to the persons holding the following positions:

a) Treasurer

b) Treasurer’s Designate

3. AND THAT the authority delegated under sections 2 of this By-Law includes the authority to sign Minutes of Settlement, prepare and/or execute settlement agreements, and instruct licensed legal services providers duly retained by the municipality to do the same in respect of specific matters.

READ a FIRST, SECOND and THIRD time and FINALLY PASSED this 27th day of November, 2017.

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo



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

Date: October 2, 2017
To: Mayor and Council
Author: Robert Brown, H, Ba., MCIP, RPP
Manager, Planning Services
RE: Cottam Community Improvement Plan
Report No.: PDS 2017-042

AIM

To provide the Mayor and Council with the final details of the Cottam Community Improvement Plan along with the by-law for the implementation Cottam CIP.

BACKGROUND

Since late 2015 administration has been working with Council, the residents and business owners of the proposed Cottam CIP to develop and implement a Community Improvement Plan to provide a mechanism to provide financial incentives to the Cottam CIP area. An introductory public open house was held in September of 2016 with a follow-up meeting in August of 2017 to outline the potential financial incentive options. The idea of local improvement was well received. As a result of the last meeting it was suggested by the community that a committee be established to help direct efforts to improve the Cottam downtown. To that end a Community Revitalization Committee is being established.

DISCUSSION

Based on the general feedback at the August open house and discussion with administration on the financial options that were outlined to Council it is suggested that the initial form of the Cottam CIP utilize one financial option which will focus efforts and support on the general aesthetic improvement of the downtown area. This will include a grant toward items such as façades, permanent landscaping, signage, accessibility and energy efficiency improvements. The full Community Improvement Plan is attached as Appendix 'A'

LINK TO STRATEGIC PLAN

Support growth of the business community.

FINANCIAL CONSIDERATIONS

During the financial options presentation to Council a motion was approved for the initial commitment of \$50,000 toward the Cottam CIP, subject to budget consideration in 2018. As no timeframe was outlined it has been suggested in the Cottam CIP that the initial commitment per year would start at \$20,000 in an effort to provide opportunity to at least 8 property owners per year with a total project timeframe of five years.

CONSULTATIONS

Administration, Council, property owners in the Cottam CIP area.

RECOMMENDATION

It is recommended that Council approve the Cottam Community Improvement Plan and adopt the implementing by-law.

Robert Brown

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

Peggy Van Mierlo-West

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



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TOWN OF KINGSVILLE

Downtown Cottam Community Improvement Plan

October, 2017

1. Introduction

1.1 Application and Purpose

The Community Improvement Plan applies to the CIP area within the downtown area of Cottam outlined in Schedule 'A' attached.

Community improvement continues to be a key part of the ongoing maintenance and development in the Town of Kingsville. The general purpose of any improvement programs is to maintain and enrich the Cottam downtown area by realizing the benefits of the area.

A Community Improvement Plan, and its associated activities, are intended to improve the existing physical landscape, and to stimulate rehabilitation, revitalization and beautification of an area by using, repurposing, and restoring lands, buildings and infrastructure.

The Town's support will take the form of financial incentives to encourage and support private sector investment.

1.2 Authority

The Town of Kingsville has identified three community improvement areas and has policies within the Kingsville Official Plan which, under the Planning Act give the Town the authority to:

- Designated by by-law parts of the identified community improvement area as "Community Improvement Project Areas." (As noted Council has designated the downtown Cottam area. See Schedule 'A')
- Prepare and adopt a Community Improvement Plan for the project area.

2. Background

In late 2015 Council adopted a recommendation for administration to review the Cottam, Ruthven and Kingsville downtown areas to determine which areas would benefit from the implementation of a Community Improvement Plan. As part of the review and based on Council's direction Cottam was the area that was to be the initial area for review and potential implementation of a CIP. As the first step in development of a CIP it was necessary to establish the specific limits of the CIP. As such, a by-law was presented to and approved by Council in June of 2016 to establish three CIP areas (See Appendix A) including Kingsville, Cottam and Ruthven with Cottam being the initial area for CIP consideration and development.

The downtown Cottam area has not experienced ongoing redevelopment and has continued to have difficulty attracting or retaining long-term commercial tenants. The area would potentially benefit from a more detailed assessment of possible improvements to the area through both municipal programs and private landowner incentives as part of a Community Improvement Plan.

2.1 Overview of Issues

Physical Conditions of Area

The specific study area for Cottam includes all properties with frontage on County Rd 27 from William St. north to Fox St. and along County Rd 34 from Victoria St. east to Clark St. The main core of this area is the commercial properties on both sides of County Rd 34 from Hill St. extending east to include the Esso gas station on the south side and an auto repair garage on the north side. One of the principle challenges of the Cottam study area is the mix of uses. There is no singular concentration of one particular use. In downtown CIP areas the most common type of use is commercial which generally means that incentive or improvement programs focus on streetscape improvements, reduction of store front vacancies, generally the overall revitalization of the area centered around commercial image and activity improvement.

With such a broad mix of uses in the study area, residential, commercial, industrial and institutional the focus becomes one on the area as a whole versus one specific type of use. For example, if one focuses on the main intersection (County Rd 27 and County Rd 34) traffic travelling north/south on County Road 27 must stop at the intersection. What, during that timeframe, is at the intersection of interest to draw ones attention toward the west? On the other hand, traffic travelling east/west on County Rd. 34 does not have to stop at the intersection and simply continues to travel through Cottam.

Economic Indicators, Issues

The former police village of Cottam is located toward the southeasterly end of an area of residential strip development that starts in the Town of Essex to the northwest on County Road 34. The northerly and southerly limits of Cottam are well defined however, the east west limits are less distinct because of the residential lots which continue along in both directions on County Road 34. Cottam contains approximately 500 households and occupies an area of roughly 125 ha (310 ac.) The area is primarily residential with some commercial uses in the downtown area along with light to medium industrial uses along the west side of County Road 27 West. There are also the typical institutional and recreational uses found in a community of its size.

Social Issues (eg. Housing)

Cottam is a small rural community with a mix of housing types. Rental and affordable housing is not in great supply in the area. Small rural community downtowns such as those in Cottam have experienced increasing difficulty in securing and maintaining long-term commercial tenants which has often lead to a desire to convert commercial buildings to residential uses. However, this is often not supported by the Official Plan policies or zoning which seek to maintain a mix of supportive residential while maintaining ground floor or at least store front commercial space. Cottam's downtown is somewhat unique in this degree as there are a large number of existing residential uses in the form of several single detached dwellings or converted dwellings intermixed with the existing commercial.

Environmental Conditions

No municipal servicing issues (water, sanitary sewer, storm drainage) are identified for the project area of the existing uses. It should however be noted that should additional development occur where added sanitary sewer capacity was necessary there is no additional capacity at present in the lagoon system for Cottam.

There are properties within the designated CIP area that may have environmental contamination. The Town at present does not have a Brownfield strategy so rehabilitation assistance would not be available should these properties require clean-up or remediation.

Town Policies for Community Improvement

Section 8.3 of the Kingsville Official Plan outlines that community improvement initiatives will be used to revitalize existing planning districts, neighbourhoods, corridors or any other identified area in decline or in transition from one land use to another.

Goals

- a) to use community improvement plans to revitalize areas in decline or in transition from one land use to another;
- b) to establish minimum standards for building and property maintenance and occupancy;
- c) to encourage the preservation, rehabilitation, renewal and reuse of heritage resources;
- d) to establish partnerships with the community to revitalize and strengthen neighbourhoods.

Policies

- a) Council may designate, by by-law, a Community Improvement Project Area in accordance with the Planning Act to revitalize neighbourhoods or any identified area in decline or in transition from one land use to another;

Comment: This step has been completed in the form of the CIP By-law approved in June of 2016.

- b) a Community Improvement Project Area may include any area within the Town. Specifically, project areas that have any of the following characteristics shall be considered:
 - i) residential areas where the housing stock is in need of maintenance, rehabilitation and/or repair;
 - ii) declining commercial or mixed-use areas where there are a number of vacant or under-utilized properties;
 - iii) declining or obsolete industrial areas;
 - iv) areas in which there are land use conflicts as a result of incompatible uses;
 - v) areas that have deficient municipal services such as parks, walkways, sanitary and storm sewers, waterlines and roads;
 - vi) areas that have the potential to be new employment areas.

Comment: Cottam has characteristic of item ii) and iv).

- c) where Council authorizes the preparation of a Community Improvement Plan, it shall be prepared in accordance with the Planning Act and shall contain the following information:
 - i) a statement of the basis or rationale for the preparation of the Community Improvement Plan;
 - ii) a description of the project area including a map;
 - iii) a statement of the desired purpose of the Community Improvement Plan;
 - iv) the goals and policies for the Community Improvement Area;
 - v) provisions for the revitalization of land and buildings and the acquisition, sale or lease of lands or buildings acquired by the Town to facilitate community improvement;
 - vi) provisions for the establishment and/or distribution of grants or loans for the purpose of revitalizing the area;

Comment: these details will be defined as part of this outline.

- d) Council shall provide an opportunity for public input on the Community Improvement Plan in accordance with the Planning Act;

Comment: an initial public meeting was held to introduce the development of a CIP and get affected landowner input. A second open house was held at Council's direction to review the financial options to be included as part of the CIP. Public input has also lead to the potential establishment of the Cottam Revitalization Committee to help provide ongoing input on the improvement of the area.

- e) Council shall dissolve a Community Improvement Area in accordance with the Planning Act once it has been determined that the purpose for the Community Improvement Plan has been accomplished;
- f) Council shall continue to enforce its Property Standards and Occupancy By-law;
- g) Council may contribute funding toward the revitalization of areas through the capital works budget for projects including, but not limited to, streetscape improvement, infrastructure improvements, the provision and upgrading of open space areas and the provision and upgrading of community facilities.

3. Community Improvement Plan

3.1 Vision, Goals & Objectives

Vision

Cottam is the central point for the majority of the rural area in the Town of Kingsville. The Cottam downtown area is a mix of many types of uses, which have and continue to primarily service the needs of the former village of Cottam and the surrounding rural area. It's quiet, slow paced character is typical of its rural setting and provides a respite as you travel along County Road 34 or County Road 27.

Goals

The goals of the Community Improvement Plan conform to and are a refinement of the Official Plan. They focus on key issues and opportunities that are of immediate and near term priority. The goals are:

1. To encourage new investment in the downtown;
2. To attract the attention of the travelling public to increase tourism;
3. To attract and retain longer term tenants to commercial store fronts;
4. To support and improve existing residential uses in the downtown area;
5. To work with existing non-traditional downtown land uses to improve compatibility;

General Objectives

1. To encourage building rehabilitation, development and redevelopment by providing technical support and advise;
2. To encourage building rehabilitation, development and redevelopment by providing financial incentives as defined herein;
3. To suggest that the properties owners within the CIP Project Area consider the establishment of a Cottam BIA.
4. To suggest the review of the Cottam CIP Project Area by the Kingsville Heritage Committee for possible heritage and façade enhancement.
5. To monitor the condition of streetscape, public buildings and public space and to approve capital projects and introduce programs that enhance these aspects of the downtown Cottam project area;
6. To encourage the expansion of the downtown as appropriate and in a planned manner; and
7. To develop supportive Zoning and Official Plan policies that encourage and permit residential intensification projects with the downtown.

Solutions to both of these issues could include:

- i) a four-way stop at the intersection;

Comment: A simple solution however, this still does not generate attention toward the downtown area.

- ii) surface treatment alterations at the intersection or creating pedestrian crossings such as additional road linkage or use of stamped concrete, pavers, or even creative road painting;

Comment: In 2016 sidewalk replacement was undertaken along County Road 34 west of County Road 27. More recently, County Road 34 was resurfaced through the downtown area.

- iii) Improved signage (crossroads signage) which shows other nearby destinations or points to Cottam businesses.

Comment: Added signage can have a significant impact with less financial impact.

- iv) Landscaping corner properties to soften the mix of uses and provide some degree of screening for the Agris parking lot, Esso parking area and auto repair parking lot and display.

Comment: this will require the co-operation of private landowners along with planned investment by the Town.

In addition to the possible intersection upgrades, there is also a need to delineate or define the downtown Cottam area. This is necessary because of two main factors, one the mixed use and lack of concentrated commercial storefronts and the linear nature of the development leading into Cottam from the west. Achieving this goal is something that can be done using signage/gateway type features that identify entry into the area and cause a slowing of travel and attention to be drawn to uses in the area. In addition pole mounted banners within the downtown area can also be used to help demarcate the location and extent of the Cottam downtown area.

Implementing the Plan

A CIP can include a wide variety of financial incentive programs, grants, loans, tax base incentives or combinations of all of these. The scale of improvement and term of investment typically drive these programs necessary to achieve a specific result. The key to encouraging the use of any program is committing enough financial incentive to spark interest in the initial phase or phases of the program. There are 63 properties within the current CIP limits for Cottam approximately 25 residential properties and 38 other mixed uses.

Once the Plan is finalized and has received approval from Council the area(s) which are how within the CIP need to be made aware of the programs available through the CIP. Although the development of the CIP has involved public input, particularly in the affected areas, it is still important to market the programs on an ongoing basis. If the CIP is going to achieve its goals the programs made available as part of its development must be used. Through the initial public input into the CIP, and in addition to determining the expectations, it will be important to identify properties and or areas that could benefit from the developed programs in the CIP.

The Incentive Programs

As a result of the open house, public feedback, Council feedback and internal discussions with staff it was determined that the best initial financial option was that of an Exterior Improvement Grant. This program would be structured to provide a broad field of opportunities including façade upgrading and improvement, accessibility upgrades, new signage, permanent landscaping infrastructure and energy efficiency improvements.

Grants would be available for up to 25% of the total cost of the qualifying changes in the Cottam CIP area with a maximum grant of up to \$2,500. The program is suggested to have a funding commitment of \$20,000 in the first year. This would provide up to 8 grants (based on the maximum grant). After the initial year of the CIP uptake will be assessed and annual funding adjusted accordingly. The intent would be for the program to run up to 5 years which would provide opportunity for up to two-thirds of the property owners to participate. Any funds not utilized during each year would be placed in a reserve fund. Money in the reserve fund, if available, at the end of the five year program would then be used to continue to fund the program until exhausted.

Administration

Project Guidelines

1. On an annual basis, Town Council will determine the monies to be made available to the financial incentive programs(s) outlined in the Community Improvement Plan. Council reserves the right, where project numbers exceed expectations, to offer financial incentives to eligible projects on a “first come first served” basis.
2. The incentive received on any project will be limited to the amount of incentive approved by Council or the total cost of rehabilitating the land and/or buildings whichever is the lessor.
3. Interested parties (i.e. owners and assessed tenants) may apply using the Town’s application form and providing appropriate supporting information.
4. Town administrative staff will prepare a report on each application addressing the merits of the proposal.
5. Based on the application meeting the goals and objectives of the Community Improvement Plan, the staff report and its own assessment, Council will approve, defer or refuse each application. The Town will advise the applicant of the decision and the reasons for the decision.
6. If a property is rehabilitated or redeveloped or otherwise improved with the support of a Town financial incentive and the building is subsequently changed, renovated or demolished contrary to the approved project, any incentive provided may be forfeited or recovered by the Town.
7. The Town reserves the right to register documents on title, including liens, when determined necessary.

How to Apply

1. Applications are made to Planning Services.
2. Applications must be made by the registered owner(s) of the subject property, or the Applicant must provide authorization from the owner.
3. An application for a property will not be considered for which there are taxes owing or any other municipal financial obligation.
4. Outstanding work orders must be resolved prior to approval for assistance.
5. The project must comply with all by-laws, codes and municipal guidelines, except where a minor variance or Zoning amendment are applied for.
6. The applicant will specify the targeted Community Improvement Project type using Section 3.2 as a guide. Only one incentive option or target may be selected as a primary target. Secondary targets may also be identified for the same project.

Eligibility Criteria

1. Only application for properties with the designated Community Improvement Project Area will be eligible. Applications must be approved or adopted by the Town.
2. Applications that are approved by other bodies, such as the Ontario Municipal Board (OMB), are not eligible.
3. An application for a Community Improvement Incentive must be consistent with the Official Plan and Community Improvement Plan’s goals and general objectives.
4. Expansion or rehabilitation of legal non-conforming uses are not eligible.

5. The provision of incentives is subject to fund availability and yearly budget allocation from Town Council. However, the Town of Kingsville is committed to offering financial incentives over a period of time to be determined by Council and in consultation with Administration.
6. In assessing concurrent applications, priority will be given to those, which most closely meet the criteria herein described and the goals and the objective of the Plan. Alternatively, financial support may be apportioned according to merit.
7. Eligible proposals, which receive public assistance from other sources, may for that reason be ranked lower than other eligible proposals.
8. Financial incentives are not permitted to be retroactive, and only projects commencing following the adoption of the Plan will be considered.

Administration of Approved Applications

Payment Requirements

Incentives will be provided only where the Town has inspected the property/project and has issued a certificate of compliance and/or other statement of compliance with building permit, zoning, site plan, terms of the incentive agreement, and any relevant laws.

Compliance Agreements

The owner/applicant shall enter into an agreement with the Town stipulating:

- Terms of the financial assistance;
- Timetable for provision of assistance and completion of the project;
- An undertaking by the owner to satisfy all municipal and other relevant laws and requirements for the project.
- All taxes and fees owing to the Town will be kept current and up-to-date prior to approval. The agreement and/or payments will be terminated and/or payments may be reclaimed should taxes or fees fall into arrears during the project development.

Changes

The project proponent (the property owner) shall notify the Town of any substantive or proposed change in the project such as a change in design, in density, in ownership or in occupancy. The Town will determine the need to amend agreements or permits.

Failure to provide such notification may result in the withdrawal of the financial incentive.

Monitoring

Council will monitor the program. The following records will be maintained:

- The Town may conduct an audit of the work done and the use of incentives for any approved project, as it determines necessary.
- Terms and conditions of the incentive program may be amended as a result of the monitoring efforts, or the program may be discontinued.

Appendix 1. Council Approval of Community Improvement Plan

Appendix 2. Approved Designation of Community Improvement Project Area

Appendix 3. Application Form



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

COMMUNITY IMPROVEMENT INCENTIVE APPLICATION FORM

This application should not be completed without first reviewing the Town of Kingsville Community Improvement Plan. The Plan provides the basis under which applicants may apply for funding, illustrates the areas of applicability of the program, the amount of funding available to applicants and the terms of the grant.

As noted in the Plan, funding is subject to availability. Council is not required to provide funding to any project and may terminate this program at any time and without notice.

All successful applicants will be required to enter into an agreement detailing the responsibilities of each party and the terms under which funding will be provided.

For copies of the Town's Community Improvement Plan please visit the Town website at www.kingsville.ca contact the Town at (519)-733-2305, or visit the Municipal Office at the above noted address.

SECTION 1: CONTACT INFORMATION

Name of Applicant: _____

Address: _____

Phone #: Work () _____ Home () _____ Cell () _____

E-mail _____

Name of Owner (if different) _____

Address _____

Phone #: Work () _____ Home () _____ Cell () _____

E-mail _____

SECTION 2: PROPERTY INFORMATION

Property Description

Civic Address: _____

Legal Description

(application must include a copy of the deed of ownership)

Building Description – (briefly describe the use(s), business(s) etc. located in the building)

Approximate year of construction: _____

Existing Official Plan designation: _____

Existing Zoning: _____

Mortgage, Holders of Charge or Other Encumbrances

Do you currently have a mortgage, lien or other encumbrance against the subject property?

YES ☐ NO ☐

If 'yes' who is the mortgage held with?

Property Taxes (NOTE: no outstanding property taxes and/or appeal of property taxes must exist at the time this application is submitted).

Have all applicable taxes been paid on the lands that are subject to this grant application?

YES ☐ NO ☐

SECTION 3: PROJECT DESCRIPTION

Please indicate with an 'X' which of the following programs you are applying for.

1. Façade Upgrading & Improvement ☐
2. Accessibility Upgrades ☐
3. New Signage ☐
4. Permanent Landscaping Infrastructure ☐
5. Energy Efficiency Improvements ☐

Approximate Total Cost of the Renovation: _____

Current Assessed Value of the Property: _____

Other Public Funding Sources and Amounts Requested for Your Project

Type	Program/Source	Amount
Federal	_____	_____
Provincial	_____	_____
Municipal	_____	_____

Estimated completion date of the project _____

For this section please describe your proposed project plans. Eligible costs could include the cost of materials, equipment, contracted labour, engineering, architectural fees. Labour provided by the applicant or tenant of the building do not constitute an eligible cost. (If approved, original receipts must be provided of actual costs.)

Item	Reason/Need	Estimated Cost
Example -replace second storey windows	Window sils have rotted & are leaking	\$1,000.00

SECTION 4: DECLARATIONS

When you have completed Sections 1 through 3 of your application, please bring it to the Town Municipal Office to complete this section. If you are not the owner of the building you are seeking a grant for, you must obtain written consent from the owner in the format below or through a letter of consent addressed to the Town.

I, _____, of the _____ of _____
(name) (City/Town/Village) (Name of City/Town/Village)
in the _____ of _____, do solemnly declare
(County/Region/District) (Name of County/Region/District)

that all statements contained in this application are true, and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

DECLARED before me at the Town
of Kingsville, in the County of Essex,
this ____ day of _____ 20____

A Commissioner, etc.

Signature of Registered Owner(s), or Authorized Agent

To be completed if the owner is different from the applicant:

I, _____, being the owner of the property described in Section 2 of this application, hereby acknowledges and give consent to this application.

Dated at, _____ this _____ day of _____ 20____.
(Name of City/Town/Village) (day) (month) (year)

Signature of Owner(s)

CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW NO.

A BY-LAW TO APPROVE A COMMUNITY IMPROVEMENT PLAN FOR THE
DOWNTOWN COTTAM CORE COMMUNITY PROJECT AREA

WHEREAS Section 28(4) of the *Planning Act*, R.S.O 1990, c. P.13, provides that “when a by-law has been passed under subsection (2), the council may provide for the preparation of a plan suitable for adoption as a community improvement plan for the community improvement project area and the plan may be adopted and come into effect in accordance with subsections (5) and (5.1)”;

AND WHEREAS By-law 65-2016 passed by the Council of the Town of Kingsville designated Downtown Cottam as a Community Improvement Area;

AND WHEREAS the Community Improvement Plan conforms to the Town of Kingsville Official Plan;

AND WHEREAS the Council for the Corporation of the Town of Kingsville deems it in the interest of the Town to prepare a Community Improvement Plan for the Downtown Cottam Community Improvement Project Area;

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

1. That the Downtown Cottam Community Improvement Plan is hereby adopted for the Downtown Cottam Community Improvement Project Area as outlined in Schedule ‘A’ attached hereto and forming part of this By-law.

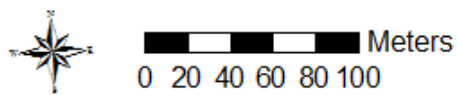
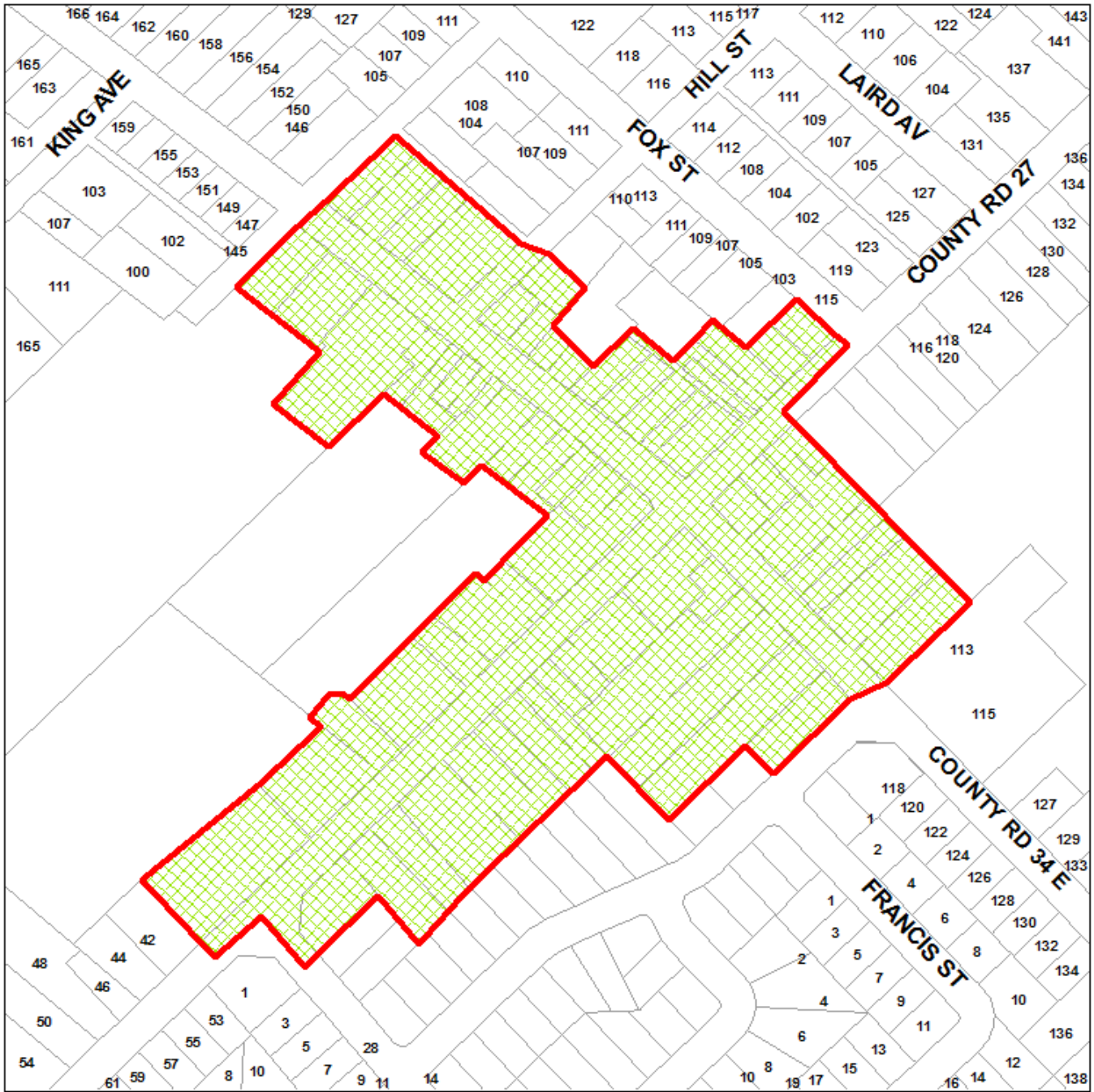
THIS By-law shall come into force and take effect on the final day of passing.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED this xxth day of xxxx, 2017.

Mayor – Nelson Santos

Clerk – Jennifer Astrologo

Schedule 'A'



DOWNTOWN COTTAM COMMUNITY IMPROVEMENT PROJECT AREA

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW NUMBER 65 - 2016

***Being a By-law to designate certain areas within the Town of Kingsville
as a community improvement project area
(Community Improvement Project Area)***

WHEREAS Section 28(2) of the *Planning Act*, R.S.O 1990, c. P.13, provides that “where there is an official plan in effect in a local municipality that contains provisions relating to community improvement in the municipality, the council may, by by-law, designate the whole or any part of an area covered by such an official plan as a community improvement project area”;

AND WHEREAS Section 28(2) of the *Planning Act* defines “a municipality or an area within a municipality, that community improvement of which in the opinion of the council is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason”;

AND WHEREAS the Official Plan for the Town of Kingsville contains provisions enabling the Council of the Corporation of the Town of Kingsville to designate Community Improvement Project Areas, by by-law, for the purposes of preparing and undertaking a Community Improvement Plan;

AND WHEREAS the Council for the Corporation of the Town of Kingsville deems it in the interest of the Town to designate the land hereinafter described as a Community Improvement Project Area;

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

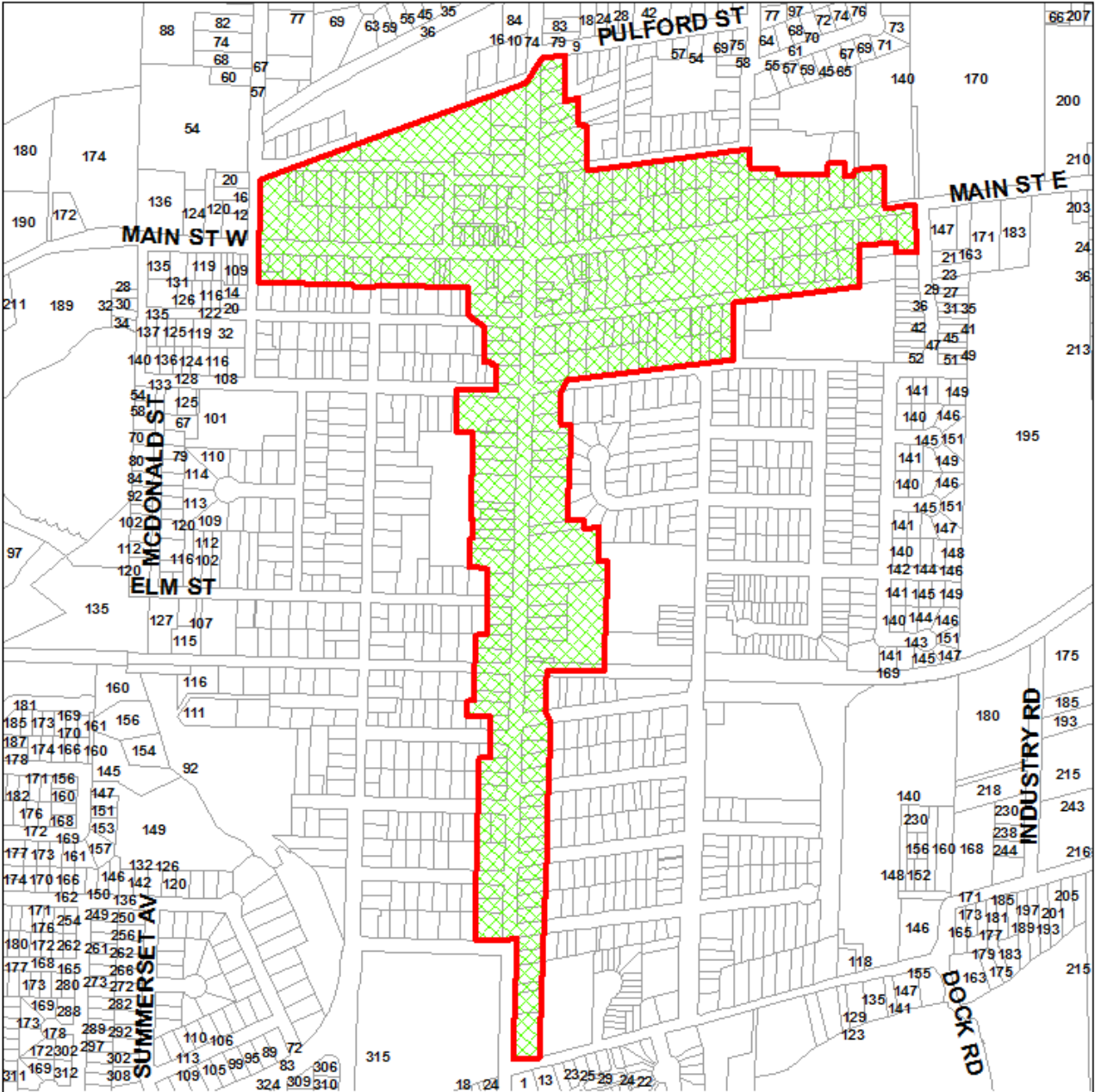
1. Pursuant to Section 28(2) of the Planning Act R.S.O., 1990, Chapter p. 13, as amended the lands so indicated in Schedules “A” “A-1” & “A-2” attached are hereby designated as a Community Improvement Project Areas.
2. Schedules “A”, “A-1” & “A-2” attached hereto form part of this By-law.
3. This By-law shall come into force and take effect on the final day of passing.

READ a FIRST, SECOND and THIRD time and FINALLY PASSED this 13th day of June, 2016.

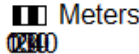

MAYOR, Nelson Santos


CLERK, Jennifer Astrologo

Schedule 'A'



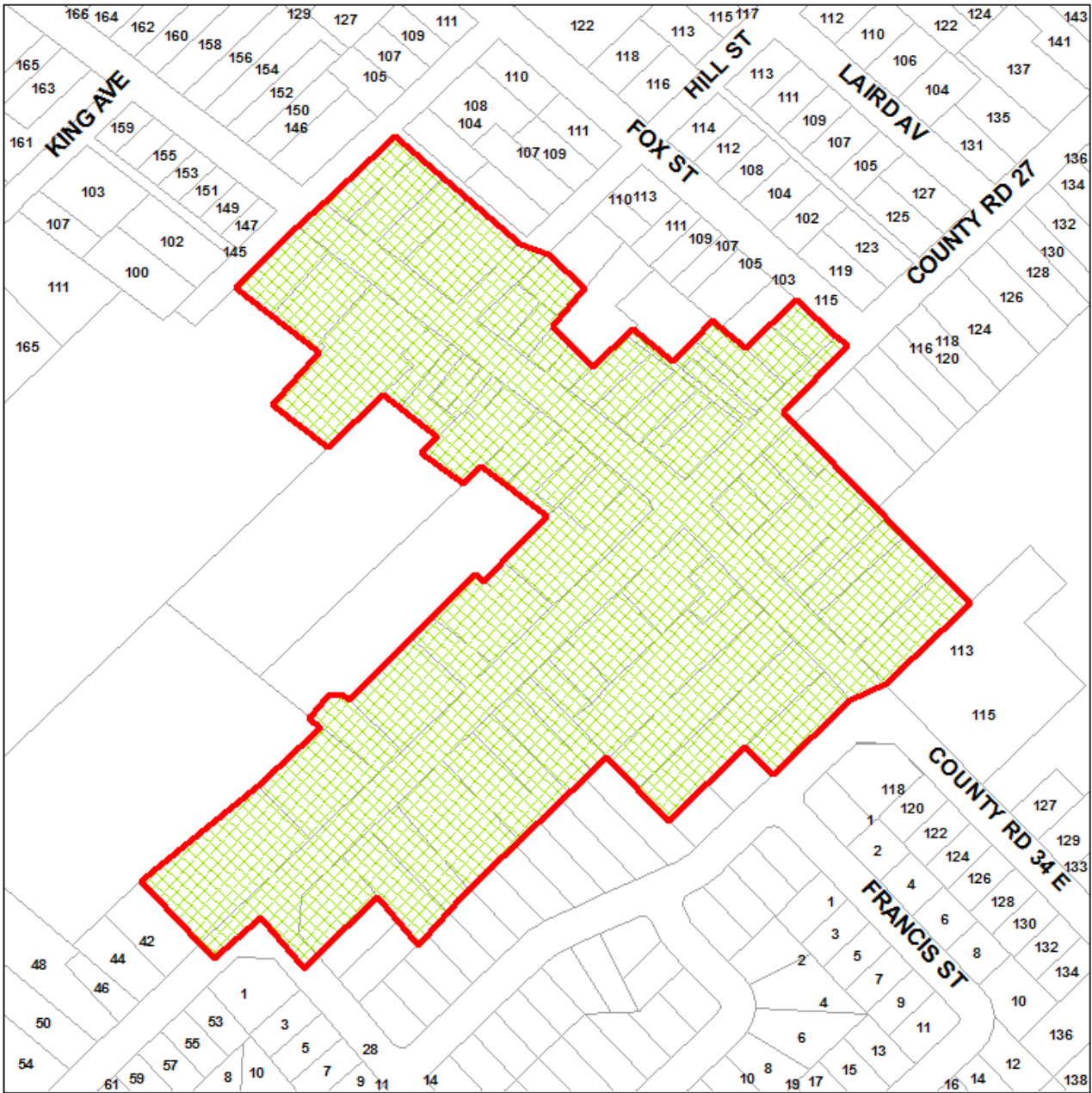
DOWNTOWN KINGSVILLE STUDY AREA





PROPOSED LIMITS OF STUDY AREA


Schedule 'A-1'



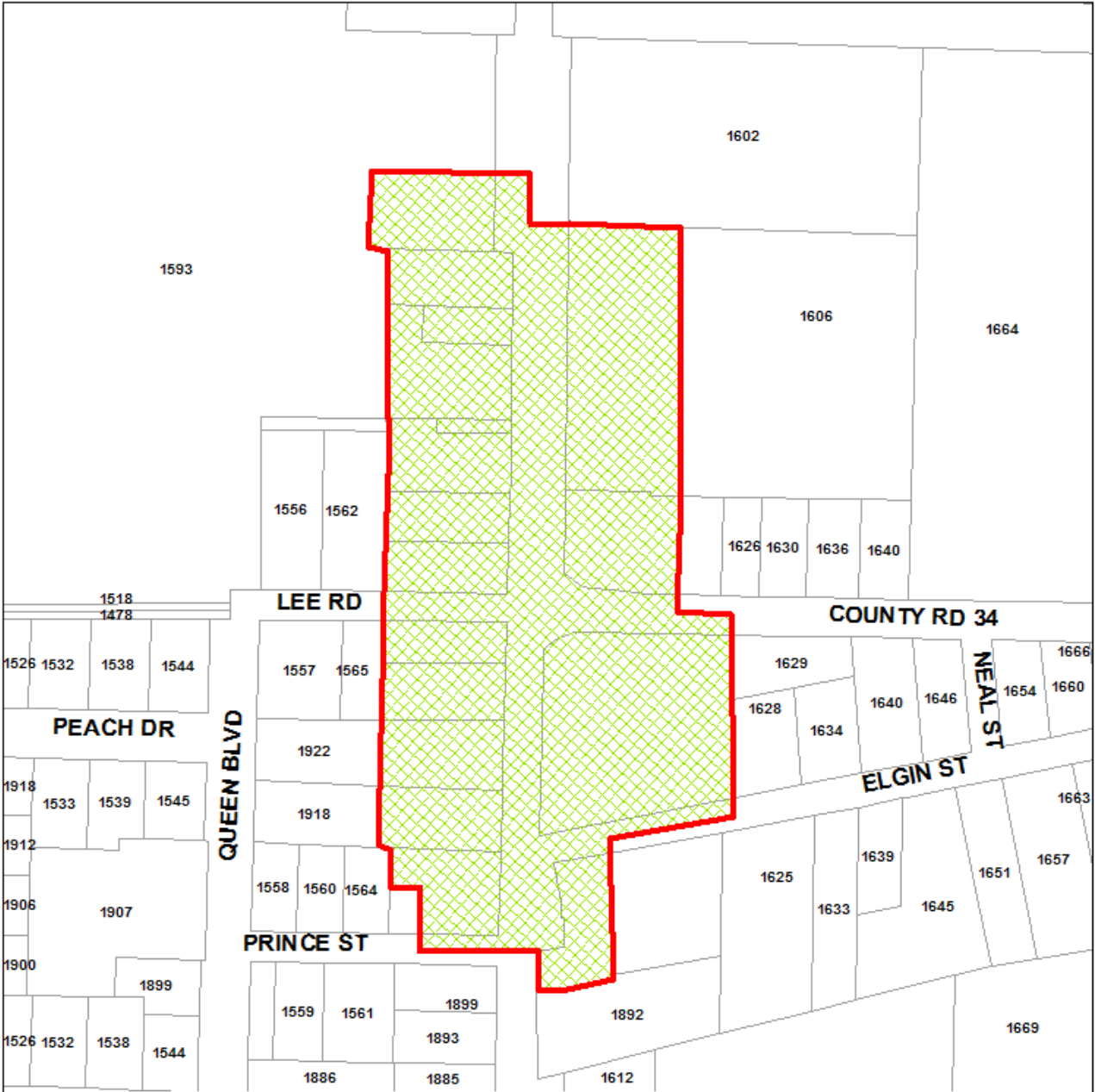
DOWNTOWN COTTAM STUDY AREA



 Meters
010203040

 PROPOSED LIMITS OF STUDY AREA

Schedule 'A-2'



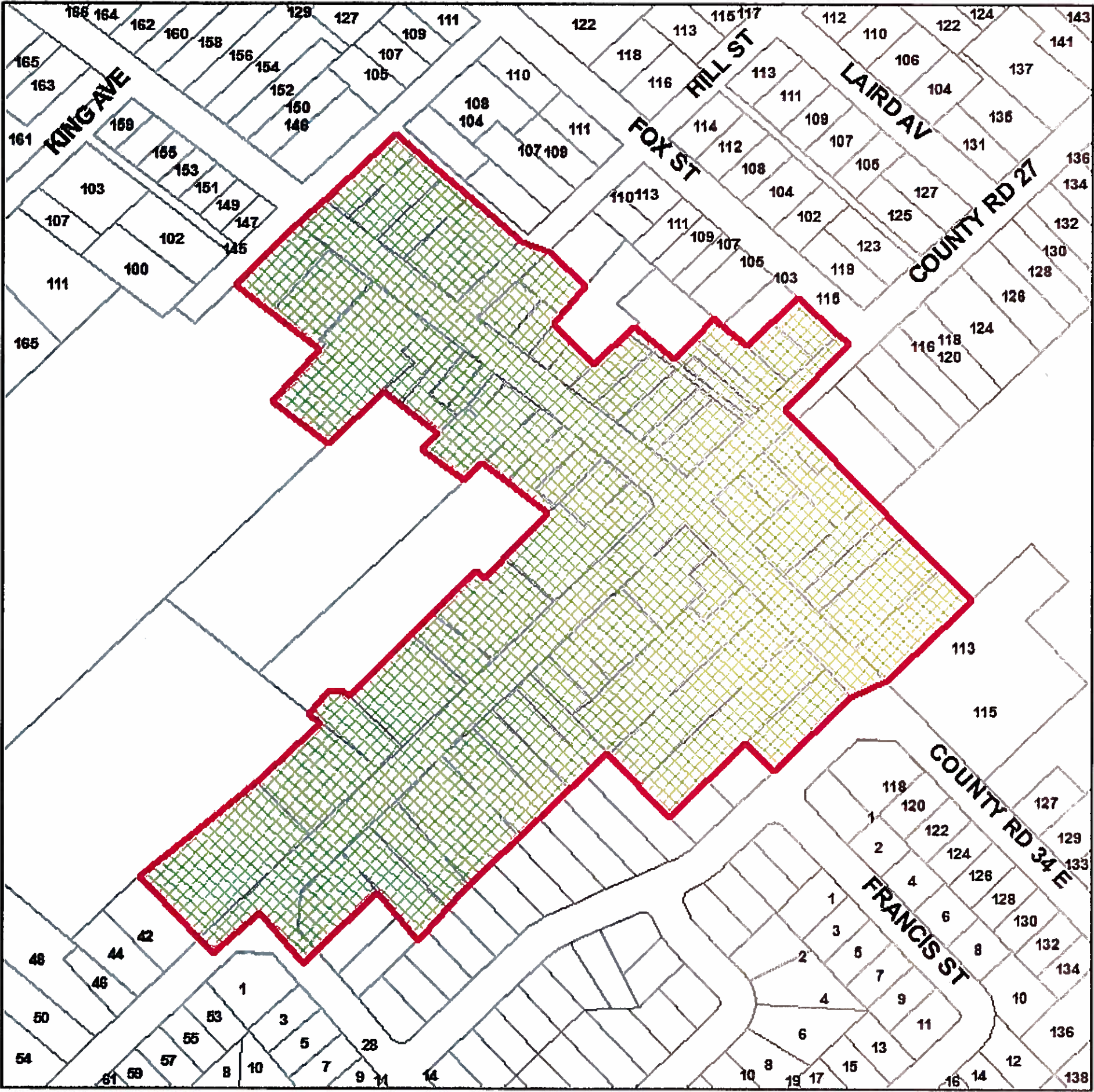
RUTHVEN STUDY AREA

 Meters
0 10203040



PROPOSED LIMITS OF STUDY AREA

Schedule 'A'



0 20 40 60 80 100 Meters



DOWNTOWN COTTAM COMMUNITY IMPROVEMENT PROJECT AREA

NOTICE OF CONSIDERATION OF: FINAL COMMUNITY IMPROVEMENT PLAN

PURPOSE OF COMMUNITY IMPROVEMENT PLAN: On June 13th, 2016 Council approved a by-law to establish the limits of three Community Improvement Plan (CIP) areas in the Town of Kingsville. One of those areas was within the main core of Cottam (see attached map). On September 27, 2016 and again on August 22, 2017 a public open house was held to gather input from the property owners within the CIP area of Cottam in order to help in the development of the CIP and possible financial incentive options.

As a result of the open houses, public feedback, Council feedback and internal discussions with staff it was determined that the best initial financial option was that of an Exterior Improvement Grant. This program would be structured to provide a broad field of opportunities including façade upgrading and improvement, accessibility upgrades, new signage, permanent landscaping infrastructure and energy efficiency improvements.

The final CIP has been completed and is being presented to Council for approval.

A PUBLIC MEETING OF COUNCIL will be held on:

WHEN: **NOVEMBER 27, 2017**
WHERE: Town of Kingsville Municipal Building (Council Chambers)
TIME: 7:00 p.m.

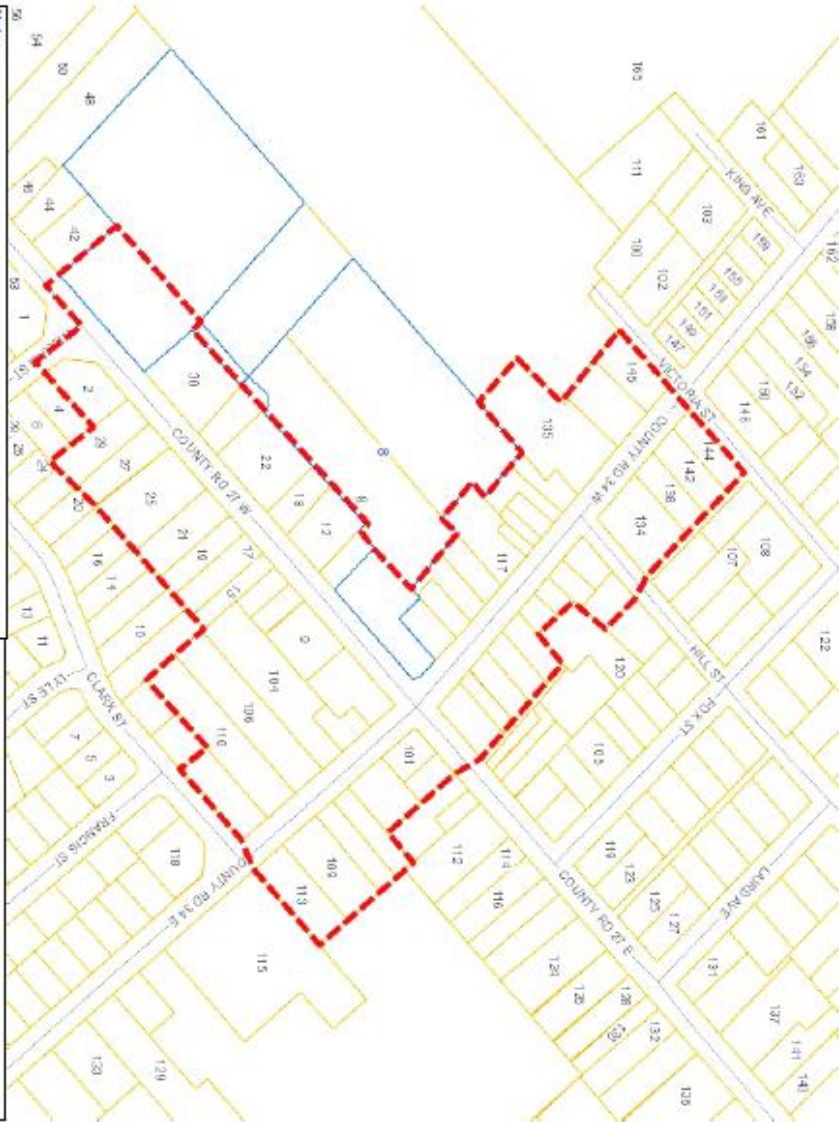
The full report to Council has been posted to the Municipal website. Questions regarding the CIP should be directed toward:

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

**DATED AT
THE TOWN OF KINGSVILLE
on November 16, 2017.**



Kingsville Mapping



Legend

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

Notes

Enter Map Description

THIS MAP IS NOT TO BE USED FOR NAVIGATION.
Copyright the Corporation of the County of Essex, 2012. Data herein is provided by the Corporation of the County of Essex on an "as is" basis. Assessment prices provided by a third party are not guaranteed. Errors or omissions on the map may or may not be accurate, current, or otherwise reliable.

0 50.71 117 Meters
1:3,522
5/19/2016



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

Date: November 22, 2017

To: Mayor and Council

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

RE: PA/16/17 - Application for Site Plan Approval
Kingsville Plaza Ltd.
Lots 7 to 10, SS Main St E. Plan 184 or 185 &
Pt. Lots 5 – 8, SS Main St. E.
Plan 185 & Pt. 1, Plan EXR 139

Roll Nos. 3711 150 000 054 & 3711 150 000 05710

Report No.: PDS 2017-050

AIM

To provide the Mayor and Council with information regarding a proposed site plan approval on lands known as 37, 41 & 59 Main Street East, in the Town of Kingsville.

BACKGROUND

The subject property is a 0.67 ha (1.65 ac.) commercial lot with an existing 1,394 sq. m (15,000 sq. ft.) multiple unit commercial plaza and 1,267 sq. m (13,636 sq. ft.) former grocery store and existing retail space. The property owner of the plaza at 59 Main St. E. is proposing to expand the building at the south end by constructing a 372 sq. m (4,000 sq. ft.) addition (Appendix A) to accommodate a new medical clinic. The parking lot will require some reconfiguration along with realignment of the accesses to Pearl St. E.

DISCUSSION

1.0 Provincial Policy Statement

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

2.0 Official Plan

The Official Plan for the Town of Kingsville designates the subject property 'Central Commercial'. The proposed development is consistent with Section 3.2.1, where the purpose is to provide the full range of commercial uses to satisfy the needs of the local area. Therefore, the proposed commercial expansion is consistent with and conforms to the Official Plan.

3.0 Comprehensive Zoning By-law – Town of Kingsville

The subject property is zoned 'Central Commercial (C2)'. The attached plan has been reviewed and the proposed addition is in full compliance with the applicable setback provisions of the Town of Kingsville Zoning By-law 1-2014. In order to address the parking needs for the existing and proposed development it is necessary to include both of the subject parcels and incorporate both as part of the proposed site plan agreement. In the agreement, it will outline that any additional development or alternation of the existing uses on the property at 39 & 41 Main St. E. will require additional parking to be provided to maintain compliance with the Zoning By-law.

4.0 Site Plan

The proposed site plan is for the addition of 372 sq. m (4,000 sq. ft.) of commercial space at the south end of the existing plaza building. There is a loss of approx. 19 parking spaces as a result of the addition. The remaining parking at the south end will need to be reconfigured to account for fire access. Based on the proposed mix of uses and restriction outlined in the site plan agreement the proposal will meet the parking requirements.

Storm water management for the existing buildings on the site is already part of an existing system. The applicant has been asked to provide storm water management specific to the addition only which is incorporated as part of the site plan agreement.

LINK TO STRATEGIC PLAN

Support growth of the business community.

FINANCIAL CONSIDERATIONS

Building permit fees and development charges will be applicable at the time of the building permit issuance. There will also be an increase in assessment to the property once development is completed.

CONSULTATIONS

Agency or Administrator	Comment
Essex Region Conservation Authority Watershed Planner	<ul style="list-style-type: none">• ERCA has expressed no concerns or objection to the proposed approval (Appendix B)
Town of Kingsville Management Team	<ul style="list-style-type: none">• Municipal Services has requested storm water management be completed for the new addition.

RECOMMENDATION

It is recommended that Council approve site plan control application SPA/16/17 to cover property at 39, 41 and 59 Main St. E. and the construction of a 372 sq. m (4,000 sq. ft.) addition to accommodate a new medical clinic and authorize the Mayor and Clerk to sign the site plan agreement and register said agreement on title.

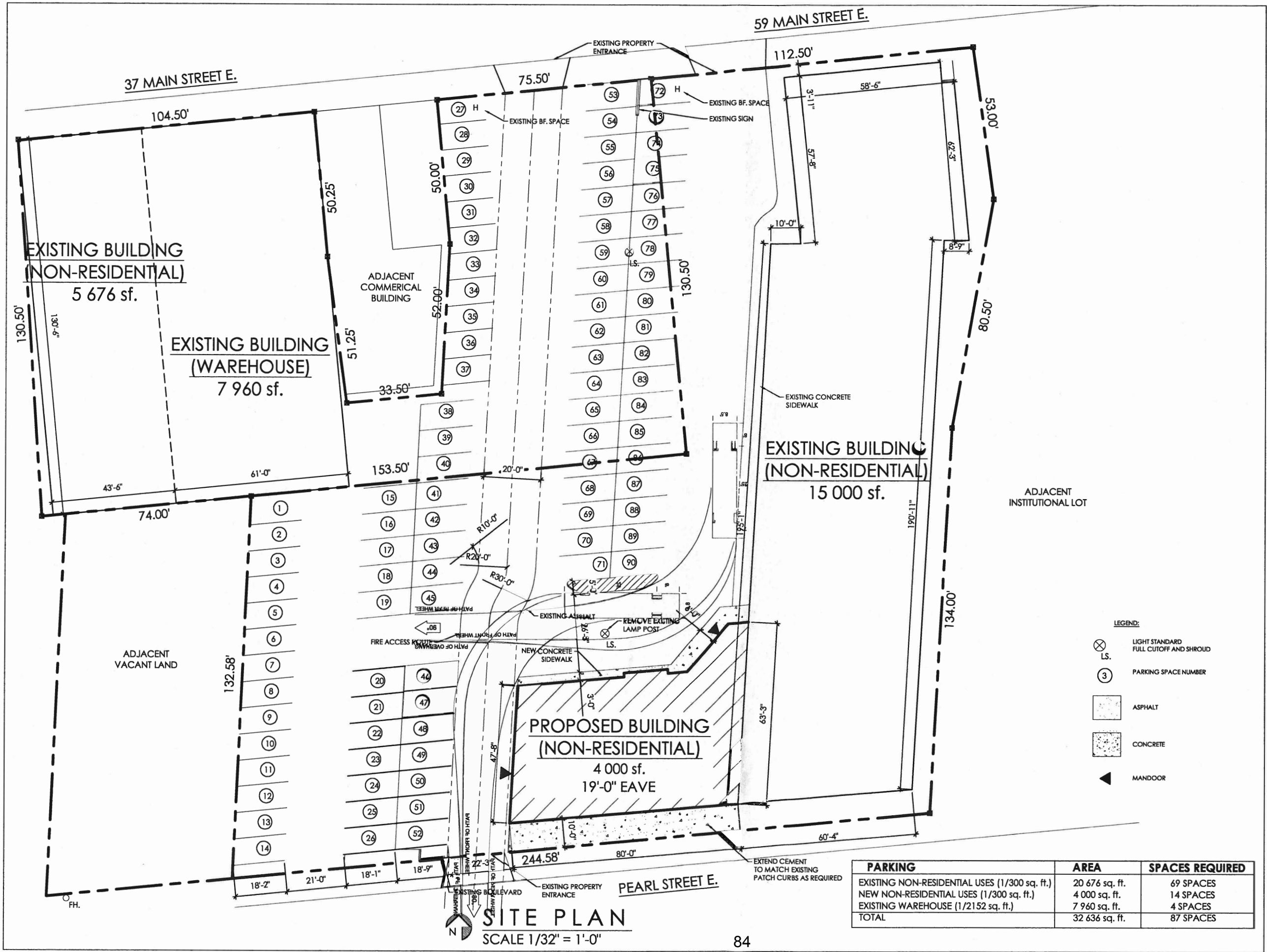
Robert Brown

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

Peggy Van Mierlo-West

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

APPENDIX "A"



NOTES:

2	SITE PLAN CONTROL	SEPT. 7/17	GA
1	CLIENT REVIEW	JULY 31/17	GA
NO.	ISSUED FOR	DATE	BY



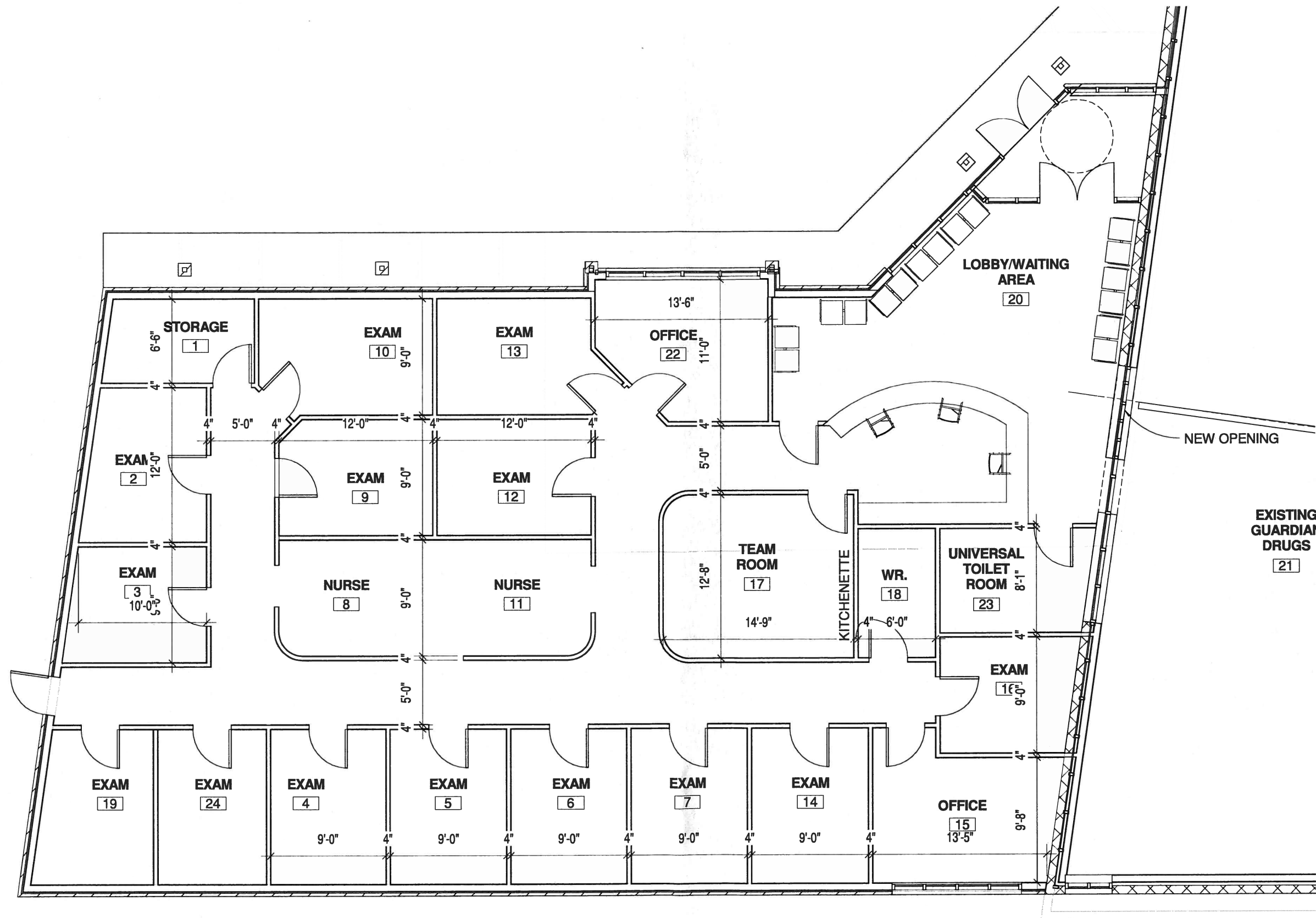
ADDRESS:
37 & 59 MAIN STREET E.
KINGSVILLE

PROJECT NAME:
MEDICAL CENTER
ADDITION

CLIENT:
KINGSVILLE PLAZA INC.

SHEET TITLE:
SITE PLAN

SHEET NUMBER:
A1



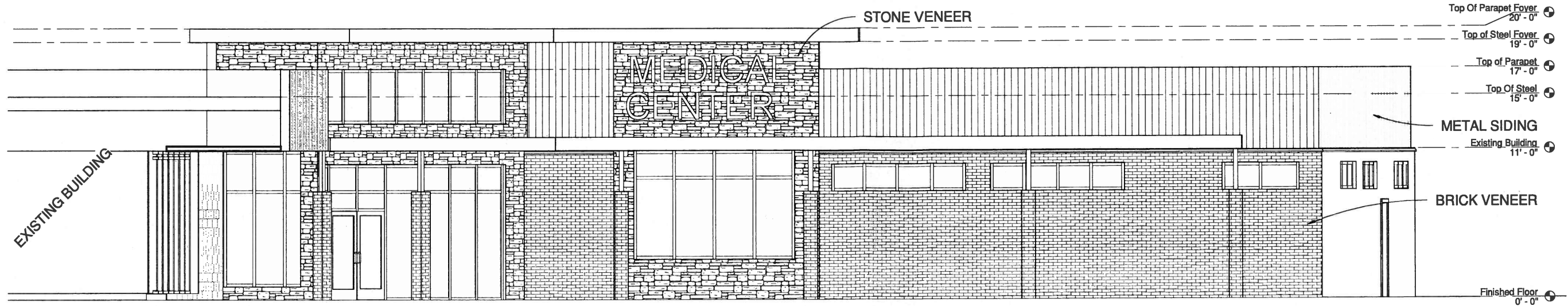
① Finished Floor
1/8" = 1'-0"

Floor Plan				
Project number	17	A1		
Date	AUG. 30/17			
Drawn by	GA			
Checked by	GA			
				Scale 1/8" = 1'-0"

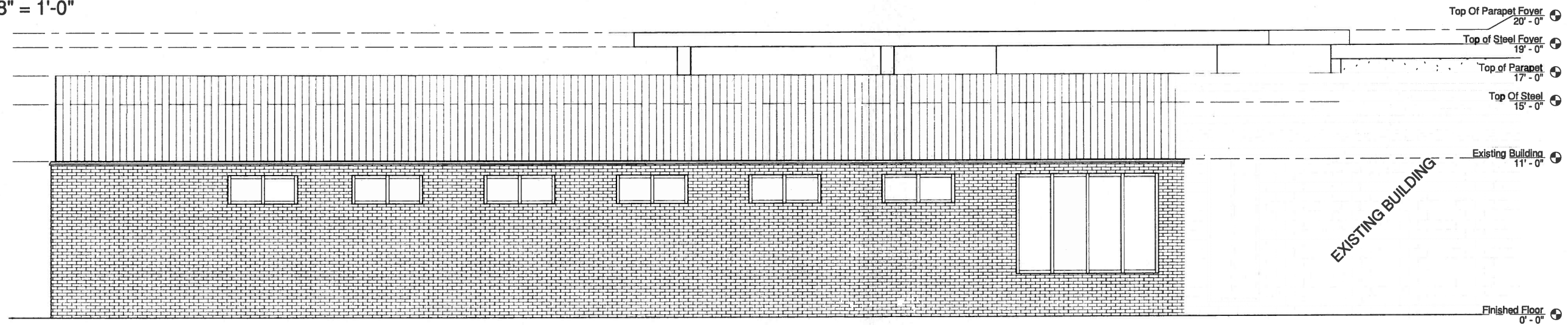
No.	Description	Date

MEDICAL CENTER ADDITION
KINGSVILLE PLAZA
37 & 59 MAIN ST. E, KINGSVILLE

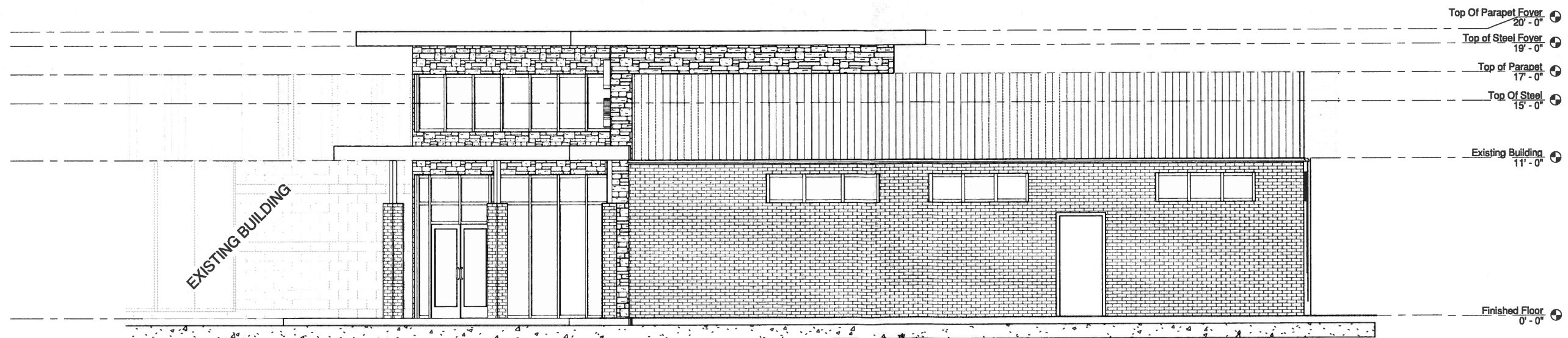




① North
1/8" = 1'-0"



② South
1/8" = 1'-0"



③ West
1/8" = 1'-0"

Elevations

Project number	17	A2	Scale	1/8" = 1'-0"
Date	AUG. 30/17	Author	Checker	
Drawn by				
Checked by				

Date

Description

No.

MEDICAL CENTER ADDITION

KINGSVILLE PLAZA

37 & 59 MAIN ST. E, KINGSVILLE





MEDICAL CENTER ADDITION

KINGSVILLE PLAZA

37 & 59 MAIN ST. E, KINGSVILLE



No.	Description	Date

3d Views			
Project number	17	A3	
Date	AUG. 30/17		
Drawn by	GA		
Checked by	GA		
			Scale



regs@erca.org

P.519.776.5209

F.519.776.8688

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

September 29, 2017

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

Dear Mr. Brown:

RE: Application for Site Plan Control SPA-16-17 37, 41 & 59 MAIN ST. E.
ARN 371115000005710, 371115000005400; PIN: 751780057, 751780148
Applicant: Kingsville Plaza Inc.

The following is provided for your information and consideration as a result of our review of Application for Site Plan Control SPA-16-17. We understand that the owner wishes to add a new medical clinic expansion onto the existing grocery store building, which may need some changes to the existing parking area and access areas.

NATURAL HAZARD POLICIES OF THE PPS, 2014

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

WATER RESOURCES MANAGEMENT

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

NATURAL HERITAGE POLICIES OF THE PPS 2014

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

FINAL RECOMMENDATION

We have no objections to this Site Plan Amendment.



Mr. Brown
September 29, 2017

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Corinne'.

Corinne Chiasson
Resource Planner
/cor

SITE PLAN AGREEMENT

THIS AGREEMENT made (in triplicate) this 27th day of November 2017.

BETWEEN:

THE CORPORATION OF THE TOWN OF KINGSVILLE,

hereinafter called the “Corporation”,

OF THE FIRST PART

-and-

KINGSVILLE PLAZA INC.

hereinafter called the “Owner”,

OF THE SECOND PART

WHEREAS the Owner is the registered owner of land described as Lots 7 to 10, SS Main St. E., Plan 184 or 185 & Pt. Lots 5 – 8 SS Main St. E. Plan 185 & Pt. 1, Plan EXR 139 and further known as 37, 41 & 59 Main St E., in the Town of Kingsville in the County of Essex, Province of Ontario (the “subject lands”);

AND WHEREAS the Corporation has enacted a by-law being a By-law to establish site plan control in the Town of Kingsville pursuant to the provisions of Section 41(2) of the Planning Act, R.S.O. 1990, c.P.13;

AND WHEREAS development of the subject lands is subject to site plan control as provided for in the By-law;

AND WHEREAS as a condition of the approval of a building permit for the said lands the Corporation and the Owner must enter into this Agreement;

GENERAL

1. (a) **Covenant** - The Owner covenants and agrees to build, provide and maintain for the life of the development at the Owner’s entire expense and to the Corporation’s entire satisfaction all landscaping, buildings, parking facilities, lot grading, garbage and central storage areas, storm water management systems, rate of flow monitoring, lighting and other related items in compliance with relevant legislation and in accordance with drawings attached hereto as Schedule ‘A-2017’ approved and on file in the office of the Clerk of the Corporation. The Owner agrees that all development shall be in compliance with the relevant zoning provisions and in accordance with the Corporation’s Development Standards Manual, as amended from time to time.

(b) **Name & Address of Corporation**
The Corporation of the Town of Kingsville
Attention: Corporation Solicitor
2021 Division Road North
Kingsville, Ontario N9Y 2Y9

(c) **Name & Address of Owner**
Kingsville Plaza Inc.
20 Talbot St. S.
Leamington, ON

(d) Approval Date – November 27, 2017

SCHEDULES ATTACHED:

2. Hereinafter referred to as Schedule 'A-2017' and forming part of this agreement:

SCHEDULE 'A-2017' - Site Plan (Prepared by: Barrinetti Construction Ltd. and Dated September 7, 2017)

A large format plan, referred to as Schedule 'A-2017', is available in the Development Services Department for the Town of Kingsville, 2021 Division Rd. in the Town of Kingsville and are available for review during regular business hours.

LOT GRADING PLAN

3. (a) **Lot Grading Plan** - The Owner further agrees to submit to the satisfaction of the Corporation's Chief Building Official, Ministry of Transportation (MTO), where applicable and Essex Region Conservation Authority (ERCA) in regulated areas throughout, a lot grading plan designed and executed under the seal of an engineer licenced under the *Professional Engineers Act* R.S.O. 1990, c. P.28, as amended ("Engineer") for the subject lands for the Corporation's consideration prior to the issuance of any building permits or construction permits for the subject lands, if applicable. The Owner shall ensure that the site drainage shall not affect adjacent properties.

SIGNS

4. a) **Signs** - Compliance with Approved Drawings - The Owner further agrees to submit a signage plan to the Corporation's Manager of Development Services for their approval prior to the issuance of a construction permit. Said signage plan shall include the design, size and location of all existing or proposed signs erected or located on or to be erected or located on the subject lands. In addition, this signage plan shall outline any lighting details and landscaping features associated with any signage.

b) **Traffic Signage** - Prior to construction, the Owner agrees to provide on-site traffic and parking signage and pavement markings to the satisfaction of the Corporation (and/or the County of Essex, where applicable) and as detailed on Schedule 'A-2017'.

DIRT AND DEBRIS

5. **Dirt and Debris** - The Owner further agrees to keep the public highways adjacent to the subject lands free from dirt and debris caused by the construction and ongoing operation on the subject lands. The Owner further agrees to, within twenty-four (24) hours of being notified and instructed by the Corporation and/or County of Essex to do so, clean-up the streets adjacent to the subject lands and/or take dust control measures at the Owner's entire expense, failing which, the Corporation and/or County of Essex may carry out or cause to have carried out the said work at the entire expense of the Owner.

REPAIR OF HIGHWAY

6. **Repair of Highway** - The Owner further agrees that any curbs, gutters, pavements, sidewalks or landscaped areas on the public highway which are damaged during the construction and maintenance period shall be restored by the Owner at the Owner's entire expense and to the satisfaction of the Corporation and/or County of Essex and/or Ministry of Transportation.

DRIVEWAY APPROACHES AND PARKING AREAS

7. (a) **Driveways** - The Owner agrees to maintain the existing driveway approaches in such manner, widths and location as approved by the Corporation or County. The portion of the entrance that is within the municipal or County right-of-way shall be improved with a hard surface.

(b) **Surfacing** - The Owner further agrees that any portion of the internal driveway aisles and parking areas as shown on Schedule 'A-2017' shall be hard surfaced.

PERMITS

8. **Permits** - The Owner further agrees to obtain the necessary access or other permit for any new driveway approaches, sewer taps, drain taps, or curb cuts from the Corporation and/or County of Essex, prior to the commencement of any construction on or adjacent to the public highway.

LIGHTING

9. **Lighting** - The Owner further agrees to provide all lighting of any parking area and/or building(s) located on the subject lands. Lights used for illumination shall be designed to full cut-off standards and shall be arranged as to divert the light away from adjacent roadways and properties and minimize impact on the night sky. All exterior lighting shown shall be designed to eliminate glare and reflection from the surfaces on which any lighting is mounted. The Owner further agrees that any future proposed changes to lighting of the subject lands shall require the approval of the Corporation and may require an amendment to this Agreement.

PARKING

10. **Parking** - The Owner further agrees to provide adequate on-site vehicle and bicycle parking for the proposed buildings in accordance with the Corporation's Zoning By-law, as amended, applicable to the development and as shown Schedule 'A-2017'.
 - a) The Owner further agrees to not undertake any change of use or addition to the building(s) located at 39 & 41 Main St. E. until such time as additional parking is provided in compliance with the parking requirements of the Kingsville Zoning By-law in affect at the time of the proposed change or addition.

GARBAGE, WASTE AND CENTRAL STORAGE FACILITIES

11. (a) **General** – The Owner covenants and agrees that no waste as defined in the *Environmental Protection Act*, or any regulations passed thereunder, may be deposited or stored on the subject lands except as approved by the Corporation's Chief Building Official in accordance with the diagrams attached hereto as Schedule 'A-2017' and forming part of this Agreement.

(b) **Storage** – The Owner further covenants and agrees that no garbage, waste, substance, product, by-product or any other thing (hereinafter collectively called the "Waste") shall be stored outside anywhere on the subject lands, save and except for in accordance and compliance with and as shown on Schedule 'A-2017'.

(c) **Default and Remedy** – The Owner further agrees that any Waste deposited or stored:
 - i. in an area other than those specific areas shown in Schedule 'A-2017' for the storage of same;
 - ii. without obtaining and providing to the Corporation a Certificate of Approval;
 - iii. in contravention of any legislation; or
 - iv. in contravention of this Site Plan Agreement;

shall be removed from the subject lands by the Owner at the entire expense of the Owner. The Owner further agrees that if the Owner fails to remove this Waste within 10 days of having received written notice from the Corporation to do so, the Owner agrees that the Corporation, its agents, servants, workmen or employees may enter upon the subject lands and remove the Waste; the cost of which shall be recovered by the Corporation out of the Performance Securities contemplated in this Agreement, and any additional costs incurred by the Corporation in excess of the said securities shall constitute a debt owing by the Owner to the Corporation and the Corporation may add such debt to the tax roll of the subject lands and collect and enforce them in the same manner as taxes.

LANDSCAPING

12. (a) **Landscaping**- The Owner further agrees to provide for landscaping as designed and depicted on the Site Plan as approved by the Manager of Planning & Development Services for the Corporation.
- (b) **Installation and Maintenance** - The Owner further agrees to install and maintain all landscaping features in accordance with the approved Site Plan and in a manner satisfactory to the Manager of Planning & Development Services.
- (c) **Undeveloped Lands** - In the event that the subject lands are to be developed in phases the Owner further agrees to grade and seed or crop, to the satisfaction of the Manager of Planning & Development Services, all vacant lands that are not developed within one (1) year of the issuance of the construction permit for the initial phase of the development.

STORM WATER MANAGEMENT

13. (a) **Consulting Engineer** - Prior to the issuance of a building permit, the Owner further agrees to retain a consulting engineer for the design and preparation of drawings for an internal storm water management system to service the proposed addition. Such drawings shall be satisfactory to the Corporation's Director of Municipal Services and Ministry of Transportation, if applicable.
- (b) **Construction and Maintenance** - Upon approval of the drawings by the Corporation's Director of Municipal Services, Chief Building Official, Ministry of Transportation, if applicable, and the Owner further agrees to construct and maintain, at the Owner's entire expense, the storm water management system in accordance with the approved drawings and to the satisfaction of the Chief Building Official prior to the issuance of a building permit. Under no circumstance will a building permit be issued for construction until such time as the approved storm water management system has been constructed and is fully functional or a temporary approved storm water management system has been implemented, both to the satisfaction of the Town.
- (c) **Undeveloped Lands** - The Owner further agrees to maintain, grade and keep groomed any undeveloped portions of the subject lands and that any changes to the surface material, grade or use of undeveloped lands shall require a review of the approved Storm Water Management System and will require an amendment to the site plan.
14. **Stormwater Management (abutting lands)** - That the Owner agrees to insure that storm water run-off is properly managed along the edge of the storm water management pond (if applicable) where it is within 20 m of an abutting property and that storm water flows on those abutting lands are not negatively impacted.

EXISTING WATERCOURSES AND NATURAL LAND DRAINAGE

15. **Existing Watercourses and Natural Land Drainage** - The Owner further agrees that no natural watercourse shall be blocked, abandoned or otherwise altered during the course of construction of the development unless approved by the Corporation and that no natural land drainage shall be cut off without adequate provision made for its interception to the satisfaction of the Corporation.

DEVELOPMENT CHARGES

16. **Development Charges** - The Owner agrees to pay to the Corporation on the issuance of a building permit, the appropriate development charge in accordance with the Corporation's Development Charges By-law, as amended.

POSTPONEMENT AND SUBORDINATION

17. **Postponement and Subordination** - The Owner covenants and agrees, at its entire expense, to obtain and register, from its mortgagees and/or encumbrancers, such documentation as may be deemed necessary by the Corporation to postpone and subordinate the interest of said mortgagees and/or encumbrancers in the subject lands to

the interest of the Corporation to the extent that this Agreement shall take effect and have priority as if it had been executed and registered before the execution and registration of the document or documents giving to the mortgagees and/or encumbrancers their interest in the subject lands.

FINANCIAL SECURITY

18. (a) **Performance Security** - The Owner further agrees to deposit with the Corporation, to be held by the Corporation without interest, at the time a building permit is issued to it, a Performance Security in the form of a certified cheque, cash or an Irrevocable Letter of Credit which is automatically extended, or other security in form satisfactory to the Corporation's Solicitor, in the sum of **\$10,000 (CAD)** to guarantee the due performance of the Owner's obligations under this Agreement, within the time period specified in paragraph 19 hereof. No Performance Security shall be released until the Owner has complied fully with its obligations with the provisions of this Agreement.
- (b) **Deficiency** - The Owner acknowledges and agrees that should there be a deficiency in, or failure to carry out, any work, obligation or matter required by any provision of this Agreement, and the Owner fails to remedy same within 10 days of being given written notice with a direction to carry out such work or matter, the Corporation may draw on the security held and enter onto the property of the Owner and complete all outstanding works or matters, and pay all costs and expenses incurred thereby from the proceeds of any security held by it.
- (c) **Shortfall** - The Owner further acknowledges and agrees that, notwithstanding any provision to the contrary in this Agreement specifying the return of security, in the event that the Corporation determines that any return of cash or certified funds held by it would create a shortfall with respect to securing the completion of any work or matter remaining to be carried out by the Owner pursuant to this Agreement, the Corporation will not be obliged to return the security held by it until such time as such work is satisfactorily completed or the Corporation has sufficient security to insure that such work will be completed.

COMMENCEMENT/COMPLETION OF WORK/TERMINATION OF AGREEMENT

19. **Commencement/Completion of Work/Termination of Agreement** - The Owner further covenants and agrees that the proposed development governed by this Agreement will be commenced within one (1) year from the date of the execution of this Agreement. The Owner further covenants and agrees that all works, buildings, parking, access areas, landscaping, systems and all other required facilities required by this Agreement shall be completed within two (2) years from the date on which the Corporation's Chief Building Official issues a building permit for the said development. If the Owner fails to meet either of the aforesaid deadlines, the Corporation may, at its sole option and on fourteen (14) days written notice to the Owner, declare this Agreement null and void and of no further force and effect. The refund of any monies paid by the Owner pursuant to this Agreement shall be at the sole discretion of the Corporation, but under no circumstances will interest be paid on any refund.

CONVEYANCES AND CONTRIBUTIONS

20. (a) **Conveyances and Contributions** - The Owner further agrees to gratuitously convey or dedicate, in fee simple and without encumbrance, to the Corporation any land, easement, right of way or otherwise as deemed required by the Corporation, Hydro One, Bell Canada or Union Gas in, through, over and under the subject lands for drainage purposes, sewers, hydro, gas, utilities, water mains and telephone.
- (b) **Surveys and Land Descriptions** - In the event that the Owner is required to convey lands, easements, rights of way or otherwise pursuant to this Agreement, then the Owner shall obtain all surveys and land plans or descriptions for lands to be conveyed to the Corporation at the Owner's entire expense.

GENERAL PROVISIONS

21. In addition to the standard site plan agreement requirements the Owner also agrees to:
- i) **Construction Site Maintenance and Debris** – provide appropriate on-site construction waste management for the storage and disposal of construction waste and that at no time is waste allowed to accumulate on the site beyond a reasonable level.
22. **Enforcement and Remedies** – The Owner agrees:
- (a) All facilities and matters required by this Agreement shall be provided and maintained by the Owner at the Owner's sole risk and entire expense to the satisfaction of the Corporation and in default thereof the Owner acknowledges that the Corporation, in addition to any other remedy it may have at law, shall also be entitled to enforce this Agreement in accordance with Sections 444 to 446, inclusive, of the Municipal Act, S.O. 2001, c.25 as amended.
- (b) If the Owner is in default of any matter, obligation or thing required to be done by this Agreement and such default continues for more than 10 days after the Corporation having given written notice to the Owner of same, then in addition to and without limiting other remedies available to it, the Corporation may direct that such matter or thing be done at the entire expense of the Owner and the Corporation may recover the expense incurred in doing it by adding the costs to the tax roll and collecting them in the same manner as property taxes. The Owner hereby authorizes the Corporation to enter upon the subject lands to do such matters or things.
- (c) Any work done by the Corporation for or on behalf of the Owner or by reason of the Owner not having done the work in the first instance, shall be deemed to be done as agent for the Corporation and shall not, for any purpose whatsoever, be deemed as an acceptance or assumption of any works, services or faults by the Corporation.
23. **Successors and Assigns** - This Agreement and everything contained herein shall enure to the benefit of and be binding upon the Parties hereto and their respective heirs, administrators, executors, successors and permitted assigns.
24. **Enforceability** - If any term, covenant or condition of this Agreement is, to any extent, declared invalid or unenforceable, the remainder of this Agreement shall not be affected thereby and each term, covenant or condition of this Agreement shall be valid and be enforced to the fullest extent permitted by law.
25. **Amendments** - This Agreement may be amended at any time with the written consent of the Corporation and the registered Owner of the subject lands at the time of such amendment. This Agreement may be amended to permit further additions by replacing the drawings attached in Schedule 'A-2017' on file in the office of the Clerk, upon approval of the Corporation, without the need to alter this text or the registration of any additional material on title. Accordingly, it will be necessary for any new Owner to review drawings on file in the office of the Manager of Planning & Development Services to specifically determine that which is permitted at any given point in time. Financial securities may be

required by the Corporation for any addition permitted by way of amendment to this Agreement.

26. **Extension of Time** – Time shall always be of the essence of this Agreement. Any time limit specified in this Agreement may be extended with the consent in writing of both the Owner and the Corporation, but no such extension of time shall operate or be deemed to operate as an extension of any other time limit, and time shall be deemed to remain of the essence of this Agreement notwithstanding any extension of any time limit. Any extension granted by the Corporation will be conditional upon the recalculations of all outstanding monies owed to the Corporation by the Owner pursuant to this Agreement.
27. **Registration** - The Owner hereby consents to the registration of this Agreement on the title of the subject lands at the Owner’s expense.
28. **Officials** – The Director of Municipal Services, the Chief Building Official, the Corporation Solicitor, the Manager of Municipal Services and the Manager of Planning & Development Services referred to herein are those of the Corporation.

IN WITNESS THEREOF the said parties hereto have duly executed the Site Plan Agreement on the date first written above.

SIGNED SEALED AND DELIVERED

WITNESS

KINGSVILLE PLAZA LTD.
I/WE HAVE AUTHORITY TO BIND THE
CORPORATION

**THE CORPORATION OF THE TOWN OF
KINGSVILLE**

MAYOR NELSON SANTOS

CLERK JENNIFER ASTROLOGO

37 MAIN STREET E.

59 MAIN STREET E.

EXISTING BUILDING (NON-RESIDENTIAL)
5 676 sf.

EXISTING BUILDING (WAREHOUSE)
7 960 sf.

ADJACENT COMMERCIAL BUILDING

PROPOSED BUILDING (NON-RESIDENTIAL)
4 000 sf.
19'-0" EAVE

EXISTING BUILDING (NON-RESIDENTIAL)
15 000 sf.

PARKING


	AREA	SPACES REQUIRED
EXISTING NON-RESIDENTIAL USES (1/300 sq. ft.)	20 676 sq. ft.	63 SPACES
NEW NON-RESIDENTIAL USES (1/300 sq. ft.)	4 000 sq. ft.	14 SPACES
EXISTING WAREHOUSE (1/2152 sq. ft.)	7 960 sq. ft.	4 SPACES
TOTAL	32 636 sq. ft.	81 SPACES

LEGEND:

- ⊗ LIGHT STRUCTURED TIE CLUMP AND SHROUD
- LS
- ③ PARKING SPACE NUMBER
- ASPHALT
- CONCRETE
- MANDOOR

SCALE 1/32" = 1'-0"

PARKING	AREA	SPACES REQUIRED
EXISTING NON-RESIDENTIAL USES (1/300 sq. ft.)	20,676 sq. ft.	69 SPACES
NEW NON-RESIDENTIAL USES (1/300 sq. ft.)	4,000 sq. ft.	14 SPACES
EXISTING WAREHOUSE (1/2152 sq. ft.)	7,960 sq. ft.	4 SPACES
TOTAL	32,636 sq. ft.	87 SPACES

<div style="float: right; text-align: right; font-size: 0.8em;"> NOTES: </div>																																																																																																					
<div style="text-align: center; margin-bottom: 10px;">  <p>BARINETTI CONSTRUCTION LTD.</p> </div> <p>ADDRESS: 37 & 59 MAIN STREET E. KINGSVILLE</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%; height: 20px;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> </tr> <tr> <td style="height: 20px;"></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td style="height: 20px;"></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td style="height: 20px;"></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td style="height: 20px;"></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td style="height: 20px;"></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td style="height: 20px;"></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td style="height: 20px;"></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td style="height: 20px;"></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td style="height: 20px;"></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table>																																																																																																				
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<p>SHEET TITLE: SITE PLAN</p>																																																																																																					
<p>SHEET NUMBER: A1</p>																																																																																																					



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

Date: November 27, 2017
To: Mayor and Council
Author: Kevin Girard, Manager of Municipal Services
RE: Municipal Services 5-Yr Capital Forecast
Report No.: MS 2017-56

AIM

To obtain Council's endorsement the 5 year capital forecast developed by the Municipal Services Department for years 2018-2022.

BACKGROUND

In Canada, we are in a deficit. The deficit involves the deterioration of our infrastructure, the roads and bridges we drive on, the water treatment facilities we depend on for clean drinking water, and the sewer systems that take away tainted water. Most Canadian Municipalities are struggling to maintain existing infrastructure under current tax and rate levels. Municipalities are facing a growing need to maintain and renew aged infrastructure, without the tax base to do so. In 1962, 22 cents of every dollar was spent on infrastructure by the Federal Government and by 2002, only 12 cents. Public infrastructure has suffered from decades of extensive neglect and overuse. In Canada, it is estimated that the average infrastructure deficit runs in excess of \$10,000 per person. Much of this infrastructure deficit is found in the major urban centers, but the National deficit will double over the next 10 years as projects undertaken in the 1950's/1960's reach their projected lifespan.

A Long-Term Capital Plan is a framework to guide the Town of Kingsville in planning, decision-making, and measures the municipality's financial capacity to meet the overall strategic and capital works plans. A Long-Term Plan creates a purposeful approach to long-term infrastructure management and helps to align short-term actions with long-term strategies. The goal is to ensure that the Town is in a sound infrastructure position to sustain the level of service the public has come to expect. The Long-Term Capital Works plan helps to identify and understand the implications that today's decisions have on future budgets.

The Town of Kingsville continues to face significant fiscal challenges similar to other Municipalities of its size. The Town, like other municipalities in Ontario, fund the programs and services it provides within a limited funding framework with relatively flat revenue streams and limited ability to modify the services it provides. New regulatory responsibilities, escalating operating costs as well as aging infrastructure and the ever-growing infrastructure deficit has provided a certain challenge in balancing the requirements of replacing aging infrastructure while aiming to fulfill the need to grow new infrastructure for future population. It is a challenge to balance the needs of the community, maintain acceptable service levels, to repair and replace existing infrastructure, to address community health, safety, and environmental risks and implement strategic initiatives and community priorities.

At the regular meeting of Council on June 26th, 2017, Council was presented with report FS 2017-009 (resolution 450-2017). This report on long term financial planning and capital budgeting outlined the deficit in municipal infrastructure that Kingsville is experiencing. It was recommended that Council adopt a dedicated annual tax rate increase to address asset management as follows:

That Council approves in principle a 10-year plan to fully fund the infrastructure deficit in Kingsville which amounts to a 2.9% annual levy increase dedicated to lifecycle reserve contributions.

DISCUSSION

The task of creating an official Municipal Services capital forecast was identified by the CAO as a major need for the municipality. The Municipal Services staff has spent a considerable amount of resources and effort to publish this document with the goal of receiving Council's endorsement.

The 5-year capital plan was developed using the Town's current studies and investigation by Municipal Services to validate the information in the studies. The studies included in the analysis are as follows:

- Road Needs Study
- Bridge and Culvert Needs Study
- CWATS Master Plan
- Kingsville's Active Transportation Master Plan
- Asset Management Plan (AMP)
- Transportation Master Plan
- Development Manual

Timelines for reconstruction or rehabilitation were taken directly from the study to which each asset was investigated. Making more sustainable decisions when it comes to infrastructure planning and spending will improve Kingsville's infrastructure grades listed in the 2013 Kingsville Asset Management Plan (AMP) found in the appendix.

These studies are continually being updated to ensure that capital funds are being spent as efficiently as possible, which makes the 5 year capital forecast a working document. The capital forecast will be reassessed every year and updated accordingly.

The implementation of a 5-year capital forecast fits directly into the province's approach to making infrastructure more sustainable. This is an integral step toward the Town developing a strategic asset management policy by the January 1, 2019 deadline, mandated by the Province of Ontario. In addition, the capital forecast would provide the current Level of Service (LoS) for Town infrastructure and help identify the revenue that should be dedicated to capital financing.

Year	Current Funding	<i>Estimated Capital Cost</i>	
		Initial Draft	Final Draft
2017	\$2,508,404	\$2,508,404	\$2,508,484
2018	\$2,508,404	\$8,091,448	\$2,867,305
2019	\$2,508,404	\$11,734,590	\$4,838,175
2020	\$2,508,404	\$9,559,322	\$5,368,155
2021	\$2,508,404	\$9,521,107	\$6,414,934
2022	\$2,508,404	\$10,610,222	\$6,748,576
Total	\$12,542,020	\$49,516,689	\$26,237,144

Table 1: Change in Annual Capital Cost Allocation

There have been many drafts and reiterations of the Municipal Services capital forecast. The initial review of the studies revealed large total capital expenses in the amount of \$49,516,689 for the 2018-2022 period. The summary of the capital expenses are displayed in Table 1. It should be noted that these values are only considering “visible” municipal infrastructure such as roads, sidewalks, active transportation trails, streetlights, traffic signals, bridges and culverts. Similar analysis will be completed for underground infrastructure when up to date studies have been completed.

After review of the initial draft with the CAO and the realization of limited funding sources, the capital forecast was revised to produce the final draft summarized in Table 1, a detailed listing is attached. The final draft was created to reduce the amount of spending required every year in order to avoid an extremely large increase to the tax levy. The yearly increases required to the municipal services capital budget for the final draft is shown in Table 2.

Year	Capital Cost	Increase from Previous Year
2017	\$2,508,484	
2018	\$2,867,305	\$358,821
2019	\$4,838,175	\$1,970,870
2020	\$5,368,155	\$529,980
2021	\$6,414,934	\$1,046,779
2022	\$6,748,576	\$333,642

Table 2: Yearly Capital Increases

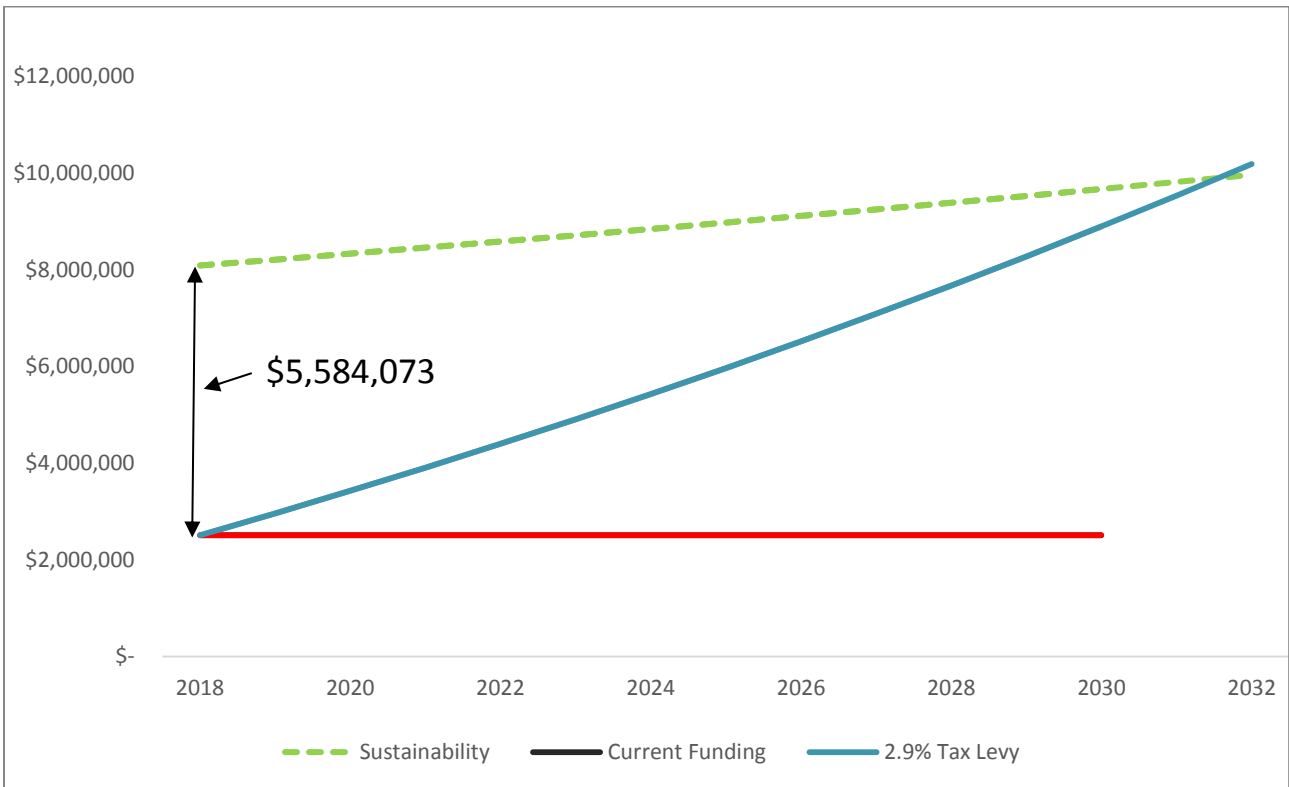


Figure 1: Projection of 2.9% Tax levy Increase

Figure 1 provides a visualization of the deficit that the “visible” municipal infrastructure is in. The line representing sustainability reflects the annual level of spending required to maintain the Town’s visible infrastructure in good to excellent condition. According to the 2013 Asset Management plan, the sustainable level of spending in 2013 was approximately \$7,512,000 per year for the “visible” municipal infrastructure. This level of spending has increased by approximately 1.5% per year, due to inflation.

As illustrated in Figure 1, the 2017 level of infrastructure spending of \$2,508,484 falls short of the sustainable spending target by approximately \$5,584,073. If the municipality commits to increasing taxation by 2.9% per year, for the purposes of infrastructure spending, the municipality should reach sustainability in 2032.

From the information herein, it should be recognized that if the Town intends to allocate funds at the same rate it has historically, municipal infrastructure will continue to fall into disrepair as shown in our infrastructure report card attached as part of the Town’s AMP. Further postponement of these projects will result in even larger capital expenses in the future. As we have experienced, the costs for construction have been steadily increasing from year to year. If the Town does not act, we will fall further behind in our strategic goal to become a leader in sustainable infrastructure renewal and development as per this years draft the Town’s strategic plan.

LINK TO STRATEGIC PLAN

To become a leader in sustainable infrastructure renewal and development.

FINANCIAL CONSIDERATIONS

Financing the proposed 5-year capital forecast is contingent on the following three key factors:

- The commitment from council to increase the tax levy by a minimum of 2.9% each year, with this increase dedicated to infrastructure spending and / or reserve contributions, as identified in our strategic plan.
- The support from council for the adoption of the development charges as proposed in the study currently under review.
- The continuation of federal and provincial government funding through the Gas Tax & OCIF (formula based) programs at or near the existing levels.

Without development charges, the capital projects identified in the Municipal Services 5-year forecast would require a minimum average annual tax levy increase of 5.5%. This would be in addition to any increases required to fund changes in operating or non-infrastructure capital spending. In addition, this does not cover underground infrastructure such as sewer and watermain.

CONSULTATIONS

Municipal Services
Chief Administrative Officer
Financial Services
Planning and Development Services

RECOMMENDATION

That Council receives the Municipal Services capital forecast for the 2018-2022 period with the understanding that these projects will make up part of the Municipal Services capital budgets.

Respectfully Submitted,

Kevin J. Girard

Kevin J. Girard, P.Eng
Manager of Municipal Services

G.A. Plancke

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

Peggy Van Mierlo-West

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

MUNICIPAL SERVICES SUMMARY

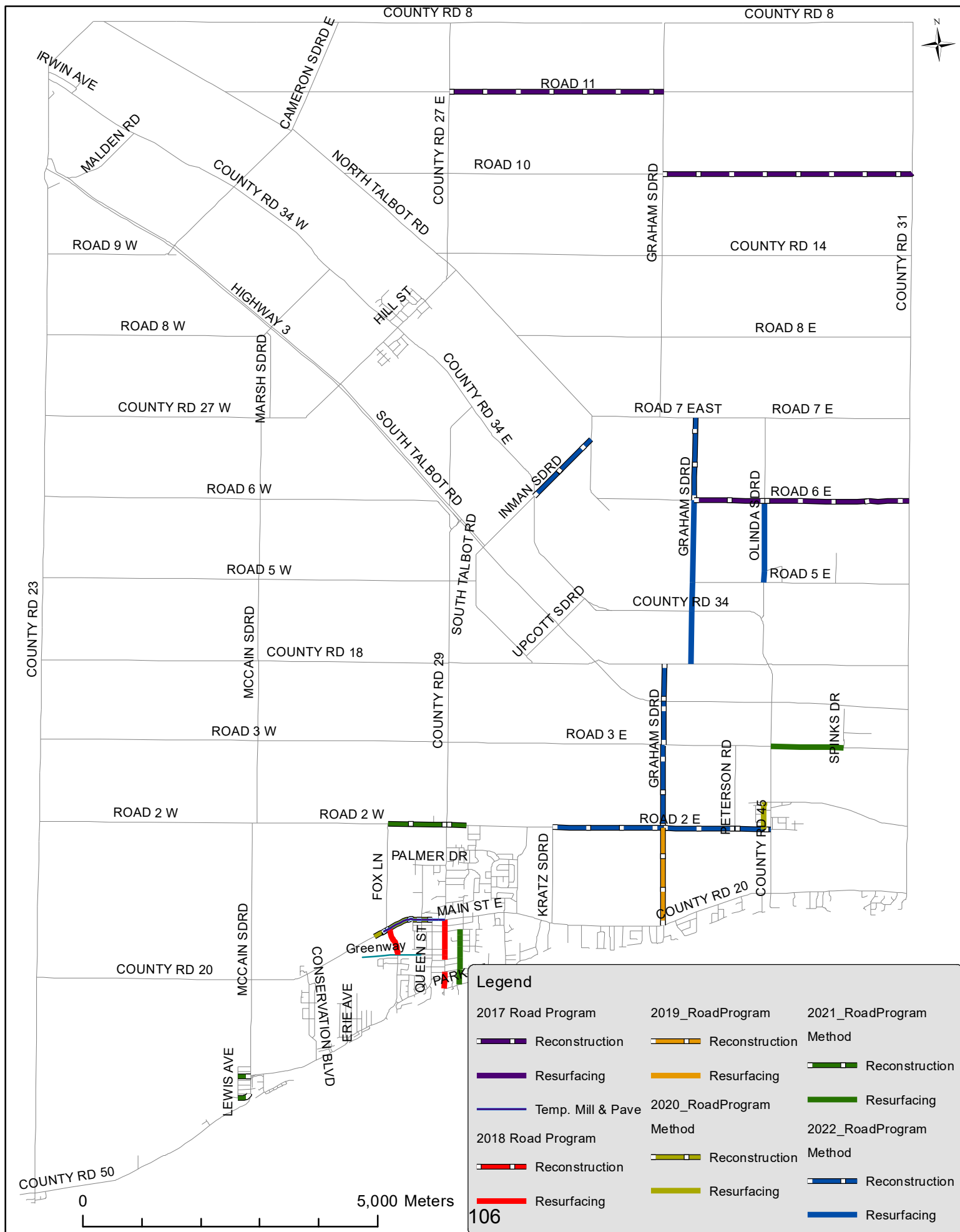
Year	Location	Value
2017	Roads	\$ 820,000
	Growth Related Capital Projects	\$ -
	Bridges/Culverts	\$ 790,000
	CWATS	\$ 774,084
	Sidewalks	\$ 124,400
Total 2017		\$ 2,508,484
2018	Roads	\$ 1,007,504
	Growth Related Capital Projects	\$ -
	Bridges/Culverts	\$ 964,200
	CWATS	\$ 757,626
	Sidewalks	\$ 137,975
Total 2018		\$ 2,867,305
2019	Roads	\$ -
	Growth Related Capital Projects	\$ 2,950,000
	Bridges/Culverts	\$ 1,433,000
	CWATS	\$ 225,000
	Sidewalks	\$ 230,175
Total 2019		\$ 4,838,175
2020	Roads	\$ 4,352,255
	Growth Related Capital Projects	\$ 375,000
	Bridges/Culverts	\$ 433,000
	CWATS	\$ 105,600
	Sidewalks	\$ 102,300
Total 2020		\$ 5,368,155
2021	Roads	\$ 1,180,134
	Growth Related Capital Projects	\$ 4,400,000
	Bridges/Culverts	\$ 650,000
	CWATS	\$ 99,000
	Sidewalks	\$ 85,800
Total 2021		\$ 6,414,934
2022	Roads	\$ 1,500,926
	Growth Related Capital Projects	\$ 4,438,750
	Bridges/Culverts	\$ 625,000
	CWATS	\$ 100,000
	Sidewalks	\$ 83,900
Total 2022		\$ 6,748,576
5-Year Total (2018-2022)		\$ 26,237,144

ROAD PROGRAM

YEAR	ROAD	LIMITS		M	METHOD	CATEGORY	ESTIMATED VALUE
		From	To				
2017	Road 11 E	County Road 27	Graham Sideroad	3600	Reconstruction	RURAL	\$ 720,000
	Road 10 E	Graham Sideroad	County Road 31	3600	Reconstruction	RURAL	
	Road 6 E	Graham Sideroad	Olinda Sideroad	3600	Reconstruction	RURAL	
	Road 6 E	Olinda Sideroad	County Road 31		Reconstruction	RURAL	
	Main St W	Various Locations (Patches)		TBD	TEMP. MILL&PAVE	URBAN	\$ 100,000
Total 2017				10800.00			\$ 820,000
2018	Division St S	Main Street	Pearl Street	100	Resurfacing	URBAN	\$ 89,275
	Division St S	Pearl Street	Mill Street	96	Resurfacing	URBAN	\$ 85,868
	Division St S	Mill Street	Elm Street	300	Resurfacing	URBAN	\$ 268,324
	Division St S	Elm Street	Stewart Street	98	Resurfacing	URBAN	\$ 87,322
	Division St S	Stewart Street	Maple Street	72	Resurfacing	URBAN	\$ 64,528
	Division St S	Prospect Street	Melbourne Street	24	Resurfacing	URBAN	\$ 21,661
	Division St S	Melbourne Street	Erie Street	75	Resurfacing	URBAN	\$ 67,159
	Division St S	Erie Street	Herrington Street	25	Resurfacing	URBAN	\$ 21,991
	Division St S	Herrington Street	Park Street	170	Resurfacing	URBAN	\$ 151,458
	Heritage Road	Main Street West	Chrysler Canada Greenway	142	Resurfacing	URBAN	\$ 149,919
Total 2018				1102.84			\$ 1,007,504
2019	Graham Sideroad	Road 2 East	County Road 20 (Seacliff Drive)	1,396	Reconstruction	RURAL	See Growth Capital
Total 2019				1395.76			\$ -
2020	Main St West	Queen Street	Prince Albert Street	185	Reconstruction	URBAN	\$ 4,100,000
	Main St West	Prince Albert Street	Greenhill Lane	158	Reconstruction	URBAN	
	Main St West	Greenhill Lane	Heritage Road	430	Reconstruction	URBAN	
	Main St West	Heritage Road	Fox Lane	60	Reconstruction	URBAN	
	Main St West	Fox Lane	County Road 20	220	Reconstruction	URBAN	
	Queen Boulevard	Peach Drive	Prince Road	86	Resurfacing	URBAN	\$ 48,843
	Queen Boulevard	Prince Boulevard	Willow Drive	69	Resurfacing	URBAN	\$ 38,886
	Queen Boulevard	Willow Drive	Wood-Fern Avenue	135	Resurfacing	URBAN	\$ 76,641
	Queen Boulevard	Wood-Fern Avenue	Road 2 East	115	Resurfacing	URBAN	\$ 65,078
	Queen Boulevard	County Road 34 / Lee Road	Peach Drive	52	Resurfacing	URBAN	\$ 22,806
Total 2020				3583.78			\$ 4,352,255
2021	Lansdowne Avenue	Park Street	Erie Street	163	Resurfacing	URBAN	\$ 55,832
	Lansdowne Avenue	Prospect Street	Erie Street	100	Resurfacing	URBAN	\$ 34,241
	Lansdowne Avenue	Prospect Street	Prospect Street	16	Resurfacing	URBAN	\$ 5,414
	Lansdowne Avenue	Myrtle Street	Prospect Street	84	Resurfacing	URBAN	\$ 28,779
	Lansdowne Avenue	Maple Street	Myrtle Street	100	Resurfacing	URBAN	\$ 34,350
	Lansdowne Avenue	Gladstone Avenue	Maple Street	187	Resurfacing	URBAN	\$ 64,177
	Lansdowne Avenue	Wellington Street	Gladstone Avenue	96	Resurfacing	URBAN	\$ 33,011
	Lansdowne Avenue	Viola Crescent	Wellington Street	8	Resurfacing	URBAN	\$ 2,575
	Lansdowne Avenue	Grace Street	Viola Crescent	88	Resurfacing	URBAN	\$ 30,203
	Lansdowne Avenue	Mill Street East	Grace Street	93	Resurfacing	URBAN	\$ 31,748
	Birch Ave	County Road 50	Lewis Avenue	220	Reconstruction	URBAN	\$ 335,039
	Cedar Dr	Sycamore Avenue	Lewis Avenue	224	Reconstruction	URBAN	\$ 340,523
	Road 3 East	County Road 45 (Union Avenue)	Spinks Drive	1,232	Resurfacing	URBAN	\$ 184,241
	Road 2 West	Kratz Road	Fox Lane	1,000	Reconstruction	RURAL to URBAN	See Growth Capital
Total 2021				6194.35			\$ 1,180,134
	Road 2 East	Graham Sideroad	Kratz Sideroad	1,875	Reconstruction	RURAL to URBAN	See Growth Capital
	Road 2 East	Graham Sideroad	Peterson Road	1,222	Reconstruction	RURAL to URBAN	See Growth Capital
	Road 2 East	Peterson Road	Queen Blvd	487	Reconstruction	RURAL to URBAN	See Growth Capital

YEAR	ROAD	LIMITS		M	METHOD	CATEGORY	ESTIMATED VALUE
		From	To				
2022	Road 2 East	Queen Blvd	County Road 45 (Union Ave)		Reconstruction	RURAL to URBAN	See Growth Capital
	Graham Sideroad	Road 5 East	County Road 34 (Talbot Road)	489	Resurfacing	RURAL	\$ 61,110
	Graham Sideroad	County Road 34 (Talbot Road)	County Road 18 (Road 4 East)	899	Resurfacing	RURAL	\$ 51,494
	Graham Sideroad	Road 6 East	Road 5 East	1389	Resurfacing	RURAL	\$ 80,209
	Graham Sideroad	County Rd 18 (Road 4 East)	King's Highway No. 3	634	Reconstruction	RURAL	\$ 50,716
	Graham Sideroad	Road 7 East	Road 6 East	1400	Reconstruction	RURAL	\$ 111,965
	Inman Sideroad	County Road 34 East (Talbot Road)	North Talbot Road	1368	Reconstruction	RURAL	\$ 109,419
	Olinda Sideroad	Thompson Crescent	Road 6 East	1401	Resurfacing	RURAL	\$ 203,545
	Olinda Sideroad	Thompson Crescent	Road 5 East	193	Resurfacing	RURAL	\$ 77,196
	Graham Sideroad	Road 3 East	Road 2 East	1416	Reconstruction	RURAL	\$ 502,963
	Graham Sideroad	King's Highway No.3	Road 3 East	736	Reconstruction	RURAL	\$ 252,308
Total 2022				7772.38			\$ 1,500,926
5-Year Total For Road Rehabilitation Program (2018-2022)				20049.11			\$ 8,040,818

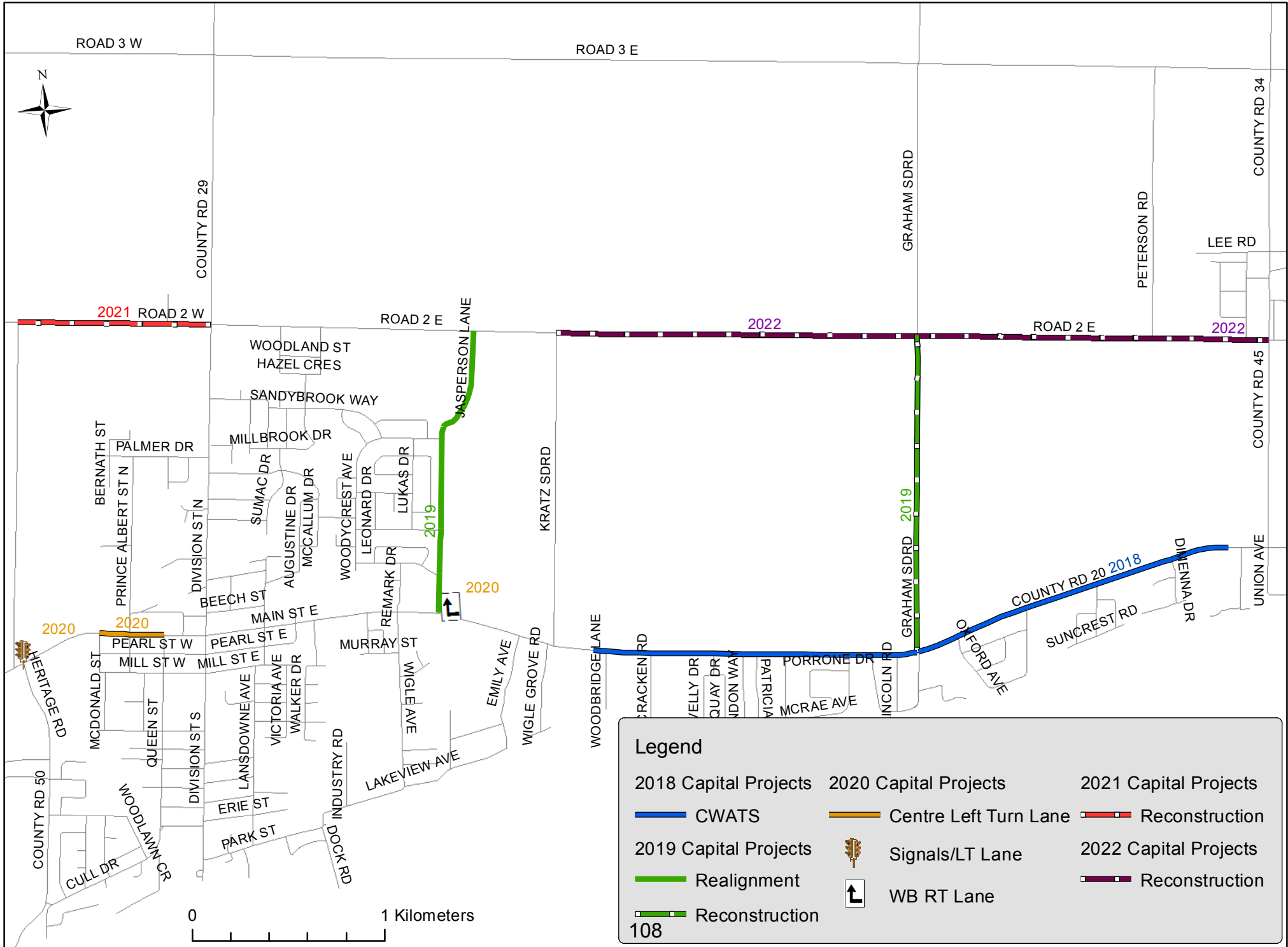
Road Program



GROWTH RELATED CAPITAL PROJECTS

Year	Location	Value	Comments
2017	None		
Total 2017		\$ -	
2018	Seacliff Drive - 210m east of Kratz Road to 200m west of County Road 45	See CWATS (Kings 13A)	Provision for cyclists
Total 2018		\$ -	
2019	Jasperson Drive	\$ 1,887,500	Realignment South of Road 2 East
	Graham Sideroad - Road 2 East to Seacliff Dr	\$ 1,062,500	Reconstruct to accommodate vehicular loading
Total 2019		\$ 2,950,000	
2020	Main Street and Heritage Road	See Road Program	Install Traffic Signals and Provision of Left Turn Lanes
	Main Street - Queen St to Greenhill Lane	See Road Program	Provision of Centre Left Turn Lane
	Main Street and Jasperson Lane	\$ 375,000	Provision of a westbound Right Turn Lane
Total 2020		\$ 375,000	
2021	Road 2 West - Division Rd to Fox Lane	\$ 4,400,000	Reconstruct to Urban Standard
Total 2021		\$ 4,400,000	
2022	Road 2 East - Kratz Rd to 300m west of Queen Blvd	\$ 2,500,000	Reconstruct to accommodate vehicular loading
	Road 2 East - 300m west of Queen Blvd to Union Ave (CR45)	\$ 1,938,750	Reconstruct to Urban Standard
Total 2022		\$ 4,438,750	
5-Year Total For Bridge/Culvert Program (2018-2022)		\$ 7,725,000	

Growth Related Capital Projects



BRIDGE/CULVERT REHABILITATION PROGRAM

Year	Bridge ID	Location	Value	Comments
2017	#028	Road 2W Bridge over Wigle	\$ 700,000	Major Rehabilitation
	#014	Road 10 Bridge over Patterson Drain	\$ 33,000	Engineering & Approvals
	#030	Road 5 W Bridge over West Townline Drain	\$ 57,000	Engineering & Approvals
Total 2017			\$ 790,000	
2018	#014	Road 10 Bridge over Patterson Drain	\$ 354,200	Major Rehabilitation
	NA	Graham SdRd over Kunch Drain	\$ 55,000	Replacement/Engineering
	#503	McCallum Drive Culvert over Mill Creek Scratch Wigle Drain	\$ 359,000	Replacement/Engineering
	#018	Road 11 Bridge over Ruscom River	\$ 84,000	Engineering & Approvals
	#046	South Talbot Road Culvert over Boose Drain	\$ 82,000	Engineering & Approvals
	#045	South Talbot Road over No. 5 Drain	\$ 30,000	Engineering & Approvals
Total 2018			\$ 964,200	
2019	#046	South Talbot Road Culvert over Boose Drain	\$ 545,000	Replacement
	#018	Road 11 Bridge over Ruscom River	\$ 560,000	Major Rehabilitation
	#045	South Talbot Road over No. 5 Drain	\$ 190,000	Replacement
	#005	Graham S/R over 8th Conc. Branch of Orton Drain	\$ 15,000	Engineering & Approvals
	#032	Cedar Island Bridge	\$ 28,000	Engineering & Approvals
	NA	Talbot Service Road over Upcott Drain	\$ 80,000	Engineering & Construction
	#027	Road 3 W Bridge over West Townline Drain	\$ 15,000	Engineering & Approvals
Total 2019			\$ 1,433,000	
2020	#005	Graham S/R over 8th Conc. Branch of Orton Drain	\$ 83,000	Construction
	#032	Cedar Island Bridge	\$ 185,000	Construction
	#027	Road 3 W Bridge over West Townline Drain	\$ 74,000	Construction
	#043	North Talbot Road Bridge over Upcott Drain	\$ 76,000	Engineering & Approvals
	#023	Inman S/R Bridge over Upcott Drain	\$ 15,000	Engineering & Approvals
Total 2020			\$ 433,000	
2021	#043	North Talbot Road Bridge over Upcott Drain	\$ 505,000	Construction
	#023	Inman S/R Bridge over Upcott Drain	\$ 67,000	Construction
	#500	Road 11 Culvert over Irwin Drain	\$ 42,000	Engineering & Approvals
	#040	North Talbot Road Bridge over Tomengo Drain	\$ 36,000	Engineering & Approvals
Total 2021			\$ 650,000	

2022	#500	Road 11 Culvert over Irwin Drain	\$ 280,000	Construction
	#040	North Talbot Road Bridge over Tomengo Drain	\$ 240,000	Construction
	#034	Road 5 W Bridge over Centre Branch of No. 47 Drain	\$ 15,000	Engineering & Approvals
	#042	North Talbot Road Bridge over Maddox Drain	\$ 24,000	Minor Rehabilitation
	#025	Road 3 W Bridge over Centre Branch of No. 47 Drain	\$ 12,000	Engineering & Approvals
	#026	Road 3 W Bridge over Nelson Drain	\$ 54,000	Engineering & Approvals
Total 2022			\$ 625,000	
5-Year Total For Bridge/Culvert Program (2018-2022)			\$ 4,105,200	

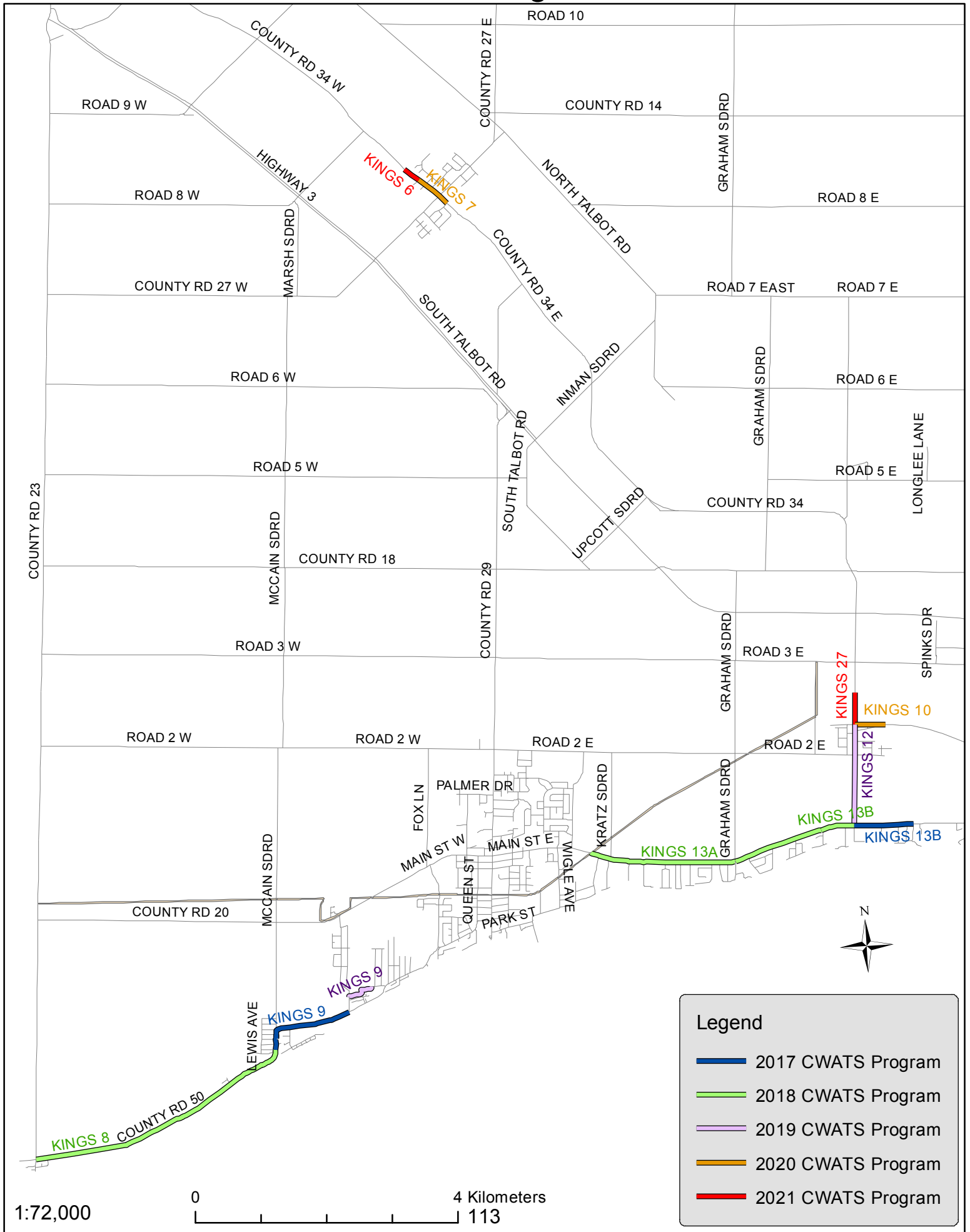


CWATS PROGRAM

****Only the Town portion is shown here**

YEAR	DESIGNATION	SEGMENT	LIMITS	KM	TOWN PORTION	VALUE
2017	KINGS 9	CR 50	SYCAMORE RD TO CONSERVATION	0.90	60%	\$ 238,270
	KINGS 13B	CR 20	PHASE 3: WHITEWOOD TO CR45	0.90	60%	\$ 535,814
Total 2017				1.80		\$ 774,084
2018	KINGS 13B	CR 20	PHASE 4: CR45 TO DIMENNA	0.50	60%	\$ 249,426
	KINGS 13A	CR 20	DIMENNA TO CC GREENWAY	3.60	60%	\$ 237,600
	KINGS 8	CR 50	CEDAR BEACH TO CR23	4.10	60%	\$ 270,600
Total 2018				8.20		\$ 757,626
2019	KINGS 12	CR 45	CR 20 TO CR 34	1.50	60%	\$ 225,000
	KINGS 9	CR 30	LAKE TO CONSERVATION CUT-THRU	TBD		
Total 2019				1.50		\$ 225,000
2020	KINGS 10	CR 34	CR 45 TO 100M EAST OF ELGIN ST	0.50	60%	\$ 33,000
	KINGS 7	CR 34 E	CLARK ST TO COTTAM SETTLEMENT	1.10	60%	\$ 72,600
Total 2020				1.60		\$ 105,600
2021	KINGS 6	CR 34 W	260M N. OF KING TO COTTAM SETTL.	1.00	60%	\$ 66,000
	KINGS 27	CR 34 E	RUTHVEN SETTLEMENT TO CR 34	0.50	60%	\$ 33,000
Total 2021				1.50		\$ 99,000
2022	TBD	TBD	TBD	TBD	TBD	TBD
Total 2022				0.00		\$ 100,000
5-Year Total For CWATS Program (2018-2022)				12.80		\$ 1,287,226

CWATS Program



SIDEWALK PROGRAM

YEAR	ROAD	LIMITS	M	METHOD	VALUE
2017	Queen St	Elm to Mill		East Side	\$ 50,000
	Division Rd S	Stewart to Erie		East Side	\$ 52,000
	Grandview Ave	Lakeview to Timber Creek		Both Sides	\$ 22,400
Total 2017					\$ 124,400
2018	Queen St	Stewart to herrington	430.00	Construct West Side	\$ 47,300
	Melbourne St	Queen to Division	210.00	Construct North Side	\$ 23,100
	Pulford St	Watermill to Spruce	180.00	Construct South Side	\$ 19,800
	Division Rd N	Beech to Pulford	200.00	Reconstruct East Side	\$ 21,000
	Victoria St	CR34 to Fox	150.00	Reconstruct North Side	\$ 15,750
	CR34	Victoria to Hill	105.00	Reconstruct South Side	\$ 11,025
Total 2018			1275.00		\$ 137,975
2019	Jasperson Dr	Main to Applewood	190.00	Construct East Side	\$ 20,900
	Jasperson Dr	Applewood to Peachwood	240.00	Construct East Side	\$ 26,400
	Jasperson Dr	Peachwood to Woodycrest	475.00	Construct East Side	\$ 52,250
	Jasperson Dr	Woodycrest to Arena	400.00	Construct East Side	\$ 44,000
	CR27	William to CR34	325.00	Reconstruct South Side	\$ 34,125
	Elm St	McDonald to Laurel	190.00	Reconstruct South Side	\$ 19,950
	Elm St	Laurel to Queen	100.00	Reconstruct South Side	\$ 10,500
	Elm St	Queen to Division	210.00	Reconstruct North Side	\$ 22,050
Total 2019			2130.00		\$ 230,175
2020	Wigle Ave	Main to Murray	200.00	Construct West Side	\$ 22,000
	Wigle Ave	Murray to Angel	125.00	Construct West Side	\$ 13,750
	Wigle Ave	Angel to Katie	150.00	Construct West Side	\$ 16,500
	Wigle Ave	Katie to Glass	250.00	Construct West Side	\$ 27,500
	Wigle Ave	Glass to Erieview	80.00	Construct West Side	\$ 8,800
	Wigle Ave	Erieview to Lakeview	125.00	Construct West Side	\$ 13,750
Total 2020			930.00		\$ 102,300
2021	CR27	Verienna to 190m West	80.00	Extend 80m to the West	\$ 8,800
	Verienna St	CR27 to Diane D	80.00	Construct West Side	\$ 8,800
	Verienna St	Diane D to Sara Blvd	80.00	Construct West Side	\$ 8,800
	CR34	Victoria to 380m West	220.00	Construct South Side to Match North	\$ 24,200
	CR27	CR34 to Greenwood	140.00	Extend 140m to Greenwood on South Side	\$ 15,400
	CR27	Greenwood to Whitewood	180.00	Construct South Side	\$ 19,800
Total 2021			780.00		\$ 85,800

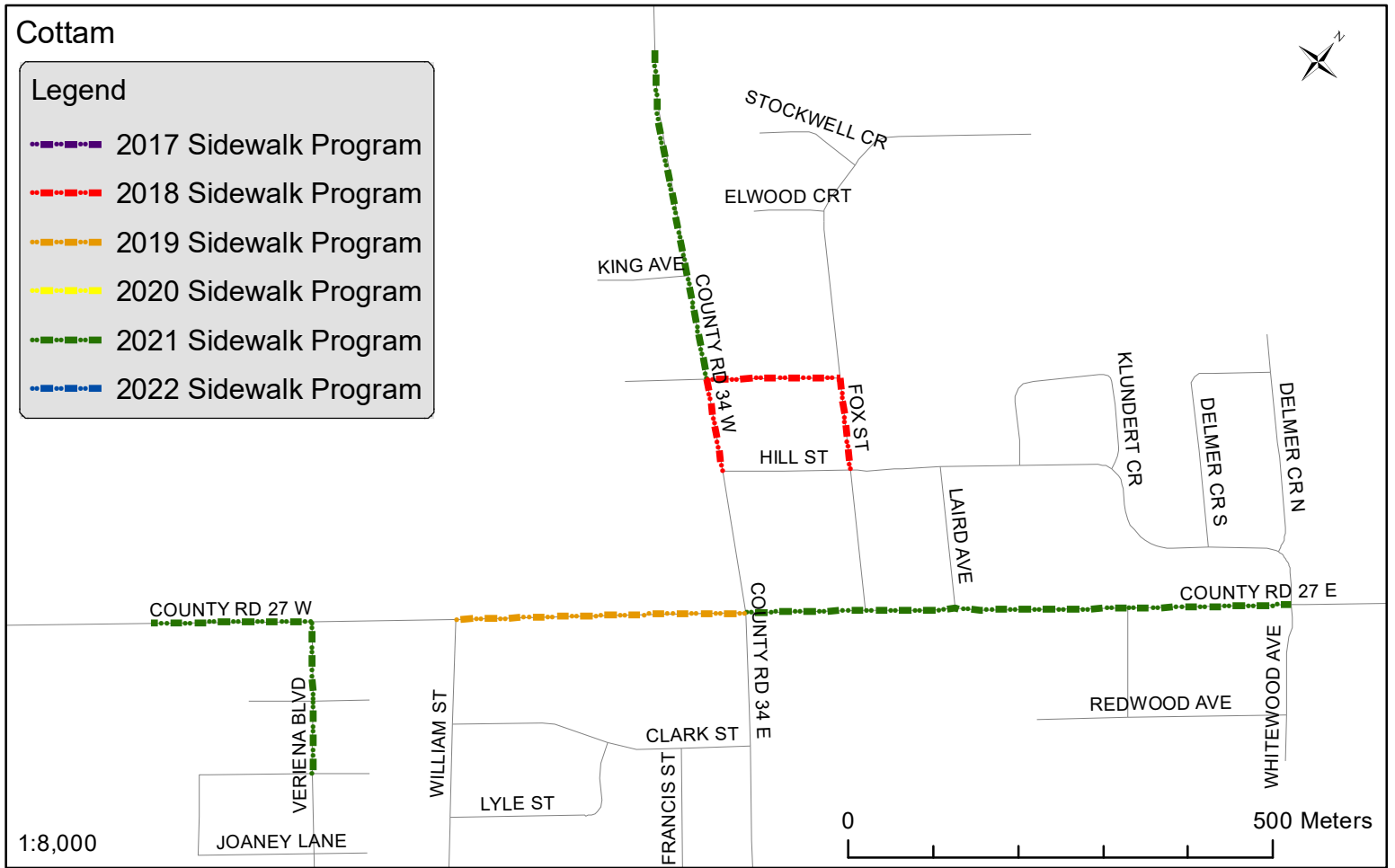
2022	Road 2E	CR45 to Mayfair	260.00	Construct North Side	\$ 28,600
	Road 2E	Mayfair to Branco	140.00	Construct North Side	\$ 15,400
	Elgin St	CR45 to Neal	200.00	Reconstruct South Side	\$ 21,000
	Elgin St	Neal to CR34	180.00	Reconstruct South Side	\$ 18,900
Total 2022			780.00		\$ 83,900
5-Year Total For Sidewalk Program (2018-2022)			5895.00		\$ 640,150

Sidewalk Program

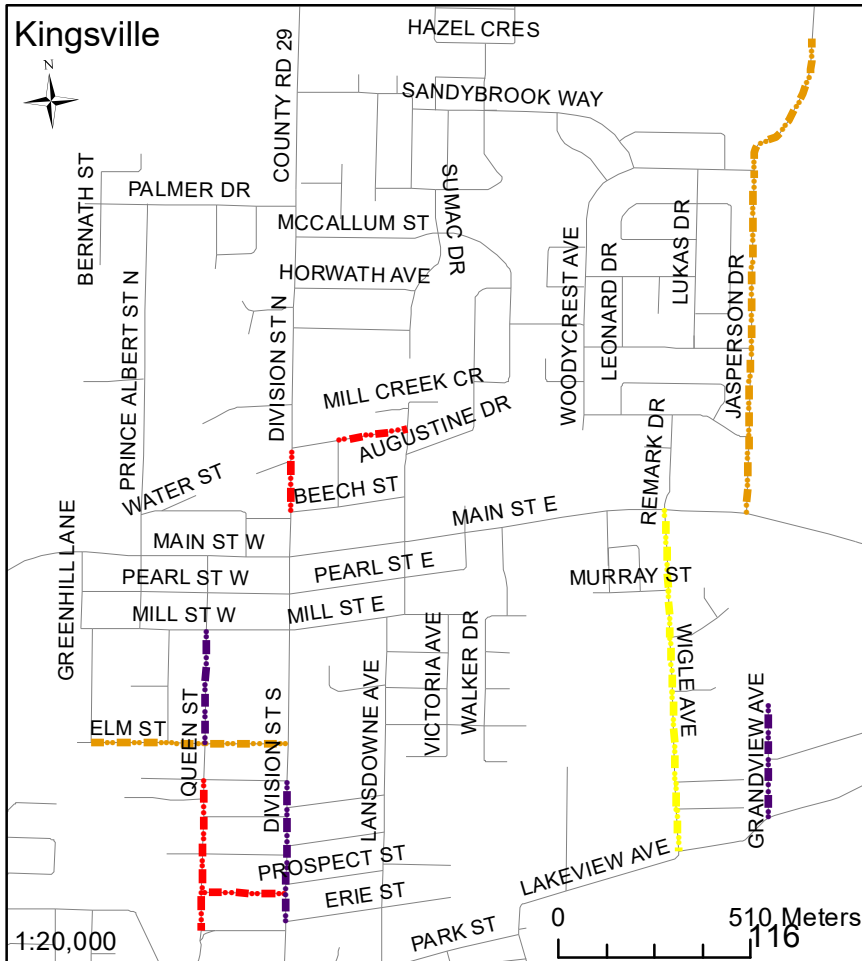
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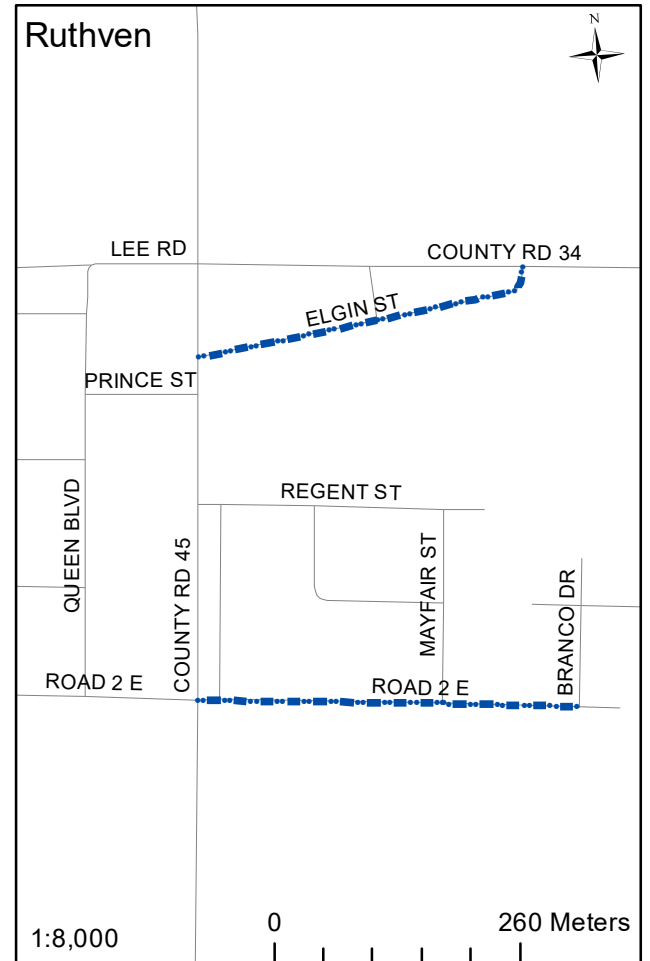
- 2017 Sidewalk Program
- 2018 Sidewalk Program
- 2019 Sidewalk Program
- 2020 Sidewalk Program
- 2021 Sidewalk Program
- 2022 Sidewalk Program



Kingsville

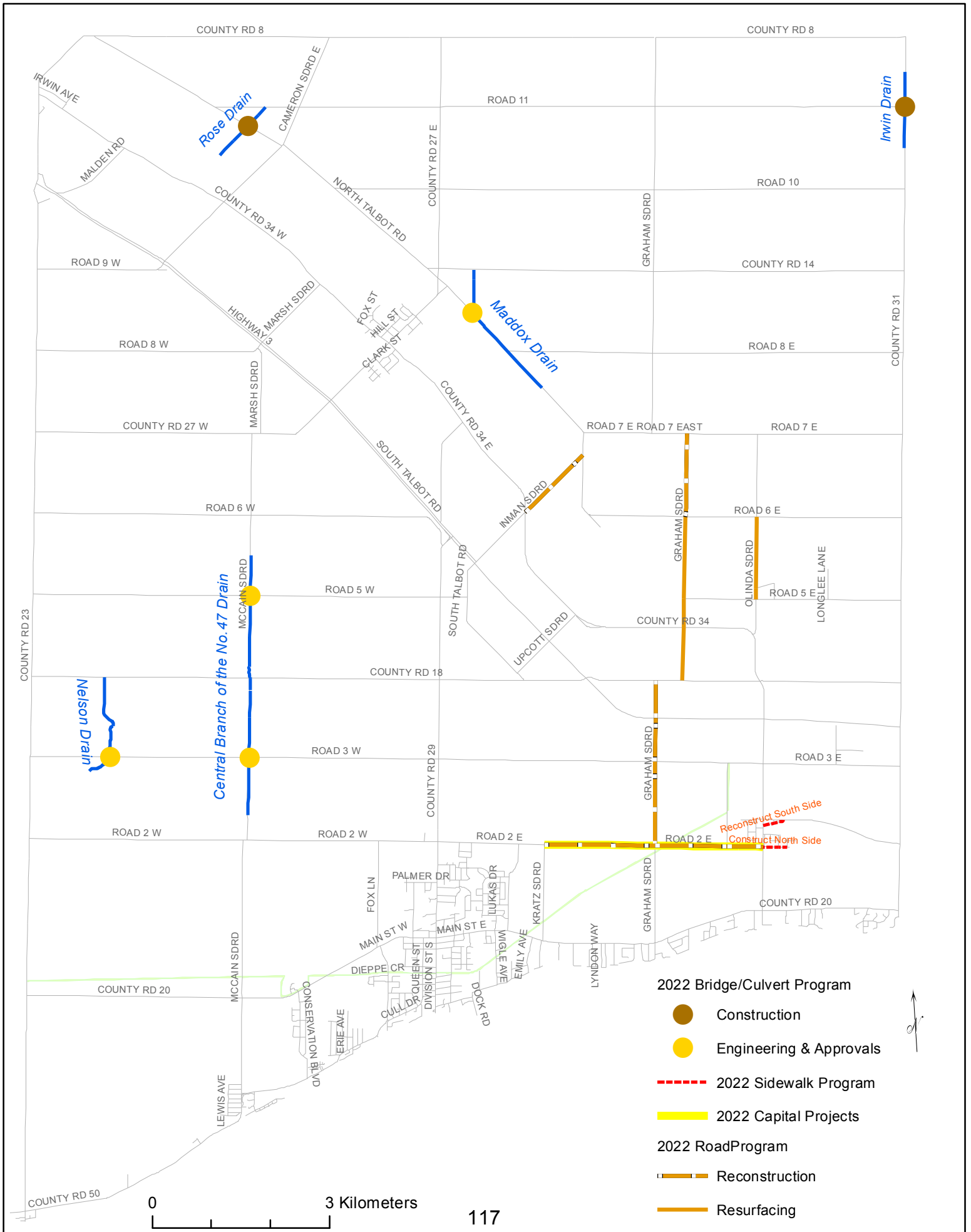


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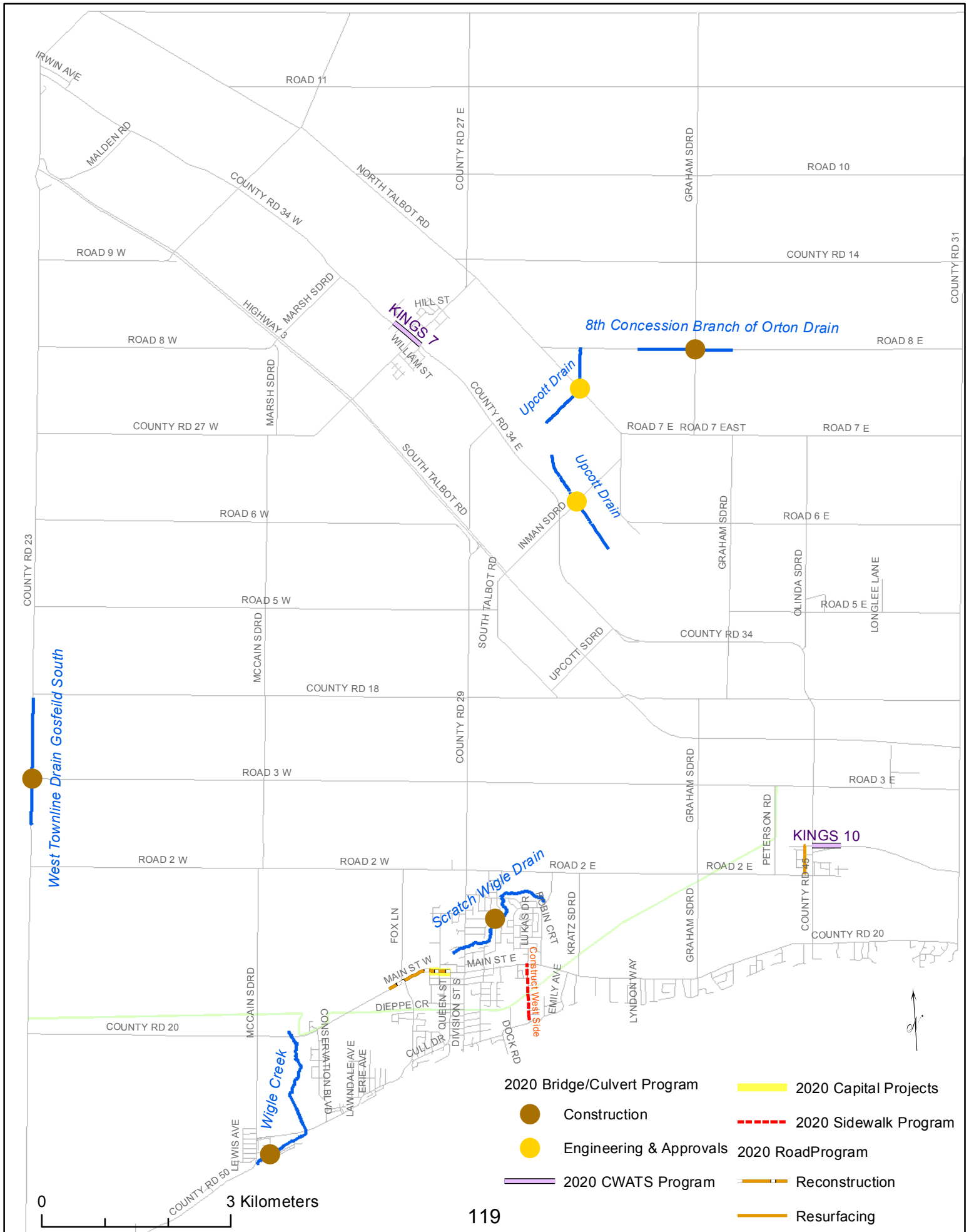


2022 Municipal Services Project

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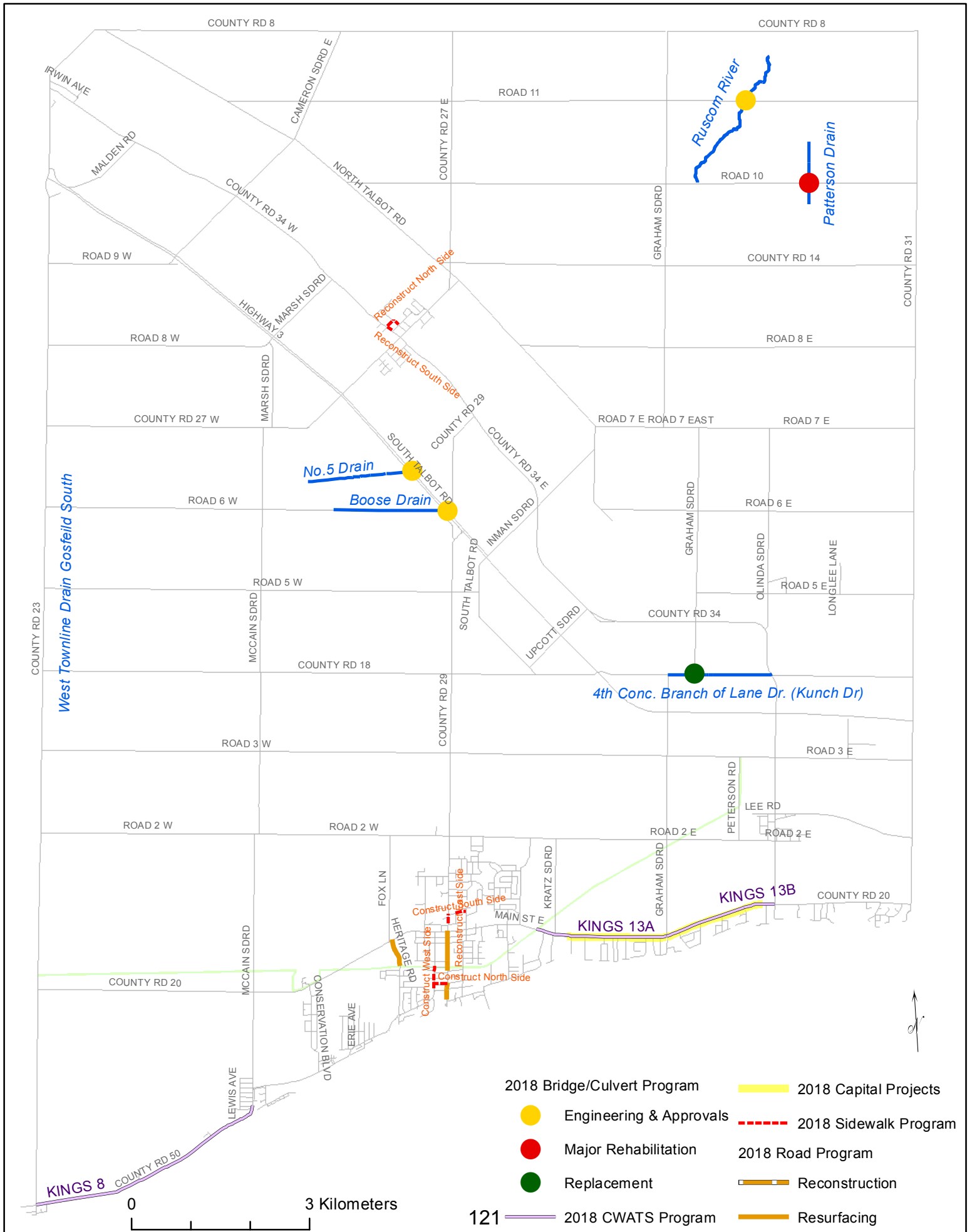


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2018 Municipal Services Project

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THE ASSET MANAGEMENT PLAN FOR THE TOWN OF KINGSVILLE

2013

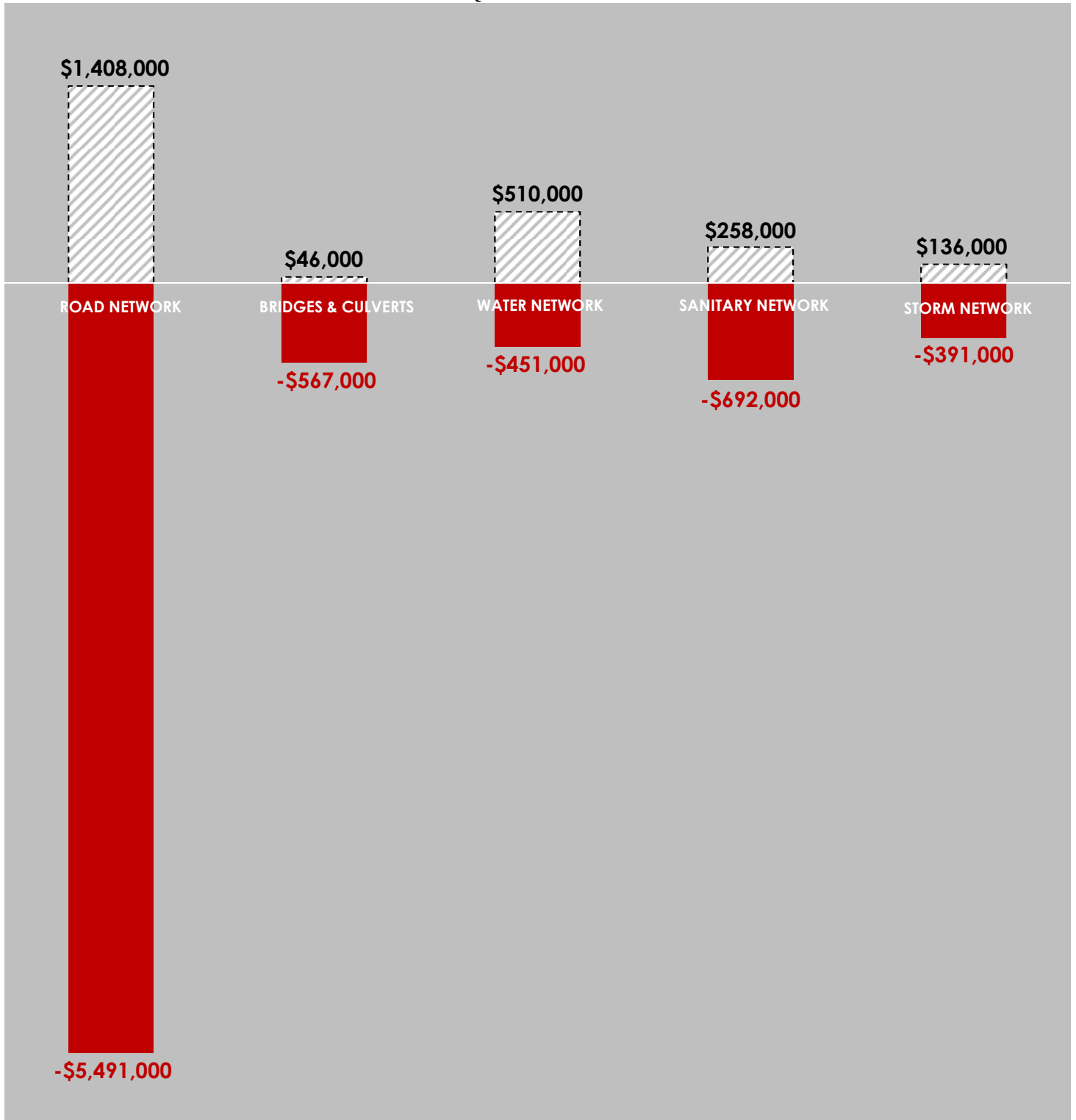
THE TOWN OF KINGSVILLE
2021 DIVISION ROAD NORTH
KINGSVILLE, ON N9Y 2Y9

SUBMITTED DECEMBER 2013
BY PUBLIC SECTOR DIGEST
148 FULLARTON STREET, SUITE 1410
LONDON, ONTARIO
N6A 5P3

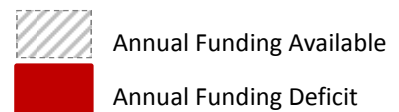
State of the Infrastructure

Town of Kingsville

AVERAGE ANNUAL FUNDING REQUIREMENT vs. AVAILABLE ANNUAL FUNDING



Total Annual Deficit: **\$7,592,000**



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December, 2013

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

Attention: Sandra Ingratta, Director of Corporate Services/Treasurer

We are pleased to submit the 2013 Asset Management Plan (AMP) for the Town of Kingsville. This AMP complies with the requirements as outlined within the provincial *Building Together Guide for Municipal Asset Management Plans*. It will serve as a strategic, tactical, and financial document, ensuring the management of the municipal infrastructure follows sound asset management practices and principles, while optimizing available resources and establishing desired levels of service. Given the broad and profound impact of asset management on the community, and the financial & administrative complexity involved in this ongoing process, we recommend that senior decision-makers from across the organization are actively involved in its implementation.

The performance of a community's infrastructure provides the foundation for its economic development, competitiveness, prosperity, reputation, and the overall quality of life for its residents. As such, we are appreciative of the Town's decision to entrust us with the strategic direction of its infrastructure and asset management planning, and are confident that this AMP will serve as a valuable tool.

Sincerely,
The Public Sector Digest Inc.



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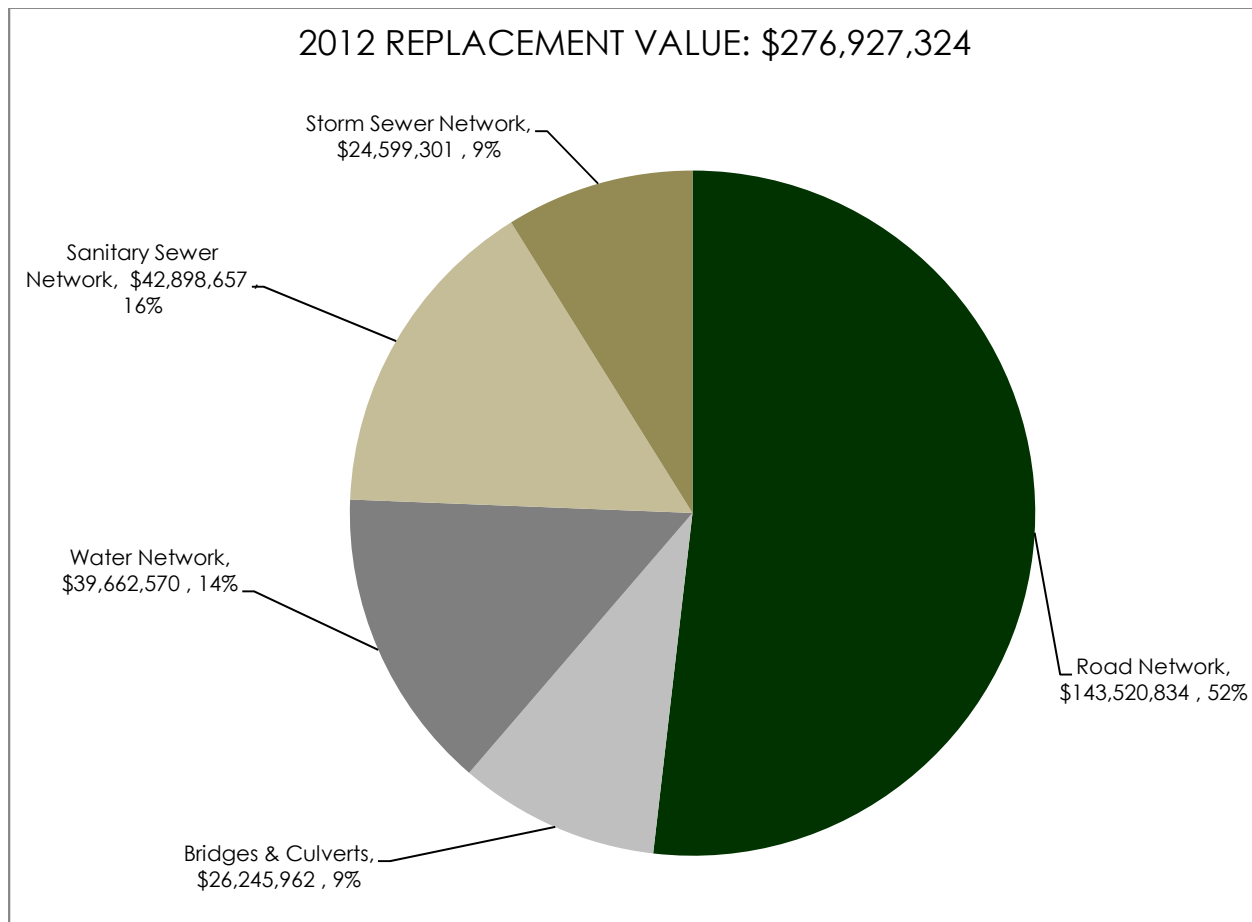
1.0 Executive Summary

The performance of a community's infrastructure provides the foundation for its economic development, competitiveness, prosperity, reputation, and the overall quality of life for its residents. Reliable and well-maintained infrastructure assets are essential for the delivery of critical core services for the citizens of a municipality.

A technically precise and financially rigorous asset management plan, diligently implemented, will mean that sufficient investments are made to ensure delivery of sustainable infrastructure services to current and future residents. The plan will also indicate the respective financial obligations required to maintain this delivery at established levels of service.

This Asset Management Plan (AMP) for the Town of Kingsville meets all requirements as outlined within the provincial *Building Together Guide for Municipal Asset Management Plans*. It will serve as a strategic, tactical, and financial document, ensuring the management of the municipal infrastructure follows sound asset management practices and principles, while optimizing available resources and establishing desired levels of service. Given the expansive financial and social impact of asset management on both a municipality, and its citizens, it is critical that senior decision-makers, including department heads as well as the chief executives, are strategically involved.

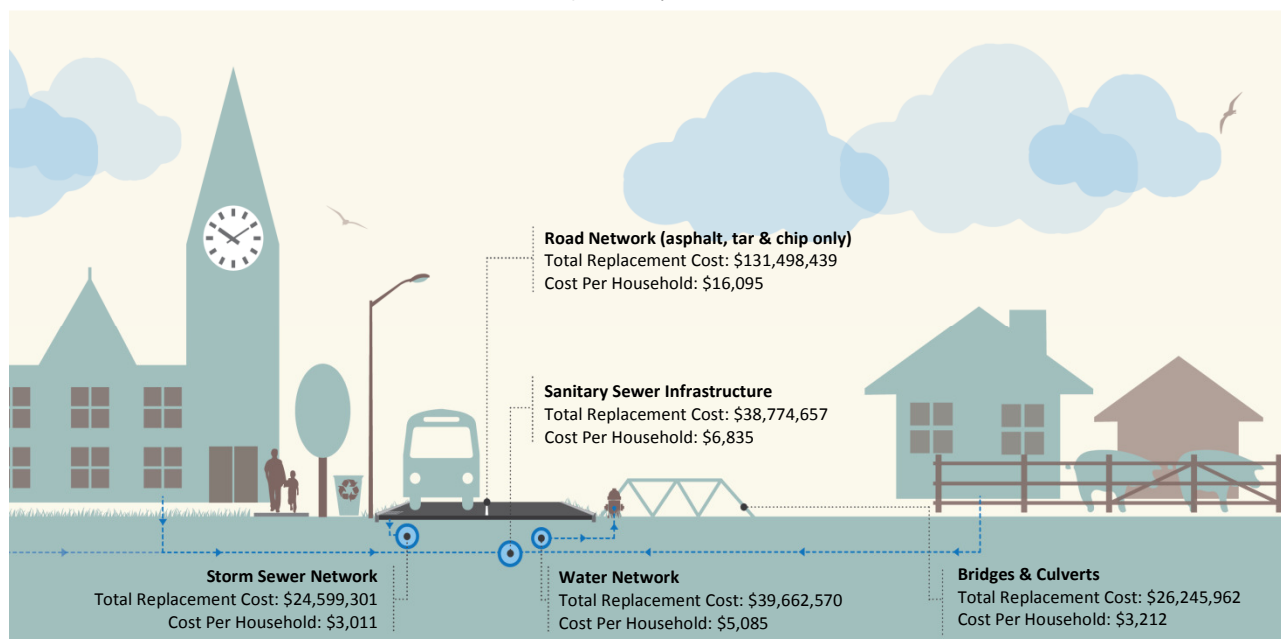
Measured in 2012 dollars, the replacement value of the asset categories analyzed totaled approximately **\$276.9 million** for the Town of Kingsville.



While the municipality is responsible for the strategic direction, it is the taxpayer in Kingsville that ultimately bears the financial burden. As such, a 'cost per household' (CPH) analysis was conducted for each of the asset categories to determine the financial obligation of each household in sharing the replacement cost of the municipality's assets. Such a measurement can serve as an excellent communication tool for both the administration and the council in communicating the importance of asset management to the citizen. The diagram below illustrates the total CPH, as well as the CPH for individual asset categories. To simplify analysis, we have excluded appurtenances and segments with a minor financial value, where applicable.

Infrastructure Replacement Cost Per Household

Total: \$34,239 per household



In assessing the municipality's state of the infrastructure, we examined, and graded, both the current condition (Condition vs. Performance) of the asset categories as well as the municipality's financial capacity to fund the asset's average annual requirement for sustainability (Funding vs. Need). We then generated the municipality's infrastructure report card. The municipality received a **cumulative GPA of 'D'**, with an **annual infrastructure deficit of \$7.6 million**.

More than 70% of the town's bridges and culverts assets are in Poor to Critical condition, requiring urgent attention. As such, the town earned its only 'F' for Condition vs. Performance in the bridges & culverts assets. Despite its fair performance in all other categories, there are significant financial needs that must be met. For example, having 30% of its road network in Poor to Critical condition has generated nearly \$25 million in needs over the next five years. In establishing field condition assessment programs, and from a risk perspective, the entire road network should be a priority for the municipality.

Similarly, bridges & culverts require nearly \$10 million over the next five years. Structures are one of the highest liability assets a municipality owns. Therefore, a high priority should be to establish a condition assessment program. A full analysis of field condition will aid in prioritizing overall needs for rehabilitation and replacement and will assist with optimizing the long and short term budgets.

The majority of the town's water and sanitary mains are in Fair to Excellent condition. However, we recommend increasing the useful life of both sewer and water mains to be better aligned with industry standards of 80-100 years. Currently, based on accounting data, Kingsville's water mains are projected to

last 50 years and sewers to last 50 years. Increasing useful life projections will mitigate the financial demand associated with these asset categories.

In order for an AMP to be effectively put into action, it must be integrated with financial planning and long-term budgeting. We have developed scenarios that would enable the Town of Kingsville to achieve full funding within 5, 10, or 15 years for the following: tax funded assets, including road network (paved roads), bridges & culverts, storm sewer network, and; rate funded assets, including water network, and sanitary sewer network.

The average annual investment requirement for paved roads, bridges & culverts and storm sewers is \$8,039,000. Annual revenue currently allocated to these assets is \$1,590,000 leaving an annual deficit of \$6,449,000. To put it another way, these infrastructure categories are currently funded at 20% of their long-term requirements.

Kingsville has annual tax revenues of \$11,251,000 in 2013. Full funding would require an increase in tax revenue of 57.3% over time. We recommend a 15 year option which involves full funding being achieved over 15 years by:

- a) increasing tax revenues by 3.8% each year for the next 15 years solely for the purpose of phasing in full funding to the three asset categories covered by this AMP.
- b) allocating the \$1,026,000 of gas tax revenue to the paved roads category
- c) increasing existing and future infrastructure budgets by the applicable inflation index on an annual basis in addition to the deficit phase-in.

The average annual investment requirement for sanitary and water services is \$1,911,000. Annual revenue currently allocated to these assets for capital purposes is \$768,000 leaving an annual deficit of \$1,143,000. As a result, these infrastructure categories are currently funded at 40% of their long-term requirements.

In 2013, Kingsville has annual sanitary revenues of \$1,603,000 and water revenues of \$4,735,000. A move to full funding requires an increase to sanitary rates by 43.2% over time and water rates by 9.5% over time. We recommend a 10 year option that involves full funding being achieved over 10 years by:

- a) increasing rate revenues by 4.3% for sanitary services and 1.0% for water services each year for the next 10 years solely for the purpose of phasing in full funding to the asset categories covered in this section of the AMP.
- b) increasing existing and future infrastructure budgets by the applicable inflation index on an annual basis in addition to the deficit phase-in.

The revenue options available to Kingsville allow the town to fully fund its infrastructure requirements without further use of debt. However, as explained in sections 7.3.2, based on the recommended condition rating analysis, it may be challenging to meet investment requirements for tax based assets without the use of debt. Reserves can alleviate some of the financial pressure. They play a critical role in long-term financial planning. However, there is considerable debate in the municipal sector as to the appropriate level of reserves that a municipality should have on hand. There is no clear guideline that has gained wide acceptance. Unfortunately, due to the relatively low level of reserves available for the asset categories covered by this AMP, the scenarios developed in this report do not draw on the above reserves during the phase-in period to full funding.

2.0 Introduction

This Asset Management Plan meets all provincial requirements as outlined within the Ontario Building Together Guide for Municipal Asset Management Plans. As such, the following key sections and content are included:

1. Executive Summary and Introduction
2. State of the Current Infrastructure
3. Desired Levels of Service
4. Asset Management Strategy
5. Financial Strategy

The following asset classes are addressed:

1. **Road Network:** Paved, tar & chip, gravel
2. **Bridges & Culverts:** Bridges and large culverts with a span greater than 3m
3. **Water Network:** Water mains, hydrants, valves
4. **Sanitary Sewer Network:** Sanitary sewer mains, manholes
5. **Storm Sewer Network:** Storm sewer mains, catch basins, manholes

Municipalities are encouraged to cover all asset categories in future iterations of the AMP.

This asset management plan will serve as a strategic, tactical, and financial document ensuring the management of the municipal infrastructure follows sound asset management practices and principles, while optimizing available resources and establishing desired levels of service.

At a strategic level, within the State of the Current Infrastructure section, it will identify current and future challenges that should be addressed in order to maintain sustainable infrastructure services on a long-term, life cycle basis.

It will outline a Desired Level of Service (LOS) Framework for each asset category to assist the development and tracking of LOS through performance measures across strategic, financial, tactical, operational, and maintenance activities within the organization.

At a tactical level, within the Asset Management Strategy section, it will develop an implementation process to be applied to the needs-identification and prioritization of renewal, rehabilitation, and maintenance activities, resulting in a 10 year plan that will include growth projections.

At a financial level, within the Financial Strategy section, a strategy will be developed that fully integrates with other sections of this asset management plan, to ensure delivery and optimization of the 10 year infrastructure budget.

Through the development of this plan, all data, analysis, life cycle projections, and budget models will be provided through the Public Sector Digest's CityWide suite of software products. The software and plan will be synchronized, will evolve together, and therefore, will allow for ease of updates, and annual reporting of performance measures and overall results.

This will allow for continuous improvement of the plan and its projections. It is therefore recommended that the plan be revisited and updated on an annual basis, particularly as more detailed information becomes available.

2.1 Importance of Infrastructure

Municipalities throughout Ontario, large and small, own a diverse portfolio of infrastructure assets that in turn provide a varied number of services to their citizens. The infrastructure, in essence, is a conduit for the various public services the municipality provides, e.g.:

- the roads supply a transportation network service
- the water infrastructure supplies a clean drinking water service

A community's prosperity, economic development, competitiveness, image, and overall quality of life are inherently and explicitly tied to the performance of its infrastructure.

2.2 Asset Management Plan (AMP) - Relationship to Strategic Plan

The major benefit of strategic planning is the promotion of strategic thought and action. A strategic plan spells out where an organization wants to go, how it's going to get there, and helps decide how and where to allocate resources, ensuring alignment to the strategic priorities and objectives. It will help identify priorities and guide how municipal tax dollars and revenues are spent into the future.

The strategic plan usually includes a vision and mission statement, and key organizational priorities with alignment to objectives and action plans. Given the growing economic and political significance of infrastructure, the asset management plan will become a central component of most municipal strategic plans, influencing corporate priorities, objectives, and actions.

2.3 AMP - Relationship to other Plans

An asset management plan is a key component of the municipality's planning process linking with multiple other corporate plans and documents. For example:

- **The Official Plan** – The AMP should utilize and influence the land use policy directions for long-term growth and development as provided through the Official Plan.
- **Long Term Financial Plan** – The AMP should both utilize and conversely influence the financial forecasts within the long-term financial plan.
- **Capital Budget** – The decision framework and infrastructure needs identified in the AMP form the basis on which future capital budgets are prepared.
- **Infrastructure Master Plans** – The AMP will utilize goals and projections from infrastructure master plans and in turn will influence future master plan recommendations.
- **By-Laws, standards, and policies** – The AMP will influence and utilize policies and by-laws related to infrastructure management practices and standards.
- **Regulations** – The AMP must recognize and abide by industry and senior government regulations.
- **Business Plans** – The service levels, policies, processes, and budgets defined in the AMP are incorporated into business plans as activity budgets, management strategies, and performance measures.

2.4 Purpose and Methodology

The following diagram depicts the approach and methodology, including the key components and links between those components that embody this asset management plan:



It can be seen from the above that a municipality's infrastructure planning starts at the corporate level with ties to the strategic plan, alignment to the community's expectations, and compliance with industry and government regulations.

Then, through the State of the Current Infrastructure analysis' overall asset inventory, valuation, condition and performance are reported. In this initial AMP, due to a lack of current condition data, present performance and condition are estimated by using the current age of the asset in comparison to its overall useful design life. In future updates to this AMP, accuracy of reporting will be significantly increased through the use of holistically captured condition data. Also, a life cycle analysis of needs for each infrastructure class is conducted. This analysis yields the sustainable funding level, compared against actual current funding levels, and determines whether there is a funding surplus or deficit for each infrastructure program. The overall measure of condition and available funding is finally scored for each asset class and presented as a star rating (similar to the hotel star rating) and a letter grade (A-F) within the Infrastructure Report card.

From the lifecycle analysis above, the municipality gains an understanding of the level of service provided today for each infrastructure class and the projected level of service for the future. The next section of the

AMP provides a framework for a municipality to develop a Desired Level of Service (or target service level) and develop performance measures to track the year-to-year progress towards this established target level of service.

The Asset Management Strategy then provides a detailed analysis for each infrastructure class. Included in this analysis are best practices and methodologies from within the industry which can guide the overall management of the infrastructure in order to achieve the desired level of service. This section also provides an overview of condition assessment techniques for each asset class; life cycle interventions required, including those interventions that yield the best return on investment; and prioritization techniques, including risk quantification, to determine which priority projects should move forward into the budget first.

The Financing Strategy then fully integrates with the asset management strategy and asset management plan, and provides a financial analysis that optimizes the 10 year infrastructure budget. All revenue sources available are reviewed, such as the tax levy, debt allocations, rates, reserves, grants, gas tax, development charges, etc., and necessary budget allocations are analysed to inform and deliver the infrastructure programs.

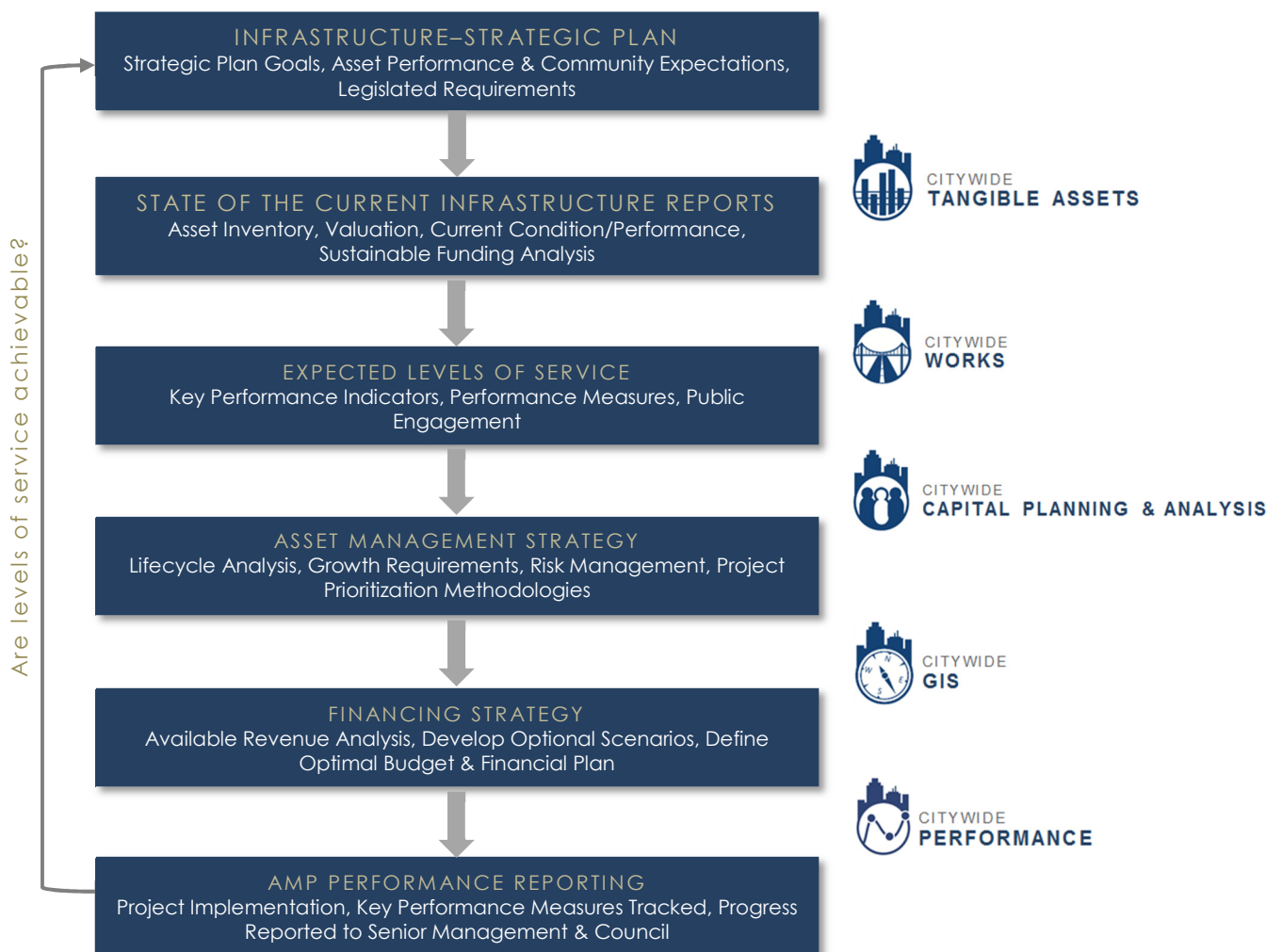
Finally, in subsequent updates to this AMP, actual project implementation will be reviewed and measured through the established performance metrics to quantify whether the desired level of service is achieved or achievable for each infrastructure class. If shortfalls in performance are observed, these will be discussed and alternate financial models or service level target adjustments will be presented.

2.5 CityWide Software alignment with AMP

The plan will be built and developed hand in hand with a database of municipal infrastructure information in the CityWide software suite of products. The software will ultimately contain the municipality's asset base, valuation information, life cycle activity predictions, costs for activities, sustainability analysis, project prioritization parameters, key performance indicators and targets, 10 year asset management strategy, and the financial plan to deliver the required infrastructure budget.

The software and plan will be synchronized, and will evolve together year-to-year as more detailed information becomes available. This synchronization will allow for ease of updates, modeling and scenario building, and annual reporting of performance measures and results. This will allow for continuous improvement of the plan and its projections. It is therefore recommended that it is revisited and updated on an annual basis.

The following diagram outlines the various CityWide software products and how they align to the various components of the AMP.



3.0 Approach and Methodology

3.1 Objective and Scope

Objective: To identify the state of the municipality's infrastructure today and the projected state in the future if current funding levels and management practices remain status quo.

The analysis and subsequent communication tools will outline future asset requirements, will start the development of tactical implementation plans, and ultimately assist the organization to provide cost effective sustainable services to the current and future community.

The approach was based on the following key industry "State of the Infrastructure documents":

- Canadian Infrastructure Report Card
- City of Hamilton's State of the Infrastructure reports
- Other Ontario Municipal State of the Infrastructure reports

The above reports are themselves based on established principles found within key, industry best practices documents such as:

- The National Guide for Sustainable Municipal Infrastructure (Canada)
- The International Infrastructure Management Manual (Australia / New Zealand)
- American Society of Civil Engineering Manuals (U.S.A)

Scope: Within this State of the Infrastructure report a high level review will be undertaken for the following asset categories:

1. **Road Network:** Paved, tar & chip, gravel
2. **Bridges & Culverts:** Bridges and large culverts with a span greater than 3m
3. **Water Network:** Water mains, hydrants, valves
4. **Sanitary Sewer Network:** Sanitary sewer mains, manholes
5. **Storm Sewer Network:** Storm sewer mains, catch basins, manholes

3.2 Approach

The asset categories above were reviewed at a very high level due to the nature of data and information available. Subsequent detailed reviews of this analysis are recommended on an annual basis, as more detailed conditions assessment information becomes available for each infrastructure program.

3.2.1 Base Data

In order to understand the full inventory of infrastructure assets within the Town of Kingsville, all tangible capital asset data, as collected to meet the PSAB 3150 accounting standard, was loaded into the CityWide Tangible Asset™ software module. This data base now provides a detailed and summarized inventory of assets as used throughout the analysis within this report and the entire Asset Management Plan.

3.2.2 Asset Deterioration Review

Without detailed condition assessment, information captured holistically across entire asset networks (e.g., the entire road network), the deterioration review will rely on the 'straight line' amortization schedule approach provided from the accounting data. Although this approach is not as accurate for entire life cycle analysis as the use of detailed condition data, it does provide a reliable benchmark of future requirements. Each asset is analyzed individually. Therefore, while there may be inaccuracies in the data associated with any given asset, these imprecisions are minimized at the aggregate over entire asset

categories. It is a sound approach for a high level review. Please note for the road infrastructure, some condition data was available for a portion of the network and was therefore used as part of the analysis.

3.2.3 Identify Sustainable Investment Requirements

A gap analysis was performed to identify sustainable investment requirements for each asset category. Information on current spending levels and budgets was acquired from the organization, future investment requirements were calculated, and the gap between the two was identified.

The above analysis is performed by using investment and financial planning models, and life cycle costing analysis, embedded within the CityWide software suite of applications.

3.2.4 Asset Rating Criteria

Each asset category will be rated on two key dimensions:

- **Condition vs. Performance:** What is the condition of the asset today and how well does it perform its function?
- **Funding vs. Need:** Based on the actual investment requirements to ensure replacement of the asset at the right time, versus current spending levels for each asset group.

3.2.5 Infrastructure Report Card

The dimensions above will be based on a simple 1 – 5 star rating system, which will be converted into a letter grading system ranging from A-F. An average of the two ratings will be used to calculate one overall blended rating for each asset category. The outputs for all municipal assets will be consolidated within the CityWide software to produce one overall Infrastructure Report Card showing the current state of the assets and future projections for the Infrastructure.

Grading Scale: Condition vs. Performance			
What is the condition of the asset today and how well does it perform its function?			
Star Rating	Letter Grade	Color Indicator	Description
★★★★★	A		Excellent: No noticeable defects
★★★★	B		Good: minor deterioration
★★★	C		Fair: Deterioration evident, function is affected.
★★	D		Poor: Serious deterioration. Function is inadequate.
★	F		Critical: No longer functional. General or complete failure.

Grading Scale: Funding vs. Need		
Based on the actual investment requirements to ensure replacement of the asset at the right time, versus current spending levels for each asset group.		
Star Rating	Letter Grade	Description
★★★★★	A	Excellent: 91 to 100% of need
★★★★	B	Good: 76 to 90% of need
★★★	C	Fair: 61 to 75% of need
★★	D	Poor: 46 – 60% of need
★	F	Critical: under 45% of need

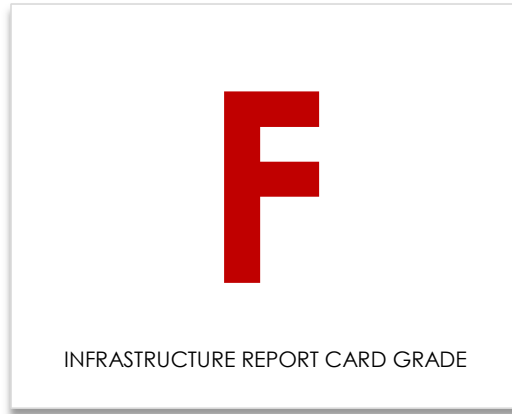
3.2.6 General Methodology and Reporting Approach

The report will be based on the seven key questions of asset management as outlined within the National Guide for Sustainable Municipal Infrastructure:

- What do you own and where is it? (inventory)
- What is it worth? (valuation / replacement cost)
- What is its condition / remaining service life? (function & performance)
- What needs to be done? (maintain, rehabilitate, replace)
- When do you need to do it? (useful life analysis)
- How much will it cost? (investment requirements)
- How do you ensure sustainability? (long-term financial plan)

The above questions will be answered for each individual asset category in the following report sections.

3.3 Road Network



3.3 Road Network

Note: The financial analysis in this section includes paved and tar and chip roads. Gravel roads are excluded from the capital replacement analysis, as by nature, they require perpetual maintenance activities and funding. However, the gravel roads have been included in the Road Network inventory and replacement value tables.

3.3.1 What do we own?

As shown in the summary table below, the entire network comprises approximately 242 centreline km of road.

Road Network Inventory		
Asset Type	Asset Component	Quantity/Units
Road Network	Gravel	39,155m
	Asphalt	83,694m
	Tar & Chip	119,589m
	Sidewalks	28,532m
	Street Lights	1,324

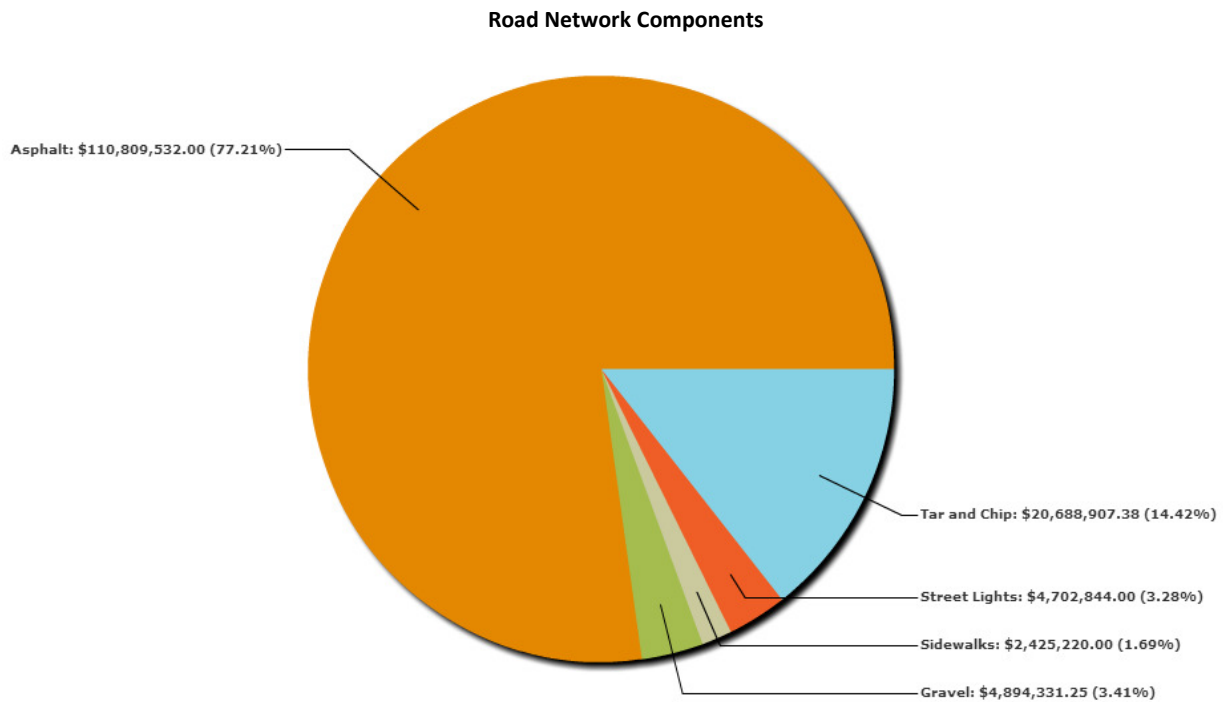
The road network data was extracted from the Tangible Capital Asset and G.I.S. modules of the CityWide software suite.

3.3.2 What is it worth?

The estimated replacement value of the road network, in 2012 dollars, is approximately \$143.5 million. For the purpose of further analysis, we use a replacement cost of \$131,498,439 (excludes gravel roads and appurtenances with a minor financial value). The cost per household for the road network is \$16,095 based on 8,170 households.

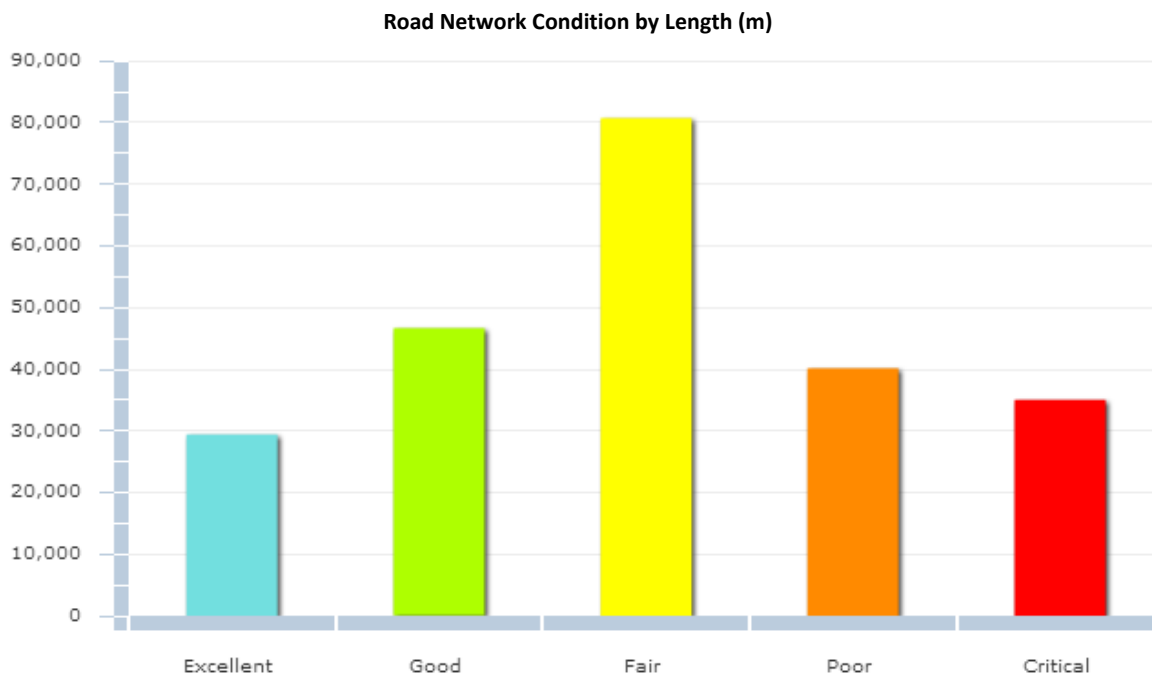
Road Network Replacement Value				
Asset Type	Asset Component	Quantity/Units	2012 Unit Replacement Cost	2012 Overall Replacement Cost
Road Network	Gravel	39,155	\$125/m	\$4,894,331
	Asphalt	83,693	\$1324/m	\$110,809,532
	Tar & Chip	119,589	\$173/m	\$20,688,907
	Sidewalks	28,532	\$85/m	\$2,425,220
	Street Lights	1,324	\$3,500	\$4,702,844
				\$143,520,834

The pie chart below provides a breakdown of each of the network components to the overall system value.



3.3.3 What condition is it in?

The majority, 72%, of the municipality's road network is in Fair to Excellent condition, with the remaining in Poor to Critical condition. As such, the municipality received a Condition vs. Performance rating of 'C' based on a weighted star rating of 3.1 stars.



3.3.4 What do we need to do to it?

There are generally four distinct phases in an asset's life cycle that require specific types of attention and lifecycle activity. These are presented at a high level for the road network below. Further detail is provided in the "Asset Management Strategy" section of this AMP.

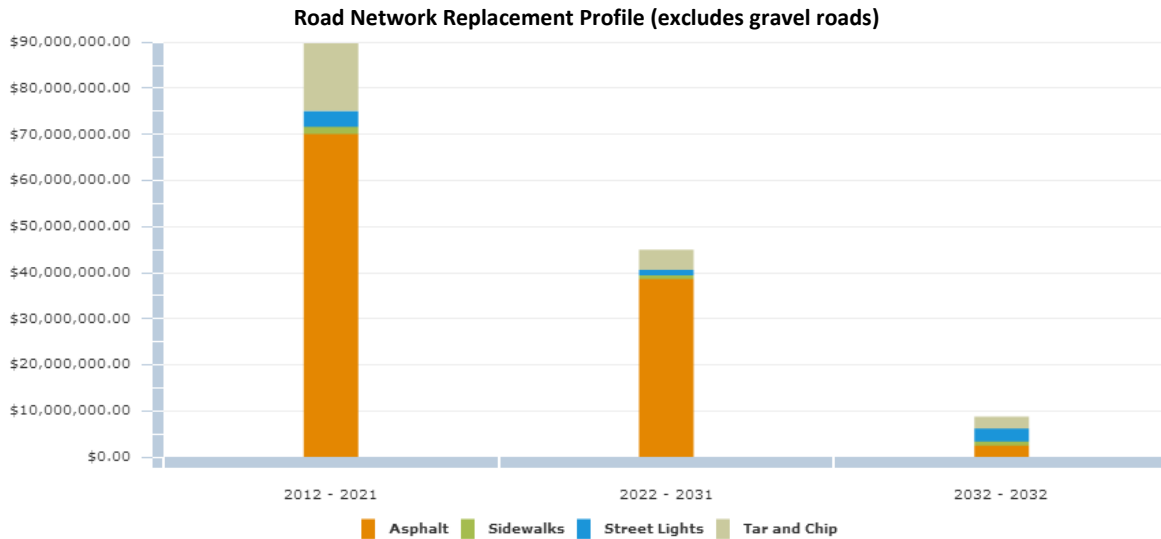
Addressing Asset Needs		
Phase	Lifecycle Activity	Asset Life Stage
Minor maintenance	Activities such as inspections, monitoring, sweeping, winter control, etc.	1 st Qtr
Major maintenance	Activities such as repairing pot holes, grinding out roadway rutting, and patching sections of road.	2 nd Qtr
Rehabilitation	Rehabilitation activities such as asphalt overlays, mill and paves, etc.	3 rd Qtr
Replacement	Full road reconstruction	4 th Qtr

3.3.5 When do we need to do it?

For the purpose of this report, 'useful life' data for each asset class was obtained from the accounting data within the CityWide software database. This proposed useful life is used to determine replacement needs of individual assets. These needs are calculated and quantified in the system as part of the overall financial requirements.

Asset Useful Life in Years		
Asset Type	Asset Component	Useful Life in Years
Road Network	Gravel	20
	Asphalt	20
	Tar & Chip	20
	Sidewalks	20
	Street Lights	20

As additional field condition information becomes available, the data can be loaded into the CityWide system to increase the accuracy of current asset age and, therefore, that of future replacement requirements. The following graph shows the projection of road network replacement costs based on the age of the asset only.



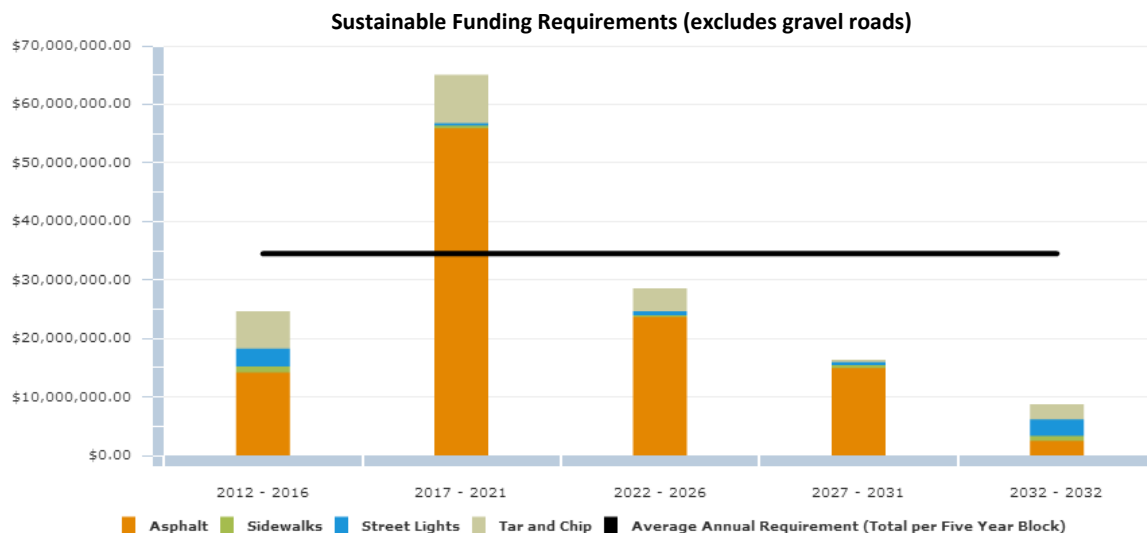
3.3.6 How much money do we need?

The analysis completed to determine capital revenue requirements was based on the following constraints and assumptions:

1. Replacement costs are based upon the unit costs identified within the "What is it worth" section.
2. The timing for individual road replacement was defined by the replacement year as described in the "When do you need to do it?" section.
3. All values are presented in (2012) dollars.
4. The analysis was run for a 50 year period to ensure all assets went through at least one iteration of replacement, therefore providing a sustainable projection.

3.3.7 How do we reach sustainability?

Based upon the above parameters, the average annual revenue required to sustain Kingsville's paved road network is approximately **\$6,899,000**. Based on Kingsville's current annual funding of **\$1,408,000**, there is an annual **deficit of \$5,491,000**. Given this deficit, the municipality received a Needs vs. Funding rating of 'F' based on a weighted star rating of 0 stars. The following graph illustrates the expenditure requirements in five year increments against the sustainable funding threshold line.



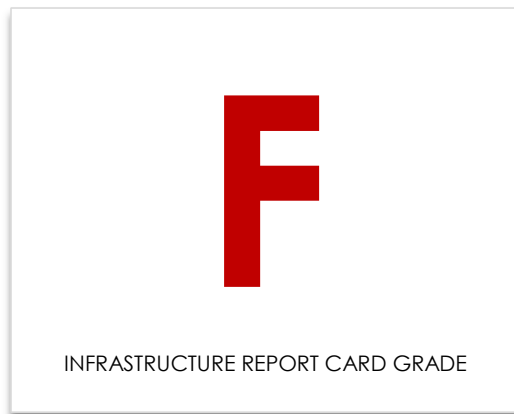
In conclusion, based on a mix of age and condition data, there is a significant portion of the road network in excellent, good and fair condition, however approximately 30% is in poor or critical condition generating needs that must be addressed totaling approximately \$24.6 Million in the next 5 years. In establishing field condition assessment programs, and from a risk perspective, the entire road network should be a priority for the municipality. A condition assessment program will aid in prioritizing overall needs for rehabilitation and replacement and will assist with optimizing the long and short term budgets. Further detail is outlined within the "asset management strategy" section of this AMP.

3.3.8 Recommendations

The municipality received an overall rating of 'F' for its road network, calculated from the Condition vs. Performance and the Needs vs. Funding ratings. Accordingly, we recommend the following:

- A more comprehensive condition assessment program should be established for the entire paved road network to gain a better understanding of current condition and performance as outlined further within the "Asset Management Strategy" section of this AMP.
- As approximately 16% of the town's road network is gravel roads, a detailed study should be undertaken to assess the overall maintenance costs of gravel roads and whether there is benefit to converting some gravel roads to paved , or surface treated roads, thereby reducing future costs. This is further outlined within the "Asset Management Strategy" section of this AMP.
- The useful life projections used by the municipality should be reviewed for consistency with industry standards.
- Once the above studies are complete or underway, the condition data should be loaded into the CityWide software and an updated "current state of the infrastructure" analysis should be generated.
- An appropriate % of asset replacement value should be used for operations and maintenance activities on an annual basis. This should be determined through a detailed analysis of O & M activities and be added to future AMP reporting.
- The Infrastructure Report Card should be updated on an annual basis.

3.4 Bridges & Culverts



3.4 Bridges & Culverts

3.4.1 What do we own?

As shown in the summary table below, the town owns 70 bridges and 29 large culverts.

Bridges & Culverts Inventory		
Asset Type	Asset Component	Quantity/Units
Bridges & Culverts	Bridges	70
	Culverts	29

The bridges & culverts data was extracted from the Tangible Capital Asset and G.I.S. modules of the CityWide software suite.

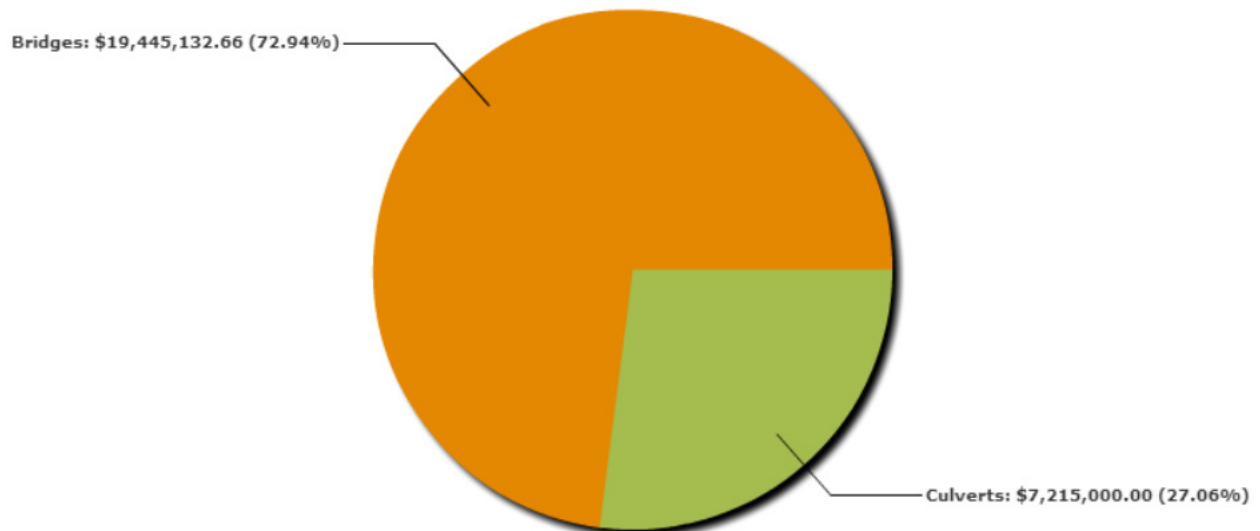
3.4.2 What is it worth?

The estimated replacement value of the town's bridges & culverts, in 2012 dollars, is approximately \$26.2 million. The cost per household for bridges & culverts is \$3,212 based on 8,170 households.

Bridges & Culverts Replacement Value				
Asset Type	Asset Component	Quantity/Units	2012 Unit Replacement Cost	2012 Replacement Cost
Bridges & Culverts	Bridges	70	User Defined	\$19,445,133
	Culverts	29	User Defined	\$6,800,829
				\$26,245,962

The pie chart below provides a breakdown of each of the bridges & culverts components to the overall structures value.

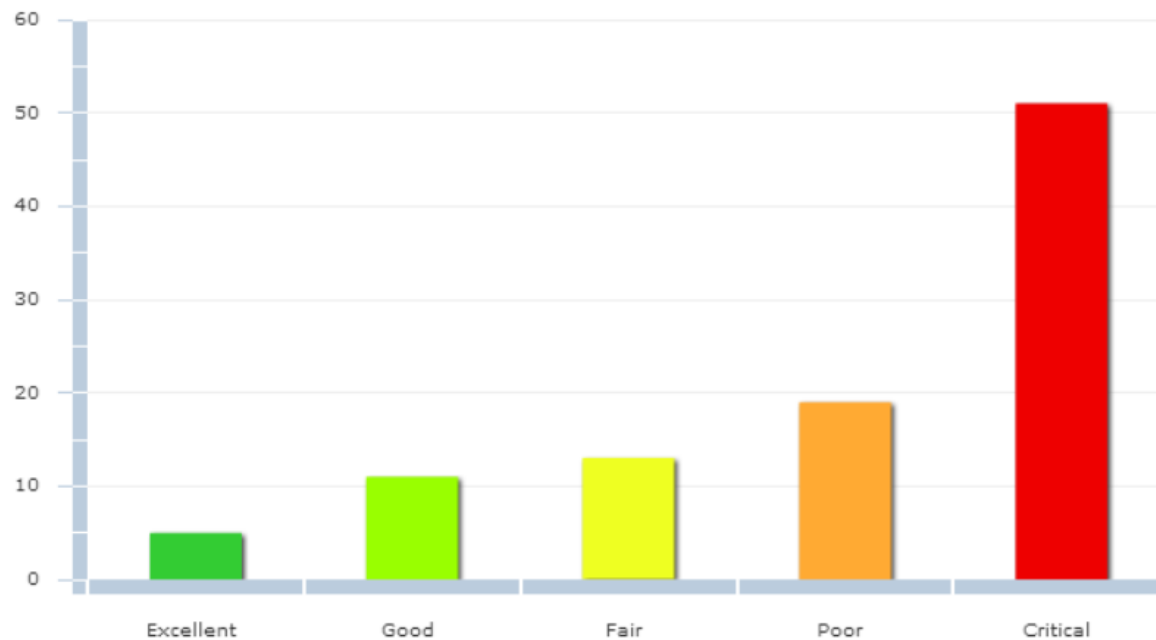
Bridges & Culverts Components



3.4.3 What condition is it in?

The vast majority, 71%, of the municipality's bridges & culverts are in Poor to Critical condition, with the remaining in Fair to Excellent. As such, the municipality received a Condition vs. Performance rating of 'F' based on a weighted star rating of 2 stars.

Bridges and Culverts Condition by Quantity



3.4.4 What do we need to do to it?

There are generally four distinct phases in an asset's life cycle. These are presented at a high level for the bridge and culvert structures below. Further detail is provided in the "Asset Management Strategy" section of this AMP.

Addressing Asset Needs		
Phase	Lifecycle Activity	Asset Life Stage
Minor Maintenance	activities such as inspections, monitoring, sweeping, winter control, etc.	1 st Qtr
Major Maintenance	activities such as repairs to cracked or spalled concrete, damaged expansion joints, bent or damaged railings, etc.	2 nd Qtr
Rehabilitation	rehabilitation events such as structural reinforcement of structural elements, deck replacements, etc.	3 rd Qtr
Replacement	full structure reconstruction	4 th Qtr

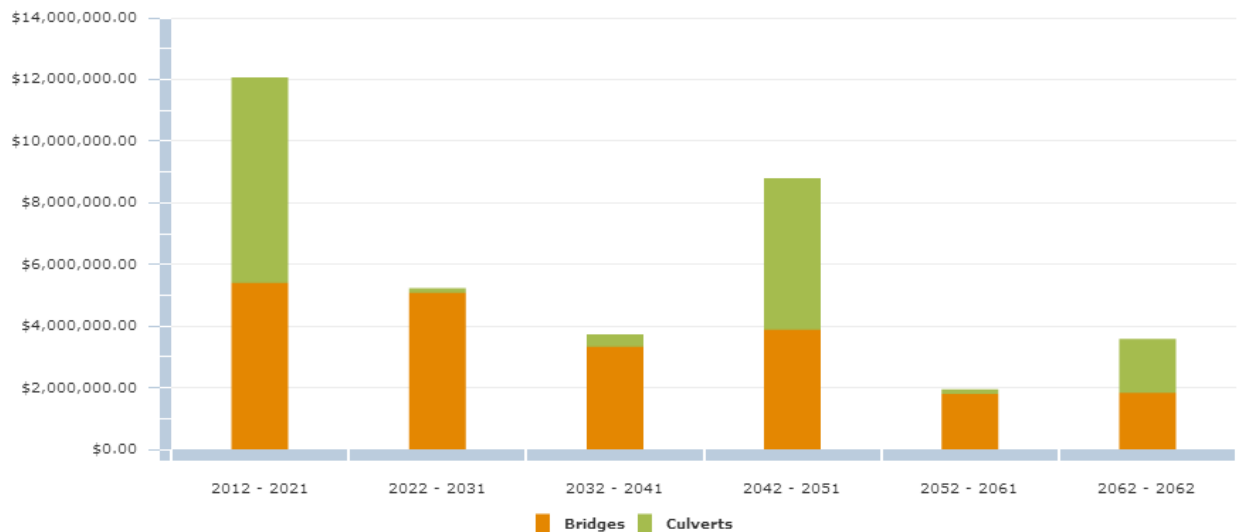
3.4.5 When do we need to do it?

For the purpose of this report, 'useful life' data for each asset class was obtained from the accounting data within the CityWide software database. This proposed useful life is used to determine replacement needs of individual assets, which are calculated in the system as part of the overall financial requirements.

Asset Useful Life in Years		
Asset Type	Asset Component	Useful Life in Years
Bridges & Culverts	Bridges	50
	Culverts	30

As field condition information becomes available in time, the data should be loaded into the CityWide system in order to have an increasingly more accurate picture of current asset age and, therefore, future replacement requirements. The following graph shows the current projection of structure replacements based on the age of the asset only.

Structures Replacement Profile



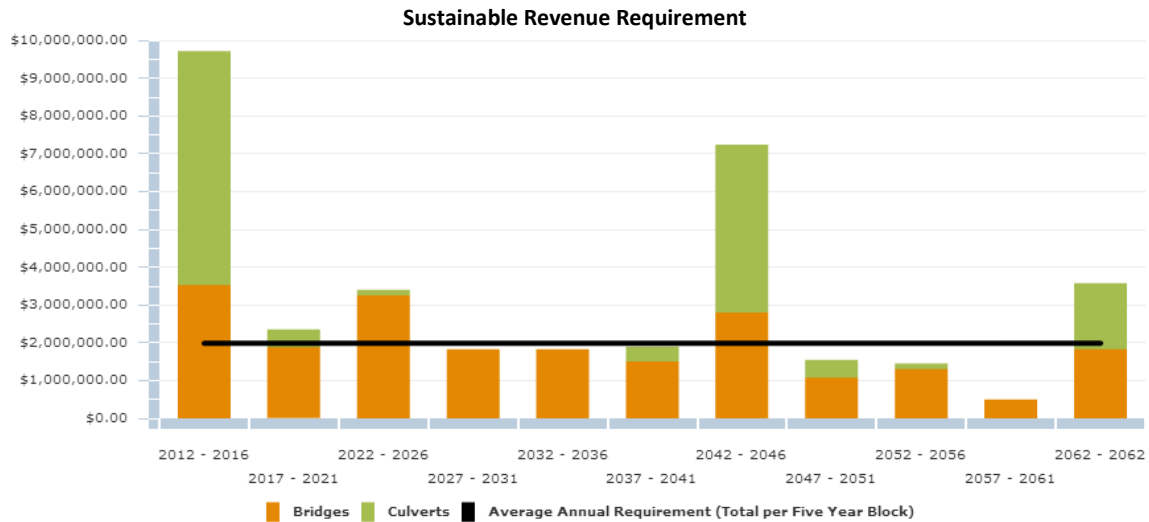
3.4.6 How much money do we need?

The analysis completed to determine capital revenue requirements was based on the following constraints and assumptions:

1. Replacement costs are based upon the "What is it worth" section above.
2. The timing for individual structure replacement was defined by the replacement year as described in the "When do you need to do it?" section above.
3. All values are presented in 2012 dollars.
4. The analysis was run for an 80 year period to ensure all assets cycled through at least one iteration of replacement, therefore providing a sustainable projection.

3.4.7 How do we reach sustainability?

Based upon the above assumptions, the average annual revenue required to sustain Kingsville's bridges & culverts is **\$613,000**. Based on Kingsville's current annual funding of **\$46,000**, there is an annual **deficit of \$567,000**. The municipality received a Needs vs. Funding rating of 'F' based on a weighted star rating of 0 stars. The following graph presents five year blocks of expenditure requirements against the sustainable funding threshold line.



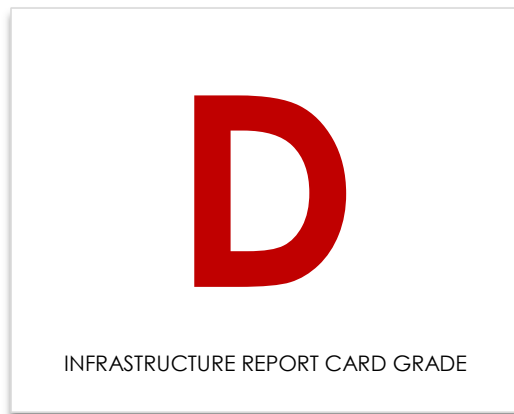
In conclusion, based on the age data only, there is a noticeable percentage of bridges and large structures in poor and critical condition. There are significant needs to be addressed within the next 5 years totaling approximately \$9.7 million. Structures are one of the highest liability assets a municipality owns. Therefore, a high priority should be to establish a condition assessment program and/or enter completed condition results into the CityWide software for further analysis. A full analysis of field condition will aid in prioritizing overall needs for rehabilitation and replacement and will assist with optimizing the long and short term budgets. Further detail is outlined within the "asset management strategy" section of this AMP.

3.4.8 Recommendations

The municipality received an overall rating of 'F' for its bridges & culverts, calculated from the Condition vs. Performance and the Needs vs. Funding ratings. Accordingly, we recommend the following:

- As a result of the condition assessment policy and the subsequent OSIM inspections, condition data should be loaded into the CityWide software and an updated 'current state of the infrastructure' analysis should be generated.
- An appropriate % of asset replacement value should be used for operations and maintenance activities on an annual basis. This should be determined through a detailed analysis of O & M activities and added to future AMP reporting.
- The Infrastructure Report Card should be updated on an annual basis.

3.5 Water Network



3.5 Water Infrastructure

3.5.1 What do we own?

Kingsville is responsible for the following water network inventory which includes approximately 260km of water mains:

Water Network Inventory		
Asset Type	Asset Component	Quantity/Units
Water Network	Mains - Local (50mm)	3,215.26m
	Mains - Local (100mm)	44,754.10m
	Mains - Local (150mm)	127,059.73m
	Mains - Local (200mm)	28,618.67m
	Mains - Local (250mm)	21,042.95m
	Mains - Local (300mm)	10,560.40m
	Hydrants	957
	Valves	1,496

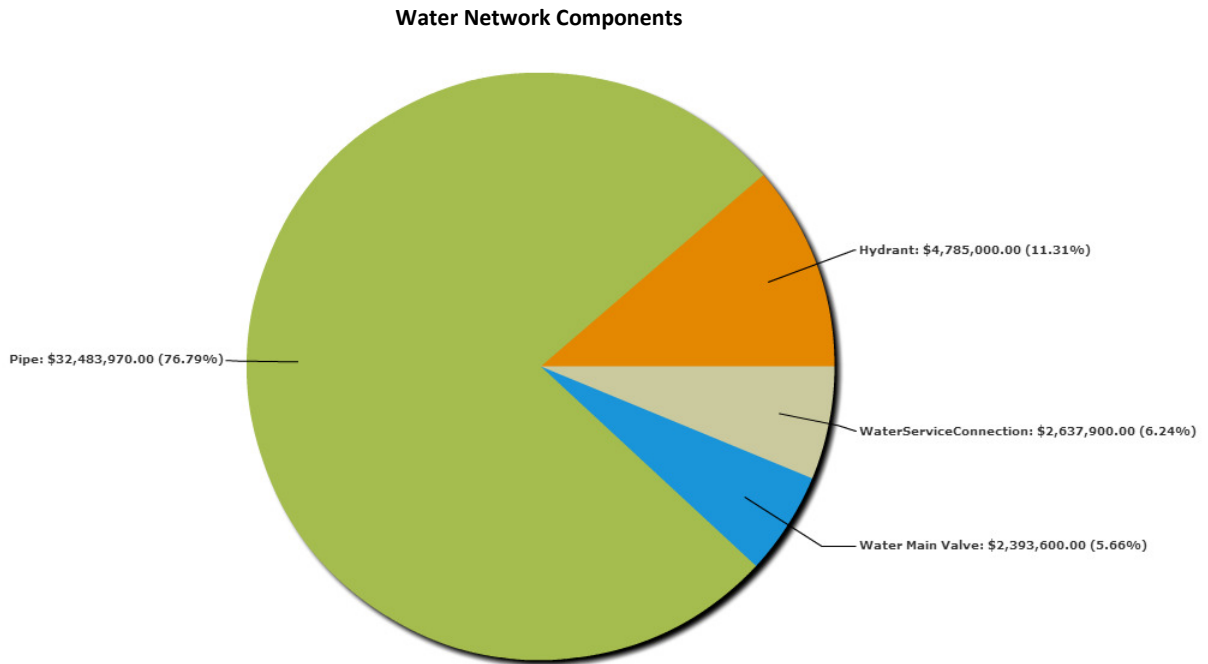
The water network data was extracted from the Tangible Capital Asset and G.I.S. modules of the CityWide software suite.

3.5.2 What is it worth?

The estimated replacement value of the water network, in 2012 dollars, is approximately \$39.7 million. The cost per household for the water network is \$5,085 based on 7,800 households.

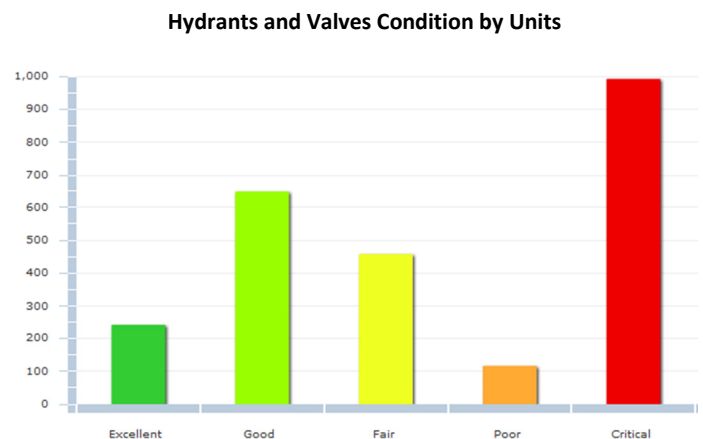
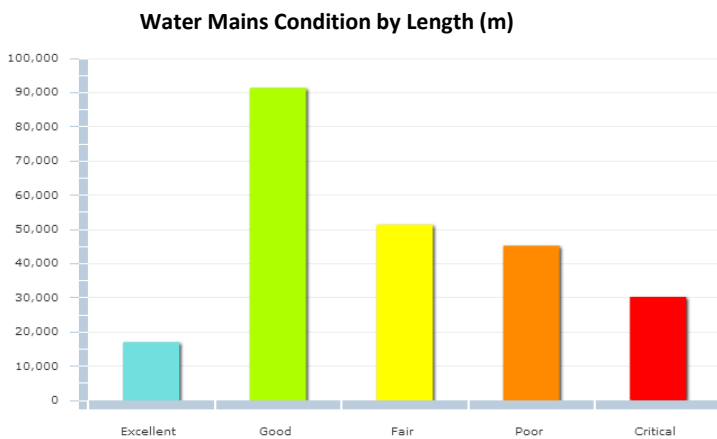
Water Network Replacement Value				
Asset Type	Asset Component	Quantity	2012 Unit Replacement Cost	2012 Overall Replacement Cost
Water Network	Mains - Local (50mm)	3,215.26m	\$120/m	\$385,831.20
	Mains - Local (100mm)	44,754.10m	\$120/m	\$5,370,492
	Mains - Local (150mm)	127,059.73m	\$120/m	\$15,247,167.60
	Mains - Local (200mm)	28,618.67m	\$160/m	\$4,578,987.20
	Mains - Local (250mm)	21,042.95m	\$200/m	\$4,208,590
	Mains - Local (300mm)	10,560.40m	\$255/m	\$2,692,902
	Hydrants	957	\$5,000	\$4,785,000
	Valves	1,496	\$1,600	\$2,393,600
				\$39,662,570

The pie chart below provides a breakdown of each of the network components to the overall system value.



3.5.3 What condition is it in?

Approximately 2/3 of the municipality's water mains are in Fair to Excellent condition, with the remaining in Poor to Critical condition. Further, 55% of the hydrants and valves are in Fair to Excellent condition, while the remaining are in Poor to Critical condition. As such, the municipality received a Condition vs. Performance rating of 'C' based on 3 stars.



3.5.4 What do we need to do to it?

There are generally four distinct phases in an asset's life cycle. These are presented at a high level for the water network below. Further detail is provided in the "Asset Management Strategy" section of this AMP.

Addressing Asset Needs		
Phase	Lifecycle Activity	Asset Age
Minor Maintenance	Activities such as inspections, monitoring, cleaning and flushing, hydrant flushing, pressure tests, visual inspections, etc.	1st Qtr
Major Maintenance	Such events as repairing water main breaks, repairing valves, replacing individual small sections of pipe etc.	2nd Qtr
Rehabilitation	Rehabilitation events such as structural lining of pipes and a cathodic protection program to slow the rate of pipe deterioration.	3rd Qtr
Replacement	Pipe replacements	4th Qtr

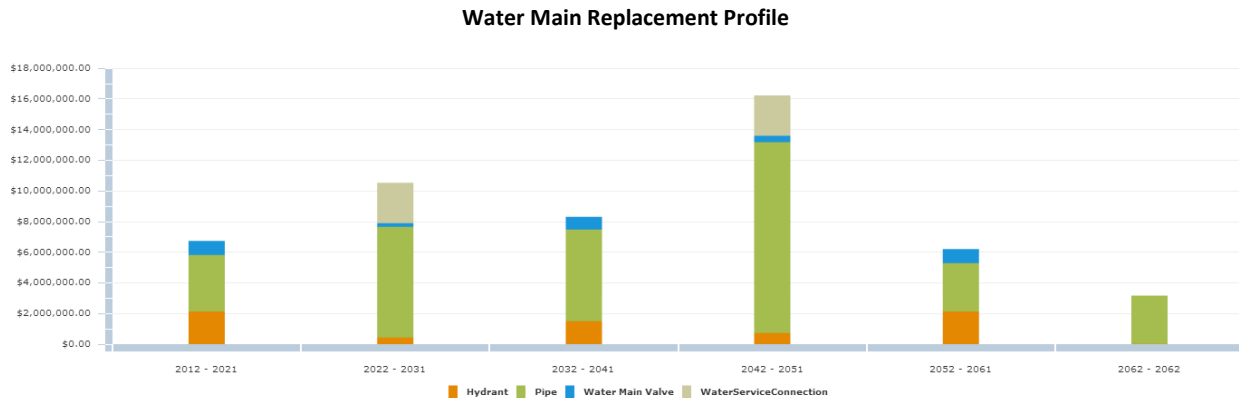
3.5.5 When do we need to do it?

For the purpose of this report "useful life" data for each asset class was obtained from the accounting data within the CityWide software database. This proposed useful life is used to determine replacement needs of individual assets, which are calculated in the system as part of the overall financial requirements.

Asset Useful Life in Years		
Asset Type	Asset Component	Useful Life in Years
Water Network	Mains - Local (50mm)	50
	Mains - Local (100mm)	50
	Mains - Local (150mm)	50
	Mains - Local (200mm)	50
	Mains - Local (250mm)	50
	Mains - Local (300mm)	50
	Hydrants	40
	Valves	40

As field condition information becomes available in time, the data should be loaded into the CityWide system in order to increasingly have a more accurate picture of current asset age and condition, therefore, future replacement requirements.

The following graph shows the current projection of water main replacements based on the age of the assets only.



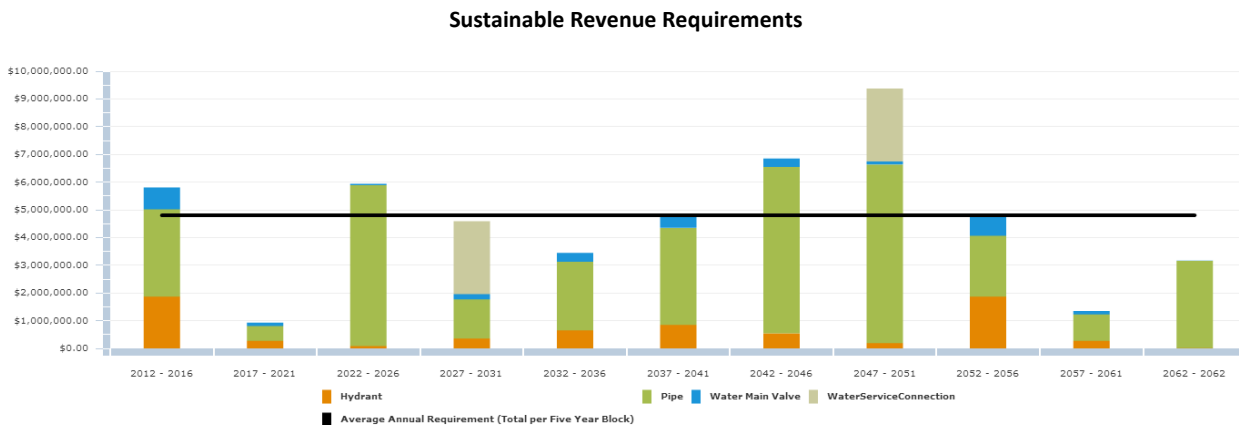
3.5.6 How much money do we need?

The analysis completed to determine capital revenue requirements was based on the following assumptions:

1. Replacement costs are based upon the unit costs identified within the "What is it worth" section above.
2. The timing for individual water main replacement was defined by the replacement year as described in the "When do you need to do it?" section above.
3. All values are presented in 2012 dollars.
4. The analysis was run for an 80 year period to ensure all assets went through at least one iteration of replacement, therefore providing a sustainable projection.

3.5.7 How do we reach sustainability?

Based upon the above assumptions, the average annual revenue required to sustain Kingsville's water network is approximately **\$961,000**. Based on Kingsville's current annual funding of **\$510,000**, there is a **deficit of \$451,000**. Given this surplus, the municipality received a Needs vs. Funding rating of 'D' based on a weighted star rating of 1.9 stars. The following graph presents five year blocks of expenditure requirements against the sustainable funding threshold line.



In conclusion, Kingsville's water distribution network is generally in good condition, however, based on age data only approximately 30% of water mains are in poor or critical condition and a number of hydrants and valves are due for replacement. It should also be noted that the useful life for water mains is projected at 50 years, while industry standards are usually 80 -100 years. Increasing the useful life projections for water mains, valves and hydrants will significantly reduce the immediate requirements listed above. In addition, a study to better understand field condition should be implemented to optimize the short and long term

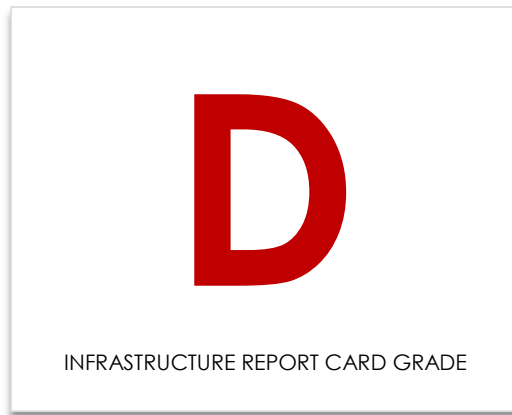
budgets based on actual need. This is discussed further in the Asset Management Strategy portion of this Asset Management Plan.

3.5.8 Recommendations

The municipality received an overall rating of 'D' for its water network, calculated from the Condition vs. Performance and the Needs vs. Funding ratings. Accordingly, we recommend the following:

- A more detailed study to define the current condition of the water network should be undertaken as described further within the "Asset Management Strategy" section of this AMP.
- The useful life projections used by the municipality should be reviewed for consistency with industry standards.
- Once the above study is complete, a new performance age should be applied to each water main and an updated "current state of the infrastructure" analysis should be generated.
- An appropriate % of asset replacement value should be used for operations and maintenance activities on an annual basis. This should be determined through a detailed analysis of O & M activities and be added to future AMP reporting.
- The Infrastructure Report Card should be updated on an annual basis.

3.6 Sanitary Sewer Network



3.6 Sanitary Sewer Network

3.6.1 What do we own?

The inventory components of the sanitary sewer network are outlined in the table below. The entire Network consists of approximately 95km of sewer main.

Sanitary Sewer Network Inventory		
Asset Type	Asset Component	Quantity/Units
Sanitary Sewer Network	Mains - Local (100mm)	812.8m
	Mains - Local (150mm)	3,132.58m
	Mains - Local (200mm)	43,327.53m
	Mains - Local (250mm)	21,872.63m
	Mains - Local (300mm)	7,924.75m
	Mains - Local (350mm)	1,437.69m
	Mains - Local (375mm)	5,425.40m
	Mains - Local (400mm)	243.9m
	Mains - Local (450mm)	3,850.94m
	Mains - Local (525mm)	2,561.26m
	Mains - Local (600mm)	1,545.38m
	Mains - Local (675mm)	1,296.46m
	Mains - Local (750mm)	1,220.16m
	Mains - Local (800mm)	875.8m
	Manholes	1,031
	Facilities	14

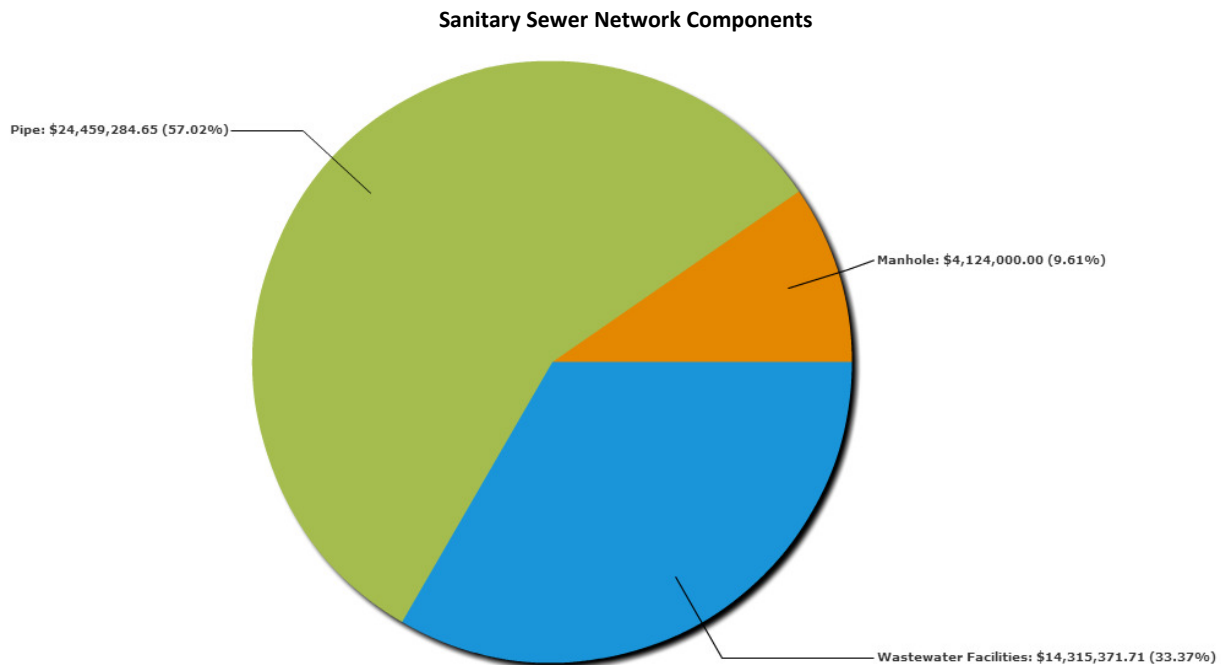
The Sanitary Sewer Network data was extracted from the Tangible Capital Asset and G.I.S. modules of the CityWide software application.

3.6.2 What is it worth?

The estimated replacement value of the sanitary sewer network, in 2012 dollars, is approximately \$42.9 million. For the purpose of further analysis, we use a replacement cost of \$38,774,657 (excludes manholes). The cost per household for the sanitary network is \$6,835 based on 5,673 households.

Sanitary Sewer Replacement Value				
Asset Type	Asset Component	Quantity/Units	2012 Unit Replacement Cost	2012 Overall Replacement Cost
Sanitary Sewer Network	Mains - Local (100mm)	812.8	\$150/m	\$121,920
	Mains - Local (150mm)	3,132.58	\$150/m	\$469,887
	Mains - Local (200mm)	43,327.53	\$225/m	\$9,748,694
	Mains - Local (250mm)	21,872.63	\$230/m	\$5,030,705
	Mains - Local (300mm)	7,924.75	\$250/m	\$1,981,188
	Mains - Local (350mm)	1,437.69	\$350/m	\$503,192
	Mains - Local (375mm)	5,425.40	\$350/m	\$1,898,890
	Mains - Local (400mm)	243.9	\$375/m	\$91,462
	Mains - Local (450mm)	3,850.94	\$375/m	\$1,444,103
	Mains - Local (525mm)	2,561.26	\$400/m	\$1,024,504
	Mains - Local (600mm)	1,545.38	\$400/m	\$618,152
	Mains - Local (675mm)	1,296.46	\$450/m	\$583,407
	Mains - Local (750mm)	1,220.16	\$450/m	\$549,072
	Mains - Local (800mm)	875.8	\$450/m	\$394,110
	Manholes	1,031	\$4,000	\$4,124,000
	Facilities	14	NRBCPI + user-defined	\$14,315,371
				\$42,898,656

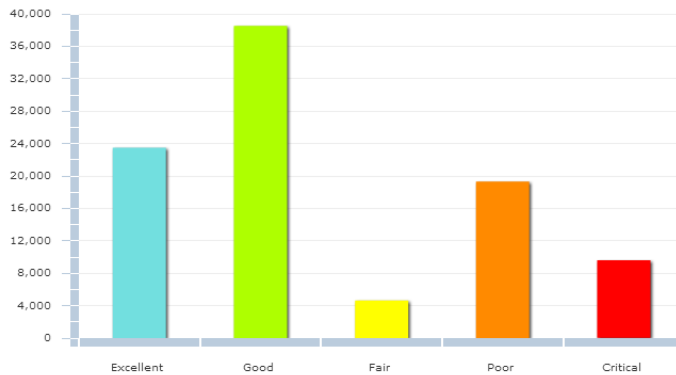
The pie chart below provides a breakdown of each of the network components to the overall system value.



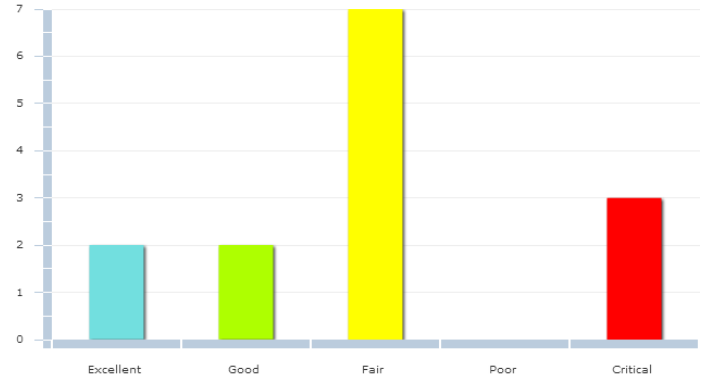
3.6.3 What condition is it in?

With 70% of the municipality's sanitary mains (based on quantity) in Fair to Excellent condition, and more than 90% of the facilities (based on replacement value) in Fair to Excellent condition, the municipality received a Condition vs. Performance rating of 'C' based on a weighted star rating of 3.3 stars.

Sanitary Sewer Mains Condition by Length (m)



Sanitary Facilities Condition (base on replacement value)



3.6.4 What do we need to do to it?

There are generally four distinct phases in an assets life cycle. These are presented at a high level for the sanitary sewer network below. Further detail is provided in the "Asset Management Strategy" section of this AMP.

Addressing Asset Needs		
Phase	Lifecycle Activity	Asset Life Stage
Minor Maintenance	Activities such as inspections, monitoring, cleaning and flushing, zoom camera and CCTV inspections, etc.	1 st Qtr
Major Maintenance	Activities such as repairing manholes and replacing individual small sections of pipe.	2 nd Qtr
Rehabilitation	Rehabilitation events such as structural lining of pipes are extremely cost effective and provide an additional 75 plus years of life.	3 rd Qtr
Replacement	Pipe replacements	4 th Qtr

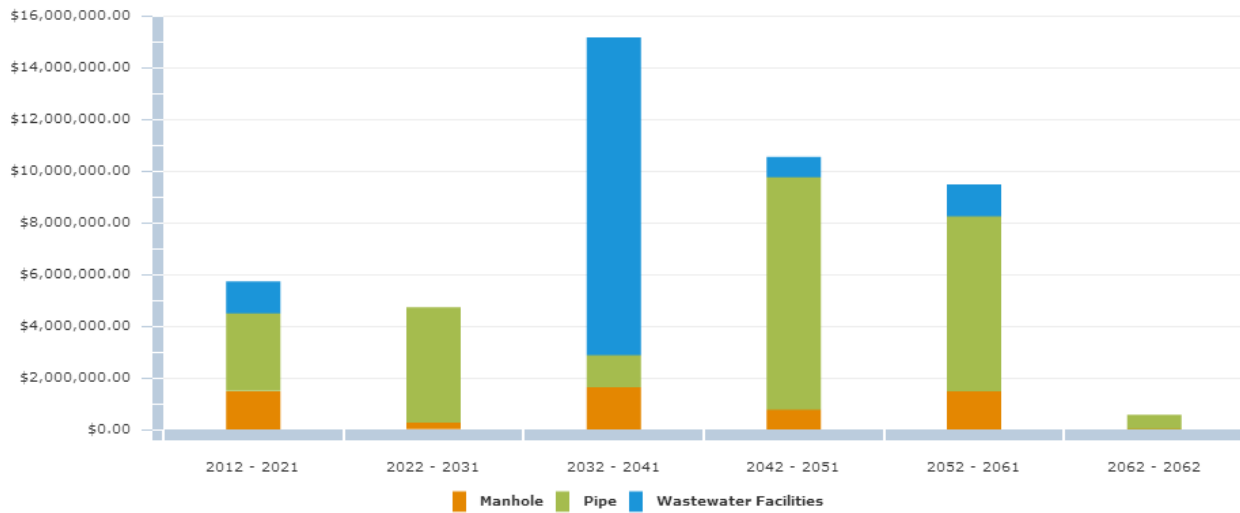
3.6.5 When do we need to do it?

For the purpose of this report "useful life" data for each asset class was obtained from the accounting data within the CityWide software database. This proposed useful life is used to determine replacement needs of individual assets, which are calculated in the system as part of the overall financial requirements.

Asset Useful Life in Years		
Asset Type	Asset Component	Useful Life in Years
Sanitary Sewer Network	Mains - Local (100mm)	50
	Mains - Local (150mm)	50
	Mains - Local (200mm)	50
	Mains - Local (250mm)	50
	Mains - Local (300mm)	50
	Mains - Local (350mm)	50
	Mains - Local (375mm)	50
	Mains - Local (400mm)	50
	Mains - Local (450mm)	50
	Mains - Local (525mm)	50
	Mains - Local (600mm)	50
	Mains - Local (675mm)	50
	Mains - Local (750mm)	50
	Mains - Local (800mm)	50
	Manholes	40
	Facilities	40

As field condition information becomes available in time, the data should be loaded into the CityWide system in order to increasingly have a more accurate picture of current asset performance age and, therefore, future replacement requirements. The following graph shows the current projection of sanitary sewer main replacements based on the age of the asset only.

Sanitary Sewer Main Replacement Profile



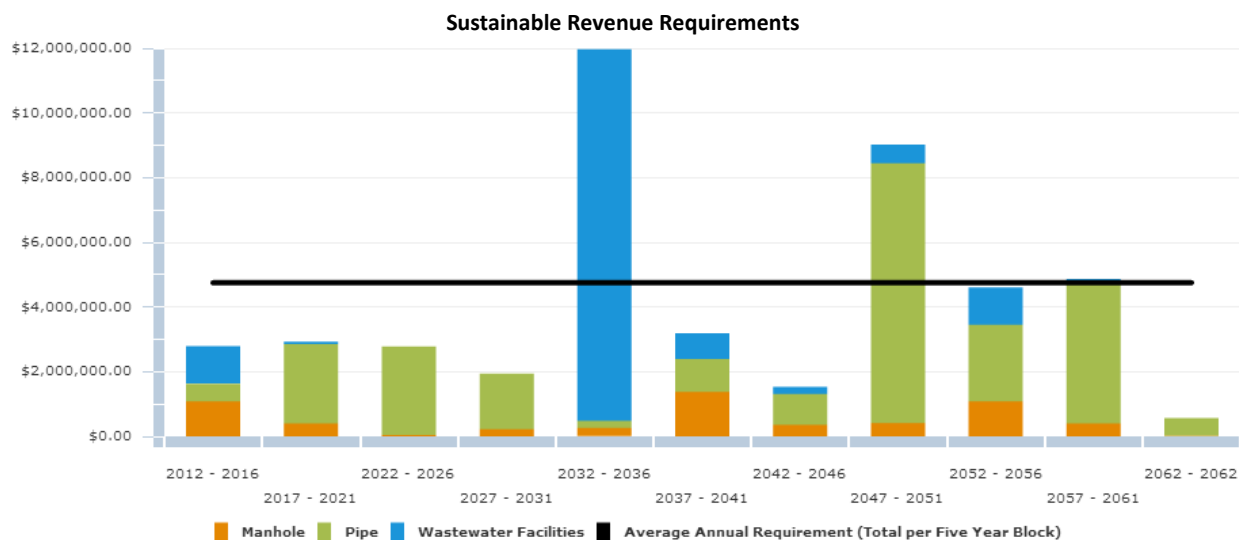
3.6.6 How much money do we need?

The analysis completed to determine capital revenue requirements was based on the following assumptions:

1. Replacement costs are based upon the unit costs identified within the "What is it worth" section above.
2. The timing for individual sewer main replacement was defined by the replacement year as described in the "When do you need to do it?" section above.
3. All values are presented in 2012 dollars.
4. The analysis was run for a 50 year period to ensure all assets went through at least one iteration of replacement, therefore providing a sustainable projection.

3.6.7 How do we reach sustainability?

Based upon the above assumptions, the average annual revenue required to sustain Kingsville's sanitary sewer network is approximately **\$950,000**. Based on Kingsville's current annual funding of **\$258,000**, there is an annual **deficit of \$692,000**. Given this deficit, the municipality received a Needs vs. Funding rating of 'F' based on weighted star rating of 1 star. The following graph presents five year blocks of expenditure requirements against the sustainable funding threshold line.



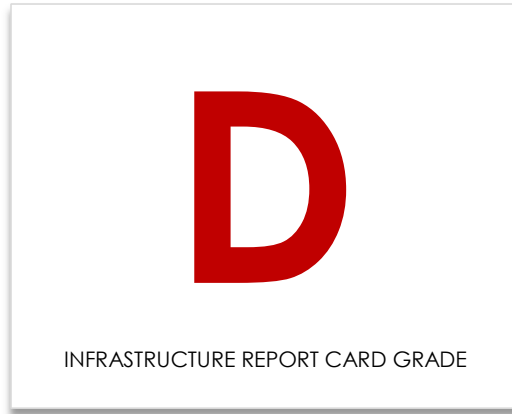
In conclusion, the sanitary sewer infrastructure, from an age based analysis only, has approximately 30% of mains and 20% of facilities in poor or critical condition, generating needs of approximately \$2.8 million over the next 5 years. It should be noted, however, that the useful life for sewer mains is projected at 50 years, while industry standards are usually 100 years. Increasing the useful life will significantly reduce the immediate requirements listed above. In addition, studies to better understand field condition should be implemented for both the sewer main network and the facilities to optimize the short and long term budgets based on actual need. This is discussed further in the Asset Management Strategy portion of this Asset Management Plan.

3.6.8 Recommendations

The municipality received an overall rating of 'D' for its sanitary sewer network, calculated from the Condition vs. Performance and the Needs vs. Funding ratings. Accordingly, we recommend the following:

- A condition assessment program should be established for the sanitary sewer network to gain a better understanding of current condition and performance as outlined further within the "Asset Management Strategy" section of this AMP.
- Also, a detailed study to define the current condition of the sanitary facilities and their components (structural, architectural, electrical, mechanical, process, etc.) should be undertaken, as collectively they account for 60% of the sanitary infrastructure's value.
- The useful life projections used by the municipality should be reviewed for consistency with industry standards.
- Other key asset classes within the sanitary sewer collection network such as manholes should be included in future reporting.
- Once the above studies are complete or underway, the data should be loaded into the CityWide software and an updated "current state of the infrastructure" analysis should be generated.
- An appropriate % of asset replacement value should be used for operations and maintenance activities on an annual basis. This should be determined through a detailed analysis of O & M activities and be added to future AMP reporting.
- The Infrastructure Report Card should be updated on an annual basis.

3.7 Storm Sewer Infrastructure



3.7 Storm Sewer Network

3.7.1 What do we own?

The inventory components of the Storm Sewer Collection system are outlined in the table below.

Storm Sewer Network Inventory		
Asset Type	Asset Component	Quantity/Units
Storm Sewer Network	Mains - Local (150mm)	193.32m
	Mains - Local (200mm)	891.87m
	Mains - Local (250mm)	1,196.17m
	Mains - Local (300mm)	12,424.86m
	Mains - Local (375mm)	5,600.03m
	Mains - Local (450mm)	5,391.75m
	Mains - Local (525mm)	2,519.76m
	Mains - Local (600mm)	4,876.39m
	Mains - Local (675mm)	2,869.78m
	Mains - Local (750mm)	2,333.05m
	Mains - Local (825mm)	279.14m
	Mains - Local (900mm)	1,658.16m
	Mains - Local (1050mm)	1,198.06m
	Mains - Local (1200mm)	871.26m
	Mains - Local (1350mm)	105.96m
	Catch Basins & Pipe	1,320m
	Catch Basins	2,256
	Manholes	588

As shown in the summary table below the entire network consists of approximately 44 km of storm sewer main.

Storm Inventory (Summary)		
Asset Type	Asset Component	Quantity
Storm	Mains - Local (450mm and smaller)	25,698.00m
	Mains - Local (Larger Than 450mm)	18,031.56m
	Catch Basins	2,256
	Manholes	588

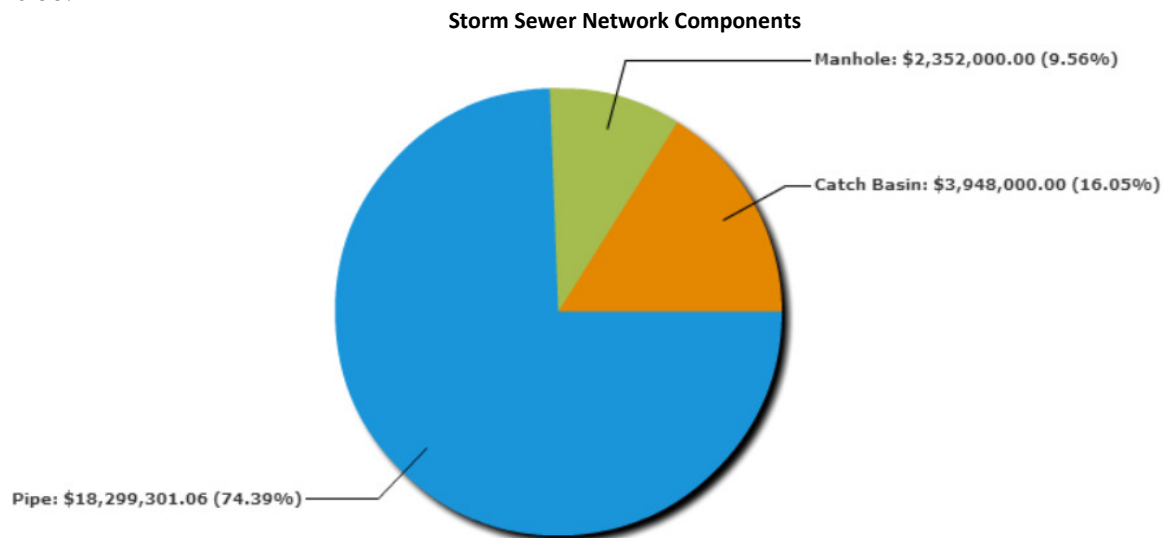
The storm sewer network data was extracted from the Tangible Capital Asset module of the CityWide software suite.

3.7.2 What is it worth?

The estimated replacement value of the storm sewer network, in 2012 dollars, is approximately \$24.6 million. The cost per household for the storm sewer network is \$3,011 based on 8,170 households.

Storm Sewer Network Replacement Value				
Asset Type	Asset Component	Quantity/Units	2012 Unit Replacement Cost	2012 Overall Replacement Cost
Storm Sewer Network	Mains - Local (150mm)	193.32m	\$150/m	\$28,997
	Mains - Local (200mm)	891.87m	\$225/m	\$200,671
	Mains - Local (250mm)	1,196.17m	\$230/m	\$275,119
	Mains - Local (300mm)	12,424.86m	\$250/m	\$3,106,226
	Mains - Local (375mm)	5,600.03m	\$350/m	\$1,960,015
	Mains - Local (450mm)	5,391.75m	\$400/m	\$2,156,686
	Mains - Local (525mm)	2,519.76m	\$425/m	\$1,070,898
	Mains - Local (600mm)	4,876.39m	\$500/m	\$2,438,195
	Mains - Local (675mm)	2,869.78m	\$575/m	\$1,650,124
	Mains - Local (750mm)	2,333.05m	\$675/m	\$1,574,813
	Mains - Local (825mm)	279.14m	\$700/m	\$195,398
	Mains - Local (900mm)	1,658.16m	\$750/m	1,243,619
	Mains - Local (1050mm)	1,198.06m	\$750/m	\$898,545
	Mains - Local (1200mm)	871.26m	\$875/m	\$762,356
	Mains - Local (1350mm)	105.96m	\$875/m	\$92,715
	Catch Basins & Pipe	1,320m	Non-Res Index	\$644,924
	Catch Basins	2,256	\$1,750/m	\$3,948,000
	Manholes	588	\$4,000	\$2,352,000
				\$24,599,301

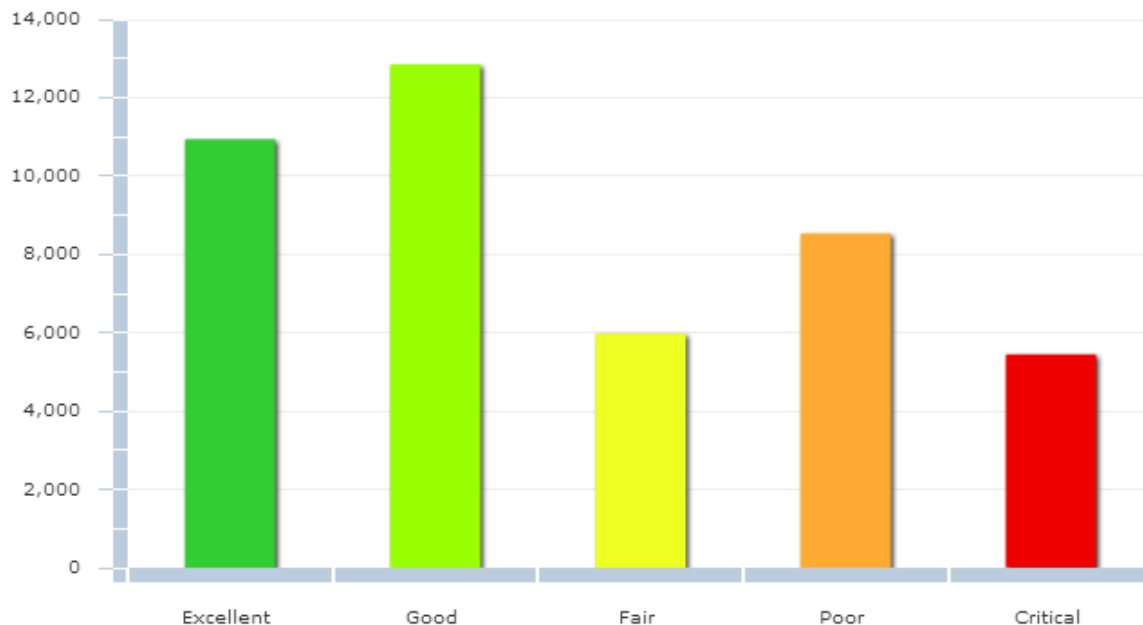
The pie chart below provides a breakdown of each of the network components to the overall system value.



3.7.3 What condition is it in?

Approximately 2/3 of the municipality's storm sewer mains and manholes & catch basins are in Fair to Excellent condition. As such, the municipality received a Condition vs. Performance rating of 'C' based on a weighted star rating of 3.3 stars.

Storm Sewer Network Condition by Length (metres)



3.7.4 What do we need to do to it?

There are generally four distinct phases in an assets life cycle. These are presented at a high level for the storm sewer network below. Further detail is provided in the "Asset Management Strategy" section of this AMP.

Addressing Asset Needs		
Phase	Lifecycle Activity	Asset Age
Minor Maintenance	Activities such as inspections, monitoring, cleaning and flushing, zoom camera and CCTV inspections, etc.	1 st Qtr
Major Maintenance	Activities such as repairing manholes and replacing individual small sections of pipe.	2 nd Qtr
Rehabilitation	Rehabilitation events such as structural lining of pipes are extremely cost effective and provide an additional 75 plus years of life.	3 rd Qtr
Replacement	Pipe replacements	4 th Qtr

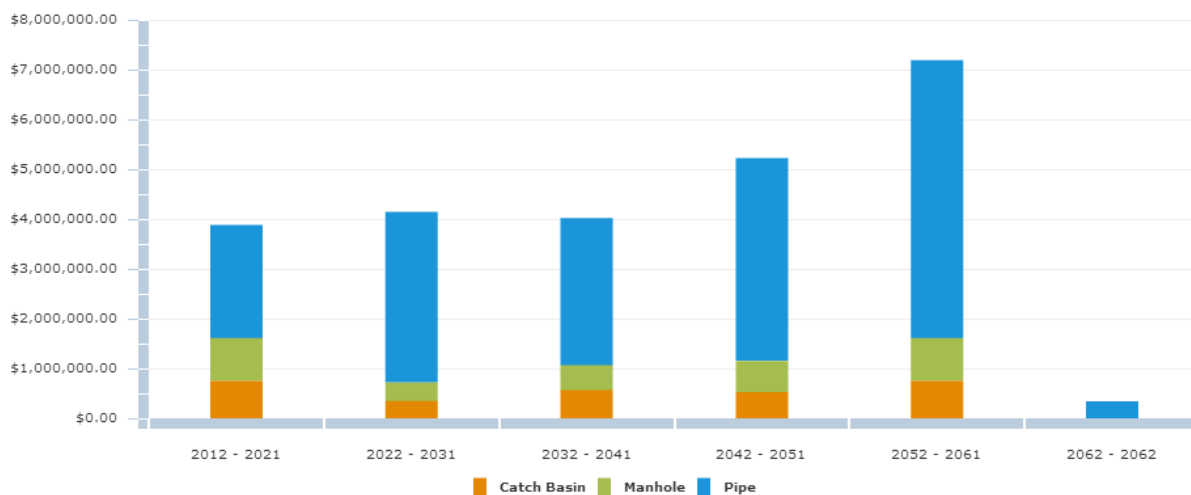
3.7.5 When do we need to do it?

For the purpose of this report "useful life" data for each asset class was obtained from the accounting data within the CityWide software database. This proposed useful life is used to determine replacement needs of individual assets, which are calculated in the system as part of the overall financial requirements.

Asset Useful Life in Years		
Asset Type	Asset Component	Useful Life in Years
Storm Sewer Network	Mains - Local (Less Than 450mm)	50
	Mains - Trunks (Larger Than 450mm)	50
	Catch Basins	40
	Manholes	40

As field condition information becomes available in time, the data should be loaded into the CityWide system in order to increasingly have a more accurate picture of current asset performance age and, therefore, future replacement requirements. The following graph shows the current projection of storm sewer main replacements based on the age of the asset only.

Storm Sewer Main Replacement Profile



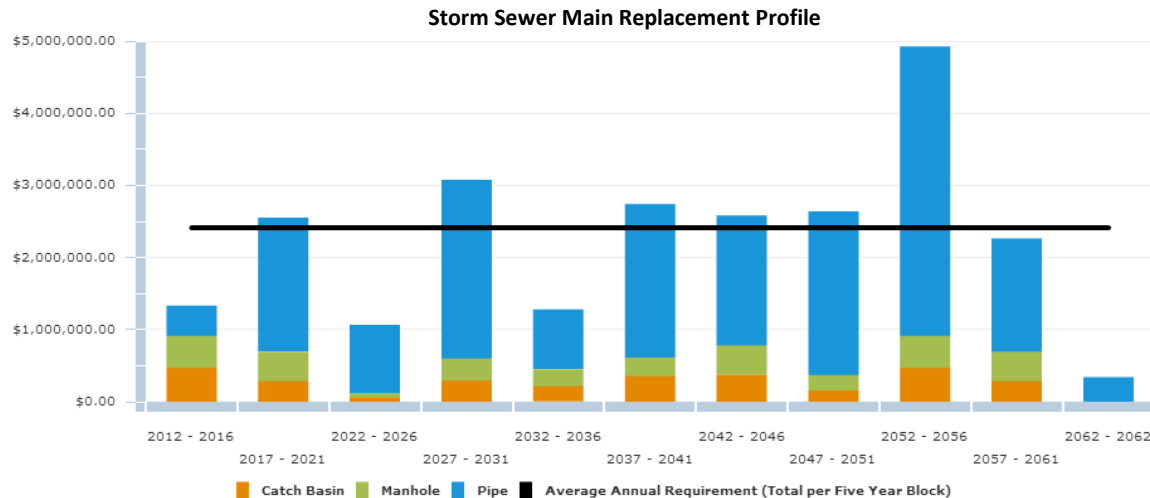
3.7.6 How much money do we need?

The analysis completed to determine capital revenue requirements was based on the following assumptions:

1. Replacement costs are based upon the unit costs identified within the "What is it worth" section above.
2. The timing for individual storm sewer main replacement was defined by the replacement year as described in the "When do you need to do it?" section above.
3. All values are presented in current (2012) dollars.
4. The analysis was run for an 80 year period to ensure all assets went through one iteration of replacement, therefore providing a sustainable projection.

3.6.7 How do we reach sustainability?

Based upon the above assumptions, the average annual revenue required to sustain Kingsville's storm sewer network is approximately **\$527,000**. Based on Kingsville's current annual funding of **\$136,000**, there is an annual **deficit of \$391,000**. As such, the municipality received a Needs vs. Performance rating of 'F' based on a weighted star rating of 1.0 star.



In conclusion, Kingsville's storm sewer collection network, based on age data only, has approximately 30% of mains in poor or critical condition and a significant portion of older catch basins and manholes. This has generated needs requiring an expenditure of approximately \$1.3 million over the next 5 years. It should be noted, however, that the useful life for storm mains is projected at 50 years, while industry standards are usually 100 years. Increasing the useful life will significantly reduce the immediate requirements listed above. In addition, a study to better understand field condition should be implemented to optimize the short and long term budgets based on actual need. This is discussed further in the Asset Management Strategy portion of this Asset Management Plan.

3.7.8 Recommendations

The municipality received an overall rating of 'D' for its storm sewer network, calculated from the Condition vs. Performance and the Needs vs. Funding ratings. Accordingly, we recommend the following:

- A condition assessment program should be established for the storm sewer network to gain a better understanding of current condition and performance as outlined further within the "Asset Management Strategy" section of this AMP.
- The useful life projections used by the municipality should be reviewed for consistency with industry standards.
- Once the above studies are complete or underway, the data should be loaded into the CityWide software and an updated "current state of the infrastructure" analysis should be generated.
- An appropriate % of asset replacement value should be used for operations and maintenance activities on an annual basis. This should be determined through a detailed analysis of O & M activities and be added to future AMP reporting.
- The Infrastructure Report Card should be updated on an annual basis.

4.0 Infrastructure Report Card

CUMULATIVE GPA

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Infrastructure Report Card The Town of Kingsville

1. Each asset category was rated on two key, equally weighted (50/50) dimensions: **Condition vs. Performance**, and **Needs vs. Funding**.
2. See the "**What condition is it in?**" section for each asset category for its star rating on the Condition vs. Performance dimension.
3. See the "**How do we reach sustainability?**" section for each asset category for its star rating on the Needs vs. Funding dimension.
4. The 'Overall Rating' below is the average of the two star ratings converted to a letter grade.

Asset category	Condition vs. Performance	Need vs. Funding	Overall grade	Comments
Road Network	C (3.1 Stars)	F (0 Stars)	F	The majority, 72%, of the municipality's road network is in Fair to Excellent condition, with the remaining in Poor to Critical condition. The average annual revenue required to sustain Kingsville's paved road network is approximately \$6,899,000 . Based on Kingsville's current annual funding of \$1,408,000 , there is an annual deficit of \$5,491,000 .
Bridges & Culverts	F (2 Stars)	F (0 Stars)	F	The vast majority, 71%, of the municipality's bridges & culverts are in Poor to Critical condition, with the remaining in Fair to Excellent. The average annual revenue required to sustain Kingsville's bridges & culverts is \$613,000 . Based on Kingsville's current annual funding of \$46,000 , there is an annual deficit of \$567,000 .
Water Network	C (3 Stars)	D (1.9 Stars)	D	Approximately 2/3 of the municipality's water mains are in Fair to Excellent condition, with the remaining in Poor to Critical condition. Further, 55% of the hydrants and valves are in Fair to Excellent condition, while the remaining are in Poor to Critical condition. The average annual revenue required to sustain Kingsville's water network is approximately \$961,000 . Based on Kingsville's current annual funding of \$510,000 , there is a deficit of \$451,000 .
Sanitary Sewer Network	C (3.3 Stars)	F (1.0 Stars)	D	With 70% of the municipality's sanitary mains (based on quantity) in Fair to Excellent condition, and more than 90% of the facilities (based on replacement value) in Fair to Excellent condition, the municipality received a Condition vs. Performance rating of 'C'. The average annual revenue required to sustain Kingsville's sanitary sewer network is approximately \$950,000 . Based on Kingsville's current annual funding of \$258,000 , there is an annual deficit of \$692,000 .
Storm Sewer Network	C (3.3 Stars)	F (1.0 Stars)	D	Approximately 2/3 of the municipality's storm sewer mains and manholes & catch basins are in Fair to Excellent condition. As such, the municipality received a Condition vs. Performance rating of 'C'. The average annual revenue required to sustain Kingsville's storm sewer network is approximately \$527,000 . Based on Kingsville's current annual funding of \$136,000 , there is an annual deficit of \$391,000 .

5.0 Desired Levels of Service

Desired levels of service are high level indicators, comprising many factors, as listed below, that establish defined quality thresholds at which municipal services should be supplied to the community. They support the organization's strategic goals and are based on customer expectations, statutory requirements, standards, and the financial capacity of a municipality to deliver those levels of service.

Levels of Service are used:

- to inform customers of the proposed type and level of service to be offered;
- to identify the costs and benefits of the services offered;
- to assess suitability, affordability and equity of the services offered;
- as a measure of the effectiveness of the asset management plan
- as a focus for the AM strategies developed to deliver the required level of service

In order for a municipality to establish a desired level of service, it will be important to review the key factors involved in the delivery of that service, and the interactions between those factors. In addition, it will be important to establish some key performance metrics and track them over an annual cycle to gain a better understanding of the current level of service supplied.

Within this first Asset Management Plan, key factors affecting level of service will be outlined below and some key performance indicators for each asset type will be outlined for further review. This will provide a framework and starting point from which the municipality can determine future desired levels of service for each infrastructure class.

5.1 Key factors that influence a level of service:

- Strategic and Corporate Goals
- Legislative Requirements
- Expected Asset Performance
- Community Expectations
- Availability of Finances

5.1.1 Strategic and Corporate Goals

Infrastructure levels of service can be influenced by strategic and corporate goals. Strategic plans spell out where an organization wants to go, how it's going to get there, and helps decide how and where to allocate resources, ensuring alignment to the strategic priorities and objectives. It will help identify priorities and guide how municipal tax dollars and revenues are spent into the future. The level of importance that a community's vision is dependent upon infrastructure, will ultimately affect the levels of service provided or those levels that it ultimately aspires to deliver.

5.1.2 Legislative Requirements

Infrastructure levels of service are directly influenced by many legislative and regulatory requirements. For instance, the Safe Drinking Water Act, the Minimum Maintenance Standards for municipal highways, building codes, and the Accessibility for Ontarians with Disabilities Act are all legislative requirements that prevent levels of service from declining below a certain standard.

5.1.3 Expected Asset Performance

A level of service will be affected by current asset condition, and performance and limitations in regards to safety, capacity, and the ability to meet regulatory and environmental requirements. In addition, the design life of the asset, the maintenance items required, the rehabilitation or replacement schedule of the asset, and the total costs, are all critical factors that will affect the level of service that can be provided.

5.1.4 Community Expectations

Levels of services are directly related to the expectations that the general public has from the infrastructure. For example, the public will have a qualitative opinion on what an acceptable road looks

like, and a quantitative one on how long it should take to travel between two locations. Infrastructure costs are projected to increase dramatically in the future, therefore it is essential that the public is not only consulted, but also be educated, and ultimately make choices with respect to the service levels that they wish to pay for.

5.1.5 Availability of Finances

Availability of finances will ultimately control all aspects of a desired level of service. Ideally, these funds must be sufficient to achieve corporate goals, meet legislative requirements, address an asset's life cycle needs, and meet community expectations. Levels of service will be dictated by availability of funds or elected officials' ability to increase funds, or the community's willingness to pay.

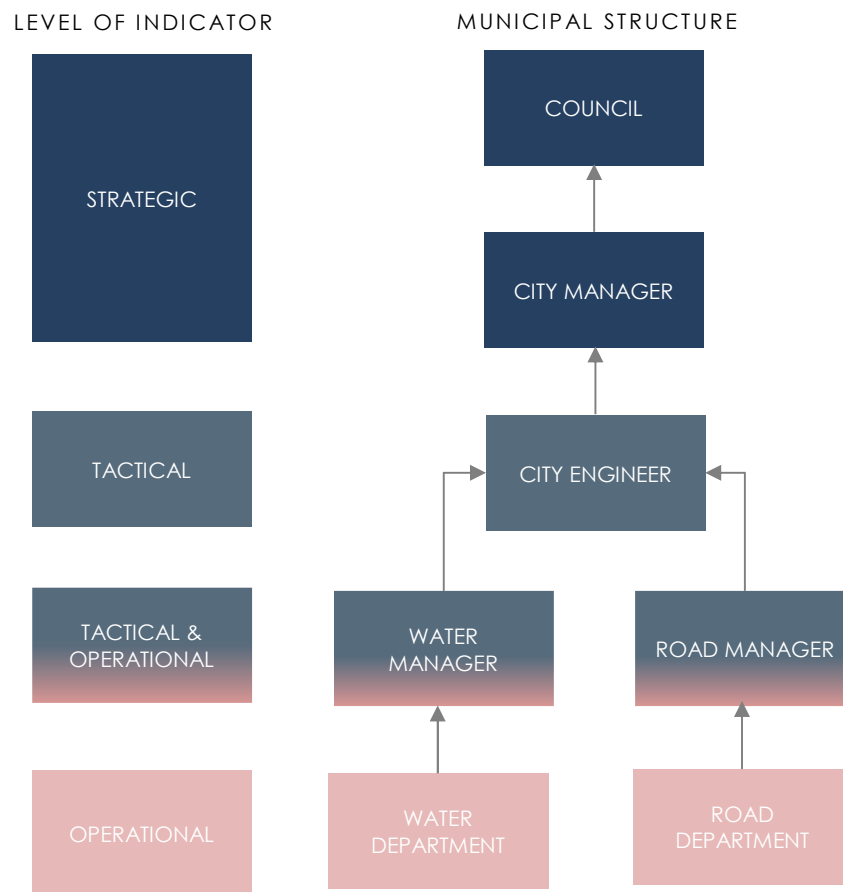
5.2 Key Performance Indicators

Performance measures or key performance indicators (KPIs) that track levels of service should be specific, measurable, achievable, relevant, and timebound (SMART). Many good performance measures can be established and tracked through the CityWide suite of software products. In this way, through automation, results can be reviewed on an annual basis and adjustments can be made to the overall asset management plan, including the desired level of service targets.

In establishing measures, a good rule of thumb to remember is that maintenance activities ensure the performance of an asset and prevent premature aging, whereas rehab activities extend the life of an asset. Replacement activities, by definition, renew the life of an asset. In addition, these activities are constrained by resource availability (in particular, finances) and strategic plan objectives. Therefore, performance measures should not just be established for operating and maintenance activities, but also for the strategic, financial, and tactical levels of the asset management program. This will assist all levels of program delivery to review their performance as part of the overall level of service provided.

This is a very similar approach to the "balanced score card" methodology, in which financial and non-financial measures are established and reviewed to determine whether current performance meets expectations. The "balanced score card", by design, links day to day operations activities to tactical and strategic priorities in order to achieve an overall goal, or in this case, a desired level of service.

The structure of accountability and level of indicator with this type of process is represented in the following table, modified from the InfraGuide's best practice document, "Developing Indicators and Benchmarks" published in April 2003.



As a note, a caution should be raised over developing too many performance indicators that may result in data overload and lack of clarity. It is better to develop a select few that focus in on the targets of the asset management plan.

Outlined below for each infrastructure class is a suggested service description, suggested service scope, and suggested performance indicators. These should be reviewed and updated in each iteration of the AMP.

5.3 Transportation Services

5.3.1 Service Description

The town's transportation network comprises approximately 242 centreline km of road, of which approximately 39km are gravel and 203km are paved or surface treated roads. The transport network also includes 70 bridges, 29 large culverts, 28 km of sidewalk, and the associated curbs, lane markings, and street lights.

Together, the above infrastructure enables the town to deliver transportation and pedestrian facility services and give people a range of options for moving about in a safe and efficient manner.

5.3.2 Scope of Services

- **Movement** – providing for the movement of people and goods.
- **Access** – providing access to residential, commercial, and industrial properties and other community amenities.
- **Recreation** –providing for recreational use, such as walking, cycling, or special events such as parades.

5.3.3 Performance Indicators (reported annually)

Performance Indicators (reported annually)	
Strategic Indicators	<ul style="list-style-type: none"> ■ percentage of total reinvestment compared to asset replacement value ■ completion of strategic plan objectives (related to transportation)
Financial Indicators	<ul style="list-style-type: none"> ■ annual revenues compared to annual expenditures ■ annual replacement value depreciation compared to annual expenditures ■ total cost of borrowing compared to total cost of service ■ revenue required to maintain annual network growth
Tactical Indicators	<ul style="list-style-type: none"> ■ percentage of road network rehabilitated / reconstructed ■ value of bridge / large culvert structures rehabilitated or reconstructed ■ overall road condition index as a percentage of desired condition index ■ overall bridge condition index as a percentage of desired condition index ■ annual adjustment in condition indexes ■ annual percentage of network growth ■ percent of paved road lane km where the condition is rated Poor or Critical ■ number of bridge / large culvert structures where the condition is rated Poor or Critical ■ percentage of road network replacement value spent on operations and maintenance ■ percentage of bridge / large culvert structures replacement value spent on operations and maintenance
Operational Indicators	<ul style="list-style-type: none"> ■ percentage of road network inspected within last 5 years ■ percentage of bridge / large culvert structures inspected within last two years ■ operating costs for paved roads per lane km ■ operating costs for gravel roads per lane km ■ operating costs for bridge / large culvert structures per square metre ■ number of customer requests received annually ■ percentage of customer requests responded to within 24 hours

5.4 Water / Sanitary / Storm Networks

5.4.1 Service Description

The town's water distribution network comprises 260 km of water main, 957 hydrants, and 1,496 valves. The waste water network comprises 95 km of sanitary sewer main, 1,031 manholes, and 14 facilities. The storm water network comprises 40 km of storm main, 1,253 catch basins and 588 manholes.

Together, the above infrastructure enables the town to deliver a potable water distribution service, and a waste water and storm water collection service to the residents of the town.

5.4.2 Scope of services

- The provision of clean safe drinking water through a distribution network of water mains and pumps.
- The removal of waste water through a collection network of sanitary sewer mains.
- The removal of storm water through a collection network of storm sewer mains, and catch basins

5.4.3 Performance Indicators (reported annually)

Performance Indicators (reported annually)	
Strategic Indicators	<ul style="list-style-type: none"> ■ Percentage of total reinvestment compared to asset replacement value ■ Completion of strategic plan objectives (related water / sanitary / storm)
Financial Indicators	<ul style="list-style-type: none"> ■ Annual revenues compared to annual expenditures ■ Annual replacement value depreciation compared to annual expenditures ■ Total cost of borrowing compared to total cost of service ■ Revenue required to maintain annual network growth ■ Lost revenue from system outages
Tactical Indicators	<ul style="list-style-type: none"> ■ Percentage of water / sanitary / storm network rehabilitated / reconstructed ■ Overall water / sanitary / storm network condition index as a percentage of desired condition index ■ Annual adjustment in condition indexes ■ Annual percentage of growth in water / sanitary / storm network ■ Percentage of mains where the condition is rated Poor or Critical for each network ■ Percentage of water / sanitary / storm network replacement value spent on operations and maintenance
Operational Indicators	<ul style="list-style-type: none"> ■ Percentage of water / sanitary / storm network inspected ■ Operating costs for the collection of wastewater per kilometre of main. ■ Number of wastewater main backups per 100 kilometres of main ■ Operating costs for storm water management (collection, treatment, and disposal) per kilometre of drainage system. ■ Operating costs for the distribution/ transmission of drinking water per kilometre of water distribution pipe. ■ Number of days when a boil water advisory issued by the medical officer of health, applicable to a municipal water supply, was in effect. ■ Number of water main breaks per 100 kilometres of water distribution pipe in a year. ■ Number of customer requests received annually per water / sanitary / storm networks ■ Percentage of customer requests responded to within 24 hours per water / sanitary / storm network

6.0 Asset Management Strategy

6.1 Objective

To outline and establish a set of planned actions, based on best practice, that will enable the assets to provide a desired and sustainable level of service, while managing risk, at the lowest life cycle cost.

The Asset Management Strategy will develop an implementation process that can be applied to the needs identification and prioritization of renewal, rehabilitation, and maintenance activities. This will assist in the production of a 10 year plan, including growth projections, to ensure the best overall health and performance of the municipality's infrastructure.

This section includes an overview of condition assessment techniques for each asset class; the life cycle interventions required, including interventions with the best ROI; and prioritization techniques, including risk, to determine which priority projects should move forward into the budget first.

6.2 Non-Infrastructure Solutions and Requirements

The town should explore, as requested through the provincial requirements, which non-infrastructure solutions should be incorporated into the budgets for the road, water, sewer (sanitary and storm), and bridges & culverts programs. Non- Infrastructure solutions are such items as studies, policies, condition assessments, consultation exercises, etc., that could potentially extend the life of assets or lower total asset program costs in the future.

Typical solutions for a municipality include linking the asset management plan to the strategic plan, growth and demand management studies, infrastructure master plans, better integrated infrastructure and land use planning, public consultation on levels of service, and condition assessment programs. As part of future asset management plans, a review of these requirements should take place, and a portion of the capital budget should be dedicated for these items in each programs budget.

It is recommended, under this category of solutions, that the town implement holistic condition assessment programs for their road, water, sanitary, and storm sewer networks. This will lead to higher understanding of infrastructure needs, enhanced budget prioritization methodologies, and a clearer path of what is required to achieve sustainable infrastructure programs.

6.3 Condition Assessment Programs

The foundation of good asset management practice is based on having comprehensive and reliable information on the current condition of the infrastructure. Municipalities need to have a clear understanding regarding performance and condition of their assets, as all management decisions regarding future expenditures and field activities should be based on this knowledge. An incomplete understanding about an asset may lead to its premature failure or premature replacement.

Some benefits of holistic condition assessment programs within the overall asset management process are listed below:

- Understanding of overall network condition leads to better management practices
- Allows for the establishment of rehabilitation programs
- Prevents future failures and provides liability protection
- Potential reduction in operation / maintenance costs
- Accurate current asset valuation
- Allows for the establishment of risk assessment programs
- Establishes proactive repair schedules and preventive maintenance programs
- Avoids unnecessary expenditures

- Extends asset service life therefore improving level of service
- Improves financial transparency and accountability
- Enables accurate asset reporting which, in turn, enables better decision making

Condition assessment can involve different forms of analysis such as subjective opinion, mathematical models, or variations thereof, and can be completed through a very detailed or very cursory approach.

When establishing the condition assessment of an entire asset class, the cursory approach (metrics such as Good, Fair, Poor, Critical) is used. This will be a less expensive approach when applied to thousands of assets, yet will still provide up to date information, and will allow for detailed assessment or follow up inspections on those assets captured as Poor or Critical condition later.

The following section outlines condition assessment programs available for road, bridge, sewer, and water networks that would be useful for the town.

6.3.1 Pavement Network Inspections

Typical industry pavement inspections are performed by consulting firms using specialised assessment vehicles equipped with various electronic sensors and data capture equipment. The vehicles will drive the entire road network and typically collect two different types of inspection data – surface distress data and roughness data.

Surface distress data involves the collection of multiple industry standard surface distresses, which are captured either electronically, using sensing detection equipment mounted on the van, or visually, by the van's inspection crew. Examples of surface distresses are:

- **For asphalt surfaces**
alligator cracking; distortion; excessive crown; flushing; longitudinal cracking; map cracking; patching; edge cracking; potholes; ravelling; rippling; transverse cracking; wheel track rutting
- **For concrete surfaces**
coarse aggregate loss; corner 'C' and 'D' cracking; distortion; joint faulting; joint sealant loss; joint spalling; linear cracking; patching; polishing; potholes; ravelling; scaling; transverse cracking

Roughness data capture involves the measurement of the roughness of the road, measured by lasers that are mounted on the inspection van's bumper, calibrated to an international roughness index.

Most firms will deliver this data to the client in a database format complete with engineering algorithms and weighting factors to produce an overall condition index for each segment of roadway. This type of scoring database is ideal for upload into the CityWide software database, in order to tag each road with a present condition and then further life cycle analysis to determine what activity should be completed on which road, in what timeframe, and to calculate the cost for the work will be completed within the CityWide system.

The above process is an excellent way to capture road condition as the inspection trucks will provide detailed surface and roughness data for each road segment, and often include video or street imagery. A very rough industry estimate of cost would be about \$100 per centreline km of road, which means it would cost the town approximately \$20,300 for the 203 centreline km of paved road network.

Another option for a cursory level of condition assessment is for municipal road crews to perform simple windshield surveys as part of their regular patrol. Many municipalities have created data collection inspection forms to assist this process and to standardize what presence of defects would constitute a Good, Fair, Poor, or Critical score. Lacking any other data for the complete road network, this can still be seen as a good method and will assist greatly with the overall management of the road network. The CityWide Works software has a road patrol component built in that could capture this type of inspection data during road patrols in the field, enabling later analysis of rehabilitation and replacement needs for budget development.

It is recommended that the town establish a pavement condition assessment program and that a portion of capital funding is dedicated to this.

6.3.2 Bridges & Culverts (greater than 3m) Inspections

Ontario municipalities are mandated by the Ministry of Transportation to inspect all structures that have a span of 3 metres or more, according to the OSIM (Ontario Structure Inspection Manual). At present, in the town, there are 99 structures that meet this criterion.

Structure inspections must be performed by, or under the guidance of, a structural engineer, must be performed on a biennial basis (once every two years), and include such information as structure type, number of spans, span lengths, other key attribute data, detailed photo images, and structure element by element inspection, rating and recommendations for repair, rehabilitation, and replacement.

The best approach to develop a 10 year needs list for the town's relatively small structure portfolio would be to have the structural engineer who performs the inspections to develop a maintenance requirements report, and rehabilitation and replacement requirements report as part of the overall assignment. In addition to refining the overall needs requirements, the structural engineer should identify those structures that will require more detailed investigations and non-destructive testing techniques. Examples of these investigations are:

- Detailed deck condition survey
- Non-destructive delamination survey of asphalt covered decks
- Substructure condition survey
- Detailed coating condition survey
- Underwater investigation
- Fatigue investigation
- Structure evaluation

Through the OSIM recommendations and additional detailed investigations, a 10 year needs list will be developed for the municipality's bridges.

The 10 year needs list developed could then be further prioritized using risk management techniques to better allocate resources. Also, the results of the OSIM inspection for each structure, whether BCI (bridge condition index) or general condition (Good, Fair, Poor, Critical) should be entered into the CityWide software to update results and analysis for the development of the budget.

6.3.3 Sewer Network Inspections (Sanitary & Storm)

The most popular and practical type of sanitary and storm sewer assessment is the use of Closed Circuit Television Video (CCTV). The process involves a small robotic crawler vehicle with a CCTV camera attached that is lowered down a maintenance hole into the sewer main to be inspected. The vehicle and camera then travels the length of the pipe providing a live video feed to a truck on the road above where a technician / inspector records defects and information regarding the pipe. A wide range of construction or deterioration problems can be captured including open/displaced joints, presence of roots, infiltration & inflow, cracking, fracturing, exfiltration, collapse, deformation of pipe and more. Therefore, sewer CCTV inspection is a very good tool for locating and evaluating structural defects and general condition of underground pipes.

Even though CCTV is an excellent option for inspection of sewers it is a fairly costly process and does take significant time to inspect a large volume of pipes.

Another option in the industry today is the use of Zoom Camera equipment. This is very similar to traditional CCTV, however, a crawler vehicle is not used but in it's a place a camera is lowered down a maintenance hole attached to a pole like piece of equipment. The camera is then rotated towards each connecting pipe and the operator above progressively zooms in to record all defects and information about each pipe. The downside to this technique is the further down the pipe the image is zoomed, the less clarity is available to accurately record defects and measurement. The upside is the process is far quicker and significantly less expensive and an assessment of the manhole can be provided as well. Also, it is important to note that 80% of pipe deficiencies generally occur within 20 metres of each manhole. The following is a list of advantages of utilizing Zoom Camera technology:

- A time and cost efficient way of examining sewer systems;
- Problem areas can be quickly targeted;
- Can be complemented by a conventional camera (CCTV), if required afterwards;
- In a normal environment, 20 to 30 manholes can be inspected in a single day, covering more than 1,500 meters of pipe;
- Contrary to the conventional camera approach, cleaning and upstream flow control is not required prior to inspection;
- Normally detects 80% of pipe deficiencies, as most deficiencies generally occur within 20 meters of manholes.

The following table is based on general industry costs for traditional CCTV inspection and Zoom Camera inspection; however, costs should be verified through local contractors. It is for illustrative purposes only but supplies a general idea of the cost to inspect Kingsville's entire sanitary and storm networks.

Sanitary and Sewer Inspection Cost Estimates				
Sewer Network	Assessment Activity	Cost	Metres of Main / # of Manholes	Total
Sanitary	Full CCTV	\$10 (per m)	95,000m	\$950,000
	Zoom	\$300 (per mh)	1,031 manholes	\$309,300
Storm	Full CCTV	\$10 (per m)	40,000m	\$400,000
	Zoom	\$300 (Per mh)	588 manholes	\$176,400

It can be seen from the above table that there is a significant cost savings achieved through the use of Zoom Camera technology. A good industry trend and best practice is to inspect the entire network using Zoom Camera technology and follow up on the Poor and Critical rated pipes with more detail using a full CCTV inspection. In this way, inspection expenditures are kept to a minimum, however, an accurate assessment on whether to rehabilitate or replace pipes will be provided for those with the greatest need.

It is recommended that the town establish a sewer condition assessment program and that a portion of capital funding is dedicated to this.

In addition to receiving a video and defect report of each pipe's CCTV or Zoom camera inspection, many companies can now provide a database of the inspection results, complete with scoring matrixes that provide an overall general condition score for each pipe segment that has been assessed. Typically pipes are scored from 1 – 5, with 1 being a relatively new pipe and 5 being a pipe at the end of its design life. This type of scoring database is ideal for upload into the CityWide software database, in order to tag each pipe with a present condition and then further life cycle analysis to determine what activity should be done to which pipe, in what timeframe, and to calculate the cost for the work will be completed by the CityWide system.

6.3.4 Water network inspections

Unlike sewer mains, it is very difficult to inspect water mains from the inside due to the high pressure flow of water constantly underway within the water network. Physical inspections require a disruption of service to residents, can be an expensive exercise, and are time consuming to set up. It is recommended practice that physical inspection of water mains typically only occurs for high risk, large transmission mains within the system, and only when there is a requirement. There are a number of high tech inspection techniques in the industry for large diameter pipes but these should be researched first for applicability as they are quite expensive. Examples are:

- Remote eddy field current (RFEC)
- Ultrasonic and acoustic techniques
- Impact echo (IE)
- Georadar

For the majority of pipes within the distribution network gathering key information in regards to the main and its environment can supply the best method to determine a general condition. Key data that could be used, along with weighting factors, to determine an overall condition score are listed below.

- Age
- Material Type
- Breaks
- Hydrant Flow Inspections
- Soil Condition

Understanding the age of the pipe will determine useful life remaining, however, water mains fail for many other reasons than just age. The pipe material is important to know as different pipe types have different design lives and different deterioration profiles. Keeping a water main break history is one of the best analysis tools to predict future pipe failures and to assist with programming rehabilitation and replacement schedules. Also, most municipalities perform hydrant flow tests for fire flow prevention purposes. The readings from these tests can also help determine condition of the associated water main. If a hydrant has a relatively poor flow condition it could be indicative of a high degree of encrustation within the attached water main, which could then be flagged as a candidate for cleaning or possibly lining. Finally, soil condition is important to understand as certain soil types can be very aggressive at causing deterioration on certain pipe types.

It is recommended that the town develop a rating system for the mains within the distribution network based on the availability of key data, and that funds are budgeted for this development.

Also, it is recommended that the town utilize the CityWide Works application to track water main break work orders and hydrant flow inspection readings as a starting point to develop a future scoring database for each water main.

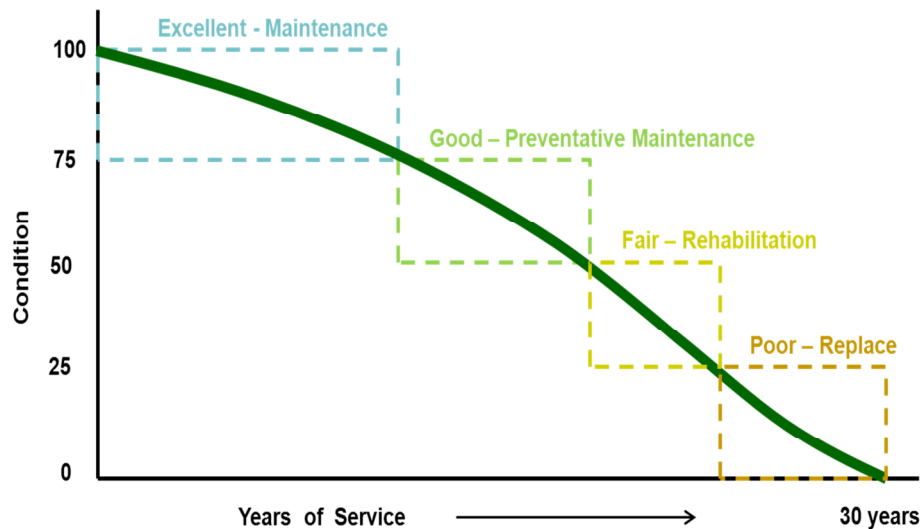
6.4 AM Strategy – Life Cycle Analysis Framework

An industry review was conducted to determine which life cycle activities can be applied at the appropriate time in an asset's life, to provide the greatest additional life at the lowest cost. In the asset management industry, this is simply put as doing the right thing to the right asset at the right time. If these techniques are applied across entire asset networks or portfolios (e.g., the entire road network), the town could gain the best overall asset condition while expending the lowest total cost for those programs.

6.4.1 Paved Roads

The following analysis has been conducted at a fairly high level, using industry standard activities and costs for paved roads. With future updates of this Asset Management Strategy, the town may wish to run the same analysis with a detailed review of town activities used for roads and the associated local costs for those work activities. All of this information can be input into the CityWide software suite in order to perform updated financial analysis as more detailed information becomes available.

The following diagram depicts a general deterioration profile of a road with a 30 year life.



As shown above, during the road's life cycle there are various windows available for work activity that will maintain or extend the life of the asset. These windows are: maintenance; preventative maintenance; rehabilitation; and replacement or reconstruction.

The windows or thresholds for when certain work activities should be applied to also coincide approximately with the condition state of the asset as shown below:

Asset Condition and Related Work Activity: Paved Roads		
Condition	Condition Range	Work Activity
Excellent condition (Maintenance only phase)	100-76	■ maintenance only
Good Condition (Preventative maintenance phase)	75 - 51	■ crack sealing ■ emulsions
Fair Condition (Rehabilitation phase)	50 -26	■ resurface - mill & pave ■ resurface - asphalt overlay ■ single & double surface treatment (for rural roads)
Poor Condition (Reconstruction phase)	25 - 1	■ reconstruct - pulverize and pave ■ reconstruct - full surface and base reconstruction
Critical Condition (Reconstruction phase)	0	■ Critical includes assets beyond their useful lives which make up the backlog, they require the same interventions as the "Poor" category above.

With future updates of this Asset Management Strategy the town may wish to review the above condition ranges and thresholds for when certain types of work activity occur, and adjust to better suit the town's work program. Also note: when adjusting these thresholds, it actually adjusts the level of service provided and ultimately changes the amount of money required. These threshold and condition ranges can be easily updated with the CityWide software suite and an updated financial analysis can be calculated. These adjustments will be an important component of future Asset Management Plans, as the Province requires each municipality to present various management options within the financing plan.

The table below outlines the costs for various road activities, the added life obtained for each, the condition range at which they should be applied, and the cost of 1 year added life for each (cost of activity / added life) in order to present an apples to apples comparison.

Road Lifecycle Activity Options				
Treatment	Average Unit Cost (per sq. m)	Added Life (Years)	Condition Range	Cost Of Activity/Added Life
Urban Reconstruction	\$205	30	25 - 0	\$6.83
Urban Resurfacing	\$84	15	50 - 26	\$5.60
Rural Reconstruction	\$135	30	25 - 0	\$4.50
Rural Resurfacing	\$40	15	50 - 26	\$2.67
Double Surface Treatment	\$25	10	50 - 26	\$2.50
Routing & Crack Sealing (P.M)	\$2	3	75 - 51	\$0.67

As can be seen in the table above, preventative maintenance activities such as routing and crack sealing have the lowest associated cost (per sq. m) in order to obtain one year of added life. Of course, preventative maintenance activities can only be applied to a road at a relatively early point in the life cycle. It is recommended that the town engage in an active preventative maintenance program for all paved roads and that a portion of the maintenance budget is allocated to this.

Also, rehabilitation activities, such as urban and rural resurfacing or double surface treatments (tar and chip) for rural roads have a lower cost to obtain each year of added life than full reconstruction activities. It is recommended, if not in place already, that the municipality engages in an active rehabilitation program for urban and rural paved roads and that a portion of the capital budget is dedicated to this.

Of course, in order to implement the above programs it will be important to also establish a general condition score for each road segment, established through standard condition assessment protocols as previously described.

It is important to note that a "worst first" budget approach, whereby no life cycle activities other than reconstruction at the end of a roads life are applied, will result in the most costly method of managing a road network overall.

6.4.2 Gravel Roads

The life cycle activities required for these roads are quite different from paved roads. Gravel roads require a cycle of perpetual maintenance, including general re-grading, reshaping of the crown and cross section, gravel spot and section replacement, dust abatement and ditch clearing and cleaning.

Gravel roads can require frequent maintenance, especially after wet periods and when accommodating increased traffic. Wheel motion shoves material to the outside (as well as in-between travelled lanes), leading to rutting, reduced water-runoff, and eventual road destruction if unchecked. This deterioration process is prevented if interrupted early enough, simple re-grading is sufficient, with material being pushed back into the proper profile.

As a high proportion of gravel roads can have a significant impact on the maintenance budget, it is recommended that with further updates of this asset management plan the town study the traffic volumes and maintenance requirements in more detail for its gravel road network.

Similar studies elsewhere have found converting certain roadways to paved roads can be very cost beneficial especially if frequent maintenance is required due to higher traffic volumes. Roads within the gravel network should be ranked and rated using the following criteria:

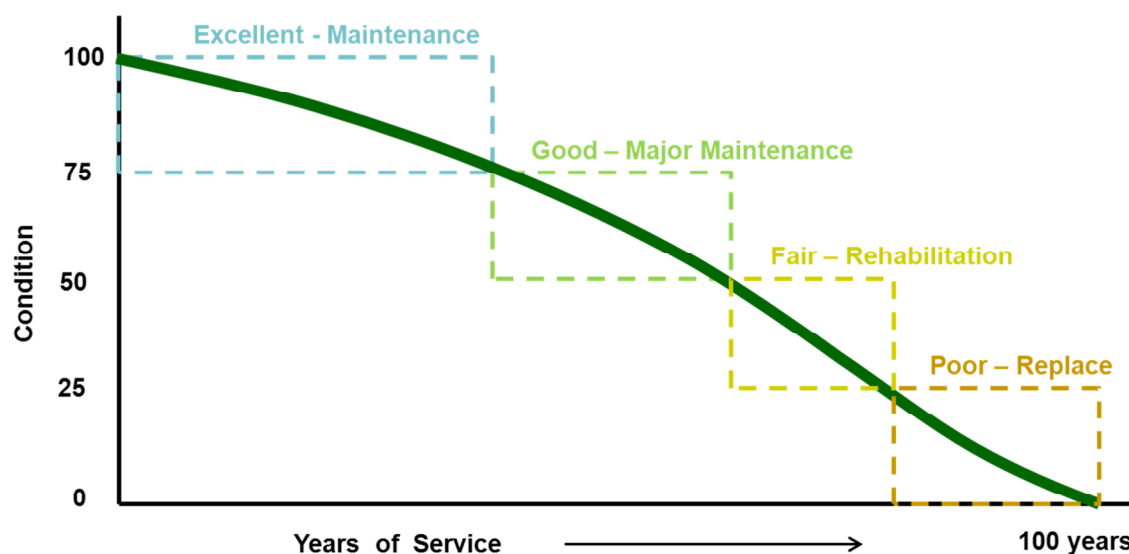
- Usage - traffic volumes and type of traffic
- Functional importance of the roadway
- Known safety issues
- Frequency of maintenance and overall expenditures required

Through the above type of analysis, a program could be introduced to convert certain gravel roadways into paved roads, reducing overall costs, and be brought forward into the long range budget.

6.4.3 Sanitary and Storm Sewers

The following analysis has been conducted at a fairly high level, using industry standard activities and costs for sanitary and storm sewer rehabilitation and replacement. With future updates of this asset management strategy, the town may wish to run the same analysis with a detailed review of town activities used for sewer mains and the associated local costs for those work activities. All of this information can be input into the CityWide software suite in order to perform updated financial analysis as more detailed information becomes available.

The following diagram depicts a general deterioration profile of a sewer main with a 100 year life.



As shown above, during the sewer main's life cycle there are various windows available for work activity that will maintain or extend the life of the asset. These windows are: maintenance; major maintenance; rehabilitation; and replacement or reconstruction.

The windows or thresholds for when certain work activities should be applied also coincide approximately with the condition state of the asset as shown below:

Asset Condition and Related Work Activity: Sewer Main		
Condition	Condition Range	Work Activity
Excellent condition (Maintenance only phase)	100-76	■ maintenance only (cleaning & flushing etc.)
Good Condition (Preventative maintenance phase)	75 - 51	■ manhole repairs ■ small pipe section repairs
Fair Condition (Rehabilitation phase)	50 -26	■ structural relining
Poor Condition (Reconstruction phase)	25 - 1	■ pipe replacement
Critical Condition (Reconstruction phase)	0	■ critical includes assets beyond their useful lives which make up the backlog. they require the same interventions as the "Poor" category above.

With future updates of this Asset Management Strategy the town may wish to review the above condition ranges and thresholds for when certain types of work activity occur, and adjust to better suit the town's work program. Also note: when adjusting these thresholds, it actually adjusts the level of service provided and ultimately changes the amount of money required. These threshold and condition ranges can be easily updated with the CityWide software suite and an updated financial analysis can be calculated. These adjustments will be an important component of future Asset Management Plans, as the province requires each municipality to present various management options within the financing plan.

The table below outlines the costs, by pipe diameter, for various sewer main rehabilitation (lining) and replacement activities. The columns display the added life obtained for each activity, the condition range at which they should be applied, and the cost of 1 year added life for each (cost of activity / added life) in order to present an apples to apples comparison.

Sewer Main Lifecycle Activity Options				
Category	Cost (per m)	Added Life	Condition Range	1 year Added Life Cost (Cost / Added Life)
Structural Rehab (m)				
0 - 325mm	\$174.69	75	50 - 75	\$2.33
325 - 625mm	\$283.92	75	50 - 75	\$3.79
625 - 925mm	\$1,857.11	75	50 - 75	\$24.76
> 925mm	\$1,771.34	75	50 - 75	\$23.62
Replacement (m)				
	\$475.00	100	76 - 100	\$4.75
325 - 625mm	\$725.00	100	76 - 100	\$7.25
625 - 925mm	\$900.00	100	76 - 100	\$9.00
> 925mm	\$1,475.00	100	76 - 100	\$14.75

As can be seen in the above table, structural rehabilitation or lining of sewer mains is an extremely cost effective industry activity and solution for pipes with a diameter less than 625mm. The unit cost of lining is approximately one third of replacement and the cost to obtain one year of added life is half the cost. For Kingsville, this diameter range would account for over 95% of sanitary sewer mains and 80% of storm mains. Structural lining has been proven through industry testing to have a design life (useful life) of 75 years, however, it is believed that liners will probably obtain 100 years of life (the same as a new pipe).

For sewer mains with diameters greater than 625mm specialized liners are required and therefore the costs are no longer effective. It should be noted, however, that the industry is continually expanding its technology in this area and therefore future costs should be further reviewed for change and possible price reductions.

It is recommended, if not in place already, that the town engage in an active structural lining program for sanitary and storm sewer mains and that a portion of the capital budget be dedicated to this.

In order to implement the above, it will be important to also establish a condition assessment program to establish a condition score for each sewer main within the sanitary and storm collection networks, and therefore identify which pipes are good candidates for structural lining.

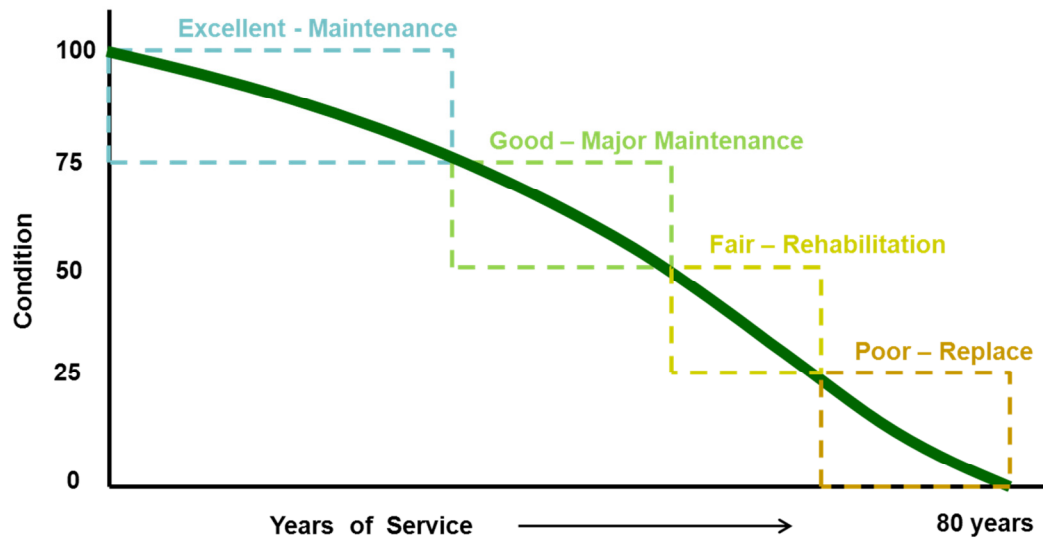
6.4.4 Bridges & Culverts (greater than 3m span)

The best approach to develop a 10 year needs list for the town's relatively small bridge structure portfolio would be to have the structural engineer who performs the inspections to develop a maintenance requirements report, a rehabilitation and replacement requirements report and identify additional detailed inspections as required. This approach is described in more detail within the "Bridges & Culverts (greater than 3m) Inspections" section above.

6.4.5 Water Network

As with roads and sewers above, the following analysis has been conducted at a fairly high level, using industry standard activities and costs for water main rehabilitation and replacement.

The following diagram depicts a general deterioration profile of a water main with an 80 year life.



As shown above, during the water main's life cycle there are various windows available for work activity that will maintain or extend the life of the asset. These windows are: maintenance; major maintenance; rehabilitation; and replacement or reconstruction.

The windows or thresholds for when certain work activities should be applied also coincide approximately with the condition state of the asset as shown below:

Asset Condition and Related Work Activity: Water Main		
Condition	Condition Range	Work Activity
Excellent condition (Maintenance only phase)	100-76	■ maintenance only (cleaning & flushing etc.)
Good Condition (Preventative maintenance phase)	75 - 51	■ water main break repairs ■ small pipe section repairs
Fair Condition (Rehabilitation phase)	50 -26	■ structural water main relining
Poor Condition (Reconstruction phase)	25 - 1	■ pipe replacement
Critical Condition (Reconstruction phase)	0	■ critical includes assets beyond their useful lives which make up the backlog. they require the same interventions as the "Poor" category above.

Water main Lifecycle Activity Option				
Category	Cost	Added Life	Condition Range	Cost of Activity / Added Life
Structural Rehab (m)				
0.000 - 0.150m	\$209.70	50	50 - 75	\$4.19
0.150 - 0.300m	\$315.00	50	50 - 75	\$6.30
0.300 - 0.400m	\$630.00	50	50 - 75	\$12.60
0.400 - 0.700m	\$1,500.00	50	50 - 75	\$30.00
0.700 m - & +	\$2,000.00	50	50 - 75	\$40.00
Replacement (m)				
0.000 - 0.150m	\$233.00	80	76 - 100	\$2.91
0.150 - 0.300m	\$350.00	80	76 - 100	\$4.38
0.300 - 0.400m	\$700.00	80	76 - 100	\$8.75
0.400 - 0.700m	\$1,500.00	80	76 - 100	\$18.75
0.700 m - & +	\$2,000.00	80	76 - 100	\$25.00

Water rehab technologies still require some digging (known as low dig technologies, due to lack of access) and are actually more expensive on a life cycle basis. However, if the road above the water main is in good condition lining avoids the cost of road reconstruction still resulting in a cost effective solution.

It should be noted, that the industry is continually expanding its technology in this area and therefore future costs should be further reviewed for change and possible price reductions.

At this time, it is recommended that the town only utilize water main structural lining when the road above requires rehab or no work.

6.5 Growth and Demand

Typically a municipality will have specific plans associated with population growth. It is essential that the asset management strategy should address not only the existing infrastructure, as above, but must include the impact of projected growth on defined project schedules and funding requirements. Projects would include the funding of the construction of new infrastructure, and/or the expansion of existing infrastructure to meet new demands. The town should enter these projects into the CityWide software in order to be included within the short and long term budgets as required.

6.6 Project Prioritization

The above techniques and processes when established for the road, water, sewer networks and bridges will supply a significant listing of potential projects. Typically the infrastructure needs will exceed available resources and therefore project prioritization parameters must be developed to ensure the right projects come forward into the short and long range budgets. An important method of project prioritization is to rank each project, or each piece of infrastructure, on the basis of how much risk it represents to the organization.

6.6.1 Risk Matrix and Scoring Methodology

Risk within the infrastructure industry is often defined as the probability (likelihood) of failure multiplied by the consequence of that failure.

$$\text{RISK} = \text{LIKELIHOOD OF FAILURE} \times \text{CONSEQUENCE OF FAILURE}$$

The likelihood of failure relates to the current condition state of each asset, whether they are in Excellent, Good, Fair, Poor or Critical condition, as this is a good indicator regarding their future risk of failure. The consequence of failure relates to the magnitude, or overall effect, that an asset's failure will cause. For instance, a small diameter water main break in a sub division may cause a few customers to have no water service for a few hours, whereby a large trunk water main break outside a hospital could have disastrous effects and would be a front page news item. The following table represents the scoring matrix for risk:

		Probability of Failure				
		1	2	3	4	5
Consequence of Failure	High					
	5	4 Assets 4,818.78 m, units \$2,458,018.61	1 Asset 1 units \$1,125,000.00	4 Assets 284.6 units, m \$15,035,335.42	No Assets - N/A	No Assets - N/A
	4	5 Assets 311.68 units, m \$1,558,029.50	3 Assets 843.1 units, m \$2,114,940.40	3 Assets 4,938.67 units, m \$2,689,516.91	8 Assets 5,450.82 units, m \$5,528,661.58	5 Assets 1,727.14 units, m \$3,014,085.36
	3	20 Assets 12,002.04 units, m \$6,036,070.95	20 Assets 30,010.88 units, m \$8,059,413.53	32 Assets 29,435.26 units, m \$15,533,558.27	12 Assets 9,782.49 m \$5,134,079.46	15 Assets 3,881.77 units, m \$5,307,987.06
	2	48 Assets 22,553.21 units, m \$7,206,401.02	68 Assets 40,407.15 units, m \$16,627,942.64	104 Assets 35,755.02 units, m \$25,758,003.64	61 Assets 21,652.11 units, m \$15,623,997.89	76 Assets 10,803.33 units, m \$20,588,001.48
	1	1030 Assets 42,015.607 units, m \$16,423,820.37	9763 Assets 129,838.024 units, m \$33,282,187.74	1967 Assets 82,547.7 units, m \$27,520,536.75	949 Assets 79,804.216 units, m \$23,006,832.86	3772 Assets 76,405.44 units, m \$39,041,320.09
Low		1	2	3	4	5

All of the town's assets analyzed within this asset management plan have been given both a likelihood of failure score and a consequence of failure score within the CityWide software.

The following risk scores have been developed at a high level for each asset class within the CityWide software system. It is recommended that the town undertake a detailed study to develop a more tailored

suite of risk scores, particularly in regards to the consequence of failure, and that this be updated within the CityWide software with future updates to this Asset Management Plan.

The current scores that will determine budget prioritization currently within the system are as follows:

All assets:

The Likelihood of Failure score is based on the condition of the assets:

Likelihood of Failure: All Assets	
Asset condition	Likelihood of failure
Excellent condition	score of 1
Good condition	score of 2
Fair condition	score of 3
Poor condition	score of 4
Critical condition	score of 5

Bridges (based on valuation):

The consequence of failure score for this initial AMP is based upon the replacement value of the structure. The higher the value, probably the larger the structure and therefore probably the higher the consequential risk of failure:

Consequence of Failure: Bridges	
Replacement Value	Consequence of failure
Up to \$100k	score of 1
\$101-\$200k	score of 2
\$201-\$300k	score of 3
\$301-\$400k	score of 4
\$401k and above	score of 5

Roads (based on classification):

The consequence of failure score for this initial AMP is based upon the road classification as this will reflect traffic volumes and number of people affected.

Consequence of Failure: Roads	
Road Classification	Consequence of failure
Gravel	score of 1
Tar and chip	score of 3
Paved	score of 5

Sanitary Sewer (based on diameter):

The consequence of failure score for this initial AMP is based upon pipe diameter as this will reflect potential upstream service area affected.

Consequence of Failure: Sanitary Sewer	
Pipe Diameter	Consequence of failure
Up to 200mm	score of 1
201-300mm	score of 2
301-400mm	score of 3
401-700mm	score of 4
701mm and above	score of 5

Water (based on diameter):

The consequence of failure score for this initial AMP is based upon pipe diameter as this will reflect potential service area affected.

Consequence of Failure: Water	
Pipe Diameter	Consequence of Failure
Up to 100mm	score of 1
101-150mm	score of 2
151-200mm	score of 3
201-250mm	score of 4
251mm and above	score of 5

Storm Sewer (based on diameter):

The consequence of failure score for this initial AMP is based upon pipe diameter as this will reflect potential upstream service area affected.

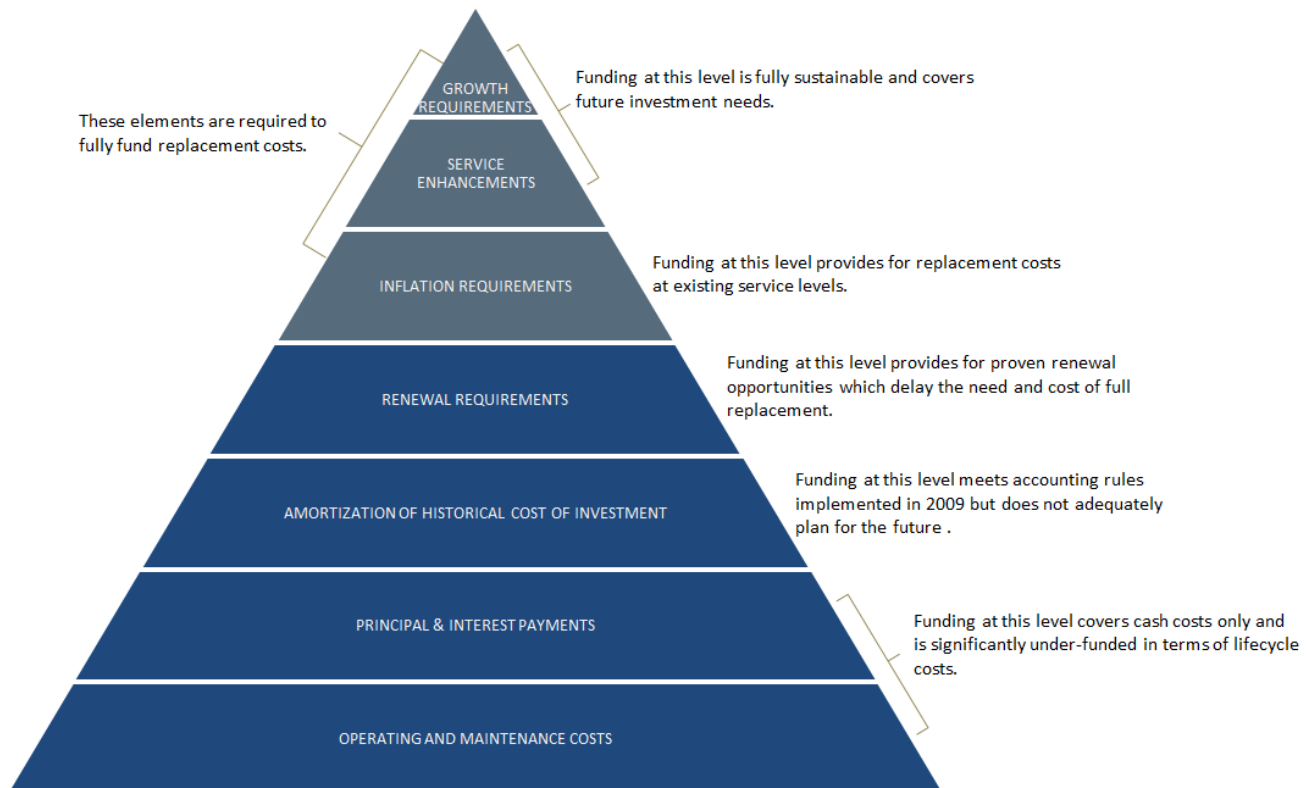
Consequence of Failure: Storm Sewer	
Replacement Value	Consequence of failure
Up to 250mm	score of 1
251-450mm	score of 2
451-650mm	score of 3
651-900mm	score of 4
901mm and above	score of 5

7.0 Financial Strategy

7.1 General overview of financial plan requirements

In order for an AMP to be effectively put into action, it must be integrated with financial planning and long-term budgeting. The development of a comprehensive financial plan will allow the Town of Kingsville to identify the financial resources required for sustainable asset management based on existing asset inventories, desired levels of service and projected growth requirements.

The following pyramid depicts the various cost elements and resulting funding levels that should be incorporated into AMP's that are based on best practices.



This report develops such a financial plan by presenting several scenarios for consideration and culminating with final recommendations. As outlined below, the scenarios presented model different combinations of the following components:

- a) the financial requirements (as documented in the SOTI section of this report) for:
 - existing assets
 - existing service levels
 - requirements of contemplated changes in service levels (none identified for this plan)
 - requirements of anticipated growth (none identified for this plan)
- b) use of traditional sources of municipal funds:
 - tax levies
 - user fees
 - reserves
 - debt (no additional debt required for this AMP)
 - development charges (not applicable)

- c) use of non-traditional sources of municipal funds:
 - reallocated budgets (not required for this AMP)
 - partnerships (not applicable)
 - procurement methods (no changes recommended)
- d) use of senior government funds:
 - gas tax
 - grants (not included in this plan due to Provincial requirements for firm commitments)

If the financial plan component of an AMP results in a funding shortfall, the Province requires the inclusion of a specific plan as to how the impact of the shortfall will be managed. In determining the legitimacy of a funding shortfall, the Province may evaluate a municipality's approach to the following:

- a) in order to reduce financial requirements, consideration has been given to revising service levels downward
- b) all asset management and financial strategies have been considered. For example:
 - if a zero debt policy is in place, is it warranted? If not, the use of debt should be considered.
 - do user fees reflect the cost of the applicable service? If not, increased user fees should be considered.

This AMP includes recommendations that avoid long-term funding deficits.

7.2 Financial information relating to the Town of Kingsville's AMP

7.2.1 Funding objective

We have developed scenarios that would enable the Town of Kingsville to achieve full funding within 5 years or 10 years for the following assets:

- a) Tax funded assets – Road network (paved roads); Bridges & Culverts; Storm Sewer Network
- b) Rate funded assets – Water Network; Sanitary Sewer Network

Note: For the purposes of this AMP, we have excluded the category of gravel roads since gravel roads are a perpetual maintenance asset and end of life replacement calculations do not normally apply. If gravel roads are maintained properly they, in essence, could last forever.

For each scenario developed we have included strategies, where applicable, regarding the use of tax revenues, user fees and reserves.

7.3 Tax funded assets

7.3.1 Current funding position

Tables 1 and 2 outline, by asset category, the Town of Kingsville's average annual asset investment requirements, current funding positions and funding changes required to achieve full funding on assets funded by taxes.

Table 1. Summary of Infrastructure Requirements & Current Funding Available						
Asset Category	Average Annual Investment Required	2013 Annual Funding Available				Annual Deficit
		Taxes	Gas Tax	Other	Total	
Paved Roads	6,899,000	382,000	1,026,000	0	1,408,000	5,491,000
Bridges & Culverts	613,000	46,000	0	0	46,000	567,000
Storm Sewers	527,000	136,000	0	0	136,000	391,000
Total	8,039,000	564,000	1,026,000	0	1,590,000	6,449,000

7.3.2. Recommendations for full funding

The average annual investment requirement for paved roads, bridges & culverts and storm sewers is \$8,039,000. Annual revenue currently allocated to these assets is \$1,590,000 leaving an annual deficit of \$6,449,000. To put it another way, these infrastructure categories are currently funded at 20% of their long-term requirements.

Kingsville has annual tax revenues of \$11,251,000 in 2013. As illustrated in table 2, full funding would require an increase in tax revenue of 57.3% over time.

Table 2. Overview of Revenue Requirements for Full Funding	
Asset Category	Tax Increase Required for Full Funding
Paved Roads	48.8%
Bridges & Culverts	5.0%
Storm Sewer Network	3.5%
Total	57.3%

As illustrated in table 8, Kingsville's debt payments for these asset categories will be decreasing by \$18,000 from 2013 to 2017 (5 years). Although not illustrated, debt payments will decrease by \$42,000 from 2013 to 2022 (10 years). Normally our recommendations include capturing those decreases in cost and allocating them to the infrastructure deficit outlined above. However, the amounts in this case are immaterial.

Through table 3, we have expanded the above scenario to present multiple options. Due to the significant increases required, we have provided phase-in options of up to 20 years:

Table 3. Revenue Options for Full Funding				
	Tax Revenues			
	5 YEARS	10 YEARS	15 YEARS	20 YEARS
Annual tax increases required	11.5%	5.7%	3.8%	2.9%

We recommend the 15 year option in table 3. This involves full funding being achieved over 15 years by:

- a) increasing tax revenues by 3.8% each year for the next 15 years solely for the purpose of phasing in full funding to the asset categories covered in this section of the AMP.
- b) allocating the \$1,026,000 of gas tax revenue to the paved roads category.
- c) increasing existing and future infrastructure budgets by the applicable inflation index on an annual basis in addition to the deficit phase-in.

Notes:

1. We realize that raising revenues by 3.8% per year for infrastructure purposes will be very difficult to do. However, considering a phase-in window greater than ten years may have even greater consequences in terms of infrastructure failure.
2. As in the past, periodic senior government infrastructure funding will most likely be available during the phase-in period. By Provincial AMP rules, this funding cannot be incorporated into the AMP unless there are firm commitments in place.

Although this option achieves full funding on an annual basis in 15 years and provides financial sustainability over the period modeled (to 2050), the recommendations do require prioritizing capital projects to fit the resulting annual funding available. For example, as of 2013, age based data shows a pent up investment demand of \$24,148,000 for paved roads, \$7,915,000 for bridges/culverts and \$1,057,000 for storm sewers. Prioritizing these and future projects will require the age based data to be replaced by condition based data. Although our recommendations include no further use of debt, the results of the condition based analysis may demand otherwise.

7.4 Rate funded assets

7.4.1 Current funding position

Tables 4 and 5 outline, by asset category, the Town of Kingsville's average annual asset investment requirements, current funding positions and funding changes required to achieve full funding on assets funded by rates.

Table 4. Summary of Infrastructure Requirements & Current Funding Available						
Asset Category	Average Annual Investment Required	2013 Annual Funding Available				Annual Deficit (Surplus)
		Rates	Less: Allocated to Operations	Other	Total	
Sanitary Sewer Network	950,000	1,603,000	-1,345,000	0	258,000	692,000
Water Network	961,000	4,735,000	-4,225,000	0	510,000	451,000
Total	1,911,000	6,338,000	-5,570,000	0	768,000	1,143,000

7.4.2. Recommendations for full funding

The average annual investment requirement for sanitary and water services is \$1,911,000. Annual revenue currently allocated to these assets for capital purposes is \$768,000 leaving an annual deficit of \$1,143,000. As a result, these infrastructure categories are currently funded at 40% of their long-term requirements.

In 2013, Kingsville has annual sanitary revenues of \$1,603,000 and water revenues of \$4,735,000. As illustrated in table 5, a move to full funding require increasing sanitary rates by 43.2% over time and water rates by 9.5% over time.

Table 5. Overview of Revenue Requirements for Full Funding	
Asset Category	Rate Increases Required for Full Funding
Sanitary Sewer Network	43.2%
Water Network	9.5%

Through table 6, we have expanded the above scenario to present multiple options.

Table 6. Revenue Options for Full Funding				
	Sanitary Sewer Network		Water Network	
	5 YEARS	10 YEARS	5 YEARS	10 YEARS
Annual rate increase required	8.6%	4.3%	1.9%	1.0%

Considering all of the above information, we recommend the 10 year option in table 6. This involves full funding being achieved over 10 years by:

- c) increasing rate revenues by 4.3% for sanitary services and 1.0% for water services each year for the next 10 years solely for the purpose of phasing in full funding to the asset categories covered in this section of the AMP.
- d) increasing existing and future infrastructure budgets by the applicable inflation index on an annual basis in addition to the deficit phase-in.

Notes:

1. As in the past, periodic senior government infrastructure funding will most likely be available during the phase-in period. By Provincial AMP rules, this funding cannot be incorporated into an AMP unless there are firm commitments in place.
2. Any increase in rates required for operations would be in addition to the above recommendations.

Although this option achieves full funding on an annual basis in 10 years and provides financial sustainability over the period modeled (to 2050), the recommendations do require prioritizing capital projects to fit the resulting annual funding available. As of 2013, age based data shows a pent up investment demand of \$2,218,000 for sanitary services and \$4,792,000 for water services. Prioritizing future projects will require the age based data to be replaced by condition based data. Although our recommendations include no further use of debt, the results of the condition based analysis may require otherwise.

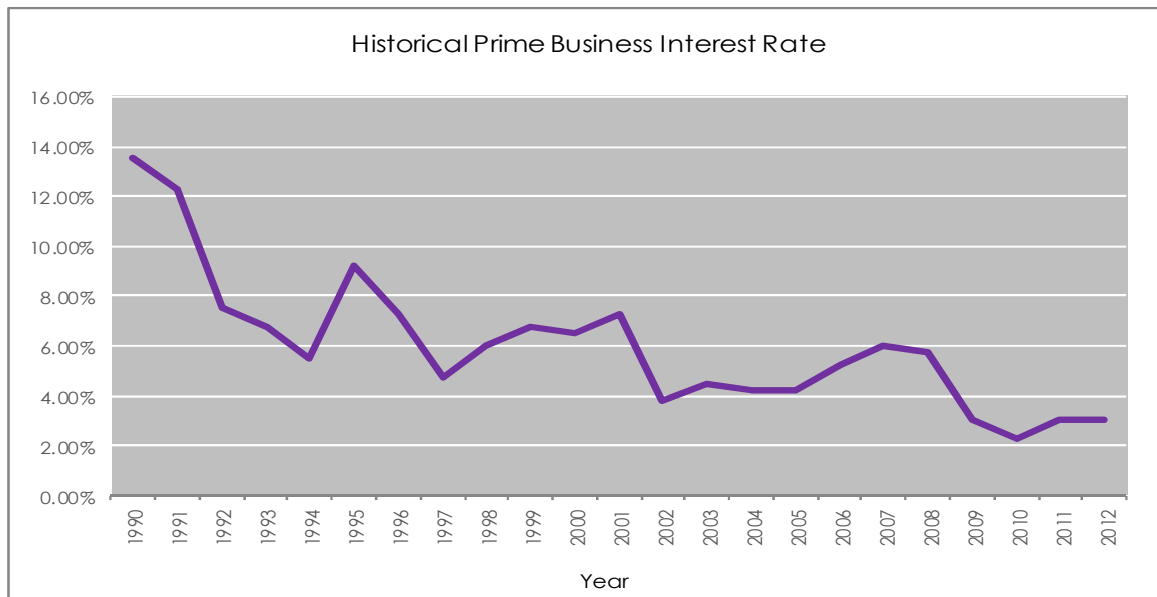
7.5 Use of debt

For reference purposes, table 7 outlines the premium paid on a project if financed by debt. For example, a \$1M project financed at 3.0%¹ over 15 years would result in a 26% premium or \$260,000 of increased costs due to interest payments. For simplicity, the table does not take into account the time value of money or the effect of inflation on delayed projects.

Table 6. Total Interest Paid as a % of Project Costs						
Interest Rate	Number Of Years Financed					
	5	10	15	20	25	30
7.0%	22%	42%	65%	89%	115%	142%
6.5%	20%	39%	60%	82%	105%	130%
6.0%	19%	36%	54%	74%	96%	118%
5.5%	17%	33%	49%	67%	86%	106%
5.0%	15%	30%	45%	60%	77%	95%
4.5%	14%	26%	40%	54%	69%	84%
4.0%	12%	23%	35%	47%	60%	73%
3.5%	11%	20%	30%	41%	52%	63%
3.0%	9%	17%	26%	34%	44%	53%
2.5%	8%	14%	21%	28%	36%	43%
2.0%	6%	11%	17%	22%	28%	34%
1.5%	5%	8%	12%	16%	21%	25%
1.0%	3%	6%	8%	11%	14%	16%
0.5%	2%	3%	4%	5%	7%	8%
0.0%	0%	0%	0%	0%	0%	0%

It should be noted that current interest rates are near all-time lows. Sustainable funding models that include debt need to incorporate the risk of rising interest rates. The following graph shows where historical lending rates have been:

¹ Current municipal Infrastructure Ontario rates for 15 year money is 3.2%.



As illustrated in table 6, a change in 15 year rates from 3% to 6% would change the premium from 26% to 54%. Such a change would have a significant impact on a financial plan.

Tables 7 and 8 outline how the Town of Kingsville has historically used debt for investing in the asset categories as listed. In terms of overall debt capacity, Kingsville currently has \$1,432,000 of total outstanding debt and \$165,000 of total annual principal and interest payment commitments. These principal and interest payments are well within its provincially prescribed annual maximum of \$5,388,000.

Table 7. Overview of Use of Debt						
Asset Category	Current Debt Outstanding	Use Of Debt In Last Five Years				
		2009	2010	2011	2012	2013
Paved Roads	1,333,000	0	0	0	0	0
Bridges & Culverts	0	0	0	0	0	0
Storm Sewer Network	0	0	0	0	0	0
Sanitary Sewer Network	0	0	0	0	0	0
Water Network	0	0	0	0	0	0
Total for AMP Categories	0	0	0	0	0	0
Non AMP Debt	0	0	0	0	0	0
Overall Total	1,333,000	0	0	0	0	0

Table 8. Overview of Debt Costs					
Asset Category	Principal & Interest Payments In Next Five Years				
	2013	2014	2015	2016	2017
Paved Roads	165,000	160,000	156,000	151,000	147,000
Bridges & Culverts	0	0	0	0	0
Storm Sewers	0	0	0	0	0
Sanitary Services	0	0	0	0	0
Water Services	0	0	0	0	0
Total for AMP Categories	165,000	160,000	156,000	151,000	147,000
Non AMP Debt	0	0	0	0	0
Overall Total	165,000	160,000	156,000	151,000	147,000

The revenue options outlined in this plan allow Kingsville to fully fund its long-term infrastructure requirements without further use of debt. However, as explained in sections 7.3.2 and 7.4.2, the recommended condition rating analysis may require otherwise.

7.6 Use of reserves

7.6.1 Available reserves

Reserves play a critical role in long-term financial planning. The benefits of having reserves available for infrastructure planning include:

- the ability to stabilize tax rates when dealing with variable and sometimes uncontrollable factors
- financing one-time or short-term investments
- accumulating the funding for significant future infrastructure investments
- managing the use of debt
- normalizing infrastructure funding requirements

By infrastructure category, table 9 outlines the details of the reserves currently available to the Town of Kingsville.

Table 9. Summary of Reserves Available	
Asset Category	Balance at December 31, 2013
Paved Roads	0
Bridges & Culverts	0
Storm Sewer Network	0
Total Tax Funded	0
Sanitary Sewer Network	509,000
Water Network	510,000
Total Rate Funded	1,019,000

There is considerable debate in the municipal sector as to the appropriate level of reserves that a municipality should have on hand. There is no clear guideline that has gained wide acceptance. Factors that municipalities should take into account when determining their capital reserve requirements include:

- breadth of services provided
- age and condition of infrastructure
- use and level of debt

- economic conditions and outlook
- internal reserve and debt policies

The reserves in table 10 are available for use by applicable asset categories during the phase-in period to full funding. This, coupled with Kingsville's judicious use of debt in the past, allows the scenarios to assume that, if required, available reserves and debt capacity can be used for high priority and emergency infrastructure investments in the short to medium-term.

7.6.2 Recommendation

As the Town of Kingsville updates its AMP and expands it to include other asset categories, that future planning should include determining what its long-term reserve balance requirements are and a plan to achieve such balances in the long-term.

8.0 Appendix A: Report Card Calculations

Key Calculations

1. "Weighted, unadjusted star rating":

(% of assets in given condition) × (potential star rating)

2. "Adjusted star rating"

(weighted, unadjusted star rating) × (% of total replacement value)

3. "Overall Rating"

(Condition vs. Performance star rating) + (Needs vs. Funding star rating)

2

Grade Cutoffs

1. Conditions vs Performance

Letter Grade	Star Rating
F	0
D	2
D+	2.5
C	2.9
C+	3.5
B	3.9
B+	4.5
A	4.9
A	5

2. Funding vs Need

Funding %	Star rating	Grade
0.0%	0	F
25.0%	1	F
46.0%	1.9	D
61.0%	2.9	C
76.0%	3.9	B
91.0%	4.9	A
100.0%	5	A

Roads Network: Town of Kingsville

1. Condition vs. Performance

Total category replacement value (excludes gravel/minor appurtenances)		\$131,498,439		Segment replacement value		\$131,498,439		Segment value as a % of total category replacement value		100.0%	
Segment 1 (of1)	Condition	Letter grade	Star rating	Quantity (m) in given condition	% of Assets in given condition	Weighted, unadjusted star rating	Segment adjusted star rating				
Tar & chip, and asphalt	Excellent	A	5	25,320	12%	0.6	3.07				
	Good	B	4	43,067	21%	0.8					
	Fair	C	3	77,761	38%	1.1					
	Poor	D	2	34,798	17%	0.3					
	Critical	F	1	22,337	11%	0.1					
			Totals	203,283	100%	3.1					
							Category star rating	Category letter grade			
							3.1	C			

2. Needs vs. Funding

Average annual investment required	2013 funding available	Funding percentage	Deficit			Category star rating	Category letter grade
\$6,899,000	\$1,408,000	20.4%	\$5,491,000			0.0	F

3. Overall Rating

Condition vs Performance star rating		Needs vs Funding star rating			Average star rating	Overall letter grade
3.1		0.0			1.5	F

Bridges & Culverts: Town of Kingsville

1. Condition vs Performance

Total category replacement value		\$26,245,962		Segment replacement value		\$26,245,962		Segment value as a % of total category replacement value		100.0%	
Segment 1 (of 1)	Condition	Letter grade	Star rating	Units in given condition	% of Assets in given condition	Weighted, unadjusted star rating	Segment adjusted star rating				
Bridges & culverts	Excellent	A	5	5	5%	0.3	1.99				
	Good	B	4	11	11%	0.4					
	Fair	C	3	13	13%	0.4					
	Poor	D	2	19	19%	0.4					
	Critical	F	1	51	52%	0.5					
			Totals	99	100%	2.0					
							Category star rating	Category letter grade			
							2.0	F			

2. Needs vs Funding

Average annual investment required	2013 funding available	Funding percentage	Deficit			Category star rating	Category letter grade
\$613,000	\$46,000	7.5%	\$567,000			0.0	F

3. Overall Rating

Condition vs Performance star rating		Needs vs Funding star rating			Average star rating	Overall letter grade
2.0		0.0			1.0	F

Water Network: Town of Kingsville

1. Condition vs Performance

Total category replacement value (Segment replacement value		Segment value as a % of total category replacement value	
\$39,662,570				\$32,483,970		81.9%	
Segment 1 (of 2)	Condition	Letter grade	Star rating	Quantity (m) in given condition	% of Assets in given condition	Weighted, unadjusted star rating	Segment adjusted star rating
Water mains	Excellent	A	5	17,034	7%	0.36	2.53
	Good	B	4	91,340	39%	1.55	
	Fair	C	3	51,408	22%	0.66	
	Poor	D	2	45,252	19%	0.38	
	Critical	F	1	30,217	13%	0.13	
Totals				235,251	100%	3.08	
Total category replacement value				Segment replacement value		Segment value as a % of total category replacement value	
\$39,662,570				\$7,178,600		18.1%	
Segment 2 (of 2)	Condition	Letter grade	Star rating	Units in given condition	% of Assets in given condition	Weighted, unadjusted star rating	Segment adjusted star rating
Hydrants and valves	Excellent	A	5	240	10%	0.5	0.47
	Good	B	4	647	26%	1.1	
	Fair	C	3	458	19%	0.6	
	Poor	D	2	116	5%	0.1	
	Critical	F	1	992	40%	0.4	
Totals				2,453	100%	2.6	
						Category star rating	Category letter grade
						3.0	C

2. Needs vs Funding

Average annual investment required	2013 funding available	Funding percentage	Deficit			Category star rating	Category letter grade
\$961,000	\$510,000	53.1%	\$451,000.00				
						1.9	D

3. Overall Rating

Condition vs Performance star rating		Needs vs Funding star rating		Average star rating	Overall letter grade
3.0		1.9		2.4	D

Sanitary Sewer Network: Town of Kingsville

1. Condition vs Performance

Total category replacement value (excludes minor appurtenances)				Segment replacement value		Segment value as a % of total category replacement value	
\$38,774,657				\$24,459,286		63.1%	
Segment 1 (of 2)	Condition	Letter grade	Star rating	Quantity (m) of assets in given condition	% of Assets in given condition	Weighted, unadjusted star rating	Segment adjusted star rating
Mains/Pipes	Excellent	A	5	23,478	25%	1.23	2.20
	Good	B	4	38,505	40%	1.61	
	Fair	C	3	4,645	5%	0.15	
	Poor	D	2	19,313	20%	0.40	
	Critical	F	1	9,587	10%	0.10	
Totals				95,528	100%	3.49	

Total category replacement value				Segment replacement value		Segment value as a % of total category replacement value	
\$38,774,657				\$14,315,371		36.9%	
Segment 2 (of 2)	Condition	Letter grade	Star rating	Replacement cost in given condition	% of Assets in given condition (based on replacement cost)	Weighted, unadjusted star rating	Segment adjusted star rating
Facilities	Excellent	A	5	\$693,402	4.8%	0.2	1.10
	Good	B	4	\$902,611	6.3%	0.3	
	Fair	C	3	\$11,484,633	80.2%	2.4	
	Poor	D	2	\$0	0.0%	0.0	
	Critical	F	1	\$1,234,725	8.6%	0.1	
Totals				\$14,315,371	100.0%	3.0	

Category star rating	Category letter grade
3.3	C

2. Needs vs Funding

Average annual investment required	2013 funding available	Funding percentage	Deficit	Category star rating	Category letter grade
\$950,000	\$258,000	27.2%	\$692,000.00	1.0	F

3. Overall Rating

Condition vs Performance star rating	Needs vs Funding star rating	Average star rating	Overall letter grade
3.3	1.0	2.2	D

Storm Network: Town of Kingsville

1. Condition vs Performance

Total category replacement value				Segment replacement value		Segment value as a % of total category replacement value	
\$24,599,301				\$18,299,301		74.4%	
Segment 1 (of 2)	Condition	Letter grade	Star rating	Quantity (m) of assets in given condition	% of Assets in given condition	Weighted, unadjusted star rating	Segment adjusted star rating
Mains/Pipes	Excellent	A	5	10,934	25%	1.25	2.49
	Good	B	4	12,852	29%	1.18	
	Fair	C	3	5,977	14%	0.41	
	Poor	D	2	8,527	19%	0.39	
	Critical	F	1	5,439	12%	0.12	
			Totals	43,729	100%	3.35	

Total category replacement value				Segment replacement value		Segment value as a % of total category replacement value	
\$24,599,301				\$6,300,000		25.6%	
Segment 2 (of 2)	Condition	Letter grade	Star rating	Units in given condition	% of assets in given condition	Weighted, unadjusted star rating	Segment adjusted star rating
Manholes and catch basins	Excellent	A	5	250	9%	0.4	0.82
	Good	B	4	1,478	52%	2.1	
	Fair	C	3	350	12%	0.4	
	Poor	D	2	146	5%	0.1	
	Critical	F	1	620	22%	0.2	
			Totals	2,844	100%	3.2	

Category star rating	Category letter grade
3.3	C

2. Needs vs Funding

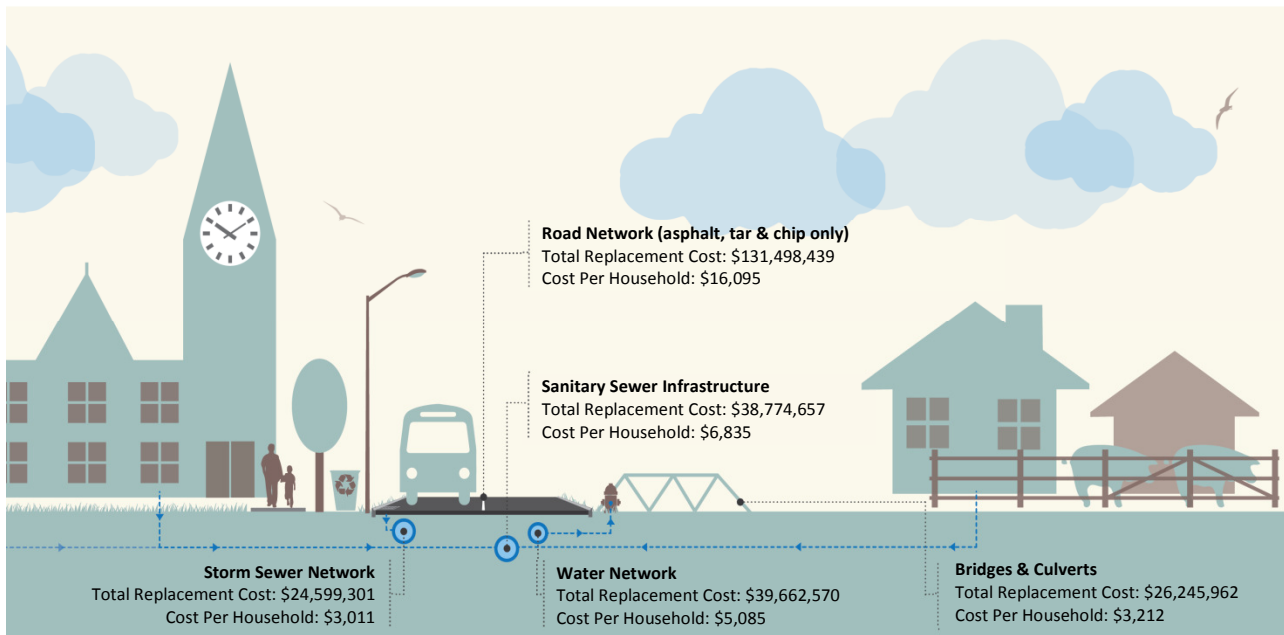
Average annual investment required	2013 funding available	Funding percentage	Deficit			Category star rating	Category letter grade
\$527,000	\$136,000	25.8%	\$391,000.00				
						1.0	F

3. Overall Rating

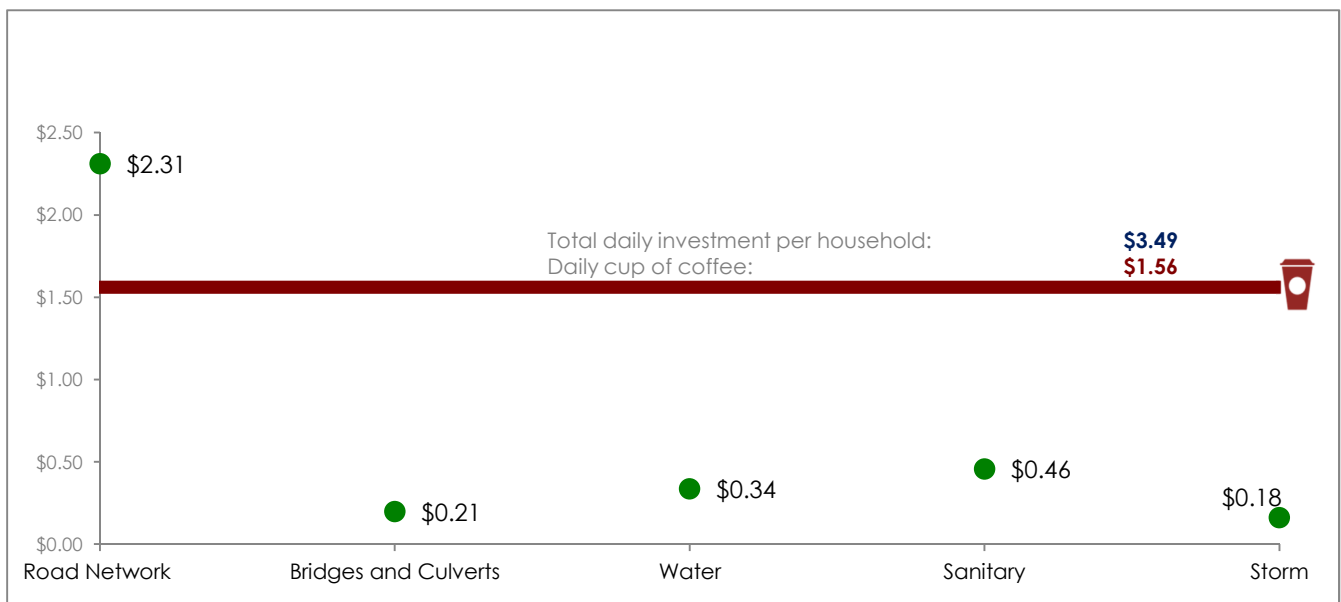
Condition vs Performance star rating		Needs vs Funding star rating		Average star rating	Overall letter grade
3.3		1.0		2.2	D

Infrastructure Replacement Cost Per Household

Total: \$34,239 per household



Daily Investment Required Per Household for Infrastructure Sustainability



SHOOTERS PHOTOGRAPHY CLUB

“Come click with us!”

November 9th, 2017

To: Mayor Nelson Santos & Kingsville Council Members

Reference: Shooters Club use of Unico Community Center for monthly meetings

Greetings,

The Shooters Photography Club is a local Kingsville photography/art organization that is populated by local citizens, as well as others from the Essex County area. This club has been active in the area since 2009, and presently has an active membership of about 35 people. The organization has an active board of ardent photographers, which meets every second month, and is made of volunteers whose interest is to reach out to other amateur photographers to share their photographic knowledge base.

The Shooters club has an official web page, as well as a Facebook page where we enjoy a following of approximately 450 interested parties. As well, the board plans for a minimum of 11 monthly member get-togethers, where activities might include some of the following subjects: critiques of submitted photos, teaching on photo software programs, technical aspects of cameras and their function, portrait taking of model sessions and invited guest speakers talking on a variety of photography subjects.

The Shooters Club presently meets on the first Wednesday of each month and the meeting location is in the Hibiscus Room at Colasantis' from 7:00 to 9:00 pm.

The Club's membership fee of \$40 yearly, has been our sole source of revenue for some years now and while the general operating costs of the club are modest, the rental monies paid to Colasantis' at \$550, along with a couple of other fees, such as the Leamington Art Center, for the web social media outlets, as well as guest speakers honorariums, brings us to year end at the break-even point of dollars in, dollars out.

The Shooters board members are wrestling with two issues at the present time.

1. Colasantis' has informed us that they are planning to withdraw the months of July and August from our planned members meetings in 2018. This will drop our ability to hold photography/art meetings to 9 per year.
2. The Shooters board is composed of volunteers and for years have operated without any provision for Officer and Director Liability Insurance. Recent

(2)

litigiousness events have made this issue paramount for the directors to find a solution for the funding for this now required club expense.

A proposal has been made by one of our directors that the board look into the possibility of seeking permission from the Township of Kingsville for the use of the Unico Community Center for our planned eleven 2018 monthly photographic sessions. This solution would allow us to continue to have an active slate of training opportunities as has been our past practice.

Secondly, were the Mayor and Council to be persuaded to waive the normal rental fee structure for our club, this reduced meeting expense would then allow us to move ahead to solve the liability insurance question with more funds available within our normal operating cost structure.

We would certainly be very willing to come before council to explain more about our club and this request for the use of this hall and a waiver of fees.

Sincerely,

Mike Towne

Vice President

519-733-5251

cc: George Schiefer, *President*



**REGULAR MEETING OF COUNCIL
MINUTES**

**Tuesday, November 14, 2017
6:30 PM
Council Chambers
2021 Division Road N
Kingsville, Ontario N9Y 2Y9**

Members of Council	Mayor Nelson Santos Deputy Mayor Gord Queen Councillor Susanne Coghill Councillor John Driedger Councillor Tony Gaffan Councillor Thomas Neufeld Councillor Larry Patterson
Members of Administration	J. Astrologo, Director of Corporate Services M. Durocher, Parks & Recreation Program Manager K. Girard, Municipal Services Manager T. Del Greco, Manager of Municipal Facilities and Property S. Kitchen, Deputy Clerk-Council Services R. McLeod, Manager of Financial Services A. Plancke, Director of Municipal Services P. Van Mierlo-West, CAO

A. CALL TO ORDER

Mayor Santos called the Regular Meeting to order at 6:30 p.m.

B. DISCLOSURE OF PECUNIARY INTEREST

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

C. CLOSED SESSION

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

702-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Tony Gaffan

Council enter into Closed Session at 6:30 p.m. pursuant to section 239(2) of the *Municipal Act, 2001* to address the following item:

Update Report by Legal Counsel regarding the status of ongoing litigation pertaining to the expropriation of a portion of waterfront lands for park purposes; (Section 239(2)(e) of the *Municipal Act, 2001* (litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board)).

CARRIED

At 7:06 p.m. Council rose from Closed Session and the Regular Meeting reconvened in Open Session with all members of Council in attendance along with the following members of Administration: CAO P. Van Mierlo-West, Director of Corporate Services J. Astrologo, Deputy Clerk-Council Services S. Kitchen, Director of Municipal Services A. Plancke, Manager of Parks and Recreation Programs M. Durocher, Manager of Municipal Services K. Girard, Manager of Financial Services R. McLeod, and Manager of Municipal Facilities and Property T. Del Greco.

D. MOMENT OF SILENCE AND REFLECTION

Mayor Santos asked those present to stand and observe a moment of silence and reflection to be followed by the playing of O'Canada.

F. DISCLOSURE OF PECUNIARY INTEREST

G. PRESENTATIONS/DELEGATIONS

1. **Karen Pickle on behalf of Andrew Banar and Group Hug Apparel will speak to the activities and blue and gold ribbon campaign of Canadian Down Syndrome Awareness Week that was held November 1-7, 2017**

Andrew Banar outlined some of the activities that he participated in this past week in honour of Canadian Down Syndrome Awareness week that was held November 1-7, 2017.

2. **Susan Dupont Baptista, Joan Cotte, Andrea Mercier, Arlene Murphy of Artisan Alley--Request dated October 30, 2017 RE: Presentation on Grant Funding Request of Artisan Alley initiative**

Ms. Dupont Baptista and Ms. Mercier presented the Artisan Alley initiative.

703-2017

Moved by Councillor Thomas Neufeld

Seconded by Councillor Tony Gaffan

Council direct Administration to prepare a Report identifying the property owners of the alley behind the northwest block of businesses at the corner of Division St. North and Main St. and a costing of the paving of the area.

CARRIED

H. AMENDMENTS TO THE AGENDA

Deputy Mayor Queen added one Notice of Motion

Mayor Santos added one Announcement and one Update.

I. ADOPTION OF ACCOUNTS

1. **Town of Kingsville Accounts for the monthly period ended October 31, 2017 being TD cheque numbers 0063370 to 0063641 for a grand total of \$1,792,128.94**

704-2017

Moved by Councillor Thomas Neufeld

Seconded by Councillor John Driedger

That Council approve Town of Kingsville Accounts for the monthly period ended October 31, 2017 being TD cheque numbers 0063370 to 0063641 for a grand total of \$1,792,128.94

CARRIED

J. STAFF REPORTS

1. **Fantasy of Lights Sip and Shop**

M. Durocher, Parks and Recreation Programs Manager.

705-2017

Moved by Deputy Mayor Gord Queen
Seconded by Councillor Susanne Coghill

Council approves the request for Event of Municipal Significance status for the 2017 Fantasy of Lights Festival.

CARRIED

2. Q3 Financial Status Update Report to September 30 2017

Ryan McLeod, Manager of Financial Services, presented the report in Ms. Zwiers' absence.

706-2017

Moved by Deputy Mayor Gord Queen
Seconded by Councillor Susanne Coghill

That the Building, Information Technology and Financial Services Departments work together to improve the technology available to the Building Department to enhance efficiencies in that department.

CARRIED

707-2017

Moved by Councillor Thomas Neufeld
Seconded by Councillor Larry Patterson

That Council approve the transfer of any unspent balances in General Administration Professional Services (60319) and General Insurance Deductible (60313) to the General Administration Working Capital Reserve (31060) for use against future legal and claim expenses.

That Council approve the transfer of \$11,500 from Donations and Grants (60390) to the Affordable Housing Initiative Reserve (31060) representing the approved 2017 allocation to Habitat for Humanity.

That Council approve the transfer of any positive budget variance from the Marina budget to the Marina Reserve (31057).

CARRIED

3. External Audit Services – Extension Agreement

R. McLeod, Manager of Financial Services

708-2017

Moved by Councillor Larry Patterson

Seconded by Councillor Tony Gaffan

Council authorize the municipality to engage BDO Canada LLP for the audit of the municipality's Financial and Trust Fund statements for the years ending 2017 through 2021.

CARRIED

4. Royal Oak at the Creek Phase 8b (Robin Crt. / Lukas Dr.) Initial Acceptance

A. Plancke, Director of Municipal Services

709-2017

Moved by Councillor Tony Gaffan

Seconded by Councillor Thomas Neufeld

That Council concur with the request of the Developer's Consultant to initially accept the Royal Oak at the Creek Phase 8b Subdivision onto "Maintenance" for a period of no less than one year, and that the Clerk provide written confirmation to the Developer of the date of initial acceptance of the development by Council resolution.

CARRIED

5. Millbrook Phase 2 Stage 2 (Woodland St. Hazel Cr.) Initial Acceptance

A. Plancke, Director of Municipal Services

710-2017

Moved by Councillor Larry Patterson

Seconded by Councillor John Driedger

That Council concur with the request of the Developer's Consultant to initially accept the Millbrook Phase 2 Stage 2 Subdivision onto "Maintenance" for a period of no less than one year, and that the Clerk provide written confirmation to the Developer of the date of initial acceptance of the development by Council resolution.

CARRIED

6. Contract No. MS17-202 - County Road 18 Watermain Extension

K. Girard, Manager of Municipal Services

711-2017

Moved by Councillor Thomas Neufeld

Seconded by Councillor Tony Gaffan

That Council:

Receive the letter of recommendation from Stantec Consulting and authorize the award of Contract Number MS17-202 for the County Road 18 Watermain Extension to Coco Paving in the amount of \$536,959.20 (not including HST); and

Pre-approve the oversizing capital cost of \$26,833.90 (not including HST), which will form part of the 2018 Water Capital Budget and be funded by a transfer from the Water Future Waterline Maintenance Reserve; and

Direct Administration to prepare the necessary authorizing by-law.

CARRIED

7. Bridge and Culvert Inspections Report

K. Girard, Manager of Municipal Services

712-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Susanne Coghill

That Council receives the 2017 Bridge and Culvert Inspections report.

CARRIED

8. Dog Park Fence Screening

T. Del Greco, Manager of Municipal Facilities and Property

713-2017

Moved by Councillor Thomas Neufeld

Seconded by Councillor Susanne Coghill

Council receive this report regarding dog park fencing for their information and administration to monitor and address any concerns received following the annual tree planting program.

CARRIED

9. Arena Generator

T. Del Greco, Manager of Municipal Facilities and Property

714-2017

Moved by Councillor Tony Gaffan

Seconded by Councillor Susanne Coghill

Council approve the proposal submitted by Phasor Industrial in the amount of \$74,995 (excluding HST) for the supply of a 300kw Sommers generator to Kingsville Arena.

CARRIED

10. Posthumus v Ontario, Tribunal Hearing, Case No.: 16-110

J. Astrologo, Director of Corporate Services/Clerk

715-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Larry Patterson

That Council authorize Administration to further investigate participating in the Environmental Land Tribunal Hearing (Case No: 16-110) involving Matthew Posthumus and the Ministry of Environment and Climate Change as either a Participant or Presenter and to provide the requisite notification to the Case Coordinator of same.

CARRIED

11. Animal Control Committee Matters – Tender, Pound Budget, and temporary Pound use by Amherstburg

J. Astrologo, Director of Corporate Services/Clerk

716-2017

Moved by Councillor Susanne Coghill

Seconded by Councillor Thomas Neufeld

That Council authorize the entering into of an agreement with Essex County K9 Services for the provision of animal control and pound services in the Town of Kingsville and Municipality of Leamington for a term of three years at an annual cost of \$70,000, plus HST; and a cost of \$70, plus HST for each wildlife removal call.

CARRIED

717-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Larry Patterson

That Council receive the recommendation from the Joint Animal Control Committee to pre-approve the 2018 Joint Animal Control Committee Budget and to defer the recommendation for discussion during the 2018 Municipal Budget Deliberations.

CARRIED

718-2017

Moved by Councillor Susanne Coghill

Seconded by Councillor John Driedger

Council approve the entering into of an agreement with the Town of Amherstburg to utilize the dog pound facility from October 25, 2017 until December 31, 2017 at a per diem rate of \$25.00 and one-time fee of \$75.00 per dog; and further, that the Municipality of Leamington and Town of Kingsville enter into an agreement with Larry Wood to pay a per diem rate of \$25.00 in respect of the care of dogs received from the Town of Amherstburg and housed at the dog pound facility during the period commencing October 25, 2017 until December 31, 2017.

CARRIED

K. BUSINESS/CORRESPONDENCE-ACTION REQUIRED

- 1. MADD Message Yearbook Advertising Information--Request for supportive advertisement (business card \$279) in last edition of the MADD message yearbook.**

719-2017

Moved by Councillor Thomas Neufeld

Seconded by Councillor Tony Gaffan

That Council approve Business Card Size ad in the last edition of the MADD Message Yearbook.

CARRIED

2. WindsorEssex Economic Development Corporation--Request for Council Resolution highlighting the importance of the auto industry to Municipalities in Ontario

720-2017

Moved by Councillor Larry Patterson

Seconded by Deputy Mayor Gord Queen

WHEREAS, the auto sector directly employs over 101,000 people in Ontario, and indirectly supports the creation of more than 300,000 good jobs in communities nationwide; and

WHEREAS, the automotive industry represents Canada's largest manufacturing sector, Ontario's chief export and the economic lifeblood of hundreds of Canadian communities; and

WHEREAS a thriving auto sector is an essential part of Kingsville's local economy, stimulating growth, innovation and good, high-paying jobs; and

WHEREAS the Windsor-Essex Region is Canada's automotive "epicentre", employing over 18,000 workers, including home to FCA Canada's Windsor Assembly Plant, the country's single biggest manufacturing facility by employment; and

WHEREAS, Canada's auto sector has been deeply integrated with that of the United States since the early-20th century, as indicated by the 1965 Canada-US Auto Pact; and

WHEREAS the North American Free Trade Agreement governs nearly every aspect of Canada and the United States' economic relationship, including the import and export of auto parts and vehicles; and

WHEREAS, even minor changes to the established trade relationship between Canada and the United States could have enormous consequences for workers and consumers on both side of the border; and

WHEREAS, in 2016 the government of Ontario and Michigan signed a Memorandum of Understanding calling for increased cooperation and partnership between their two automotive sectors; and

WHEREAS, Canada's economic future and continued wellbeing of Kingsville's economy depend on a thriving automotive sector.

THEREFORE BE IT RESOLVED COUNCIL:

Join with Councils across Ontario in calling on the federal government to recognize Canada's automotive sector as a key priority throughout the NAFTA negotiations.

CARRIED

L. MINUTES OF THE PREVIOUS MEETINGS

- 1. Regular Meeting of Council-October 23, 2017**
- 2. Regular 'Closed Session' Meeting of Council--October 23, 2017**
- 3. Special Meeting of Council--November 6, 2017**

721-2017

Moved by Councillor John Driedger

Seconded by Councillor Thomas Neufeld

That Council adopt Regular Meeting of Council Minutes dated October 23, 2017, Regular 'Closed Session' Meeting of Council Minutes dated October 23, 2017, and Special Meeting of Council Minutes dated November 6, 2017.

CARRIED

M. MINUTES OF COMMITTEES AND RECOMMENDATIONS

- 1. Kingsville BIA--September 12, 2017**

722-2017

Moved by Councillor Tony Gaffan

Seconded by Councillor Susanne Coghil

That Council receive Kingsville B.I.A. Meeting Minutes dated, September 12, 2017.

CARRIED

2. Planning Advisory Committee--September 19, 2017

723-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Tony Gaffan

That Council receive the Planning Advisory Committee Meeting Minutes, dated September 19, 2017.

CARRIED

3. Parks, Recreation, Arts and Culture Committee--September 21, 2017

724-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Tony Gaffan

That Council receive the Parks, Recreation, Arts and Culture Committee Meeting Minutes dated September 21, 2017 together with the Minutes of the following sub-committees: Fantasy of Lights, dated June 20, 2017; Communities in Bloom, dated July 14, 2017; Migration Festival Committee, dated July 25, 2017; and The 55+ Committee, dated July 12, 2017.

CARRIED

4. Kingsville Police Services Board--September 27, 2017

725-2017

Moved by Councillor Larry Patterson

Seconded by Councillor Susanne Coghill

That Council receive Kingsville Police Services Board Meeting Minutes, dated September 27, 2017.

CARRIED

5. Kingsville Municipal Heritage Advisory Committee--September 28, 2017

726-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Tony Gaffan

That Council receive Kingsville Municipal Heritage Advisory Committee Meeting Minutes dated, September 28, 2017.

N. BUSINESS CORRESPONDENCE - INFORMATIONAL

- 1. Town of Essex--Correspondence dated October 13, 2017 to Town of Halton Hills in support of Town of Halton Hills resolution supporting zero tolerance for racism of any kind**
- 2. Town of Essex--Notice of Public Meeting for Revisions to the Zoning By-law of the Town of Essex**
- 3. Municipality of Morris-Turnberry--Correspondence dated October 17, 2017 RE: Resolution concerning the Tenanted Farm Tax Class properties being changed to the Residential Tax Class**
- 4. Town of Tecumseh--Correspondence from Mayor McNamara and CAO Haddad to Minister of Labour, dated November 3, 2017 RE: Bill 148, Fair Workplaces, Better Jobs Act**
- 5. Town of Mono--Correspondence dated October 30, 2017 to Premier of Ontario RE: Resolution by Town of Mono Council supporting the Township of Montague's resolution regarding the on-call provision of Bill 148**
- 6. Township of North Frontenac--Correspondence dated October 19, 2017 for support of Motion 470-17 re: the negative impacts of Bill 148, including potential increase of costs on Volunteer Fire Departments.**
- 7. Town of Amherstburg--Correspondence dated October 20, 2017 from Deputy Clerk T. Fowkes advising of Amherstburg Town Council Resolution in support of concrete barriers on Highway 401**
- 8. Tracey Ramsey MP-Essex--Correspondence dated October 24, 2017 to Minister of Environment and Climate Change**
- 9. Ontario Minister of Finance--Correspondence dated October 27, 2017 RE: Cannabis Legalization**
- 10. Email correspondence to Mayor Santos from Lynn Dollin, Association of Municipalities of Ontario President dated October 20, 2017, with link to AMO 2016 Federal Gas Tax Fund Annual Report**
- 11. Minister of Housing / Minister Responsible for the Poverty Reduction Strategy--Correspondence dated October 20, 2017 about the Fair Housing Plan**

727-2017

Moved by Councillor Larry Patterson

Seconded by Councillor Tony Gaffan

That Council receive Business Correspondence -Informational items 1 to 11.

CARRIED

O. NOTICES OF MOTION

- 1. Councillor Neufeld may move, or cause to have moved, that in light of the ammonia leak that occurred in an arena in British Columbia, which resulted in the deaths of three men:**

728-2017

Moved by Councillor Thomas Neufeld

Seconded by Councillor Tony Gaffan

That in light of the ammonia leak that occurred in an arena in British Columbia which resulted in the deaths of 3 men, that Administration provide a report to Council outlining the preventative maintenance schedule at the arena and best practices that should be implemented to prevent this type of incident from occurring at the arena in Kingsville.

CARRIED

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

729-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Susanne Coghil

That in follow up to the matter involving lands at 194 Division St. North, Council direct Administration to explore the possibility of seeking a resolution that will satisfy all interested parties.

CARRIED

- 3. Deputy Mayor Queen may move, or cause to have moved, that Administration provide an update regarding lands and contracts that affect lands owned by the Town at 85 Park Street (correspondence attached)**

730-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Susanne Coghill

That Council direct Administration to provide an update regarding lands and contracts that affect lands owned by the Town at 85 Park St.

CARRIED

- 4. Deputy Mayor Queen may, at the next Regular Meeting, move or cause to have moved, that**

Council direct Administration and another member or members of Council to deal with the issue of Migration Hall as it relates to Community Use and Community interest, with the assistance of the Clerk/Director of Corporate Services.

P. UNFINISHED BUSINESS, ANNOUNCEMENTS AND UPDATES

Mayor Santos invited members to the upcoming 25th Annual Fantasy of Lights events.

Mayor Santos advised of correspondence received from the Minister in regards to Bill 148 to address the on-call pay and 96 hours' notice scheduling rules.

Q. BYLAWS

- 1. By-law 110-2017**

731-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Thomas Neufeld

That Council read By-law 110-2017, being a by-law to provide for the collection of the costs incurred for drainage works for numerous drains all in the Town of Kingsville, a first, second and third and final time.

CARRIED

- 2. By-law 112-2017**

732-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor John Driedger

Council read By-law 112-2017, being a by-law under the *Municipal Act, 2001*, Part 8, Section 408; to authorize the issue of three series of debentures to

consolidate the financing of construction and/or maintenance of numerous drains all in the Town of Kingsville, a first, second and third and final time.

CARRIED

3. By-law 117-2017

733-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Susanne Coghill

Council read By-law 117-2017, being a By-law authorizing the entering into of an Agreement with Shilson Excavation and Trucking Inc. for the general improvements to the McDonald Drain (Geographic Township of Gosfield South), along with the replacement and improvements to the existing access bridges and road crossing culverts within the McDonald Drain (N. J. Peralta Engineering Ltd. Project No.: D-13-028) a first, second and third and final time.

CARRIED

R. REPORT OUT OF CLOSED SESSION

Mayor Santos reported that Council received an update report from its legal counsel with respect to the status of ongoing litigation pertaining to the expropriation of a portion of waterfront lands for park purposes and direction was provided to counsel in this regard.

S. CONFIRMATORY BY-LAW

1. By-law 119-2017

734-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Tony Gaffan

That Council read By-law 119-2017, being a By-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its November 14, 2017 Regular Meeting a first, second and third and final time.

CARRIED

T. ADJOURNMENT

735-2017

Moved by Councillor Larry Patterson

Seconded by Councillor Tony Gaffan

Council adjourn this Regular Meeting at 8:46 p.m.

CARRIED

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo



MINUTES

**KINGSVILLE MUNICIPAL HERITAGE ADVISORY COMMITTEE
WEDNESDAY, OCTOBER 24, 2017 AT 7:00 P.M.
Kingsville Council Chambers, 2021 Division Road North, Kingsville**

A. CALL TO ORDER

Chair Elvie Cacciavillani called the Meeting to order at 7:03 p.m. with the following Members in attendance:

MEMBERS OF MUNICIPAL HERITAGE ADVISORY COMMITTEE:

Elvira Cacciavillani
Annetta Dunnion
Kimberly DeYong
Anna Lamarche
Margie Luffman
Corey Gosselin
Mayor Nelson Santos

MEMBERS OF ADMINISTRATION:

Sandra Kitchen, Deputy Clerk-
Council Services

Absent: Dr. Lydia Miljan and Danielle Truax

Also in attendance: Veronica Brown, Researcher

B. DISCLOSURE OF PECUNIARY INTEREST

Ms. Cacciavillani 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. REPORTS

1. V. Brown—Research report

- i) Ms. Brown submitted the final research report for 30 Main St. East (old Fire Hall).
- ii) Ms. Brown indicated that an email request was received through the www.kingsvilleheritage.ca website requesting information about Waseif David, an immigrant from Syria who settled in Kingsville in 1908. Ms. Brown was able to identify two buildings built by David: 19 Main St. E. in 1910, and 15 Main St. E. in 1922.
- iii) Ms. Brown is commencing to compile a binder of identified properties by year. The compilation will show the progression of architecture in this community.

2. Research report updates:

Ms. Cacciavillani indicated that there are presently four (4) outstanding research reports for properties that have been evaluated and recommended for designation as follows:

1422 Road 3 East;
1417 Road 3 East;
192 County Road 14; and
30 Main St. East.

The next Regular Meeting dates of Council (for possible presentation of research report(s)) for the remainder of the year are: Tuesday, November 14, Monday, November 27, and Monday, December 11.

3. Committee Budget Actuals for the nine months ending September 30, 2017— The budget actuals were received for information.

D. MINUTES OF THE PREVIOUS MEETINGS

MH17-2017 Moved by K. DeYong, seconded by C. Gosselin that the September 28, 2017 Minutes be adopted as amended ('Mr.' Brown changed to Ms. Brown; 'Annetta' Lamarche corrected to read: Anna Lamarche).

CARRIED

E. BUSINESS / CORRESPONDENCE – INFORMATIONAL

- 1. Ministry of Citizenship and Immigration—Correspondence dated September, 2017 RE: Call for Nominations for the June Callwood Outstanding Achievement Award for Voluntarism

The information item was noted and received.

F. NEW AND UNFINISHED BUSINESS

1. Nadasdi property –Update re: site visit scheduling –136 Mill St. West (built in 1904)

Ms. Brown has completed the preliminary research, and it was suggested that a site visit be held on November 5 at 2:00 p.m. Mr. Nadasdi will be contacted to confirm availability.

The property owners at 257 Lakeview are also awaiting a site visit and it was suggested that the 2 site visits be conducted on the same day.

G. NEXT MEETING DATE

The next meeting of the Committee will be held on Wednesday, November 8.

H. ADJOURNMENT

MH18-2017 Moved by N. Santos, seconded by A. Dunnion that the meeting adjourn at 7:34 p.m.

CARRIED

Chair, E. Cacciavillani

Deputy Clerk-Council Services,
Sandra Kitchen

Town of Kingsville Striking Committee Minutes

Tuesday, November 14, 2017

8:45 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 total of Seven (7) public and Two (2) council appointments are required to fill the recently approved Cottam Revitalization Committee for balance of term ending November 30, 2018.
 - i. Nominations/Applications from the public:
Twelve applications were received from the public seeking to volunteer their service for the committee. Following a thorough review of the submissions, the Striking Committee is putting forward the recommendation to appoint the following:
 - a) Kathy Cormier
 - b) Heather Parise
 - c) Kim Gilliland
 - d) Sherri Dutot
 - e) Melisa Wiper
 - f) Mike Eaton
 - g) Kelly Frail
 - ii. Town Council nominees:
 - a) Councillor John Driedger
 - b) Councillor Thomas Neufeld
4. RECOMMENDATION:
Moved by G. Queen, Seconded by T. Gaffan that:
The nominees as identified be recommended to Town Council for appointment to the Cottam Revitalization Committee and further that the Town of Kingsville Appointment By-Law be amended to reflect the new appointments.

MOTION CARRIED
5. Adjournment
Moved by T. Gaffan, Seconded by G. Queen to adjourn the Striking Committee.

MOTION CARRIED

ACTION ITEM FROM MINUTES:

RECOMMENDATION:

That the following individuals be appointed to the Cottam Revitalization Committee and;

Further that the Town of Kingsville of Appointment Bylaw be amended to reflect these appointments:

i. Public nominees:

- a) Kathy Cormier
- b) Heather Parise
- c) Kim Gilliland
- d) Sherri Dutot
- e) Melisa Wiper
- f) Mike Eaton
- g) Kelly Frail

ii. Town Council nominees:

- a) Councillor John Driedger
- b) Councillor Thomas Neufeld



TOWN OF LAKESHORE

419 Notre Dame St.
Belle River, ON N0R 1A0

October 11, 2017

Honourable Kathleen Wynne, Premier
Legislative Building, Room 281
Queen's Park
Toronto, ON M7A 1A1

Dear Premier Wynne:

RE: PROVINCIAL FLOOD INSURANCE PROGRAM

At their meeting of October 10, 2017 the Council of the Town of Lakeshore duly passed the following resolution.

Councillor Wilder moved and Councillor Janisse seconded:

That:

WHEREAS weather patterns seem to have changed, in that excessive and prolonged rains are now becoming more frequent and regular,

WHEREAS there is an increased chance of flooding, as result of excessive and prolonged rains;

WHEREAS property owners in areas that are at an increased risk of flooding are often unable to purchase flood insurance to protect their properties; and

WHEREAS the cost of property repairs after a flood cause financial hardship for individuals, families and businesses.

NOW THEREFORE BE IT RESOLVED that the Government of Ontario be urged to create a Provincial Flood Insurance Program, to cover those individuals, families and businesses who are unable to secure flood insurance for their properties;

BE IT FURTHER RESOLVED that a copy of this motion be sent to the Honourable Kathleen Wynne, Premier of Ontario, the Honourable Patrick Brown, Leader of the Progressive Conservative Party, the Honourable Andrea Horwath, Leader

of the New Democratic Party, and all MPPs in the Province of Ontario; and

BE IT FURTHER RESOLVED THAT a copy of this Motion be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration.

Motion Carried Unanimously

Should you require any additional information with respect to the above matter, please contact the undersigned.

Yours truly,



Mary Masse
Clerk

/cl

cc: Hon. Patrick Brown, Leader of Progressive Conservative Party
cc: Hon. Andrea Horwath, Leader of New Democratic Party
cc: Association of Municipalities Ontario (AMO)
cc: Via Email - All Ontario Municipalities
cc: Via Email - MPPs in the Province of Ontario

COUNCIL RESOLUTION

AGENDA ITEM NO.: 7.1

Date: November 13, 2017

RESOLUTION NO.: 4b

MOVED BY:

SECONDED BY:

THAT Council receives the presentation FROM Oxford People Against Landfill Group;

AND THAT the Town of Tillsonburg calls upon the Government of Ontario, and all political parties, to formally grant municipalities the authority to approve landfill projects in or adjacent to their communities, prior to June 2018;

AND THAT in the case of a two-tier municipality, the approval be required at both the upper-tier and affected lower-tier municipalities;

AND FURTHER THAT the Town of Tillsonburg encourage all other municipalities in Ontario to consider this motion calling for immediate provincial action.

☒

Carried

☐

Defeated

☐

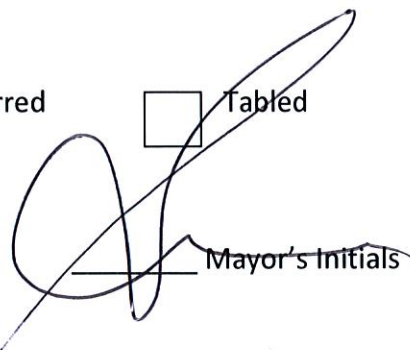
Deferred

☐

Tabled

☐

Recorded
Vote


Mayor's Initials

**Ontario
Provincial
Police**

**Police
provinciale
de l'Ontario**



**Municipal Policing Bureau
Bureau des services policiers des municipalités**

**777 Memorial Ave.
Orillia ON L3V 7V3**

**777, ave Memorial
Orillia (ON) L3V 7V3**

Tel: (705) 329-6200

Fax: (705) 330-4191

File number/Référence: 612-20

November 14, 2017

Mayor/Reeve and Clerk/CAO,

As a follow-up to the letter from April 27, 2017, I am pleased to share with you some updates from the Municipal Policing Bureau of the OPP.

In October 2017, our Bureau organized a webinar on the 2018 Annual Billing Statements, issued to municipalities in September. The Financial Services Unit Manager explained in detail the 2018 Annual Billing Statements and answered questions. The webinar presentation with the speaking notes was sent to all webinar participants; however, if you or your municipal representatives are interested in receiving it, please let our Bureau know at opp.municipalpolicing@opp.ca. The presentation will be also uploaded in both official languages on www.opp.ca/billingmodel page. Please check our www.opp.ca/municipalpolicing page for other municipal policing information and documents. Should you have any questions specific to your municipality, please email our Financial Services Unit members at opp.mpb.financial.services.unit@opp.ca

On November 2, 2017, Marie-France Lalonde, Minister of Community Safety and Correctional Services, and Attorney General Yasir Naqvi announced that the first Reading for [Bill 175, Safer Ontario Act, 2017](#) was carried. The bill is a comprehensive community safety legislative package that, if passed, would represent the largest policing and public safety transformation in a generation. A bill is considered to be "passed" by the Legislative Assembly once it has received three readings; upon receiving Royal Assent, the "passed" bill becomes an Act. Accordingly, the Police Services Act, 1990 will be in force until the new Act will receive Royal Assent.

As usual, our Bureau will have a booth at the upcoming Rural Ontario Municipal Association (ROMA) Conference, which will be held January 21-23 in Toronto. Drop in at our booth and speak to our analysts directly or should you like to have a more formal discussion during the conference, please contact us directly at opp.municipalpolicing@opp.ca and we will set up a time to meet you the day following the Minister's delegation meetings.

Further, we will maintain the tradition we initiated last year, and will share with you the 2018 Municipal Policing Bureau Calendar. Same as last year, the Calendar will be sent to your Detachment Commanders and he/she or a detachment designate will further distribute it to your municipality.

We look forward to hearing from your municipality on these initiatives and our fruitful collaboration in the future.

The OPP is committed to work diligently with municipal stakeholders to ensure effective, efficient and sustainable police service delivery in Ontario.

Thank you again.

Sincerely,

A handwritten signature in black ink, appearing to read "Marc Bedard". The signature is fluid and cursive, with the first name "Marc" and last name "Bedard" clearly distinguishable.

M.M.(Marc) Bedard
Superintendent
Commander,
Municipal Policing Bureau

Email opp.municipalpolicing@opp.ca

Web: www.opp.ca/municipalpolicing

Twitter [@OPP_Mun_Pol](https://twitter.com/OPP_Mun_Pol)

/nv

**Environment and Land Tribunals
Ontario**

Ontario Municipal Board

655 Bay Street, Suite 1500
Toronto ON M5G 1E5
Telephone: (416) 212-6349
Toll Free: 1-866-448-2248
Fax: (416) 326-5370
Website: www.elto.gov.on.ca

**Tribunaux de l'environnement et de
l'aménagement du territoire Ontario**

Commission des affaires municipales
de L'Ontario

655 rue Bay, suite 1500
Toronto ON M5G 1E5
Téléphone: (416) 212-6349
Sans Frais: 1-866-448-2248
Télécopieur: (416) 326-5370
Site Web: www.elto.gov.on.ca



October 24, 2017

Via Email: rbrown@kingsville.ca

Robert Brown
Manager of Planning
Town of Kingsville
2021 Division Road N
Kingsville, ON
N9Y 2Y9

Subject:	Case Number:	PL171077
	File Number:	PL171077
	Municipality:	Town of Kingsville
	By-Law Number:	ZBA/14/17
	Property Location:	169 Prince Albert St N
	Applicant/Appellant(s):	1552843 Ontario Ltd.

The Board acknowledges receipt of the above referenced file. When communicating with the Board please quote the Board's case and/or file number.

This file has been assigned to **Shane Taylor, Case Coordinator, Planner**. For specific questions about this case, you may contact the Case Coordinator, Planner at **(416) 326-6794** or **Shane.Taylor@ontario.ca**.

The Case Coordinator, Planner will review the file to ensure that all the required material has been received and will identify if there are other related matters that may come to the Board. The Case Coordinator, Planner may contact the parties to:

- Identify issues
- Discuss whether the matter may be a candidate for a mediation meeting
- Discuss whether a prehearing conference may be beneficial (Prehearings are normally only held on complex cases where the hearing length is expected to be over five days)
- Discuss the time that may be required for the hearing.

Mediation is an option available where the parties consent to this process. Mediation is intended to provide the parties with a more satisfactory manner in which to reach a resolution in the same or lesser timeframe as the traditional adjudicative process. Parties should contact the Case Coordinator, Planner if they are interested in mediation.

The Board will schedule this case for the earliest available date on the Board's calendar. Parties should be prepared to proceed at any time. Parties will receive notice of the hearing event. Notice for prehearings and hearings are generally mailed 35 days before the hearing. Notice for mediation meetings can be given on shorter notice.

Once dates are set, adjournments are not granted except where compelling circumstances exist and with the consent of all parties and/or the approval of the Board.

We are committed to providing accessible services as set out in the *Accessibility for Ontarians with Disabilities Act, 2005*. If you have any accessibility needs, please contact our Accessibility Coordinator as soon as possible. If you require documents in formats other than conventional print, or if you have specific accommodation needs, please let us know so we can make arrangements in advance.

For general information concerning the Board's policies and procedures visit our website at www.elto.gov.on.ca or you may contact the Board's offices at (416) 212-6349. You may wish to obtain a copy of the publication 'A Guide to the Ontario Municipal Board' to learn more about participating in matters before the Board and the hearing process. This publication is available on the Board's website or by calling the Board's offices.

Yours truly,



Erin Bales
Case Management Administrative Assistant

C.C.
Walter Branco, 1552843 Ontario Ltd. (Via Email)
The Clerk, Town of Kingsville (Via Email)



Gord Queen, 28 Pulford Street, Kingsville, Ontario, N9Y 1B4

Gord.queen@gmail.com

November 8, 2017

Corporation of the Town of Kingsville

Attention: Jennifer Astrologo, Clerk, Director of Council Services

Kingsville

Notice re Council, Update & Unfinished

At the next meeting of Council I may move or cause to have moved, or ask for an update regarding lands, buildings and contracts that the town may have an interest in:

170 Main Street East, Site of Migration Hall and Kingsville District High School

Decades ago, The Town of Kingsville and the Township of Gosfield South entered into an agreement with the Essex County District School Board for the use and operation of Migration Hall. This agreement followed an extensive fund raising drive that aided in the construction of the building. At the time of Construction I was a trustee with the Essex County District School Board.

The title to the land rests with the School Board. The School Board has on more than one occasion sought to amend the usage agreement.

The basic premise of the user agreement was:

School had the priority for use of the building during all school hours and a few hours after the normal school day.

The Community was to have priority for use after the school hours.

After the Essex County Board of Education merged with the Windsor Board of Education and became District School Board Number 9, now known as the Greater Essex County District School Board the Contract provisions requiring the use of the School Cleaning and custodial staff became a greater issue. The booking process has changed over the years as well.

The Community has had a local board or corporation aiding in the day to day management of the hall in respect to the Community Use hours. The First Manager was Lynn Scott, followed by Pam McDonald. Mrs. Santos now holds that position. The Last Council had asked the CAO, Councillor Bob Peterson and I to deal with the Migration Hall use agreement. Senior Administration at the Board has changed. Little accomplished.

The years have passed and the Community use remains a concern.
Some of the members of the Pickle ball group are of the mistaken belief that the Town of Kingsville owns the Migration Hall.

Mr. J. Driedger has experience as a former school trustee.
Mrs. S. Coghill is our current council representative on the Migration Hall Board

I have served as:

1. a Trustee with the Essex County Board of Education
2. a Trustee with the Greater Essex County District School Board
3. an Officer of the Community Based Migration Hall Corp
4. a Councillor

I realize that Migration Hall is an asset to our community, not to be confused with the KDHS, or lumped in with any K12 School building project.

Noting that the Mayor is no doubt in conflict, or may well be perceived as such (given that his wife is the Prime Contract Employee of the Migration Hall Community Based Corporation).

I respectfully ask that the Council ask and direct administration and another member or members of Council to deal with the issue of Migration Hall as it relates to Community Use and Community interest, with the assistance of the clerk / Director of Council Services.

Gord Queen

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 104-2017

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

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

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

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

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

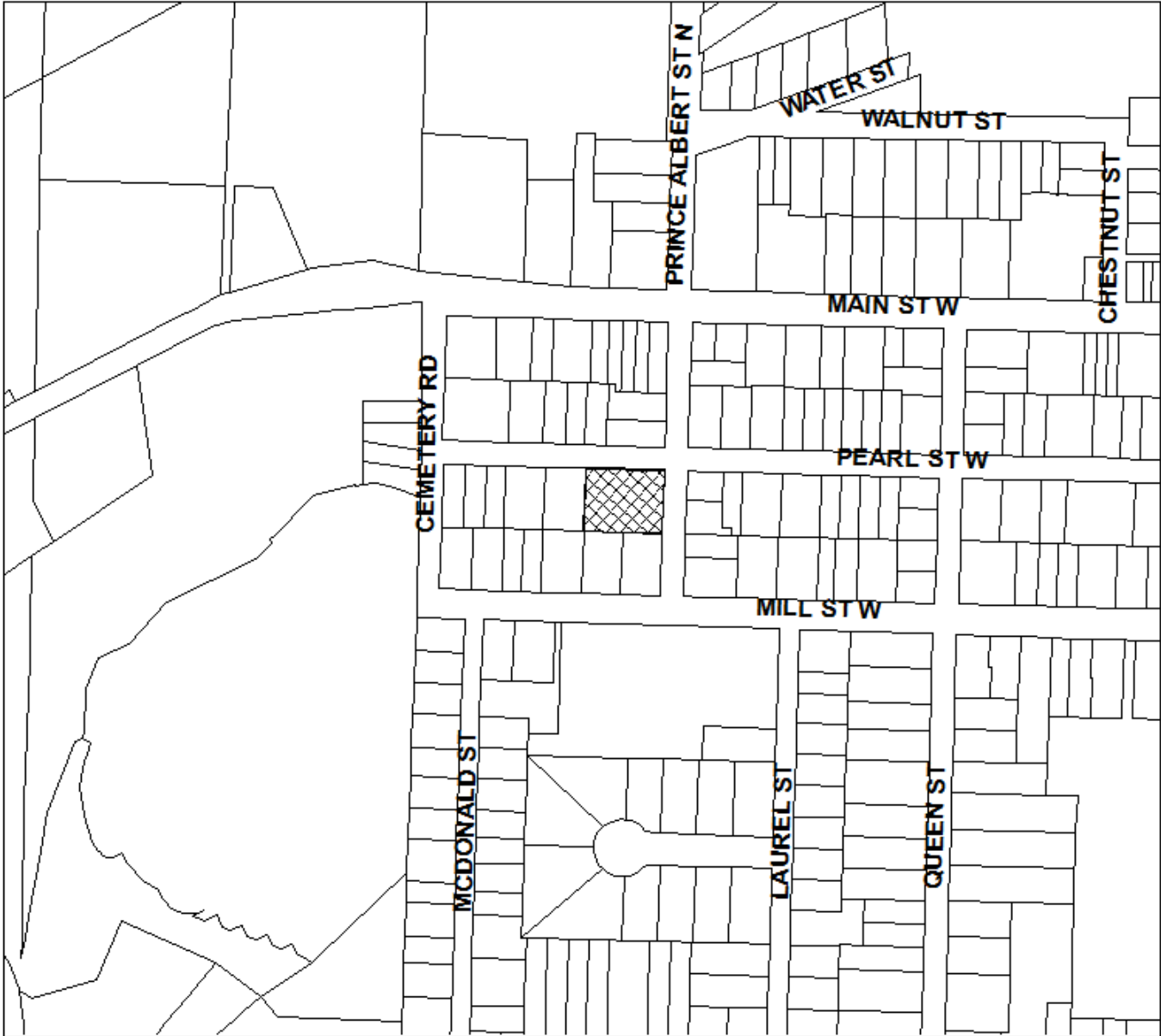
1. Schedule "A", Map 68 of By-law 1-2014 is hereby amended by changing the zone symbol on lands known municipally as Part of Lot 2, Concession 1 WD and locally known as 32 Prince Albert St. S., as shown on Schedule 'A' in cross-hatch attached hereto from 'Residential Zone 3 Urban, (R3.1)' to 'Residential Zone 4 Exception 3, (R4.1-3)'.
2. This by-law shall come into force and take effect from the date of passing by Council and shall come into force in accordance with Section 34 of the Planning Act.

READ a FIRST, SECOND and THIRD time and FINALLY PASSED this 23rd day of October, 2017.


MAYOR, Nelson Santos

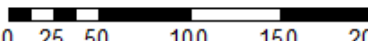
CLERK, Jennifer Astrologo


Schedule 'A'



Part of Lot 2, Concession 1 WD
(32 Prince Albert St. S.)
Zoning By-law Amendment ZBA/21/17

 N

 Meters

 Schedule "A", Map 68 of By-law 1-2014 is hereby amended by changing the zone symbol as shown on Schedule 'A' in cross-hatch attached hereto from 'Residential Zone 3 Urban (R3.1)' to 'Residential Zone 4 Urban Exception 3 (R4.1-3)'

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 113 - 2017

Being a By-law to adopt and maintain a policy with respect to violence and harassment in the workplace

WHEREAS Section 32.0.1 of the Occupational Health and Safety Act provides that an employer shall prepare a policy with respect to workplace violence and harassment and review the policy as often as necessary, but at least annually;

AND WHEREAS the Council of The Corporation of the Town of Kingsville deems it necessary to update its existing Violence and Harassment in the Workplace Policy which was adopted by By-law 103-2010;

AND WHEREAS this policy applies to all employees, elected/appointed officials, contractors, students, volunteers and visitors.

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


1. That the Workplace Violence and Harassment Policy and the Workplace Violence and Harassment Program attached hereto and made as Schedules A and B respectively are hereby adopted.
2. That By-law 103-2010 is hereby Repealed.

READ a FIRST, SECOND and THIRD time and FINALLY PASSED this 27th day of November, 2017.

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo

SCHEDULE "A"

			HUMAN RESOURCES		
			WORKPLACE VIOLENCE AND HARASSMENT POLICY		
Policy #: HR-2017-02		Issued: Human Resources		Reviewed/Revised: October 23,2017	
Prepared By: Jennifer Galea		Reviewed By: Council		Approved By: Council	

1.0 PURPOSE

The Town of Kingsville is committed to building and preserving a safe, productive and healthy working environment based on mutual respect. In pursuit of this goal, the Town of Kingsville does not condone and will not tolerate acts of violence, harassment, discrimination or bullying against or by any Town of Kingsville employee.

2.0 SCOPE

This policy applies to all employees, elected/appointed officials, contractors, students, volunteers and visitors.

3.0 DEFINITIONS

Refer to “Workplace Violence and Harassment Program Standard Operating Procedure.”

4.0 REFERENCE DOCUMENTS

Workplace Violence and Harassment Program Standard Operating Procedure
Occupational Health and Safety Act
Ontario Human Rights Code

5.0 RESPONSIBILITIES

Refer to “Workplace Violence and Harassment Program Standard Operating Procedure.”

6.0 PROCEDURE

We comply with all laws in providing equal opportunity to all individuals in all areas of employment (recruitment hiring, training, assignment and promotion) and employee privileges without regard to race, age, ancestry, citizenship, religion or creed, colour, sex, sexual orientation, marital status, ethnic origin, record of offences, family status or handicap.

We are committed to providing a harassment free workplace. Harassment, be it verbal, physical or visual is defined as “course of vexatious comment or conduct that is known or ought to be reasonably to be known as unwelcome”, that denies individual dignity and respect on the basis of the grounds such as gender, disability, race, colour, sexual orientation or other prohibited groups. All employees are expected to treat others with courtesy and consideration and to discourage harassment.

The Town of Kingsville will ensure that all employees are trained and educated on violence and harassment and that they are clear about their roles, responsibilities, as this policy, the corresponding program and all workplace procedures.


This policy applies at the workplace, at employment-related social functions, in the course of work assignments outside the workplace, during work-related travel, over the telephone, if the conversation is work-related or elsewhere, if the person is there as a result of work-related responsibilities or a work-related relationship.

Questions regarding the Workplace Violence and Harassment Policy direct to the Human Resources Manager.

7.0 REVIEW/REVISIONS

No.	Revision Details (incl. provision #)	Revision By	Date
1.	Creation	Jennifer Galea	October 23,2017
2.			

SCHEDULE "B"

	HUMAN RESOURCES STANDARD OPERATING PROCEDURE WORKPLACE VIOLENCE & HARASSMENT PROGRAM		HR- 2017-01
			Issued: Human Resources
			Reviewed/ October Revised: 23,2017
			Total Pages: 10
Prepared By: Jennifer Galea	Reviewed By: Council	Approved By: Council	

1.0 PURPOSE

The Town of Kingsville is committed to building and preserving a safe, productive and healthy working environment based on mutual respect. In pursuit of this goal, the Town of Kingsville does not condone and will not tolerate acts of violence, harassment or bullying against or by any Town of Kingsville employee.

This policy prohibits reprisals against individuals acting in good faith who report incidents of workplace violence or act as witnesses. Management will take all reasonable and practical measures to prevent reprisals, threats of reprisal or further violence. It is a violation for anyone to knowingly make a false complaint of violence or harassment or to provide false information about a complaint. Individuals who violate any part of this policy are subject to disciplinary and corrective action, up to and including termination of employment.

The Town of Kingsville will ensure that all employees are trained and educated on violence and harassment and that they are clear about their roles, responsibilities, as this policy, the corresponding program and all workplace procedures. A copy of this policy will be made available to all employees.

2.0 SCOPE

This policy applies to all individuals working for the organization, including council members, committee members, volunteers, employees, contract service providers, contractors, all supervisory personnel, managers, officers and directors. The Town of Kingsville will not tolerate violence or harassment by any of the above listed personnel.

The Town of Kingsville will not tolerate any form of harassment or discrimination against job candidates and employees on any of the protected grounds, whether during the hiring process or during employment. This commitment applies to such areas as training, performance assessment, promotions, transfers, layoffs, remuneration and all other employment practices and working conditions.

All Town of Kingsville employees are personally accountable and responsible for enforcing this policy and must make every effort to prevent discrimination or harassing behaviour and to intervene immediately if they observe a problem or if a problem is reported to them.

This policy applies at the workplace, at employment-related social functions, in the course of work assignments outside the workplace, during work-related travel, over the telephone, if the conversation is work-related or elsewhere, if the person is there as a result of work-related responsibilities or a work-related relationship.

3.0 DEFINITIONS

Complainant(s): the person(s) who experiences the negative impacts and is the target(s) of the violent and / or discriminatory and / or harassing behaviour of the respondent.

Discrimination: any action or inaction that differentiates between people and imposes a disadvantage or withholds an advantage on the basis of any of the protected grounds under the Ontario Human Rights Code. Deliberately excluding a person from participating in an initiative is a form of discrimination if the exclusion is based on one of the protected grounds. Discrimination also includes the failure to provide appropriate accommodation short of undue hardship in accordance with the Ontario Human Rights Code.

Domestic Violence: a person who has a personal relationship with a worker - such as a spouse or former spouse, current or former intimate partner or a family member - may physically harm or attempt or threaten to physically harm that worker at work. In these situations, domestic violence is considered workplace violence.

Harassment: a course of vexatious comments or conduct directed toward an individual or group of individuals that is known or ought to be known to be unwelcome or unwanted. Where the harassment consists of comments or conduct linked to one of the protected grounds that are insulting, intimidating, humiliating, malicious, degrading or offensive or affects the Town of Kingsville's atmosphere, it is also a form of discrimination under the Ontario Human Rights Code. Though harassment often involves a pattern of behaviours, single acts of sufficient severity may constitute harassment. Harassment is concerned with the impact of behaviour, not the intent, and there are times when a person who is committing an act of harassment is unaware of the impact of his / her behaviour.

Protected Grounds: personal attributes that are recognized under the Ontario Human Rights Code as the most common targets of discriminatory or harassing actions. For offensive behaviour to be considered discrimination, the focus of the comment or conduct must be directed toward one, but not limited to any one or combination of, these aspects of the complainant's background:

- Age
- Ethnic or National Origin
- Place of Origin
- Citizenship
- Colour
- Creed or Religion
- Record of Offenses (pardoned Federal or Provincial)
- Marital and Family Status
- Race

- Gender Identity and Gender Expression
- Sex
- Sexual Orientation
- Physical or Mental Disability
- Ancestry

Reprisal: any act of retaliation, either direct or indirect.

Respondent(s): the person(s) who is allegedly engaging in the violent and / or discriminatory and / or harassing behaviour against the complainant(s) and will be responding to the allegations as part of an intervention to resolve the complaint.

Workplace Sexual Harassment:

(a) engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, or

(b) making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome;

Violence or Bullying:

(a) the exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker,

(b) an attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker,

(c) a statement or behaviour that it is reasonable for a worker to interpret as a threat to exercise physical force against the worker, in a workplace, that could cause physical injury to the worker.

4.0 REFERENCE DOCUMENTS

Workplace Violence and Harassment Policy

Workplace Violence and Harassment Incident / Complaint Form

Workplace Violence and Harassment Investigation Follow-Up Form

Workplace Violence and Harassment Risk Assessment Standard Operating Procedure

Workplace Violence and Harassment Risk Assessment Form

Domestic Violence Safety Plan Standard Operating Procedure

Domestic Violence Safety Plan Form

5.0 RESPONSIBILITIES

5.1 Responsibilities of Town Council

Town Council shall ensure adequate human and financial resources are made available to Administration to meet the prescribed requirements of the Occupational Health and Safety Act and corresponding regulations.

5.2 Responsibilities of the Chief Administrative Officer (CAO)

The CAO shall support and maintain a safe and healthy workplace for all Town of Kingsville employees free from the exposure of workplace violence and harassment. The CAO will take on the role of Violence and Harassment Coordinator in the absence of the Human Resources Manager.

5.3 Responsibilities of Supervisors / Managers / Directors

1. Ensure their behavior at all times reflects this policy in their dealings with peers, employees, contractors, residents or any other person in dealings regarding the Town of Kingsville.
2. Document, report and duly investigate any incident(s) of workplace violence and / or harassment, where a worker identifies that they are experiencing violence or harassment in the workplace or are being compromised in their ability to perform their job duties as a result of violence and / or harassment, as per the Workplace Violence and Harassment Program. This includes incidents of violence and / or harassment that are reported by third parties, where the complainant may or may not make a formal report.
3. Ensure employees receive training to make them aware of the Workplace Violence and Harassment Policy and Program.
4. Ensure employees refrain from actions that may expose themselves or other workers to any unnecessary exposure to workplace violence and harassment.
5. Attend and participate in all Health and Safety training provided in relation to this policy and the prevention of Workplace Violence and Harassment.

5.4 Responsibilities of Human Resources Manager

The Human Resources Manager is designated as the Workplace Violence and Harassment Coordinator (the Coordinator) and is:

1. Responsible for the maintenance of the Workplace Violence and Harassment Policy and Program in compliance with the requirements of the Occupational Health and Safety Act and any corresponding regulations.

2. Responsible for the development of a plan of communication and training of this policy and the corresponding program to inform employees and officials of its existence and use.
3. Required to conduct investigations of complaints in a timely manner and provide a copy of completed investigation report to the Personnel Committee, appropriate management member(s), complainant and respondent.
4. In consultation with the Joint Health and Safety Committee, the Coordinator is responsible for ensuring the policy is reviewed on an annual basis to certify it complies with all applicable legal standards, codes and practices and is working effectively to ensure a safe and healthy work environment for all staff. If inadequacies in this policy or corresponding program are identified, the Coordinator will address deficiencies and recommend revisions.
5. The preparation of the initial assessment of the risk of violence and harassment and re-assess with consultation of the Joint Health and Safety Committee of the risk of workplace violence and harassment as often as is necessary to ensure that this policy and its related program continue to protect workers from workplace violence and harassment.

Where the Coordinator is a party to an incident of workplace violence or harassment or the Coordinator is absent, the CAO shall be designated as the Workplace Violence and Harassment Coordinator for that incident.

5.5 Employees

1. Refrain from comments and behaviour that may be considered discriminatory and / or harassing and not engage in any level of workplace violence.
2. Express their disapproval if they encounter discriminating and / or harassing behaviour on Town of Kingsville premises or Town of Kingsville related functions.
3. Employees shall not use, possess or threaten to use a weapon at any time.
4. Employees who witness any threats or acts of violence, discrimination and / or harassment shall report to the Coordinator immediately.
5. Employees who experience any threats or acts of violence, discrimination and / or harassment shall report to the Coordinator immediately.

5.6 Joint Health and Safety Committee (JH&S Committee)

1. Participate in inspections and maintain records of Workplace Violence and Harassment Risk Assessments and provide recommendations to the Coordinator on how to reduce or eliminate identified risks of violence and harassment.
2. Promptly report employee concerns of workplace violence or harassment to the Coordinator.
3. Participate in the investigation of critical injuries (e.g., incidents that place life in jeopardy or result in substantial blood loss or fracture of arm or leg).
4. Review all reports forwarded to the JH&S Committee regarding Workplace Violence or Harassment and other incidents as appropriate pertaining to incidents of workplace violence that result in personal injury or threat of personal injury, property damage, or police involvement.
5. Support the Coordinator in communication and training related to the Workplace Violence and Harassment Policy and Program.
6. Participate in the review of this Policy on an annual basis.

6.0 Violence and Harassment Risk Assessment

As outlined in the Workplace Violence and Harassment Risk Assessment Standard Operating Procedure, the Town of Kingsville will conduct a Risk Assessment of the work environment to identify any issues related to potential violence or harassment that may affect the operation and will institute measures to control any identified risks to employee safety.

Risk Assessments may include review of records and reports including incident or accident investigation reports, staff perception surveys, health and safety inspection reports, first aid records or other related records. Specific areas that may contribute to risk of violence may include, but are not limited to, contact with the public, exchange of money, receiving doors and working alone or at night. Research will include a review of similar workplaces with respect to their history of violence.

The Town of Kingsville will communicate information relating to a person with a history of violence where:

- Workers may reasonably be expected to come into contact with the person in the performance of their job duties; and

- There is a potential risk of workplace violence as a result of interactions with the person with a history of violence.

The Town of Kingsville will only disclose personal information that is deemed reasonably necessary to protect the worker from physical harm.

7.0 Complaint Procedures

The following procedures have been established so that complaints of violence and / or harassment can be resolved internally. However, it in no way prevents employees from exercising their rights under the Ontario Human Rights Code or Collective Agreement.

The Town of Kingsville will initiate action without waiting for an individual complaint when harassing or violent behavior, in violation of the Ontario Human Rights Code, is known to be taking place. To do otherwise constitutes misconduct or neglect of duty on the part of the Supervisor, Manager or Director.

7.1 Informal Complaint Procedure

1. Clearly and directly ask the offender to stop the harassing or violent behaviour immediately. If the employee is uncomfortable to go to their supervisor or manager.
2. When an individual feels harassment is or has taken place, he or she should advise the offender that his or her behavior is unacceptable and unwelcome. The offender may not realize the kind of behavior is objectionable. Make your objections known; inform the person that his or her behavior is unwelcome or distasteful and that it is against Town of Kingsville policy and / or your collective agreement.
3. Employees are encouraged to try the informal approach unless the harassment is of a more serious nature or continues after the individual has been clearly asked to stop. In such cases, every employee has the right to file a formal complaint.

7.2 Formal Complaint Procedures

A formal complaint of harassment must be made in writing by filling out the Workplace Violence and Harassment Incident / Complaint Form. The completed form can be submitted to any or all of the following individuals:

- Workplace Violence and Harassment Coordinator (Human Resources Manager)
- Union Steward
- Supervisor, Manager or Director
- Chief Administrative Officer (CAO)

If the formal complaint is not made directly to the Coordinator the Union Steward, Supervisor, Manager, Director or Chief Administrative Office will forward the formal complaint form to the Coordinator.

Upon receipt of a formal complaint the Coordinator will immediately notify the respondent of the complaint and provide the respondent with a copy of the written

complaint. The respondent will be invited to reply in writing to the complainant's allegations and the respondent's reply will be made known to the complainant.

The Coordinator will investigate any formal complaint using the Workplace Violence and Harassment Investigation Standard Operating Procedure. Should the complaint involve any of the individuals normally involved in the investigation of a complaint, the Coordinator may refer the complaint and investigation to an external investigator. Complainants and respondents, if they so choose, may seek representation of their choice, including union representation or legal counsel, at any time during the complaint process, at their own expense.

The investigators are responsible for ensuring a thorough, fair and impartial investigation of the allegations in the complaint. As outlined in the Workplace Violence and Harassment Investigation Standard Operating Procedure, the investigator will interview the complainant, the respondent and any relevant witnesses as well as gather any documents relevant to the complaint. All members of the Town of Kingsville are required to cooperate fully with any investigation.

Any investigation and interviews which are required as a result of the complaint will be completed within thirty (30) working days from receipt of the complaint, although extenuating circumstance may warrant an extension. If the complaint takes the form of a grievance, any Collective Agreement provisions regarding response time will supersede the time frames outlined herein. To protect confidentiality and minimize stress for all parties involved, interviews will be held in a private neutral location with interview times staggered to ensure that chance encounters do not occur.

At the conclusion of the investigation, the investigators will submit a written report by filling out the Workplace Violence and Harassment Investigation Follow Up Form to the CAO. Where it is determined that the Workplace Violence and Harassment Policy has been violated, the CAO will recommend corrective action and disciplinary measures to the Personnel Committee. The Coordinator shall advise both the complainant and respondent of the outcome of the investigation and each will be provided with a copy of the Investigator's Workplace Violence and Harassment Investigation Follow Up Form.

Where the complainant is dissatisfied with the outcome of the investigation, the complainant shall be reminded of his / her rights under the Ontario Human Rights Code.

If the complainant decides not to lay a formal complaint, the Coordinator, the CAO or other members of Management may choose, at their own discretion, to proceed with a formal complaint based on the investigation of the incident.

8.0 Seeking Immediate Assistance

Canada's Criminal Code addresses violent acts, threats and behaviours, such as stalking. The police should be contacted immediately when an act of violence has occurred in the workplace or when someone in the workplace is threatened with violence. If an employee feels threatened by a co-worker, volunteer, contractor, student, vendor, visitor, client or customer an immediate call to "911" or the use panic buttons is

required. Workers who work off site will have a cell phone or two-way radio, charged and available for use when required to work away from the workplace.

9.0 The Right to Refuse Unsafe Work

The right to refuse unsafe work is a legal right of every worker provided by the Occupational Health and Safety Act the Town of Kingsville is committed to ensuring a safe workplace.

10.0 Special Circumstances

Should an employee have a legal court order (e.g., a restraining order, or “no-contact” order) against another individual, the employee is encouraged to notify his or her supervisor / manager / director and to supply a copy of the order to the Coordinator. This will be required in instances where the employee strongly feels the aggressor may attempt to contact the employee at the Town of Kingsville, in direct violation of the court order, so the Town of Kingsville may take all reasonable actions to protect the employee. Such information shall be kept confidential and protected in accordance with all applicable legislation.

As outlined in the Domestic Violence Safety Plan Standard Operating Procedure, if an employee is experiencing or is at risk of experiencing domestic violence or they know of a fellow employee that is experiencing or at risk of experiencing domestic violence, they should notify the Coordinator. In consultation with the Coordinator, a Domestic Violence Safety Plan will be put in place by completing the Domestic Violence Safety Plan Form.

If any visitor to the Town of Kingsville workplace is seen with a weapon, is known to possess one or makes a verbal threat or assault against an employee or another individual, employees are required to immediately contact the police, emergency response services, their immediate supervisor and the Coordinator.

In cases where criminal proceedings are forthcoming, the Town of Kingsville will assist police agencies, lawyers, insurance companies and courts to the fullest extent.

11.0 Fraudulent or Malicious Complaints

The Violence and Harassment Policy and Program must never be used to bring fraudulent or malicious complaints against employees. It is important to realize that unfounded or frivolous allegations of violence and harassment may cause both the accused person and the Town of Kingsville significant damage. If it is determined any employee has knowingly made false statements regarding an allegation of violence or harassment immediate disciplinary action will be taken.

Employees will not be demoted, dismissed, disciplined or denied a promotion, advancement or employment opportunities because they rejected sexual advances or because they lodged a complaint when they honestly believed they were being harassed or discriminated against.

12.0 Disciplinary Measures

If it is determined that any employee has been involved in a violent behaviour, unacceptable conduct or harassment of another employee, disciplinary action will be taken. Such disciplinary action will be proportional to the seriousness of the behaviour concerned and may involve counselling, a formal warning or termination.

13.0 Confidentiality

The Town of Kingsville will, to the extent possible, protect the privacy of the individuals involved and will ensure that complainants and respondents are treated fairly and respectfully. The Town of Kingsville will protect this privacy so long as doing so remains consistent with the enforcement of this policy and adherence to the law. Neither the name of the person reporting the facts nor the circumstances surrounding them, the written complaint, witness statements, investigation notes, reports and documents related to the complaint will be disclosed, unless such disclosure is necessary for an investigation or disciplinary action.

14.0 Managing and Coaching

Counselling, performance appraisals, work assignments and the implementation of disciplinary actions are not forms of harassment and this policy does not restrict management in these areas.

15.0 REVIEW / AMENDMENTS

The Town of Kingsville will review this Standard Operating Procedure annually along with the Workplace Violence and Harassment Policy.

No.	Date	Revision	Revision By

Questions regarding the Standard Operating Procedure direct to the Human Resources Manager.

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 114-2017

Being a by-law to authorize a single residential tax rate for municipal purposes for the municipal capital facility for affordable housing at 225 Prince Albert St N

WHEREAS section 110(1) of the *Municipal Act, 2001* provides that the council of a municipality may enter into agreements for the provision of municipal capital facilities by any person;

AND WHEREAS section 110(6) of the *Municipal Act, 2001* provides that the council of a municipality may pass by-laws exempting property, or a portion of it, from taxation for municipal and school purposes on which municipal capital facilities are located;

AND WHEREAS paragraph 18 of section 2 of Ontario Regulation 46/94, as amended, prescribes municipal facilities for municipal housing project facilities as eligible municipal capital facilities;

AND WHEREAS at its meeting of August 22, 2016 Council carried motion 495-2016 which authorized participation with the City of Windsor pursuant to the Rental Housing Component of the Social Infrastructure Fund also known as SIF RHC;

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

1. Fourteen residential units on the property located at 225 Prince Albert St N in the Town of Kingsville legally described as CON 1 WD PT LOT 1 PT LOT 2 (Roll 37-11-120-000-00600-0000) (the "Premises") shall be assessed at a single residential tax rate for municipal purposes while this by-law is in force and so long as the Premises are used by the Housing Provider as a municipal capital facility, namely as affordable housing.
2. The tax exemptions referred to herein shall be effective from the date the first unit of affordable housing on the Premises is occupied by a tenant selected in accordance with the SIF RHC.
3. This by-law shall be deemed repealed if the Housing Provider or its successor in law ceases to use the Premises for purposes of affordable housing.

READ a FIRST, SECOND and THIRD time and FINALLY PASSED this 27th day of November, 2017.

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 116 - 2017

Being a By-law to provide for the Delegation of Authority to Initiate and/or Resolve Certain Matters before the Assessment Review Board

WHEREAS all real property in Ontario is liable to assessment and taxation unless it is subject to an explicit exemption from this liability in accordance *Assessment Act*, R.S.O. 1990 c. A.31, as amended (hereinafter referred to as the “*Assessment Act*”);

AND WHEREAS pursuant to sections 40 and 40.1 of the *Assessment Act* any person, including a municipality may appeal the assessment of their land or the land of another person to the Assessment Review Board on the basis that the current value of the land, the classification of the land and/or the share of the current value as distributed across differently classified portions of the land is incorrect; or on the basis that they or another person has been wrongly placed on, or omitted from the assessment roll in respect of land or school support;

AND WHEREAS pursuant to section 39.1 of the *Assessment Act* the owner of a property or a person who has received or would be entitled to receive a notice of assessment under that *Act* may request the assessment corporation to reconsider matters related to the assessment of real property;

AND WHEREAS a municipality may, within 90 days of being notified of a settlement agreement made under section 39.1 of the *Assessment Act*, appeal that agreement to the Assessment Review Board;

AND WHEREAS a person may appeal the determination of a municipality, or the failure of the municipality to make a determination in respect of a rebate or adjustment made, or applied for under sections 356, 357, 357.1, 359, 359.1 or 364 of the *Municipal Act, 2001* S.O. 2001, C. 25 (hereinafter referred to as the “*Municipal Act, 2001*”);

AND WHEREAS the property tax and payments in lieu of property tax paid to the municipality in respect of real property is the municipality’s largest source of revenue;

AND WHEREAS it is deemed prudent and expedient to ensure the municipality’s interests can be actively and effectively pursued and protected with respect to matters before or falling within the jurisdiction of the Assessment Review Board;

AND WHEREAS Section 9 of the *Municipal Act, 2001* states that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under that or any other Act;

AND WHEREAS Council of the Corporation of the Municipality of Kingsville may, in accordance with, and as limited by section 23.1 of the *Municipal Act, 2001* delegate any its powers and duties under any Act;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF KINGSVILLE ENACTS THE FOLLOWING TO PROVIDE FOR THE ADMINISTRATION, INITIATION AND RESOLUTION OF MATTERS BEFORE THE ASSESSMENT REVIEW BOARD:

1. In this By-Law:

“assessment appeal” means an appeal made to the Assessment Review Board by the municipality or another person under section 40 or 40.1 of the *Assessment Act*, or an appeal made by the municipality in accordance with subsection 39.1(11) of that Act;

“assessment corporation” means the Municipal Property Assessment Corporation;

“Municipal Act appeal” means an appeal made to the Assessment Review Board in respect of a matter relating to sections 356, 357, 357.1, 359, 359.1 or 364 of the *Municipal Act, 2001*;

“Municipality” means the Corporation of the Town of Kingsville;

“request for reconsideration” means a request made to the assessment corporation pursuant to section 39.1 of the *Assessment Act*.

2. THAT the Corporation of the Town of Kingsville hereby delegates the authority to resolve outstanding assessment appeals before the Assessment Review Board, to file assessment appeals with the Assessment Review Board in respect of proposed settlement agreements pursuant to section 39.1 of the Assessment Act, and to resolve outstanding Municipal Act appeals before the Assessment Review Board to the persons holding the following positions:

a) Treasurer

b) Treasurer’s Designate

3. AND THAT the authority delegated under sections 2 of this By-Law includes the authority to sign Minutes of Settlement, prepare and/or execute settlement agreements, and instruct licensed legal services providers duly retained by the municipality to do the same in respect of specific matters.

READ a FIRST, SECOND and THIRD time and FINALLY PASSED this 27th day of November, 2017.

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 120-2017

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

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

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

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

AND WHEREAS it is deemed advisable to make the said lands subject to a holding classification for which the owner may apply to have the said holding classification removed once; an Environmental Clearance Approval (ECA) is issued by MOECC and a satisfactory site plan and associated site plan agreement are prepared, specific to the waste transfer use, to the satisfaction of the Town;

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

1. That Subsection 9.3.1 HEAVY INDUSTRIAL ZONE 3 EXCEPTION 1 (M3-1) is deleted and replaced with the following:

9.3.1 'HEAVY INDUSTRIAL ZONE 3 EXCEPTION 1 (M3-1)'

For lands shown as M3-1 on Map 54 Schedule "A" of this By-law.

a) *Permitted Uses*

All uses identified in the (M1), M2 and (M3) zone;
A waste transfer station

b) *Permitted Buildings and Structures*

Industrial buildings
Accessory structures and buildings

c) *Zone Provisions*

All lot and building requirements for the permitted buildings and structures shall be in accordance with 9.3 (c).

Notwithstanding Section 9.3 (c) the easterly side yard setback shall be 15 m minimum and the permitted use shall be limited to a passive green space buffer and may include berming, landscaping and/or fencing abutting the existing agricultural use to the east.

d) *Other Requirements*

- i) Permitted Uses, Buildings and Structures for lands zoned 'Heavy Industrial Zone 3 Exception 1, holding, (M3-1(h))' shall not include a waste transfer station.

- ii) For lands zoned 'Heavy Industrial Zone 3 Exception 1, holding, (M3-1(h))' the zoning may be amended under Section 36 of the Planning Act to '(M3-1)' once:
 - a. An Environmental Clearance Approval is issued by MOECC and a site plan and associated site plan agreement are prepared, specific to the waste transfer station use, to the satisfaction of the Town.
- 2. This by-law shall come into force and take effect from the date of passing by Council and shall come into force in accordance with Section 34 of the Planning Act.

READ a FIRST, SECOND and THIRD time and FINALLY PASSED this 27th day of November, 2017.

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 121 - 2017

Being a By-law to approve a Community Improvement Plan for the Downtown Cottam Core Community Project Area

WHEREAS Section 28(4) of the *Planning Act*, R.S.O 1990, c. P.13, provides that “when a by-law has been passed under subsection (2), the council may provide for the preparation of a plan suitable for adoption as a community improvement plan for the community improvement project area and the plan may be adopted and come into effect in accordance with subsections (5) and (5.1)”;

AND WHEREAS By-law 65-2016 passed by the Council of the Town of Kingsville designated Downtown Cottam as a Community Improvement Area;

AND WHEREAS the Community Improvement Plan conforms to the Town of Kingsville Official Plan;

AND WHEREAS the Council for the Corporation of the Town of Kingsville deems it in the interest of the Town to prepare a Community Improvement Plan for the Downtown Cottam Community Improvement Project Area;

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

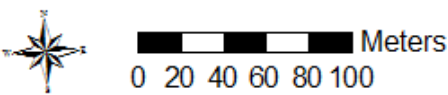
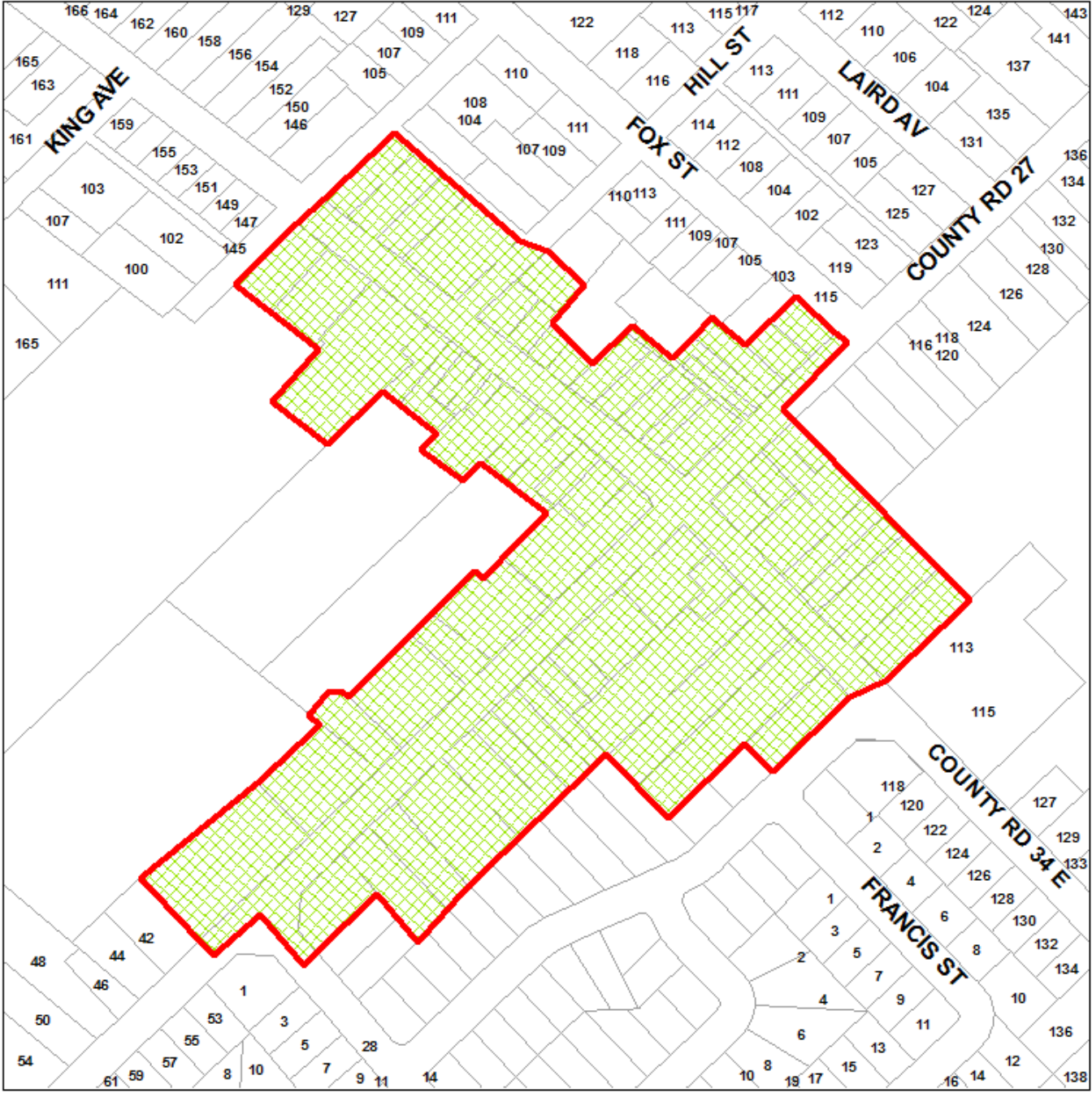
1. That the Downtown Cottam Community Improvement Plan is hereby adopted for the Downtown Cottam Community Improvement Project Area as outlined in Schedule ‘A’ attached hereto and forming part of this By-law.
2. THIS By-law shall come into force and take effect on the final day of passing.

READ a FIRST, SECOND and THIRD time and FINALLY PASSED this 27th day of November, 2017.

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo

Schedule 'A'



DOWNTOWN COTTAM COMMUNITY IMPROVEMENT PROJECT AREA

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 122 - 2017

Being a By-law authorizing the entering into of a Management Agreement #201201 ON 002 with Her Majesty the Queen, in right of Canada, represented by the Minister of Fisheries and Oceans (the Small Craft Harbours' Facility at Cedar Beach, Ontario)

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

WHEREAS The Corporation of the Town of Kingsville (the "Town") deems it expedient for the Town to enter into a Management Agreement with Her Majesty the Queen, in right of Canada, represented by the Minister of Fisheries and Oceans (the Small Craft Harbours' Facility at Cedar Beach, Ontario)

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

1. **THAT** the Town enters into and executes with Her Majesty the Queen, in right of Canada, represented by the Minister of Fisheries and Oceans (the Small Craft Harbours' Facility at Cedar Beach, Ontario) Management Agreement attached hereto as Schedule "A" and forming part of this By-law.
2. **THAT** the Mayor and Clerk are hereby authorized and directed on behalf of the Town to execute the Lease Agreement attached as Schedule "A".
3. This By-Law comes into force and takes effect on the day of the final passing thereof.

READ a FIRST, SECOND and THIRD time and FINALLY PASSED this 27th day of November, 2017.

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo



ORIGINAL

CA-4555-H-1710

LEASE

BAIL

SMALL CRAFT HARBOURS BRANCH
AND

DIRECTION DES PORTS POUR PETITS BATEAUX
ET

THE CORPORATION OF THE TOWN OF KINGSVILLE

AUTHORITY
Autorisation

DATE OF DOCUMENT

Document daté du November 3, 2017

BEGINNING OF TERM

La période de location commence le JANUARY 1, 2018

END OF TERM

La période de location se termine le DECEMBER 31, 2023

RENT PAYABLE

Loyer payable \$500.00 (FIVE HUNDRED DOLLARS) PLUS TAXES PER ANNUM OR 20% OF
GROSS REVENUE PLUS TAXES

LANDS OR RIGHTS DEMISED

Cession ou transfert

ALL AND SINGULAR that certain parcels or tracts of land and land covered by waters of Lake Erie and Cedar Creek, being Part of Lot 15, Concession 1, Western Division in the Township of Gosfield South, now Town of Kingsville, County of Essex and Province of Ontario, **TOGETHER WITH** the Water Lot lying in Front of said Lot 15, and the Breakwaters, Retaining Walls and other marine-related facilities located thereon (hereinafter referred to as “the said premises”), being more particularly shown outlined in red on Plan 12R-2785 hereto annexed and designated Schedule “A”.

FILE No.

No de dossier 5882 Cedar Beach

REMARKS / Remarques

THIS AGREEMENT made in duplicate this 3rd day of November, 2017;

BETWEEN –

HER MAJESTY THE QUEEN, in right of Canada,
represented herein by the Minister of Fisheries and Oceans
(hereinafter called “the Minister”)

OF THE FIRST PART;

-and-

THE CORPORATION OF THE TOWN OF KINGSVILLE,
incorporated as a corporation under the laws of the Province of Ontario
(hereinafter called “the Agent”)

OF THE SECOND PART;

WITNESSETH that the Minister, in consideration of the rents, covenants,
provisos, and conditions hereinafter contained, hereby leases unto the Agent:-

Description

ALL AND SINGULAR that certain parcels or tracts of land and land covered by waters of Lake Erie and Cedar Creek, being Part of Lot 15, Concession 1, Western Division in the Township of Gosfield South, now Town of Kingsville, County of Essex and Province of Ontario, **TOGETHER WITH** the Water Lot lying in Front of said Lot 15, and the Breakwaters, Retaining Walls and other marine-related facilities located thereon (hereinafter referred to as “the said premises”), being more particularly shown outlined in red on Plan 12R-2785 hereto annexed and designated Schedule “A”.

Habendum

TO HAVE TO HOLD the said premises unto the Agent for a term of Five (5) years from and including January 1, 2018 to December 31, 2023 and then fully to be complete and ended.

Reddendum

YIELDING AND PAYING therefor, during the currency of this Agreement, unto the Minister, to the Receiver General of Canada, in lawful money of Canada the following rent or sum, namely:-

- (a) FIVE HUNDRED DOLLARS (\$500.00) PLUS TAXES per annum, payable each year in advance, or
- (b) TWENTY PER CENT (20%) PLUS TAXES of all gross revenue derived by the Agent from the management and operation of the said premises, whichever is the greater amount, and the difference between the \$500.00 paid in advance and 20% gross revenue is payable within sixty days of the end of each agreement-year.

Interpretation

IN THIS AGREEMENT;

- (i) “Minister” means the Minister of Fisheries and Oceans and any person he has delegated to act on his behalf.
- (ii) “Regional Director” means the Regional Director of Small Craft Harbours Branch of the Department of Fisheries and Oceans and any person he has delegated to act on his behalf.

It is agreed by and between the said parties hereto that these Presents are made and executed upon and subject to the covenants, provisos, conditions and reservations hereinafter set forth and contained, namely:

Purpose

1. a) The Agent shall use and occupy the said premises and carry out the management and operation of the said premises in accordance with the Fishing and Recreational Harbours Act and the Fishing and Recreational Harbours Regulations as amended from time to time, or any other applicable act or regulations enacted or made during the currency of this Agreement.

b) Nothing in Clause No. 1a) hereof, shall relieve the Minister from discharging any of his duties under the said Fishing and Recreational Harbours Act and the said Fishing and Recreational Harbours Regulations.

c) That the Minister shall supply to the Agent, one copy of the said Act and Regulations, as amended from time to time.

To Pay Rent

2. That the Agent will pay all annual rental fees herein reserved at the time and in the manner in these Presents set forth, without any abatement or deduction whatever.

Taxes

3. That the Agent will pay or cause to be paid all rates, taxes and assessments, of whatsoever description, that may at any time during the existence of these Presents be imposed, or become due and payable upon, or in respect of the said premises.

Compliance with Law

4. The Agent shall in all respects abide by and comply with all rules, regulations and by-laws of municipalities and other governing bodies, in any manner affecting the said premises.

Public Use

5. Subject to Clause No. 19 hereof, the Agent shall not interfere with the public use of the said premises during the currency of this Agreement; it being expressly understood and agreed, however, that the Agent may refuse the use of the said premises to any vessel on which tolls and dues are outstanding and the Agent may take all lawful action through Small Debts Court or otherwise to obtain payment of outstanding or overdue accounts.

Access

6. a) That the Minister, his servants or agents shall, at all times and for the purpose of inspecting the said premises, have full and free access to any and every part of the said premises.

b) The Minister shall, upon reasonable notice to the Agent, except in the case of emergency, have full and free access to the said premises for the purposes of repairing and maintaining the said premises.

Assignment

7. That the Agent shall not make any assignment of these Presents, nor any transfer or sub-lease of any of the premises, rights or privileges demised or leased hereunder, without obtaining the prior consent in writing of the Minister to such assignment, transfer or sub-lease. The Agent shall pay to the Minister a reasonable charge for the preparation of any consent thereto expressed in writing, and shall be responsible for any costs incurred by the Minister in addressing the request for consent, provided that such costs are reasonable.

**Repair and
Maintenance**

8. That the Agent shall not, during the currency of this Agreement, do, suffer or permit to be done any act or thing which may impair, damage or injure the said premises beyond the damage occasioned by reasonable use, and shall inspect, maintain, and effect minor repairs of the said premises which may at any time become damaged, whether due to the negligence of the Agent or otherwise. Nothing in this provision shall obligate the Agent to be responsible to effect repairs of any major or structural kind but, in the event that such repairs are needed, it shall be the responsibility of the Agent to provide notice to the Minister of the need for major or structural repairs, and to take whatever steps are appropriate to deal with continued use of the premises while such repairs are pending. When such repairs are warranted, the parties hereto shall consider, and together decide how and when to effect such repairs.

**Care of
Property**

9. That the Agent shall, at its own cost and expense, at all times during the currency of this Agreement, keep the said premises in a neat and tidy condition, removing or causing to be removed therefrom all papers, refuse, litter, waste or rubbish arising out of the operations of the Agent under this Agreement, all to the satisfaction of the Regional Director.

Improvements

10. That any improvements made to the said premises by the Agent at any time during the term of this Agreement, to make the said premises suitable for the purpose referred to in Clause No. 1 hereof, shall be at the risk, cost and expense of the Agent and to the satisfaction of the Regional Director.

**Construction of
Buildings or
Structures**

11. That the Agent shall not construct or erect any buildings or other structures on the said premises without obtaining the approval of the Regional Director, of plans showing the design and nature of construction of such buildings or structures and their proposed locations.

**Annoyance
Nuisance and
Disturbance**

12. That the Agent shall not, at any time during the currency of this Agreement do, cause or permit to be done, any act or thing in or upon the said premises which shall, or may be, or might become, an annoyance, nuisance or disturbance to the occupiers of any lands or premises adjoining or in the vicinity of the said premises.

Title

13. That is hereby declared, and this Agreement is accepted by the Agent, upon the express condition that the Agent shall have no recourse against the Minister, should the minister's title to the said premises be found to be defective, or should these Presents prove ineffectual by reason of any defect in such title.

**Claims and
Damages**

14. That the Agent shall not have any claims or demand against the Minister for loss, damage or injury of any nature whatsoever, or howsoever caused to the said premises or to any person or property, at any time brought, placed, made or being on the said premises unless such damage or injury is due to the negligence of any officer, servant, agent, contractor or sub-contractor of Her Majesty the Queen in right of Canada while acting within the scope of his duties or employment.

**Indemnifi-
cation**

15. That the Agent shall at all times indemnify and save harmless Her Majesty the Queen in respect of any action, claim, cause of action, suit, debt, loss, damage, cost, expense or demand whatsoever, at law or in equity, arising by way of any breach by the Agent, its employees, servants, agents, sub-lessees or persons for whom it is by law responsible, of any provisions of this Agreement or arising by way of the Agent and her Majesty's ownership, occupation and control of the premises, except claims for damages resulting from the negligence of any officer, servant, agent, contractor or sub-contractor of Her Majesty the Queen while acting within the scope of his duties.

Termination

16. That this Agreement may be terminated at any time:

(a) By the Agent upon sixty (60) days' notice in writing, such notice to be signed by the Agent and delivered to or mailed addressed to the Regional Director, Small Craft Harbours Branch, Department of Fisheries and Oceans, 867 Lakeshore Road, Burlington, Ontario, L7S 1A1, or

(b) By the Minister upon sixty (60) days' notice in writing, signed by the Minister, and either delivered to the Agent or any officer of the Agent, or mailed addressed to the last known place of business or office of the Agent, and thereupon, after the expiration of such period of notification, these Presents shall be determined and ended, and the Agent shall thereupon, and also in the event of the determination of this Agreement in any other manner, except re-entry under Clause No. 17 hereof, forthwith remove from the said premises all things at any time brought or placed thereon by the Agent and shall also to the satisfaction of the Regional Director repair all and every damage and injury occasioned to the said premises by reason of such removal or in the performance thereof, but the Agent shall not, by reason of any action taken or things performed or required under this Clause, be entitled to any compensation whatsoever, provided that, unless required by the Minister, no goods, chattels, materials, effects or things shall be removed from the said premises until all rent due or to become due under this Agreement, is fully paid.

Default

17. That, notwithstanding anything in this Agreement contained, if the rent above reserved or any part thereof, shall be in arrears or unpaid, whether or not the same shall have been in any manner demanded, or in the case of default, breach or non-observance to be made or suffered by the Agent at any time or times, in, or in respect of any of the covenants, provisos, conditions, and reservations herein contained, which on the part of the Agent ought to be observed and performed, then, and in every such case, provided such non-payment of rent, default, breach or non-observance is not cured within thirty (30) days from the date of notice thereof in writing from the Minister to the Agent, the Minister may terminate this Agreement by giving to the Agent a notice in writing, signed by the Minister, and either delivered to the Agent or any officer of the Agent, mailed addressed to the last known place of business or office of the Agent, and thereupon after delivery or mailing of such written notification, this Agreement shall be determined and ended, and in that event, it shall be lawful for the Minister, his servants or agents, to re-enter and thereafter to have, possess and enjoy the said premises and all improvements thereon.

And no acceptance of rent subsequent to any breach or default, other than non-payment of rent, nor any condoning, excusing or overlooking by the Minister on previous occasions of breaches or defaults similar to that for which re-entry is made shall be taken to operate as a waiver of this condition nor in any way defeat or affect the rights of the Minister hereunder.

The Agent shall pay in addition to any other provisions hereof the reasonable fees and disbursements of counsel to the Minister in connection with the enforcement of this Agreement, or in the event of default hereunder.

Hold Over

18. Provided always and that it is hereby agreed by and between the parties hereto that if the said Agent shall hold over after the expiration of the term hereby granted, and if the Minister shall accept rent, the new tenancy thereby created shall be a tenancy at will and not a tenancy from year to year, and the Agent shall pay as rent during the time of such occupancy a rental to be determined at the discretion of the Minister, and shall be subject to the covenants and conditions herein contained so far as the same are applicable to tenancy at will.

**Tolls, Dues
& Charges**

19. That the Agent shall, during the currency of this Agreement, charge tolls or dues established under the authority of the Fishing and Recreational Harbours Act or by Regulations approved from time to time by the Governor in Council respecting the said premises. The Agent may collect additional reasonable charges for services such as electrical power outlets, water outlets, watchman services, etc., provided at the Agent's expense for the benefit and use of the boating public using said premises.

**Accounting
Records**

20. That during the currency of this Agreement, the Agent shall cause to be kept records of its operation hereunder, such records to be kept according to accepted principles of accounting, and the Agent shall supply to the Regional Director, a certified statement for each accounting period during the currency of this Agreement.

**Audit
Inspection**

21. That the books of the Agent concerning the operation and management of the said premises, shall be open for audit and inspection at all times during business hours, by the accredited officers of the Minister.

Pollution

22. That the Agent shall not place or deposit, or cause or permit to be placed or deposited, any fill, sand, gravel, detritus, waste, debris or other materials, articles or things on the said premises which may form a deposit thereon or therein without the prior consent, in writing, of the Regional Director.

**Environmental
Protection**

23. (i) The Agent agrees to abide by and comply with all federal environmental legislation, including the relevant provisions of the Canadian Environmental Protection Act, affecting the said premises, as well as with the regulations and guidelines made and established under it, and all applicable Provincial, Territorial and municipal environmental legislation, regulations, rules or guidelines affecting the said premises.

(ii) The Agent shall not process, use, deposit or store on the said premises or in its subsoil any toxic substances, as defined in the Canadian Environmental Protection Act, nor any other substance that constitutes or may constitute a danger to the environment or to human life or health.

(iii) The Agent agrees to clean up, at its expense, to then current federal and provincial standards, any part or all of the said premises contaminated during the term of this Lease or any renewal of it immediately upon becoming aware of the contamination.

**Service
Reservation**

24. That this Agreement is granted strictly subject to the right of the Minister and Lessees and Licensees of the Minister to maintain and operate services installed on the said premises at the date of this Agreement, and to the right of the Minister to grant leases or licences, as the case may be, at any time during the currency of this Agreement, covering the right and privilege or permission to install, lay, maintain and use services on, over or across the said premises and the Agent shall not, at any time during the currency hereof, do anything or cause or permit anything to be done which will in any way interfere with the rights and privileges or permissions thereby granted, provided however, that such leases or licences will be granted subject to this Agreement and provided that the Lessees or Licensees thereunder shall not commence to exercise the rights and privileges or permissions thereby granted unless and until the consent in writing is first obtained from the Agent, and which consent shall not be unreasonably withheld.

Concession

25. That no application for permission to establish concessions of any kind shall be granted without the prior approval in writing of the Regional Director.

<u>Use by Agent</u>	26. That in the event that any portions of the said premises are used for the purposes of the Agent, the Agent shall establish a market rental for such use and the Reddendum Clause shall be applied to such rental.
<u>Fire Prevention</u>	27. That the Agent shall take all necessary precautions against fire occurring in or on the said premises.
<u>Navigation Protection Act</u>	28. That the Agent shall fulfill in all respects the requirements of "Works" Section of the Navigation Protection Act, Chapter N-22 of the Revised Statutes of Canada 1985.
<u>Members of Parliament</u>	29. No member of the House of Commons shall be admitted to any share or part of this Agreement or to any benefit to arise therefrom.
<u>Discrimination</u>	30. That the Agent and any Sub-lessee shall not discriminate against any person by reason of race, colour or creed, in any manner whatsoever, pertaining to the operation of the said premises.
<u>Sale or Transfer</u>	<p>31. (i) Notwithstanding any other provision of this Agreement, in the event that the Minister disposes of its interest in the leased premises, or any part thereof, by way of sale, transfer or other conveyance, including a transfer of administration and control to Her Majesty the Queen in right of the Province of Ontario, the Minister shall be entitled at their sole option to assign this Agreement, or such portion thereof, to the transferee, or to terminate this Agreement, and the Agreement shall upon notice thereof be terminated forthwith.</p> <p>(ii) In the event of notice of termination being given by the Minister to the Agent, the Agent agrees that it shall forthwith vacate the said premises, and remove any chattels from the said premises in accordance with the provisions of this Agreement. The Agent further agrees and acknowledges that it shall have no cause of action against the Crown arising out of early termination of the Agreement, and hereby releases the Minister from any liability or otherwise that may be said to flow from the aforesaid early termination of this Agreement.</p>
<u>Financial Administration Act</u>	32. If the Agent defaults in the payment of any amount due under this Agreement, the Agent shall be responsible for and pay interest on such defaulted payment (to the extent permitted by the Financial Administration Act R.S.C. 1985, Chapter F-11 and the Interest and Administration Charges Regulations SOR/96-188 (the Regulations) or any amendments thereto) up to the date payment is received by or on behalf of Her Majesty. For greater certainty and until such time as the Regulations are amended, in the case of default in respect of any monetary amount due, interest on the amount in default shall be calculated and compounded monthly at the average bank rate plus three per cent and accrue from the due date of the payment, until paid. Furthermore, in the event that any instrument is tendered in payment or settlement of any amount due to Her Majesty hereunder which for any reason is dishonoured, the Agent shall be responsible and pay an administrative charge of \$15.00 to Her Majesty, or any amount prescribed therefor by the Regulations will be applicable and in addition to the outstanding amount due.
<u>Insurance</u>	33. That the Agent shall, in addition to the payment of yearly rental hereunder, at its own cost, insure concurrently with the execution of this Agreement, and thereafter during the currency of this Agreement, maintain in force, a policy of liability insurance for the ownership, possession and control of the said premises with coverage of at least Two Million Dollars (\$2,000,000.00) per occurrence and including Her Majesty as a named co-insured in that policy. The Agent, on the anniversary of this Agreement, in each and every year, shall submit to the Regional Director, proof of such insurance.

Gender

34. (i) Wherever the singular or masculine form are used in this Agreement, they shall be construed as meaning the plural or feminine or body corporate or politic where the context or the parties hereto so require.

(ii) The form of this Agreement shall not be construed against the drafter.

IN WITNESS WHEREOF the duly authorized officials or officers of the parties have executed these Presents.

EXECUTED BY THE AGENT) THE CORPORATION OF THE TOWN
OF KINGSVILLE

this day of , 2017)

Witness

Agent

Agent

c/s

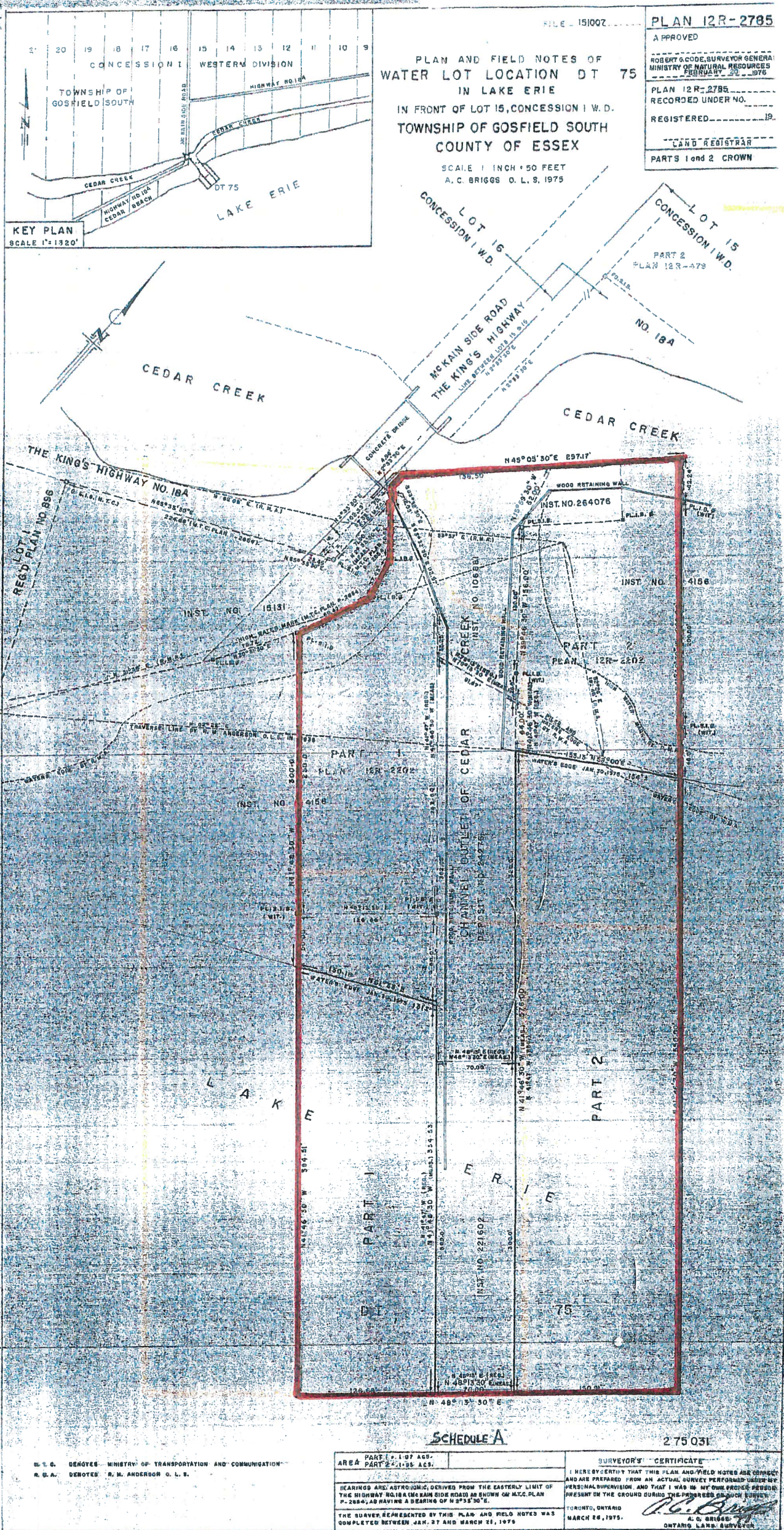
EXECUTED BY THE MINISTER)

this day of , 2017)

Witness

For the Minister of Fisheries and Oceans





FILE - 151007

PLAN 12R-2785

APPROVED

ROBERT G. CODE, SURVEYOR GENERAL
MINISTRY OF NATURAL RESOURCES
FEBRUARY 20, 1976

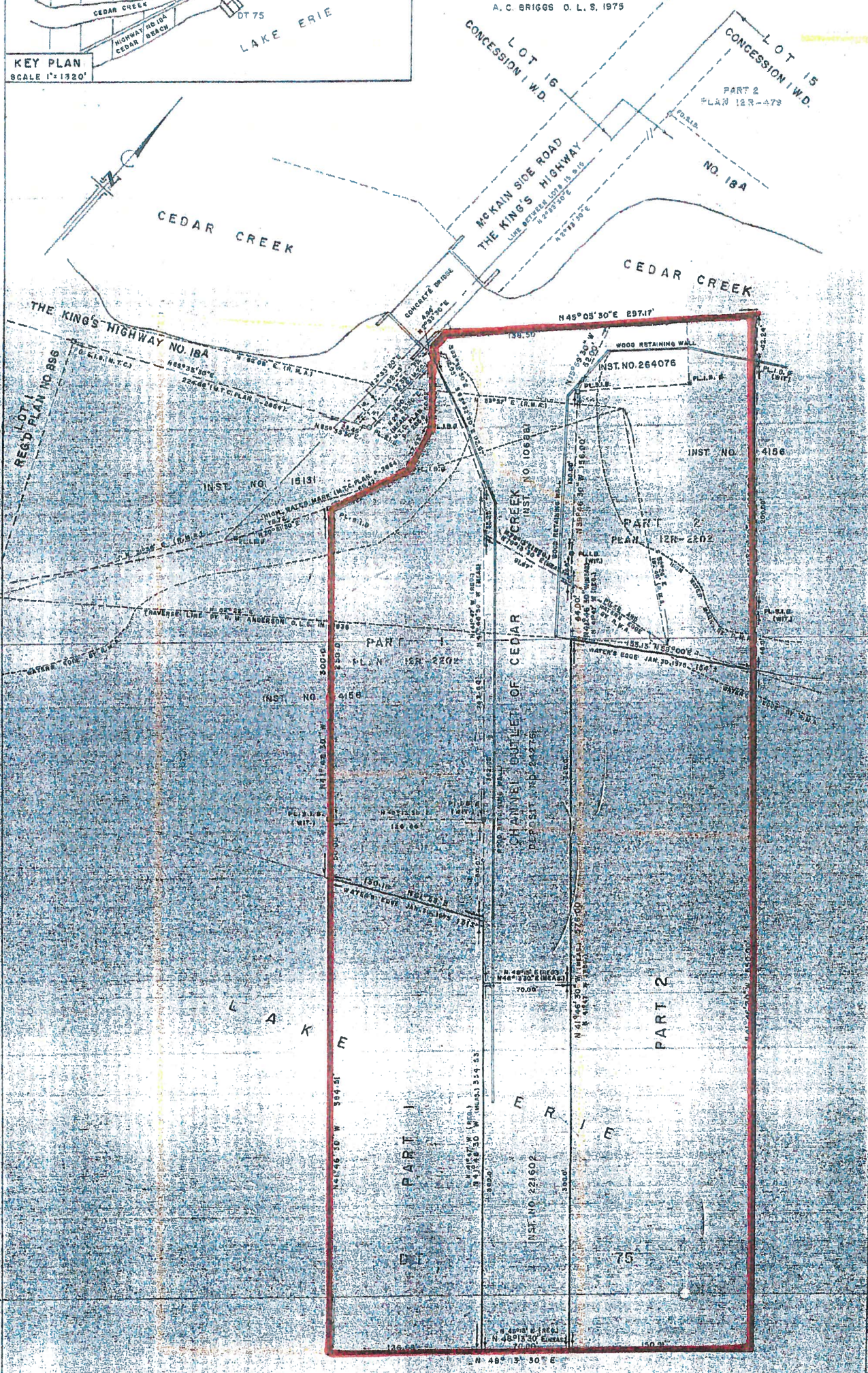
PLAN 12R-2785
RECORDED UNDER NO. _____
REGISTERED _____ 19. _____

CANADIAN REGISTRAR

PARTS 1 and 2 CROWN

PLAN AND FIELD NOTES OF
WATER LOT LOCATION DT 75
IN LAKE ERIE
IN FRONT OF LOT 15, CONCESSION I W.D.
TOWNSHIP OF GOSFIELD SOUTH
COUNTY OF ESSEX

SCALE 1 INCH = 50 FEET
A.C. BRIGGS O. L. S. 1975



SCHEDULE A

2.75 031

MIN. OF TRANSPORTATION AND COMMUNICATION
R. G. A. DENOTES R. M. ANDERSON O. L. S.

PART 1 OF 2
AREA PART 2 1.95 ACS.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAN AND FIELD NOTES ARE CORRECT
AND ARE PREPARED FROM AN ACTUAL SURVEY PERFORMED UNDER MY
PERSONAL SUPERVISION AND THAT I WAS IN MY OWN PERSONAL PRESENCE
PRESENT ON THE GROUND DURING THE PREPARED SURVEY.

TORONTO, ONTARIO
MARCH 26, 1975.

A.C. BRIGGS
ONTARIO LAND SURVEYOR

THE SURVEY REPRESENTED BY THIS PLAN AND FIELD NOTES WAS
COMPLETED BETWEEN JAN. 27 AND MARCH 21, 1975

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 123 - 2017

Being a By-Law to Appoint a Deputy Clerk, Deputy Division Registrar and Deputy Issuer of Marriage Licences for The Corporation of the Town of Kingsville

WHEREAS Section 9 of the Municipal Act, 2001 S.O. 2001. c. 25 provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purposes of exercising its authority under this or any other Act;

AND WHEREAS Section 228(2) of the Act provides a municipality may appoint Deputy Clerks;

WHEREAS Section 38(4), R.S.O 1990 of the *Vital Statistics Act* provides that a Division Registrar may, with the approval of the Registrar General, appoint one or more Deputy Registrars to act for him or her and any such Deputy while so acting has all the powers and duties of the Division Registrar who appointed the Deputy;

AND WHEREAS Section 11(3), R.S.O 1990 of the *Marriage Act* provides an issuer may, with the approval in writing of the Minister appoint one or of the Head of Council of the Municipality of which he or she is Clerk, more deputies to act for him or her, and any such deputy while so acting has the power of the issuer appointing him or her; and

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

1. **THAT** Paragraph 1 of By-law 101-2004, as amended, is amended by deleting Jennifer Alexander as Deputy Clerk.
2. **THAT** Roberta Baines is appointed as Deputy Clerk.
3. **THAT** the prior appointment of Jennifer Alexander for The Corporation of the Town of Kingsville as a Deputy Division Registrar by by-law is hereby revoked.
4. **THAT** Roberta Baines is herby appointed a Deputy Division Registrar for the Corporation for the Town of Kingsville and shall have signing authority to issue, administer and maintain Marriage licences, Birth and Death Records be approved.
5. **THAT** this by-law shall come into force and take effect upon third and final reading thereof.

READ a FIRST, SECOND and THIRD time and FINALLY PASSED this 27th day of November, 2017.

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 124 - 2017

*Being a by-law to amend By-law 1-2015,
being a By-law to appoint certain members
of Council and individuals to boards and
committees*

WHEREAS the Council of The Corporation of the Town of Kingsville deems it expedient to amend By-law 1-2015, as amended, being a by-law to appoint certain members of Council and individuals to boards and committees.

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

1. **THAT** Paragraph 1.0 w) be added as follows:

Cottam Revitalization Committee

Councillor John Driedger
Councillor Thomas Neufeld

Kathy Cormier
Sherri Dutot
Mike Eaton
Kelly Frail
Kim Gilliland
Heather Parise
Melisa Wiper

2. **THAT** all other terms set out in said By-law 1-2015 and any amendments thereto shall remain in full force and effect.

READ a FIRST, SECOND AND THIRD TIME and FINALLY PASSED this 27th day of November, 2017.

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 125 - 2017

***Being a By-law to confirm the proceedings of the
Council of The Corporation of the Town of Kingsville at its
November 27, 2017 Regular Meeting***

WHEREAS sections 8 and 9 of the *Municipal Act, 2011* S.O. 2001 c. 25, as amended, (the “Act”) provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising the authority conferred upon a municipality to govern its affairs as it considers appropriate.

AND WHEREAS section 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 November 27, 2017 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 27th day of November, 2017.

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo