



**REGULAR MEETING OF COUNCIL  
AGENDA**

**Monday, August 14, 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. MATTERS SUBJECT TO NOTICE**

- 1. PUBLIC MEETING-Zoning By-law Amendment (ZBA/16/17) Estate of Elwyn G. Robinson (Betty Lou Newman – Estate Trustee) / Jacob Wiebe (Authorized Applicant) 52 County Road 29, Part of Lot 266, Con**

**1**

R. Brown, Manager of Planning and Development Services

i) Report of D. French, Interim Town Planner, dated August 3, 2017

ii) Proposed By-law 87-2017, being a By-law to amend By-law No. 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville

**Recommended Action**

That Council approve zoning amendment application ZBA/16/17 to amend the zoning of the subject property from the site-specific 'Rural Residential Exception 6, (RR-6)' to the standard 'Rural Residential, (RR)' removing an automobile repair shop as a permitted use, and adopt the implementing by-law.

- 2. PUBLIC MEETING-Zoning By-law Amendment (ZBA/14/16) & Site Plan**

**9**

**Approval (SPA/14/16) 1298466 Ontario Ltd. 364 County Road 34 West,  
Part of Lot 275, Concession NTR**

R. Brown, Manager of Planning and Development Services

i) Report of D. French, Interim Town Planner, dated August 3, 2017

ii) Proposed By-law 88-2017, being a By-law to Amend By-law No. 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville

**Recommended Action**

That Council

Approve zoning amendment application ZBA/14/16 to amend the zoning of the subject property to a site-specific 'Transitional Commercial Exception 1 (C3-1)' to permit a stand-alone parking lot accessory to an existing restaurant use on abutting lands zoned 'Transitional Commercial, (C3)', and adopt the implementing by-law; and

Approve the proposed site plan, subject to the conditions outlined in the site plan agreement, for the construction of a gravel parking area and authorize the Mayor and Clerk to sign the site plan agreement and register said agreement on title.

**3. PUBLIC MEETING-Application for Zoning By-law Amendment (ZBA/13/17) Benjamin Friesen 567 Road 11, Part of Lot 21, Concession 11**

31

R. Brown, Manager of Planning and Development Services

i) Report of R. Brown, dated June 19, 2017

ii) Proposed By-law 86-2017, being a By-law to amend By-law No. 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville

**Recommended Action**

That Council approve zoning amendment application ZBA/13/17 to rezone the subject property from Education Zone '(EG)' to Agriculture, '(A1)' and adopt the implementing by-law.

**4. PUBLIC MEETING-Zoning By-law Amendment ZBA/14/17 1552843 Ontario Ltd. – Applicant 2085621 Ontario Inc. - Owners 169 Prince Albert St. N. Part of Lots 1 & 2, Concession 1 WD**

36

R. Brown, Manager of Planning and Development Services

i) Report of R. Brown, dated July 26, 2017 with attached Appendices A to H

ii) Proposed By-law 85-2017, being a By-law to amend By-law No. 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville



iii) Correspondence from Councillor T. Neufeld, dated August 2, 2017 indicating objection to proposed zoning amendment

**Recommended Action**

That Council approve zoning amendment application ZBA/14/17 to Rezone the subject property from 'Residential Zone 1 Urban, holding (R1.1(h))' and 'Residential Zone 1 Urban, R1.1' to a site-specific 'Residential Zone 3 Urban Exception 23, holding (R3.1-23(h))' which will permit a maximum of 16 dwelling units (semi-detached or townhouse), establish site-specific regulations including minimum gross floor area per unit of 88 sq. m (950 sq. ft.), outline the required conditions for removal of the h- holding provision, and continue to permit a single detached dwelling on each of the lots to be created along Prince Albert Street North subject to the provisions of the existing R1.1 Zone; and

Approve rezoning the rear wooded portion of the property from 'Residential Zone 1 Urban, holding (R1.1(h))' to 'Natural Environment, (NE)' and adopt the implementing by-law.

**5. PUBLIC MEETING-Official Plan Amendment OPA/02/16 & Zoning By-law Amendment ZBA/07/16 Guillermo & Rossana Moavro (King's Villa Condo) 342 Main St. E, 20, 24 & 28 Jasperson Dr.**

105

R. Brown, Manager of Planning and Development Services

i) Report of R. Brown, dated July 24, 2017 with attached Appendices A to G2

ii) Proposed By-law 83-2017, being a by-law to adopt Official Plan Amendment No. 6 (OPA 6)

iii) Proposed By-law 84-2017, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville

iv) Correspondence from Alden H. Warner, Resident, dated March 14, 2017 regarding traffic concerns.

v) Correspondence from Councillor T. Neufeld, dated August 9, 2017.

**Recommended Action**

That Council:

Adopt Official Plan Amendment No. 6 (OPA 6) to establish a site-specific policy area to permit residential as an additional permitted main use on the property currently known as 342 Main St. E, 20, 24 & 28 Jasperson Drive and direct administration to forward the policies to the County of Essex for final approval; and

Adopt the zoning by-law amendment, to implement OPA 6 once final approval is granted by the County of Essex and establish site-specific regulations for the development of a multiple storey, up to 95 unit residential condominium with ground floor commercial space.

**F. AMENDMENTS TO THE AGENDA**

**G. ADOPTION OF ACCOUNTS**

1. **Town of Kingsville Accounts for the monthly period ended July 31, 2017 being TD cheque numbers 0062582 to 0062818 for a grand total of \$1,451,830.09** 223

**Recommended Action**

That Council approve Town of Kingsville Accounts for the monthly period ended July 31, 2017 being TD cheque numbers 0062582 to 0062818 for a grand total of \$1,451,830.09.

**H. STAFF REPORTS**

1. **Q2 Financial Status Update to June 30, 2017** 247

S. Zwiers, Director of Financial Services

**Recommended Action**

That council receives the financial status update report FS-2017-010 for the period ending June 30, 2017.

2. **Overage on CWATS – Kings 13B** 293

K. Girard, Manager of Municipal Services

**Recommended Action**

That Council authorize the County of Essex to award the CWATS Kings 13B project to Pierascenzi Construction Ltd and that the funding for the overages of this project be taken from the surplus for Bridge #28 and CWATS Kings 9 projects.

3. **Kingsville 5 year Official Plan Review RFP Response** 297

R. Brown, Manager of Planning and Development Services

**Recommended Action**

Council approve Administration to award the completion of the Town of Kingsville 5 year Official Plan review to WSP Canada Group Limited, Thornhill Ontario at a cost of \$57,430 plus applicable taxes

4. **Cedar Beach and Marina Action Plan** 304

P. Van Mierlo-West, CAO

**Recommended Action**

That Council approve the attached Cedar Beach and Marina Action Plan and that the plan be incorporated within the upcoming budget discussions.

**5. Cover Report - Supervisor of Facilities 318**

P. Van Mierlo-West, CAO

**Recommended Action**

That Council approves the proposed job description for the Supervisor of Municipal Facilities and Properties and authorize Administration to proceed in recruiting this position.

**6. Grovedale Arts and Cultural Centre – Canada 150 Agreement 323**

P. Van Mierlo-West, CAO

**Recommended Action**

That Council direct the Mayor and Clerk to sign the attached agreement between the Federal Economic Development Agency of Southern Ontario and the Town of Kingsville regarding the Renovation of the Grovedale Arts and Culture Centre.

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

**1. C. Labutte, Parish Picnic Committee-Request for consideration that rental fees be waived for the rental of the Lakeside Pavilion for Parish Picnic (cluster Parishes of St. John de Brebeuf, St. Anthony of Padua and Star of the Sea) 354**

**Recommended Action**

That Council consider request to waive pavilion rental fee for a Parish Picnic to be held on September 10, 2017 at Lakeside Pavilion made on behalf of the Cluster Parishes of St. John de Brebeuf, Kingsville, St. Anthony of Padua, Harrow and Star of the Sea, Pelee Island

**J. MINUTES OF THE PREVIOUS MEETINGS**

**1. Regular Meeting of Council-July 24, 2017 355**

**2. Regular 'Closed Session' Meeting of Council--July 24, 2017**

**Recommended Action**

That Council adopt Regular Meeting of Council Minutes, dated July 24, 2017 and Regular Closed Session Meeting of Council Minutes, dated July 24, 2017.

**K. MINUTES OF COMMITTEES AND RECOMMENDATIONS**

**1. Union Water Supply System Joint Board of Management Minutes-June 21, 2017 366**

**Recommended Action**

That Council receive The Union Water Supply System Joint Board of Management Meeting Minutes dated, June 21, 2017.

2. **Kingsville Municipal Heritage Advisory Committee--June 14, 2017** 372

**Recommended Action**

That Council receive Kingsville Municipal Heritage Advisory Committee Meeting Minutes dated, June 14, 2017.

**L. BUSINESS CORRESPONDENCE - INFORMATIONAL**

1. **Ministry of Agriculture, Food and Rural Affairs--Correspondence RE: Notification of NASM Plan Approval to Denotter Farms Inc., dated July 25, 2017** 375
2. **Ministry of Agriculture, Food and Rural Affairs-Correspondence RE: Notification of NASM Plan Approval to Brad Anger, dated August 4, 2017** 376
3. **C. A. Boon and H. M. Noestheden, Partners, Old Dutch Guys Chocolate--Correspondence received August 3, 2017** 378
4. **County of Essex-Copy of correspondence to Windsor Essex County Environment Committee RE: Support for WECEC resolution pertaining to the Ontario Nuclear Emergency Response Plan, dated July 27, 2017** 379
5. **City of Windsor--Copy of correspondence to Premier of Ontario RE: City of Windsor support of WECEC resolution pertaining to the Provincial Nuclear Emergency Response Plan (PNERP), dated July 28, 2017** 397
6. **City of Owen Sound-Copy of correspondence to Premier of Ontario RE: Support Resolution - Request for Economic Impact Analysis** 409
7. **City of Owen Sound--Copy of correspondence to Minister of Municipal Affairs RE: Proposed Changes Under Bill 68 - Out of Court Payments, dated August 2, 2017 (Support of Municipality of West Nipissing and Municipality of Killarney)** 410
8. **Dillon Consulting - Notice of Public Information Centre #2 RE: County Road 20 Environmental Assessment and Preliminary Design** 411
9. **County of Essex--Copy of correspondence to R. Nicholls, MPP, Chatham-Kent-Essex RE: Support for Bill 94-Amendments to the Highway Traffic Act and Pilot Project, dated July 27, 2017** 412

**Recommended Action**

That Council receive Business Correspondence - Information items 1 through 9 as presented.

**M. NOTICES OF MOTION**

1. **Deputy Mayor Queen may move or cause to have moved:** 414  
That Council ask or direct the CAO of The Corporation of the Town of

Kingsville to write to the Windsor Essex Housing Authority seeking any information regarding Affordable Housing Opportunities: i) that currently exist within Kingsville under their care or direction; ii) details as to any known shortfalls within our community; iii) any known plans for expansion of the site at, or by, 194 Division St. North, Kingsville.

## **N. UNFINISHED BUSINESS, ANNOUNCEMENTS AND UPDATES**

## **O. BYLAWS**

- 1. By-law 82-2017** 416  
Being a By-law authorizing the entering into of an Agreement with Sherway Contracting (Windsor) Limited for the construction of Park Street Road Improvements from Division Street South to Dock Street (Stantec Consulting Ltd. Project No. 165620097) (full contract documents available for review in Corporate Services Dept.)  
  
To be read a first, second, third and final time
- 2. By-law 83-2017** 420  
Being a By-law to amend the Official Plan of the Town of Kingsville (Official Plan Amendment No. 6; Kings Villa Condo)  
  
To be read a first, second and third and final time
- 3. By-law 84-2017** 430  
Being a By-law to amend By-law No. 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (342 Main St. East, 20, 24 and 28 Jasperson Dr., ZBA/0716)  
  
To be read a first, second and third and final time
- 4. By-law 85-2017** 433  
Being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (169 Prince Albert St. North; ZBA/14/17)  
  
To be read a first, second and third and final time
- 5. By-law 86-2017** 436  
Being a by-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (567 Road 11, ZBA/13/17)  
  
To be read a first, second and third and final time
- 6. By-law 87-2017** 438  
Being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-

law for the Town of Kingsville (52 County Road 29, ZBA/16/17)

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

**7. By-law 88-2017 440**

Being a By-law to amend By-law No. 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (364 County Road 34 West, ZBA/14/16)

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

**8. By-law 89-2017 443**

Being a by-law authorizing the entering into of a Canada 150 Community Infrastructure Program Contribution Agreement with Her Majesty the Queen in Right of Canada represented by the Minister responsible for the Federal Economic Development Agency for Southern Ontario for the Renovation of Grovedale Arts and Culture Centre, 103 Park St., Kingsville

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

**P. CLOSED SESSION**

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

1. Section 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board; being verbal report of CAO P. Van Mierlo-West pertaining to the potential acquisition of land for municipal purposes
2. Section 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board; being verbal report/update pertaining to 103 Park St.

**Q. REPORT OUT OF CLOSED SESSION**

**R. CONFIRMATORY BY-LAW**

**1. By-law 90-2017 473**

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

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

**S. ADJOURNMENT**



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

**Date:** August 3, 2017

**To:** Mayor and Council

**Author:** David French, BA, CPT  
Interim Town Planner

**RE:** Zoning By-law Amendment (ZBA/16/17)  
Estate of Elwyn G. Robinson (Betty Lou Newman – Estate Trustee) /  
Jacob Wiebe (Authorized Applicant)  
52 County Road 29, Part of Lot 266, Con

**Report No.:** PDS-2017-037

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## **AIM**

To provide the Mayor and Council with information on a requested zoning by-law amendment to remove certain site-specific permitted uses on the subject parcel.

## **BACKGROUND**

The parcel is a 0.4 ha (1 ac.), irregular-shaped, lot containing a single detached dwelling and four accessory buildings. Under the former Gosfield North Township the parcel was rezoned on a site-specific basis (R1-6) to permit an automobile repair shop as an additional permitted use.

The applicant no longer wishes to permit the automobile repair shop on the parcel, and as such, has filed an application for a zoning by-law amendment to remove the automobile repair shop as a permitted use. It is proposed that the parcel be rezoned to a standard 'Rural Residential (RR)' classification to limit the permitted uses to those normally associated with this zone.

## **DISCUSSION**

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

There are no issues of Provincial significance raised by the proposed zoning by-law amendment.

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

There are no issues of County significance raised by the application.

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

The subject property is designated 'Agricultural'. The proposed application to rezone the parcel does not offend the intent of the Kingsville Official Plan policies and goals.

## **4) Comprehensive Zoning By-law – Town of Kingsville**

The subject parcel is zoned 'Rural Residential Exception Zone 6, (RR-6)' by the Kingsville Zoning By-law. The exception adds an automobile repair shop as an additional permitted use to those uses normally permitted within the 'Rural Residential, (RR)' zone.

The applicant no longer wished to have an automobile repair shop permitted on the parcel, and as such wished to have the parcel rezoned to a standard 'Rural Residential, (RR)' zone.

Comment: The removal of the automobile repair shop as a permitted use is viewed as removing a use which may be deemed by some as incompatible with the intended residential use of the parcel, and adjacent rural residential uses. The co-existing residential use on the parcel will remain.

## **LINK TO STRATEGIC PLAN**

There is no link to the Strategic Plan resulting from this application

## **FINANCIAL CONSIDERATIONS**

There would be a reduction in assessment as the property no longer permits or operates a commercial business.

## **CONSULTATIONS**

### **Public Consultations**

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

At the time of writing, no public comments had been received.

### **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.



<b>Agency or Administrator</b>	<b>Comment</b>
Essex Region Conservation Authority Watershed Planner	<ul style="list-style-type: none"> <li>• Full comment is attached as Appendix 'A'</li> <li>• ERCA has noted that the subject parcel is in a regulated area</li> <li>• They have expressed no concerns with the application</li> </ul>
County of Essex	<ul style="list-style-type: none"> <li>• Full comment is attached as Appendix 'B'</li> </ul>
Town of Kingsville Management Team	<ul style="list-style-type: none"> <li>• No comments received</li> </ul>

## **RECOMMENDATION**

That Council approve zoning amendment application ZBA/16/17 to amend the zoning of the subject property from the site-specific 'Rural Residential Exception 6, (RR-6)' to the standard 'Rural Residential, (RR)' removing an automobile repair shop as a permitted use, and adopt the implementing by-law.

David French

David French, BA, CPT  
Interim Town Planner

Robert Brown

Robert Brown, H, Ba, MCIP, RPP  
Manager, Planning & Development Services

Peggy Van Mierlo-West

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



regs@erca.org

P.519.776.5209

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

July 10, 2017

Mr. David French  
Interim Planner  
Planning & Development Services  
The Corporation of the Town of Kingsville  
Kingsville, ON N9Y 2Y9

Dear Mr. French:

RE: Zoning By-Law Amendment ZBA-16-17 52 COUNTY RD 29  
ARN 371156000008000; PIN: 751640074  
Applicant: Estate of Elwyn Robinson

The following is provided for your information and consideration as a result of our review of Zoning By-Law Amendment ZBA-16-17.

## **NATURAL HAZARD POLICIES OF THE PPS, 2014**

The above noted lands are subject to our Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulations under the *Conservation Authorities Act*, (Ontario Regulation No. 158/06). The subject parcel falls within the regulated area of the following watercourses/waterbodies:

Schiller Drain and Hickmott Branch. The property owner will be required to obtain a Permit and/or Clearance from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by the regulations.

## **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**

Our office has no objection to this application to remove the automobile repair shop as a permitted use.



Mr. French  
July 10, 2017

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

Sincerely,

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

Michael Nelson, *Watershed Planner*  
/mn





**Office of the Manager, Planning Services**

William J. King, AMCT, MCIP, RPP  
Manager, Planning Services

July 12, 2017

Mr. David French  
Town of Kingsville  
2021 Division Road North  
Kingsville, Ontario  
N9Y 2Y9

Dear Mr. French:

**RE: ZBA-16-2017, Estate of Elwyn G. Robinson, Part Lot 266, Concession STR, East Side of County Road No. 29, South of County Road No. 34, Municipal Number 52**

Please be advised that the County has reviewed the aforementioned application and the comments provided are engineering related only. This application has not been reviewed from a planning perspective. The subject lands have frontage on County Road No. 29.

The Applicant will be required to comply with the following County Road regulations:

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

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

The minimum setback for any proposed structures on this property must be 110 feet from the centre of the right of way of County Road 29 due to the presence of the Schiller Municipal Drain. Permits are necessary for any changes to existing entrances or structures, or the construction of new entrances or structures.

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

Sincerely,

  
William J. King, AMCT, MCIP, RPP  
Manager, Planning Services

**THE CORPORATION OF THE TOWN OF KINGSVILLE**

**BY-LAW 87-2017**

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

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

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

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

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

1. Schedule "A", Map 17 of By-law 1-2014 is hereby amended by changing the zone symbol on lands known municipally as Part of Lot 266, Concession South Talbot Road, and locally known as 52 County Road 29, as shown on Schedule 'A' in cross-hatch attached hereto from 'Rural Residential Exception 6 (RR-6)' to Rural Residential (RR)'.
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 14<sup>TH</sup> day of August, 2017.**

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**MAYOR, Nelson Santos**

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**CLERK, Jennifer Astrologo**

## Schedule A



0 80 160 320 480 640 Meters

**52 COUNTY ROAD 29  
PART OF LOT 266, CONCESSION SOUTH TALBOT ROAD  
ZBA/16/17**



Schedule "A", Map 17 of By-law 1-2014 is hereby amended by changing the zone symbol on property known municipally as 52 County Road 29, Part of Lot 266, Concession South Talbot Road on Schedule 'A' cross-hatched attached hereto from 'Rural Residential Exception 6 (RR-6)' to 'Rural Residential (RR)'.



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

**Date:** August 3, 2017

**To:** Mayor and Council

**Author:** David French, Ba, CPT  
Interim Town Planner

**RE:** Zoning By-law Amendment (ZBA/14/16) &  
Site Plan Approval (SPA/14/16)  
1298466 Ontario Ltd.  
364 County Road 34 West, Part of Lot 275, Concession NTR

**Report No.:** PDS-2017-034

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## **AIM**

To provide the Mayor and Council with information on a requested zoning by-law amendment and site plan approval to permit a stand-alone parking lot, proposed to be used by the commercial operations (Dairy Freez) on the abutting parcel.

## **BACKGROUND**

The subject lands are comprised of a 0.29 ha (0.72 ac.) vacant lot containing a gravel parking area for the commercial operation (Dairy Freez) on the abutting lot to the west, and a 0.13 ha (0.33 ac.) portion of the abutting parcel to the east. Recently this 0.13 ha (0.33 ac.) portion was severed and conveyed (B/23/16) from 358 County Road 34 West as a lot addition to the subject parcel to better reflect the actual lot configuration and extent of use. Finalization of the lot addition will be a requirement of site plan approval.

The newly configured subject lands have been developed to accommodate an expanded parking area servicing the Dairy Freez operation on the abutting parcel. In order to continue to use the subject lands for parking two Planning Act applications are required: 1) a Zoning By-law Amendment in order to rezone the lands to an appropriate commercial classification which will permit a stand-alone parking lot; and 2) Site Plan approval to formalize the parking lot layout, access and ongoing operation.

## **DISCUSSION**

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

There are no issues of Provincial significance raised by the requested site plan approval or zoning by-law amendment.

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

There are no issues of County significance raised by the subject applications.

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

The subject property is designated 'Rural Residential', and further, the Rural Residential policies as found in Section 3.6.5 of the Official Plan do not contemplate commercial uses within this designation.

However, prior to the approval of the Kingsville Official Plan in February of 2012, and as evidenced by aerial photographs dating back to 2004, a parking lot servicing the abutting Dairy Freez business next door was present, which under Section 8.7.1, Existing Land Use and Buildings would be considered to conform to the Official Plan. As such, when the Kingsville Official Plan came into effect, the parking area was considered to be a Non-Conforming Land Use.

Section 8.7.2, Non-Conforming Land Uses, of the Kingsville Official Plan therefore provides the policies to consider in this case. Specific excerpts from these policies, with comments, are as follows:

As a general rule, such a use should cease to exist in the long term. In special circumstances, however, it may be desirable to permit the extension or enlargement of such non-conforming use in order to avoid unnecessary hardship. It is the intention of this Plan that extensions and enlargements be handled without an amendment to this Plan. When considering an application for the extension or enlargement of a use which does not conform to the implementing Zoning By-law, Council or the Committee of Adjustment shall decide if the special merits of the individual case make it desirable to grant permission for the extension or enlargement of the non-conforming use, and in so doing shall have regard to the following matters:

a) the proposed extension or enlargement of the established non-conforming use shall not unduly aggravate the situation created by the existence of the use, especially in regard to the policies of this Official Plan and the implementing Zoning By-law applying to the area;

Comment: the proposed parking lot use was developed prior to the start of the Highway 3 Bypass reconstruction in 2015 as County Rd 34 was being used as a detour route and the County was restricting parking along the roadway. Historically, overflow parking for the business had been along both sides of the County Road. This posed a problem for the business but also created an opportunity to improve what had been reported for many years as an extremely unsafe method of



addressing the overflow the parking. With the enlarged parking lot the historical issue would be resolved and would not unduly aggravate the situation created by the existence of the use as at least a portion of the lot had been used for many years as informal overflow parking.

b) the proposed extension or enlargement shall be in an appropriate proportion to the size of the non-conforming use established prior to the passing of the implementing Zoning By-law;

Comment: the proposed parking lot is in an appropriate proportion to the parking lot that existed at the time of approval of the Official Plan and Zoning By-law.

c) an application which would affect the boundary areas of different land use designations will only be processed under these policies if it can be considered as a "minor adjustment" permitted under the interpretation clause, subsection 8.11.2 of this Plan, without the need for an amendment. Any major variance will require an amendment to this Plan;

Comment: no land use designation change is proposed.

d) the characteristics of the existing non-conforming use and the proposed extension or enlargement shall be examined with regard to noise, vibration, fumes, smoke, dust, odours, lighting and traffic generation;

Comment: no issues which can be considered noxious are anticipated to be created as a result of the proposal.

e) the neighbouring non-conforming uses will be protected, where necessary, by the provision of areas for landscaping, buffering or screening, appropriate setbacks for buildings and structures, devices and measures to reduce nuisance, and where necessary, by regulations for alleviating adverse effects caused by outside storage, lighting, advertising signs, etc. Such provisions and regulations shall be applied to the proposed extension or enlargement, and where feasible, also extended to the established use in order to improve its compatibility with the surrounding area;

Comment: appropriate measures for buffering, etc., have been provided as per the attached site plan. Site plan approval and the subsequent agreement will ensure that compatibility between the parking lot use and the surrounding residential and agricultural uses will remain.

f) traffic and parking conditions in the vicinity shall not be adversely affected by the application, and traffic hazards will be kept to a minimum by appropriate designs of ingress and egress points to and from the site and improvement of sight conditions, especially in proximity to intersections;

Comment: the ingress / egress points on the lot are required to comply with County regulations governing these items. County permitting in this regard is required.

g) adequate provisions have been, or will be made for off-street parking and loading facilities;

Comment: the purpose of the parking lot is to provide adequate parking for the neighbouring use particular during peak times during the summer season.

h) applicable municipal services such as storm drainage, sanitary sewage collection and disposal and potable water treatment and supply are adequate and meet with the approval of the Ministry of the Environment and/or the applicable statutory approval authority having jurisdiction.

Comment: a storm water management plan has been submitted to the Town and is deemed to be appropriate. The proposed parking lot does not require sanitary sewage collection or potable water.

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

The parcel of land subject of this application is zoned 'Rural Residential, (RR)', which as per the Zoning By-law, does not permit the proposed parking lot use. In order to accommodate the parking lot use it is proposed that the subject lands be rezoned to a site-specific 'Transitional Commercial, (C3-1)' zone which shall solely permit a parking lot accessory to an existing restaurant use on abutting lands zoned 'Transitional Commercial, (C3)'.

Comment: As reported earlier a parking area/lot servicing the Dairy Freez operation on the abutting parcel has existed on the subject parcel for many years. As such the parking use is considered to be non-conforming under the current residential zoning. During this time the parking use has proven to be compatible with the surrounding residential and agricultural areas.

Further, based on the Official Plan discussion, justification for the rezoning can only be provided for the proposed expanded parking area and not any additional commercial uses normally associated with the C3 Zone. As such, the proposed amending by-law will only permit the parking use when used in conjunction with the existing restaurant use on the abutting lot.

Should the existing restaurant use change (or cease) in the future then Administration and Council will have an opportunity to review the parking lot's compatibility with the new use.

### **4) Site Plan**

The formal development of the site consists of the construction of an expansion to the existing gravel parking area, installation of new landscaping features, and the development of onsite storm water run-off storage. These details, as well as existing features, appear on the site plan drawing attached as Appendix 'A'. Standard conditions of site plan approval will apply and are provided in the Recommendation below.

## **LINK TO STRATEGIC PLAN**

Support growth of the business community.

## FINANCIAL CONSIDERATIONS

There will be some minimal change in the assessment of the property with the change from residential to commercial.

## CONSULTATIONS

### Public Consultations

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

No comments based on this circulation had been received at the time of writing.

### 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"><li>• Full comment is attached as Appendix 'A';</li><li>• ERCA has noted that the subject parcel is not in a regulated area</li><li>• They have expressed no concerns with the application</li></ul>
County of Essex	<ul style="list-style-type: none"><li>• Full comment is attached as Appendix 'B'</li><li>• County compliance and permitting is required re construction activities and access</li></ul>
Town of Kingsville Management Team	<ul style="list-style-type: none"><li>• Municipal Services has indicated that the storm water management plan is acceptable</li></ul>

## RECOMMENDATION

That Council approve zoning amendment application ZBA/14/16 to amend the zoning of the subject property to a site-specific 'Transitional Commercial Exception 1 (C3-1)' to permit a stand-alone parking lot accessory to an existing restaurant use on abutting lands zoned 'Transitional Commercial, (C3)' and adopt the implementing by-law; and approve the proposed site plan, subject to the conditions outlined in the site plan agreement, for the construction of a gravel parking area and authorize the Mayor and Clerk to sign the site plan agreement and register said agreement on title.

*David French*

David French, Ba, CPT  
Interim Town Planner

*Robert Brown*

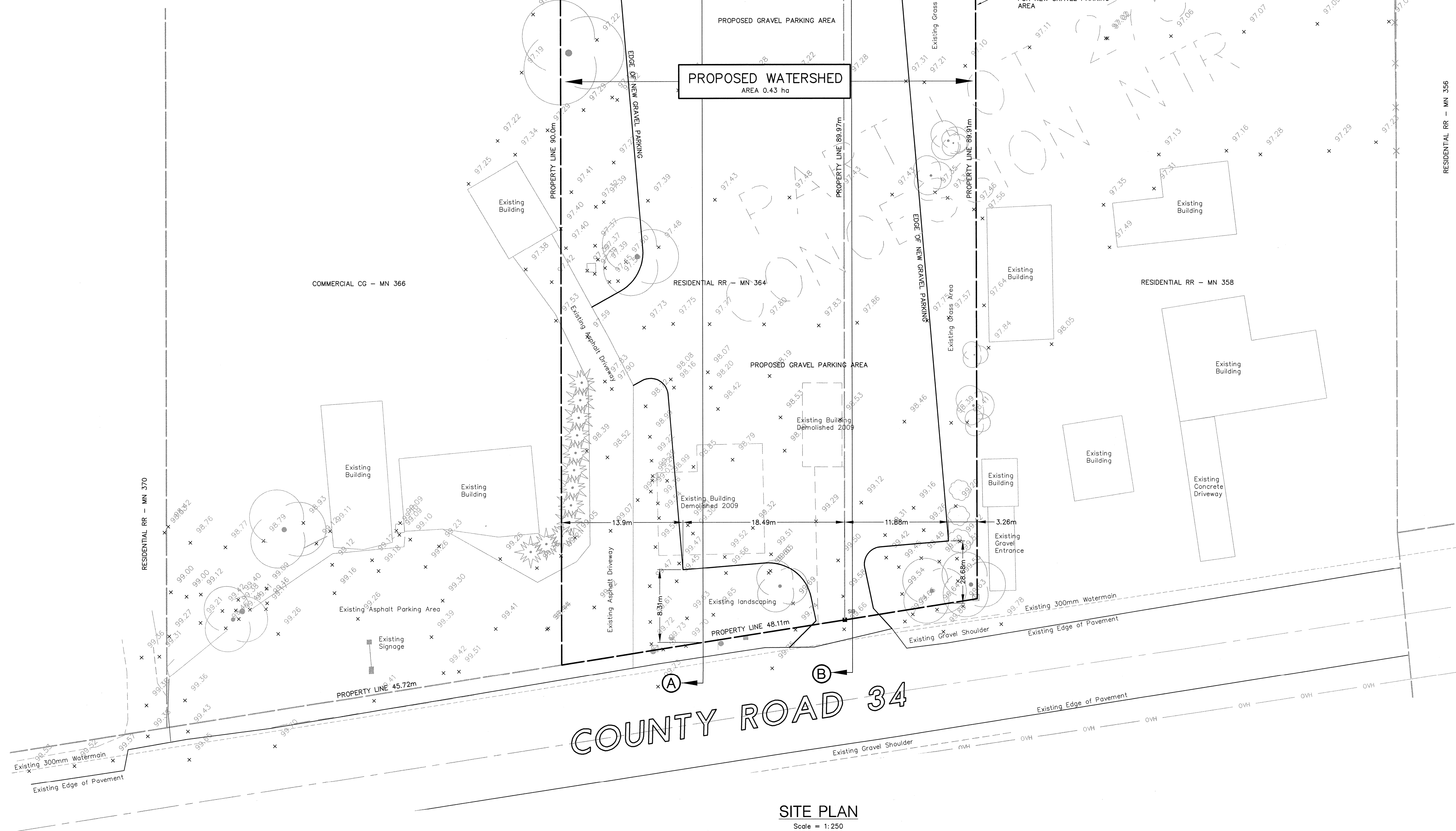
Robert Brown, H. Ba, MCIP, RPP  
Manager, Planning & Development Services

*Peggy Van Mierlo-West*

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



KEY PLAN - KINGSVILLE  
Scale = NTS



SITE PLAN  
Scale = 1:250

- NOTES:
1. THE ACCURACY OF THE UTILITIES SHOWN ON THESE DRAWINGS ARE NOT GUARANTEED BY THE OWNER OR N. J. PERALTA ENGINEERING LTD. OTHER UTILITIES MAY BE PRESENT OR THE UTILITIES SHOWN MAY DIFFER IN SIZE OR LOCATION SHOWN.
  2. ALL ELEVATIONS SHOWN IN METRES.
  3. 196.400 APPROXIMATE PROPOSED TOP ELEVATION.
  4. 195.873 APPROXIMATE PROPOSED INVERTS.
  5. 196.400 APPROXIMATE PROPOSED SITE GRADE.
  6. 196.594 APPROXIMATE PROPOSED SWALE ELEVATION.
  7. PLACE TOPSOIL ON ALL SLOPES AND DISTURBED AREAS AND SEED TO GRASS.
  8. ALL NEW COVERED DRAINAGE AND SURFACE SWALES TO HAVE OUTLET EROSION PROTECTION.
  9. EROSION PROTECTION TO COMPRISE OF 300mm THICK GUARDED LIMESTONE ON NON-WOVEN FILTER CLOTH MINIMUM 1.0m WIDE.
  10. PROVIDE RODENT GRATES ON ALL DRAIN OUTLETS.
  11. OWNER/CONTRACTOR IS RESPONSIBLE TO PROVIDE ADEQUATE SEDIMENT CONTROL MEASURES DURING CONSTRUCTION. FOR DETAILS SEE OPS 577.
  12. STORM EVENTS IN EXCESS OF THE 1:100 YEAR STORM MAY CAUSE FLOODING.
  13. STORM DRAINAGE AND DETENTION DESIGN BASED ON SITE LAYOUT ESTABLISHED BY OWNER. ADEQUACY OF SITE LAYOUT IS THE RESPONSIBILITY OF THE OWNER.
  14. THIS PLAN IS TO BE READ IN CONJUNCTION WITH THE STORMWATER MANAGEMENT REPORT DATED JUNE 12, 2017.

BENCHMARK:

1. NAIL SET ON NORTH WEST FACE OF HYDRO POLE NEXT TO EDSF NORTH COMMUNICATION PEDESTAL.  
ELEV. = 100.00m
2. NAIL SET ON WEST FACE OF OLD CRAB APPLE TREE AT EAST EDGE OF PARKING LOT.  
ELEV. = 97.595m

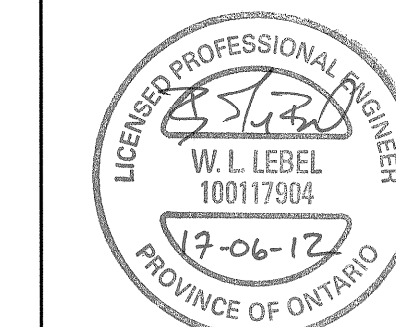
S.W.M. REPORT	W.L.	12 JUNE 2017
OWNER REVIEW	W.L.	1 APRIL 2016
ISSUED FOR:	BY	DATE

REVISIONS

**N. J. Peralta**  
**Engineering Ltd.**  
Consulting Engineers

Kingsville Ontario

ENGINEERING STAMPS:



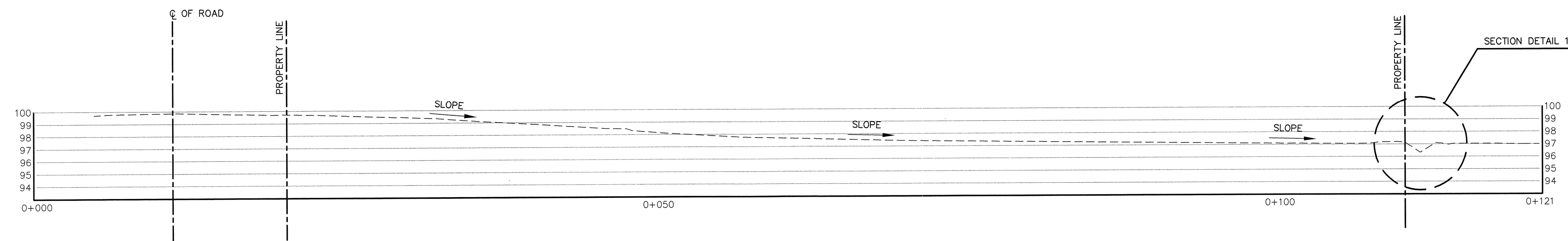
**DAIRY FREEZ  
PARKING AREA  
STORMWATER  
MANAGEMENT**

IN THE  
TOWN OF  
KINGSVILLE

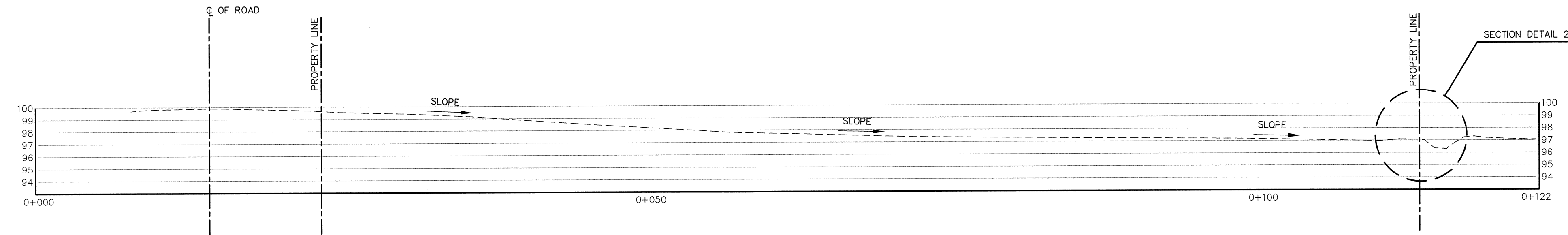
SHEET TITLE:

**SITE PLAN**

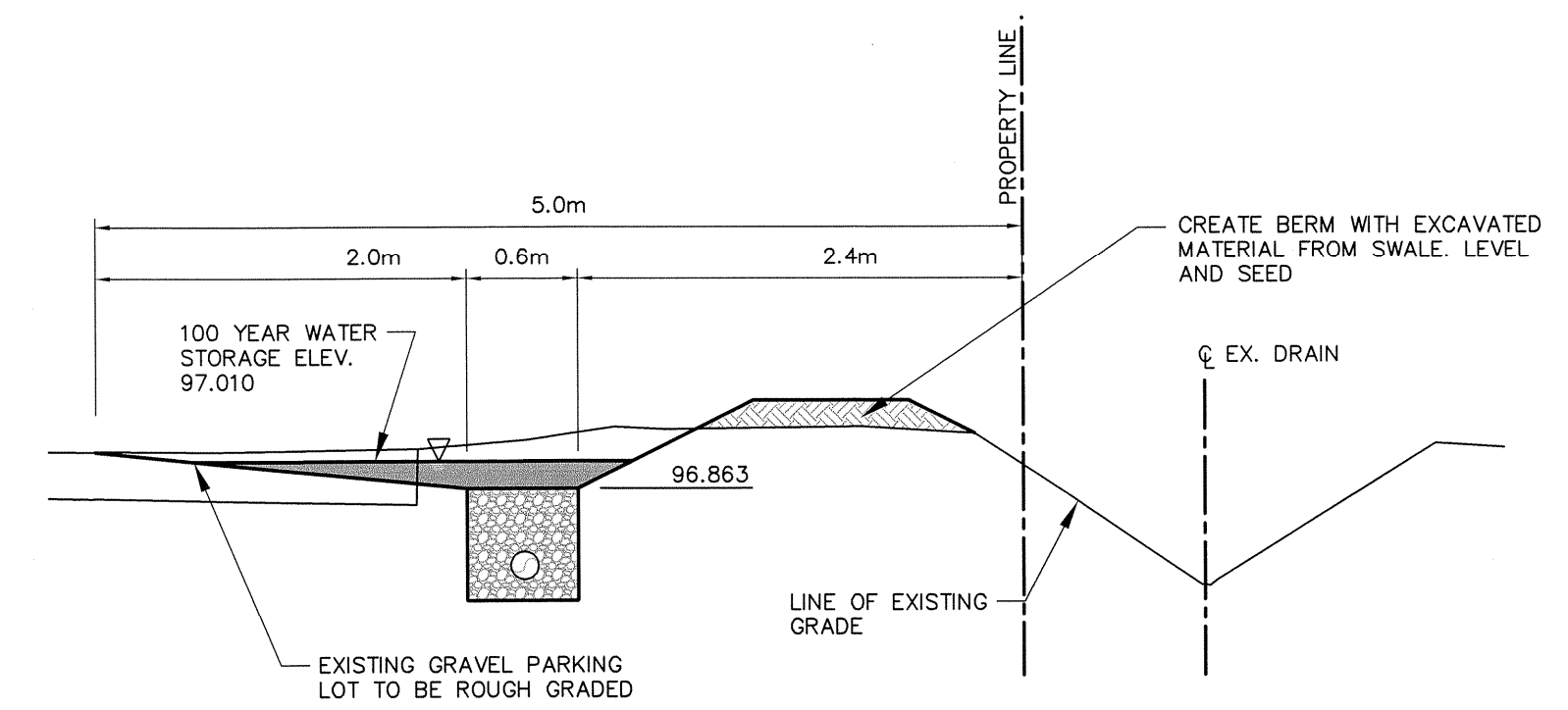
DESIGNED BY:	DATE:
W.L.L.	APRIL 2016
DRAWN BY:	SCALE:
W.L.L.	AS NOTED
SHEET No.:	OF:
1	2
PROJECT No.:	E15023



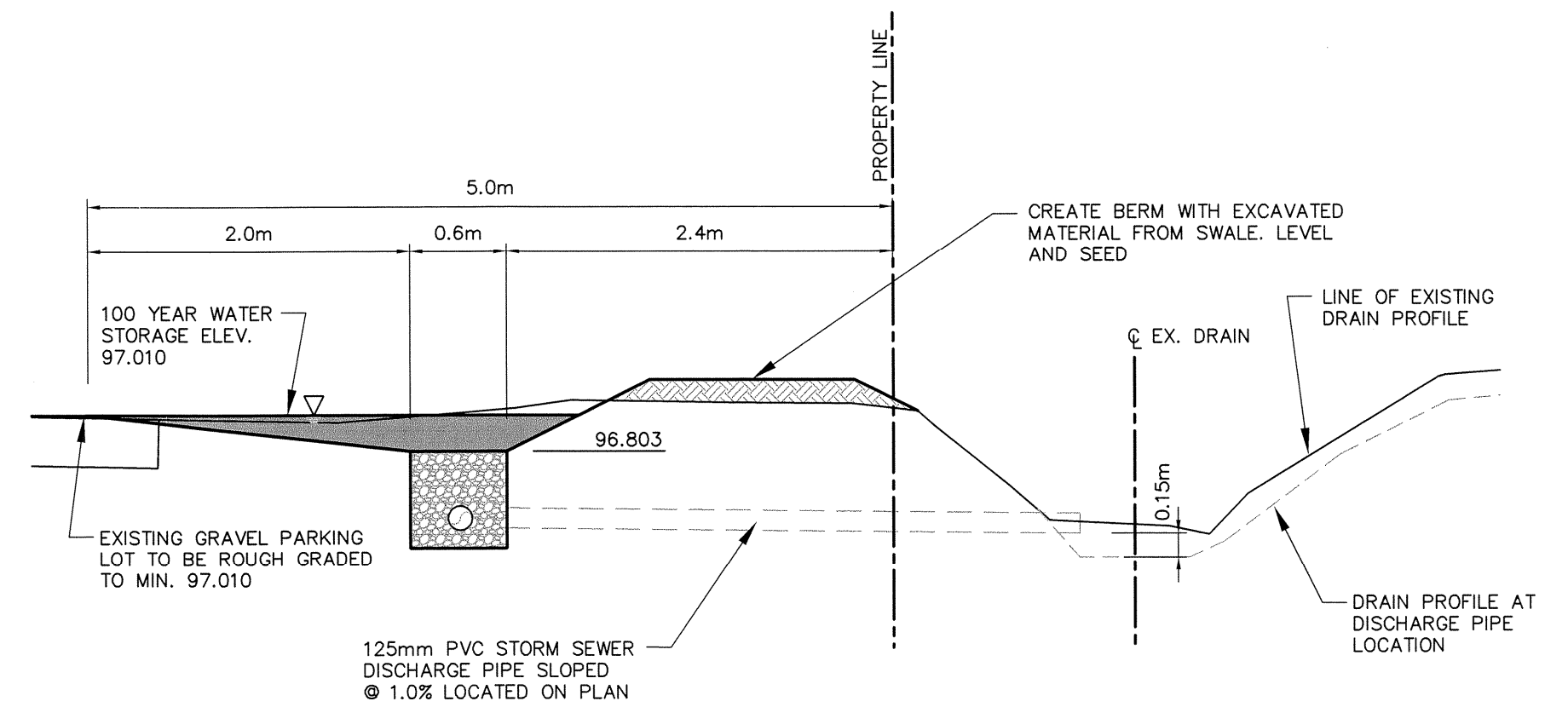
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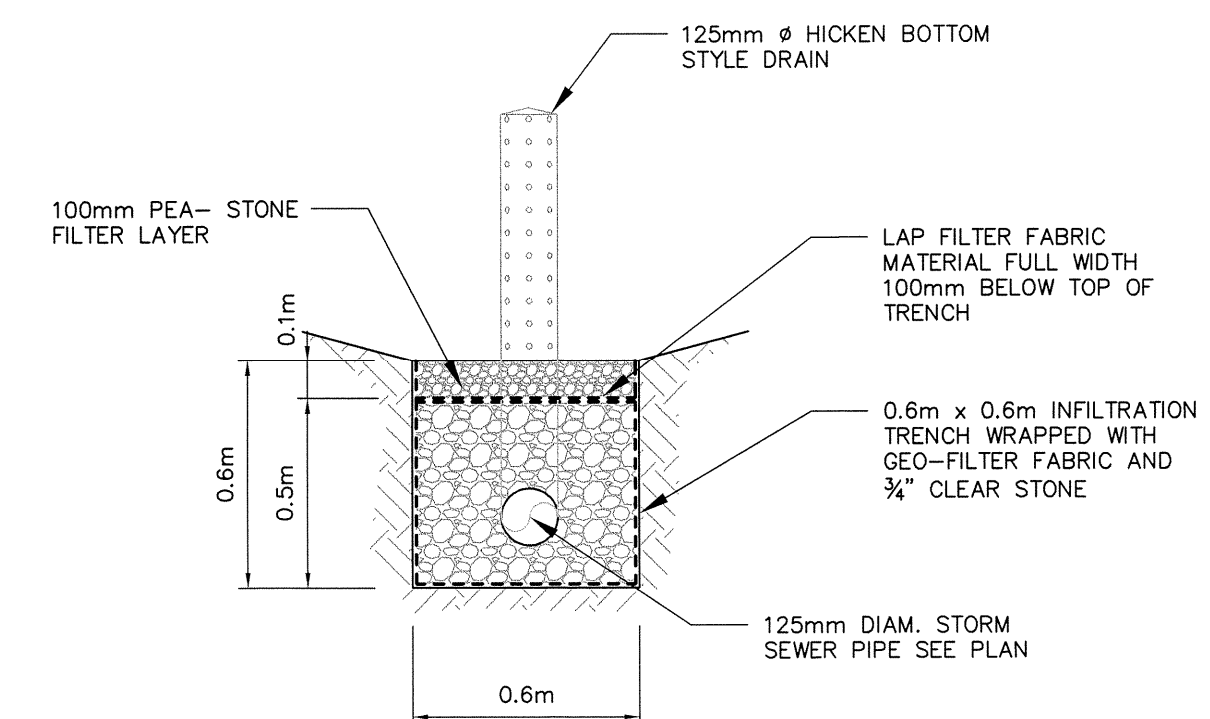
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Scale = 1:500



SECTION DETAIL 1  
Scale = 1:40



SECTION DETAIL 2  
Scale = 1:40



INFILTRATION TRENCH DETAIL  
Scale = 1:20

- NOTES:
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  13. STORM DRAINAGE AND DETENTION DESIGN BASED ON SITE LAYOUT BLENDED WITH ADJACENT LAYOUTS. LAYOUT BY THE RESPONSIBILITY OF THE OWNER.
  14. THIS PLAN IS TO BE READ IN CONJUNCTION WITH THE STORMWATER MANAGEMENT REPORT DATED JUNE 12, 2017.

BENCHMARK:

1. NAIL SET ON NORTH WEST FACE OF HYDRO POLE NEXT TO EDSF NORTH COMMUNICATION PEDESTAL.  
ELEV. = 100.00m
2. NAIL SET ON WEST FACE OF OLD CRAB APPLE TREE AT EAST EDGE OF PARKING LOT.  
ELEV. = 97.595m

REVISIONS	BY	DATE
S.W.M. REPORT	W.L.L.	12 JUNE 2017
OWNER REVIEW	W.L.L.	1 APRIL 2016
ISSUED FOR:		

**N. J. Peralta**  
**Engineering Ltd.**

Consulting Engineers

Kingsville Ontario

ENGINEERING STAMPS:



**DAIRY FREEZ**  
**PARKING AREA**  
**STORMWATER**  
**MANAGEMENT**

IN THE  
TOWN OF  
KINGSVILLE

SHEET TITLE:

**SECTIONS**  
**AND DETAILS**

DESIGNED BY:	DATE:
W.L.L.	APRIL 2016
DRAWN BY:	SCALE:
W.L.L.	AS NOTED
SHEET No.:	OF:
2	2
PROJECT No.:	E15023





regs@erca.org

P.519.776.5209

F.519.776.8688

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

July 10, 2017

Mr. David French  
Interim Planner  
Planning & Development Services  
The Corporation of the Town of Kingsville  
Kingsville, ON N9Y 2Y9

Dear Mr. French:

RE: Zoning By-Law Amendment ZBA-14-16, Application for Site Plan Control SPA-14-16 364  
COUNTY RD 34 W

ARN 371160000008100; PIN: 751620333

Applicant: 1298466 Ontario Ltd

The following is provided for your information and consideration as a result of our review of Zoning By-Law Amendment ZBA-14-16 and Application for Site Plan Control SPA-14-16.

## **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**

Our office has reviewed this application and has no objection.

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

Mr. French  
July 10, 2017

Sincerely,



Michael Nelson, *Watershed Planner*  
/mn







**Office of the Manager, Planning Services**

William J. King, AMCT, MCIP, RPP  
Manager, Planning Services

July 12, 2017

Mr. David French  
Town of Kingsville  
2021 Division Road North  
Kingsville, Ontario  
N9Y 2Y9

Dear Mr. French:

**RE: ZBA-14-2016 and SPA-14-2016, 1298466 Ontario Ltd., Part Lot 275,  
Concession NTR, North Side of County Road No. 34, East of Cameron  
Sideroad, Municipal Number 364**

Please be advised that the County has reviewed the aforementioned application and the comments provided are engineering related only. This application has not been reviewed from a planning perspective. The subject lands have frontage on County Road No. 34.

The Applicant will be required to comply with the following County Road regulations:

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

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

The minimum setback for any proposed structures on this property must be 85 feet from the centre of the right of way of County Road 34. Permits are necessary for any changes to existing entrances or structures, or the construction of new entrances or structures.

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

Sincerely,

A handwritten signature in blue ink, appearing to read "W. King", written over the word "Sincerely,".

William J. King, AMCT, MCIP, RPP  
Manager, Planning Services

# THE CORPORATION OF THE TOWN OF KINGSVILLE

## BY-LAW 88-2017

---

### ***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. That Section 8.3 of By-law 1-2014 be amended by adding the following Subsection 8.3 (e), Transitional Commercial (C3) Exception Regulations:

#### **8.3 e) TRANSITIONAL COMMERCIAL (C3) EXCEPTION REGULATIONS**

Where there is a conflict between the provisions of this subsection and the provisions of the zone category, the provision(s) of this subsection apply; otherwise the other zone category provisions and all other related supplementary provisions of this by-law apply.

Where an additional main use is permitted under this subsection, any use accessory thereto shall also be permitted, subject to the provisions of the zone category and any other provisions of this bylaw applicable to such accessory use.

2. Schedule "A", Map 4 of By-law 1-2014 is hereby amended by changing the zone symbol on lands known municipally as Part of Lot 275, Concession North Talbot Road, and locally known as 364 County Road 34 West, as shown on Schedule 'A' in cross-hatch attached hereto from 'Rural Residential (RR)' to 'Transitional Commercial Exception 1 (C3-1)'.

3. That Section 8.3 of By-law 1-2014 be amended by adding the following Subsection 8.3.1, Transitional Commercial Exception 1 (C3-1):

**8.3.1 TRANSITIONAL COMMERCIAL EXCEPTION 1 (C3-1)**

For lands shown as C3-1 on Map 4, Schedule "A" of this By-law.

**a) Permitted Uses**

Notwithstanding any other subsection of this by-law to the contrary, the permitted use shall be limited to a parking lot accessory to an existing restaurant use on abutting lands zoned 'Transitional Commercial (C3) and municipally known as 366 County Road 34 West.

**b) Other**

For clarification purposes, a permitted parking lot shall be subject to site plan control.

4. 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 14<sup>TH</sup> day of August, 2017.**

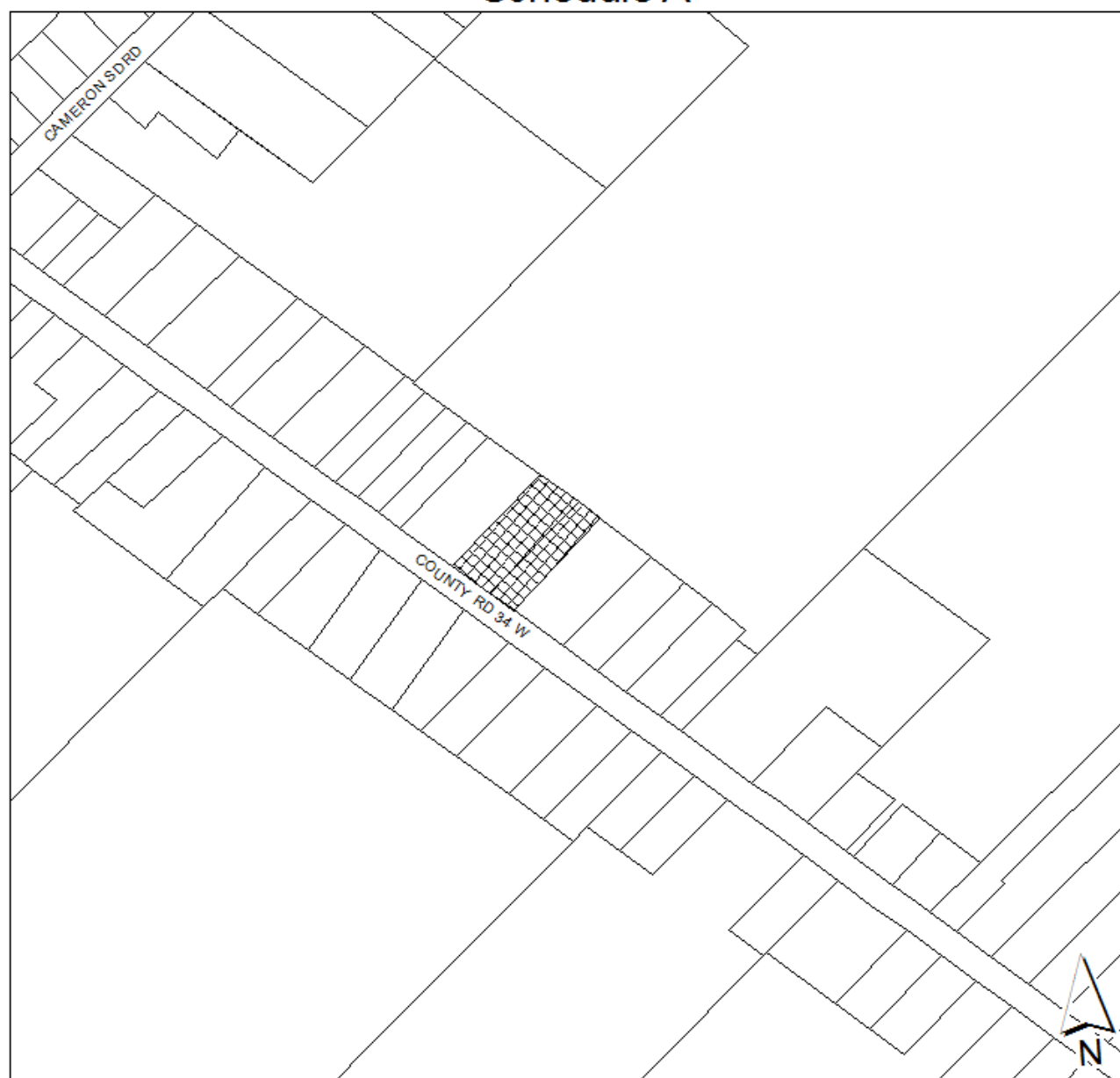
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**MAYOR, Nelson Santos**

---

**CLERK, Jennifer Astrologo**

## Schedule A



0 40 80 160 240 320 Meters

**364 COUNTY ROAD 34 WEST  
PART OF LOT 275, CONCESSION NORTH TALBOT ROAD  
ZBA/14/16**



Schedule "A", Map 4 of By-law 1-2014 is hereby amended by changing the zone symbol on properties known municipally as 364 County Road 34 West, Part of Lot 275, Concession North Talbot Road on Schedule 'A' cross-hatched attached hereto from Transitional Commercial (C3)' to Transitional Commercial Exception 1 (C3-1)'.

## SITE PLAN AGREEMENT

**THIS AGREEMENT** made (in triplicate) this 14<sup>th</sup> day of August 2017.

**BETWEEN:**

**THE CORPORATION OF THE TOWN OF KINGSVILLE,**

hereinafter called the “Corporation”,

**OF THE FIRST PART**

-and-

**1298466 ONTARIO LTD.**

hereinafter called the “Owner”,

**OF THE SECOND PART**

**WHEREAS** the Owner is the registered owner of land described as Concession NTR Part of Lot 275 Parts 1 & 2, RP 12R 16586 And further known as 364 Count Road 34 W, 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**  
1298466 Ontario Ltd.  
366 County Rd 34 W  
R.R.# 1  
Essex, ON  
N8M 2X5
- (d) Approval Date – August 14, 2017

## SCHEDULES ATTACHED:

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

### **SCHEDULE 'A-2017' - Site Plan (Prepared by: N.J. Peralta Engineering Ltd. and Dated June 12, 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. The Owner shall ensure that the site drainage shall not affect adjacent properties.
- (b) **Ontario Land Surveyor** - The Owner also agrees to have the approved elevation as per this lot grading plan verified by a land surveyor licensed under the *Surveyors Act* R.S.O. 1990, c. S.29, as amended, at the following stages of construction:
  - (a) Prior to the pouring of footings (top of forms elevation); and
  - (b) Following completion of construction.
- (c) **Deviation** - Where the finished grade of the subject lands deviates from the original lot grading plan presented to and accepted by the Corporation's Chief Building Official, MTO, where applicable and ERCA in regulated areas throughout, the Owner shall submit a new lot grading plan under the seal of an Engineer and to the satisfaction of the said Chief Building Official, MTO and ERCA or re-grade the lands to the elevations indicated on the original lot grading plan.

## 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

5. **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 improve the existing driveway approach 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 gravel and a dust suppressant applied to ensure dust control.

## **PERMITS**

8. **Permits** - The Owner further agrees to obtain the necessary access or other permit for existing driveway approach to the parking area, 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.
10. **Interior Lighting** – Not applicable.

## **PARKING**

11. **Parking** - The Owner further agrees to provide adequate on-site vehicle parking in accordance with the Corporation's Zoning By-law, as amended, and as shown Schedule 'A-2017'.

## **GARBAGE, WASTE AND CENTRAL STORAGE FACILITIES**

12. (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

13. (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

14. (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 subject lands. 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.
15. **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 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

16. **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



17. **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**

18. **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**

19. (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 **\$2,500 (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**

20. **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

21. (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

22. In addition to the standard site plan agreement requirements the Owner also agrees to:
- i) Not Applicable
23. **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.
24. **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.
25. **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.
26. **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.

27. **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.
28. **Registration** - The Owner hereby consents to the registration of this Agreement on the title of the subject lands at the Owner’s expense.
29. **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

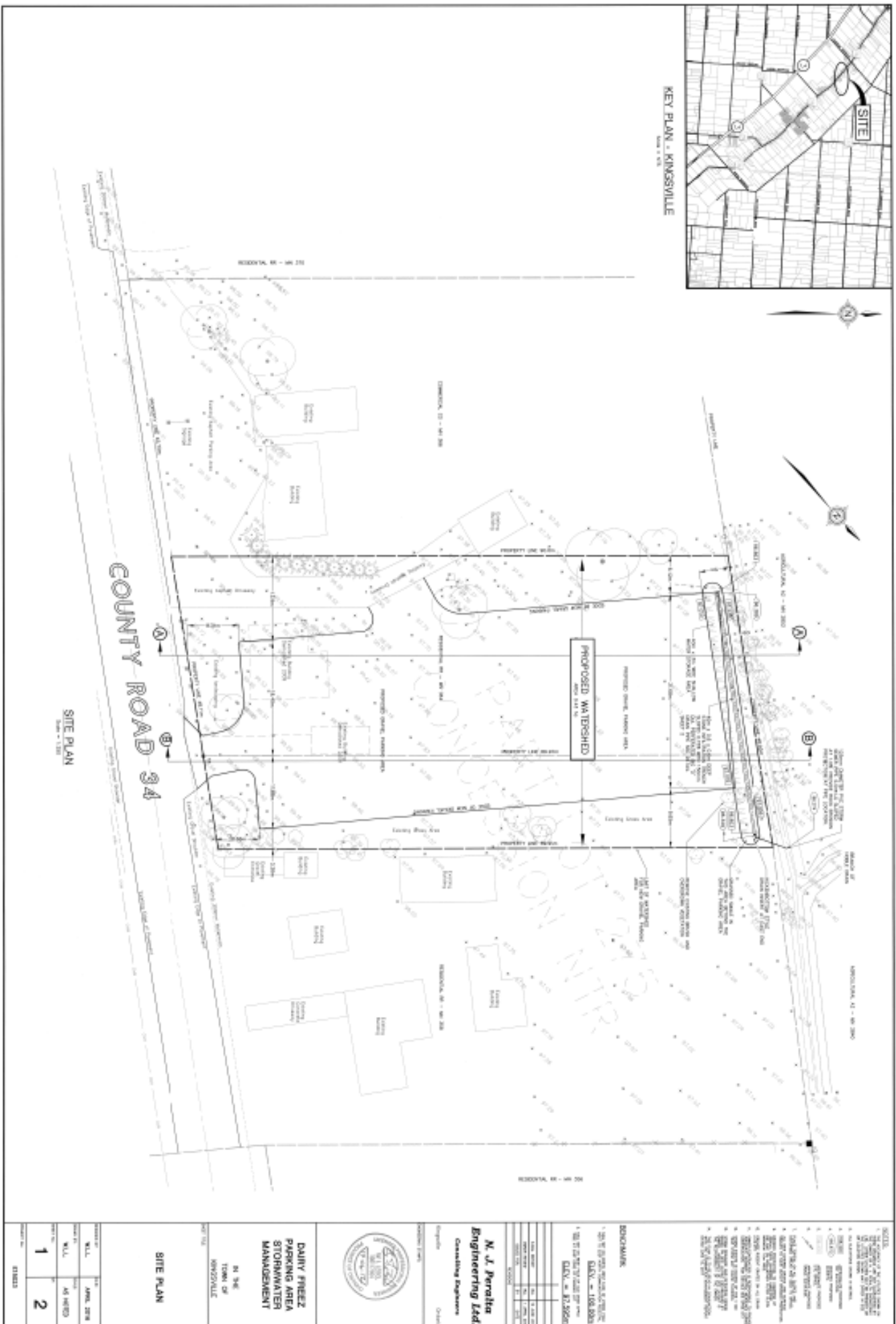
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**1298466 ONTARIO LTD.**  
I/WE HAVE AUTHORITY TO BIND THE CORPORATION

**THE CORPORATION OF THE TOWN OF KINGSVILLE**

\_\_\_\_\_  
**MAYOR NELSON SANTOS**

\_\_\_\_\_  
**CLERK JENNIFER ASTROLOGO**

## SCHEDULE “A-2017” Site Plan





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

**Date:** June 19, 2017

**To:** Mayor and Council

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

**RE:** Application for Zoning By-law Amendment (ZBA/13/17)  
Benjamin Friesen  
567 Road 11, Part of Lot 21, Concession 11

**Report No.:** PDS-2017-029

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## **AIM**

To provide Council with information regarding a requesting zoning amendment from institutional to agricultural to permit the redevelopment of the property for rural residential purposes

## **BACKGROUND**

The subject parcel is a 0.4 ha (1.01 ac.) lot with an existing church building. The applicant has purchased the property with the intention of converting the building into a single detached dwelling. In order to proceed with the conversion a zoning amendment is required to rezone the parcel to 'Agriculture (A1)' similar to the surrounding lands.

## **DISCUSSION**

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

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

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

The County Official Plan includes the subject property within the Agricultural Area. The proposed development would conform with the County Official Plan.

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

The subject lands are designated Agriculture. The Official Plan does not speak to conversion of a non-agricultural use to another non-agricultural use. It is not uncommon for uses such as churches or schools in rural areas that have been closed to be repurposed as residential uses. The principal concern is on of impact to surrounding agricultural operations particularly livestock.

**Comment:** There are no livestock operations in the immediate area that would be impacted. Conversion of the building also helps to retain and maintain current building stock without requiring additional lands. As such the proposed zoning amendment is considered to conform with the Official Plan.

### **4) Comprehensive Zoning By-law (Appendix A)**

The subject property is zoned Education '(EG)'. The most appropriate zoning for the property would be 'Agriculture (A1)' which would permit a rural residential use by way of the proposed conversion.

### **LINK TO STRATEGIC PLAN**

There is no specific link to the Strategic Plan

### **FINANCIAL CONSIDERATIONS**

There will be an increase in the assessment value of the subject property once the conversion is completed and the property reassessed.

### **CONSULTATIONS**

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

### **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.

<b>Agency or Administrator</b>	<b>Comment</b>
Essex Region Conservation Authority Watershed Planner	<ul style="list-style-type: none"> <li>• ERCA expressed no objection to the proposed zoning amendment</li> </ul>
Town of Kingsville Management Team	<ul style="list-style-type: none"> <li>• A change of use permit will be required once the zoning is approved</li> <li>• A septic system review or replace will necessary</li> <li>• Municipal Services has requested that a formal access be established along the frontage</li> </ul>
County of Essex	<ul style="list-style-type: none"> <li>• No comments receives or expected</li> </ul>

## RECOMMENDATION

it is recommended that Council approve zoning amendment application ZBA/13/17 to rezone the subject property from Education Zone '(EG)' to Agriculture, '(A1)' and adopt the implementing by-law.

*Robert Brown*

Robert Brown, H. Ba, MCIP, RPP  
Manager, Planning & Development 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 86-2017**

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

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

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

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

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

1. Schedule "A", Map 25 of By-law 1-2014 is hereby amended by changing the zone symbol on lands known municipally as Part of Lot 21 Concession 11, and locally to known as 567 Road 11 as shown on Schedule 'A' in cross-hatched attached hereto from 'Education Zone (EG)' to 'Agriculture Zone 1 (A1)'.
2. This by-law shall come into force and take effect from the date of passing by Council and in accordance with Section 34 of the Planning Act.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 14<sup>th</sup> DAY OF AUGUST, 2017.

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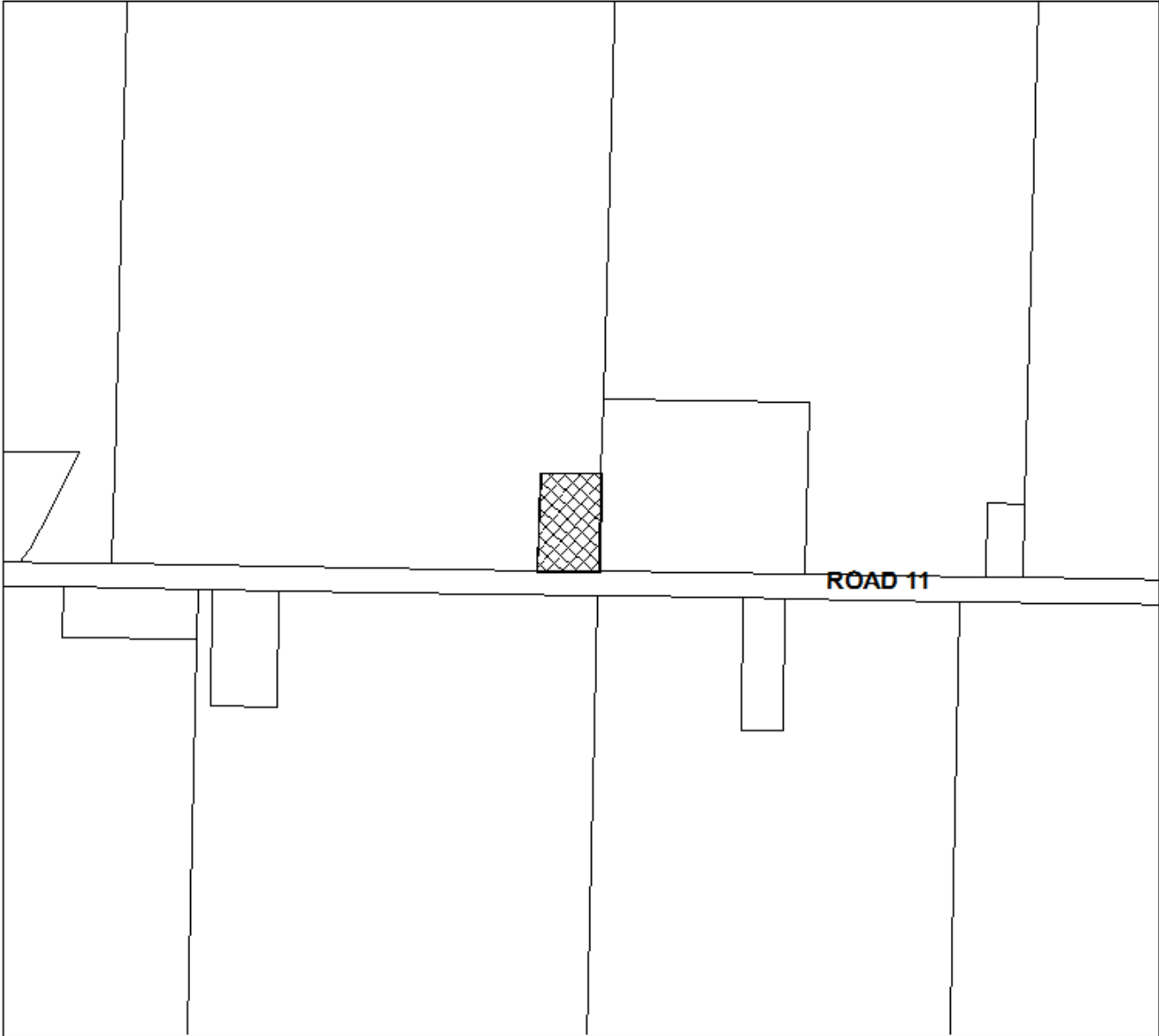
NELSON SANTOS, MAYOR

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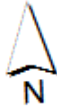
JENNIFER ASTROLOGO, CLERK

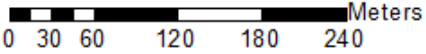



Schedule 'A'



Part of Lot 21, Concession 11  
567 Road 11  
Zoning By-law Amendment ZBA/13/17





 - Schedule "A", Map 25 of By-law 1-2014 is hereby amended by changing the zone symbol as shown on Schedule 'A' in cross-hatch attached hereto from 'Education Zone (EG)' to 'Agriculture Zone 1 (A1)'



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

**Date:** July 26, 2017

**To:** Mayor and Council

**Author:** Robert Brown, H. Ba, MCIP, RPP

**RE:** Zoning By-law Amendment ZBA/14/17  
1552843 Ontario Ltd. – Applicant  
2085621 Ontario Inc. - Owners  
169 Prince Albert St. N.  
Part of Lots 1 & 2, Concession 1 WD

**Report No.:** PDS-2017- 035

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## **AIM**

To provide the Mayor and Council with information regarding a proposed Zoning By-law Amendment (ZBA) for lands located at 169 Prince Albert St. N., in the Town of Kingsville.

## **BACKGROUND**

The subject parcel is approximately 1.4 ha (3.45 ac.) in area with approximately 71.6 m (235 ft.) of frontage and currently contains a single detached dwelling. The applicant is proposing to redevelop the subject property with the creation of 2 single detached dwelling lots along the frontage of Prince Albert St. N. These lots would be approximately 35 m (115 ft.) deep with a minimum frontage of 15.24 m (50 ft.). The remaining lands, not including the wooded area and any required buffer area are proposed for the development of up to 16 dwelling units which could include a mix of townhouses and semi-detached.

In order to proceed with development on the property there are two approvals that are required as follows:

- i) A Zoning By-law Amendment to amend the zoning of the parcel to permit up to a total of 16 dwelling units and establish site-specific regulations which would continue to permit single detached dwellings. The wooded area and any required buffer area would be rezone to a natural environment zone which would prohibit development of the area and outline any necessary protection measures;

- ii) Site Plan Approval which will outline the details and full requirements of the overall build-out of the proposal including phasing, landscaping, lighting, access design, buffering, fencing and address any traffic, natural heritage feature and/or Species at Risk elements.

## **DISCUSSION**

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

The proposed development is consistent with a number of policies in PPS as follows:

Section 1.1.1, Healthy, livable and safe communities are sustained by:

- b) accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons)...;
- e) promoting cost-effective development patterns and standards to minimize land consumption and servicing costs;

#### **Section 1.1.3 Settlement Areas**

- i) Section 1.1.3.1 states that, 'Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.' The Section further outlines that, " Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.'
- ii) Section 1.1.3.5 states that, 'Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions...'
- iii) Section 1.1.3.6 state that, 'New development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

**Comment:** In review of the policies in the context of the proposed development type it is consistent with Provincial Policy Statement.

#### **Section 2.1 Natural Heritage**

- i) Section 2.1.5 states that, 'Development and site alteration shall not be permitted in significant wood lands, valleylands or significant wildlife habitat unless it has been demonstrated that there will be no negative impact on the natural features or their ecological functions.

- ii) Section 2.18 states that, 'Development and site alteration shall not be permitted on adjacent lands to the natural 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.'

**Comment:** When the property in question was initially listed for sale the owners undertook a pre-consultation meeting with the Town regarding the possibility of splitting the large property into three single detached dwelling lots. With the presence of the wooded area at the rear pre-consultation contact was made by the Town with ERCA staff as how best to proceed to address any possible issues related to natural heritage. The initial concept was to secure a conservation easement in favour of ERCA over the wooded area in question. The owners did not consider this a preferred option as such it was suggested by Town staff that the lands be rezoned to a natural environment classification which would prohibit development in the area and could also address any required buffering or barrier requirements. ERCA considered this a viable option if the application for severance was forthcoming.

With the change in proposed development and in light of activities that have occurred in the wooded area a follow up meeting was held on site with Town and ERCA staff and the applicant to review what would be required as part of the new development proposal. It was concluded that whether an Environmental Impact Assessment was necessary would be in part dependent on the extent of the development. If no development is proposed within the feature and an appropriate setback and/or physical barrier provided no assessment would be required. If development was to be located within the feature then assessment would have to demonstrate no negative impact. Specific at Risk review will be necessary regardless of the scale along with a possible restoration plan to restore parts of the feature that have been removed. The applicant has indicated and the Town is in agreement that an assessment will be completed regardless of the scale of or proximity of the proposal.

Completion of the assessment work and clearance will be necessary for the development to be considered consistent with PPS.

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

The County OP is very similar to that of PPS in terms of applicable policies and encouragement of intensification of development within the Settlement Area boundaries. Specifically, under Section 3.2.7 Intensification & Redevelopment, 'The County requires that 15 percent of all new residential development within each local municipality occur by way of residential intensification and redevelopment.' Section 3.2.8 Affordable Housing further states that, 'The County requires that each local municipality achieve a minimum affordable housing target of 20 percent of all new development.'

**Comment:** Since the implementation of the current Kingsville Official Plan the Town has generally been on target with Section 3.2.7 in terms of meeting the 15 percent goal under residential intensification and redevelopment. This has primarily been achieved through infilling of existing lots and intensification on existing parcels via semi-detached

and townhouse development. However, the 20 percent goal of Section 3.2.8 for affordable housing continues to fall short, on average, over the last four years at around 10% or lower. Based on the current rate of development for 2017 a project of this nature would achieve both the intensification and affordable target.

A number of questions have been forthcoming from the public seeking some clarification on certain aspects of the intensification and affordable housing policies. In light of this Staff has undertaken consultation with the Ministry of Municipal Affairs which administers PPS for that clarification.

The Ministry has indicated that both of the goals, the 15% intensification and 20% affordable housing, are targets established by the local approval authority and while strongly encouraged to meet these targets, there are no punitive impacts on the Town if these goals or targets are not specifically met each year. It is always important for the Town to strive to meet this target but often it is dependent on the housing market and availability of funding.

The other question asked was why have other subdivisions not been held to this same standard or why are these subdivisions not being used for development of this nature. The answer is simply that no proposal for this type of development has been presented, to-date, in these subdivisions.

Therefore the proposed development would be consistent with the County Official Plan.

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

The subject lands are a designated Residential by the Official Plan. The goals of the designation include to encourage infilling of the existing development pattern and to provide the opportunity for the provision of affordable housing in accordance with Provincial Policy. The overall density for the 16 dwelling units and 2 potential single detached dwellings would be 12.8 units per hectare or 19.1 units per acre if you exclude the wooded area. This is within the low density threshold of 20 units in the Official Plan. Therefore the proposed development would conform with the Kingsville Official Plan.

**Comment:** The proposed development is located in an area of primarily single detached dwelling development on a mixed lot pattern. Townhouse development is not new to the area first occurring in the early 70's. The most recent was approved in 2015 and just recently completed. The Bernath Gardens subdivision is also approved for a mix of semi-detached and single detached dwelling development. Much of the development in this quadrant of the Town has taken place over many years, consisting of infilling and intensification. Large parcels such as the subject lot lend themselves to higher density development and help to support the intensification in the Town which helps to avoid unnecessary expansion onto greenfield sites, costly expansion and extension of infrastructure and more compact walkable development.

Prince Albert Street has been under constant change since amalgamation with six different developments along Prince Albert, all of which would be considered infilling or intensification, all of which have raised objection to some degree regardless of the type of housing.

#### **4) Comprehensive Zoning By-law (Appendix G)**

The subject property is zoned Residential Urban Zone 1(R1.1) along the front of the lot to a depth of approximately 58 m (190 ft.) with balance of the lot Residential Urban Zone 1 – Holding (R1.1(h)). The assumption is that the holding is in place given the size of the lot and potential for additional development which would need further consideration in terms of traffic, storm water and servicing needs. With this in mind any proposed zoning amendment to permit the development would also include the holding provision until such time as an acceptable site plan was completed and any necessary servicing work and background studies are completed. The suggested zoning would be a site-specific R3.1 Zone which would cap the number of dwelling units at a maximum of 16. Since the final lot configuration is not known the amending zoning would be structured to also continue to permit single detached dwellings on individual lots.

As a point of clarification in moving forward with any proposed zoning change it is important to note that zoning cannot be used to control ownership and has no relation to whether housing is affordable or market, rental or ownership. The one aspect that can be implemented is the establishment of a minimum gross floor area for each of the proposed dwelling units which is suggested at 88 sq. m (950 sq. ft.).

#### **5) Site Plan Approval**

The plan included in the public circulation and report to Council has been significantly refined and potentially much closer to what the potential end layout would be. (See Appendix 'A') There could be additional work on the design detail to be completed. Further public comment on the site plan will be possible through the notice of intention that would be circulated as part of the Holding provision removal.

Added details that will require further information or refinement may include:

- 1) Access design and alignment details in relation to neighbouring access & homes;
- 2) Landscaping & possible tree retention plan;
- 3) Parking layout;
- 4) Fencing;
- 5) Lighting;
- 6) Fire route;
- 7) On-site fire protection (hydrant if required);
- 8) Garbage collection;
- 9) Natural area restoration plan;
- 10) Pedestrian linkage to multi use path;
- 11) Postal box location;
- 12) Construction plan (site maintenance and access during build out)

## **LINK TO STRATEGIC PLAN**

Manage residential growth through sustainable planning.

## **FINANCIAL CONSIDERATIONS**

There will be an increase in assessment on the subject property once development is completed.

## **CONSULTATIONS**

In accordance to O. Reg 545/06 of the *Planning Act*, property owners within 200m of the subject site boundaries received the Notice of Open House/ Public Meeting by mail.

There was considerable feedback from the area residents at the June 20<sup>th</sup> PAC meeting regarding a number of concerns including traffic, need for the development, impact to the character of the area, reduction in property values, is there a limit to intensification, protection of the wooded area and species habitat, service capacity and storm water management. PAC did not endorse the requested zoning change. The draft minutes of the meeting have been attached as Appendix H. They have been reviewed and awaiting formal adoption at the August 15<sup>th</sup>, Planning Advisory Committee meeting.

Comment: There continues to be considerable feedback from the public related to many of the same items however the applicant has undertaken a number of changes to the original plan which was circulated to the neighbours as part of the renotification and presented at a public open house hosted by the applicant on August 3 at the Unico Centre.

Planning and Development Services also requested that a number of items be prepared in advance of the August 14<sup>th</sup> meeting including:

- i) Detailed site plan (Appendix A)

Comment: The applicant has provided a revised and more detailed site plan of the proposed development including fewer units and the proposed location of the single detached dwelling lots along Prince Albert.

- ii) Traffic impact assessment (Appendix B)

Comment: A traffic review was completed by FR Berry & Associates detailing the peak hour traffic volume at up to 13 vehicles. The review also indicated that at full build out of the Bernath subdivision that peak traffic volume past the subject site would not exceed 75 vehicles. In summary the review concluded that, 'the low volume of traffic generated by the proposed residential development would have no measureable impact on traffic operation and safety on Prince Albert Street.'

iii) Servicing capacity confirmation (Appendix C)

Comment: The applicant retained Dillon Consulting to review the service capacity on Prince Albert Street. The conclusion, in consultation with Municipal Services, was there is adequate capacity in both the water and sanitary sewer. Storm water run-off will need to be managed on-site with the flows limited to pre-development rates.

iv) Planning justification report for the proposed location (Appendix D)

Comment: Tracey Pillon-Abbs, a professional planner, has prepared a PJR for the proposed development which outlines many of the same points outlined in the report to Council.

v) Confirmation that a biologist has been retained and the Terms of Reference for the environmental assessment provided by ERCA (Appendix E)

Comment: Goodban Ecological Consulting has been retained by the applicant to complete a Scoped EIS report based on the terms of reference provided by ERCA. A Species at Risk review will also be prepared for submission to the Ministry of Natural Resources & Forestry. This will be one of several requirements to be satisfactorily completed prior to removal of the H – Holding.

### **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.

<b>Agency or Administrator</b>	<b>Comment</b>
Essex Region Conservation Authority Watershed Planner	<ul style="list-style-type: none"><li>• The subject lands are partially located in a regulated area. ERCA has expressed the need to address the natural heritage feature elements and the full comment is attached as Appendix 'F'</li></ul>
Town of Kingsville Management Team	<ul style="list-style-type: none"><li>• Service capacity has been reviewed by Dillon Consulting in consultation with Municipal Services and there is sufficient capacity for the proposed development</li><li>• A storm water management plan will be required for the residential development</li><li>• Traffic impact assessment has been completed</li><li>• Servicing drawing are required prior to development</li><li>• Photometric plan for townhouse is required</li></ul>



## CONCLUSIONS

Much of the concern with the proposal is what impact the development will have on the character of Prince Albert St. and that continued approval of townhouse development in this area will lead to more such proposals as there are additional lots in the area that could support this form of development. However, based on the planning merits and review of the Provincial, County and Kingsville development policies this proposal does merit approval as it helps to provide a mix of housing both in type and affordability.

## RECOMMENDATION

Council approve zoning amendment application ZBA/14/17 to Rezone the subject property from 'Residential Zone 1 Urban, holding (R1.1(h))' and 'Residential Zone 1 Urban, R1.1' to a site-specific 'Residential Zone 3 Urban Exception 23, holding (R3.1-23(h))' which will permit a maximum of 16 dwelling units (semi-detached or townhouse), establish site-specific regulations including minimum gross floor area per unit of 88 sq. m (950 sq. ft.), outline the required conditions for removal of the h- holding provision, and continue to permit a single detached dwelling on each of the lots to be created along Prince Albert Street North subject to the provisions of the existing R1.1 Zone; and

Council approve the rezoning of the rear wooded portion of the property from 'Residential Zone 1 Urban, holding (R1.1(h))' to 'Natural Environment, (NE)', and adopt the implementing by-law.

Robert Brown

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

Peggy Van Mierlo-West

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



SITE PLAN on PRINCE ALBERT STREET – MUN. No 169  
ON  
PART OF LOT 1 AND 2, CONCESSION 1, WESTERN DIVISION  
IN THE  
TOWN OF KINGSVILLE  
SCALE 1"= 20'  
JULY 12, 2017  
AUGUST 3, 2017

Residential Zoning



PRINCE ALBERT STREET

Concession

Residential Zoning

Western Division

Lot 2

Lot 1

PROPOSED SEVERANCE

PROPOSED SEVERANCE

3 PROPOSED 2 – PLEX BUILDINGS

PROPOSED 5 – PLEX BUILDING

PROPOSED 5 – PLEX BUILDING

UNIT 1

UNIT 2

UNIT 3

UNIT 4

UNIT 5

UNIT 1

UNIT 2

UNIT 3

UNIT 4

UNIT 5

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# **F.R. Berry & Associates**

**TRANSPORTATION PLANNING CONSULTANTS**

660 Inverness Avenue

London, Ontario N6H 5R4

Tel: (519) 474 2527 Toll Free: 1 888 665 9192 Email: fyberry@rogers.com

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July 12, 2017

Our Ref. 1749

Mr. W. Branco, President  
Noah Homes  
950 Seacliff Drive  
Kingsville ON  
N9Y 2K8

Dear Mr. Branco:

**RE: PROPOSED RESIDENTIAL DEVELOPMENT  
169 PRINCE ALBERT STREET NORTH, KINGSVILLE**

You have asked me to provide a professional opinion on the potential traffic impact of a proposed residential development at 169 Prince Albert Street North in Kingsville. The location of the site is shown in **Figure 1**.

I understand that the development will include the retention of three single family lots fronting on Prince Albert Street with townhouses at the rear of the property. The conceptual site plan is shown in **Figure 2**. The plan calls for a total of 16 townhouse units.

Essentially, this is an infill development. The three single family lots are consistent with the existing streetscape and would have no significant impact on traffic operation on the street. The 16 townhouse units will generate between 7 and 12 vehicle trips in the morning peak hour, with 6 to 10 of these trips leaving the site. In the afternoon peak hour, vehicle trip generation would be between 8 and 13 vehicles, with 6 to 9 of these trips entering the site.

Prince Albert Street serves a low density residential neighbourhood. The street has access to Main Street to the south and to Division Street via Palmer Drive to the north. The street has recently been rebuilt to provide curb and gutter on both sides and a combined bicycle path and sidewalk on the east side. **Figure 3** shows views of Prince Albert Street looking north and south from the townhouse access.

I understand that a residential subdivision is currently under construction at the north end of Prince Albert Street where it intersects Palmer Drive. It is likely that most of the traffic generated by this subdivision would use Palmer Drive to access Division Street. Even after completion of this subdivision, I estimate that peak hour traffic volumes on Prince Albert Street would not exceed about 75 vehicles at the proposed site access.

The addition of up to 13 vehicles to this traffic flow would have no measurable impact. As shown in **Figure 3**, sight distance is not an issue at the site access. Less than half of the vehicles entering the site would be making a left turn with little or no impediment to through traffic.

In summary, in my opinion, the low volume of traffic generated by your proposed residential development would have no measurable impact on traffic operation and safety on Prince Albert Street.

Very truly yours  
F. R. Berry & Associates

Frank R. Berry, P.Eng.  
Principal



Our File:

July 24, 2017



Corporation of the Town of Kingsville  
2021 Division Road North  
Kingsville, Ontario  
N9Y 2Y9

Attention: Mr. Robert Brown, MCIP, RPP,  
Manager of Planning & Development Services

**Servicing Capacity for the Development**  
**169 Prince Albert Street**  
**Town of Kingsville**

Dear Mr. Brown:

Dillon Consulting Limited has been retained by Noah Homes, to evaluate if sufficient capacity is available in the existing sanitary sewer, storm sewer and watermain systems on Prince Albert Street to accommodate the proposed 16 unit townhome development at 169 Prince Albert Street.

#### Sanitary System

Currently, there is an existing 200mm diameter sanitary sewer which was constructed in 1977, under the northbound lane of Prince Albert Street. This sewer currently services lots from Bernath Street, Seneca Street, Palmer Street, O'Halloran Street and Prince Albert Street.

The site at 169 Prince Albert is approximately 1.40 ha, of which 0.96 ha can be developed. The proposed sanitary flow from the site will be approximately 1.46 l/s.

The existing 200mm dia. sanitary sewer has a drainage area of approximately 14.4 ha with an expected peak flow of 18.70 l/s. The sewer has been constructed at 0.54% longitudinal slope, with a capacity of 24.10 l/s.

#### Storm System

As part of the Prince Albert Street Reconstruction, stormwater management storage was provided in oversized sewers within the municipal right-of-way. This property had an area of 0.18 ha at a runoff coefficient of 0.38.

The remaining 1.22 ha of the property will need to be stored on-site and restricted to a release rate based on a runoff coefficient of 0.25.

*continued....*

3200 Deziel Drive  
Suite 608  
Windsor, Ontario  
Canada  
N8W 5K8  
Telephone  
519.948.5000  
Fax  
519.948.5054

Dillon Consulting  
Limited

*Town of Kingsville*

*Page 2*

*July 24, 2017*

**Watermain System**

A new 200mm diameter watermain was installed as part of the Prince Albert Street reconstruction.

Through discussions with Municipal Services, there is sufficient flow available for this development.

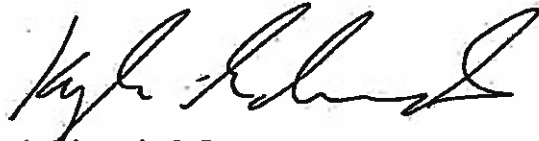
**Conclusion**

Based on the review of the existing services, there is sufficient capacity for the development of 169 Prince Albert Street.

Stormwater management will need to be detailed for the site during final design.

Yours sincerely,

**DILLON CONSULTING LIMITED**

A handwritten signature in black ink, appearing to read 'Kyle Edmunds', is written over the printed name.

Kyle Edmunds, P. Eng.,  
Project Manager

KNE:xx

# **PLANNING JUSTIFICATION REPORT**

## **ZONING BY-LAW AMENDMENT (ZBA/14/17) FOR RESIDENTIAL DEVELOPMENT**

**169 Prince Albert Street North  
Town of Kingsville, Ontario**

**August 1, 2017**

**Prepared by:**

**Tracey Pillon-Abbs, RPP**

**Planning Consultant**

**[tpillonabbs@gmail.com](mailto:tpillonabbs@gmail.com)**

**ph. 226-340-1232**



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## 1.0 INTRODUCTION

I have been retained by the applicant, 1552843 Ontario Ltd to provide a land use Planning Justification Report (PJR) in support of a proposed residential infilling development located at 169 Prince Albert Street North (herein the “Site”) in the Town of Kingsville in the County of Essex.

The purpose of this report is to review the relevant land use documents including Provincial Plan Statements (PPS), County of Essex Official Plan (OP), the Town of Kingsville Official Plan (OP) and Town of Kingsville Zoning By-law (ZBL).

A Zoning By-law Amendment (ZBA) is required in support of the proposed residential development.

A pre-consultation meeting was held by the applicant with Town Staff. A Public Meeting was held with the Town of Kingsville Planning Advisory Committee (PAC) on June 20, 2017. Comments received have been incorporated into the proposed concept plan.

Since the Public Meeting the proposed development has been modified. The multiple unit dwellings have been reduced in size from 27 residential units to 16 and the proposed single detached dwellings have been reduced from 3 to 2 residential lots.

## 2.0 SITE AND SURROUNDING LAND USES

### 2.1 Legal Description and Ownership

The Site is owned by 2085621 Ontario Inc. There is an offer to purchase the lands by the applicant 1552843 Ontario Limited.

The property is legally described as Part of Lots 1 & 2, Concession 1 WD. The property is locally known as 169 Prince Albert Street North (see Figure 1 – Property Location).



Figure 1 – Property Location

### 2.2 Physical Features of the Site

#### 2.2.1 Size and Site Dimension

The Site consists of a total area of approximately 1.39 hectares (3.43 acres). It has approximately 71.30 m (233.92 feet) of frontage on Prince Albert Street North and is approximately 195.18 m (640.35 feet) deep (see Figure 2 – Site Dimensions).



Figure 2 – Site Dimensions

### 2.2.2 Structures

There is currently one single detached dwelling on the Site, which is currently unoccupied.

The accessory structure shown on the air photos has been demolished (see Figure 3 – Air Photo).

### 2.2.3 Vegetation

There is wood land at the east end of the Site and some mature trees to the west. The balance of the Site is manicured grass with ornamental trees.

There is an existing row of cedar tree hedges along the southern property line abutting the neighbouring residential use.

### 2.2.4 Topography

The Site is generally level. There is a minor swale feature towards the rear of the Site. The soil type is Brookston Clay.

The rear portion of the Site falls within the Essex Region Conservation Authority (ERCA) regulated area of the Palmer Drain.

The Site also is adjacent to significant valleyland, significant wildlife habitat and species at risk, according to ERCA.

### 2.2.5 Other Physical Features

There is a paved driveway approach located at the front of the existing single detached dwelling to access Prince Albert Street North.



Figure 3 - Air Photo

### 2.2.6 Municipal Services

The property is serviced by a new 200mm diameter municipal watermain, an oversized municipal storm sewer and 200mm diameter sanitary.

There is a fire hydrant located to the north of the Site. There are street lights on the west side of Prince Albert Street North.

Prince Albert Street North has been recently rebuilt and provides curbs and gutter on both sides of the street and a combined bicycle path and sidewalk on the east side.

## 2.3 Surrounding Land Uses

**North** – The majority of the lands north of the Site are used for low density residential.

There are three single detached dwellings, a community parkette and a multiple unit dwelling fronting onto Prince Albert Street North (see Photo 1 - North).

There is a newer residential subdivision currently under construction at the north end of Prince Albert Street North where it intersects Palmer Drive.





Photo 1 - North

**South** – The majority of the lands south of the Site are used for low density residential. There are older and newer single detached dwellings fronting onto Prince Albert Street North (see Photo 2 - South).



Photo 2 - South



**East** – To the east of the Site is wood land.

Behind the wood land is Fern Avenue and Ivy Lane with several low density single detached dwellings located on two (2) cul-de-sacs (see Photo 3 - East).



Photo 3 - East

**West** – The majority of the lands west of the Site are used for residential. There are several older single detached dwellings fronting onto Prince Albert Street North (see Photo 4 - West).



Photo 4 - West



## 3.0 SITE HISTORY

For several years, the south portion of the Site has been used for residential and the balance of the land has been left grassed leaving the wood land to the east undeveloped.

According to Town Staff, the current owner undertook some brushing of a portion of the wood land without consideration for the natural heritage features.

The current owners also undertook a pre-consultation meeting with the Town and ERCA regarding the possibility of splitting the large property into three (3) single detached dwelling lots.

## 4.0 DEVELOPMENT PROPOSAL

### 4.1 Description of Proposal

The applicant proposes to develop the Site for residential, include single detached dwellings and multiple unit dwellings. The existing single detached dwelling will be demolished to accommodate the proposed development.

By way of consent, the applicant will apply to sever two (2) single detached dwelling lots with 25.83 m (84.75 ft) of frontage on Prince Albert Street North and develop three (3) multiple unit dwellings on the retained portion with approximately 20.12 m (66 ft) of frontage on Prince Albert Street North.

The proposed multiple unit dwellings will consist of either 5 or 6 1 storey units per complex with a total of sixteen (16) units. Each unit will be approximately 89.19 sq m (960 sq ft) in size and have its own 4.6 m (15 ft) driveway, providing a minimum total of approximately 32 parking spaces (2 spaces per unit). Each unit will have a concrete patio at the rear of the units.

The multiple unit dwellings will be designed to provide the option to subdivide and sell each unit as individual lots in the future. At this time, they will be rental units.

Access to all three (3) lots will be from Prince Albert Street North. The proposed roadway will have a cul-de-sac and be constructed to municipal standards and will serve each of the units. In the future, the roadway may be conveyed to the Municipality.

A (6 ft) high vinyl-coated chain link fence will be constructed to the east of the Site in order to providing buffering between the residential uses and the wood land.

A 158.5 sq m (520 sq ft) attached storage unit will be constructed on the west side of the six (6) unit multiple dwelling to accommodate for any maintenance equipment and centralized indoor garbage collection for all the multiple unit dwellings.

Given that the lands are not currently zoned appropriately for the proposed multiple unit dwellings, a rezoning application is necessary for that portion of the Site. A copy of the conceptual plan is included in this report (see Figure 4 - Concept Plan). The applicant will then proceed with an application for site plan control, to regulate the overall development layout of the Site for the proposed multiple unit dwellings. At that time, the applicant will finalize the concept plan in order to address access design and alignment details, landscaping, parking layout (including barrier free spaces), fencing, lighting, fire route, fire protection, garbage collection, natural areas restoration plan, pedestrian linkage to multi use path, postal box location and construction plan (site maintenance and access during build out).

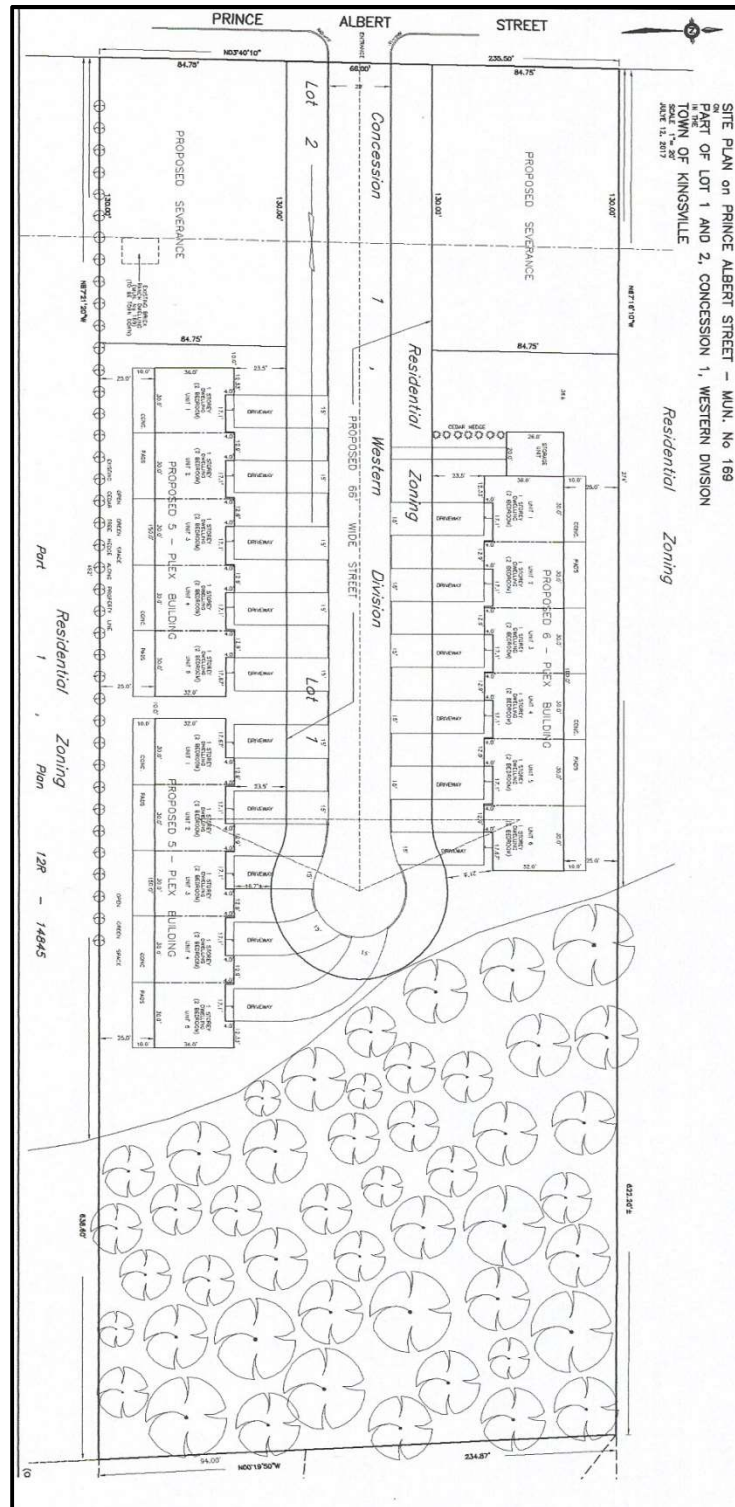


Figure 4 - Concept Plan

## 5.0 POLICY AND REGULATORY FRAMEWORK

### 5.1 Provincial Policy Statement 2014

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development providing for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environments.

The PPS is issued under Section 3 of the Planning Act and came into effect on April 30, 2014. It applies to all land use planning matters considered after this date.

The PPS supports improved land use planning and management, which contributes to a more effective and efficient land use planning system.

The following provides a summary of the key policy consideration of the PPS as it relates to the proposed development.

Policy 1.0 of the PPS states that Ontario's long-term prosperity, environmental health and social well being depend on wisely managing change and promoting efficient land use and development patterns.

Policy 1.1.1 of the PPS states that healthy, livable communities are sustained by an "appropriate range and mix" of residential, employment, institutional and recreational uses through the promotion of "cost-effective land use patterns" that minimize land consumption and servicing costs.

Subsection 1.1.3.1, requires that settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted. Subsection 1.1.3.5 states that planning authorities shall establish and implement minimum targets for intensification and redevelopment within build-up areas, based on location conditions. Subsection 1.1.3.6 states that new development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

Subsection 1.6.6.2 establishes that Municipal sewage services and *municipal water services* are the preferred form of servicing for settlement areas. Intensification and redevelopment within settlement areas on existing municipal sewage services and municipal water services should be promoted, wherever feasible.

Section 2.1 sets out the policies for Natural Heritage. Subsection 2.1.5 states that development and site alteration shall not be permitted in significant wood lands, valleylands or significant wildlife habitat unless it has been demonstrated that there will be no negative impact on the natural features or their ecological functions. Subsection 2.18 states that development and site alteration shall not be permitted on adjacent lands to the natural 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.

Justification for the proposed development in terms of the PPS is provided in Section 7.1.1 of this report.

## 5.2 County Official Plan

The County of Essex is the upper tier municipality to the Town of Kingsville. The County's Official Plan (OP) is dated February 19, 2014 as modified by the Ministry of Municipal Affairs and Housing (MMAH) April 28, 2014.

The purpose of the County OP is to implement the PPS. The County OP provides a cross-boundary policy framework from which more detailed land use planning can be continued by the local municipalities. Local OPs will implement and be in conformity with the County OP by providing more detailed strategies, policies, and land use designations for planning and development at the local level.

The Site is within the "Settlement Areas" designation according to Schedule "A1" Land Use Plan attached to the County OP (see Figure 5 - County OP Schedule "A1").

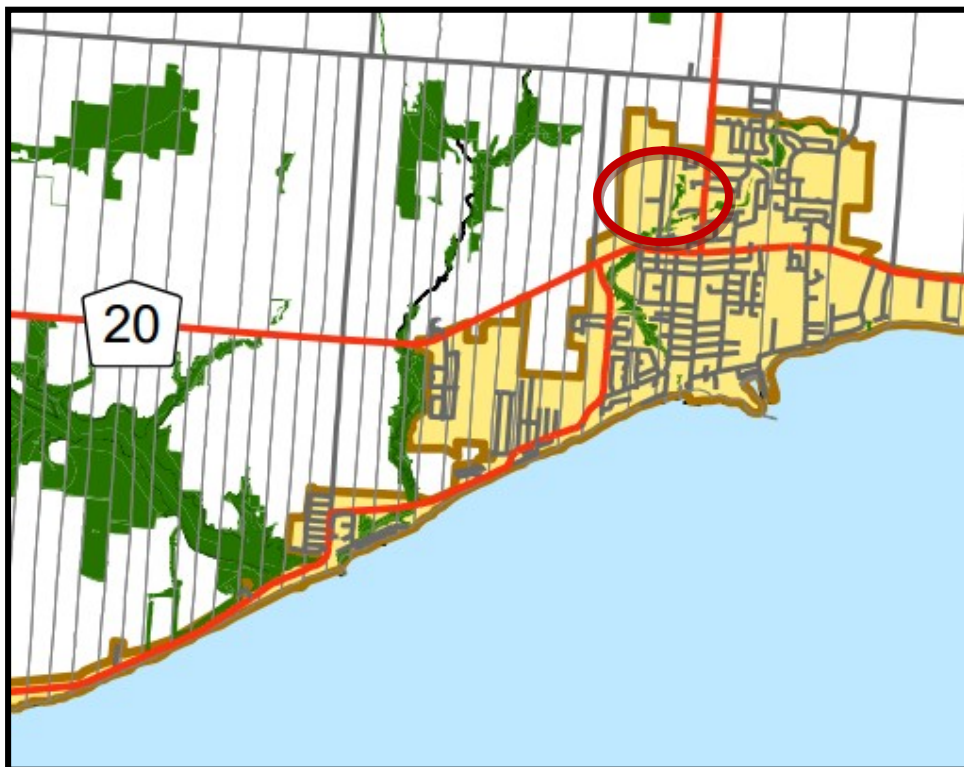


Figure 5 - County OP Schedule "A1"

The Site is within the "Primary Settlement Areas" designation as shown on Schedule "A2" Settlement Structure Plan attached to the County OP (see Figure 6 - County OP Schedule "A2").

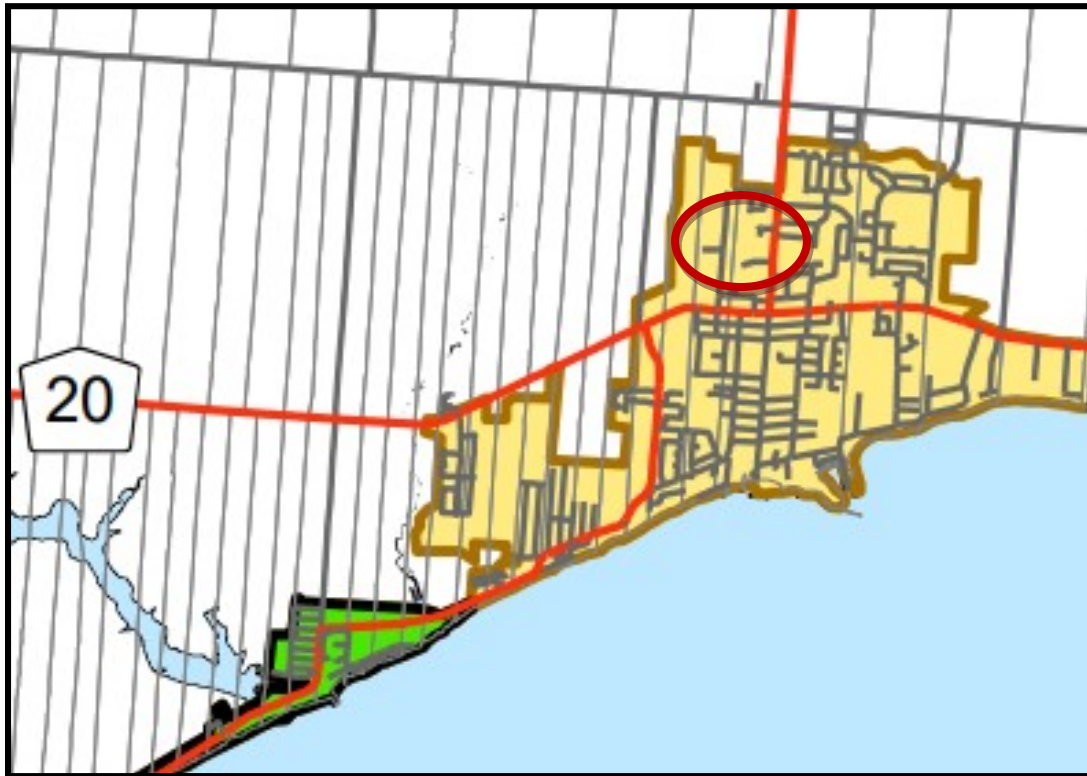


Figure 6 - County OP Schedule "A2"

The following provides a summary of the relevant County OP policy considerations as it relates to the proposed development.

Subsection 1.5 of the County OP sets the "Overall" goals to create a healthy County. It depends on maintaining strong, sustainable and resilient communities, a clean and healthy environment and a strong economy. Policies that achieve this goal, as it relates to this Site, are;

- to protect and enhance the natural heritage system by increasing the amount of core natural area and natural buffers where possible, particularly through restoration efforts.
- by directing the majority of growth (including intensification and affordable housing) and investment to the County's Primary Settlement Areas. These Primary Settlement Areas will serve as focal points for civic, commercial, entertainment and cultural activities.



- to create a more mixed use, compact, pedestrian-oriented development with designated and fully serviced urban settlement areas.
- to provide a broad range of housing choices, employment and leisure opportunities for a growing and aging population.

Section 2.2 of the County OP directs future growth to “Settlement Areas” as part of growth management.

The “Regulated Areas under the Conservation Authorities Act” crosses the east of the property as shown on Schedule “C2” Regulated Areas map attached to the OP for the County of Essex (see Figure 7 - County OP Schedule “C2”).

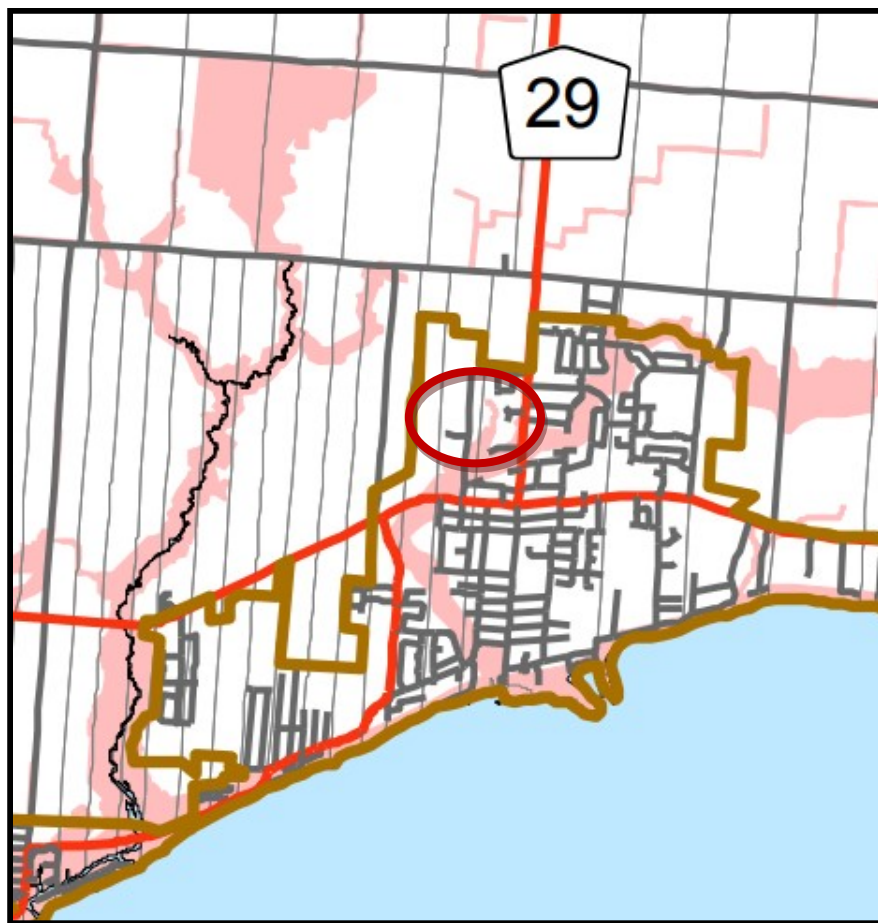


Figure 7 – County OP Schedule “C2”

Prince Albert Street North is designated a “Local Road” according to Schedule “D1” Road System Plan attached to the OP for the County of Essex.

In Subsection 2.10 Sewage and Water Systems, it notes that the County promotes efficient and environmentally responsible development which is supportable on the basis of appropriate types and levels of water supply and sewage disposal consistent with the PPS.

The County encourages new development to proceed on the basis of full municipal sewage services and municipal water services and local municipalities are encouraged to co-ordinate their approach to, and timing of, the provision of municipal water and municipal sewage through the preparation of an overall servicing strategy.

The following servicing policies apply:

- a) Full municipal sewage services and municipal water services are the preferred form of servicing for all settlement areas.

Subsection 3.2.1 is the “Land Use” vision and purpose of the County OP which is to direct the majority of future growth and development into the Primary Settlement Areas in order to strengthen the County’s settlement structure. Local OPs will detail where within the “Settlement Areas” designations various types of land uses will be located; however, healthy community principles shall be incorporated into the long range planning and development review process.

Subsection 3.2.2 indicates that the goals of the County OP, as it pertains to this Site, are to;

- promote development within Primary Settlement Areas that is compact, mixed use, pedestrian oriented, with a broad range of housing types, services and amenities available for residents from all cultural, social and economic backgrounds.
- Promote residential intensification within Primary Settlement Areas.
- Promote affordable housing within Primary Settlement Areas.

Subsection 3.2.4 notes that Primary Settlement Areas are the largest and traditional centres of settlement and commerce in the County. Protection of these communities by focusing growth and investment is a priority of the County.

3.2.4.1 sets out policies for Primary Settlement Areas and, as it pertains to this Site, notes that;

- a) Primary Settlement Areas shall be the focus of growth and public/private investment in each municipality.
- b) Primary Settlement Areas shall have full municipal sewage services and municipal water services and stormwater management services, a range of land uses and densities, a healthy mixture of housing types including affordable housing options and alternative housing forms for special needs groups, and be designed to be walkable communities with public transit options (or long-term plans for same).



d) all new development within Primary Settlement Areas shall only occur on full municipal water services and municipal sewage services.

Subsection 3.2.7 addresses policies for intensification and redevelopment. The County OP requires 15 % of all new development within each local municipality occur by way of residential intensification and redevelopment. Subsection 3.2.8 further states that the County OP requires that each local municipality achieve a minimum affordable housing target of 20 % for all new development.

Regarding, the “Natural Environment Overlay”, the proposed development touches the east portion of the lands as shown on Schedule “B2” Natural Heritage System Plan attached to the County OP.

A portion of the “Primary (3-5)” area encroaches onto the east portion of the subject lands as shown on Schedule “B3” Natural Heritage System Restoration Opportunities Overlay plan attached to the OP for the County of Essex.

Subsection 3.4.1 provides the general directive for the “Natural Environment Overlay” for Priority and Secondary restoration opportunity areas is to promote opportunities to enhance the County’s natural heritage system through policy, stewardship and education.

Subsection 3.4.2 sets out the goals, which, as it pertains to the proposed development, is g) to recognize that vegetated buffers along municipal drains enhances the natural heritage system and to identify options for implementation of restoration opportunities adjacent to streams and municipal drains.

Subsection 3.4.5 sets out the policies for Restoration Opportunity Overlay. The following policies apply to those lands identified as being a High Priority or Secondary Priority Restoration Opportunity as identified on Schedule “B3” to this Plan, and outlined in the Essex Region Natural Heritage System Strategy (ERNHSS) prepared by the Essex Region Conservation Authority. The “Restoration Opportunities Overlay” applies to lands that do not contain existing natural heritage features; however, they have been identified as potential areas to enhance the fragmented system in the County.

a) Prior to the approval of any local OPs, OP amendments or Secondary Plans, Zoning By-law Amendments, plans of subdivision/condominium, or during the preparation of any Environmental Assessment for infrastructure, an Environmental Impact Assessment (EIA) shall be undertaken that evaluates the following:

- i) Opportunities to restore and enhance the natural heritage features in the area, including the establishment of linkages.
- ii) The incorporation of Low Impact Development elements into the project.
- iii) Opportunities to establish buffers into the project design that would promote the natural restoration of an area.

- iv) Opportunities to set aside strategic areas for restoration and enhancement.
  - v) Opportunities for local stewardship, naturalization, and education about the benefits of enhancing the area's natural heritage system.
  - vi) Public acquisition.
  - vii) If lands are not acquired then the lands will be placed in a protected designation and zone.
- b) Prior to the construction of any new municipal drains or any work completed under Section 78 of the Drainage Act within the "Restoration Opportunities Overlay" as shown on Schedule "B3" of this Plan, a Drainage Report shall be prepared in accordance with the Drainage Act that includes the establishment of vegetated buffers to enhance the natural heritage system.

Justification for the proposed development in terms of the County of Essex OP is provided in Section 7.1.2 of this report.

## **5.3 Town Official Plan**

### **5.3.1 Town of Kingsville Official Plan**

The Town of Kingsville Official Plan (OP) was adopted by Council on December 19, 2011 and approved by the County of Essex on February 1, 2012.

The OP implements the PPS and the County OP and establishes a policy framework to guide land use planning decisions related to development and the provision of infrastructure and community services throughout the Town.

The following provides a summary of the relevant Town of Kingsville OP policy considerations as related to the proposed development.

The lands are designated "Residential" according to Schedule "A-2" Land Use Plan attached to the OP for the Town of Kingsville (see Figure 8 - Town of Kingsville OP, Schedule "A-2").

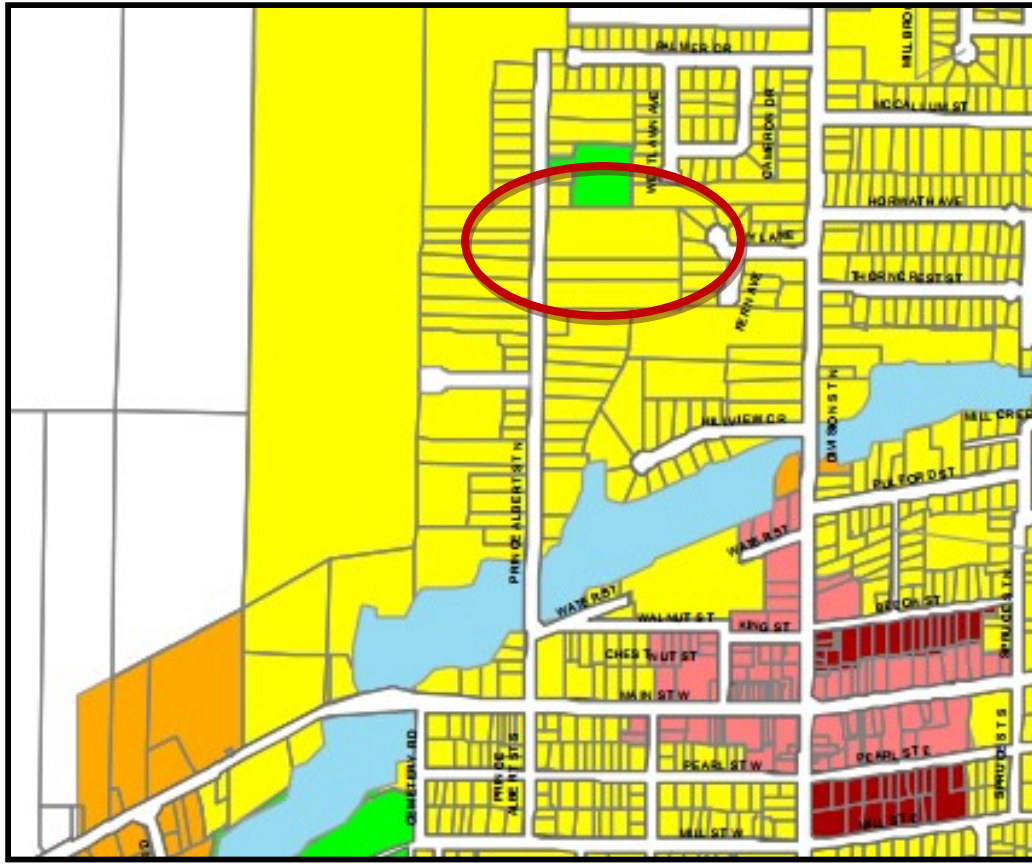


Figure 8 - Town of Kingsville OP, Schedule "A-2"

Subsection 3.6 – Residential Areas section in the OP notes that the Town provides areas in which residential development may occur in a controlled and progressive manner, recognizes existing residential development, encourages infilling of existing development pattern and encourages the development of a greater variety of housing types.

The policies set out in the OP, which apply to this Site include:

- a) variety of housing types and densities are permitted subject to conformity and compliance with the Zoning By-law. The types of residential units permitted include single detached dwellings, two unit dwellings, three unit dwellings, single unit attached dwellings, townhouses, apartments and seniors' housing including retirement homes and nursing homes and other housing designed to accommodate special needs or interests;
- e) the creation of new lots for residential purposes will occur in accordance with the land division policies contained within Section 7 of this Plan;

g) residential infill development in areas of significant historical, architectural or landscape merit shall be encouraged provided:

- i. sensitive to the existing scale, massing and pattern of the area;
- ii. be consistent with the existing landscape and streetscape qualities; and
- iii. will not result in the loss of any significant heritage resources.

h) areas for medium and high density residential development are not specifically identified in this Plan. It is the intent of the Plan that all types of residential development will be permitted throughout the area designated “Residential”, subject to satisfying certain criteria. The Zoning By-law will zone only existing medium and high density residential uses as such. Any new medium or high density residential development or redevelopment proposal will require an amendment to the Zoning By-law. When considering the appropriateness of the amendment request, the following criteria shall be considered:

- i. Low Density Residential The low density residential zone will permit single detached dwellings, two unit dwellings and three unit dwellings at a maximum density of 20 units per gross hectare.
  - ii. Medium Density Residential The medium density residential zone will permit single detached dwellings, two unit dwellings, three unit dwellings, single unit attached housing, townhouse dwellings, apartment buildings not exceeding three storeys in height and all types of senior and other special interest and needs housing. The maximum density for this type of housing shall not exceed 50 units per gross hectare.
  - iii. High Density Residential The high density residential zone will permit multiple dwellings such as single unit attached housing, townhouse dwellings, apartment buildings exceeding three storeys in height and all types of senior and other special interest and needs housing. The maximum density for this type of housing shall not exceed 124 units per gross hectare.
  - iv. Redevelopment of Older Neighbourhoods Proposals to locate medium and high density residential development in older established residential neighbourhoods will be discouraged if they involve the extensive redevelopment of existing single detached dwellings;
- i) when considering applications to amend the Zoning By-law to permit a medium or high density residential development, the Town shall have regard to the following:
- i) the need for the proposed development as identified through an analysis of housing supply and demand;
  - ii) the density and form of adjacent development;

iii) the adequacy of, and extent of uncommitted reserve capacity in the municipal potable treatment and supply system, the municipal, sanitary sewage treatment and collection system, storm drainage and roads to service the proposed development;

iv) the adequacy of school, park and community facilities to serve the proposed development;

v) the adequacy of off-street parking facilities to serve the proposed development;

vi) the provision of adequate buffering measures deemed necessary to protect and provide general compatibility with the adjacent land uses; and

vii) accessibility in relation to the location of arterial and collector roads;

j) all medium and high density residential development will be subject to site plan control pursuant to the Planning Act;

The east portion of the lands are designated “Environmentally Significant Area” according to Schedule “B” Natural Heritage Features attached to the OP for the Town of Kingsville (see Figure 9 - Town of Kingsville OP, Schedule “B”).

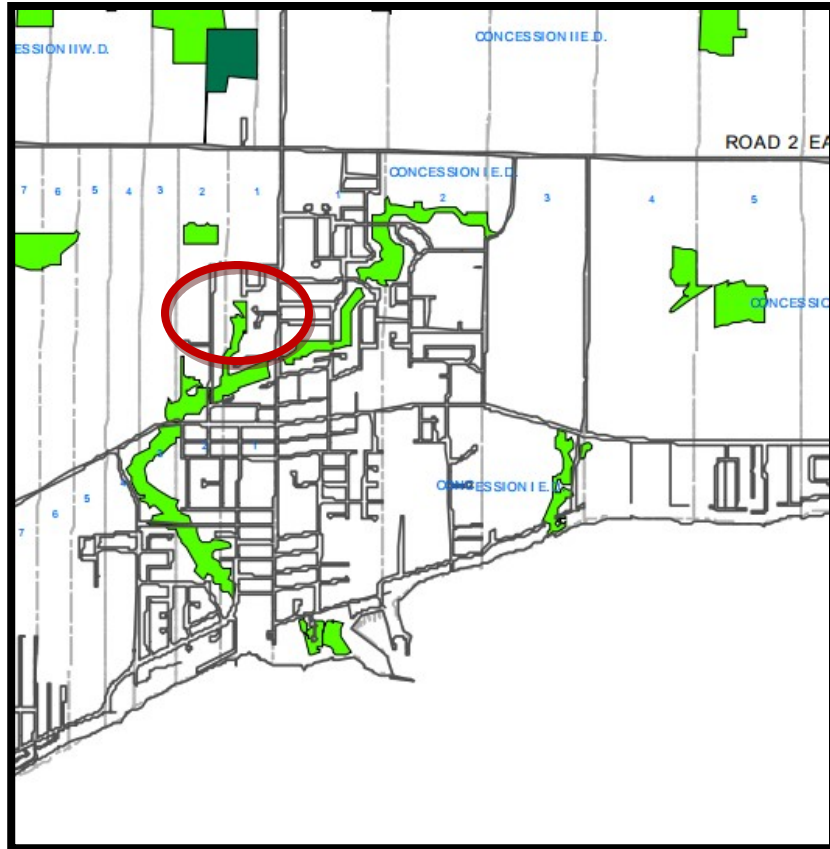


Figure 9 - Town of Kingsville OP, Schedule "B"

Section 4.2 of the OP encourages the protection and enhancement of natural heritage features. The "Environmentally Significant Areas" apply to this Site and are generally those lands within 120 metres of a natural heritage feature as shown on Schedule "B" of the OP. Assessment of negative impact is to be determined by conducting an Environmental Impact Assessment (EIA) in accordance with Appendix "A" and the MNR's Natural Heritage Reference Manual and will normally be required prior to consideration of any Planning Act application.

The east portion of the lands are designated "Watercourses/Municipal Drain" according to Schedule "C" Natural Hazards attached to the OP for the Town of Kingsville (see Figure 10 - Town of Kingsville OP, Schedule "C").

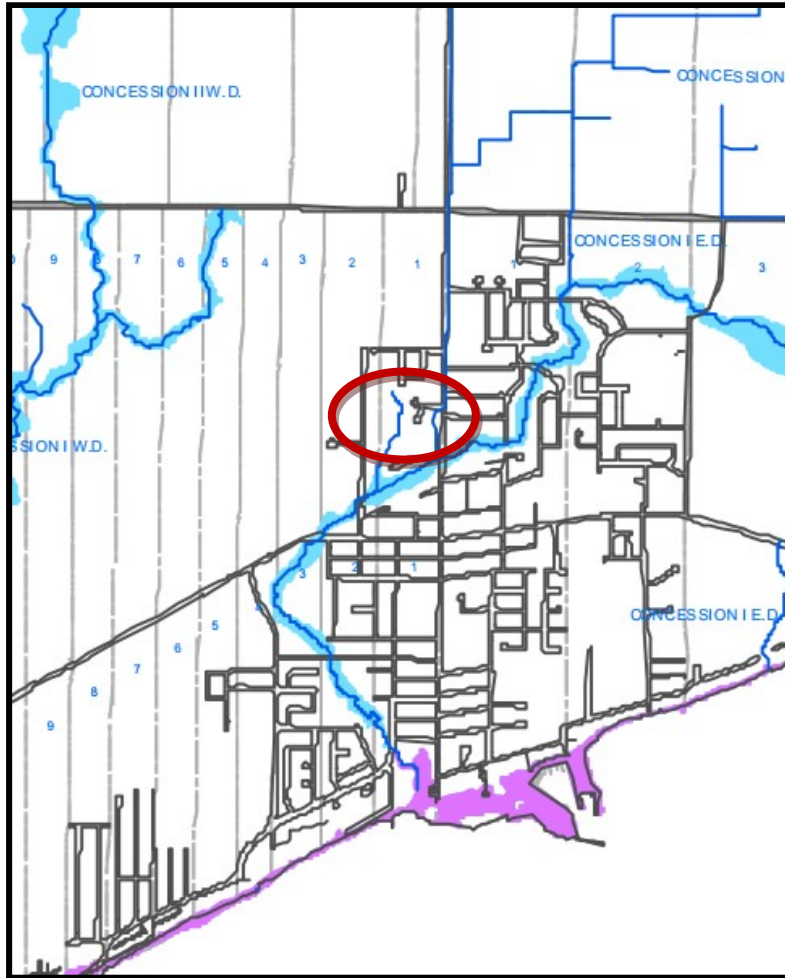


Figure 10 - Town of Kingsville OP, Schedule "C"

Subsection 4.5.1 of the OP sets out principles which apply to development located along watercourse. As it relates to this development, the following applies:

- a) If possible, natural stream bank vegetation should be maintained;
- b) grassed slopes, in natural vegetation, or other suitable erosion control methods are the preferred alternative;
- c) construction of tile outlets should not contribute to erosion along watercourses;
- d) tree planting should occur along watercourses, where possible to enhance the natural corridor function, cool water temperatures and protect watercourse banks;
- e) best management practices and interim measures shall be utilized during construction projects to reduce sedimentation and erosion;

f) an setback from the top of bank for all new and expansions to development will be required in order to prevent erosion, improve water quality, enhance wildlife corridors and protect fish habitat.

Further, section 5.2 sets out that the Town, in consultation with Essex Region Conservation Authority (ERCA), shall incorporate appropriate building setbacks from the top of bank into the zoning by-law.

## **5.4 Zoning By-Law**

The Town of Kingsville Zoning By-Law (ZBL) was approved by the Town of Kingsville on February 8, 2016.

A ZBL implements the PPS, the County OP and the Town OP by regulating the specific use of property and provide for its day-to-day administration.

According to Schedule “A”, Map 65 attached to the ZBL the land is within two (2) zoning categories as follows (see Figures 11 - Zoning Map 65):

- The front portion of the Site is within the Residential Zone 1 Urban (R1.1) category, to a depth of approximately 58 m (190 ft); and
- The balance of the Site is within the Residential Zone 1 Urban (R1.1(h)) holding category.



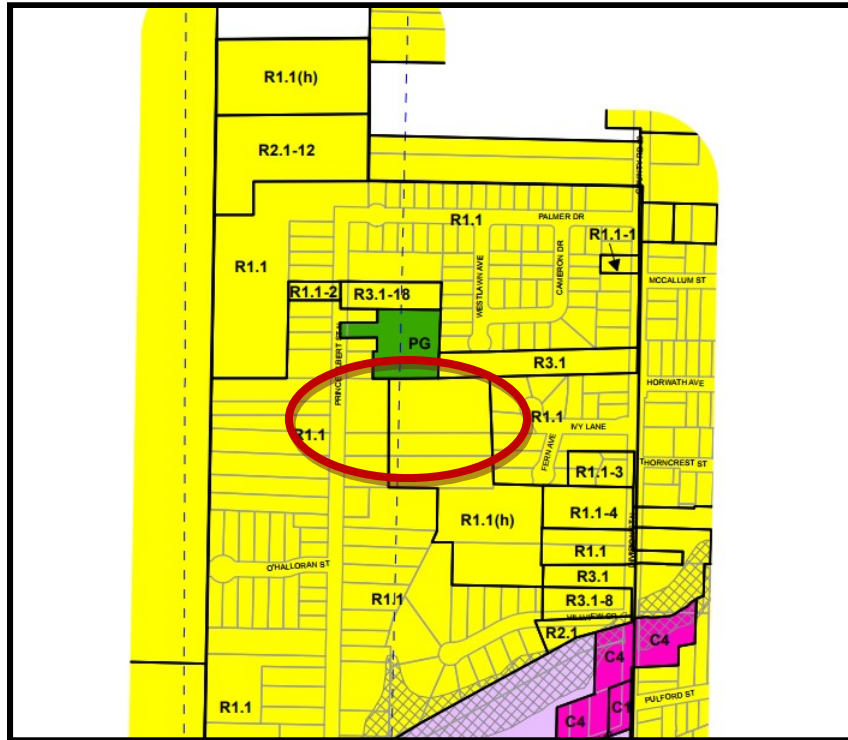


Figure 11 - Town of Kingsville Zoning Map 65

According to Subsection 6.1.1 of the Town of Kingsville ZBL permitted uses for the Residential Zone 1 Urban (R1.1) category include residential use, rest homes, nursing homes or group homes.

Permitted buildings and structures include one, single detached dwelling and buildings and structures accessory to the main use.

Zone regulations require that all lot and building requirements shall be in accordance with the following regulations:

Zone Regulations	Existing R1.1
Min Lot Area	500 sq m (5,300 sq ft)
Min Lot Frontage	15 m (50 ft)
Min Open Space	30 %
Max Lot Cov	40 %

Min Setbacks (main building)	
Front Yard	5.5 m (18 ft)
Rear Yard	7.5 m (25 ft)
Int Side Yard	1.5 m (5 ft) with an attached garage or carport; or 1.5 m (5ft) on one side of the main building and 3.0m (10 ft) on the other side when there is not attached garage or carport
Ext Side Yard	4.5 m (15 ft)
Max Building Height	11 m (36 ft)

The (h) holding is in place until such time a site plan control agreement is executed to ensure the Site is properly serviced by storm and water.

The Zoning By-law Amendment is detailed in Section 6.0 of this report.

## 6.0 ZONING BY-LAW AMENDMENT

The proposed development requires a site specific Zoning By-law Amendment (ZBA) and associated map change.

The proposed single detached dwelling lots would remain as Residential Zone 1 Urban (R1.1) as shown on Map 65.

The balance of the Site is proposed to be changed from Residential Zone 1 Urban (R1.1) and Residential Zone 1 Urban Holding (R1.1(h)) to a site specific Residential Zone 3 Urban (R3.1-XX) and Residential Zone 3 Urban Holding (R3.1(h)-XX) as shown on Map 65.

Permitted uses would be subject to Section 6.3.1 (a) of the ZBL. Permitted building and structures for the site specific zone are proposed to include a maximum of 3 multiple unit dwellings (single unit attached) with a maximum of 16 multiple dwelling units.

Zone provisions would be as follows:

<b>Zone Regulations</b>	<b>Existing R3.1 (converted or Multiple unit building)</b>	<b>Proposed R3.1-XX</b>
Min Lot Area	450 sq m (4,844 sq ft)	217 sq m (2,340 sq ft)
Min Lot Frontage	16 m (53 ft)	7.62 m (25 ft)
Min Open Space	30 %	30 %
Max Lot Cov	50 %	50 %
Min Setbacks (main building)		
Front Yard	5.5 m (18 ft)	5.5 m (18 ft)
Rear Yard	7.5 m (25 ft)	7.5 m (25 ft)
Int Side Yard	1.5 m (5ft) on both side yards with an attached garage or carport; or 1.5 m (5 ft) on one side of the main building and 3.0 m (10 ft) on the other side when there is no attached garage or carport.	1.5 m (5ft)

Ext Side Yard	4.0 m (13 ft)	
Max Building Height	11 m (36 ft)	11 m (36 ft)

Parking provisions (Table 4 of the ZBL) requires 2 spaces per unit for townhouses. No reduction is requested as 2 spaces per unit are proposed for the multiple unit dwellings. If the developer includes a garage, then additional parking spaces will be provided.

The creation of Lots 1, 2 & 3 will be subject to consent approval and the balance of the Site will be subject to Site Plan Control.

The proposed ZBA to permit the multiple unit dwelling development would include the holding provision until such time as an acceptable site plan was complete and corresponding agreement executed which would address all servicing work and background studies necessary.

Further consideration can be given to applying a Natural Environment (NE) Zone to the wood lands or the registration of a conservation easement in favour of ERCA. This approach could help mitigate any required buffering or barrier requirements.

## 7.0 PLANNING ANALYSIS

### 7.1 Policy and Regulatory Overview

#### 7.1.1 Provincial Policy Statement (PPS), 2014

The proposed development is consistent with the PPS and the Province's vision for long-term prosperity and social well-being. Implementation of that vision depends on planning for strong, sustainable and resilient communities for people of all ages, a clean and healthy environment, and a strong and competitive economy.

The proposed residential development is consistent with the PPS in that the municipality has directed growth to this area where the Site is located which will contribute positively to meeting the full range of current and future needs.

The proposed development is consistent with the policy to build strong healthy communities. The Site is close to local parks, churches, community centres and schools.

The proposal represents an efficient and resilient development and land use pattern, and is supportive of PPS subsection 1.1.1 as the single and multiple unit dwellings will accommodate for an appropriate range and mix of residential uses.

The proposal enhances the vitality of the municipality, in accordance with PPS policy 1.1.3. More specifically subsection 1.1.3.1, as the Site is within the Town's urban settlement area. Residents will have immediate access to local shopping, employment, recreation and education.

The proposal is consistent with PPS subsection 1.6.6.2 as it will be serviced by municipal sewer, water and storm, which is the preferred form of serving for settlement areas.

Regarding Section 2.1 of the Natural Heritage policies, the applicant has arranged to have the necessary studies completed by an ecological consultant to recommend ways to ensure that there will be no negative impact on the natural feature at the rear of the Site as a result of the proposed development. Mitigation measures include:

- An ecologically appropriate buffer/set back from the edge of the feature, recognizing the current condition of the feature and considering the proposed adjacent land use;
- Barrier fencing intended to prevent pedestrian access to the feature and discourage dumping along the edge of the feature;
- No dumping signs on the barrier fence;
- Habitat enhancement, and
- Dedication of the natural feature to ERCA.

Given that the proposal is in keeping with many aspects of the PPS, municipal approval of the proposal is consistent with the PPS.

### **7.1.2 County Official Plan (OP)**

The proposed development conforms to the County of Essex OP as it supports the County's vision towards a healthy County, long term economic prosperity and responsible growth management.

The Site is within the "Primary Settlement Area" which directs growth to occur in order to help promote residential intensification and redevelopment. This development will assist the Town in achieving the 15% affordable housing target.

By designating the lands "Primary Settlement Area" in its OP the County has acknowledged the subject lands as being appropriate and suitable for residential development as is being proposed.

The proposed development supports the County's goal to create a more mixed use, compact, pedestrian-oriented development. There is currently a sidewalk along Prince Albert Street North which can easily access a nearby church and parkette.

The County OP also supports providing a broad range of housing choices. The proposed development will compliment the current mix of existing housing stock. Prince Albert Street North is predominately a residential street with a mix of old and new single detached dwellings in addition to an existing multiple unit dwellings north of the Site.

The County encourages new development to proceed on the basis of full municipal sewage services and municipal water service, which are both available for the Site.

Affordable housing within Primary Settlement Areas is also a policy of the County and this proposed development will be supportive as the units will be rented at an affordable rate.

The proposed development supports the policies regarding the "Natural Environment Overlay" as there will be no alterations to the wood lands and additional buffering will be constructed to protect the area from any disturbances. The municipal drain will also be protected as there will be a significant setback from the top of back to any buildings or structures. The applicant is not proposing any encroachment into the natural feature and it shall be retained intact along with habitat enhancement. The regulated areas under ERCA can be addressed through permits.

### **7.1.3 Town Official Plan (OP)**

The proposed development conforms to the Town of Kingsville OP. The proposed use is for residential development and is consistent with the "Residential" policies and permitted uses.

The proposed development supports the policies set out in the Town's OP as it promotes infilling of existing development pattern and encourages the development of a greater variety of housing types.

The creation of the two (2) residential lots will be subject to the Town's land division policies contained in Section 7 of the OP.

Based on the density requirements for "Medium Density Residential", the medium density residential zone will permit single detached dwellings and townhouse dwellings to a maximum of 50 units per gross hectare. A total of 19.28 units per gross hectare are proposed for this Site. The proposed density is below the medium density threshold and remains low density when considering both the multiple unit dwellings and the single detached dwellings.

Similar to the County OP, the proposed development is supportive of the Town OP policies regarding the "Environmentally Significant Area" and "Watercourses/Municipal Drain" as there will be no alterations to the wood lands and additional buffering will be constructed to protect the area from any disturbances. The municipal drain will also be protected as there will be a significant setback from the top of back to any buildings or structures. Mitigation measures are set out by the applicant's ecological consultant report to ensure no negative impacts on the natural heritage feature.

Therefore, an amendment to the current OP is not required to facilitate the proposed development.

## **7.2 Context and Site Suitability**

### **7.2.1 Site Suitability**

The site is ideally suited for infill residential development for the following reasons:

- The land area is sufficient to accommodate the proposed development with adequate landscape buffer areas from the abutting wood land and residential uses,
- The Site is generally level which is conducive to easier vehicular movements,
- The Site will be able to accommodate municipal water, storm and sewer systems, as set out in the applicant's engineering consultant report, as there is sufficient capacity available in the existing systems on Prince Albert Street North to accommodate for the proposed development,
- There is sufficient physical separation between the proposed development and neighbouring residences, as no relief is being requested from the setback requirements of the zoning by-law.
- The Site provides for drainage,
- There are no traffic concerns, as set out by the applicant's transportation consultant, as the low volume of traffic generated will have no impact on the existing streetscape,

- There are no environmental concerns, as set out by the applicant's ecological consultant, and
- The location of the proposed development is appropriate in that it is in close proximity to similar residential uses in the surrounding area.

### **7.2.2 Compatibility of Design**

The proposed development will be strategically located to provide efficient ease of access.

Each new single detached dwelling will have a private driveway and a new roadway, built to municipal standards, will function as the primary access for the proposed multiple unit dwellings in addition to private driveways to each unit.

The proposed multiple unit dwellings will be set back from the Prince Albert Street North, behind the single detached dwellings and will be limited to an appropriate density for the Site.

The proposed land use is compatible between existing uses in the area. There is a parkette to the north, wood lands to the east and residential uses on the other sides of the Site.

### **7.2.3 Good Planning**

The proposal represents good planning as it addresses the need for the Town to provide infilling and affordable development.

A mix of residential uses on the Site represents an efficient development pattern that optimizes the use of land.

There are similar styles of development in the Town of Kingsville which blend well with the fabric of housing options. This type of development will accommodate for young professionals, families and seniors. It also provides for low maintenance and high quality living.

The fact that the proposal is supported by provincial, county and municipal planning policy, and the Site is suitable for the intended use on a number of criteria attests that the proposal represents good planning.

### **7.2.4 Natural Environment Impacts**

The proposal will include mitigation measures to ensure no negative impact on the natural environment, as identified in the applicant's ecological consultant report.

A Stage 1 (information request) has been initiated by the applicant's ecological consultant with the Ministry of Natural Resources and Forestry (MNR) for a species at risk screening.

There are no constraints regarding the regulated areas, source water protection zones or natural environment as the area to the east of the Site is minor and will not be affected.



Further, any work on the drain will be included in a stormwater management report, prior to development.

### **7.2.5 Municipal Services Impacts**

There will be no negative impact on the municipal system as the residential development is limited to an appropriate density and will not add to the capacity in a significant way, as set out in the applicant's engineering consultant report.

The topography, soil and environmental characteristics of the Site are able to accommodate an appropriate development that will mitigate environmental impacts.

### **7.2.6 Social and/or Economic Conditions**

The proposed development does not negatively affect the social environment as the Site is in close proximity to major transportation corridors, community services and where many people live, work and play.

The proposed development promotes efficient development and land use pattern which sustains the financial well-being of the Town of Kingsville.

The proposal will mitigate any environmental or public health and safety concerns, as set out in the applicant's ecological consultant report.

The proposal represents a cost effective development pattern that minimizes land consumption and servicing costs, as set out in the applicant's transportation and engineering consultant reports.

There will be limited sprawl as the proposed development is inside the existing settlement area.

## 8.0 SUMMARY AND CONCLUSION

I have been retained by the applicant, 1552843 Ontario Ltd to provide a land use Planning Justification Report (PJR) in support of a proposed residential infilling development which requires a Zoning By-Law Amendment (ZBA).

The proposal to use the Site for two (2) single detached dwellings and three (3) multiple unit dwellings on Prince Albert Street North is appropriate and should be approved by the Town of Kingsville as it:

- is consistent with the PPS 2014;
- meets the intent and purpose of the OP for the County of Essex;
- meets the intent and purpose of the OP for the Town of Kingsville;
- is a site that is physically suitable;
- does not negatively impact the private use and enjoyment of area residents;
- will implement mitigation measures to ensure no negative natural environment impacts;
- will not create any traffic issues;
- will not have any negative impacts on municipal services;
- will not have any negative social, environmental or economic impacts; and
- will have a favourable positive impact on the Town of Kingsville.

In summary, for the above reasons, it would be appropriate for the Town of Kingsville to approve a site specific Zoning By-law Amendment to permit residential development at 169 Prince Albert Street North as it is currently designated and zoned for Residential Uses and is appropriate for infilling development.

This report has shown that the proposed development is suitable intensification and represents good planning.

### **Planner's Certificate:**

This Planning Justification Report was written by Tracey Pillon-Abbs a Registered Professional Planner (RPP) within the meaning of the *Ontario Professional Planners Institute Act 1993*.

Planning Justification Report prepared by:

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**Tracey Pillon-Abbs, RPP**  
Planning Consultant

## Robert Brown

---

**From:** Anthony Goodban <anthony.goodban@sympatico.ca>  
**Sent:** July-13-17 4:07 PM  
**To:** Robert Brown  
**Cc:** 'Walter Branco'  
**Subject:** FW: 169 Prince Albert St., Kingsville - Draft Terms of Reference for Scoped EIS  
**Attachments:** Branco Prince Albert Townhouses EIA ToR.PDF; Branco Prince Albert Townhouses Geocortex Screening Map.pdf; 2017-04\_SAR Screening Process\_Technical Bulletin.pdf

Hi Robert,

I am writing to confirm that I have been retained by Walter Branco at Noah Homes to prepare a Scoped EIS report for ERCA based on the attached Terms of Reference, and to prepare a Species at Risk Stage 1 (Information Request) Screening request for submission to the Ministry of Natural Resources and Forestry (MNRF).

Please let me know if you have any questions.

Best regards,

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

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

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**From:** Dan Lebedyk [mailto:DLebedyk@erca.org]  
**Sent:** July 12, 2017 10:19 AM  
**To:** Anthony Goodban  
**Cc:** wbranco@noahhomes.ca; Robert Brown (rbrown@kingsville.ca); Mike Nelson  
**Subject:** RE: 169 Prince Albert St., Kingsville - Draft Terms of Reference for Scoped EIS

Dear Anthony:

### **ERCA File: EIA-16-17**

Attached please find the Terms of Reference for the EIA associated with the proposed development on property identified as 169 Prince Albert St. N. Because the EIA has been scoped down to address only adjacent lands issues and an MNRF ESA screening, the fee associated with this EIA has been assessed at \$115.00, in accordance with our Board of Directors' approved fee schedule. Our review of your final EIA will be issued upon receipt of the study along with submission of the required review fee from the proponent. I have also included a detailed screening map of the property as well as the latest MNRF ESA Screening Technical Bulletin for your reference.

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

Thank you.



regs@erca.org

P.519.776.5209

F.519.776.8688

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

## **Environment Impact Assessment (EIA) Terms of Reference**

DATE: July 12, 2017

**ERCA File Number:** EIA-16-17

**Municipality:** Kingsville

**Property:** CON 1 WESTERN DIVISION, LOT 1, 169 PRINCE ALBERT ST N, ARN: 371111000001200, PIN: 751730308

**Natural Area:** Palmer Drain

**Significance:** Adjacent to Significant Valleyland, Significant Wildlife Habitat; Species at Risk

**Proposal:** Branco Prince Albert Townhouses

**Recommendation:** Complete the Environmental Impact Assessment (EIA) as per the following established Terms of Reference. The EIA shall include appropriate mitigation measures (such as setbacks, buffering, fencing, etc.) in order to prevent negative impacts, for the following categories of consideration:

- **Adjacent lands to the existing significant natural heritage feature (Significant Valleyland, potential Significant Wildlife Habitat)** in accordance with Policy 2.1.8 of the PPS.

The EIA shall also include appropriate consideration of:

- **Habitat of Endangered Species and Threatened Species**, in consultation with the Ontario Ministry of Natural Resources and Forestry (MNRF) as per the attached Technical Memo, in accordance with Policy 2.1.7 of the PPS.

Please refer to the above referenced ERCA File Number when corresponding on this file, including the submission of any payment.

I would be pleased to discuss this review further at your convenience. If you should have any questions, or require any additional information please do not hesitate to contact me.

Yours Truly,

Dan Lebedyk  
/dl

### ***Technical Bulletin: Aylmer District Species at Risk Screening Process***

This technical bulletin outlines the process for engaging the Ministry of Natural Resources and Forestry (MNRF) Aylmer District Office regarding the *Endangered Species Act, 2007 (ESA)*.

The ESA provides protection for species listed as *Endangered* or *Threatened* on the [Species at Risk in Ontario List](#). Individuals receive protection under Section 9 and their habitat is protected under Section 10. The ESA is a law of general application that is binding on everyone in the province of Ontario, and applies to both private and public lands. MNRF Aylmer District provides review of a project's compliance under the ESA by responding to species at risk (SAR) information requests (Stage 1) and project screening requests (Stage 2) only when both of the following conditions are met:

1. The request comes directly from the property owner or their delegate (e.g. consultants) on their behalf; and,
2. A specific project/activity is proposed.

#### **MNRF Aylmer District Contact Information**

All ESA-related requests must be submitted to MNRF Aylmer District via our ESA inbox at [ESA.Aylmer@ontario.ca](mailto:ESA.Aylmer@ontario.ca)

***NOTE: MNRF response time is between 8 and 10 weeks after receipt of all required information, due to the high volume of requests received.***

#### **Stage 1: Information Request**

To ensure due diligence under the ESA, MNRF encourages property owners and/or their delegates proposing to conduct site alteration (such as construction, vegetation/debris removal, site grading, etc.) to request SAR information from Aylmer District prior to beginning site alteration and/or conducting SAR surveys. For MNRF to respond to an information request, the following information is required:

- Proponent information (name, mailing address, and email address);
- Property location and mapping (municipal address and/or lot and concession);
- Digital photos of the property, including the vegetation on-site, if available;
- General description of all proposed activities and extent of development footprint (e.g. residential, driveway, vegetation clearing). Maps / site layout drawings are beneficial;
- Current state of vegetation, property maintenance/management (e.g. frequency of mowing), and recent property landscape history/changes (within the last five years);
- Timing and duration of proposed activities;
- Copies of past correspondence with MNRF about the property, if applicable; and,
- Status of municipal planning or Environmental Assessment process, if any.

Once the above information has been provided, MNRF will review available SAR data to determine if SAR species and/or their habitat(s) are known or likely to occur on or in the general area of the property. MNRF's response will be one of the following:



1. There is a low likelihood for SAR species and/or habitat to occur and/or be impacted
  - Further project screening will not be needed unless recommendations to avoid impacts cannot be followed or significant changes to the project are made (e.g. natural vegetation proposed to be removed).
2. SAR species and/or habitat are known to occur on or near the property, or there is a high likelihood for SAR species and/or habitat to occur
  - MNRF may recommend that field assessments by a qualified biologist are needed to determine whether the proposed project may contravene the ESA.
    - It is expected that the retained qualified biologist will use the information provided by MNRF to scope and design the field assessments, including identifying appropriate species-specific survey methodologies and timing.
    - MNRF can provide guidance on field assessments (i.e. protocols or proposed work plans). Some field assessment methodologies may require MNRF authorizations under the ESA and the *Fish and Wildlife Conservation Act*.
  - After field assessments have been completed, proceed to Stage 2.

**NOTE:** MNRF strongly recommends that no on-site activity (i.e. site alteration, vegetation/debris removal, etc.) occur until Stage 2 is complete, in order for proponents to demonstrate due diligence and remain in compliance with the ESA. Failure to comply with this recommendation could result in a contravention of the ESA and possible compliance / enforcement action.

## Stage 2: Project Screening / IGF Review

Following MNRF's recommendations, a qualified biologist should complete appropriate field assessments and submit the results in an Information Gathering Form (IGF) to initiate a project screening request.

### Link to IGF:

<http://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/MinistryResults?Openform&SRT=T&MAX=5&ENV=WWE&STR=1&TAB=PROFILE&MIN=018&BRN=21&PRG=31>

MNRF will review the IGF to determine whether the project is likely to contravene the ESA (Section 9 and/or Section 10). MNRF's response will be one of the following:

1. Contravention under the ESA is not likely to occur:
  - A response will be provided, which could include recommendations necessary to avoid impacts to SAR; or,
2. Contravention under the ESA is likely to occur:
  - MNRF will recommend options for seeking approval under the ESA, such as applying for a permit or assessing eligibility for alternative regulatory processes. Please be advised that applying for a permit does not guarantee approval and processes can take several months before a permit may be issued.

## Branco Prince Albert Townhouses

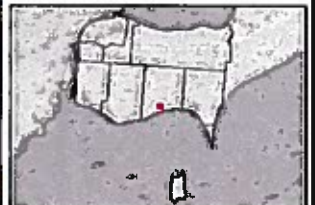


Essex Region  
Conservation  
Authority

### Legend

- Lots and Concessions
- Regional Assessment (ARN) Ownersh
- Ownership Parcels (PIN)
- Provincially Significant Wetland (PSW)
- Significant Valley Land (SVL)
- Existing Natural Features (ERNHSS)**
  - Open Water
  - Marsh
  - Swamp
  - Forest
  - Other Terrestrial Natural Feature
- Restoration Opportunities (ERNHSS)**
  - Restoration Opportunity Other
  - Riparian Buffer (30m)
  - Wetland Buffer (240m)
- 1:100 yr Flood Line
- Maximum Observed Flooding
- Limit of Regulated Area
- COE/ERCA-wm\_MunicipalDrains\_ERC
- Channelized Natural

### Location



### Notes



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7/12/2017





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

June 13, 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-14-17  
169 PRINCE ALBERT ST N  
ARN 371111000001200; PIN: 751730308  
Applicant: 1552843 Ontario Ltd

The following is provided for your information and consideration as a result of our review of Zoning By-Law Amendment ZBA-14-17. The applicant is proposing to develop the subject lands with the creation of 3 new single family dwellings, and up to 27 townhouse dwelling units in up to five separate buildings. The current zoning is both R1.1 and R1.1(h) but the applicant is requesting that the zoning be amended to a higher density provision to permit the townhouse development. We understand that the proposed development will be subject to the Site Plan Control process, and any zoning change would be subject to a Holding provision until an acceptable site plan can be approved by Council.

## **NATURAL HAZARD POLICIES OF THE PPS, 2014**

The above noted lands are subject to our Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulations under the *Conservation Authorities Act*, (Ontario Regulation No. 158/06). The subject parcel falls within the regulated area of the Palmer Drain. The property owner will be required to obtain a Permit from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by the regulations. It should also be noted that the owner will need to satisfy setback requirements from the floodplain hazard lands associated with the Palmer drain.

## **WATER RESOURCES MANAGEMENT**

We are concerned with the potential impact of the quality and quantity of runoff in the downstream watercourse due to future development on this site. We therefore ask to be circulated the Site Plan Control application for review. We will reserve to comment further on water resources management concerns until this development proceeds to the Site Plan Control stage.



Mr. Brown  
June 13, 2017

### **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 woodland, significant valleyland, and/or significant wildlife habitat under the Provincial Policy Statement (PPS, 2014). In addition, the natural heritage feature may also support habitat of endangered species and threatened species. Section 2.1.5 of the PPS, 2014 states - Development and site alterations shall not be permitted in significant woodland...significant valleyland 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 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). However, other options may exist as an adequate demonstration of no negative impact.

Our information also indicates that the subject property may support habitat of endangered species and threatened species. As per Section 2.1.7 of the PPS 2014 – "Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements." It is the proponent's responsibility to exercise due diligence in ensuring that all issues related to the provincial Endangered Species Act and its regulations have been addressed. Please find attached a Technical Memorandum that outlines the process for contacting the Ministry of Natural Resources and Forestry regarding the Endangered Species Act. We would recommend that you initiate a Stage 1 Information Request as outlined in the Technical Memorandum. Further, we would recommend that you provide your communications with and from the Ministry of Natural Resources and Forestry to the respective Municipal staff contact. Per direction from the MNRF, the proponent remains responsible to ensure their correspondence with staff from the MNRF is shared with the respective Municipal staff, including confirmed details related to site plans and designs. Typically, the MNRF does not include Municipalities in their correspondence with proponents.

Therefore, prior to any site alterations and/or construction activities on the parcel to be severed, an EIA should be completed which will determine appropriate mitigation techniques from the natural area. The level of detail of such an EIA is dependent upon the scope of the future development proposal. We strongly recommended that prior to initiating an EIA that the applicant contacts our office to determine the scale and scope of the analysis.



Mr. Brown  
June 13, 2017

**FINAL RECOMMENDATION**

We recommend that the zoning application be subject to the following condition:

That the property owner retain a qualified environmental professional to prepare an Environmental Impact Assessment (EIA). The purpose of the EIA is to determine appropriate mitigation techniques from the adjacent natural area. This EIA should be completed to the satisfaction of the Municipality in consultation with the Conservation Authority.

We request to be circulated a copy of the decision of this application.

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

Sincerely,



Corinne Chiasson, *Resource Planner*  
/cor

# THE CORPORATION OF THE TOWN OF KINGSVILLE

## BY-LAW 85 - 2017

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

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

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

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

**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 Impact Assessment and Specific at Risk review (including MNRF clearance) site plan and associated site plan agreement are prepared to the satisfaction of the Town;

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

1. That Subsection 6.3.1 RESIDENTIAL ZONE 3 URBAN EXCEPTIONS is amended with the addition of the following new subsection:

#### **6.3.1.23 'RESIDENTIAL ZONE 3 URBAN 23 (R3.1-23)'**

For lands shown as R3.1-23 on Map 65 (Prince Albert St N) Schedule "A" of this By-law.

a) Permitted Uses

Those uses permitted under Section 6.1.1 and 6.3.1

b) Permitted Buildings and Structures

A single detached dwelling on a lot created by consent  
A maximum 16 dwelling units

c) Zone Provisions – Semi-Detached Dwellings/Semi-Detached Dwelling Units, Townhouse Dwellings / Townhouse Dwelling Units

- i) Minimum lot area – 0.68 ha
- ii) Minimum lot frontage - 20 m
- iii) Minimum front yard – 38 m
- iv) Minimum side yard - 5.4 m
- v) Minimum rear yard – 1.5 m from lands zoned Natural Environment, (NE) or as outlined in the approved Environmental Assessment whichever is greater
- vi) Minimum Gross Floor Area – 88 sq. m
- vii) Maximum lot coverage - 40%

d) Zone Provisions – Single Detached Dwelling

- i) Provisions of the (R1.1) Section 6.1.1 Residential Zone shall apply

e) Permitted Uses, Buildings and Structures for lands zoned 'Residential Zone 3 Urban Exception 23, holding, (R3.1-23(h))' shall be limited to those uses, building and structures existing on the date of passing of this by-law.

- f) For lands zoned 'Residential Zone 3 Urban, Exception 23, holding, (R3.1-23(h))' the zoning may be amended under Section 36 of the Planning Act to '(R3.1-23)' once:
    - i) An Environmental Impact Assessment and Specific at Risk review (including MNRFC clearance) site plan and associated site plan agreement are prepared to the satisfaction of the Town.
- 2. Schedule "A", Map 65 of By-law 1-2014 is hereby amended by changing the zone symbol on lands known municipally as Part of Lots 1 & 2, Concession 1, Western Division, and locally known as 169 Prince Albert Street North, as shown on Schedule 'A' in grey attached hereto from 'Residential Zone 1 Urban, (R1.1)' and 'Residential Zone 1 Urban, holding, (R1.1(h))' to 'Residential Zone 3 Exception 23, holding (R3.1-23(h))'.
- 3. Schedule "A", Map 65 of By-law 1-2014 is hereby amended by changing the zone symbol on lands known municipally as Part of Lots 1 & 2, Concession 1, Western Division, and locally known as 169 Prince Albert Street North, as shown on Schedule 'A' in cross hatch attached hereto from 'Residential Zone 1 Urban, holding, (R1.1(h))' to 'Natural Environment, (NE)'.
- 4. 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 14<sup>th</sup> day of August, 2017.**

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**MAYOR, Nelson Santos**

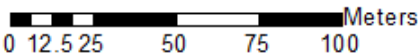
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**CLERK, Jennifer Astrologo**

Schedule 'A'



Part of Lots 1 and 2, Concession 1 WD  
169 Prince Albert Street North  
Zoning By-law Amendment ZBA/14/17



- Schedule "A", Map 65 of By-law 1-2014 is hereby amended by changing the zone symbol as shown on Schedule 'A' in grey attached hereto from 'Residential Zone 1 Urban, (R1.1)' and 'Residential Zone 1 Urban, holding, (R1.1)' to 'Natural Environment, (NE)'



- Schedule "A", Map 65 of By-law 1-2014 is hereby amended by changing the zone symbol as shown on Schedule 'A' in grey attached hereto from 'Residential Zone 1 Urban, (R1.1)' and 'Residential Zone 1 Urban, holding, (R1.1)' to Residential Zone 3 Exception 23, holding, (R3.1(h))'



PLANNING ADVISORY COMMITTEE MEETING

TUESDAY JUNE 20<sup>TH</sup>, 2017 AT 7:00 P.M.  
CORPORATION OF THE TOWN OF KINGSVILLE  
2021 DIVISION RD N, KINGSVILLE, ONTARIO

A. CALL TO ORDER

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

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

B. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

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

No members disclosed any conflicts with the items being presented.

C. ADOPTION OF PLANNING ADVISORY COMMITTEE MEETING MINUTES DATED FEBRUARY 28<sup>TH</sup>, 2017

PAC – 04 – 2017

Moved by Gord Queen, seconded by Ted Mastronardi that the Planning Advisory Committee Meeting Minutes dated February 28<sup>th</sup>, 2017 be adopted.

CARRIED

D. HEARINGS

1. ZBA/12/17 – 1552843 Ontario Ltd. (Noah Homes) – 150 Heritage Rd.

Manager of Planning Services, Robert Brown presented his report dated June 9<sup>th</sup>, 2017 to the Town of Kingsville Planning Advisory Committee regarding a proposed Zoning By-law Amendment (ZBA) for lands owned by 1552843 Ontario Ltd. (Noah Homes), located at 150 Heritage Road, in the Town of Kingsville

The subject parcel is approximately 2.6 ha (6.5 ac.) in area and currently vacant and used for agricultural purposes. The applicant received zoning approval in the spring 2015 which was to permit the property to be developed as a residential subdivision containing single detached, semi-detached and townhouse dwellings. The property was also placed into a Holding zone until a plan of subdivision and associated development agreement were completed. The applicant is still proposing to develop the property for residential purposes but not via plan of subdivision. The proposal is for 23 semi-detached dwellings (46 units total) to be built as a single residential development on private streets. The applicant has submitted a funding request to the County of Essex to develop affordable housing and is seeking approval to prepare the subject property from a zoning standpoint if that funding is awarded. Under the terms of the funding the units are to be affordable

rental units and must remain as such for a period no less than 20 years. The zoning amendment is necessary to permit the 23 dwellings on one parcel, site plan control is necessary to regulate the overall development layout in much the same way that a development agreement would. In the event that once the 20 year time limit of the funding expires a plan of subdivision could be overlaid on the development and units sold off separately.

Chairperson T. Neufeld ask the PAC members if they had any questions for the Manager of Planning Services, Robert Brown. No questions were brought forward.

The applicant, Walter Branco was present. He addressed the audience asking for the neighboring comments / concerns / opinions.

Chairperson T. Neufeld asked the audience to come forward with their comments or concerns and to ensure that their name and address were given prior to their comments for our records.

Mr. Dale Cook, of 205 Dieppe Ave noted that several Semidetached town houses are going up all around town. In Mr. Cook's opinion this is not the look Kingsville should be striving for. Infrastructure deficiencies don't seem to be addressed. A few years ago the residents in Dieppe subdivision had 70 PSI water pressure. Currently they have 34 PSI. Water pressure should be addressed before more homes are added. Affordable housing, should be closer to town, Kingsville doesn't have public transit, not really walking distance to the grocery store. Concern about maintenance on townhouses or semis. Roofing in particular, if one resident picks brown shingles to replace on his roof and another picks black, it will look ridiculous. Mr. Cook has received a \$60 invoice/bill regarding the Wigle Drain, more improvements will be needed and the current residence will receive more bills. Mr. Cook also noted that Kingsville is beginning to look like a cookie cutter town with all the semi's popping up everywhere.

Mr. Robert Brown, Manager of Planning Services addressed the audience regarding the water pressure that Mr. D. Cook brought up. The water issue relates to the West Kingsville Service Area, this particular property is right on the boundary of the two water systems that service Kingsville. Municipal services are aware that infrastructure in the area does need upgrading to help resolve the issue of water pressure. Review of the necessary improvements is underway to help support future growth. Two different options have been presented by our consultant to service this development; one is to tie into the existing system; and option two is to extend the waterline from Woodlawn Cres into the subdivision to service the development. The storm water pond that is located in the Dieppe Subdivision does have the capacity to handle this development. However, the outlet would need to be upgraded, the developer will be covering the cost of this upgrade.

Roxanne Pratt, 221 James Ave. Her home backs onto the development. She moved to Kingsville to retire, as she had heard such great things about how quiet Kingsville is. She does agree that Kingsville is a beautiful place to live. This type of development will turn Kingsville into a non-desirable area. This development will decrease her property value. This is not the type of life style that she moved here for. Mrs. Pratt told a story of her family member that lived in a subdivision for 30 plus years and when a similar development was put into that subdivision her family member experienced theft after theft until she finally had to leave the home that she raised her family in. This development is going to bring a lot of people into this subdivision, it is going to be too crowded. The people that live in the subdivision now need to be considered, they bought there for a reason.

Tim Dobson, 35 Normandy Ave. Mr. Dobson grew up here, his father was a police officer here in Kingsville. Mr. Dobson built his dream home on Normandy Ave. He has no issues with Mr. Branco. Mr. Dobson knows this is business. Mr. Dobson worked with Ontario Housing Corporation. This is geared to income housing. In the 10 years that he worked in the housing corporation he met many nice people that were down on their luck, in tough times, etc. But he also met a lot of people that weren't so nice. His concern is property value, crime, etc

Shannon Cooper, 39 Normandy Ave. Shannon told her story of having to leave a marriage and find a place for herself and her children to live. She had to turn to affordable

living in the Belle River area. She said the development that she was in was beautiful and the people that lived there took a lot of pride in keeping it that way. She is concerned about transportation for the potential residents. She would be proud to have people feel safe and welcomed into her neighborhood. She knows that people are screened for this type of funding/assistance. She also wanted to make note that no one has control over who moves into the neighborhood.

A female resident at 225 Prince Albert St N spoke about her current situation. She had a good job for 31 years until health issues forced her into early retirement. She is grateful that she was able to find a beautiful home in Mr. Branco's geared to income development on Prince Albert St. N.

Mr. Dale Cook, of 205 Dieppe Ave. Infrastructure needs to be upgraded no matter what the development is. Is there another location where the infrastructure is able to accommodate?

Phil Carawana, 225 Prince Albert N. These homes will be built to a high standard just as every other house is that Mr. Branco builds. Mr. Carawana feels that the development agreements should be carried through to the inside of the homes and development.

Mr. Joe Prout, 148 Heritage Rd. Question if the Affordable housing is for seniors or for families?

Karen Wadsworth, 209 James Ave. What does affordable housing mean? What will the houses look like? What is the value? Will they be equivalent to Jasperson? Or are they going to be a lower value?

Mr. Walter Branco addressed the concerns of the audience. Provided background of Noah Homes. Building homes in Kingsville since 2003

Affordability - Starter homes in Kingsville are going up to almost \$400,000.00

The average person cannot afford to start out that high, nor can our retirees.

Trying to avoid high rise buildings for our aging population.

Trying to accommodate less property maintenance.

900 - 1000 square foot units. (\$250/sq ft) The units will be valued at \$200,000.00

Similar to a gated community, one owner.

Scott Kraus, 41 Normandy. Moved into his house because of the peace and quiet. He is already considering moving. The traffic flow is going to increase. Has young kids.

Matt Vanroie, 187 Woodlawn Cres. Will Noah Homes be building sheds with solar panels on them similar to the properties on Prospect? Mr. Branco replied that solar panels are not in the plans.

Mr. Branco would like to start the project as soon as possible. His target market is seniors. He feels that transportation should not be an issue. Most of his current residents in affordable housing for seniors do have their own transportation. If they do not have their own transportation, they have aids/nurses that come and deliver food/groceries. In a perfect world it would be nice to have these units closer to a shopping center, but Kingsville is growing, who knows what the future commercial development will look like.

Rene Everaert, 233 Owenwood Dr. Is this a government funded / assisted program? Mr. Branco replied that no funding is in place for this development. However, there is the potential for it in the future if needed. Mr. Everaert asked if there are stairs in these units? Basements? Mr. Branco replied that yes basements will be built for storage. They will not be livable space, it will be mainly for furnace, mechanical, utilities, sump pump. They are fully accessible units. One bedroom units.

Karen Wadsworth, 209 James Ave. When are plans available for review? Affordable living homes, one bedroom home, they will not be valued at the same value as the current semi's. Why are we hearing this application if we can't have a say in what is built. Mrs. Wadsworth asked about the original zoning and how did it get re-zoned.

Mr. Brown replied to Mrs. Wadsworth explaining that in the spring of 2015 the Town received a Zoning By-Law amendment application to re-zoning the parcel to permit semi-detached, town homes, as well as single detached homes. The neighborhood would have been notified of the meeting. Mr. Brown indicated that we are not able to control if homes



are considered affordable, we can control if they are semi-detached, town homes, or single detached homes. Mrs. Wadsworth asked what the point of asking for public input then if you can build whatever type of homes you want. Chairperson T. Neufeld addressed the purpose of the Planning Advisory Committee. The committee's purpose is to get the public feed and make a recommendation for the application to be presented to Council for their opinion and decision; or to send the application back to the developer to tweak it if need be. Chairperson T. Neufeld told the audience that all public comments are valued and taken into consideration before a decision is made.

Mr. Branco stated the units will have one bedroom with a "den" for guest to stay overnight if need be. With a glorified crawl space, a basement to store the furnace, hot water tank, etc. No windows. Each unit could be a 900 square foot unit up to a 1400 square foot unit. Mr. Branco sees this as an alternative to a High Rise Condo, the benefits of no upkeep, and be able to have a garden.

Dave Cours, 39 Normandy Ave. Single Ownership clarification? Mr. Branco plans to maintain the property for 20 years. What happens in 5 years from now if a buyer comes to you and offers to buy it? Would there be a guarantee that the standards would be kept the same as Noah Homes standards.

Matt Dick, 200 Heritage Rd. How do you not approve a plan of subdivision in 20 years if that is the long-term plan? Mr. Brown explained that the applicant would be required to undertake the application process for a plan of subdivision. The layout, servicing and roads are being designed so that there would be no issue with overlaying a plan of subdivision in the future. Regarding drainage, Mr. Branco takes responsibility of the outlet upgrade. Has there been a decision where the new drain would go? One possibility that was currently under consideration was to re-route between the subject property and 200 Heritage to the road side and then along Heritage Rd to the drain outlet.

Robert l'Anson, 195 Woodlawn Cres. 46 units, 1 bedroom? Depending on the demand would some units have 2 bedrooms?

Margaret Malott, 211 James. What happens after this, do we get to vote? Chairperson T. Neufeld responded that the public does not vote. The committee will make a recommendation if the application is endorsed for presentation to council.

Committee member Mr. Gord Queen is concerned about private development. Development Manual has standards that need to be met. He referred to the Provincial Policy Statement, from the Committee of Adjustment Meeting held the same day. He does see the need of Affordable housing in Kingsville. Sidewalks, road widths, easements etc. need to follow the development manual.

Committee member Gord Queen moved to NOT Endorse. Seconded by committee member Ted Mastronardi.

Planning Services did not endorse or support any particular design for the development this was the applicants plan. It has potential for affordable housing funding. Ownership would remain with one owner (the developer for min. 20 years). Zoning already permits single, semi-detached and townhouse development the requested zoning for the building of up to 23 dwellings (46 units) on one lot.

Municipal Services reviewed the plan and did not express concerns with the proposed 50 ft. and two 8 ft. easements. This is an option that is in the Development Manual. The sidewalk layout was a suggestion. If this is going to be an affordable community some concessions could be considered without a significant departure from the Development Manual standards.

Committee member Mr. Shannon Olson, Water Pressure in the James Normandy Subdivision, is already an issue. Water pressure should be addressed by the Town before this development is approved.

Municipal Services have suggested that they connect on Woodlawn and loop on to Normandy which should help to alleviate the problem.

Chairperson, T. Neufeld confirmed there were no other comments from the applicant or the audience.

**PAC – 05 – 2017**

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

**CARRIED**

**2. ZBA/14/17 – 1552843 Ontario Ltd. (Noah Homes) – 169 Prince Albert St. N.**

Manager of Planning Services, Robert Brown presented his report dated June 12<sup>th</sup>, 2017 to the Town of Kingsville Planning Advisory Committee regarding a proposed Zoning By-law Amendment (ZBA) for lands owned by 1552843 Ontario Ltd. (Noah Homes), located at 169 Prince Albert St. N., in the Town of Kingsville

The subject parcel is approximately 1.4 ha (3.45 ac.) in area with approximately 71.6 m (235 ft.) of frontage and currently contains a single detached dwelling. The applicant is proposing to redevelop the subject property with the creation of 3 single detached dwelling lots along the frontage of Prince Albert St. N. These lots would be approximately 35 m (115 ft.) deep with a minimum frontage of 15.24 m (50 ft.). The remaining lands, not including the wooded area and any required buffer area are proposed for the development of townhouses. The initial suggested maximum would be 27 units total.

This a Public Meeting to provide input at the initial stages prior to any presentation to Council or final recommendation from Planning Services. We are here to listen and to provide clarification and answers to the public in the area from the Town. The developer is also in attendance and is available to answer questions.

**Clarifications**

Mr. Robert Brown, Manager of Planning Services explained the application history – initial plan vs current plan. Mr. Brown explained that Bernath Gardens subdivision is not approved for townhouse development. (14 semi units 37 singles) Reminder to the audience that this is not an approval meeting this is an input meeting, staff have made no final determination nor have recommendations for or against the proposal been formulated at this stage – comments from the meeting will be heard and considered by the Planning Advisory Committee, those comments will also be discussed with the applicant and a final determination made as to whether or not to proceed. You will be notified if the tentative date for the Council meeting provided in the notification changes. Circulation distance was 200 m, min is 120 m

Current density of the northwest quadrant area 44.5 ha (110 ac.) does include one park and privately owned open space/wooded areas 5.78 ha (14.3 ac)

Current density is 6.89 units / ha in comparison to the OP limit for low density of 20. That is approx. one dwelling for every 1/3 of an acre (15,000 sq. ft.)

With the added Townhouses that level would increase to 7.57 units / ha this represents about 50% of the typical new development density level.

Approx. 307 dwelling units – consists of single detached, semi-detached, apts & townhouse units

63.5% SDD – with new development this would decrease to 58.7%

4.5% Semis

9.1 % Townhouses - with new development would increase to 16.3%

20.8% Apt.

There has been some comment regarding the character of the area and ongoing development of the street so Mr. Brown did a quick review of the age of some of the homes on Prince Albert North of Walnut to Palmer and found that the oldest homes on the street are actually the three or four homes immediately around the subject property (late 1940's). There are homes on Prince Albert that have been built during just about every decade since the 40's so the character of the area has been in constant evolution for the last 70 years. The one constant in this area has been change.

Prince Albert and Palmer would be considered local collector roads and there is an expectation that traffic volumes would be greater on this type of road as they intersect with other local roads for access to Main St or Division Rd.

Chairperson T. Neufeld ask the PAC members if they had any questions for the Manager of Planning Services, Robert Brown. Chairperson T. Neufeld asked regarding up to 27 units. How many units need to be developed to fulfill the 20% affordable housing? No other questions were brought forward from the committee.

The applicant, Walter Branco of Noah Homes was present.

Chairperson T. Neufeld asked the audience to come forward with their comments or concerns and to ensure that their name and address were given prior to their comments for our records.

Ken & Pam McLean, 158 Fern Ave. Mr. McLean thanked the audience/residence for their support on the opposition of this application. Mr. McLean brought with him over 170 letters of opposition, with hopes that Town Council will hear the frustration of the residence. The quality of life will be impacted by this. Even though the two town house projects were approved, we have to keep talking. County of Essex Official Plan Section 3.2.8 affordable housing requires the community to achieve minimum affordable housing target of 20% re-development. The town has fallen short of the past 4 years, the Town has just reached 10%, what was the reason for this? Why are other areas of the Town not required to meet the Town's desired mix? Mr. Robert Brown, Manager of Planning Services replied that this type of development is twofold, the developers have to uptake doing it and the government has to be forth coming with money. There is no ability to force this on the developer. It is all government support driven, and development uptake. We are losing Kingsville residence because they have to sell their homes and then having to leave the town because they can't afford to buy here. Housing target for new development from this point forward have to make a better effort to insist on meeting these targets.

Mr. McLean referred to a map Infill projects, Prince Albert and Fern Ave are targeted. The map is for servicing, and potential Infill.

Mr. McLean Read a Quote from the Official Plan "Maintaining the existing pattern of single units or restricting development to the single tier pattern is contrary to the goals of the Provincial Policy, internal roads off of Prince Albert Street will insure that rear lands are allowed to develop in an acceptable way".

What is the plan for future infill? Mr. Brown replied that there is no infill plan, it all depends on developers and property owners that come forward with their applications on individual lots.

Significant Valley Land. A portion of the wooded area at the rear of the property was partially cleared of smaller trees and ground cover. Nothing but wood chips are left.

What actions are underway to address the degree of damage to this Significant Valley Land and who determines the level of penalty to be applied? What actions are underway now?

Mr. Brown replied MNRF/ERCA determines the level of penalty. Any property that currently has a Natural Heritage feature upon it, and looking to develop is required to undertake an Environmental Impact Assessment if they take action prior to the completion of the assessment they can eliminate any ability to get clearance on that piece of land / clearance will not be granted. This is in ERCA & MNRF hands now regarding the actions that have been done.

Bonnie Baldwin 151 Prince Albert St N. Prepared a written presentation and read it to the audience. Full comment is attached to the file for public record.

Ed Cornies, 110 Prince Albert St N; Mr. Cornies is a retired professional Town Planner. Mr. Cornies submitted two pieces of correspondence. Attached to the file for public record.

Phil Carawana, 225 Prince Albert St N. Spoke to the personal benefits he has found in the affordable housing at 225 Prince Albert St N. He feels that what Mr. Branco is doing is very honorable. He first hand knows that the residents in 225 Prince Albert St N take pride in their home.

Greg Mc Cready, 174 Prince Albert St. Lived on Prince Albert all his life. Traffic flow is a concern. Between the new development in Bernath Gardens, and the developments at the North end of Prince Albert St N traffic has escalated. There are no sidewalks on Palmer, more traffic will only make the neighborhood less safe for pedestrians and children. Conklin Orchard Development (west of Prince Albert) will add to traffic issues in the future. Bernath Gardens subdivisions signage reads "Townhouse Development", now we understand that it is not going to be townhouses. Why are you not looking at putting the affordable housing into this subdivision, before it is developed? Mr. Brown replied that the style of housing has nothing to do with affordability. You can have affordable town houses, semi's or singles. Bernath Gardens never included Townhouses, and is not zoned for Townhouses. Affordable rental townhouse units similar to what is currently at 215 and 225 Prince Albert St N is what this property is proposing.

Stacie Murtagh, 182 Prince Albert St N. Family has been on the street for 80 plus years. He is surrounded by the proposed new developments, he will have lights coming out of the driveway into his home, he is also going to be affected by the Bernath development and Conklin development to the rear of his property. He feels that the neighborhood has been through enough change.

Sherry Lowrie, 47 Cameron Dr. Mrs. Lowrie feels like she has been lied to. The wooded area was cleaned after 5pm one night, when she spoke to the man in her back yard that evening she was told that he would be building a few homes on the property. She never imagined it would be 27 homes. Snakes, rabbits, squirrels, birds etc. will lose their home and eventually be in residential back yards because they have nowhere else to live.

Ron Bailey, 189 Prince Albert St N. Raised his family in his home and wants to retire there. He has never wanted to move from his family home but if this goes through he is definitely selling.

Sandra Smith, 319 Heritage Road. Resident of Kingsville, do we want to remain a town, or do we want to become a city? Traffic is just increasing everywhere. We can barely handle the traffic we have now. Maybe we should take a step back with all this development.

Juan and Carmen Lund-Calderon, 29 Ivy Lane Does not see the relevance of this development in this neighborhood. Don't destroy park land.

Terry Wilkins, 170 Prince Albert, lived there for 30 years. Large deep property on a dead end street. In the past 30 years the wildlife has decreased significantly. Deer, turkey, ducks, etc. Now we have commercial trucks, farm equipment, speeding cars, etc. are going up and down the road. Police presence was promised, and it is not happening. Property value will decrease significantly if this development is approved.

Leon Barlow, 197 Prince Albert St N. Regarding the natural habitat at the back of the proposed development. If this development is approved it will have a significant negative impact on the wild life from lights, noise, etc. Please consider the natural habitat when making your decision and not approve this development.

A resident at 225 Prince Albert St N Noted that every development, every house on this street has had an impact on wildlife. It had to start somewhere.

Denise Bove – 225 Prince Albert St N - 33 year resident. Single mother. Was able to retire because of the affordable housing that was available at 225 Prince Albert St N.

Walter Branco, Noah Homes spoke to the audience and Committee. Regarding the Janzen property, last three homes built on Price Albert St. N. Walter built two of the three homes. He is very familiar with the area and neighborhood. The property owners approached Noah Homes, to see if they could help develop the property. Mr. Branco is just investigating options and opportunities of what could be done with the property. Noah Homes has not been on site as of yet. Mr. Branco knows what kind of a lengthy process it is to get all the environmental, traffic studies and approvals, etc. So he wanted to start with this meeting to get public feedback. What is the answer, how can everyone win? He is passionate about providing housing for everyone in the community.

Nancy Barlow 197 Prince Albert St N. She cannot afford \$2000 rent / month nor can she afford \$400,000.00 for a new home. She does not feel that Noah Homes affordable housing is affordable at all.

Shawn Stephens, 135 Prince Albert St N. New to the neighborhood of 3 years. We have a developer willing to do this. Which is honorable. A lot of miss information, a lot of different stories. There should be more thought into what the official plan is, hold all developers responsible for doing their own part.

Jeff Godin, 82 Prince Albert - Asked Mr. Branco to clarify who thinks that \$2000/mth is affordable. Mr. Branco replied that he was referring to a high rise in Leamington that does currently rent units for \$2000/mth.

Nelson Pedro, 119 Prince Albert St. N. Noah Homes built his house, told him that his house value would continue to increase because of the beautiful street, and neighborhood. The affordable housing will definitely decrease his house value. He asked why Mr. Branco doesn't build this development in one of his other lands that he owns, off of Jasperson, or in Ruthven.

Committee Member Mr. Gord Queen, potential of future scenarios with the 13 other deep lots we have remaining on Price Albert St N. ERCA does have protection policies, also fences were installed in the Cedar Beach area and Arner Townline, but have now been removed. Long range, better plan as to where the sites are developed. Medium density is not supported in this area.

Committee Member Murray McLeod, has an issue with using deep lots to satisfy affordable housing, it is not sound planning. Motion to not endorse the proposed rezoning.

Chairperson, T. Neufeld confirmed there were no other comments from the applicant or the audience.

#### **PAC – 06 – 2017**

Moved by, Murray McLeod seconded by Gord Queen that the Planning Advisory Committee not endorses support of the proposed rezoning to Council at this time.

**CARRIED**

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

#### **F. ADJOURNMENT**

#### **PAC – 07 – 2017**

Moved by Gord Queen seconded by Shannon Olson, that there being no further items of discussion, the meeting adjourn at 10:17 p.m.

**CARRIED**

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**CHAIRPERSON, Councillor Thomas Neufeld**

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**RECORDING SECRETARY, Kristina Brcic**

## Sandy Kitchen

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**From:** thomas neufeld <tneufeld77@gmail.com>  
**Sent:** Wednesday, August 2, 2017 7:26 AM  
**To:** Sandy Kitchen  
**Cc:** Nelson Santos  
**Subject:** Agenda correspondence 169 prince albert (zba xxxx)

After careful review of the zoning application for 169 Prince Albert, I am not in favour of the zoning amendment. I believe the residents of this street have valid concerns with the proposed zoning amendment. Those concerns include increased traffic, reduced land value and the loss of integrity this prominent street once held. While the number of total units has been reduced from a previous application, I remain of the opinion that the zoning change is not in keeping with the original plan of this street.  
Respectfully submitted,

Thomas Neufeld



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kingsvilleworks@kingsville.ca

**Date:** July 24, 2017

**To:** Mayor and Council

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

**RE:** Official Plan Amendment OPA/02/16 &  
Zoning By-law Amendment ZBA/07/16  
Guillermo & Rossana Moavro (King's Villa Condo)  
342 Main St. E, 20, 24 & 28 Jasperson Dr.

**Report No.:** PDS 2017-033

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## **AIM**

To provide the Town of Kingsville Council with information regarding a proposed Official Plan Amendment (OPA), Zoning By-law Amendment (ZBA) and Site Plan Approval (SPA) for lands owned by Guillermo & Rossana Moavro, located at 342 Main St. E and 20, 24 & 28 Jasperson Dr., in the Town of Kingsville.

## **BACKGROUND**

The subject lands consist of four lots; all containing single detached dwellings. The total lot area is 2.185 ha (5.4 ac.) with frontage of 52.65 m (172.7 ft.) on Main St. E. and 47.15 m (154.69 ft.) along Jasperson Dr. The applicant is proposing to remove all buildings, consolidate the lots and construct a multiple storey, 95 unit residential & 6 unit commercial condominium building. In order to proceed with development on the property there are three approvals that are required as follows:

- i) An Official Plan Amendment to:
  - a) redesignate the residential lots on Jasperson to Highway Commercial to match the Highway Commercial on the front proportion of 342 Main St. E.; and
  - b) permit residential as an additional main use within the now combined portion of the property in the Highway Commercial designation.

- ii) A Zoning By-law Amendment to rezone the highway commercial designation portion of all of the properties to an appropriate residential/commercial classification and establish site-specific regulations;
- iii) Site Plan Approval which will outline the details and full requirements of the overall build-out of the proposal.

## **DISCUSSION**

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

PPS, Section 1.1.3.1 states that, "Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted." Section 1.1.3.3 further outlines that, " Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

Comment: Multiple unit development, such as that proposed, has been very limited for quite some time making the availability of this particular type of housing in short supply. The subject area has been under active development for many years, transitioning from a mix of residential and smaller commercial to primarily larger format commercial to service the growing community. Proposed high density residential such as what is proposed is generally common in areas between commercial and residential areas. The combination of commercial on the ground floor and residential on the upper floors will retain commercial space while offering an additional form of housing not readily available at present.

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

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

Comment: The County Planner did note during initial pre-consultation with the applicant that solely residential development would not be supportable as it would impact the limited inventory of commercial lands, hence the revised mix of commercial and residential in the proposal.

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

The subject lands are a mixed designation, Residential on the lots along Jasperson and Highway Commercial for the front one-third portion (approx. 132 m depth) of the Main St. E. address. The balance of the lands to the north, are and will remain in the Agriculture designation.

The proposed amendment (See Appendix A) will include a minor adjustment to the limit of the Highway Commercial designation by adjusting the boundary 9 m (30 ft.) to the north to align with rear lot line of 28 Jasperson Dr. Section 8.11.2, Interpretation states, 'The intent of the Plan shall, in all cases, be considered flexible, and no strict



interpretation of any figure or policy statement is intended. Appropriate variations may be made to these and to the other statements herein where, in the opinion of Council, they are deemed to be necessary for the desirable development of the planning area, provided that the general intent of the Plan is maintained. Amendments to the Plan are not required in order to make minor adjustments to the land use boundaries provided the intent of the plan is preserved and the land use does not exceed the boundaries of the established settlement area.'

Comment: The boundary of the highway commercial designation was not established in connection with a property line, or rigid physical feature making for some degree of reasonable flexibility in its location.

The density based on the proposed 95 residential units would be approximately 106 units per hectare which is less than the upper limit of 124 units per hectare considered high density residential.

Applicable Sections of the Kingsville Official Plan included the following:

Section 1.4 f) 'The Plan's purpose is to ensure that transportation facilities required for the efficient movement of people and goods within, to and from the Town are appropriate or will be available to serve the varied land use pattern proposed by this Plan.

Comment: Traffic volumes, traffic movement and ongoing development pressure have all focused renewed attention on the area around the Main St. E. and Jasperson Drive intersection. The area is the main commercial centre for the community and also services as the main corridor between Kingsville, Leamington and the surrounding area to the east and west. The general expectation is for the area to move a large volume of traffic on a daily basis and have certain peak time frames where traffic is heavier and movements to and from properties in the area may experience delay.

Recently Municipal Services presented a report to Council (June 12, 2017) outlining the issues and what possible solutions could be undertaken to address the traffic flow in the area. Most notable was that the Transportation Master Plan outlined that a right-turn lane from Main St E to Jasperson Drive (in front of Libro) is planned for budget consideration in 2018. It was also suggested as part of the Traffic Impact Assessment prepared by the applicant's traffic engineer that a right-turn lane from Jasperson to Main St. E (southbound) could have some direct benefit on the area as well.

Section 2.2 Air Quality, 'It is the policy of this Plan to attempt to reduce air pollution by preparing and adopting a 'Smog Action Plan' and by having regard to the following when reviewing development proposals:

- a) whether the proposal includes opportunities for non-automotive forms of transportation such as walking and cycling;
- b) whether the proposal has the potential to increase air pollution and, if so what remedial measures are proposed;
- c) locating various land uses in such a manner that reduces distance and vehicle trips; and
- d) whether the proposal protects and improves trees and natural areas.

Comment: Higher density, multiple storey developments in a commercial area with a wide variety of supportive services along with allowance of supportive commercial development in the proposed building would support this policy.

Section 2.8 c) 'no traffic hazards will result because of excess traffic generation or limited sight lines on curves or grades'

Comment: From the initial onset of the applications for the proposed development the focus has been on traffic impact and the location of the main access to the property. The intention is and has continued to be a right-in, right-out only on Main St. E with the main access off Jaspersen Drive to a signalized intersection. A traffic assessment has been completed and peer reviewed (See Appendix B1, B2 and C) and concluded that the traffic from the subject site would not cause a significant reduction in functioning of the existing intersections in the area. The use will add to the traffic volume as it will add residential units and limited commercial space. The study also clearly identified that the existing circumstances (existing commercial accesses) are not designed properly and do create delays. The principle resolution to this will be through the ongoing improvement of and sharing of access points on these existing parcels. This will only happen with the co-operation of the existing land owners and the Town through development proposals or improvements on these lands.

Section 3.6.1 Residential – Goals item d) states “encourage the development of a greater variety of housing types.

Comment: This is one of the more important points in the assessment of this proposal as much of the development in Kingsville in the last ten years has been generally low density single detached, semi-detached and townhouse development. Although Kingsville does have a good stock of designated residential lands, the inventory of serviced, shovel ready property is limited to approximately a 4 to 5 year supply, based on the current growth rate and development of only low density residential. The addition of up to 95 residential units in a mixed commercial/residential setting expands the variety of housing and does not impact on the current supply of serviced residential lands while at the same time not taking away from the stock of serviced commercial property.

Section 3.6.1 Policies item i) outlines the following, “when considering applications to amend the Zoning By-law to permit a medium or high density residential development, the Town shall have regard to the following:

- i) the need for the proposed development as identified through an analysis of housing supply and demand;

Comment: There is very little rental/condominium type development available in Kingsville as a result of little to no development of these forms of housing in the last 20 years. This has resulted in a very low vacancy rate and generating a significant demand. This form of housing has been a growing type of development in smaller communities as our population ages. The primary form of housing in Kingsville has been singles, semis and townhouses with the majority being individual freehold

ownership. With condo development, while the initial intent is ownership, it can also offer investment opportunity which can generate rental units.

- ii) the density and form of adjacent development;

Comment: The subject parcels are surrounded by a mix of uses, commercial to the south, east and west with residential (single detached) to the north. The area in question is what would be considered a transition area as it has evolved from a mix of commercial, residential and agriculture to primarily commercial. Higher density development in Kingsville is not exclusively centred in one area and is actually often found near a mix of commercial/residential or within low density residential areas or older residential areas as an infill development.

- iii) the adequacy of, and extent of uncommitted reserve capacity in the municipal potable treatment and supply system, the municipal sanitary sewage treatment and collection system, storm drainage and roads to service the proposed development;

Comment: Water capacity has been reviewed and confirmed. Sanitary sewer capacity in the area is limited and will require the applicant to have storage capacity on site to allow for non-peak discharge into the sewer system. This will be a requirement outlined in the site plan agreement. A storm water management plan is a requirement of site plan approval. A traffic study has been completed and outlined that the existing roads servicing the property will continue to function at a good level of service.

- iv) the adequacy of school, park and community facilities to serve the proposed development;

Comment: Although condo development is generally geared toward the non-family or retired population there is no lack of schools in the area. Parks and community facilities are also within walking or short driving distance.

- v) the adequacy of off-street parking facilities to serve the proposed development;

Comment: All required parking for the new development will be provided on-site in the form of at grade and underground spaces in compliance with the applicable zoning requirements for the proposed mix of uses.

- vi) the provision of adequate buffering measures deemed necessary to protect and provide general compatibility with the adjacent lands uses; and

Comment: The area of concern with the proposed development will be its interaction and impact on the single detached residential to the north. The entirety of 28 Jasperson Dr. is shown as a landscaped buffer area between the parking and entrance from Jasperson Dr. The building itself is in close proximity to Main St. E. keeping it approximately 49 m (160 ft.) from the rear of the nearest residential lot and over 60 m (200 ft.) from the nearest dwelling on Jasperson Dr. A shadow cast study (Appendix "A") was also undertaken with a limited amount of impact on a small area of the closest residential lot to the north and only a minimal impact on the commercial property to the west for a limited time during the early morning between 8 am to 10 am.

- vii) accessibility in relation to the location of arterial and collector roads;

Comment: The property is located on Main Street E. which is the Town's main arterial road. A traffic study was completed and concluded that the intersection and entrances will function at a good level of service, however it was noted that during peak hours there would be some impact on the left turn lane from Jasperson Dr. to Main St. E. that could back the left turn lane up and delay traffic entering or existing the Libro or Zehr's property on Jasperson Dr. The traffic engineer has been asked to elaborate on the degree of impact in terms of the potential delay. To minimize impact to Main St. E. the entrance on Main St. E., will be limited to a right-in, right out design. The traffic engineer did however note that this design does not always prevent all left turn attempts and that monitoring of the area would be needed in case additional improvements became necessary.

As development in this area continues and intensifies there may be a need to install a traffic island along Main St. E. leading to the Jasperson Dr. intersection to prevent all left turn movements. The traffic engineer has also been asked to consider improvements that might be required in this area. As part of the site plan approval and associated agreement there may be a need to incorporate a financial contribution clause to cover future improvements.

Item j) further states that all medium and high density residential development will be subject to site plan control pursuant to the Planning Act;

Comment: The plan of condominium process can be utilized to address all of the same items as site plan approval however with a development of this significance it is important to have a high level of detail to provide basis for any approval decision and more importantly provide a context for how the proposed building will be incorporated into the existing area. The applicant has provided a number of elevations to provide some prospective on this particular item.

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

The subject property is zoned Residential Zone 1 Urban (R1.1), General Commercial (C4) and Agricultural (A1) none of which permit an apartment type use. The proposed zoning would be a site-specific General Commercial (C4) (See Appendix D) which would continue to permit a modified list of the commercial uses currently permitted along with an apartment. The commercial uses would include:

- i) Commercial education facility
- ii) Financial institutions
- iii) Fitness centre
- iv) Personal service shops
- v) Pharmacy
- vi) Office
- vii) Retail establishment
- viii) Restaurants, tavern, outdoor patios

A portion of the property currently zoned Agricultural (A1) is being rezoned consistent with the limits of the commercial designation in the Official Plan. The remaining lands

will not be rezoned as they are not within the urban boundary and are designated Agriculture.

The proposed building will require two amendments to the General Commercial (C4) provisions including an increase in the permitted height from 16.5 m (54 ft.) to 36 m (118 ft.) and a reduction in the interior side yard abutting a commercial use from 11 m (36 ft.) to 4.5 m (14.7 ft.). In addition, to help maintain the Jasperson buffer a setback of 45m from a residential zone is also incorporated into the amending by-law.

## **5) Proposed Site Layout (Appendix F1 & F2)**

There are two birds' eye views shown of the proposed arrangement of the development on the site, the basic site plan and a concept layout which shows the proposed landscaping of the site. The building itself is located away from the residential lands to the north, close to Main St. E. Entrance off Main St. E. will be limited to right-in, right out movements only. The three existing residential lots along Jasperson Dr. will accommodate parking, full movement entrance and exit along with a significant landscaped buffer. In addition to the proposed accesses we have encouraged the property owner to engage in discussions with the neighbouring commercial property owner to the east regarding vehicle and pedestrian connection between the two properties. With both properties having commercial uses and the subject property having potential customers for the businesses on the neighbouring property it can provide potential for reducing some traffic on Main St. E. between the two parcels. There is a second phase of the development that may occur in the future on the lands to the east and this same request will occur at that time with that property owner. For the subject property the site plan agreement will contain provisions to plan for a potential future connection point.

The location of the development has many advantages in terms of proximity to not just commercial services but recreational as well. It adds a higher density residential use, retains potential for commercial space on the ground floor and minimizes impact on lower density residential areas.

While a significant development of this nature does present several advantages it is also important to acknowledge that it does represent a significant building in this location. The site will generate additional traffic both residential and commercial which will continue to put pressure on what is a very busy section of Main St. E. Although sanitary service to the property can be accommodated it does focus attention on an area that will require capacity expansion in the future to accommodate ongoing growth.

## **Planning Justification Report (Appendix E & E2)**

The applicant's planner has provided a planning justification report that is on file with the Town. I generally concur with the conclusions drawn by the report in support of the proposed development.

## **LINK TO STRATEGIC PLAN**

Manage residential growth through sustainable planning.

## **FINANCIAL CONSIDERATIONS**

There will be an increase in the assessment of the property as a result of the application once the proposed development is completed.

## **CONSULTATIONS**

### **Public Consultations**

In accordance to O. Reg 545/06 of the *Planning Act*, property owners within 120m of the subject site boundaries received the Notice of Open House/ Public Meeting by mail. Enhanced notification was also undertaken which increased the mail circulation to 180 m and a notice of the meeting was also included in the Kingsville Reporter.

There have been two Planning Advisory Committee meetings (November 22, 2016 & February 28, 2017) related to the proposed development. PAC has not endorsed the proposal to date. The principle concerns for PAC and the public have been the question of traffic, the height of the building and need to consider both existing development approvals (yet to build) and pending planning approvals in the Town and surrounding area that will also impact the community. (See Appendix G1 & G2 – PAC Minutes)

## **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.

<b>Agency or Administrator</b>	<b>Comment</b>
Essex Region Conservation Authority Watershed Planner	<ul style="list-style-type: none"><li>• ERCA expressed no objection to the proposed planning approvals but has recommended that storm water management be part of the final approval requirement</li></ul>
Town of Kingsville Management Team	<ul style="list-style-type: none"><li>• Consolidation of the four lots will be a requirement of the final approval</li><li>• The property will require new service connections, at the applicant's expense sized appropriately to the proposed use</li><li>• Storm water management is under review</li><li>• The final building design will be subject review under the Building Code Act</li><li>• A fire safety plan and lock box will be required for the building</li><li>• A traffic impact assessment was completed and peer reviewed with the general conclusion that the proposed development would continue to function as a good level of service</li></ul>
County of Essex	<ul style="list-style-type: none"><li>• There has been no comment to date on the proposed development</li></ul>
Other	<ul style="list-style-type: none"><li>• A Species at Risk assessment has been completed and a letter of clearance is pending</li><li>• An archaeological screening was completed in house which resulted in a low archaeological potential as such no assessment is required</li></ul>

## **CONCLUSIONS**

All of the previous development of multiple unit dwellings (apartments or condos) have generally not exceeded the three to four storey range but also date back some 25 plus years. More recently a six storey development was approved so the previous height limit of three storey was increased. The location of the building has many positive attributes as it provides a wide range of service accessibility to its potential residents without impacting, from a compatibility standpoint, on an existing residential neighbourhood. The proposed development is also supportive of many different policies at the local, County and Provincial level.

We, like many other communities across Ontario, face significant infrastructure cost pressures. The construction of more and more infrastructure for ever expanding subdivisions has and will continue to be less and less sustainable. We want to grow but we have to grow in a manner that seeks to reduce the need for new infrastructure and maximizes the use of the existing. Even in areas of low density development, singles, semis and townhouses, the trend has been toward increases in density and smaller lots.

The public comment, through both of the PAC meetings, raised a number of important points about long-term planning and keeping in mind what approvals are currently in place and what other potential development is yet to occur. Many of the concerns either directly or indirectly, in some way relate to traffic along Main St. E. As with most new development on arterial roads traffic impact assessments are requested. The assessment concluded, along with the Town requested peer review, that with the addition of the proposed development, based on the main entrance to Jasperson and limited right-in, right-out to Main St. E, that traffic would continue to flow at an acceptable level. The assessment also made suggestions on potential improvements at the Main St. E. and Jasperson Dr. intersection to improve the longer-term operation of the intersection and this was also outlined in the report to Council on June 12 from Municipal Services.

## **RECOMMENDATION**

That Council:

Adopt Official Plan Amendment No. 6 (OPA 6) to establish a site-specific policy area to permit residential as an additional permitted main use on the property currently known as 342 Main St. E, 20, 24 & 28 Jasperson Drive and direct administration to forward the policies to the County of Essex for final approval; and

Adopt the zoning by-law amendment, to implement OPA 6 once final approval is granted by the County of Essex and establish site-specific regulations for the development of a multiple storey, up to 95 unit residential condominium with ground floor commercial space.

*Robert Brown*

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

*Peggy Van Mierlo-West*

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





CORPORATION OF THE TOWN OF KINGSVILLE

**OFFICIAL PLAN AMENDMENT NO. 6**

KINGS VILLA CONDO (Guillermo & Rossana Moavro)  
AUGUST 2017

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### **PART “C” – THE APPENDICES**

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## **PART “A” - THE PREAMBLE**

### **1.0 Authorizing By-law No. -2017**

THE CORPORATION OF THE TOWN OF KINGSVILLE

**BY-LAW NO. -2017**

BEING A BY-LAW TO AMEND THE OFFICIAL PLAN  
OF THE TOWN OF KINGSVILLE

WHEREAS the Town of Kingsville Official Plan is the Town’s policy document that contains objectives and policy direction established by Council to provide guidance for the physical development of the Town while providing for the future pattern of development for the Town;

AND WHEREAS the Council of the Corporation of the Town of Kingsville deems it expedient and in the best interest of proper planning to amend the Official Plan;

NOW THEREFORE the Council of the Corporation of the Town of Kingsville, in accordance with the provisions of Sections 17 and 21 of the Planning Act, R.S.O. 1990, c.P. 13 hereby enacts as follows:

1. That the attached amendment to the Town of Kingsville Official Plan is hereby adopted as Official Plan Amendment No. 6 (OPA 6); and,
2. This By-law shall come into force and take effect on the day of the final approval thereof by the County of Essex.

READ A FIRST, A SECOND AND A THIRD TIME AND FINALLY ENACTED THIS 14<sup>th</sup> DAY OF AUGUST 2017.

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Mayor Nelson Santos

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Clerk Jennifer Astrologo

## **2.0 Purpose of this Amendment**

The purpose of this amendment is to establish site-specific special policies to permit multiple residential as an additional permitted use.

## **3.0 Location of this Amendment**

This amendment consists of three parts, which shall be known as Items 1, 2 and 3.

## **4.0 Basis of this Amendment**

The subject lands consist of four lots; all containing single detached dwellings. The total lot area is 2.185 ha (5.4 ac.) with frontage of 52.65 m (172.7 ft.) on Main St. E. and 47.15 m (154.69 ft.) along Jasperson Dr. The applicant is proposing to remove all buildings, consolidate the lots and construct a multiple storey, up to 95 unit residential with ground floor commercial condominium building. In order to proceed with development on the property there are three approvals that are required as follows:

- i) An Official Plan Amendment to:
  - a) redesignate the residential lots on Jasperson to Highway Commercial to match the Highway Commercial on the front proportion of 342 Main St. E.; and
  - b) permit residential as an additional main use within the now combined portion of the property in the Highway Commercial designation.
- ii) A Zoning By-law Amendment to rezone the highway commercial designation portion of all of the properties to an appropriate residential/commercial classification and establish site-specific regulations;
- iii) Site Plan Approval which will outline the details and full requirements of the overall build-out of the proposal.

## PART “B” - THE AMENDMENT

All of this part of the document, entitled “Part B” – The Amendment”, consisting of the following text and two (2) maps (entitled Schedule “1” & Schedule “2”) together constitute Amendment No. 6 to the Kingsville Official Plan.

Item 1:

Map Schedule “A-2” (Land Use Plan) is amended by redesignating the lands so depicted on Map Schedule “1” from Residential to Highway Commercial.

Item 2:

A new section is added to Section 3.2.3 **Highway Commercial** after subsection 3.2.3 Policies i) to be worded as:

### 3.2.3.1 **Highway Commercial Site-Specific Policies**

Item 3:

A special policy is added to Section 3.2.3 **Highway Commercial**, after subsection 3.2.3.1 to be worded as follows:

#### “3.2.3.1.1 **Kings Villa Condo**

For the lands identified on Schedule “A-2” Land Use Plan as “Site Specific Special Policy Area 3.2.3.1.1” and located at 342 Main Street East and 20, 24 & 28 Jasperson Drive, notwithstanding, or in addition to, other policies of the Official Plan, the following policies will apply:

- a) A multiple residential use, consisting of up to 95 dwelling units, will also be permitted as a main use.
- b) Lands within 45 m of a residential zone shall be limited to use as parking and landscaping consistent with an approved site plan.



## **PART “C” - THE APPENDICES**

The following appendices do not form part of the Amendment but are included for information purposes:

Appendix “A” – Minutes of Public Meeting

Appendix “B” – Public Submissions

Appendix “C” – Planning Report to Council

## **Appendix A Minutes of Public Meeting**



## **Appendix B Public Submissions**

## **Appendix C**

### **Planning Report to Council**

**PROPOSED MIXED USE DEVELOPMENT  
342 MAIN STREET EAST, KINGSVILLE  
TRAFFIC IMPACT ASSESSMENT**

**F.R. Berry & Associates  
August, 2016**



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# **PROPOSED MIXED USE DEVELOPMENT 342 MAIN STREET EAST, KINGSVILLE**

## **TRAFFIC IMPACT ASSESSMENT**

### **1. INTRODUCTION AND BACKGROUND**

J. Moavro has proposed the development of a 95 unit condominium apartment building with ground floor commercial uses on a site on the north side of Main Street east of Jasperson Drive in Kingsville. The location of the site is shown in **Figure 1**.

Two accesses are proposed. One is located on Jasperson Drive north of the existing Libro Credit Union access. The other is located on Main Street opposite the Esso gas station.

The purpose of this report is to estimate the potential vehicle trip generation of the proposed development and to assess the impact of these trips on traffic operation and safety on the adjacent street system.

### **2. EXISTING CONDITIONS**

Main Street and Jasperson Drive are two lane arterial streets with a posted speed limit of 50 km/h. Jasperson Drive has left turn lanes at key intersections within the study area including the Libro access, the Zehr's access immediately opposite and at the intersection with Main Street. Main Street has a continuous two-way left turn lane extending from west of Jasperson Drive to the access to the Otis shopping centre. This lane becomes an exclusive left turn lane on both approaches to Jasperson Drive and at the shopping centre.

The intersections of Main Street with Jasperson Drive and the shopping centre access are signalized. All other driveway accesses in the study area are subject to stop control.

Land uses in the area are primarily commercial. On the south side of Main Street, some of these uses have joint accesses. All turning movements are permitted to and from the commercial developments on Main Street.

It is understood that the Town of Kingsville is considering a proposal to rationalize the commercial accesses in order to mitigate existing traffic congestion on the two-way left turn lane.

For the purposes of this study, traffic counts were made at the intersections of Main Street with Jasperson Drive, the joint Tim Hortons/Esso access and the shopping centre access and at the intersection of Jasperson Drive with the Libro and Zehr's accesses on Friday, June 10 and Saturday, June 11, 2016. Peak hour turning movements derived from these counts are shown in **Figures 2A, 2B and 2C**. Count reports are contained in Appendix A.

### **3. PROPOSED DEVELOPMENT**

The proposed development will include 95 apartment units on eight floors plus 13 489sf of retail and office space on the ground floor. The site plan is shown in **Figure 3**.

Access is proposed to and from Jasperson Drive with all turning movements permitted. The site plan also shows an access to and from Main Street restricted to right turns only. The traffic impact analysis was based on this site plan. However, in Section 4 below, the implications of permitting left turns in and out were considered.

#### **3.1 Vehicle Trip Generation**

Estimates of peak hour vehicle trip generation were based on average rates and regression equations contained in the Institute of Transportation Engineers (ITE) Trip Generation Manual, Eighth Edition. The estimates are summarized in **Table 1**.

For each of the residential and commercial uses, two alternatives were considered. For the commercial portion, ITE Land Use 820, Shopping Centre, and ITE Land Use 814, Specialty Retail, were considered. While LU 814 more accurately describes the type of retail uses contemplated for the development, no data are available for the morning peak hour and the Saturday peak hour. The shopping centre use has a more generic description and includes such uses as offices and small restaurants. For this reason, ITE Land Use 820 was assumed for this study.



For the residential component, ITE Land Uses 220, Apartment, and 232, High Rise Condo, were considered. Regression equations for the apartment use are based on a large number of data points and are therefore more reliable. In addition, trip generations for this use were higher in the critical afternoon and Saturday peak hours. For these reasons, ITE Land Use 220 was assumed for this study.

The volumes of site generated trips used in the following analysis are the aggregates of the trip generations for ITE Land Uses 820 and 220 as shown in **Table 1**. The volumes were not discounted to allow for internal trips between individual uses on site.

### 3.2 Vehicle Trip Distribution and Assignment

Based on the peak hour directional traffic flows on Main Street and Jasperson Drive and on previous traffic studies in the area, peak hour site generated trips were distributed as follows:

north	14 percent
east	46 percent
west	40 percent

**Figure 4** shows the assignment of peak hour site generated trips based on this distribution.

## 4. ANALYSIS

### 4.1 Projected Traffic

A five year planning horizon was assumed for this study. Existing peak hour turning volumes shown in **Figure 2** were projected to 2022 assuming a two percent annual growth rate. The growth factor was also applied to vehicle trips entering and leaving commercial driveways on Jasperson Drive and Main Street.

The Otis Group confirmed that approximately 32 600sf of the shopping centre remains to be developed. Peak hour vehicle movements in and out of the centre were increased beyond the background traffic projections to account for this additional traffic. The increases were based on estimates for full development of the centre taken from the traffic impact assessment.<sup>1</sup>

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<sup>1</sup> Proposed Commercial Development, Main Street, Kingsville. Traffic Impact Study, Addendum Report. F.R. Berry & Associates, March 2012.



Projected background peak hour turning movements, rounded to the nearest five vehicles, are shown in **Figures 5A, 5B and 5C**. Projected total peak hour turning movements are shown in **Figures 6A, 6B and 6C**. The turning movements volumes shown in **Figure 6** were obtained by adding site generated traffic from **Figure 4** to background traffic from **Figure 5**.

#### **4.2 Level of Service Analysis**

Each of the intersections in the study area was analyzed for volume to capacity (v/c) ratios, delays and queue lengths using the Synchro 6 analysis program. Analyses were made for the existing, projected background and projected total traffic peak hour conditions. An analysis was also made for the site access on Jasperson Drive for total peak hour traffic conditions. No analysis was made for the right turns only access on Main Street.

The results of the analyses are summarized in **Tables 2 to 6**. Analysis reports are contained in Appendix B.

Level of service is a measure of how well an intersection operates under prevailing traffic conditions. It is expressed on a scale of A to F where A is the highest level of service and F indicates unacceptable congestion and delay. Level of service is measured in terms of average delay to all vehicles passing through the intersection in the peak hour.

##### **4.2.1 Jasperson Drive and Libro/Zehr's Access (Table 2)**

Under existing and projected peak hour conditions, this intersection will operate at a good level of service. Of particular significance is the calculated 95th percentile queue length for the southbound left turn movement. The 95th percentile means that there is only a five percent probability of a traffic queue exceeding this length. The maximum 95th percentile queue length is 0.2 metres, or less than one car length. Storage available in the left turn lane is 25 metres, indicating that there is space available in this lane for vehicles turning left at the site access to the north.

##### **4.2.2 Jasperson Drive and Main Street (Table 3)**

The signal phasing at this intersection permits an advance green indication for eastbound through and left turn traffic. There are left turn lanes on the eastbound, westbound and southbound approaches.

In general, the intersection will operate at a good level of service under projected peak hour conditions. While the westbound through movement has a high v/c ratio, average delays are less than 35 seconds (level of service C). The only area of concern is the southbound left turn movement. While v/c ratios and delays (level of service D) are within acceptable limits, the calculated 95th percentile queue length can reach 66.3 metres in the Saturday peak hour. The available storage length in this lane is approximately 20 metres, indicating that the queue of southbound left turn traffic will actually encroach on the through lane.

The analysis indicates that, under projected background conditions, the southbound traffic queue on Jasperson Drive would interfere with turning movements to and from the Zehr's plaza and the Libro office less than five percent of the time. However, under projected total traffic conditions there is likely to be some interference in the afternoon and Saturday peak hours.

#### **4.2.3 Main Street and Shopping Centre Access (Table 4)**

As noted above, projected peak hour turning movements at this intersection were adjusted to reflect full development of the shopping centre.

All movements at this intersection will operate at a good level of service under projected background and total traffic peak hour conditions.

#### **4.2.4 Main Street and Esso/Hortons Access (Table 5)**

A traffic count was made at this mid-block location in order to gauge the impact of left and right turns on the operation of the two-way left turn lane on Main Street. The analysis shows that, while the through movements on Main Street will operate at acceptable levels of service, the exit movement on the shared Tim Hortons/Esso driveway would be subject to unacceptable delays in the afternoon and Saturday peak hours.

It can be inferred from this that turning movements in this section of Main Street, particularly left turns, will be subject to congestion and delay in the peak hours. For example, the distance between the shared exit lane between Tim Hortons and Esso and the driveway to the west, providing access to the Tim Hortons drive-through window, is only about 20 metres. Although the left turn movement into the Tim Hortons drive-through lane was not counted, it would be reasonable to assume a significant queue length in the left turn lane, potentially impeding the exit movement on the shared lane.



#### **4.2.5 Jasperson Drive and Site Access (Table 6)**

This intersection would operate at a good level of service under projected peak hour conditions. There is sufficient space in the existing southbound left turn lane to permit storage of vehicles entering the site.

#### **4.3 Main Street and Site Access**

As noted above, level of service analyses were predicated on the assumption that left turn movements at the site access on Main Street would not be permitted. The site plan shows a "pork chop" island designed to discourage left turn movements.

Experience has shown that such designs are not always effective, especially in situations such as this where left turns are permitted from a centre two-way left turn lane. Only a median barrier is truly effective at preventing left turns.

In order to assess the feasibility of permitting left turns at this access, a re-assignment of site generated trips was made as shown in **Figure 7**. The significant difference between this assignment and that shown in **Figure 4** is a reduction in the southbound left turn movement on Jasperson Drive at Main Street by up to 21 vehicles in the peak hours. As noted above, there is insufficient capacity in the southbound lane on Jasperson Drive to accommodate the peak hour demand, even under existing conditions.

**Table 7** shows an analysis of total peak hour traffic demand at the site access assuming left turns are permitted. While the storage requirement in the left turn lane on Main Street is minimal, the exit movement in the afternoon and Saturday peak hour would be subject to significant delays.

Coupled with the analysis of the exit movement on the south side of Main Street, in close proximity to the proposed site access, the results of this assessment suggest that left turn movements between Main Street and the site would be subject to delays and to the risks inherent in conflicting turning movements in a confined space.

## 5. CONCLUSIONS

The proposed development will generate 61 vehicle trips in the morning peak hour, 118 vehicle trips in the afternoon peak hour and 123 vehicle trips in the Saturday peak hour. Vehicle trips were assigned to Jasperson Drive and Main Street East assuming all turning movements would be permitted at the Jasperson Drive access while the Main Street access would be restricted to right turns only.

There is sufficient storage space available in the existing southbound left turn lane on Jasperson Drive at the Libro Credit Union access to accommodate left turns to the site and to Libro. The intersection of Jasperson Drive and the accesses to Libro and Zehr's will continue to operate at a good level of service.

The signalized intersection of Main Street and Jasperson Drive will continue to operate at a good level of service despite a high volume to capacity ratio for the westbound through movement. The southbound left turn movement currently exceeds the capacity of the left turn lane with the result that left turning traffic encroaches on the through lane in the peak hours. Under projected peak hour traffic demand, this queue may interfere with turning movements at the Libro/Zehr's accesses.

The signalized intersection of Main Street and the shopping centre access will continue to operate at a good level of service.

An analysis of turning movements in the vicinity of the proposed access to Main Street indicates that it would not be feasible to permit left turns to and from the site. It should be noted, however, that the proposed "pork chop" island at the site access would not be completely effective in preventing left turns. It is recommended that the driveway access configuration shown in the site plan be approved and that traffic operation in this section of Main Street be monitored with a view to developing improvements that would mitigate turning movement conflicts.



ITE Land Use	AM Peak Hour					PM Peak Hour					Sat. Peak Hour				
	Ave. Rate	total	in	out		Ave. Rate	total	in	out		Ave. Rate	total	in	out	
820 Shopping Centre 13 489sf	1.00	13	8	5		3.73	50	25	25		4.89	66	34	32	
814 Specialty Retail Centre 13 489sf						2.71	37	18	19						
220 Apartment 95du	eq'n	48	10	38		eq'n	68	44	24		eq'n	57	28	29	
232 High Rise Condo 95du	eq'n	55	10	45		eq'n	46	29	17		eq'n	56	24	32	
<p style="text-align: center;"><b>Table 1</b> <b>Vehicle Trip Generation</b></p>															



	AM Peak Hour				PM Peak Hour				Sat. Peak Hour			
	v/c	Del.	LofS	Q	v/c	Del.	LofS	Q	v/c	Del.	LofS	Q
<b>Existing, June 10, 2016</b>												
Eastbound LTR	0.04	9.8	A	1.0	0.17	11.6	B	4.6	0.18	12.9	B	5.1
Westbound LTR	0.03	10.1	B	0.6	0.07	12.8	B	1.8	0.04	13.0	B	1.0
Northbound L	0.01	7.6	A	0.2	0.04	7.9	A	0.8	0.06	7.9	A	1.6
Northbound TR	0.06	0.0	-	0.0	0.10	0.0	-	0.0	0.10	0.0	-	0.0
Southbound L	0.00	7.4	A	0.1	0.01	7.6	A	0.2	0.00	7.6	A	0.1
Southbound TR	0.09	0.0	-	0.0	0.11	0.0	-	0.0	0.11	0.0	-	0.0
Intersection ICU	19.9%				33.8%				34.9%			
LofS	A				A				A			
<b>Background 2022</b>												
Eastbound LTR	0.04	10.0	B	1.1	0.20	12.3	B	5.7	0.24	14.2	B	6.9
Westbound LTR	0.03	10.1	B	0.7	0.10	13.8	B	2.4	0.07	14.2	B	1.6
Northbound L	0.01	7.6	A	0.3	0.04	8.0	A	0.9	0.07	8.0	A	1.8
Northbound TR	0.07	0.0	-	0.0	0.11	0.0	-	0.0	0.12	0.0	-	0.0
Southbound L	0.01	7.4	A	0.2	0.01	7.6	A	0.2	0.00	7.6	A	0.1
Southbound TR	0.10	0.0	-	0.0	0.12	0.0	-	0.0	0.13	0.0	-	0.0
Intersection ICU	23.3%				36.2%				37.1%			
LofS	A				A				A			
<b>Total 2022</b>												
Eastbound LTR	0.05	10.3	B	1.1	0.22	12.9	B	6.2	0.26	15.6	C	7.9
Westbound LTR	0.03	10.4	B	0.8	0.10	14.7	B	2.7	0.07	15.2	C	1.8
Northbound L	0.01	7.7	A	0.3	0.04	8.0	A	0.9	0.08	8.2	A	1.9
Northbound TR	0.07	0.0	-	0.0	0.13	0.0	-	0.0	0.14	0.0	-	0.0
Southbound L	0.01	7.5	A	0.2	0.01	7.7	A	0.2	0.00	7.7	A	0.1
Southbound TR	0.12	0.0	-	0.0	0.14	0.0	-	0.0	0.15	0.0	-	0.0
Intersection ICU	23.3%				37.6%				39.1%			
LofS	A				A				A			

Note: Del. - ave. delay (secs.)

LofS - level of service

v/c - volume to capacity ratio

ICU - intersection capacity utilization

Q - maximum queue length (metres)  
(95th percentile)

## Table 2

### Level of Service Jasperson Drive and Libro/Zehr's Access

	AM Peak Hour				PM Peak Hour				Sat. Peak Hour			
	v/c	Del.	LofS	Q	v/c	Del.	LofS	Q	v/c	Del.	LofS	Q
<b>Existing, June 10, 2016</b>												
Eastbound L	0.08	6.6	A	3.7	0.18	5.7	A	5.2	0.17	5.8	A	5.6
Eastbound TR	0.71	11.2	B	60.2	0.67	10.0	B	76.6	0.70	10.4	B	74.8
Westbound L	0.07	9.2	A	5.0	0.05	7.4	A	3.7	0.06	7.7	A	4.5
Westbound TR	0.69	13.8	B	69.4	0.90	21.4	C	185.9	0.87	18.2	B	130.6
Northbound LTR	0.09	16.3	B	9.9	0.25	25.6	C	19.9	0.26	22.1	C	22.7
Southbound L	0.25	20.0	B	26.6	0.39	34.4	C	37.6	0.41	33.2	C	40.5
Southbound TR	0.09	10.7	B	8.4	0.26	13.0	B	17.1	0.19	11.5	B	13.3
Intersection ICU LofS	51.9% B				66.3% B				67.1% B			
<b>Background 2022</b>												
Eastbound L	0.09	6.4	A	3.9	0.24	6.3	A	5.7	0.22	5.7	A	6.1
Eastbound TR	0.76	12.0	B	72.6	0.70	10.9	B	97.0	0.72	11.3	B	95.4
Westbound L	0.08	8.7	A	5.3	0.06	7.5	A	4.4	0.08	7.8	A	5.1
Westbound TR	0.72	14.3	B	81.1	0.95	32.0	C	225.6	0.91	24.0	C	191.3
Northbound LTR	0.11	17.8	B	12.0	0.34	30.5	C	23.1	0.33	25.4	C	24.5
Southbound L	0.31	23.3	C	32.6	0.52	40.5	D	41.5	0.56	41.9	D	52.0
Southbound TR	0.11	11.7	B	10.4	0.33	13.1	B	18.5	0.25	12.2	B	14.9
Intersection ICU LofS	56.2% B				72.0% C				75.3% B			
<b>Total 2022</b>												
Eastbound L	0.11	6.6	A	4.4	0.38	8.5	A	7.9	0.32	7	A	8.1
Eastbound TR	0.75	11.9	B	72.2	0.69	10.9	B	97.0	0.72	11.2	B	95.4
Westbound L	0.08	8.6	A	5.2	0.06	7.5	A	4.4	0.08	7.8	A	5.1
Westbound TR	0.73	14.4	B	83.5	0.96	34.1	C	231.2	0.92	25.4	C	198.9
Northbound LTR	0.11	18.2	B	12.3	0.35	30.9	C	23.2	0.34	25.6	C	24.5
Southbound L	0.37	24.5	C	38.8	0.62	44.9	D	53.2	0.68	48.2	D	66.3
Southbound TR	0.13	11.3	B	11.2	0.35	12.9	B	18.7	0.27	11.9	B	15.6
Intersection ICU LofS	57.5% B				C				80.5% C			

Note: Del. - ave. delay (secs.)

LofS - level of service

v/c - volume to capacity ratio

ICU - intersection capacity utilization

Q - maximum queue length (metres)  
(95th percentile)

### Table 3

#### Level of Service

#### Jasperson Drive and Main Street



	AM Peak Hour				PM Peak Hour				Sat. Peak Hour			
	v/c	Del.	LofS	Q	v/c	Del.	LofS	Q	v/c	Del.	LofS	Q
<b>Existing, June 10, 2016</b>												
Eastbound L	0.10	7.9	A	4.8	0.41	9.0	A	12.1	0.40	9.4	A	14.9
Eastbound TR	0.75	12.2	B	59.9	0.64	10.3	B	61.0	0.72	11.9	B	66.5
Westbound L	0.01	10	A	1.1	0.00	8.0	A	0.7	0.00	0.0	-	0.0
Westbound T	0.53	13.1	B	49.1	0.75	16.4	B	90.0	0.66	15.4	B	63.3
Westbound R	0.01	6.7	A	1.8	0.13	3.8	A	6.5	0.13	3.2	A	5.8
Northbound LTR	0.00	0.0	-	0.0	0.02	19.6	B	3.9	0.02	17.2	B	2.4
Southbound L	0.02	14.0	B	3.7	0.10	21.8	C	12.6	0.10	17.3	B	11.4
Southbound TR	0.03	0.1	A	0.0	0.30	1.2	A	0.0	0.28	0.9	A	0.0
Intersection ICU LofS	42.0% B				61.6% B				60.1% B			
<b>Background 2022</b>												
Eastbound L	0.17	7.4	A	6.8	0.52	11.5	B	13.4	0.48	10.7	B	16.4
Eastbound TR	0.78	12.6	B	70.3	0.69	11.1	B	74.6	0.78	12.9	B	80.4
Westbound L	0.02	10.2	B	1.9	0.00	8.0	A	0.7	0.00	0.0	-	0.0
Westbound T	0.58	14.2	B	55.2	0.80	17.6	B	109.1	0.70	15.7	B	73.6
Westbound R	0.08	4.0	A	4.3	0.14	4.1	A	7.6	0.14	3.2	A	6.2
Northbound LTR	0.00	0.0	-	0.0	0.04	19.6	B	5.8	0.02	19.2	B	3.0
Southbound L	0.07	16.1	B	8.9	0.11	23.5	C	13.3	0.11	19.2	B	13.0
Southbound TR	0.06	0.1	A	0.0	0.35	2.5	A	4.5	0.35	1.3	A	0.0
Intersection ICU LofS	50.7% B				67.6% B				66.6% B			
<b>Total 2022</b>												
Eastbound L	0.17	7.4	A	7.0	0.56	12.8	B	13.8	0.51	11.3	B	16.9
Eastbound TR	0.80	12.9	B	73.6	0.70	11.3	B	78.5	0.80	13.3	B	85.4
Westbound L	0.02	10.0	A	1.9	0.00	8.0	A	0.7	0.00	0.0	-	0.0
Westbound T	0.58	14.1	B	56.5	0.81	18.1	B	116.5	0.71	15.8	B	77.1
Westbound R	0.07	3.9	A	4.3	0.13	4.1	A	7.7	0.14	3.3	A	6.3
Northbound LTR	0.00	0.0	-	0.0	0.04	19.9	B	5.8	0.03	20.2	C	3.1
Southbound L	0.07	16.6	B	9.2	0.11	24.1	C	13.3	0.12	20.0	C	13.5
Southbound TR	0.06	0.1	A	0.0	0.37	3.2	A	7.2	0.37	1.6	A	0.2
Intersection ICU LofS	51.8% B				69.6% B				68.6% B			

Note: Del. - ave. delay (secs.)

LofS - level of service

v/c - volume to capacity ratio

ICU - intersection capacity utilization

Q - maximum queue length (metres)  
(95th percentile)

**Table 4**

**Level of Service**

**Main Street and**

**Shopping Centre Access**



	AM Peak Hour				PM Peak Hour				Sat. Peak Hour			
	v/c	Del.	LofS	Q	v/c	Del.	LofS	Q	v/c	Del.	LofS	Q
<b>Existing, June 10, 2016</b>												
Eastbound TR	0.30	0.0	-	0.0	0.41	0.0	-	0.0	0.43	0.0	-	0.0
Westbound L	0.02	8.7	A	0.4	0.02	9.2	A	0.4	0.01	9.1	A	0.2
Westbound T	0.24	0.0	-	0.0	0.49	0.0	-	0.0	0.41	0.0	-	0.0
Northbound LR	0.48	23.4	C	19.0	0.48	37.2	E	17.7	0.55	39.5	E	22.9
Intersection ICU LofS	45.7% A				52.4% A				55.3% B			
<b>Background 2022</b>												
Eastbound TR	0.34	0.0	-	0.0	0.47	0.0	-	0.0	0.49	0.0	-	0.0
Westbound L	0.02	8.9	A	0.4	0.02	9.6	A	0.5	0.01	9.6	A	0.3
Westbound T	0.27	0.0	-	0.0	0.55	0.0	-	0.0	0.47	0.0	-	0.0
Northbound LR	0.62	33.0	D	30.0	0.71	69.1	F	32.3	0.81	79.4	F	41.7
Intersection ICU LofS	50.9% A				58.6% B				61.8% B			
<b>Total 2022</b>												
Eastbound TR	0.35	0.0	-	0.0	0.48	0.0	-	0.0	0.51	0.0	-	0.0
Westbound L	0.02	9.0	A	0.4	0.02	9.7	A	0.5	0.01	9.7	A	0.3
Westbound T	0.27	0.0	-	0.0	0.56	0.0	-	0.0	0.48	0.0	-	0.0
Northbound LR	0.65	35.8	E	32.2	0.75	77.4	F	34.7	0.86	93.2	F	45.6
Intersection ICU LofS	52.1% A				59.3% B				63.6% B			

Note: Del. - ave. delay (secs.)

LofS - level of service

v/c - volume to capacity ratio

ICU - intersection capacity utilization

Q - maximum queue length (metres)  
(95th percentile)

## Table 5

### Level of Service Main Street and Esso/Hortons Access

	AM Peak Hour				PM Peak Hour				Sat. Peak Hour			
	v/c	Del.	LofS	Q	v/c	Del.	LofS	Q	v/c	Del.	LofS	Q
<b>Total 2022</b>												
Westbound LR	0.05	10.3	B	1.2	0.07	11.7	B	1.6	0.09	12.1	B	2.2
Northbound TR	0.07	0.0	-	0.0	0.15	0.0	-	0.0	0.16	0.0	-	0.0
Southbound L	0.00	7.5	A	0.1	0.01	7.7	A	0.2	0.01	7.8	A	0.2
Southbound T	0.11	0.0	-	0.0	0.13	0.0	-	0.0	0.13	0.0	-	0.0
Intersection ICU LofS	18.9% A				24.3% A				25.7% A			

Note: Del. - ave. delay (secs.)

LofS - level of service

v/c - volume to capacity ratio

ICU - intersection capacity utilization

Q - maximum queue length (metres)  
(95th percentile)

## Table 6

### Level of Service

### Jasperson Drive and Site Access

	AM Peak Hour				PM Peak Hour				Sat. Peak Hour			
	v/c	Del.	LofS	Q	v/c	Del.	LofS	Q	v/c	Del.	LofS	Q
<b>Total 2022</b>												
Eastbound L	0.00	8.3	A	0.1	0.03	10.2	B	0.6	0.02	9.6	A	0.5
Eastbound T	0.33	0.0	-	0.0	0.45	0.0	-	0.0	0.47	0.0	-	0.0
Westbound TR	0.27	0.0	-	0.0	0.57	0.0	-	0.0	0.49	0.0	-	0.0
Southbound LR	0.11	17.6	C	2.7	0.33	49.0	E	9.8	0.35	43.5	E	10.8
Intersection ICU LofS	37.1% A				64.4% C				56.3% B			

Note: Del. - ave. delay (secs.)

LofS - level of service

v/c - volume to capacity ratio

ICU - intersection capacity utilization

Q - maximum queue length (metres)  
(95th percentile)

## Table 7

### Level of Service Main Street and Site Access

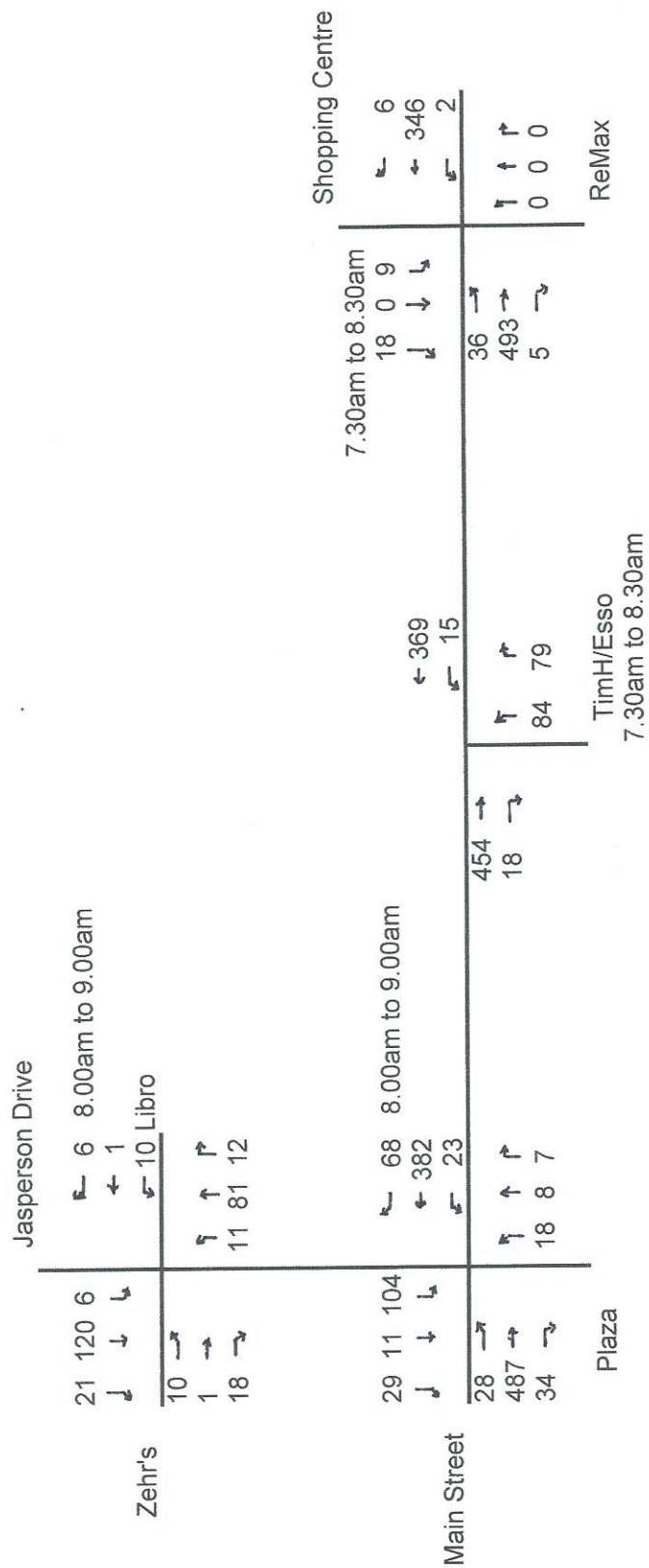




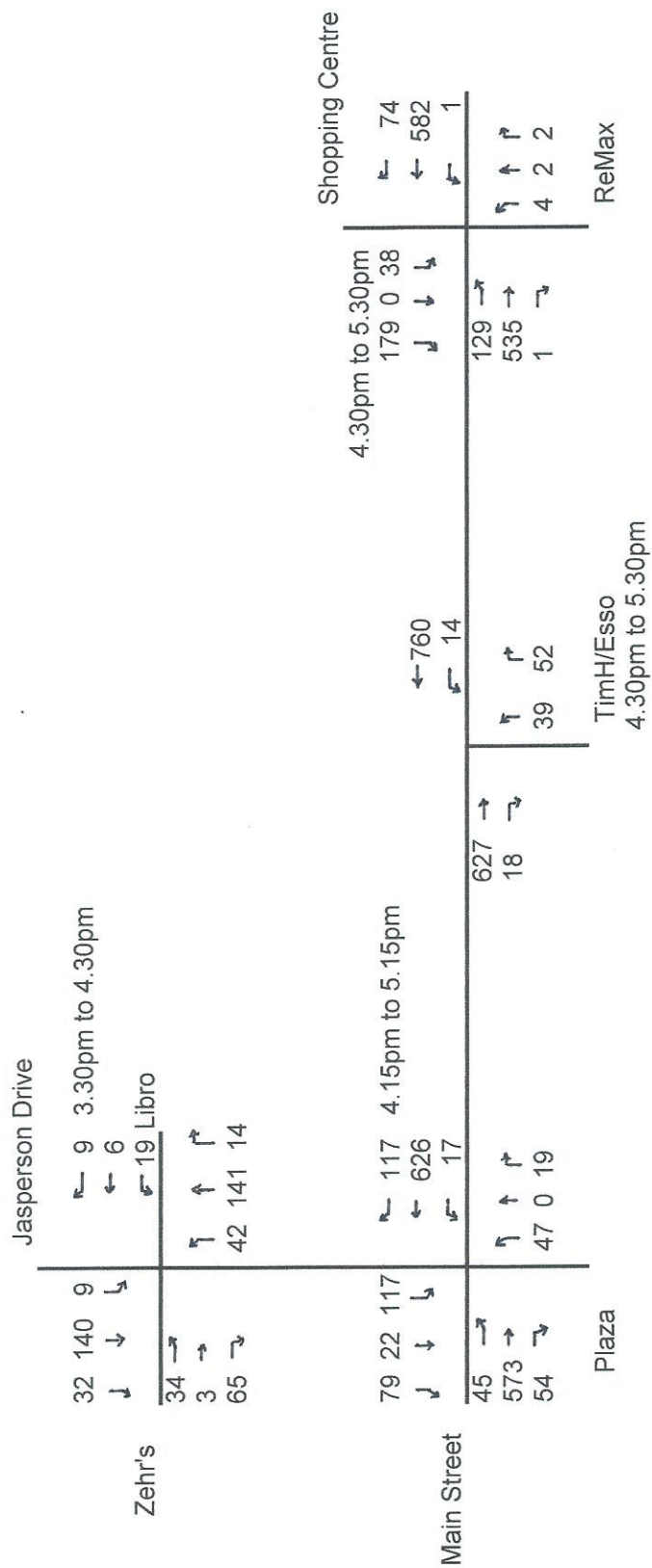
Figure 1

Area Plan

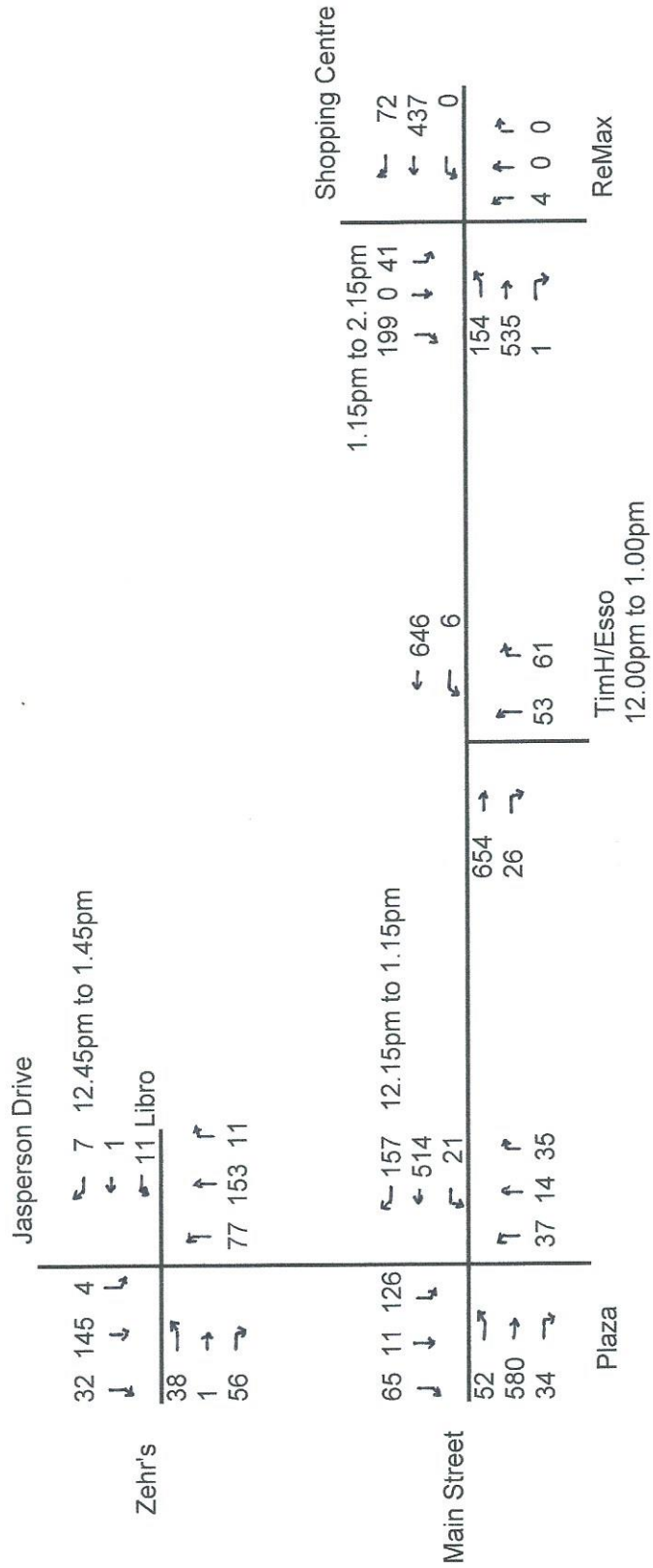




**Figure 2A**  
**Existing Traffic**  
**AM Peak Hour**  
**Friday, June 10, 2016**



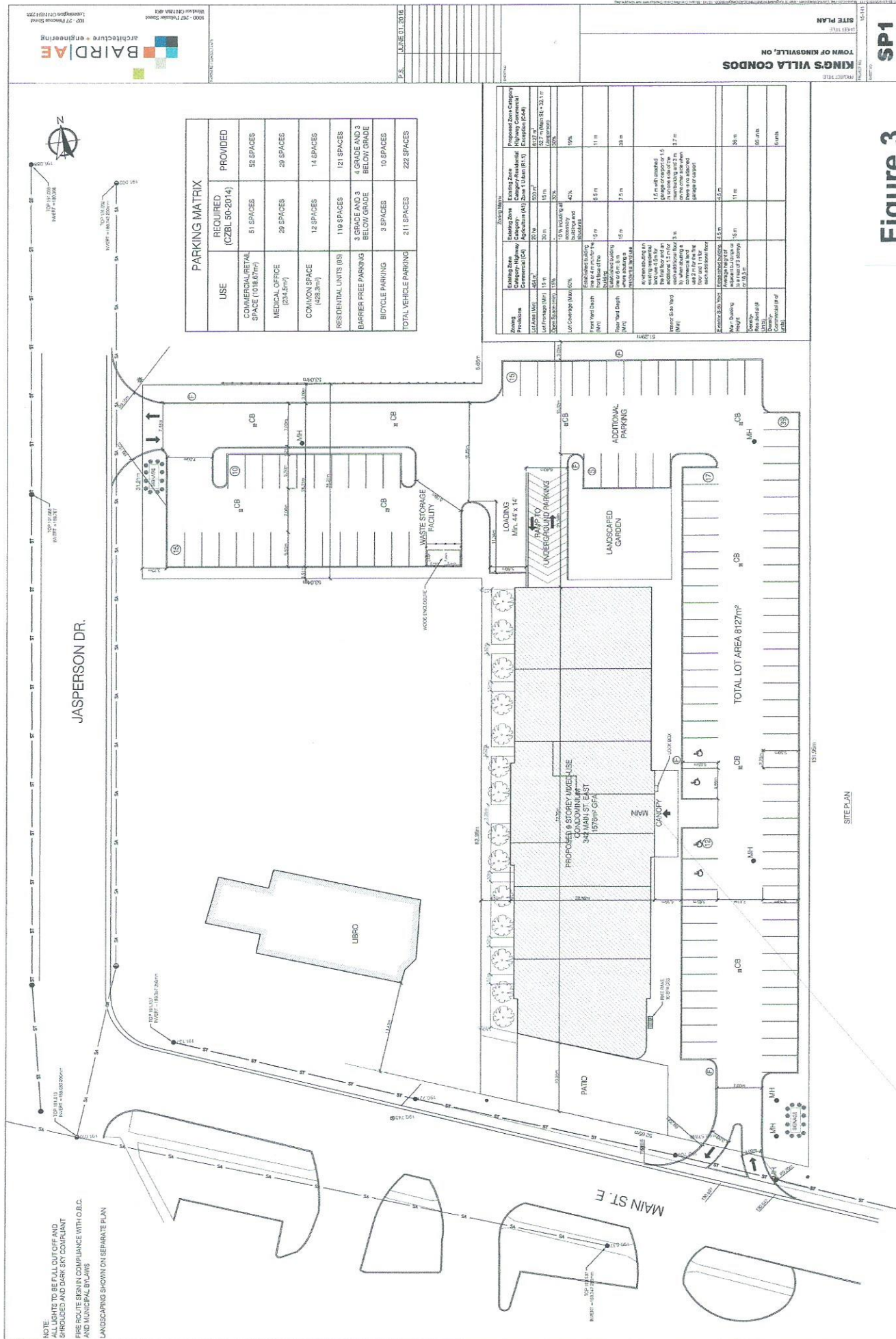
**Figure 2B**  
**Existing Traffic**  
**PM Peak Hour**  
**Friday, June 10, 2016**



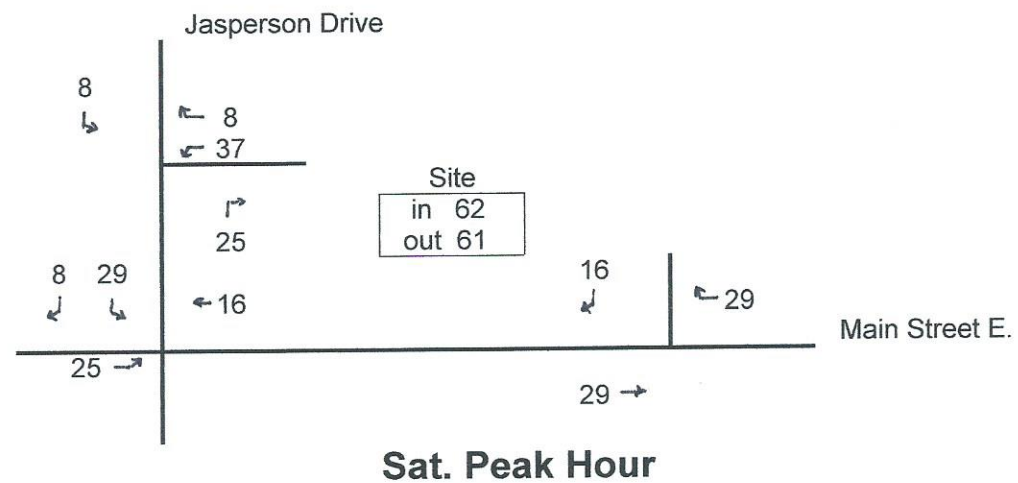
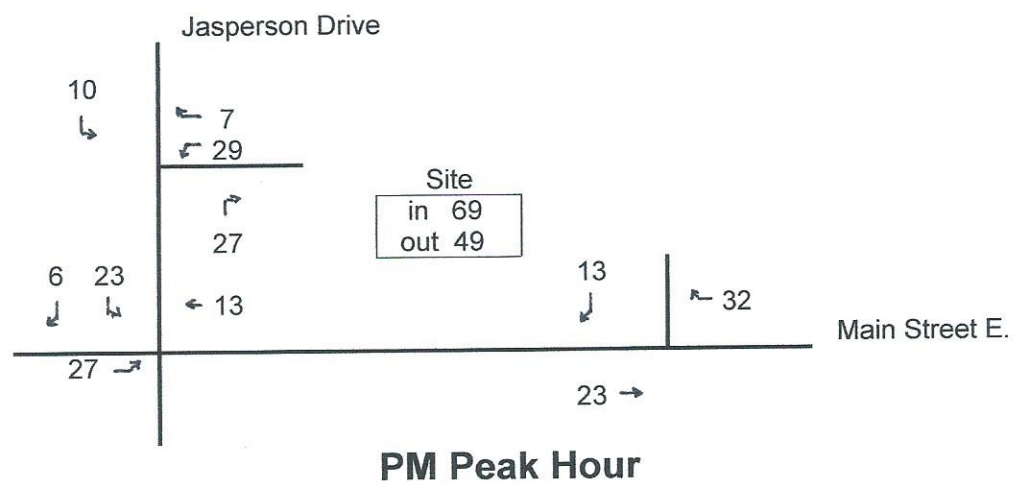
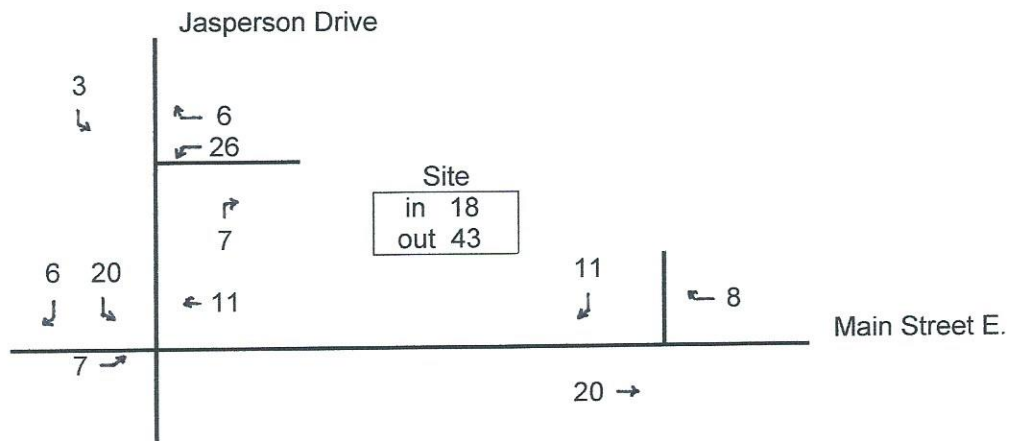
**Figure 2C**  
**Existing Traffic**  
**Saturday Peak Hour**  
**Saturday, June 11, 2016**

### Figure 3

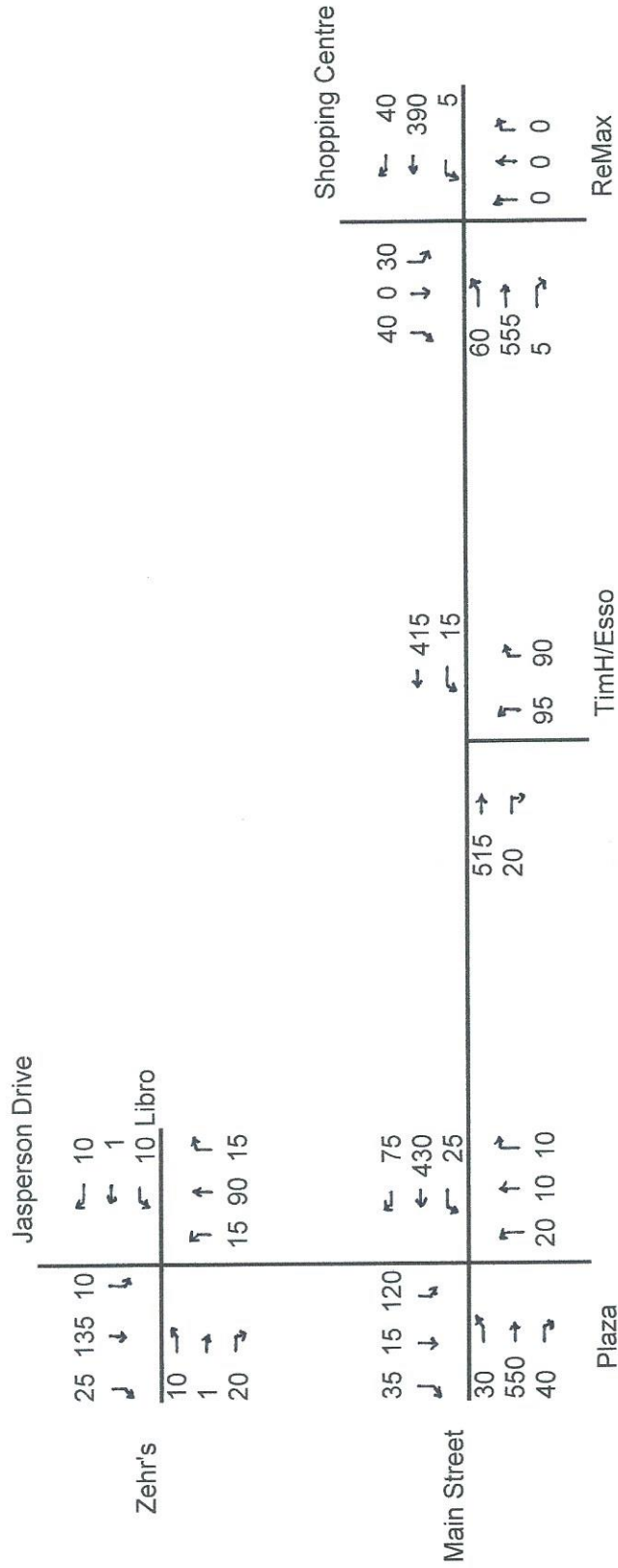
# Site Plan



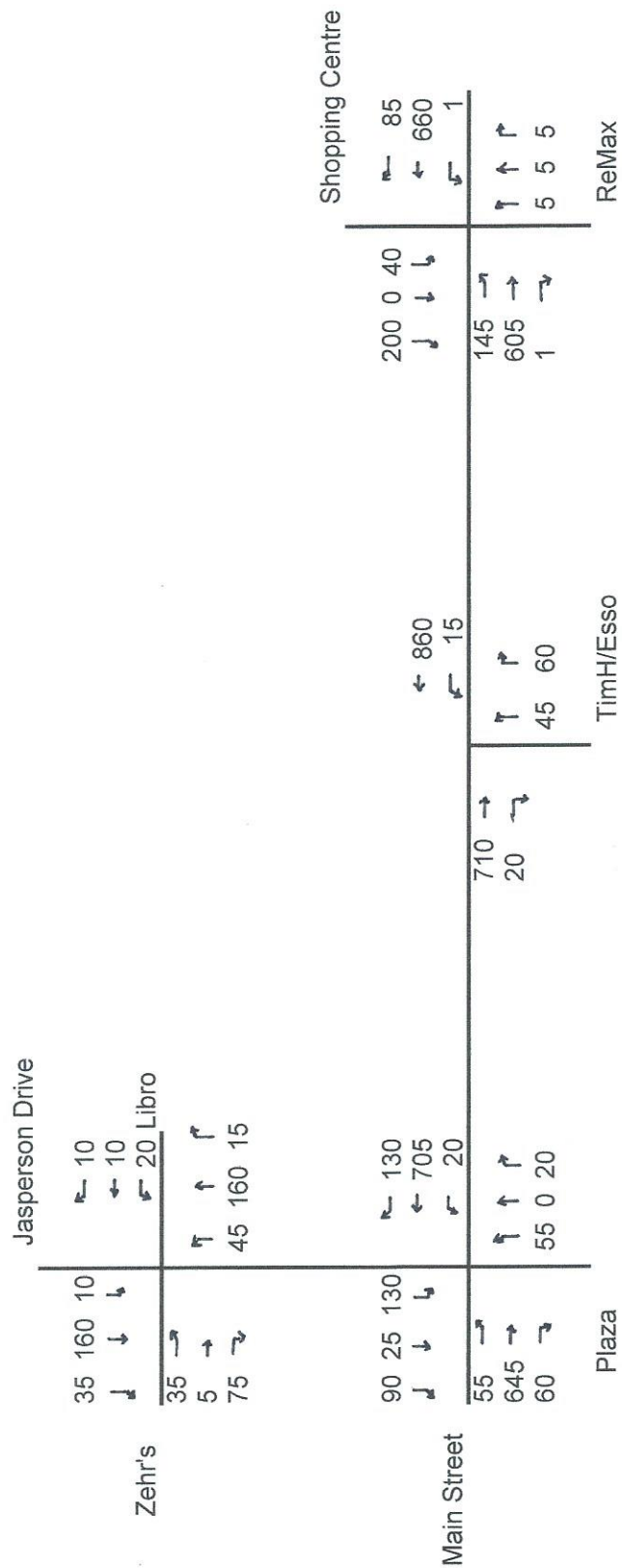




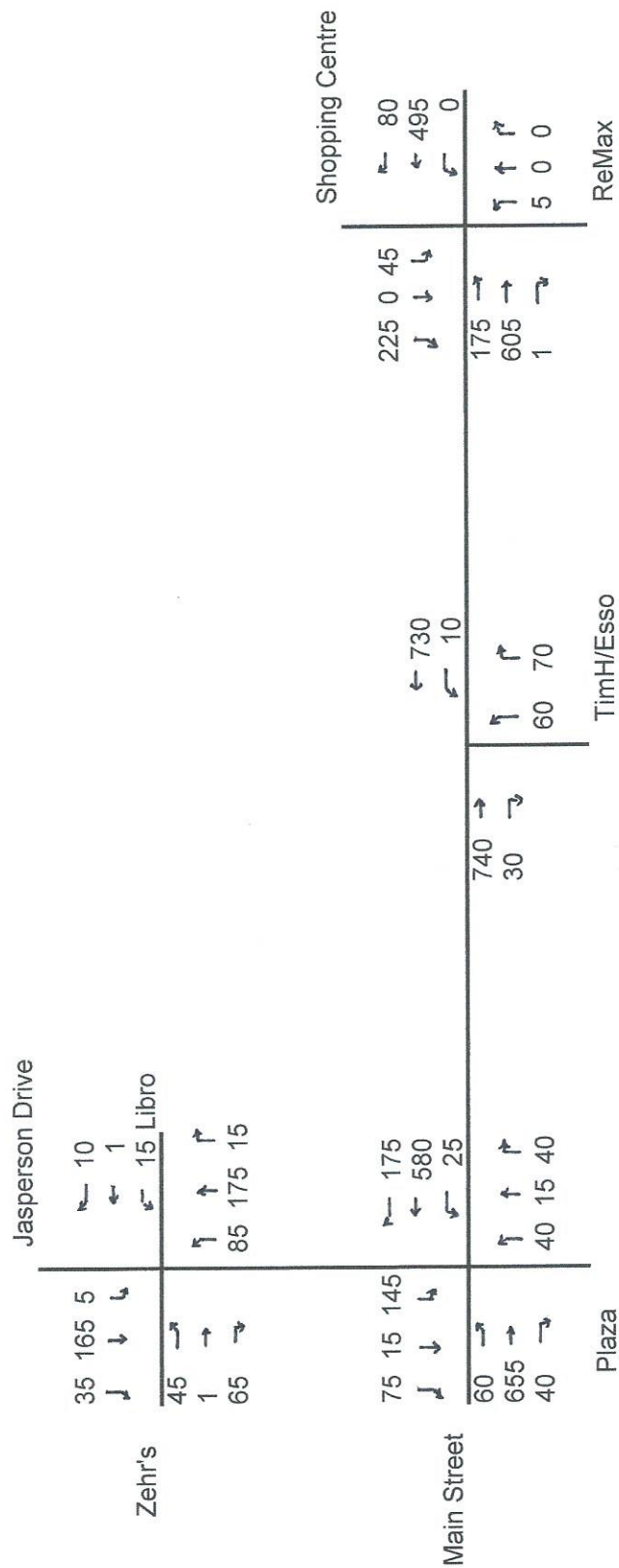
**Figure 4**  
**Site Generated Trips**



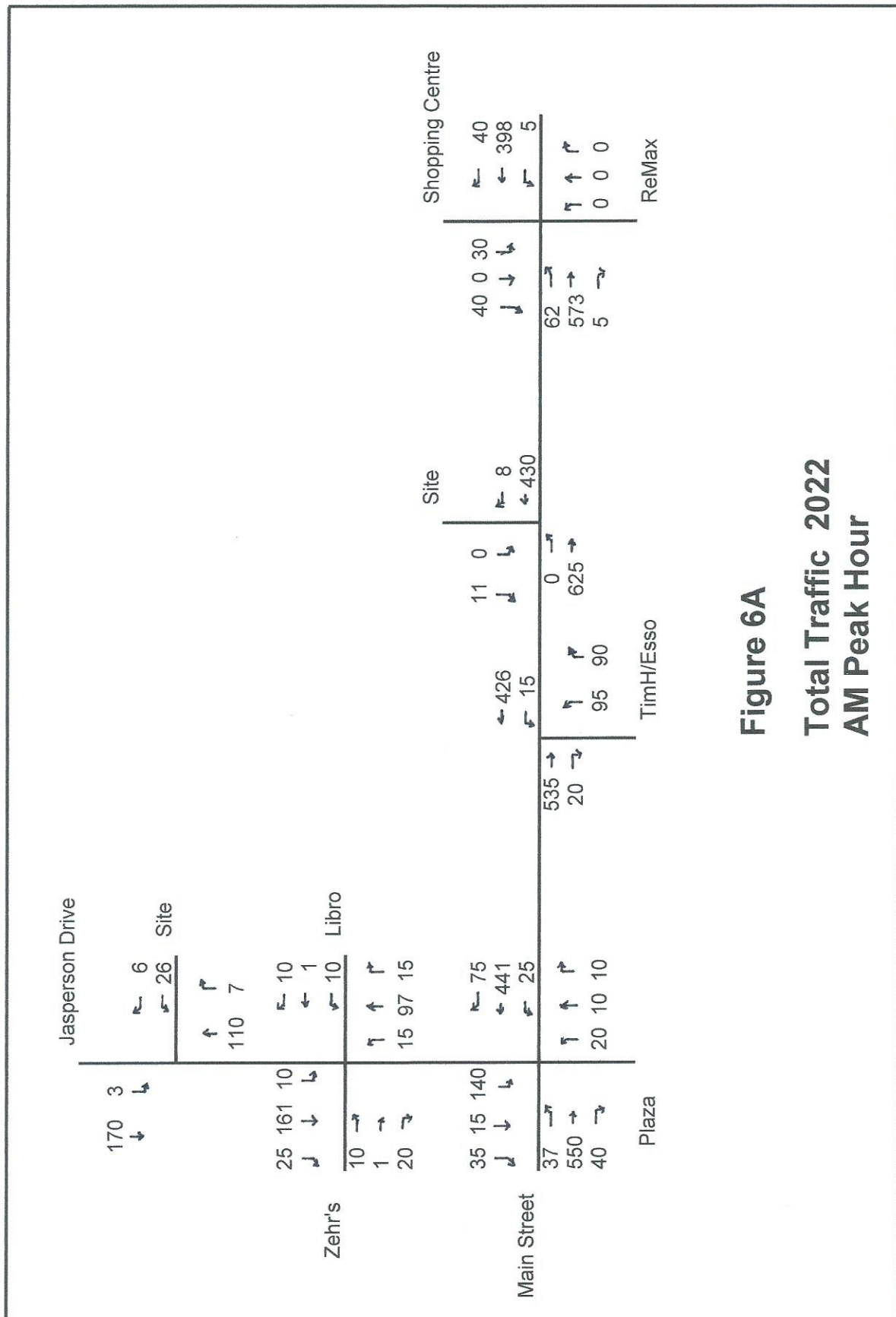
**Figure 5A**  
**Background Traffic 2022**  
**AM Peak Hour**

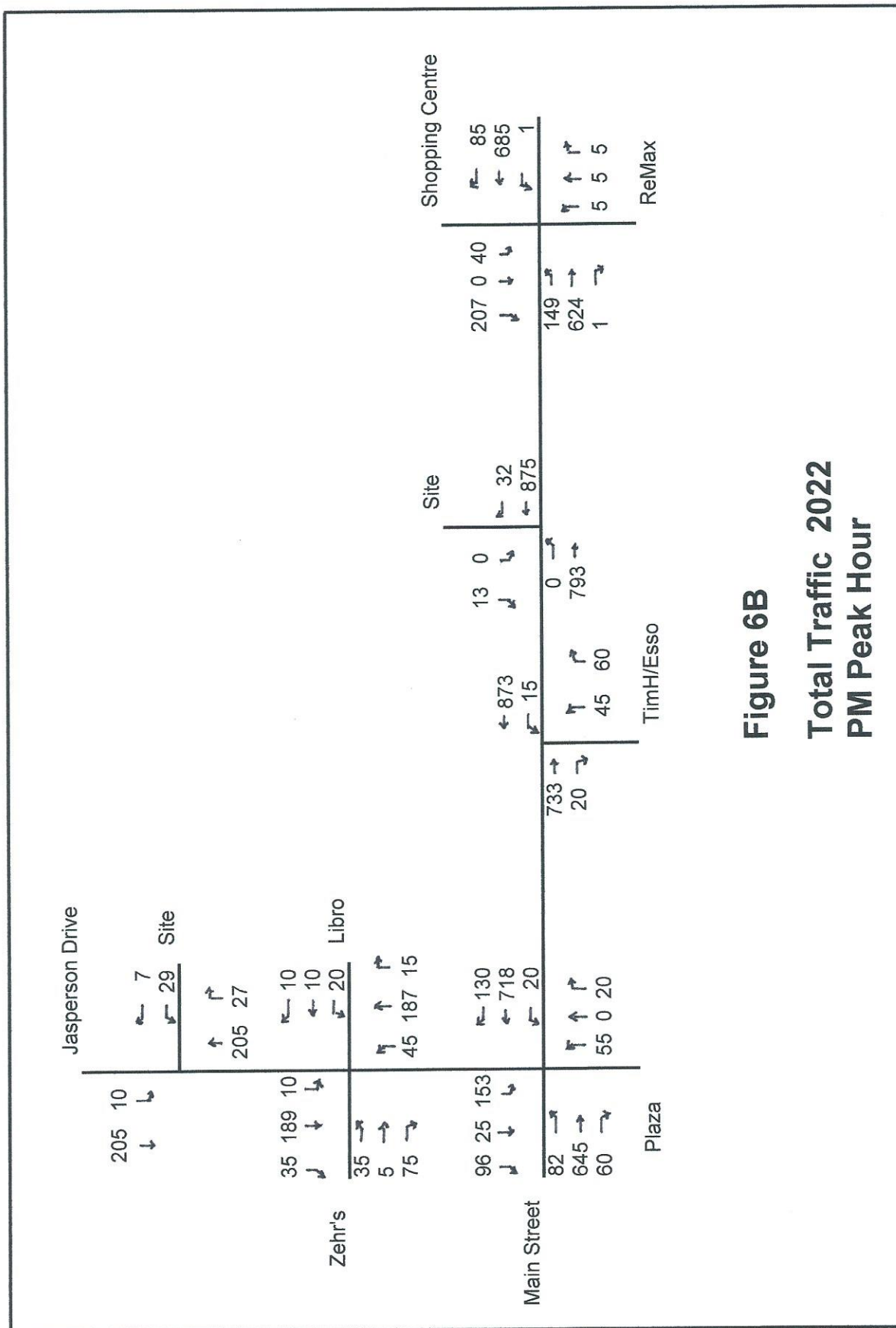


**Figure 5B**  
**Background Traffic 2022**  
**PM Peak Hour**

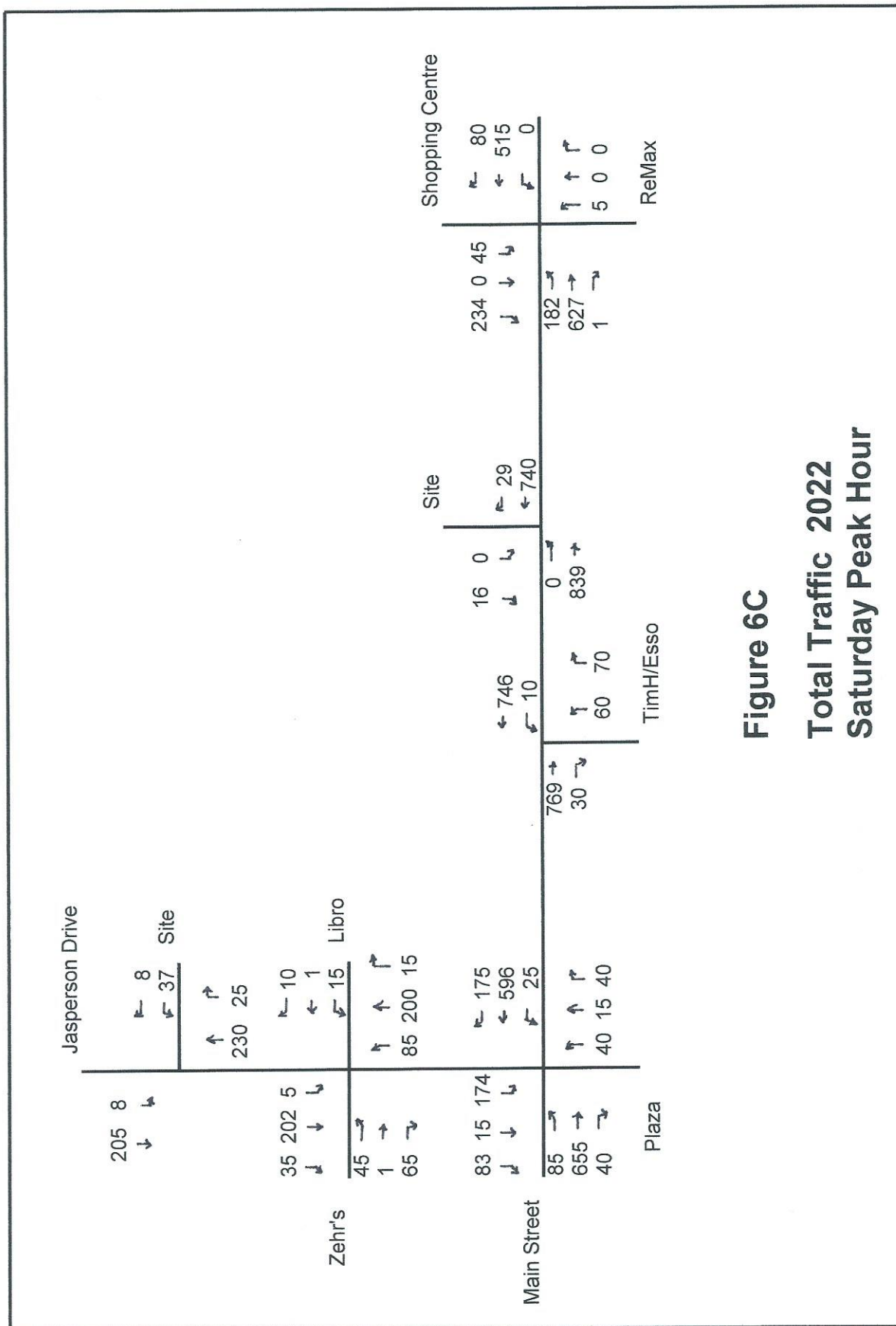


**Figure 5C**  
**Background Traffic 2022**  
**Saturday Peak Hour**



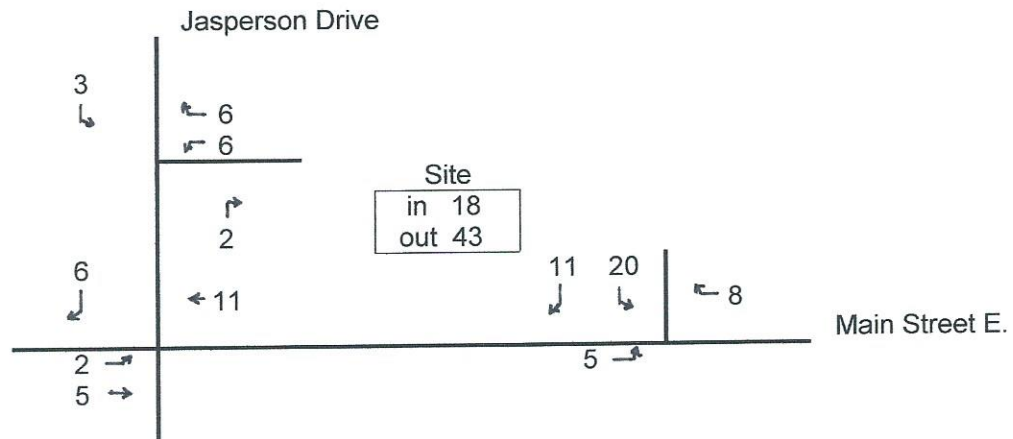


**Figure 6B**  
**Total Traffic 2022**  
**PM Peak Hour**

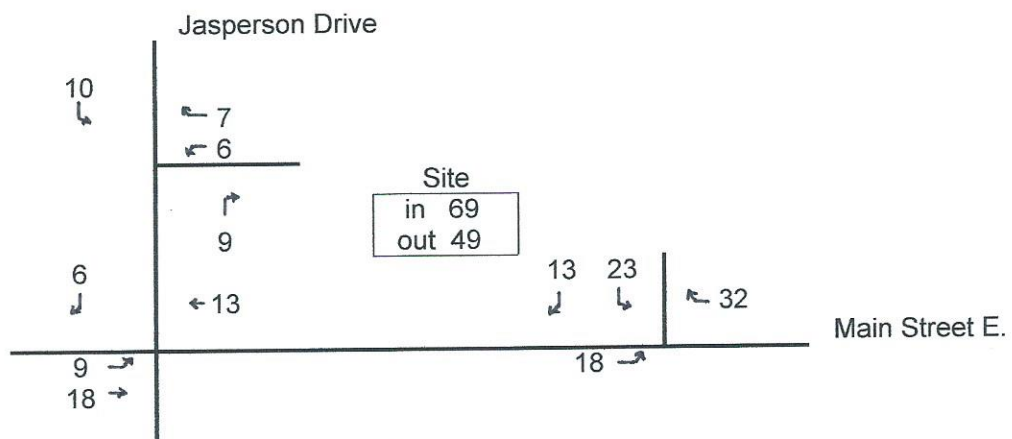


**Figure 6C**  
**Total Traffic 2022**  
**Saturday Peak Hour**

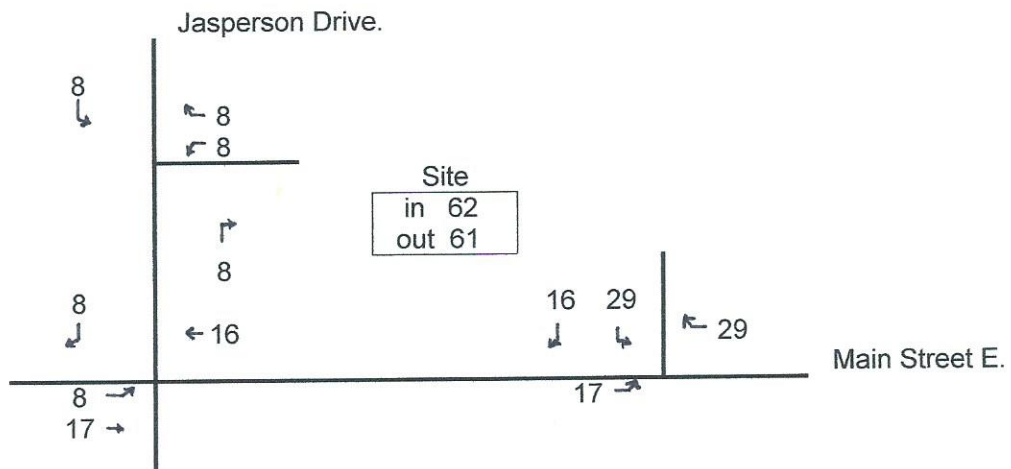




### AM Peak Hour



### PM Peak Hour



### Sat. Peak Hour

**Figure 7**

**Site Generated Trips  
Left Turns Permitted at Main St.**

# F.R. Berry & Associates

TRANSPORTATION PLANNING CONSULTANTS

660 Inverness Avenue

London, Ontario N6H 5R4

Tel: (519) 474 2527 Toll Free: 1 888 665 9192 Email: fyberry@rogers.com

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December 6, 2016

Our Ref. 1620

Ms. J. Lassaline, BA, MCIP, RPP  
Principal Planner  
Lassaline Planning Consultants Inc.  
1632 County Road 31  
St. Joachim ON  
N0R 1S0

Dear Ms. Lassaline:

**RE: FUTURE TRAFFIC OPERATION  
MAIN STREET EAST AND JASPERSON DRIVE, KINGSVILLE**

You have asked me to comment on some concerns raised by the Town with respect to future traffic operations on Main Street East and Jasperson Drive. These concerns relate to two general areas: turning movements on Main Street between Jasperson Drive and the new shopping centre and southbound left turns on Jasperson Drive.

**Main Street East**

In my report on the Kings Villa development, I recommended against a full turns access to the site off Main Street because of potential conflicts in the existing two-way left turn lane. I concluded that a "pork chop" island limiting access to the Kings Villa site to right turns only was the only feasible solution. Without a barrier median, a directional island is not totally effective in eliminating left turns. However, a barrier median on Main Street would eliminate left turns to and from the existing commercial sites.

The problem on Main Street east of Jasperson Drive is the proximity of the commercial driveways. Figure 3 in my report shows the approximate location of these driveways. The spacing does not meet accepted geometric design standards. We only made traffic counts at the shared Esso/Tim Hortons access. An analysis of traffic operations at this access indicates that, as through traffic volumes on Main Street increase, the level of service will deteriorate to unacceptable levels (level of service F). This in turn, will likely lead to an increase in accidents.

Another consideration would be any future expansion of the Otis shopping centre. I understand that there is still about 30 000sf to be developed of the original plan,





which I took into account in my projections. In addition, I understand that the Otis Group may expand to the west where there are existing residential uses.

I suggest that some form of rationalization of the commercial accesses should be undertaken. This could be a reduction in the number, i.e. more shared accesses, or a designation of some accesses as one-way entrances or exits. A study to determine the optimum form of rationalization should be based on traffic movements at each access as well as accident records for this section of Main Street. Other options that could be looked at on Main Street east of Jasperson Drive are pavement widening (five lanes?), short sections of barrier median and auxiliary right turn lanes.

### **Jasperson Drive**

The existing 20 metre left turn lane on southbound Jasperson Drive at Main Street is too short. Under existing conditions (Table 3 in my report) the peak hour vehicle queue length can be as much as 40 metres based on the Saturday traffic count. This means that the left turn queue would spill over into the through lane. Under projected traffic conditions, the southbound queue could extend to the Zehr's driveway but it is likely that access to and from this driveway and to and from the Libro driveway would only be affected for short periods of time in the peak hours.

The existing left turn lanes serving traffic entering Zehr's and Libro and also the proposed Kings Villa all have adequate storage lengths.

One way of decreasing queue lengths on the southbound approach to Main Street would be to increase the amount of green time allocated to this approach. However, this would increase the queue lengths on the Main Street approaches. Table 3 shows that the existing queue length on the westbound approach is about 185 metres. If this is increased, it would affect the operation of the commercial accesses.

One other option would be to widen Jasperson Drive to provide a right turn lane from a point north of the Zehr's access to Main Street. Since about one-third of the total southbound traffic volume in the peak hours turns right at Main Street, this should significantly increase the capacity of the approach.

I understand that there is some discussion over the use of the proposed Remark residential subdivision as a school site. The traffic impact study done for Remark (R.C.Spencer Associates, December, 2013) projected about 100 vehicles generated by this development passing through the intersection of Main Street and Jasperson Drive in the morning peak hour. An elementary school with 400 students would generate about 180 vehicle trips in the morning peak hour. If two-thirds of these trips were assigned to the intersection, the impact would be approximately equivalent to

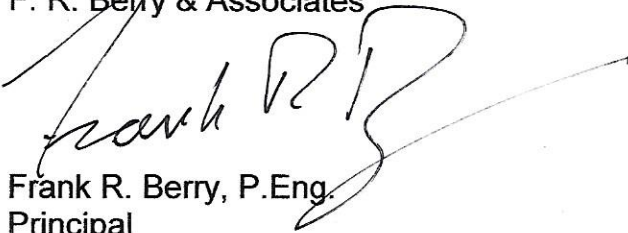
the proposed subdivision. The afternoon peak hour impact would be less since the school peak hour is generally between 2.30pm and 3.30pm.

**Summary**

I would suggest that the Town undertake additional studies on Main Street and Jasperson Drive to assess in more detail possible solutions to the concerns expressed above. These studies should take into account future growth potential and also the impact of infrastructure changes on existing commercial uses.

Very truly yours

F. R. Berry & Associates

A handwritten signature in black ink, appearing to read 'Frank R. Berry', with a long horizontal flourish extending to the right.

Frank R. Berry, P.Eng.  
Principal





# MEMO

TO: Robert Brown, H. Ba., MCIP, RPP – Town of Kingsville  
 FROM: Mike Walters, P.Eng.  
 cc: Chris Patten, P.Eng.  
 DATE: February 24, 2017  
 SUBJECT: 342 Main Street East, Kingsville – Traffic Impact Assessment Peer Review  
 OUR FILE: 17-5221

As part of a development application for 342 Main Street East in the Town of Kingsville, a Traffic Impact Assessment (TIA) report was prepared by F.R. Berry & Associates. The report is dated August 2016. An addendum letter was also prepared, dated December 6, 2016. Dillon Consulting Limited (Dillon) was requested by the Town of Kingsville to peer review these two documents.

The following summarizes the findings from that peer review exercise.

The comments are categorized as per the sections in the original documents, for ease of reference.

## August 2016 TIA

### Introduction and Background

The development proposed consists of a 95-unit condominium apartment building with ground floor commercial uses.

Two new accesses to the site are proposed – one on Jasperson Drive, north of the Libro Credit Union driveway, and the other on Main Street East, opposite the Esso Gas Station.

### Existing Conditions

Both Main Street East and Jasperson Drive are arterial roadways in the Town of Kingsville. Jasperson Drive has a posted speed limit of 50 km/h and is primarily a two-lane roadway. Between Main Street East and Applewood Road, a back-to-back left turn lane is present to facilitate left turns into commercial properties. In the vicinity of the site, Main Street East has a three-lane cross-section, consisting of one travel lane in each direction and a centre two-way left turn lane. The posted speed limit on Main Street East is 50 km/h.

Main Street is a busy street during peak times of the day. As noted in the TIA report, the Town of Kingsville is considering a proposal to rationalize existing traffic congestion on the two-way left turn lane on Main Street East.

Given the commercial activity in this section of Kingsville, field traffic counts were undertaken on Friday, June 10 and Saturday, June 11, 2016. These days likely represent typical peak days for this section of Main Street East.

## Proposed Development

---

The proposed development is envisioned to consist of:

- 95 apartment units; and
- 13,489 ft<sup>2</sup> of retail and office space.

A full movement access is proposed on Jasperson Drive.

A right-in/right-out only access is proposed on Main Street East.

## Vehicle Trip Generation

---

Trip generation was based on information contained within the Institute of Transportation Engineers (ITE) document *Trip Generation*, 8<sup>th</sup> Edition.

Land Use Codes 220 (Apartment) and 820 (Shopping Centre) were used to estimate future trips associated with residential and commercial retail components of the development, respectively. This resulted in:

- 61 AM peak hour trips
- 118 PM peak hour trips
- 123 Saturday peak hour trips

The 9<sup>th</sup> Edition of the Trip Generation Manual is now available from ITE. A check of whether 9<sup>th</sup> Edition trip rates would result in different trip generation estimates was conducted. It was found that the difference in trip estimates between the 8<sup>th</sup> and 9<sup>th</sup> Editions of the Trip Generation Manual would be extremely minor (a couple of trips during the AM and PM peak hours) and does not warrant any revisions to the report.

The trips for the commercial retail component used the average trip rate, as opposed to the equation. Some justification should be provided in the report as to why the average trip rate more closely reflects the anticipated site trips for this use, as opposed to the equation; since there would be a significant difference in the number of trips between the two approaches.

The site trips were not discounted to account for any on-site synergies between the residential and commercial uses. This is a conservative approach, as some on-site synergy could be expected to exist to some degree.

## Vehicle Trip Distribution and Assignment

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The trip distribution was based on the peak directional flows on Main Street East and Jasperson Drive, as well as previous traffic studies in the area. The studies that were used to assist in developing the distribution should be referenced specifically.

## Projected Traffic

---

To project future traffic volumes, a two percent annual growth rate was assumed. The source for this growth rate should be provided.

Future background conditions included the remaining build out of the Kingsville Marketplace shopping centre located to the east of the subject site. Approximately 32,600 ft<sup>2</sup> remains to be developed within this shopping centre. Trips associated with this remaining space were incorporated based on the trip generation data contained within the traffic impact assessment report for that development. A traffic count at the shopping centre driveway should be undertaken during the peak hours to validate the trip generation estimates included in the original traffic impact assessment report. If the site-specific trip rates for the shopping centre significantly differ from those included in the report, the future background trip forecasts should be updated accordingly.

## Jasperson Drive and Main Street

---

Under future background conditions, the southbound queue during the PM peak hour and Saturday mid-day peak hour are expected to block the driveways to the Zehrs plaza and Libro Credit Union on Jasperson Drive north of Main Street East. With the addition of site traffic, the southbound queue will increase, further exacerbating this anticipated situation. No mitigation is proposed within this section of the report to address this future condition.

## Main Street and Site Access

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Operational analyses at the site access location on Main Street East were based on a right-in/right-out driveway configuration.

Given the operational issues on the southbound Jasperson Drive approach to Main Street East, sensitivity analyses were conducted based on the assumption that left turn movements are permitted at the site access. The report indicates that up to 21 vehicles would be reduced on the southbound left turn movement at Jasperson Drive and Main Street East, yet Figure 7 shows a total of 20 AM peak hour, 23 PM peak hour and 29 Saturday peak hour reductions on this movement.

While the conversion of the site access on Main Street East to a full movement driveway (to permit left turns) would address the southbound operational issue on Jasperson Drive north of Main Street East, it would only exacerbate mid-block operations on Main Street East, east of Jasperson Drive, where a number of turning conflicts occur.

## December 2016 Addendum Letter

---

An addendum letter was prepared on December 6, 2016 to further clarify some concerns with respect to the operation of the Main Street East and Jasperson Drive intersection.

The letter concludes that some additional studies should be undertaken to assess in more detail possible solutions to the operational issues at the Main Street East and Jasperson Drive intersection, as well as access along Main Street East, east of Jasperson Drive.



We concur that these studies would be beneficial in arriving at a more holistic solution to traffic concerns in the area.

## Conclusions

---

Based on our review of both the August 2016 traffic impact assessment and the December 2016 addendum letter, we conclude the following:

- The 8<sup>th</sup> Edition trip rates from the Trip Generation Manual do not significantly differ from the rates included in the more recent 9<sup>th</sup> Edition;
- Some justification should be provided as to why the published average trip rate more closely reflects the anticipated site trips for the commercial retail component, as opposed to the trip rates derived from the published equations;
- The site trips forecasted may be conservative as some on-site synergies between the residential and commercial uses may occur;
- The previous area traffic studies that were used in developing the trip distribution should be referenced;
- The source for the 2% annual growth factor should be referenced;
- Traffic counts should be undertaken at the Kingsville Marketplace shopping centre driveway to confirm existing site trip rates which could be used to provide a potentially more realistic picture of future background volumes (rather than rely on the previous traffic study forecasts); and
- Additional studies should be explored by the Town to arrive at a holistic solution to traffic operational issues along Main Street in the vicinity of Jasperson Drive.

# THE CORPORATION OF THE TOWN OF KINGSVILLE

## BY-LAW -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** the application will conform to the Official Plan of the Town of Kingsville upon the coming into effect of proposed Amendment No. 6 to the Official Plan of the Town of Kingsville and final adoption by the County of Essex;

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

1. That Subsection 8.4(e) GENERAL COMMERCIAL (C4) EXCEPTION REGULATIONS is amended with the addition of the following new subsection:

#### **8.4.6 'GENERAL COMMERCIAL EXCEPTION 6 (C4-6)'**

For lands shown as C4-6 on Map (73) Schedule "A" of this By-law.

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

Apartment Building (maximum 95 dwelling units) in combination with a minimum of 557 sq. m (6,000 sq. ft.) of commercial space  
Commercial Education Facility  
Financial Institution  
Fitness Centre  
Personal Service Establishment  
Pharmacy  
Office  
Retail Establishment  
Restaurant, Tavern, Outdoor Patio  
Uses accessory to the permitted uses

b) Permitted Buildings and Structures

Those buildings and structures for the permitted uses

c) Zone Provisions

- i) All lot and building requirements for the permitted buildings and structures shall be in accordance with Subsection 8.4 of this By-law;
  - ii) Notwithstanding regulations and provisions of the (C4) zone to the contrary the following special provisions shall apply to lands zoned (C4-6):
    - a) Minimum interior side yard setback – 4.5 m
    - b) Maximum height – ten stories or 36 m whichever is less
    - c) Minimum setback from a residential zone – 45 m
2. Schedule “A”, Map 73 of By-law 1-2014, as amended, is hereby amended by changing the zone symbol on lands known municipally as Part of Lot 3, concession 1, ED. Parts 1, 2 & 3, Plan 12R 11644 & Parts 1 to 6, RP 12R 8589 and locally known as 342 Main St., E., & 20, 24 & 28 Jasperson Dr., as shown on Schedule ‘A’ in cross-hatch attached hereto from Agricultural (A1), ‘Residential Zone 1 Urban (R1.1) and General Commercial (C4) to ‘General Commercial Exception 6 (C4-6)’
3. This by-law shall come into force and take effect from the date of passing by Council and shall come into force in accordance with Section 34 of the Planning Act.

**READ a FIRST, SECOND and THIRD time and FINALLY PASSED this 14<sup>th</sup> day of August, 2017.**

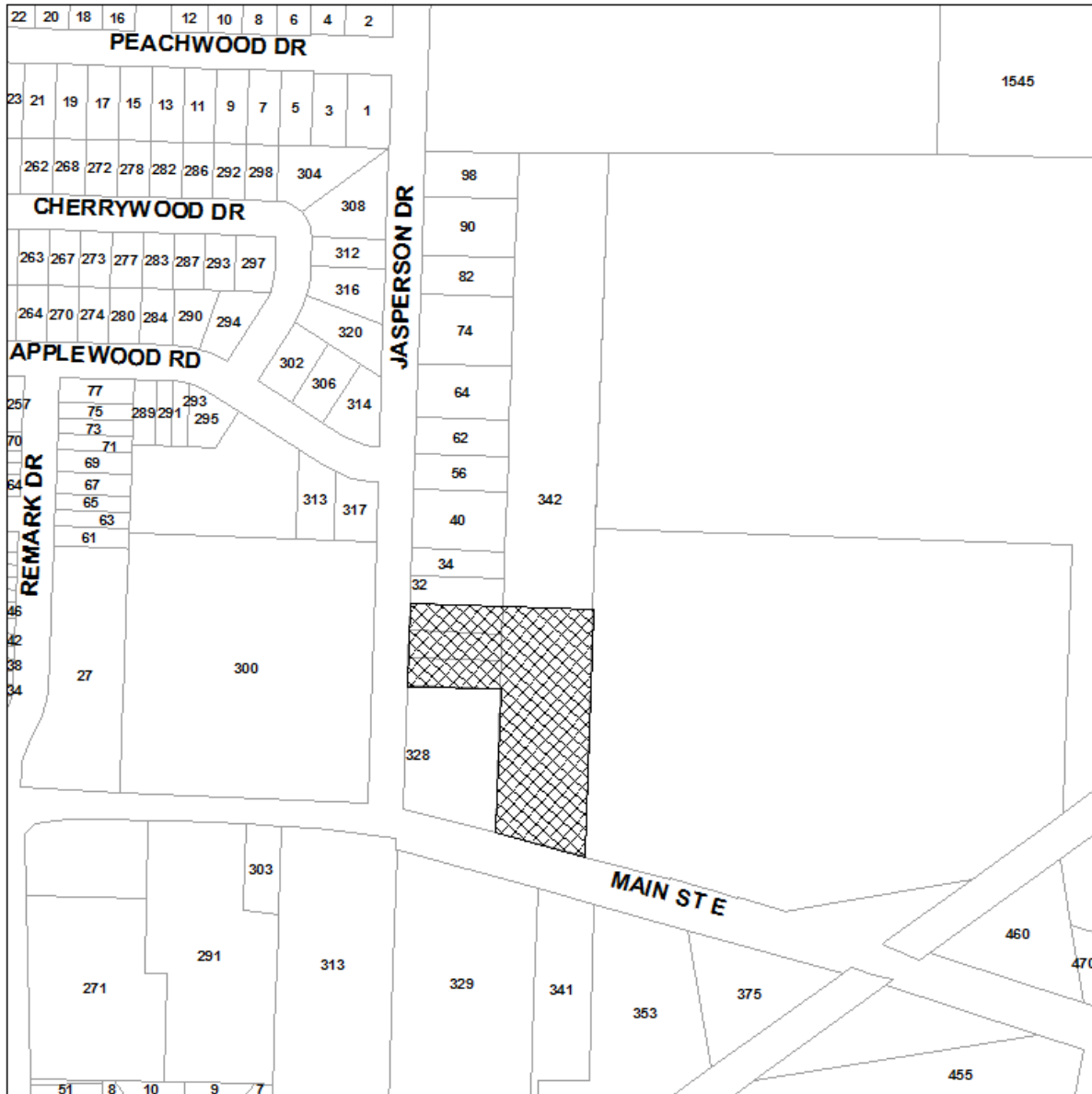
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**MAYOR, Nelson Santos**

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**CLERK, Jennifer Astrologo**

## Schedule 'A'



Part of Lot 3, Concession 1, ED  
 Pts. 1-3, RP 12R 11644 & Pts. 1-6, RP 12R 8589  
 342 Main St., E., & 20, 24 & 28 Jasperson Dr.  
 Zoning By-law Amendment ZBA/07/16



0 20 40 60 80 Meters



Schedule "A", Map 73 of By-law 1-2014, as amended, is hereby amended by changing the zone symbol on lands known municipally as 342 Main St. E., & 20, 24 & 28 Jasperson Dr., as shown on Schedule 'A' in cross-hatch attached hereto from 'Agricultural Zone 1 (A1)', 'General Commercial (C4)' & Residential Zone 1 Urban (R1.1)' to 'General Commercial Exception 6 (C4-6)'.



**MUNICIPALITY:** Town of Kingsville

**MUNICIPAL ADDRESS:** 342 Main Street East, and  
20, 24 and 28 Jasperson

**DEVELOPMENT:** King's Villa Condos

**APPLICATIONS:** Official Plan Amendment  
Zoning By-law Amendment

**DATE:** October 26, 2016

1632 County Road 31  
St. Joachim, ON · NOR 1S0  
C 519-563-8814 · E jackie@lassalineplan.ca

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3. **PROVINCIAL POLICY STATEMENT (PPS 2014)**
4. **COUNTY OF ESSEX OFFICIAL PLAN REVIEW**
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## 1.0 INTRODUCTION

Lassaline Planning Consultants (LPC) has been retained to undertake a planning justification review and report on the feasibility of an Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) for lands known as 342 Main Street East, 20 Jasperson Dr, 24 Jasperson Dr., and 28 Jasperson Dr. The subject property is comprised of these four parcels that are in the processes of being merged in title to create one parcel to be known as 342 Main Street East.

The amendments are proposing to establish a site specific policy in the Official Plan and a regulatory framework in the Comprehensive Zoning By-law to allow for a mixed-use development on the subject lands. The amendments will affectively provide for a 9 storey building with commercial main floor and the remaining floors used for residential. Please refer to APPENDIX A – Locational Map showing the location of the subject properties.

A pre-consultation meeting was held with the Manager of Planning Services, Director of Public Works, and Manager of Public Services for the Town of Kingsville on March 24, 2016.

Lassaline Planning Consultants (LPC) has prepared this justification report to support, explain and justify the requested Official Plan Amendment and Zoning By-law Amendment.

### 1.1 Existing Status

#### **Existing Official Plan and Zoning:**

Presently the subject lands are designated in the Official Plan and zoned in the Comprehensive Zoning By-law 1-2014 with multiple categories:

- i) Southern portion of 342 Main St. East is designated 'Highway Commercial' and zoned 'General Commercial (C4)';
- ii) Northern portion of 342 Main St. East is designated 'Agriculture' and zoned 'Agriculture (A1)';
- iii) 20 Jasperson Dr., 24 Jasperson Dr. and 28 Jasperson Dr. are designated 'Residential' and zoned 'Residential Zone 1 Urban (R1.1)'.

#### **Existing Land Uses:**

The southern portion of 342 Main St. East as well as the lands known as 20, 24, and 28 Jasperson Dr. are currently used for residential purposes while the northern portion of 342 Main St. East is being farmed and used for agricultural purposes.

## 1.2 PROPOSED DEVELOPMENT

342 Main Street East has a total lot area of approximately 21,400 m<sup>2</sup> (5.3 acres) and 52 m (170 ft) frontage on Main Street. The subject parcel has approximately 8,948.6 m<sup>2</sup> (2.2 acres) area allocated for the new commercial/residential condominium while the remaining northern 12,400 m<sup>2</sup> (3.06 acres) area of the property will remain as agriculture land use.

20, 24, and 28 Jasperson Dr. each have a lot area of 850 m<sup>2</sup> and 15.6 m frontage on Jasperson Dr. These lands will not be developed with a building but will provide for parking and access to Jasperson Drive as well as landscaped buffer area. The parcels fronting on Jasperson Drive have been merged in title with 342 Main Street East to create one contiguous parcel that will retain the municipal address of 342 Main Street East. For the purposes of this report, unless defined specifically, references to 342 Main Street East will refer to the subject parcel of 8,948.6 m<sup>2</sup> area with 52.7 m frontage on Main Street East and 47 m frontage on Jasperson Drive.

The applicant is proposing the construction of a 9 storey building comprising 6 main floor commercial condo units and 8 storey residential condo consisting of 95 residential units. The ground floor area of the building is proposed with 1,254.2 m<sup>2</sup> (13,500 ft<sup>2</sup>) GFA.

The 1,254.2 m<sup>2</sup> (13,500 ft<sup>2</sup>) GFA condo building is to be located on the 8,948.6 m<sup>2</sup> (2.2 acres) area southern portion of 342 Main Street East resulting in 18% total lot coverage for the subject parcel. Ingress/egress has been provided from Main Street and ingress/egress has also been provided from Jasperson Drive. The remainder of the subject parcel will be used for landscaping, parking, driving aisle, and other site amenities associated with the mixed-use development.

342 Main Street also has a portion of the subject lands outside of the settlement area that is used for agricultural purposes. The subject parcel presently used for agriculture will remain in agriculture.

Please refer to APPENDIX G – Draft Site Plan.

## 1.3 PURPOSE OF THE REPORT

Presently the subject lands have three designations applying to the subject property: 'Residential' designation applied to the lands fronting on Jasperson; 'Highway Commercial' designation applied to the southern portion of the lands fronting on Main Street East; and 'Agriculture' designation applied to the area outside of the settlement boundary.

The subject property has multiple zone categories applied to the property: 342 Main Street East is presently zoned 'General Commercial (C4)' while lands fronting on Jasperson Drive are zoned 'Residential Zone 1 Urban (R1.1)' and the northern portion of lands are zoned 'Agriculture (A1)' in the Town of Kingsville Comprehensive Zoning By-law 1-2014.

The applicant is requesting an Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) to establish a site specific policy direction under the 'Highway Commercial' designation and to establish a site specific regulatory framework under the 'General Commercial (C4)' zone for these lands.

The southern portion of 342 Main Street East will retain the 'Highway Commercial' designation with the Official Plan Amendment providing a site specific policy identifying the proposed condominium development.

The portion of the subject parcel lands fronting Jasperson Drive will be redesignated from the existing 'Residential' designation to 'Highway Commercial' designation. The site specific special policy will be applied to the subject lands to ensure a consistent policy direction applied to the entirety of the property.

The northern portion of 342 Main Street East will remain designated 'Agriculture' in the Official Plan and 'Agriculture (A1)' zone in the Comprehensive Zoning By-law. These northern lands are outside of the settlement area of the Town of Kingsville and will remain undeveloped.

An amendment to the Comprehensive Zoning By-law is necessary to establish a new, site specific regulatory framework under the 'Highway Commercial (C4)' zone to be applied to the entire parcel to permit residential uses as well as the commercial uses in the 'Highway Commercial (C4)' Zone. The zoning by-law amendment will ensure the regulations of the new (C4) zone are consistent with the new Official Plan policy direction.

The following chart details each parcel:

Portion of lot location and size	Current Zoning	Proposed Zoning
342 Main Street E (subject lot) - 8,948.6 m <sup>2</sup> (2.2 acres)	Highway Commercial (C4)	Highway Commercial Exception (C4-#)
Agricultural lands - 12,400 m <sup>2</sup> (3.06 acres)	Agricultural (A1)	Agriculture (A1)
20 Jasperson Dr. - 850 m <sup>2</sup>	Residential (R1.1)	Highway Commercial Exception (C4-#)
24 Jasperson Dr. - 850 m <sup>2</sup>	Residential (R1.1)	Highway Commercial Exception (C4-#)
28 Jasperson Dr.	Residential (R1.1)	Highway Commercial Exception (C4-#)

#### 1.4 LOCATION OF THE SUBJECT LANDS

The subject property has frontage on Main Street East as well as Jasperson Drive at the junction of these two streets. The property is located on the east side of the Town of Kingsville within the urban settlement area of the Town. The subject lands are surrounded by residential to the north-west, agricultural lands to the north, and commercial to the east, the south and the south-west.

#### 1.5 NEIGHBOURHOOD/ ADJACENT USES AND COMPATIBILITY

##### A) North - 'Agricultural Zone (A1)' and 'Residential Zone 2 Urban Exception 13 Holding (R2.1-13h)

The northern portion of the subject lands, which will not be used for the purpose of this development, is used for agricultural purposes, particularly cash cropping.

On lands adjacent to the subject lands to the north is proposed for a residential plan of subdivision known locally as the Remark Plan of Subdivision. The plan has a mix of residential housing types of single detached and semi-detached residences with approximately 132 residential lots.

The northern portion of the subject lands will remain as cropland. This portion of the subject lands are located outside the boundary of the settlement area for the Town of Kingsville. This portion of lands cannot be included in the Town's settlement area until an extensive Secondary Plan is completed.

**B) East- 'General Commercial (C4)' and 'General Commercial Exception 1 (C4-1)'**

To the immediate east of the subject property are vacant lands owned by the Otis Development Group. These vacant lands are known as Phase 2 of 3 phases of development proposed for the site. Adjacent to the east is Phase 1 lands that have been developed for a commercial mall including a Freshco, the LCBO, etc. The Chrysler Greenway also traverses to the east of the lands.

**C) South- 'General Commercial (C4)'**

Directly to the south of the subject lands is a commercial development including restaurants, a gas station and retail store.

The properties to the south-east of the subject lands include a residential development known as Timbercreek Estates (50 acres, 75 single-family residential lots). To the south-east there is also some commercial development and the Chrysler Greenway navigates through these lands.

**D) West- 'Residential Zone 1 Urban (R1.1) and General Commercial (C4)'**

Directly to the west of the subject property is a financial institution known as 'Libro Credit Union.' To the west along Jasperson Dr. are a series of single, detached residences. Three existing residential properties have been acquired by the applicant for the purpose of access onto Jasperson Drive from the subject lands. The three properties will be merged on title.

**COMMENT:**

**The Official Plan Amendment and Zoning By-law Amendment and subsequent implementing development of the subject site for a mixed use building with commercial main floor and residential condos in my professional opinion can be considered appropriate development for the site and is compatible with the neighbourhood with necessary buffering.**

## 2.0 RESIDENTIAL DEVELOPMENT LAND SUPPLY

In the 2011 Canada Census report, the Town of Kingsville has been identified with approximately 7715 residential units within the municipality. These are a mixture of singles, semi-detached, condos, townhouses and apartment residential units within the urban area of the municipality.

**Table 1: Population, Household and Land Area Data**

Municipality	2011	2011	2011	Land Area	Vacant Land Designated for Urban Purposes
	Population	Households	Persons Per Household		
Amherstburg	21,556	8,120	2.65	18 796 ha	835 ha
Essex	19,600	7,790	2.51	28 734 ha	367 ha
Kingsville	21,362	7,715	2.76	24 464 ha	352 ha
Lakeshore	34,546	12,330	2.80	52 841 ha	1,439 ha
LaSalle	28,643	9,905	2.89	6 561 ha	947 ha
Leamington	28,403	9,865	2.87	26 440 ha	681 ha
Tecumseh	23,610	8,655	2.72	9,469 ha	782 ha
<b>Essex County</b>	<b>177,891</b>	<b>64,380</b>	<b>2.76</b>	<b>172 031 ha</b>	<b>5,649 ha</b>

Source: Information compiled from statistics contained within a variety of Census Canada documentation and the Population and Employment Foundation Report.



**Table 2: 20 Year Population Projections to 2031**

Local Municipality	2011 Census Population	Projected 2031 Population	Allocated Growth
Amherstburg	21,556	25,860	12%
Essex	19,600	22,150	7%
Kingsville	21,362	24,400	9%
Lakeshore	34,546	41,000	18%
LaSalle	28,643	35,470	20%
Leamington	28,403	33,490	15%
Tecumseh	23,610	30,140	19%
<b>Total Essex County</b>	<b>177,891</b>	<b>212,810</b>	<b>100%</b>

**COMMENT:**

Based on Table 2 above included in the County of Essex Official Plan, the proposed/approved geometric population rates (population rates, etc) for the Town of Kingsville is estimated to grow approximately 3,038 residents over the next 20 years, or approximately 151 increase in population per year. Based on Table 1 above with a rate of 2.76, this equates to approximately 55 new residential units per year to support the population growth. The proposed condominium building will provide housing alternatives to existing residents within the Town as well as provide for housing for new residents to Kingsville and support the in-migration that supports vibrant and healthy community growth.

**COMMENT:**

According to The Town of Kingsville Building Activity Summary Report specifies the following number of building permits issued annually for new single, residential units:

2015 - 91 dwellings with 99 dwelling units  
2014 - 44 dwellings with 49 dwelling units  
2013 - 51 dwellings with 77 dwelling units  
2012 - 69 new dwellings  
2011 - 50 new dwellings  
2010 - 56 new dwellings

**COMMENT:**

The proposed development consists of a 9 storey, mixed use development that will contain 95 residential units and 6 main floor commercial units. The construction of the building is proposed in 2017.

According to the trend shown through historical building permit data, the number of units to be constructed will provide for a continuation of the steady, managed growth experienced by the Town of Kingsville. The growth will not be an anomaly but rather will be consistent within the trending range.

The proposed projected growth rate of 3,038 residents over a 20 year time period equates to Kingsville growing with approximately 151 new residents per year. This rate of growth for Kingsville reflects that portion of the County's growth that has been identified as a sustainable, manageable growth for the community of Kingsville within the County.

The proposed development will provide for managed, appropriate growth that will allow for growth within the recommended projected population range.

**COMMENT:**

Table 2 identifies a proposed, managed growth for Kingsville in the range of a 9% growth of the County's Total Population Growth Rate.

The majority of development within the Town is in the form of single, detached residences. There are only a few buildings in Town considered medium to high density development and these units comprise rental units, not ownership in the form of condominiums.

The proposed development will create 95 residential condominiums and 6 commercial condominiums within the Town. The proposed condominium development will provide for needed, alternative residential development consisting of high density residential condos and large commercial condos. The proposed condominium building will provide housing alternatives to both existing residents within the Town as well as provide for housing for new residents to Kingsville and support managed and healthy community growth. The residential condominium building will be the first high density building with condominium ownership as an alternative to apartment living in the Town of Kingsville.

**COMMENT:**

**The proposed Official Plan Amendment and Zoning By-law Amendment will support the development of the subject lands for a mixed use condominium building. The OPA and ZBLA will support the development of an alternative form of residential ownership while supporting the wise use and management of the urban lands.**

### 3.0 PROVINCIAL POLICY STATEMENT

When reviewing a planning application to determine if it is sound planning, it is imperative that the proposed development is consistent with the Provincial Policy Statements (PPS): "The Provincial Policy Statement provides policy direction for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment. It (PPS) recognizes that the wise management of development may involve directing, promoting or sustaining growth. Land use must be carefully managed to accommodate appropriate development to meet the full range of current and future needs, while achieving efficient development patterns."

The vision for Ontario's Land Use Planning System states:

*"The Provincial Policy Statement focuses growth within settlement areas and away from significant or sensitive resources and areas which may pose a risk to public health and safety. It recognizes that the wise management of development may involve directing, promoting or sustaining growth. Land use must be carefully managed to accommodate appropriate development to meet the full range of current and future needs, while achieving efficient development patterns."*

***"Subsection 1.1.1 Healthy, liveable and safe communities are sustained***

#### **COMMENT:**

The portion of the lands proposed for development are located within the Settlement Area for the Town of Kingsville and identified as Settlement Area on Schedule 'B' under the County of Essex Official Plan.

The northern portion of 342 Main Street East, identified as lands outside of the settlement area, will remain designated 'Agriculture' in the Official Plan, zoned 'Agriculture (A)' and will remain undeveloped.

The southern portion of 342 Main St East is identified in the Official Plan for growth and development.

The OPA and ZBLA will support the development of an alternative form of residential ownership to the standard single detached residence typically available for purchase in Town. As well, the development will consist of commercial uses that are complimentary to the neighbourhood and residential units above: professional office space, retail commercial, café or specialty bake shop, medical clinic or pharmacy. Retail, office and personal service uses provide for employment opportunities as well as supporting the residential and commercial components of the neighbourhood.

The OPA and ZBLA will allow for managed, appropriate growth that is sustainable and makes sound planning.

**by:**

- b) accommodating an appropriate range and mix of residential, employment including industrial, commercial and institutional uses, recreational and open space uses to meet long-term needs;*

**COMMENT:**

The proposed development will contain 95 residential condominium units as well as 6 commercial condominiums. The mixed-use development will provide for an alternative style of residential living and ownership from the typical single detached residences available in Town. The commercial units will be focused on retail and personal service uses that will support the residents within the building and within the neighbourhood. The mixed use building and neighbourhood will create a vibrant, active neighbourhood and community while providing for managed, appropriate growth for the Town of Kingsville.

- f) improving accessibility for persons with disabilities and the elderly by removing and/or preventing land use barriers which restrict their full participation in society.”*

**COMMENT:**

The proposed development will accommodate accessibility and support the reduction of barriers. The proposed condominium will have an elevator, under-ground parking, barrier free parking, ramp access, ground level amenity spaces and designed with barrier free provisions to support accessibility.

The modern amenities within the building and on the site will improve accessibility for the condominium owners and the public.

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

**COMMENT:**

342 Main Street E. is located within the urban, built-up area of the settlement area of the Town of Kingsville.

The subject lands are within a mixed use neighborhood and will be surrounded by existing development: Zehr's Grocery store to the west; Libro Centre on adjacent property to the west; a proposed 132 lot residential plan of subdivision to the north; existing single, detached residences to the west; the Freshco commercial mall adjacent to the east; and a commercial mall and a multi-storey commercial building across Main Street to the south.

342 Main Street E. will be infilling development on an existing lot within a mixed use neighborhood. Specifically, the development will begin with the removal of an older, single detached residence on the 8,948.6 m<sup>2</sup> parcel and replacing it with the more efficient and effective use of the land with a new 9 storey condominium building with 6 commercial main floor units and 95 residential condo units. The proposed mixed-use building consists of a ground floor area of 1,254.2 m<sup>2</sup> (13,500 ft<sup>2</sup>) resulting in a lot coverage of approximately 18%.

A shadow study was completed and is attached as APPENDIX I – Shadow Study. The study shows that the proposed 9 storey building is an efficient and effective infrastructure for the lands and will not have a negative impact on adjacent uses. The only impact is a minor shadow projected on the adjacent commercial bank for a couple of hours in the morning. There are no adjacent residences that will be impacted from the construction of the proposed 9 storey residential condominium.

Municipal infrastructure is available for connection to service the subject development. Municipal water capacity and flow have been shown to be available for both potable water and for fire-fighting purposes. Municipal storm and sanitary sewers have capacity for the proposed units. There will not be a demand for expansion of the municipal services to service the subject building.

Developable lands within the urban area of the Town of Kingsville are very limited and in short supply with most lands being designed for low to medium density plans of subdivision. The proposed condominium building will provide for a high density building, an appropriate alternative form of housing and density for the Town of Kingsville.

The density provides for an efficient and effective use of the subject lands, infrastructure and public services available.

***“Subsection 1.4.3 Planning authorities shall provide for an appropriate range of housing types and densities to meet projected requirements of current and future residents of the regional market area by:***

*b) permitting and facilitating:*

- 1. All forms of housing required to meet the social and health and well-being requirements of current and future residents, including special needs requirements; and*
- 2. All forms of residential intensification and redevelopment in accordance with policy 1.1.3.3*

**COMMENT:**

The proposed high density condo mixed-use development is a unique housing style to Kingsville. Typical, majority of housing in Kingsville is in the form of single detached residences. The condominium building will provide for a high-rise condominium lifestyle not available presently in the Town.

As a mixed-use building, the commercial main floor component will provide for commercial retail and personal service commercial to support the residents within the the building and within the neighbourhood. As well, the commercial uses within the building may provide an opportunity for the resident to live/work in the same facility.

King's Villa Condos will consist of a mixed use condominium building while providing for a residential style of home ownership presently not available in the Town. The provision of condos in Kingsville in a market that does not presently have high rise condos will satisfy the needed diversity of residential home ownership while providing for a significantly unique development to the Town and County.

*c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be*

**COMMENT:**

Please refer to APPENDIX H – Functional Servicing Report: the Functional Servicing Report indicates that there is capacity and sufficient infrastructure for potable water, sewer, and storm sewer to accommodate the proposed development.

A water flow test was undertaken of two hydrants in close proximity to the building that will be servicing the new facility in the case of fire emergency. The Functional Servicing Report indicates that there is sufficient water to accommodate the 9 storey building.

Main Street East is considered an arterial road while Jasperson is considered a collector road. A Traffic Impact Study was completed for the proposed development. Please refer to attached APPENDIX J – Traffic Impact Study for the complete report. In summation, the entrance/exit from Main Street East is viable as an ingress/egress right turn. Jasperson Drive will be comprised of right and left turns for both ingress and egress.



*available to support current and projected needs;*

- d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of alternative transportation modes and public transit in areas where it exists or is to be developed;”*

**COMMENT:**

The proposed mixed use condominium will provide a high rise condo unit ownership of a residential unit, a form of housing presently not available in the Town. High rise condo living provides for lifestyle and accommodation that is a desirable alternative to a single detached residence, a typical housing ownership presently available in Town.

Municipal transit services are available to the property including an integrated bike pathway system along Main Street and the Chrysler Greenway multi-use trail system in close proximity and available to the property. Bike racks for storage and parking of bicycles have been provided on site to support the integrated CWATS biking network and the healthy community initiative of the province and municipality.

**COMMENT:**

The Official Plan Amendment will provide a site specific policy statement to permit a mixed use development of both commercial and residential condominium development. The high rise condominium development will provide for an alternative home ownership that is presently not available in the Town of Kingsville, supporting the diversification of the housing market.

The proposed development, in my professional opinion, will create an appropriate mixed use development that will effectively and efficiently utilize and connect with existing municipal services. Ingress and egress have been addressed in the traffic impact study and provide for an appropriate level of access for both residential and commercial use of the property.

The proposed development will be supporting the provincial initiative of a healthy, balanced and sustainable community with the provision of both residential units and commercial business and employment opportunities, supporting the live work initiative.

Please refer to APPENDIX H – Functional Servicing Report.

**The requested Official Plan Amendment and Zoning By-law Amendment is consistent with the Provincial Policy Statements and makes sound planning.**



## 4.0 COUNTY OF ESSEX OFFICIAL PLAN REVIEW

The newly adopted County of Essex Official Plan outlines the general parameters to consider when amending the Official Plan and Zoning By-law within a community. Some important policies to consider within the County's Official Plan include:

### 3.2 Settlement Area:

#### **"3.3.2 Goals**

- a) Support and promote public and private re-investment in the Primary Settlement Areas.*

#### **COMMENT:**

The subject property is located within the urban area of the primary settlement area for the Town of Kingsville. The Town of Kingsville has a few high density residential units within the Town in the form of apartment rental units. The proposed condominium will be providing for a unique housing and ownership style for the Town. 342 Main Street E. will satisfy the market demand for high density residential units through condominium ownership rather than the typical single, detached residential unit.

The proposed development will be creating commercial condo units on the main floor of the building with residential units above the commercial. The commercial condo units are intended as a primary use within the designation of 'Highway Commercial'. The requested Official Plan Amendment will not be eliminating or reducing the commercial use of these lands but rather will be permitting residential use as an additional use within the building. The mixed use building with commercial on the main floor and residential above is a wise use and development of the subject lands.

- b) To support and promote healthy, diverse and vibrant settlement areas within each of the seven Essex County municipalities where all county residents, including special interest and needs groups can live, work and enjoy recreational opportunities.*

**COMMENT:**

The subject lands are located within the urban area of the Town with associated municipal amenities in close proximity such as the Chrysler Greenway, the bike trail along Main Street connecting to the County Road and CWATS (County Wide Active Transportation System).

The mixed use commercial-residential condo will consist of commercial uses that are complimentary to the residential units above: professional office space, retail commercial, café or specialty bake shop, medical clinic or pharmacy. Retail, office and personal service uses provide for employment opportunities as well as supporting the residential and commercial components of the neighbourhood. With commercial main floor, residents may be able to own their residential units while owning and working in the same building. Conversely, the residents are in a mixed use neighbourhood where they may be able to live in the building while walking/biking to work within the neighbourhood.

Significant municipal recreational facilities are within walking distance of the proposed development: Town hockey arena, multiple soccer fields, baseball diamonds, running tracks, CWATS, and the Chrysler Greenway multi-use trail (biking, walking, hiking, etc) are all within close proximity to the proposed development.

- c) To promote development within Primary Settlement Areas that is compact, mixed-use, pedestrian oriented, with a broad range of housing types, services and amenities available for residents from all cultural, social and economic backgrounds.*

**COMMENT:**

The development will provide for a compact built high rise form within the urban area of a primary settlement area for the Town of Kingsville. 342 Main Street will provide for an alternative housing, compact, high density residential development with a main floor commercial mixed use building. The mixed use development will be unique to Kingsville by providing an alternative housing ownership while adding to the range of housing and commercial opportunities within Kingsville.

The floor above the 9<sup>th</sup> floor of the condo building will provide recreational and social amenity space for residents. There will be multi-purpose room available for social gatherings for the residents, a weight room and an indoor swimming pool for use by the the residents in the building and their guests.

As a component of the commercial condominium development, an outside patio is proposed as an amenity space. This outdoor café will provide for an amenity space and will provide for a gathering place for residents within both the development and the community.

The high rise building has been designed within the historical architecture of Kingsville. The design has a heritage component that will allow the building to be a positive attribute to the skyline of the Town while supporting the cultural heritage prevalent in the Town.

In addition, there is extensive amenity space proposed for the residents of the condominium in the rear of the building. A gathering place has been designed for the use by the residents that includes benches, landscaping and garden space. An arbor area has been provided for both visual amenity and to assist with buffering and separation between the proposed use and the existing residential use on Jasperson Dr.

- f) To increase the opportunity for job creation within each County municipality by attracting and maintaining industries and businesses closer to where County residents live.*

**COMMENT:**

The proposed development will provide for main floor commercial condominiums. The units have been designed as commercial space units (each approximately 2,600 ft<sup>2</sup>) with different commercial uses proposed that are complimentary to the residential units above: professional office space, retail commercial, café or specialty bake shop, medical clinic or pharmacy.

Retail, office and personal service uses provide for employment opportunities for the condominium residents as well as supporting the residential and commercial components of the neighbourhood. The proposed building will be located in close proximity to existing commercial businesses that will also provide both commodities or services to the neighbourhood but may also provide employment opportunities to the condo residents. The location of the building will support the live/work policy of the Province to provide residential in close proximity to work, providing opportunities to reduce dependency on the car.

- g) To support long term economic prosperity by providing infrastructure and public service facilities to accommodate projected growth.”*

**COMMENT:**

The proposed condominium development will include both residential and commercial units providing for needed commercial and residential infrastructure within the urban area of the Town of Kingsville.

New residential condominium units will support the projected residential growth of over 3,000 new residents within a 20 year profile.

The commercial condominium infrastructure is anticipated to provide services and commodities to support the residential growth anticipated for the community as well as the neighbourhood growth.

**COMMENT:**

The proposed mixed use, high density residential condominium will provide for alternative housing style to the single detached residence typical to the housing market of the Town of Kingsville. The building design is supportive of the cultural heritage valued and existing in the Town. The commercial and residential style will provide amenities and features to benefit the residents within the building as well as residents within the Town of Kingsville. The density and building design provides for a wise and efficient use of existing municipal services and infrastructure.

An Official Plan Amendment (OPA) to the Town of Kingsville Official Plan and Zoning By-law Amendment (ZBA) to the Town of Kingsville Comprehensive Zoning By-law are required to facilitate the proposed development. The Official Plan Amendment will continue to recognize commercial use as a permitted use on the main floor and provide for residential as an additional use to the commercial use within a site specific policy in the 'Highway Commercial' designation.

**The proposed development conforms with the relevant policies of the Official Plan for the County of Essex. An amendment to the policies for the County of Essex are not required to accommodate the proposed development.**



## 5.0 TOWN OF KINGSVILLE OFFICIAL PLAN

### 5.1 Current Land Use Designation

The subject property at 342 Main Street is presently designated 'Highway Commercial' on the southern portion while the northern portion of the property is designated 'Agricultural'. 20, 24, and 28 Jasperson Dr. are designated 'Residential' in the Official Plan for the Town of Kingsville.

### 5.2 Mixed Use Development

The southern portion of 342 Main Street East will retain the 'Highway Commercial' designation. The portion of the subject parcel fronting Jasperson Drive will be redesignated from the existing 'Residential' designation to 'Highway Commercial' designation. A site specific special policy will be applied to the subject lands to ensure a consistent policy direction is applied to the entirety of the property.

The northern portion of 342 Main Street East will remain designated 'Agriculture' in the Official Plan and 'Agriculture (A1)' zone in the Comprehensive Zoning By-law. These northern lands are outside of the settlement area of the Town of Kingsville and will remain undeveloped.

### 5.3 Residential OP Policies

"Subsection 3.6.1 Residential policies

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

#### COMMENT:

A portion of the lands are designated 'Residential' however the majority of the subject lands are designated 'Highway Commercial'. The Official Plan Amendment is proposing to designate the 'Residential' lands to 'Highway Commercial' and to apply a site specific policy to address the proposed development.

The policies of Subsection 3.6.1 provide a guide to the residential use proposed for the development. A high density residential building is identified as a permitted style of housing in the Town of Kingsville.

*g) residential infill development in areas of significant historical, architectural or landscape merit shall be encouraged provided:*

- i. sensitive to the existing scale, massing and pattern of the area;*
- ii. be consistent with the existing landscape and streetscape qualities; and*
- iii. will not result in the loss of any significant heritage resources.*

**COMMENT:**

Please refer to APPENDIX E and APPENDIX F – Elevations.

The Town of Kingsville has a rich cultural and built heritage. The built heritage has been regarded during the design of the structure with subtle heritage components implemented to create a heritage sensitive and supportive building design.

Please refer to APPENDIX I - Shadow Study

A shadow study was undertaken of the proposed 9 storey structure. There are no adjacent residential uses that will be affected by the height of the building. Only 1 commercial building, adjacent Libro Centre to the west of the condos, will be affected by the height of the building with a shadow cast early in the morning on the structure. This shadow will be eliminated as the sun rises during the morning.

*h) areas for medium and high density residential development are not specifically identified in this Plan. It is the intent of the Plan that all types of residential development will be permitted throughout the area designated “Residential”, subject to satisfying certain criteria. The Zoning By-law will zone only existing medium and high-density residential uses as such. Any new medium or high-density residential development or redevelopment proposal will require an amendment to the Zoning By-law. When considering the appropriateness of the amendment request, the following criteria shall be considered:*

*iii) High Density Residential*

*The high density residential zone will permit multiple family dwellings such as single unit attached housing, townhouse dwellings, apartment buildings exceeding three stories in height and all types of senior and other special interest and needs housing. The maximum density for this type of housing shall not exceed 124 units per gross hectare.*

**COMMENT:**

For high density residential development, the Official Plan states that the residential portion of the development should not exceed more than 124 units per gross hectare. The applicant is proposing 95 residential condominium units in the building.

The subject property has a proposed size of 0.895 ha. The proposed density calculates to a proposed residential density of 110 units per hectare. Therefore, the designed building conforms with the Official Plan policy directing that housing shall not exceed 124 units per gross hectare.

*i) when considering applications to amend the Zoning By-law to permit a medium or high density residential development, the Town shall have regard to the following:*

- i) the need for the proposed development as identified through an analysis of housing supply and demand;*
- ii) the density and form of adjacent development;*
- iii) the adequacy of, and extent of uncommitted reserve capacity in the municipal potable treatment and supply system, the municipal, sanitary sewage treatment and collection system, storm drainage and roads to service the proposed development;”*

**COMMENT:**

The proposed condominium will be providing a residential style of housing that is an alternative form of housing to the typical single detached residential development that occurs within Kingsville. There are very few apartment style buildings and only a couple of condominium style buildings within Kingsville. In addition, most apartment buildings within Town have a maximum height of 6 storeys.

The proposed condominium building will be built with 9 storeys with 95 residential units on a 0.98 ha parcel and a density of 110 units per hectare, well under the threshold of allowable and supported density of 124 units per hectares in the Official Plan ‘Residential designation.

Please refer to attached APPENDIX H – Functional Site Servicing Report. The report confirms the availability of capacity and connections of municipal services; potable water, sanitary sewer, storm sewer, and hydro connections are available for utilization by the proposed development.

The requested amendment will provide for the development of a high density condominium development with 95 units, below the density permitted in the Official Plan; is a wise use of residential lands; and will provide for an efficient and effective use of these lands.

#### **COMMENT:**

After consulting with local Real Estate Agents and analyzing various real estate market studies (Rental Market Report-Windsor CMA), it can be concluded that the vacancy rates in Leamington and Kingsville are almost nil. Presently, Kingsville has approximately 130 condominium and apartment units in different housing facilities, very few are available to purchase or rent.

A healthy and viable community has a vacancy rate of approximately 6-8% of units available for rent or purchase. Residential development market is thriving in the Town of Kingsville (77 new residential development permits issued in Kingsville in 2013), however the majority of these are single detached residences. The Town has not had a multiple unit building built in over 12 years.

The proposed building has been designed to 9 storey height in order to provide for additional value added amenities such as a swimming pool, conference room, etc. The design supports an efficient and effective scale of development and density that wisely uses municipal services and valuable urban land.

#### **5.4 Official Plan Amendment**

*"Section 8.1 Official Plan - 8.11.1 Amendment Procedures*

*Should changing conditions necessitate the need for an amendment of the Official Plan or the Zoning By-law, in accordance with the Planning Act, due regard shall be given to the following criteria:*

*a) the need for the proposed use;*

#### **COMMENT:**

As discussed previously, the Town of Kingsville is a growing community with a need to provide alternative housing to the single detached residential form of housing that is prevalent in the Town. The proposed condominium development will provide this alternative residential ownership and housing style.

The building is proposed as a high density mixed use building that will support the live work initiative of the province and the municipality while providing for commercial services to support the residential units and neighbourhood residential.

Direction is provided by the province that development should be appropriately intensified with a wise use of municipal services. The Town of Kingsville is constrained in its capacity to expand into the agricultural area due to the social and economic value of the prime agricultural lands and greenhouses within the urban fringe, making the urban lands valuable and warranting a higher density. The high rise condominium will be an efficient, effective and responsible form of development for the subject site.

- b) the extent to which the existing areas in the proposed categories are developed, and the nature and adequacy of such existing development;*

**COMMENT:**

The proposed building and land use will be an infilling development of a mixed use commercial and residential building within a neighbourhood of existing commercial and residential uses. The new building will provide for a complimentary and supportive land use to the existing neighbourhood.

Municipal infrastructure, services and capacity are available to accommodate the proposed development. The connection of the development will not have a negative fiscal impact on these services, rather will utilized these services to a designed, appropriate capacity.

The neighbourhood has extensive recreational and cultural activities to support the proposed residential component of the proposed development: soccer fields, running tracks, Chrysler Greenway, CWATS bike trail, community ice rink, baseball fields, etc.

There are educational and cultural facilities within the neighbourhood to support the residents within the condo: Migration Hall and the Kingsville High school.

The proposed commercial development will be a complimentary and supportive use to the neighbourhood residents within the residential subdivision across Jasperson Dr., within the proposed Remark Subdivision to the north, or Timbercreek to the south. The commercial development will support the residents within the condominium.

- c) the physical suitability of the land for such proposed use, and in the case of lands exhibiting a potential hazard, consideration shall be given to:*

- i) the existing environment and/or physical hazards;*
- ii) the potential impacts of these hazards; and*
- iii) the proposed methods by which these impacts may be overcome in a manner consistent with accepted engineering techniques and resource management practices;*

**COMMENT:**

There are no physical or environment hazards associated with the property. A Species at Risk property analysis was completed and the property was determined to be clear of both sensitive and significant Species.

Extensive landscaping has been provided to provide for visual and sound mitigation between existing uses and the proposed development. Of particular, note the extensive landscaping and separation distance provided between the proposed entrance and the existing residence to the north of the subject lands on Jasperson Drive.

- d) *the location of the area under consideration with respect to:*  
i) *the adequacy of the existing and proposed highway system in relation to the development of such proposed areas;*

**COMMENT:**

The subject development will front and acquire ingress and egress from Main Street East, an arterial road as well as Jaspersen Drive, a local collector road. Please refer to attached APPENDIX J – Traffic Impact Study.

- ii) *the convenience and accessibility of the site for vehicular and pedestrian traffic, and the traffic safety in relation thereto; and*

**COMMENT:**

A Traffic Impact Study has been completed and is attached hereto (APPENDIX J) and confirms adequate ingress and egress for the proposed development with the anticipated volume of both residential and commercial traffic.

There will be connection to municipal sidewalks with both frontages containing sidewalks. In addition, the ERCA trail is located in close proximity. In addition, bike parking has been provided for users accessing the bike trail along the Main Street frontage.

- iii) *the adequacy of the potable water supply and distribution system, sanitary sewage collection and treatment facilities, stormwater management facilities, and other municipal services in view of the policies contained in this Plan;*

**COMMENT:**

Please refer to attached APPENDIX H – Functional Site Servicing report by Bruce Crozier, P.Eng. reporting on the provision of services for the development and connection to municipal services.

Municipal infrastructure services for water, sewer and storm are available to the property for connection to service the proposed development.

Storm sewer service, water service and sewer capacity are available for the development.

A Storm Water Management Report and Site Servicing Report will be submitted with this file to confirm the appropriate details associated with the necessary connections to municipal services.

*e) the compatibility of the proposed use with uses in adjoining areas;*

**COMMENT:**

The neighbourhood adjacent to the subject property is comprised of a mix of residential, general commercial, service commercial and highway commercial uses. Proposed uses for the main floor commercial are also intended to be a scoped list of general commercial uses, compatible with the existing commercial uses in the neighbourhood.

To support compatibility of the commercial component of the development with the neighbourhood, it is recommended that the new zoning for the site be refined to permit a site specific list of permitted uses that are deemed acceptable in the neighbourhood: eg: retail commercial, a café, professional office, medical and dental office, etc. The site specific zoning will provide for mitigating factors to allow for greater buffer and setbacks between the existing uses and the proposed development.

*f) the impact of such proposed use on the surrounding areas with respect to any possible depreciating or deteriorating effects;*

**COMMENT:**

There are no residential buildings or adjacent commercial buildings that will be negatively impacted by shadow affect created by the height of the building. A shadow elevation plan has been prepared and does not show any impact by the height of the building on adjacent land uses.

*g) the potential effect of the proposed use on the financial position of the Town and its capacity to provide proper municipal services;*

**COMMENT:**

The site can be considered infilling between adjacent, existing development. Municipal services are available to the site and there is capacity for the proposed development to connect to the municipal services. The proposed development will not have a negative impact on the municipality or the municipal provision of services.

*h) the potential effect of the proposed use in relation to the intent and implementing regulations of the Environmental Protection Act, Ontario Resources Act, Pesticides Act, Safe Drinking Water Act and Environmental Assessment Act;*



*i) the regulations of the Essex Region Conservation Authority;*

**COMMENT:**

The subject property is not within a regulated (permitted) area of ERCA. A Species at Risk screening letter has been provided to the MNRF/ERCA. No occurrence of threatened or endangered species was found on the subject lands. Clearance for the subject site has been issued by MNRF.

*j) compliance with the general development policies and the more specific and relevant land use policies of this Plan, as well as the specific requirements for the particular use in the Zoning By-law;*

*k) conformity with the County Official Plan and Provincial Policy; Proposals for expansions to designated settlement areas or for alterations to employment areas for non-employment uses will require an amendment to this plan and shall require a Comprehensive Review in accordance with the provisions the Provincial Policy Statement.*

**COMMENT:**

The 'Highway Commercial' policy framework does not preclude mixed-use development with commercial main floor and residential units above. The policies within the 'Highway Commercial' designation focus on the development of the property for commercial land uses. The designation allows for commercial and accessory residential.

The applicant has requested a site specific Official Plan Amendment that will keep the lands within the 'Highway Commercial' designation while establishing a policy to permit the mixed-use of commercial and residential land use. Commercial use will continue to be permitted on the main floor with residential uses on the subsequent floors as a permitted, main use.

**COMMENT:**

**The requested Official Plan Amendment and Zoning By-law Amendment conform to the policy directions for the Official Plan for the Town of Kingsville.**

## 6 ZONING BY-LAW REGULATIONS

The subject property has multiple zone categories applied to the property: 342 Main Street East is presently zoned 'General Commercial (C4)' while lands fronting on Jasperson Drive are zoned 'Residential Zone 1 Urban (R1.1)' and the northern portion of lands are zoned 'Agriculture (A1)' in the Town of Kingsville Comprehensive Zoning By-law 1-2014.

An amendment to the Comprehensive Zoning By-law is necessary to establish a new, site specific regulatory framework under the 'Highway Commercial (C4)' zone to be applied to the entire parcel to permit residential uses as well as the commercial uses in the 'General Commercial (C4)' Zone. The zoning by-law amendment will ensure the regulations of the new (C4) zone are consistent with the new Official Plan policy direction.

### 6.1 'General Commercial (C4)' Zone

The following list of permitted uses will be edited with the proposed uses for the subject condominium development highlighted in the following list of 'General Commercial (C4)' provisions:

<b>"Main use</b>	<i>Assembly hall, convention centre automobile gas stations automobile, RV, farm/garden equipment sales and service; automatic car wash and automobile detailing facility; bulk sales; coin operated car wash; <b>commercial education facility;</b> commercial self storage; contractor's yard; convenience stores; drive-through facility (restaurant, bank); <b>financial institutions;</b> <b>fitness centre;</b> funeral home or rest home; garden centre and landscaping supply; grocery stores; home building and supply stores; home supply specialty shop (tiles, carpeting); hotels and motels;</i>	<i>laundromats; long term care facilities; lumber yards and building supply outlet; micro brewery; minor commercial centre <b>personal service shops;</b> <b>pharmacy;</b> place of amusement, entertainment facilities; private and public recreation; <b>professional offices;</b> <b>retail establishments;</b> recreation or community centres; <b>restaurant, taverns, outdoor patios;</b> retirement homes and senior's homes; roadside stand; taxi office and dispatch; trade school; warehousing and wholesale establishments;</i>
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## Accessory use

Secondary Residential *Units*  
Outside display and sale of goods  
and materials  
Outdoor *patio accessory* to a  
*restaurant/bar*  
*Accessory uses*"

### COMMENT:

The provisions within the 'General Commercial Zone (C4)' are consistent with the proposed development. Additional residential regulations will be provided to the site specific zoning by-law amendment to recognize the proposed mixed use development.

Site-specific provisions will be applied to the property: greater setback of buildings, parking, and driveway from the proposed residential use; landscape buffer adjacent to the commercial use; list of permitted uses to include 'medical office'; lot area and lot frontage; minimum floor area restrictions; maximum commercial area restrictions; and lot coverage.

Site plan control will be required for the new development.

## 6.2 Parking Provisions:

Parking is proposed to be provided both below grade under the building and above grade. The below grade parking spaces are associated with both the commercial and residential condominium units. The above grade parking will support the commercial uses as well as additional parking for the residential uses.

The commercial on-site parking will be placed at grade level. For the purpose of the required parking, 13,489 ft<sup>2</sup> (1253.17m<sup>2</sup>) net was used. Based on this space and the commercial parking provision, 80 spaces would be necessary (if 1 of 6 commercial units is delegated as a medical office.)

The amenities level of the building consists of a common room, place of entertainment or assembly. This level would require 12 parking spaces.

There is a total of 95 residential units proposed in the building. Based on the provisions above for residence and visitors parking, 119 residential parking spaces would be required. The proposed development is providing 112 spaces on grade and 112 spaces below grade totaling 224 spaces.

The by-law also addresses the parking provisions for bicycle parking, which promotes a healthy and active lifestyle supporting the healthy community initiative of the municipality and the province. The provisions indicate that 3 spaces would be required on grade based on the commercial space however the applicant is proposing 10 bicycle spaces.

The parking requirements for the barrier-free by-law indicate that for the purpose of this development, a total of 3 spaces would be required on grade (commercial and visitors parking) and 3 spaces would be required underground to accommodate the residential space.

## Summary

Use	Required Parking (CZBL 50-2014)	Provided Parking
Commercial/Retail Space (1018.67m <sup>2</sup> )	51 spaces	52 spaces
Medical Office (234.5m <sup>2</sup> )	29 spaces	29 spaces
Common Space (428.3m <sup>2</sup> )	12 spaces	14 spaces
Residential Units (95 units)	119 spaces	121 spaces
Barrier Free Parking	3 grade and 3 below-grade	3 grade and 3 below-grade
Bicycle Parking	3 spaces	10 spaces
<b>TOTAL VEHICLE PARKING</b>	<b>211 spaces</b>	<b>222 spaces</b>

### COMMENT:

Based on the proposed site plan, the site specific parking provisions will be addressed and in compliance for the development. An abundance of parking is being provided to accommodate the residential units, the need for visitor parking, as well as the commercial owners and users.

## 6.3 Loading Space Requirements

Section 5.16 of the CZBL (1-2014) for the Town of Kingsville indicated that loading spaces must be in compliance with the following provisions:

- A minimum of one (1) loading space shall be required for a building with 300 m<sup>2</sup> floor area;*
- An additional loading space shall be required for each additional 2,000 m<sup>2</sup> of gross floor area for any non-residential use, or fraction thereof, up to 4,300 m<sup>2</sup> of gross floor area.*
- Loading spaces shall not be required for residentially zoned properties with the exception of an apartment building containing a minimum of 10 units where a minimum of 1 loading space is required for each residential building.*
- The loading space shall not be less than 3.5 m wide with 13.5 m in length and 4.5 m in height for clearance purposes.”*

**COMMENT:**

A loading space is defined in the Comprehensive Zoning By-law for the Town of Kingsville as:

***“Loading Space:** shall mean a space or bay located on a lot which is used or intended to be used for the temporary parking of any commercial, industrial or institutional vehicles while loading or unloading persons, animals, goods, merchandise or materials used in connection with the main use of the lot or any building thereon, and which has unobstructed access to a street or lane.”*

**COMMENT:**

The proposed development will be rezoned to ‘General Commercial (C4)’ in the new CZBL (8-2016) with site-specific provisions recognizing the uniqueness of the proposed development. An appropriate site specific provision will be the requirement for 1 loading space for the commercial main floor use to be shared with the residential use when necessary.

**COMMENT:**

The proposed condominium development of commercial main floor and residential will require a site specific Zoning By-law Amendment to recognize the unique aspects of the mixed use development.

**Rezoning 342 Main Street to ‘General Commercial Exception (C4-#)’ zone complies with the intent of the Comprehensive Zoning By-law 8-2016.**

## 7 CONCLUSION

Provincial Policy Statements direct that new development shall provide for a range and mix of residential and commercial uses within the settlement area of the municipality to ensure a healthy, liveable, vibrant community. The proposed residential and commercial condominium development will provide for new, high density infrastructure as an alternative housing style within the urban area of the Town.

Site amenities and landscaping have been designed to support and provide for a positive infilling development and support the live and work environment proposed by the condominium development. The commercial condominiums will provide for employment opportunities for residents within the residential condominiums or within the neighbourhood. Conversely, the mixed use neighbourhood will provide commercial commodities and employment opportunities for the neighbourhood or the Town.

Direction is provided by the province that development should be appropriately intensified with a wise use of municipal services. The Town of Kingsville is constrained in its capacity to expand into the agricultural area due to the social and economic value of the prime agricultural lands and greenhouses within the urban fringe, making the urban lands valuable and warranting a higher density. The high rise condominium will be an efficient, effective and responsible form of development for the subject site.

342 Main Street is located in the urban area of the Town of Kingsville in a mixed use neighbourhood on the edge of the urban lands in the Town. Agricultural land use in Kingsville in areas around the urban settlement area bound the settlement area with prime agricultural lands as well as agricultural greenhouse structures. Both policy restrictions as well as physical restrictions associated with greenhouse buildings curtail expansion beyond the urban boundary, supporting the need for higher density and more efficient use of urban settlement lands.


Recreation and sports activities are plentiful within the neighbourhood and will provide for a positive lifestyle for the residents of the proposed condominium: a bike trail along Main Street, Chrysler Greenway multi-use trail system, Kingsville Arena, soccer fields and baseball fields. In addition, a pool, conference room and recreation room have been provided on the top storey of the building for use by the residents.

The OPA will create a designation that will apply a consistent policy to the property. The zoning by-law amendment will establish a site specific regulatory framework for the proposed development and use of the property.

**In my professional opinion, the requested Official Plan Amendment and Zoning By-law Amendment:**

- 1) are consistent with Provincial Policy Statements (PPS);**
- 2) are in conformity with the Official Plan policies of the Town of Kingsville;**
- 3) are in compliance with the Comprehensive Zoning By-law 1-2014;**
- 4) can be considered sound planning.**

**Lassaline Planning Consultants**



Jackie Lassaline BA MCIP RPP  
Owner & Principal Planner



## APPENDIX A - Locational Map

## APPENDIX B - Aerial plan

## APPENDIX C - Kingsville Official Plan Schedule A

## APPENDIX D - Kingsville Comprehensive Zoning By-law Schedule A

## APPENDIX E – Front Elevation

## APPENDIX F – Rear Elevation

## APPENDIX G - Draft Site Plan



## APPENDIX H – Functional Servicing Report, B. Crozier P.Eng.

## APPENDIX I – Shadow Study

## APPENDIX J – Traffic Impact Study



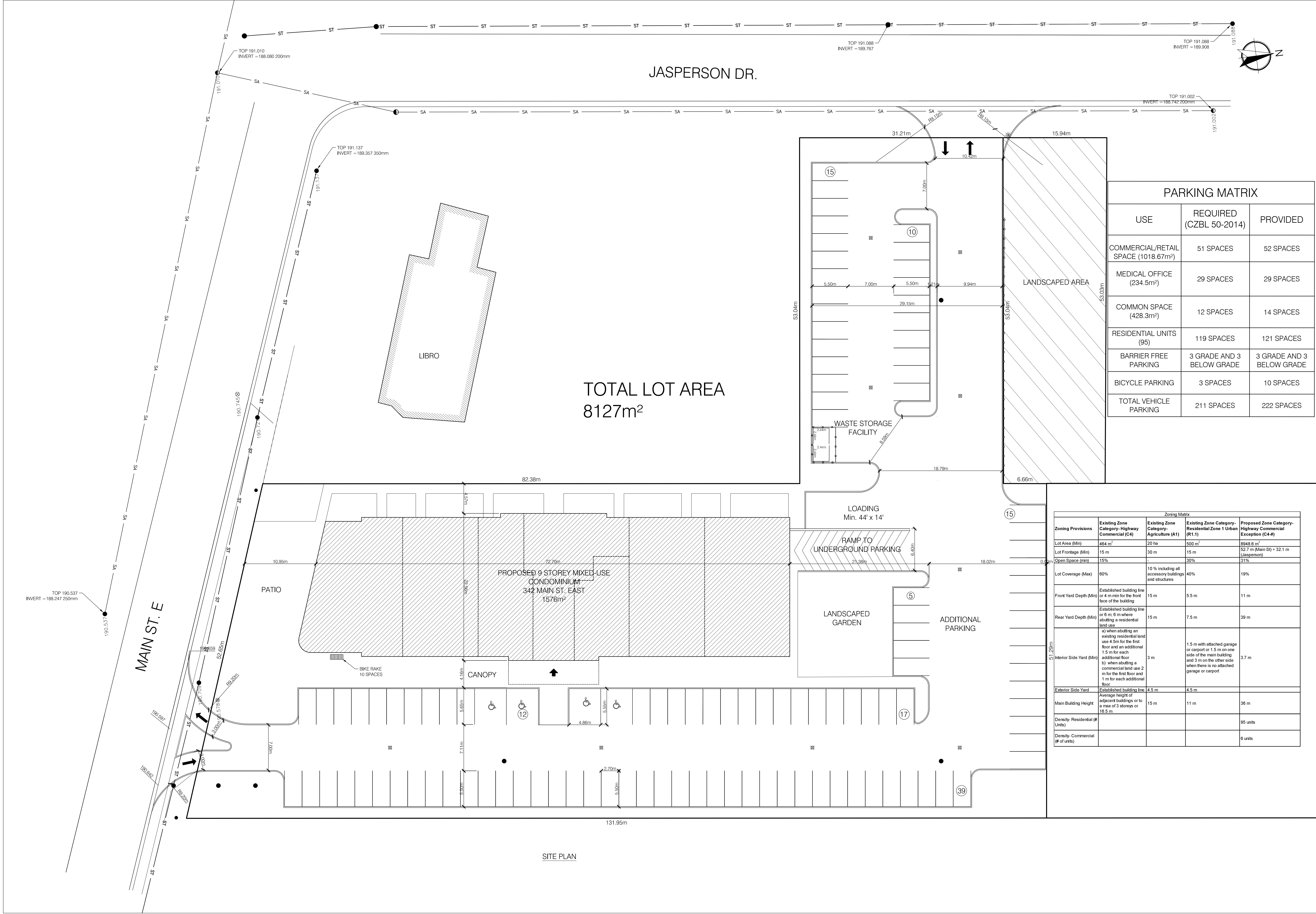
King's Villa Condos

Site Plan

342 Main Street East  
20 & 24 Jasperson Drive  
Kingsville, ON







TOTAL LOT AREA  
8127m<sup>2</sup>

PARKING MATRIX		
USE	REQUIRED (CZBL 50-2014)	PROVIDED
COMMERCIAL/RETAIL SPACE (1018.67m <sup>2</sup> )	51 SPACES	52 SPACES
MEDICAL OFFICE (234.5m <sup>2</sup> )	29 SPACES	29 SPACES
COMMON SPACE (428.3m <sup>2</sup> )	12 SPACES	14 SPACES
RESIDENTIAL UNITS (95)	119 SPACES	121 SPACES
BARRIER FREE PARKING	3 GRADE AND 3 BELOW GRADE	3 GRADE AND 3 BELOW GRADE
BICYCLE PARKING	3 SPACES	10 SPACES
TOTAL VEHICLE PARKING	211 SPACES	222 SPACES

Zoning Matrix			
Zoning Provisions	Existing Zone Category- Highway Commercial (C4)	Existing Zone Category- Agriculture (A1)	Existing Zone Category- Residential Zone 1 Urban (R1.1)
Lot Area (Min)	464 m <sup>2</sup>	20 ha	500 m <sup>2</sup>
Lot Frontage (Min)	15 m	30 m	15 m
Open Space (min)	15%	-	30%
Lot Coverage (Max)	60%	10 % including all accessory buildings and structures	40%
Front Yard Depth (Min)	Established building line or 4 m min for the front face of the building	15 m	5.5 m
Rear Yard Depth (Min)	Established building line or 6 m, 6 m where abutting a residential land use	15 m	7.5 m
Interior Side Yard (Min)	a) when abutting an existing residential land use 4.5m for the first floor and an additional 1.5 m for each additional floor b) when abutting a commercial land use 2 m for the first floor and 1 m for each additional floor	3 m	1.5 m with attached garage or carport or 1.5 m on one side of the main building and 3 m on the other side when there is no attached garage or carport
Exterior Side Yard	Established building line	4.5 m	4.5 m
Main Building Height	Average height of adjacent buildings or to a max of 3 storeys or 16.5 m	15 m	11 m
Density- Residential (# Units)			95 units
Density- Commercial (# of units)			6 units

SITE PLAN

BAIRDIAE

architecture + engineering

102 - 27 Princess Street  
Leamington ON N8H 2X8

PARTNERS / CONSULTANTS

OCTOBER 25, 2016

AS REQUESTED BY JACKIE L.

PROJECT TITLE:  
CONDO DEVELOPMENT  
TOWN OF KINGSVILLE, ON

SHEET TITLE:  
SITE PLAN

PROJECT NO:  
15-141

SHEET NO:  
SP1

1/27/2016 3:37 PM

1000 - 267 Pelissier Street  
Windsor ON N9A 4K4

212



# MINUTES

## PLANNING ADVISORY COMMITTEE MEETING

**TUESDAY NOVEMBER 22<sup>ND</sup>, 2016 AT 6:00 P.M.  
CORPORATION OF THE TOWN OF KINGSVILLE  
2021 DIVISION RD N, KINGSVILLE, ONTARIO**

### A. CALL TO ORDER

Chairperson Thomas Neufeld called the meeting to order at 6:00 p.m. with the following Committee members in attendance:

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

**ABSENT:** Shannon Olson

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

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

No members disclosed any conflicts with the items being presented.

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

#### PAC – 14 – 2016

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

**CARRIED**

\*\*\*Robert Brown, Manager of Planning & Development Services announced that this meeting is not for the condo/medical clinic as some may have heard on the radio, the Open House for that application is to be held on December 8<sup>th</sup>, 2016 at the Unico Centre, as per the notice that was sent out.\*\*\*

### D. HEARINGS

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

Manager of Planning & Development Services, Robert Brown proposed that the Planning Advisory Committee be re-introduced to achieve better public input. Mr. Brown proposed that such meetings could be more beneficial for both the public and the application process if scheduled at the front end of the application process, rather than toward the end as is often the case presently. The goal for the review and discussion of the Planning Advisory Committee terms of reference is to make the public feel more welcome by having a less structured approach, thus getting the public engaged in a more positive way. Through greater public interaction we can live up to the intentions stated in the new Planning Act updates.

Committee member Murray McLeod mentioned that the Planning Advisory Committee was established because Council didn't have the time to hear all applications in one meeting, thus a Planning Advisory Committee was established to make things more efficient. The Planning Advisory Committee would give applications a first reading and if they met the tests, the applications would proceed to Council. Sometimes if applications had outstanding issues, they may have even come back to the Planning Advisory Committee. Around the time of its establishment, the Planning Advisory Committee met more regularly and heard more planning applications.

Committee member Thomas Neufeld indicated that he is welcoming of the idea of a more open meeting format. Also, he supported having the meetings scheduled earlier in the planning process as suggested by Mr. Brown.

Chairperson, Thomas Neufeld confirmed there were no comments from the audience.

#### **PAC – 15 – 2016**

Moved by Gord Queen, seconded by Ted Mastronardi that the Planning Advisory Committee Meeting receive the report produced by Manager of Planning & Development Services, Robert Brown.

**CARRIED**

#### **1. ZBA/07/16 – King's Villa Condo – 342 Main St. E, 20, 24, & 28 Jasperson Dr.**

Manager of Planning & Development Services, Robert Brown presented his report dated November 7<sup>th</sup>, 2016 to the Town of Kingsville Planning Advisory Committee regarding a proposed Official Plan Amendment (OPA), Zoning By-law Amendment (ZBA) and Site Plan Approval (SPA) for lands owned by Guillermo & Rossana Moavro, located at 342 Mains T. E and 20, 24 & 28 Jasperson Dr., in the Town of Kingsville

The subject lands consist of four lots; all containing single detached dwellings. The total lot area is 2.185 ha (5.4 ac.) with frontage of 52.65 m (172.7 ft.) on Main St. E. and 47.15 m (154.69 ft.) along Jasperson Dr. The applicant is proposing to remove all buildings, consolidate the lots and construct a ten-storey, 95 unit residential & 6 unit commercial condominium building. In order to proceed with development on the property there are three approvals that are required as follows:

- i) An Official Plan Amendment to:
  - a) redesignate the residential lots on Jasperson to Highway Commercial to match the Highway Commercial on the front proportion of 342 Main St. E.; and
  - b) permit residential as an additional main use within the now combined portion of the property in the Highway Commercial designation.
- ii) A Zoning By-law Amendment to rezone the highway commercial designation portion of all of the properties to an appropriate residential/commercial classification and establish site-specific regulations;
- iii) Site Plan Approval which will outline the details and full requirements of the overall build-out of the proposal.



Planner, Jackie Lassaline from Lassaline Planning Consultants representing the applicant conducted a presentation on planning rationale for the proposed site development. The four subject properties are to merge into one and then require a site specific zoning amendment to address issues such as height, while the agricultural zoned lands to the north would remain. The proposed 10 storey building would provide both underground and surface parking. Heritage features have been incorporated into the architectural features of the building. Looking to the Provincial Policy Statement, this type of development is supported as it is located within the Town's settlement area while providing additional forms of housing. The proposed mixed-use style of commercial at grade and residential in the floors above, provides a style of housing not presently available in Town. Such a high density building is best located in walkable proximity to commercial areas, which is already present in the immediate vicinity. Vegetation buffering will be used to mediate the neighbouring residential dwellings. A shadow study concluded that only in the morning will a portion of the Libro building be covered by a shadow, and that no other surrounding buildings would be affected. The report included an access to Jasperson as a way to alleviate traffic pressures on Main Street and that local traffic increase would be within a tolerable measure.

Chairperson, Thomas Neufeld asked if the public had any questions.

Bonnie Baldwin, 151 Prince Albert, questioned why she didn't receive a notice of this public meeting. Manager of Planning & Development Services, Robert Brown responded that notice was giving to residents within 120 meters of the subject property as per the Planning Act. Bonnie Baldwin responded that the Town residents would like to be more involved and notified. Traffic in the area of the proposed development is a great concern and thought more people should have been consulted up to this point. Ms. Baldwin also asked for clarification on Jackie Lassaline's role and Mr. Brown's role. It was noted that Ms. Lassaline is a planning consultant for the applicant and that Mr. Brown is the Manager of Planning & Development Services for the Town.

Anna Marie Nantaas, 185 Woodycrest, raised concerns for Jasperson's current traffic issues that would only get worse with more density growth, and that she couldn't imagine what traffic issues this development would bring and that consideration should be taken into what may come down the road.

Dennis Laporte, 261 Lakeview Drive, asked if the location of the new high school has been selected. Manager of Planning & Development Services, Robert Brown concluded that no, it has not been chosen yet. Dennis Laporte speculates the new schools location could cause more traffic problems in the area and surrounding roads would require more lanes. Chairperson, Thomas Neufeld said that speculations cannot be made on traffic from a school whose location has not yet been chosen. Mr. Laporte concluded that he is not opposed to development but that he feels it is not in the right spot.

Tom Elwood, 32 Jasperson, asked how the development would affect his property as a next door neighbor since his property is not represented in any renderings or pictures. Planner, Jackie Lassaline from Lassaline Planning Consultants representing the applicant responded that Mr. Elwood's property will be buffered by trees and he wouldn't hear or see anything.

Chairperson, Thomas Neufeld confirmed there were no more comments from the audience and asked the committee members if that had any comments.

Committee member, Gord Queen stated that with the storm water management still under review and with the traffic study result stating the development would have minimum impact has never experience traffic in the area firsthand. Mr. Queen recommends a 3<sup>rd</sup> party review of the material. Mr. Queen is not prepared to move a recommendation to Council until the questions for storm water and traffic get answered. The committee shall review the completed information at a later date.

Chairperson, Thomas Neufeld stated that he liked the look of the building but with concerns over the height since Kingsville has never seen anything like this. Many residents believe there is a traffic issues and a 3<sup>rd</sup> party review would be a good idea.

Committee member, Murray McLeod asked the Manager of Planning & Development Services, Robert Brown to explain the sanitary sewer capacity situation. Robert Brown answered that it would be an underground storage of affluent with off peak outflow.

Committee member, Gord Queen suggested that the Planning department provide expanded public notice for future meetings. Manager of Planning & Development Services, Robert Brown responded that can be done.

#### **PAC – 16 – 2016**

Moved by, Gord Queen seconded by Murray McLeod that the Planning Advisory Committee the application be deferred until more information is provided pertaining to the traffic study and storm water management.

**CARRIED**

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

Nothing brought forward.

#### **F. ADJOURNMENT**

#### **PAC – 17 – 2016**

Moved by Gord Queen seconded by Ted Mastronardi, that there being no further items of discussion, the meeting adjourn at 6:49 p.m.

**CARRIED**



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**CHAIRPERSON, Councillor Thomas Neufeld**



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**RECORDING SECRETARY, Kristina Brcic**



MINUTES

PLANNING ADVISORY COMMITTEE MEETING

TUESDAY FEBRUARY 28<sup>TH</sup>, 2017 AT 6:00 P.M.  
CORPORATION OF THE TOWN OF KINGSVILLE  
2021 DIVISION RD N, KINGSVILLE, ONTARIO

A. CALL TO ORDER

Chairperson Thomas Neufeld called the meeting to order at 6:00 p.m. with the following Committee members in attendance:

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

ABSENT: Town Planner, Kristina Brcic  
Murray McLeod

B. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

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

No members disclosed any conflicts with the items being presented.

C. ADOPTION OF PLANNING ADVISORY COMMITTEE MEETING MINUTES DATED NOVEMBER 22<sup>ND</sup>, 2016

PAC – 01 – 2017

Moved by Gord Queen, seconded by Ted Mastronardi that the Planning Advisory Committee Meeting Minutes dated November 22<sup>nd</sup>, 2016 be adopted.

CARRIED

D. HEARINGS

1. ZBA/07/16 – King’s Villa Condo – 342 Main St. E, 20, 24, & 28 Jasperson Dr.

Manager of Planning & Development Services, Robert Brown presented his report dated February 8<sup>th</sup>, 2017 to the Town of Kingsville Planning Advisory Committee regarding a proposed Official Plan Amendment (OPA), Zoning By-law Amendment (ZBA) and Site Plan Approval (SPA) for lands owned by Guillermo & Rossana Moavro, located at 342 Main Street E and 20, 24 & 28 Jasperson Dr., in the Town of Kingsville

The Planning Advisory Committee was presented with information at the November 22, 2016 meeting regarding the proposed development on the subject lands. The Committee heard a number of concerns from the public concerning traffic impact, level of public notice, long-term impacts of other development including the pending large

format school and immediate impact of the development on an abutting neighbour on Jasperson Dr.

Planner, Jackie Lassaline from Lassaline Planning Consultants representing the applicant conducted a presentation on planning rationale for the proposed site development, outlining the specific details of the proposed development.

Frank Berry, from F.R. Berry & Associates outlined the traffic study findings and his history with the community

Committee member S. Olson directed questions to Mr. F. Berry in regards to increased traffic on Main St. and Jasperson Dr., questioning as to why traffic movements from Tim Horton's, McDonald's and Truax accesses were not included.

Mr. F. Berry noted that not all access points were included, however that does not alter the reported volume of traffic. The Tim Horton's/Esso access movement were included as it was the one aligned with the King's Villa Condo (Moavro) right-in/right-out access.

Chairperson T. Neufeld questioned the proposed 18% lot coverage. Planner, J. Lassaline from Lassaline Planning Consultants confirmed the 18% lot coverage.

Chairperson, T. Neufeld opened the meeting to questions and comments from the audience.

Harold Remark, 73 Remark Dr., questioned the sewer service connection and capacity. Planner, J. Lassaline from Lassaline Planning Consultants responded that all service capacity has been reviewed and approved by the Town.

Joe Wilds, 56 Jasperson Dr., asked about long term solutions to traffic in the area and where the Town will continue to cooperate with future development in the area in regards to addressing traffic issues. Manager of Planning & Development Services, Mr. R. Brown responded that joint access has been explored and is something being looked into for the future. Mr. F. Berry added that queuing issues had been reviewed and that a long term plan can be formulated as a result of synergies between the Town and development. Planner, J. Lassaline from Lassaline Planning Consultants noted that Otis is supportive of the development and connection point. Mr. R. Brown further confirmed that a joint access between Otis and King's Villa Condo (Moavro) will be required and included in the site plan agreement.

Jeff Robinson, 298 Cherrywood Dr., commented on Committee member S. Olson's comments in regards to providing additional commercial space that may not be required. Further Mr. J. Robinson raised concerns over upkeep of the property in that an owner living in a unit would show more pride in their property. Planner, J. Lassaline from Lassaline Planning Consultants replied that the commercial spaces will be those often found on the ground floors of condo's including live-work opportunities for residents. Mr. Alex Toth, of Baird AE, added that it would likely be personal service type of commercial businesses.

Tony Gaffan, 59 Wigle Ave, questioned if it was possible to obtain a more comprehensive traffic count, with the inclusion of seasons and days. And if it is possible to obtain past studies and work from the FreshCo(Otis) traffic study and compare to actual results and see how close the traffic study estimates and studies are compared to actuality. Mr. F. Berry responded that multiple season studies are complex and time consuming, however the Town has the FreshCo study. He concluded that actual traffic numbers for FreshCo were close to what was estimated.

James Gaffan, 98 Jasperson Dr., is not concerned with traffic, but questioned the timing of the zoning change to what is currently shown as Agricultural on the subject property? He also raised concern over who would be responsible for Jasperson Dr upgrades and construction. Planner, J. Lassaline from Lassaline Planning Consultants replied that the zoning change is commercial to residential/commercial for the front portion of the property, the rear of the property is remaining Agricultural. She further explained that

expansion of Jasperson Dr. is not required but construction of entrances would be the developers responsibility.

Brenda Gagnier, 342 Saddle Lane, moved to Kingsville in 2010 because of the small town atmosphere. She included population stats and building activity, and that she often travels around the area of the subject property. Manager of Planning & Development Services, Mr. R. Brown provided clarification on certain points in the resident's quoted statistics. Planner, J. Lassaline from Lassaline Planning Consultants outlined the current need for condos, stressing that it is a needed use and a residential commercial mix is better suited to the area. The Official Plan (OP) and Provincial Policy Statement (PPS) are our guides and are used to direct development, the zoning directs and limits the type of uses that will be put on the property. Future development would require future approvals and consideration by Council including both notice and presentation to the public.

Tom Ellwood, 32 Jasperson Dr., is a neighbour to the subject property and raised concerns that the joint access use of Otis / King's Villa Condo (Moavro) would then permit truck traffic from Jasperson to go thru King's Villa Condo (Moavro) to Otis. He further asked for more information on the shadow impact from November 22<sup>nd</sup>, 2016. Mr. A. Toth of Baird AE explained that there will be no shadow impact in the summer and only limited impact during the Winter for approximately two hours in the morning. Planner, J. Lassaline from Lassaline Planning Consultants concluded that it is not the intent to permit cross property truck traffic and the connection can be design to prohibit this type of movement. Mr. F. Berry of F.R. Berry & Associates, disagreed that the connection would lead to truck traffic using King's Villa Condo (Moavro) property to access Otis property.

Anna McIntosh, 72 Road 6 W, commented and questioned that when Otis was under construction there were water and power issues to the businesses on the south side. She questioned how long will construction take for this project and why are 9 storeys required? She also wanted to ensure that Fire Safety issues been addressed? Mr. A. Toth replied that a 9 storey building is what was decided to build and a Zoning amendment is still required, construction time will be one year plus. Manager of Planning & Development Services, Mr. R. Brown outlined that the fire department has been consulted and has indicated that fire code and building code will outline the necessary fire requirements for the building. No additional Town fire equipment will be required to service the building.

Kevin McWilliams, 672 McCracken Rd, indicated that he has lived here since 2011 and he goes elsewhere to shop because of the traffic. Mr. K. McWilliams is concerned about the people exiting the site and turning right to go down Jasperson Dr. by the arena. Manager of Planning & Development Services, Mr. R. Brown replied that the Jasperson Dr. realignment is pending and would result in no traffic be directed past the arena or near the sports field which would have impacted pedestrian crossing.

Denis Laporte, 261 Lakeview Ave., commented that traffic now comes down Emily Ave. to Lakeview Ave. causing Lakeview Ave. to be reconstructed. Mr. D. Laporte questioned as to why the Town has not undertaken a comprehensive look at traffic, adding that truck traffic and regular vehicular traffic on Main St. needs to be fixed first before the development moves forward. Mr. D. Laporte concluded by urging the Planning Advisory Committee to 'kick the application to the curb' as it will likely be taken to the OMB if it moves forward.

Chairperson T. Neufeld responded that people don't like traffic and they don't like change, but that he would rather see the Town building up then expanding out. Chairperson T. Neufeld sees this application as likely going to the OMB and the Town has previously spent a lot of money on a case that was lost. Chairperson T. Neufeld agrees with the public comments made but admits that this proposal makes good planning sense. Committee member G. Queen outlined that the Valente appeal was not a lost case but rather it improved the proposal and Council was in agreement with the settlement made at the OMB.

Cory Gosselin, 15 Angel Court, believed the Town should only permit a maximum of 6 storeys instead of the proposed nine stories as he doesn't see the need for nine storeys in the Town of Kingsville. Planner, J. Lassaline from Lassaline Planning Consultants outlined that intensification is encouraged as an ongoing need and that a certain density is required to support the ground floor commercial. This proposal is an example of compact development, where development is built up, and not spread outward.

Jason Martin, a local business owner in the Town of Kingsville, East of the area in question, asked for clarification on the permitted height should the re-zoning be approved. He added that there shouldn't be additional access to main until south side commercial access is combined. He concludes with the following comments that first the traffic needs to be fixed, and that he would rather have residential high rise instead of more commercial with regards to traffic volumes. Manager of Planning & Development Services, Mr. R. Brown replied that generally commercial is limited to 2 storeys in height but would have to be confirmed in the ZBL.

Deiba Wigle, is a Local Realtor, not a local resident, provided comment in support of the proposed development. Ms. D. Wigle stated that traffic is an issue and people are increasingly relocating to the area. People moving here from large towns often ask why does Kingsville not have a condo? People then go to other communities in search of a condo. Native Kingsville residents are also leaving because of a lack of condos. She added that the location of the proposed condo is convenient for walkability to surrounding amenities, shops and restaurants and would be an enhancement to the downtown core.

Committee member G. Queen asked for more information on traffic and requested an overview of the entire area from a planning standpoint as well as clarification on the proposed building height. He added that he is happy to have input from all who participated and that there may be an OMB appeal for this development.

#### **PAC – 02 – 2017**

Moved by, Gord Queen seconded by Shannon Olson that the Planning Advisory Committee receive the information presented to the Committee but not particularly endorse support of the requested Zoning By-law Amendment as it moves forward to Council.

**CARRIED**

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

#### **F. ADJOURNMENT**

#### **PAC – 03 – 2017**

Moved by Shannon Olson seconded by Gord Queen, that there being no further items of discussion, the meeting adjourn at 8:01 p.m.

**CARRIED**

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**CHAIRPERSON, Councillor Thomas Neufeld**

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**RECORDING SECRETARY, Robert Brown**

Mr. Nelson Santos  
Mayor, Town of Kingsville

March 14, 2017

Dear Mr. Santos,

I am writing to you in strong support for the concerns expressed by Dennis Laport in a "Letter To The Editor" which appeared in the March 7 issue of the Kingsville Reporter.

The proposed condo development for Main Street East in Kingsville, across from Tim Hortons and McDonalds will create massive traffic problems if the driveways (as proposed) from the condos exit onto Main street. Vehicles exiting Tim Hortons and McDonalds heading West are currently at risk with the existing flow of traffic at this site. I myself have often had to head East out of Tim Hortons, turn around in the LCBO parking lot, simply to exit onto Main street heading West. Any additional convergence of vehicles at this site would exacerbate the current congestion.

I strongly urge that you and council request a further comprehensive study of the proposed traffic flow onto Main street East from cars exiting the proposed condo parking lot.

Sincerely yours,



Alden H. Warner

8 O'Halloran Street  
Kingsville



**From:** [Jennifer Astrologo](#)  
**To:** [Jennifer Astrologo](#)  
**Subject:** Condo beside Libro zba xxx  
**Date:** August-10-17 8:02:32 AM

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From: "tneufeld77" <[tneufeld77@gmail.com](mailto:tneufeld77@gmail.com)>  
Date: Aug 9, 2017 7:23 PM  
Subject: RE: Condo beside Libro zba xxx  
To: "Sandy Kitchen" <[SKitchen@kingsville.ca](mailto:SKitchen@kingsville.ca)>  
Cc:

My position regarding the proposed condo development is that this decision be deferred until such time that a traffic mitigation strategy is in place and proved to be working effectively at the East end of Main st. Secondly, that the proposed development be capped at 5 stories, including the retail and utility levels to be in keeping with other developments of similar nature within the municipality. While the concept of building up as opposed to out is encouraged by the the Province and seen as "good planning", I am opposed to a development of this magnitude, at this particular location for reasons stated above. I am aware that this application is for zoning only at this time.

Respectfully submitted,

Sent from my Samsung Galaxy smartphone.



**Town of Kingsville  
Council Summary Report  
2017**

**Cheque Distributions for the Month of: JULY**

**Department Summary:**

Dept. No.	Department Name	Amount
	Credit Card Transactions	\$ 8,297.14
000	Default - Clearing	\$ 116,012.13
110	Council	\$ 2,164.03
112	General Administration	\$ 94,075.56
114	Information Technology	\$ 13,546.60
120	Animal Control	\$ 570.00
121	Fire	\$ 26,013.37
122	OPP	\$ 516,823.72
124	Building	\$ 4,916.61
130	Transportation - Public Works	\$ 367,102.50
131	Sanitation	\$ 54,799.30
151	Cemetery	\$ 5,643.59
170	Arena	\$ 15,845.21
171	Parks	\$ 50,472.70
172	Fantasy of Lights	\$ -
173	Marina	\$ 9,990.92
174	Migration Festival	\$ -
175	Recreation Programs	\$ 3,011.72
176	Communities in Bloom	\$ -
178	Facilities	\$ -
180	Planning	\$ 6,547.13
181	BIA	\$ 9,554.56
184	Accessibility Committee	\$ 172.99
185	Tourism & Economic Development Committee	\$ 770.56
186	Heritage Committee	\$ 10.18
201	Environmental - Water	\$ 34,789.97
242	Kingsville/Lakeshore West Wastewater	\$ 103,997.28
243	Cottam Wastewater	\$ 6,702.32

**Total of Current Expenditures:** \$ 1,451,830.09

*\*Note HST Rebate details are omitted, but are included in the totals*

**Total Number of Current Cheques Issued:** 236

**Comparison Data: JULY 2016**

**Total of Approved Expenditures:** \$ 1,687,425.17

**Total Number of Cheques Issued:** 252

*\* denotes monies to be recouped, billed to third party*

**Council Summary Report  
Credit Card Transactions  
July 2017**

<b>Cheque Number</b>	<b>Cheque Date</b>	<b>Vendor Name</b>	<b>Description</b>	<b>Account</b>	<b>Amount</b>
62708	7/13/2017	TD Canada Trust - SI Visa	MFOA - Conference - R McLeod	01-112-098-60254	\$ 737.76
62708	7/13/2017	TD Canada Trust - SI Visa	MFOA - Conference - S Zwiers	01-112-098-60254	\$ 737.76
62708	7/13/2017	TD Canada Trust - SI Visa	Map Unit 4 - J Astrologo	01-112-098-60254	\$ 391.78
62708	7/13/2017	TD Canada Trust - SI Visa	Toner	01-112-099-60301	\$ 305.23
62708	7/13/2017	TD Canada Trust - SI Visa	Fire - Training Materials	01-121-072-60118	\$ 249.26
62803	7/25/2017	TD Canada Trust - SI Visa	Training Materials	01-121-072-60118	\$ 313.10
62708	7/13/2017	TD Canada Trust - SI Visa	Carbon Tetrachloride	01-121-099-60315	\$ 50.00
62708	7/13/2017	TD Canada Trust - SI Visa	Brokerage - Ariel	01-121-360-71722	\$ 841.96
62803	7/25/2017	TD Canada Trust - SI Visa	Tree Gator Bags	01-130-099-60425	\$ 587.04
62803	7/25/2017	TD Canada Trust - SI Visa	17-01 Computer for Field Test	01-130-360-71748	\$ 1,496.62
62803	7/25/2017	TD Canada Trust - SI Visa	Water - Study Material	02-201-098-60254	\$ 196.56
62803	7/25/2017	TD Canada Trust - SI Visa	OIT Certificate - A Sellon	02-201-098-60254	\$ 40.00
62803	7/25/2017	TD Canada Trust - SI Visa	Wastewater Exam - R Mackie	02-201-098-60254	\$ 140.00
62803	7/25/2017	TD Canada Trust - SI Visa	Truck Rental	02-201-360-71755	\$ 1,031.85
62709	7/13/2017	TD Canada Trust - PVMW	Council/Manager Relations	01-112-098-60254	\$ 202.77
62709	7/13/2017	TD Canada Trust - PVMW	Golf Tournament Registration	01-112-099-60348	\$ 500.00
62709	7/13/2017	TD Canada Trust - PVMW	Grovedale Meeting	01-171-360-71154	\$ 475.45
TD Canada Trust - NS Visa <i>no transactions in July</i>					\$ -
<b>Total Credit Card Transactions</b>					<b>\$ 8,297.14</b>

**Town of Kingsville  
 Council Summary Report**

<b>Ranges:</b>	<b>From:</b>	<b>To:</b>
<b>Vendor ID:</b>	<b>First</b>	<b>Last</b>
<b>Vendor Name:</b>	<b>First</b>	<b>Last</b>
<b>Cheque Date:</b>	<b>7/1/2017</b>	<b>7/31/2017</b>
<b>Sorted By:</b>	<b>Cheque Number</b>	

Distribution Types Included: PURCH

Cheque Number	Cheque Date	Vendor Name	Description	Amount
-				
<b>Total For Department</b>				<b>\$0.00</b>
<b>000</b>				
-				
0062585	* 7/13/2017	1037193 Ontario Ltd	Balance Refund SUB/07/12	\$3,410.71
			01-000-020-22102	
0062586	* 7/13/2017	1078262 Ontario Ltd	Winterberry-Dep Rfnd (partial)	\$41,000.00
			01-000-020-21501	
0062588	* 7/13/2017	1933892 Ontario Inc	Rfnd Zoning Amendment Deposit	\$916.36
			01-000-020-22226	
0062595	* 7/13/2017	Candace & Terry Anderson	Dep Rfnd - 888 Road 3E	\$250.00
			01-000-000-21410	
0062603	* 7/13/2017	Bondy, Riley, Koski	Reg Site Plan SPA/04/17	\$289.21
			01-000-020-22128	
0062603	* 7/13/2017	Bondy, Riley, Koski	Reg Site Plan SPA/01/16	\$290.27
			01-000-020-22204	
0062618	* 7/13/2017	D & L Digging	Morley Wigle Drain	\$2,239.74
			01-000-023-14080	
0062621	* 7/13/2017	DEKKO Inc	Refund Deposit SPA/02/17	\$237.93
			01-000-020-22014	
0062621	* 7/13/2017	DEKKO Inc	Refund Deposit ZBA/04/17	\$988.52
			01-000-020-22006	
0062630	* 7/13/2017	David Fehr	Dep Rfnd - 928 Wride Ave	\$1,000.00
			01-000-000-21410	
0062632	* 7/13/2017	John & Jennifer Fittler	Rfnd Minor Zoning Amendment	\$985.24
			01-000-020-22224	
0062633	* 7/13/2017	G&G Excavating & Trucking Ltd	Application Refund PLC/01/12	\$500.00
			01-000-020-22119	
0062645	* 7/13/2017	I.B.E.W. #636	Remittance June 18-July 1/17	\$1,293.48
			01-000-000-21006	
0062654	* 7/13/2017	Gail Leclair	Dep Refund - 272 Summerset	\$150.00
			01-000-000-21413	
0062665	* 7/13/2017	Decio Marques	Dep Rfnd - 1557 Union Ave	\$1,000.00
			01-000-000-21410	
0062683	* 7/13/2017	Pro Bid Contractors Ltd.	Union Ave Drain	\$590.21
			01-000-023-14080	
0062687	* 7/13/2017	REALTAX INC	First Notice	\$762.75
			01-000-030-21307	
0062687	* 7/13/2017	REALTAX INC	First Notice	\$548.05
			01-000-030-21307	
0062687	* 7/13/2017	REALTAX INC	First Notice	\$581.95
			01-000-030-21307	
0062687	* 7/13/2017	REALTAX INC	First Notice	\$536.75
			01-000-030-21307	

# Town of Kingsville Council Summary Report

Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
0062687	✖ 7/13/2017	REALTAX INC	First Notice 01-000-030-21307	\$514.15
0062687	✖ 7/13/2017	REALTAX INC	First Notice 01-000-030-21307	\$423.75
0062705	✖ 7/13/2017	South Western Property Mainte	Grass Cutting - Arner Twn Line 01-000-006-13199	\$140.00
0062706	✖ 7/13/2017	Stantec Consulting Ltd.	Waterline Petition 01-000-006-13200	\$6,402.82
0062718	✖ 7/13/2017	United Way	Remittance June 2017 01-000-000-21012	\$74.00
0062730	7/13/2017	Workplace Safety & Insurance f	Remittance - June 2017 01-000-000-21007	\$12,052.12
0062735	✖ 7/25/2017	Denis Andres	Deposit Refund-93 Gladstone 01-000-000-21413	\$150.00
0062736	✖ 7/25/2017	Arbor Tree Care	Property Standards -29 Stanley 01-000-006-13199	\$1,425.00
0062740	✖ 7/25/2017	Blackrock Consulting	Construction Inspections 01-000-006-13199	\$1,022.50
0062741	✖ 7/25/2017	Bondy, Riley, Koski	Reg of Agreement AGR/01/17 01-000-020-22232	\$289.21
0062747	✖ 7/25/2017	Choice Properties Limited Partn	Refund Overpymt 221-13000 01-000-031-21418	\$6,055.27
0062756	✖ 7/25/2017	Discovery School	2017 Final Charity Rebate 01-000-031-21418	\$555.50
0062768	✖ 7/25/2017	I.B.E.W. #636	Remittance July 2-15/17 01-000-000-21006	\$697.16
0062772	✖ 7/25/2017	Kingsville Fire Fighter Assoc	Remittance - June 2017 01-000-000-21014	\$336.00
0062773	✖ 7/25/2017	Lakepoint Homes	Deposit Refund - 28 Robin Crt 01-000-000-21410	\$1,000.00
0062782	✖ 7/25/2017	Ministry of Finance (Tile Loan)	Tile Debenture 67-2007 01-000-052-60441	\$3,729.96
0062782	✖ 7/25/2017	Ministry of Finance (Tile Loan)	Tile Debenture 67-2007 01-000-052-60442	\$223.80
0062782	✖ 7/25/2017	Ministry of Finance (Tile Loan)	Tile Debenture 84-2011 01-000-052-60441	\$2,121.94
0062782	✖ 7/25/2017	Ministry of Finance (Tile Loan)	Tile Debenture 84-2011 01-000-052-60442	\$717.70
0062785	✖ 7/25/2017	Noah Homes	Dep Rfnd - 1697 Noah Cres 01-000-000-21410	\$975.00
0062785	✖ 7/25/2017	Noah Homes	Dep Rfnd - 1696 Noah Cres 01-000-000-21410	\$1,000.00
0062785	✖ 7/25/2017	Noah Homes	Dep Rfnd - 1699 Noah Cres 01-000-000-21410	\$1,000.00
0062785	✖ 7/25/2017	Noah Homes	Dep Rfnd - 1684 Nevan Crt 01-000-000-21410	\$1,000.00
0062785	✖ 7/25/2017	Noah Homes	Dep Rfnd - 1681 Nevan Crt 01-000-000-21410	\$1,000.00
0062785	✖ 7/25/2017	Noah Homes	Deposit Refund - 1695 Noah Cr 01-000-000-21410	\$1,000.00
0062785	✖ 7/25/2017	Noah Homes	Deposit Refund - 1694 Noah Cr 01-000-000-21410	\$1,000.00
0062794	✖ 7/25/2017	RC Spencer Associates Inc.	Engineering Design Fees 01-000-006-13201	\$732.67
0062799	✖ 7/25/2017	South Essex Community Counc	2017 Final Charity Rebate 01-000-031-21418	\$1,078.11
0062800	✖ 7/25/2017	South Western Property Mainte	Property Standards - 1564 CR34 01-000-006-13199	\$280.00

**Town of Kingsville  
 Council Summary Report**

Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
0062809 *	7/25/2017	United Way	Remittance - July 2017 01-000-000-21012	\$74.00
0062815	7/25/2017	Workplace Safety & Insurance f	Remittance - July 2017 01-000-000-21007	\$11,370.30
<b>Total For Department 000</b>				<b>\$116,012.13</b>
<u>110</u>	-			
0062583	7/10/2017	License to Sear	Volunteer Recognition Dinner 01-110-099-60300	\$2,135.53
0062685	7/13/2017	Purolator Courier Service	Return Device to FCM 01-110-100-60253	\$28.50
<b>Total For Department 110</b>				<b>\$2,164.03</b>
<u>112</u>	-			
0062582	7/6/2017	Nolan Mediation and Arbitration	Arbitration Retainer 01-112-099-60319	\$915.84
0062591	7/13/2017	Advance Business Systems	Sealer Liquid 01-112-099-60308	\$299.17
0062591	7/13/2017	Advance Business Systems	Maintenance - Stuffing Machine 01-112-099-60308	\$127.20
0062605	7/13/2017	Linda Brohman	AMCTO Map Unit 2 - 2nd Half 01-112-098-60254	\$178.08
0062605	7/13/2017	Linda Brohman	Mileage 01-112-099-60400	\$186.39
0062614	7/13/2017	Compugen Inc.	CAO Copies 01-112-099-60301	\$1.17
0062614	7/13/2017	Compugen Inc.	Admin - Copies 01-112-099-60301	\$801.64
0062615	7/13/2017	Corp. of the County of Essex	911 Dispatches - July-Dec/17 01-112-200-60354	\$5,993.69
0062617	7/13/2017	Culligan Water	Cooler Rental 01-112-099-60311	\$28.44
0062635	7/13/2017	G&K Services Canada Inc	Town Hall - Mats 01-112-099-60315	\$87.36
0062648	7/13/2017	Jeffrey J. Hewitt, Lawyer	Port Expropriation 01-112-099-60319	\$4,134.00
0062660 *	7/13/2017	Linda Lyman	Serafimvoski/Mosey 06/30/17 01-112-072-60129	\$175.00
0062660 *	7/13/2017	Linda Lyman	Serafimvoski/Mosey 06/30/17 01-112-072-60129	\$36.38
0062660 *	7/13/2017	Linda Lyman	Wallace/Reaume 06/24/17 01-112-072-60129	\$275.00
0062660 *	7/13/2017	Linda Lyman	Wallace/Reaume 06/24/17 01-112-072-60129	\$20.33
0062667	7/13/2017	Merchant Paper Company	Town Hall -Janitorial Supplies 01-112-099-60315	\$282.13
0062668	7/13/2017	Mettawas Station	Strat Plan meal 01-112-360-71505	\$485.90
0062673	7/13/2017	Monarch Office Supply	Office Supplies - June 01-112-099-60317	\$5.56

# Town of Kingsville Council Summary Report

Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
0062673	7/13/2017	Monarch Office Supply	Office Supplies - June 01-112-099-60301	\$595.16
0062676	7/13/2017	HYDRO ONE	2021 Division Admin J027150 01-112-099-60314	\$3,570.71
0062689 *	7/13/2017	Deanna Reid	Schmoranz/Rabheru 06/24/17 01-112-072-60129	\$275.00
0062689 *	7/13/2017	Deanna Reid	Schmoranz/Rabheru 06/24/17 01-112-072-60129	\$3.21
0062701	7/13/2017	Shred-It International ULC	Records Archive Destruction 01-112-099-60317	\$87.00
0062702	7/13/2017	Sims Publications Incorporated	Business Cards 01-112-099-60301	\$152.64
0062702	7/13/2017	Sims Publications Incorporated	Tax Notices 01-112-099-60306	\$923.98
0062710	7/13/2017	Telus Mobility	BB Bill 01-112-099-60320	\$1,424.64
0062713	7/13/2017	Town of Kingsville	2021 Division Admin 01-112-099-60314	\$59.08
0062726	7/13/2017	Warkentin Plumbing	Server Room A/C 01-112-099-60315	\$3,480.60
0062726	7/13/2017	Warkentin Plumbing	Town Hall A/C 01-112-099-60315	\$96.67
0062737	7/25/2017	ATM Pharmacies Ltd	Rent - Unit 10, 59 Main St E 01-112-099-60376	\$1,664.08
0062739	7/25/2017	Bell Canada	2021 Division Rd N 01-112-099-60327	\$559.68
0062739	7/25/2017	Bell Canada	2021 Division Rd N 01-112-099-60327	\$607.55
0062743	7/25/2017	Canada Post Corporation	PAP Change Letters 01-112-099-60303	\$1,508.65
0062743	7/25/2017	Canada Post Corporation	2017 Final Tax Bills 01-112-099-60305	\$6,597.19
0062749	7/25/2017	Compugen Finance Inc.	Copier Lease 01-112-099-60311	\$768.94
0062753	7/25/2017	D.H.Kingsville Investments Inc	Medical Centre Rent 01-112-099-60366	\$3,013.68
0062755	7/25/2017	DiMenna Excavating	Footing Excavation - Antenna 01-112-099-60315	\$175.54
0062757	7/25/2017	E.L.K. Energy Inc	Rent - Pearl St 01-112-099-60311	\$450.02
0062760	7/25/2017	Essex Region Conservation Aut	General Levy - Q3 01-112-420-60950	\$47,183.25
0062765	7/25/2017	Hicks Morley Hamilton Stewart & S	01-112-099-60319	\$961.63
0062779	7/25/2017	McTague Law Firm	01-112-099-60319	\$1,602.72
0062784	7/25/2017	New Designs Flowers & Gifts	Flowers for S Olewski 01-112-099-60317	\$58.38
0062790	7/25/2017	Pearsall Marshall Halliwell & Se	Rotary Park Land Acquisition 01-112-099-60319	\$1,141.29
0062796	7/25/2017	R. Moir Cleaning Service	July Cleaning - Town Hall 01-112-099-60341	\$1,831.68
0062804	7/25/2017	Thomson Reuters Canada	Online Charges 01-112-099-60320	\$113.03
0062805	7/25/2017	Tri-County Copiers Plus	Front Desk/Arena Copies 01-112-099-60301	\$224.24
0062808	7/25/2017	Union Gas Limited	2021 Division Rd N - Town Hall 01-112-099-60314	\$115.37



**Town of Kingsville  
 Council Summary Report**

Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
0062811	7/25/2017	Warkentin Plumbing	Town Hall - AC Repair 01-112-099-60315	\$96.67
0062818	7/26/2017	Petty Cash (Town Hall)	Petty Cash-Explore the Shore 01-112-099-60348	\$700.00
<b>Total For Department 112</b>				<b>\$94,075.56</b>
<u>114</u>	-			
0062597	7/13/2017	Applied Computer Solutions Inc	Work on Server Configuration 01-114-360-71705	\$2,544.00
0062597	7/13/2017	Applied Computer Solutions Inc	Service Calls 01-114-099-60310	\$508.80
0062623	7/13/2017	Digital Boundary Group	Internal Network Assessment 01-114-360-71706	\$4,833.60
0062623	7/13/2017	Digital Boundary Group	Report - Network Assessment 01-114-360-71706	\$2,798.40
0062644	7/13/2017	Tony Iacobelli	Mileage 01-114-099-60400	\$39.88
0062644	7/13/2017	Tony Iacobelli	Website Focus Group Meeting 01-114-099-60317	\$42.35
0062702	7/13/2017	Sims Publications Incorporated	Business Cards 01-114-099-60301	\$76.32
0062738	7/25/2017	Attache Group Inc.	Advanced Threat Protection 01-114-099-60309	\$622.77
0062793	7/25/2017	Quest Software Canada	Maintenance for Dell KACE 01-114-099-60309	\$2,080.48
<b>Total For Department 114</b>				<b>\$13,546.60</b>
<u>120</u>	-			
0062729	7/13/2017	Larry Wood	Animal Control - May 2017 01-120-280-60124	\$175.00
0062774	7/25/2017	LaSalle Animal Hospital	2017 Spay Neuter Program 01-120-280-60125	\$75.00
0062812	7/25/2017	Windsor Essex County Humane	Stray Cat Program 01-120-280-60377	\$320.00
<b>Total For Department 120</b>				<b>\$570.00</b>
<u>121</u>	-			
0062592	7/13/2017	Allstream Business Inc	Fire Emerg Calls 01-121-099-60327	\$41.76
0062604	7/13/2017	Robert Brando	Firefighter Meal - May 31/17 01-121-099-60317	\$168.84
0062614	7/13/2017	Compugen Inc.	Fire - Copies 01-121-099-60301	\$61.59
0062619	7/13/2017	Darch Fire	Uniforms 01-121-072-60216	\$946.30

# Town of Kingsville Council Summary Report

Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
0062620	7/13/2017	Jeff Dean	License Plate Fee 01-121-360-71722	\$35.00
0062620	7/13/2017	Jeff Dean	Registrar of Imported Vehicle 01-121-360-71722	\$300.19
0062620	7/13/2017	Jeff Dean	Training Material 01-121-072-60118	\$110.79
0062626	7/13/2017	E.L.K. Energy Inc	120 Fox St 01-121-099-60314	\$202.31
0062629	7/13/2017	Federal Express Canada Ltd.	Power Steering Cooler 01-121-099-60305	\$42.71
0062631	7/13/2017	Fireservice Management Ltd.	Bunker Gear Mtce 01-121-099-60316	\$218.50
0062631	7/13/2017	Fireservice Management Ltd.	Bunker Gear Mtce 01-121-099-60316	\$176.06
0062636	7/13/2017	Global Traffic Technologies Car	2017 Q3 Lease Billing 01-121-099-60311	\$2,026.19
0062637	7/13/2017	Goarley Fire	Helmet - Chris V 01-121-099-60701	\$986.05
0062638	7/13/2017	Gosfield North Communications	Cottam Fire Hall 01-121-099-60327	\$183.26
0062649	7/13/2017	Jim Jeannette RSW	Fire Training 01-121-098-60254	\$300.00
0062652	7/13/2017	Kingsville Home Hardware	Fire - Facility Mtce 01-121-099-60315	\$2.33
0062652	7/13/2017	Kingsville Home Hardware	Mouse Traps 01-121-099-60315	\$10.04
0062652	7/13/2017	Kingsville Home Hardware	Cleaner 01-121-099-60315	\$7.11
0062652	7/13/2017	Kingsville Home Hardware	Fuel 01-121-099-60340	\$195.13
0062652	7/13/2017	Kingsville Home Hardware	Key 01-121-099-60315	\$2.23
0062670	7/13/2017	Mister Mat	Fire - Mats 01-121-099-60315	\$43.30
0062671	7/13/2017	M&L Supply	Chainsaw Boot 01-121-099-60701	\$177.33
0062673	7/13/2017	Monarch Office Supply	Office Supplies - June 01-121-099-60317	\$39.56
0062673	7/13/2017	Monarch Office Supply	Office Supplies - June 01-121-099-60301	\$229.47
0062674	7/13/2017	Scott Moore	IMS 300 Course 01-121-098-60254	\$63.94
0062678	7/13/2017	Chuck Parsons	Water 01-121-099-60317	\$8.95
0062695	7/13/2017	Safedesign Apparel Ltd.	Bunker Gear 01-121-099-60701	\$2,649.48
0062699	7/13/2017	Dorothy Shepley	Cleaning June 2017 01-121-099-60341	\$333.33
0062704	7/13/2017	Southwest Diesel Service Inc	Unit 218 Repair 01-121-099-60316	\$1,674.17
0062711	7/13/2017	Thames Communications Ltd.	Pager Charges 01-121-099-60316	\$61.98
0062711	7/13/2017	Thames Communications Ltd.	Unit 218 - Light Bar Repair 01-121-099-60316	\$151.13
0062713	7/13/2017	Town of Kingsville	1720 Division Rd 01-121-099-60314	\$70.99
0062714	7/13/2017	Town of LaSalle	Quarterly Dispatching Costs 01-121-100-60715	\$10,830.93

# Town of Kingsville Council Summary Report

Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
0062719	7/13/2017	Universal Door Systems	Fire - Facility Maintenance 01-121-099-60315	\$396.88
0062719	7/13/2017	Universal Door Systems	Fire - Facility Mtce (Cottam) 01-121-099-60315	\$136.36
0062720	7/13/2017	Util-Equip Manufacturing Inc.	Fire - Equipment Repair 01-121-099-60316	\$1,134.62
0062727	7/13/2017	Windsor Factory Supply	Traffic Vests 01-121-099-60358	\$633.30
0062751	7/25/2017	DeLage Landen	Fire Copier 01-121-099-60311	\$71.25
0062762	7/25/2017	G&K Services Canada Inc	Fire - Mats 01-121-099-60316	\$41.72
0062788	7/25/2017	HYDRO ONE	1720 Division Rd N 01-121-099-60314	\$1,055.03
0062808	7/25/2017	Union Gas Limited	120 Fox St 01-121-099-60314	\$25.33
0062808	7/25/2017	Union Gas Limited	1720 Division Rd N 01-121-099-60314	\$28.52
0062811	7/25/2017	Warkentin Plumbing	Fire - AC Repair 01-121-099-60315	\$139.41
<b>Total For Department</b>			<b>121</b>	<b>\$26,013.37</b>
<b>122</b>	-			
0062590	7/13/2017	ABSOLUTE CANADIAN	OPP - Water 01-122-099-60317	\$41.70
0062626	7/13/2017	E.L.K. Energy Inc	41 Division St 01-122-099-60314	\$750.21
0062635	7/13/2017	G&K Services Canada Inc	OPP - Mats 01-122-099-60315	\$86.73
0062638	7/13/2017	Gosfield North Communications	OPP - Talbot St Cottam 01-122-099-60327	\$121.88
0062663	7/13/2017	Margie's	Cell Cleaning 01-122-099-60341	\$178.08
0062667	7/13/2017	Merchant Paper Company	OPP - Janitorial Supplies 01-122-099-60315	\$99.04
0062669	7/13/2017	Minister of Finance (OPP)	June 2017 OPP Contract 01-122-072-60120	\$256,009.00
0062679	7/13/2017	Larry Patterson	OAPSB Spring Conference 01-122-098-60253	\$514.43
0062691	7/13/2017	Ricoh Canada	OPP Photocopies June 2017 01-122-099-60311	\$361.57
0062725	7/13/2017	Nancy Wallace-Gero	OAPSB June 20-24/17 01-122-098-60253	\$884.19
0062733	7/25/2017	ABSOLUTE CANADIAN	OPP - Water 01-122-099-60317	\$20.85
0062769	7/25/2017	John and Michelle Ivanisko	Rent - Cottam OPP 01-122-260-60342	\$540.31
0062781	7/25/2017	Minister of Finance (OPP)	OPP Contract - July 2017 01-122-072-60120	\$256,009.00
0062795	7/25/2017	Reliance Home Comfort	41 Division St 01-122-099-60314	\$37.61
0062796	7/25/2017	R. Moir Cleaning Service	July Cleaning - Kville OPP 01-122-099-60341	\$915.84

# Town of Kingsville Council Summary Report

Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
0062796	7/25/2017	R. Moir Cleaning Service	July Cleaning - Cottam OPP 01-122-099-60341	\$203.52
0062808	7/25/2017	Union Gas Limited	41 Division St S 01-122-099-60314	\$49.76
<b>Total For Department</b>			<b>122</b>	<b>\$516,823.72</b>
<u>124</u>				
0062661 *	7/13/2017	Marcovecchio Construction	Refund Permit 3798 - cancelled 01-124-064-41120	\$2,835.00
0062673	7/13/2017	Monarch Office Supply	Office Supplies - June 01-124-099-60301	\$56.61
0062680	7/13/2017	Albert J Peach	Contract Work 01-124-072-60120	\$525.00
0062791	7/25/2017	Albert J Peach	Contracted Services 01-124-072-60120	\$1,500.00
<b>Total For Department</b>			<b>124</b>	<b>\$4,916.61</b>
<u>130</u>				
0062589	7/13/2017	A-1 Driveways Group (2014) Inc	Glass Beads for Line Paint 01-130-110-60401	\$468.26
0062594	7/13/2017	Amico Infrastructures Inc.	Wigle Ave Sewer Repair 01-130-110-60403	\$1,831.68
0062611	7/13/2017	Chapman Signs	Signs - Hist. Park / Food Bank 01-130-132-60428	\$255.82
0062611	7/13/2017	Chapman Signs	Unit Numbers for Fleet 01-130-099-60316	\$40.70
0062611	7/13/2017	Chapman Signs	Stencils to Mark Equipment 01-130-099-60335	\$42.74
0062611	7/13/2017	Chapman Signs	Magnetic Signs for Office 01-130-099-60301	\$14.65
0062616	7/13/2017	County Wide Tree Service	Tree Removal - 112 Fox St 01-130-099-60426	\$722.50
0062618	7/13/2017	D & L Digging	Alley b/w Fox & Laird 01-130-141-60439	\$3,454.24
0062618	7/13/2017	D & L Digging	Road 2 & Union 01-130-141-60439	\$2,082.52
0062618	7/13/2017	D & L Digging	CB Repair - 94 Kingswood 01-130-141-60439	\$2,004.16
0062618	7/13/2017	D & L Digging	CB Repair - 94 Kingswood 01-130-141-60439	\$528.29
0062626	7/13/2017	E.L.K. Energy Inc	390 Main St E - Traffic Lights 01-130-110-60402	\$67.22
0062626	7/13/2017	E.L.K. Energy Inc	Wigle Traffic Lights 01-130-110-60402	\$52.66
0062626	7/13/2017	E.L.K. Energy Inc	Jasperson Traffic Lights 01-130-110-60402	\$214.56
0062626	7/13/2017	E.L.K. Energy Inc	Streetlights - Kingsville 01-130-114-60412	\$4,946.37
0062626	7/13/2017	E.L.K. Energy Inc	232 Division Traffic Lights 01-130-110-60402	\$166.14

# Town of Kingsville Council Summary Report

Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
0062626	7/13/2017	E.L.K. Energy Inc	Spruce & Main Traffic Lights 01-130-110-60402	\$214.56
0062626	7/13/2017	E.L.K. Energy Inc	Santos & Main Traffic Lights 01-130-110-60402	\$30.43
0062626	7/13/2017	E.L.K. Energy Inc	Streetlights - Cottam 01-130-114-60412	\$1,028.36
0062634	7/13/2017	Kevin Girard	Girard - Clothing 01-130-072-60216	\$127.57
0062639	7/13/2017	Greenland Irrigation	Sprinkler Repair -378 Lakeview 01-130-360-71545	\$788.64
0062647	7/13/2017	Jeff Shepley Excavating Ltd.	2017 Rural Road Program 01-130-360-71724	\$262,727.24
0062650	7/13/2017	Jireh Tools	Tools for Sign Installs 01-130-099-60357	\$465.03
0062652	7/13/2017	Kingsville Home Hardware	Sidewalk Repair - 15 Stanley 01-130-144-60438	\$18.81
0062652	7/13/2017	Kingsville Home Hardware	Tree Trimmer 01-130-099-60357	\$91.57
0062652	7/13/2017	Kingsville Home Hardware	Tree Removal O'Halloran 01-130-099-60426	\$9.15
0062652	7/13/2017	Kingsville Home Hardware	Line Painting Tools 01-130-110-60401	\$22.33
0062652	7/13/2017	Kingsville Home Hardware	Sidewalk Repair - Division 01-130-144-60438	\$37.63
0062652	7/13/2017	Kingsville Home Hardware	Stencils for Line Painting 01-130-110-60401	\$13.22
0062652	7/13/2017	Kingsville Home Hardware	Replace Broken Door Knob 01-130-099-60315	\$37.64
0062652	7/13/2017	Kingsville Home Hardware	Stock - Safety Gloves 01-130-099-60335	\$10.15
0062652	7/13/2017	Kingsville Home Hardware	Pick for 14-03 01-130-099-60357	\$15.76
0062664	7/13/2017	Shaun Martinho	Managerial Accounting 01-130-098-60254	\$946.64
0062673	7/13/2017	Monarch Office Supply	Office Supplies - June 01-130-099-60301	\$121.92
0062676	7/13/2017	HYDRO ONE	Streetlights - Kratz 01-130-114-60412	\$846.70
0062676	7/13/2017	HYDRO ONE	Streetlights - Conservation 01-130-114-60412	\$626.91
0062676	7/13/2017	HYDRO ONE	Streetlights - Holly St 01-130-114-60412	\$14.67
0062676	7/13/2017	HYDRO ONE	Streetlights - Cranberry 01-130-114-60412	\$13.98
0062676	7/13/2017	HYDRO ONE	Streetlights - Road 2W 01-130-114-60412	\$18.91
0062676	7/13/2017	HYDRO ONE	Streetlights - Road 3E 01-130-114-60412	\$4.33
0062683	7/13/2017	Pro Bid Contractors Ltd.	CB Repair - Road 9 01-130-141-60439	\$610.56
0062683	7/13/2017	Pro Bid Contractors Ltd.	Emerg Repair-Marsh Rd/S Talbot 01-130-141-60414	\$7,741.90
0062686	7/13/2017	Queens Auto Supply	Fluid for Sweeper 01-130-110-60422	\$20.01
0062686	7/13/2017	Queens Auto Supply	Grease for Shop 01-130-099-60335	\$50.78
0062686	7/13/2017	Queens Auto Supply	Bulb for Sweeper 01-130-110-60422	\$20.35

# Town of Kingsville Council Summary Report

Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
0062686	7/13/2017	Queens Auto Supply	11-03 Exhaust Fluid 01-130-099-60316	\$14.24
0062686	7/13/2017	Queens Auto Supply	Shampoo for Shop 01-130-099-60335	\$129.47
0062696	7/13/2017	Sam's Service Facility	06-04 Repair 01-130-099-60316	\$335.67
0062702	7/13/2017	Sims Publications Incorporated	Weeds Spraying Ad 01-130-099-60306	\$183.17
0062703	7/13/2017	Southwestern Sales Corp. Ltd.	Shouldering McCain Sdrd 01-130-138-60432	\$4,709.65
0062703	7/13/2017	Southwestern Sales Corp. Ltd.	Shouldering on Malo 01-130-138-60432	\$175.45
0062703	7/13/2017	Southwestern Sales Corp. Ltd.	Shouldering on Jasperson 01-130-138-60432	\$960.75
0062703	7/13/2017	Southwestern Sales Corp. Ltd.	Shouldering on McCain 01-130-138-60432	\$1,890.98
0062703	7/13/2017	Southwestern Sales Corp. Ltd.	Shouldering on Graham 01-130-138-60432	\$2,145.79
0062706	7/13/2017	Stantec Consulting Ltd.	Drawings & Open House 01-130-360-71744	\$24,913.40
0062713	7/13/2017	Town of Kingsville	PW Garage 01-130-099-60314	\$139.73
0062721	7/13/2017	Ken Vegh	Lunch w/ Drainage Coordinator 01-130-099-60427	\$51.55
0062724	7/13/2017	Waddick Fuels	UNLD Gas 01-130-099-60340	\$1,003.85
0062724	7/13/2017	Waddick Fuels	UNLD Gas 01-130-099-60340	\$1,039.25
0062724	7/13/2017	Waddick Fuels	Clear ULS 01-130-099-60340	\$2,169.71
0062724	7/13/2017	Waddick Fuels	Dyed ULS 01-130-099-60340	\$283.51
0062746	7/25/2017	Chemical Industries Inc	Dust Control after Grading 01-130-138-60436	\$2,972.49
0062754	7/25/2017	Dillon Consulting	Contract Admin - Bridge 028 01-130-360-71339	\$4,823.42
0062759	7/25/2017	E.R.(Bill) Vollans Ltd.	Skids for Bush Hog 01-130-099-60316	\$131.99
0062763	7/25/2017	Golder Associates	Geotechnical Testing 01-130-360-71724	\$1,457.47
0062771	7/25/2017	J.J.Tires Limited	12-03 - Fix Air Leak 01-130-099-60316	\$181.85
0062777	7/25/2017	Shaun Martinho	PW Staff Meeting 01-130-098-60254	\$29.50
0062777	7/25/2017	Shaun Martinho	Asset Mgmt Course 01-130-098-60254	\$1,046.47
0062786	7/25/2017	OCR Canada Ltd	17-01 01-130-360-71748	\$631.04
0062788	7/25/2017	HYDRO ONE	PW Garage 01-130-099-60314	\$735.29
0062798	7/25/2017	Southwestern Sales Corp. Ltd.	Shouldering on Graham 01-130-138-60432	\$4,031.52
0062798	7/25/2017	Southwestern Sales Corp. Ltd.	Shouldering on Graham 01-130-138-60432	\$3,806.53
0062802	7/25/2017	StressCrete Limited	Lakeview Streetlight Poles 01-130-360-71545	\$8,657.74
0062807	7/25/2017	Uline Shipping Supply Specialists	Stock Sand Bags 01-130-099-60335	\$65.66

**Town of Kingsville  
 Council Summary Report**

Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
0062808	7/25/2017	Union Gas Limited	2021 Division Rd N - PW Garage 01-130-099-60314	\$22.97
0062808	7/25/2017	Union Gas Limited	2021 Division - Garage 01-130-099-60314	\$30.11
0062810	7/25/2017	Waddick Fuels	UNLD Gas 01-130-099-60340	\$1,194.30
0062810	7/25/2017	Waddick Fuels	Dyed ULS 01-130-099-60340	\$393.02
0062810	7/25/2017	Waddick Fuels	Clear ULS 01-130-099-60340	\$1,145.50
0062810	7/25/2017	Waddick Fuels	UNLD Gas 01-130-099-60335	\$1,478.95
0062817	7/26/2017	Linde Canada Limited 15687	Lease Renewals 01-130-099-60316	\$552.25

**Total For Department 130 \$367,102.50**

131 -

0062761	7/25/2017	Essex-Windsor Solid Waste	Waste Disposal - June 01-131-400-60370	\$17,898.63
0062761	7/25/2017	Essex-Windsor Solid Waste	Fixed Costs - June 01-131-400-60370	\$34,384.00
0062761	7/25/2017	Essex-Windsor Solid Waste	Yard Waste - June 01-131-400-60370	\$2,516.67

**Total For Department 131 \$54,799.30**

151 -

0062626	7/13/2017	E.L.K. Energy Inc	Greenhill Cemetery 01-151-099-60314	\$19.63
0062686	7/13/2017	Queens Auto Supply	Ties for Cemetery 01-151-099-60337	\$26.85
0062745	7/25/2017	Cedar Creek Landscaping	Cemetery Grass Cuttings 01-151-072-60120	\$5,575.00
0062808	7/25/2017	Union Gas Limited	Mill St Cemetery 01-151-099-60314	\$22.11

**Total For Department 151 \$5,643.59**

170 -

0062592	7/13/2017	Allstream Business Inc	Elevators-Arena/Carnegie 01-170-099-60327	\$41.00
0062592	7/13/2017	Allstream Business Inc	Arena Fax/Debit 733-2866 01-170-099-60327	\$82.00
0062593	7/13/2017	Allsop Plumbing	Canteen - Hot Water Tank 01-170-099-60315	\$147.00
0062601	7/13/2017	Black & McDonald Limited	Compressor Inspection 01-170-099-60315	\$2,921.60



**Town of Kingsville  
 Council Summary Report**

Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
0062606	7/13/2017	BSM Technologies Ltd (formerly	Arena - Wireless/Interfleet 01-170-099-60327	\$47.50
0062617	7/13/2017	Culligan Water	Cooler Rental 01-170-099-60315	\$27.95
0062627 *	7/13/2017	Erie North Shore Minor Hockey	P2P 34, 51-56, 58 01-170-000-15000	\$3,636.00
0062635	7/13/2017	G&K Services Canada Inc	Arena - Mats 01-170-099-60315	\$41.00
0062635	7/13/2017	G&K Services Canada Inc	Arena - Mats 01-170-099-60315	\$41.00
0062640	7/13/2017	Grossi HVAC Services	Stand Up Cooler Repair 01-170-099-60316	\$903.84
0062652	7/13/2017	Kingsville Home Hardware	Arena - Shop Supplies 01-170-099-60335	\$10.98
0062652	7/13/2017	Kingsville Home Hardware	Arena - Batteries 01-170-099-60315	\$17.98
0062652	7/13/2017	Kingsville Home Hardware	Arena - Deodorizers 01-170-099-60315	\$14.94
0062657	7/13/2017	Linde Canada Limited 15687	Arena - Rental Charges 01-170-099-60316	\$80.17
0062667	7/13/2017	Merchant Paper Company	Arena - Shop supplies 01-170-099-60335	\$347.54
0062673	7/13/2017	Monarch Office Supply	Office Supplies - June 01-170-099-60301	\$32.09
0062673	7/13/2017	Monarch Office Supply	Office Supplies - June 01-170-099-60317	\$132.52
0062713	7/13/2017	Town of Kingsville	1741 Jasperson Lane 01-170-099-60314	\$69.16
0062713	7/13/2017	Town of Kingsville	1741 Jasperson Lane 01-170-099-60314	\$568.66
0062748	7/25/2017	Cogeco	1741 Jasperson 01-170-099-60327	\$100.44
0062762	7/25/2017	G&K Services Canada Inc	Arena - Mats 01-170-099-60315	\$41.00
0062778	7/25/2017	Mark's	Boot Allowance - T Vourakes 01-170-072-60216	\$215.99
0062780	7/25/2017	Merchant Paper Company	Arena - Janitorial Supplies 01-170-099-60335	\$283.76
0062783	7/25/2017	Myer's Truck & Trailer Repairs L	Arena - Facility Mtce 01-170-099-60315	\$210.00
0062788	7/25/2017	HYDRO ONE	Arena Complex 01-170-099-60314	\$5,283.06
0062789	7/25/2017	Orkin Canada Corporation	Pest Control 01-170-099-60315	\$50.50
0062805	7/25/2017	Tri-County Copiers Plus	Front Desk/Arena Copies 01-170-099-60301	\$94.33
0062808	7/25/2017	Union Gas Limited	1741 Jasperson Lane 01-170-099-60314	\$135.35
0062813	7/25/2017	Windsor Factory Supply	Safety Glasses 01-170-099-60347	\$56.80
0062817	7/26/2017	Linde Canada Limited 15687	Lease Renewals 01-170-099-60316	\$211.05

**Total For Department 170**

**\$15,845.21**

# Town of Kingsville Council Summary Report

Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
<u>171</u>				
0062587	7/13/2017	1797465 Ontario Limited	Port Rentals- Soccer/Boat Ramp 01-171-099-60318	\$518.98
0062592	7/13/2017	Allstream Business Inc	Elevators-Arena/Carnegie 01-171-171-60327	\$47.98
0062592	7/13/2017	Allstream Business Inc	Lions Hall 733-2573 01-171-159-60327	\$41.00
0062592	7/13/2017	Allstream Business Inc	Park Pavilion 733-8952 01-171-155-60327	\$44.30
0062593	7/13/2017	Allsop Plumbing	Pollution Plant - Outside Tap 01-171-099-60315	\$125.16
0062596	7/13/2017	Anna's Flowers	HS - Plants 01-171-150-60344	\$95.32
0062596	7/13/2017	Anna's Flowers	HS - Lakeside Planters 01-171-150-60344	\$89.51
0062602	7/13/2017	Blendtek Fine Ingredients	KSB Grounds Mtce 01-171-177-60337	\$552.00
0062608	7/13/2017	Capogna Flowers Inc.	HS - OPP Geraniums 01-171-150-60344	\$170.96
0062609	7/13/2017	Carrier Truck Centers	Bobcat Repair 01-171-099-60316	\$1,895.15
0062610	7/13/2017	Cedar Creek Landscaping	Grass Cutting 01-171-072-60120	\$3,235.97
0062613	7/13/2017	CnR Landscape	Grass Cuttings 01-171-099-60337	\$915.84
0062613	7/13/2017	CnR Landscape	Grass Cuttings 01-171-176-60337	\$500.00
0062616	7/13/2017	County Wide Tree Service	Tree Removal - Katrishe Park 01-171-099-60339	\$1,862.21
0062616	7/13/2017	County Wide Tree Service	Tree Removal - Rotary Park 01-171-360-71734	\$3,789.54
0062622	7/13/2017	Delta Power Equipment	Suspension Seat 01-171-099-60316	\$414.16
0062624	7/13/2017	D&T Auto	P&R - Equipment Repair 01-171-099-60316	\$136.78
0062625	7/13/2017	Economy Rental Centre	P&R - Equipment Repair 01-171-099-60316	\$145.80
0062625	7/13/2017	Economy Rental Centre	P&R - Equipment Rental 01-171-099-60318	\$53.88
0062625	7/13/2017	Economy Rental Centre	Chainsaw Sharpening 01-171-099-60316	\$15.21
0062626	7/13/2017	E.L.K. Energy Inc	Queen St - NE Corner 01-171-099-60314	\$16.68
0062626	7/13/2017	E.L.K. Energy Inc	Queen St - NW Corner 01-171-099-60314	\$17.24
0062626	7/13/2017	E.L.K. Energy Inc	21 Mill St - Lions Hall 01-171-159-60314	\$541.71
0062626	7/13/2017	E.L.K. Energy Inc	28 Division St S 01-171-171-60314	\$349.93
0062626	7/13/2017	E.L.K. Energy Inc	315 Queen St - Pavilion 01-171-155-60314	\$240.41
0062626	7/13/2017	E.L.K. Energy Inc	315 Queen St - Meter Cab 01-171-099-60314	\$17.63
0062626	7/13/2017	E.L.K. Energy Inc	21 Mill St - Lions Hall 01-171-159-60314	\$20.85
0062626	7/13/2017	E.L.K. Energy Inc	103 Park St 01-171-178-60481	\$76.76

# Town of Kingsville Council Summary Report

Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
0062626	7/13/2017	E.L.K. Energy Inc	37 Beech St (42 Main) 01-171-172-60314	\$148.64
0062626	7/13/2017	E.L.K. Energy Inc	124 Fox St - Ridgeview Park 01-171-176-60314	\$178.96
0062626	7/13/2017	E.L.K. Energy Inc	122 Fox St 01-171-173-60314	\$223.26
0062651	7/13/2017	Kelcom Telemessaging	Emerg Elevator Line 01-171-171-60327	\$25.39
0062652	7/13/2017	Kingsville Home Hardware	P&R - Facility Mtce 01-171-099-60315	\$3.66
0062652	7/13/2017	Kingsville Home Hardware	P&R - Equipment Repair 01-171-099-60316	\$62.45
0062652	7/13/2017	Kingsville Home Hardware	P&R - Shop Supplies 01-171-099-60335	\$9.71
0062652	7/13/2017	Kingsville Home Hardware	Lions Hall - Facility Mtce 01-171-159-60315	\$18.65
0062652	7/13/2017	Kingsville Home Hardware	P&R - Facility Mtce 01-171-099-60315	\$6.68
0062652	7/13/2017	Kingsville Home Hardware	P&R - Shop Supplies 01-171-099-60335	\$46.77
0062652	7/13/2017	Kingsville Home Hardware	P&R - Shop Supplies 01-171-099-60335	\$11.18
0062652	7/13/2017	Kingsville Home Hardware	Water Truck Repair 01-171-099-60316	\$5.16
0062652	7/13/2017	Kingsville Home Hardware	Pavilion - Batteries/Gloves 01-171-155-60315	\$36.97
0062652	7/13/2017	Kingsville Home Hardware	P&R - Shop Supplies 01-171-099-60335	\$21.36
0062652	7/13/2017	Kingsville Home Hardware	Pavilion - Batteries/Bleach 01-171-155-60315	\$22.95
0062652	7/13/2017	Kingsville Home Hardware	Bocce Court - Sprinkler 01-171-360-71737	\$20.34
0062652	7/13/2017	Kingsville Home Hardware	Carnegie - Facility Mtce 01-171-171-60315	\$6.40
0062652	7/13/2017	Kingsville Home Hardware	Carnegie - Facility Mtce 01-171-171-60315	\$5.79
0062652	7/13/2017	Kingsville Home Hardware	Pruner 01-171-099-60315	\$35.61
0062652	7/13/2017	Kingsville Home Hardware	P&R - Equipment Repair 01-171-099-60316	\$16.18
0062652	7/13/2017	Kingsville Home Hardware	HS - Supplies 01-171-150-60344	\$43.21
0062656	7/13/2017	Limelight & Electric	Lions Hall - Lamps 01-171-159-60315	\$137.28
0062662	7/13/2017	Mar-Co Clay Products Inc.	Bocce Courts 01-171-360-71737	\$840.94
0062662	7/13/2017	Mar-Co Clay Products Inc.	KSB - Grounds Maintenance 01-171-177-60337	\$1,417.69
0062667	7/13/2017	Merchant Paper Company	Unico - Janitorial Supplies 01-171-172-60315	\$31.98
0062667	7/13/2017	Merchant Paper Company	Arena - Shop Supplies 01-171-099-60335	\$255.82
0062672	7/13/2017	Modular Service Group Inc	Storage Container 01-171-099-60318	\$76.32
0062682	7/13/2017	Practica	Pick Up Bags 01-171-099-60335	\$432.00
0062684	7/13/2017	Proud House Wash Ltd.	Spray tracks and paths 01-171-099-60315	\$305.28

# Town of Kingsville Council Summary Report

Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
0062686	7/13/2017	Queens Auto Supply	Spark Plug/Brake Cleaner 01-171-099-60316	\$9.20
0062686	7/13/2017	Queens Auto Supply	P&R - Equipment Repair 01-171-099-60316	\$68.10
0062686	7/13/2017	Queens Auto Supply	P&R - Equipment Repair 01-171-099-60316	\$3.26
0062686	7/13/2017	Queens Auto Supply	P&R - Equipment Repair 01-171-099-60316	\$2.79
0062686	7/13/2017	Queens Auto Supply	P&R - Equipment Repair 01-171-099-60316	\$96.63
0062688	7/13/2017	Rebel Custom Carts	Club Car Repair 01-171-099-60316	\$290.73
0062690	7/13/2017	Reliance Home Comfort	24 Mill St - Lions Hall 01-171-159-60314	\$24.00
0062692	7/13/2017	ROA Studio	3D Visualization Videos 01-171-360-71154	\$12,693.53
0062693	7/13/2017	Larry Rocheleau	Mileage 01-171-099-60400	\$62.97
0062694	7/13/2017	Rona Inc	Tie Cables 01-171-099-60315	\$77.32
0062696	7/13/2017	Sam's Service Facility	07-01 Repair 01-171-099-60316	\$205.17
0062696	7/13/2017	Sam's Service Facility	07-01 Repair 01-171-099-60316	\$1,107.96
0062698	7/13/2017	Sherwin-Williams Co.	P&R - Facility Maintenance 01-171-099-60315	\$18.71
0062703	7/13/2017	Southwestern Sales Corp. Ltd.	Bocce Court 01-171-360-71737	\$469.73
0062703	7/13/2017	Southwestern Sales Corp. Ltd.	Bocce Court 01-171-360-71737	\$786.96
0062703	7/13/2017	Southwestern Sales Corp. Ltd.	Lakeside Park - Mtce 01-171-155-60315	\$8.93
0062703	7/13/2017	Southwestern Sales Corp. Ltd.	Bocce Court 01-171-360-71737	\$90.56
0062713	7/13/2017	Town of Kingsville	ERCA Park Washrooms 01-171-099-60314	\$115.04
0062713	7/13/2017	Town of Kingsville	Cedar Island Public Washrooms 01-171-099-60314	\$57.87
0062715	7/13/2017	Truax Lumber	Park Bench 01-171-099-60315	\$4.86
0062715	7/13/2017	Truax Lumber	Bocce Court 01-171-360-71737	\$176.11
0062715	7/13/2017	Truax Lumber	Bocce Court 01-171-360-71737	\$9.13
0062715	7/13/2017	Truax Lumber	Bocce Court 01-171-360-71737	\$557.42
0062715	7/13/2017	Truax Lumber	Bocce Court 01-171-360-71737	\$6.60
0062715	7/13/2017	Truax Lumber	Carnegie - Facility mtce 01-171-171-60315	\$7.99
0062715	7/13/2017	Truax Lumber	Shop Supplies 01-171-099-60335	\$28.48
0062715	7/13/2017	Truax Lumber	KSB - Facility Mtce 01-171-177-60315	\$9.57
0062716	7/13/2017	Trumark Athletics	Cottam Grounds 01-171-176-60337	\$280.00
0062717	7/13/2017	TSC Stores L.P.	Ridgeview - Facility Mtce 01-171-176-60315	\$20.27

# Town of Kingsville Council Summary Report

Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
0062722	7/13/2017	Vertechs Elevators Ontario Inc.	Monthly Elevator Mtce 01-171-171-60315	\$330.72
0062723	7/13/2017	Panayiotakys Vourakes	Mileage 01-171-099-60400	\$49.27
0062724	7/13/2017	Waddick Fuels	P&R - Dyed ULS 01-171-099-60340	\$291.82
0062726	7/13/2017	Warkentin Plumbing	Library - AC Repair 01-171-175-60315	\$145.01
0062727	7/13/2017	Windsor Factory Supply	P&R - Facility Mtce 01-171-099-60315	\$90.31
0062732	7/20/2017	Robbins Amazing Art	Memorial Sculpture - 25% Dep 01-171-099-60339	\$788.01
0062744	7/25/2017	Capogna Flowers Inc.	HS - Park Pavilion Pathway 01-171-150-60344	\$97.69
0062750	7/25/2017	Coulson & Associates Ltd	DSS for Trailer Rotary Park 01-171-360-71734	\$1,221.12
0062752	7/25/2017	Delta Power Equipment	Kubota Mower Repair 01-171-099-60316	\$344.48
0062759	7/25/2017	E.R.(Bill) Vollans Ltd.	P&R - Equipment Repair 01-171-099-60316	\$84.63
0062766	7/25/2017	H. Kroeker Lawn Care & Landsc	Hydroseeding 01-171-099-60337	\$2,391.36
0062770	7/25/2017	Janzen Equipment Limited	Mower Repair 01-171-099-60316	\$191.28
0062770	7/25/2017	Janzen Equipment Limited	Mower Repair 01-171-099-60316	\$850.85
0062770	7/25/2017	Janzen Equipment Limited	Mower Repair 01-171-099-60316	\$206.97
0062770	7/25/2017	Janzen Equipment Limited	Mower Repair 01-171-099-60316	\$233.37
0062770	7/25/2017	Janzen Equipment Limited	Unit 2804 - Mower Repair 01-171-099-60316	\$214.79
0062770	7/25/2017	Janzen Equipment Limited	Unit 2804 - Mower Repair 01-171-099-60316	\$1,031.71
0062770	7/25/2017	Janzen Equipment Limited	Unit 2804 - Mower repair 01-171-099-60316	\$541.96
0062770	7/25/2017	Janzen Equipment Limited	P&R - Equipment Repair 01-171-099-60316	\$211.88
0062776	7/25/2017	Mar-Co Clay Products Inc.	Bocce Courts 01-171-360-71737	\$522.23
0062776	7/25/2017	Mar-Co Clay Products Inc.	Home Plates 01-171-177-60337	\$181.20
0062780	7/25/2017	Merchant Paper Company	Carnegie - Janitorial Supplies 01-171-171-60315	\$32.54
0062788	7/25/2017	HYDRO ONE	1741 Jasperson Lane 01-171-177-60314	\$497.09
0062788	7/25/2017	HYDRO ONE	ERCA Ticket Booth 01-171-099-60314	\$32.60
0062792	7/25/2017	Plant Products	Acetic Acid Solution 01-171-099-60337	\$244.40
0062792	7/25/2017	Plant Products	Grass Seed/Acetic Acid Sol'n 01-171-099-60337	\$368.53
0062795	7/25/2017	Reliance Home Comfort	315 Queen St 01-171-155-60314	\$78.84
0062795	7/25/2017	Reliance Home Comfort	103 Park St 01-171-178-60481	\$153.33
0062796	7/25/2017	R. Moir Cleaning Service	July Cleaning - Unico 01-171-172-60315	\$400.00

**Town of Kingsville  
 Council Summary Report**

Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
0062797	7/25/2017	Rona Inc	Sprinkler 01-171-099-60315	\$21.37
0062797	7/25/2017	Rona Inc	Tie Cables 01-171-099-60316	\$15.23
0062806	7/25/2017	TSC Stores L.P.	Cottam Library Facility Mtce 01-171-173-60315	\$31.29
0062806	7/25/2017	TSC Stores L.P.	P&R - Shop Supplies 01-171-099-60335	\$30.53
0062808	7/25/2017	Union Gas Limited	37 Beech St 01-171-172-60314	\$24.12
0062808	7/25/2017	Union Gas Limited	124 Fox St 01-171-176-60314	\$25.16
0062808	7/25/2017	Union Gas Limited	122 Fox St 01-171-173-60314	\$42.04
0062808	7/25/2017	Union Gas Limited	21 Mill St - Lions Hall 01-171-159-60314	\$21.77
0062808	7/25/2017	Union Gas Limited	28 Division St S 01-171-171-60314	\$21.37
0062808	7/25/2017	Union Gas Limited	103 Park St - Kings Landing 01-171-178-60481	\$25.32
0062810	7/25/2017	Waddick Fuels	P&R - Dyed ULS 01-171-099-60340	\$418.04
0062814	7/25/2017	Wolseley Canada Inc	P&R - Facility Mtce 01-171-099-60315	\$234.05
0062814	7/25/2017	Wolseley Canada Inc	P&R - Facility Mtce 01-171-099-60315	\$66.94

**Total For Department 171 \$50,472.70**

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0062592	7/13/2017	Allstream Business Inc	Boat Ramp 733-6020 01-173-099-60327	\$44.30
0062611	7/13/2017	Chapman Signs	Sign - Cedar Island Marina 01-173-099-60315	\$390.00
0062611	7/13/2017	Chapman Signs	Signs - Cedar Island Beach 01-173-099-60315	\$158.00
0062652	7/13/2017	Kingsville Home Hardware	Boat Ramp 01-173-099-60315	\$56.46
0062676	7/13/2017	HYDRO ONE	Cedar Island Washrooms 01-173-099-60314	\$161.95
0062681	7/13/2017	Phasor Industrial	Cedar Island Bathroom - Plugs 01-173-099-60315	\$428.50
0062703	7/13/2017	Southwestern Sales Corp. Ltd.	Cedar Island Mtce 01-173-099-60315	\$21.46
0062713	7/13/2017	Town of Kingsville	Docks - Cedar Island Dr 01-173-099-60314	\$42.28
0062713	7/13/2017	Town of Kingsville	Heritage Rd - Docks 01-173-099-60314	\$17.83
0062715	7/13/2017	Truax Lumber	Dock Fence 01-173-099-60335	\$30.12
0062715	7/13/2017	Truax Lumber	Dock Fence 01-173-099-60335	\$1.20
0062715	7/13/2017	Truax Lumber	Marina - Shop Supplies 01-173-099-60335	\$19.99

**Town of Kingsville  
 Council Summary Report**

Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
0062724	7/13/2017	Waddick Fuels	Marina - UNLD Gas 01-173-099-60383	\$529.49
0062724	7/13/2017	Waddick Fuels	Marina - UNLD Gas 01-173-099-60383	\$942.58
0062724	7/13/2017	Waddick Fuels	Marina - UNLD Gas 01-173-099-60383	\$3,144.00
0062788	7/25/2017	HYDRO ONE	Cedar Beach Marina - West Dock 01-173-099-60314	\$77.62
0062788	7/25/2017	HYDRO ONE	Cedar Island Boat Slips 01-173-099-60314	\$549.70
0062788	7/25/2017	HYDRO ONE	Boat Ramp Booth 01-173-099-60314	\$49.24
0062798	7/25/2017	Southwestern Sales Corp. Ltd.	Marina - Facility Mtce 01-173-099-60315	\$22.86
0062798	7/25/2017	Southwestern Sales Corp. Ltd.	Marina - Facility Mtce 01-173-099-60315	\$77.98
0062810	7/25/2017	Waddick Fuels	Marina - UNLD Gas 01-173-099-60383	\$3,175.37
0062816	7/25/2017	XPlornet Communications Inc	Marina - Rental Jul-Aug 01-173-099-60327	\$49.99

**Total For Department 173 \$9,990.92**

175

0062584	7/10/2017	Sweet Memories Bakery	Canada Day Cupcakes 01-175-099-60628	\$342.20
0062599	7/13/2017	Bell Media Inc	Older Adults Expo 01-175-099-60628	\$305.28
0062599	7/13/2017	Bell Media Inc	Older Adults Expo 01-175-099-60628	\$1,058.30
0062628	7/13/2017	Essex Free Press	Canada Day Ad 01-175-099-60628	\$276.14
0062658	7/13/2017	Loblaw Inc.	Canada Day 01-175-099-60628	\$12.19
0062702	7/13/2017	Sims Publications Incorporated	Canada Ad 01-175-099-60628	\$187.24
0062702	7/13/2017	Sims Publications Incorporated	Canada Day Ad 01-175-099-60628	\$102.78
0062702	7/13/2017	Sims Publications Incorporated	Canada Day Ad 01-175-099-60628	\$468.10
0062702	7/13/2017	Sims Publications Incorporated	Canada Day Ad 01-175-099-60628	\$259.49

**Total For Department 175 \$3,011.72**

180

0062633	7/13/2017	G&G Excavating & Trucking Ltd	Application Refund PLC/01/12 01-180-062-40683	\$700.00
0062702	7/13/2017	Sims Publications Incorporated	Business Cards 01-180-099-60301	\$76.32
0062801	7/25/2017	Storey Samways Ltd	Contracted Services 01-180-099-60326	\$5,770.81



**Town of Kingsville  
 Council Summary Report**

Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
<b>Total For Department 180</b>				<b>\$6,547.13</b>
<u>181</u>	-			
0062591	7/13/2017	Advance Business Systems	Printing - April - June/17 01-181-099-60301	\$620.03
0062598	7/13/2017	Bell Canada	BIA - Phone 01-181-099-60327	\$103.05
0062598	7/13/2017	Bell Canada	BIA - Internet 01-181-099-60327	\$30.53
0062612	7/13/2017	Cindy's Home and Garden	BIA Flowers - Payment #2 01-181-170-60839	\$8,140.79
0062646	7/13/2017	IndieServe Networks	Web Hosting Fee 01-181-099-60309	\$109.78
0062666	7/13/2017	Marina's Lil Cafe	Facelift Grant - New Sign 01-181-099-60833	\$500.00
0062762	7/25/2017	G&K Services Canada Inc	BIA - Mats 01-181-099-60341	\$50.38
<b>Total For Department 181</b>				<b>\$9,554.56</b>
<u>184</u>	-			
0062641	7/13/2017	Hall Telecommunications Suppl	June 2017 01-184-099-63300	\$172.99
<b>Total For Department 184</b>				<b>\$172.99</b>
<u>185</u>	-			
0062707	7/13/2017	Sun Parlour Folk Music Society	Shared Ad in Folk Fest Program 01-185-099-63105	\$96.05
0062712	7/13/2017	Tourism Windsor Essex Pelee I	TWEPI Wine Route Map Ad 01-185-099-63104	\$661.44
0062739	7/25/2017	Bell Canada	BIA Toll Free 01-185-099-60327	\$13.07
<b>Total For Department 185</b>				<b>\$770.56</b>
<u>186</u>	-			
0062702	7/13/2017	Sims Publications Incorporated	CD Archives - Jan-Mar 2017 01-186-099-60301	\$10.18
<b>Total For Department 186</b>				<b>\$10.18</b>

# Town of Kingsville Council Summary Report

Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
<u>201</u>				
0062600 *	7/13/2017	David Beneteau	Refund on Final 02-201-006-12067	\$43.30
0062607	7/13/2017	Canada Post Corporation	Water Bills & Reminders 02-201-099-60303	\$3,232.59
0062611	7/13/2017	Chapman Signs	Stencils to Mark Equipment 02-201-099-60335	\$42.74
0062634	7/13/2017	Kevin Girard	Girard - Clothing 02-201-072-60216	\$127.57
0062642 *	7/13/2017	Susan Hatt	Refund on Final 02-201-006-12067	\$151.73
0062652	7/13/2017	Kingsville Home Hardware	2 Cycle Oil for Weed Whippers 02-201-099-63045	\$4.06
0062652	7/13/2017	Kingsville Home Hardware	2 Cycle Oil for Weed Whippers 02-201-099-63045	\$23.30
0062652	7/13/2017	Kingsville Home Hardware	Hydrant Maintenance 02-201-099-63045	\$15.17
0062652	7/13/2017	Kingsville Home Hardware	Env - Facility Mtce 02-201-099-60315	\$64.02
0062652	7/13/2017	Kingsville Home Hardware	Batteries for Locators 02-201-099-63020	\$6.40
0062652	7/13/2017	Kingsville Home Hardware	Propane for Outdoor BBQ 02-201-099-60317	\$23.39
0062653 *	7/13/2017	Marie Madeline Lanteigne	Refund on Final 02-201-006-12067	\$204.25
0062655	7/13/2017	Dave Levy	Training in Windsor Jun 28/17 02-201-098-60254	\$37.45
0062659 *	7/13/2017	Ben Loewen	Refund on Final 02-201-006-12067	\$148.98
0062673	7/13/2017	Monarch Office Supply	Office Supplies - June 02-201-099-60301	\$145.82
0062677	7/13/2017	Ontario One Call	June Notifications 02-201-099-63020	\$364.91
0062683	7/13/2017	Pro Bid Contractors Ltd.	Emergency Repair-2190 Seacliff 02-201-099-63030	\$22,668.77
0062686	7/13/2017	Queens Auto Supply	08-01 - Bulb 02-201-099-60316	\$10.11
0062697	7/13/2017	Kevin Scratch	Training in Windsor 02-201-098-60254	\$37.45
0062700 *	7/13/2017	Shannan Sherman	Refund on Final 02-201-006-12067	\$151.52
0062713	7/13/2017	Town of Kingsville	Coin Meter 02-201-099-60314	\$17.83
0062715	7/13/2017	Truax Lumber	Wheelbarrow 02-201-099-60357	\$244.21
0062731	7/13/2017	WWOTC	Water Training 02-201-098-60254	\$582.07
0062734	7/25/2017	Allsop Plumbing	Shut off valves 02-201-099-60316	\$1,455.17
0062742 *	7/25/2017	Kimberely Brown	Refund on Final 02-201-006-12067	\$6.21
0062758	7/25/2017	EMCO	Locate Flags 02-201-099-63020	\$264.58
0062758	7/25/2017	EMCO	Paint for Locates 02-201-099-63020	\$488.45
0062764	7/25/2017	Hach Sales & Service Canada	ENV - Equipment Repair 02-201-099-60316	\$666.32

**Town of Kingsville  
 Council Summary Report**

Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
0062775	7/25/2017	Marchand Excavating Contr.	Waterline - 137 Pineway Park 02-201-099-63025	\$3,561.60

**Total For Department 201 \$34,789.97**

**242**

0062626	7/13/2017	E.L.K. Energy Inc	98 McCallum 02-242-099-60314	\$84.93
0062626	7/13/2017	E.L.K. Energy Inc	Bernath Pump Station 02-242-099-60314	\$16.24
0062626	7/13/2017	E.L.K. Energy Inc	67 Heritage Sewage 2 02-242-099-60314	\$2,783.39
0062626	7/13/2017	E.L.K. Energy Inc	250 Queen St 02-242-099-60314	\$818.73
0062643	7/13/2017	Hurricane SMS Inc	Broken Sewer - 80 Wigle 02-242-320-64365	\$518.99
0062676	7/13/2017	HYDRO ONE	18 Hwy Lane Sewage Lagoon 02-242-099-60314	\$52.24
0062683	7/13/2017	Pro Bid Contractors Ltd.	Sanitary Sewer - Wigle Ave 02-242-320-64365	\$3,814.98
0062728	7/13/2017	Wolseley Canada Inc	80 Wigle Sewer Repair 02-242-320-64365	\$134.51
0062767	7/25/2017	Hurricane SMS Inc	Sewer Repair - 80 Wigle 02-242-320-64365	\$1,406.83
0062787	7/25/2017	Ontario Clean Water Agency	Operations and Maintenance 02-242-320-64360	\$76,049.44
0062788	7/25/2017	HYDRO ONE	1460 Road 2 E Pump 02-242-099-60314	\$624.36
0062788	7/25/2017	HYDRO ONE	Normandy Pump Station 02-242-099-60314	\$88.78
0062788	7/25/2017	HYDRO ONE	1562 Heritage Rd Pump 4 02-242-099-60314	\$92.75
0062788	7/25/2017	HYDRO ONE	Pump Station Cedar Island 02-242-099-60314	\$165.90
0062788	7/25/2017	HYDRO ONE	1053 Cedar Dr 02-242-099-60314	\$174.13
0062788	7/25/2017	HYDRO ONE	1902 Heritage Rd Pump 5 02-242-099-60314	\$52.28
0062788	7/25/2017	HYDRO ONE	Forcemain Over Bridge 02-242-099-60314	\$27.79
0062788	7/25/2017	HYDRO ONE	690 Heritage Rd 02-242-099-60314	\$17,091.01

**Total For Department 242 \$103,997.28**

**243**

0062626	7/13/2017	E.L.K. Energy Inc	168 Cty Rd 27 N 02-243-099-60314	\$286.16
0062626	7/13/2017	E.L.K. Energy Inc	Rear 17 Lyle 02-243-099-60314	\$94.02
0062626	7/13/2017	E.L.K. Energy Inc	16 Whitewood (Behind) 02-243-328-64365	\$33.61

Town of Kingsville  
Council Summary Report

Cheque Number	Cheque Date	Vendor Name	Description	Cheque Amount
0062626	7/13/2017	E.L.K. Energy Inc	168 County Rd 27 N - Lagoon 02-243-099-60314	\$380.62
0062638	7/13/2017	Gosfield North Communications	Pump House Alarm 02-243-099-60327	\$48.15
0062787	7/25/2017	Ontario Clean Water Agency	Operations and Maintenance 02-243-320-64360	\$5,859.76

Total For Department 243 \$6,702.32

\* Note GST Rebate details are omitted, but are included in the totals \$1,443,532.95



2021 Division Road North  
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[www.kingsville.ca](http://www.kingsville.ca)  
[kingsvilleworks@kingsville.ca](mailto:kingsvilleworks@kingsville.ca)

**Date:** July 27, 2017  
**To:** Mayor and Council  
**Author:** Sandra Zwiers, Director of Financial Services  
**RE:** Q2 Financial Status Update to June 30, 2017  
**Report No.:** FS-2017-010

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#### **AIM**

To provide council with a report on the financial status of the municipality to the end of the second quarter ending June 30, 2017.

#### **BACKGROUND**

Administration is provided with monthly budget to actual reports and a capital project status log for their departmental review. On a quarterly basis the Director of Financial Services prepares a summary report of review findings for presentation to council along with updates on other financial indicators in order to give an opinion on the financial health of the municipality. The 2017 budget was passed on February 22<sup>nd</sup>. In consultation with the CAO, a first quarter report was not prepared for council due to a lack of significant spending to the end of March.

#### **DISCUSSION**

The following is a summary of departmental variance analysis completed to the end of the reporting period. For all departments not specifically listed, it is confirmed that departmental revenues and expenditures are consistent with budget targets to date.

##### **General Administration**

Miscellaneous revenue includes the recovery of stale dated cheques to recipients that could not be contacted/located. These uncashed cheques dated back to 2005. Also included in miscellaneous income is a reconciliation payment from LAS for our participation in the LAS Hydro program. A program overbilling was discovered from 2016 and a refund cheque in the amount of \$4,003 was received during the reporting period.

Facility maintenance expense exceeds the annual budget due to the failure of the main air conditioning unit in the server room and the need to replace the failing concrete base securing the town hall's main communication tower. The unbudgeted miscellaneous revenue described above has been assigned to offset these overages.

## **Animal Control**

A new roof was required at the dog pound which resulted in the budget for the Dog Pound being exceeded. As outlined in our joint operating agreement with the Town of Leamington, the cost of the new roof was shared equally between the two municipalities.

## **Fire**

Based on discussions with the Fire Chief, the anticipated new revenue sources relating to fire safety plans review, training services, incident reports and medical standby are not likely to be realized during the year. The total negative impact to the fire budget is estimated at \$7,700. Vacancies within the department during the period have resulted in wage savings that will offset the unrealized revenue. An internal review of business practices within the department is being undertaken to maintain current revenue levels for 2018.

The cost of volunteer firefighting services is below the half year target at 42% of the total annual budget. Fire calls during the period totaled 149 compared to 146 for the same period in 2016.

The acquisition of the aerial truck is now complete and under budget. Efforts to sell the surplus aerial continue.

## **Police**

2017 represents the transition year away from the traditional 1000 Officers and Community Policing Partnership grant programs and towards the Policing Effectiveness and Modernization Grant (PEM). A reconciliation of the revenue will occur at year end to match revenue with budget funds.

Reports from the Manager of Provincial Offenses at the City of Windsor indicate that charging volumes continue to lag in 2017 at rates 12% below the prior year. While collection efforts remain strong, the realization of POA revenue is behind budget targets to the end of the reporting period. Council can expect to see a reduction in Provincial Offenses Revenue as we move through 2017.

Miscellaneous revenue is comprised of our 2016 contract credit adjustment from the OPP of \$795.37. Under the new billing model large post year adjustments will no longer occur.

## **Building**

Building permits are tracking ahead of 2016 levels with 208 permits issued compared to 194 for the same period last year. Discussions with the Chief Building Official are optimistic that the trend will continue through the remainder of 2017.

Miscellaneous revenue includes new fees collected for billable services within the department relating to property file retrieval services and post review amendment work.

Staffing absences in the department resulted in the hiring of contract inspectors to maintain service levels and keep up with permit demands. It is anticipated that the excess revenue generated from permits will offset the over budget costs of contract labour.

## **Transportation**

Revenue from the rental of parking lots is not anticipated to be realized due to the absence of night market events this season.

Professional fees exceed the budget estimate due to legal expenses for drainage abandonment processing. The Manager of Public Works anticipates recovering these costs through the drainage expense account (60427).

Culvert repair expense exceeds the budget target as a result of a large number of culverts requiring replacement this year. The Manager has indicated budget funds from roadside ditching (60429) will be utilized to offset the deficit.

## **Sanitation**

The 2017 budget for the EWSWA remains unadopted. Perpetual care charges, tipping fees and fixed costs will be subject to retroactive adjustment to January 1<sup>st</sup>. Given the present uncertainty in pricing, administration will monitor the budget process at EWSWA and respond to fee changes as appropriate.

## **Parks and Recreation / Recreation Programs**

Arena Hall Rental revenue is below budget targets and is not anticipated to reach budget targets by year end. While rentals are reasonably consistent, the budget target was overly optimistic and will be lowered in 2018.

Arena Floor Rental revenue will not be realized due to the cancellation of rentals for ball hockey and lacrosse. The Ball Hockey Tournament revenue in Recreation Programs will also not be realized due to a cancellation of the event. The Recreation Program Manager has identified savings in staffing resulting from an office support vacancy as a source to offset this lost revenue.

## **Water**

Water sales, on a volume basis, are 4% lower than the same period in 2016. Administration has assessed this as reasonable considering 2016 experienced an unusually hot and dry late spring / early summer. We are currently trending approximately 3% above our 3-year average for water sales, which was the basis for 2017's projected revenue in the budget. Water sales on a dollar basis, are 1.3% higher than this point last year. The increased revenue is a result of a \$.05 /m<sup>3</sup> rate increase which took effect in April 1, 2016 and a further \$.02 / m<sup>3</sup> rate increase effective April 1, 2017.

All water expenses are in line with expectations, with the exception of water purchases. Despite a year to date decrease of 4% in water sales (volumes), UWSS is reporting a 3% year to date increase in our water purchases. Administration is currently working with the Manager of UWSS to investigate the discrepancy.

## **Other Items**

Also attached to this report for council's information are:

- Year to Date Departmental Income Statements as of June 30, 2017
- Capital Project Status Log as of June 30, 2017
- Tax Data Summary as of June 30, 2017



- Water / Wastewater Data Summary as of June 30, 2017
- Investment Summary as of June 30, 2017
- Drain Status Report as of June 30, 2017

### **LINK TO STRATEGIC PLAN**

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

### **FINANCIAL CONSIDERATIONS**

Certain transfers to and from reserves have been made for projects completed to the end of the second quarter. The financial activities of the municipality, with the above noted exceptions, are consistent with the budgetary expectations to the end of the second quarter ending June 30, 2017.

Administration will continue to monitor revenue and expenses with the goal of maintaining a balanced budget.

### **CONSULTATIONS**

Senior management

### **RECOMMENDATION**

That council receives the financial status update report FS-2017-010 for the period ending June 30, 2017.

*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

Town of Kingsville  
Council  
For the Six Months Ending June 30, 2017

<u>Acct No.</u>	<u>2017 Budget</u>	<u>2017 Actual</u>	<u>Variance</u>
<b>OPERATING REVENUES</b>			
<b>OPERATING EXPENDITURES</b>			
60110 Council Honourarium	\$134,556.00	\$67,278.12	(\$67,277.88)
60204 Benefits - CPP	\$4,207.00	\$2,278.06	(\$1,928.94)
60206 Benefits - EHT	\$2,726.00	\$940.74	(\$1,785.26)
60253 Conferences	\$25,200.00	\$10,847.37	(\$14,352.63)
60300 Mayor's Promotional	\$7,700.00	\$7,435.25	(\$264.75)
60312 General Insurance	\$4,571.00	\$4,571.00	\$0.00
60327 Communication	\$600.00	\$293.06	(\$306.94)
60690 Charitable Advertising	\$900.00	\$597.64	(\$302.36)
<b>Total Operating Expenditures</b>	<b>\$180,460.00</b>	<b>\$94,241.24</b>	<b>(\$86,218.76)</b>
<b>TRANSFER TO (FROM) RESERVES</b>			
<b>NET OPERATING REV. (EXP.)</b>	<b>(\$180,460.00)</b>	<b>(\$94,241.24)</b>	<b>\$86,218.76</b>
<b>CAPITAL REVENUE</b>			
<b>CAPITAL EXPENDITURES</b>			
<b>TRANSFER TO RESERVES</b>			
<b>LONG-TERM DEBT REPAYMENTS</b>			
<b>NET SURPLUS / (DEFICIT)</b>	<b>(\$180,460.00)</b>	<b>(\$94,241.24)</b>	<b>\$86,218.76</b>

Town of Kingsville  
General Admin  
For the Six Months Ending June 30, 2017

Acct No.		2017 Budget	2017 Actual	Variance
OPERATING REVENUES				
40502	Prov Grants	\$1,074,200.00	\$537,100.00	(\$537,100.00)
40655	Inter. Dept. Revenues	\$269,000.00	\$134,490.00	(\$134,510.00)
40661	Rent - L'ton & Area Health Team	\$4,800.00	\$4,800.00	\$0.00
41110	Lic & Per - Hunting	\$800.00	\$97.35	(\$702.65)
41150	Lic & Per - Raffles	\$4,000.00	\$3,201.00	(\$799.00)
41170	Lic & Per - Bingo	\$100.00	\$0.00	(\$100.00)
41180	Lic & Per - Marriage	\$8,000.00	\$4,000.00	(\$4,000.00)
41182	Lic & Per - Taxi	\$1,100.00	\$1,025.00	(\$75.00)
41183	Lic & Per - Portable Signs	\$600.00	\$455.00	(\$145.00)
41187	Lic & Per - Business Licences	\$1,000.00	\$1,250.00	\$250.00
41210	Revenue - General & T/C	\$29,000.00	\$18,900.00	(\$10,100.00)
41230	Building Certificate	\$10,000.00	\$5,600.00	(\$4,400.00)
41235	Marriage Solemnization	\$4,000.00	\$4,775.05	\$775.05
41258	Revenue- Pits & Quarries	\$20,000.00	\$0.00	(\$20,000.00)
41259	HST Rebates	\$12,000.00	\$47.88	(\$11,952.12)
41260	Returned Cheque Charge	\$1,250.00	\$825.00	(\$425.00)
41270	Misc. Revenue	\$5,000.00	\$17,847.60	\$12,847.60
41284	Freedom of Information Requests	\$400.00	\$758.10	\$358.10
41310	Penalties & Interest	\$267,000.00	\$130,565.85	(\$136,434.15)
41410	Investment Income-Own funds	\$60,000.00	\$40,553.58	(\$19,446.42)
	Total Operating Revenue	\$1,772,250.00	\$906,291.41	(\$865,958.59)
OPERATING EXPENDITURES				
60102	Salaries - Full Time	\$1,233,041.00	\$585,193.41	(\$647,847.59)
60103	Salaries - Over-Time	\$1,336.00	\$149.21	(\$1,186.79)
60104	Salaries - Part Time	\$8,858.00	\$3,029.54	(\$5,828.46)
60108	Salaries - Crossing Guard	\$47,931.00	\$26,488.88	(\$21,442.12)
60114	Committee Honourarium	\$8,920.00	\$2,500.00	(\$6,420.00)
60128	Contract - Tourism / PT & Studen	\$41,895.00	\$18,779.30	(\$23,115.70)
60129	Marriage Solemnisers	\$3,200.00	\$932.00	(\$2,268.00)
60202	Benefits - EI	\$19,561.00	\$13,129.07	(\$6,431.93)
60204	Benefits - CPP	\$42,191.00	\$26,661.48	(\$15,529.52)
60206	Benefits - EHT	\$25,297.00	\$12,190.82	(\$13,106.18)
60208	Benefits - Omers	\$128,741.00	\$61,142.15	(\$67,598.85)
60212	Benefits - Health Coverage	\$167,038.00	\$84,271.62	(\$82,766.38)
60214	Benefits - WSB	\$35,637.00	\$19,007.50	(\$16,629.50)
60216	Benefits- Uniforms	\$0.00	\$789.52	\$789.52
60220	Benefits - Meal Allowance	\$0.00	\$13.00	\$13.00
60222	Benefits - Eyeglasses	\$5,200.00	\$3,295.90	(\$1,904.10)
60223	Benefits - Ortho	\$7,000.00	\$4,607.52	(\$2,392.48)
60254	Training & Development	\$32,490.00	\$8,677.79	(\$23,812.21)
60258	Team Building / Wellness	\$15,000.00	\$6,129.40	(\$8,870.60)
60301	Office Supplies	\$26,000.00	\$9,387.85	(\$16,612.15)
60303	Postage Supplies	\$35,000.00	\$18,701.10	(\$16,298.90)
60305	Courier & Express	\$500.00	\$2.94	(\$497.06)
60306	Advertising	\$25,000.00	\$7,104.09	(\$17,895.91)
60307	Photocopier Supplies	\$600.00	\$0.00	(\$600.00)
60308	Office Machine Maintenance	\$1,000.00	\$684.40	(\$315.60)
60309	Computer Maintenance	\$3,655.00	\$0.00	(\$3,655.00)
60310	Computer Consultants	\$2,500.00	\$0.00	(\$2,500.00)
60311	Equipment Leases	\$21,000.00	\$11,382.22	(\$9,617.78)
60312	General Insurance	\$49,802.00	\$49,931.31	\$129.31
60313	General Insurance Deductible	\$175,650.00	\$49,242.53	(\$126,407.47)
60314	Utilities	\$40,000.00	\$17,164.06	(\$22,835.94)
60315	Facility Maintenance	\$9,500.00	\$10,306.54	\$806.54
60316	Equlpmnt Repair	\$500.00	\$142.46	(\$357.54)
60317	Misc	\$16,150.00	\$3,746.39	(\$12,403.61)
60319	Professional Services	\$108,000.00	\$54,378.72	(\$53,621.28)
60320	Membership & Subscription	\$19,375.00	\$14,870.60	(\$4,504.40)
60325	Election Costs	\$2,000.00	\$1,653.60	(\$346.40)
60326	Professional Fees	\$30,000.00	\$8,039.03	(\$21,960.97)
60327	Communication	\$16,000.00	\$6,713.19	(\$9,286.81)
60341	Janitorial Services	\$23,000.00	\$10,990.08	(\$12,009.92)
60345	Licences & Permits	\$3,000.00	\$2,400.00	(\$600.00)
60346	Bank Fees & Interest	\$6,500.00	\$3,941.80	(\$2,558.20)

Town of Kingsville  
General Admin  
For the Six Months Ending June 30, 2017

Acct No.	2017 Budget	2017 Actual	Variance
60348	Tax & Bank Differences	\$0.00	\$0.20
60354	911 costs	\$12,500.00	\$0.00
60358	Small Capital	\$8,750.00	\$5,831.48
60366	Rent - Health Centre (Shoppers)	\$55,000.00	\$30,885.17
60368	Crossing Guard Expense	\$2,300.00	\$1,827.37
60376	Rent - Health Centre (Guardian)	\$26,000.00	\$14,771.92
60378	Rent - New Health Centre	\$20,000.00	\$0.00
60389	Penny Rounding Diff.	\$0.00	(\$0.22)
60390	Donations & Grants	\$138,010.00	\$122,010.15
60400	Mileage	\$3,000.00	\$488.09
60950	ERCA	\$188,733.00	\$94,366.50
60970	Erie Shore Transit	\$10,000.00	\$0.00
63055	Program Support	\$166,000.00	\$83,010.00
	<b>Total Operating Expenditures</b>	<b>\$3,068,361.00</b>	<b>\$1,510,961.68</b>
	<b>TRANSFER TO (FROM) RESERVES</b>		
41799	Prior Year Surplus	(\$479,000.00)	\$0.00
41700	Contribution from Reserves	(\$6,415.00)	(\$6,415.00)
80100	Contribution to Reserves	\$251,000.00	\$251,000.00
	<b>Transfer to (from) Reserves</b>	<b>(\$234,415.00)</b>	<b>\$244,585.00</b>
	<b>NET OPERATING REV. (EXP.)</b>	<b>(\$1,061,696.00)</b>	<b>(\$849,255.27)</b>
	<b>CAPITAL REVENUE</b>		
41710	Contribution from Reserves	\$38,144.00	\$0.00
41720	Contribution from D.C.'s	\$45,000.00	\$0.00
	<b>Total Capital Revenue</b>	<b>\$83,144.00</b>	<b>\$0.00</b>
	<b>CAPITAL EXPENDITURES</b>		
71505	Strategic Plan Facilitator	\$3,500.00	\$414.12
71718	DC Study Update	\$50,000.00	\$0.00
71719	Diamond Enhancements	\$7,000.00	\$0.00
71720	Non-Union Pay Equity Review	\$5,000.00	\$0.00
71721	Union Pay Equity Review	\$5,000.00	\$0.00
71743	Physician Recruitment	\$65,000.00	\$0.00
	<b>Total Capital Expenditures</b>	<b>\$135,500.00</b>	<b>\$414.12</b>
	<b>TRANSFER TO RESERVES</b>		
80300	Transfer to Capital Reserve	\$33,000.00	\$33,000.00
	<b>Total Transferred to Capital Re</b>	<b>\$33,000.00</b>	<b>\$33,000.00</b>
	<b>LONG-TERM DEBT REPAYMENTS</b>		
60396	LTD - Office Expansion	\$135,022.00	\$67,511.01
	<b>Total Long-term Debt Repaymen</b>	<b>\$135,022.00</b>	<b>\$67,511.01</b>
	<b>NET CAPITAL REV. / (EXP.)</b>	<b>(\$220,378.00)</b>	<b>(\$100,925.13)</b>
	<b>NET SURPLUS / (DEFICIT)</b>	<b>(\$1,282,074.00)</b>	<b>(\$950,180.40)</b>

Town of Kingsville  
Information Technology  
For the Six Months Ending June 30, 2017

Acct No.	2017 Budget	2017 Actual	Variance
<b>OPERATING REVENUES</b>			
41270 Misc. Revenue	\$0.00	\$90.00	\$90.00
<b>Total Operating Revenue</b>	<b>\$0.00</b>	<b>\$90.00</b>	<b>\$90.00</b>
<b>OPERATING EXPENDITURES</b>			
60102 Salaries - Full Time	\$243,004.00	\$116,927.86	(\$126,076.14)
60104 Salaries - Part Time	\$0.00	\$496.64	\$496.64
60202 Benefits - EI	\$3,512.00	\$2,605.31	(\$906.69)
60204 Benefits - CPP	\$7,692.00	\$5,493.92	(\$2,198.08)
60206 Benefits - EHT	\$4,700.00	\$2,305.40	(\$2,394.60)
60208 Benefits - Others	\$25,896.00	\$12,601.59	(\$13,294.41)
60212 Benefits - Health Coverage	\$23,901.00	\$9,202.70	(\$14,698.30)
60214 Benefits - WSB	\$6,697.00	\$3,605.82	(\$3,091.18)
60216 Benefits- Uniforms	\$0.00	\$253.04	\$253.04
60222 Benefits - Eyeglasses	\$1,200.00	\$355.11	(\$844.89)
60223 Benefits - Ortho	\$2,000.00	\$0.00	(\$2,000.00)
60254 Training & Development	\$7,000.00	\$3,573.15	(\$3,426.85)
60301 Office Supplies	\$500.00	\$317.77	(\$182.23)
60302 Computer Supplies	\$3,000.00	\$0.00	(\$3,000.00)
60305 Courier & Express	\$75.00	\$30.11	(\$44.89)
60308 Office Machine Maintenance	\$1,000.00	\$0.00	(\$1,000.00)
60309 Computer Maintenance	\$129,535.00	\$91,287.77	(\$38,247.23)
60310 Computer Consultants	\$5,000.00	\$0.00	(\$5,000.00)
60317 Misc	\$2,500.00	\$1,880.47	(\$619.53)
60320 Membership & Subscription	\$1,000.00	\$855.32	(\$144.68)
60327 Communication	\$1,400.00	\$586.11	(\$813.89)
60400 Mileage	\$1,000.00	\$423.12	(\$576.88)
<b>Total Operating Expenditures</b>	<b>\$470,612.00</b>	<b>\$252,801.21</b>	<b>(\$217,810.79)</b>
<b>TRANSFER TO (FROM) RESERVES</b>			
<b>NET OPERATING REV. (EXP.)</b>	<b>(\$470,612.00)</b>	<b>(\$252,711.21)</b>	<b>\$217,900.79</b>
<b>CAPITAL REVENUE</b>			
41424 LTD - Proceeds	\$22,667.00	\$0.00	(\$22,667.00)
41710 Contribution from Reserves	\$19,000.00	\$0.00	(\$19,000.00)
<b>Total Capital Revenue</b>	<b>\$41,667.00</b>	<b>\$0.00</b>	<b>(\$41,667.00)</b>
<b>CAPITAL EXPENDITURES</b>			
71663 Microsoft Licensing	\$3,000.00	\$2,595.28	(\$404.72)
71701 Laptop - Fire Part Time	\$2,100.00	\$1,322.86	(\$777.14)
71702 Workstation - PW / ES Superviso	\$950.00	\$853.66	(\$96.34)
71703 Municipal Phone System Replac	\$34,000.00	\$2,841.06	(\$31,158.94)
71704 New Server	\$14,000.00	\$12,809.95	(\$1,190.05)
71705 Citrix / Terminal Server Transition	\$11,300.00	\$8,266.91	(\$3,033.09)
71706 Network Assessment	\$12,000.00	\$0.00	(\$12,000.00)
71707 Large Format Plotter	\$11,000.00	\$10,412.59	(\$587.41)
71708 Radio Upgrade - Fire Hall	\$5,200.00	\$0.00	(\$5,200.00)
71709 Workstation - Computer Tech.	\$950.00	\$852.90	(\$97.10)
71710 Workstation - GIS Tech.	\$950.00	\$1,279.63	\$329.63
71711 Workstation - Planner	\$950.00	\$852.90	(\$97.10)
71712 Everbridge Notification System	\$9,000.00	\$8,828.21	(\$171.79)
71713 Workstation - Mgr. M.S.	\$950.00	\$852.90	(\$97.10)
71714 Workstation - Laserfiche Scanni	\$1,500.00	\$1,295.27	(\$204.73)
71715 Records Retention System - T	\$10,000.00	\$8,111.04	(\$1,888.96)
71716 Adobe Pro Licenses	\$2,200.00	\$2,058.62	(\$141.38)
71717 Website Replacement	\$40,000.00	\$0.00	(\$40,000.00)
<b>Total Capital Expenditures</b>	<b>\$160,050.00</b>	<b>\$63,233.78</b>	<b>(\$96,816.22)</b>
<b>TRANSFER TO RESERVES</b>			
<b>LONG-TERM DEBT REPAYMENTS</b>			

Town of Kingsville  
Information Technology  
For the Six Months Ending June 30, 2017

<u>Acct No.</u>	<u>2017 Budget</u>	<u>2017 Actual</u>	<u>Variance</u>
NET CAPITAL REV. / (EXP.)	<u>(\$118,383.00)</u>	<u>(\$63,233.78)</u>	<u>\$55,149.22</u>
NET SURPLUS / (DEFICIT)	<u>(\$588,995.00)</u>	<u>(\$315,944.99)</u>	<u>\$273,050.01</u>

Town of Kingsville  
Animal Control  
For the Six Months Ending June 30, 2017

<u>Acct No.</u>	<u>2017 Budget</u>	<u>2017 Actual</u>	<u>Variance</u>
<b>OPERATING REVENUES</b>			
41140 Lic & Per - Dog & Kennels	\$48,000.00	\$42,130.00	(\$5,870.00)
<b>Total Operating Revenue</b>	<b>\$48,000.00</b>	<b>\$42,130.00</b>	<b>(\$5,870.00)</b>
<b>OPERATING EXPENDITURES</b>			
60114 Committee Honourarium	\$400.00	\$200.00	(\$200.00)
60124 Animal Control Wildlife Control	\$3,000.00	\$1,050.00	(\$1,950.00)
60125 Animal Control - Cats	\$2,500.00	\$972.54	(\$1,527.46)
60126 Livestock Claims	\$300.00	\$0.00	(\$300.00)
60137 Administration	\$5,300.00	\$1,561.40	(\$3,738.60)
60206 Benefits - EHT	\$40.00	\$2.60	(\$37.40)
60371 Dog Pound Cost	\$49,708.00	\$53,886.26	\$4,178.26
60377 Cat Voucher Program	\$6,500.00	\$260.00	(\$6,240.00)
<b>Total Operating Expenditures</b>	<b>\$67,748.00</b>	<b>\$57,932.80</b>	<b>(\$9,815.20)</b>
<b>TRANSFER TO (FROM) RESERVES</b>			
<b>NET OPERATING REV. (EXP.)</b>	<b>(\$19,748.00)</b>	<b>(\$15,802.80)</b>	<b>\$3,945.20</b>
<b>CAPITAL REVENUE</b>			
<b>CAPITAL EXPENDITURES</b>			
<b>TRANSFER TO RESERVES</b>			
<b>LONG-TERM DEBT REPAYMENTS</b>			
<b>NET SURPLUS / (DEFICIT)</b>	<b>(\$19,748.00)</b>	<b>(\$15,802.80)</b>	<b>\$3,945.20</b>



Town of Kingsville  
Fire Dept.  
For the Six Months Ending June 30, 2017

Acct No.		2017 Budget	2017 Actual	Variance
OPERATING REVENUES				
40521	Donations from Public	\$1,500.00	\$0.00	(\$1,500.00)
41221	Smoke Alarm Instal	\$750.00	\$410.00	(\$340.00)
41222	Defibrillator Rebate	\$6,000.00	\$0.00	(\$6,000.00)
41223	Ambulance Bay Rental	\$12,400.00	\$6,200.00	(\$6,200.00)
41224	Third Party Billing	\$20,000.00	\$16,540.25	(\$3,459.75)
41226	Fire Inspections	\$14,035.00	\$180.00	(\$13,855.00)
41227	Fire Safety Plan Review	\$2,320.00	\$0.00	(\$2,320.00)
41228	Training Services	\$800.00	\$0.00	(\$800.00)
41229	Incident Reports	\$1,050.00	\$0.00	(\$1,050.00)
41231	Medical Standby	\$4,500.00	\$0.00	(\$4,500.00)
41232	Brighton Beach	\$11,520.00	\$5,000.00	(\$6,520.00)
41270	Misc. Revenue	\$0.00	\$459.45	\$459.45
	Total Operating Revenue	\$74,875.00	\$28,789.70	(\$46,085.30)
OPERATING EXPENDITURES				
60102	Salaries - Full Time	\$283,904.00	\$129,231.70	(\$154,672.30)
60104	Salaries - Part Time	\$71,484.00	\$30,203.84	(\$41,280.16)
60115	Vehicle Expense	\$600.00	\$0.00	(\$600.00)
60116	Fire Calls	\$222,005.00	\$113,455.00	(\$108,550.00)
60117	Firefighter Allowance	\$125,460.00	\$53,558.98	(\$71,901.02)
60118	Fire Training	\$152,000.00	\$44,309.14	(\$107,690.86)
60119	Other	\$25,375.00	\$5,117.96	(\$20,257.04)
60202	Benefits - EI	\$5,209.00	\$3,671.07	(\$1,537.93)
60204	Benefits - CPP	\$10,853.00	\$7,520.30	(\$3,332.70)
60206	Benefits - EHT	\$16,877.00	\$7,333.04	(\$9,543.96)
60208	Benefits - Omers	\$37,370.00	\$17,111.99	(\$20,258.01)
60212	Benefits - Health Coverage	\$24,742.00	\$13,128.34	(\$11,613.66)
60214	Benefits - WSB	\$25,680.00	\$12,729.39	(\$12,950.61)
60216	Benefits- Uniforms	\$9,000.00	\$1,834.62	(\$7,165.38)
60222	Benefits - Eyeglasses	\$2,400.00	\$751.15	(\$1,648.85)
60223	Benefits - Ortho	\$1,000.00	\$0.00	(\$1,000.00)
60228	Benefits - Volunteer's Insurance	\$16,400.00	\$15,508.80	(\$891.20)
60254	Training & Development	\$9,000.00	\$6,963.03	(\$2,036.97)
60301	Office Supplies	\$2,500.00	\$647.58	(\$1,852.42)
60305	Courier & Express	\$500.00	\$114.82	(\$385.18)
60306	Advertising	\$500.00	\$264.58	(\$235.42)
60309	Computer Maintenance	\$1,000.00	\$0.00	(\$1,000.00)
60311	Equipment Leases	\$14,980.00	\$5,395.73	(\$9,584.27)
60312	General Insurance	\$36,291.00	\$36,291.00	\$0.00
60314	Utilities	\$21,000.00	\$8,977.16	(\$12,022.84)
60315	Facility Maintenance	\$10,000.00	\$2,134.80	(\$7,865.20)
60316	Equipment Repair	\$60,000.00	\$18,220.92	(\$41,779.08)
60317	Misc	\$4,000.00	\$848.25	(\$3,151.75)
60319	Professional Services	\$1,000.00	\$0.00	(\$1,000.00)
60320	Membership & Subscription	\$1,500.00	\$977.18	(\$522.82)
60327	Communication	\$10,000.00	\$4,547.20	(\$5,452.80)
60340	Fuel & Oil	\$14,000.00	\$592.20	(\$13,407.80)
60341	Janitorial Services	\$4,000.00	\$1,666.65	(\$2,333.35)
60345	Licences & Permits	\$3,700.00	\$3,540.00	(\$160.00)
60352	Fire Hose	\$5,000.00	\$0.00	(\$5,000.00)
60358	Small Capital	\$18,450.00	\$8,677.13	(\$9,772.87)
60363	Foam	\$3,000.00	\$0.00	(\$3,000.00)
60400	Mileage	\$500.00	\$0.00	(\$500.00)
60701	Bunker Gear	\$19,700.00	\$17,628.89	(\$2,071.11)
60702	Radios & Pagers	\$5,000.00	\$2,189.62	(\$2,810.38)
60705	Fire Dept. Rescue Supplies	\$1,000.00	\$315.42	(\$684.58)
60710	Public Education Supplies	\$2,000.00	\$0.00	(\$2,000.00)
60711	Smoke Alarm Supplies	\$500.00	\$0.00	(\$500.00)
60715	Dispatching Costs	\$45,900.00	\$11,871.93	(\$34,028.07)
60755	Emergency Plan	\$500.00	\$0.00	(\$500.00)
60756	Specialty Team Equip Replace	\$7,500.00	\$231.00	(\$7,269.00)
	Total Operating Expenditures	\$1,333,380.00	\$587,560.41	(\$745,819.59)

TRANSFER TO (FROM) RESERVES

Town of Kingsville  
Fire Dept.  
For the Six Months Ending June 30, 2017

<u>Acct No.</u>	<u>2017 Budget</u>	<u>2017 Actual</u>	<u>Variance</u>
<b>NET OPERATING REV. (EXP.)</b>	<b><u>(\$1,258,505.00)</u></b>	<b><u>(\$558,770.71)</u></b>	<b><u>\$699,734.29</u></b>
<b>CAPITAL REVENUE</b>			
41510 Sale of Equipment	\$40,000.00	\$0.00	(\$40,000.00)
41710 Contribution from Reserves	<u>\$410,000.00</u>	<u>\$0.00</u>	<u>(\$410,000.00)</u>
<b>Total Capital Revenue</b>	<b><u>\$450,000.00</u></b>	<b><u>\$0.00</u></b>	<b><u>(\$450,000.00)</u></b>
<b>CAPITAL EXPENDITURES</b>			
71616 Traffic Pre-emption (phase 1 of 4	\$12,000.00	\$0.00	(\$12,000.00)
71722 Aerial Truck	\$450,000.00	\$436,085.74	(\$13,914.26)
71723 Extractor Washing Machine	<u>\$8,500.00</u>	<u>\$0.00</u>	<u>(\$8,500.00)</u>
<b>Total Capital Expenditures</b>	<b><u>\$470,500.00</u></b>	<b><u>\$436,085.74</u></b>	<b><u>(\$34,414.26)</u></b>
<b>TRANSFER TO RESERVES</b>			
80300 Transfer to Capital Reserve	<u>\$247,000.00</u>	<u>\$247,000.00</u>	<u>\$0.00</u>
<b>Total Transferred to Capital Re</b>	<b><u>\$247,000.00</u></b>	<b><u>\$247,000.00</u></b>	<b><u>\$0.00</u></b>
<b>LONG-TERM DEBT REPAYMENTS</b>			
<b>NET CAPITAL REV. / (EXP.)</b>	<b><u>(\$267,500.00)</u></b>	<b><u>(\$683,085.74)</u></b>	<b><u>(\$415,585.74)</u></b>
<b>NET SURPLUS / (DEFICIT)</b>	<b><u>(\$1,526,005.00)</u></b>	<b><u>(\$1,241,856.45)</u></b>	<b><u>\$284,148.55</u></b>

Town of Kingsville  
Police Services  
For the Six Months Ending June 30, 2017

Acct No.		2017 Budget	2017 Actual	Variance
	OPERATING REVENUES			
40501	PEM Grant	\$95,000.00	\$0.00	(\$95,000.00)
40502	Prov Grants	\$0.00	\$11,665.00	\$11,665.00
40503	RIDE OPP Grant	\$8,913.00	\$3,895.00	(\$5,018.00)
40505	Prisoner Transport Grant (OMPF)	\$14,300.00	\$3,580.00	(\$10,720.00)
40507	Community Policing Partnership	\$0.00	\$13,330.00	\$13,330.00
40523	Provincial Offences Revenue	\$97,000.00	\$32,795.38	(\$64,204.62)
41240	Police Report Orders	\$19,000.00	\$8,618.88	(\$10,381.12)
41250	Parking Tickets & Fines	\$1,000.00	\$140.00	(\$860.00)
41270	Misc. Revenue	\$0.00	\$795.37	\$795.37
	Total Operating Revenue	\$235,213.00	\$74,819.63	(\$160,393.37)
	OPERATING EXPENDITURES			
60112	Police Service Board Honourarm	\$10,471.00	\$4,188.48	(\$6,282.52)
60120	Contracts	\$3,072,109.00	\$1,280,045.00	(\$1,792,064.00)
60122	Salaries - Ride Program	\$8,913.00	\$4,498.00	(\$4,415.00)
60253	Conferences	\$6,000.00	\$2,240.89	(\$3,759.11)
60254	Training & Development	\$1,500.00	\$546.13	(\$953.87)
60301	Office Supplies	\$500.00	\$0.00	(\$500.00)
60311	Equipment Leases	\$2,500.00	\$1,465.04	(\$1,034.96)
60312	General Insurance	\$4,397.00	\$4,397.00	\$0.00
60314	Utilities	\$14,000.00	\$5,032.46	(\$8,967.54)
60315	Facility Maintenance	\$7,500.00	\$4,073.36	(\$3,426.64)
60316	Equipment Repair	\$1,000.00	\$0.00	(\$1,000.00)
60317	Misc	\$1,000.00	\$324.73	(\$675.27)
60319	Professional Services	\$500.00	\$195.89	(\$304.11)
60320	Membership & Subscription	\$1,200.00	\$0.00	(\$1,200.00)
60327	Communication	\$2,500.00	\$748.34	(\$1,751.66)
60341	Janitorial Services	\$14,200.00	\$4,562.34	(\$9,637.66)
60342	Rent - Police	\$7,200.00	\$3,941.37	(\$3,258.63)
60343	Community Policing	\$5,000.00	\$5,000.00	\$0.00
	Total Operating Expenditures	\$3,160,490.00	\$1,321,259.03	(\$1,839,230.97)
	TRANSFER TO (FROM) RESERVES			
41799	Prior Year Surplus	(\$21,000.00)	\$0.00	\$21,000.00
41700	Contribution from Reserves	(\$200.00)	\$0.00	\$200.00
	Transfer to (from) Reserves	(\$21,200.00)	\$0.00	\$21,200.00
	NET OPERATING REV. (EXP.)	(\$2,904,077.00)	(\$1,246,439.40)	\$1,657,637.60
	CAPITAL REVENUE			
	CAPITAL EXPENDITURES			
	TRANSFER TO RESERVES			
80300	Transfer to Capital Reserve	\$80,000.00	\$80,000.00	\$0.00
	Total Transferred to Capital Re	\$80,000.00	\$80,000.00	\$0.00
	LONG-TERM DEBT REPAYMENTS			
	NET CAPITAL REV. / (EXP.)	(\$80,000.00)	(\$80,000.00)	\$0.00
	NET SURPLUS / (DEFICIT)	(\$2,984,077.00)	(\$1,326,439.40)	\$1,657,637.60

Town of Kingsville  
Building Dept.  
For the Six Months Ending June 30, 2017

<u>Acct No.</u>	<u>2017 Budget</u>	<u>2017 Actual</u>	<u>Variance</u>
<b>OPERATING REVENUES</b>			
40655 Inter. Dept. Revenues	\$166,000.00	\$83,010.00	(\$82,990.00)
40851 Sewer Connection	\$12,600.00	\$10,450.00	(\$2,150.00)
40904 Recovered Wages	\$0.00	\$241.18	\$241.18
41120 Lic & Per - Building	\$460,000.00	\$289,915.81	(\$170,084.19)
41125 Septic Permits	\$18,000.00	\$9,925.00	(\$8,075.00)
41267 Reinspection Fee	\$2,700.00	\$0.00	(\$2,700.00)
41268 Water Meter Sale	\$5,000.00	\$4,605.00	(\$395.00)
41270 Misc. Revenue	\$0.00	\$2,476.00	\$2,476.00
<b>Total Operating Revenue</b>	<b>\$664,300.00</b>	<b>\$400,622.99</b>	<b>(\$263,677.01)</b>
<b>OPERATING EXPENDITURES</b>			
60102 Salaries - Full Time	\$389,705.00	\$161,562.41	(\$228,142.59)
60120 Contracts	\$15,000.00	\$13,966.56	(\$1,033.44)
60202 Benefits - EI	\$6,033.00	\$3,717.83	(\$2,315.17)
60204 Benefits - CPP	\$13,038.00	\$7,679.23	(\$5,358.77)
60206 Benefits - EHT	\$7,580.00	\$3,172.18	(\$4,407.82)
60208 Benefits - Omers	\$40,991.00	\$16,976.75	(\$24,014.25)
60212 Benefits - Health Coverage	\$46,917.00	\$22,382.49	(\$24,534.51)
60214 Benefits - WSB	\$11,532.00	\$4,961.65	(\$6,570.35)
60216 Benefits- Uniforms	\$3,200.00	\$135.08	(\$3,064.92)
60222 Benefits - Eyeglasses	\$800.00	\$822.17	\$22.17
60223 Benefits - Ortho	\$2,000.00	\$2,303.76	\$303.76
60254 Training & Development	\$8,000.00	\$880.11	(\$7,119.89)
60301 Office Supplies	\$2,700.00	\$707.04	(\$1,992.96)
60312 General Insurance	\$5,714.00	\$5,714.00	\$0.00
60316 Equipment Repair	\$2,000.00	\$510.14	(\$1,489.86)
60317 Misc	\$500.00	\$37.00	(\$463.00)
60320 Membership & Subscription	\$2,800.00	\$1,660.79	(\$1,139.21)
60327 Communication	\$2,000.00	\$714.37	(\$1,285.63)
60340 Fuel & Oil	\$5,000.00	\$143.06	(\$4,856.94)
60345 Licences & Permits	\$300.00	\$360.00	\$60.00
60347 Safety Supplies	\$1,800.00	\$0.00	(\$1,800.00)
60357 Small Tools	\$700.00	\$0.00	(\$700.00)
63055 Program Support	\$77,000.00	\$38,490.00	(\$38,510.00)
<b>Total Operating Expenditures</b>	<b>\$645,310.00</b>	<b>\$286,896.62</b>	<b>(\$358,413.38)</b>
<b>TRANSFER TO (FROM) RESERVES</b>			
41700 Contribution from Reserves	\$8,490.00	\$0.00	(\$8,490.00)
Transfer to (from) Reserves	\$8,490.00	\$0.00	(\$8,490.00)
<b>NET OPERATING REV. (EXP.)</b>	<b>\$10,500.00</b>	<b>\$113,726.37</b>	<b>\$103,226.37</b>
<b>CAPITAL REVENUE</b>			
<b>CAPITAL EXPENDITURES</b>			
<b>TRANSFER TO RESERVES</b>			
80300 Transfer to Capital Reserve	\$10,500.00	\$10,500.00	\$0.00
<b>Total Transferred to Capital Re</b>	<b>\$10,500.00</b>	<b>\$10,500.00</b>	<b>\$0.00</b>
<b>LONG-TERM DEBT REPAYMENTS</b>			
<b>NET CAPITAL REV. / (EXP.)</b>	<b>(\$10,500.00)</b>	<b>(\$10,500.00)</b>	<b>\$0.00</b>
<b>NET SURPLUS / (DEFICIT)</b>	<b>\$0.00</b>	<b>\$103,226.37</b>	<b>\$103,226.37</b>

Town of Kingsville  
Transportation  
For the Six Months Ending June 30, 2017

Acct No.		2017 Budget	2017 Actual	Variance
<b>OPERATING REVENUES</b>				
40509	Prov Grants - Drainage	\$50,286.00	\$0.00	(\$50,286.00)
40663	Rent - Patios	\$5,860.00	\$5,860.00	\$0.00
40667	Rent - Parking	\$1,000.00	\$0.00	(\$1,000.00)
40904	Recovered Wages	\$500.00	\$276.45	(\$223.55)
41254	Road & Encroachment Permits	\$3,000.00	\$1,950.00	(\$1,050.00)
41257	Revenue - 911 Signs	\$1,000.00	\$480.00	(\$520.00)
41265	MS Inspection Fee	\$14,000.00	\$8,850.00	(\$5,150.00)
41270	Misc. Revenue	\$250.00	\$15,100.00	\$14,850.00
41543	Commemorative Tree Program	\$1,225.00	\$0.00	(\$1,225.00)
	<b>Total Operating Revenue</b>	<b>\$77,121.00</b>	<b>\$32,516.45</b>	<b>(\$44,604.55)</b>
<b>OPERATING EXPENDITURES</b>				
60102	Salaries - Full Time	\$562,241.00	\$296,156.48	(\$266,084.52)
60103	Salaries - Over-Time	\$64,169.00	\$12,775.94	(\$51,393.06)
60104	Salaries - Part Time	\$0.00	\$1,288.08	\$1,288.08
60114	Committee Honourarium	\$2,000.00	\$1,000.00	(\$1,000.00)
60115	Vehicle Expense	\$230.00	\$0.00	(\$230.00)
60202	Benefits - EI	\$11,076.00	\$7,536.52	(\$3,539.48)
60204	Benefits - CPP	\$24,359.00	\$15,472.14	(\$8,886.86)
60206	Benefits - EHT	\$13,386.00	\$6,460.70	(\$6,925.30)
60208	Benefits - Omers	\$54,689.00	\$27,932.97	(\$26,756.03)
60212	Benefits - Health Coverage	\$80,203.00	\$36,658.00	(\$43,545.00)
60214	Benefits - WSB	\$20,724.00	\$9,989.32	(\$10,734.68)
60216	Benefits- Uniforms	\$6,000.00	\$2,376.52	(\$3,623.48)
60220	Benefits - Meal Allowance	\$2,405.00	\$793.00	(\$1,612.00)
60222	Benefits - Eyeglasses	\$2,000.00	\$2,212.51	\$212.51
60223	Benefits - Ortho	\$2,000.00	\$0.00	(\$2,000.00)
60254	Training & Development	\$15,000.00	\$10,985.47	(\$4,014.53)
60301	Office Supplies	\$1,000.00	\$397.68	(\$602.32)
60305	Courier & Express	\$450.00	\$107.82	(\$342.18)
60306	Advertising	\$2,000.00	\$1,566.50	(\$433.50)
60312	General Insurance	\$38,533.00	\$38,533.00	\$0.00
60314	Utilities	\$20,000.00	\$9,051.06	(\$10,948.94)
60315	Facility Maintenance	\$5,000.00	\$375.16	(\$4,624.84)
60316	Equipment Repair	\$75,000.00	\$36,603.21	(\$38,396.79)
60317	Misc	\$1,000.00	\$39.87	(\$960.13)
60318	Equipment Rental	\$3,500.00	\$10.18	(\$3,489.82)
60319	Professional Services	\$2,000.00	\$0.00	(\$2,000.00)
60320	Membership & Subscription	\$3,000.00	\$2,308.72	(\$691.28)
60326	Professional Fees	\$1,500.00	\$2,047.92	\$547.92
60327	Communication	\$7,500.00	\$2,366.52	(\$5,133.48)
60335	Shop Supplies	\$7,500.00	\$1,218.19	(\$6,281.81)
60336	Parking Lot Repairs	\$1,000.00	\$0.00	(\$1,000.00)
60340	Fuel & Oil	\$80,000.00	\$43,747.59	(\$36,252.41)
60345	Licences & Permits	\$15,000.00	\$9,490.18	(\$5,509.82)
60347	Safety Supplies	\$4,000.00	\$686.51	(\$3,313.49)
60357	Small Tools	\$3,500.00	\$594.76	(\$2,905.24)
60399	Larviciding	\$3,200.00	\$0.00	(\$3,200.00)
60400	Mileage	\$250.00	\$0.00	(\$250.00)
60401	Line Painting	\$15,000.00	\$1,430.76	(\$13,569.24)
60402	Traffic signals	\$10,000.00	\$3,905.37	(\$6,094.63)
60403	Curb Repairs	\$2,500.00	\$0.00	(\$2,500.00)
60405	Back Flow Program	\$5,000.00	\$0.00	(\$5,000.00)
60411	Streetlights - Monitoring	\$1,500.00	\$0.00	(\$1,500.00)
60412	Streetlights - Hydro	\$120,000.00	\$66,026.09	(\$53,973.91)
60413	Streetlights - Maintenance	\$50,000.00	\$5,584.25	(\$44,415.75)
60414	Culverts	\$45,000.00	\$41,022.17	(\$3,977.83)
60415	Bridge / Culvert Inspections	\$15,000.00	\$0.00	(\$15,000.00)
60416	Weed Spraying	\$25,000.00	\$20,664.39	(\$4,335.61)
60418	Hard Top Road Repair	\$60,000.00	\$7,922.72	(\$52,077.28)
60420	Winter Control	\$380,000.00	\$134,002.99	(\$245,997.01)
60421	Sidewalk Winter Control	\$5,000.00	\$786.07	(\$4,213.93)
60422	Street Sweeper	\$5,000.00	\$3,044.26	(\$1,955.74)
60424	Commemorative Tree Program	\$1,750.00	\$0.00	(\$1,750.00)
60425	Tree Planting	\$25,000.00	\$1,788.84	(\$23,211.16)

Town of Kingsville  
Transportation  
For the Six Months Ending June 30, 2017

Acct No.		2017 Budget	2017 Actual	Variance
60426	Tree Brushing & Trimming	\$70,000.00	\$17,500.38	(\$52,499.62)
60427	Drainage	\$90,000.00	\$1,907.99	(\$88,092.01)
60428	Signs, Safety Devices	\$30,000.00	\$942.10	(\$29,057.90)
60429	Roadside Ditching	\$35,000.00	\$4,574.47	(\$30,425.53)
60432	Gravel Road & Shoulder Mtnce	\$70,000.00	\$6,278.93	(\$63,721.07)
60436	Dust Control	\$5,000.00	\$0.00	(\$5,000.00)
60438	PW Sidewalk Repair	\$27,000.00	\$0.00	(\$27,000.00)
60439	Catch Basins	\$40,000.00	\$11,782.69	(\$28,217.31)
60451	Crack Sealing Program	\$10,000.00	\$0.00	(\$10,000.00)
60452	Storm Drainage Mtnce (Env)	\$30,000.00	\$15.75	(\$29,984.25)
60455	Beautification Maintenance	\$7,500.00	\$891.15	(\$6,608.85)
60456	Patio Maint / Construction	\$3,000.00	\$104.26	(\$2,895.74)
60460	GPS Equipment & Monitoring	\$17,500.00	\$6,377.65	(\$11,122.35)
60648	BIA Initiatives	\$1,000.00	\$7.80	(\$992.20)
63020	Locates	\$500.00	\$0.00	(\$500.00)
	<b>Total Operating Expenditures</b>	<b>\$2,337,665.00</b>	<b>\$917,343.60</b>	<b>(\$1,420,321.40)</b>
	<b>TRANSFER TO (FROM) RESERVES</b>			
	<b>NET OPERATING REV. (EXP.)</b>	<b>(\$2,260,544.00)</b>	<b>(\$884,827.15)</b>	<b>\$1,375,716.85</b>
	<b>CAPITAL REVENUE</b>			
40230	Local Improvement Charges	\$3,879,813.00	\$0.00	(\$3,879,813.00)
40504	Provincial Grants	\$1,691,649.00	\$735,376.10	(\$956,272.90)
40515	Federal Grants	\$1,039,157.00	\$21,778.73	(\$1,017,378.27)
41288	Gosfield Wind Contribution	\$46,000.00	\$46,000.00	\$0.00
41510	Sale of Equipment	\$0.00	\$45,590.65	\$45,590.65
41710	Contribution from Reserves	\$410,192.00	\$0.00	(\$410,192.00)
41720	Contribution from D.C.'s	\$184,005.00	\$0.00	(\$184,005.00)
	<b>Total Capital Revenue</b>	<b>\$7,250,816.00</b>	<b>\$848,745.48</b>	<b>(\$6,402,070.52)</b>
	<b>CAPITAL EXPENDITURES</b>			
71339	Road 2 W Bridge #028	\$700,000.00	\$16,547.31	(\$683,452.69)
71542	CWATS KINGS13B	\$361,144.00	\$0.00	(\$361,144.00)
71545	Lakeview Ave. E Recon. to Gran	\$100,000.00	\$8,779.48	(\$91,220.52)
71547	Esseltine Drain	\$4,072,005.00	\$320,548.95	(\$3,751,456.05)
71618	CWATS KINGS9	\$314,605.00	\$0.00	(\$314,605.00)
71621	Cottam Storm - Klundert SWM pond	\$0.00	\$592.75	\$592.75
71724	2017 Road Program	\$820,000.00	\$331,184.01	(\$488,815.99)
71744	Park St. Reconstruction	\$1,496,000.00	\$8,739.55	(\$1,487,260.45)
71745	Bridge #014 - Road 10 over Pate	\$33,000.00	\$0.00	(\$33,000.00)
71746	Bridge #030 - Road 5 W over W.	\$57,000.00	\$0.00	(\$57,000.00)
71747	Development of School Property	\$0.00	\$2,544.00	\$2,544.00
71748	Replace - 2006 F-150	\$48,000.00	\$37,216.82	(\$10,783.18)
71749	Replace - 2006 Sterling 10 ton w	\$170,000.00	\$0.00	(\$170,000.00)
71750	Jasperson Land Acquisition	\$60,500.00	\$0.00	(\$60,500.00)
71751	Sidewalk Program	\$124,400.00	\$0.00	(\$124,400.00)
	<b>Total Capital Expenditures</b>	<b>\$8,356,654.00</b>	<b>\$728,152.87</b>	<b>(\$7,630,501.13)</b>
	<b>TRANSFER TO RESERVES</b>			
80300	Transfer to Capital Reserve	\$490,000.00	\$490,000.00	\$0.00
	<b>Total Transferred to Capital Re</b>	<b>\$490,000.00</b>	<b>\$490,000.00</b>	<b>\$0.00</b>
	<b>LONG-TERM DEBT REPAYMENTS</b>			
60384	OILC Loan (Principle & Interest)	\$239,544.00	\$119,772.11	(\$119,771.89)
60385	ELK Repayment Program	\$22,103.00	\$0.00	(\$22,103.00)
60386	OSIFA Loan (2004 Road Capital)	\$151,366.00	\$73,664.74	(\$77,701.26)
60387	OILC Loan (2015)	\$182,085.00	\$91,042.74	(\$91,042.26)
60394	LTD - Road 3 / Graham	\$127,543.00	\$63,771.63	(\$63,771.37)
	<b>Total Long-term Debt Repaymen</b>	<b>\$722,641.00</b>	<b>\$348,251.22</b>	<b>(\$374,389.78)</b>
	<b>NET CAPITAL REV. / (EXP.)</b>	<b>(\$2,318,479.00)</b>	<b>(\$715,658.61)</b>	<b>\$1,602,820.39</b>
	<b>NET SURPLUS / (DEFICIT)</b>	<b>(\$4,579,023.00)</b>	<b>(\$1,600,485.76)</b>	<b>\$2,978,537.24</b>

Town of Kingsville  
Transportation  
For the Six Months Ending June 30, 2017

<u>Acct No.</u>	<u>2017 Budget</u>	<u>2017 Actual</u>	<u>Variance</u>
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Town of Kingsville  
Sanitation  
For the Six Months Ending June 30, 2017

<u>Acct No.</u>	<u>2017 Budget</u>	<u>2017 Actual</u>	<u>Variance</u>
<b>OPERATING REVENUES</b>			
<b>OPERATING EXPENDITURES</b>			
60102 Salaries - Full Time	\$8,276.00	\$4,102.90	(\$4,173.10)
60306 Advertising	\$500.00	\$0.00	(\$500.00)
60370 Waste Disposal	\$646,000.00	\$247,642.25	(\$398,357.75)
60380 Waste Collection	\$512,000.00	\$299,497.99	(\$212,502.01)
60381 White Goods Collection	\$3,500.00	\$140.44	(\$3,359.56)
60382 Yard Waste Collection	\$50,000.00	\$24,680.02	(\$25,319.98)
60404 Perp Care Landfill	\$60,000.00	\$40,077.00	(\$19,923.00)
<b>Total Operating Expenditures</b>	<b>\$1,280,276.00</b>	<b>\$616,140.60</b>	<b>(\$664,135.40)</b>
<b>TRANSFER TO (FROM) RESERVES</b>			
<b>NET OPERATING REV. (EXP.)</b>	<b>(\$1,280,276.00)</b>	<b>(\$616,140.60)</b>	<b>\$664,135.40</b>
<b>CAPITAL REVENUE</b>			
<b>CAPITAL EXPENDITURES</b>			
<b>TRANSFER TO RESERVES</b>			
<b>LONG-TERM DEBT REPAYMENTS</b>			
<b>NET SURPLUS / (DEFICIT)</b>	<b>(\$1,280,276.00)</b>	<b>(\$616,140.60)</b>	<b>\$664,135.40</b>

Town of Kingsville  
Cemetery- Operating  
For the Six Months Ending June 30, 2017

<u>Acct No.</u>	<u>2017 Budget</u>	<u>2017 Actual</u>	<u>Variance</u>
<b>OPERATING REVENUES</b>			
41185 Lic & Per - Burial Permits	\$3,525.00	\$1,707.00	(\$1,818.00)
41186 Tent Rentals	\$300.00	\$100.00	(\$200.00)
41712 Contribution from Perp Care	\$10,000.00	\$0.00	(\$10,000.00)
41801 Interment	\$45,000.00	\$24,295.00	(\$20,705.00)
41802 Sale of Plots	\$3,500.00	\$2,800.00	(\$700.00)
41803 Interment Transfer Fees	\$400.00	\$200.00	(\$200.00)
41804 Marker Locates & Inspections	\$3,000.00	\$1,250.00	(\$1,750.00)
41805 Disinterment	\$0.00	\$600.00	\$600.00
<b>Total Operating Revenue</b>	<b>\$65,725.00</b>	<b>\$30,952.00</b>	<b>(\$34,773.00)</b>
<b>OPERATING EXPENDITURES</b>			
60102 Salaries - Full Time	\$49,655.00	\$12,485.99	(\$37,169.01)
60103 Salaries - Over-Time	\$7,130.00	\$1,324.98	(\$5,805.02)
60120 Contracts	\$46,000.00	\$9,475.00	(\$36,525.00)
60121 Grave Openings	\$4,000.00	\$3,095.00	(\$905.00)
60306 Advertising	\$500.00	\$0.00	(\$500.00)
60309 Computer Maintenance	\$2,000.00	\$0.00	(\$2,000.00)
60312 General Insurance	\$81.00	\$81.00	\$0.00
60314 Utilities	\$1,500.00	\$636.44	(\$863.56)
60316 Equipment Repair	\$500.00	\$22.95	(\$477.05)
60317 Misc	\$500.00	\$18.98	(\$481.02)
60320 Membership & Subscription	\$1,300.00	\$1,464.46	\$164.46
60337 Grounds Maintenance	\$5,000.00	\$164.19	(\$4,835.81)
60364 Headstone Maintenance	\$10,000.00	\$6.69	(\$9,993.31)
60426 Tree Brushing & Trimming	\$10,000.00	\$1,540.00	(\$8,460.00)
<b>Total Operating Expenditures</b>	<b>\$138,166.00</b>	<b>\$30,315.68</b>	<b>(\$107,850.32)</b>
<b>TRANSFER TO (FROM) RESERVES</b>			
<b>NET OPERATING REV. (EXP.)</b>	<b>(\$72,441.00)</b>	<b>\$636.32</b>	<b>\$73,077.32</b>
<b>CAPITAL REVENUE</b>			
<b>CAPITAL EXPENDITURES</b>			
71725 Greenhill Guard House Improv.	\$5,000.00	\$0.00	(\$5,000.00)
<b>Total Capital Expenditures</b>	<b>\$5,000.00</b>	<b>\$0.00</b>	<b>(\$5,000.00)</b>
<b>TRANSFER TO RESERVES</b>			
<b>LONG-TERM DEBT REPAYMENTS</b>			
<b>NET CAPITAL REV. / (EXP.)</b>	<b>(\$5,000.00)</b>	<b>\$0.00</b>	<b>\$5,000.00</b>
<b>NET SURPLUS / (DEFICIT)</b>	<b>(\$77,441.00)</b>	<b>\$636.32</b>	<b>\$78,077.32</b>

Town of Kingsville  
Arena  
For the Six Months Ending June 30, 2017

<u>Acct No.</u>	<u>2017 Budget</u>	<u>2017 Actual</u>	<u>Variance</u>
<b>OPERATING REVENUES</b>			
40601 Ice Rental	\$260,000.00	\$116,198.57	(\$143,801.43)
40602 Hall Rental	\$9,500.00	\$2,862.90	(\$6,637.10)
40611 Floor Rentals	\$4,500.00	\$0.00	(\$4,500.00)
40616 Public Skating	\$4,000.00	\$1,671.95	(\$2,328.05)
40617 Rent - Canteen A	\$2,000.00	\$973.44	(\$1,026.56)
40620 Machine Revenue	\$2,500.00	\$2,096.29	(\$403.71)
40621 Sign Rentals	\$13,000.00	\$12,376.06	(\$623.94)
40627 Skate Shop Rental	\$500.00	\$800.00	\$300.00
41310 Penalties & Interest	\$1,000.00	\$897.94	(\$102.06)
<b>Total Operating Revenue</b>	<b>\$297,000.00</b>	<b>\$137,877.15</b>	<b>(\$159,122.85)</b>
<b>OPERATING EXPENDITURES</b>			
60102 Salaries - Full Time	\$193,993.00	\$76,147.42	(\$117,845.58)
60103 Salaries - Over-Time	\$1,492.00	\$952.12	(\$539.88)
60104 Salaries - Part Time	\$122,850.00	\$70,283.93	(\$52,566.07)
60105 Salaries - Seasonal	\$27,915.00	\$8,527.02	(\$19,387.98)
60114 Committee Honourarium	\$3,600.00	\$2,900.00	(\$700.00)
60115 Vehicle Expense	\$72.00	\$0.00	(\$72.00)
60202 Benefits - EI	\$6,629.00	\$5,091.34	(\$1,537.66)
60204 Benefits - CPP	\$12,846.00	\$9,307.84	(\$3,538.16)
60206 Benefits - EHT	\$15,055.00	\$6,242.63	(\$8,812.37)
60208 Benefits - Omers	\$48,652.00	\$22,530.71	(\$26,121.29)
60212 Benefits - Health Coverage	\$58,727.00	\$21,510.07	(\$37,216.93)
60214 Benefits - WSB	\$22,964.00	\$9,729.56	(\$13,234.44)
60216 Benefits- Uniforms	\$6,000.00	\$3,031.87	(\$2,968.13)
60220 Benefits - Meal Allowance	\$312.00	\$0.00	(\$312.00)
60222 Benefits - Eyeglasses	\$1,200.00	\$126.40	(\$1,073.60)
60223 Benefits - Ortho	\$2,000.00	\$240.75	(\$1,759.25)
60254 Training & Development	\$4,000.00	\$2,169.24	(\$1,830.76)
60301 Office Supplies	\$3,000.00	\$555.12	(\$2,444.88)
60302 Computer Supplies	\$750.00	\$74.69	(\$675.31)
60306 Advertising	\$1,800.00	\$0.00	(\$1,800.00)
60312 General Insurance	\$53,868.00	\$53,868.00	\$0.00
60314 Utilities	\$169,000.00	\$56,998.66	(\$112,001.34)
60315 Facility Maintenance	\$50,500.00	\$13,625.36	(\$36,874.64)
60316 Equipment Repair	\$21,500.00	(\$175.20)	(\$21,675.20)
60317 Misc	\$150.00	\$188.16	\$38.16
60318 Equipment Rental	\$300.00	\$109.51	(\$190.49)
60320 Membership & Subscription	\$1,200.00	\$927.43	(\$272.57)
60327 Communication	\$6,200.00	\$3,113.21	(\$3,086.79)
60335 Shop Supplies	\$7,500.00	\$2,933.29	(\$4,566.71)
60336 Parking Lot Repairs	\$500.00	\$0.00	(\$500.00)
60337 Grounds Maintenance	\$400.00	\$0.00	(\$400.00)
60340 Fuel & Oil	\$2,500.00	\$808.17	(\$1,691.83)
60345 Licences & Permits	\$100.00	\$104.31	\$4.31
60346 Bank Fees & Interest	\$1,500.00	\$1,076.19	(\$423.81)
60347 Safety Supplies	\$3,000.00	\$161.24	(\$2,838.76)
60348 Tax & Bank Differences	\$0.00	(\$6.50)	(\$6.50)
60349 Playground Mtce & Repair	\$2,500.00	\$0.00	(\$2,500.00)
60446 Material	\$1,000.00	\$237.18	(\$762.82)
60606 Ice Rental - Learn	\$11,000.00	\$4,075.00	(\$6,925.00)
60611 Junior Hockey Club Support	\$10,000.00	\$0.00	(\$10,000.00)
<b>Total Operating Expenditures</b>	<b>\$876,575.00</b>	<b>\$377,464.72</b>	<b>(\$499,110.28)</b>
<b>TRANSFER TO (FROM) RESERVES</b>			
<b>NET OPERATING REV. (EXP.)</b>	<b>(\$579,575.00)</b>	<b>(\$239,587.57)</b>	<b>\$339,987.43</b>
<b>CAPITAL REVENUE</b>			
40504 Provincial Grants	\$7,000.00	\$0.00	(\$7,000.00)
41370 Donations - Capital	\$3,500.00	\$0.00	(\$3,500.00)
41510 Sale of Equipment	\$10,000.00	\$0.00	(\$10,000.00)
41710 Contribution from Reserves	\$8,000.00	\$0.00	(\$8,000.00)

Town of Kingsville  
Arena  
For the Six Months Ending June 30, 2017

<u>Acct No.</u>	<u>2017 Budget</u>	<u>2017 Actual</u>	<u>Variance</u>
<b>Total Capital Revenue</b>	<b><u>\$28,500.00</u></b>	<b><u>\$0.00</u></b>	<b><u>(\$28,500.00)</u></b>
<b>CAPITAL EXPENDITURES</b>			
71628 Arena Roof Maintenance	\$8,000.00	\$0.00	(\$8,000.00)
71726 Arena Roof Bracing	\$4,500.00	\$3,285.00	(\$1,215.00)
71727 Generator	\$105,000.00	\$0.00	(\$105,000.00)
71728 Suction Lines	\$16,000.00	\$14,861.42	(\$1,138.58)
71729 Renteknik Energy Study	\$27,000.00	\$15,857.60	(\$11,142.40)
71730 Wall Mounted Seating	<u>\$3,500.00</u>	<u>\$0.00</u>	<u>(\$3,500.00)</u>
<b>Total Capital Expenditures</b>	<b><u>\$164,000.00</u></b>	<b><u>\$34,004.02</u></b>	<b><u>(\$129,995.98)</u></b>
<b>TRANSFER TO RESERVES</b>			
<b>LONG-TERM DEBT REPAYMENTS</b>			
60387 OILC Loan (2015)	<u>\$105,507.00</u>	<u>\$52,753.49</u>	<u>(\$52,753.51)</u>
<b>Total Long-term Debt Repaymen</b>	<b><u>\$105,507.00</u></b>	<b><u>\$52,753.49</u></b>	<b><u>(\$52,753.51)</u></b>
<b>NET CAPITAL REV. / (EXP.)</b>	<b><u>(\$241,007.00)</u></b>	<b><u>(\$86,757.51)</u></b>	<b><u>\$154,249.49</u></b>
<b>NET SURPLUS / (DEFICIT)</b>	<b><u>(\$820,582.00)</u></b>	<b><u>(\$326,345.08)</u></b>	<b><u>\$494,236.92</u></b>

Town of Kingsville  
Parks  
For the Six Months Ending June 30, 2017

Acct No.	2017 Budget	2017 Actual	Variance
<b>OPERATING REVENUES</b>			
41270 Misc. Revenue	\$0.00	\$326.75	\$326.75
<b>Total Operating Revenue</b>	<b>\$0.00</b>	<b>\$326.75</b>	<b>\$326.75</b>
<b>OPERATING EXPENDITURES</b>			
60102 Salaries - Full Time	\$154,546.00	\$64,305.39	(\$90,240.61)
60103 Salaries - Over-Time	\$1,492.00	\$1,087.32	(\$404.68)
60104 Salaries - Part Time	\$38,784.00	\$13,085.51	(\$25,698.49)
60105 Salaries - Seasonal	\$61,271.00	\$17,436.35	(\$43,834.65)
60114 Committee Honourarium	\$3,600.00	\$0.00	(\$3,600.00)
60115 Vehicle Expense	\$72.00	\$0.00	(\$72.00)
60120 Contracts	\$50,000.00	\$5,525.57	(\$44,474.43)
60202 Benefits - EI	\$6,886.00	\$1,999.19	(\$4,886.81)
60204 Benefits - CPP	\$13,329.00	\$4,000.63	(\$9,328.37)
60254 Training & Development	\$2,500.00	\$2,279.36	(\$220.64)
60306 Advertising	\$1,000.00	\$0.00	(\$1,000.00)
60312 General Insurance	\$76,898.00	\$76,898.00	\$0.00
60314 Utilities	\$3,000.00	\$981.44	(\$2,018.56)
60315 Facility Maintenance	\$34,300.00	\$6,422.96	(\$27,877.04)
60316 Equipment Repair	\$30,000.00	\$11,437.36	(\$18,562.64)
60317 Misc	\$100.00	\$0.00	(\$100.00)
60318 Equipment Rental	\$5,500.00	\$1,879.24	(\$3,620.76)
60319 Professional Services	\$1,000.00	\$25.00	(\$975.00)
60327 Communication	\$700.00	\$183.17	(\$516.83)
60335 Shop Supplies	\$5,600.00	\$1,490.46	(\$4,109.54)
60336 Parking Lot Repairs	\$1,000.00	\$0.00	(\$1,000.00)
60337 Grounds Maintenance	\$35,000.00	\$8,476.00	(\$26,524.00)
60339 Tree Maintenance	\$40,000.00	\$272.21	(\$39,727.79)
60340 Fuel & Oil	\$22,000.00	\$4,486.93	(\$17,513.07)
60344 Horticulture	\$16,000.00	\$1,955.66	(\$14,044.34)
60345 Licences & Permits	\$2,300.00	\$2,613.55	\$313.55
60349 Playground Mice & Repair	\$10,000.00	\$283.52	(\$9,716.48)
60365 Tree Planting	\$1,000.00	\$2,035.20	\$1,035.20
60400 Mileage	\$1,000.00	\$62.73	(\$937.27)
60454 Fundraising Events - Mettawas	\$0.00	\$97.20	\$97.20
<b>Total Operating Expenditures</b>	<b>\$618,878.00</b>	<b>\$229,319.95</b>	<b>(\$389,558.05)</b>
<b>TRANSFER TO (FROM) RESERVES</b>			
<b>NET OPERATING REV. (EXP.)</b>	<b>(\$618,878.00)</b>	<b>(\$228,993.20)</b>	<b>\$389,884.80</b>
<b>CAPITAL REVENUE</b>			
40519 Misc. Energy Rebates	\$0.00	\$949.20	\$949.20
40524 Fundraising	\$20,000.00	\$14,345.50	(\$5,654.50)
41510 Sale of Equipment	\$0.00	\$221.24	\$221.24
41710 Contribution from Reserves	\$420,750.00	\$0.00	(\$420,750.00)
41720 Contribution from D.C.'s	\$76,500.00	\$0.00	(\$76,500.00)
<b>Total Capital Revenue</b>	<b>\$517,250.00</b>	<b>\$15,515.94</b>	<b>(\$501,734.06)</b>
<b>CAPITAL EXPENDITURES</b>			
71154 Waterfront Area Development Pl	\$20,000.00	\$9,275.59	(\$10,724.41)
71428 Box Culvert Bridge Repairs - La	\$25,000.00	\$0.00	(\$25,000.00)
71436 Playground Equipment - Ruthven	\$40,000.00	\$0.00	(\$40,000.00)
71440 Property Purchase - 103 Park St	\$143,750.00	\$143,750.00	\$0.00
71564 Waterfront Access/Shoreline Prot	\$15,000.00	\$0.00	(\$15,000.00)
71639 Bernath Gardens Parkland Development	\$0.00	\$618.90	\$618.90
71645 Lion's Hall Drainage (Bocce Area	\$30,000.00	\$0.00	(\$30,000.00)
71732 Coghill Park Playground Equip.	\$50,000.00	\$0.00	(\$50,000.00)
71734 Cottam Rotary Park Upgrades (p	\$10,000.00	\$0.00	(\$10,000.00)
71735 Timbercreek Playground Equipm	\$55,000.00	\$0.00	(\$55,000.00)
71736 Timbercreek Park Development	\$10,000.00	\$0.00	(\$10,000.00)
71737 Bocce Courts @ Arena	\$5,000.00	\$198.40	(\$4,801.60)
71752 Beach Water Testing	\$6,000.00	\$0.00	(\$6,000.00)

Town of Kingsville  
Parks  
For the Six Months Ending June 30, 2017

<u>Acct No.</u>		<u>2017 Budget</u>	<u>2017 Actual</u>	<u>Variance</u>
71753	Replace - 2001 F-550 s/a Dump	\$70,000.00	\$0.00	(\$70,000.00)
71754	Replace - 2005 Chev. 5500 3 ton	\$75,000.00	\$0.00	(\$75,000.00)
71760	Timbercreek Parkland Purchase	\$0.00	\$30,150.00	\$30,150.00
	<b>Total Capital Expenditures</b>	<b>\$554,750.00</b>	<b>\$183,992.89</b>	<b>(\$370,757.11)</b>
<b>TRANSFER TO RESERVES</b>				
80300	Transfer to Capital Reserve	\$163,542.00	\$163,542.09	\$0.09
	<b>Total Transferred to Capital Re</b>	<b>\$163,542.00</b>	<b>\$163,542.09</b>	<b>\$0.09</b>
<b>LONG-TERM DEBT REPAYMENTS</b>				
	<b>NET CAPITAL REV. / (EXP.)</b>	<b>(\$201,042.00)</b>	<b>(\$332,019.04)</b>	<b>(\$130,977.04)</b>
	<b>NET SURPLUS / (DEFICIT)</b>	<b>(\$819,920.00)</b>	<b>(\$561,012.24)</b>	<b>\$258,907.76</b>

Town of Kingsville  
Facilities  
For the Six Months Ending June 30, 2017

Acct No.		2017 Budget	2017 Actual	Variance
OPERATING REVENUES				
40607	Rent - Ridgeview Park Hall	\$2,000.00	\$1,250.42	(\$749.58)
40609	Lions Hall - Utility Rebate	\$1,545.00	\$772.26	(\$772.74)
40618	Rent - Baseball Canteen	\$1,000.00	\$309.73	(\$690.27)
40650	Rent - Ruthven Day Care	\$10,200.00	\$5,100.00	(\$5,100.00)
40651	Rent - Mad Science (122 Fox St)	\$19,200.00	\$9,600.00	(\$9,600.00)
40652	Rent - Lakeside Pavilion	\$25,000.00	\$9,876.21	(\$15,123.79)
40654	Rent - Y&F Resource Network	\$29,076.00	\$14,538.00	(\$14,538.00)
40657	Rent - Unico Community Centre	\$7,500.00	\$8,473.24	\$973.24
40658	Rent - BIA (Carnegie)	\$5,894.00	\$2,922.54	(\$2,971.46)
40664	Rent - Patterson Taxi	\$6,000.00	\$3,000.00	(\$3,000.00)
40665	Green Fees - Ridgeview	\$5,000.00	\$283.20	(\$4,716.80)
40666	Green Fees - Kingsville Soccer /	\$22,000.00	\$6,501.78	(\$15,498.22)
41270	Misc. Revenue	\$0.00	\$326.75	\$326.75
	Total Operating Revenue	\$134,415.00	\$62,954.13	(\$71,460.87)
OPERATING EXPENDITURES				
60102	Salaries - Full Time	\$13,400.00	\$9,504.18	(\$3,895.82)
60104	Salaries - Part Time	\$18,850.00	\$10,006.04	(\$8,843.96)
60105	Salaries - Seasonal	\$69,000.00	\$25,441.71	(\$43,558.29)
60314	Utilities	\$43,370.00	\$15,170.62	(\$28,199.38)
60315	Facility Maintenance	\$35,800.00	\$18,480.42	(\$17,319.58)
60327	Communication	\$3,300.00	\$1,473.18	(\$1,826.82)
60337	Grounds Maintenance	\$15,500.00	\$10,576.30	(\$4,923.70)
60480	Rental Prop - 94 Division St S	\$0.00	\$969.49	\$969.49
60481	Rental Prop - King's Landing	\$2,000.00	\$2,371.64	\$371.64
	Total Operating Expenditures	\$201,220.00	\$93,993.58	(\$107,226.42)
TRANSFER TO (FROM) RESERVES				
	NET OPERATING REV. (EXP.)	(\$66,805.00)	(\$31,039.45)	\$35,765.55
CAPITAL REVENUE				
40515	Federal Grants	\$181,500.00	\$0.00	(\$181,500.00)
41510	Sale of Equipment	\$0.00	\$221.24	\$221.24
41710	Contribution from Reserves	\$484,500.00	\$0.00	(\$484,500.00)
	Total Capital Revenue	\$666,000.00	\$221.24	(\$665,778.76)
CAPITAL EXPENDITURES				
71630	Kings' Landing Renovation	\$640,000.00	\$0.00	(\$640,000.00)
71731	Cottam Library - Rooftop Unit	\$6,000.00	\$8,026.82	\$2,026.82
71733	AED for Carnegie	\$2,000.00	\$1,985.10	(\$14.90)
71740	Demo - 94 Division St S	\$20,000.00	\$7,486.89	(\$12,513.11)
	Total Capital Expenditures	\$668,000.00	\$17,498.81	(\$650,501.19)
TRANSFER TO RESERVES				
80300	Transfer to Capital Reserve	\$220,000.00	\$220,000.00	\$0.00
	Total Transferred to Capital Re	\$220,000.00	\$220,000.00	\$0.00
LONG-TERM DEBT REPAYMENTS				
	NET CAPITAL REV. / (EXP.)	(\$222,000.00)	(\$237,277.57)	(\$15,277.57)
	NET SURPLUS / (DEFICIT)	(\$288,805.00)	(\$268,317.02)	\$20,487.98



Town of Kingsville  
Fantasy of Lights  
For the Six Months Ending June 30, 2017

<u>Acct No.</u>	<u>2017 Budget</u>	<u>2017 Actual</u>	<u>Variance</u>
<b>OPERATING REVENUES</b>			
40521 Donations from Public	\$5,000.00	\$2,700.00	(\$2,300.00)
40639 Kingsville Fantasy Express	\$2,500.00	\$0.00	(\$2,500.00)
40640 Dinner with Santa	\$2,000.00	\$0.00	(\$2,000.00)
40643 Ice Wine and Art	\$1,000.00	\$44.25	(\$955.75)
40644 Special Events	\$1,000.00	\$0.00	(\$1,000.00)
40645 Maintenance Program	\$2,500.00	\$0.00	(\$2,500.00)
<b>Total Operating Revenue</b>	<b>\$14,000.00</b>	<b>\$2,744.25</b>	<b>(\$11,255.75)</b>
<b>OPERATING EXPENDITURES</b>			
60306 Advertising	\$4,400.00	\$674.67	(\$3,725.33)
60315 Facility Maintenance	\$6,000.00	\$0.00	(\$6,000.00)
60316 Equipment Repair	\$500.00	\$87.00	(\$413.00)
60621 Fireworks	\$3,000.00	\$0.00	(\$3,000.00)
60622 Parade	\$10,000.00	\$0.00	(\$10,000.00)
60623 Dinner with Santa	\$50.00	\$0.00	(\$50.00)
60625 Food/Sundry Expenses	\$300.00	\$0.00	(\$300.00)
60634 Children's Activity	\$400.00	\$0.00	(\$400.00)
<b>Total Operating Expenditures</b>	<b>\$24,650.00</b>	<b>\$761.67</b>	<b>(\$23,888.33)</b>
<b>TRANSFER TO (FROM) RESERVES</b>			
41700 Contribution from Reserves	(\$2,000.00)	\$0.00	\$2,000.00
Transfer to (from) Reserves	(\$2,000.00)	\$0.00	\$2,000.00
<b>NET OPERATING REV. (EXP.)</b>	<b>(\$8,650.00)</b>	<b>\$1,982.58</b>	<b>\$10,632.58</b>
<b>CAPITAL REVENUE</b>			
<b>CAPITAL EXPENDITURES</b>			
71738 FOL - Decorations Downtown	\$20,000.00	\$0.00	(\$20,000.00)
<b>Total Capital Expenditures</b>	<b>\$20,000.00</b>	<b>\$0.00</b>	<b>(\$20,000.00)</b>
<b>TRANSFER TO RESERVES</b>			
<b>LONG-TERM DEBT REPAYMENTS</b>			
<b>NET CAPITAL REV. / (EXP.)</b>	<b>(\$20,000.00)</b>	<b>\$0.00</b>	<b>\$20,000.00</b>
<b>NET SURPLUS / (DEFICIT)</b>	<b>(\$28,650.00)</b>	<b>\$1,982.58</b>	<b>\$30,632.58</b>

Town of Kingsville  
Marina  
For the Six Months Ending June 30, 2017

<u>Acct No.</u>	<u>2017 Budget</u>	<u>2017 Actual</u>	<u>Variance</u>
<b>OPERATING REVENUES</b>			
40615 Boat Dockage Fees	\$43,000.00	\$39,262.76	(\$3,737.24)
40624 Boat Ramp	\$12,000.00	\$6,931.45	(\$5,068.55)
40638 Fuel Sales	\$57,000.00	\$11,675.22	(\$45,324.78)
<b>Total Operating Revenue</b>	<b>\$112,000.00</b>	<b>\$57,869.43</b>	<b>(\$54,130.57)</b>
<b>OPERATING EXPENDITURES</b>			
60102 Salaries - Full Time	\$19,156.00	\$10,108.20	(\$9,047.80)
60104 Salaries - Part Time	\$13,972.00	\$3,734.66	(\$10,237.34)
60105 Salaries - Seasonal	\$27,915.00	\$1,659.63	(\$26,255.37)
60114 Committee Honourarium	\$600.00	\$300.00	(\$300.00)
60202 Benefits - EI	\$1,280.00	\$157.93	(\$1,122.07)
60204 Benefits - CPP	\$2,094.00	\$341.68	(\$1,752.32)
60306 Advertising	\$0.00	\$301.60	\$301.60
60314 Utilities	\$7,000.00	\$978.14	(\$6,021.86)
60315 Facility Maintenance	\$7,500.00	\$5,901.53	(\$1,598.47)
60318 Equipment Rental	\$1,000.00	\$270.00	(\$730.00)
60319 Professional Services	\$500.00	\$0.00	(\$500.00)
60320 Membership & Subscription	\$525.00	\$0.00	(\$525.00)
60327 Communication	\$650.00	\$315.79	(\$334.21)
60329 Rent	\$500.00	\$0.00	(\$500.00)
60333 Work Boat Maintenance	\$2,000.00	\$0.00	(\$2,000.00)
60335 Shop Supplies	\$300.00	\$0.00	(\$300.00)
60337 Grounds Maintenance	\$500.00	\$0.00	(\$500.00)
60340 Fuel & Oil	\$0.00	\$1,539.23	\$1,539.23
60346 Bank Fees & Interest	\$1,500.00	\$574.56	(\$925.44)
60360 Licences & Permits	\$100.00	\$223.62	\$123.62
60383 Fuel Purchased for Re-Sale	\$48,000.00	\$6,791.73	(\$41,208.27)
<b>Total Operating Expenditures</b>	<b>\$135,092.00</b>	<b>\$33,198.30</b>	<b>(\$101,893.70)</b>
<b>TRANSFER TO (FROM) RESERVES</b>			
<b>NET OPERATING REV. (EXP.)</b>	<b>(\$23,092.00)</b>	<b>\$24,671.13</b>	<b>\$47,763.13</b>
<b>CAPITAL REVENUE</b>			
<b>CAPITAL EXPENDITURES</b>			
<b>TRANSFER TO RESERVES</b>			
<b>LONG-TERM DEBT REPAYMENTS</b>			
<b>NET SURPLUS / (DEFICIT)</b>	<b>(\$23,092.00)</b>	<b>\$24,671.13</b>	<b>\$47,763.13</b>

Town of Kingsville  
Migration Festival  
For the Six Months Ending June 30, 2017

<u>Acct No.</u>	<u>2017 Budget</u>	<u>2017 Actual</u>	<u>Variance</u>
<b>OPERATING REVENUES</b>			
40521 Donations from Public	\$2,000.00	\$0.00	(\$2,000.00)
41270 Misc. Revenue	\$1,500.00	\$65.06	(\$1,434.94)
41272 Craft Vendor Fees	\$3,500.00	\$0.00	(\$3,500.00)
41285 Fine Art & Photography Competit	\$300.00	\$0.00	(\$300.00)
<b>Total Operating Revenue</b>	<b>\$7,300.00</b>	<b>\$65.06</b>	<b>(\$7,234.94)</b>
<b>OPERATING EXPENDITURES</b>			
60306 Advertising	\$5,000.00	\$0.00	(\$5,000.00)
60608 Parade	\$5,000.00	\$0.00	(\$5,000.00)
60820 Special Projects	\$1,500.00	\$26.57	(\$1,473.43)
60821 Children's Activities	\$3,500.00	\$0.00	(\$3,500.00)
60828 Prizes/Awards/Art Show Exp.	\$2,200.00	\$0.00	(\$2,200.00)
60829 Birds of Prey Show	\$900.00	\$0.00	(\$900.00)
<b>Total Operating Expenditures</b>	<b>\$18,100.00</b>	<b>\$26.57</b>	<b>(\$18,073.43)</b>
<b>TRANSFER TO (FROM) RESERVES</b>			
<b>NET OPERATING REV. (EXP.)</b>	<b>(\$10,800.00)</b>	<b>\$38.49</b>	<b>\$10,838.49</b>
<b>CAPITAL REVENUE</b>			
<b>CAPITAL EXPENDITURES</b>			
<b>TRANSFER TO RESERVES</b>			
<b>LONG-TERM DEBT REPAYMENTS</b>			
<b>NET SURPLUS / (DEFICIT)</b>	<b>(\$10,800.00)</b>	<b>\$38.49</b>	<b>\$10,838.49</b>

Town of Kingsville  
Recreation Programs  
For the Six Months Ending June 30, 2017

<u>Acct No.</u>	<u>2017 Budget</u>	<u>2017 Actual</u>	<u>Variance</u>
<b>OPERATING REVENUES</b>			
40511 Federal Grants - Operating	\$5,000.00	\$0.00	(\$5,000.00)
40619 Misc Revenue	\$5,000.00	\$2,560.11	(\$2,439.89)
40625 Recreation Programs	\$6,000.00	\$2,599.54	(\$3,400.46)
40626 Community Events	\$15,000.00	\$6,495.00	(\$8,505.00)
40648 Older Adults - Ticket Sales	\$3,000.00	\$376.10	(\$2,623.90)
40659 Older Adults - Expo Revenue	\$700.00	\$896.31	\$196.31
41277 Recreation - Day Camp	\$2,000.00	\$439.61	(\$1,560.39)
41298 Ball Hockey Tournament	\$1,000.00	\$0.00	(\$1,000.00)
41299 Family Day Events	\$500.00	\$0.00	(\$500.00)
<b>Total Operating Revenue</b>	<b>\$38,200.00</b>	<b>\$13,366.67</b>	<b>(\$24,833.33)</b>
<b>OPERATING EXPENDITURES</b>			
60102 Salaries - Full Time	\$52,865.00	\$25,792.70	(\$27,072.30)
60104 Salaries - Part Time	\$24,043.00	\$12,399.60	(\$11,643.40)
60114 Committee Honourarium	\$34,000.00	\$8,700.00	(\$25,300.00)
60202 Benefits - EI	\$1,291.00	\$892.17	(\$398.83)
60204 Benefits - CPP	\$4,325.00	\$1,886.42	(\$2,438.58)
60206 Benefits - EHT	\$2,181.00	\$932.16	(\$1,248.84)
60208 Benefits - Omers	\$8,063.00	\$3,983.83	(\$4,079.17)
60212 Benefits - Health Coverage	\$5,637.00	\$2,942.20	(\$2,694.80)
60214 Benefits - WSB	\$3,412.00	\$1,421.39	(\$1,990.61)
60222 Benefits - Eyeglasses	\$800.00	\$0.00	(\$800.00)
60223 Benefits - Ortho	\$1,000.00	\$0.00	(\$1,000.00)
60254 Training & Development	\$2,000.00	\$493.00	(\$1,507.00)
60301 Office Supplies	\$500.00	\$0.00	(\$500.00)
60306 Advertising	\$2,000.00	\$0.00	(\$2,000.00)
60317 Misc	\$300.00	\$27.41	(\$272.59)
60400 Mileage	\$800.00	\$0.00	(\$800.00)
60626 Activity Guide	\$2,500.00	\$0.00	(\$2,500.00)
60627 Recreation Programs	\$6,000.00	\$754.66	(\$5,245.34)
60628 Community Events	\$15,000.00	\$5,655.46	(\$9,344.54)
60629 In Motion Health Promotion Stra	\$1,000.00	\$1,000.00	\$0.00
60632 Older Adults	\$1,000.00	\$301.46	(\$698.54)
60644 Older Adults - Activity Guide	\$2,500.00	\$0.00	(\$2,500.00)
60645 Older Adults - Advertising	\$2,000.00	\$831.49	(\$1,168.51)
60646 Older Adults - Entertainment	\$1,500.00	\$680.26	(\$819.74)
60647 Older Adults - Other	\$1,000.00	\$415.52	(\$584.48)
60677 March Break Camp	\$1,000.00	\$479.56	(\$520.44)
60678 Day Camp	\$1,000.00	\$0.00	(\$1,000.00)
<b>Total Operating Expenditures</b>	<b>\$177,717.00</b>	<b>\$69,589.29</b>	<b>(\$108,127.71)</b>
<b>TRANSFER TO (FROM) RESERVES</b>			
80100 Contribution to Reserves	\$3,998.00	\$0.00	(\$3,998.00)
Transfer to (from) Reserves	\$3,998.00	\$0.00	(\$3,998.00)
<b>NET OPERATING REV. (EXP.)</b>	<b>(\$143,515.00)</b>	<b>(\$56,222.62)</b>	<b>\$87,292.38</b>
<b>CAPITAL REVENUE</b>			
40524 Fundraising	\$0.00	\$565.00	\$565.00
<b>Total Capital Revenue</b>	<b>\$0.00</b>	<b>\$565.00</b>	<b>\$565.00</b>
<b>CAPITAL EXPENDITURES</b>			
71739 Portable Sound System	\$1,000.00	\$0.00	(\$1,000.00)
<b>Total Capital Expenditures</b>	<b>\$1,000.00</b>	<b>\$0.00</b>	<b>(\$1,000.00)</b>
<b>TRANSFER TO RESERVES</b>			
80300 Transfer to Capital Reserve	\$15,000.00	\$15,000.00	\$0.00
<b>Total Transferred to Capital Re</b>	<b>\$15,000.00</b>	<b>\$15,000.00</b>	<b>\$0.00</b>
<b>LONG-TERM DEBT REPAYMENTS</b>			

Town of Kingsville  
Recreation Programs  
For the Six Months Ending June 30, 2017

<u>Acct No.</u>	<u>2017 Budget</u>	<u>2017 Actual</u>	<u>Variance</u>
NET CAPITAL REV. / (EXP.)	<u>(\$16,000.00)</u>	<u>(\$14,435.00)</u>	<u>\$1,565.00</u>
NET SURPLUS / (DEFICIT)	<u>(\$159,515.00)</u>	<u>(\$70,657.62)</u>	<u>\$88,857.38</u>

Town of Kingsville  
Communities in Bloom  
For the Six Months Ending June 30, 2017

<u>Acct No.</u>	<u>2017 Budget</u>	<u>2017 Actual</u>	<u>Variance</u>
<b>OPERATING REVENUES</b>			
<b>OPERATING EXPENDITURES</b>			
60306 Advertising	\$1,000.00	\$1,195.35	\$195.35
60320 Membership & Subscription	\$900.00	\$763.20	(\$136.80)
60365 Tree Planting	\$400.00	\$0.00	(\$400.00)
60650 Signage	\$500.00	\$157.73	(\$342.27)
60651 Community Profile Book	\$1,000.00	\$0.00	(\$1,000.00)
60652 Tour Costs	\$3,000.00	\$0.00	(\$3,000.00)
60653 Judges	\$1,700.00	\$0.00	(\$1,700.00)
60654 Awards Ceremony	\$1,500.00	\$0.00	(\$1,500.00)
<b>Total Operating Expenditures</b>	<b>\$10,000.00</b>	<b>\$2,116.28</b>	<b>(\$7,883.72)</b>
<b>TRANSFER TO (FROM) RESERVES</b>			
<b>NET OPERATING REV. (EXP.)</b>	<b>(\$10,000.00)</b>	<b>(\$2,116.28)</b>	<b>\$7,883.72</b>
<b>CAPITAL REVENUE</b>			
<b>CAPITAL EXPENDITURES</b>			
<b>TRANSFER TO RESERVES</b>			
<b>LONG-TERM DEBT REPAYMENTS</b>			
<b>NET SURPLUS / (DEFICIT)</b>	<b>(\$10,000.00)</b>	<b>(\$2,116.28)</b>	<b>\$7,883.72</b>

Town of Kingsville  
Planning & Development  
For the Six Months Ending June 30, 2017

<u>Acct No.</u>	<u>2017 Budget</u>	<u>2017 Actual</u>	<u>Variance</u>
<b>OPERATING REVENUES</b>			
40680 Planning - Zoning	\$18,000.00	\$20,950.00	\$2,950.00
40681 Planning - Official Plan Amend	\$2,000.00	\$0.00	(\$2,000.00)
40682 Planning - Consents	\$16,000.00	\$6,000.00	(\$10,000.00)
40683 Planning - Development Agreemt	\$0.00	\$500.00	\$500.00
40684 Planning - Minor Variance	\$5,500.00	\$2,500.00	(\$3,000.00)
40685 Planning - Subdivision	\$5,000.00	\$1,000.00	(\$4,000.00)
40686 Planning - Site Plan Fee	\$12,000.00	\$10,750.00	(\$1,250.00)
40689 Planning - Misc Application Fees	\$0.00	\$450.00	\$450.00
<b>Total Operating Revenue</b>	<b>\$58,500.00</b>	<b>\$42,150.00</b>	<b>(\$16,350.00)</b>
<b>OPERATING EXPENDITURES</b>			
60102 Salaries - Full Time	\$161,381.00	\$80,919.43	(\$80,461.57)
60114 Committee Honourarium	\$13,471.00	\$5,735.60	(\$7,735.40)
60202 Benefits - EI	\$2,161.00	\$1,838.05	(\$322.95)
60204 Benefits - CPP	\$5,401.00	\$3,982.67	(\$1,418.33)
60206 Benefits - EHT	\$3,410.00	\$1,687.62	(\$1,722.38)
60208 Benefits - Omers	\$17,844.00	\$8,948.12	(\$8,895.88)
60212 Benefits - Health Coverage	\$17,195.00	\$8,944.71	(\$8,250.29)
60214 Benefits - WSB	\$4,922.00	\$2,592.93	(\$2,329.07)
60222 Benefits - Eyeglasses	\$800.00	\$748.73	(\$51.27)
60223 Benefits - Ortho	\$1,000.00	\$0.00	(\$1,000.00)
60254 Training & Development	\$7,000.00	\$902.92	(\$6,097.08)
60301 Office Supplies	\$500.00	\$51.41	(\$448.59)
60305 Courier & Express	\$100.00	\$27.26	(\$72.74)
60306 Advertising	\$1,500.00	\$0.00	(\$1,500.00)
60317 Misc	\$500.00	\$43.86	(\$456.14)
60320 Membership & Subscription	\$1,500.00	\$621.58	(\$878.42)
60326 Professional Fees	\$20,000.00	\$5,022.12	(\$14,977.88)
60327 Communication	\$1,000.00	\$293.06	(\$706.94)
60400 Mileage	\$500.00	\$27.72	(\$472.28)
<b>Total Operating Expenditures</b>	<b>\$260,185.00</b>	<b>\$122,387.79</b>	<b>(\$137,797.21)</b>
<b>TRANSFER TO (FROM) RESERVES</b>			
<b>NET OPERATING REV. (EXP.)</b>	<b>(\$201,685.00)</b>	<b>(\$80,237.79)</b>	<b>\$121,447.21</b>
<b>CAPITAL REVENUE</b>			
41720 Contribution from D.C.'s	\$67,950.00	\$0.00	(\$67,950.00)
<b>Total Capital Revenue</b>	<b>\$67,950.00</b>	<b>\$0.00</b>	<b>(\$67,950.00)</b>
<b>CAPITAL EXPENDITURES</b>			
71739 Portable Sound System	\$1,000.00	\$0.00	(\$1,000.00)
71741 Cottam CIP	\$5,000.00	\$0.00	(\$5,000.00)
71742 Official Plan Review	\$75,000.00	\$3,042.62	(\$71,957.38)
<b>Total Capital Expenditures</b>	<b>\$81,000.00</b>	<b>\$3,042.62</b>	<b>(\$77,957.38)</b>
<b>TRANSFER TO RESERVES</b>			
<b>LONG-TERM DEBT REPAYMENTS</b>			
<b>NET CAPITAL REV. / (EXP.)</b>	<b>(\$13,050.00)</b>	<b>(\$3,042.62)</b>	<b>\$10,007.38</b>
<b>NET SURPLUS / (DEFICIT)</b>	<b>(\$214,735.00)</b>	<b>(\$83,280.41)</b>	<b>\$131,454.59</b>



Town of Kingsville  
BIA  
For the Six Months Ending June 30, 2017

Acct No.		2017 Budget	2017 Actual	Variance
	<b>OPERATING REVENUES</b>			
40189	BIA Levy	\$98,889.00	\$0.00	(\$98,889.00)
40500	Grant Funds - Town	\$18,000.00	\$18,000.00	\$0.00
41255	Revenue - BIA	\$0.00	\$75.00	\$75.00
41270	Misc. Revenue	\$0.00	\$213.00	\$213.00
41292	Assoc. Memberships	\$3,500.00	\$4,210.00	\$710.00
	<b>Total Operating Revenue</b>	<b>\$120,389.00</b>	<b>\$22,498.00</b>	<b>(\$97,891.00)</b>
	<b>OPERATING EXPENDITURES</b>			
60120	Contracts	\$38,539.00	\$22,236.25	(\$16,302.75)
60202	Benefits - EI	\$879.00	\$524.57	(\$354.43)
60204	Benefits - CPP	\$1,734.00	\$1,007.40	(\$726.60)
60206	Benefits - EHT	\$752.00	\$433.63	(\$318.37)
60214	Benefits - WSB	\$1,175.00	\$678.20	(\$496.80)
60301	Office Supplies	\$1,400.00	(\$152.69)	(\$1,552.69)
60306	Advertising	\$10,000.00	\$3,187.32	(\$6,812.68)
60309	Computer Maintenance	\$200.00	\$0.00	(\$200.00)
60315	Facility Maintenance	\$500.00	\$0.00	(\$500.00)
60317	Misc	\$0.00	\$406.68	\$406.68
60320	Membership & Subscription	\$300.00	\$215.98	(\$84.02)
60323	Write Offs	\$1,000.00	\$793.68	(\$206.32)
60327	Communication	\$1,700.00	\$801.45	(\$898.55)
60329	Rent	\$5,900.00	\$2,922.54	(\$2,977.46)
60341	Janitorial Services	\$1,000.00	\$355.45	(\$644.55)
60630	Clock Prog. / Maint.	\$0.00	\$1,613.90	\$1,613.90
60812	BIA Dollar Promotion	\$17,000.00	\$0.00	(\$17,000.00)
60819	OBIAA Conference	\$2,250.00	\$1,333.11	(\$916.89)
60833	Operation Face Lift	\$6,000.00	\$5,445.50	(\$554.50)
60837	Spring Guide	\$1,530.00	\$1,526.40	(\$3.60)
60838	Holiday Guide	\$1,530.00	\$0.00	(\$1,530.00)
60839	Beautification / Flower Program	\$30,000.00	\$10,255.36	(\$19,744.64)
	<b>Total Operating Expenditures</b>	<b>\$123,389.00</b>	<b>\$53,584.73</b>	<b>(\$69,804.27)</b>
	<b>TRANSFER TO (FROM) RESERVES</b>			
41700	Contribution from Reserves	(\$3,000.00)	\$0.00	\$3,000.00
	<b>Transfer to (from) Reserves</b>	<b>(\$3,000.00)</b>	<b>\$0.00</b>	<b>\$3,000.00</b>
	<b>NET OPERATING REV. (EXP.)</b>	<b>\$0.00</b>	<b>(\$31,086.73)</b>	<b>(\$31,086.73)</b>
	<b>CAPITAL REVENUE</b>			
41368	Clock Bricks	\$0.00	\$1,600.00	\$1,600.00
	<b>Total Capital Revenue</b>	<b>\$0.00</b>	<b>\$1,600.00</b>	<b>\$1,600.00</b>
	<b>CAPITAL EXPENDITURES</b>			
71644	Town Clock	\$0.00	\$8,039.03	\$8,039.03
	<b>Total Capital Expenditures</b>	<b>\$0.00</b>	<b>\$8,039.03</b>	<b>\$8,039.03</b>
	<b>TRANSFER TO RESERVES</b>			
	<b>LONG-TERM DEBT REPAYMENTS</b>			
	<b>NET CAPITAL REV. / (EXP.)</b>	<b>\$0.00</b>	<b>(\$6,439.03)</b>	<b>(\$6,439.03)</b>
	<b>NET SURPLUS / (DEFICIT)</b>	<b>\$0.00</b>	<b>(\$37,525.76)</b>	<b>(\$37,525.76)</b>

Town of Kingsville  
Accessibility Committee  
For the Six Months Ending June 30, 2017

<u>Acct No.</u>	<u>2017 Budget</u>	<u>2017 Actual</u>	<u>Variance</u>
<b>OPERATING REVENUES</b>			
<b>OPERATING EXPENDITURES</b>			
60114 Committee Honourarium	\$3,000.00	\$1,800.00	(\$1,200.00)
60254 Training & Development	\$300.00	\$0.00	(\$300.00)
63300 Textnet Phone Line	\$2,100.00	\$864.95	(\$1,235.05)
<b>Total Operating Expenditures</b>	<b>\$5,400.00</b>	<b>\$2,664.95</b>	<b>(\$2,735.05)</b>
<b>TRANSFER TO (FROM) RESERVES</b>			
<b>NET OPERATING REV. (EXP.)</b>	<b>(\$5,400.00)</b>	<b>(\$2,664.95)</b>	<b>\$2,735.05</b>
<b>CAPITAL REVENUE</b>			
<b>CAPITAL EXPENDITURES</b>			
<b>TRANSFER TO RESERVES</b>			
<b>LONG-TERM DEBT REPAYMENTS</b>			
<b>NET SURPLUS / (DEFICIT)</b>	<b>(\$5,400.00)</b>	<b>(\$2,664.95)</b>	<b>\$2,735.05</b>

Town of Kingsville  
Tourism & EDC  
For the Six Months Ending June 30, 2017

<u>Acct No.</u>	<u>2017 Budget</u>	<u>2017 Actual</u>	<u>Variance</u>
<b>OPERATING REVENUES</b>			
41320 Promotional Clothing	\$4,000.00	\$512.26	(\$3,487.74)
41321 Web Advertising	\$1,500.00	\$0.00	(\$1,500.00)
41322 Community Group Signs	\$500.00	\$0.00	(\$500.00)
<b>Total Operating Revenue</b>	<b>\$6,000.00</b>	<b>\$512.26</b>	<b>(\$5,487.74)</b>
<b>OPERATING EXPENDITURES</b>			
60114 Committee Honourarium	\$7,700.00	\$2,600.00	(\$5,100.00)
60254 Training & Development	\$470.00	\$473.61	\$3.61
60307 Photocopier Supplies	\$1,000.00	\$1,482.29	\$482.29
60320 Membership & Subscription	\$1,200.00	\$411.09	(\$788.91)
60327 Communication	\$0.00	\$74.48	\$74.48
63100 Billboard Signs	\$6,000.00	\$6,105.60	\$105.60
63101 Pucovsky Sign Area Rental	\$500.00	\$0.00	(\$500.00)
63102 Billboard Designs	\$2,400.00	\$0.00	(\$2,400.00)
63103 EDC Promotions	\$10,000.00	\$972.18	(\$9,027.82)
63104 Marketing Initiatives	\$10,000.00	\$5,418.31	(\$4,581.69)
63105 Community Group Signs	\$2,700.00	\$100.94	(\$2,599.06)
63106 Tourist Maps	\$0.00	\$632.16	\$632.16
63107 FICE Program	\$3,000.00	\$0.00	(\$3,000.00)
63108 Tourist Videos	\$15,000.00	\$800.00	(\$14,200.00)
63109 App Development	\$8,600.00	\$0.00	(\$8,600.00)
63110 Accomodation Update	\$10,000.00	\$0.00	(\$10,000.00)
63111 Community Profile Book	\$8,600.00	\$0.00	(\$8,600.00)
<b>Total Operating Expenditures</b>	<b>\$87,170.00</b>	<b>\$19,070.66</b>	<b>(\$68,099.34)</b>
<b>TRANSFER TO (FROM) RESERVES</b>			
41700 Contribution from Reserves	(\$45,200.00)	\$0.00	\$45,200.00
Transfer to (from) Reserves	(\$45,200.00)	\$0.00	\$45,200.00
<b>NET OPERATING REV. (EXP.)</b>	<b>(\$35,970.00)</b>	<b>(\$18,558.40)</b>	<b>\$17,411.60</b>
<b>CAPITAL REVENUE</b>			
<b>CAPITAL EXPENDITURES</b>			
<b>TRANSFER TO RESERVES</b>			
<b>LONG-TERM DEBT REPAYMENTS</b>			
<b>NET SURPLUS / (DEFICIT)</b>	<b>(\$35,970.00)</b>	<b>(\$18,558.40)</b>	<b>\$17,411.60</b>

Town of Kingsville  
Heritage Committee  
For the Six Months Ending June 30, 2017

<u>Acct No.</u>	<u>2017 Budget</u>	<u>2017 Actual</u>	<u>Variance</u>
<b>OPERATING REVENUES</b>			
<b>OPERATING EXPENDITURES</b>			
60114 Committee Honourarium	\$9,900.00	\$4,100.00	(\$5,800.00)
60254 Training & Development	\$5,250.00	\$1,705.47	(\$3,544.53)
60301 Office Supplies	\$500.00	\$10.00	(\$490.00)
60306 Advertising	\$720.00	\$529.15	(\$190.85)
60319 Professional Services	\$1,000.00	\$687.03	(\$312.97)
60320 Membership & Subscription	\$550.00	\$374.40	(\$175.60)
63200 Research Assistant / Student	\$4,800.00	\$1,600.00	(\$3,200.00)
63201 Plaques	\$2,400.00	\$0.00	(\$2,400.00)
63202 Outreach Programs	\$1,000.00	\$0.00	(\$1,000.00)
63203 Website Development	\$300.00	\$0.00	(\$300.00)
<b>Total Operating Expenditures</b>	<b>\$26,420.00</b>	<b>\$9,006.05</b>	<b>(\$17,413.95)</b>
<b>TRANSFER TO (FROM) RESERVES</b>			
<b>NET OPERATING REV. (EXP.)</b>	<b>(\$26,420.00)</b>	<b>(\$9,006.05)</b>	<b>\$17,413.95</b>
<b>CAPITAL REVENUE</b>			
<b>CAPITAL EXPENDITURES</b>			
<b>TRANSFER TO RESERVES</b>			
<b>LONG-TERM DEBT REPAYMENTS</b>			
<b>NET SURPLUS / (DEFICIT)</b>	<b>(\$26,420.00)</b>	<b>(\$9,006.05)</b>	<b>\$17,413.95</b>

Town of Kingsville  
Water  
For the Six Months Ending June 30, 2017

Acct No.		2017 Budget	2017 Actual	Variance
OPERATING REVENUES				
40810	G.S. Water	\$4,236,000.00	\$1,794,709.90	(\$2,441,290.10)
40812	G.N. Water	\$528,000.00	\$232,068.98	(\$295,931.02)
40814	King Water	\$831,000.00	\$381,594.77	(\$449,405.23)
40901	Serv Connection Instal/Maint	\$50,000.00	\$11,220.02	(\$38,779.98)
40902	Meter Instal/Maint	\$7,500.00	\$2,140.00	(\$5,360.00)
40903	Extra Charges	\$2,500.00	\$2,610.00	\$110.00
40904	Recovered Wages	\$8,000.00	\$3,154.94	(\$4,845.06)
40905	Account Set-up Fees	\$12,000.00	\$6,575.00	(\$5,425.00)
40906	Watermain Development Review	\$2,000.00	\$0.00	(\$2,000.00)
41268	Water Meter Sale	\$22,000.00	\$13,814.10	(\$8,185.90)
41270	Misc. Revenue	\$1,000.00	\$250.00	(\$750.00)
41310	Penalties & Interest	\$18,000.00	\$6,678.83	(\$11,321.17)
	Total Operating Revenue	\$5,718,000.00	\$2,454,816.54	(\$3,263,183.46)
OPERATING EXPENDITURES				
60102	Salaries - Full Time	\$519,474.00	\$235,348.75	(\$284,125.25)
60103	Salaries - Over-Time	\$13,571.00	\$5,760.49	(\$7,810.51)
60105	Salaries - Seasonal	\$20,248.00	\$5,596.53	(\$14,651.47)
60114	Committee Honourarium	\$12,034.00	\$5,917.36	(\$6,116.64)
60115	Vehicle Expense	\$336.00	\$0.00	(\$336.00)
60202	Benefits - EI	\$9,499.00	\$5,667.97	(\$3,831.03)
60204	Benefits - CPP	\$20,868.00	\$11,881.39	(\$8,986.61)
60206	Benefits - EHT	\$10,923.00	\$4,774.54	(\$6,148.46)
60208	Benefits - Omers	\$51,310.00	\$23,572.08	(\$27,737.92)
60212	Benefits - Health Coverage	\$70,205.00	\$29,376.17	(\$40,828.83)
60214	Benefits - WSB	\$10,866.00	\$5,005.39	(\$5,860.61)
60216	Benefits- Uniforms	\$5,500.00	\$1,707.31	(\$3,792.69)
60220	Benefits - Meal Allowance	\$806.00	\$286.00	(\$520.00)
60222	Benefits - Eyeglasses	\$3,200.00	\$0.00	(\$3,200.00)
60223	Benefits - Ortho	\$2,000.00	\$1,151.88	(\$848.12)
60254	Training & Development	\$15,000.00	\$4,921.02	(\$10,078.98)
60301	Office Supplies	\$2,000.00	\$660.60	(\$1,339.40)
60302	Computer Supplies	\$500.00	\$0.00	(\$500.00)
60303	Postage Supplies	\$28,500.00	\$14,715.65	(\$13,784.35)
60305	Courier & Express	\$500.00	\$65.66	(\$434.34)
60306	Advertising	\$1,000.00	\$0.00	(\$1,000.00)
60309	Computer Maintenance	\$500.00	\$0.00	(\$500.00)
60310	Computer Consultants	\$1,000.00	\$0.00	(\$1,000.00)
60312	General Insurance	\$23,268.00	\$23,268.00	\$0.00
60314	Utilities	\$0.00	\$17.00	\$17.00
60315	Facility Maintenance	\$1,500.00	\$339.82	(\$1,160.18)
60316	Equipment Repair	\$15,000.00	\$8,236.77	(\$6,763.23)
60317	Misc	\$500.00	\$93.45	(\$406.55)
60318	Equipment Rental	\$500.00	\$0.00	(\$500.00)
60319	Professional Services	\$2,500.00	\$1,424.64	(\$1,075.36)
60320	Membership & Subscription	\$2,500.00	\$1,556.03	(\$943.97)
60323	Write Offs	\$2,000.00	\$158.21	(\$1,841.79)
60326	Professional Fees	\$5,000.00	\$3,227.79	(\$1,772.21)
60327	Communication	\$3,000.00	\$1,235.34	(\$1,764.66)
60335	Shop Supplies	\$2,000.00	\$265.08	(\$1,734.92)
60340	Fuel & Oil	\$30,000.00	\$0.00	(\$30,000.00)
60345	Licences & Permits	\$4,200.00	\$5,665.26	\$1,465.26
60347	Safety Supplies	\$4,000.00	\$0.00	(\$4,000.00)
60357	Small Tools	\$3,000.00	\$268.59	(\$2,731.41)
60400	Mileage	\$500.00	\$353.51	(\$146.49)
60403	Curb Repairs	\$7,500.00	\$5,367.84	(\$2,132.16)
60405	Back Flow Program	\$25,000.00	\$8,446.08	(\$16,553.92)
60418	Hard Top Road Repair	\$17,500.00	\$111.94	(\$17,388.06)
60448	Subcontract	\$2,500.00	\$2,651.74	\$151.74
63005	Water Purchases - Kingsville	\$409,000.00	\$120,112.70	(\$288,887.30)
63006	Water Purchases - Gos. South	\$2,846,000.00	\$877,746.70	(\$1,968,253.30)
63007	Water Purchases - Gos. North	\$354,000.00	\$103,946.98	(\$250,053.02)
63015	Water Meters	\$55,000.00	\$36,540.87	(\$18,459.13)
63017	Water Meter Mtce	\$15,000.00	\$10,249.72	(\$4,750.28)
63020	Locates	\$7,500.00	\$1,673.89	(\$5,826.11)

Town of Kingsville  
Water  
For the Six Months Ending June 30, 2017

<b>Acct No.</b>		<b>2017 Budget</b>	<b>2017 Actual</b>	<b>Variance</b>
63025	Water Service Connections	\$60,000.00	\$19,865.59	(\$40,134.41)
63030	Watermain Line Breaks	\$40,000.00	\$14,340.50	(\$25,659.50)
63040	Waterline Mtce	\$15,000.00	\$1,338.14	(\$13,661.86)
63045	Hydrant Mtce	\$20,000.00	\$986.40	(\$19,013.60)
63050	Water Distribution Study	\$0.00	\$731.94	\$731.94
63052	Property Taxes (PIL - Mun. & Co	\$1,100.00	\$0.00	(\$1,100.00)
63055	Program Support	\$192,000.00	\$96,000.00	(\$96,000.00)
	<b>Total Operating Expenditures</b>	<b>\$4,966,408.00</b>	<b>\$1,702,629.31</b>	<b>(\$3,263,778.69)</b>
<b>TRANSFER TO (FROM) RESERVES</b>				
80100	Contribution to Reserves	\$651,592.00	\$0.00	(\$651,592.00)
	<b>Transfer to (from) Reserves</b>	<b>\$651,592.00</b>	<b>\$0.00</b>	<b>(\$651,592.00)</b>
	<b>NET OPERATING REV. (EXP.)</b>	<b>\$100,000.00</b>	<b>\$752,187.23</b>	<b>\$652,187.23</b>
<b>CAPITAL REVENUE</b>				
41710	Contribution from Reserves	\$959,000.00	\$0.00	(\$959,000.00)
	<b>Total Capital Revenue</b>	<b>\$959,000.00</b>	<b>\$0.00</b>	<b>(\$959,000.00)</b>
<b>CAPITAL EXPENDITURES</b>				
71448	Watermain - Ruthven Ind. Park	\$100,000.00	\$0.00	(\$100,000.00)
71649	Waterline Looping - Cedar Island	\$75,000.00	\$0.00	(\$75,000.00)
71651	Source Water Protection	\$18,000.00	\$0.00	(\$18,000.00)
71744	Park St. Reconstruction	\$704,000.00	\$0.00	(\$704,000.00)
71755	Replace - 2009 Ford Ranger	\$62,000.00	\$1,031.85	(\$60,968.15)
71756	Water Rate Study / Financial Pla	\$25,000.00	\$0.00	(\$25,000.00)
	<b>Total Capital Expenditures</b>	<b>\$984,000.00</b>	<b>\$1,031.85</b>	<b>(\$982,968.15)</b>
<b>TRANSFER TO RESERVES</b>				
80300	Transfer to Capital Reserve	\$75,000.00	\$0.00	(\$75,000.00)
	<b>Total Transferred to Capital Re</b>	<b>\$75,000.00</b>	<b>\$0.00</b>	<b>(\$75,000.00)</b>
<b>LONG-TERM DEBT REPAYMENTS</b>				
	<b>NET CAPITAL REV. / (EXP.)</b>	<b>(\$100,000.00)</b>	<b>(\$1,031.85)</b>	<b>\$98,968.15</b>
	<b>NET SURPLUS / (DEFICIT)</b>	<b>\$0.00</b>	<b>\$751,155.38</b>	<b>\$751,155.38</b>

Town of Kingsville  
Sewer- Kingsville  
For the Six Months Ending June 30, 2017

Acct No.	2017 Budget	2017 Actual	Variance
<b>OPERATING REVENUES</b>			
40852 G.S. Sewage	\$475,000.00	\$239,204.57	(\$235,795.43)
40853 G.S. Sewage - Ruthven	\$231,000.00	\$128,241.59	(\$102,758.41)
40856 King Sewage	\$1,061,000.00	\$523,407.71	(\$537,592.29)
41270 Misc. Revenue	\$500.00	\$62,810.00	\$62,310.00
41310 Penalties & Interest	\$7,500.00	\$3,996.04	(\$3,503.96)
<b>Total Operating Revenue</b>	<b>\$1,775,000.00</b>	<b>\$957,659.91</b>	<b>(\$817,340.09)</b>
<b>OPERATING EXPENDITURES</b>			
60102 Salaries - Full Time	\$56,168.00	\$24,809.73	(\$31,358.27)
60103 Salaries - Over-Time	\$0.00	\$32.91	\$32.91
60115 Vehicle Expense	\$120.00	\$0.00	(\$120.00)
60202 Benefits - EI	\$865.00	\$566.64	(\$298.36)
60204 Benefits - CPP	\$1,893.00	\$1,176.51	(\$716.49)
60206 Benefits - EHT	\$1,095.00	\$483.81	(\$611.19)
60208 Benefits - Omers	\$5,914.00	\$2,641.03	(\$3,272.97)
60212 Benefits - Health Coverage	\$4,928.00	\$1,675.06	(\$3,252.94)
60214 Benefits - WSB	\$1,417.00	\$703.09	(\$713.91)
60254 Training & Development	\$2,000.00	\$195.00	(\$1,805.00)
60305 Courier & Express	\$100.00	\$0.00	(\$100.00)
60306 Advertising	\$250.00	\$0.00	(\$250.00)
60314 Utilities	\$275,000.00	\$121,996.56	(\$153,003.44)
60315 Facility Maintenance	\$500.00	\$0.00	(\$500.00)
60316 Equipment Repair	\$5,000.00	\$2,313.88	(\$2,686.12)
60317 Misc	\$1,000.00	\$0.00	(\$1,000.00)
60320 Membership & Subscription	\$250.00	\$0.00	(\$250.00)
60323 Write Offs	\$1,500.00	\$0.00	(\$1,500.00)
60326 Professional Fees	\$1,500.00	\$0.00	(\$1,500.00)
60330 Sewer Report	\$1,000.00	\$0.00	(\$1,000.00)
60345 Licences & Permits	\$500.00	\$0.00	(\$500.00)
60347 Safety Supplies	\$500.00	\$0.00	(\$500.00)
63052 Property Taxes (PIL - Mun. & Co	\$41,000.00	\$0.00	(\$41,000.00)
64360 OCWA Billings	\$970,000.00	\$452,159.44	(\$517,840.56)
64361 OCWA Billings Lagoon	\$25,500.00	\$0.00	(\$25,500.00)
64365 Sanitary Sewer Maint	\$35,000.00	\$34,645.90	(\$354.10)
64368 Sewer Service Connections	\$8,000.00	\$0.00	(\$8,000.00)
64370 Sanitary Backwater Valve Prog	\$2,000.00	\$0.00	(\$2,000.00)
<b>Total Operating Expenditures</b>	<b>\$1,443,000.00</b>	<b>\$643,399.56</b>	<b>(\$799,600.44)</b>
<b>TRANSFER TO (FROM) RESERVES</b>			
80100 Contribution to Reserves	\$292,000.00	\$0.00	(\$292,000.00)
Transfer to (from) Reserves	\$292,000.00	\$0.00	(\$292,000.00)
<b>NET OPERATING REV. (EXP.)</b>	<b>\$40,000.00</b>	<b>\$314,260.35</b>	<b>\$274,260.35</b>
<b>CAPITAL REVENUE</b>			
41710 Contribution from Reserves	\$325,000.00	\$0.00	(\$325,000.00)
<b>Total Capital Revenue</b>	<b>\$325,000.00</b>	<b>\$0.00</b>	<b>(\$325,000.00)</b>
<b>CAPITAL EXPENDITURES</b>			
71357 Kingsville Sanitary Master Plan	\$65,000.00	\$0.00	(\$65,000.00)
71359 Peterson Sanitary Sewer	\$0.00	\$5,877.71	\$5,877.71
71656 Fuel System Upgrades	\$0.00	(\$570.46)	(\$570.46)
71757 OCWA - LSW Treatment Plant C	\$182,000.00	\$31,016.41	(\$150,983.59)
71758 OCWA - Kingsville Lagoons Capi	\$78,000.00	\$0.00	(\$78,000.00)
<b>Total Capital Expenditures</b>	<b>\$325,000.00</b>	<b>\$36,323.66</b>	<b>(\$288,676.34)</b>
<b>TRANSFER TO RESERVES</b>			
80300 Transfer to Capital Reserve	\$40,000.00	\$0.00	(\$40,000.00)
<b>Total Transferred to Capital Re</b>	<b>\$40,000.00</b>	<b>\$0.00</b>	<b>(\$40,000.00)</b>
<b>LONG-TERM DEBT REPAYMENTS</b>			

Town of Kingsville  
Sewer- Kingsville  
For the Six Months Ending June 30, 2017

<u>Acct No.</u>	<u>2017 Budget</u>	<u>2017 Actual</u>	<u>Variance</u>
NET CAPITAL REV. / (EXP.)	<u>(\$40,000.00)</u>	<u>(\$36,323.66)</u>	<u>\$3,676.34</u>
NET SURPLUS / (DEFICIT)	<u>\$0.00</u>	<u>\$277,936.69</u>	<u>\$277,936.69</u>



Town of Kingsville  
Sewer- Cottam  
For the Six Months Ending June 30, 2017

<u>Acct No.</u>		<u>2017 Budget</u>	<u>2017 Actual</u>	<u>Variance</u>
	<b>OPERATING REVENUES</b>			
40854	G.N. Sewage	\$192,000.00	\$93,417.59	(\$98,582.41)
41310	Penalties & Interest	\$1,200.00	\$594.15	(\$605.85)
	<b>Total Operating Revenue</b>	<b>\$193,200.00</b>	<b>\$94,011.74</b>	<b>(\$99,188.26)</b>
	<b>OPERATING EXPENDITURES</b>			
60314	Utilities	\$11,000.00	\$5,118.05	(\$5,881.95)
60323	Write Offs	\$1,335.00	\$0.00	(\$1,335.00)
60327	Communication	\$600.00	\$288.90	(\$311.10)
63052	Property Taxes (PIL - Mun. & Co	\$3,100.00	\$0.00	(\$3,100.00)
64360	OCWA Billings	\$72,500.00	\$34,839.76	(\$37,660.24)
64361	OCWA Billings Lagoon	\$10,000.00	\$0.00	(\$10,000.00)
64365	Sanitary Sewer Maint	\$5,000.00	\$4,343.19	(\$656.81)
	<b>Total Operating Expenditures</b>	<b>\$103,535.00</b>	<b>\$44,589.90</b>	<b>(\$58,945.10)</b>
	<b>TRANSFER TO (FROM) RESERVES</b>			
80100	Contribution to Reserves	\$31,680.00	\$0.00	(\$31,680.00)
80500	Year-end Deficit	\$154,710.00	\$0.00	(\$154,710.00)
	<b>Transfer to (from) Reserves</b>	<b>\$186,390.00</b>	<b>\$0.00</b>	<b>(\$186,390.00)</b>
	<b>NET OPERATING REV. (EXP.)</b>	<b>(\$96,725.00)</b>	<b>\$49,421.84</b>	<b>\$146,146.84</b>
	<b>CAPITAL REVENUE</b>			
	<b>CAPITAL EXPENDITURES</b>			
71759	OCWA - Cottam Lagoons Capital	\$53,000.00	\$0.00	(\$53,000.00)
	<b>Total Capital Expenditures</b>	<b>\$53,000.00</b>	<b>\$0.00</b>	<b>(\$53,000.00)</b>
	<b>TRANSFER TO RESERVES</b>			
	<b>LONG-TERM DEBT REPAYMENTS</b>			
	<b>NET CAPITAL REV. / (EXP.)</b>	<b>(\$53,000.00)</b>	<b>\$0.00</b>	<b>\$53,000.00</b>
	<b>NET SURPLUS / (DEFICIT)</b>	<b>(\$149,725.00)</b>	<b>\$49,421.84</b>	<b>\$199,146.84</b>

2017 CAPITAL BUDGET STATUS LOG																	
	Project Description	Account	Budget Total	Staff Contact	Approved Budget Adjustment	Estimated Start Date	Estimated End Date	Status Update - Q1	Status Update - Q2	Status Update - Q3	Status Update - Q4	Change Orders	Amount of Change Orders	Forecasted Spent to Date	Actual Spent to Date (Entered by Finance)	Project Projected to Remain on/under Budget?	Budget Variance (Based on Forecasted)
	GEN ADMIN - Strategic Plan Completion	01-112-360-71505	\$ 3,500	Peggy		Jan 10 2017	In Progress	Motion to Table	Meeting to be held June 27, 2017						\$ 414		
	GEN ADMIN - DC Study Update	01-112-360-71718	\$ 50,000	Sandra		March/April	December	Obtained Proposal from Watson	In progress								
	GEN ADMIN - Diamond Enhancements (Phase 1 of 3)	01-112-360-71719	\$ 7,000	Sandra		On hold	On hold	Considering postponing to 2018	Will be postponed to 2018								
	GEN ADMIN - Non Union Pay Equity Mtce Review	01-112-360-71720	\$ 5,000	Peggy		May-17	Sep-17	Waiting to hire HR Manager	Waiting to hire HR Manager								
	GEN ADMIN - Union Pay Equity Full Review (\$10,000 paid by	01-112-360-71721	\$ 5,000	Peggy		May-17	Sep-17	Waiting to hire HR Manager	Waiting to hire HR Manager								
	GEN ADMIN - Physician Recruitment	01-112-360-71743	\$ 65,000	Peggy		Jan 10 2017	Dec-17	Discussions									
	IT - Licensing for new hires	01-114-360-71663	\$ 3,000	Tony		Jan 10 2017	Jan 20 2017	completed	completed						\$ 2,595		
	IT - Laptop - Fire Part Time	01-114-360-71701	\$ 2,100	Tony		preapproved	Dec 20 2016	completed	completed				coded to	1525	\$ 1,323		
	IT - Workstation - PW/Env Service Supervisor	01-114-360-71702	\$ 950	Tony		preapproved	Dec 20 2016	completed	completed				coded to	854	\$ 854		
	IT - Municipal Phone System Replacement	01-114-360-71703	\$ 34,000	Tony		March 1 2017	April 1 2017	completed	completed						\$ 2,841		
	IT - New Server VMWARE Host and back up licence	01-114-360-71704	\$ 14,000	Tony		Feb 1 2017	Feb 28 2017	completed	completed					13809	\$ 12,810		
	IT - Citrix/Terminal server transition	01-114-360-71705	\$ 11,300	Tony		Feb 15 2017	June 30 2017	in progress	testing currently underway, thin client users					8237	\$ 8,267		
	IT - Network Assessment	01-114-360-71706	\$ 12,000	Tony		June 21 2017		Awarded	in progress, internal completed, external								
	IT - Large Format plotter	01-114-360-71707	\$ 11,000	Tony		Jan 10 2017	Feb 1 2017	completed	completed						\$ 10,413		
	IT - Radio upgrade - Fire hall	01-114-360-71708	\$ 5,200	Tony		May 15 2017	?	no update	waiting on tower status								
	IT - Workstation - Computer Technician	01-114-360-71709	\$ 950	Tony		Feb 1 2017	March 9 2017	completed	completed						\$ 853		
	IT - Workstation - GIS Technician	01-114-360-71710	\$ 950	Tony		Feb 1 2017	March 9 2017	completed	completed						\$ 1,280		
	IT - Workstation - Planner	01-114-360-71711	\$ 950	Tony		Feb 1 2017	March 9 2017	completed	completed						\$ 853		
	IT - Everbridge Notification System	01-114-360-71712	\$ 9,000	Tony		April 1 2017	?	Consultation Mtg Held with Staff	completed go live date June 14 2017						\$ 8,828		
	IT - Workstation - Manager M.S.	01-114-360-71713	\$ 950	Tony		Feb 1 2017	March 9 2017	completed	completed						\$ 853		
	IT - Workstation - Laserfiche Scanning	01-114-360-71714	\$ 1,500	Tony		Feb 1 2017	March 9 2017	completed	completed						\$ 1,295		
	IT - Records Retention System - TOMRMS plus integration	01-114-360-71715	\$ 10,000	Tony		March 1 2017	?	training completed May 11	waiting on Thinkdox					7530	\$ 8,111		
	IT - Adobe Professional Licenses (3 + 1 laserfiche licences)	01-114-360-71716	\$ 2,200	Tony		Jan 10 2017	Feb 28 2017	completed	completed						\$ 2,059		
	IT - Website Replacement (kingsville.ca, FOL, Mig Fest	01-114-360-71717	\$ 40,000	Tony		March 3 2017	December 10 2017	RFP posted	Awarded, design in progress								
	FIRE - Traffic Pre-Emption Installation	01-121-360-71616	\$ 12,000	Chuck		In Progress	June 30 2017	Installation Stalled	Sourcing new installer								
	FIRE - Aerial Truck (assumes used truck)	01-121-360-71722	\$ 450,000	Chuck		In Progress	June 30 2017	Arrived	preparing to put in service						\$ 436,086		
	FIRE - Extractor Washing Machine	01-121-360-71723	\$ 8,500	Chuck		July-10-17	July-10-17	Completed	completed						\$ 8,488		
	PW - Road 2 W Bridge #28 over Wigle Creek	01-130-360-71339	\$ 700,000	Andrew		May 29th	September	Tendered	Under Construction						\$ 16,547	Under	
	PW - CWATS Kings13B (Phase 2 of 3)	01-130-360-71542	\$ 361,144	Andrew		July	September	Pre-Tender	Pending start of Construction							On	
	MS - Lakeview Ave Completion	01-130-360-71545	\$ 100,000	Andrew		May/June	June/July	Pre-Design	In Progress						\$ 8,779	On	
	PW - Esseltine Drain	01-130-360-71547	\$ 4,072,005	Andrew		TBD	TBD	Engineering	Engineering						\$ 320,549		
	PW - CWATS Kings9 (OMCIP Phase 2 of 2)	01-130-360-71618	\$ 314,605	Andrew		June	July	Tendered	Under Construction							On	
	PW - Cottam Storm - Klundert SWM pond	01-130-360-71621													\$ 593		
	PW - Road Programs (See Appendix D)	01-130-360-71724	\$ 820,000	Andrew		April/May	June/July	Construction	Under Construction						\$ 338,708	On	
	MS - Park Street Reconstruction (PW)	01-130-360-71744	\$ 1,496,000	Andrew		August	December	Engineering	Pre-Tender Engineering						\$ 8,740	On	
	PW - Bridge #014 - Road 10 over Paterson Drain -	01-130-360-71745	\$ 33,000	Andrew		2018	2018	Engineering	Engineering							On	
	PW - Bridge #030 - Road 5 W over West Townline Drain -	01-130-360-71746	\$ 57,000	Andrew		2018	2018	Engineering	Engineering							On	
	PW - Development Contribution School Property	01-130-360-71747	\$ -	Andrew		TBD	TBD	TBD	Pending						\$ 2,544		
	PW - Replace - 2006 F-150	01-130-360-71748	\$ 48,000	Andrew		In progress	May-17	Tender	Delivered						\$ 37,217	On	
	PW - Replace - 2006 Sterling 10 ton s/a w/ plow & dump	01-130-360-71749	\$ 170,000	Andrew		In progress	May-17	Tender	Pending							Over	
	PW - Land Acquisition (including legal costs) Jasperson	01-130-360-71750	\$ 60,500	Andrew		June/July	July/August	Pending	Pending								
	PW - Sidewalk Program (See Appendix D)	01-130-360-71751	\$ 124,400	Andrew		June	August/ September	Tendered	Awarded / Sept Start								
	CEM - Greenhill Guard House Improvements	01-151-360-71725	\$ 5,000	Andrew				Spring/Summer	Summer								
	ARENA - Roof maintenance	01-170-360-71628	\$ 8,000	Tim		June	June	Awarded	In Progress						\$ 3,285		
	ARENA - tighten roof bracing to original condition per engineers report	01-170-360-71726	\$ 4,500	Tim		May	May	Awarded	Complete								
	ARENA - Generator	01-170-360-71727	\$ 105,000	Tim		In progress	October	Design Stage	Searching for used unit								
	ARENA - New suction lines in compressor room - TSSA order - must be completed in 2017	01-170-360-71728	\$ 16,000	Tim		In progress	August	Preparing RFP	Complete						\$ 14,861		
	ARENA - Renteknik energy study	01-170-360-71729	\$ 27,000	Tim		In progress	December	Awarded	In Progress						\$ 15,858		
	ARENA - User Group/PRAC request - 8 wall mounted seats	01-170-360-71730	\$ 3,500	Tim				No update	No progress as of yet								
	PARKS - Mettawas Development Phase 1	01-171-360-71154	\$ 20,000	Andrew			June	90% Complete	95% Complete						\$ 9,276	On	
	PARKS - Lakeside Park Box Culvert/Bridge	01-171-360-71428	\$ 25,000	Tim		In progress	Sept / Oct	Pre-Design	Pending								
	PARKS - Playground Equipment Ruthven	01-171-360-71436	\$ 40,000	Tim				On Hold	On Hold								
	PARKS - Final payment Kings Landing	01-171-360-71440	\$ 143,750	Sandra		Completed	Jan-17	Completed	Complete						\$ 143,750		
	PARKS - 1251 Heritage shoreline improvements	01-171-360-71564	\$ 15,000	Andrew		In progress	July / Aug	Pending ERCA	Pending ERCA								
	PARKS - Bernath Gardens Parkland Dev.	01-171-360-71639	\$ -					Design Stage							\$ 619		
	PARKS - Lions Park Drainage	01-171-360-71645	\$ 30,000	Tim				Master Plan to be implemented	RFP out for master plan								
	PARKS - Coghill Park Playground equipment	01-171-360-71732	\$ 50,000	Tim		In progress	August	Pre-Tender	Awarding project soon								
	PARKS - Cottam Rotary Park upgrades pending transfer (risk	01-171-360-71734	\$ 10,000	Tim				Pending	In progress								



# TAX DATA SUMMARY PAGE - 2017

## 2017 Tax Pre-Authorized Payment Transactions - Number of Accounts Processed

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Special	-	1	2	3	3	6							15
Monthly	1,894	1,907	1,904	1,895	1,888	1,878							11,366
Due Date	-	1,141	1	-	1,148	-							2,290
Total	1,894	3,049	1,907	1,898	3,039	1,884	-	-	-	-	-	-	13,671

## 2017 Tax Pre-Authorized Payment Transactions - Transaction Dollars

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Special	-	250	735	1,085	1,085	1,891							5,046
Monthly	484,852	488,526	487,384	484,690	486,249	481,599							2,913,300
Due Date	-	913,245	1,167	-	931,056	-							1,845,468
Total	484,852	1,402,020	489,286	485,775	1,418,391	483,490	-	-	-	-	-	-	4,763,814

## 2017 Tax Certificates Processed

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
39	38	30	46	34	47						

## 2017 Active Tax Registrations

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
10	10	10	19	17	16						

## 2017 Number of Properties Removed from Tax Sale Status as Result of Successful Collections

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
-	-	-	2	1	2						

## 2017 Number of Tax Arrears Letters Printed

	Mar	Jun	Sep	Dec	Average
2017	911	1,020			

## 2017 Number of Tax Bills Printed

	Interim	Final	Supp #1	Supp #2	Supp #3	Mini Supps
2017	9,601	9,651	126			6

## 2017 Supp Billing Revenue (Municipal Only)

	Supp #1	Supp #2	Supp #3	Mini Supps
2017	97,107			4,254

## Write-Offs Processed in 2017 (# of Transactions)

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Heritage	-	-	-	25	-	-							25
Vacancy	-	-	-	6	-	-							6
Charity	4	-	2	-	-	-							6
Low Income	2	-	-	-	-	-							2
Other	1	-	91	-	-	9							101
Total	7	-	93	31	-	9	-	-	-	-	-	-	140

## Write-Offs Processed in 2017 (Municipal \$ Impact)

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Heritage	-	-	-	15,564	-	-							15,564
Vacancy	-	-	-	2,741	-	-							2,741
Charity	1,414	-	893	-	-	-							2,306
Low Income	5,182	-	-	-	-	-							5,182
Other	11	-	30,969	-	-	80,082							111,061
Total	6,606	-	31,861	18,305	-	80,082	-	-	-	-	-	-	136,854

MONTHLY WATER BILLING SUMMARY 2017													
	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	Total
<b>REMINDERS:</b>													
1 BILL - GS		367	116		356	96							935
2 BILL - GS		129	78		120	73							400
1 BILL - GN	24		136	45		126							331
2 BILL - GN	24		82	53		64							223
1 Bill - King	232	95		285	99								711
2 Bill - King	137	73		116	75								401
Finals	30	29	23	22	21								125
Total Reminder Notices	447	693	435	521	671	359	0	0	0	0	0	0	3,126
SHUT OFF NOTICES	45	27	16	34	26	20							168
<b>BILLINGS:</b>													
GOSFIELD SOUTH	3603			3614									7,217
GOSFIELD NORTH		1431			1430								2,861
KINGSVILLE			2949			2964							5,913
<b>FINALS</b>	30	31	40	45	59	50							255
<b>SHUT OFFS....</b>													
Actual Shut-offs	1	3	4	1	0	2							11
Paid in full (exc. Shut-offs)	5	6	5	2	4	1							23
Sufficient Partial payment	9	34	16	12	25	21							117
Transfer to Taxes	0	0	2	0	1	0							3
Payment Arrangements	1	2	0	1	4	2							10
ORIGINAL LIST	16	45	27	16	34	26	0	0	0	0	0	0	164
<b>LOCATE REQUESTS</b>	120	109	224	336	374	331							1,494
<b>A/R INVOICES:</b>													
WATER	1	0	4	0	0	2							7

**TOWN OF KINGSVILLE INVESTMENTS**  
as of June 30, 2017

<u>Acct Number</u>	<u>Name</u>	<u>Principal</u>	<u>Financial Institution</u>	<u>Type of Instrument</u>	<u>Interest Rate</u>	<u>Term</u>	<u>Maturity</u>	<u>Functional Department</u>	<u>notes</u>	
107-2009	Town of Kingsville	\$ 566,158.11	T/K	Debenture	4.10%	2 years	Dec 30th	ELK	2017	Ruthven
143-2011	Town of Kingsville - Annuity	\$ 281,136.89	T/K	Debenture	5.00%	5 years	Nov 21st	ELK	2017	SSP 2010
18-2015	Town of Kingsville - Annuity	\$ 661,077.60	T/K	Debenture	2.83%	8 years	March 10th	ELK	2018	Ruthven Sani
72-2016	Town of Kingsville - Annuity	\$ 208,157.34	T/K	Debenture	3.25%	4 years	Dec 30th	ELK	2017	Wigle
72-2016	Town of Kingsville - Annuity	\$ 25,362.56	T/K	Debenture	5.00%	9 years	Dec 30th	ELK	2017	Wigle
73-2016	Town of Kingsville - Annuity	\$ 21,745.56	T/K	Debenture	2.25%	2 years	Dec 30th	ELK	2017	Drain
73-2016	Town of Kingsville - Annuity	\$ 93,595.18	T/K	Debenture	3.25%	5 years	Dec 30th	ELK	2017	Drain
73-2016	Town of Kingsville - Annuity	\$ 13,950.34	T/K	Debenture	5.00%	10 years	Dec 30th	ELK	2017	Drain
47-2017	Town of Kingsville - Annuity	\$ 167,305.76	T/K	Debenture	2.25%	2 years	Dec 30th	ELK	2017	Drain
47-2017	Town of Kingsville - Annuity	\$ 280,067.24	T/K	Debenture	3.25%	5 years	Dec 30th	ELK	2017	Drain
47-2017	Town of Kingsville - Annuity	\$ 51,446.06	T/K	Debenture	4.50%	10 years	Dec 30th	ELK	2017	Drain
00089-5612976	Cottam Cemetery	\$ 3,879.86	CIBC	GIC	0.50%	1 year	Oct. 17/17	Cottam Cem.	no renew	
00077-2330972	T/K Migration Festival	\$ 7,045.08	CIBC	GIC	0.50%	1 year	Aug 23/17		no renew	
4321-8559469-01	T/K Migration Festival	\$ 10,907.94	TD	GIC	1.26%	1 year	Apr 3/18			
4321-8541021-03	Town of Kingsville	\$ 3,000,000.00	TD	GIC	1.21%	94 days	July 6/17	Operating		
4321-8541021-01	Town of Kingsville	\$ 2,310,600.36	TD	GIC	1.25%	180 days	Sept. 12/17	Loan	Office Expansion & Roads	
4321-8541021-02	Town of Kingsville	\$ 420,305.24	TD	GIC	1.24%	181 days	Sept 27/17	ELK	cached debentures	
4321-8541021-04	Town of Kingsville	\$ 2,000,000.00	TD	GIC	1.24%	182 days	Oct. 4/17	ELK	temp investment	
8T0816A - MLF	Town of Kingsville	\$ 1,277,648.67	TD	Savings	0.75%	n/a	n/a	ELK	30-Jun	
8T0816A - ISA	Town of Kingsville	\$ 215,425.76	TD	Savings	0.75%	n/a	n/a	ELK		
8T0816A - REN	Town of Kingsville	\$ 4,092.32	TD	Savings	0.75%	n/a	n/a	ELK		
		\$ 11,619,907.87								
CEMETERY TRUST										
87-2007	GS Perpetual Care	\$ 2,882.91	T/K	Debenture	5.00%	1 year	Sept 14th	Cem. Trust		
00043-1430675	GN Perpetual Care	\$ 6,674.96	CIBC	GIC	0.60%	1 year	Jul 20/17	Cem. Trust	no renew	
00027-9145578	Perpetual Care	\$ 10,886.36	CIBC	GIC	0.50%	1 year	Jul 31/17	Cem. Trust	no renew	
4321-8559451-01	Perpetual Care	\$ 10,206.05	TD	GIC	1.26%	1 year	Apr 3/18	Cem. Trust		
8T0816A - Cash	Cemetery Trust	\$ 927,828.00	TD	GIC	2.10%	2 years	Jun 8/18	Cem. Trust		
		\$ 958,478.28								
Bank Accounts										
5005121	Cemetery Trust	\$ 130,252.23	TD	Savings		n/a	n/a	Cem. Trust		
5005199	Development Charges	\$ 276,805.70	TD	Savings		n/a	n/a			
5005466	Grants	\$ 11,497.84	TD	Savings		n/a	n/a			

## Municipal Drains - Metrics

Drain Ledger Balance as of December 31, 2016: \$ 2,143,239.33

Drain Ledger Balance as of June 30, 2017: \$ 1,768,505.90

Billed/Closed Projects:	68	\$ 275,150.45	<i>Waiting for payments, tax levy, MTO</i>
Open "Works in Progress" Projects:	39	\$ 1,007,371.54	<i>Includes Phragmites program</i>
Open/Held with Engineering:	25	\$ 485,983.91	<i>Engineered projects or maintenance that require a new schedule</i>
			<i>Esseltine (01-130-360-71547) is currently \$320,548.95</i>

Outstanding Grants (unpaid as of June 30, 2017):

2016 Superintendent Grant:	\$ 34,988.65
2016 Construction:	\$ 34,255.82
2016 Maintenance:	\$ 201,175.09
	<u>\$ 270,419.56</u>

*Accrued to 01-000-006-12132*

### 2017 Activity as of June 30, 2017

Drain Projects Billed/Closed:	22	
Actual Cost of Drainage Works:		\$ 388,536.21
Value of Grant Applications:		\$ 25,512.03
Total Poperties/Roads Assessed:	487	
Cost of Works (net grant):		\$ 362,997.18
Number of Town/Road Assessments:	22	
Value of Town/Road Assessments:		\$ 47,849.41
Number of Assessments "Under \$10":	92	
Value of "Under \$10" Assessments:		\$ 449.31
Actual Number of Invoices Issued:	373	
Actual Value of Invoices Issued:		\$ 314,698.46

### 2016 Activity Recap

Drain Projects Billed/Closed:	62	
Actual Cost of Drainage Works:		\$ 2,014,158.76
Value of Grant Applications:		\$ 269,798.46
Total Poperties/Roads Assessed:	2,895	
Cost of Works (net grant):		\$ 1,737,548.29
Number of Town/Road Assessments:	104	
Value of Town/Road Assessments:		\$ 273,719.79
Number of Assessments "Under \$10":	956	
Value of "Under \$10" Assessments:		\$ 3,595.15
Actual Number of Invoices Issued:	1,835	
Actual Value of Invoices Issued:		\$ 1,460,233.35



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kingsvilleworks@kingsville.ca

**Date:** August 14, 2017  
**To:** Mayor and Council  
**Author:** Kevin Girard, Manager of Municipal Services  
**RE:** Overage on CWATS – Kings 13B  
**Report No.:** MS 2017-37

---

## **AIM**

To provide an update on the recent tender closing of the CWATS Kings 13B project (County Road 20: Phase 3).

## **BACKGROUND**

The CWATS Kings 13B project is now in the third of four phases. The third phase being the completion of the cycling lanes behind v-type curbs on the north and south side of County Road 20 from Whitewood Road to County Road 45 (Union Avenue). The subsequent phase will be the completion of the Kings 13B project from County Road 45 to Dimenna Drive.

## **DISCUSSION**

The original estimate for the project through the CWATS Active Transportation Master Plan and the County of Essex was \$547,187.00 plus a \$54,719.00 contingency allowance for a total budget of \$601,906.00. The Town's portion only being 60% of the total value for a cost of \$361,144.00, which is the value found in the approved 2017 capital budget.

Since the original budget, a pre-tender meeting between the Town and the County with the addition of David Archer of RC Spencer (Project Engineer) was organized to discuss the most recent estimate provided in the attached.

The recent estimate from RC Spencer showed a project estimate of \$686,238.00 of which the Town would be responsible for \$411,743.00 translating to an overage of \$50,599.00. It should be noted that this overage does not include the 60% costs associated with HST or engineering fees from RC Spencer. After discussion with the Director of Financial Services



of the potential overages that the additional costs could be funded elsewhere, but to allow the tender to proceed to obtain more accurate costs.

On July 7<sup>th</sup>, the tender closed with the low bidder being Pierascenzi Construction Ltd. with a total bid price of \$757,111.00 not including HST, see the attached letter of recommendation from RC Spencer. Included in this price are the costs for traffic signal improvements at the intersection of County Road 45 and County Road 20 that Municipal Services expressed concerns that they should be funded 100% by the County, which the County has agreed. The value of the improvements being \$44,870.00, resulting in a total tender price to the Town of \$712,241.00 of which the Town would fund \$427,344.00. This translates to an overage of \$66,201.00 above the approved 2017 capital budget. Again, these overages do not include the 60% costs associated with engineering fees from RC Spencer or HST burden to the Town. The design fees provided by RC Spencer for phase 3 are in the amount of \$35,100.00 plus contract administration fees which the County estimates as 15% of the construction costs for a value of \$64,101.60.

## LINK TO STRATEGIC PLAN

Provide safe, adequate and affordable municipal services and infrastructure.

## FINANCIAL CONSIDERATIONS

The total value estimated to impact the 2017 capital budget is as follows:

Construction Tender Costs (less signals)	\$ 427,344.00
Engineering Design Fees	\$ 35,100.00
<u>Estimated Engineering Inspection Fees (15%)</u>	<u>\$ 64,101.60</u>
Subtotal	\$ 526,545.60
<u>HST Burden</u>	<u>\$ 9,267.20</u>
<b>Total Impact on 2017 Budget</b>	<b>\$ 535,812.80</b>
<u>2017 Capital Budget</u>	<u>\$ 361,144.00</u>
Total Overage	\$ 174,668.80

The total estimates overage of the CWATS Kings 13B project is approximately \$174,668.80. These overages can be absorbed through the savings the following projects:

Bridge #28	\$ (130,711.00)
<u>CWATS Kings 9 (CR50)</u>	<u>\$ (76,337.00)</u>
<b>Total</b>	<b>\$ (207,048.00)</b>

From the above projects, we have experienced approximately \$207,048.00 in savings from the capital budget, which should compensate for the \$174,668.80 in overages of the CWATS Kings 13B project.

## CONSULTATIONS

Director of Municipal Services  
Director of Financial Services  
Manager of Public Works

## RECOMMENDATION

That Council authorize the County of Essex to award the CWATS Kings 13B project to Pierascenzi Construction Ltd and that the funding for the overages of this project be taken from the surplus for Bridge #28 and CWATS Kings 9 projects.

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



**RC SPENCER ASSOCIATES INC.**  
Consulting Engineers

10 July 2017  
File No.: 16-585

The Corporation of the County of Essex  
360 Fairview Avenue West  
Essex, Ontario N8M 1Y6

**Attn: Ms. Jane Mustac, P.Eng.**  
**Manager of Transportation Planning**

**Re: County Road 20 – Active Transportation Pathway – Phase 3**  
**Kingsville – 13B**  
**Tender Results**

---

Dear Jane:

Tender submissions for the County Road 20 – Active Transportation Pathway - Phase 3 were received on 7 July 2017. The results of the tender submissions are listed below in ascending order:

<u>Contractor</u>	<u>Bid</u>
Pierascenzi Construction Limited	\$ 757,111.00
Amico Infrastructures Inc.	\$ 910,750.00

We have checked the tender submission summary and determined that the low bid of \$757,111.00 submitted by Pierascenzi Construction Limited is within the anticipated range. The preliminary Engineer's estimate is \$768,993.00 (enclosed).

Pierascenzi Construction Limited is a locally based company with many years of successful experience in the construction industry. We have full confidence in the ability of Pierascenzi Construction Limited to complete this project within the time lines specified.

We would recommend that the Corporation of the County of Essex enter into an agreement with Pierascenzi Construction Limited to complete the County Road 20 – Active Transportation Pathway – Phase 3 project as specified.

We trust that this is sufficient for your current needs; however, should questions arise, please call.

Yours Truly,  
RC Spencer Associates Inc.

David M. Archer, P.Eng.  
Project Manager

cc: Peter Bziuk  
Kevin Girard





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[kingsvilleworks@kingsville.ca](mailto:kingsvilleworks@kingsville.ca)

**Date:** July 27, 2017

**To:** Mayor and Council

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

**RE:** Kingsville 5 year Official Plan Review RFP Response

**Report No.:** PDS 2017 - 036

---

## **AIM**

To provide Council with an overview of results from response received to the Town of Kingsville Website RFP.

## **BACKGROUND**

The current Kingsville Official Plan received final approval from the County of Essex in February of 2012. Under the Planning Act planning authorities are required to review their Official Plan on a regular basis or a minimum of every five years. Therefore as of February of 2017 it became mandatory for Planning Service to initiate the 5 year review process. A Request of Proposal was drafted and posted to the Bids and Tenders website on June 2, 2017 at 9:00 AM and closed July 7, 4:30 PM.

## **DISCUSSION**

The Town received a total of 4 responses to the 5 year review RFP. All responses were rated against the following criteria:

ITEM	QUALIFICATION CRITERIA	POINTS
1	<b>Understanding of Assignment Objectives</b>	20 pts
	Responsiveness to the RFP, completeness/comprehensiveness of submission.	
	Demonstrated full understanding of the project objectives and the services to be provided.	
2	<b>Project Team</b>	20 pts
	Experience of company and staff assigned to the project.	
	Past experience with similar projects, including three (3) references and contact and information.	
3	<b>Quality of Work</b>	20 pts
	A favourable assessment by other municipal clients that have undertaken a similar assignment with a relative scope.	
	Quality Control Systems to ensure the highest quality of work and services.	
4	<b>Work Plan</b>	20 pts
	Approach and methodology for project.	
	Project timeline schedule and detailed work chart.	
5	<b>Financial</b>	20 pts
	Total of all professional fees to be invoiced to the Town for the complete assignment.	
	Resource allocation.	
<b>OVERALL TOTAL</b>		<b>100 pts</b>

Each of the scoring tables are attached as Appendix 'A'. Based on the above criteria, the consultant that scored the highest was WSP Canada Group Limited from Thornhill, Ontario with 83 out of a possible 100 points. WSP has had extensive experience with the preparation and review of Official Plans including in the County of Essex doing extensive work for the Town of Lakeshore. This provides them with a solid background in the County including a working understanding of the unique nature of this area.

## LINK TO STRATEGIC PLAN

The 5 year Official Plan Review supports the following in the Strategic Plan:

Manage growth through sustainable planning.

## **FINANCIAL CONSIDERATIONS**

Kingsville Council approved \$75,000 in the 2017 Capital Budget to complete the 5 year Official Plan process. That has been allocated to three specific areas of the process as follows:

\$5,000 toward the preparation of the Work Plan and RFP;

\$10,000 toward the cost of the preparation of a Natural Heritage Discussion Paper by The Essex Region Conservation Authority (this is necessary to help provide guidance to the Town and contractor on updates to the Natural Heritage policies in the Official Plan.);

\$60,000 toward the completion of the 5 year review process.

## **CONSULTATIONS**

CAO

## **RECOMMENDATION**

Council approve Administration to award the completion of the Town of Kingsville 5 year Official Plan review to WSP Canada Group Limited, Thornhill Ontario at a cost of \$57,430 plus applicable taxes

*Robert Brown*

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

*Peggy Van Mierlo-West*

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

**WSP Canada Group Limited**

ITEM	QUALIFICATION CRITERIA	POINTS
1	<b>Understanding of Assignment Objectives</b>	17 pts
	Responsiveness to the RFP, completeness/comprehensiveness of submission.	
	Demonstrated full understanding of the project objectives and the services to be provided.	
2	<b>Project Team</b>	17 pts
	Experience of company and staff assigned to the project.	
	Past experience with similar projects, including three (3) references and contact and information.	
3	<b>Quality of Work</b>	16 pts
	A favourable assessment by other municipal clients that have undertaken a similar assignment with a relative scope.	
	Quality Control Systems to ensure the highest quality of work and services.	
4	<b>Work Plan</b>	17 pts
	Approach and methodology for project.	
	Project timeline schedule and detailed work chart.	
5	<b>Financial</b>	16 pts
	Total of all professional fees to be invoiced to the Town for the complete assignment.	
	Resource allocation.	
<b>OVERALL TOTAL</b>		<b>83 pts</b>

**Cost - \$57,430 plus HST**

**GSP Group**

ITEM	QUALIFICATION CRITERIA	POINTS
1	<b>Understanding of Assignment Objectives</b>	14 pts
	Responsiveness to the RFP, completeness/comprehensiveness of submission.	
	Demonstrated full understanding of the project objectives and the services to be provided.	
2	<b>Project Team</b>	18 pts
	Experience of company and staff assigned to the project.	
	Past experience with similar projects, including three (3) references and contact and information.	
3	<b>Quality of Work</b>	15 pts
	A favourable assessment by other municipal clients that have undertaken a similar assignment with a relative scope.	
	Quality Control Systems to ensure the highest quality of work and services.	
4	<b>Work Plan</b>	16 pts
	Approach and methodology for project.	
	Project timeline schedule and detailed work chart.	
5	<b>Financial</b>	17 pts
	Total of all professional fees to be invoiced to the Town for the complete assignment.	
	Resource allocation.	
<b>OVERALL TOTAL</b>		<b>80 pts</b>

**Cost - \$60,000 plus HST**



**Dillon Consulting**

ITEM	QUALIFICATION CRITERIA	POINTS
1	<b>Understanding of Assignment Objectives</b>	16 pts
	Responsiveness to the RFP, completeness/comprehensiveness of submission.	
	Demonstrated full understanding of the project objectives and the services to be provided.	
2	<b>Project Team</b>	16 pts
	Experience of company and staff assigned to the project.	
	Past experience with similar projects, including three (3) references and contact and information.	
3	<b>Quality of Work</b>	14 pts
	A favourable assessment by other municipal clients that have undertaken a similar assignment with a relative scope.	
	Quality Control Systems to ensure the highest quality of work and services.	
4	<b>Work Plan</b>	16 pts
	Approach and methodology for project.	
	Project timeline schedule and detailed work chart.	
5	<b>Financial</b>	15 pts
	Total of all professional fees to be invoiced to the Town for the complete assignment.	
	Resource allocation.	
<b>OVERALL TOTAL</b>		<b>77 pts</b>

**Cost - \$58,275 plus HST**

## Jackie Lassaline Planning

ITEM	QUALIFICATION CRITERIA	POINTS
1	<b>Understanding of Assignment Objectives</b>	14 pts
	Responsiveness to the RFP, completeness/comprehensiveness of submission.	
	Demonstrated full understanding of the project objectives and the services to be provided.	
2	<b>Project Team</b>	13 pts
	Experience of company and staff assigned to the project.	
	Past experience with similar projects, including three (3) references and contact and information.	
3	<b>Quality of Work</b>	13 pts
	A favourable assessment by other municipal clients that have undertaken a similar assignment with a relative scope.	
	Quality Control Systems to ensure the highest quality of work and services.	
4	<b>Work Plan</b>	15pts
	Approach and methodology for project.	
	Project timeline schedule and detailed work chart.	
5	<b>Financial</b>	18 pts
	Total of all professional fees to be invoiced to the Town for the complete assignment.	
	Resource allocation.	
<b>OVERALL TOTAL</b>		<b>73 pts</b>

**Cost - \$52,635 plus HST**



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**Date:** July 31, 2017  
**To:** Mayor and Council  
**Author:** Peggy Van Mierlo-West, CAO  
**RE:** Cedar Beach and Marina Action Plan  
**Report No.:** CAO 2017-009

---

## **AIM**

To provide Council with the Cedar Beach and Marina Action Plan for review and approval.

## **BACKGROUND**

The Cedar Beach and Marina Action Plan represents a guide to the development and operation of the municipal marina and Cedar Island Beach area. The Plan was developed in partnership with various stakeholders including, homeowners, community groups and Council. It will help ensure the viability of the marina, which in turn will have a positive economic impact for the community. Through public meetings, online surveys and meetings with stakeholders the plan recommends Short, Medium and Long Term goals. These goals follow the SMART principle of planning.

## **DISCUSSION**

The Town of Kingsville Committee was established as a forum to provide advice and direction to the Municipal Council on issues affecting the municipal marina and beach area. The Committee is comprised of two Councilors' and the Mayor. Public stakeholder sessions occur on an annual basis. Members invited to these meetings include individuals who own property adjacent to the area, recreational boaters who dock within the marina, representatives of the yacht club, and owners of private businesses who have an interest in harbour operations.

As a part of its mandate, the Town of Kingsville Council tasked the Committee with the following areas of responsibility:

- Review the scope of short and long term harbour plans.
- Develop overarching principles to guide the evolution of the harbours.

- Develop partnerships and collaborative approaches to issue resolution.
- Improve Stakeholder engagement.
- Identify needs of various marina and beach users.
- Seasonal and transient docking options.
- Review of the necessity for gas services.
- Response to low water conditions.
- Explore possible avenues for harbour funding programs.
- Explore changes to business operations

To further these goals, the Committee initiated a Community Consultation exercise with a purpose to develop a long range planning document to advise Council on short and long term goals for the Municipality's marina and beach area.

The Committee undertook a methodical approach, and completed a seven step process to develop a Plan for the municipal marina and upstream harbour areas. These steps included:

- Readiness assessment and planning.
- Review and clarify committee mandate.
- Review and determine the mission and values.
- Internal and external environment scan/SWOT analysis.
- Detailed review of strategic issues.
- Strategy development.
- Draft plan.

The Draft plan was made available online for 2 weeks. It was advertised on social media, email and electronic sign. There were three comments received from the public regarding the draft plan.

These comments included;

*"I'm a Kingsville (Heritage Road) resident. I was on the Town website this afternoon and saw the Cedar Island Beach And Marina Action Plan. I had a quick look at it and have a few comments. I wonder if the SWOT analysis fails to recognize 'beach closures' as a significant weakness for Cedar Island Beach? Or, at the very least, as an external threat? Addressing non-point sources of pollution, like failing septic, and point sources, like combined sewer overflows, and better understanding the reasons for high e-coli counts at local beaches should be a priority for the Town of Kingsville - and all Essex County municipalities - at least in the long-term. Both 'beautiful beaches' and 'fishing' are identified as strengths but, currently, there are unsafe swimming condition warnings at both Cedar Beach and Cedar Island Beach. This seems contrary to the mission statement that the 'Town of Kingsville will provide safe, functional, and attractive Marina and beach area'."*

The Town did complete its sewer separation program in 2016. As discussed with the Health Unit there are a few points that impede on water quality, such as wind direction, air and water temperature, agriculture run off etc.

*"Just looking at the action plan for the marina. Does engineering of the road include the parking lot. Some order might be nice considering the length of the space"*

*required for a truck with a trailer in tow. Plus this would prevent destruction of the ground during wetter weather. Better lighting demarcating the corners of the ramp for hauling boats out after dark”*

The consultant who will be completing the proposed masterplan will be provided this report and comments from the input sessions.

*“It is wonderful to know that Kingsville is going to be making an effort to improving the Marina area. The concerns we have are the public safety as there are numerous families that walk to the marina on the side of the road and have witnessed the traffic literally racing over the bridge, perhaps a speed bump could help. As the bridge is in need of repair not to mention the noxious weeds growing out of control. We turn to go down the road into the Marina and the road is in such bad repair that the water laying over the road makes it very difficult to get around but also allowing this to become a breeding ground for mosquitoes, could be a potential health issue. We also question why there are permanent buildings(a bar and sun shelter) allowing to remain there, we have observed partying and drinking done on Kingsville property, as far as we have seen none of this is allowed in any other marinas. We also noticed that some of the boat slips across the canal from the beach area have slowly deteriorated from not being used. The beach area could use a pavilion for family gatherings but we do appreciate the barbeques and the fantastic new washrooms! We are very proud to be living so close to the marina here in Kingsville, hopefully some of the concerns I have mentioned may take place and spruce up this diamond in the rough! Oh yes the people who are maintaining the area a big “THANK YOU” it has been kept so clean making the garbage in the canal less and less each year.”*

Safety and traffic will be reviewed through the masterplan development.

The attached document proposed Short, Medium and Long Term planning for the area. These were also developed from requests from the comments received.

## **LINK TO STRATEGIC PLAN**

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

## **FINANCIAL CONSIDERATIONS**

The attached action plan will be incorporated within the annual operational and capital budget for discussion.

## **CONSULTATIONS**

Stakeholders  
Manager of Facilities and Properties  
Manager of Programs  
Marina Committee

## RECOMMENDATION

That Council approve the attached Cedar Beach and Marina Action Plan and that the plan be incorporated within the upcoming budget discussions.

*Peggy Van Mierlo-West*

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



## Cedar Beach and Marina Action Plan

Developed in partnership with the Town of Kingsville, the Kingsville Marina Committee and Community Stakeholders

## Executive Summary

The Cedar Beach and Marina Action Plan represents a guide to the development and operation of the municipal marina and Cedar Island Beach area. The Plan was developed in partnership with various stakeholders including, homeowners, community groups and Council. It will help ensure the viability of the marina, which in turn will have a positive economic impact for the community. Through public meetings, online surveys and meetings with stakeholders the plan recommends Short, Medium and Long Term goals. These goals follow the SMART principle of planning;

Specific – target a specific area for improvement.

Measurable – quantify or at least suggest an indicator of progress.

Assignable – specify who will do it.

Realistic – state what results can realistically be achieved, given available resources.

Time-related – specify when the result(s) can be achieved.





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## Cedar Island Marina and Beach

Beach and boating enthusiasts can find a naturally untouched area within the Town of Kingsville at Cedar Island. The municipal marina is open for business from the Victoria Day weekend until Thanksgiving weekend annually.

Cedar Island Marina, located at 982 Heritage Road in the Cedar Island Harbour, offers transient and seasonal boat slips with a public boat launch. Amenities offered include a gas dock, shared public washrooms, electrical, and launch ramp.

Cedar Island Beach, located at 1031 Heritage Road in the Town of Kingsville, provides a community park and picnic area. Amenities offered include shared public washrooms, picnic area, volleyball courts, and access to Lake Erie and playground.

## Marina Committee

The Town of Kingsville Committee was established as a forum to provide advice and direction to the Municipal Council on issues affecting the municipal marina and beach area. The Committee is comprised of two Councilors' and the Mayor. Public stakeholder sessions occur on an annual basis. Members invited to these meetings include individuals who own property adjacent to the area, recreational boaters who dock within the marina, representatives of the yacht club, and owners of private businesses who have an interest in harbour operations.

As a part of its mandate, the Town of Kingsville Council tasked the Committee with the following areas of responsibility:

- Review the scope of short and long term harbour plans.
- Develop overarching principles to guide the evolution of the harbours.
- Develop partnerships and collaborative approaches to issue resolution.
- Improve Stakeholder engagement.
- Identify needs of various marina and beach users.
- Seasonal and transient docking options.
- Review of the necessity for gas services.
- Response to low water conditions.
- Explore possible avenues for harbour funding programs.
- Explore changes to business operations

To further these goals, the Committee initiated a Community Consultation exercise with a purpose to develop a long range planning document to advise Council on short and long term goals for the Municipality's marina and beach area.

The Committee undertook a methodical approach, and completed a seven step process to develop a Plan for the municipal marina and upstream harbour areas. These steps included:

- Readiness assessment and planning.
- Review and clarify committee mandate.
- Review and determine the mission and values.
- Internal and external environment scan/SWOT analysis.
- Detailed review of strategic issues.
- Strategy development.
- Draft plan.

## Mission Statement

A mission statement is an action-oriented formulation of the Municipality's purpose as it relates to marinas and harbours, and answers the following question: "What are we here to do, and why?"

***The Town of Kingsville will provide safe, functional, and attractive  
Marina and beach area to ensure that these are enjoyed to all  
members of the public.***



## SWOT Analysis

### Internal and External Environmental Scan (SWOT Analysis)

As a part of the planning process an internal and external environmental scan was completed to identify:

**Internal Strengths** – Resources or capabilities that the Town of Kingsville, as an organization, possesses that will enable it to accomplish its mission, mandates, and strategic agenda for the Cedar Island Marina and Beach.

**Internal Weaknesses** – Deficiencies in resources or capabilities that may prevent the Town of Kingsville from fulfilling the mission, mandates, and strategic agenda for the harbours. These are internal to the organization/location and can be controlled by the Town.

**External Opportunities** – Outside factors or situations that the Town of Kingsville can leverage to enable the organization to fulfill the mission, mandates, and strategic agenda for the Cedar Island Marina and Beach.

**External Threats/Challenges** – Outside, uncontrollable situations, and factors that can affect the Town of Kingsville in a negative way – making it harder to fulfill mission, mandates, and strategic agenda for the harbours/marina.



### Strengths

- Fishing
- Nature opportunities are nearby
- Boat Launch ramp
- Access to quality beach
- Surrounded by natural environment
- Access to marina services
- Family oriented
- Municipally owned marina
- Large established boating community
- Conservation lands
- Cedar Island Yacht Club
- Marina Committee
- Beautiful Beach
- Knowledgeable staff

### External Opportunities

- Room for expanded facilities at Municipal Marina
- Tie in eco-tourist elements
- Additional programming
- Private/Public partnerships
- Room for expanded facilities by private facility operators
- Marketing to attract transients
- Increase capacity
- Repair vs. rebuilding of infrastructure
- Linkage of municipal assets – Downtown Kingsville, Beach
- Plan for the future – long range plans
- Positive economic impact on the community
- Positive education on environmental issues
- Federal transfer of property

### Weaknesses

- Parking
- Tricky approach to harbour when lake is rough
- Services are not close to docks
- No diesel fuel available
- No Showers
- Infrastructure – docks, launch ramps
- Parking capacity
- Off the map
- Lack of marketing
- Lack of Lighting
- Inconsistent funding/maintenance/planning
- Lack of long term planning
- Funding priorities

### External Threats

- Phragmites
- Expanded private facilities could interfere with civic planning or be at cross-purposes
- Municipal competition
- Community buy-in
- Political Will
- Financial Support
- Lake Levels

## Goals

The definition of goal setting is the process of identifying something that you want to accomplish and establishing measurable goals and timeframes. As part of the review of operations and public input the following items have been categorized within short-term, medium-term and long-term goals.

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### Short Term Goals (1-2 years)

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A short-term goal is proposed to be completed within the next two years. These projects will see an immediate improvement to the area and do not have a large impact on the business unit. These short term goals include: beautification, installation of fencing, installation of wayfinding signage, improved programming and events and improved garbage collection.

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### Medium Term Goals (3-5 years)

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The medium term goals are proposed to be completed within the 3 to 5 year mark of the plan. These are projects which require more planning, time and public input. These include; completion of a masterplan, moving forward on these recommendations, review of operational plans and resources, and development of economic development strategies for small business, installation of Wi-Fi and security cameras.

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### Long Term Goals (6-10 years)

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The long term goals are proposed to be completed within 6 to 10 year mark of the plan and possibly beyond. These goals will require a substantial amount of capital resources and will require assistance from a provincial grant program. These projects will include recommendations from the masterplan, however, projects such as road reconstruction, active transportation initiatives, and marketability will be addressed.





Initiative	Short Term	Medium Term	Long Term
Installation of new garbage containers	X		
Installation of planter boxes at the gas tank	X		
Installation of a fence to visually conceal the gas tank	X		
Installation of new benches	X		
Installation of wayfinding signage	X		
Implementation of programming and events targeted to the area	X		
Complete Marina and Beach Masterplan		X	
Installation of Wi-Fi for boaters		X	
Installation of security measures such as cameras		X	
Installation of landline for Canada Customs		X	
Implementation of Masterplan			X
Engineering and Design of road			X
Implementation of Economic Development Attraction plan			X
Implementation of Marketing campaign			X
Design and implementation of Active Transportation program			X

## Review

The plan will be reviewed on an annual basis by the Marina Committee and staff for implementation and provision within the operational and capital budgeting process, and status updates. Annual open houses will also occur for resident input and to provide updates to the plan.







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**Date:** July 25<sup>th</sup>, 2017  
**To:** Mayor and Council  
**Author:** Peggy Van Mierlo-West, CAO  
**RE:** Supervisor of Municipal Facilities and Properties

---

### **AIM**

Obtain Council approval of the Supervisor of Municipal Facilities and Properties job description and obtain approval to commence the recruitment of this position.

### **BACKGROUND**

In 2016 Council approved the new position of a Public Works Supervisor- Engineering Coordinator position. This was to provide improved communication between the inside and outside staff and to assist the Manager with day to day supervision and operations. This model has been very successful within the Department. The Manager has been able to concentrate on higher level operational goals, financial review, forecasting and improved communication to the public, council and in-house.

Within the Facilities Department, responsibility of overall supervision and management of staff is left to the Manager of Properties and Facilities. Currently this portfolio is responsible for 49 Municipally owned parks and facilities, and is responsible for 19 staff. The day to day operations leaves little time for the Manager to complete items such as development of RFP's, forecasting, review of the delivery of service etc. The inclusion of this position would allow for the Manager to have more time to concentrate on these.

### **DISCUSSION**

In consultation with the Director of Municipal Services and Manager of Facilities and Properties, the attached job description was developed for the Supervisor of Municipal Facilities and Property. The Pay Equity scoring was also completed for this position. This position would be placed on the same pay grid as the Engineering Coordinator.

5	61,866.73	65,733.40	69,600.07	73,466.74	77,333.41
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The proposed hiring timeline for this position is as follows:

Job Advertisement: October 30<sup>th</sup>, 2017

Application Review, Interviews, Screenings: Late November – December 2017

Start Date: Early January 2018

### **LINK TO STRATEGIC PLAN**

Encourage leadership and management that will provide the direction and resources required to achieve our mission.

### **FINANCIAL CONSIDERATIONS**

The annual wage and benefit costs of adding a Supervisor of Municipal Facilities and Properties are estimated between \$83,000 and \$102,000 (dependent on where the individual starts on the salary “step” program). Other indirect costs associated with this new position (training, cell phone, vehicle, etc.) would be in addition to wages and benefits.

### **CONSULTATIONS**

Andrew Plancke, Director of Municipal Services

Tim DelGreco, Manager of Municipal Facilities and Properties

Peggy Van Mierlo-West, Chief Administrative Officer

### **RECOMMENDATION**

That Council approves the proposed job description for the Supervisor of Municipal Facilities and Properties and authorize Administration to proceed in recruiting this position.

Respectfully submitted,

*Peggy Van Mierlo-West*

Peggy Van Mierlo-West CET

Chief Administrative Officer

Attachments:

## **Job Description**

### **Supervisor of Municipal Facilities and Property**

#### **Position Summary**

This position is under the direction of the Manager of Facilities and Property. Purpose of this position is to provide general direction, organization, monitoring, and supervision to facility maintenance and park operations; performs a variety of technical tasks relative to facility and park maintenance; provides technical assistance to the Manager of Municipal Facilities and Property.

#### **Responsibilities**

The Supervisor of Municipal Facilities and Property will be responsible for the following:

- Plan, prioritize, assign, supervise, review, and participate in the work of staff responsible for facility and park maintenance.
- Establish schedules and methods for providing facility and park maintenance services; identify resource needs; review needs with appropriate management staff; allocate resources accordingly.
- Participate in the development of goals and objectives as well as policies and procedures; make recommendations for changes and improvements to existing standards, policies, and procedures; participate in the implementation of approved policies and procedures; monitor work activities to ensure compliance with established policies and procedures.
- Participate in the preparation and administration of the facility and property maintenance budget; submit budget recommendations; monitor expenditures; prepare cost estimates; submit justifications for equipment; monitor budget expenditures.
- Monitor and control supplies and equipment; order supplies and tools as necessary; prepare documents for equipment procurement; prepare specifications and contracts for contract services.
- Train or coordinate training in facility maintenance and safety methods, procedures, and techniques.
- Develop and organize preventative maintenance and safety inspection programs for all facilities and equipment.
- Coordinate construction projects, remodels, and other special projects.
- Coordinate with contractors in providing contract services.
- Answer questions and provide information to the public; investigate complaints and recommend corrective action as necessary to resolve complaints.

- Ensure the continued standard of care for all sports fields, facilities, parks, marina, and arena in accordance with all applicable regulations, laws, recommendations, and industry standards.
- Supervision as required of variously scheduled sports, recreation, tournaments, and special event activities within facilities and on related parks and sports fields. These activities may fall outside of regularly scheduled work hours.
- Coordinate after hour emergencies in the Parks and Recreation Department including winter control snow events.
- Hours may include weekdays, weekends, afternoons, or midnight shifts.
- Any other duties as assigned.

### **Other Responsibilities**

- Responsible for all Building and Property Accessibility Standards under the *Accessibility for Ontarians with Disabilities Act*, inspections and maintenance of playground equipment.
- Responsible for all building and property conservation issues under the Energy Conservation and Demand Management Plans established under the *Green Energy Act*.

### **Qualifications**

- Graduate of a Horticultural Technician Diploma program with related work experience.
- Must have or be able to obtain a valid Pesticide Exterminator License in the province of Ontario.
- Knowledge of the methods, techniques, and requirements for the maintenance and upkeep of buildings, facilities, grounds, and equipment.
- Certified Member within ORFA an asset.
- Knowledge in the operation, of refrigeration equipment an asset.
- Minimum 2 years experience in a supervisory role. Supervision experience in a unionized environment is preferred.
- Work experience in a municipal environment an asset.
- Have computer skills and be knowledgeable in the use of the Microsoft office package, budgeting concepts and cost analysis.
- Have strong interpersonal skills together with good communication abilities and report writing.
- Valid Ontario Class 'G' licence and possess a good driving record.

### **Work Conditions**

- Work in office environment and outside in a supervisory role on a 40 hour work week and is subject to responding to emergency calls when required.
- This position also requires some attendance at evening meetings.

**Wage Rate**

TBD

Comprehensive benefits package.

Non-union position.



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**Date:** August 8, 2017  
**To:** Mayor and Council  
**Author:** Peggy Van Mierlo-West  
**RE:** Grovedale Arts and Cultural Centre – Canada 150 Agreement  
**Report No.:** CAO 2017-010

---

## **AIM**

To provide Council with information regarding the Kings Landing – Canada 150 Agreement

## **BACKGROUND**

In 2016 Council directed staff to apply for the Canada 150 Grant program. This grant was originally for the renovation of the Kings Landing including; improvements to accessibility and energy efficiencies. Unfortunately, due to the deterioration of the building, renovations would have been more expensive than a new build.

## **DISCUSSION**

Due to the change of scope from renovation to new build, staff was required to renegotiate the terms of the original agreement with the Federal Economic Development Agency. This new agreement has been attached to reflect the change of scope. The amount of the grant remains unchanged at \$181,000.00

## **LINK TO STRATEGIC PLAN**

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

## **FINANCIAL CONSIDERATIONS**

This funding was allocated within the 2017 Capital Budget

## CONSULTATIONS

### RECOMMENDATION

That Council direct the Mayor and Clerk to sign the attached agreement between the Federal Economic Development Agency of Southern Ontario and the Town of Kingsville regarding the Renovation of the Grovedale Arts and Culture Centre.

*Peggy Van Mierlo-West*

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

## CANADA 150 COMMUNITY INFRASTRUCTURE PROGRAM

### CONTRIBUTION AGREEMENT

This Contribution Agreement is made as of \_\_\_\_\_

**BETWEEN:**        **HER MAJESTY THE QUEEN IN RIGHT OF CANADA** (“Her Majesty”) hereby represented by the Minister responsible for Federal Economic Development Agency for Southern Ontario

**AND:**            **Town of Kingsville** (“Recipient”) a municipal government established under the laws of Ontario.

**WHEREAS** the Federal Economic Development Agency for Southern Ontario (“Agency”) was created to help make Canadians more productive and competitive in the knowledge-based economy, by supporting economic development, economic diversification, job creation, and sustainable, self-reliant communities in southern Ontario;

**WHEREAS** in its 2016 Budget, the Government of Canada allocated an additional \$150 million to the Canada 150 Community Infrastructure Program (“CIP 150”) to renovate, expand and improve existing community infrastructure assets; and

**WHEREAS** the Minister has agreed to make a non-repayable contribution to the Recipient up to the maximum amount of one hundred eighty-one thousand five hundred (\$181,500) in support of the Recipient’s Eligible Costs (as defined herein) of the Project (as defined herein),

**NOW THERETOFORE**, in accordance with the mutual covenants and agreements herein, Her Majesty as represented by the Minister and the Recipient agree as follows:

#### **1.    Purpose of the Agreement**

The purpose of this Agreement is to set out the terms and conditions under which the Minister will provide CIP 150 (as defined herein) funding in support of the Project (as defined herein).

#### **2.    Interpretation**

**2.1 Definitions.** In this Agreement, a capitalized term has the meaning given to it in this section, unless the context indicates otherwise:



**Aboriginal Government** means a band council within the meaning of section 2 of the *Indian Act*; or a government authority established pursuant to a Self-Government Agreement or a Comprehensive Land Claim Agreement, given effect and declared valid by federal legislation.

**Agency** means the Federal Economic Development Agency for Southern Ontario.

**Agreement** means this agreement including all the annexes attached hereto, as such may be amended, restated or supplemented, from time to time.

**CIP 150** means the Canada 150 Community Infrastructure Program as described in the recitals hereto.

**Contribution** means the contribution to Eligible Costs in the amount stipulated in Subsection 4.1.

**Control Period** means the period of six (6) years following the period determined in Subsection 3.1 as the duration of the Agreement.

**Date of Acceptance** means the date on which the duplicate fully executed copy of this Agreement is received by the Minister.

**Eligibility Date** means April 1, 2016.

**Eligible Costs** means those Project Costs supported by the Contribution and which are identified in Annex 1 – Statement of Work and relating to the Project activities described therein and which are in compliance with Annex 2 – Costing Guideline Memorandum.

**Event of Default** means the events of default described in Subsection 12.1 hereof.

**Final Report** means the report described in Subsection 7.1 hereof.

**Final Report Date** means June 30, 2018.

**Fiscal Year** means the Government of Canada's fiscal year beginning on April 1st of a year and ending on March 31st of the following year.

**Minister** means the Minister responsible for the Agency or any one or more of his representatives.

**Parties** means the Minister and the Recipient and **Party** means any one of them.

**Program Completion Date** means March 31, 2018.

**Project** means the project described in Annex 1 – Statement of Work.

**Project Costs** means the total costs of the Project as set out in Annex 1 – Statement of Work.

**Southern Ontario** includes the following 2011 Statistics Canada Census Regions: 1 Stormont, Dundas and Glengarry; 2 Prescott and Russell; 6 Ottawa; 7 Leeds and Grenville; 9 Lanark; 10 Frontenac; 11 Lennox and Addington; 12 Hastings; 13 Prince Edward; 14 Northumberland; 15 Peterborough; 16 Kawartha Lakes; 18 Durham; 19 York; 20 Toronto; 21 Peel; 22 Dufferin; 23 Wellington; 24 Halton; 25 Hamilton; 26 Niagara; 28 Haldimand-Norfolk; 29 Brant; 30 Waterloo; 31 Perth; 32 Oxford; 34 Elgin; 36 Chatham-Kent; 37 Essex; 38 Lambton; 39 Middlesex; 40 Huron; 41 Bruce; 42 Grey; 43 Simcoe; 46 Haliburton; and 47 Renfrew.

**“Substantially Completed”** has the same meaning and shall be determined in accordance with how the term “substantially performed” is determined in subsection 2(1) of the *Construction Lien Act*, R.S.O. 1990, c. C.30, as amended, and **“Substantial Completion”** shall have a corresponding meaning.

- 2.2 **Singular/Plural.** Wherever from the context it appears appropriate, each term stated in either the singular or plural shall include the singular and the plural.
- 2.3 **Entire Agreement.** This Agreement comprises the entire agreement between the Parties. No prior document, negotiation, provision, undertaking or agreement in relation to the subject matter of this Agreement has legal effect. No representation or warranty, whether express, implied or otherwise, has been made by the Minister to the Recipient, except as expressly set out in this Agreement.
- 2.4 **Inconsistency.** In case of inconsistency or conflict between a provision contained in the part of the Agreement preceding the signatures and a provision contained in any of the Annexes to this Agreement, the provision contained in the part of the Agreement preceding the signatures will prevail.
- 2.5 **Annexes.** This Agreement contains the following Annexes as described below, which form an integral part of this Agreement:

**Annex 1 - Statement of Work**  
**Annex 2 - Costing Guideline Memorandum**  
**Annex 3 - Reporting Requirements**  
**Annex 4 - Federal Visibility Requirements**

### **3. Duration of Agreement**

- 3.1 **Duration of Agreement.** This Agreement comes into force on the Date of Acceptance and, subject to Subsection 3.2, will terminate:

- (a) twelve (12) months after the earlier of:

- i) the Project is Substantially Completed; or
    - ii) the Program Completion Date.
  - (b) upon the date on which all amounts due by the Recipient to Her Majesty under this Agreement, have been paid in full, whichever is the later, unless terminated earlier in accordance with the terms of this Agreement.
- 3.2 **Control Period.** Notwithstanding the provisions of Subsection 3.1 above, during the Control Period, the rights and obligations described in the following sections shall continue beyond the duration of the Agreement:

Section 5 - Other Government Financial Support  
 Subsection 6.6 – Overpayment and non-entitlement  
 Subsections 7.3, 7.4, 7.5, 7.6 and 7.7 - Monitoring, Audit and Evaluation  
 Subsection 8.1c) and 8.2c) – Representations and Covenants  
 Section 11 - Indemnification and Limitation of Liability  
 Section 12 - Default and Remedies  
 Section 13 – Project Assets  
 Subsection 15.9 - Dispute Resolution

#### 4. **The Contribution**

- 4.1 Subject to the terms and conditions of this Agreement, the Minister will make a non-repayable contribution to the Recipient in respect of the Project in an amount not exceeding the lesser of (a) and (b) as follows:
- (a) maximum 15.13% of total Eligible Costs of the Project incurred and paid by the Recipient; and
  - (b) \$181,500
- 4.2 The payment of the Contribution per Fiscal Year is estimated at amounts as specified in Annex 1 – Statement of Work. The Minister will have no obligation to pay any amounts in any other fiscal years than those specified in Annex 1 – Statement of Work.
- 4.3 The Recipient acknowledges that notwithstanding the date of execution of this Agreement, the Minister will not reimburse costs incurred by it prior to April 1, 2016 or later than the Program Completion Date.
- 4.4 The Minister shall not contribute to any Eligible Costs incurred by the Recipient which could cause the Contribution, noted in Subsection 4.1 herein to be exceeded.
- 4.5 The Recipient shall be responsible for all costs of the Project, including cost overruns, if any.

4.6 **Holdbacks.** Notwithstanding any other provisions of this Agreement, the Minister will, at the Minister's sole discretion, withhold up to ten percent (10%) of the Contribution amount until:

- (a) the Project is Substantially Completed;
- (b) the Recipient has satisfied all the conditions of this Agreement;
- (c) the Final Report described in Subsection 6.4(a)(ii) has been submitted to the satisfaction of the Minister;
- (d) audits and site visits, where required by the Minister, have been completed to the satisfaction of the Minister; and
- (e) the Minister has approved the final claim described in Subsection 6.4.

## 5. **Other Government Financial Support**

- 5.1 The Recipient hereby confirms that for purposes of this Project no other federal, provincial, local Government assistance has been requested, received or will be received, except as disclosed in Annex 1 – Statement of Work.
- 5.2 The Recipient shall promptly inform the Minister in writing in the event additional other government financial support has been requested or received for the Project, during the term of this Agreement and acknowledges and agrees that an adjustment to the amount of the Contribution and a request for repayment of part or all of the amounts paid to the Recipient may be made as a result thereof. The amount of repayment requested will constitute a debt due to Her Majesty and will be recovered as such from the Recipient.
- 5.3 In no instance will the total government funding towards the Eligible Costs of the Project be allowed to exceed one hundred percent (100%) of the total Eligible Costs.

## 6. **Claims and Payments**

- 6.1 The Recipient shall maintain accounting records that account for the Contribution paid to the Recipient and the related Project Costs in respect of this Agreement, separate and distinct from any other funding.
- 6.2 **Claims Procedures.** The Recipient shall submit claims for reimbursement of Eligible Costs incurred and paid, not less frequently than semi-annually or more frequently than monthly, in a form satisfactory to the Minister. Each claim will include the following information:

- (a) an itemized summary by cost category of Eligible Costs incurred and paid, substantially in the form prescribed by the Minister;
- (b) a certification of the claim by a director or officer of the Recipient, confirming the accuracy of the claim and of all supporting information provided;
- (c) if applicable, a certification by a director or officer of the Recipient that any mitigation measures listed in Annex 5 – Environmental Mitigation Measures have been implemented; and
- (d) substantiating documentation (including without limitation, any invoice or proof of payment), as may be required by the Minister.

6.2.1 The Recipient agrees to submit its last claim for Eligible Costs in each Fiscal Year on or before March 1<sup>st</sup> of that Fiscal Year.

### 6.3 Advance Payments.

- (a) **Initial Advance.** Where the Minister is satisfied and has determined that the Recipient's cash flow requirements justify the need for an advance against the Eligible Costs payable under this Agreement, the Minister may, at his sole discretion, pay to the Recipient an initial advance for Eligible Costs up to 25% on the portion of the Contribution allocated to Fiscal Year 2016-2017, subject to the following:
  - (i) The Recipient submits to the Minister's satisfaction, a forecast of cash flow requirements to be incurred during the initial advance period along with any documentation that the Minister may reasonably request.
  - (ii) The Recipient shall account by way of claim, to the satisfaction of the Minister, for the use of any advances.
- (b) The Recipient agrees to spend advances in the Fiscal Year in which the advance was made, failing which the Recipient agrees to reimburse the Minister any unspent amounts. If the amount of the advance exceeds the amount of Eligible Costs incurred during the previous advance period, the Minister may deduct the excess amount and any interest earned by such excess from any other payment under this Agreement.

#### 6.4 Final Claim Procedures.

- (a) The Recipient shall submit a final claim pertaining to the final reimbursement of any Eligible Costs previously claimed or not, signed by a director or officer of the Recipient and accompanied by the following, in addition to the requirements set out in Subsection 6.2, in a form satisfactory to the Minister in scope and detail:
  - (i) a confirmation that it is the final claim for payment and as such, it includes all final Eligible Costs submitted for payment; and
  - (ii) a Final Report substantially in the form prescribed by the Minister.
- (b) The Recipient shall submit the final claim for reimbursement of Eligible Costs to the satisfaction of the Minister the earlier of:
  - (i) the date which falls no later than three (3) months after Project is Substantially Completed; and
  - (ii) the Final Report Date.

The Minister shall have no obligation to pay any claims submitted after this date.

#### 6.5 Payment Procedures.

- (a) The Minister shall review and approve the documentation submitted by the Recipient following the receipt of the Recipient's claim and in the event of any deficiency in the documentation, the Minister will notify the Recipient and the Recipient shall immediately take action to address and rectify the deficiency.
- (b) Subject to the maximum Contribution amounts set forth in Subsection 4.1 and all other conditions contained in this Agreement, the Minister shall pay to the Recipient the Eligible Costs set forth in the Recipient's claim, in accordance with the Minister's customary practices.
- (c) The Minister may request at any time that the Recipient provides satisfactory evidence to demonstrate that all Eligible Costs claimed have been paid.
- (d) The Minister may require, at his expense, any claim submitted for payment of the Contribution be certified by the Recipient's external auditor or by an auditor approved by the Minister.

- 6.6 **Overpayment or non-entitlement.** Where, for any reason, the Recipient is not entitled to all or part of the Contribution or the amount paid to the Recipient exceeds the amount to which the Recipient is entitled, the Contribution or the amount in excess, as the case may be, shall constitute a debt due to Her Majesty and shall be

recovered as such from the Recipient. The Recipient shall repay Her Majesty within thirty (30) calendar days from the date of the Minister's notice, the amount of the Contribution disbursed or the amount of the overpayment, as the case may be, together with interest calculated in accordance with the *Interest and Administrative Charges Regulations*, in effect on the due date, from the date of the notice until payment is received by Her Majesty.

- 6.7 If the Recipient earns any interest as a consequence of any advance payment of the Contribution or earns any revenue as a result of the Project, the Minister may in his absolute discretion reduce the Contribution by all or by such portion of the revenue (including the interest) as he deems appropriate.

## **7. Monitoring, Audit and Evaluation**

- 7.1 The Recipient agrees to provide the Minister with the reports as described in Annex 3 – Reporting Requirements, satisfactory in scope and detail, in order to allow the Minister to assess the outcome and costs of the Project.
- 7.2 Upon request of the Minister and at no cost to him, the Recipient shall promptly elaborate upon any report submitted or provide such additional information as may be requested.
- 7.3 The Recipient shall at its own expense:
- (a) preserve and make available for audit and examination by the Minister, proper books, accounts and records of the Project Costs, wherever such books, and records may be located, and permit the Minister to conduct such independent audits and evaluations as the Minister in his discretion may require;
  - (b) upon reasonable notice and after consultation with the Recipient, permit the Minister reasonable access to the Project site and/or the Recipient's premises and documents in order to inspect and assess the progress and results of the Project;
  - (c) supply promptly, on request, such other data in respect of the Project and its results, as the Minister may require for purposes of this Agreement and for statistical and/or evaluation purposes.
- 7.4 The Minister shall have the right, at his own expense, and as and when he determines necessary, to perform audits of the Project Costs and the Recipient's books, accounts, records, financial statements and claims for reimbursement of Eligible Costs, and the Recipient's administrative, financial and claim certification processes and procedures, for the purposes of verifying the costs of the Project, validating claims for reimbursement of Eligible Costs, ensuring compliance with the terms of this

Agreement, and confirming amounts repayable to Her Majesty under the provisions of this Agreement.

- 7.5 Any audits performed hereunder will be carried out by auditors selected by the Minister, which may include any of the following: Agency officials, an independent auditing firm, and/or the Recipient's external auditors. The Minister will provide the Recipient with a description of the scope and criteria of the audit and the expected time frames for completion of the audit and public release of the related reports.
- 7.6 The Recipient agrees that the Minister, at his expense, may engage outside firms or individuals, unrelated to the Government of Canada, with the required expertise to evaluate and monitor the Project and its implementation or review any documents submitted by the Recipient. The Recipient agrees to provide access to any site, meeting or to any document in relation to the Project to such firms or individuals.
- 7.7 **Auditor General of Canada.** The Recipient acknowledges that the Auditor General of Canada may, at the Auditor General's cost, after consultation with the Recipient, conduct an inquiry under the authority of Subsection 7.1(1) of the *Auditor General Act* in relation to any funding agreement (as defined in Subsection 42(4) of the *Financial Administration Act*) with respect to the use of funds received. For purposes of any such inquiry undertaken by the Auditor General, the Recipient shall provide, upon request and in a timely manner, to the Auditor General or anyone acting on behalf of the Auditor General:
- (a) all records held by the Recipient or by agents or contractors of the Recipient, relating to this Agreement and the use of the Contribution; and
  - (b) such further information and explanations as the Auditor General, or anyone acting on behalf of the Auditor General, may request relating to this Agreement and/or the Contribution.

## 8. Representations and Covenants

### 8.1 The Recipient represents and warrants that:

- (a) it is a municipal government and is in good standing under the laws of Ontario, and has the power and authority to carry on its business, to hold its property and to enter into this Agreement and it has the power and authority, and has met all legal requirements, necessary to carry on business, hold property, and to enter into, deliver and perform this Agreement. The Recipient warrants that it shall remain as such for the duration of this Agreement;
- (b) the execution, delivery and performance of this Agreement have been duly and validly authorized by the necessary corporate actions of the Recipient and when executed and delivered by the Recipient, this Agreement constitutes a



legal, valid and binding obligation of the Recipient, enforceable in accordance with its terms;

- (c) it has acquired, at its own expense, general liability insurance and property damage insurance, in an adequate amount consistent with the scope of the operations and the Project that a prudent person carrying out a project similar to the Project would maintain, and will maintain such for the duration of the Agreement and the Control Period.
- (d) the signatory(ies) to this Agreement, on behalf of the Recipient, has(ve) been duly authorized to execute and deliver this Agreement;
- (e) this Agreement constitutes a legally binding obligation of the Recipient, enforceable against it in accordance with its terms, subject as to enforcement of remedies to applicable bankruptcy, insolvency, reorganization and other laws affecting generally the enforcement of the rights of creditors and subject to a court's discretionary authority with respect to the granting of a decree, ordering specific performance or other equitable remedies;
- (f) the execution and delivery of this Agreement and the performance by the Recipient of its obligations hereunder will not, with or without the giving of notice or the passage of time or both:
  - (i) violate the provisions of the Recipient's by-laws, any other corporate governance document subscribed to by the Recipient or any resolution of the Recipient;
  - (ii) violate any judgment, decree, order or award of any court, government agency, regulatory authority or arbitrator; or
  - (iii) conflict with or result in the breach or termination of any material term or provision of, or constitute a default under, or cause any acceleration under, any license, permit, concession, franchise, indenture, mortgage, lease, equipment lease, contract, permit, deed of trust or any other instrument or agreement by which it is bound.
- (g) there are no actions, suits, investigations or other proceedings pending or, to the knowledge of the Recipient, threatened and there is no order, judgment or decree of any court or governmental agency, which could materially and adversely affect the Recipient's ability to carry out the activities contemplated by this Agreement;
- (h) it has obtained or will obtain all necessary licences and permits in relation to the Project, which satisfy the requirements of all regulating bodies of appropriate jurisdiction;

- (i) all information provided during the CIP 150 application process remains true, correct and complete in every respect except as set out to the contrary herein; and
- (j) the description of the Project in Annex 1 – Statement of Work is complete and accurate.

## 8.2 The Recipient covenants and agrees that:

- (a) it shall obtain the prior written consent of the Minister before making any change to any aspect of the Project or to the management of the Project or Recipient.
- (b) it shall acquire and manage all equipment, services and supplies required for the Project in a manner that ensures the best value for funds expended and it shall comply with its procurement policies, rules and regulations.
- (c) it shall maintain the usage as described in Annex 1 – Statement of Work, of any assets to which the Minister has contributed to for a minimum of six (6) years after the expiry or the termination of this Agreement.
- (d) the Project is located in southern Ontario.
- (e) it shall contribute no less than fifty percent (50%) to the Eligible Costs of the Project.
- (f) it shall use the Contribution solely and exclusively to support the Eligible Costs of the Project, as detailed in Annex 1 - Statement of Work and in Annex 2 - Costing Guideline Memorandum and shall carry out the Project in a diligent and professional manner, using qualified personnel and the Project shall be Substantially Completed on or before the Program Completion Date.
- (g) it shall comply with the Federal Visibility Requirements as set out in Annex 4 – Federal Visibility Requirements.

## 9. **Official Languages**

The Recipient agrees:

- (a) that any public acknowledgement of the Agency's support for the Project will be expressed in both official languages;
- (b) that basic project information will be developed and made available in both official languages;

- (c) to invite members of the official-language minority community to participate in any public event relating to the Project, where appropriate;
- (d) that all signage related to the Project will be in both official languages;
- (e) that basic service (e.g. reception can provide bilingual resources or staff, upon request) and communication, both print and electronic (notices, announcements, publications, advertisements or documents), will be made available in both official languages; and
- (f) that it shall pay for all translation costs save for those which the Minister may incur with respect to any announcement or other public communications.

## **10. Environmental and Other Requirements**

- 10.1 The Recipient represents that the Project is not a “designated project” as defined in the *Canadian Environmental Assessment Act, 2012* (“CEAA”) and is not being carried out on “federal lands” as defined in the CEAA.
- 10.2 The Recipient agrees to comply with all federal, provincial, territorial, municipal and other applicable laws governing the Recipient and the Project, including but not limited to, statutes, regulations, by-laws, rules, ordinances and decrees. This includes legal requirements and regulations relating to environmental protection and the successful implementation of and adherence to any mitigation measures, monitoring or follow-up program, which may be prescribed by the Minister or by other federal, provincial, territorial, municipal bodies. The Recipient will certify to the Minister that it has done so.
- 10.3 The Recipient will provide the Minister with reasonable access to any Project site, for the purpose of ensuring that the terms and conditions of any environmental approval are met, and that any required mitigation measures, monitoring or program follow up have been carried out, to the satisfaction of the Minister.
- 10.4 If as a result of changes to the Project or otherwise, should a subsequent assessment be required in accordance with CEAA for the Project, the Minister and the Recipient agree that the Minister’s obligations under this Agreement will be suspended from the moment that the Minister informs the Recipient, until (i) a decision statement has been issued to the Recipient or, if applicable, the Minister has decided that the Project is not likely to cause significant adverse environmental effects, and (ii) if required, an amendment to this Agreement has been signed, setting out any conditions included in the decision statement. The Recipient agrees to comply with any such conditions.
- 10.5 **Aboriginal consultation.** The Recipient acknowledges that the Minister’s obligation to pay the Contribution is conditional upon Her Majesty satisfying any

obligation that Her Majesty may have to consult with or to accommodate any Aboriginal groups, which may be affected by the terms of this Agreement.

## **11. Indemnification and Limitation of Liability**

11.1 The Recipient shall at all times indemnify and save harmless Her Majesty, her officers, officials, employees and agents, from and against all claims and demands, losses, costs, damages, actions, suits or other proceedings (including, without limitation, those relating to injury to persons, damage to or loss or destruction of property, economic loss or infringement of rights) by whomsoever brought or prosecuted, or threatened to be brought or prosecuted, in any manner based upon or occasioned by any injury to persons, damage to or loss or destruction of property, economic loss or infringement of rights, caused by, or arising directly or indirectly from:

- (a) the Project, its operation, conduct or any other aspect thereof;
- (b) the performance or non-performance of this Agreement, or the breach or failure to comply with any term, condition, representation or warranty of this Agreement by the Recipient, its officers, employees and agents, or by a third party or its officers, employees, or agents;
- (c) the design, construction, operation, maintenance and repair of any part of the Project; or
- (d) any omission or other wilful or negligent act or delay of the Recipient or a third party and their respective employees, officers, or agents, except to the extent to which such claims and demands, losses, costs, damages, actions, suits, or other proceedings relate to the negligent act or omission of an officer, official, employee, or agent of Her Majesty, in the performance of his or her duties.

11.2 The Minister shall have no liability under this Agreement, except for payments of the Contribution, in accordance with and subject to the provisions of this Agreement. Without limiting the generality of the foregoing, the Minister shall not be liable for any direct, indirect, special or consequential damages, or damages for loss of revenues or profits of the Recipient.

11.3 Her Majesty, her agents, employees and servants will not be held liable in the event the Recipient enters into a loan, a capital or operating lease or other long-term obligation in relation to the Project for which the Contribution is provided.

## **12. Default and Remedies**

**12.1 Event of Default.** The Minister may declare that an Event of Default has occurred if:

- (a) the Recipient has failed or neglected to pay Her Majesty any amount due in accordance with this Agreement;
- (b) the Recipient fails to proceed diligently with the Project, or abandons the Project in whole or in part, or the Project is not Substantially Completed by the Program Completion Date;
- (c) the Recipient makes a materially false or misleading statement concerning support by the Minister in any internal and/or public communication, other than in good faith;
- (d) the Recipient becomes bankrupt or insolvent, goes into receivership, or takes the benefit of any statute, from time to time in force, relating to bankrupt or insolvent debtors;
- (e) an order is made or the Recipient has passed a resolution for the winding up or liquidation of the Recipient, or the Recipient is dissolved;
- (f) the Recipient has, in the opinion of the Minister, ceased to carry on business or has sold all or substantially all of its assets;
- (g) the Project is carried out at locations, other than those mentioned in Annex 1 - Statement of Work;
- (h) the Recipient has submitted false or misleading information, or has made a false or misleading representation to the Agency, the Minister, in this Agreement or in its application for the Contribution;
- (i) the Recipient has not, in the opinion of the Minister, met or satisfied a term or condition of this Agreement;
- (j) the Recipient has not met or satisfied a term or condition under any other contribution agreement or agreement of any kind with Her Majesty;
- (k) the Recipient is not eligible or is otherwise not entitled to the Contribution; or,
- (l) the Recipient has not complied with the monitoring, audit and evaluation requirements, specified in this Agreement.

**12.2 Notice and Rectification Period.** Except in the case of default under Subsection 12.1 (d), (e) and (f), the Minister will not declare that an Event of Default has

occurred unless he has given prior written notice to the Recipient of the occurrence, which in the Minister's opinion constitutes an Event of Default. The Recipient shall, within such period of time as the Minister may specify in the notice, either correct the condition or event or demonstrate, to the satisfaction of the Minister, that it has taken such steps as are necessary to correct the condition, failing which the Minister may declare that an Event of Default has occurred.

**12.3 Remedies.** If the Minister declares that an Event of Default has occurred, the Minister may immediately exercise any one or more of the following remedies, in addition to any remedy available at law:

- (a) terminate the Agreement, including any obligation by the Minister to make any payment under this Agreement, including any obligation to pay an amount owing prior to such termination;
- (b) suspend any obligation by the Minister to make any payment under this Agreement, including any obligation to pay an amount owing prior to such suspension; and
- (c) require the Recipient to repay forthwith to Her Majesty all or part of the Contribution, and that amount is a debt due to Her Majesty and may be recovered as such.

**12.4** The Recipient acknowledges the policy objectives served by the Minister's agreement to make the Contribution, that the Contribution comes from the public monies, and that the amount of damages sustained by Her Majesty in an Event of Default is difficult to ascertain and therefore, that it is fair and reasonable that the Minister be entitled to exercise any or all of the remedies, provided for in this Agreement and to do so in the manner provided for in this Agreement, if an Event of Default occurs.

### **13. Project Assets**

**13.1** The Recipient shall retain title to, and ownership of any assets, the cost of which has been contributed to by the Minister under this Agreement and shall not sell, assign, transfer, encumber, pledge, grant a security interest or otherwise dispose of same, for a minimum of six (6) years after the expiry or termination of this Agreement without the prior written consent of the Minister. As a condition of such consent, the Minister may require the Recipient to repay Her Majesty the whole or any part of the Contribution paid to the Recipient hereunder in the following proportions:

<b>Where the Project asset is sold, assigned transferred, encumbered, pledged, leased, or disposed of:</b>	<b>Repayment of Contribution (in current dollars)</b>
Within 2 Years after Substantial Completion	100%

Between 2 and 6 Years after Substantial Completion	55%
6 Years after Substantial Completion	0%

- 13.2 At any time during the six (6) years following the date the Project is Substantially Completed, the Recipient agrees to notify the Minister in writing of any transaction triggering the above-mentioned repayments, at least ninety (90) days in advance.

#### 14. Miscellaneous

- 14.1 The Recipient represents and warrants that no member of the House of Commons or Senate of Canada shall be admitted to any share or part of this Agreement or to any benefit arising from it, that is not otherwise available to the general public.
- 14.2 The Recipient confirms that no current or former public servant or public office holder, to whom the *Values and Ethics Code for the Public Service*, the *Values and Ethics Code for the Public Sector*, the *Policy on Conflict of Interest and Post-Employment* or the *Conflict of Interest Act* applies, shall derive direct benefit from the Agreement, including any employment, payments or gifts, unless the provision or receipt of such benefits is in compliance with such codes and the legislation. Where the Recipient employs or has a major shareholder, who is either a current or former (in the last twelve (12) months) public office holder or public servant in the federal government, the Recipient shall demonstrate compliance with these codes and the legislation.
- 14.3 The Recipient represents and warrants that:
- (a) it has not paid, nor agreed to pay to any person, either directly or indirectly, a commission, fee or other consideration that is contingent upon the execution of this Agreement, or upon the person arranging a meeting with a public office holder;
  - (b) it will not pay, nor agree to pay to any person, either directly or indirectly, any commission, fee or other consideration that is contingent upon the person arranging a meeting with a public office holder;
  - (c) it is and any persons who are or have been engaged by the Recipient to communicate or arrange meetings with public office holders, regarding the Project or this Agreement, are in full compliance with all requirements of the *Lobbying Act*; and
  - (d) any persons who may be engaged by the Recipient to communicate or arrange meetings with public office holders, regarding the Project or this Agreement, will at all times be in full compliance with the requirements of the *Lobbying Act*.

- 14.4 The Recipient acknowledges that the representations and warranties in this section are fundamental terms of this Agreement. In the event of breach of these, the Minister may exercise the remedies provided under Subsection 12.3.

## 15. General

- 15.1 **Debt due to Canada.** Any amount owed to Her Majesty under this Agreement shall constitute a debt due to Her Majesty and shall be recoverable as such. Unless otherwise specified herein, the Recipient agrees to make payment of any such debt forthwith on demand.
- 15.2 **Interest.** Debts due to Her Majesty will accrue interest in accordance with the *Interest and Administrative Charges Regulations*, in effect on the due date, compounded monthly on overdue balances payable, from the date on which the payment is due, until payment in full is received by Her Majesty. Any such amount is a debt due to Her Majesty and is recoverable as such.
- 15.3 **Set-Off.** Without limiting the scope of set-off rights provided in the *Financial Administration Act*, the Minister may set off against the Contribution, any amounts owed by the Recipient to Her Majesty under legislation or contribution agreements and the Recipient shall declare to the Minister all amounts outstanding in that regard, when making any claim under this Agreement.
- 15.4 **No Assignment of Agreement.** Neither this Agreement nor any part thereof shall be assigned by the Recipient, without the prior written consent of the Minister.
- 15.5 **Annual Appropriation.** Payment by the Minister of amounts due under this Agreement shall be conditional on there being a legislated appropriation for the Fiscal Year in which the payment is to be made. The Minister shall have the right to terminate or reduce the Contribution, in the event that the amount of the appropriation is reduced or denied by Parliament. In the event that any portion of the Contribution has been paid to the Recipient and the legislated appropriation for the Fiscal Year in which such payment is made is not obtained, the Minister shall have the right to recover the amount so paid from the Recipient.
- 15.6 **Successors and Assigns.** This Agreement is binding upon the Recipient, its successors and permitted assigns.
- 15.7 **Confidentiality.** Subject to the *Access to Information Act* (Canada), the *Privacy Act*, the *Library and Archives Act* of Canada and Annex 4 – Federal Visibility Requirements, the Parties shall keep confidential and shall not disclose the contents of this Agreement or the transactions contemplated hereby, without the consent of all Parties.



- 15.8 **Governing Law.** This Agreement shall be subject to and construed in accordance with the laws of the Province of Ontario and the laws of Canada applicable therein.
- 15.9 **Dispute Resolution.** If a dispute arises concerning the application or interpretation of this Agreement, the Parties shall attempt to resolve the matter through good faith negotiation, and may, if necessary and the Parties consent in writing, resolve the matter through mediation or by arbitration, by a mutually acceptable mediator or arbitrator in accordance with the Commercial Arbitration Code set out in the schedule to the *Commercial Arbitration Act* (Canada), and all regulations made pursuant to that Act.
- 15.10 **No Amendment.** No amendment to this Agreement shall be effective unless it is made in writing and signed by the Parties hereto.
- 15.11 **No Agency.** No provision of this Agreement or action by the Parties will establish or be deemed to establish any partnership, joint venture, principal-agent or employer-employee relationship in any way, or for any purpose, between Her Majesty and the Recipient, or between Her Majesty and a third party. The Recipient is not in any way authorized to make a promise, agreement or contract and to incur any liability on behalf of Her Majesty, nor shall the Recipient make a promise, agreement or contract and incur any liability on behalf of Her Majesty, and shall be solely responsible for any and all payments and deductions, required by the applicable laws.
- 15.12 **No Waiver.** Any tolerance or indulgence demonstrated by one Party to the other, or any partial or limited exercise of rights conferred on a Party, shall not constitute a waiver of rights, and unless expressly waived in writing, the Parties shall be entitled to exercise any right and to seek any remedy, available under this Agreement or otherwise at law. Either Party may, by notice in writing, waive any of its rights under this Agreement.
- 15.13 **Public Dissemination.** All reports and other information that the Minister collects, manages or has a right to receive or produce in accordance with this Agreement, or that the Recipient collects, creates, manages and shares with the Minister, shall be deemed to be "Canada Information". The Minister shall have the right, subject to the provisions of the *Access to Information Act*, to release to the public, table before Parliament, or publish by any means, any Canada Information, including such excerpts or summaries of the Canada Information as he may, from time to time, decide to make.
- 15.14 **No conflict of interest.** The Recipient and its consultants and any of their respective advisors, partners, directors, officers, shareholders, employees, agents and volunteers shall not engage in any activity where such activity creates a real, apparent or potential conflict of interest in the sole opinion of the Minister, with the carrying out of the Project. For greater certainty, and without limiting the generality of the foregoing, a conflict of interest includes a situation where anyone associated with the

Recipient owns or has an interest in an organization that is carrying out work related to the Project.

**15.15 Disclose potential conflict of interest.** The Recipient shall disclose to the Minister without delay any actual or potential situation that may be reasonably interpreted as either a conflict of interest or a potential conflict of interest.

**15.16 Severability.** If for any reason a provision of this Agreement that is not a fundamental term of the agreement between the Parties is found to be or becomes invalid or unenforceable, whether in whole or in part, such provision or part thereof declared invalid or unenforceable shall be deemed to be severable and shall be deleted from this Agreement and all remaining terms and conditions of this Agreement will continue to be valid and enforceable.

## **16. Notice**

16.1 Any notice, information or document required under this Agreement shall be effectively given, if delivered or sent by letter or facsimile (postage or other charges prepaid). Any notice that is delivered shall be deemed to have been received on delivery; any notice sent by facsimile shall be deemed to have been received one (1) working day after being sent, any notice that is mailed shall be deemed to have been received eight (8) calendar days after being mailed.

16.2 Any notice or correspondence to the Minister shall be addressed to:

Federal Economic Development Agency for Southern Ontario  
101-139 Northfield Drive West  
Waterloo, ON N2L 5A6  
Attention: Canada 150 Community Infrastructure Program

or to such other address, as is designated by the Agency in writing.

16.3 Any notice or correspondence to the Recipient shall be addressed to:

Town of Kingsville  
2021 Division Road North  
North Kingsville ON N9Y 2Y9  
Attention: Chief Administrative Officer

16.4 Each of the Parties may change the address, which they have stipulated in this Agreement by notifying in writing the other party of the new address, and such change shall be deemed to take effect fifteen (15) calendar days after receipt of such notice.

## **17. Special Conditions**

17.1 As a condition precedent to initial disbursement:

- (a) The Recipient agrees to provide the Minister an officer's certificate executed by an officer of the Recipient in the form prescribed by the Minister which includes certified copies of the Recipient's constating documents, by-laws and the resolution authorising the entering into of this Agreement; and,
- (b) the Recipient shall arrange pre-authorized payments or such other method of payment, as requested in writing by the Minister

17.2 **Renewal of Representations.** It is a condition precedent to any disbursement under this Agreement that the representations and warranties contained in this Agreement are true at the time of payment and that the Recipient is not in default of compliance with any terms of this Agreement.

**18. Acceptance**

**The Recipient agrees that unless the Minister receives a duly executed duplicate copy of this Agreement within thirty (30) calendar days of the date of execution by the Minister, this Agreement is revocable at the discretion of the Minister.**

IN WITNESS WHEREOF the Parties hereto have executed this Agreement through authorized representatives.

Project No.: **809576**

**HER MAJESTY THE QUEEN IN RIGHT OF CANADA**

Per: 

Date: July 21, 2017

Federal Economic Development Agency  
for Southern Ontario

**TOWN OF KINGSVILLE**

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

Date: \_\_\_\_\_

I have authority to bind the Recipient.

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

Date: \_\_\_\_\_

I have authority to bind the Recipient.

**Annex 1****CANADA 150 COMMUNITY INFRASTRUCTURE PROGRAM****STATEMENT OF WORK**

Recipient: Town of Kingsville

Project Title: Renovation of Grovedale Arts and Culture Centre

Project Location: 103 Park Street, Kingsville, ON N9Y 1N6

**PROJECT DESCRIPTION:**

Updating Grovedale Arts and Culture Centre to meet the needs of the community.

The project activities will include but are not limited to:

- Demolishing the existing 6,000 sq. ft. structure, and excavating and reconstructing a new foundation and structure over the existing footprint which will include;
  - a prep kitchen;
  - washrooms and entry ways that meet the Accessibility for Ontarians with Disabilities Act standards;
  - energy efficient lighting and windows;
  - a new roof and HVAC system; and
  - a built-in speaker system, projector, screen, and sound board;
- Creation of an exterior canteen;
- Reconstructing the parking lot; and
- Landscaping.

Estimated date of commencement: July 3, 2017

Estimated date of Substantial Completion: March 31, 2018

**FEDDEV ONTARIO CONTRIBUTION BY FISCAL YEAR**

<b>2016/2017</b>	<b>2017/2018</b>	<b>Total</b>
\$0	\$181,500	\$181,500

**PROJECT COSTS AND FINANCING:**

<b>CAPITAL</b>		
<b>Eligible Costs</b>		
<b>Costs</b>	<b>Amount</b>	
Planning/Design/ Engineering	\$54,135	
Repair/Construction	\$1,037,594	
Project Management	\$18,045	
Other	\$0	
Contingency	\$90,226	
<b>Total Eligible Costs (TEC)</b>	<b>\$1,200,000</b>	
<b>Financing</b>		
FedDev Ontario Contribution	\$181,500	15.13%
Other Federal Contribution	\$0	0%
Recipient Contribution	\$1,018,500	84.87%
Other (specify source)	\$0	0%
Other (specify source)	\$0	0%
<b>Sub-Total Financing TEC</b>	<b>\$1,200,000</b>	<b>100.00%</b>
<b>Ineligible Components</b>		

<b>STACKING LIMITS</b>	
<b>STACKING – CAPITAL</b>	
Total Eligible Costs	\$1,200,000
Total Government Contributions (Federal, Provincial, and Municipal)	\$1,200,000
Estimated Investment Tax Credits	\$0
Contribution subject to Stacking %	\$1,200,000
Stacking %	100%
Total Government Stacking Limit	100%

**Please Note:**

- 1) Eligible Costs include the amount of the harmonized sales tax (HST), net of any refund or eligible credits due from the Canada Revenue Agency.
- 2) The list of ineligible components shown is not exhaustive. For more information on ineligible costs, see Annex 2.
- 3) The Recipient shall not redirect funding between cost categories without prior written consent of the Minister.
- 4) Incremental costs (i.e. employees and/or materials and/or equipment) have been approved up to the following maximum amounts, which are included in the Total Eligible Costs indicated above:
  - Employees: \$0
  - Materials: \$0
  - Equipment: \$0

**Annex 2**

**CANADA 150 COMMUNITY INFRASTRUCTURE PROGRAM**

**COSTING GUIDELINE MEMORANDUM**

**1.0 General Conditions**

- 1.1 Costs are Eligible Costs for the purposes of this Agreement only if they are, in the opinion of the Minister,
- (a) directly related to the intent of the Project,
  - (b) reasonable,
  - (c) appear in Annex 1 - Statement of Work,
  - (d) incurred in respect of activities, which are incremental to the usual activities of the Recipient, and
  - (e) constitute Eligible Costs as defined in Section 2.0 of this Annex.
- 1.2 Costs submitted for reimbursement must be net of any refund or eligible tax credits (including HST). In order to have the HST approved as an Eligible Cost, the Recipient will be required to provide documentation verifying the organization's status under the relevant tax legislation.

**2.0 Eligible Costs**

Eligible Costs may only include the following:

- (a) project costs incurred between the Eligibility Date and the Program Completion Date;
- (b) fees paid to professionals, technical personnel, consultants and contractors specifically engaged for the purpose of the Project;
- (c) costs of environmental assessments, mitigation measures, monitoring, and follow-up programs as required by the *Canadian Environmental Assessment Act*, 2012 or equivalent legislation;
- (d) costs of any public announcement and official ceremony, or of any temporary or permanent signage as further described in Subsection 2.2 below;

- (e) other costs that are considered to be direct and necessary for the successful implementation of the Project and that have been approved in advance, and in writing, by the Minister; and
- (f) for municipal, regional and Aboriginal Governments, incremental costs listed in Subsection 2.1 below.

## 2.1 Employee, Material and Equipment costs

While these costs are not normally eligible for reimbursement, the incremental costs of the Recipient's employees, materials or equipment may be included in its Eligible Costs under the following conditions:

- (a) the Recipient is a municipal, regional or an Aboriginal Government; and
- (b) the Recipient satisfies the Minister that it is not economically feasible to tender a contract; and
- (c) employees, material or equipment are employed directly in respect of the work that would have been the subject of the contract; and
- (d) costs are approved in advance and in writing by the Minister, and are included in Annex 1 – Statement of Work.

## 2.2 Communications

- (a) For the purposes of events, Eligible Costs include the following:
  - Printing and mailing invitations;
  - Light refreshments, such as coffee, tea, juice, donuts, muffins, snacks;
  - Project material for display and/or media kit;
  - Signage; and
  - Rentals such as: flagpoles, stage, chairs, podium, PA system.
- (b) For the purposes of Project signage, Eligible Costs include reasonable costs incurred to produce signage.

## 3.0 Ineligible Costs

Costs related to the following items are ineligible costs:

- (a) Project Costs incurred before the Eligibility Date and after the Program Completion Date;



- (b) services or works that, in the opinion of the Minister, are normally provided by the Recipient or a related party;
- (c) salaries and other employment benefits of any employees of the Recipient except as indicated in Subsection 2.1 above;
- (d) the Recipient's overhead costs, its direct or indirect operating or administrative costs, and more specifically, its costs related to planning, engineering, architecture, supervision, management and other activities normally carried out by its staff;
- (e) cost of feasibility and planning studies;
- (f) taxes for which the Recipient is eligible for a tax rebate and all other costs eligible for rebates;
- (g) any loan interest or other finance charges;
- (h) cost of land or any interest therein (including easements), and related costs;
- (i) legal fees;
- (j) cost of leasing of equipment by the recipient except for as indicated in Subsection 2.1 above;
- (k) temporary installations;
- (l) moveable equipment, including but not limited to motorized vehicles, furniture, computers, art work and sports equipment;
- (m) the value of any goods and services which are received through donations or in-kind;
- (n) costs for food and entertainment except as indicated in Subsection 2.2 above;
- (o) routine maintenance costs; and
- (p) for the purposes of communications events, Ineligible Costs include the following: alcoholic beverages, china, waiters, guest mileage or transportation, wine glasses, lamps, tea wagons, plants, gifts, and honorariums.

**Annex 3**

**CANADA 150 COMMUNITY INFRASTRUCTURE PROGRAM**

**REPORTING REQUIREMENTS**

1. **Semi-annual Progress Reports.** The Recipient shall submit, at a minimum, semi-annual progress reports until Project completion, substantially in the form prescribed by the Minister and satisfactory to the Minister in scope and detail, in order to allow the Minister to assess the progress of the Project. The progress report will detail progress on the implementation of the Project, and amounts received through this Agreement, amounts expended on projects, and an overall update on the Project status. These reports are due April 15<sup>th</sup> and October 15<sup>th</sup> covering the six month periods ending March 31<sup>st</sup> and September 30<sup>th</sup> respectively.
2. **Final Reporting Requirements.** In accordance with Subsection 6.4, the Recipient shall submit to the Minister a Final Report on the Project, substantially in the form prescribed by the Minister and satisfactory to the Minister in scope and detail, in order to allow the Minister to assess the outcome of the Project.
3. **Recognition of Funding.** In order to acknowledge the Government of Canada's support for the Project, the Recipient shall submit photograph(s) of the required signage as required by the Minister.

**Annex 4****CANADA 150 COMMUNITY INFRASTRUCTURE PROGRAM****FEDERAL VISIBILITY REQUIREMENTS**

1. The Recipient agrees that its name, the amount of the Contribution and a description of the general nature of the activities supported under this Agreement may be made publicly available by the Minister.
2. In order to promote the support received from the Minister, and to raise awareness of the Canada 150 Community Infrastructure Program, the Recipient agrees to the following requirements, at the request of the Agency:
  - (a) Participate in and assist with coordination of a public announcement of the Agreement by the Minister in the form of an event and/or news release as provided by the Minister. The Recipient shall maintain the confidentiality of this Agreement until such public announcement;
  - (b) Coordinate a mutually agreeable venue, date and time, in light of the availability of the Minister, for public/media events outlining Project achievements, such as groundbreaking or completion ceremonies, or initiatives undertaken by the Recipient and acknowledging the role of the Minister on these occasions. Unless otherwise agreed to in advance by the Minister, no event will take place without at least fifteen (15) business days' notice to the Minister;
  - (c) Participate in, coordinate and accommodate activities that showcase the results or expected results of the Minister's support, including but not limited to public showcase events, site visits, photo opportunities, production of promotional products (including but not limited to, photos and images, video, print and new media). This includes providing access to the Recipient's work site(s) to the Agency staff. The Recipient agrees that the Minister may contact it for the purposes of preparing project success stories;
  - (d) When providing information on the products and services funded in whole or in part by this Agreement, specify that the financial assistance is made possible through a contribution from the Minister;
  - (e) Prominently display in a manner prescribed by the Minister, promotional material or signage according to a design specified by the Minister and produced and installed at the Recipient's expense, communicating the nature of the funded activities and/or the involvement of the Minister; and
  - (f) Include acknowledgement, in a manner prescribed by the Minister, in all publications and advertising describing or promoting the products and services

funded in whole or in part by this Agreement, including, but not limited to, electronic media (web, television, video), and print media (signs, print advertising, brochures, magazines, maps, posters). The Recipient will consult with the Minister in preparing the content and look of all such material, which must be approved in advance. The Recipient will provide the Agency with no less than ten (10) business days for the approval of all materials prior to its release.

The Minister may, by notice in writing given to the Recipient, require that recognition of the support provided by the Minister not be made in any public communication of the Recipient.

## Sandy Kitchen

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**From:** Carol Labutte <carollabutte@gmail.com>  
**Sent:** Friday, July 28, 2017 9:13 PM  
**To:** Sandy Kitchen  
**Cc:** Dianne O'Neill  
**Subject:** Rental fees waived

Hi Sandy:

My name is Carol Labutte and I am on the committee for our Parish Picnic.

I am requesting to be put on the agenda to council to have our fees waived for the rental of the pavilion for our Parish Picnic on September 10, 2017.

The Cluster Parishes of St. John de Brebeuf Kingsville, St. Anthony of Padua Harrow and Star of the Sea Pelee Island host the picnic for our parish family at no charge to them, but we do have a 50/50 draw and we have a goodwill donation basket to help raise money for The St. Vincent de Paul Society.

Thank you for your consideration.

Carol Labutte  
Parish Picnic committee



**REGULAR MEETING OF COUNCIL  
MINUTES**

**Monday, July 24, 2017  
7:00 PM  
Council Chambers  
2021 Division Road N  
Kingsville, Ontario N9Y 2Y9**

Members of Council	Mayor Nelson Santos Councillor Tony Gaffan Councillor Thomas Neufeld Councillor Susanne Coghill Councillor Larry Patterson Deputy Mayor Gord Queen
Absent	Councillor Sandy McIntyre
Members of Administration	P. Van Mierlo-West, CAO T. Del Greco, Manager of Municipal Facilities and Property M. Durocher, Parks & Recreation Program Manager J. Astrologo, Director of Corporate Services S. Kitchen, Deputy Clerk-Council Services K. Girard, Municipal Services Manager

**A. CALL TO ORDER**

Mayor Santos called the Regular Meeting to order at 7:00 p.m.

**B. 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.

**C. PLAYING OF NATIONAL ANTHEM**

**D. 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.

**E. PRESENTATIONS/DELEGATIONS**

- 1. Molson Canadian Community Award Presentation to Recipients Ken Bosse and Marlene Buis**

**F. AMENDMENTS TO THE AGENDA**

None.

**G. STAFF REPORTS**

- 1. Ontario Municipal Commuter Cycling (OMCC) Program**

K. Girard, Manager of Municipal Services

**501-2017**

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Susanne Coghill

That Council endorses the application for the Ontario Municipal Commuter Cycling (OMCC) Program and authorizes the Mayor and Clerk to execute the 2017 Application Declaration for the OMCC Program.

**CARRIED**

- 2. Contract No. MS17-107- Park Street Reconstruction**

K. Girard, Manager of Municipal Services

**502-2017**

Moved by Councillor Larry Patterson

Seconded by Councillor Tony Gaffan

That Council receives the letter of recommendation from Stantec Consulting Ltd. and authorizes the award of Contract Number MS17-107 for the reconstruction of Park Street to Sherway Contracting (Windsor) Ltd. in the amount of \$1,683,152.50 (not including HST) and direct Administration to prepare the necessary authorizing by-law.

**CARRIED**

**3. Marina Fuel Tank Beautification**

T. Del Greco, Manager of Municipal Facilities and Property

**503-2017**

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Susanne Coghill

That Council approves spending in excess of the 2017 budgeted amount in account 173-099-60315 in order to facilitate beautification of the marina fuel storage tank.

**CARRIED**

**4. Coghill / Timbercreek Park Playground Equipment**

**504-2017**

Moved by Councillor Tony Gaffan

Seconded by Councillor Thomas Neufeld

That Council approves the proposal submitted by PlayPower Canada in the amount of \$50,440.20 for the installation of playground equipment at Timbercreek Park, approve the proposal submitted by Henderson Recreation in the amount of \$51,191.06 for the installation of playground equipment at Coghill Park and authorize purchase of mom and tot swing for installation at Coghill Park.

**CARRIED**

**5. 2nd Quarter Report**

P. Van Mierlo-West, CAO

**505-2017**

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Susanne Coghill

That Council receives the 2017 2nd Quarter Report for information.

**CARRIED**

**6. Strategic Plan – Final**



P. Van Mierlo-West, CAO

**506-2017**

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Thomas Neufeld

That Council approves the 2017-2022 Strategic Plan.

**CARRIED**

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

- 1. Joan Cotte, Culture Days Planning Committee - Correspondence dated July 10, 2017 RE: Flag Raising for Culture Days, "Art Free for All"**

**507-2017**

Moved by Councillor Larry Patterson

Seconded by Councillor Thomas Neufeld

That Council approve request from the Kingsville Culture Days planning committee for a flag raising ceremony on Friday September 22, 2017.

**CARRIED**

- 2. Cottam Rotary Club - Correspondence dated July 17, 2017 requesting support of 55th Cottam Rotary Horse Show**

**508-2017**

Moved by Councillor Larry Patterson

Seconded by Councillor Tony Gaffan

Council approve purchase of full page advertisement in the annual Cottam Rotary Horse Show brochure at a cost of \$80.00.

**CARRIED**

**I. MINUTES OF THE PREVIOUS MEETINGS**

- 1. Regular Meeting of Council-July 10, 2017**
- 2. Regular Closed Session Meeting of Council - July 10, 2017**

**509-2017**

Moved by Councillor Tony Gaffan

Seconded by Councillor Thomas Neufeld

That Council adopt Regular Meeting of Council on July 10, 2017 and Regular 'Closed Session' Meeting of Council Minutes dated July 10, 2017

**CARRIED**

**J. MINUTES OF COMMITTEES AND RECOMMENDATIONS**

**1. BIA Minutes - June 13, 2017**

**510-2017**

Moved by Councillor Susanne Coghill

Seconded by Councillor Tony Gaffan

That Council receive BIA Board Meeting Minutes dated, June 13, 2017

**CARRIED**

**2. Marina Committee Minutes - June 19, 2017**

**511-2017**

Moved by Councillor Thomas Neufeld

Seconded by Councillor Susanne Coghill

That Council receive Marina Committee Meeting Minutes dated, June 19, 2017.

**CARRIED**

**K. BUSINESS CORRESPONDENCE - INFORMATIONAL**

- 1. Stantec Consulting Ltd - Correspondence dated June 28, 2017 RE: Notice of Study Commencement, Class Environmental Assessment-Essex Centre Southwest Area Storm Sewer Improvements, Town of Essex**
- 2. Stantec Consulting Ltd. - Notice of Information Sessions for the Union Gas Pipeline-Kingsville Transmission Reinforcement Project**
- 3. Accessibility Directorate of Ontario-Correspondence RE: Review of the Transportation Standards- Notice of extension for the public comment period, dated July 17, 2017**
- 4. Municipality of Leamington - Correspondence dated June 15, 2017 RE: Resolution No. C-151-17 - Funding for the Great Lakes**

**512-2017**

Moved by Councillor Tony Gaffan

Seconded by Councillor Susanne Coghill

That Council receive information items 1 to 4.

**CARRIED**

**L. NOTICES OF MOTION**

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

That the Town's Development Manual be amended at Section 4.1.1. to remove the sentence "The Municipality may accept 15 metre wide rights-of-way with 2.5 metre wide easements on each side for utilities on cul-du-sac streets and P Loop streets".

**513-2017**

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Larry Patterson

Council direct administration to update the Town of Kingsville Development Manual to eliminate the option of 15 metre wide rights of way with 2.5 metre easements on each side for utilities on cul-de-sac streets and "P Loop" streets and clarify standard road width is 66 feet.

**CARRIED**

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

That Council be provided with details regarding a proposed tower installation on Town owned property in the area of the sewage plant and the dog park.

**514-2017**

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Larry Patterson

Council be provided with details regarding a proposed tower installation on town owned property in the area of the sewage plant and the dog park.

**CARRIED**

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

That Council direct that Communication Tower Applications for municipally-owned land follow the Town's notice policy, regardless of height.

**515-2017**

Moved by Councillor Thomas Neufeld

Seconded by Councillor Larry Patterson

Council direct that future Communication Tower applications for municipally-owned lands follow the town's notice policy, regardless of height.

**CARRIED**

**4. Councilor Neufeld may move or caused to be moved:**

That the Mayor invite local citizens who want to sing the National Anthem to attend the first Regular Meeting of each month, starting in 2018.

**516-2017**

Moved by Councillor Thomas Neufeld

Seconded by Deputy Mayor Gord Queen

That the Mayor invite local citizens who want to sing the national anthem to attend the first Regular Meeting of each month starting in 2018.

**CARRIED**

**5. Councilor Neufeld may move or cause to have moved:**

That the policy for live trapping of animals be considered to be increased to two animals per cage, rather than one, and that the said motion be sent to the Kingsville-Leamington Animal Control Committee and to Town Administration for discussion and recommendation.

**517-2017**

Moved by Councillor Thomas Neufeld

Seconded by Councillor Susanne Coghill

That the policy for live trapping of animals be considered to be increased from one animal to two animals per cage and that this Motion be sent to the Kingsville Leamington Animal Control Committee and to Administration for discussion and recommendation.

**CARRIED**

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

Mayor Santos introduced Jennifer Galea, the new Human Resource Manager who officially started on July 20, 2017. Council welcomed Ms. Galea to the Town of Kingsville.

Mayor Santos invited members and the Community to the Explore the Shore events to be held Saturday, July 29 and Sunday, July 30, including a stop at Cedar Island Beach on Heritage Road. He stated that he looks forward to seeing everyone exploring Canada's most southern shoreline.

**N. BYLAWS**

**1. By-law 78-2017**

**518-2017**

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Larry Patterson

Council read By-law 78-2017, being a By-law to amend By-law 1-2015, being a By-law to appoint certain members of Council to boards and committees (change of name of Older Adults Advisory Committee to The 55+ Advisory Committee) a first, second and third and final time.

**CARRIED**

**2. By-law 79-2017**

**519-2017**

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Susanne Coghill

Council read By-law 79-2017, being a by-law authorizing the entering into of a Hardware Rental, Software License and Services Agreement with Dominion Voting Systems Corporation, a first, second and third and final time.

**CARRIED**

**3. By-law 80-2017**

**520-2017**

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Thomas Neufeld

Council read By-law 80-2017, being a By-law under the *Municipal Act, 2001* Part 8, Section 408; to authorize the issue of a single series of debentures to consolidate the financing of the maintenance of numerous drains, all in the Town of Kingsville a first, second and third and final time.

**CARRIED**

**O. CLOSED SESSION**

**521-2017**

Moved by Councillor Thomas Neufeld

Seconded by Councillor Susanne Coghill

Council at 7:56 p.m. pursuant to Section 239 of the Municipal Act, 2001, entered into Closed Session to address the following items:

Section 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board, being verbal update RE: Agreement of Purchase and Sale with Edward Remark & Sons Limited

Section 239(3.1) An education or training update RE: Council Staff Relations Policy

**CARRIED**

**P. REPORT OUT OF CLOSED SESSION**

The Regular Meeting reconvened in open session at 8:42 p.m.

Mayor Santos reported out of Closed Session pertaining to Item O-1, stating that Council received an update pertaining to the status of the Agreement of Purchase and Sale with Edward Remark & Sons Limited; and further

Mayor Santos reported out pertaining to Item O-2, stating that Council received education and training pertaining to the Town's Council Staff Relations Policy.

**Q. CONFIRMATORY BY-LAW**

**1. By-law 81-2017**

**522-2017**

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Thomas Neufeld

Council read By-law 81-2017, being a By-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its July 24, 2017 Regular Meeting a first, second and third and final time.

**CARRIED**

**R. ADJOURNMENT**

**523-2017**

Moved by Councillor Susanne Coghill

Seconded by Councillor Tony Gaffan

Council adjourn this Regular Meeting at 8:43 p.m.

**CARRIED**

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MAYOR, Nelson Santos

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CLERK, Jennifer Astrologo



**THE UNION WATER SUPPLY SYSTEM**  
**JOINT BOARD OF MANAGEMENT**  
**MINUTES OF MEETING**  
**HELD JUNE 21, 2017 AT 9 AM**  
**IN KINGSVILLE COMMUNITY ROOM - KINGSVILLE ARENA**

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Members Present: Deputy Mayor MacDonald (Chair); Mayor Paterson, Councillors Dunn, Jacobs, Hammond, Verbeke - Leamington  
Mayor Nelson Santos (Vice-Chair); Councillors Gaffan, Neufeld, Patterson - Kingsville  
Councillor Diemer - Lakeshore

Members Absent: Mayor McDermott - Essex

UWSS Staff: Rodney Bouchard, Union Water Supply System Manager  
Khristine Johnson, Recording Secretary

OCWA Staff Present: Dave Jubenville, Dale Dillen, Ken Penney

Municipal Staff Present: Shannon Belleau - Leamington

**Call to Order: 9:02 am**

**Disclosures of Pecuniary Interest: None**

**Adoption of UWSS Joint Board of Management Minutes:**

Minutes of the Union Water Supply System Joint Board of Management Board meeting of May 31, 2017.

**No. UW-34-17**

Moved by: Mayor Paterson  
Seconded by: Councillor Gaffan

That Minutes of the UWSS Joint Board of Management of the meeting of May 31, 2017 be adopted.

Carried

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

The recording secretary notes that Councillor Dunn's name was omitted from the attendance list of the minutes. She will make the correction to note that Councillor Dunn was absent at the May 31, 2017 meeting.

### **Report UW/17/17 June 16, 2017 re: Status of UWSS Operations & Maintenance and Capital Works to June 16, 2017.**

The Manager reviews his report with the board noting that many projects have been on the go since the last meeting. He explains that the new Municipal Drinking Water Licence (MDWL) and Drinking Water Works Permit (DWWP) have been issued by the MOECC. He further explains that UWSS/OCWA have been working with the MOECC since April to incorporate the new Province wide changes to items such as de-chlorination of waste water and also the allowance to make the DWWP and MDWL slightly more generic. This allows for old pumps (considered obsolete) to be changed out for new ones without the worry of finding exactly the same pumps. He notes that the UWSS waste lagoons had a little bit of chlorine leaving in the waste water but we are already working on reducing this number and meeting the new requirement. He indicates that the December 9<sup>th</sup> deadline to comply with the changes should not be an issue. The Board asks whether or not the UWSS still requires a Permit to Take Water (PTTW) and the Manager notes that yes UWSS still requires a PTTW but it was not up for renewal at the same time.

The Manager continues with his report noting that the new HL pump #4 has been installed, commissioned and is operational. The gear box on Clarifier #3 has been rehabilitated and should be installed today. Associated Engineering (AE) has completed additional DAF pilot testing using CO<sub>2</sub>. The aluminum levels are higher than is recommended and AE is working to make the clarification process better. The Manager further explains that the primary results indicate that the CO<sub>2</sub> is readily available and lowers the pH and reduces aluminum levels. He confirms that AE is preparing a report and there is potential to have a new system in place by next year.

The Manager explains that the valve chamber #117 at the new Leamington High School location is right in the path of the "drop off" lane. The valve chamber has been assessed by Stantec Consulting Ltd and it has been determined that the chamber is not capable of handling the loads that will be going over top of the chamber. Therefore the engineering firm in charge of this project will be providing drawings to our engineers so that the chamber can be reinforced. UWSS will not bear any costs. This work is expected to be completed in a timely manner.

The Manager reports that on June 6 at approximately 2 am a watermain break occurred along the 12 inch watermain running east to west along Seacliff Drive (CR 20). He further explains that usually this isn't a problem however this location is pure sand and caused a geyser effect. He confirms that all necessary personnel responded quickly to assess and contain the problem, however the road had to be closed for approximately 2 days while repairs were made. He notes that there has been some property damage and he has referred those claims to the UWSS's insurance company. The Manager shows pictures of the events. He confirms that no boil water advisory was called.

The Manager indicates that Flowmetrix is looking at the water meter#4 for Highbury CanCo in order to determine the correct size meter required in that location.

The Manager then reports on the Essex Water Tower (EWT) rehabilitation project. He notes that OCWA Engineering Services has been retained as well as PW Makar to conduct paint testing to ensure that the new paint will adhere properly. It has been determined that the current paint layers are too thick to allow for new paint to adhere effectively. There is a possibility of the new paint shearing off. Therefore it has been recommended that full removal of the existing exterior coat is recommended which would require full encapsulation of the EWT take place. Tendering should take place prior to the next meeting and he will then report back with the results of this process. He further notes that the current budget is \$850,000 and he expects this to increase to \$1 million. He will know more information by the next meeting.

The Manager informs members of the Board of the website overhaul and demonstrates the updated design.

He notes flows are still up slightly over last year.

The Board briefly discusses testing of watermain with acoustical equipment to determine lifespan. The Manager notes that this type of work is budgeted for in the 2018 budget.

#### **No. UW-35-17**

Moved by: Councillor Dunn

Seconded by: Councillor Neufeld

That the report UW/17/17 dated June 16, 2017 re: Status Update of the UWSS Operations & Maintenance Activities and Capital Works to June 16, 2017.

Carried

#### **Report UW/18/17 dated June 14, 2017 re: UWSS Combined Heat and Power (CHP) Cogeneration Plant Detailed Engineering Study Update**

The Manager reminds members of the Board his past discussions regarding this potential project. He notes that a grant application had been submitted and up until this point had heard nothing. Recently Hydro One has contacted UWSS and is interested in this project. On June 5<sup>th</sup> of this year the Manager received notification that the UWSS has been approved for \$40,100 to conduct a study based on sharing our steam energy with a greenhouse. An Agreement has been signed and the consultant is moving ahead with this study. He feels that draft will be completed by July and can then be presented to the Board. UWSS is responsible for paying out the invoices to FVB Energy, but will in turn be reimbursed. He further notes that UWSS cannot give steam energy to the greenhouses but rather enter into an agreement.

**No. UW-36-17**

Moved by: Councillor Hammond

Seconded by: Councillor Gaffan

That report UW/18/17 dated June 14, 2017 re: UWSS Combined Heat and Power (CHP) Cogeneration Plant Detailed Engineering Study Update is received.

Carried

**Report UW/19/17 dated June 14, 2017 re: Proposed Financial Analysis and Development of a Business Case for Restructuring UWSS into a Municipal Service Corporation**

The Manager reminds members that this issue has been spoken on for many years. Over the years the Manager has spoken to Board members and other municipalities and staff on how best to move forward. He is now looking at financially restructuring the UWSS to a corporate entity to allow UWSS to obtain grants and borrowing power.

The Manager asks members to consider that UWSS is now at a point where it should consider a financial review to determine what is best. He indicates that he has spoken to the legal team and in turn the legal team spoke to various financial entities that could develop a financial case and the legal team determined that Price Waterhouse Cooper (PwC) was best suited for this project. The Manager has met with PwC and the legal team to begin initial discussions and based on those discussions it seems best to move the UWSS, with its existing assets, into a Municipal Service Corporation.

The Manager indicates that PwC will be speaking with all parties involved such as (but not limited to) the municipal staffs (including CAOs, managers, directors, etc), OCWA staff, MOECC and others deemed necessary.

This review and potential changeover to MSC will allow UWSS to transfer debt from the Municipalities back to the UWSS. At this point the Municipality of Leamington would still be used for UWSS's administration.

The Manager notes that PwC is proposing using their Windsor rates vs Toronto rates and then he notes the timeline being suggested for potential changeover. He also confirms a \$150,000 budget funded from the reserves is needed to get this work completed.

The Board asks if this is a prelude to "source to tap" and the Manager indicates that it really is up to the Board but the future potential is there.

There is a discussion on why the Manager did not put the financial analysis out to tender. The Manager indicated that this is a very specialized service and he further noted that the UWSS legal team determined which financial service company would be best suited for providing the UWSS with the best services.

**No. UW-37-17**

Moved by: Mayor Paterson  
Seconded by: Councillor Jacobs

That the UWSS Board approves a budget of \$150,000 to be funded from UWSS Reserves to complete a financial analysis and development of a Business Case for the restructuring of Union Water Supply System (UWSS) and associated assets into a Municipal Services Corporation under Section 203 and Ontario Regulation 599/06 of the Municipal Act 2001; and

That the UWSS Board authorizes the UWSS General Manager to retain PwC Canada (Price Waterhouse Coopers) to complete the Financial Analysis and development of the Business Case for UWSS Restructuring into Municipal Service Corporation; and Further;

That the UWSS Board directs the UWSS General Manager to consult with the Municipality of Leamington, Town of Kingsville, Town of Essex and Town of Lakeshore, as owners in common of the Union Water Supply System, to seek and secure their support as part of the financial analysis and development of a Business Case for UWSS Restructuring into a Municipal Service Corporation.

Carried

**Report UW/20/17 dated June 16, 2017 re: Payments from May 19 to June 16, 2017**

**No. UW-38-17**

Moved by: Councillor Jacobs  
Seconded by: Councillor Patterson

That report UW/20/17 dated June 16, 2017 re: Payments from May 19 to June 16, 2017 is received.

Carried

**New Business:**

There is none.

## **Adjournment**

### **No. UW-39-17**

Moved by: Councillor Patterson

Seconded by: Councillor Diemer

That the meeting adjourn at 9:54 am

Carried

**Date of Next Meeting:** August 2, 2017 at 9:00 am in the Kingsville Community Room, Kingsville Arena

/kmj



## MINUTES

**KINGSVILLE MUNICIPAL HERITAGE ADVISORY COMMITTEE  
WEDNESDAY, JUNE 14, 2017 AT 7:00 P.M.  
Committee Room A, 2021 Division Road North, Kingsville**

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

Chair Miljan called the Meeting to order at 7:00 p.m. with the following Members in attendance:

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

Elvira Cacciavillani  
Annetta Dunnion  
Kimberly DeYong  
Margie Luffman  
Dr. Lydia Miljan  
Mayor Nelson Santos

Absent: Anna Lamarche  
Corey Gosselin  
Danielle Truax

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

Sandra Kitchen, Deputy Clerk-  
Council Services

Also in attendance: Veronica Brown, Research Assistant

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

Where a member has any pecuniary interest, direct or indirect, in any matter which is the subject of consideration at this meeting, the member shall disclose the pecuniary interest and its general nature, prior to any consideration of the matter.

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

None.

## **D. REPORTS**

1. V. Brown—Research report

Ms. Brown reported that she is presently finishing up the research for 192 County Road 14. The research is completed, except for the exact year of construction, which is proving difficult to find.

2. Update Report RE: CHO Conference event (A. Dunnion, E. Cacciavillani, K. DeYong)

Ms. Dunnion provided a summary of the workshops she attended at the recent Community Heritage Conference held in Ottawa. She indicated that a Mayor's reception was held at the Global Centre for Pluralism, which is at the location of the old War Museum. She stated that rural conservation was an important topic and there was much discussion regarding the agricultural system of the Ottawa region, and the surrounding Greenbelt of permanently protected land which protects against the loss of the agricultural land base and supports agriculture as the predominant land use. The conference reports from Ms. Cacciavillani and Ms. DeYong will be deferred to the July meeting.

3. Site visits discussion—30 Main St. East and 239 Road 11 (Site visits held on Saturday, June 10, 2017)

Dr. Miljan reported that a site visit was held at 30 Main St. East on Saturday, June 10, 2017 with Mr. Gosselin, Ms. Truax, Dr. Miljan and Ms. Lamarche in attendance. The scoring will be completed at the July 2017 meeting.

Dr. Miljan reported that a site visit was held at 239 Road 11 with Ms. Truax, Dr. Miljan and Ms. Lamarche in attendance. The history of the property will be presented to the owners. The scoring will be completed at the July 2017 meeting.

4. Dr. Miljan reported that she presented an update of the Committee's activities to Council at its May 23, 2017 Regular Meeting. At the same meeting, heritage plaques were presented to the property owners of 1500 County Road 34 (The John C. Fox House) and to the property owners of 126 Division St. South (The Warren R. Watters House). Official presentation of the remaining two plaques will be rescheduled and presented at a later date because the property owners were not in attendance. She informed members that Council thanked the Committee for the update and their hard work and ongoing commitment to heritage preservation.

5. The status of the properties on the waiting list were discussed. Updated contact information for Mr. Nadasdi will be provided to Dr. Miljan. She has been unable to reach him to schedule a site visit.



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

**MH11-2017** Moved by M. Luffman, seconded by A. Dunnion that the May 9, 2017 Minutes be adopted as presented.

**CARRIED**

## **F. BUSINESS / CORRESPONDENCE – INFORMATIONAL**

1. V. Brown—Invoice For Research Services (March 2017, April 2017, and for microfilm copies at Land Registry Office)
2. Email from A. Lamarche Re: Walking Tour Application, dated May 17, 2017

The information items were received.

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

## **H. NEXT MEETING DATES**

The setting of meeting dates for the upcoming 4 months was discussed and it was agreed to hold the meetings on the following dates:

July 26, August 23, September 28, and October 24, 2017.

## **I. ADJOURNMENT**

The meeting adjourned at 8:12 p.m.

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Chair, Lydia Miljan

---

Deputy Clerk-Council Services,  
Sandra Kitchen

Ministry of Agriculture,  
Food and Rural Affairs

Ministère de l'Agriculture,  
de l'Alimentation et  
des Affaires rurales

1 Stone Road West  
Guelph, Ontario N1G 4Y2  
Tel: 877-424-1300  
Fax: 519-826-3259

1 Stone Road West  
Guelph (Ontario) N1G 4Y2  
Tél. : 877-424-1300  
Téléc. : 519-826-3259



## Environmental Management Branch

July 25, 2017

Town of Kingsville  
c/o Ruth Orton, Clerk  
2021 Division Rd., N.  
Kingsville, ON N9Y 2Y9

RECEIVED JUL 28 2017

### RE: Notification of NASM Plan Approval

This is to inform you that a NASM Plan has been approved in your municipality.

**Approval has been granted to :** Denotter Farms Inc.  
**Date Approved:** July 24, 2017  
**Address:** 1243 Road 4 West  
Kingsville, ON K9Y 2E5

The NASM Plan has been assigned reference number 23073.

The approved NASM Plan will expire on December 31, 2021.

The NASM Plan refers to the following NASM and land application sites:

NASM		
Description	Source	Category
Sewage Biosolids	Town of Amherstburg	3

Land Application Sites			
Concession	Lot	Geotownship	Roll number
3 Western Division	E	Gosfield	371138000002200

For more information or questions about compliance and enforcement, visit the Ministry of the Environment's website: [www.ontario.ca/nasm-moe](http://www.ontario.ca/nasm-moe) or call 1-800-565-4923.

For more information about training, certification, education and NASM Plan approvals, visit the Ontario Ministry of Agriculture, Food and Rural Affairs' website: [www.ontario.ca/nasm-omafra](http://www.ontario.ca/nasm-omafra) or call 1-877-424-1300.

L.A. Senyshyn, Director  
Section 28, O. Reg. 267/03, as amended

c: Trevor Robak, OMAFRA Field Specialist  
Lee Bradshaw, MOECC District Office



## Environmental Management Branch

August 4, 2017

Town of Kingsville  
c/o Ruth Orton, Clerk  
2021 Division Rd., N.  
Kingsville, ON N9Y 2Y9

### **RE: Notification of NASM Plan Approval**

This is to inform you that a NASM Plan has been approved in your municipality.

**Approval has been granted to :** Brad Anger  
**Date Approved:** August 4, 2017  
**Address:** 5025 County Road #23, RR #2  
Harrow, ON N0R 1G0

The NASM Plan has been assigned reference number **23104**.

The approved NASM Plan will expire on **December 31, 2021**.

The NASM Plan refers to the following NASM and land application sites:

NASM		
Description	Source	Category
Sewage Biosolids	Town of Amherstburg	3
Sewage biosolids	Wheatley WWTP, Chatham	3

Land Application Sites			
Concession	Lot	Geotownship	Roll number
9	20, 21	Colchester	375439000005300 375490000055030
5	19	Colchester	375480000001600
3	11	Colchester	375477000000300
3 Western Division	C, D	Colchester	371138000002600

For more information or questions about compliance and enforcement, visit the Ministry of the Environment's website: [www.ontario.ca/nasm-moe](http://www.ontario.ca/nasm-moe) or call 1-800-565-4923.

...2



For more information about training, certification, education and NASM Plan approvals, visit the Ontario Ministry of Agriculture, Food and Rural Affairs' website: [www.ontario.ca/nasm-omafra](http://www.ontario.ca/nasm-omafra) or call 1-877-424-1300.



L.A. Senyshyn, Director  
Section 28, O. Reg. 267/03, as amended

c: Trevor Robak, OMAFRA Field Specialist  
Lee Bradshaw, MOECC District Office

The Members of Council  
The Town of Kingsville  
2021 Division Road  
Kingsville, Ontario  
N9Y 2Y9

RECEIVED AUG - 3 2017



Dear Members of Council,

On behalf of our recently opened business - Old Dutch Guys Chocolate, the business partners Henry Noestheden and Cor Boon are pleased to share our observations about the unique community of Kingsville. In several brief unofficial meetings with Mayor Santos I have expressed my views and now wish to share these views with all members of Council.

Our chocolate store is distinctly different and locating this business required careful consideration and a good deal of research for the right community in which to locate. That research would include numerous visits to 'experience' the communities under consideration.

After a 'Soft Opening' and a two month history we can conclude that our choice to locate in Kingsville was clearly correct and it provides the partners the opportunity to share with the members of Council some of the reasons that exemplify the success of this beautiful town.

The 'down-town core' of Kingsville is a unique 'Gem' and every opportunity has been undertaken to create a vibrant business community. The streets are beautifully maintained and regularly swept, decorative planters add natural beauty to our sidewalks and lamp posts, and the recently installed clock at the four corners along with a new bench and floral displays provide an elegant and thoughtful place for visitors to meet and rest. No parking meters and four Municipal parking lots provide worry free shopping.

We also recognize that new businesses locating at the 'down-town core' bring new levels of interest to Kingsville. The new businesses will undoubtedly attract many local and International visitors who will experience this increasingly sophisticated business community and spread the word that the Town of Kingsville is truly unique and attractive.

During our planning and construction the partners of Old Dutch Guys Chocolate were treated with courtesy and respect in our interactions with our town's officials and trust that our relationship will continue in this positive light. Both Henry and I encourage the members of our Town Council to maintain the architectural integrity and beauty of down-town Kingsville in view of its growing importance as a 'successful model' for other Canadian communities.

With our best wishes to all members of our Town Council for continued excellence we enclose our congratulations on a job well done.

Kindest regards, Cornelis (Cor) A. Boon and Henry M. Noestheden  
Partners - Old Dutch Guys Chocolate  
2 Main Street West  
Kingsville, ON. N9Y 1H1





Office of the Director of Council Services/Clerk

Mary S. Brennan, B.A., C.M.O.  
Director of Council Services/Clerk

July 27, 2017

Windsor Essex County Environment Committee  
Council Services Department  
350 City Hall Square, Room 203  
Windsor, Ontario  
N9A 6S1

**Re: Support for Windsor Essex County Environment Committee  
Resolution Pertaining to the Ontario Nuclear Emergency  
Response Plan**

---

Essex County Council, at their meeting of July 19, 2017 considered the Windsor Essex County Environment Committee (WECEC) Resolution regarding the Ontario Nuclear Emergency Response Plan. Essex County Council resolved as follows:

**158-2017**

**Moved By Mr. Bondy**

**Seconded By Mr. McNamara**

**That** Essex County Council adopt the resolution proposed in the Windsor Essex County Environment Committee Report No. 96 regarding proposed changes to the Provincial Nuclear Emergency Response Plan. **Carried**

If you have any questions or concerns related to this, or another County matter, please feel free to contact the undersigned.

Regards,

Mary Brennan  
Director of Council Services/Clerk

**Encl. – WECEC Report and Resolution**

CC: Office of the Premier of Ontario - Queen's Park, Toronto Ontario, M7A 1A1  
[kwynne.mpp.co@liberal.ola.org](mailto:kwynne.mpp.co@liberal.ola.org)

# Support for Windsor Essex County Environment Committee Resolution Pertaining to the Ontario Nuclear Emergency Response Plan

Page 2 of 2

July 27, 2017

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Minister of Community Safety and Correctional Service – 18<sup>th</sup> Floor, 25 Grosvenor Street,  
Toronto Ontario M7A 1Y6 [MCSCS.Feedback@ontario.ca](mailto:MCSCS.Feedback@ontario.ca)  
Minister of Health and Long Term Care - Hepburn Block, 10th Floor, 80 Grosvenor Street,  
Toronto, Ontario M7A 2C4 [ehoskins.mpp@liberal.ola.org](mailto:ehoskins.mpp@liberal.ola.org)  
Member of Provincial Parliament Essex – Queen's Park, Room 370, West Wing, Main  
Legislative Building, Toronto Ontario M7A 1A5 [tnatyshak-qp@ndp.on.ca](mailto:tnatyshak-qp@ndp.on.ca)  
Member of Provincial Parliament Chatham-Kent Essex – Queen's Park, Room 316, Main  
Legislative Building, Toronto Ontario M7A 1A8 [rick.nicholls@pc.ola.org](mailto:rick.nicholls@pc.ola.org)  
Member of Provincial Parliament Windsor Tecumseh – Queen's Park, Room 363, Main  
Legislative Building, Toronto Ontario M7A 1A5 [PHatfield-QP@ndp.on.ca](mailto:PHatfield-QP@ndp.on.ca)  
Member of Provincial Parliament Windsor West – Queen's Park, Room 170, Main Legislative  
Building, Toronto Ontario M7A 1A5 [LGretzky-QP@ndp.on.ca](mailto:LGretzky-QP@ndp.on.ca)  
Municipal Clerks – Windsor [vcritchley@citywindsor.ca](mailto:vcritchley@citywindsor.ca); Pelee Island [k.digiovanni@pelee.ca](mailto:k.digiovanni@pelee.ca) and  
Essex County Municipalities (Amherstburg [pparker@amherstburg.ca](mailto:pparker@amherstburg.ca) , Essex [rauger@essex.ca](mailto:rauger@essex.ca),  
Lakeshore [mmasse@lakeshore.ca](mailto:mmasse@lakeshore.ca) , LaSalle [bandreat@lasalle.ca](mailto:bandreat@lasalle.ca) , Leamington  
[rorton@leamington.ca](mailto:rorton@leamington.ca), Kingsville [jastrologo@kingsville.ca](mailto:jastrologo@kingsville.ca), Tecumseh [lmoy@tecumseh.ca](mailto:lmoy@tecumseh.ca))  
Dan Metcalfe, County of Essex [dmetcalfe@countyofessex.on.ca](mailto:dmetcalfe@countyofessex.on.ca)

**Environment, Transportation   Public Safety Standing Committee**  
**Meeting Held June 28, 2017**

---

**Report No. 96 of the Windsor Essex County Environment Committee - Windsor and Essex County in close proximity to U.S. based Fermi and Davis-Besse Nuclear Stations**

Moved by: Councillor Francis

Seconded by: Councillor Borrelli

Decision Number: **ETPS 509**

THAT Report No. 96 of the Windsor Essex County Environment Committee indicating that:

WHEREAS the Government of Ontario has asked for the public and municipalities to provide recommendations on how it should update the province's Provincial Nuclear Emergency Response Plan (PNERP) before July 15, 2017; and,

WHEREAS Essex County and the City of Windsor are in close proximity to the Michigan-based Fermi nuclear station and Ohio-based Davis-Besse nuclear station; and,

WHEREAS over forty civil society organizations, including the Registered Nurses' Association of Ontario (RNAO) and the Canadian Association of Physicians for the Environment (CAPE), have called on the provincial government to address gaps in current emergency plans by strengthening transparency, protecting vulnerable communities, meeting best practices and protecting drinking water;

THEREFORE BE IT RESOLVED that City of Windsor and County of Essex Council submit the following recommendations to the Government of Ontario to ensure communities living in proximity to the Fermi and the Davis-Besse nuclear stations be accorded the same level of public safety as communities living near the Ontario-based Bruce, Darlington and Pickering nuclear stations.

Recommendations to the Government of Ontario regarding the Provincial Nuclear Emergency Response Plan (PNERP): Include requirements for the pre-distribution and availability of potassium iodide (KI) pills for communities living in proximity to the Fermi and Davis-Besse nuclear stations equivalent to requirements for Ontario-based nuclear stations;



- 1) Recognize public expectations for public safety by ensuring plans are in place to address Fukushima-scale accident;
- 2) Adopt a policy of meeting or exceeding international best practices in nuclear emergency response measures wherever feasible;
- 3)&Require provincial and municipal authorities to regularly identify vulnerable communities within provincial nuclear response zones and prepare emergency measures adapted to the needs of such vulnerable communities;
- 4) Include new requirements for transparency and regular public review, especially with affected communities;
- 5) Ensure awareness campaigns are in place to inform the residents of Southwestern Ontario on how to prepare for a nuclear emergency; and
- 6) Ensure adequate measures are in place to protect drinking water in the event an accident at a Canadian or American-based reactor contaminates the Great Lakes.

And further, that a copy of this resolution BE SENT to:

The municipalities of Essex, Amherstburg, Lakeshore, LaSalle, Leamington, Kingsville, Tecumseh, Windsor, Chatham-Kent;

Windsor Essex County Health Unit

City of Toronto

City of Toronto Office of Emergency Management

Hon. Kathleen Wynne, Premier of Ontario

Minister of Community Safety and Correctional Services

Minister of Health and Long-Term Care

Members of Provincial Parliament

Lisa Gretzky

Percy Hatfield

Taras Natyshak

**BE APPROVED** as presented.

Carried.

Report No.: SCM 117 /2017

Clerk's File No: MB2017

(Administrative Report attached which was previously distributed as part of the Standing Committee Agenda)

**Clerk's Note:** The recommendation of both the Standing Committee and the Advisory Committee are the same.



COMMITTEE MATTERS  
ETPS Standing Committee  
June 28, 2017

Subject: **Report No. 96 of the Windsor Essex County Environment Committee -  
Windsor and Essex County in close proximity to U.S. based Fermi and  
Davis-Besse Nuclear Stations**

**REPORT NO. 96**  
of the  
**WINDSOR-ESSEX COUNTY ENVIRONMENT COMMITTEE (WECEC)**  
of its meeting held  
June 8, 2017  
at 5:30 o'clock p.m.  
Ojibway Nature Centre

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***Members present at the June 8, 2017 meeting:***

Councillor Paul Borrelli, Chair  
Councillor Fred Francis  
Aldo DiCarlo, Mayor, Town of Amherstburg  
Derek Coronado  
Debby Grant  
Mike Nelson  
Joe Passa  
Dr. Edwin Tam  
Radwan Tamr

***Regrets received from:***

Nelson Santos, Mayor, Town of Kingsville

Your Committee submits the following recommendations:

**WHEREAS** the Government of Ontario has asked for the public and municipalities to provide recommendations on how it should update the province's Provincial Nuclear Emergency Response Plan (PNERP) before July 15, 2017; and

**WHEREAS** Essex County and the City of Windsor are in close proximity to the Michigan-based Fermi nuclear station and Ohio-based Davis-Besse nuclear station; and

**WHEREAS** over forty civil society organizations, including the Registered Nurses' Association of Ontario (RNAO) and the Canadian Association of Physicians for the Environment (CAPE), have called on the provincial government to address gaps in current emergency plans by strengthening transparency, protecting vulnerable communities, meeting best practices and protecting drinking water;

**THEREFORE BE IT RESOLVED** that City of Windsor and County of Essex Council submit the following recommendations to the Government of Ontario to ensure communities living in proximity to the Fermi and the Davis-Besse nuclear stations be accorded the same level of public safety as communities living near the Ontario-based Bruce, Darlington and Pickering nuclear stations.

Recommendations to the Government of Ontario regarding the Provincial Nuclear Emergency Response Plan (PNERP): Include requirements for the pre-

distribution and availability of potassium iodide (KI) pills for communities living in proximity to the Fermi and Davis-Besse nuclear stations equivalent to requirements for Ontario-based nuclear stations;

- 1) Recognize public expectations for public safety by ensuring plans are in place to address Fukushima-scale accident;
- 2) Adopt a policy of meeting or exceeding international best practices in nuclear emergency response measures wherever feasible;
- 3) Require provincial and municipal authorities to regularly identify vulnerable communities within provincial nuclear response zones and prepare emergency measures adapted to the needs of such vulnerable communities;
- 4) Include new requirements for transparency and regular public review, especially with affected communities;
- 5) Ensure awareness campaigns are in place to inform the residents of Southwestern Ontario on how to prepare for a nuclear emergency; and
- 6) Ensure adequate measures are in place to protect drinking water in the event an accident at a Canadian or American-based reactor contaminates the Great Lakes.

And further, that a copy of this resolution be sent to:

The municipalities of Essex, Amherstburg, Lakeshore, LaSalle,  
Leamington, Kingsville, Tecumseh, Windsor, Chatham-Kent;  
Windsor Essex County Health Unit  
City of Toronto  
City of Toronto Office of Emergency Management  
Hon. Kathleen Wynne, Premier of Ontario  
Minister of Community Safety and Correctional Services  
Minister of Health and Long-Term Care  
Members of Provincial Parliament  
Lisa Gretzky  
Percy Hatfield  
Taras Natyshak)

**NOTE:** Background information is **attached.**

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CHAIR

---

COMMITTEE COORDINATOR

**Report No. 96 of the Windsor Essex County  
Environment Committee**

---

<b>NOTIFICATION</b>	<b>CONTACT INFORMATION</b>
WECEC Committee including resource	On file
Mary Brennan, Director of Council Services, Essex	<a href="mailto:mbrennan@countyofessex.on.ca">mbrennan@countyofessex.on.ca</a>
Mary Masse, Town Clerk, Town of Lakeshore	<a href="mailto:mmasse@lakeshore.ca">mmasse@lakeshore.ca</a>
Brenda Andreatta, Clerk, Town of Lasalle	<a href="mailto:bandreat@town.lasalle.on.ca">bandreat@town.lasalle.on.ca</a>
Jennifer Alexander, Deputy Clerk, Town of Kingsville	<a href="mailto:jalexander@kingsville.ca">jalexander@kingsville.ca</a>
Laura Moy, Clerk, Town of Tecumseh	<a href="mailto:lmoy@tecumseh.ca">lmoy@tecumseh.ca</a>
Paula Parker, Town of Amherstburg	<a href="mailto:pparker@amherstburg.ca">pparker@amherstburg.ca</a>
Town of Leamington	111 Erie Street North, Leamington, ON N8H 2Z9
Chatham-Kent	<a href="mailto:ckinfo@chatham-kent.ca">ckinfo@chatham-kent.ca</a>
Windsor Essex County Health Unit	<a href="mailto:pwong@wechu.org">pwong@wechu.org</a>
City of Toronto	<a href="mailto:311@toronto.ca">311@toronto.ca</a>
Honourable Kathleen Wynne, Premier of Ontario	Kathleen Wynne, Premier Legislative Building, Queen's Park Toronto, ON M7A 1A1
Minister of Community Safety Correctional Services	Community Safety & Correctional Services George Drew Building, 18 <sup>th</sup> floor 25 Grosvenor Street, Toronto, ON M7A 1Y6
Minister of Health & Long Term Care	Health & Long Term Care Hepburn Block, 10 <sup>th</sup> floor 80 Grosvenor Street, Toronto, ON M7A 2C4
Lisa Gretzky, MPP Windsor West	<a href="mailto:LGretzky-QP@ndp.on.ca">LGretzky-QP@ndp.on.ca</a>
Percy Hatfield, MPP Windsor Tecumseh	<a href="mailto:PHatfield-QP@ndp.on.ca">PHatfield-QP@ndp.on.ca</a>
Taras Natyshak, MPP Essex	<a href="mailto:TNatyshak-QP@ndp.on.ca">TNatyshak-QP@ndp.on.ca</a>



June 5, 2017

Windsor Essex County Environment Committee  
Council Services Department  
350 City Hall Square Room 203  
Windsor, Ontario  
N9A 6S1

**Re: Advocating for public safety in Windsor and Essex County**

Dear members of the Windsor Essex County Environment Committee,

We write to ask you to urge the province to put in place the world-class emergency response plans residents of Windsor and Essex County expect and deserve when it comes to nuclear safety.

On May 15th the province released a Discussion Paper on updating the province's nuclear emergency response plans post Fukushima. The Province has requested public comment by July 14th

Windsor and Essex County are in close proximity to the American-based Fermi and Davis-Besse nuclear stations and would likely be impacted in the event of a nuclear emergency. That said, we fear Windsor and Essex County may receive less attention on nuclear safety matters from provincial authorities than communities with Ontario-based reactors.

Attached to this letter you'll find policy suggestions on how the Province could strengthen nuclear emergency response measures and the transparency and accountability of provincial emergency planning. *A Call for Public Safety: Addressing Nuclear Risks on the Great Lakes* has been endorsed by over forty organizations, including Registered Nurses Association of Ontario (RNAO), the David Suzuki Foundation and Canadian Association of Physicians for the Environment.

Based on our review of international best practices and lessons from Fukushima, we recommend strengthening the public safety of Ontarians by:

- Upgrading emergency measures to provide for worst-case accidents;
- Strengthening the protections of vulnerable communities in such accidents;

- Protecting drinking water; and
- Ensuring transparency and public participation in planning nuclear emergency measures; and,
- Meeting International best practices as to nuclear emergency planning and preparedness.

I hope the attached policy recommendations can assist and inform municipal advocacy on behalf of public safety in Southwestern Ontario.

Thank you for your attention.

Truly,



Derek Coronado  
Coordinator  
Citizens Environment  
Alliance of  
Southwestern  
Ontario

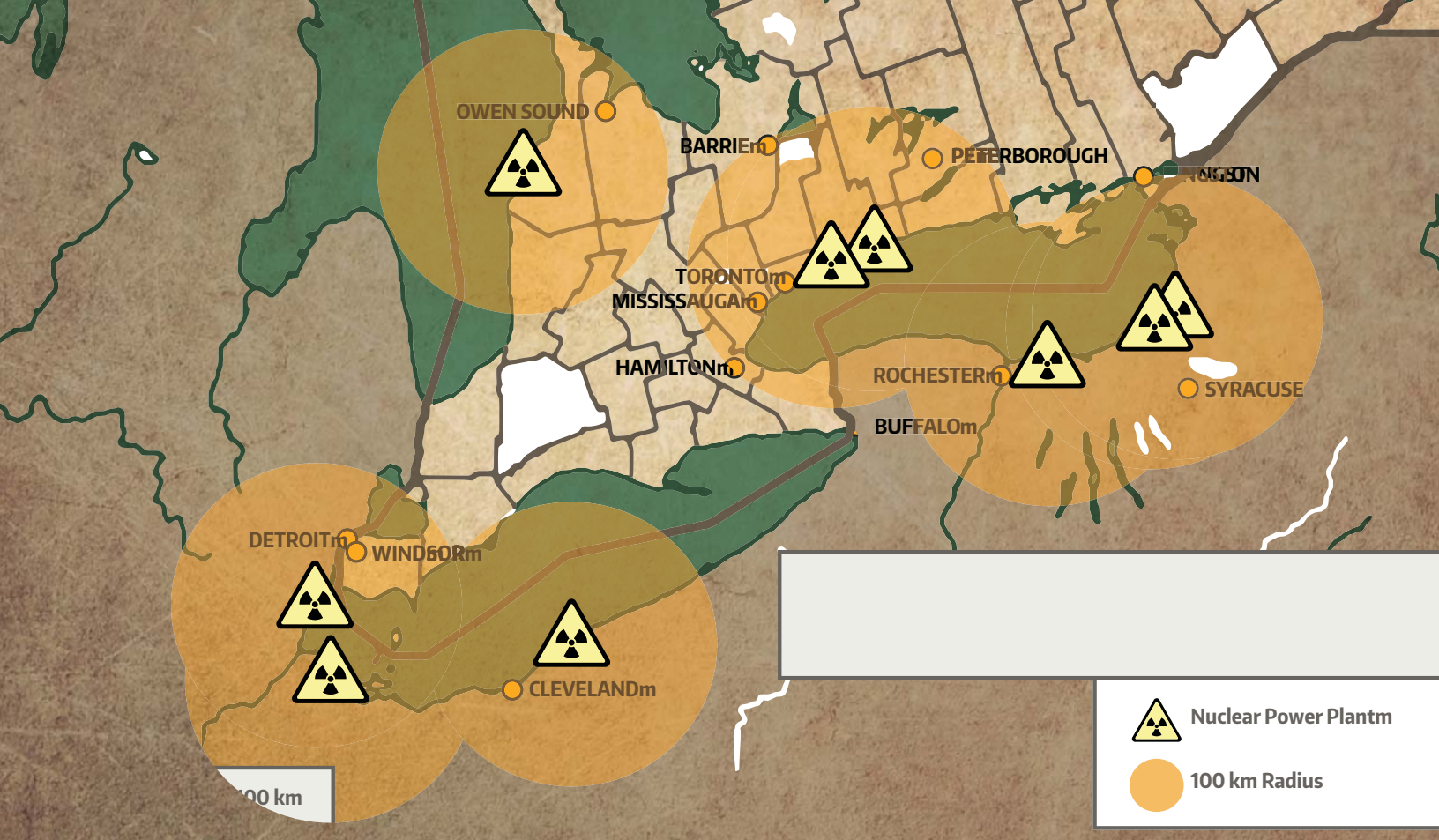


Theresa McClenaghan  
Executive Director  
Canadian Environmental  
Law Association



Shawn-Patrick Stensi  
Senior Energy Analyst  
Greenpeace Canada





## MOST PEOPLE IN SOUTHERN ONTARIO LIVE NEAR AN AGING NUCLEAR REACTOR OPERATING ON EITHER THE CANADIAN OR AMERICAN SHORES OF THE GREAT LAKES.

Historically, Ontario has put in place detailed nuclear emergency response plans to address only a relatively small accidental radiation release.

This must change in light of Fukushima.

We call on the provincial government to ensure nuclear emergency response plans are in place to:

- Protect people from Fukushima-scale accidents;
- Protect vulnerable communities;
- Protect drinking water;
- Ensure transparency and public participation;
- Meet or exceed international best practices.

The Ontario government recently committed to run eighteen aging reactors at the Darlington, Bruce and Pickering stations well beyond their original operational lives. Ten of these aging reactors are in the Greater Toronto Area (GTA) – creating risks for millions of nearby residents.

Aging reactors in the United States at the Fermi, Davis-Besse, Perry, Ginna, Fitzpatrick and Nine Mile Point nuclear stations also put Ontarians and our drinking water at risk.

In light of these risks, the Ontario government should protect public safety and prevent needless risks to health and society by making Ontario's nuclear emergency plans the most robust in the world.





## TO PROTECT PEOPLE THE ONTARIO GOVERNMENT SHOULD:

- " Use a Fukushima-scale radioactive release as the baseline "reference accident" for j determining offsite protective measures, such as alerts, evacuation, and potassium iodide j (KI) pre-distribution.<sup>1j</sup>
- " Regularly publish modelling on Fukushima-scale accidents at the Bruce, Pickering, j Darlington nuclear stations to confirm the adequacy of offsite emergency response. j
- " Expand emergency planning areas to align with the impacts of Fukushima, including at least j a 20 km evacuation zone. j
- " Ensure all municipalities within 100 km of a nuclear station, including American reactors, j develop and maintain nuclear emergency response plans. j

## BACKGROUND

- " To create a nuclear emergency plan, the first public safety decision is selecting the **scale** of reactor accident. jThe scale of accident chosen is referred to as the "planning basis" or a j "reference accident." j
- " ntario 's current "planning basis" was effectively established before the 1986 Chernobyl j accident. jIt assumes delayed radioactive releases that are significantly smaller than j Fukushima or Chernobyl.<sup>2j</sup>
- " Following selection of a reference accident, the second public safety decision involves j determining what **protective measures** should be in place. Protective measures protect j people from radiation exposure. jExamples include evacuation or ingesting potassium iodide j (KI), which reduces your thyroid's exposure to radioactive iodine. j
- " ntario 's current emergency measures are geographically limited to areas close to j nuclear stations due to the current small-scale "reference accident". This includes a 10 km j evacuation zone also known as the "Primary Zone" and a "Secondary Zone" j that varies in j size between 50 – 80 km. j
- " ccording to a joint committee of European nuclear regulators and radiation protection j authorities struck following Fukushima: "...an accident comparable to Fukushima would j require protective actions such as evacuation to around 20 km and sheltering to around 100 j km. These actions would be combined with the intake of stable iodine."<sup>3j</sup>

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<sup>1</sup> The Fukushima accident released approximately 520 Peta Becquerels of radioactivity. A Becquerel is equivalent to one nuclear decay per second. The radioactive releases from Fukushima were approximately ten times larger than the highest level (level seven) accident on the International Atomic Energy Agency's (IAEA) International Nuclear Event Scale (INES). t

<sup>2</sup> Following the Three Mile Island accident the province began considering how to prepare for a nuclear emergency. In 1985, the Working Group # 3 report recommended the technical basis and reference accident that still effectively serves as the basis for offsite emergency plans.

<sup>3</sup> Heads of the European Radiological protection Competent Authorities (HERCA) and Western European Nuclear Regulators' Association (WENRA), Ad hoc High-Level Task Force on Emergencies (AtHLET), Position paper, 22 October 2014 t

- "Belgium's Superior Health Council recommended in 2016 that the government adopt a "precautionary approach" to emergency planning and consider large, previously ignored radiation release scenarios.<sup>4</sup> It also recommended that "based on the experience of past accidents, the areas covered by the plan for sheltering, the distribution of stable iodine and evacuation [should] be extended to cover realistic distances."<sup>5</sup>
- "Modelling of a Fukushima-scale radioactive release by the German Commission on Radiological Protection (SSK) recommended expanding evacuation zones around German reactors from 10 to 20 km; preparing radiation monitoring programs out to 100 km to determine in the event of an accident whether additional evacuations, sheltering or KI consumption is required; and, preparations for KI consumption for children and pregnant women living beyond 100 km."<sup>6</sup>
- "Following the Fukushima disaster, Japan's nuclear regulator observed: "A general lesson learned from the Fukushima accident, as well as the accidents at Three Mile Island and Chernobyl, is that there was an implicit assumption that such severe accidents could not happen, and thus sufficient attention had not been paid to preparedness for the accidents by the operators and the regulatory authorities."<sup>7</sup>

<sup>4</sup> Conseil Supérieur de la Santé, Conseil Supérieur de la Santé, Accidents nucléaires, environnement et santé après Fukushima. Planification d'urgence, AVIS DU CONSEIL SUPERIEUR DE LA SANTE N° 9235, février 2016, pgs 88.

<sup>5</sup> Conseil Supérieur de la Santé, 2016, pg 83.

<sup>6</sup> German Commission on Radiological Protection (SSK), Planning areas for emergency response near nuclear power plants, 2014. p

<sup>7</sup> P. Homma et al., "Radiation protection issues on preparedness and response for a severe nuclear accident: experiences of the Fukushima accident," ICRP 2013 Proceedings, pgs 347- 356.



## **TO PROTECT VULNERABLE COMMUNITIES, ONTARIO'S NUCLEAR EMERGENCY PLANS SHOULD:**

- " Identify vulnerable groups, such as people with disabilities, babies, children, pregnant k women, people residing in retirement homes, and hospital patients who may need to be k evacuated in the event of a Fukushima-scale accident. k
- " Require clear plans to assist vulnerable groups before and after evacuation, including k support from health care practitioners. k
- " Acknowledge that operating reactors in densely populated areas like the Greater Toronto k Area (GTA) will complicate emergency response in the event of a major reactor accident and k require detailed plans for large-scale evacuation in the short-term and the accommodation k of large populations in the long-term. k
- " At a minimum, pre-stock potassium iodide (KI) pills in all schools within 100 km of all nuclear k stations in or near Ontario. k

## **BACKGROUND**

- " Deaths in vulnerable communities, particularly the elderly, during evacuations following k the Fukushima disaster have largely been attributed to the lack of pre-planned health care k provision including evacuation logistics.<sup>8k</sup>
- " Belgium's Superior Health Council concluded that siting reactors near densely populated k areas would significantly complicate emergency response, compared to the sparsely k populated area around Fukushima. To address this vulnerability, the Council recommended k that plans be in place for the evacuation and long-term displacement of large populations.<sup>9k</sup>
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- " Belgium's Superior Health Council also recommended having plans in place to distribute k I k pills to vulnerable communities, including children as well as pregnant and breastfeeding k women up to 100 km from any nuclear station. It also recommended that the effectiveness k of large-scale distribution strategies should be regularly and carefully evaluated.<sup>12k</sup>

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<sup>8</sup> A. Hasegawa et al., "Emergency Responses and Health Consequences after the Fukushima Accident; Evacuation and Relocation," *Clinical Oncology*, 28 (2016) 237

Conseil Supérieur de la Santé, 2016, pg 85.

<sup>10</sup> International Investigation Committee on the Accident at Fukushima Nuclear, July 23, 2012, pg 490. Power 9 Stations of Tokyo Electric Power Company, July 23, 2012 9

<sup>11</sup> German Commission on Radiological Protection (SSK), 2014, pg 21. 9

<sup>12</sup> Conseil Supérieur de la Santé, 2016, pg 69.



### **TO PROTECT DRINKING WATER, ONTARIO'S NUCLEAR EMERGENCY PLANS SHOULD:**

- LI Provide alternative sources of drinking water for residents whose drinking water is sourced from any of the Great Lakes on which a nuclear power plant is located.
- LI Ensure alternative drinking water sources are identified, and that logistical plans to supply the impacted population with these alternative sources are in place to last indefinitely.
- LI Model and publish Fukushima-scale accidents at nuclear stations on the Canadian and American sides of the Great Lakes to assess impacts on drinking water supplies and aquatic ecosystems.

|

### **BACKGROUND**

- LI The Fukushima accident caused significant – and ongoing – radioactive emissions to the Pacific Ocean, contaminating aquatic ecosystems and food supplies.
- LI The Great Lakes provide drinking water for approximately 40 million Canadians and Americans.
- LI There are ten reactors at the Pickering and Darlington nuclear stations operating on the Canadian side of Lake Ontario.
- LI There are eight reactors operating on the Canadian side of Lake Huron at the Bruce nuclear station.
- LI There are three reactors operating at the Fermi, Davis-Besse and Perry nuclear stations on the US side of Lake Erie.
- LI There are four reactors operating on the US side of Lake Ontario at the Fitzpatrick, Nine Mile Point and Ginna nuclear stations.
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<sup>13</sup> Conseil Supérieur de la Santé, 2016, pg 86.



## **TO PREVENT COMPLACENCY AND ENABLE PUBLIC PARTICIPATION, THE ONTARIO GOVERNMENT SHOULD:**

- " Apply the government's Open Government policy to nuclear emergency planning and I require detailed government information on nuclear emergency planning be available by I default, including accident modelling. I
- " Require regular five-year reviews and detailed consultations with the public and affected I communities as to continuous improvement of both the planning basis and emergency I response measures. I

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- " Premier Kathleen Wynne has stated her government's goal is to become "the most open and I transparent government in Canada." I
- " There are currently no legal requirements for the Ontario government to regularly review I and consult communities on the adequacy and acceptability of offsite nuclear I emergency planning. I
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- " In its recommendation that "vulnerability analysis" be the basis of nuclear emergency I planning, Belgium's Superior Health Council noted that such an analysis requires the KI participation of all affected stakeholders, including citizens."<sup>15</sup> KI
- " The Japanese government's investigation into the Fukushima disaster found that people I responsible for and involved in responding to the accident were unfamiliar with protective I measures and that emergency plans had not been recently updated and were incomplete."<sup>16</sup> I
- " In November 2015 Durham Region, the host community for the Pickering and Darlington I nuclear stations, passed a motion asking the government of Ontario to "provide all non-I confidential data and studies used in considering changes to Ontario's off-site nuclear I emergency plans."<sup>17</sup> I

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<sup>14</sup> Commission on Radiological Protection, Publication 109: Applic' tion of the Commission's Recommendations for ' the Protection of People in Emergency Exposure Situations, Approved by the Commission in October 2008. '

<sup>15</sup> Conseil Supérieur de la Santé, 2016, pg. 17.

<sup>16</sup> The National Diet of Japan, The Official Report of the Fukushima Nuclear Accident Independent Investigation Commission, Executive Summary, 2012. '

<sup>17</sup> Durham Regional Council – Minutes, November 4, 2015, pg. 29.





**TO ENSURE ONTARIANS A LEVEL OF PUBLIC SAFETY ON PAR WITH OTHER JURISDICTIONS AND REFLECTING THE EXTREMELY HIGH POPULATION DENSITY IN THE VICINITY OF 10 OF THE OPERATING REACTORS IN THE GREATER TORONTO AREA, THE GOVERNMENT SHOULD:**

- " Require nuclear emergency response measures meet or exceed international best practices. p
- " Regularly review and publicly report on international developments and best practices in p offsite nuclear emergency planning as well as on plans to adjust and improve Ontario's plan p to meet or exceed the best practices in other OECD jurisdictions. p

**BACKGROUND**

- " sing international best practices as a decision-making principle will drive Ontario policy p toward excellence and prioritizes public safety. p
- " Reporting on international best practices will enable public scrutiny and debate by providing p Ontarians with tangible examples of how Ontario's emergency protective measures compare p to other jurisdictions. p
- " Establishing emergency protective measures using a best-practice approach is a means of p addressing the inherent uncertainties in nuclear risks and building trust with the public. p
- " Regularly reporting on international best practices will discourage complacency among p government agencies responsible for nuclear emergency response. p
- " International Atomic Energy Agency safety guidance is in many respects a "lowest common p denominator"<sup>18</sup> standard. p uch standards should only be considered as a safety baseline. p

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<sup>18</sup> J. D. Harvie, Review of Licensing Approach Proposed for the Advanced CANDU Reactor, Commissioned by the Canadian Nuclear Safety Commission (RSP-0184C), September 2004, pg 4. u



**COUNCIL SERVICES DEPARTMENT**

**VALERIE CRITCHLEY**  
CITY CLERK

*IN REPLY, PLEASE REFER  
TO OUR FILE NO. \_\_\_\_\_*

July 28, 2017

The Honourable Kathleen Wynne  
Premier of Ontario  
Legislative Building  
Queen's Park  
Toronto ON M7A 1A1

Dear Premier Wynne,

Windsor City Council at its meeting held July 17, 2017 adopted the following resolution:

Decision Number: CR402/2017 ETPS 509

That Report No. 96 of the Windsor Essex County Environment Committee indicating that:

WHEREAS the Government of Ontario has asked for the public and municipalities to provide recommendations on how it should update the province's Provincial Nuclear Emergency Response Plan (PNERP) before July 15, 2017; and,

WHEREAS Essex County and the City of Windsor are in close proximity to the Michigan-based Fermi nuclear station and Ohio-based Davis-Besse nuclear station; and,

WHEREAS over forty civil society organizations, including the Registered Nurses' Association of Ontario (RNAO) and the Canadian Association of Physicians for the Environment (CAPE), have called on the provincial government to address gaps in current emergency plans by strengthening transparency, protecting vulnerable communities, meeting best practices and protecting drinking water;

THEREFORE BE IT RESOLVED that City of Windsor and County of Essex Council submit the following recommendations to the Government of Ontario to ensure communities living in proximity to the Fermi and the Davis-Besse nuclear stations be accorded the same level of public safety as communities living near the Ontario-based Bruce, Darlington and Pickering nuclear stations.



Recommendations to the Government of Ontario regarding the Provincial Nuclear Emergency Response Plan (PNERP): Include requirements for the pre-distribution and availability of potassium iodide (KI) pills for communities living in proximity to the Fermi and Davis-Besse nuclear stations equivalent to requirements for Ontario-based nuclear stations;

- 1) Recognize public expectations for public safety by ensuring plans are in place to address Fukushima-scale accident;
- 2) Adopt a policy of meeting or exceeding international best practices in nuclear emergency response measures wherever feasible;
- 3) Require provincial and municipal authorities to regularly identify vulnerable communities within provincial nuclear response zones and prepare emergency measures adapted to the needs of such vulnerable communities;
- 4) Include new requirements for transparency and regular public review, especially with affected communities;
- 5) Ensure awareness campaigns are in place to inform the residents of Southwestern Ontario on how to prepare for a nuclear emergency; and
- 6) Ensure adequate measures are in place to protect drinking water in the event an accident at a Canadian or American-based reactor contaminates the Great Lakes.

And further, that a copy of this resolution BE SENT to:

The municipalities of Essex, Amherstburg, Lakeshore, LaSalle, Leamington, Kingsville, Tecumseh, Windsor, Chatham-Kent;

Windsor Essex County Health Unit

City of Toronto

City of Toronto Office of Emergency Management

Hon. Kathleen Wynne, Premier of Ontario

Minister of Community Safety and Correctional Services

Minister of Health and Long-Term Care

Members of Provincial Parliament Lisa Gretzky, Percy Hatfield, Taras Natyshak

**BE APPROVED** as presented.

Carried.

Your consideration for council's resolution is appreciated.

Yours very truly,



Steve Vlachodimos

Deputy City Clerk and Senior Manager of Council Services

SV/wf

attachments



June 5, 2017

Windsor Essex County Environment Committee  
Council Services Department  
350 City Hall Square Room 203  
Windsor, Ontario  
N9A 6S1

**Re: Advocating for public safety in Windsor and Essex County**

Dear members of the Windsor Essex County Environment Committee,

We write to ask you to urge the province to put in place the world-class emergency response plans residents of Windsor and Essex County expect and deserve when it comes to nuclear safety.

On May 15th the province released a Discussion Paper on updating the province's nuclear emergency response plans post Fukushima. The Province has requested public comment by July 14th.

Windsor and Essex County are in close proximity to the American-based Fermi and Davis-Besse nuclear stations and would likely be impacted in the event of a nuclear emergency. That said, we fear Windsor and Essex County may receive less attention on nuclear safety matters from provincial authorities than communities with Ontario-based reactors.

Attached to this letter you'll find policy suggestions on how the Province could strengthen nuclear emergency response measures and the transparency and accountability of provincial emergency planning. *A Call for Public Safety: Addressing Nuclear Risks on the Great Lakes* has been endorsed by over forty organizations, including Registered Nurses Association of Ontario (RNAO), the David Suzuki Foundation and Canadian Association of Physicians for the Environment.

Based on our review of international best practices and lessons from Fukushima, we recommend strengthening the public safety of Ontarians by:

- Upgrading emergency measures to provide for worst-case accidents;
- Strengthening the protections of vulnerable communities in such accidents;

- Protecting drinking water;
- Ensuring transparency and public participation in planning nuclear emergency measures; and,
- Meeting International best practices as to nuclear emergency planning and preparedness.

It is our hope the attached policy recommendations can assist and inform municipal advocacy on behalf of public safety in Southwestern Ontario.

Thank you for your attention.

Truly,



Derek Coronado  
Coordinator  
Citizens Environment  
Alliance of  
Southwestern  
Ontario

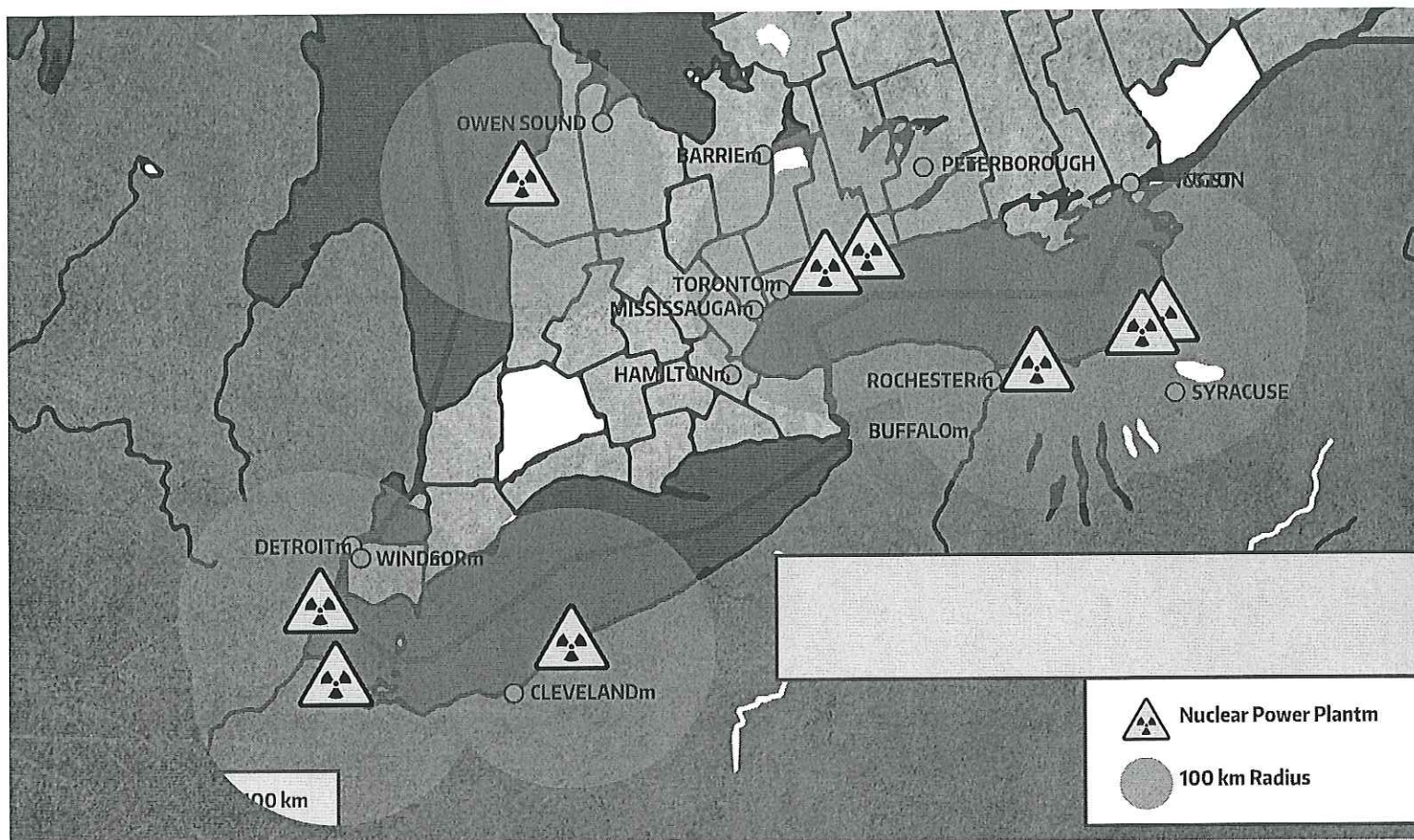


Theresa McClenaghan  
Executive Director  
Canadian Environmental  
Law Association



Shawn-Patrick Stensi  
Senior Energy Analyst  
Greenpeace Canada





## MOST PEOPLE IN SOUTHERN ONTARIO LIVE NEAR AN AGING NUCLEAR REACTOR OPERATING ON EITHER THE CANADIAN OR AMERICAN SHORES OF THE GREAT LAKES.

Historically, Ontario has put in place detailed nuclear emergency response plans to address only a relatively small accidental radiation release.

This must change in light of Fukushima.

We call on the provincial government to ensure nuclear emergency response plans are in place to:

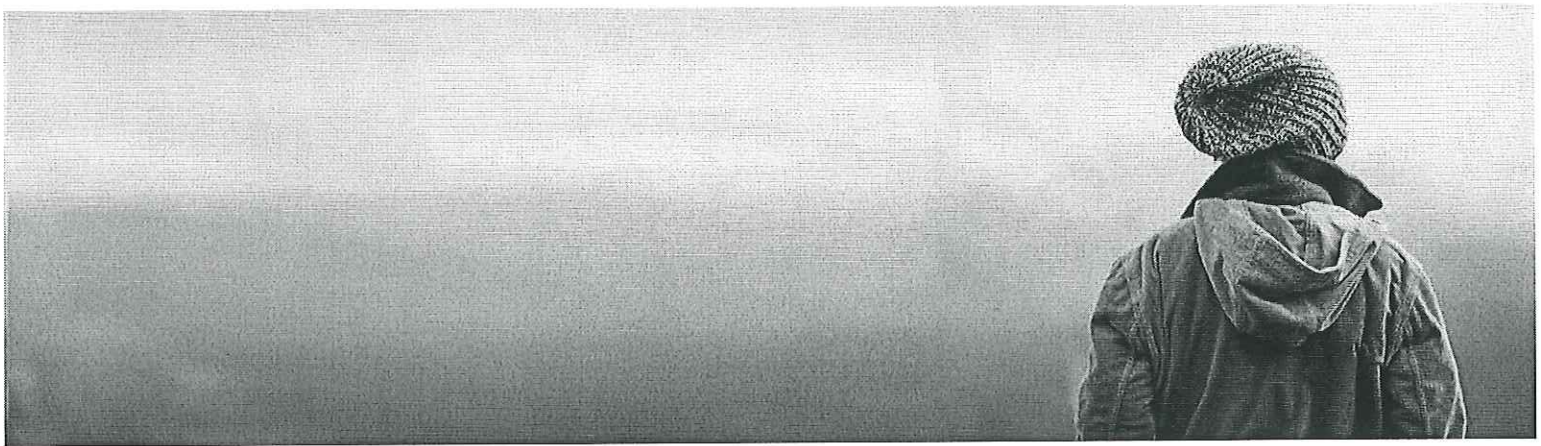
- Protect people from Fukushima-scale accidents;
- Protect vulnerable communities;
- Protect drinking water;
- Ensure transparency and public participation;
- Meet or exceed international best practices.

The Ontario government recently committed to run eighteen aging reactors at the Darlington, Bruce and Pickering stations well beyond their original operational lives. Ten of these aging reactors are in the Greater Toronto Area (GTA) – creating risks for millions of nearby residents.

Aging reactors in the United States at the Fermi, Davis-Besse, Perry, Ginna, Fitzpatrick and Nine Mile Point nuclear stations also put Ontarians and our drinking water at risk.

In light of these risks, the Ontario government should protect public safety and prevent needless risks to health and society by making Ontario's nuclear emergency plans the most robust in the world.





## TO PROTECT PEOPLE THE ONTARIO GOVERNMENT SHOULD:

- " Use a Fukushima-scale radioactive release as the baseline "reference accident" for j determining offsite protective measures, such as alerts, evacuation, and potassium iodide j (KI) pre-distribution.<sup>1</sup>
- " Regularly publish modelling on Fukushima-scale accidents at the Bruce, Pickering, j Darlington nuclear stations to confirm the adequacy of offsite emergency response. j
- " Expand emergency planning areas to align with the impacts of Fukushima, including at least j a 20 km evacuation zone. j
- " Ensure all municipalities within 100 km of a nuclear station, including American reactors, j develop and maintain nuclear emergency response plans. j

## BACKGROUND

- " To create a nuclear emergency plan, the first public safety decision is selecting the **scale** of reactor accident. jThe scale of accident chosen is referred to as the "planning basis" or a j "reference accident." j
- " ntario 's current "planning basis" was effectively established before the 1986 Chernobyl j accident. jIt assumes delayed radioactive releases that are significantly smaller than j Fukushima or Chernobyl.<sup>2</sup>
- " Following selection of a reference accident, the second public safety decision involves j determining what **protective measures** should be in place. Protective measures protect j people from radiation exposure. jExamples include evacuation or ingesting potassium iodide j (KI), which reduces your thyroid's exposure to radioactive iodine. j
- " ntario 's current emergency measures are geographically limited to areas close to j nuclear stations due to the current small-scale "reference accident". This includes a 10 km j evacuation zone also known as the "Primary Zone" and a "Secondary Zone" j that varies in j size between 50 – 80 km. j
- " ccording to a joint committee of European nuclear regulators and radiation protection j authorities struck following Fukushima: "...an accident comparable to Fukushima would j require protective actions such as evacuation to around 20 km and sheltering to around 100 j km. These actions would be combined with the intake of stable iodine."<sup>3</sup>j

<sup>1</sup> The Fukushima accident released approximately 520 Peta Becquerels of radioactivity. A Becquerel is equivalent to t one nuclear decay per second. The radioactive releases from Fukushima were approximately ten times larger than the highest level (level seven) accident on the International Atomic Energy Agency's (IAEA) International Nuclear t Event Scale (INES). t

<sup>2</sup> Following the Three Mile Island accident the province began considering how to prepare for a nuclear emer-t gency. In 1985, the Working Group # 3 report recommended the technical basis and reference accident that still t effectively serves as the basis for offsite emergency plans.

<sup>3</sup> Heads of the European Radiological protection Competent Authorities (HERCA) and Western European Nuclear t Regulators' Association (WENRA), Ad hoc High-Level Task Force on Emergencies (AtHLET), Position paper, 22 t October 2014 t

- " Belgium's Superior Health Council recommended in 2016 that the government adopt a t "precautionary approach" to emergency planning and consider large, previously ignored t radiation release scenarios.<sup>4</sup> It also recommended that "based on the experience of past t accidents, the areas covered by the plan for sheltering, the distribution of stable iodine and t evacuation [should] be extended to cover realistic distances."<sup>5</sup>t
- " odelling of a Fukushima-scale radioactive release by the German Commission on t Radiological Protection (SSK) recommended expanding evacuation zones around German t reactors from 10 to 20 km; preparing radiation monitoring programs out to 100 km to t determine in the event of an accident whether additional evacuations, sheltering or t KI consumption is required; and, preparations for KI consumption for children and pregnant t women living beyond 100 km.<sup>6</sup>t
- " Following the Fukushima disaster, Japan's nuclear regulator observed: "A general lesson t learned from the Fukushima accident, as well as the accidents at Three Mile Island and t Chernobyl, is that there was an implicit assumption that such severe accidents could not t happen, and thus sufficient a tention had not been paid to preparedness for the accidents t by the operators and the regulatory authorities."<sup>7</sup>t

<sup>4</sup> Conseil Supérieur de la Santé, Conseil Supérieur de la Santé, Accidents nucléaires, environnement et santé après p Fukushima. Planification d'urgence, AVIS DU CONSEIL SUPERIEUR DE LA SANTE N° 9235, février 2016, pgs 88.

<sup>5</sup> Conseil Supérieur de la Santé, 2016, pg 83.

<sup>6</sup> German Commission on Radiological Protection (ßSK), Planning areas for emergency response near nuclear power plants, 2014. p

<sup>7</sup>p. Homma et al., "Radiation protection issues on preparedness and response for a severe nuclear accident: expe-p riences of the Fukushima accident," ICRP 2013 Proceedings, pgs 347- 356.





## **TO PROTECT VULNERABLE COMMUNITIES, ONTARIO'S NUCLEAR EMERGENCY PLANS SHOULD:**

- " Identify vulnerable groups, such as people with disabilities, babies, children, pregnant k women, people residing in retirement homes, and hospital patients who may need to be k evacuated in the event of a Fukushima-scale accident. k
- " Require clear plans to assist vulnerable groups before and after evacuation, including k support from health care practitioners. k
- " Acknowledge that operating reactors in densely populated areas like the Greater Toronto k Area (GTA) will complicate emergency response in the event of a major reactor accident and k require detailed plans for large-scale evacuation in the short-term and the accommodation k of large populations in the long-term. k
- " At a minimum, pre-stock potassium iodide (KI) pills in all schools within 100 km of all nuclear k stations in or near Ontario. k

## **BACKGROUND**

- " Deaths in vulnerable communities, particularly the elderly, during evacuations following k the Fukushima disaster have largely been attributed to the lack of pre-planned health care k provision including evacuation logistics.<sup>8k</sup>
- " Belgium's Superior Health Council concluded that siting reactors near densely populated k areas would significantly complicate emergency response, compared to the sparsely k populated area around Fukushima. To address this vulnerability, the Council recommended k that plans be in place for the evacuation and long-term displacement of large populations.<sup>9k</sup>
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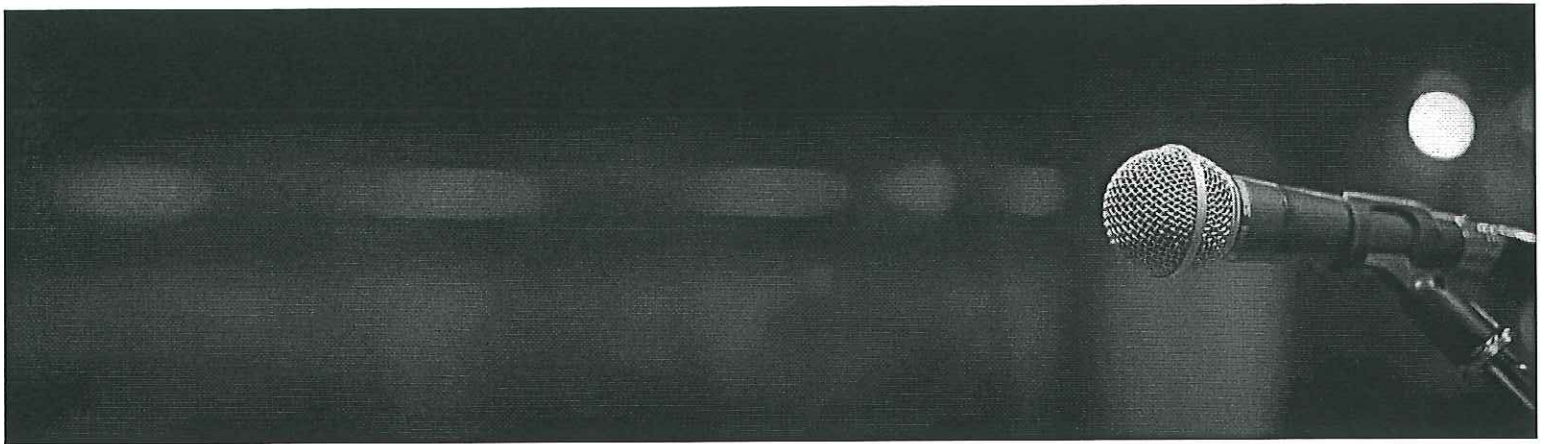
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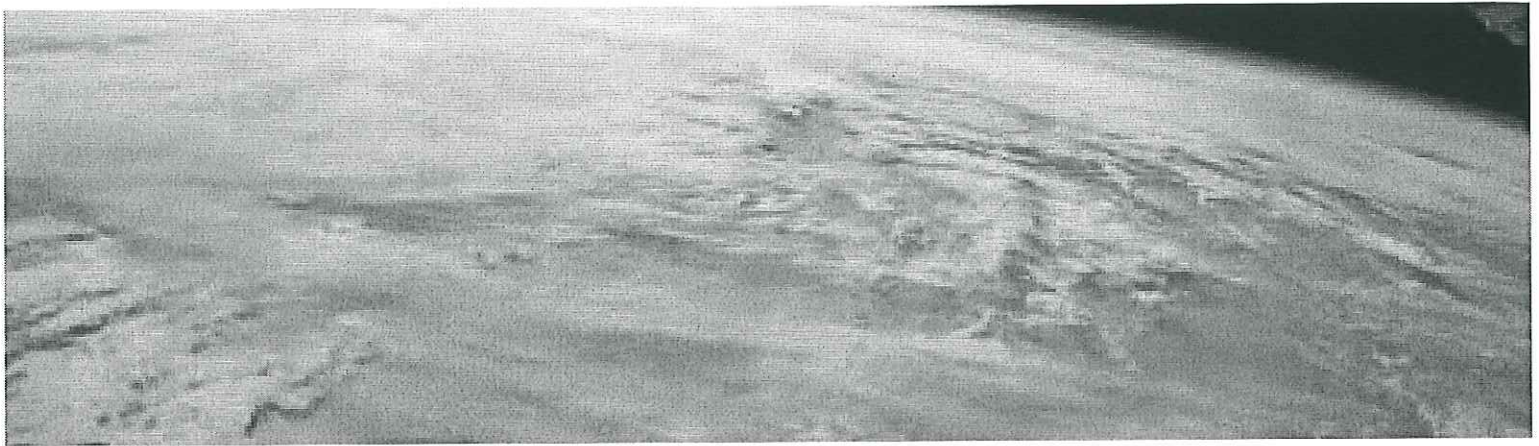
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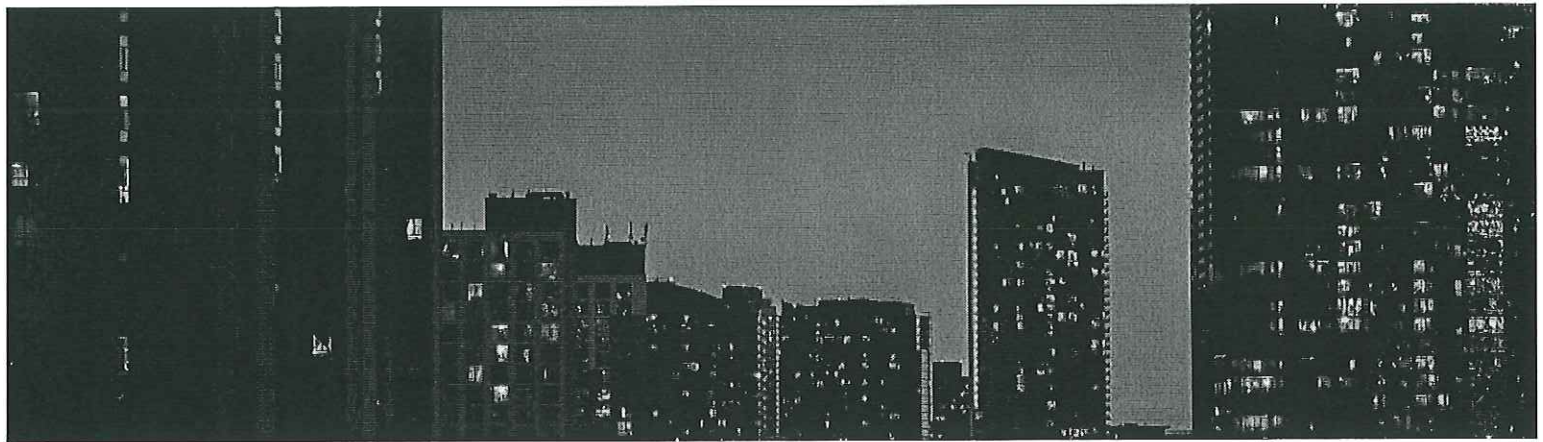
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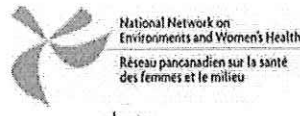
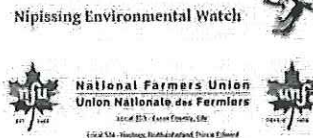
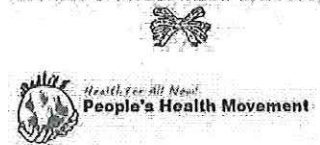
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CITY COUNCIL AGENDA - July 17, 2017  
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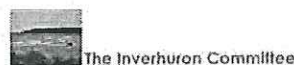
PROVINCIAL COUNCIL OF WOMEN OF ONTARIO



Concerned Citizens of  
Renfrew County



Toronto Chapter  
Windsor Essex Chapter  
Peterborough & Kawartha Chapter



July 19, 2017

*Sent via Regular Mail*

The Honourable Kathleen Wynne  
Premier of Ontario  
Legislative Building – Room 281  
Queen's Park  
TORONTO ON M7A 1A1

Dear Premier Wynne:

**Re: Support Resolution – Request for Economic Impact Analysis**

City Council, at its meeting held on July 17, 2017 considered the above noted matter and the following Resolution No. R-170717-014 was adopted:

**"WHEREAS the Province of Ontario has recommended changes to the Employment Standards Act; and**

**WHEREAS the Province of Ontario has many municipalities with differing and unique economic circumstances; and**

**WHEREAS to protect jobs against unintended consequences that may come about as a result of implementing these changes;**

**BE IT THEREFORE resolved that the Council of the Corporation of the City of Owen Sound supports the Ontario Chamber of Commerce's request that an Economic Impact Analysis be done of the proposed reforms prior to implementation."**

The City of Owen Sound appreciates your attention to the important matter.

Sincerely,



Briana Bloomfield, B.A. (Hons.)  
Deputy Clerk  
/bb

c: New Democratic Party Leader, Andrea Horwath  
Progressive Conservative Party Leader, Patrick Brown  
Bruce-Grey-Owen Sound M.P.P., Bill Walker  
Association of Municipalities of Ontario  
All Ontario Municipalities



August 2, 2017

*Sent via Regular Mail*

Honourable Bill Mauro  
Ministry of Municipal Affairs  
17<sup>th</sup> Floor  
777 Bay Street  
TORONTO ON M5G 2E5

Dear Minister:

**Re: Proposed Changes Under Bill 68 – Out of Court Payments**

City Council, at its meeting held on July 31, 2017 considered the above noted matter and the following Resolution No. R-170731-009 was adopted:

**"THAT in consideration of Staff Report CR-17-078 respecting proposed changes under Bill 68 regarding out of Court Payments, City Council supports the Municipality of West Nipissing and the Municipality of Killarney in their requests to the Minister of Municipal Affairs to reconsider the proposed changes."**

Thank you for your attention to this important matter.

Sincerely,



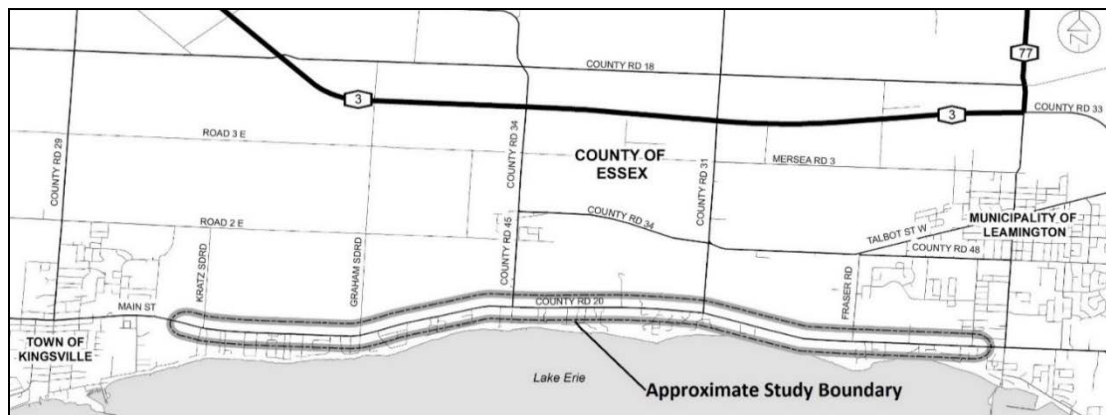
Briana M. Bloomfield, B.A. (Hons.)  
City Clerk  
/bb

c: Hon. Kathleen Wynne, Premier of Ontario  
Larry Miller, Bruce-Grey-Owen Sound M.P.  
Bill Walker, Bruce-Grey-Owen Sound M.P.P.  
Federation of Northern Ontario Municipalities (FONOM)  
Association of Municipalities of Ontario (AMO)  
Ontario Small Urban Municipalities (OSUM)  
Ontario Municipalities

## Notice of Public Information Centre #2

### County Road 20: Environmental Assessment and Preliminary Design

The County of Essex (County) is undertaking a Municipal Class Environmental Assessment (EA) study to assess corridor improvement alternatives for County Road 20, from Kratz Sideroad, in the Town of Kingsville, to Sherk Street, in the Municipality of Leamington. The map below shows the approximate study area. The study will be completed in accordance with the planning and design process outlined in the *Municipal Class Environmental Assessment* (October 2000, amended in 2007 & 2011), under the *Ontario Environmental Assessment Act*.



Based on input received at the first Public Information Centre (PIC) (held in November 2016), two new alternative solutions were developed and evaluated. The County will present the additional alternatives, the evaluation of alternatives and the recommended preferred design option for the improvement of County Road 20 at the upcoming PIC on **Thursday, August 17, 2017 in the front foyer of the Leamington Kinsmen Recreation Complex located at 249 Sherk Street in Leamington from 3:00 p.m. to 8:00 p.m.** (see map inset for the location of the PIC).



### We are interested in hearing from you!

Dillon Consulting Limited has created a study website ([www.CR20.ca](http://www.CR20.ca)) to share all study information. The website has recently been updated to provide information on the two new alternative solutions. For further information on this project and/or to be added to the project mailing list, please visit the study website and send any inquiries to [CR20@dillon.ca](mailto:CR20@dillon.ca) or contact the undersigned:

Jane Mustac, P.Eng., County of Essex, 519-776-6441 ext. 1397

Don McKinnon, RPP, Dillon Consulting Limited, 416-229-4647 ext. 2355

Under the *Municipal Freedom of Information and Protection of Privacy Act* and the *Ontario Environmental Assessment Act*, with the exception of personal information, all comments will become part of the public record and will be released, to any person if requested. Comments and information received will be maintained on file for use during the project and may be included in project documentation.



Office of the Director of Council Services/Clerk

Mary S. Brennan, B.A., C.M.O.  
Director of Council Services/Clerk

July 27, 2017

Rick Nicholls, MPP Chatham-Kent-Essex  
Queen's Park  
Room 316 Main Legislative Building  
Toronto, Ontario M7A 1A8  
Email: [rick.nicholls@pc.ola.org](mailto:rick.nicholls@pc.ola.org)

**Re: Support for Bill 94 – Amendments to the Highway Traffic Act  
and Pilot Project**

---

Essex County Council, at their meeting of July 19, 2017, considered the Highway Traffic Act proposed amendments under Bill 94. Essex County Council resolved as follows:

**166-2017**

**Moved By Mr. McNamara**

**Seconded By Mr. Bondy**

**That** Essex County Council support the amendments proposed by Bill 94 to The Highway Traffic Act and further support a pilot project relating to the school bus cameras initiative; and

**Further, that** a letter of support be forwarded to each lower tier municipality, as well as to the local MPP offices and Minister of Transportation. **Carried**

If you have any questions or concerns related to this matter, please contact the undersigned.

Regards,

Mary Brennan  
Director of Council Services/Clerk

CC: Office of the Premier of Ontario – Kathleen Wynn, Queen's Park, Toronto Ontario, M7A 1A1  
[kwynne.mpp.co@liberal.ola.org](mailto:kwynne.mpp.co@liberal.ola.org)

# Support for Bill 94 – Amendments to the Highway Traffic Act and Pilot Project

Page 2 of 2

July 27, 2017

---

Parliament of Ontario – Leader of the Official Opposition – Progressive Conservative Party,  
Patrick Brown, Room 381, Main Legislative Building, Queen's Park, Toronto Ontario, M7A 1A8  
[patrick.brown@pc.ola.org](mailto:patrick.brown@pc.ola.org)

Parliament of Ontario - Leader of the New Democratic Party – Andrea Horwath, Room 115,  
Main Legislative Building, Queen's Park, Toronto Ontario, M7A 1A5 [ahorwath-co@ndp.on.ca](mailto:ahorwath-co@ndp.on.ca)

Member of Provincial Parliament Essex – Queen's Park, Room 370, West Wing, Main  
Legislative Building, Toronto Ontario M7A 1A5 [tnatyshak-qp@ndp.on.ca](mailto:tnatyshak-qp@ndp.on.ca)

Member of Provincial Parliament Windsor Tecumseh – Queen's Park, Room 363, Main  
Legislative Building, Toronto Ontario M7A 1A5 [PHatfield-QP@ndp.on.ca](mailto:PHatfield-QP@ndp.on.ca)

Member of Provincial Parliament Windsor West – Queen's Park, Room 170, Main Legislative  
Building, Toronto Ontario M7A 1A5 [LGretzky-QP@ndp.on.ca](mailto:LGretzky-QP@ndp.on.ca)

Minister of Transportation of Ontario – Hon. Steven Del Duca, 3<sup>rd</sup> Floor, Ferguson Block, 77  
Wellesley St. West, Toronto Ontario, M7A 1Z8 [sdelduca.mpp.co@liberal.ola.org](mailto:sdelduca.mpp.co@liberal.ola.org)

Association of Municipalities of Ontario – 200 University Avenue, Suite 801, Toronto Ontario,  
M5H 3C6 [amo@amo.on.ca](mailto:amo@amo.on.ca)

Municipal Clerks – Windsor [vcritchley@citywindsor.ca](mailto:vcritchley@citywindsor.ca);

Essex County Municipalities (Amherstburg [pparker@amherstburg.ca](mailto:pparker@amherstburg.ca) , Essex [rauger@essex.ca](mailto:rauger@essex.ca) ,

Lakeshore [mmasse@lakeshore.ca](mailto:mmasse@lakeshore.ca) , LaSalle [bandreat@lasalle.ca](mailto:bandreat@lasalle.ca) , Leamington

[bpercy@leamington.ca](mailto:bpercy@leamington.ca) , Kingsville [jastrologo@kingsville.ca](mailto:jastrologo@kingsville.ca) , Tecumseh [lmoy@tecumseh.ca](mailto:lmoy@tecumseh.ca) )





28 Pulford Street, Kingsville, Ontario N9Y 1B4

[Gord.Queen@gmail.com](mailto:Gord.Queen@gmail.com)

July 7<sup>th</sup>, 2017

Corporation Of The Town of Kingsville  
Attention : Office of the Clerk

**Background:**

The Windsor Essex Housing Authority have affordable housing within our Community.  
One such site is located at 194 Division Road North, with open lands at the site to the West.



**NOTICE OF MOTION**

**At the next regular meeting of Council, I may move or cause to have moved :**

***" That Council ask or direct the CAO of the Corporation of the Town of Kingsville , to write to the Windsor Essex Housing Authority seeking any information regarding Affordable Housing Opportunities:***

- 1. that Currently exist within Kingsville under their care or direction***
- 2. details as to any known shortfalls within our community***
- 3. any known plans for expansion of the site at , or by 194 Division St. North, Kingsville"***

Respectfully Submitted  
Gord Queen

Encl. 1

# Kingsville Mapping



## Notes

Enter Map Description

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

## Legend

Essex Municipalities  
<all other values>  
Kingsville

Street

Severance

Kingsville Assessment

0 75.52 151.04Meters

1:4,531 7/16/2017

# THE CORPORATION OF THE TOWN OF KINGSVILLE

## BY-LAW 82 - 2017

---

***Being a By-law authorizing the entering into of an  
Agreement with Sherway Contracting (Windsor) Limited  
For the construction of Park Street Road Improvements from  
Division Street South to Dock Street  
(Stantec Consulting Ltd. Project No. 165620097)***

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

**WHEREAS** The Corporation of the Town of Kingsville (the “Town”) deems it expedient for the Town to enter into an Agreement with Sherway Contracting (Windsor) Limited for the construction of Park Street Road Improvements from Division Street South to Dock Street (Stantec Consulting Ltd. Project No. 165620097).

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

1. **THAT** the Town enters into and executes with Sherway Contracting (Windsor) Limited an Agreement attached hereto as Schedule “A” and forming part of this By-law.
2. **THAT** the Mayor and Clerk are hereby authorized and directed on behalf of the Town to execute the Agreement attached as Schedule “A”.
3. This By-Law comes into force and takes effect on the day of the final passing thereof.

**READ a FIRST, SECOND and THIRD time and FINALLY PASSED this 14<sup>th</sup> day of August, 2017.**

---

**MAYOR, Nelson Santos**

---

**CLERK, Jennifer Astrologo**



THIS AGREEMENT made in triplicate this 19 day of July A.D. 2017

BETWEEN:

TOWN OF KINGSVILLE  
(hereinafter called the 'OWNER')

OF THE FIRST PART:

- and -

SHERWAY CONTRACTING (WINDSOR) LIMITED  
(hereinafter called the 'CONTRACTOR')

OF THE SECOND PART.

**WHEREAS** the tender of the Contractor respecting the construction work, hereinafter referred to and described, was accepted by the **OWNER** on the 17<sup>th</sup> day of July 2017;

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

1. The Contractor hereby covenants and agrees to provide and supply at his expense all and every kind of labour, machinery, equipment and materials for, and to undertake and complete in strict accordance with his tender dated the 13<sup>th</sup> day of July 2017, and the Contract Documents (consisting of the Form of Tender, General Conditions of Contract, Drawings, Specifications, Information for Tenderers, Special Provisions of Contract, if any, including all modifications thereof and incorporated in the said documents before their execution) prepared by STANTEC CONSULTING LTD., Consulting Engineers, and all of which said documents are annexed hereto and form part of this Agreement to the same extent as if fully embodied herein, the construction of **Park Street Road Improvements from Division Street South to Dock Street**

for the sum of: One Million Six Hundred and Eighty-Three Thousand, One Hundred and Fifty-Two and-----50/100 (\$1,683,152.50)  
(not including H.S.T.)

2. The Contractor further covenants and agrees to undertake and complete the said work in a proper workmanlike manner to the entire satisfaction of the said Consulting Engineers, within the specified time in his tender. Time shall be deemed the essence of the Contract.
3. The Contractor further covenants and agrees that he will at all times, indemnify and save harmless the Owner, its officers, servants and agents, from and against all loss or damage, and from and against all actions, suits, claims and damages whatsoever which may be made or brought against the Owner, its officers, servants and agents by reason or in consequence of the execution and performance or maintenance of the said work or of the non-execution or negligent execution thereof by the Contractor, its servants, agents or employees.
4. The Contractor further covenants and agrees to furnish, in accordance with the Contract Documents, a Performance Bond and a Labour and Material Payment Bond each in an amount equivalent to One Hundred Percent (100%) of the Tender Price, in such form and issued by such surety as may be approved by the Consultant Engineers and/or the Owner's solicitor, guaranteeing the faithful performance of the said work, in accordance with the terms of this Agreement.
5. The Owner hereby covenants and agrees that if the said work is duly and properly executed and materials are provided as aforesaid, and if the said Contractor carries out, performs and observes all of the requirements and conditions of this Agreement, the Owner will pay to the

Contractor the price set forth in his tender, such payment or payments to be made in accordance with the provisions of the General Conditions of the Contract referred to above.

6. This Agreement and everything herein contained shall enure to the benefit of and be binding upon the parties hereto, their heirs, executors, administrators, successors and assigns, respectively.

**IN WITNESS WHEREOF** the Parties hereto have hereunto affixed their Corporate Seals, if any, duly attested by the signature of their proper officers in that behalf, respectively.

  
WITNESS AS TO SIGNATURE OF CONTRACTOR

  
Contractor's Signature & Seal  
SHERWAY CONTRACTING LTD.

\_\_\_\_\_  
Contractor's Name  
5390 Outer Drive  
Windsor, Ontario N9A 6J3  
\_\_\_\_\_  
Contractor's Address

\_\_\_\_\_  
WITNESS AS TO SIGNATURE OF OWNER

\_\_\_\_\_  
TOWN OF KINGSVILLE  
Owner

x  
\_\_\_\_\_  
Owner's Signing Officer NS

x  
\_\_\_\_\_  
Owner's Signing Officer JA



CORPORATION OF THE TOWN OF KINGSVILLE

**OFFICIAL PLAN AMENDMENT NO. 6**

KINGS VILLA CONDO (Guillermo & Rossana Moavro)  
AUGUST 2017

## TABLE OF CONTENTS

### **PART “A” - THE PREAMBLE**

1.0	Authorizing By-law No. 83-2017	pg. 3
2.0	Purpose of this Amendment	pg. 4
3.0	Location of this Amendment	pg. 4
4.0	Basis of this Amendment	pg. 4

### **PART “B” - THE AMENDMENT No. 6 (OPA # 6)**

5.0	The Amendment	pg. 5
	Schedule 1	pg. 6

### **PART “C” – THE APPENDICES**

Appendix ‘A’ – Minutes of Public Meeting

Appendix ‘B’ – Public Submissions

Appendix ‘C’ – Planning report to Council



## **PART “A” - THE PREAMBLE**

### **1.0 Authorizing By-law No. 83-2017**

THE CORPORATION OF THE TOWN OF KINGSVILLE

#### **BY-LAW NO. 83-2017**

BEING A BY-LAW TO AMEND THE OFFICIAL PLAN  
OF THE TOWN OF KINGSVILLE

WHEREAS the Town of Kingsville Official Plan is the Town’s policy document that contains objectives and policy direction established by Council to provide guidance for the physical development of the Town while providing for the future pattern of development for the Town;

AND WHEREAS the Council of the Corporation of the Town of Kingsville deems it expedient and in the best interest of proper planning to amend the Official Plan;

NOW THEREFORE the Council of the Corporation of the Town of Kingsville, in accordance with the provisions of Sections 17 and 21 of the Planning Act, R.S.O. 1990, c.P. 13 hereby enacts as follows:

1. That the attached amendment to the Town of Kingsville Official Plan is hereby adopted as Official Plan Amendment No. 6 (OPA 6); and,
2. This By-law shall come into force and take effect on the day of the final approval thereof by the County of Essex.

**READ A FIRST, A SECOND AND A THIRD TIME AND FINALLY ENACTED THIS 14<sup>th</sup> DAY OF AUGUST 2017.**

---

**Mayor Nelson Santos**

---

**Clerk Jennifer Astrologo**



## **2.0 Purpose of this Amendment**

The purpose of this amendment is to establish site-specific special policies to permit multiple residential as an additional permitted use.

## **3.0 Location of this Amendment**

This amendment consists of three parts, which shall be known as Items 1, 2 and 3.

## **4.0 Basis of this Amendment**

The subject lands consist of four lots; all containing single detached dwellings. The total lot area is 2.185 ha (5.4 ac.) with frontage of 52.65 m (172.7 ft.) on Main St. E. and 47.15 m (154.69 ft.) along Jasperson Dr. The applicant is proposing to remove all buildings, consolidate the lots and construct a multiple storey, up to 95 unit residential with ground floor commercial condominium building. In order to proceed with development on the property there are three approvals that are required as follows:

- i) An Official Plan Amendment to:
  - a) redesignate the residential lots on Jasperson to Highway Commercial to match the Highway Commercial on the front proportion of 342 Main St. E.; and
  - b) permit residential as an additional main use within the now combined portion of the property in the Highway Commercial designation.
- ii) A Zoning By-law Amendment to rezone the highway commercial designation portion of all of the properties to an appropriate residential/commercial classification and establish site-specific regulations;
- iii) Site Plan Approval which will outline the details and full requirements of the overall build-out of the proposal.

## PART “B” - THE AMENDMENT

All of this part of the document, entitled “Part B” – The Amendment”, consisting of the following text and two (2) maps (entitled Schedule “1” & Schedule “2”) together constitute Amendment No. 6 to the Kingsville Official Plan.

Item 1:

Map Schedule “A-2” (Land Use Plan) is amended by redesignating the lands so depicted on Map Schedule “1” from Residential to Highway Commercial.

Item 2:

A new section is added to Section 3.2.3 **Highway Commercial** after subsection 3.2.3 Policies i) to be worded as:

### 3.2.3.1 **Highway Commercial Site-Specific Policies**

Item 3:

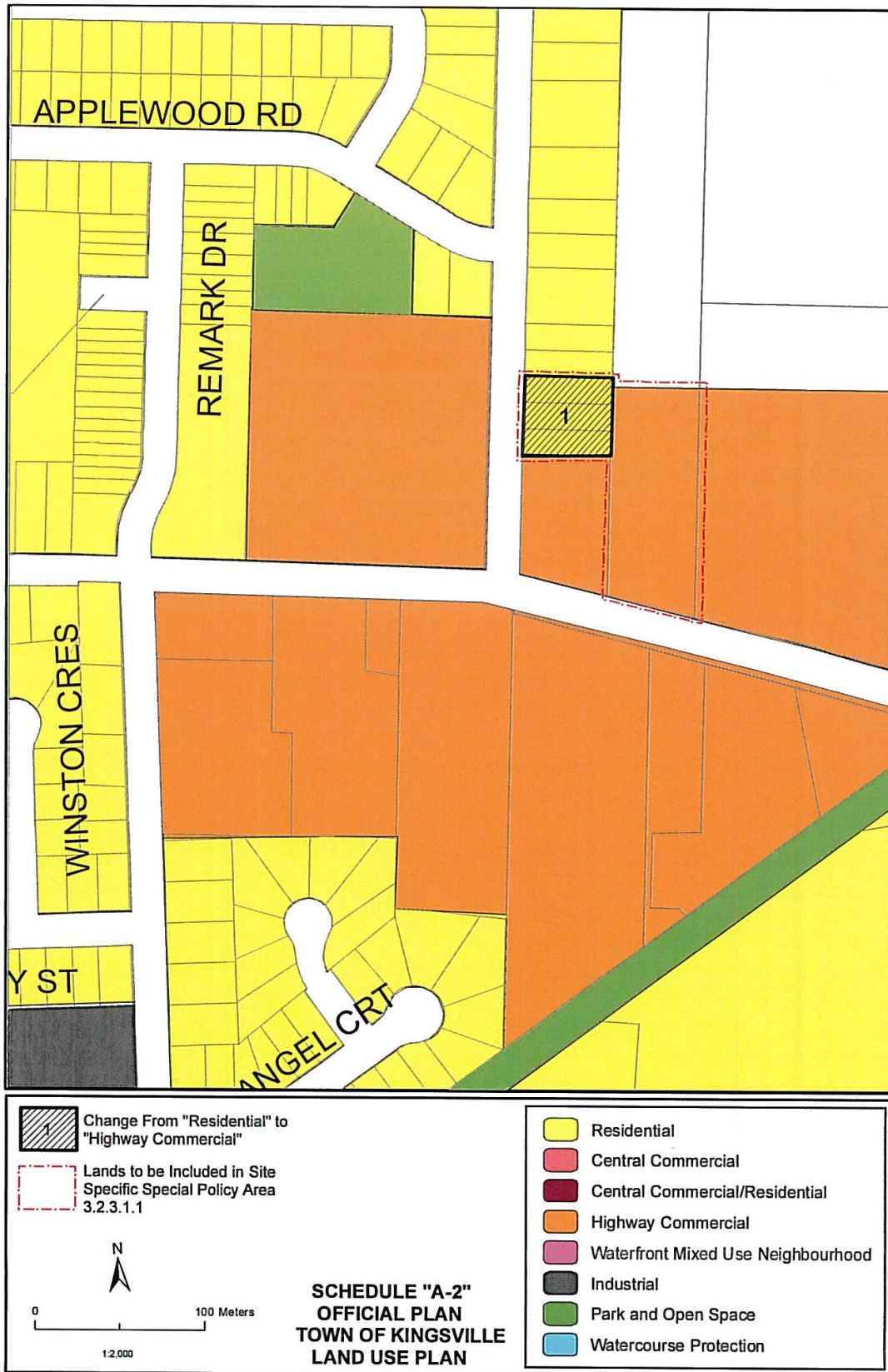
A special policy is added to Section 3.2.3 **Highway Commercial**, after subsection 3.2.3.1 to be worded as follows:

#### “3.2.3.1.1 **Kings Villa Condo**

For the lands identified on Schedule “A-2” Land Use Plan as “Site Specific Special Policy Area 3.2.3.1.1” and located at 342 Main Street East and 20, 24 & 28 Jasperson Drive, notwithstanding, or in addition to, other policies of the Official Plan, the following policies will apply:

- a) A multiple residential use, consisting of up to 95 dwelling units, will also be permitted as a main use.
- b) Lands within 45 m of a residential zone shall be limited to use as parking and landscaping consistent with an approved site plan.

# SCHEDULE '1'



## **PART “C” - THE APPENDICES**

The following appendices do not form part of the Amendment but are included for information purposes:

Appendix “A” – Minutes of Public Meeting  
Appendix “B” – Public Submissions  
Appendix “C” – Planning Report to Council

## **Appendix A Minutes of Public Meeting**

## **Appendix B Public Submissions**

## **Appendix C**

### **Planning Report to Council**



# THE CORPORATION OF THE TOWN OF KINGSVILLE

## BY-LAW 84 - 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** the application will conform to the Official Plan of the Town of Kingsville upon the coming into effect of proposed Amendment No. 6 to the Official Plan of the Town of Kingsville and final adoption by the County of Essex;

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

1. That Subsection 8.4(e) GENERAL COMMERCIAL (C4) EXCEPTION REGULATIONS is amended with the addition of the following new subsection:

#### **8.4.6 'GENERAL COMMERCIAL EXCEPTION 6 (C4-6)'**

For lands shown as C4-6 on Map (73) Schedule "A" of this By-law.

##### a) Permitted Uses

Apartment Building (maximum 95 dwelling units) in combination with a minimum of 557 sq. m (6,000 sq. ft.) of commercial space  
Commercial Education Facility  
Financial Institution  
Fitness Centre  
Personal Service Establishment  
Pharmacy  
Office  
Retail Establishment  
Restaurant, Tavern, Outdoor Patio  
Uses accessory to the permitted uses

##### b) Permitted Buildings and Structures

Those buildings and structures for the permitted uses

##### c) Zone Provisions

- i) All lot and building requirements for the permitted buildings and structures shall be in accordance with Subsection 8.4 of this By-law;
- ii) Notwithstanding regulations and provisions of the (C4) zone to the contrary the following special provisions shall apply to lands zoned (C4-6):
  - a) Minimum interior side yard setback – 4.5 m
  - b) Maximum height – ten stories or 36 m whichever is less
  - c) Minimum setback from a residential zone – 45 m

2. Schedule “A”, Map 73 of By-law 1-2014, as amended, is hereby amended by changing the zone symbol on lands known municipally as Part of Lot 3, concession 1, ED. Parts 1, 2 & 3, Plan 12R 11644 & Parts 1 to 6, RP 12R 8589 and locally known as 342 Main St., E., & 20, 24 & 28 Jasperson Dr., as shown on Schedule ‘A’ in cross-hatch attached hereto from Agricultural (A1), ‘Residential Zone 1 Urban (R1.1) and General Commercial (C4) to ‘General Commercial Exception 6 (C4-6)’
3. This by-law shall come into force and take effect from the date of passing by Council and shall come into force in accordance with Section 34 of the Planning Act.

**READ a FIRST, SECOND and THIRD time and FINALLY PASSED this 14<sup>th</sup> day of August, 2017.**

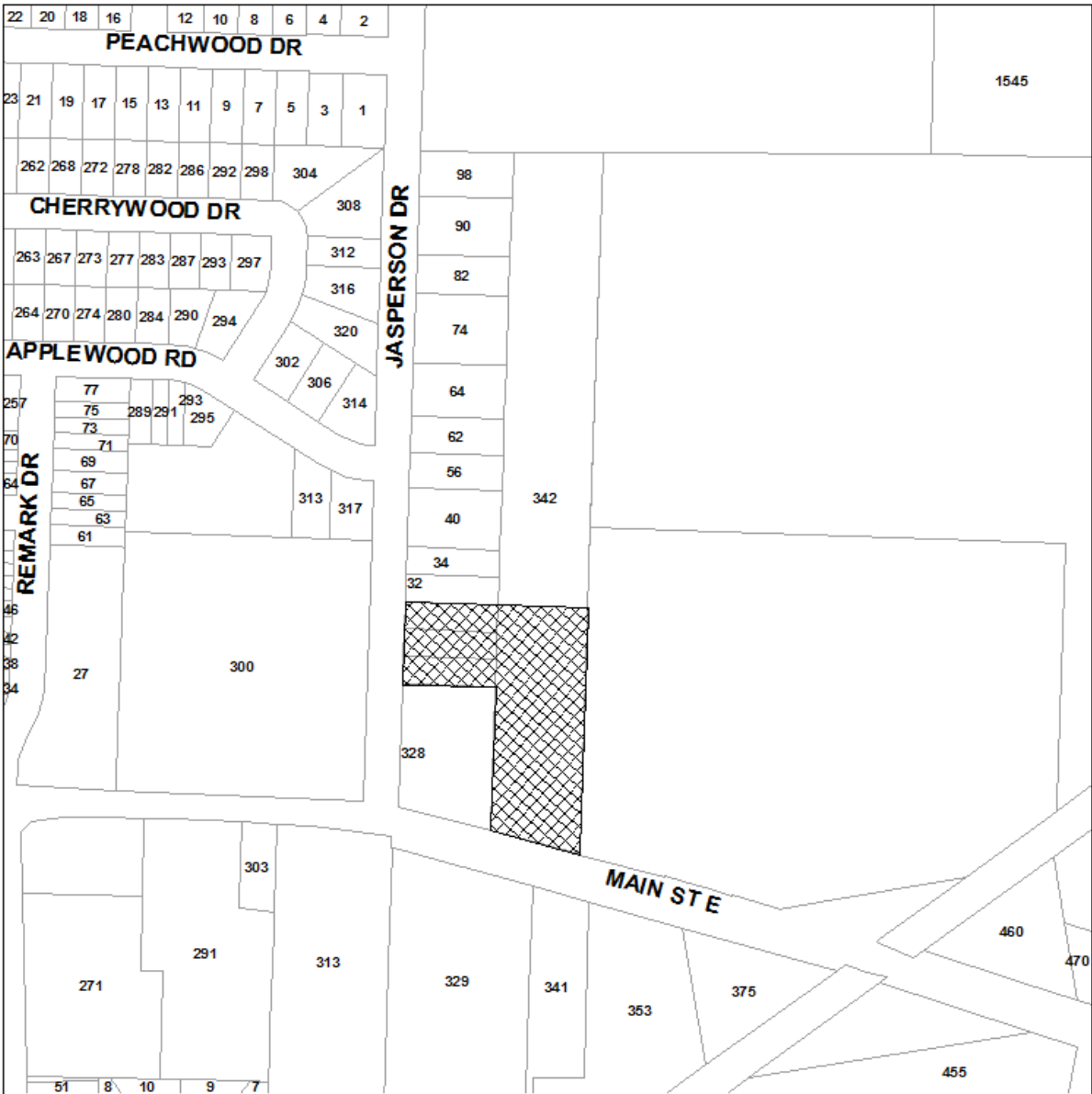
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**MAYOR, Nelson Santos**

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**CLERK, Jennifer Astrologo**


Schedule 'A'



Part of Lot 3, Concession 1, ED  
Pts. 1-3, RP 12R 11644 & Pts. 1-6, RP 12R 8589  
342 Main St., E., & 20, 24 & 28 Jasperson Dr.  
Zoning By-law Amendment ZBA/07/16



0 20 40 60 80 Meters

 Schedule "A", Map 73 of By-law 1-2014, as amended, is hereby amended by changing the zone symbol on lands known municipally as 342 Main St. E. & 20, 24 & 28 Jasperson Dr., as shown on Schedule 'A' in cross-hatch attached hereto from 'Agricultural Zone 1 (A1)', 'General Commercial (C4)' & Residential Zone 1 Urban (R1.1)' to 'General Commercial Exception 6 (C4-6)'.

# THE CORPORATION OF THE TOWN OF KINGSVILLE

## BY-LAW 85 - 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 Impact Assessment and Specific at Risk review (including MNR clearance) site plan and associated site plan agreement are prepared to the satisfaction of the Town;

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

1. That Subsection 6.3.1 RESIDENTIAL ZONE 3 URBAN EXCEPTIONS is amended with the addition of the following new subsection:

#### **6.3.1.23 'RESIDENTIAL ZONE 3 URBAN 23 (R3.1-23)'**

For lands shown as R3.1-23 on Map 65 (Prince Albert St N) Schedule "A" of this By-law.

a) Permitted Uses

Those uses permitted under Section 6.1.1 and 6.3.1

b) Permitted Buildings and Structures

A single detached dwelling on a lot created by consent  
A maximum 16 dwelling units

c) Zone Provisions – Semi-Detached Dwellings/Semi-Detached Dwelling Units, Townhouse Dwellings / Townhouse Dwelling Units

- i) Minimum lot area – 0.68 ha
- ii) Minimum lot frontage - 20 m
- iii) Minimum front yard – 38 m
- iv) Minimum side yard - 5.4 m
- v) Minimum rear yard – 1.5 m from lands zoned Natural Environment, (NE) or as outlined in the approved Environmental Assessment whichever is greater
- vi) Minimum Gross Floor Area – 88 sq. m
- vii) Maximum lot coverage - 40%

d) Zone Provisions – Single Detached Dwelling

- i) Provisions of the (R1.1) Section 6.1.1 Residential Zone shall apply

e) Permitted Uses, Buildings and Structures for lands zoned 'Residential Zone 3 Urban Exception 23, holding, (R3.1-23(h))' shall be limited to those uses, building and structures existing on the date of passing of this by-law.

- f) For lands zoned 'Residential Zone 3 Urban, Exception 23, holding, (R3.1-23(h))' the zoning may be amended under Section 36 of the Planning Act to '(R3.1-23)' once:
    - i) An Environmental Impact Assessment and Specific at Risk review (including MNRFC clearance) site plan and associated site plan agreement are prepared to the satisfaction of the Town.
- 2. Schedule "A", Map 65 of By-law 1-2014 is hereby amended by changing the zone symbol on lands known municipally as Part of Lots 1 & 2, Concession 1, Western Division, and locally known as 169 Prince Albert Street North, as shown on Schedule 'A' in grey attached hereto from 'Residential Zone 1 Urban, (R1.1)' and 'Residential Zone 1 Urban, holding, (R1.1(h))' to 'Residential Zone 3 Exception 23, holding (R3.1-23(h))'.
- 3. Schedule "A", Map 65 of By-law 1-2014 is hereby amended by changing the zone symbol on lands known municipally as Part of Lots 1 & 2, Concession 1, Western Division, and locally known as 169 Prince Albert Street North, as shown on Schedule 'A' in cross hatch attached hereto from 'Residential Zone 1 Urban, holding, (R1.1(h))' to 'Natural Environment, (NE)'.
- 4. 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 14<sup>th</sup> day of August, 2017.**

---

**MAYOR, Nelson Santos**

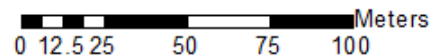
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**CLERK, Jennifer Astrologo**

Schedule 'A'



Part of Lots 1 and 2, Concession 1 WD  
169 Prince Albert Street North  
Zoning By-law Amendment ZBA/14/17



- Schedule "A", Map 65 of By-law 1-2014 is hereby amended by changing the zone symbol as shown on Schedule 'A' in grey attached hereto from 'Residential Zone 1 Urban, (R1.1)' and 'Residential Zone 1 Urban, holding, (R1.1)' to 'Natural Environment, (NE)'



- Schedule "A", Map 65 of By-law 1-2014 is hereby amended by changing the zone symbol as shown on Schedule 'A' in grey attached hereto from 'Residential Zone 1 Urban, (R1.1)' and 'Residential Zone 1 Urban, holding, (R1.1)' to Residential Zone 3 Exception 23, holding, (R3.1(h))'

# THE CORPORATION OF THE TOWN OF KINGSVILLE

## BY-LAW 86 - 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 25 of By-law 1-2014 is hereby amended by changing the zone symbol on lands known municipally as Part of Lot 21 Concession 11, and locally to known as 567 Road 11 as shown on Schedule 'A' in cross-hatched attached hereto from 'Education Zone (EG)' to 'Agriculture Zone 1 (A1)'.
2. This by-law shall come into force and take effect from the date of passing by Council and in accordance with Section 34 of the Planning Act.

**READ a FIRST, SECOND and THIRD time and FINALLY PASSED this 14<sup>th</sup> day of August, 2017.**

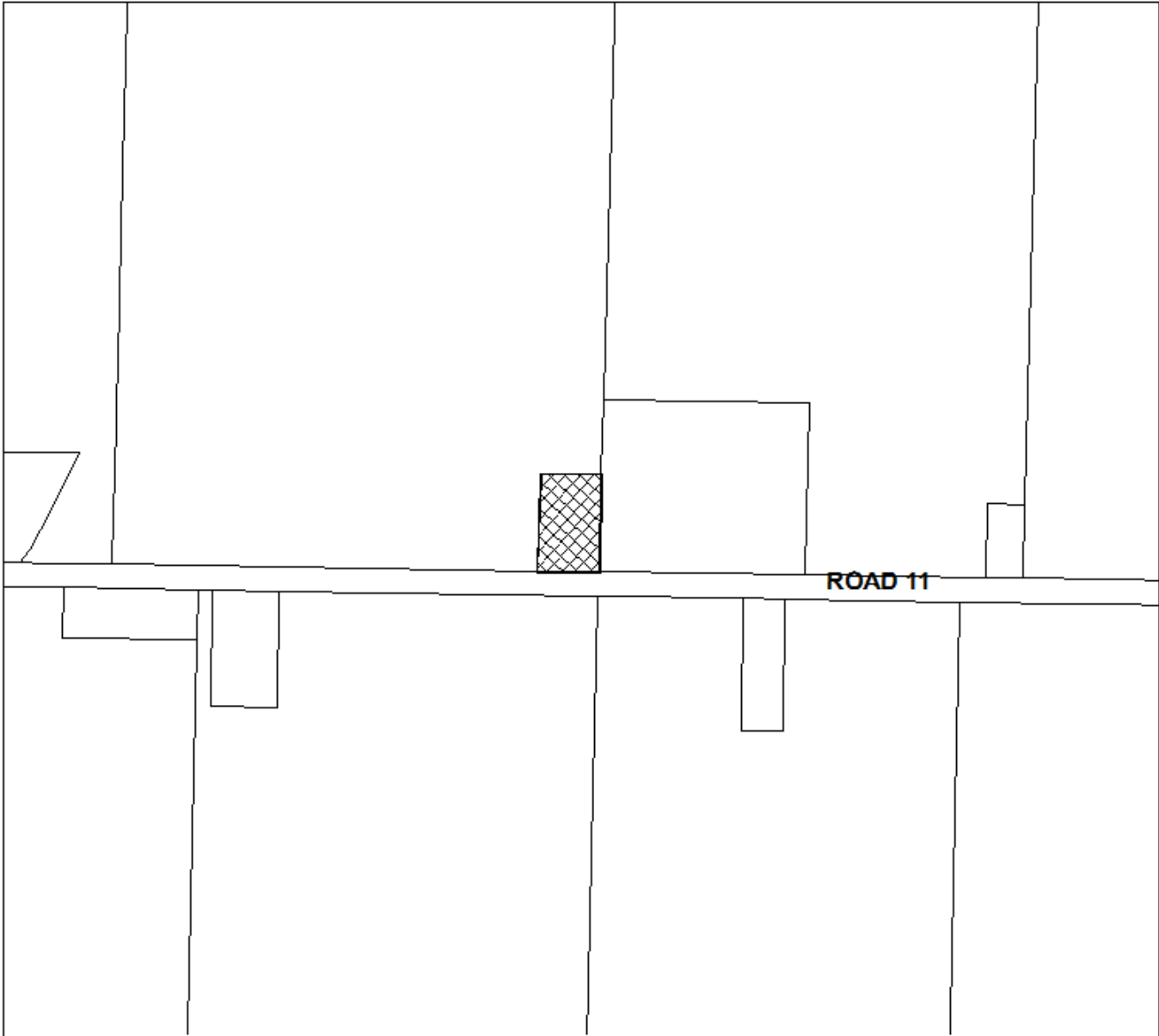
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**MAYOR, Nelson Santos**

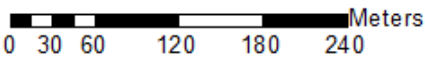
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**CLERK, Jennifer Astrologo**

Schedule 'A'



Part of Lot 21, Concession 11  
567 Road 11  
Zoning By-law Amendment ZBA/13/17



 - Schedule "A", Map 25 of By-law 1-2014 is hereby amended by changing the zone symbol as shown on Schedule 'A' in cross-hatch attached hereto from 'Education Zone (EG)' to 'Agriculture Zone 1 (A1)'



# THE CORPORATION OF THE TOWN OF KINGSVILLE

## BY-LAW 87 - 2017

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

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

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

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

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

1. Schedule "A", Map 17 of By-law 1-2014 is hereby amended by changing the zone symbol on lands known municipally as Part of Lot 266, Concession South Talbot Road, and locally known as 52 County Road 29, as shown on Schedule 'A' in cross-hatch attached hereto from 'Rural Residential Exception 6 (RR-6)' to Rural Residential (RR)'.
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 14<sup>TH</sup> day of August, 2017.**

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**MAYOR, Nelson Santos**

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**CLERK, Jennifer Astrologo**

## Schedule A



0 80 160 320 480 640 Meters

**52 COUNTY ROAD 29**

**PART OF LOT 266, CONCESSION SOUTH TALBOT ROAD**

**ZBA/16/17**



Schedule "A", Map 17 of By-law 1-2014 is hereby amended by changing the zone symbol on property known municipally as 52 County Road 29, Part of Lot 266, Concession South Talbot Road on Schedule 'A' cross-hatched attached hereto from 'Rural Residential Exception 6 (RR-6)' to 'Rural Residential (RR)'.

# THE CORPORATION OF THE TOWN OF KINGSVILLE

## BY-LAW 88 - 2017

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

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

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

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

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

1. That Section 8.3 of By-law 1-2014 be amended by adding the following Subsection 8.3 (e), Transitional Commercial (C3) Exception Regulations:

#### **8.3 e)           TRANSITIONAL COMMERCIAL (C3) EXCEPTION REGULATIONS**

Where there is a conflict between the provisions of this subsection and the provisions of the zone category, the provision(s) of this subsection apply; otherwise the other zone category provisions and all other related supplementary provisions of this by-law apply.

Where an additional main use is permitted under this subsection, any use accessory thereto shall also be permitted, subject to the provisions of the zone category and any other provisions of this bylaw applicable to such accessory use.

2. Schedule "A", Map 4 of By-law 1-2014 is hereby amended by changing the zone symbol on lands known municipally as Part of Lot 275, Concession North Talbot Road, and locally known as 364 County Road 34 West, as shown on Schedule 'A' in cross-hatch attached hereto from 'Rural Residential (RR)' to 'Transitional Commercial Exception 1 (C3-1)'.  
  
3. That Section 8.3 of By-law 1-2014 be amended by adding the following Subsection 8.3.1, Transitional Commercial Exception 1 (C3-1):

#### **8.3.1   TRANSITIONAL COMMERCIAL EXCEPTION 1 (C3-1)**

For lands shown as C3-1 on Map 4, Schedule "A" of this By-law.

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

Notwithstanding any other subsection of this by-law to the contrary, the permitted use shall be limited to a parking lot accessory to an existing restaurant use on abutting lands zoned 'Transitional Commercial (C3) and municipally known as 366 County Road 34 West.

**b) Other**

For clarification purposes, a permitted parking lot shall be subject to site plan control.

4. 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 14<sup>TH</sup> day of August, 2017.**

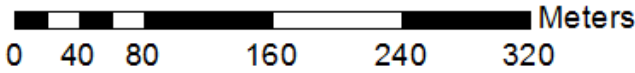
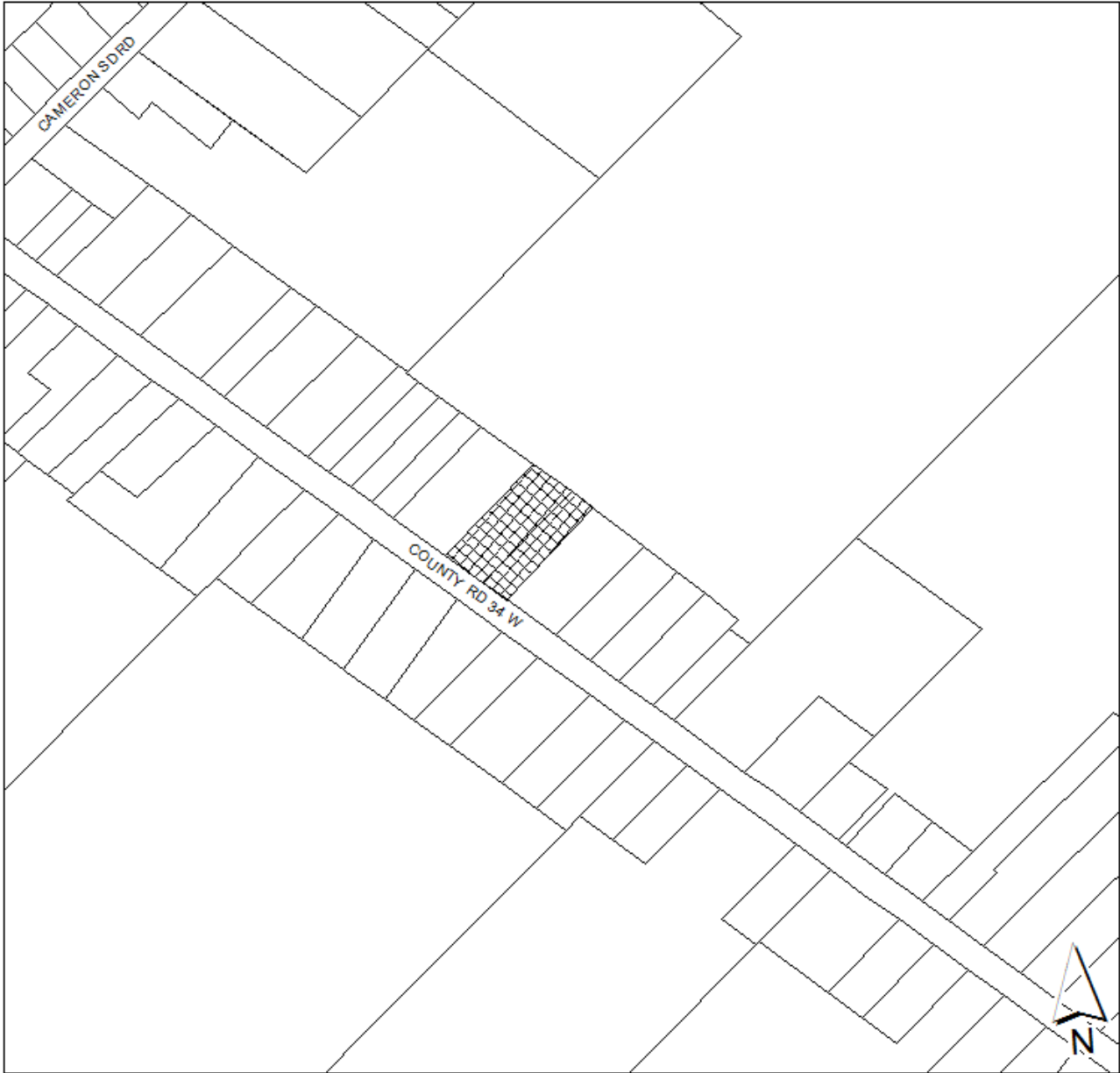
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**MAYOR, Nelson Santos**

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**CLERK, Jennifer Astrologo**

Schedule A



**364 COUNTY ROAD 34 WEST  
PART OF LOT 275, CONCESSION NORTH TALBOT ROAD  
ZBA/14/16**



Schedule "A", Map 4 of By-law 1-2014 is hereby amended by changing the zone symbol on properties known municipally as 364 County Road 34 West, Part of Lot 275, Concession North Talbot Road on Schedule 'A' cross-hatched attached hereto from 'Transitional Commercial (C3)' to 'Transitional Commercial Exception 1 (C3-1)'.

# THE CORPORATION OF THE TOWN OF KINGSVILLE

## BY-LAW 89 - 2017

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*Being a By-law authorizing the entering into of a  
Canada 150 Community Infrastructure Program  
Contribution Agreement with  
Her Majesty the Queen in Right of Canada represented by the  
Minister responsible for Federal Economic Development Agency  
for Southern Ontario for the Renovation of Grovedale Arts and  
Culture Centre, 103 Park Street, Kingsville*

**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 Canada 150 Community Infrastructure Program Contribution Agreement with Her Majesty the Queen in Right of Canada, represented by the Minister responsible for Federal Economic Development Agency for Southern Ontario, for the completion of the Renovation of Grovedale Arts and Culture Centre at 103 Park Street, Kingsville, 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 responsible for Federal Economic Development Agency for Southern Ontario, a Canada 150 Community Infrastructure Program Contribution Agreement for the Renovation of Grovedale Arts and Culture Centre, attached hereto as Schedule “A” and forming part of this By-law.
2. **THAT** the Mayor and Clerk are hereby authorized and directed on behalf of the Town to execute the Agreement attached as Schedule “A”.
3. This By-Law comes into force and takes effect on the day of the final passing thereof.

**READ a FIRST, SECOND and THIRD time and FINALLY PASSED this 14<sup>th</sup> day of August, 2017.**

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**MAYOR, Nelson Santos**

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**CLERK, Jennifer Astrologo**

## CANADA 150 COMMUNITY INFRASTRUCTURE PROGRAM

### CONTRIBUTION AGREEMENT

This Contribution Agreement is made as of \_\_\_\_\_

**BETWEEN:**        **HER MAJESTY THE QUEEN IN RIGHT OF CANADA** (“Her Majesty”) hereby represented by the Minister responsible for Federal Economic Development Agency for Southern Ontario

**AND:**             **Town of Kingsville** (“Recipient”) a municipal government established under the laws of Ontario.

**WHEREAS** the Federal Economic Development Agency for Southern Ontario (“Agency”) was created to help make Canadians more productive and competitive in the knowledge-based economy, by supporting economic development, economic diversification, job creation, and sustainable, self-reliant communities in southern Ontario;

**WHEREAS** in its 2016 Budget, the Government of Canada allocated an additional \$150 million to the Canada 150 Community Infrastructure Program (“CIP 150”) to renovate, expand and improve existing community infrastructure assets; and

**WHEREAS** the Minister has agreed to make a non-repayable contribution to the Recipient up to the maximum amount of one hundred eighty-one thousand five hundred (\$181,500) in support of the Recipient’s Eligible Costs (as defined herein) of the Project (as defined herein),

**NOW THERETOFORE**, in accordance with the mutual covenants and agreements herein, Her Majesty as represented by the Minister and the Recipient agree as follows:

#### **1.     Purpose of the Agreement**

The purpose of this Agreement is to set out the terms and conditions under which the Minister will provide CIP 150 (as defined herein) funding in support of the Project (as defined herein).

#### **2.     Interpretation**

**2.1 Definitions.** In this Agreement, a capitalized term has the meaning given to it in this section, unless the context indicates otherwise:

**Aboriginal Government** means a band council within the meaning of section 2 of the *Indian Act*; or a government authority established pursuant to a Self-Government Agreement or a Comprehensive Land Claim Agreement, given effect and declared valid by federal legislation.

**Agency** means the Federal Economic Development Agency for Southern Ontario.

**Agreement** means this agreement including all the annexes attached hereto, as such may be amended, restated or supplemented, from time to time.

**CIP 150** means the Canada 150 Community Infrastructure Program as described in the recitals hereto.

**Contribution** means the contribution to Eligible Costs in the amount stipulated in Subsection 4.1.

**Control Period** means the period of six (6) years following the period determined in Subsection 3.1 as the duration of the Agreement.

**Date of Acceptance** means the date on which the duplicate fully executed copy of this Agreement is received by the Minister.

**Eligibility Date** means April 1, 2016.

**Eligible Costs** means those Project Costs supported by the Contribution and which are identified in Annex 1 – Statement of Work and relating to the Project activities described therein and which are in compliance with Annex 2 – Costing Guideline Memorandum.

**Event of Default** means the events of default described in Subsection 12.1 hereof.

**Final Report** means the report described in Subsection 7.1 hereof.

**Final Report Date** means June 30, 2018.

**Fiscal Year** means the Government of Canada's fiscal year beginning on April 1st of a year and ending on March 31st of the following year.

**Minister** means the Minister responsible for the Agency or any one or more of his representatives.

**Parties** means the Minister and the Recipient and **Party** means any one of them.

**Program Completion Date** means March 31, 2018.

**Project** means the project described in Annex 1 – Statement of Work.



**Project Costs** means the total costs of the Project as set out in Annex 1 – Statement of Work.

**Southern Ontario** includes the following 2011 Statistics Canada Census Regions: 1 Stormont, Dundas and Glengarry; 2 Prescott and Russell; 6 Ottawa; 7 Leeds and Grenville; 9 Lanark; 10 Frontenac; 11 Lennox and Addington; 12 Hastings; 13 Prince Edward; 14 Northumberland; 15 Peterborough; 16 Kawartha Lakes; 18 Durham; 19 York; 20 Toronto; 21 Peel; 22 Dufferin; 23 Wellington; 24 Halton; 25 Hamilton; 26 Niagara; 28 Haldimand-Norfolk; 29 Brant; 30 Waterloo; 31 Perth; 32 Oxford; 34 Elgin; 36 Chatham-Kent; 37 Essex; 38 Lambton; 39 Middlesex; 40 Huron; 41 Bruce; 42 Grey; 43 Simcoe; 46 Haliburton; and 47 Renfrew.

**“Substantially Completed”** has the same meaning and shall be determined in accordance with how the term “substantially performed” is determined in subsection 2(1) of the *Construction Lien Act*, R.S.O. 1990, c. C.30, as amended, and **“Substantial Completion”** shall have a corresponding meaning.

- 2.2 **Singular/Plural.** Wherever from the context it appears appropriate, each term stated in either the singular or plural shall include the singular and the plural.
- 2.3 **Entire Agreement.** This Agreement comprises the entire agreement between the Parties. No prior document, negotiation, provision, undertaking or agreement in relation to the subject matter of this Agreement has legal effect. No representation or warranty, whether express, implied or otherwise, has been made by the Minister to the Recipient, except as expressly set out in this Agreement.
- 2.4 **Inconsistency.** In case of inconsistency or conflict between a provision contained in the part of the Agreement preceding the signatures and a provision contained in any of the Annexes to this Agreement, the provision contained in the part of the Agreement preceding the signatures will prevail.
- 2.5 **Annexes.** This Agreement contains the following Annexes as described below, which form an integral part of this Agreement:

**Annex 1 - Statement of Work**

**Annex 2 - Costing Guideline Memorandum**

**Annex 3 - Reporting Requirements**

**Annex 4 - Federal Visibility Requirements**

### **3. Duration of Agreement**

- 3.1 **Duration of Agreement.** This Agreement comes into force on the Date of Acceptance and, subject to Subsection 3.2, will terminate:

- (a) twelve (12) months after the earlier of:

- i) the Project is Substantially Completed; or
    - ii) the Program Completion Date.
  - (b) upon the date on which all amounts due by the Recipient to Her Majesty under this Agreement, have been paid in full, whichever is the later, unless terminated earlier in accordance with the terms of this Agreement.
- 3.2 **Control Period.** Notwithstanding the provisions of Subsection 3.1 above, during the Control Period, the rights and obligations described in the following sections shall continue beyond the duration of the Agreement:

Section 5 - Other Government Financial Support  
 Subsection 6.6 – Overpayment and non-entitlement  
 Subsections 7.3, 7.4, 7.5, 7.6 and 7.7 - Monitoring, Audit and Evaluation  
 Subsection 8.1c) and 8.2c) – Representations and Covenants  
 Section 11 - Indemnification and Limitation of Liability  
 Section 12 - Default and Remedies  
 Section 13 – Project Assets  
 Subsection 15.9 - Dispute Resolution

#### 4. **The Contribution**

- 4.1 Subject to the terms and conditions of this Agreement, the Minister will make a non-repayable contribution to the Recipient in respect of the Project in an amount not exceeding the lesser of (a) and (b) as follows:
- (a) maximum 15.13% of total Eligible Costs of the Project incurred and paid by the Recipient; and
  - (b) \$181,500
- 4.2 The payment of the Contribution per Fiscal Year is estimated at amounts as specified in Annex 1 – Statement of Work. The Minister will have no obligation to pay any amounts in any other fiscal years than those specified in Annex 1 – Statement of Work.
- 4.3 The Recipient acknowledges that notwithstanding the date of execution of this Agreement, the Minister will not reimburse costs incurred by it prior to April 1, 2016 or later than the Program Completion Date.
- 4.4 The Minister shall not contribute to any Eligible Costs incurred by the Recipient which could cause the Contribution, noted in Subsection 4.1 herein to be exceeded.
- 4.5 The Recipient shall be responsible for all costs of the Project, including cost overruns, if any.

4.6 **Holdbacks.** Notwithstanding any other provisions of this Agreement, the Minister will, at the Minister's sole discretion, withhold up to ten percent (10%) of the Contribution amount until:

- (a) the Project is Substantially Completed;
- (b) the Recipient has satisfied all the conditions of this Agreement;
- (c) the Final Report described in Subsection 6.4(a)(ii) has been submitted to the satisfaction of the Minister;
- (d) audits and site visits, where required by the Minister, have been completed to the satisfaction of the Minister; and
- (e) the Minister has approved the final claim described in Subsection 6.4.

## 5. **Other Government Financial Support**

- 5.1 The Recipient hereby confirms that for purposes of this Project no other federal, provincial, local Government assistance has been requested, received or will be received, except as disclosed in Annex 1 – Statement of Work.
- 5.2 The Recipient shall promptly inform the Minister in writing in the event additional other government financial support has been requested or received for the Project, during the term of this Agreement and acknowledges and agrees that an adjustment to the amount of the Contribution and a request for repayment of part or all of the amounts paid to the Recipient may be made as a result thereof. The amount of repayment requested will constitute a debt due to Her Majesty and will be recovered as such from the Recipient.
- 5.3 In no instance will the total government funding towards the Eligible Costs of the Project be allowed to exceed one hundred percent (100%) of the total Eligible Costs.

## 6. **Claims and Payments**

- 6.1 The Recipient shall maintain accounting records that account for the Contribution paid to the Recipient and the related Project Costs in respect of this Agreement, separate and distinct from any other funding.
- 6.2 **Claims Procedures.** The Recipient shall submit claims for reimbursement of Eligible Costs incurred and paid, not less frequently than semi-annually or more frequently than monthly, in a form satisfactory to the Minister. Each claim will include the following information:

- (a) an itemized summary by cost category of Eligible Costs incurred and paid, substantially in the form prescribed by the Minister;
- (b) a certification of the claim by a director or officer of the Recipient, confirming the accuracy of the claim and of all supporting information provided;
- (c) if applicable, a certification by a director or officer of the Recipient that any mitigation measures listed in Annex 5 – Environmental Mitigation Measures have been implemented; and
- (d) substantiating documentation (including without limitation, any invoice or proof of payment), as may be required by the Minister.

6.2.1 The Recipient agrees to submit its last claim for Eligible Costs in each Fiscal Year on or before March 1<sup>st</sup> of that Fiscal Year.

### 6.3 Advance Payments.

- (a) **Initial Advance.** Where the Minister is satisfied and has determined that the Recipient's cash flow requirements justify the need for an advance against the Eligible Costs payable under this Agreement, the Minister may, at his sole discretion, pay to the Recipient an initial advance for Eligible Costs up to 25% on the portion of the Contribution allocated to Fiscal Year 2016-2017, subject to the following:
  - (i) The Recipient submits to the Minister's satisfaction, a forecast of cash flow requirements to be incurred during the initial advance period along with any documentation that the Minister may reasonably request.
  - (ii) The Recipient shall account by way of claim, to the satisfaction of the Minister, for the use of any advances.
- (b) The Recipient agrees to spend advances in the Fiscal Year in which the advance was made, failing which the Recipient agrees to reimburse the Minister any unspent amounts. If the amount of the advance exceeds the amount of Eligible Costs incurred during the previous advance period, the Minister may deduct the excess amount and any interest earned by such excess from any other payment under this Agreement.

#### 6.4 Final Claim Procedures.

- (a) The Recipient shall submit a final claim pertaining to the final reimbursement of any Eligible Costs previously claimed or not, signed by a director or officer of the Recipient and accompanied by the following, in addition to the requirements set out in Subsection 6.2, in a form satisfactory to the Minister in scope and detail:
  - (i) a confirmation that it is the final claim for payment and as such, it includes all final Eligible Costs submitted for payment; and
  - (ii) a Final Report substantially in the form prescribed by the Minister.
- (b) The Recipient shall submit the final claim for reimbursement of Eligible Costs to the satisfaction of the Minister the earlier of:
  - (i) the date which falls no later than three (3) months after Project is Substantially Completed; and
  - (ii) the Final Report Date.

The Minister shall have no obligation to pay any claims submitted after this date.

#### 6.5 Payment Procedures.

- (a) The Minister shall review and approve the documentation submitted by the Recipient following the receipt of the Recipient's claim and in the event of any deficiency in the documentation, the Minister will notify the Recipient and the Recipient shall immediately take action to address and rectify the deficiency.
- (b) Subject to the maximum Contribution amounts set forth in Subsection 4.1 and all other conditions contained in this Agreement, the Minister shall pay to the Recipient the Eligible Costs set forth in the Recipient's claim, in accordance with the Minister's customary practices.
- (c) The Minister may request at any time that the Recipient provides satisfactory evidence to demonstrate that all Eligible Costs claimed have been paid.
- (d) The Minister may require, at his expense, any claim submitted for payment of the Contribution be certified by the Recipient's external auditor or by an auditor approved by the Minister.

- 6.6 **Overpayment or non-entitlement.** Where, for any reason, the Recipient is not entitled to all or part of the Contribution or the amount paid to the Recipient exceeds the amount to which the Recipient is entitled, the Contribution or the amount in excess, as the case may be, shall constitute a debt due to Her Majesty and shall be

recovered as such from the Recipient. The Recipient shall repay Her Majesty within thirty (30) calendar days from the date of the Minister's notice, the amount of the Contribution disbursed or the amount of the overpayment, as the case may be, together with interest calculated in accordance with the *Interest and Administrative Charges Regulations*, in effect on the due date, from the date of the notice until payment is received by Her Majesty.

- 6.7 If the Recipient earns any interest as a consequence of any advance payment of the Contribution or earns any revenue as a result of the Project, the Minister may in his absolute discretion reduce the Contribution by all or by such portion of the revenue (including the interest) as he deems appropriate.

## **7. Monitoring, Audit and Evaluation**

- 7.1 The Recipient agrees to provide the Minister with the reports as described in Annex 3 – Reporting Requirements, satisfactory in scope and detail, in order to allow the Minister to assess the outcome and costs of the Project.
- 7.2 Upon request of the Minister and at no cost to him, the Recipient shall promptly elaborate upon any report submitted or provide such additional information as may be requested.
- 7.3 The Recipient shall at its own expense:
- (a) preserve and make available for audit and examination by the Minister, proper books, accounts and records of the Project Costs, wherever such books, and records may be located, and permit the Minister to conduct such independent audits and evaluations as the Minister in his discretion may require;
  - (b) upon reasonable notice and after consultation with the Recipient, permit the Minister reasonable access to the Project site and/or the Recipient's premises and documents in order to inspect and assess the progress and results of the Project;
  - (c) supply promptly, on request, such other data in respect of the Project and its results, as the Minister may require for purposes of this Agreement and for statistical and/or evaluation purposes.
- 7.4 The Minister shall have the right, at his own expense, and as and when he determines necessary, to perform audits of the Project Costs and the Recipient's books, accounts, records, financial statements and claims for reimbursement of Eligible Costs, and the Recipient's administrative, financial and claim certification processes and procedures, for the purposes of verifying the costs of the Project, validating claims for reimbursement of Eligible Costs, ensuring compliance with the terms of this

Agreement, and confirming amounts repayable to Her Majesty under the provisions of this Agreement.

- 7.5 Any audits performed hereunder will be carried out by auditors selected by the Minister, which may include any of the following: Agency officials, an independent auditing firm, and/or the Recipient's external auditors. The Minister will provide the Recipient with a description of the scope and criteria of the audit and the expected time frames for completion of the audit and public release of the related reports.
- 7.6 The Recipient agrees that the Minister, at his expense, may engage outside firms or individuals, unrelated to the Government of Canada, with the required expertise to evaluate and monitor the Project and its implementation or review any documents submitted by the Recipient. The Recipient agrees to provide access to any site, meeting or to any document in relation to the Project to such firms or individuals.
- 7.7 **Auditor General of Canada.** The Recipient acknowledges that the Auditor General of Canada may, at the Auditor General's cost, after consultation with the Recipient, conduct an inquiry under the authority of Subsection 7.1(1) of the *Auditor General Act* in relation to any funding agreement (as defined in Subsection 42(4) of the *Financial Administration Act*) with respect to the use of funds received. For purposes of any such inquiry undertaken by the Auditor General, the Recipient shall provide, upon request and in a timely manner, to the Auditor General or anyone acting on behalf of the Auditor General:
- (a) all records held by the Recipient or by agents or contractors of the Recipient, relating to this Agreement and the use of the Contribution; and
  - (b) such further information and explanations as the Auditor General, or anyone acting on behalf of the Auditor General, may request relating to this Agreement and/or the Contribution.

## 8. **Representations and Covenants**

### 8.1 The Recipient represents and warrants that:

- (a) it is a municipal government and is in good standing under the laws of Ontario, and has the power and authority to carry on its business, to hold its property and to enter into this Agreement and it has the power and authority, and has met all legal requirements, necessary to carry on business, hold property, and to enter into, deliver and perform this Agreement. The Recipient warrants that it shall remain as such for the duration of this Agreement;
- (b) the execution, delivery and performance of this Agreement have been duly and validly authorized by the necessary corporate actions of the Recipient and when executed and delivered by the Recipient, this Agreement constitutes a

legal, valid and binding obligation of the Recipient, enforceable in accordance with its terms;

- (c) it has acquired, at its own expense, general liability insurance and property damage insurance, in an adequate amount consistent with the scope of the operations and the Project that a prudent person carrying out a project similar to the Project would maintain, and will maintain such for the duration of the Agreement and the Control Period.
- (d) the signatory(ies) to this Agreement, on behalf of the Recipient, has(ve) been duly authorized to execute and deliver this Agreement;
- (e) this Agreement constitutes a legally binding obligation of the Recipient, enforceable against it in accordance with its terms, subject as to enforcement of remedies to applicable bankruptcy, insolvency, reorganization and other laws affecting generally the enforcement of the rights of creditors and subject to a court's discretionary authority with respect to the granting of a decree, ordering specific performance or other equitable remedies;
- (f) the execution and delivery of this Agreement and the performance by the Recipient of its obligations hereunder will not, with or without the giving of notice or the passage of time or both:
  - (i) violate the provisions of the Recipient's by-laws, any other corporate governance document subscribed to by the Recipient or any resolution of the Recipient;
  - (ii) violate any judgment, decree, order or award of any court, government agency, regulatory authority or arbitrator; or
  - (iii) conflict with or result in the breach or termination of any material term or provision of, or constitute a default under, or cause any acceleration under, any license, permit, concession, franchise, indenture, mortgage, lease, equipment lease, contract, permit, deed of trust or any other instrument or agreement by which it is bound.
- (g) there are no actions, suits, investigations or other proceedings pending or, to the knowledge of the Recipient, threatened and there is no order, judgment or decree of any court or governmental agency, which could materially and adversely affect the Recipient's ability to carry out the activities contemplated by this Agreement;
- (h) it has obtained or will obtain all necessary licences and permits in relation to the Project, which satisfy the requirements of all regulating bodies of appropriate jurisdiction;



- (i) all information provided during the CIP 150 application process remains true, correct and complete in every respect except as set out to the contrary herein; and
- (j) the description of the Project in Annex 1 – Statement of Work is complete and accurate.

8.2 The Recipient covenants and agrees that:

- (a) it shall obtain the prior written consent of the Minister before making any change to any aspect of the Project or to the management of the Project or Recipient.
- (b) it shall acquire and manage all equipment, services and supplies required for the Project in a manner that ensures the best value for funds expended and it shall comply with its procurement policies, rules and regulations.
- (c) it shall maintain the usage as described in Annex 1 – Statement of Work, of any assets to which the Minister has contributed to for a minimum of six (6) years after the expiry or the termination of this Agreement.
- (d) the Project is located in southern Ontario.
- (e) it shall contribute no less than fifty percent (50%) to the Eligible Costs of the Project.
- (f) it shall use the Contribution solely and exclusively to support the Eligible Costs of the Project, as detailed in Annex 1 - Statement of Work and in Annex 2 - Costing Guideline Memorandum and shall carry out the Project in a diligent and professional manner, using qualified personnel and the Project shall be Substantially Completed on or before the Program Completion Date.
- (g) it shall comply with the Federal Visibility Requirements as set out in Annex 4 – Federal Visibility Requirements.

**9. Official Languages**

The Recipient agrees:

- (a) that any public acknowledgement of the Agency's support for the Project will be expressed in both official languages;
- (b) that basic project information will be developed and made available in both official languages;

- (c) to invite members of the official-language minority community to participate in any public event relating to the Project, where appropriate;
- (d) that all signage related to the Project will be in both official languages;
- (e) that basic service (e.g. reception can provide bilingual resources or staff, upon request) and communication, both print and electronic (notices, announcements, publications, advertisements or documents), will be made available in both official languages; and
- (f) that it shall pay for all translation costs save for those which the Minister may incur with respect to any announcement or other public communications.

## **10. Environmental and Other Requirements**

- 10.1 The Recipient represents that the Project is not a “designated project” as defined in the *Canadian Environmental Assessment Act, 2012* (“CEAA”) and is not being carried out on “federal lands” as defined in the CEAA.
- 10.2 The Recipient agrees to comply with all federal, provincial, territorial, municipal and other applicable laws governing the Recipient and the Project, including but not limited to, statutes, regulations, by-laws, rules, ordinances and decrees. This includes legal requirements and regulations relating to environmental protection and the successful implementation of and adherence to any mitigation measures, monitoring or follow-up program, which may be prescribed by the Minister or by other federal, provincial, territorial, municipal bodies. The Recipient will certify to the Minister that it has done so.
- 10.3 The Recipient will provide the Minister with reasonable access to any Project site, for the purpose of ensuring that the terms and conditions of any environmental approval are met, and that any required mitigation measures, monitoring or program follow up have been carried out, to the satisfaction of the Minister.
- 10.4 If as a result of changes to the Project or otherwise, should a subsequent assessment be required in accordance with CEAA for the Project, the Minister and the Recipient agree that the Minister’s obligations under this Agreement will be suspended from the moment that the Minister informs the Recipient, until (i) a decision statement has been issued to the Recipient or, if applicable, the Minister has decided that the Project is not likely to cause significant adverse environmental effects, and (ii) if required, an amendment to this Agreement has been signed, setting out any conditions included in the decision statement. The Recipient agrees to comply with any such conditions.
- 10.5 **Aboriginal consultation.** The Recipient acknowledges that the Minister’s obligation to pay the Contribution is conditional upon Her Majesty satisfying any

obligation that Her Majesty may have to consult with or to accommodate any Aboriginal groups, which may be affected by the terms of this Agreement.

## **11. Indemnification and Limitation of Liability**

11.1 The Recipient shall at all times indemnify and save harmless Her Majesty, her officers, officials, employees and agents, from and against all claims and demands, losses, costs, damages, actions, suits or other proceedings (including, without limitation, those relating to injury to persons, damage to or loss or destruction of property, economic loss or infringement of rights) by whomsoever brought or prosecuted, or threatened to be brought or prosecuted, in any manner based upon or occasioned by any injury to persons, damage to or loss or destruction of property, economic loss or infringement of rights, caused by, or arising directly or indirectly from:

- (a) the Project, its operation, conduct or any other aspect thereof;
- (b) the performance or non-performance of this Agreement, or the breach or failure to comply with any term, condition, representation or warranty of this Agreement by the Recipient, its officers, employees and agents, or by a third party or its officers, employees, or agents;
- (c) the design, construction, operation, maintenance and repair of any part of the Project; or
- (d) any omission or other wilful or negligent act or delay of the Recipient or a third party and their respective employees, officers, or agents, except to the extent to which such claims and demands, losses, costs, damages, actions, suits, or other proceedings relate to the negligent act or omission of an officer, official, employee, or agent of Her Majesty, in the performance of his or her duties.

11.2 The Minister shall have no liability under this Agreement, except for payments of the Contribution, in accordance with and subject to the provisions of this Agreement. Without limiting the generality of the foregoing, the Minister shall not be liable for any direct, indirect, special or consequential damages, or damages for loss of revenues or profits of the Recipient.

11.3 Her Majesty, her agents, employees and servants will not be held liable in the event the Recipient enters into a loan, a capital or operating lease or other long-term obligation in relation to the Project for which the Contribution is provided.

## **12. Default and Remedies**

**12.1 Event of Default.** The Minister may declare that an Event of Default has occurred if:

- (a) the Recipient has failed or neglected to pay Her Majesty any amount due in accordance with this Agreement;
- (b) the Recipient fails to proceed diligently with the Project, or abandons the Project in whole or in part, or the Project is not Substantially Completed by the Program Completion Date;
- (c) the Recipient makes a materially false or misleading statement concerning support by the Minister in any internal and/or public communication, other than in good faith;
- (d) the Recipient becomes bankrupt or insolvent, goes into receivership, or takes the benefit of any statute, from time to time in force, relating to bankrupt or insolvent debtors;
- (e) an order is made or the Recipient has passed a resolution for the winding up or liquidation of the Recipient, or the Recipient is dissolved;
- (f) the Recipient has, in the opinion of the Minister, ceased to carry on business or has sold all or substantially all of its assets;
- (g) the Project is carried out at locations, other than those mentioned in Annex 1 - Statement of Work;
- (h) the Recipient has submitted false or misleading information, or has made a false or misleading representation to the Agency, the Minister, in this Agreement or in its application for the Contribution;
- (i) the Recipient has not, in the opinion of the Minister, met or satisfied a term or condition of this Agreement;
- (j) the Recipient has not met or satisfied a term or condition under any other contribution agreement or agreement of any kind with Her Majesty;
- (k) the Recipient is not eligible or is otherwise not entitled to the Contribution; or,
- (l) the Recipient has not complied with the monitoring, audit and evaluation requirements, specified in this Agreement.

**12.2 Notice and Rectification Period.** Except in the case of default under Subsection 12.1 (d), (e) and (f), the Minister will not declare that an Event of Default has

occurred unless he has given prior written notice to the Recipient of the occurrence, which in the Minister's opinion constitutes an Event of Default. The Recipient shall, within such period of time as the Minister may specify in the notice, either correct the condition or event or demonstrate, to the satisfaction of the Minister, that it has taken such steps as are necessary to correct the condition, failing which the Minister may declare that an Event of Default has occurred.

**12.3 Remedies.** If the Minister declares that an Event of Default has occurred, the Minister may immediately exercise any one or more of the following remedies, in addition to any remedy available at law:

- (a) terminate the Agreement, including any obligation by the Minister to make any payment under this Agreement, including any obligation to pay an amount owing prior to such termination;
- (b) suspend any obligation by the Minister to make any payment under this Agreement, including any obligation to pay an amount owing prior to such suspension; and
- (c) require the Recipient to repay forthwith to Her Majesty all or part of the Contribution, and that amount is a debt due to Her Majesty and may be recovered as such.

**12.4** The Recipient acknowledges the policy objectives served by the Minister's agreement to make the Contribution, that the Contribution comes from the public monies, and that the amount of damages sustained by Her Majesty in an Event of Default is difficult to ascertain and therefore, that it is fair and reasonable that the Minister be entitled to exercise any or all of the remedies, provided for in this Agreement and to do so in the manner provided for in this Agreement, if an Event of Default occurs.

### **13. Project Assets**

**13.1** The Recipient shall retain title to, and ownership of any assets, the cost of which has been contributed to by the Minister under this Agreement and shall not sell, assign, transfer, encumber, pledge, grant a security interest or otherwise dispose of same, for a minimum of six (6) years after the expiry or termination of this Agreement without the prior written consent of the Minister. As a condition of such consent, the Minister may require the Recipient to repay Her Majesty the whole or any part of the Contribution paid to the Recipient hereunder in the following proportions:

<b>Where the Project asset is sold, assigned transferred, encumbered, pledged, leased, or disposed of:</b>	<b>Repayment of Contribution (in current dollars)</b>
Within 2 Years after Substantial Completion	100%

Between 2 and 6 Years after Substantial Completion	55%
6 Years after Substantial Completion	0%

- 13.2 At any time during the six (6) years following the date the Project is Substantially Completed, the Recipient agrees to notify the Minister in writing of any transaction triggering the above-mentioned repayments, at least ninety (90) days in advance.

#### 14. Miscellaneous

- 14.1 The Recipient represents and warrants that no member of the House of Commons or Senate of Canada shall be admitted to any share or part of this Agreement or to any benefit arising from it, that is not otherwise available to the general public.
- 14.2 The Recipient confirms that no current or former public servant or public office holder, to whom the *Values and Ethics Code for the Public Service*, the *Values and Ethics Code for the Public Sector*, the *Policy on Conflict of Interest and Post-Employment* or the *Conflict of Interest Act* applies, shall derive direct benefit from the Agreement, including any employment, payments or gifts, unless the provision or receipt of such benefits is in compliance with such codes and the legislation. Where the Recipient employs or has a major shareholder, who is either a current or former (in the last twelve (12) months) public office holder or public servant in the federal government, the Recipient shall demonstrate compliance with these codes and the legislation.
- 14.3 The Recipient represents and warrants that:
- (a) it has not paid, nor agreed to pay to any person, either directly or indirectly, a commission, fee or other consideration that is contingent upon the execution of this Agreement, or upon the person arranging a meeting with a public office holder;
  - (b) it will not pay, nor agree to pay to any person, either directly or indirectly, any commission, fee or other consideration that is contingent upon the person arranging a meeting with a public office holder;
  - (c) it is and any persons who are or have been engaged by the Recipient to communicate or arrange meetings with public office holders, regarding the Project or this Agreement, are in full compliance with all requirements of the *Lobbying Act*; and
  - (d) any persons who may be engaged by the Recipient to communicate or arrange meetings with public office holders, regarding the Project or this Agreement, will at all times be in full compliance with the requirements of the *Lobbying Act*.

- 14.4 The Recipient acknowledges that the representations and warranties in this section are fundamental terms of this Agreement. In the event of breach of these, the Minister may exercise the remedies provided under Subsection 12.3.

## 15. General

- 15.1 **Debt due to Canada.** Any amount owed to Her Majesty under this Agreement shall constitute a debt due to Her Majesty and shall be recoverable as such. Unless otherwise specified herein, the Recipient agrees to make payment of any such debt forthwith on demand.
- 15.2 **Interest.** Debts due to Her Majesty will accrue interest in accordance with the *Interest and Administrative Charges Regulations*, in effect on the due date, compounded monthly on overdue balances payable, from the date on which the payment is due, until payment in full is received by Her Majesty. Any such amount is a debt due to Her Majesty and is recoverable as such.
- 15.3 **Set-Off.** Without limiting the scope of set-off rights provided in the *Financial Administration Act*, the Minister may set off against the Contribution, any amounts owed by the Recipient to Her Majesty under legislation or contribution agreements and the Recipient shall declare to the Minister all amounts outstanding in that regard, when making any claim under this Agreement.
- 15.4 **No Assignment of Agreement.** Neither this Agreement nor any part thereof shall be assigned by the Recipient, without the prior written consent of the Minister.
- 15.5 **Annual Appropriation.** Payment by the Minister of amounts due under this Agreement shall be conditional on there being a legislated appropriation for the Fiscal Year in which the payment is to be made. The Minister shall have the right to terminate or reduce the Contribution, in the event that the amount of the appropriation is reduced or denied by Parliament. In the event that any portion of the Contribution has been paid to the Recipient and the legislated appropriation for the Fiscal Year in which such payment is made is not obtained, the Minister shall have the right to recover the amount so paid from the Recipient.
- 15.6 **Successors and Assigns.** This Agreement is binding upon the Recipient, its successors and permitted assigns.
- 15.7 **Confidentiality.** Subject to the *Access to Information Act* (Canada), the *Privacy Act*, the *Library and Archives Act* of Canada and Annex 4 – Federal Visibility Requirements, the Parties shall keep confidential and shall not disclose the contents of this Agreement or the transactions contemplated hereby, without the consent of all Parties.

15.8 **Governing Law.** This Agreement shall be subject to and construed in accordance with the laws of the Province of Ontario and the laws of Canada applicable therein.

15.9 **Dispute Resolution.** If a dispute arises concerning the application or interpretation of this Agreement, the Parties shall attempt to resolve the matter through good faith negotiation, and may, if necessary and the Parties consent in writing, resolve the matter through mediation or by arbitration, by a mutually acceptable mediator or arbitrator in accordance with the Commercial Arbitration Code set out in the schedule to the *Commercial Arbitration Act* (Canada), and all regulations made pursuant to that Act.

15.10 **No Amendment.** No amendment to this Agreement shall be effective unless it is made in writing and signed by the Parties hereto.

15.11 **No Agency.** No provision of this Agreement or action by the Parties will establish or be deemed to establish any partnership, joint venture, principal-agent or employer-employee relationship in any way, or for any purpose, between Her Majesty and the Recipient, or between Her Majesty and a third party. The Recipient is not in any way authorized to make a promise, agreement or contract and to incur any liability on behalf of Her Majesty, nor shall the Recipient make a promise, agreement or contract and incur any liability on behalf of Her Majesty, and shall be solely responsible for any and all payments and deductions, required by the applicable laws.

15.12 **No Waiver.** Any tolerance or indulgence demonstrated by one Party to the other, or any partial or limited exercise of rights conferred on a Party, shall not constitute a waiver of rights, and unless expressly waived in writing, the Parties shall be entitled to exercise any right and to seek any remedy, available under this Agreement or otherwise at law. Either Party may, by notice in writing, waive any of its rights under this Agreement.

15.13 **Public Dissemination.** All reports and other information that the Minister collects, manages or has a right to receive or produce in accordance with this Agreement, or that the Recipient collects, creates, manages and shares with the Minister, shall be deemed to be "Canada Information". The Minister shall have the right, subject to the provisions of the *Access to Information Act*, to release to the public, table before Parliament, or publish by any means, any Canada Information, including such excerpts or summaries of the Canada Information as he may, from time to time, decide to make.

15.14 **No conflict of interest.** The Recipient and its consultants and any of their respective advisors, partners, directors, officers, shareholders, employees, agents and volunteers shall not engage in any activity where such activity creates a real, apparent or potential conflict of interest in the sole opinion of the Minister, with the carrying out of the Project. For greater certainty, and without limiting the generality of the foregoing, a conflict of interest includes a situation where anyone associated with the



Recipient owns or has an interest in an organization that is carrying out work related to the Project.

**15.15 Disclose potential conflict of interest.** The Recipient shall disclose to the Minister without delay any actual or potential situation that may be reasonably interpreted as either a conflict of interest or a potential conflict of interest.

**15.16 Severability.** If for any reason a provision of this Agreement that is not a fundamental term of the agreement between the Parties is found to be or becomes invalid or unenforceable, whether in whole or in part, such provision or part thereof declared invalid or unenforceable shall be deemed to be severable and shall be deleted from this Agreement and all remaining terms and conditions of this Agreement will continue to be valid and enforceable.

## **16. Notice**

16.1 Any notice, information or document required under this Agreement shall be effectively given, if delivered or sent by letter or facsimile (postage or other charges prepaid). Any notice that is delivered shall be deemed to have been received on delivery; any notice sent by facsimile shall be deemed to have been received one (1) working day after being sent, any notice that is mailed shall be deemed to have been received eight (8) calendar days after being mailed.

16.2 Any notice or correspondence to the Minister shall be addressed to:

Federal Economic Development Agency for Southern Ontario  
101-139 Northfield Drive West  
Waterloo, ON N2L 5A6  
Attention: Canada 150 Community Infrastructure Program

or to such other address, as is designated by the Agency in writing.

16.3 Any notice or correspondence to the Recipient shall be addressed to:

Town of Kingsville  
2021 Division Road North  
North Kingsville ON N9Y 2Y9  
Attention: Chief Administrative Officer

16.4 Each of the Parties may change the address, which they have stipulated in this Agreement by notifying in writing the other party of the new address, and such change shall be deemed to take effect fifteen (15) calendar days after receipt of such notice.

## **17. Special Conditions**

17.1 As a condition precedent to initial disbursement:

- (a) The Recipient agrees to provide the Minister an officer's certificate executed by an officer of the Recipient in the form prescribed by the Minister which includes certified copies of the Recipient's constating documents, by-laws and the resolution authorising the entering into of this Agreement; and,
- (b) the Recipient shall arrange pre-authorized payments or such other method of payment, as requested in writing by the Minister

17.2 **Renewal of Representations.** It is a condition precedent to any disbursement under this Agreement that the representations and warranties contained in this Agreement are true at the time of payment and that the Recipient is not in default of compliance with any terms of this Agreement.

**18. Acceptance**

**The Recipient agrees that unless the Minister receives a duly executed duplicate copy of this Agreement within thirty (30) calendar days of the date of execution by the Minister, this Agreement is revocable at the discretion of the Minister.**

IN WITNESS WHEREOF the Parties hereto have executed this Agreement through authorized representatives.

Project No.: **809576**

**HER MAJESTY THE QUEEN IN RIGHT OF CANADA**

Per: 

Date: July 21, 2017

Federal Economic Development Agency  
for Southern Ontario

**TOWN OF KINGSVILE**

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

Date: \_\_\_\_\_

I have authority to bind the Recipient.

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

Date: \_\_\_\_\_

I have authority to bind the Recipient.

**Annex 1****CANADA 150 COMMUNITY INFRASTRUCTURE PROGRAM****STATEMENT OF WORK**

Recipient: Town of Kingsville

Project Title: Renovation of Grovedale Arts and Culture Centre

Project Location: 103 Park Street, Kingsville, ON N9Y 1N6

**PROJECT DESCRIPTION:**

Updating Grovedale Arts and Culture Centre to meet the needs of the community.

The project activities will include but are not limited to:

- Demolishing the existing 6,000 sq. ft. structure, and excavating and reconstructing a new foundation and structure over the existing footprint which will include;
  - a prep kitchen;
  - washrooms and entry ways that meet the Accessibility for Ontarians with Disabilities Act standards;
  - energy efficient lighting and windows;
  - a new roof and HVAC system; and
  - a built-in speaker system, projector, screen, and sound board;
- Creation of an exterior canteen;
- Reconstructing the parking lot; and
- Landscaping.

Estimated date of commencement: July 3, 2017

Estimated date of Substantial Completion: March 31, 2018

**FEDDEV ONTARIO CONTRIBUTION BY FISCAL YEAR**

2016/2017	2017/2018	Total
\$0	\$181,500	\$181,500

**PROJECT COSTS AND FINANCING:**

<b>CAPITAL</b>		
<b>Eligible Costs</b>		
<b>Costs</b>	<b>Amount</b>	
Planning/Design/ Engineering	\$54,135	
Repair/Construction	\$1,037,594	
Project Management	\$18,045	
Other	\$0	
Contingency	\$90,226	
<b>Total Eligible Costs (TEC)</b>	<b>\$1,200,000</b>	
<b>Financing</b>		
FedDev Ontario Contribution	\$181,500	15.13%
Other Federal Contribution	\$0	0%
Recipient Contribution	\$1,018,500	84.87%
Other (specify source)	\$0	0%
Other (specify source)	\$0	0%
<b>Sub-Total Financing TEC</b>	<b>\$1,200,000</b>	<b>100.00%</b>
<b>Ineligible Components</b>		

<b>STACKING LIMITS</b>	
<b>STACKING – CAPITAL</b>	
Total Eligible Costs	\$1,200,000
Total Government Contributions (Federal, Provincial, and Municipal)	\$1,200,000
Estimated Investment Tax Credits	\$0
Contribution subject to Stacking %	\$1,200,000
Stacking %	100%
Total Government Stacking Limit	100%

**Please Note:**

- 1) Eligible Costs include the amount of the harmonized sales tax (HST), net of any refund or eligible credits due from the Canada Revenue Agency.
- 2) The list of ineligible components shown is not exhaustive. For more information on ineligible costs, see Annex 2.
- 3) The Recipient shall not redirect funding between cost categories without prior written consent of the Minister.
- 4) Incremental costs (i.e. employees and/or materials and/or equipment) have been approved up to the following maximum amounts, which are included in the Total Eligible Costs indicated above:
  - Employees: \$0
  - Materials: \$0
  - Equipment: \$0

**Annex 2**

**CANADA 150 COMMUNITY INFRASTRUCTURE PROGRAM**

**COSTING GUIDELINE MEMORANDUM**

**1.0 General Conditions**

- 1.1 Costs are Eligible Costs for the purposes of this Agreement only if they are, in the opinion of the Minister,
- (a) directly related to the intent of the Project,
  - (b) reasonable,
  - (c) appear in Annex 1 - Statement of Work,
  - (d) incurred in respect of activities, which are incremental to the usual activities of the Recipient, and
  - (e) constitute Eligible Costs as defined in Section 2.0 of this Annex.
- 1.2 Costs submitted for reimbursement must be net of any refund or eligible tax credits (including HST). In order to have the HST approved as an Eligible Cost, the Recipient will be required to provide documentation verifying the organization's status under the relevant tax legislation.

**2.0 Eligible Costs**

Eligible Costs may only include the following:

- (a) project costs incurred between the Eligibility Date and the Program Completion Date;
- (b) fees paid to professionals, technical personnel, consultants and contractors specifically engaged for the purpose of the Project;
- (c) costs of environmental assessments, mitigation measures, monitoring, and follow-up programs as required by the *Canadian Environmental Assessment Act*, 2012 or equivalent legislation;
- (d) costs of any public announcement and official ceremony, or of any temporary or permanent signage as further described in Subsection 2.2 below;

- (e) other costs that are considered to be direct and necessary for the successful implementation of the Project and that have been approved in advance, and in writing, by the Minister; and
- (f) for municipal, regional and Aboriginal Governments, incremental costs listed in Subsection 2.1 below.

## 2.1 Employee, Material and Equipment costs

While these costs are not normally eligible for reimbursement, the incremental costs of the Recipient's employees, materials or equipment may be included in its Eligible Costs under the following conditions:

- (a) the Recipient is a municipal, regional or an Aboriginal Government; and
- (b) the Recipient satisfies the Minister that it is not economically feasible to tender a contract; and
- (c) employees, material or equipment are employed directly in respect of the work that would have been the subject of the contract; and
- (d) costs are approved in advance and in writing by the Minister, and are included in Annex 1 – Statement of Work.

## 2.2 Communications

- (a) For the purposes of events, Eligible Costs include the following:
  - Printing and mailing invitations;
  - Light refreshments, such as coffee, tea, juice, donuts, muffins, snacks;
  - Project material for display and/or media kit;
  - Signage; and
  - Rentals such as: flagpoles, stage, chairs, podium, PA system.
- (b) For the purposes of Project signage, Eligible Costs include reasonable costs incurred to produce signage.

## 3.0 Ineligible Costs

Costs related to the following items are ineligible costs:

- (a) Project Costs incurred before the Eligibility Date and after the Program Completion Date;

- (b) services or works that, in the opinion of the Minister, are normally provided by the Recipient or a related party;
- (c) salaries and other employment benefits of any employees of the Recipient except as indicated in Subsection 2.1 above;
- (d) the Recipient's overhead costs, its direct or indirect operating or administrative costs, and more specifically, its costs related to planning, engineering, architecture, supervision, management and other activities normally carried out by its staff;
- (e) cost of feasibility and planning studies;
- (f) taxes for which the Recipient is eligible for a tax rebate and all other costs eligible for rebates;
- (g) any loan interest or other finance charges;
- (h) cost of land or any interest therein (including easements), and related costs;
- (i) legal fees;
- (j) cost of leasing of equipment by the recipient except for as indicated in Subsection 2.1 above;
- (k) temporary installations;
- (l) moveable equipment, including but not limited to motorized vehicles, furniture, computers, art work and sports equipment;
- (m) the value of any goods and services which are received through donations or in-kind;
- (n) costs for food and entertainment except as indicated in Subsection 2.2 above;
- (o) routine maintenance costs; and
- (p) for the purposes of communications events, Ineligible Costs include the following: alcoholic beverages, china, waiters, guest mileage or transportation, wine glasses, lamps, tea wagons, plants, gifts, and honorariums.



**Annex 3****CANADA 150 COMMUNITY INFRASTRUCTURE PROGRAM****REPORTING REQUIREMENTS**

1. **Semi-annual Progress Reports.** The Recipient shall submit, at a minimum, semi-annual progress reports until Project completion, substantially in the form prescribed by the Minister and satisfactory to the Minister in scope and detail, in order to allow the Minister to assess the progress of the Project. The progress report will detail progress on the implementation of the Project, and amounts received through this Agreement, amounts expended on projects, and an overall update on the Project status. These reports are due April 15<sup>th</sup> and October 15<sup>th</sup> covering the six month periods ending March 31<sup>st</sup> and September 30<sup>th</sup> respectively.
2. **Final Reporting Requirements.** In accordance with Subsection 6.4, the Recipient shall submit to the Minister a Final Report on the Project, substantially in the form prescribed by the Minister and satisfactory to the Minister in scope and detail, in order to allow the Minister to assess the outcome of the Project.
3. **Recognition of Funding.** In order to acknowledge the Government of Canada's support for the Project, the Recipient shall submit photograph(s) of the required signage as required by the Minister.

**Annex 4**

**CANADA 150 COMMUNITY INFRASTRUCTURE PROGRAM**

**FEDERAL VISIBILITY REQUIREMENTS**

1. The Recipient agrees that its name, the amount of the Contribution and a description of the general nature of the activities supported under this Agreement may be made publicly available by the Minister.
2. In order to promote the support received from the Minister, and to raise awareness of the Canada 150 Community Infrastructure Program, the Recipient agrees to the following requirements, at the request of the Agency:
  - (a) Participate in and assist with coordination of a public announcement of the Agreement by the Minister in the form of an event and/or news release as provided by the Minister. The Recipient shall maintain the confidentiality of this Agreement until such public announcement;
  - (b) Coordinate a mutually agreeable venue, date and time, in light of the availability of the Minister, for public/media events outlining Project achievements, such as groundbreaking or completion ceremonies, or initiatives undertaken by the Recipient and acknowledging the role of the Minister on these occasions. Unless otherwise agreed to in advance by the Minister, no event will take place without at least fifteen (15) business days' notice to the Minister;
  - (c) Participate in, coordinate and accommodate activities that showcase the results or expected results of the Minister's support, including but not limited to public showcase events, site visits, photo opportunities, production of promotional products (including but not limited to, photos and images, video, print and new media). This includes providing access to the Recipient's work site(s) to the Agency staff. The Recipient agrees that the Minister may contact it for the purposes of preparing project success stories;
  - (d) When providing information on the products and services funded in whole or in part by this Agreement, specify that the financial assistance is made possible through a contribution from the Minister;
  - (e) Prominently display in a manner prescribed by the Minister, promotional material or signage according to a design specified by the Minister and produced and installed at the Recipient's expense, communicating the nature of the funded activities and/or the involvement of the Minister; and
  - (f) Include acknowledgement, in a manner prescribed by the Minister, in all publications and advertising describing or promoting the products and services

funded in whole or in part by this Agreement, including, but not limited to, electronic media (web, television, video), and print media (signs, print advertising, brochures, magazines, maps, posters). The Recipient will consult with the Minister in preparing the content and look of all such material, which must be approved in advance. The Recipient will provide the Agency with no less than ten (10) business days for the approval of all materials prior to its release.

The Minister may, by notice in writing given to the Recipient, require that recognition of the support provided by the Minister not be made in any public communication of the Recipient.

# THE CORPORATION OF THE TOWN OF KINGSVILLE

## BY-LAW 90 - 2017

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***Being a By-law to confirm the proceedings of the  
Council of The Corporation of the Town of Kingsville at its  
August 14, 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 August 14, 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 14<sup>th</sup> day of August, 2017.**

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**MAYOR, Nelson Santos**

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**CLERK, Jennifer Astrologo**