



**REGULAR MEETING OF COUNCIL
AGENDA**

Monday, October 23, 2017, 7:00 PM

Council Chambers

2021 Division Road N

Kingsville, Ontario N9Y 2Y9

Pages

A. CALL TO ORDER

B. MOMENT OF SILENCE AND REFLECTION

C. PLAYING OF NATIONAL ANTHEM

D. DISCLOSURE OF PECUNIARY INTEREST

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

E. PRESENTATIONS/DELEGATIONS

1. **Richard and Chantel Doll--Request dated October 17, 2017 to have the development charges for 1021 Oak Ave. waived or reduced SEE: Email exchange with S. Zwiers, Director of Financial Services, dated October 15, 2017** 1

Recommended Action

That Council deny the request for the reduction or waiver of development charges.

2. **Andrew and Faith Vercruysse--Correspondence dated October 18, 2017 RE: Cemetery By-law (SEE Staff Report H-9)** 4

Recommended Action

That Council direct administration to maintain the standards that are set out in the provisions of the Cemetery By-law (90-2012).

F. MATTERS SUBJECT TO NOTICE

1. **PUBLIC MEETING - Fence By-law Draft Update - 2017** 7

R. Brown, Manager of Planning and Development Services

i) Report of R. Brown, dated September 22, 2017;

ii) Draft By-law to regulate the height, location and description of fences.

Recommended Action

That Council receive the report outlining the details of the draft Fencing By-law update for information purposes and direct administration to finalize the By-law including the incorporation of any appropriate public comment or requests.

2. PUBLIC MEETING-Housekeeping Amendment to Comprehensive Zoning By-law

19

R. Brown, Manager of Planning and Development Services

i) Report of R. Brown, dated October 12, 2017 RE: Housekeeping Amendment to Comprehensive Zoning By-law--Amendment of Existing Zoning on Property located at 32 Prince Albert St. S, 109, 124, 129 and 194 Division St. N., 115 Main St. East and 122 to 148 Lansdowne Avenue

ii) Proposed By-laws 102-2017 to 107-2017

Recommended Action

It is recommended that Council approve zoning amendment application ZBA/21/17 to:

to rezone property located at 122 to 148 Lansdowne Ave. from 'Residential Zone 3 Urban (R3.1)' to 'Residential Zone 4 Urban Exception 3 (R4.1-3)' and adopt the implementing by-law.

to rezone property located at 115 Main St. E., from 'Residential Zone 3 Urban (R3.1)' to 'Residential Zone 4 Urban Exception 3 (R4.1-3)' and adopt the implementing by-law.

to rezone property located at 32 Prince Albert St. S. from 'Residential Zone 3 Urban (R3.1)' to Residential Zone 4 Urban Exception 3 (R4.1-3)' and adopt the implementing by-law.

to rezone property located at 109 & 129 Division St. N. from 'Residential Zone 3 Urban (R3.1)' to Residential Zone 4 Urban Exception 3 (R4.1-3)' and adopt the implementing by-law.

to rezone property located at 124 Division St. N. from 'Residential Zone 3 Urban (R3.1)' to Residential Zone 4 Urban Exception 3 (R4.1-3)' and adopt the implementing by-law.

to rezone property located at 194 Division St. N. from 'Residential Zone 3 Urban (R3.1)' to 'Residential Zone 4 Urban Exception 4 (R4.1-4)'

3. PUBLIC MEETING--Zoning By-law Amendment (ZBA/18/17) Donald & Darlene Joudrey (Owner) James Toews (Applicant)

40

R. Brown, Manager of Planning and Development Services

i) Report of D. French, dated October 18, 2017 RE: ZBA/18/17--Gladstone Avenue (No address); Lot 16, Plan 1068

ii) Proposed By-law 109-2017, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville

Recommended Action

It is recommended that Council approve zoning amendment application ZBA/18/17 to amend the zoning of the subject property to a 'Residential Zone 2 Urban, (R2.1)' classification to also permit a semi-detached dwelling and semi-detached dwelling unit, and adopt the implementing by-law.

4. PUBLIC MEETING--Zoning Amendment Application ZBA/02/16 HVM Holdings Inc. 46

R. Brown, Manager of Planning and Development Services

i) Report of R. Brown, dated October 13, 2017 RE: ZBA/02/16; 200 Main St. East, Part of Lot 2, Concession 1 ED

ii) Proposed By-law 108-2017, being a by-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville

Recommended Action

It is recommended that Council approve zoning amendment application ZBA/02/16 to rezone the subject property from 'Residential Zone 1 Urban – holding (R1.1(h))' to 'Residential Zone 4 Urban Exception 2 (R4.1-2)' and adopt the implementing by-law.

G. AMENDMENTS TO THE AGENDA

H. STAFF REPORTS

1. Tax Adjustments Under Sections 357 and 358 of the Municipal Act, 2001 120

S. Zwiers, Director of Financial Services

Recommended Action

Council authorize tax reductions totaling \$18,147.95 for the 2017 taxation year.

2. Uncollectable Property Tax Write Off Under Section 354 of the Municipal Act, 2001 123

S. Zwiers, Director of Financial Services

Recommended Action

It is recommended that Council authorize tax write offs totaling \$387.46.

3. **Vacancy Rebate Public Consultation Results and Recommendation** 125
- S. Zwiers, Director of Financial Services
- Recommended Action**
That council approve the elimination of the Vacant Unit Property Tax Rebate Program in Essex County, and request Essex County Council to seek approval from the Minister of Finance to enact a Regulation for Essex County to eliminate this Program, commencing for the 2018 taxation year.
4. **Skate Shop Tender** 154
- M. Durocher, Parks and Recreation Programs Manager
- Recommended Action**
That Council approve the RFP as submitted by Mr. Ben Ward for the operation of the Arena Skate Shop for the next 3 years.
5. **PLC/02/17 – Amico Properties Inc. Crescent** 100-148 Blue Jay 158
- R. Brown, Manager of Planning and Development Services
- Recommended Action**
It is recommended that Council:
- enact Part Lot Control Exemption By-law 83-2017 to allow Lots 10 to 16, 28 to 34, 35 to 41 and 45 to 51 on Plan 12M 598 to be exempt from Section 50(5) of the Planning Act,
- enact Part Lot Control Exemption By-law 83-2017 to allow Lots 17 to 27 and 42 to 44 on Plan 12M 598 to be exempt from Section 50(5) of the Planning Act for the sole purpose of lot line adjustment of the existing single detached lot alignment only, and
- direct administration to forward By-law 83-2017 and the Part Lot Control Exemption application to the County of Essex for final approval.
6. **Annual Traffic By-Law Amendment** 166
- K. Girard, Manager of Municipal Services
- Recommended Action**
That Council approves the following amendments to the traffic by-law:
1. No parking is permitted on the west side of Kratz Sideroad adjacent to soccer fields from Road 2E to approximately 275m south of Road 2E;
 2. No parking is permitted on the east side of Jans Crescent or in the cul-de-sac including the centre island; and
 3. No parking is permitted on the north side of Pulford Street from Division Street North to Spruce Street North.
7. **Supervisor of Municipal Facilities and Properties** 185

J. Galea, Human Resources Manager

Recommended Action

The Council authorize Administration to proceed in recruiting this position with an intended start date of late November 2017.

8. **Policy Review: V&H, CI, PIP** 187

J. Galea, Human Resources Manager

Recommended Action

That Council approve the Conflict of Interest Policy, Performance Improvement Plan, and the revised Violence and Harassment Policy and Program.

9. **Request for Amendment to Cemetery By-law 90-2012** 219

S. Martinho, Manager of Public Works

Recommended Action

That Council direct administration to maintain the standards that are set out in the provisions of the Cemetery By-law (90-2012).

I. BUSINESS/CORRESPONDENCE-ACTION REQUIRED

1. **Pelee Island Winery-Correspondence requesting a resolution from Council in support of the winery obtaining a Manufacturer's Limited Liquor Sales Licence to allow the establishment to sell and serve single servings of wine to its touring visitors** 236

Recommended Action

That Council of The Corporation of the Town of Kingsville supports the Application of Pelee Island Winery for a "By the Glass" Manufacturer's Limited Liquor Sales Licence at its manufacturing site (455 Seacliff Dr., Kingsville).

2. **December 2017 Council Meeting Schedule**

Recommended Action

That Council confirm that the only Regular Council Meeting to be held in December is the December 11, 2017 Regular Meeting of Council.

J. MINUTES OF THE PREVIOUS MEETINGS

1. **Special Meeting of Council--September 26, 2017** 238
2. **Special Meeting of Council--October 3, 2017** 244
3. **Regular Meeting of Council--October 10, 2017** 247

Recommended Action

That Council adopt Special Meeting of Council Minutes, dated September 26, 2017, Special Meeting of Council Minutes, dated October 3, 2017, and

Regular Meeting of Council Minutes, dated October 10, 2017.

4. Regular "Closed Session" Meeting of Council--October 10, 2017

Recommended Action

That Council adopt Regular "Closed Session" Meeting Minutes, dated October 10, 2017.

K. MINUTES OF COMMITTEES AND RECOMMENDATIONS

1. Committee of Adjustment--August 15, 2017 259

Recommended Action

That Council receive Committee of Adjustment Meeting Minutes, dated August 15, 2017.

2. Committee of Adjustment-September 19, 2017 264

Recommended Action

That Council receive Committee of Adjustment Meeting Minutes, dated September 19, 2017.

3. Union Water Supply System Joint Board of Management--September 20, 2017 268

Recommended Action

That Council receive Union Water Supply System Joint Board of Management Meeting Minutes, dated September 20, 2017.

L. BUSINESS CORRESPONDENCE - INFORMATIONAL

1. Royal Canadian Legion, Branch #188--Correspondence dated October 1, 2017 RE: Remembrance Day Service 272

2. City of Windsor, Office of the City Clerk--City Council Decision, dated October 2, 2017 273

3. Municipality of Killarney--Resolution passed October 11, 2017 in support of Town of Halton Hills resolution regarding Zero Tolerance Against Racism 274

4. Ministry of Citizenship and Immigration--Call for nominations for the June Callwood Outstanding Achievement Award for Voluntarism. 276

5. Stantec Consulting Ltd. --Notice of Information Sessions RE: Union Gas Proposed Pipeline Project, dated October 6, 2017 277

6. OMAFRA--Call for nominations for the Rural Ontario Leaders Awards (ROLA) 280

Recommended Action

That Council receive information items 1 to 6 as presented.

M. NOTICES OF MOTION

N. UNFINISHED BUSINESS, ANNOUNCEMENTS AND UPDATES

O. BYLAWS

- 1. By-law 83-2017** 292

Being a By-law to exempt certain lands from Part Lot Control (Royal Oak at the Creek Subdivision - Plan 12M-598)

To be read a first, second and third and final time
- 2. By-law 102-2017** 293

Being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (Part of Lots 25 and 26, Plan 269, 122 to 148 Lansdowne Avenue; ZBA/21/17)

To be read a first, second and third and final time.
- 3. By-law 103-2017** 296

Being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (Part of Lot 1, Concession 1 ED, 115 Main St. East; ZBA/21/17)

To be read a first, second and third and final time
- 4. By-law 104-2017** 298

Being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (Part of Lot 2, Concession 1 WD; 32 Prince Albert St. S.; ZBA/21/17)

To be read a first, second, third and final time.
- 5. By-law 105-2017** 300

Being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (Part of Lot 1, Concession 1 ED; 109 and 129 Division St. North; ZBA/21/17)

To be read a first, second and third and final time
- 6. By-law 106-2017** 302

Being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (Part of Lot 1, Concession 1 WD; 124 Division St. N.; ZBA/21/17)

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

7. By-law 107-2017 304

Being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (Part of Lot 1 Conc 1 WD, 194 Division St. N.; ZBA/21/17)

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

8. By-law 108-2017 307

Being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (200 Main St. East; ZBA/02/16)

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

9. By-law 109-2017 310

Being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (ZBA/18/17)

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

P. CONFIRMATORY BY-LAW

1. By-law 111-2017 312

Being a By-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its October 23, 2017 Regular Meeting

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

Q. ADJOURNMENT

Stephanie Olewski

From: Stephanie Olewski
Sent: Thursday, October 19, 2017 10:51 AM
To: Stephanie Olewski
Subject: FW: 1021 Oak Ave Kingsville, ON

From: Sandra Zwiers <szwiers@kingsville.ca>
Sent: Monday, October 16, 2017 6:29 AM
To: Jennifer Astrologo
Cc: Peggy Van Mierlo-West; Councillors
Subject: Fw: 1021 Oak Ave Kingsville, ON

Good morning Jennifer,

Please have your staff contact Mr. Doll and explain the delegation process with him. It appears he's dissatisfied with my response to his question, wishes to make application to council and has asked that I forward this exchange to council. For that reason only have I copied council on this email. May I ask that this exchange also be included in the council package for council 's information at the meeting Mr. Doll is scheduled to appear before council. It's important council have copy of the response administration gave to the resident's request. Please let me know what date is set so I can ensure I'm present at council to respond to any questions.

Thank you,
Sandra

Sent from my BlackBerry 10 smartphone on the TELUS network.

From: Richard Doll <[REDACTED]>
Sent: Sunday, October 15, 2017 10:21 PM
To: Sandra Zwiers
Subject: RE: 1021 Oak Ave Kingsville, ON

Hi Sandra I understand that this is the outlook for my question but I am still asking that this request be looked at and discussed by are council members I would expect that they could appreciate my request as it is not uncommon for a person to look at the issues that we run into I would also ask that you include the following an answer on my request and how and why it was granted or denied and by who as I would like to see the full procedure I am interested in moving forward with this matter and appreciate your time. Thank you Richard Doll

On Oct 10, 2017 12:07 PM, "Sandra Zwiers" <szwiers@kingsville.ca> wrote:

Good morning Mr. Doll,

I'm pleased to hear your experience with town staff has been good and that your plans to develop your property are going smoothly.

In response to your inquiry regarding development charges I'm able to offer an explanation as to why you're being charged. A review of your property was conducted in our records which includes aerial photography information dating back to 2004 and building department applications back to 1999. During the review we were able to confirm that the property has remained vacant for at least the last 13 years (supported by aerial photography) and likely back to 1999

(supported by a demolition permit for a workshop in 1999 with no subsequent building permit applications to replace demolished structures).

Our development charges Bylaw 12-2013, which I have attached for your reference, includes direction to administration on how to evaluate previously developed property. In paragraph 3.13 we are generally not to assess a property if a building or structure existed on the same land within 5 years prior to the date of development charges (some restrictions apply). In the case of your property, no building or structure has existed on the property in more than 5 years. In fact we have determined that no building or structure has existed on your property in the last 18 years (since the demolition permit processed in 1999). Since the 5 year exemption test is not met, we are required to charge development charges.

The Town is required to review its development charges every 5 years. Your property has been factored into the growth calculation in every 5 year review since 2004 (5 years after the 1999 demolition permit was processed) and is therefore subject to collection of development charges at the time of building permit issuance in accordance with our Bylaw.

I've copied members of council and our CAO in this email so that my supervisor and Council is aware of my response to your request for consideration.

Should you wish to discuss this further please do not hesitate to contact me.

Warm regards,

Sandra



Sandra Zwiers MAcc CPA, CA

Director of Financial Services

Financial Services Department

The Corporation of the Town of Kingsville

2021 Division Road North

Kingsville, Ontario N9Y 2Y9

Phone: [\(519\) 733-2305](tel:5197332305)

www.kingsville.ca

From: Richard Doll [REDACTED]

Sent: October-09-17 3:24 PM

To: Sandra Zwiers <szwiers@kingsville.ca>

Cc: Robert Brown <rbrown@kingsville.ca>; Gord Queen <gord.queen@gmail.com>; Susanne Coghill <suscoghill@gmail.com>; Nelson Santos <nsantos@kingsville.ca>; John Driedger <jldriedger@gosfieldtel.com>; Tony Gaffan <tonygaffan@gmail.com>; Thomas Neufeld <tneufeld77@gmail.com>; Larry Patterson <larry.patterson@gosfieldtel.com>; Peter Valore <pvalore@kingsville.ca>; Cindy Mills <CMills@kingsville.ca>; Ken Vegh <kvegh@kingsville.ca>; Shaun Martinho <smartinho@kingsville.ca>
Subject: 1021 Oak Ave Kingsville, ON

To whom it may concern;

My name is Richard Doll. I have acquired the property 1021 Oak Ave Kingsville ON, with the intent to build my family home. I have completed an application and permit with ERCA, for permission to build on the property on their behalf. I have had a site meeting and conversation with the chief building official Peter Valore. I have also been in contact with the town planner Robert Brown, and have had a site meeting with the drain inspector Ken Vegh. They have both been a tremendous help, and have answered many questions that I have had, giving sound advice. I would also like to take a moment to mention my appreciation for their professionalism and their prompt responses.

It has been brought to my attention after purchasing this property, that I will be required to pay the development fee for the property before I am able to build. I would like to appeal to the council to have this development fee waived or adjusted, as the property was previously developed in the 1960's and had a dwelling present at one time. In addition the services for the property are already in place, therefore there will be no need for service hook-ups and there will be no encroachment upon the road. Also, the taxes will increase upon completion of the home.

I will of course be paying for the building permit and any other permits required for construction, but I ask that the council consider waiving or adjusting this development fee.

In recent conversations with other builders and developers, they have come across similar situations and have worked with other municipalities including Kingsville. New home constructions improve the overall appearance of our town and increase the value of properties around them. I would appreciate it if the council would look into this matter closely and consult the Director of Finance, the town planner and the chief building official for their opinions, and suggestions on this request.

Please respond by e-mail so that I will know this request has been received.

Happy Thanksgiving.

Sincerely,

Richard Doll

[REDACTED]

[REDACTED]

October 18 2017

Andrew and Faith Vercruysse
388 RD 3E RR#2
Kingsville ON N9Y 2E5
[REDACTED]

Mayor Nelson Santos
2021 Division RD
Kingsville ON N9Y 2V9

Dear Mayor Nelson Santos and Town Council Respectfully;

Our names are Andrew and Faith Vercruysse. We are writing this letter as a request to amend a by-law with regards to the Greenville Cemetery. We are aware that the last name is all that is allowed on the back of a monument. We are asking for authorization to permit us to include a small phrase with pictures on the back along with a last name. Please find enclosed a copy of the monument outline. We have spoken to Stephanie Olewski as well as Shawn Martinho. We were denied our request from Shawn Martinho. He did tell us that if we were not satisfied, we could take our cause to town council. That is why we are here tonight. Shawn informed us that the reason for not putting illustration on the back of a monument is because it can lead to a grave being dug in the wrong direction. Where our plot is, there will never be a grave dug behind it as there is a tree directly behind it and the plots around it are full.

The reason for this request is that the monument is for our daughter Jocelyn. Jocelyn passed away suddenly and in the most tragic way. To say we were in shock would be an understatement. In many ways we still are. Shortly after her death, my sister came to the house and brought us a plaque with this phrase on it (see copy). There was an angel on it as well. My sister was not only Jocelyn's Aunt she was Jocelyn's Godmother. One of my biggest fears as a mother who has lost a child, is that your child will be forgotten... The plaque is in our living room and I see it everyday... It would mean so much to me if I could leave it with her as well. The other photo represents Jocelyn's devotion to her Faith. Jocelyn was an active member of her parish. As a young child she served on the Altar (Altar Girl) and as a teen and young adult, she was a lector. Unfortunately, Jocelyn's funeral was and still is a foggy memory. It wasn't until a year or so later that I had a vast realization, and much regret, that we did not put a Rosary in her hand. I really wanted to have something on her headstone for this reason.

It took me a long time to come to terms with the idea of putting a monument on Jocelyn's grave. If it wasn't for her brother's insistence, I still don't think I could have done it. I never truly put much thought to the phrase "it's not written in stone" until now.

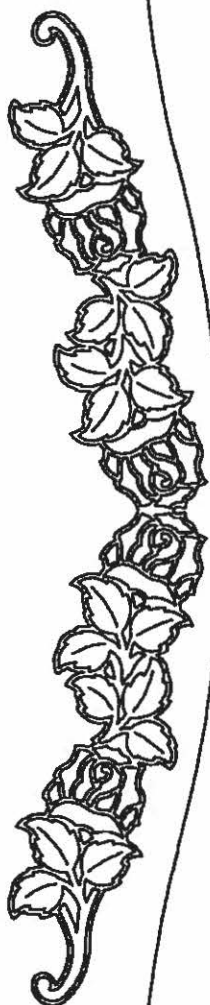
I have learned that the purpose for a monument is to provide the bereaved a focus for mourning and remembrance when they visit and to serve as a memorial of the deceased. All we ask is that you please consider our request for her monument so when we visit her we can leave her to rest with a feeling of peace that we left a piece of us with her and also that we honoured her memory on her monument the best we could in the space provided.

Thank You

Sincerely Andrew And Faith Vercruysse

Andrew Vercruysse
Faith M Vercruysse

RECEIVED OCT 18 2017 *sh*



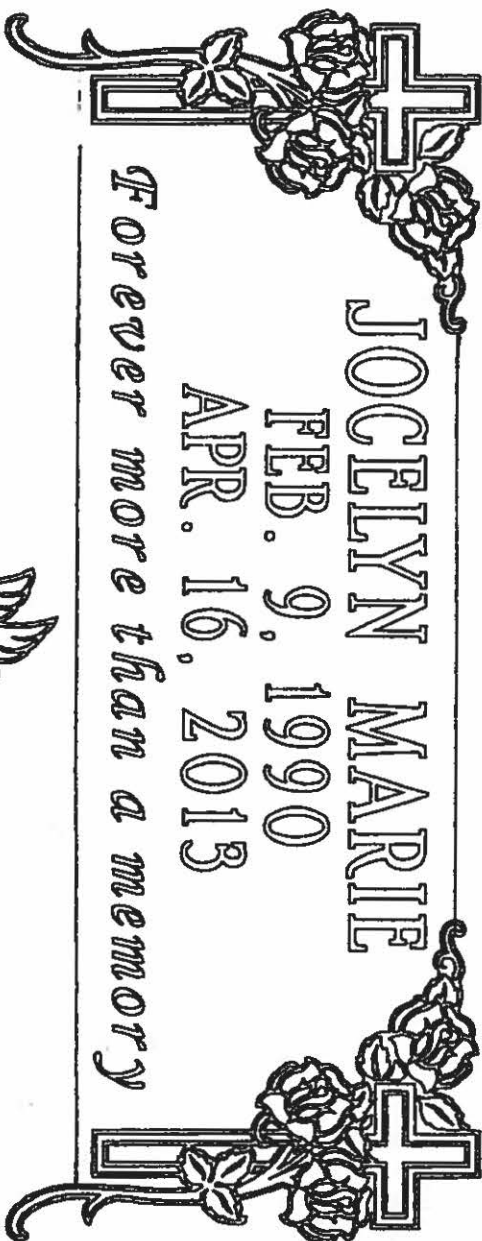
VERCROSS

JOCelyn MARIE

FEB. 9, 1990

APR. 16, 2013

Forever more than a memory



A breath away is not far
to where you are...



VERY

Someone Remembers,
Someone cares,
your name is *Whispered*

Someone's
Prayers





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

Date: September 22, 2017

To: Mayor and Council

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

RE: Fence By-law Draft Update - 2017

Report No.: PDS-2017-041

AIM

To provide Council with the draft version of the updated Fence By-law and outline the specific changes being recommended.

BACKGROUND

In July of 2017 a report was presented to Council with a review of the current Fencing By-law 96-2005 and outlined that the 12 year old by-law was in need of a comprehensive update. This would help to address any functionality issues that the by-law may have presented during its use over that timeframe and provide the opportunity to make additions to the by-law to address concerns with the location of fencing.

DISCUSSION

The need to review the current Fencing By-law arose as part of the establishment of a Right-of-Access By-law which was implemented by Council earlier in 2017. The principle concern was that the current by-law does not outline any requirements for the location of a fence in relation to existing buildings. This in turn had led to a boundary fence being constructed in very close proximity to an existing dwelling, preventing access to the house for even basic maintenance purposes.

The draft by-law seeks to make revisions to the existing format of the by-law, provide clarifications and add additional regulations to address setbacks from existing buildings and structures. The by-law will continue to require a permit for a fence but only as it related to the construction of a swimming pool.

Recommended changes including the following:

- i) Expand the definition of a fence;
- ii) Remove design specs for vertical board fences;
- iii) Replace all imperial measurement with metric;
- iv) Include a provision that will require a minimum setback of 1 m from all buildings or structures regardless of the location of the lot line;
- v) Simplify the fencing requirement for lots along water ways or the lake;
- vi) Clarify the fencing regulations for Agricultural Zones;
- vii) Create regulations specific to the fencing of a salvage yard;
- viii) Consolidate the Variance provision to limit permission to exceed the requirements to the Chief Building Official and remove the appeal to the Committee of Adjustment provision.

LINK TO STRATEGIC PLAN

There is no specific link to the strategic plan

FINANCIAL CONSIDERATIONS

The purpose of the update to the Fencing By-law is to provide a better enforcement mechanism for Town staff and hopefully avoid issues which result in the Town acting in a mediator role between neighbours. This in turn ensures staff time is not misdirected toward issues that can be resolved with the assistance of clear regulations at the onset of any new fence construction.

CONSULTATIONS

Management staff was circulated for comment. Public notice has been posted in the Kingsville Reporter and on the Town website. Once the final draft is complete the By-law will be circulated for legal review to insure proper format, wording and enforceability.

RECOMMENDATION

That Council receive the report outlining the details of the draft Fencing By-law update for information purposes and direct administration to finalize the By-law including the incorporation of any appropriate public comment or requests.

Robert Brown

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

Peggy Van Mierlo-West

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

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW NUMBER XX-2017

Being a By-law to

REGULATE THE HEIGHT, LOCATION AND DESCRIPTION OF FENCES

WHEREAS Sections 11(1), 7 and 15(4) of the *Municipal Act, S.O. 2001, c. 25*, as amended, authorizes municipalities to pass by-laws respecting fences which includes the authority to prescribe the height and description of fences on all properties and to require owners of privately-owned outdoor swimming pools to erect and maintain fences and gates around such swimming pools;

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

PART I

INTERPRETATION

1.1 In this by-law:

- (1) **"Building"** shall mean any structure greater than 108 square feet, whether temporary or permanent, used or intended for sheltering any use or occupancy but shall not include a fence, travel trailer, camping trailer, truck camper, motor home or tent;
- (2) **"Chief Building Official"** shall mean the officer or employee of the Town charged with the duty of enforcing the provisions of the Ontario Building Code Act and the provisions of this By-law;
- (3) **"Corner lot"** shall mean a lot situated at the intersection of or abutting upon, two or more streets provided that the angle of intersection of such streets is not more than one hundred and thirty-five (135) degrees and each of which is at least 30 feet wide; where such intersecting sides are curved, the angle of intersection of the adjacent sides shall be deemed to be the angle formed by the intersection of the tangents to the street lines, drawn through the extremities of the front lot line and the exterior lot line;
- (4) **"Council"** shall mean the Council of The Corporation of the Town of Kingsville;
- (5) **"Dwelling"** shall mean a building, occupied or designed to be occupied, exclusively as a home, residence or sleeping place by one or more persons;
- (6) **"Fence"** shall mean any continuous barrier made of chain, wood, stone, masonry, lattic work, screen or other similar materil used to enclose or divide in whole or in part a yard or other land or constructed, installed along the perimeter of lands so as to give the inference that the barrier is intended to delineate the boundaries of the lands and also includes a privacy screen as defined in this By-law. Any berm, retaining wall or

other such man-made structure upon which a fence is built shall be deemed to be part of the fence, a railing, wall, line of posts, wire, gate, boards, pickets, or other similar substances, used to enclose or divide in whole or in part a yard or other land or to provide privacy;

- (7) **"Front yard"** shall mean that part of any lot extending across the full width of the lot and lying between the street and the nearest wall of any dwelling or other main building located on the lot;
- (8) **"Gate"** shall include a door or other device constructed to be self-closing and with a self-latching device that may be opened to gain access to an area enclosed by a fence;
- (9) **"Hedge"** shall mean a continuous line of thick shrubs or low trees, planted so as to form a fence;
- (10) **"Height"** shall mean the vertical distance between the grade level adjacent to the fence and the highest point of the fence ~~without taking into account but does not include the~~ fence posts;
- (11) **"Lot"** shall mean any parcel or tract of land described in a deed or other instrument legally capable of conveying land;
- (12) **"Open type construction"** means a fence constructed so that at least one half of its vertical surface area is open space, enabling a clear view through such fence, including materials such as wrought iron and chain link;
- (13) **"Owner"** shall include any person who has lawful possession of any lands or premises;
- (14) **"Permit"** shall mean a permit issued by the Chief Building Official certifying approval of plans for swimming pool fences;
- (15) **"Person"** shall mean a person, firm or corporation, or any group or association of persons;
- (16) **"Privacy screen"** means a visual barrier used to shield any part of a yard from view from any adjacent ~~lot, yard, parcel or Highway, but does not include a fence as defined as herein;~~
- (17) **"Rear yard"** shall mean that part of any lot extending across the full width of the lot and lying between the rear boundary of the lot and the nearest wall of any dwelling or other main building located on the lot;
- (18) **"Side yard"** shall mean that part of any lot that is not part of the front yard or rear yard lying between the side lot line and any dwelling or other main building located on the lot;
- (19) **"Sight visibility triangle"** means the triangular space included between the street lines for a distance of ~~309.1 m feet~~ from the point of intersection or ~~15 feet~~ 4.5 m where an alley intersects another alley or where an alley intersects a street or where a private driveway intersects a street and or sidewalk;
- (20) **"Street"** shall mean a common and public street, road, highway or commons vested in the municipality, the county, the province or any other public authority having

jurisdiction over the same and includes a bridge or any other structure forming part of a street on, over or across which a street passes, including a private road or alley;

- (21) **“~~s~~Swimming pool”** shall mean any manmade structure that may be used to contain water for the purpose of swimming, wading or bathing purposes but shall not include:
 - a) a manmade pond;
 - b) irrigation lagoon that is used for agricultural purposes;
 - c) a temporary excavation below the water table; or
 - d) a portable wading pool that is emptied after each use;
- (22) **“~~s~~Swimming pool fence”** shall mean any fence that encloses in whole or in part, a swimming pool, and includes any temporary enclosure erected during the construction of any swimming pool and includes a gate attached to the fence;
- (23) **“~~t~~Temporary enclosure”** shall mean a device that is intended to temporarily perform the functions of a fence, and is subject to the approval of the Chief Building Official;
- (24) **“~~t~~Through lot”** shall mean a lot that is not a corner lot and has frontage on more than one street, in which case, the front yard requirements contained herein shall apply on each street;
- (25) **“Town”** shall mean The Corporation of the Town of Kingsville;
- (26) **“~~w~~Waterway”** shall mean a natural or manmade channel, body or stream of water;
- (27) **“~~z~~Zone”** shall mean an area as delineated on a zoning map schedule and established and designated by any by-law passed under Section 34(1) of the *Planning Act, R.S.O. 1990, c.P.13*.

PART II

GENERAL

- 2.1 No person shall erect or cause to be erected a swimming pool fence without first obtaining a permit from the Chief Building Official. ~~and t~~The charge for such permit shall be in accordance with the Fees By-law, ~~z~~ as amended.
- 2.2 No person shall construct or reconstruct or cause to be constructed or reconstructed any fence that is not in compliance with this by-law.
- 2.3 No person shall use or cause to be used razor wire, barbed wire or any other similar material in the construction of any fence unless specifically permitted by this by-law.
- 2.4 No person shall use, or cause to be used, electric current as a part of or in conjunction with any fence unless specifically permitted by this by-law.
- 2.5 No person shall post or exhibit placards, playbills, posters or graffiti on any fence.
- 2.6 No person shall erect a fence that is not uniform in appearance on each side.

GENERAL PROVISIONS – RESIDENTIAL ZONES

- 3.1
- (1) No person shall construct, erect, maintain or permit to be constructed, erected or maintained on any property zoned Residential, a fence which exceeds a height of ~~6~~1.8 ~~m-feet~~ in any rear yard , interior or exterior side yard.

(2) No person shall construct, erect, maintain or permit to be constructed, erected or maintained on any property zoned Residential, a fence which exceeds a height of ~~3~~1 ~~m feet~~ in any designated front yard.

(3) Notwithstanding Sections 3.1(1) and 3.1(2) above, fences shall be required to comply with all sight visibility triangle regulations as set out in this by-law.

~~(4) No fence shall be constructed in a manner such that the vertical boards are less than 3.5 inches wide, greater than 5.5 inches wide or spaced more than 1.5 inches apart.~~

~~(5) Subsection 3.1(4) shall not apply to fences constructed of masonry or wrought iron or to hedges.~~
- 3.2
- Notwithstanding Section 3.1, but subject to the provisions ~~for Residential zones along a waterway in this Part and sight visibility triangles in of Section 3.9 and~~ Section 6.3 of this by-law:

(a) archways forming part of an entrance may exceed the height restrictions to a maximum of ~~7 feet 6 inches~~ 2.3 m;

(b) decorative items on structural posts may exceed the prescribed height restrictions to a maximum of ~~6 inches~~ 15 cm;

(c) a fence may be erected to enclose a tennis court or similar private sports facility, not including a pool that is

i. no higher than ~~12 feet~~ 3.65 m;

ii. constructed of chain link with adequate posts, support wires and bracing of a corrosive resistant or treated material; and is

iii. not closer than 2 feet to any property line; and

(d) a boundary fence in side yards or rear yards may be ~~7 feet~~2.1 m in height provided any portion of the fence over ~~6 feet~~1.8 m is of open type, decorative construction.

~~(e) Notwithstanding any Section of this by-law to the contrary a fence shall not be constructed within 1m of any building or structure or any manner that would prohibit access for maintenance purpose to the wall of said building or structure.~~
- 3.3
- In a Residential zone ~~used for which permits semi-detached or townhouse~~ multiple attached dwelling units, privacy screens are permitted when erected upon a deck or platform in a rear yard which is permitted provided:

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- (a) the maximum height of the privacy screen shall be ~~6 feet~~ 1.8 m measured from the floor of the deck;
- (b) the maximum projection of a privacy screen or fence from the building shall be ~~12 feet~~ 3.65 m;
- (c) ~~the~~ a privacy screen shall be set back ~~at least a minimum of 3 feet~~ 1.0 m from any property line ~~other than a property line which is an extension of a common wall between two dwelling units~~; and
- (d) no privacy screen on a corner lot shall ~~be closer~~ extend closer to the street than the ~~portion~~ main wall of the building nearest the street.

SWIMMING POOL FENCES

- 3.4 Every owner of a lot on which a swimming pool is located shall construct and maintain, or cause to be constructed and maintained, a swimming pool fence.
- 3.5 Every person who constructs, or causes to be constructed, a swimming pool fence shall construct the swimming pool fence so as to prevent access under, over or through the fence except by way of a gate.
- 3.6 No person shall construct or cause to be constructed a swimming pool fence, unless such swimming pool fence complies with the following regulations:
 - (a) The minimum ~~permitted~~ required height of a swimming pool fence shall be ~~4 feet~~ 1.2 m as measured from the grade level outside and immediately adjacent the swimming pool fence;
 - (b) The maximum permitted height of a swimming pool fence shall be ~~6 feet~~ 1.8 m;
 - (c) Every swimming pool fence shall be constructed so that all horizontal or diagonal structural members of the fence are located on the pool side of the fence and the swimming pool fence shall not have openings, holes or gaps large enough to facilitate climbing;
 - (d) If a swimming pool fence is to be constructed of chain link material, the chain link material shall have an open diamond mesh not exceeding ~~1.5 inches~~ 3.8 cm;
 - (e) A dwelling or building may be utilized as part of a swimming pool fence;
 - (f) ~~Every swimming pool fence opening shall be secured with a gate~~;
 - (g) Every swimming pool gate shall be equipped with a self-closing/self latching device on the top of the gate ~~and a self latching device~~ on the swimming pool side of the gate; ~~of the top of the gate to the intent that all gates will remain securely closed~~;
 - (h) ~~Paragraph (Section 3.6 (g))~~ shall not apply to the door of any dwelling or building which forms part of the enclosure;
 - (i) ~~Every swimming pool fence shall be not less than 3 feet from the swimming pool~~;

- (j) Nothing shall be placed at or near the exterior side of a fence located ~~within-on~~ the same property ~~so~~ that ~~it~~ might facilitate the climbing of the swimming pool fence;
- (k) Sun-decks or walkways may be used as part of a swimming pool fence provided that they are constructed so as not to facilitate climbing and are a minimum of ~~4 feet~~ 1.2 m above the immediately adjacent grade level and if equipped with a gate, such gate shall be constructed in accordance with ~~these regulations~~ Section 3.6 (g);
- (l) Once a swimming pool is filled with water it must be fenced. A temporary enclosure is permitted in lieu of a swimming pool fence, but must be replaced with a ~~permanent swimming pool~~ fence in accordance with Section 3.4, 3.5 and 3.6 within fourteen (14) days of the pool being filled with water.

3.7 Every owner of a lot containing a swimming pool shall ensure that the gate providing access through the swimming pool fence is locked whenever the swimming pool is not in use.

3.8 The provisions of this by-law requiring the erection of a fence shall not apply to an above ground pool that complies with the following standards:

- (a) sides of not less than ~~4 feet~~ 1.2 m above grade; and
- (b) the point where a user of the above ground pool gains access to the pool is protected by a gate as outlined by Section 3.6 (g).

RESIDENTIAL ZONES ALONG A WATERWAY

3.9 On lots abutting a waterway, no person shall construct, or cause to be constructed:

- (a) a fence that exceeds ~~3 feet~~ 0.9 m in height in any front yard;
- (b) a fence that exceeds ~~6 feet~~ 1.8 m in height in any side yard; or
- (c) a fence in any rear yard except in compliance with the following height regulations; ~~in order to preserve a view of the waterway:~~
 - i. ~~if the average distance between the rear wall of the dwelling or other main building and the waterway is less than or equal to 50 feet, the height of any fence shall not exceed 6 feet for a distance not exceeding one half of the distance between the corners of the rear wall of the dwelling or other main building and the waterway measured parallel to the side lot lines; and the height of any fence beyond the one half distance shall not exceed 4 feet and shall be of an open type construction;~~ a fence, not exceeding 1.8 m in height, located in any yard abutting a waterway may extend a maximum of 6 m from the main wall of the dwelling on the same property closest to the water, beyond the 6 m maximum a fence shall be limited to a maximum 1.2 m in height and

be of an open type construction. At no time is a fence to be located closer than 3 m to the water's edge.

- ii. ~~if the average distance between the rear wall of the dwelling or the other main building and waterway is greater than 50 feet, the height of any fence shall not exceed 6 feet for a distance not exceeding 25 feet and the height of any fence beyond a maximum distance of 25 feet shall not exceed 4 feet and shall be of an open type construction.~~

3.10 On lots abutting a waterway, every swimming pool fence must comply with Sections 3.1, 3.4, 3.5 and ~~Section~~ 3.6 of this by-law.

3.11 Notwithstanding Section 3.10 ~~On~~ lots abutting a waterway, the portion of the property open to the waterway is permitted to be unfenced provided that there is no gap between the swimming pool fence and the said waterway or a break wall.

3.12 On lots abutting a waterway, a hedge, located in any yard abutting the waterway, in the rear yard shall be deemed to be a fence.

PART IV

GENERAL PROVISIONS – COMMERCIAL/INDUSTRIAL/INSTITUTIONAL ZONES

4.1 Unless permitted by a site plan agreement or any other development agreement executed by the Town, a fence on any property zoned Commercial, Industrial or Institutional shall not exceed ~~8 feet~~ 2.4 m in height.

4.2 Barbed wire may be placed on the top of a fence on any property zoned Commercial, Industrial or Institutional that does not abut a residential zone, provided that the said fence is a minimum of ~~6 feet~~ 1.8 m in height.

PART V

GENERAL PROVISIONS – AGRICULTURAL ZONE

5.1 Properties in an Agricultural zone containing a residential use with a lot area of less than 1 ha and abutting other similar lots that include a residential use shall comply with ~~all other parts of this by-law as they apply to properties in a Residential zone~~ Part III of this by-law.

5.2 Barbed wire may be used in the construction of a fence on any property zoned Agricultural that does not abut a residential zone.

~~5.3~~ Nothing in Section III of this By-law shall apply to the construction of a fence to contain livestock on a lot larger than 1 ha.

~~5.34~~ An electrified fence may be erected on any property zoned Agricultural provided such fence:

- (a) has a maximum 12 volt trickle charge;
- (b) is designed and erected solely to contain animals; and
- (c) has attached thereto, at approximate 100 foot intervals, a sign warning that the fence carries electricity.

SALVAGE YARD FENCING

6.1 Notwithstanding any other provisions of this By-law, no person shall establish, operate or maintain or cause or permit the establishment, operation or maintenance of a salvage yard unless the land on which the salvage yard is located is fenced.

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6.2 No person shall erect or construct or cause or permit to be erected or constructed, fence on a lot used as a salvage yard except in accordance with the following provisions:

- a) Except as provided in clause (c) of this subsection, a fence within any front, rear or side yard shall be not less than 3.0 m and not greater than 4.6 m in height;
- b) A fence to enclose a front yard shall be setback from the lot line a distance equal to the front yard setback requirement of the zone in which the salvage yard is located.
- c) Except as provided for in clause (c) of this subsection, a fence in any yard shall be of consistent height and material and shall be fully screened.
- d) A fence on a lot used as a salvage yard shall not be constructed using any of the following: shipping containers, sea cans, truck bodies, truck trailers, bus bodies, used building materials unless erected on a stable support system and painted a single neutral colour

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PART VII

HEIGHT CALCULATIONS

6.7.1 The height of a fence at any given point shall be measured from the grade at the base of the fence, exclusive of any artificial embankment, provided:

- (a) where changes in grade contours along the fence line result in changes in height of the fence, the height of the fence is deemed to be the average height of the fence over any 8-foot 2.4 m portion.

GRADE DIFFERENCES BETWEEN LOTS

SIGHT VISIBILITY TRIANGLES – DRIVEWAYS AND CORNER LOTS

7.6.3 No person shall erect a fence or keep any hedge in any zone greater than 3-feet- 1 m in height at any point:

- (a) within a 30-foot 9 m sight visibility triangle, measured along the property line at the intersection of any two streets or at the intersection of two parts of the same street meeting at an angle of not more than 135 degrees;
- (b) within a 6-foot 4.5 m sight visibility triangle measured at the intersection of any driveway and the property line of any street.

PART VIII

VARIANCES

78.1 Any person, being the occupier or owner of land in the Town, may apply to the Chief Building Official for permission to exceed any of the requirements set out in this by-law, and if the Chief Building Official is satisfied that the proposed application is reasonable and does not contravene the purpose and intent of the provisions of this by-law, then the Chief Building Official may grant such permission, in whole or in part, conditionally or unconditionally, as deemed advisable.

87.2 Any person who has made application pursuant to the provisions of Section 7.1 of this by-law and who has received notice of the decision of the Chief Building Official shall have the right to appeal to the Committee of Adjustment for the Town.

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87.3 This by-law is designated under Section 45(3) of the *Planning Act, R.S.O. 1990, c.P. 13*, as amended, as a by-law implementing the Official Plan of the Town of Kingsville and the Committee of Adjustment for the Town is empowered to grant variances from the provisions of this by-law.

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Commented [RB1]: Is this even legal? How does a fence by-law implement the Official Plan.

PENALTY

87.4 Every person who contravenes any of the provisions of this by-law is guilty of an offence and shall, upon conviction thereof, pay a fine as provided for in the *Provincial Offences Act, R.S.O. 1990, c.P.33*, as amended, exclusive of costs.

SEVERABILITY

87.5 Should any section, subsection, clause or provision of this by-law be declared by a court of competent jurisdiction to be invalid, the said section shall not affect the validity of this by-law as a whole or any part thereof, other than the part so declared to be invalid.

MISCELLANEOUS

87.6 This by-law shall be deemed to have come into force and take effect on the date of the final passing thereof.

7.7 8.7 All by-laws 96.2005 regulating fences and/or swimming pool fences passed under the *Municipal Act, S.O. 2001, c.25*, as amended, by the former-Town of Kingsville or the former Townships of Gosfield North or Gosfield South are hereby repealed.

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7.8 8.8 All owners of lots containing a swimming pool must comply with the provisions of this by-law. Swimming pool fences erected prior to this by-law coming into force shall not be considered lawful unless they conform to this by-law. All other legal fences erected prior to this by-law coming into force are deemed to be lawful fences.

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This by-law was read a first, second and third time and finally passed this ~~44~~10th day of October, 200~~9~~17.

Mayor, Nelson Santos

Astrologo

Clerk, ~~Linda Burling~~Jennifer



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

Date: October 12, 2017

To: Mayor and Council

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

RE: Housekeeping Amendment to Comprehensive Zoning By-law
Amendment of Existing Zoning on Property Located at
32 Prince Albert St. S.
109, 124, 129 & 194 Division St. N.
115 Main St. E.
122 to 148 Lansdowne Ave.

Report No.: PDS 2017-045

AIM

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

BACKGROUND

In April of 2014 Council approved a new consolidated comprehensive zoning by-law (1-2014). This was a common exercise being carried out across Ontario as a result of the amalgamation process of the late 1990's. In February 2016 a housekeeping amendment of the new consolidated zoning by-law was approved in order to correct a number of issues and errors which had been identified between April of 2014 and January of 2016. At that time it was identified that although the review of the by-law was comprehensive in nature that as the by-law continued to be used that other errors may come to light and have to be addressed. In order to provide the ability to keep the by-law accurate and up-to-date the housekeeping amendment incorporated a technical amendment provision that would permit staff to make minor corrections and address issues that were clearly identifiable errors in the transfer of information from the former by-law to the new consolidated version. Council approved the inclusion of this provision based on staff providing an update on corrections that were made.

DISCUSSION

The technical amendment provision has not been widely used or necessary up to this point with the exception of some spelling corrections and the occasional mapping error being addressed. As stated at the time of the housekeeping amendment the only way that errors in the by-law are often found is through day-to-day use.

As the result of an application for consent being filed in July of 2017 one such errors was found. Property at 194 Division St. N., which contains an existing apartment building, was reviewed and the zoning was noted as R3.1. When reviewing the permitted uses, apartment was not included in the permitted uses list. This resulted in further investigation that found that the zoning on the property under the former Kingsville Zoning By-law 6-1987 was R3 which listed apartment, multiple dwellings, rest/nursing homes and accessory uses as permitted. The property file was also reviewed and an apartment building was clearly listed as a permitted use. The current zoning by-law was then reviewed and it was noted that the appropriate zoning for the property should have been R4.1 which did permit an apartment building. The resultant conclusion was that a transposition error had occurred from the former Kingsville Zoning By-law 6-1987 to the current By-law (1-2014) and a technical amendment was undertaken.

However, during additional discussions with the surrounding property owners of 194 Division St. N. it was pointed out that 194 would then be the only property in Kingsville with an R4.1 zone. This initiated additional review of the by-law as staff was aware that there were several properties in Kingsville that also contained apartment dwellings. Several of the properties are located in site-specific R3.1 zones which outline specific provisions however a total of seven properties including 194 Division were within the standard R3.1 which, as noted above, does not permit an apartment. With this information in hand it then became very clear that during the transition from the former Kingsville Zoning By-law to the current Kingsville By-law that the properties zoned R3 had been placed in the R3.1 of the new by-law with no regard for the fact that the new R3.1 did not permit an apartment building that was clearly permitted in the former R3 zone. (See Appendix A for original and current zoning detail) As a result a comprehensive housekeeping amendment was instigated to correct the zoning on each of these properties.

Provincial Policy Statement/County Official Plan/Kingsville Official Plan

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

Zoning By-law

All of the subject properties with the exception of the 194 Division St. N., will be rezoned through individual amendments from their current Residential Zone 3 Urban '(R3.1)' to a site specific Residential Zone 4 Exception 3 '(R4.1-3)' which will restore the uses permitted under the former R3 of the former Kingsville Zoning By-law. The property at 194 Division St. N. will also be placed into a site-specific Residential Zone 4 Urban Exception 4 '(R4.1-4)' to address the same use issue but will also address a lot frontage issue raised as part of the consent application presented to the Committee of Adjustment on October 17, 2017.

LINK TO STRATEGIC PLAN

There no direct link to the Strategic Plan.

FINANCIAL CONSIDERATIONS

The housekeeping amendment required notice to affected residents within 120 m of each property. The only cost is for the notice of public meeting and notice of passing circulations which is covered by the existing budget for advertising in Planning Service.

CONSULTATIONS

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

Public Consultation

All property owners within 120 m of the affected properties were circulated as per the Planning Act requirement. The notice was also posted in the Kingsville Reporter.

RECOMMENDATION

It is recommended that Council approve zoning amendment application ZBA/21/17 to:

to rezone property located at 122 to 148 Lansdowne Ave. from 'Residential Zone 3 Urban (R3.1)' to 'Residential Zone 4 Urban Exception 3 (R4.1-3)' and adopt the implementing by-law.

to rezone property located at 115 Main St. E., from 'Residential Zone 3 Urban (R3.1)' to 'Residential Zone 4 Urban Exception 3 (R4.1-3)' and adopt the implementing by-law.

to rezone property located at 32 Prince Albert St. S. from 'Residential Zone 3 Urban (R3.1)' to Residential Zone 4 Urban Exception 3 (R4.1-3)' and adopt the implementing by-law.

to rezone property located at 109 & 129 Division St. N. from 'Residential Zone 3 Urban (R3.1)' to Residential Zone 4 Urban Exception 3 (R4.1-3)' and adopt the implementing by-law.

to rezone property located at 124 Division St. N. from 'Residential Zone 3 Urban (R3.1)' to Residential Zone 4 Urban Exception 3 (R4.1-3)' and adopt the implementing by-law.

to rezone property located at 194 Division St. N. from 'Residential Zone 3 Urban (R3.1)' to Residential Zone 4 Urban Exception 4 (R4.1-4)' and adopt the implementing by-law.

Robert Brown

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

Peggy Van Mierlo-West

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

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW NUMBER 102-2017

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 Subsection 6.4.1 RESIDENTIAL ZONE 4 URBAN EXCEPTIONS is amended with the addition of the following new subsection:

6.4.1.3 'RESIDENTIAL ZONE 4 URBAN EXCEPTION 3 (R4.1-3)'

For lands shown as R4.1-3 on Map 71 (Lansdowne Ave) Schedule "A" of this By-law.

a) Permitted Uses

Those uses permitted under Section 6.4.1

b) Permitted Buildings and Structures

Semi-detached dwellings
Semi-detached dwelling units
Townhouse Dwellings
Townhouse Dwelling Units
Apartment dwelling
One Group Home
Nursing or Rest Home
Buildings and structures accessory to the Main Use

c) Zone Provisions

- i) Provisions of the (R4.1) shall apply

2. Schedule "A", Map 71 of By-law 1-2014 is hereby amended by changing the zone symbol on lands known municipally as Part of Lots 25 and 26, Plan 269 and locally known as 122 to 148 Lansdowne Ave, as shown on Schedule 'A' in cross-hatch attached hereto from 'Residential Zone 3 Urban, (R3.1)' to 'Residential Zone 4 Exception 3, (R4.1-3)'.

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 23rd day of October, 2017.


NELSON SANTOS, MAYOR

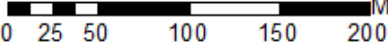
JENNIFER ASTROLOGO, CLERK


Schedule 'A'



Part of Lots 25 & 26, Plan 269
(122 to 148 Lansdowne Ave.)
Zoning By-law Amendment ZBA/21/17

 N

 0 25 50 100 150 200 Meters

 Schedule "A", Map 71 of By-law 1-2014 is hereby amended by changing the zone symbol as shown on Schedule 'A' in cross-hatch attached hereto from 'Residential Zone 3 Urban (R3.1)' to 'Residential Zone 4 Urban Exception 3 (R4.1-3)'

THE CORPORATION OF THE TOWN OF KINGSVILLE
BY-LAW NUMBER 103-2017

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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 72 of By-law 1-2014 is hereby amended by changing the zone symbol on lands known municipally as Part of Lot 1, Concession 1 ED and locally known as 115 Main St. E., as shown on Schedule 'A' in cross-hatch attached hereto from 'Residential Zone 3 Urban, (R3.1)' to 'Residential Zone 4 Exception 3, (R4.1-3)'.
2. This by-law shall come into force and take effect from the date of passing by Council and shall come into force in accordance with Section 34 of the Planning Act.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 23rd day of October, 2017.

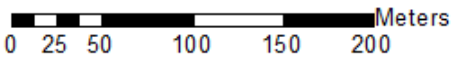
NELSON SANTOS, MAYOR


JENNIFER ASTROLOGO, CLERK

Schedule 'A'



Part of Lot 1, Concession 1 ED
(115 Main St. E.)
Zoning By-law Amendment ZBA/21/17



 Schedule "A", Map 72 of By-law 1-2014 is hereby amended by changing the zone symbol as shown on Schedule 'A' in cross-hatch attached hereto from 'Residential Zone 3 Urban (R3.1)' to 'Residential Zone 4 Urban Exception 3 (R4.1-3)'

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

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the Comprehensive Zoning By-law for the Town of Kingsville***

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

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

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

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

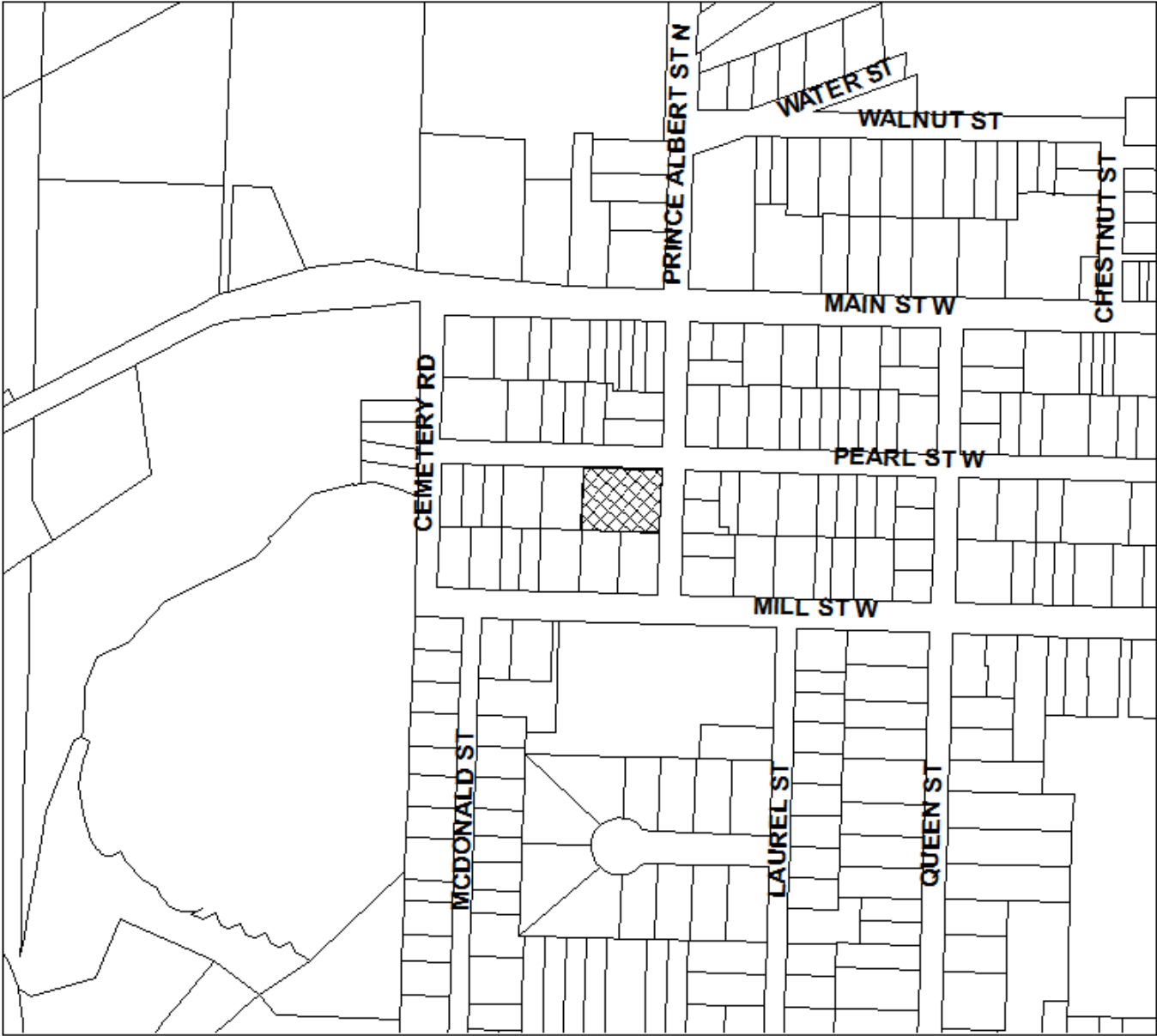
1. Schedule "A", Map 68 of By-law 1-2014 is hereby amended by changing the zone symbol on lands known municipally as Part of Lot 2, Concession 1 WD and locally known as 32 Prince Albert St. S., as shown on Schedule 'A' in cross-hatch attached hereto from 'Residential Zone 3 Urban, (R3.1)' to 'Residential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

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 23rd day of October, 2017.

NELSON SANTOS, MAYOR

JENNIFER ASTROLOGO, CLERK


Schedule 'A'



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

N

0 25 50 100 150 200 Meters

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

THE CORPORATION OF THE TOWN OF KINGSVILLE
BY-LAW NUMBER 105-2017

***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 65 of By-law 1-2014 is hereby amended by changing the zone symbol on lands known municipally as Part of Lot 1, Concession 1 ED, Plan 1182 and locally known as 109 & 129 Division St. N., as shown on Schedule 'A' in cross-hatch attached hereto from 'Residential Zone 3 Urban, (R3.1)' to 'Residential Zone 4 Exception 3, (R4.1-3)'.
2. This by-law shall come into force and take effect from the date of passing by Council and shall come into force in accordance with Section 34 of the Planning Act.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 23rd day of October, 2017.

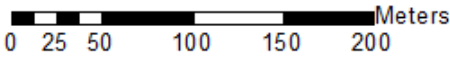
NELSON SANTOS, MAYOR


JENNIFER ASTROLOGO, CLERK

Schedule 'A'



Part of Lot 1, Concession 1 ED
(109 & 129 Division St N.)
Zoning By-law Amendment ZBA/21/17



 Schedule "A", Map 66 of By-law 1-2014 is hereby amended by changing the zone symbol as shown on Schedule 'A' in cross-hatch attached hereto from 'Residential Zone 3 Urban (R3.1)' to 'Residential Zone 4 Urban Exception 3 (R4.1-3)'

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW NUMBER 106-2017

***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:**

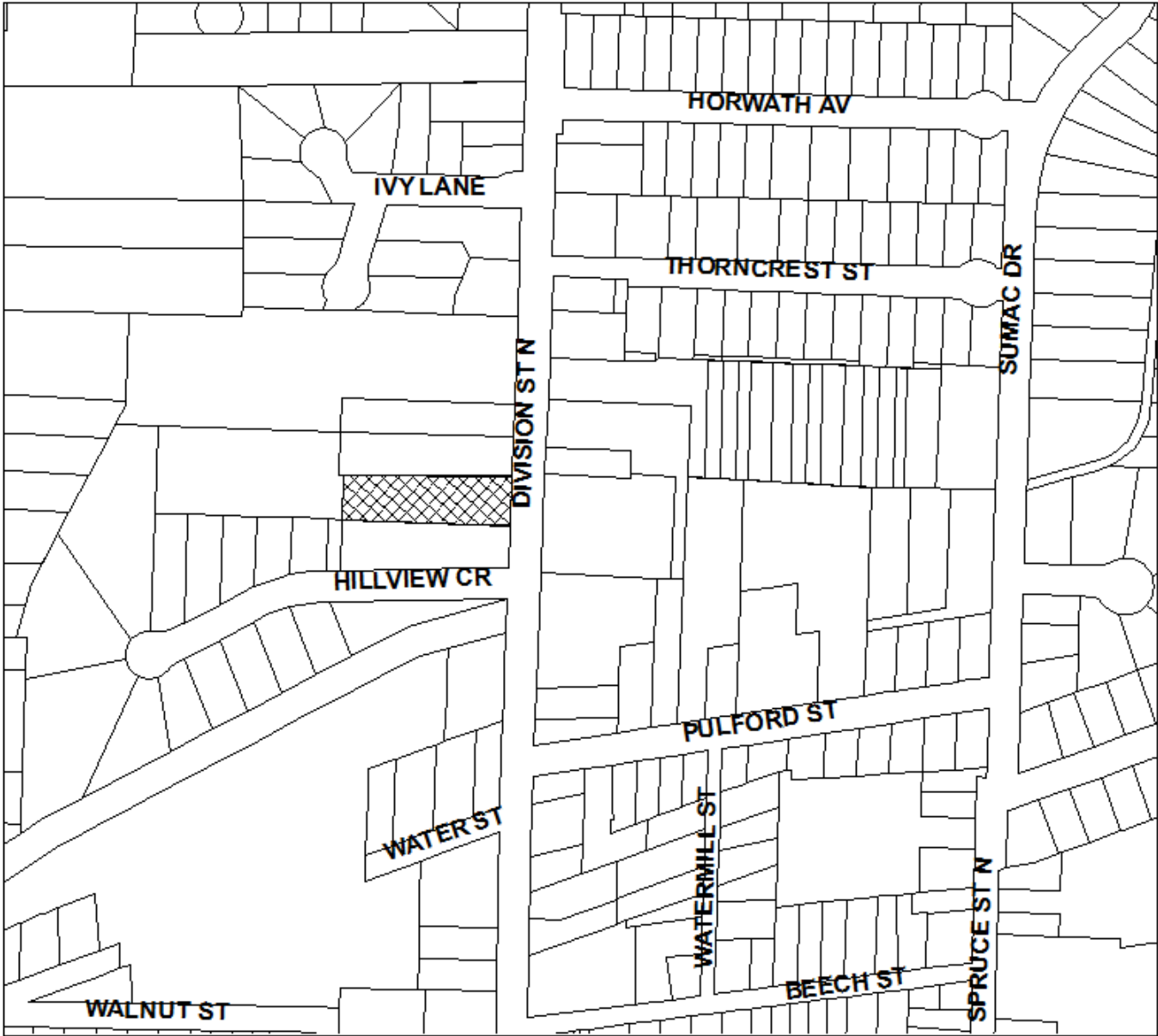
1. Schedule "A", Map 65 of By-law 1-2014 is hereby amended by changing the zone symbol on lands known municipally as Part of Lot 1, Concession 1 WD and locally known as 124 Division St. N., as shown on Schedule 'A' in cross-hatch attached hereto from 'Residential Zone 3 Urban, (R3.1)' to 'Residential Zone 4 Exception 3, (R4.1-3)'.
2. This by-law shall come into force and take effect from the date of passing by Council and shall come into force in accordance with Section 34 of the Planning Act.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 23rd day of October, 2017.

NELSON SANTOS, MAYOR

JENNIFER ASTROLOGO, CLERK


Schedule 'A'



Part of Lot 1, Concession 1 WD
(124 Division St. N.)
Zoning By-law Amendment ZBA/21/17

 N

 Meters

 Schedule "A", Map 65 of By-law 1-2014 is hereby amended by changing the zone symbol as shown on Schedule 'A' in cross-hatch attached hereto from 'Residential Zone 3 Urban (R3.1)' to 'Residential Zone 4 Urban Exception 3 (R4.1-3)'

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 107-2017

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 Subsection 6.4.1 RESIDENTIAL ZONE 4 URBAN EXCEPTIONS is amended with the addition of the following new subsection:

6.4.1.4 'RESIDENTIAL ZONE 4 URBAN EXCEPTION 4 (R4.1-4)'

For lands shown as R4.1-4 on Map 65 (Division St. N) Schedule "A" of this By-law.

a) Permitted Uses

Those uses permitted under Section 6.4.1

b) Permitted Buildings and Structures

Semi-detached dwellings
Semi-detached dwelling units
Townhouse dwellings
Townhouse dwelling units
Apartment dwelling
One Group Home
Nursing or Rest Home
Buildings and structures accessory to the main use

c) Zone Provisions

- i) Provisions of the (R4.1) shall apply
- ii) Notwithstanding the zone provisions of (R4.1) the following regulations shall apply to lands zoned (R4.1-4):

- i) Minimum Lot Frontage – 19 m

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 Lot 1, Concession 1 WD and locally known as 194 Division St. N., as shown on Schedule 'A' in cross-hatch attached hereto from 'Residential Zone 3 Urban, (R3.1)' to 'Residential Zone 4 Exception 4, (R4.1-4)'.

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 23rd day of October, 2017.


MAYOR, Nelson Santos

CLERK, Jennifer Astrologo

Schedule 'A'



Part of Lot 1, Concession 1 WD
(194 Division St. N.)
Zoning By-law Amendment ZBA/21/17

 Schedule "A", Map 65 of By-law 1-2014 is hereby amended by changing the zone symbol as shown on Schedule 'A' in cross-hatch attached hereto from 'Residential Zone 3 Urban (R3.1)' to 'Residential Zone 4 Urban Exception 4 (R4.1-4)'

SECTION 9 RESIDENTIAL TYPE THREE (R3) ZONE REGULATIONS

9.1 GENERAL USE REGULATIONS

Within the R3 zone, no person shall use any lot or erect, alter or use any building or structure except in accordance with the following regulations:

9.1.1 PERMITTED USES

- a) multiple dwellings;
- b) apartment buildings;
- c) nursing homes or rest homes;
- d) accessory uses to the above permitted use.

9.1.2 PERMITTED BUILDINGS AND OTHER STRUCTURES

- a) buildings and structures for the permitted uses;
- b) accessory buildings and structures.

9.1.3 ZONE PROVISIONS

a) Minimum Lot Dimensions

i) Area 165 square metres per dwelling unit

ii) Frontage 20 metres 65.6'

SUBSECTION 6.3.1		RESIDENTIAL ZONE 3 URBAN (R3.1) (Medium Density Residential – Kingsville Centre)	
a) Permitted Uses			
i) Main use	Residential; Group home; or Nursing or Rest home.		
ii) Accessory use	One Bed and breakfast; One Urban Home occupation; Accessory uses to the Main use.		
b) Permitted Buildings and Structures			
i) Permitted buildings and structures	One converted dwelling containing a maximum three dwelling units; Townhouse complex containing a maximum three dwelling units; Triplex complex; Townhouse dwelling with a maximum of three units; Townhouse dwelling unit One Group home; Nursing or Rest home; Buildings and structures accessory to the Main use.		
c) Regulations			
	Converted dwelling	Townhouse dwelling	Townhouse dwelling unit
i) Lot area (minimum)	450 m ² (4,844 ft ²)	495 m ² (5,330 ft ²)	165 m ² (1,776 ft ²)
ii) Lot frontage (minimum)	16 m (53 ft)	25 m (80 ft) if an interior lot;	7.5 m (25 ft) for interior units
		29 m if a corner lot	8.5 m (28 ft) for end units on interior lots
iii) Open Space (minimum)	30 %		
iv) Lot coverage (max)	50 %	55 %	
v) Front yard depth (min)	5.5 m (18 ft)		
vi) Rear yard depth (min)	7.5 m (25 ft)	7.5 m (25 ft)	7.5 m (25 ft)

SUBSECTION 6.4.1		RESIDENTIAL ZONE 4 URBAN (R4.1) (High Density Residential – Kingsville Centre)	
a) Permitted Uses			
i) Main use		Residential; Group home; or Nursing or Rest home.	
ii) Accessory use		One Urban Home occupation; Accessory uses to the Main use.	
b) Permitted Buildings and Structures			
i) Permitted buildings and structures		One converted dwelling containing a maximum 10 residential units; Townhouse dwelling containing a maximum 10 dwelling units; Apartment building; One Group home; Nursing or Rest home; Buildings and structures accessory to the Main use.	
c) Regulations			
	Multiple unit complex		Multiple unit apartment building
i) Lot area (minimum)	850 m ² (9,150 ft ²)		950 m ² (10,225 ft ²)
ii) Lot frontage (min)	30 m (100 ft)		25 m (80 ft)
iii) Open Space (min)	30 %		
iv) Lot coverage (max)	45 %		
v) Front yard depth (min)	8 m (26 ft)		
vi) Rear yard depth (min)	The rear yard setback is equal to the height of the building or a minimum of 10 m (33 ft), whichever is greater.		
vii) Interior Side yard width (min)	4.5 m (14.5 ft)		
viii) Exterior side yard width (min)	4.5 m (14.5 ft)		
ix) Main building height (maximum)	11 m (36 ft.)		



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

Date: October 18, 2017

To: Mayor and Council

Author: David French, BA, CPT
Interim Town Planner

RE: Zoning By-law Amendment (ZBA/18/17)
Donald & Darlene Joudrey (Owner) James Toews (Applicant)
Gladstone Ave. (No address) Lot 16, Plan 1068

Report No.: PDS 2017-047

AIM

To provide the Mayor and Council with information on a requested zoning by-law amendment to add a semi-detached dwelling and a semi-detached dwelling unit as additional permitted uses on the subject parcel.

BACKGROUND

The Town of Kingsville has received the above-noted application for lands located on the south side Gladstone Avenue, east of Lansdowne Avenue. The subject parcel is designated Residential by the Official Plan and is zoned 'Residential Zone 1 Urban (R1.1)' under the Kingsville Comprehensive Zoning By-law.

The parcel is a 580.644 sq. m (6,250 sq. ft.) vacant residential lot. It is proposed that the zoning, which currently permits only single-detached dwellings, be amended to also permit a semi-detached dwelling to be constructed. Once constructed it is the applicants' intent to subdivide the lot so that each semi-detached dwelling unit is separately conveyable. The proposed layout of the semi-detached dwelling is shown in Appendix A.

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 'Residential. The proposed application to rezone the parcel conforms with the Kingsville Official Plan policies and goals.

4) Comprehensive Zoning By-law – Town of Kingsville

The subject parcel is zoned 'Residential Zone 1 Urban, (R1.1)' by the Kingsville Zoning By-law, which permits only single detached dwellings. In order to permit a semi-detached dwelling to be constructed, and the eventual subdivision of the lot for each dwelling unit, a zoning amendment is required.

Comment: It is proposed that the subject parcel be rezoned to a 'Residential Zone 2 Urban, (R2.1)' Zone classification which will permit the proposed semi-detached dwelling, and subsequent individual semi-detached dwelling units. The amendment will also establish appropriate performance standards applicable to the semi-detached dwelling and semi-detached dwelling units. Zoning for semi-detached dwellings/units are common on Gladstone Avenue and in the immediate neighbourhood.

LINK TO STRATEGIC PLAN

Manage residential growth through sustainable planning.

FINANCIAL CONSIDERATIONS

An increase in assessment is anticipated as a result of the eventual buildout of the parcel.

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.

Agency or Administrator	Comment
Essex Region Conservation Authority Watershed Planner	<ul style="list-style-type: none">• Full comment is attached as Appendix 'A';• ERCA has noted that the subject parcel is not in a regulated area• They have expressed no concerns with the application
Town of Kingsville Management Team	<ul style="list-style-type: none">• New water service, sanitary & storm private drain connections required• No "Y"s of existing services allowed• Roadway to be restored to Municipal Standards• Owner/contractor in the future will need to confirm all Ontario Building Code requirements will be met and should consider this when coming up with the house design

RECOMMENDATION

It is recommended that Council approve zoning amendment application ZBA/18/17 to amend the zoning of the subject property to a 'Residential Zone 2 Urban, (R2.1)' classification to also permit a semi-detached dwelling and semi-detached dwelling unit, 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 Services

Peggy Van Mierlo-West

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

SITE PLAN

ON

LOT 16, REGISTERED PLAN 1068

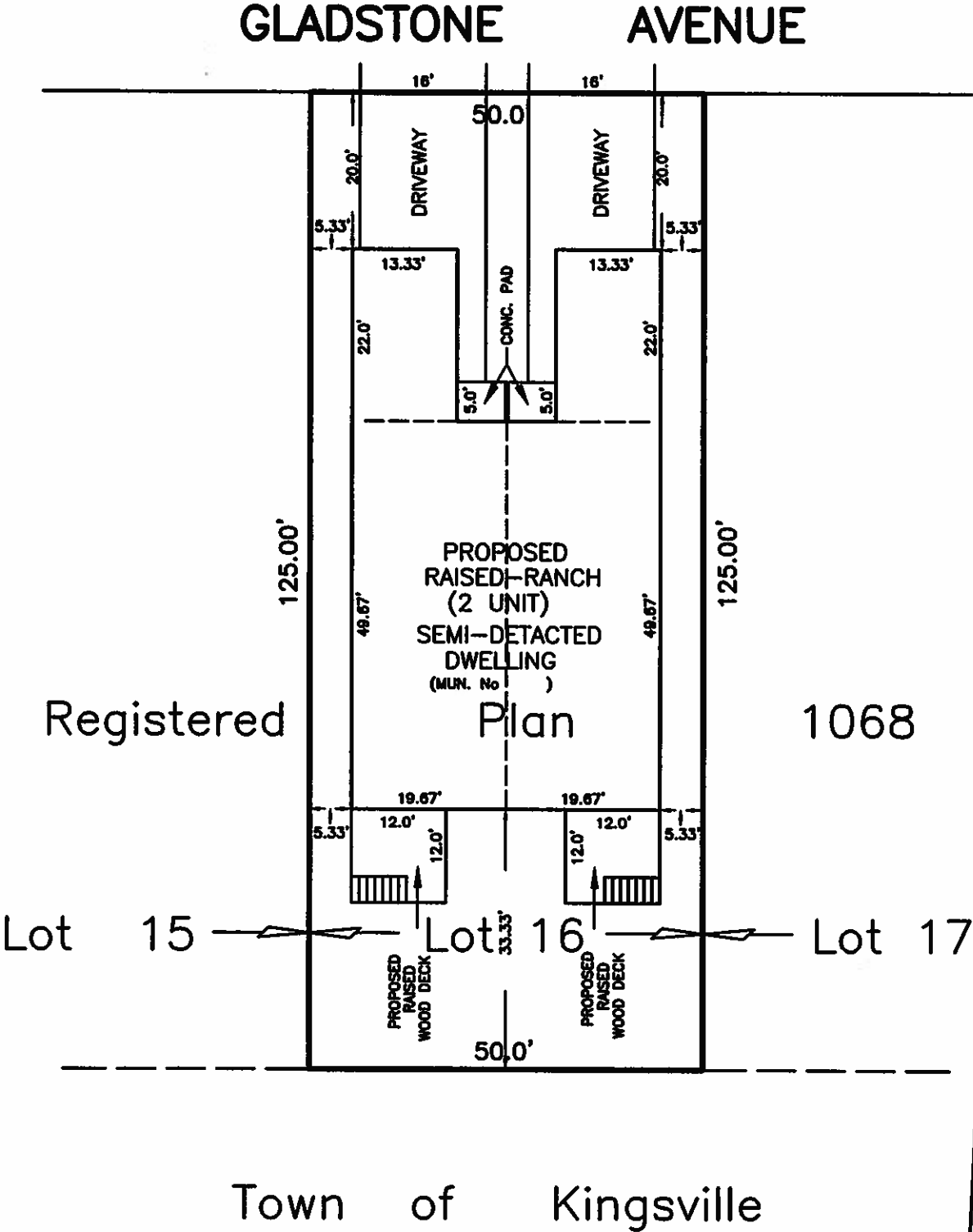
IN THE

TOWN of KINGSVILLE

IN THE

COUNTY OF ESSEX. ONTARIO

SCALE 1"= 20'



NOTE:

AREA OF LOT = 6250 SQ. FT.
AREA OF 2 PLEX DWELLING WITH GARAGES = 1270 x 2 = 2540 SQ. FT.
COVERAGE = 40.64 %
AREA OF 2 RAISED REAR DECK = 240 SQ. FT.
COVERAGE = 3.84 %



AUGUST 28, 2017

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 109-2017

***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 71 of By-law 1-2014 is hereby amended by changing the zone symbol on lands known municipally as Gladstone Avenue (no address), Lot 16, Plan 1068, as shown on Schedule 'A' in cross-hatch attached hereto from 'Residential Zone 1 Urban (R1.1)' to from 'Residential Zone 2 Urban (R2.1)'.
2. This by-law shall come into force and take effect from the date of passing by Council and shall come into force in accordance with Section 34 of the Planning Act.

READ a FIRST, SECOND and THIRD time and FINALLY PASSED this 23rd day of October, 2017.

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo

Schedule A



0 15 30 60 90 120 Meters

GLADSTONE AVENUE (NO ADDRESS)
LOT 16, PLAN 1068
ZBA/18/17



Schedule "A", Map 71 of By-law 1-2014 is hereby amended by changing the zone symbol on property known municipally as Gladstone Avenue (no address), Lot 16, Plan 1068 on Schedule 'A' cross-hatched attached hereto from 'Residential Zone 1 Urban (R1.1)' to 'Residential Zone 2 Urban (R2.1)'.



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

Date: October 13, 2017

To: Mayor and Council

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

RE: Zoning Amendment Application ZBA/02/16
HVM Holdings Inc.
200 Main St. E., Part of Lot 2, Concession 1 ED

Report No.: PDS 2017-046

AIM

To provide the Mayor and Council with information regarding a proposed Zoning By-law Amendment (ZBA) for lands owned by HVM Holdings Inc., located at 200 Main St. E, in the Town of Kingsville.

BACKGROUND

The subject lands consist of two parcels totaling 2.24 ha (5.55 acre). Parcel B fronting on Main St. E. is a 0.58 ha (1.43 ac.) L-shaped lot created by consent in 2016 while Parcel A with access and frontage to Woodycrest Ave. is 1.66 ha (4.12 ac.). The intended development at that time was to locate a medical clinic building on Parcel B and develop Parcel A for multiple residential consisting of two 6 storey, 60 unit condos. The owner is now prepared to move forward with this development in a phased approach. Phase 1 would be the development of the medical clinic, Phase 2 and 3 would see the construction of the condo buildings.

In order to proceed with the development the following approvals would be required:

- 2) A zoning amendment to permit a limited mix use including the medical clinic, professional offices and accessory pharmacy and two, six-storey condominiums with a maximum of 120 units, and
- 3) Site Plan approval of each of the proposed phases.

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 lot has been vacant for some time. Proposed high density residential is generally common and best suited to locations along arterial roads such as Main St. E. The lot will not require extension of services and takes advantage of existing lands within the Kingsville settlement area.

2) County of Essex Official Plan

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

3) Town of Kingsville Official Plan

The subject lands are designated Residential and permit all forms of residential development along with commercial development which is supportive of the residential area.

Comment: There are several examples of commercial develops along Main St. E. now including doctor, dentist and professional offices. Much of the higher density residential development in Kingsville is also located along the main corridors either Division St. or Main St. E.

The density based on the proposed 120 residential units would be approximately 72 units per hectare which is at the lower end of the 124 unit maximum per hectare considered high density residential.

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 120 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.

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 limited 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 is surrounded by a mix of uses, vacant residential and low density residential to the south, institutional (KDHS) to the west and a retirement home to the east. To the north is newer single detached development. Higher density development in Kingsville is not exclusively centred in one area and is most often found along or very close to main arterial roads.

- 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. Development of Phase 1, the medical clinic, can proceed immediately without a capacity issue. Development of the residential portion, Phases 2 and 3 will require the applicant to have storage capacity on site to allow for non-peak discharge into the sewer system. However, the applicant has indicated as have other developers that the preferred option would be to see the Town proceed with the necessary downstream collection upgrades prior to moving forward with that portion of the development. There has, and administration is in agreement, a willingness by the development community to assist financially in moving those upgrades forward in the near future. i.e. contribution toward the upgrade rather than investment in more costly collection and timed discharge system. This is easily addressed at the site plan phase.

- 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 development has been laid out in such a way to either maintain separation from abutting sensitive uses or provide buffering by way of landscaping and fencing.

- 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 (Appendix B) was completed and noted that the proposed development at full build out would generate 109 vehicle trips in the morning peak (7:30 am to 9 am) and 153 vehicle trips in the afternoon peak (4 pm to 6 pm). The study concluded that the entrances will continue to function at a good level of service, however did note that the existing two way turn lane on Main St. E. in front of the proposed entrance would need to be modified to a left turn lane only for 15 m (50 ft.) to provide stacking space for left turns into the site.

The medical clinic itself will certainly add traffic movement to this area however there are two aspects to keep in mind; 1) the high school to the west will be closing in the short term moving that traffic, at least in the short-term elsewhere, and 2) there is existing traffic volumes in Kingsville already travelling to a doctor's office be it on Main St. or elsewhere so any increase is more so the result of a relocation than an addition.

The addition of the residential units will add traffic to both Main St. E. and the existing subdivision to the north. This will be done on a phased basis and is not something that will happen immediately. The other factor to consider is the location of the buildings is very supportive of walkability being centrally located between the downtown to the west and large format commercial to the east. Kingsville is a small community and very walkable. This is something that planning policy strongly supports and encourages and I believe helps to maintain that small community feeling that is so dear to the existing residents and the principle reason for continuing to attract residents to Kingsville.

The main factor which has impacted all recent development proposals along or near Main St. has been less about traffic impact i.e. traffic study conclusions and more about traffic volume. Each road or street in the Town is designed to handle a certain level of traffic not unlike a storm sewer is designed to handle a certain volume of water. While the volume of traffic does continue to increase on Main St. and intersections experience peak time delays and access points to private property may experience peak delays or slower movements, traffic does continue to flow on Main St. However, it is recognized by staff that both short-term and longer-term solutions must be considered to improve the traffic flow. As with any infrastructure

improvement there is a cost associated with it. In order to generate the funds necessary while minimizing ratepayer impact development is required. What this means is that the Town and Council have different options in moving forward with development particularly along Main St.

- 1) Do nothing – freeze any and all development in the Town since even existing approved areas are contributing to the volume of traffic on Main St.
- 2) Not approve any new development – recognize that existing approvals have to be honoured including that they will add traffic volume but have to be permitted to proceed.
- 3) Guarded approvals – address existing approval requests based on supporting traffic studies and continue to monitor the area and look for short-term solutions for improvement.
- 4) Continue forward but develop an action plan for what improvements are required, when they are required and how they are funded.

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: Because of the phased development of these lands there are potentially three additional approvals required including, site plan approval for Phase 1, site plan approval for Phases 2 and 3 and plan of condominium for Phase 2 and 3. This will afford continued opportunity to review, refine and establish a high level of quality for the proposed development in the coming years.

4) Comprehensive Zoning By-law

The subject property is zoned Residential Zone 1 Urban, holding (R1.1(h). The intended amendment would be to rezone Parcel A and B to Residential Zone 4 Urban, Exception 2 to permit the following:

- i) Apartment building (maximum 2 buildings, 6 stories each, 120 units)
- ii) A Medical Clinic
- iii) Office
- iv) Personal Service Shop
- v) Accessory Retail or Pharmacy

Site-specific regulations will also be established, if necessary, for setbacks, height and buffering. The zoning will apply to the entire site and will consider Parcel A and Parcel B as one lot for the purpose of zoning. This is done in order to allow for ongoing connectivity, joint use of parking as well as servicing access and storm water management.

5) Proposed Site Layout

The attached plan (Appendix A) shows the proposed location of the buildings, parking, landscaping and access points. As noted this detail and layout will be incorporated as shown in the site plan approval process for each stage of the development. As part of

the site plan approval it has been suggested that a pedestrian linkage be established to the neighbouring retirement home.

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 proceeds.

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. The notice was also posted in the Kingsville Reporter. The applicant also held a public open house on December 8, 2016 at the Unico Centre that was attended by approx. 20 to 25 residents. The feedback related to the medical clinic was supportive. The residential development portion raised a number of questions from abutting neighbours as well as concerns related to traffic, and service capacity for the development. Specifically the following were questions asked:

- What will the traffic impact be?
- Height of the building
- Impact to view
- Shading from the buildings
- Service capacity
- Details of uses in the medical clinic
- Timing
- Ownership of the units
- Lighting
- Target Market
- Type of landscaping
- Size of condo units
- Population of the development

Since the official notice of public meeting was circulated there has been some limited feedback both positive and guarded. Many of the same concerns have been put forwarded as noted above.

Planning Advisory Committee (PAC)

A PAC meeting was held September 19, 2017. Public comment again echoed many of the same issues that were raised at the initial open house including traffic impact, effect on abutting residential properties and service capacity.

Moved by, Gord Queen seconded by Ted Mastronardi that the Planning Advisory Committee receives the report and refer the matter to Town Council with the request that further information regarding timeline for infrastructure improvements that may be required.

The general timing of infrastructure improvements, in particular sanitary sewers, would be approximately two years in order to undertake the necessary background work, get Council approval from a budget standpoint and then tender for construction. The only Main St. E. improvements currently pending would be improvements at the Main St. E and Jasperson Drive intersection and the improvement of Mains St. W. from Queen St. toward the west. Both of these road projects are anticipated for completion in the next year and would be in place prior to or concurrent with the medical clinic.

As noted above the medical clinic portion of the development can move forward without these works. The developer has indicated that they would not move forward with the residential portion of the development until such time and the sanitary sewer works have been completed as this is the best long-term and sustainable method to service the property.

Agency & Administrative Consultations

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

Agency or Administrator	Comment
Essex Region Conservation Authority Watershed Planner	<ul style="list-style-type: none"> • ERCA expressed no objection to the proposed planning approvals but has recommended that storm water management be part of the final approval requirement
Town of Kingsville Management Team	<ul style="list-style-type: none"> • The property will require new service connections, at the applicant's expense sized appropriately to the proposed use • Storm water management is required • The final building design will be subject review under the Building Code Act • A fire safety plan and lock box will be required for the building • Municipal Services will continue to review final access designs. It has also been noted that the Town will require that infrastructure be installed for future signalization of the entrance
County of Essex	<ul style="list-style-type: none"> • There has been no comment to date on the proposed development

RECOMMENDATION

It is recommended that Council approve zoning amendment application ZBA/02/16 to rezone the subject property from 'Residential Zone 1 Urban – holding (R1.1(h))' to 'Residential Zone 4 Urban Exception 2 (R4.1-2)' and adopt the implementing by-law.

Robert Brown

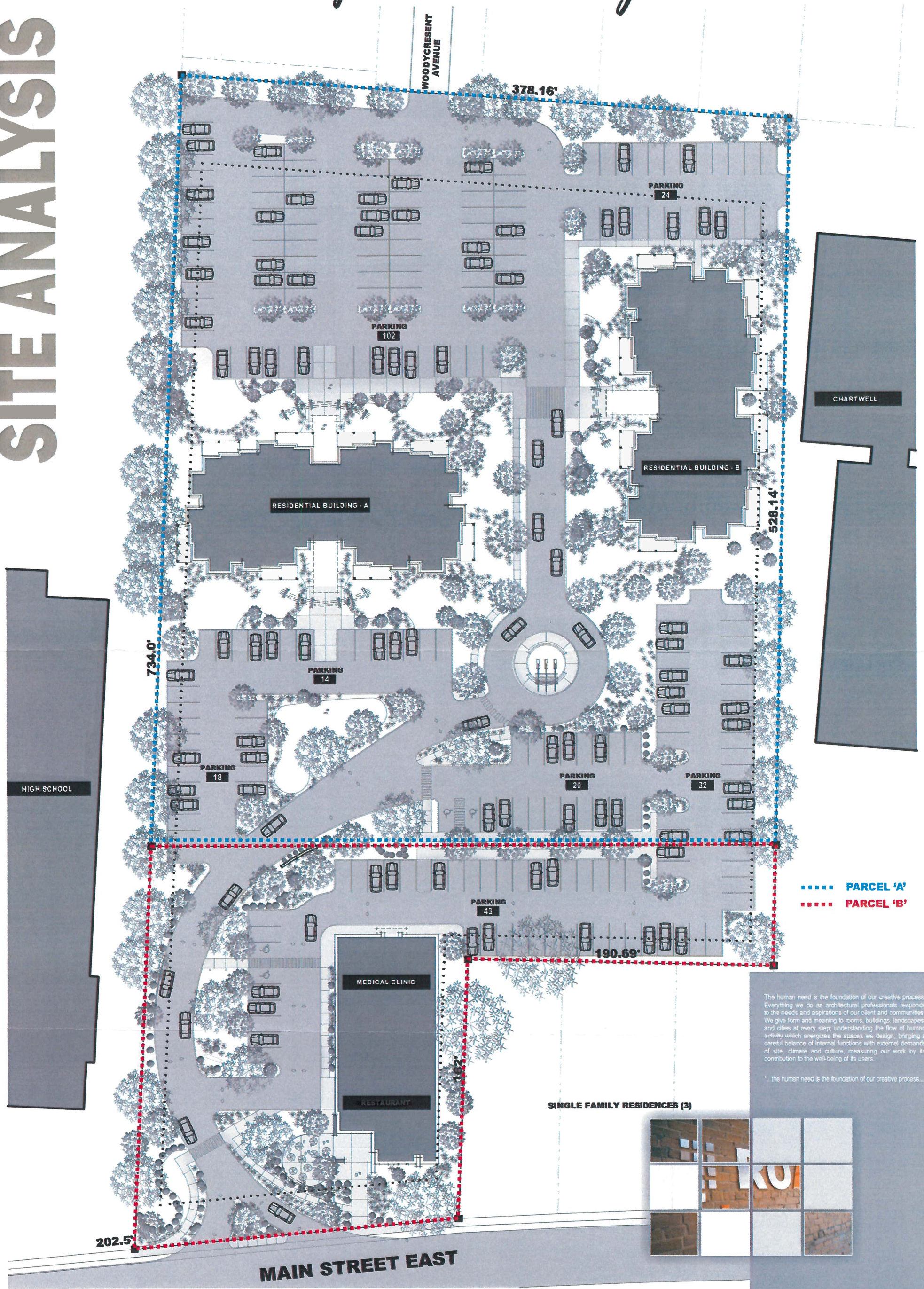
Robert Brown, H. Ba, MCIP, RPP
Manager, Planning Services

Peggy Van Mierlo-West

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

program
Concept Site Analysis

SITE ANALYSIS



The human need is the foundation of our creative process. Everything we do as architectural professionals responds to the needs and aspirations of our client and communities. We give form and meaning to rooms, buildings, landscapes, and cities at every step; understanding the flow of human activity which energizes the spaces we design, bringing a careful balance of internal functions with external demands of site, climate and culture, measuring our work by its contribution to the well-being of its users.

...the human need is the foundation of our creative process...



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**RESIDENTIAL/COMMERCIAL DEVELOPMENT
200 MAIN STREET EAST, KINGSVILLE**

TRAFFIC IMPACT ASSESSMENT

**F. R. Berry & Associates
June, 2017**



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RESIDENTIAL/COMMERCIAL DEVELOPMENT 200 MAIN STREET EAST, KINGSVILLE

TRAFFIC IMPACT ASSESSMENT

1. INTRODUCTION AND BACKGROUND

HVM Holdings Inc. has proposed the development of a vacant site at 200 Main Street East in Kingsville. The location of the site is shown in **Figure 1**. The proposed development will include two apartment buildings, each with 60 units and a 20 000sf medical dental office. The primary access to the site will be from Main Street East while a secondary access will be provided via a connection to Woodycrest Avenue at the north end of the site.

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 the adjacent street system.

2. EXISTING CONDITIONS

Main Street East in the vicinity of the site is a three lane arterial street with a posted speed limit of 50km/h. The centre lane allows for left turns in both directions except at intersections where dedicated left turn lanes are provided.

Woodycrest Avenue is a two-lane local street which forms part of the street network for the Remark residential subdivision north of the site. Currently, Woodycrest Avenue ends in a stub at the north limit of the HVM site.

The existing Kingsville High School is located immediately to the west of the site. It is understood that the Greater Essex County District School Board intends to relocate the school to another site within the next few years.

It is also understood that vacant lands on the south side of Main Street may be developed in the future. No information is available on this potential development and thus any traffic volumes likely to be generated by the development are not included in this study.

Land uses in the area are primarily residential. There is a commercial node to the east at the intersection of Main Street East and Jasperson Drive including a food store, a small retail plaza and some highway commercial uses.

For the purposes of this study, traffic counts were made on March 23 and March 28, 2017 at the intersection of Main Street East with the school entrance driveway to the west of the site and at the signalized intersection of Main Street with Wigle Avenue and Remark Drive. **Figure 2** shows peak hour turning movements derived from these counts. Appendix A contains the traffic count reports.

Figure 2 shows assumed peak hour volumes on Main Street East at the future site access. These volumes were obtained by taking the larger of the approach volumes from the counts to the east and west.

3. PROPOSED DEVELOPMENT

The preliminary site plan is shown in **Figure 3**. It should be noted that the plan is subject to change during the approval process.

Each of the two apartment buildings will contain 60 units. A two storey medical-dental office is proposed for the portion of the site adjacent to Main Street East. The total floor area for the office building will be 20 000sf.

Peak hour vehicle trip generation was estimated using rates and equations contained in the Institute of Transportation Engineers (ITE) Trip Generation Manual, Eighth Edition. Regression equations for ITE Land Use 220, Apartment, were used to estimate the residential trip component. Trip generation for the medical-dental office was estimated using average rates for ITE Land Use 720, Medical-Dental Office. Peak hour vehicle trip estimates are summarized in Table 1.

Peak hour trip generation for both uses were aggregated to give total site vehicle trip generation. No allowance was made for any internal trips between the residential and office components.

Peak hour vehicle trips were assigned separately as shown in **Figures 4 and 5**. Trips generated by the residential component were assigned to Main Street East in proportion to existing directional flows.

Trips generated by the office component were assigned as follows:

Woodycrest Avenue	10 percent
West on Main Street	70 percent
East on Main Street	20 percent

Figure 6 shows the total assignment of site generated trips.

4. ANALYSIS

4.1 Projected Traffic

Traffic projections were made for 2018, the assumed build-out year, and for 2023, five years beyond build-out. An annual traffic growth rate of two percent was assumed for the projections.

Figure 7 shows estimated 2018 background traffic while **Figure 8** shows estimated 2023 background traffic. Total projected peak hour traffic volumes for 2018 and 2023 are shown in **Figures 9** and **10** respectively. The turning movement volumes shown in **Figures 9** and **10** were obtained by adding site generated traffic from **Figure 6** to background traffic from **Figures 7** and **8**.

4.2 Sight Distance

Sight distance in both directions on Main Street East from the proposed site access is unrestricted. Sight distance is not an issue.

4.3 Level of Service

The intersections of Main Street East with the site access and with Wigle Avenue/Remark Drive were analyzed for volume to capacity (v/c) ratios, delays and queue lengths using the Synchro 6 analysis program. Analyses were made for existing conditions at Main Street East and Wigle Avenue/Remark Drive and for projected conditions at both intersections.

Results of the analyses are summarized in **Tables 2** and **3**. 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.

4.3.1 Main Street East and Site Access (Table 2)

Under projected 2018 and 2023 peak hour conditions, the intersection will operate at an acceptable level of service with stop control and a single shared lane on the driveway access. In the afternoon peak hour, the exit movement will operate at level of service D at build-out and at level of service E at the five year planning horizon. Level of service E is generally considered acceptable for a driveway access to an arterial street.

Under projected 2023 conditions, the v/c ratio would be 0.47 for this movement, indicating reserve capacity, while the 95th percentile queue length would be 16.7 metres, suggesting that up to three vehicles could be waiting to exit the site at any time in the peak hour.

The calculated queue length for the eastbound left turn movement is less than 1.3 metres. Conversion of the existing two-way left turn lane to provide for the design minimum 15 metres of storage would be required.

4.3.2 Main Street and Wigle Avenue/Remark Drive (Table 3)

The analysis of existing conditions is included in Appendix B but is not shown in **Table 3**. The results are very similar to those for the projected 2018 condition.

A semi-actuated unco-ordinated signal phasing was assumed for the intersection with a total cycle length of 70 seconds. Minimum splits were used in the analysis, resulting in high v/c ratios and queue lengths for the east-west movements. Average delays for all movements resulted in levels of service ranging from A to C in the projected 2023 afternoon peak hour.

The analysis indicated that, overall, the intersection would operate at a good level of service under projected peak hour conditions. It is recognized that traffic volumes on Wigle Avenue, which provides access to the harbour and the Pelee Island ferry, are likely to be higher in the summer months. However, the allowance of a longer green time for this approach would permit higher approach volumes with no change in the impact on the Main Street approaches.

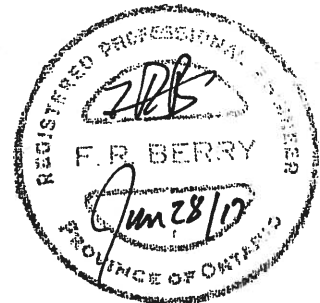
5. CONCLUSIONS AND RECOMMENDATIONS

The proposed residential/commercial development will generate 109 vehicle trips in the morning peak hour and 153 vehicle trips in the afternoon peak hour. It is estimated that ten percent of the trips generated by the medical-dental office use will access the site via Woodycrest Avenue.

At the site access on Main Street East, sight distance is not an issue.

The intersection of Main Street East and the site access will operate at an acceptable level of service under projected peak hour conditions. No improvements will be required on Main Street East other than the conversion of part of the two-way left turn lane to provide an exclusive eastbound left turn lane with 15 metres of storage.

The intersection of Main Street East and Wigle Avenue/Remark Drive will continue to operate at an acceptable level of service under projected peak hour conditions. No improvements are required at this intersection.



ITE Land Use	AM Peak Hour				PM Peak Hour			
	Ave. Rate	total	in	out	Ave. Rate	total	in	out
220 Apartment 120du	eq'n	63	13	50	eq'n	84	54	30
720 Medical-Dental Office 20 000sf	2.30	<u>46</u>	<u>36</u>	<u>10</u>	3.46	<u>69</u>	<u>19</u>	<u>50</u>
Total		109	49	60		153	73	80

Table 1

Vehicle Trip Generation

Intersection	AM Peak Hour				PM Peak Hour			
	v/c	Del.	LofS	Q	v/c	Del.	LofS	Q
Total 2018								
Eastbound L	0.03	8.3	A	0.7	0.05	9.9	A	1.2
Eastbound T	0.31	0.0	-	0.0	0.39	0.0	-	0.0
Westbound TR	0.25	0.0	-	0.0	0.50	0.0	-	0.0
Southbound LR	0.18	17.5	C	5.0	0.39	32.4	D	13.0
Intersection ICU			38.8%				59.1%	
LofS			A				B	
Total 2023								
Eastbound L	0.03	8.5	A	0.8	0.06	10.3	B	1.3
Eastbound T	0.34	0.0	-	0.0	0.43	0.0	-	0.0
Westbound TR	0.28	0.0	-	0.0	0.55	0.0	-	0.0
Southbound LR	0.20	19.4	C	5.7	0.47	42.3	E	16.7
Intersection ICU			38.8%				63.9%	
LofS			A				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 2

**Level of Service
Main Street and Site Access**

Intersection	AM Peak Hour				PM Peak Hour			
	v/c	Del.	LofS	Q	v/c	Del.	LofS	Q
Background 2018								
Eastbound L	0.03	6.7	A	2.0	0.11	6.7	A	3.4
Eastbound TR	0.74	16.1	B	73.2	0.81	20.4	C	102.6
Westbound L	0.25	8.1	A	8.3	0.32	8.1	A	9.6
Westbound Tr	0.44	10.3	B	42	0.85	22.2	C	150.1
Northbound LTR	0.25	9.6	A	14.9	0.37	13.5	B	21.4
Southbound LTR	0.10	10.7	B	8.7	0.11	13.3	B	9.1
Intersection ICU LofS	57.0% B				72.0% B			
Total 2018								
Eastbound L	0.03	6.5	A	2.0	0.12	6.8	A	3.4
Eastbound TR	0.76	16.8	B	80.4	0.82	21.7	C	125.7
Westbound L	0.26	8.2	A	8.3	0.34	8.5	A	9.6
Westbound TR	0.44	10.3	B	43.7	0.87	24.3	C	160.4
Northbound LTR	0.26	10.1	B	15.3	0.39	14.3	B	22.6
Southbound LTR	0.10	11.0	B	8.7	0.11	13.4	B	9.1
Intersection ICU LofS	58.8% B				74.0% C			
Background 2023								
Eastbound L	0.03	6.5	A	2.1	0.15	7.5	A	3.7
Eastbound TR	0.79	18.3	B	85.9	0.83	24.4	C	139.2
Westbound L	0.28	7.8	A	8.9	0.40	9.8	A	10.5
Westbound TR	0.44	10.2	B	47.3	0.88	27.8	C	175.3
Northbound LTR	0.29	10.2	B	16.2	0.43	15.0	B	24.2
Southbound LTR	0.12	11.0	B	9.3	0.13	13.3	B	9.8
Intersection ICU LofS	61.0% B				77.5% C			
Total 2023								
Eastbound L	0.03	6.4	A	2.1	0.15	7.5	A	3.7
Eastbound TR	0.82	19.3	B	94	0.85	26.5	C	147.5
Westbound L	0.30	8.0	A	8.9	0.43	10.6	B	10.5
Westbound TR	0.45	10.2	B	49.4	0.91	30.9	C	185.1
Northbound LTR	0.30	10.6	B	16.4	0.45	16.3	B	25.7
Southbound LTR	0.12	11.1	B	9.3	0.14	13.4	B	9.8
Intersection ICU LofS	63.4% B				79.6% 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
Main Street and
Wigle Ave./Remark Dr.**



Figure 1

Area Plan

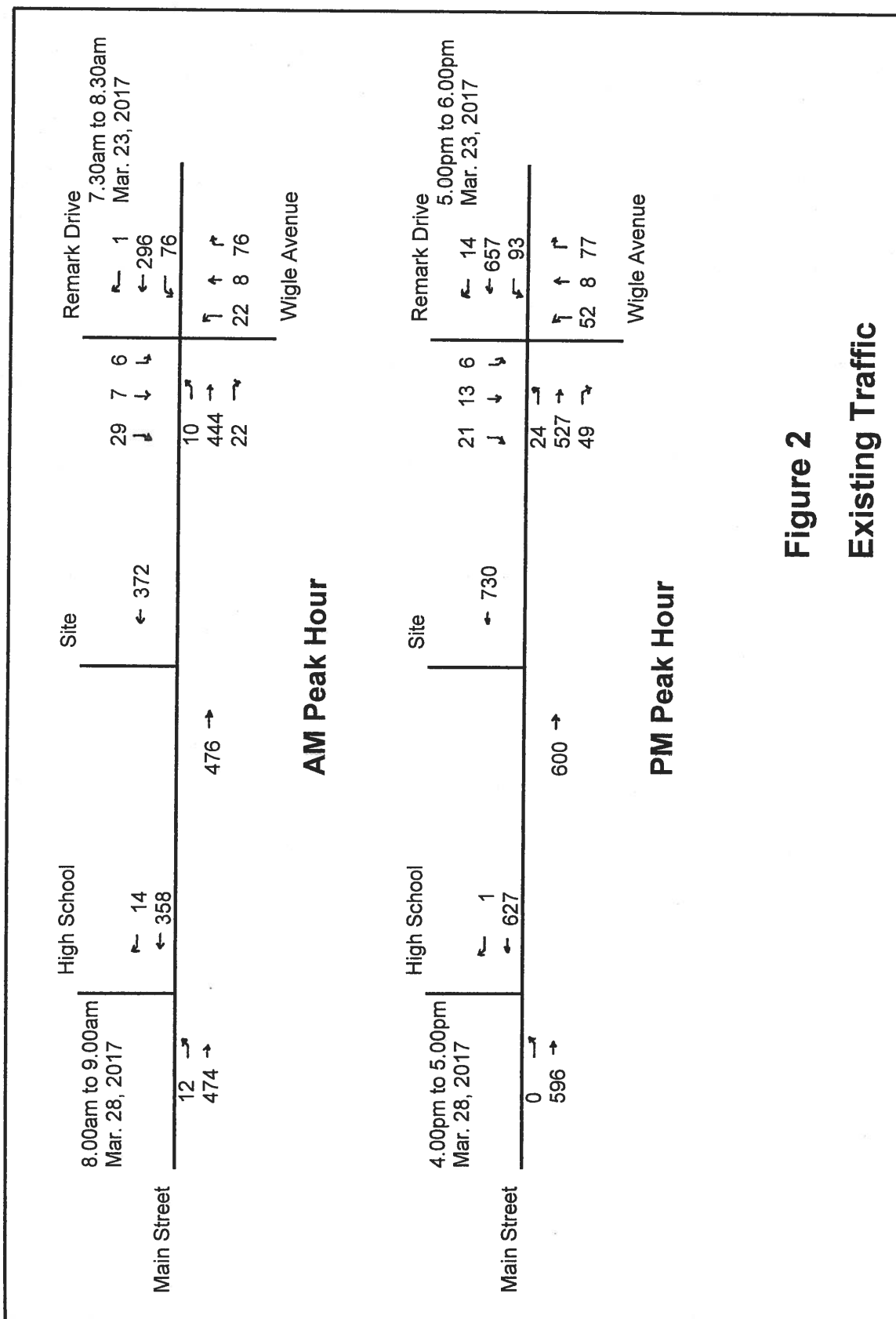


Figure 2
Existing Traffic

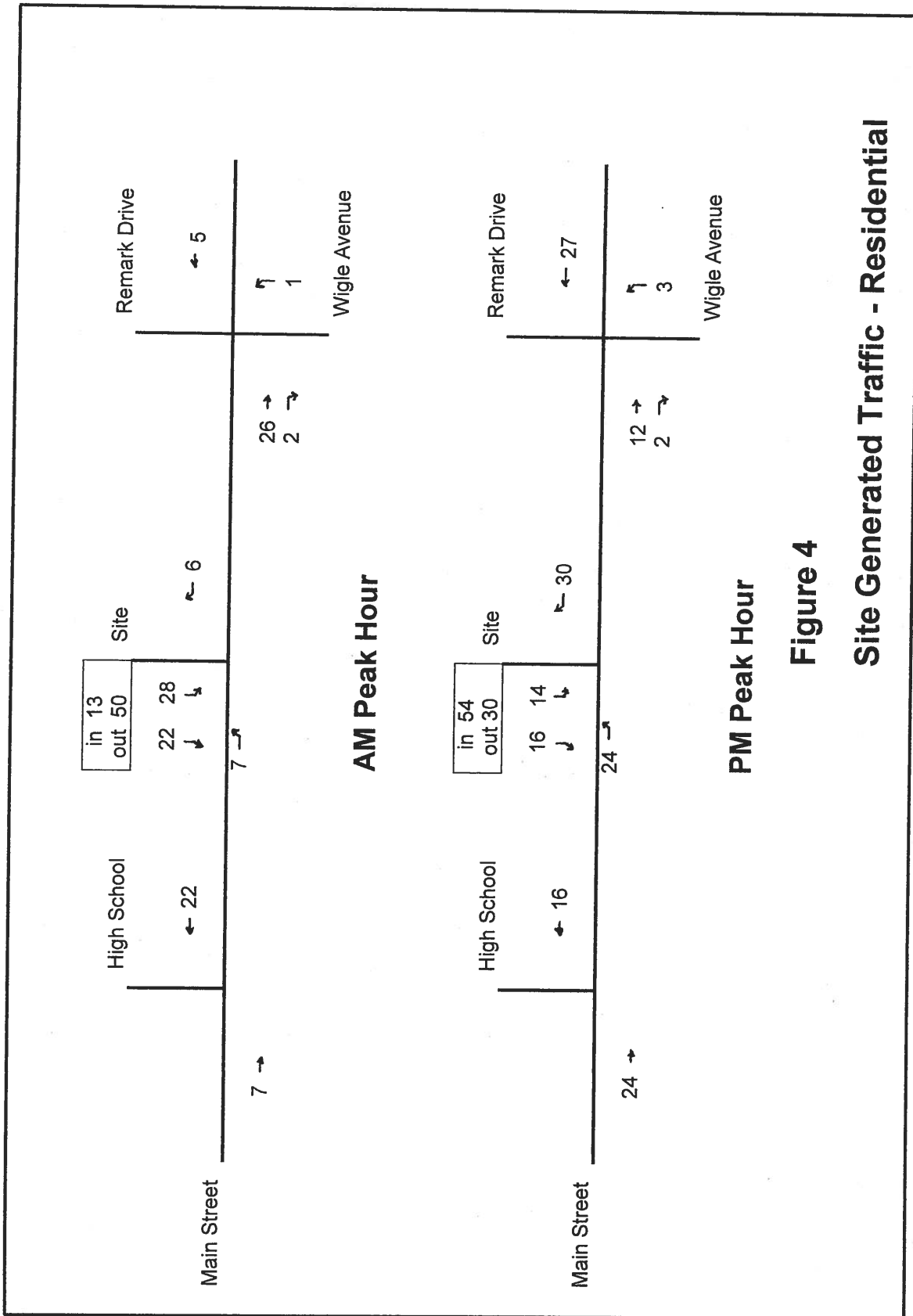


Figure 4

Site Generated Traffic - Residential

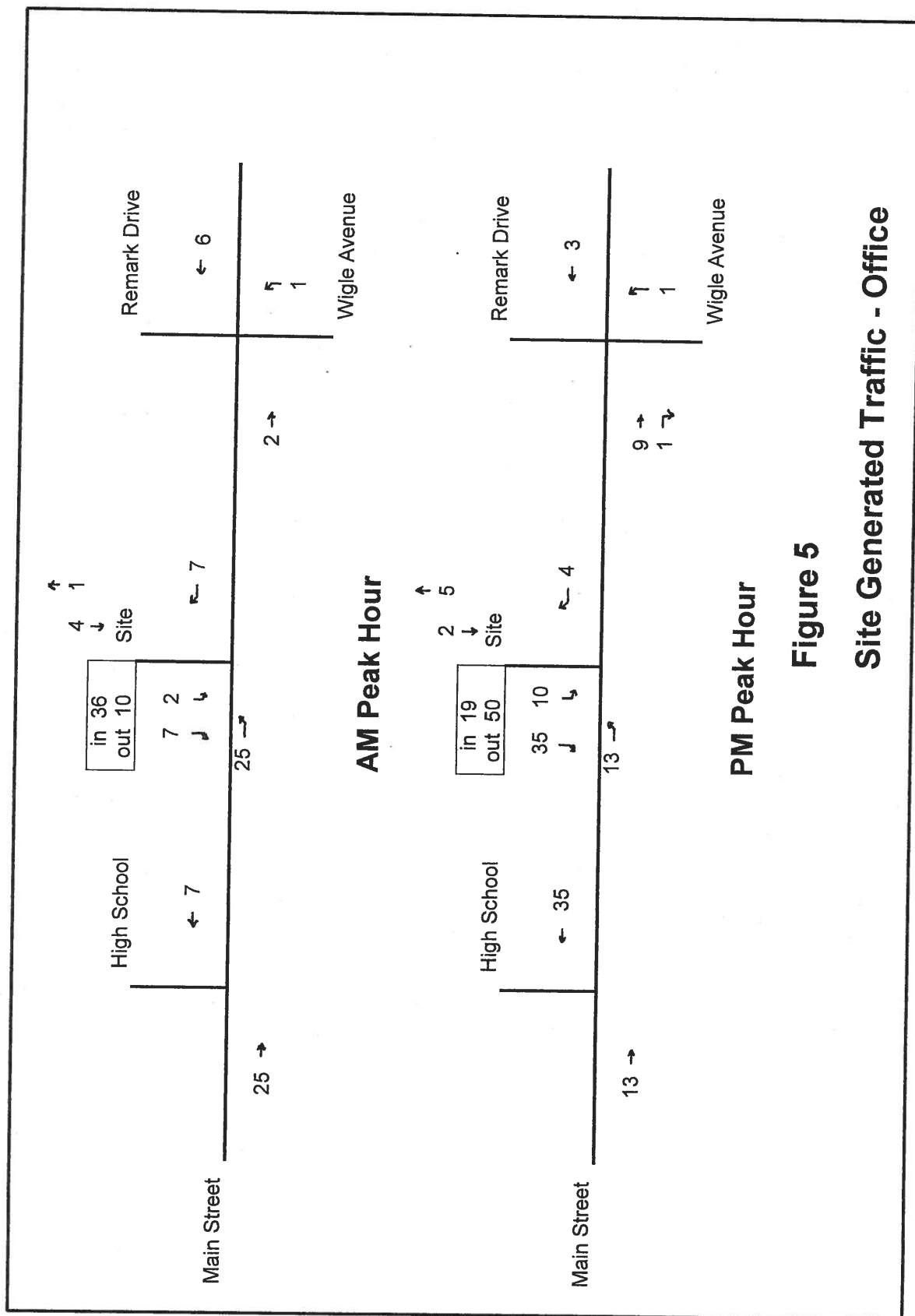
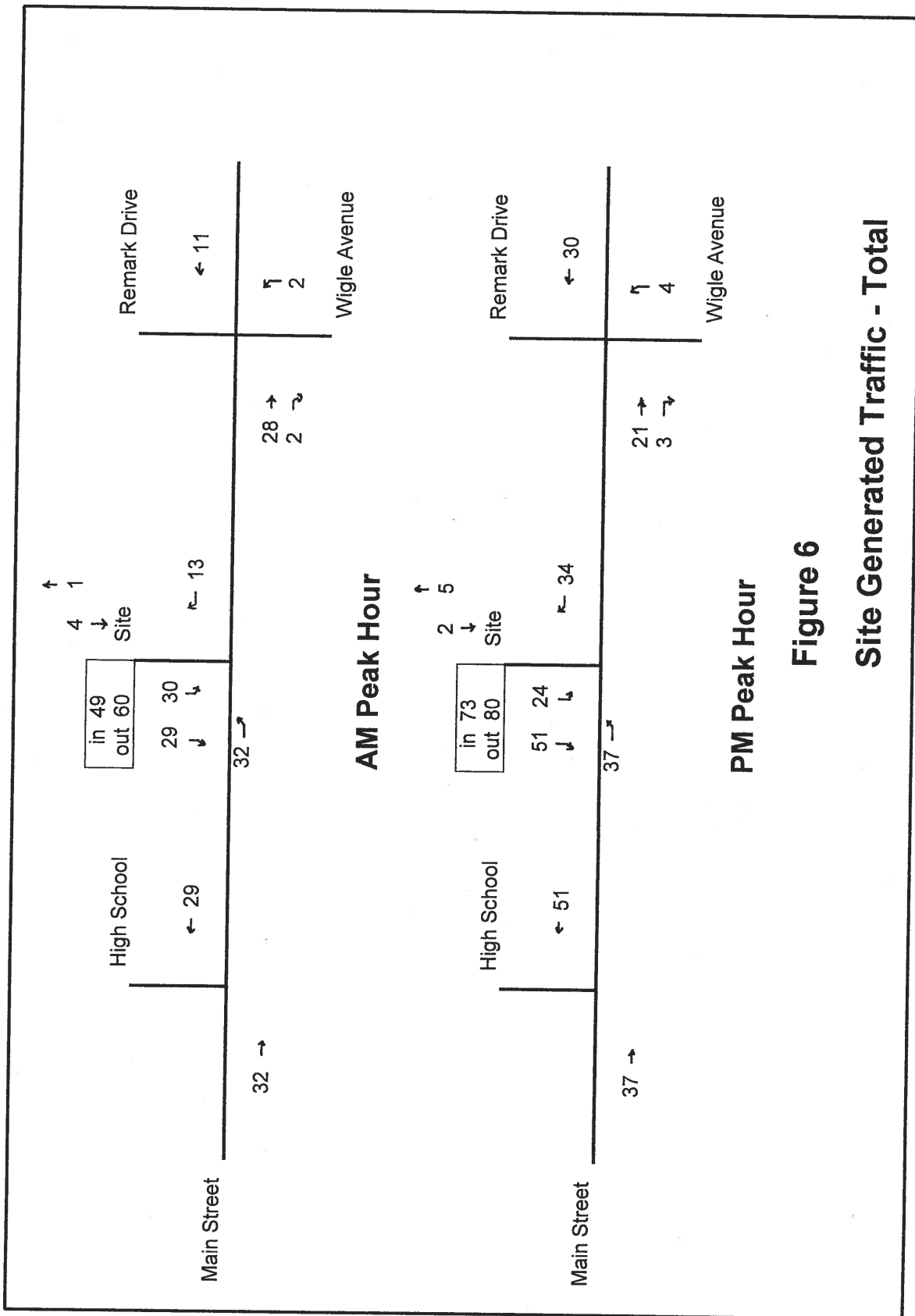


Figure 5

Site Generated Traffic - Office



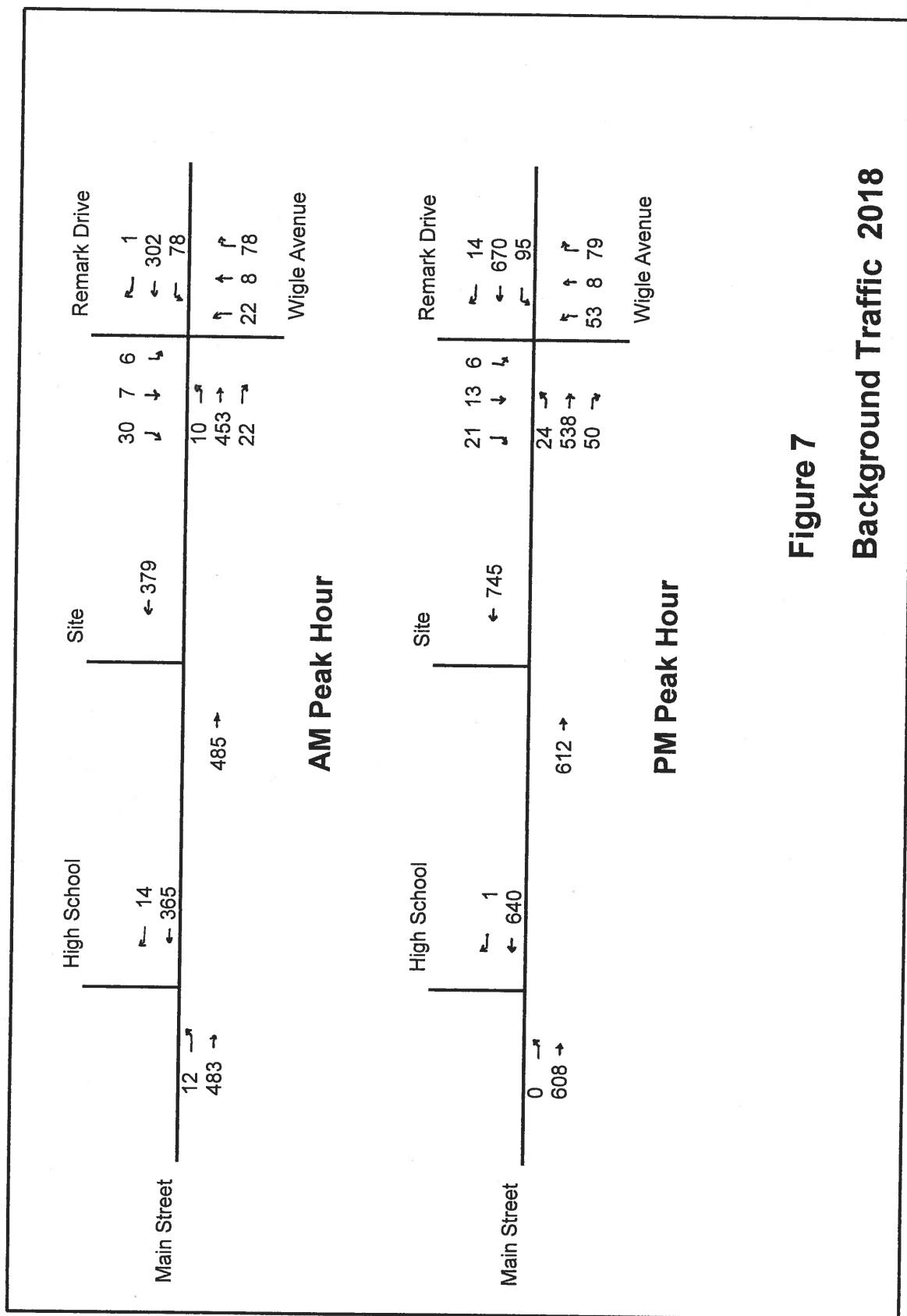


Figure 7
Background Traffic 2018

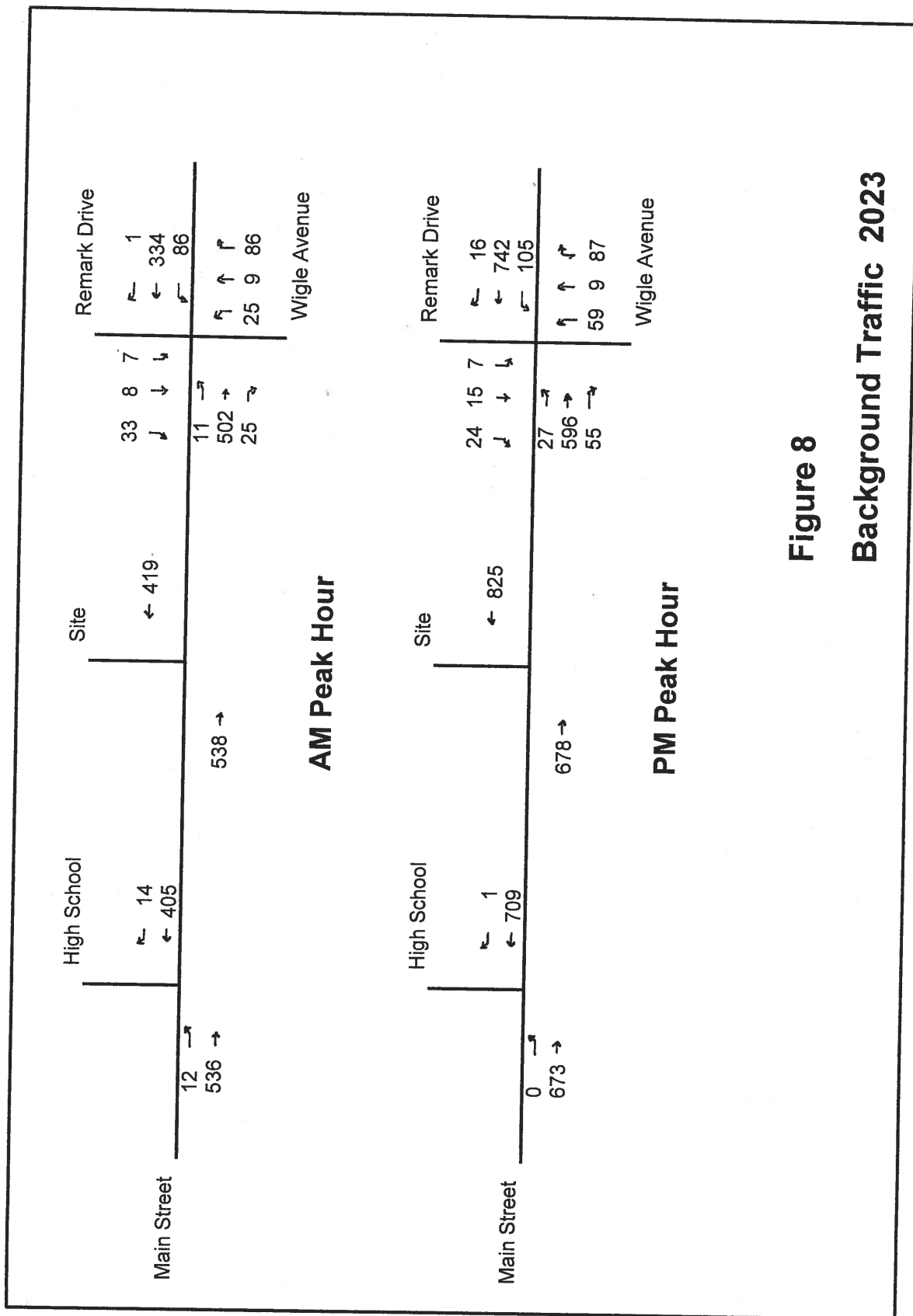


Figure 8
Background Traffic 2023

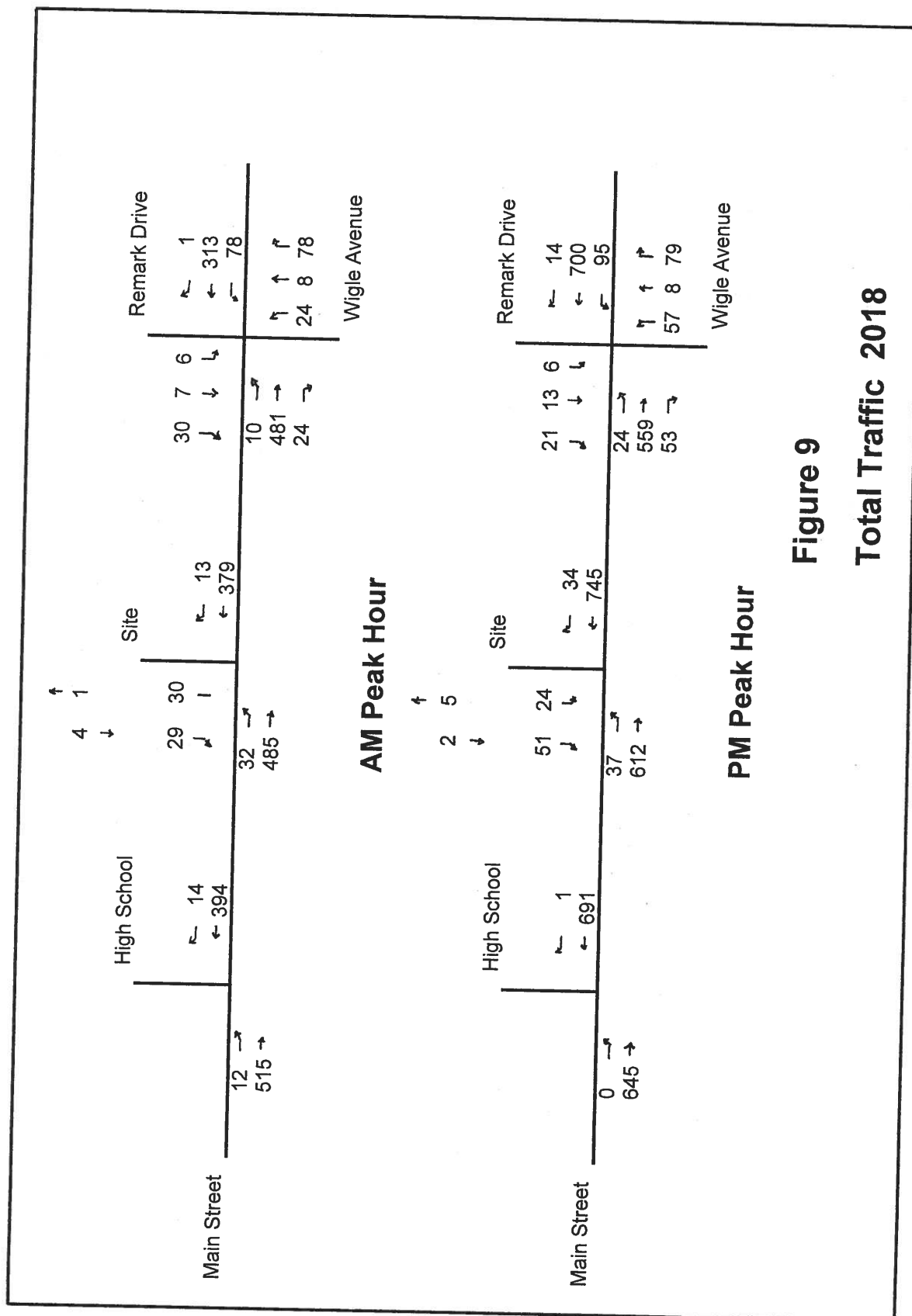


Figure 9
Total Traffic 2018

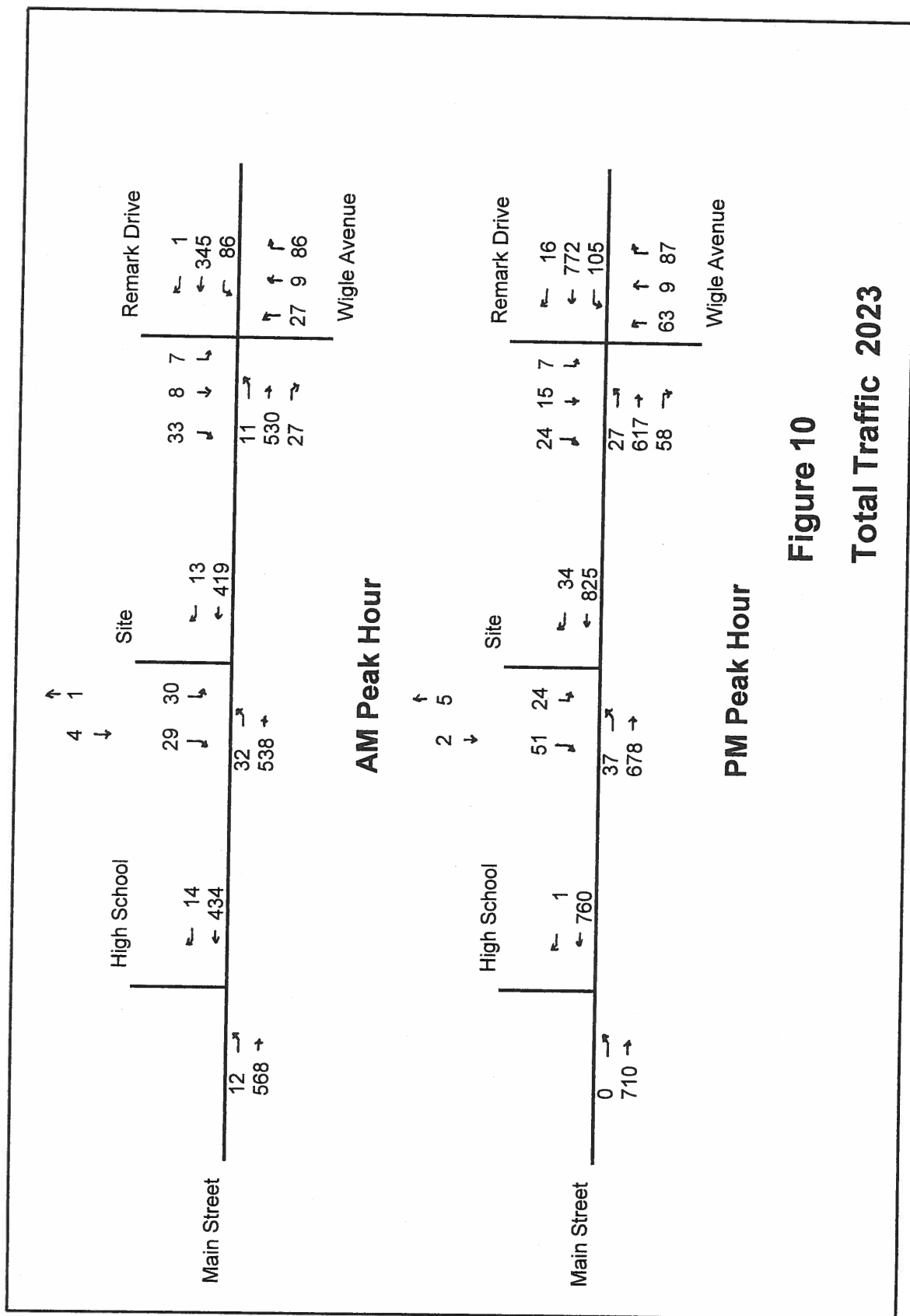


Figure 10
Total Traffic 2023

APPENDIX A
TRAFFIC COUNTS



Main St E @ Kingsville Highschool

Morning Peak Diagram

Specified Period

From: 7:00:00

To: 9:00:00

One Hour Peak

From: 8:00:00

To: 9:00:00

Municipality: Kingsville
Site #: 0000000001
Intersection: Main St E & Highschool
TFR File #: 1
Count date: 28-Mar-2017

Weather conditions:

Cloudy/Dry

Person(s) who counted:

Rick

** Non-Signalized Intersection **

Major Road: Main St E runs W/E

North Leg Total: 26

North Entering: 0

North Peds: 15

Peds Cross: X

Heavys	0	0	0
Trucks	0	0	0
Cars	0	0	0
Totals	0	0	0



Heavys 0

Trucks 1

Cars 25

Totals 26

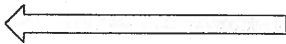
East Leg Total: 846

East Entering: 372

East Peds: 4

Peds Cross: X

Heavys	Trucks	Cars	Totals
12	18	328	358

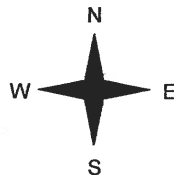


Main St E

Heavys	Trucks	Cars	Totals
0	1	11	12
9	18	447	474
9	19	458	



Highschool



Cars	Trucks	Heavys	Totals
14	0	0	14
328	18	12	358
342	18	12	

Main St E



Cars	Trucks	Heavys	Totals
447	18	9	474

Peds Cross: X
 West Peds: 1
 West Entering: 486
 West Leg Total: 844

Comments

Main St E @ Kingsville Highschool

Mid-day Peak Diagram

Specified Period

From: 11:00:00

To: 14:00:00

One Hour Peak

From: 11:45:00

To: 12:45:00

Municipality: Kingsville
Site #: 0000000001
Intersection: Main St E & Highschool
TFR File #: 1
Count date: 28-Mar-2017

Weather conditions:

Cloudy/Dry

Person(s) who counted:

Rick

** Non-Signalized Intersection **

Major Road: Main St E runs W/E

North Leg Total: 9

North Entering: 0

North Peds: 9

Peds Cross: X

Heavys	0	0	0
Trucks	0	0	0
Cars	0	0	0
Totals	0	0	0



Heavys 1

Trucks 1

Cars 7

Totals 9

East Leg Total: 1043

East Entering: 522

East Peds: 0

Peds Cross: X

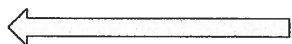
Heavys	Trucks	Cars	Totals
4	11	504	519



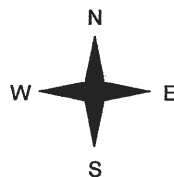
Highschool



Cars	Trucks	Heavys	Totals
1	1	1	3
504	11	4	519
505	12	5	



Main St E



Heavys	Trucks	Cars	Totals
0	0	6	6
8	11	502	521
8	11	508	



Main St E



Cars	Trucks	Heavys	Totals
502	11	8	521

Peds Cross: X
 West Peds: 0
 West Entering: 527
 West Leg Total: 1046

Comments

Main St E @ Kingsville Highschool

Afternoon Peak Diagram

Specified Period

From: 15:00:00

To: 18:00:00

One Hour Peak

From: 16:00:00

To: 17:00:00

Municipality: Kingsville

Site #: 0000000001

Intersection: Main St E & Highschool

TFR File #: 1

Count date: 28-Mar-2017

Weather conditions:

Cloudy/Dry

Person(s) who counted:

Rick

** Non-Signalized Intersection **

Major Road: Main St E runs W/E

North Leg Total: 1

North Entering: 0

North Peds: 16

Peds Cross: ∞

Heavys 0

0

0

Trucks 0

0

0

Cars 0

0

0

Totals 0

0

0

Heavys 0

Trucks 0

Cars 1

Totals 1

East Leg Total: 1224

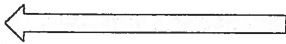
East Entering: 628

East Peds: 1

Peds Cross: ∞

Heavys Trucks Cars Totals

2 3 622 627



Main St E

Heavys Trucks Cars Totals

0 0 0 0

4 9 583 596

4 9 583

Highschool

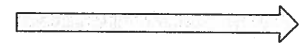
Cars Trucks Heavys Totals

1 0 0 1

622 3 2 627

623 3 2

Main St E



Cars Trucks Heavys Totals

583 9 4 596

Peds Cross: ∞

West Peds: 0

West Entering: 596

West Leg Total: 1223

Comments

Main St E @ Kingsville Highschool

Total Count Diagram

Municipality: Kingsville
Site #: 0000000001
Intersection: Main St E & Highschool
TFR File #: 1
Count date: 28-Mar-2017

Weather conditions:
 Cloudy/Dry
Person(s) who counted:
 Rick

**** Non-Signalized Intersection ****

Major Road: Main St E runs W/E

North Leg Total: 90
 North Entering: 0
 North Peds: 84
 Peds Cross: ∞

	Heavys	Trucks	Cars	Totals
North	0	0	0	0
East	0	0	0	0
South	0	0	0	0
West	0	0	0	0



Heavys 11
 Trucks 6
 Cars 73
 Totals 90

East Leg Total: 7886
 East Entering: 3847
 East Peds: 12
 Peds Cross: ∞

Heavys	Trucks	Cars	Totals
40	72	3692	3804

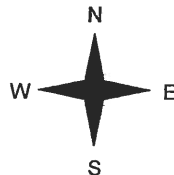


Highschool



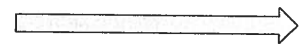
Main St E

Heavys	Trucks	Cars	Totals
6	3	38	47
49	84	3906	4039
55	87	3944	



Cars	Trucks	Heavys	Totals
35	3	5	43
3692	72	40	3804
3727	75	45	

Main St E



Cars	Trucks	Heavys	Totals
3906	84	49	4039

Peds Cross: ∞
 West Peds: 8
 West Entering: 4086
 West Leg Total: 7890

Comments

Municipality: Kingsville
Major Road: Main St E
Minor Road: Highschool

Major Road Runs: East/West
Weather Conditions: Cloudy/Dry
Person No. 1 Rick
Person No. 2

Date: Mar 28, 2017

Period Ending		North Approach										East Approach										South Approach										West Approach										Veh. Summary 15 60	
		Cars					Trucks					Ped. Cross.	Cars					Trucks					Ped. Cross.	Cars					Trucks					Ped. Cross.									
		Left		Right		Thru	Left		Right		Thru		Left		Right		Thru	Left		Right		Thru		Left		Right		Thru															
		Left	Right	Left	Right		Left	Right	Left	Right			Left	Right	Left	Right		Left	Right	Left	Right			Left	Right	Left	Right		Left	Right	Left	Right											
7-15	7-30	0	0	0	0	0	0	56	2	0	1	0	0	0	0	0	0	0	0	0	0	1	2	56	0	0	2	0	0	119													
7-30	7-45	0	0	0	0	1	0	51	0	0	5	0	0	0	0	0	0	0	0	0	0	0	2	78	0	0	3	0	0	139													
8-00	8-15	0	0	0	0	0	0	61	0	0	2	0	0	0	0	0	0	0	0	0	0	0	110	0	1	4	0	0	178														
8-15	8-30	0	0	0	0	2	0	78	4	0	8	5	0	0	0	0	0	0	0	0	1	1	122	0	6	5	0	0	228														
8-30	8-45	0	0	0	0	1	0	87	11	0	6	0	1	0	0	0	0	0	0	0	0	5	128	0	1	8	0	1	246														
8-45	9-00	0	0	0	0	3	0	62	1	0	5	0	0	0	0	0	0	0	0	0	2	5	96	0	0	6	0	0	175														
9-00	9-15	0	0	0	0	4	0	85	2	0	7	0	2	0	0	0	0	0	0	0	2	0	95	0	0	4	0	0	193														
9-15	9-30	0	0	0	0	7	0	94	0	0	12	0	1	0	0	0	0	0	0	0	8	1	128	0	0	9	0	0	244														
11-15	11-30	0	0	0	0	0	0	104	3	0	2	0	0	0	0	0	0	0	0	0	8	1	131	0	0	4	0	4	245														
11-30	11-45	0	0	0	0	0	0	127	1	0	4	0	0	0	0	0	0	0	0	0	2	2	114	0	1	4	0	0	253														
11-45	12-00	0	0	0	0	3	0	107	2	0	5	0	6	0	0	0	0	0	0	0	6	4	124	0	0	3	0	1	245														
12-00	12-15	0	0	0	0	0	0	106	1	0	4	0	0	0	0	0	0	0	0	0	1	2	133	0	0	5	0	0	251														
12-15	12-30	0	0	0	0	7	0	137	0	0	3	2	0	0	0	0	0	0	0	0	1	0	109	0	0	6	0	0	257														
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12-45	13-00	0	0	0	0	0	0	139	0	0	4	0	0	0	0	0	0	0	0	0	3	1	128	0	0	4	0	0	265														
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14-00	14-15	0	0	0	0	3	0	115	0	0	2	0	0	0	0	0	0	0	0	0	3	1	142	0	0	5	0	1	243														
14-15	14-30	0	0	0	0	0	0	123	0	0	2	0	0	0	0	0	0	0	0	0	3	1	142	0	0	5	0	1	952														
14-30	14-45	0	0	0	0	2	0	151	0	0	3	0	0	0	0	0	0	0	0	0	3	0	117	0	0	3	0	0	265														
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15-00	15-15	0	0	0	0	3	0	122	0	0	3	0	0	0	0	0	0	0	0	0	7	2	149	0	0	4	0	0	245														
15-15	15-30	0	0	0	0	7	0	152	1	0	3	0	0	0	0	0	0	0	0	0	7	0	138	0	0	4	0	0	250														
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16-00	16-15	0	0	0	0	1	0	165	0	0	3	0	0	0	0	0	0	0	0	0	2	0	122	0	0	1	0	0	1046														
16-15	16-30	0	0	0	0	6	0	136	0	0	1	0	0	0	0	0	0	0	0	0	4	0	146	0	0	3	0	0	308														
16-30	16-45	0	0	0	0	3	0	175	1	0	1	0	0	0	0	0	0	0	0	0	3	1	138	0	0	2	0	0	1167														
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17-00	17-15	0	0	0	0	5	0	122	1	0	0	0	1	0	0	0	0	0	0	0	4	0	147	0	0	3	0	0	1178														
17-15	17-30	0	0	0	0	0	0	175	1	0	1	0	0	0	0	0	0	0	0	0	3	1	138	0	0	3	0	0	1178														
17-30	17-45	0	0	0	0	3	0	136	2	0	1	0	0	0	0	0	0	0	0	0	4	0	147	0	0	2	0	0	317														
17-45	18-00	0	0	0	0	4	0	122	1	0	0	0	0	0	0	0	0	0	0	0	3	0	147	0	0	6	0	0	1224														
18-00		0	0	0	0	5	0	122	1	0	0	0	1	0	0	0	0	0	0	0	6	0	127	0	0	2	0	0	1196														

Main St E @ Remark Dr / Wigle Ave

Morning Peak Diagram

Specified Period

From: 7:00:00

To: 9:00:00

One Hour Peak

From: 7:30:00

To: 8:30:00

Municipality: Kingsville
Site #: 0000000002
Intersection: Main St E & Remark Dr
TFR File #: 3
Count date: 23-Mar-2016

Weather conditions:

Clear/Dry

Person(s) who counted:

Diane

** Signalized Intersection **

Major Road: Main St E runs W/E

North Leg Total: 61

North Entering: 42

North Peds: 7

Peds Cross: 8

Heavys	0	0	0	0
Trucks	0	0	1	1
Cars	29	7	5	41
Totals	29	7	6	



Heavys 0

Trucks 0

Cars 19

Totals 19

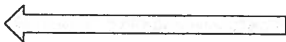
East Leg Total: 899

East Entering: 373

East Peds: 2

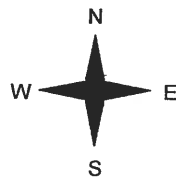
Peds Cross: 8

Heavys	Trucks	Cars	Totals
6	12	329	347

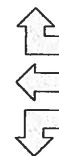


Main St E

Heavys	Trucks	Cars	Totals
0	0	10	10
2	7	435	444
0	0	22	22
2	7	467	



Cars	Trucks	Heavys	Totals
1	0	0	1
279	11	6	296
69	4	3	76
349	15	9	



Main St E



Cars	Trucks	Heavys	Totals
511	10	5	526

Peds Cross: 8

West Peds: 0

West Entering: 476

West Leg Total: 823

Cars 98

Trucks 4

Heavys 3

Totals 105



Wigle Ave

Cars	21	8	71	100
Trucks	1	0	2	3
Heavys	0	0	3	3
Totals	22	8	76	

Peds Cross: 8

South Peds: 4

South Entering: 106

South Leg Total: 211

Comments

Main St E @ Remark Dr / Wigle Ave

Mid-day Peak Diagram

Specified Period

From: 11:00:00

To: 14:00:00

One Hour Peak

From: 12:00:00

To: 13:00:00

Municipality: Kingsville

Site #: 0000000002

Intersection: Main St E & Remark Dr

TFR File #: 3

Count date: 23-Mar-2016

Weather conditions:

Clear/Dry

Person(s) who counted:

Diane

** Signalized Intersection **

Major Road: Main St E runs W/E

North Leg Total: 61

North Entering: 32

North Peds: 11

Peds Cross: ∞

Heavys	0	0	0	0
Trucks	0	0	0	0
Cars	15	8	9	32
Totals	15	8	9	



Heavys 0

Trucks 1

Cars 28

Totals 29

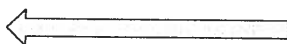
East Leg Total: 1206

East Entering: 590

East Peds: 3

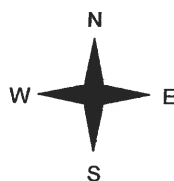
Peds Cross: ∞

Heavys	Trucks	Cars	Totals
5	13	545	563



Main St E

Heavys	Trucks	Cars	Totals
0	0	11	11
7	9	487	503
1	0	41	42
8	9	539	



Wigle Ave

Cars	Trucks	Heavys	Totals
5	1	0	6
487	12	5	504
70	4	6	80
562	17	11	

Main St E



Cars	Trucks	Heavys	Totals
592	9	15	616

Peds Cross: ∞
West Peds: 0
West Entering: 556
West Leg Total: 1119

Cars	119
Trucks	4
Heavys	7
Totals	130



Cars	43	12	96	151
Trucks	1	0	0	1
Heavys	0	0	8	8
Totals	44	12	104	

Peds Cross: ∞
South Peds: 2
South Entering: 160
South Leg Total: 290

Comments

Main St E @ Remark Dr / Wigle Ave

Afternoon Peak Diagram

Specified Period

From: 15:00:00

To: 18:00:00

One Hour Peak

From: 17:00:00

To: 18:00:00

Municipality: Kingsville

Site #: 0000000002

Intersection: Main St E & Remark Dr

TFR File #: 3

Count date: 23-Mar-2016

Weather conditions:

Clear/Dry

Person(s) who counted:

Diane

** Signalized Intersection **

Major Road: Main St E runs W/E

North Leg Total: 86

North Entering: 40

North Peds: 4

Peds Cross: 2

Heavys	0	0	0	0
Trucks	1	0	0	1
Cars	20	13	6	39
Totals	21	13	6	

Heavys 0

Trucks 0

Cars 46

Totals 46

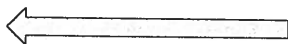
East Leg Total: 1374

East Entering: 764

East Peds: 2

Peds Cross: 2

Heavys	Trucks	Cars	Totals
0	2	728	730



Main St E

Heavys	Trucks	Cars	Totals
0	0	24	24
0	6	521	527
0	0	49	49
0	6	594	

Peds Cross: 2

West Peds: 2

West Entering: 600

West Leg Total: 1330

Cars 155

Trucks 0

Heavys 0

Totals 155

Wigle Ave



Cars	52	8	75	135
Trucks	0	0	1	1
Heavys	0	0	1	1
Totals	52	8	77	

Cars	Trucks	Heavys	Totals
14	0	0	14
656	1	0	657
93	0	0	93
763	1	0	

Main St E

Cars	Trucks	Heavys	Totals
602	7	1	610

Peds Cross: 2

South Peds: 5

South Entering: 137

South Leg Total: 292

Comments

Main St E @ Remark Dr / Wigle Ave

Total Count Diagram

Municipality: Kingsville
Site #: 0000000002
Intersection: Main St E & Remark Dr
TFR File #: 3
Count date: 23-Mar-2016

Weather conditions:
 Clear/Dry
Person(s) who counted:
 Diane

**** Signalized Intersection ****

Major Road: Main St E runs W/E

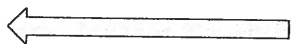
North Leg Total: 551
 North Entering: 284
 North Peds: 124
 Peds Cross: \times

Heavys	0	0	2	2
Trucks	4	1	2	7
Cars	145	69	61	275
Totals	149	70	65	

Heavys 0
 Trucks 5
 Cars 262
 Totals 267

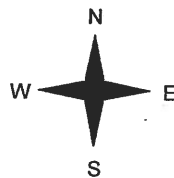
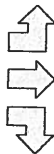
East Leg Total: 8822
 East Entering: 4328
 East Peds: 15
 Peds Cross: \times

Heavys	Trucks	Cars	Totals
32	67	4067	4166



Main St E

Heavys	Trucks	Cars	Totals
0	3	132	135
37	74	3653	3764
1	1	306	308
38	78	4091	



Cars	Trucks	Heavys	Totals
57	1	0	58
3615	59	30	3704
526	15	25	566
4198	75	55	



Main St E



Cars	Trucks	Heavys	Totals
4337	92	65	4494

Peds Cross: \times
 West Peds: 13
 West Entering: 4207
 West Leg Total: 8373

Cars 901
 Trucks 17
 Heavys 26
 Totals 944



Cars	307	73	623	1003
Trucks	4	1	16	21
Heavys	2	0	26	28
Totals	313	74	665	

Peds Cross: \times
 South Peds: 111
 South Entering: 1052
 South Leg Total: 1996

Comments

Municipality:	Kingsville
Major Road:	Main St E
Minor Road:	Remark Dr

Major Road Runs: East/West
Weather Conditions: Clear/Dry
Person No. 1 Diane
Person No. 2

Date: Mar 23, 2016

Period Ending			North Approach										East Approach										South Approach										West Approach										Veh. Summary	
			Cars					Trucks					Ped. Cross.	Cars					Trucks					Ped. Cross.	Cars					Trucks					Ped. Cross.									
			Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left		Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru		Right	Left	Thru	Right	Left	Thru	Right													
7:15	2	1	2	0	0	0	5	36	0	1	2	0	0	0	0	0	0	11	0	0	0	0	0	61	1	0	1	0	0	15	60													
7:30	1	1	1	1	0	0	3	18	48	0	2	3	0	0	6	0	17	0	0	0	0	0	1	71	3	1	2	0	0	123														
7:45	1	2	3	0	0	0	0	28	64	0	3	4	0	0	3	1	22	0	0	2	0	0	0	107	6	0	2	0	0	176														
8:00	2	3	7	0	0	0	2	12	66	0	1	5	0	0	7	0	16	1	0	0	0	0	4	110	7	0	2	0	0	248														
8:15	1	2	12	0	0	0	2	16	84	1	1	4	0	2	9	7	18	0	0	1	4	0	4	128	5	0	2	0	0	243	790													
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8:45	1	1	3	0	0	0	0	7	63	2	0	2	0	0	5	2	17	1	0	1	1	3	76	8	0	2	0	0	208	997														
9:00	2	1	8	0	0	1	4	13	71	2	2	5	0	0	9	2	18	1	0	0	1	1	1	128	10	0	5	0	3	194	943													
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11:45	1	0	3	0	0	0	3	22	113	2	0	3	0	0	11	2	28	0	0	1	0	1	6	7	114	7	0	8	0	0	284													
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12:15	1	2	6	0	0	0	0	21	126	1	1	7	0	0	12	7	27	0	0	0	0	0	3	124	8	0	6	0	0	292	1235													
12:30	2	1	3	0	0	0	5	20	120	1	3	7	1	2	15	0	27	0	0	0	0	0	4	133	12	0	2	0	0	352	1252													
12:45	2	3	3	0	0	0	5	14	110	3	3	2	0	1	6	2	26	1	0	4	1	1	3	107	9	0	6	0	0	362	1320													
13:00	4	2	3	0	0	0	1	15	131	0	3	1	0	0	10	3	16	0	0	3	0	1	123	12	0	2	1	0	0	304	1300													
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13:45	2	3	2	0	0	0	0	9	100	1	3	0	0	0	10	5	16	0	0	2	0	8	119	12	0	3	0	0	296	1258														
14:00	2	3	3	0	0	0	0	17	97	2	2	2	0	0	10	2	13	0	0	0	0	3	3	3	3	0	4	0	1	282	1201													
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15:30	0	5	7	0	0	0	3	19	143	4	2	4	0	0	17	5	27	1	0	2	0	4	112	13	0	1	0	0	366															
15:45	2	0	8	0	0	0	4	9	137	1	1	4	0	0	6	3	28	0	0	1	3	9	119	11	0	5	0	0	344															
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16:15	2	4	1	0	0	0	2	15	151	4	0	0	0	0	13	2	18	0	0	0	4	4	128	10	0	1	0	0	353	1428														
16:30	5	2	2	1	1	0	1	19	150	1	1	6	0	0	14	4	20	0	0	2	9	9	119	11	0	6	0	2	373	1435														
16:45	1	3	3	0	0	0	4	16	113	1	0	1	0	0	8	4	30	0	0	0	2	8	98	5	0	3	0	0	294	1385														
17:00	3	1	5	0	0	0	2	27	140	3	0	1	0	0	9	1	20	0	0	1	2	5	122	13	0	3	0	0	354	1374														
17:15	0	4	0	0	0	0	0	21	167	4	0	0	0	0	14	0	25	0	0	1	2	4	143	14	0	2	0	0	403	1424														
17:30	2	3	8	0	0	1	2	24	168	3	0	0	0	0	14	3	21	0	0	1	1	2	137	12	0	0	0	0	399	1450														
17:45	2	3	0	0	0	0	0	23	170	2	0	0	0	2	10	3	18	0	0	0	0	7	132	10	0	0	0	0	382	1538														
18:00	2	4	5	0	0	0	1	25	151	5	0	1	0	0	14	2	11	0	0	0	2	11	109	13	0	4	0	2	357	1541														

APPENDIX B

LEVEL OF SERVICE ANALYSIS













MAIN STREET AND SITE ACCESS



Main Street and Site Access
AM Peak Hour, Total 2018

1688HVM












						
Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Sign Control		Free	Free		Stop	
Grade		0%	0%		0%	
Volume (veh/h)	32	485	379	13	30	29
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	35	527	412	14	33	32
Pedestrians					15	
Lane Width (m)					3.7	
Walking Speed (m/s)					1.2	
Percent Blockage					1	
Right turn flare (veh)						
Median type					None	
Median storage (veh)						
Upstream signal (m)						
pX, platoon unblocked						
vC, conflicting volume	441				1031	434
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	441				1031	434
tC, single (s)	4.1				6.4	6.2
tC, 2 stage (s)						
tF (s)	2.2				3.5	3.3
p0 queue free %	97				87	95
cM capacity (veh/h)	1115				249	618
Direction, Lane #	EB 1	EB 2	WB 1	SB 1		
Volume Total	35	527	426	64		
Volume Left	35	0	0	33		
Volume Right	0	0	14	32		
cSH	1115	1700	1700	353		
Volume to Capacity	0.03	0.31	0.25	0.18		
Queue Length 95th (m)	0.7	0.0	0.0	5.0		
Control Delay (s)	8.3	0.0	0.0	17.5		
Lane LOS	A			C		
Approach Delay (s)	0.5		0.0	17.5		
Approach LOS				C		

Intersection Summary

Average Delay	1.3			
Intersection Capacity Utilization	38.8%	ICU Level of Service	A	
Analysis Period (min)	15			











Main Street and Site Access
AM Peak Hour, Total 2023

1688HVM

						
Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Sign Control		Free	Free		Stop	
Grade		0%	0%		0%	
Volume (veh/h)	32	538	419	13	30	29
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	35	585	455	14	33	32
Pedestrians					15	
Lane Width (m)					3.7	
Walking Speed (m/s)					1.2	
Percent Blockage					1	
Right turn flare (veh)						
Median type					None	
Median storage veh						
Upstream signal (m)						
pX, platoon unblocked						
vC, conflicting volume	485				1132	478
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	485				1132	478
tC, single (s)	4.1				6.4	6.2
tC, 2 stage (s)						
tF (s)	2.2				3.5	3.3
p0 queue free %	97				85	95
cM capacity (veh/h)	1075				217	584
Direction, Lane #	EB 1	EB 2	WB 1	SB 1		
Volume Total	35	585	470	64		
Volume Left	35	0	0	33		
Volume Right	0	0	14	32		
cSH	1075	1700	1700	314		
Volume to Capacity	0.03	0.34	0.28	0.20		
Queue Length 95th (m)	0.8	0.0	0.0	5.7		
Control Delay (s)	8.5	0.0	0.0	19.4		
Lane LOS	A			C		
Approach Delay (s)	0.5		0.0	19.4		
Approach LOS				C		
Intersection Summary						
Average Delay			1.3			
Intersection Capacity Utilization			38.8%		ICU Level of Service	A
Analysis Period (min)			15			











Main Street and Site Access
PM Peak Hour, Total 2018

1688HVM

						
Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Sign Control		Free	Free		Stop	
Grade		0%	0%		0%	
Volume (veh/h)	37	612	745	34	24	51
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	40	665	810	37	26	55
Pedestrians					16	
Lane Width (m)					3.7	
Walking Speed (m/s)					1.2	
Percent Blockage					1	
Right turn flare (veh)						
Median type					None	
Median storage veh						
Upstream signal (m)						
pX, platoon unblocked						
vC, conflicting volume	863				1590	844
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	863				1590	844
tC, single (s)	4.1				6.4	6.2
tC, 2 stage (s)						
tF (s)	2.2				3.5	3.3
p0 queue free %	95				77	85
cM capacity (veh/h)	777				112	361
Direction, Lane #	EB 1	EB 2	WB 1	SB 1		
Volume Total	40	665	847	82		
Volume Left	40	0	0	26		
Volume Right	0	0	37	55		
cSH	777	1700	1700	211		
Volume to Capacity	0.05	0.39	0.50	0.39		
Queue Length 95th (m)	1.2	0.0	0.0	13.0		
Control Delay (s)	9.9	0.0	0.0	32.4		
Lane LOS	A			D		
Approach Delay (s)	0.6		0.0	32.4		
Approach LOS				D		
Intersection Summary						
Average Delay	1.9					
Intersection Capacity Utilization	59.1%		ICU Level of Service		B	
Analysis Period (min)	15					

Main Street and Site Access
PM Peak Hour, Total 2023

1688HVM




















						
Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Sign Control		Free	Free		Stop	
Grade		0%	0%		0%	
Volume (veh/h)	37	678	825	34	24	51
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	40	737	897	37	26	55
Pedestrians					16	
Lane Width (m)					3.7	
Walking Speed (m/s)					1.2	
Percent Blockage					1	
Right turn flare (veh)						
Median type					None	
Median storage veh						
Upstream signal (m)						
pX, platoon unblocked						
vC, conflicting volume	950				1749	931
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	950				1749	931
tC, single (s)	4.1				6.4	6.2
tC, 2 stage (s)						
tF (s)	2.2				3.5	3.3
p0 queue free %	94				71	83
cM capacity (veh/h)	721				89	322
Direction, Lane #	EB 1	EB 2	WB 1	SB 1		
Volume Total	40	737	934	82		
Volume Left	40	0	0	26		
Volume Right	0	0	37	55		
cSH	721	1700	1700	175		
Volume to Capacity	0.06	0.43	0.55	0.47		
Queue Length 95th (m)	1.3	0.0	0.0	16.7		
Control Delay (s)	10.3	0.0	0.0	42.3		
Lane LOS	B			E		
Approach Delay (s)	0.5		0.0	42.3		
Approach LOS				E		

Intersection Summary

Average Delay	2.2			
Intersection Capacity Utilization	63.9%	ICU Level of Service	B	
Analysis Period (min)	15			

MAIN STREET AND WIGLE AVE./REMARK DR.



												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Ideal Flow (vphpl)	1775	1650	1650	1775	1650	1650	1550	1550	1550	1550	1550	1550
Storage Length (m)	15.0		0.0	30.0		0.0	0.0		0.0	0.0		0.0
Storage Lanes	1		0	1		0	0		0	0		0
Total Lost Time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Leading Detector (m)	15.2	15.2		15.2	15.2		15.2	15.2		15.2	15.2	
Trailing Detector (m)	0.0	0.0		0.0	0.0		0.0	0.0		0.0	0.0	
Turning Speed (k/h)	24		14	24		14	24		14	24		14
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor	0.99	1.00		1.00	1.00			0.98			1.00	
Frt		0.993						0.903			0.908	
Flt Protected	0.950			0.950				0.990			0.993	
Satd. Flow (prot)	1705	1623	0	1564	1574	0	0	1298	0	0	1378	0
Flt Permitted	0.511			0.353				0.941			0.960	
Satd. Flow (perm)	909	1623	0	579	1574	0	0	1234	0	0	1332	0
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)		5						83			32	
Headway Factor	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99
Link Speed (k/h)		48			48			48			48	
Link Distance (m)		798.2			519.5			404.3			410.4	
Travel Time (s)		59.9			39.0			30.3			30.8	
Volume (vph)	10	444	22	76	296	1	22	8	76	6	7	29
Confl. Peds. (#/hr)	7		4	4		7			2	2		
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Heavy Vehicles (%)	0%	2%	0%	9%	6%	0%	5%	0%	7%	17%	0%	0%
Adj. Flow (vph)	11	483	24	83	322	1	24	9	83	7	8	32
Lane Group Flow (vph)	11	507	0	83	323	0	0	116	0	0	47	0
Turn Type	pm+pt			pm+pt			Perm			Perm		
Protected Phases	7	4		3	8			2			6	
Permitted Phases	4			8			2			6		
Detector Phases	7	4		3	8		2	2		6	6	
Minimum Initial (s)	4.0	4.0		4.0	4.0		4.0	4.0		4.0	4.0	
Minimum Split (s)	8.0	22.0		8.0	22.0		22.0	22.0		22.0	22.0	
Total Split (s)	8.0	40.0	0.0	8.0	40.0	0.0	22.0	22.0	0.0	22.0	22.0	0.0
Total Split (%)	11.4%	57.1%	0.0%	11.4%	57.1%	0.0%	31.4%	31.4%	0.0%	31.4%	31.4%	0.0%
Maximum Green (s)	4.0	34.0		4.0	34.0		16.0	16.0		16.0	16.0	
Yellow Time (s)	3.0	4.0		3.0	4.0		4.0	4.0		4.0	4.0	
All-Red Time (s)	1.0	2.0		1.0	2.0		2.0	2.0		2.0	2.0	
Lead/Lag	Lead	Lag		Lead	Lag							
Lead-Lag Optimize?	Yes	Yes		Yes	Yes							
Vehicle Extension (s)	3.0	3.0		3.0	3.0		3.0	3.0		3.0	3.0	
Recall Mode	None	None		None	None		Max	Max		Max	Max	
Walk Time (s)		5.0			5.0		5.0	5.0		5.0	5.0	
Flash Dont Walk (s)		11.0			11.0		11.0	11.0		11.0	11.0	
Pedestrian Calls (#/hr)		0			0		0	0		0	0	
Act Effct Green (s)	25.4	23.3		27.0	26.2			19.0			19.0	
Actuated g/C Ratio	0.42	0.43		0.47	0.48			0.35			0.35	
v/c Ratio	0.03	0.73		0.24	0.43			0.24			0.10	
Control Delay	6.7	16.0		8.1	10.2			9.6			10.7	

	↖	→	↘	↙	←	↖	↘	↑	↗	↘	↓	↙
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Queue Delay	0.0	0.0		0.0	0.0			0.0			0.0	
Total Delay	6.7	16.0		8.1	10.2			9.6			10.7	
LOS	A	B		A	B			A			B	
Approach Delay		15.8			9.8			9.6			10.7	
Approach LOS		B			A			A			B	
Queue Length 50th (m)	0.5	43.1		3.7	17.2			2.5			1.1	
Queue Length 95th (m)	2.0	71.4		8.1	41.2			14.9			8.6	
Internal Link Dist (m)		774.2			495.5			380.3			386.4	
Turn Bay Length (m)	15.0			30.0								
Base Capacity (vph)	432	880		339	896			481			482	
Starvation Cap Reductn	0	0		0	0			0			0	
Spillback Cap Reductn	0	0		0	0			0			0	
Storage Cap Reductn	0	0		0	0			0			0	
Reduced v/c Ratio	0.03	0.58		0.24	0.36			0.24			0.10	

Intersection Summary

Area Type: Other

Cycle Length: 70

Actuated Cycle Length: 54.8

Natural Cycle: 60

Control Type: Semi Act-Uncoord

Maximum v/c Ratio: 0.73

Intersection Signal Delay: 12.7

Intersection Capacity Utilization 56.3%

Analysis Period (min) 15

Intersection LOS: B




















ICU Level of Service B

Splits and Phases: 3: Main & Remark

↑ ø2	↙ ø3	→ ø4
22 s	8 s	40 s
↓ ø6	↗ ø7	← ø8
22 s	8 s	40 s

Main Street and Wigle Ave.
AM Peak Hour, Background 2018

1688HVM

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Ideal Flow (vphpl)	1775	1650	1650	1775	1650	1650	1550	1550	1550	1550	1550	1550
Storage Length (m)	15.0		0.0	30.0		0.0	0.0		0.0	0.0		0.0
Storage Lanes	1		0	1		0	0		0	0		0
Total Lost Time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Leading Detector (m)	15.2	15.2		15.2	15.2		15.2	15.2		15.2	15.2	
Trailing Detector (m)	0.0	0.0		0.0	0.0		0.0	0.0		0.0	0.0	
Turning Speed (k/h)	24		14	24		14	24		14	24		14
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor	0.99	1.00		1.00	1.00			0.98			1.00	
Frt		0.993						0.903			0.907	
Flt Protected	0.950			0.950				0.990			0.993	
Satd. Flow (prot)	1705	1623	0	1564	1574	0	0	1292	0	0	1377	0
Flt Permitted	0.506			0.346				0.942			0.960	
Satd. Flow (perm)	897	1623	0	568	1574	0	0	1229	0	0	1330	0
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)		5						85			33	
Headway Factor	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99
Link Speed (k/h)		48			48			48			48	
Link Distance (m)		798.2			519.5			404.3			410.4	
Travel Time (s)		59.9			39.0			30.3			30.8	
Volume (vph)	10	453	22	78	302	1	22	8	78	6	7	30
Confl. Peds. (#/hr)	10		5	5		10			5	5		
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Heavy Vehicles (%)	0%	2%	0%	9%	6%	0%	5%	0%	7%	17%	0%	0%
Adj. Flow (vph)	11	492	24	85	328	1	24	9	85	7	8	33
Lane Group Flow (vph)	11	516	0	85	329	0	0	118	0	0	48	0
Turn Type	pm+pt			pm+pt			Perm			Perm		
Protected Phases	7	4		3	8			2			6	
Permitted Phases	4			8			2			6		
Detector Phases	7	4		3	8		2	2		6	6	
Minimum Initial (s)	4.0	4.0		4.0	4.0		4.0	4.0		4.0	4.0	
Minimum Split (s)	8.0	22.0		8.0	22.0		22.0	22.0		22.0	22.0	
Total Split (s)	8.0	40.0	0.0	8.0	40.0	0.0	22.0	22.0	0.0	22.0	22.0	0.0
Total Split (%)	11.4%	57.1%	0.0%	11.4%	57.1%	0.0%	31.4%	31.4%	0.0%	31.4%	31.4%	0.0%
Maximum Green (s)	4.0	34.0		4.0	34.0		16.0	16.0		16.0	16.0	
Yellow Time (s)	3.0	4.0		3.0	4.0		4.0	4.0		4.0	4.0	
All-Red Time (s)	1.0	2.0		1.0	2.0		2.0	2.0		2.0	2.0	
Lead/Lag	Lead	Lag		Lead	Lag							
Lead-Lag Optimize?	Yes	Yes		Yes	Yes							
Vehicle Extension (s)	3.0	3.0		3.0	3.0		3.0	3.0		3.0	3.0	
Recall Mode	None	None		None	None		Max	Max		Max	Max	
Walk Time (s)		5.0			5.0		5.0	5.0		5.0	5.0	
Flash Dont Walk (s)		11.0			11.0		11.0	11.0		11.0	11.0	
Pedestrian Calls (#/hr)		0			0		0	0		0	0	
Act Effct Green (s)	25.7	23.6		27.3	26.4			19.0			19.0	
Actuated g/C Ratio	0.42	0.43		0.47	0.48			0.34			0.34	
v/c Ratio	0.03	0.74		0.25	0.44			0.25			0.10	
Control Delay	6.7	16.1		8.1	10.3			9.6			10.7	

Main Street and Wigle Ave.
AM Peak Hour, Background 2018

1688HVM

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Queue Delay	0.0	0.0		0.0	0.0			0.0			0.0	
Total Delay	6.7	16.1		8.1	10.3			9.6			10.7	
LOS	A	B		A	B			A			B	
Approach Delay		15.9			9.9			9.6			10.7	
Approach LOS		B			A			A			B	
Queue Length 50th (m)	0.5	44.1		3.8	17.5			2.5			1.1	
Queue Length 95th (m)	2.0	73.2		8.3	42.0			14.9			8.7	
Internal Link Dist (m)		774.2			495.5			380.3			386.4	
Turn Bay Length (m)	15.0			30.0								
Base Capacity (vph)	429	880		335	897			479			479	
Starvation Cap Reductn	0	0		0	0			0			0	
Spillback Cap Reductn	0	0		0	0			0			0	
Storage Cap Reductn	0	0		0	0			0			0	
Reduced v/c Ratio	0.03	0.59		0.25	0.37			0.25			0.10	

Intersection Summary

Area Type: Other

Cycle Length: 70

Actuated Cycle Length: 55.1

Natural Cycle: 60

Control Type: Semi Act-Uncoord

Maximum v/c Ratio: 0.74

Intersection Signal Delay: 12.8

Intersection Capacity Utilization 57.0%

Analysis Period (min) 15

Intersection LOS: B




















ICU Level of Service B

Splits and Phases: 3: Main & Remark

22 s	22 s	22 s
22 s	22 s	22 s













Main Street and Wigle Ave.
AM Peak Hour, Total 2018

1688HVM

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Ideal Flow (vphpl)	1775	1650	1650	1775	1650	1650	1550	1550	1550	1550	1550	1550
Storage Length (m)	15.0		0.0	30.0		0.0	0.0		0.0	0.0		0.0
Storage Lanes	1		0	1		0	0		0	0		0
Total Lost Time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Leading Detector (m)	15.2	15.2		15.2	15.2		15.2	15.2		15.2	15.2	
Trailing Detector (m)	0.0	0.0		0.0	0.0		0.0	0.0		0.0	0.0	
Turning Speed (k/h)	24		14	24		14	24		14	24		14
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor	0.99	1.00		1.00	1.00			0.98			1.00	
Frt		0.993						0.904			0.907	
Flt Protected	0.950			0.950				0.989			0.993	
Satd. Flow (prot)	1705	1623	0	1564	1574	0	0	1293	0	0	1377	0
Flt Permitted	0.495			0.320				0.937			0.960	
Satd. Flow (perm)	878	1623	0	525	1574	0	0	1225	0	0	1330	0
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)		5						85			33	
Headway Factor	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99
Link Speed (k/h)		48			48			48			48	
Link Distance (m)		798.2			519.5			404.3			410.4	
Travel Time (s)		59.9			39.0			30.3			30.8	
Volume (vph)	10	481	24	78	313	1	24	8	78	6	7	30
Confl. Peds. (#/hr)	10		5	5		10			5	5		
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Heavy Vehicles (%)	0%	2%	0%	9%	6%	0%	5%	0%	7%	17%	0%	0%
Adj. Flow (vph)	11	523	26	85	340	1	26	9	85	7	8	33
Lane Group Flow (vph)	11	549	0	85	341	0	0	120	0	0	48	0
Turn Type	pm+pt			pm+pt			Perm			Perm		
Protected Phases	7	4		3	8			2			6	
Permitted Phases	4			8			2			6		
Detector Phases	7	4		3	8		2	2		6	6	
Minimum Initial (s)	4.0	4.0		4.0	4.0		4.0	4.0		4.0	4.0	
Minimum Split (s)	8.0	22.0		8.0	22.0		22.0	22.0		22.0	22.0	
Total Split (s)	8.0	40.0	0.0	8.0	40.0	0.0	22.0	22.0	0.0	22.0	22.0	0.0
Total Split (%)	11.4%	57.1%	0.0%	11.4%	57.1%	0.0%	31.4%	31.4%	0.0%	31.4%	31.4%	0.0%
Maximum Green (s)	4.0	34.0		4.0	34.0		16.0	16.0		16.0	16.0	
Yellow Time (s)	3.0	4.0		3.0	4.0		4.0	4.0		4.0	4.0	
All-Red Time (s)	1.0	2.0		1.0	2.0		2.0	2.0		2.0	2.0	
Lead/Lag	Lead	Lag		Lead	Lag							
Lead-Lag Optimize?	Yes	Yes		Yes	Yes							
Vehicle Extension (s)	3.0	3.0		3.0	3.0		3.0	3.0		3.0	3.0	
Recall Mode	None	None		None	None		Max	Max		Max	Max	
Walk Time (s)		5.0			5.0		5.0	5.0		5.0	5.0	
Flash Dont Walk (s)		11.0			11.0		11.0	11.0		11.0	11.0	
Pedestrian Calls (#/hr)		0			0		0	0		0	0	
Act Effct Green (s)	27.0	24.9		28.5	27.7			19.0			19.0	
Actuated g/C Ratio	0.43	0.44		0.48	0.49			0.34			0.34	
v/c Ratio	0.03	0.76		0.26	0.44			0.26			0.10	
Control Delay	6.5	16.8		8.2	10.3			10.1			11.0	

Main Street and Wigle Ave.
AM Peak Hour, Total 2018

1688HVM

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Queue Delay	0.0	0.0		0.0	0.0			0.0			0.0	
Total Delay	6.5	16.8		8.2	10.3			10.1			11.0	
LOS	A	B		A	B			B			B	
Approach Delay		16.6			9.9			10.1			11.0	
Approach LOS		B			A			B			B	
Queue Length 50th (m)	0.5	48.6		3.8	18.4			2.8			1.2	
Queue Length 95th (m)	2.0	80.4		8.3	43.7			15.3			8.7	
Internal Link Dist (m)		774.2			495.5			380.3			386.4	
Turn Bay Length (m)	15.0			30.0								
Base Capacity (vph)	432	880		322	903			468			469	
Starvation Cap Reductn	0	0		0	0			0			0	
Spillback Cap Reductn	0	0		0	0			0			0	
Storage Cap Reductn	0	0		0	0			0			0	
Reduced v/c Ratio	0.03	0.62		0.26	0.38			0.26			0.10	

Intersection Summary

Area Type: Other

Cycle Length: 70

Actuated Cycle Length: 56.4

Natural Cycle: 60

Control Type: Semi Act-Uncoord

Maximum v/c Ratio: 0.76

Intersection Signal Delay: 13.2







Intersection Capacity Utilization 58.8%

Analysis Period (min) 15

Intersection LOS: B




















ICU Level of Service B

Splits and Phases: 3: Main & Remark

	ø2		ø3		ø4
22 s		22 s		22 s	
	ø6		ø7		ø8
22 s		22 s		22 s	













Main Street and Wigle Ave.
AM Peak Hour, Background 2023

1688HVM

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Ideal Flow (vphpl)	1775	1650	1650	1775	1650	1650	1550	1550	1550	1550	1550	1550
Storage Length (m)	15.0		0.0	30.0		0.0	0.0		0.0	0.0		0.0
Storage Lanes	1		0	1		0	0		0	0		0
Total Lost Time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Leading Detector (m)	15.2	15.2		15.2	15.2		15.2	15.2		15.2	15.2	
Trailing Detector (m)	0.0	0.0		0.0	0.0		0.0	0.0		0.0	0.0	
Turning Speed (k/h)	24		14	24		14	24		14	24		14
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor	0.99	1.00		1.00	1.00			0.98			1.00	
Frt		0.993						0.903			0.908	
Flt Protected	0.950			0.950				0.990			0.993	
Satd. Flow (prot)	1705	1623	0	1564	1574	0	0	1292	0	0	1378	0
Flt Permitted	0.474			0.301				0.938			0.956	
Satd. Flow (perm)	841	1623	0	494	1574	0	0	1224	0	0	1325	0
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)		5						93			36	
Headway Factor	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99
Link Speed (k/h)		48			48			48			48	
Link Distance (m)		798.2			519.5			404.3			410.4	
Travel Time (s)		59.9			39.0			30.3			30.8	
Volume (vph)	11	502	25	86	334	1	25	9	86	7	8	33
Confl. Peds. (#/hr)	10		5	5		10			5	5		
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Heavy Vehicles (%)	0%	2%	0%	9%	6%	0%	5%	0%	7%	17%	0%	0%
Adj. Flow (vph)	12	546	27	93	363	1	27	10	93	8	9	36
Lane Group Flow (vph)	12	573	0	93	364	0	0	130	0	0	53	0
Turn Type	pm+pt			pm+pt			Perm			Perm		
Protected Phases	7	4		3	8			2			6	
Permitted Phases	4			8			2			6		
Detector Phases	7	4		3	8		2	2		6	6	
Minimum Initial (s)	4.0	4.0		4.0	4.0		4.0	4.0		4.0	4.0	
Minimum Split (s)	8.0	22.0		8.0	22.0		22.0	22.0		22.0	22.0	
Total Split (s)	8.0	40.0	0.0	8.0	40.0	0.0	22.0	22.0	0.0	22.0	22.0	0.0
Total Split (%)	11.4%	57.1%	0.0%	11.4%	57.1%	0.0%	31.4%	31.4%	0.0%	31.4%	31.4%	0.0%
Maximum Green (s)	4.0	34.0		4.0	34.0		16.0	16.0		16.0	16.0	
Yellow Time (s)	3.0	4.0		3.0	4.0		4.0	4.0		4.0	4.0	
All-Red Time (s)	1.0	2.0		1.0	2.0		2.0	2.0		2.0	2.0	
Lead/Lag	Lead	Lag		Lead	Lag							
Lead-Lag Optimize?	Yes	Yes		Yes	Yes							
Vehicle Extension (s)	3.0	3.0		3.0	3.0		3.0	3.0		3.0	3.0	
Recall Mode	None	None		None	None		Max	Max		Max	Max	
Walk Time (s)		5.0			5.0		5.0	5.0		5.0	5.0	
Flash Dont Walk (s)		11.0			11.0		11.0	11.0		11.0	11.0	
Pedestrian Calls (#/hr)		0			0		0	0		0	0	
Act Effct Green (s)	29.6	26.6		32.0	31.1			18.8			18.8	
Actuated g/C Ratio	0.45	0.45		0.52	0.52			0.32			0.32	
v/c Ratio	0.03	0.79		0.28	0.44			0.29			0.12	
Control Delay	6.5	18.3		7.8	10.2			10.2			11.0	

Main Street and Wigle Ave.
AM Peak Hour, Background 2023

1688HVM

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Queue Delay	0.0	0.0		0.0	0.0			0.0			0.0	
Total Delay	6.5	18.3		7.8	10.2			10.2			11.0	
LOS	A	B		A	B			B			B	
Approach Delay		18.1			9.7			10.2			11.0	
Approach LOS		B			A			B			B	
Queue Length 50th (m)	0.5	51.8		4.2	20.0			3.1			1.4	
Queue Length 95th (m)	2.1	85.9		8.9	47.3			16.2			9.3	
Internal Link Dist (m)		774.2			495.5			380.3			386.4	
Turn Bay Length (m)	15.0			30.0								
Base Capacity (vph)	431	858		329	907			449			442	
Starvation Cap Reductn	0	0		0	0			0			0	
Spillback Cap Reductn	0	0		0	0			0			0	
Storage Cap Reductn	0	0		0	0			0			0	
Reduced v/c Ratio	0.03	0.67		0.28	0.40			0.29			0.12	

Intersection Summary

Area Type: Other

Cycle Length: 70

Actuated Cycle Length: 59.6

Natural Cycle: 60

Control Type: Semi Act-Uncoord

Maximum v/c Ratio: 0.79

Intersection Signal Delay: 13.8







Intersection Capacity Utilization 61.0%

Analysis Period (min) 15

Intersection LOS: B




















ICU Level of Service B

Splits and Phases: 3: Main & Remark

		
ø2	ø3	ø4
22 s	10 s	40 s
		
ø6	ø7	ø8
22 s	10 s	40 s


Main Street and Wigle Ave.
AM Peak Hour, Total 2023

1688HVM

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Ideal Flow (vphpl)	1775	1650	1650	1775	1650	1650	1550	1550	1550	1550	1550	1550
Storage Length (m)	15.0		0.0	30.0		0.0	0.0		0.0	0.0		0.0
Storage Lanes	1		0	1		0	0		0	0		0
Total Lost Time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Leading Detector (m)	15.2	15.2		15.2	15.2		15.2	15.2		15.2	15.2	
Trailing Detector (m)	0.0	0.0		0.0	0.0		0.0	0.0		0.0	0.0	
Turning Speed (k/h)	24		14	24		14	24		14	24		14
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor	0.99	1.00		1.00	1.00			0.98			1.00	
Frt		0.993						0.905			0.908	
Flt Protected	0.950			0.950				0.989			0.993	
Satd. Flow (prot)	1705	1623	0	1564	1574	0	0	1294	0	0	1378	0
Flt Permitted	0.464			0.276				0.933			0.956	
Satd. Flow (perm)	824	1623	0	453	1574	0	0	1221	0	0	1325	0
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)		5						93			36	
Headway Factor	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99
Link Speed (k/h)		48			48			48			48	
Link Distance (m)		798.2			519.5			404.3			410.4	
Travel Time (s)		59.9			39.0			30.3			30.8	
Volume (vph)	11	530	27	86	345	1	27	9	86	7	8	33
Confl. Peds. (#/hr)	10		5	5		10			5	5		
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Heavy Vehicles (%)	0%	2%	0%	9%	6%	0%	5%	0%	7%	17%	0%	0%
Adj. Flow (vph)	12	576	29	93	375	1	29	10	93	8	9	36
Lane Group Flow (vph)	12	605	0	93	376	0	0	132	0	0	53	0
Turn Type	pm+pt			pm+pt			Perm			Perm		
Protected Phases	7	4		3	8			2			6	
Permitted Phases	4			8			2			6		
Detector Phases	7	4		3	8		2	2		6	6	
Minimum Initial (s)	4.0	4.0		4.0	4.0		4.0	4.0		4.0	4.0	
Minimum Split (s)	8.0	22.0		8.0	22.0		22.0	22.0		22.0	22.0	
Total Split (s)	8.0	40.0	0.0	8.0	40.0	0.0	22.0	22.0	0.0	22.0	22.0	0.0
Total Split (%)	11.4%	57.1%	0.0%	11.4%	57.1%	0.0%	31.4%	31.4%	0.0%	31.4%	31.4%	0.0%
Maximum Green (s)	4.0	34.0		4.0	34.0		16.0	16.0		16.0	16.0	
Yellow Time (s)	3.0	4.0		3.0	4.0		4.0	4.0		4.0	4.0	
All-Red Time (s)	1.0	2.0		1.0	2.0		2.0	2.0		2.0	2.0	
Lead/Lag	Lead	Lag		Lead	Lag							
Lead-Lag Optimize?	Yes	Yes		Yes	Yes							
Vehicle Extension (s)	3.0	3.0		3.0	3.0		3.0	3.0		3.0	3.0	
Recall Mode	None	None		None	None		Max	Max		Max	Max	
Walk Time (s)		5.0			5.0		5.0	5.0		5.0	5.0	
Flash Dont Walk (s)		11.0			11.0		11.0	11.0		11.0	11.0	
Pedestrian Calls (#/hr)		0			0		0	0		0	0	
Act Effct Green (s)	30.6	27.6		33.0	32.1			18.7			18.7	
Actuated g/C Ratio	0.46	0.46		0.53	0.53			0.31			0.31	
v/c Ratio	0.03	0.82		0.30	0.45			0.30			0.12	
Control Delay	6.4	19.3		8.0	10.2			10.6			11.1	

Main Street and Wigle Ave.
AM Peak Hour, Total 2023

1688HVM

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Queue Delay	0.0	0.0		0.0	0.0			0.0			0.0	
Total Delay	6.4	19.3		8.0	10.2			10.6			11.1	
LOS	A	B		A	B			B			B	
Approach Delay		19.1			9.8			10.6			11.1	
Approach LOS		B			A			B			B	
Queue Length 50th (m)	0.5	56.6		4.2	20.8			3.4			1.5	
Queue Length 95th (m)	2.1	94.0		8.9	49.4			16.4			9.3	
Internal Link Dist (m)		774.2			495.5			380.3			386.4	
Turn Bay Length (m)	15.0			30.0								
Base Capacity (vph)	431	858		313	912			442			435	
Starvation Cap Reductn	0	0		0	0			0			0	
Spillback Cap Reductn	0	0		0	0			0			0	
Storage Cap Reductn	0	0		0	0			0			0	
Reduced v/c Ratio	0.03	0.71		0.30	0.41			0.30			0.12	

Intersection Summary

Area Type: Other

Cycle Length: 70

Actuated Cycle Length: 60.6

Natural Cycle: 60

Control Type: Semi Act-Uncoord

Maximum v/c Ratio: 0.82

Intersection Signal Delay: 14.4







Intersection Capacity Utilization 63.4%

Analysis Period (min) 15

Intersection LOS: B




















ICU Level of Service B

Splits and Phases: 3: Main & Remark

	ø2		ø3		ø4
22 s		8 s		40 s	
	ø6		ø7		ø8
22 s		8 s		40 s	

Main Street and Wigle Ave.
PM Peak Hour, March 23, 2017

1688HVM

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Ideal Flow (vphpl)	1775	1650	1650	1775	1650	1650	1550	1550	1550	1550	1550	1550
Storage Length (m)	15.0		0.0	30.0		0.0	0.0		0.0	0.0		0.0
Storage Lanes	1		0	1		0	0		0	0		0
Total Lost Time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Leading Detector (m)	15.2	15.2		15.2	15.2		15.2	15.2		15.2	15.2	
Trailing Detector (m)	0.0	0.0		0.0	0.0		0.0	0.0		0.0	0.0	
Turning Speed (k/h)	24		14	24		14	24		14	24		14
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor		1.00		1.00	1.00			0.98			0.99	
Frt		0.987			0.997			0.924			0.929	
Flt Protected	0.950			0.950				0.981			0.992	
Satd. Flow (prot)	1705	1627	0	1705	1646	0	0	1386	0	0	1390	0
Flt Permitted	0.182			0.260				0.875			0.953	
Satd. Flow (perm)	327	1627	0	465	1646	0	0	1234	0	0	1334	0
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)		10			2			84			23	
Headway Factor	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99
Link Speed (k/h)		48			48			48			48	
Link Distance (m)		825.6			468.3			363.1			339.3	
Travel Time (s)		61.9			35.1			27.2			25.4	
Volume (vph)	24	527	49	93	657	14	52	8	77	6	13	21
Confl. Peds. (#/hr)	4		5	5		4	2		2	2		2
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Heavy Vehicles (%)	0%	1%	0%	0%	1%	0%	0%	0%	2%	0%	0%	5%
Adj. Flow (vph)	26	573	53	101	714	15	57	9	84	7	14	23
Lane Group Flow (vph)	26	626	0	101	729	0	0	150	0	0	44	0
Turn Type	pm+pt			pm+pt			Perm			Perm		
Protected Phases	7	4		3	8			2			6	
Permitted Phases	4			8			2			6		
Detector Phases	7	4		3	8		2	2		6	6	
Minimum Initial (s)	4.0	4.0		4.0	4.0		4.0	4.0		4.0	4.0	
Minimum Split (s)	8.0	22.0		8.0	22.0		22.0	22.0		22.0	22.0	
Total Split (s)	8.0	40.0	0.0	8.0	40.0	0.0	22.0	22.0	0.0	22.0	22.0	0.0
Total Split (%)	11.4%	57.1%	0.0%	11.4%	57.1%	0.0%	31.4%	31.4%	0.0%	31.4%	31.4%	0.0%
Maximum Green (s)	4.0	34.0		4.0	34.0		16.0	16.0		16.0	16.0	
Yellow Time (s)	3.0	4.0		3.0	4.0		4.0	4.0		4.0	4.0	
All-Red Time (s)	1.0	2.0		1.0	2.0		2.0	2.0		2.0	2.0	
Lead/Lag	Lead	Lag		Lead	Lag							
Lead-Lag Optimize?	Yes	Yes		Yes	Yes							
Vehicle Extension (s)	3.0	3.0		3.0	3.0		3.0	3.0		3.0	3.0	
Recall Mode	None	None		None	None		Max	Max		Max	Max	
Walk Time (s)		5.0			5.0		5.0	5.0		5.0	5.0	
Flash Dont Walk (s)		11.0			11.0		11.0	11.0		11.0	11.0	
Pedestrian Calls (#/hr)		0			0		0	0		0	0	
Act Effct Green (s)	32.9	29.8		34.5	33.0			18.5			18.5	
Actuated g/C Ratio	0.49	0.48		0.54	0.53			0.30			0.30	
v/c Ratio	0.11	0.80		0.31	0.84			0.35			0.11	
Control Delay	6.7	19.8		8.0	21.5			13.4			13.2	

Main Street and Wigle Ave.
PM Peak Hour, March 23, 2017

1688HVM

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Queue Delay	0.0	0.0		0.0	0.0			0.0			0.0	
Total Delay	6.7	19.8		8.0	21.5			13.4			13.2	
LOS	A	B		A	C			B			B	
Approach Delay		19.2			19.8			13.4			13.2	
Approach LOS		B			B			B			B	
Queue Length 50th (m)	1.1	59.1		4.5	55.2			6.3			1.9	
Queue Length 95th (m)	3.4	98.6		9.5	#145.5			21.1			9.0	
Internal Link Dist (m)		801.6			444.3			339.1			315.3	
Turn Bay Length (m)	15.0			30.0								
Base Capacity (vph)	243	863		329	922			424			410	
Starvation Cap Reductn	0	0		0	0			0			0	
Spillback Cap Reductn	0	0		0	0			0			0	
Storage Cap Reductn	0	0		0	0			0			0	
Reduced v/c Ratio	0.11	0.73		0.31	0.79			0.35			0.11	

Intersection Summary

Area Type: Other

Cycle Length: 70

Actuated Cycle Length: 62.5

Natural Cycle: 65

Control Type: Semi Act-Uncoord

Maximum v/c Ratio: 0.84

Intersection Signal Delay: 18.8

Intersection Capacity Utilization 70.8%

Analysis Period (min) 15

Intersection LOS: B

ICU Level of Service C

95th percentile volume exceeds capacity, queue may be longer.




















Queue shown is maximum after two cycles.

Splits and Phases: 10: Main & Remark

	ø2		ø3		ø4
22 s		8 s		40 s	
	ø6		ø7		ø8
22 s		8 s		40 s	


Main Street and Wigle Ave.
PM Peak Hour, Background 2018

1688HVM

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Ideal Flow (vphpl)	1775	1650	1650	1775	1650	1650	1550	1550	1550	1550	1550	1550
Storage Length (m)	15.0		0.0	30.0		0.0	0.0		0.0	0.0		0.0
Storage Lanes	1		0	1		0	0		0	0		0
Total Lost Time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Leading Detector (m)	15.2	15.2		15.2	15.2		15.2	15.2		15.2	15.2	
Trailing Detector (m)	0.0	0.0		0.0	0.0		0.0	0.0		0.0	0.0	
Turning Speed (k/h)	24		14	24		14	24		14	24		14
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor		1.00		1.00	1.00			0.98			0.98	
Frt		0.987			0.997			0.924			0.929	
Flt Protected	0.950			0.950				0.981			0.992	
Satd. Flow (prot)	1705	1627	0	1705	1646	0	0	1381	0	0	1385	0
Flt Permitted	0.171			0.250				0.875			0.953	
Satd. Flow (perm)	307	1627	0	448	1646	0	0	1227	0	0	1329	0
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)		10			2			86			23	
Headway Factor	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99
Link Speed (k/h)		48			48			48			48	
Link Distance (m)		825.6			468.3			363.1			339.3	
Travel Time (s)		61.9			35.1			27.2			25.4	
Volume (vph)	24	538	50	95	670	14	53	8	79	6	13	21
Confl. Peds. (#/hr)	5		5	5		5	5		5	5		5
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Heavy Vehicles (%)	0%	1%	0%	0%	1%	0%	0%	0%	2%	0%	0%	5%
Adj. Flow (vph)	26	585	54	103	728	15	58	9	86	7	14	23
Lane Group Flow (vph)	26	639	0	103	743	0	0	153	0	0	44	0
Turn Type	pm+pt			pm+pt			Perm			Perm		
Protected Phases	7	4		3	8			2			6	
Permitted Phases	4			8			2			6		
Detector Phases	7	4		3	8		2	2		6	6	
Minimum Initial (s)	4.0	4.0		4.0	4.0		4.0	4.0		4.0	4.0	
Minimum Split (s)	8.0	22.0		8.0	22.0		22.0	22.0		22.0	22.0	
Total Split (s)	8.0	40.0	0.0	8.0	40.0	0.0	22.0	22.0	0.0	22.0	22.0	0.0
Total Split (%)	11.4%	57.1%	0.0%	11.4%	57.1%	0.0%	31.4%	31.4%	0.0%	31.4%	31.4%	0.0%
Maximum Green (s)	4.0	34.0		4.0	34.0		16.0	16.0		16.0	16.0	
Yellow Time (s)	3.0	4.0		3.0	4.0		4.0	4.0		4.0	4.0	
All-Red Time (s)	1.0	2.0		1.0	2.0		2.0	2.0		2.0	2.0	
Lead/Lag	Lead	Lag		Lead	Lag							
Lead-Lag Optimize?	Yes	Yes		Yes	Yes							
Vehicle Extension (s)	3.0	3.0		3.0	3.0		3.0	3.0		3.0	3.0	
Recall Mode	None	None		None	None		Max	Max		Max	Max	
Walk Time (s)		5.0			5.0		5.0	5.0		5.0	5.0	
Flash Dont Walk (s)		11.0			11.0		11.0	11.0		11.0	11.0	
Pedestrian Calls (#/hr)		0			0		0	0		0	0	
Act Effct Green (s)	33.6	30.5		35.1	33.6			18.4			18.4	
Actuated g/C Ratio	0.49	0.48		0.54	0.53			0.29			0.29	
v/c Ratio	0.11	0.81		0.32	0.85			0.37			0.11	
Control Delay	6.7	20.4		8.1	22.2			13.5			13.3	

Main Street and Wigle Ave.
PM Peak Hour, Background 2018

1688HVM

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Queue Delay	0.0	0.0		0.0	0.0			0.0			0.0	
Total Delay	6.7	20.4		8.1	22.2			13.5			13.3	
LOS	A	C		A	C			B			B	
Approach Delay		19.8			20.5			13.5			13.3	
Approach LOS		B			C			B			B	
Queue Length 50th (m)	1.1	61.1		4.6	57.1			6.5			2.0	
Queue Length 95th (m)	3.4	#102.6		9.6	#150.1			21.4			9.1	
Internal Link Dist (m)		801.6			444.3			339.1			315.3	
Turn Bay Length (m)	15.0			30.0								
Base Capacity (vph)	235	863		322	924			418			404	
Starvation Cap Reductn	0	0		0	0			0			0	
Spillback Cap Reductn	0	0		0	0			0			0	
Storage Cap Reductn	0	0		0	0			0			0	
Reduced v/c Ratio	0.11	0.74		0.32	0.80			0.37			0.11	

Intersection Summary

Area Type: Other

Cycle Length: 70

Actuated Cycle Length: 63.1

Natural Cycle: 70

Control Type: Semi Act-Uncoord

Maximum v/c Ratio: 0.85

Intersection Signal Delay: 19.4

Intersection Capacity Utilization 72.0%

Analysis Period (min) 15







Intersection LOS: B

ICU Level of Service C

95th percentile volume exceeds capacity, queue may be longer.



















Queue shown is maximum after two cycles.

Splits and Phases: 10: Main & Remark

 ø2	 ø3	 ø4
22 s	8 s	40 s
 ø5	 ø7	 ø8
22 s	8 s	40 s

Main Street and Wigle Ave.
PM Peak Hour, Total 2018

1688HVM

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Ideal Flow (vphpl)	1775	1650	1650	1775	1650	1650	1550	1550	1550	1550	1550	1550
Storage Length (m)	15.0		0.0	30.0		0.0	0.0		0.0	0.0		0.0
Storage Lanes	1		0	1		0	0		0	0		0
Total Lost Time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Leading Detector (m)	15.2	15.2		15.2	15.2		15.2	15.2		15.2	15.2	
Trailing Detector (m)	0.0	0.0		0.0	0.0		0.0	0.0		0.0	0.0	
Turning Speed (k/h)	24		14	24		14	24		14	24		14
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor		1.00		1.00	1.00			0.98			0.98	
Frt		0.987			0.997			0.926			0.929	
Flt Protected	0.950			0.950				0.981			0.992	
Satd. Flow (prot)	1705	1627	0	1705	1646	0	0	1385	0	0	1385	0
Flt Permitted	0.147			0.229				0.869			0.952	
Satd. Flow (perm)	264	1627	0	410	1646	0	0	1221	0	0	1327	0
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)		10			2			84			23	
Headway Factor	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99
Link Speed (k/h)		48			48			48			48	
Link Distance (m)		825.6			468.3			363.1			339.3	
Travel Time (s)		61.9			35.1			27.2			25.4	
Volume (vph)	24	559	53	95	700	14	57	8	79	6	13	21
Confl. Peds. (#/hr)	5		5	5		5	5		5	5		5
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Heavy Vehicles (%)	0%	1%	0%	0%	1%	0%	0%	0%	2%	0%	0%	5%
Adj. Flow (vph)	26	608	58	103	761	15	62	9	86	7	14	23
Lane Group Flow (vph)	26	666	0	103	776	0	0	157	0	0	44	0
Turn Type	pm+pt			pm+pt			Perm			Perm		
Protected Phases	7	4		3	8			2			6	
Permitted Phases	4			8			2			6		
Detector Phases	7	4		3	8		2	2		6	6	
Minimum Initial (s)	4.0	4.0		4.0	4.0		4.0	4.0		4.0	4.0	
Minimum Split (s)	8.0	22.0		8.0	22.0		22.0	22.0		22.0	22.0	
Total Split (s)	8.0	40.0	0.0	8.0	40.0	0.0	22.0	22.0	0.0	22.0	22.0	0.0
Total Split (%)	11.4%	57.1%	0.0%	11.4%	57.1%	0.0%	31.4%	31.4%	0.0%	31.4%	31.4%	0.0%
Maximum Green (s)	4.0	34.0		4.0	34.0		16.0	16.0		16.0	16.0	
Yellow Time (s)	3.0	4.0		3.0	4.0		4.0	4.0		4.0	4.0	
All-Red Time (s)	1.0	2.0		1.0	2.0		2.0	2.0		2.0	2.0	
Lead/Lag	Lead	Lag		Lead	Lag							
Lead-Lag Optimize?	Yes	Yes		Yes	Yes							
Vehicle Extension (s)	3.0	3.0		3.0	3.0		3.0	3.0		3.0	3.0	
Recall Mode	None	None		None	None		Max	Max		Max	Max	
Walk Time (s)		5.0			5.0		5.0	5.0		5.0	5.0	
Flash Dont Walk (s)		11.0			11.0		11.0	11.0		11.0	11.0	
Pedestrian Calls (#/hr)		0			0		0	0		0	0	
Act Effct Green (s)	35.1	32.0		36.6	35.1			18.3			18.3	
Actuated g/C Ratio	0.51	0.50		0.55	0.54			0.28			0.28	
v/c Ratio	0.12	0.82		0.34	0.87			0.39			0.11	
Control Delay	6.8	21.7		8.5	24.3			14.3			13.4	

Main Street and Wigle Ave.
PM Peak Hour, Total 2018

1688HVM

	↖	→	↘	↙	←	↖	↘	↑	↗	↘	↓	↙
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Queue Delay	0.0	0.0		0.0	0.0			0.0			0.0	
Total Delay	6.8	21.7		8.5	24.3			14.3			13.4	
LOS	A	C		A	C			B			B	
Approach Delay		21.2			22.4			14.3			13.4	
Approach LOS		C			C			B			B	
Queue Length 50th (m)	1.1	65.6		4.6	61.9			7.5			2.1	
Queue Length 95th (m)	3.4	#125.7		9.6	#160.4			22.6			9.1	
Internal Link Dist (m)		801.6			444.3			339.1			315.3	
Turn Bay Length (m)	15.0			30.0								
Base Capacity (vph)	217	863		306	929			406			393	
Starvation Cap Reductn	0	0		0	0			0			0	
Spillback Cap Reductn	0	0		0	0			0			0	
Storage Cap Reductn	0	0		0	0			0			0	
Reduced v/c Ratio	0.12	0.77		0.34	0.84			0.39			0.11	

Intersection Summary

Area Type: Other

Cycle Length: 70

Actuated Cycle Length: 64.5

Natural Cycle: 70

Control Type: Semi Act-Uncoord

Maximum v/c Ratio: 0.87

Intersection Signal Delay: 21.0

Intersection Capacity Utilization 74.0%

Analysis Period (min) 15

Intersection LOS: C
ICU Level of Service D

95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

Splits and Phases: 10: Main & Remark

↑ ø2	↙ ø3	→ ø4
22 s	8 s	40 s
↓ ø6	↗ ø7	← ø8
22 s	8 s	40 s

Main Street and Wigle Ave.
PM Peak Hour, Background 2023

1688HVM

	↖	→	↘	↙	←	↖	↙	↑	↗	↘	↓	↙
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations	↖	↗		↖	↗			↕			↕	
Ideal Flow (vphpl)	1775	1650	1650	1775	1650	1650	1550	1550	1550	1550	1550	1550
Storage Length (m)	15.0		0.0	30.0		0.0	0.0		0.0	0.0		0.0
Storage Lanes	1		0	1		0	0		0	0		0
Total Lost Time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Leading Detector (m)	15.2	15.2		15.2	15.2		15.2	15.2		15.2	15.2	
Trailing Detector (m)	0.0	0.0		0.0	0.0		0.0	0.0		0.0	0.0	
Turning Speed (k/h)	24		14	24		14	24		14	24		14
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor		1.00			1.00			0.98		1.00	0.98	
Frt		0.987			0.997			0.924			0.930	
Flt Protected	0.950			0.950				0.981			0.992	
Satd. Flow (prot)	1705	1627	0	1705	1646	0	0	1381	0	0	1387	0
Flt Permitted	0.111			0.197				0.870			0.949	
Satd. Flow (perm)	199	1627	0	354	1646	0	0	1220	0	0	1325	0
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)		10			2			89			26	
Headway Factor	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99
Link Speed (k/h)		48			48			48			48	
Link Distance (m)		825.6			468.3			363.1			339.3	
Travel Time (s)		61.9			35.1			27.2			25.4	
Volume (vph)	27	596	55	105	742	16	59	9	87	7	15	24
Confl. Peds. (#/hr)	5		5	5		5	5		5	5		5
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Heavy Vehicles (%)	0%	1%	0%	0%	1%	0%	0%	0%	2%	0%	0%	5%
Adj. Flow (vph)	29	648	60	114	807	17	64	10	95	8	16	26
Lane Group Flow (vph)	29	708	0	114	824	0	0	169	0	0	50	0
Turn Type	pm+pt			pm+pt			Perm			Perm		
Protected Phases	7	4		3	8			2			6	
Permitted Phases	4			8			2			6		
Detector Phases	7	4		3	8		2	2		6	6	
Minimum Initial (s)	4.0	4.0		4.0	4.0		4.0	4.0		4.0	4.0	
Minimum Split (s)	8.0	22.0		8.0	22.0		22.0	22.0		22.0	22.0	
Total Split (s)	8.0	40.0	0.0	8.0	40.0	0.0	22.0	22.0	0.0	22.0	22.0	0.0
Total Split (%)	11.4%	57.1%	0.0%	11.4%	57.1%	0.0%	31.4%	31.4%	0.0%	31.4%	31.4%	0.0%
Maximum Green (s)	4.0	34.0		4.0	34.0		16.0	16.0		16.0	16.0	
Yellow Time (s)	3.0	4.0		3.0	4.0		4.0	4.0		4.0	4.0	
All-Red Time (s)	1.0	2.0		1.0	2.0		2.0	2.0		2.0	2.0	
Lead/Lag	Lead	Lag		Lead	Lag							
Lead-Lag Optimize?	Yes	Yes		Yes	Yes							
Vehicle Extension (s)	3.0	3.0		3.0	3.0		3.0	3.0		3.0	3.0	
Recall Mode	None	None		None	None		Max	Max		Max	Max	
Walk Time (s)		5.0			5.0		5.0	5.0		5.0	5.0	
Flash Dont Walk (s)		11.0			11.0		11.0	11.0		11.0	11.0	
Pedestrian Calls (#/hr)		0			0		0	0		0	0	
Act Effct Green (s)	38.0	34.9		39.6	38.0		18.1			18.1		
Actuated g/C Ratio	0.53	0.52		0.58	0.57		0.27			0.27		
v/c Ratio	0.15	0.83		0.40	0.88		0.43			0.13		
Control Delay	7.5	24.4		9.8	27.8		15.0			13.3		

Main Street and Wigle Ave.
PM Peak Hour, Background 2023

1688HVM

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Queue Delay	0.0	0.0		0.0	0.0			0.0			0.0	
Total Delay	7.5	24.4		9.8	27.8			15.0			13.3	
LOS	A	C		A	C			B			B	
Approach Delay		23.7			25.6			15.0			13.3	
Approach LOS		C			C			B			B	
Queue Length 50th (m)	1.3	73.1		5.2	69.6			8.3			2.4	
Queue Length 95th (m)	3.7	#139.2		10.5	#175.3			24.2			9.8	
Internal Link Dist (m)		801.6			444.3			339.1			315.3	
Turn Bay Length (m)	15.0			30.0								
Base Capacity (vph)	189	863		282	938			393			376	
Starvation Cap Reductn	0	0		0	0			0			0	
Spillback Cap Reductn	0	0		0	0			0			0	
Storage Cap Reductn	0	0		0	0			0			0	
Reduced v/c Ratio	0.15	0.82		0.40	0.88			0.43			0.13	

Intersection Summary

Area Type: Other

Cycle Length: 70

Actuated Cycle Length: 67.2

Natural Cycle: 75

Control Type: Semi Act-Uncoord

Maximum v/c Ratio: 0.88

Intersection Signal Delay: 23.6

Intersection Capacity Utilization 77.5%

Analysis Period (min) 15

Intersection LOS: C

ICU Level of Service D

95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

Splits and Phases: 10: Main & Remark

↑ ø2 22 s	↙ ø3 8 s	→ ø4 40 s
↓ ø6 22 s	↘ ø7 8 s	← ø8 40 s

Main Street and Wigle Ave.
PM Peak Hour, Total 2023

1688HVM

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Ideal Flow (vphpl)	1775	1650	1650	1775	1650	1650	1550	1550	1550	1550	1550	1550
Storage Length (m)	15.0		0.0	30.0		0.0	0.0		0.0	0.0		0.0
Storage Lanes	1		0	1		0	0		0	0		0
Total Lost Time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Leading Detector (m)	15.2	15.2		15.2	15.2		15.2	15.2		15.2	15.2	
Trailing Detector (m)	0.0	0.0		0.0	0.0		0.0	0.0		0.0	0.0	
Turning Speed (k/h)	24		14	24		14	24		14	24		14
Lane Util. Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Ped Bike Factor		1.00			1.00			0.98			0.98	
Frt		0.987			0.997			0.926			0.930	
Flt Protected	0.950			0.950				0.981			0.992	
Satd. Flow (prot)	1705	1627	0	1705	1646	0	0	1384	0	0	1387	0
Flt Permitted	0.111			0.178				0.864			0.949	
Satd. Flow (perm)	199	1627	0	319	1646	0	0	1214	0	0	1325	0
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)		10			2			84			26	
Headway Factor	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99
Link Speed (k/h)		48			48			48			48	
Link Distance (m)		825.6			468.3			363.1			339.3	
Travel Time (s)		61.9			35.1			27.2			25.4	
Volume (vph)	27	617	58	105	772	16	63	9	87	7	15	24
Confl. Peds. (#/hr)	5		5	5		5	5		5	5		5
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Heavy Vehicles (%)	0%	1%	0%	0%	1%	0%	0%	0%	2%	0%	0%	5%
Adj. Flow (vph)	29	671	63	114	839	17	68	10	95	8	16	26
Lane Group Flow (vph)	29	734	0	114	856	0	0	173	0	0	50	0
Turn Type	pm+pt			pm+pt			Perm			Perm		
Protected Phases	7	4		3	8			2			6	
Permitted Phases	4			8			2			6		
Detector Phases	7	4		3	8		2	2		6	6	
Minimum Initial (s)	4.0	4.0		4.0	4.0		4.0	4.0		4.0	4.0	
Minimum Split (s)	8.0	22.0		8.0	22.0		22.0	22.0		22.0	22.0	
Total Split (s)	8.0	40.0	0.0	8.0	40.0	0.0	22.0	22.0	0.0	22.0	22.0	0.0
Total Split (%)	11.4%	57.1%	0.0%	11.4%	57.1%	0.0%	31.4%	31.4%	0.0%	31.4%	31.4%	0.0%
Maximum Green (s)	4.0	34.0		4.0	34.0		16.0	16.0		16.0	16.0	
Yellow Time (s)	3.0	4.0		3.0	4.0		4.0	4.0		4.0	4.0	
All-Red Time (s)	1.0	2.0		1.0	2.0		2.0	2.0		2.0	2.0	
Lead/Lag	Lead	Lag		Lead	Lag							
Lead-Lag Optimize?	Yes	Yes		Yes	Yes							
Vehicle Extension (s)	3.0	3.0		3.0	3.0		3.0	3.0		3.0	3.0	
Recall Mode	None	None		None	None		Max	Max		Max	Max	
Walk Time (s)		5.0			5.0		5.0	5.0		5.0	5.0	
Flash Dont Walk (s)		11.0			11.0		11.0	11.0		11.0	11.0	
Pedestrian Calls (#/hr)		0			0		0	0		0	0	
Act Effct Green (s)	39.2	36.0		40.7	39.1			18.0			18.0	
Actuated g/C Ratio	0.54	0.53		0.58	0.57			0.26			0.26	
v/c Ratio	0.15	0.85		0.43	0.91			0.45			0.14	
Control Delay	7.5	26.5		10.6	30.9			16.3			13.4	

5/11/2017

Green Light Consulting

Synchro 6 Light Report
Page 1

Main Street and Wigle Ave.
PM Peak Hour, Total 2023

1688HVM

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Queue Delay	0.0	0.0		0.0	0.0			0.0			0.0	
Total Delay	7.5	26.5		10.6	30.9			16.3			13.4	
LOS	A	C		B	C			B			B	
Approach Delay		25.8			28.5			16.3			13.4	
Approach LOS		C			C			B			B	
Queue Length 50th (m)	1.3	77.9		5.2	75.3			9.3			2.4	
Queue Length 95th (m)	3.7	#147.5		10.5	#185.1			25.7			9.8	
Internal Link Dist (m)		801.6			444.3			339.1			315.3	
Turn Bay Length (m)	15.0			30.0								
Base Capacity (vph)	189	863		265	944			383			369	
Starvation Cap Reductn	0	0		0	0			0			0	
Spillback Cap Reductn	0	0		0	0			0			0	
Storage Cap Reductn	0	0		0	0			0			0	
Reduced v/c Ratio	0.15	0.85		0.43	0.91			0.45			0.14	

Intersection Summary

Area Type: Other

Cycle Length: 70

Actuated Cycle Length: 68.3

Natural Cycle: 80

Control Type: Semi Act-Uncoord

Maximum v/c Ratio: 0.91

Intersection Signal Delay: 26.0

Intersection Capacity Utilization 79.6%

Analysis Period (min) 15

Intersection LOS: C

ICU Level of Service D

95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

Splits and Phases: 10: Main & Remark

↑ ø2	↙ ø3	→ ø4
22 s	8 s	40 s
↓ ø6	↘ ø7	← ø8
22 s	8 s	40 s

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW NUMBER 108-2017

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 Subsection 6.4.1 RESIDENTIAL ZONE 4 URBAN EXCEPTIONS is amended with the addition of the following new subsection:

6.4.1.2 'RESIDENTIAL ZONE 4 URBAN EXCEPTION 2 (R4.1-2)'

For lands shown as R4.1-2 on Map 67 (Lansdowne Ave) Schedule "A" of this By-law.

a) Permitted Uses

Those uses permitted under Section 6.4.1
Neighbourhood Commercial uses

b) Permitted Buildings and Structures

Two Apartment Buildings – (maximum 60 units per building)
A Medical Clinic
Office
Personal Service Shop
Accessory Retail or Pharmacy
Buildings and structures accessory to the Main Use

c) Zone Provisions

- i) Provisions of the (R4.1) shall apply
- ii) Notwithstanding the zone provisions of (R4.1) the following regulations shall apply to lands zoned (R4.1-2):
 - i) Maximum Permitted Height – 22 m
 - ii) North Lot Line Setback – equal to the height of the building

2. Schedule "A", Map 67 of By-law 1-2014 is hereby amended by changing the zone symbol on lands known municipally as Part of Lot 2, Concession 1 ED and locally known as 200 Main St. E., as shown on Schedule 'A' in cross-hatch attached hereto from 'Residential Zone 1 Urban, (R1.1)' to 'Residential Zone 4 Exception 2, (R4.1-2)'.

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 23rd day of October, 2017.

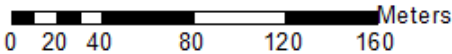
NELSON SANTOS, MAYOR


JENNIFER ASTROLOGO, CLERK

Schedule 'A'



Part of Lot 2, Concession 1 ED
(200 Main St. E.)
Zoning By-law Amendment ZBA/02/16



 Schedule "A", Map 67 of By-law 1-2014 is hereby amended by changing the zone symbol as shown on Schedule 'A' in cross-hatch attached hereto from 'Residential Zone 1 Urban - holding (R1.1(h))' to 'Residential Zone 4 Urban Exception 2 (R4.1-2)'

September 13, 2017

To Mayor Santos and Councilors:

This letter is in reference to the proposed residential Condo and medical clinic development at 200 Main East.

I find myself writing for the second time in as many months over yet another zoning change and high rise development. It in no way makes the development more palatable to have a medical clinic attached.

The concerns are the same - traffic congestion, noise, and in particular inadequate storm and sanitary sewers. None of these issues has been addressed. Does the council not have an obligation to design and build the infrastructure required to accommodate future development rather than the haphazard, one development at a time system you now seem to employ?

A moratorium should be placed on this and future developments until infrastructure concerns are addressed and resolved.

Finally, this will no longer be a beautiful Victorian town if it is littered with high rises and commercial sprawl.

Thank you for your consideration.

Dorothy Zicard

Dorothy Zicard
169 Ruple Plum Drive
Kingville, Ontario

September 11, 2017

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

Dear Mr. Brown:

Re: Application for Zoning By-law Amendment ZBA/02/16

As I will be unable to attend the September 19 and October 23 meetings in regard to this application, I would like to provide this written submission.

I have a number of concerns about the rezoning of the lands near Applewood Rd/Woodycrest to permit the development of 2 condos with up to 120 units. My concerns are as follows:

1. The proximity of these buildings to the homes on the south side of Applewood and Woodycrest. I believe these buildings will overshadow these homes for a significant portion of the day. They will also lose privacy due to the balconies overlooking their backyards.
2. I am concerned that these buildings will have sewer holding tanks similar to what was proposed for the 95 unit building at Main and Jasperson. It is my opinion that holding tanks are not suitable to deal with the town's current infrastructure limitations. The infrastructure needs to be corrected before these developments proceed. We shouldn't have a town that is built upon basically over-sized septic tanks! It seems ludicrous to be going in this direction with such large developments. If the application proceeds and holding tanks are included and approved and there is a failure that affects our homes, what is the town prepared to guarantee as rectification for us at the town's expense?
3. Water pressure - what written assurances can we receive that the water pressure to our homes will not be affected? What is the town prepared to do for us if it is affected?
4. Excessive traffic flow on Applewood - with 120 units there will be a minimum of 240 people coming and going throughout the day. Applewood already has significant traffic due to its proximity to Main and Jasperson. Even though adults 50+ are being targeted, we're an active age group and most leave our homes at least once a day and

usually more frequently. At a minimum that is 240 vehicles per day as people leave and return to their condos. Some of these units will also have 2 vehicles coming and going and will make multiple trips for shopping and recreational activities. Also we're not all snowbirds! In addition to the tenants there will be the traffic of their friends and family and those using Woodycrest to access the Medical Clinic. Rather than routing all of this traffic onto Woodycrest and Applewood, a better long-term solution would be to negotiate a secondary access road through the Kingsville High property to Main St. The school is slated to close and the timing of both could be coordinated. When the high school closes that piece of property will become available. Whatever it is redeveloped into should be coordinated with this property so that traffic will not come onto Woodycrest and Applewood. Now is the time to redirect all of the associated traffic onto Main St. rather than through a residential area. If Main St. can't handle the traffic then these intense developments should be located further from this area.

If the application proceeds and emergency access is the reason given for an entrance from Woodycrest then limit it with electronic gates only accessible by emergency vehicles.

5. Parking - another problem that I foresee is overflow parking onto Applewood and Woodycrest. Even though the apartment buildings will have some visitor parking, it is likely to be insufficient, especially around holiday times. Visitors will not park near the Medical Clinic when the shortest distance to walk is going to be from Applewood and Woodycrest. Parking in this area will also cause congestion at the corner and increased potential for accidents.

I trust that my comments and concerns will be taken into consideration when this application is addressed at the open house and subsequently by Council.

Sincerely,

Janice Kubiak
214 Applewood Rd.



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

Date: October 11, 2017

To: Mayor and Council

Author: Linda Brohman, Tax Collector

RE: Tax Adjustments Under Sections 357 and 358 of the Municipal Act,
2001

Report No.: FS-2017-17

AIM

Obtain council authorization to process property tax adjustments for the 2015, 2016 and 2017 tax year under Sections 357 and 358 of the Municipal Act.

BACKGROUND

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

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

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

DISCUSSION

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

LINK TO STRATEGIC PLAN

Not Applicable

FINANCIAL CONSIDERATIONS

The municipal portion of the expense is \$7,055.92, which is within the 2017 budget limits.

CONSULTATIONS

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

RECOMMENDATION

Council authorize tax reductions totaling \$18,147.95 for the 2017 taxation year.

Linda Brohman

Linda Brohman, BBA
Tax Collector

Sandra Zwiers

Sandra Zwiers, MAcc CPA, CA
Director of Financial Services

Peggy Van Mierlo-West

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

TOWN OF KINGSVILLE SECTION 357 & 358 APPLICATIONS

LISTING OF PROPERTIES ELIGIBLE FOR REBATE - October 2017

ROLL NUMBER	MUNICIPAL ADDRESS	MUNICIPAL TAXES	COUNTY TAXES	EDUCATION TAXES	BIA	TOTAL REFUND	TAX YEAR	SECTION	REASON FOR WRITE-OFF
050-000-00700	175 Pineway Park	\$ 123.65	\$ 90.75	\$ 39.00		\$ 253.40	2015	358	Structures Demolished
050-000-00700	175 Pineway Park	\$ 128.71	\$ 92.38	\$ 37.60		\$ 258.69	2016	358	Structures Demolished
180-000-04900	103 Park St	\$ 2,680.10	\$ 1,923.67	\$ 5,218.01		\$ 9,821.78	2016	357	Change Assessment to Exempt
260-000-02400	351 Lakeview Ave	\$ 237.60	\$ 169.23	\$ 64.51		\$ 471.34	2017	357	Pool Demolished
270-000-03201	690 Heritage Rd	\$ 1,375.10	\$ 987.00	\$ -		\$ 2,362.10	2016	357	Dog Park Portion Became Exempt
270-000-11200	442 Waterview Rd	\$ 92.73	\$ 66.04	\$ 25.18		\$ 183.95	2017	357	House Demolished
280-000-09000	1501 Heritage Rd	\$ 45.01	\$ 32.06	\$ 12.22		\$ 89.29	2017	357	House Demolished
310-000-00600	1335 Graham Sd Rd	\$ 40.46	\$ 28.82	\$ 10.99		\$ 80.27	2017	357	Garage Demolished
380-000-00200	1182 Road 2 W	\$ 642.22	\$ 457.39	\$ 174.36		\$ 1,273.97	2017	357	House Demolished
560-000-02420	11 William St	\$ 162.84	\$ 115.98	\$ 44.21		\$ 323.03	2017	357	Pool Demolished
560-000-09700	314 County Rd 34 E	\$ 949.39	\$ 676.17	\$ 257.76		\$ 1,883.32	2017	357	House and Garage Demolished
600-000-04202	218 County Rd 34 W	\$ 578.11	\$ 411.74	\$ 156.96		\$ 1,146.81	2017	357	House Demolished
	TOTAL	\$ 7,055.92	\$ 5,051.23	\$ 6,040.80	\$ -	\$ 18,147.95			



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Date: October 11, 2017

To: Mayor and Council

Author: Linda Brohman, Tax Collector

RE: Uncollectable Property Tax Write Off Under Section 354 of the
Municipal Act, 2001

Report No.: FS-2017-16

AIM

Request council authorization to write off uncollectable tax receivable balances on properties for which the owner cannot be located and the tax sale process is inappropriate. These write offs will ensure accurate receivable balances are reported on financial statements.

BACKGROUND

Section 354 of the Municipal Act, 2001 allows for the write off of property taxes under certain circumstances.

Section 354.2(a) allows the Treasurer of a local municipality to remove taxes from the roll if the council of the local municipality, on the recommendation of the Treasurer, writes off the taxes as uncollectible.

Section 354.4(b) permits the local municipality to write off taxes without conducting a tax sale provided the Treasurer includes a written explanation of why conducting a tax sale would be ineffective or inappropriate.

DISCUSSION

The Assessment Act mandates all property be assessed. In some cases the Municipal Property Assessment Corporation (MPAC) is forced to place a nominal value of \$10,000 or less on small strips of vacant land that seem worthless. Neither the Town nor MPAC has the authority to change the assessed value to nil.

Assuming the abutting property owners would be interested in purchasing these parcels, the Town is not in a position to offer them for sale as the Town is not the legal owner. In order to offer property to abutting land owners the municipality would first have to conduct an unsuccessful tax sale to vest the property in the municipality's name. Considering the

high cost of conducting a tax sale (approximately \$3,000 per property) and the low value of the subject properties it is impractical to proceed with tax sales in these instances.

The tax rolls in question and the proposed write off are summarized in the table below.

Roll Number	Municipal Address	Municipal	County	School Boards	Total Write Off
130-000-07950	THORNCREST REAR	21.10	15.03	5.73	41.86
130-000-08110	THORNCREST REAR	25.05	17.84	6.80	49.69
180-000-01550	S/S ERIE ST	24.39	17.37	6.62	48.38
270-000-37401	CEDAR CREEK S/S	16.32	11.62	4.43	32.37
270-000-37901	CEDAR CREEK S/S	7.58	5.40	2.06	15.04
300-000-31501	COUNTY RD 34	10.22	7.28	2.77	20.27
300-000-31502	COUNTY RD 34	41.21	29.35	11.19	81.75
310-000-09901	ORCHARD BLVD	49.45	35.22	13.43	98.10
	TOTAL	195.32	139.11	53.03	387.46

LINK TO STRATEGIC PLAN

Not Applicable

FINANCIAL CONSIDERATIONS

The municipal portion of the write off expense is \$195.32, which is within the 2017 budget limits.

CONSULTATIONS

The Director of Financial Services was consulted and is in agreement with the write off of the uncollectable taxes listed in the table above.

RECOMMENDATION

It is recommended that Council authorize tax write offs totaling \$387.46.

Linda Brohman

Linda Brohman, BBA
Tax Collector

Sandra Zwiers

Sandra Zwiers MAcc CPA, CA
Director of Financial Services

Peggy Van Mierlo-West

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



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Date: October 10, 2017

To: Mayor and Council

Author: Linda Brohman, Tax Collector

RE: Vacancy Rebate Public Consultation Results and Recommendation

Report No.: FS-2017-18

AIM

To provide council with results of the public consultation and to request council to support the elimination of the Vacant Unit Property Tax Rebate Program in Essex County, and request Essex County Council to seek approval from the Minister of Finance to enact a Regulation for Essex County to eliminate this Program, commencing for the 2018 taxation year.

BACKGROUND

At the May 23, 2017 council meeting, report FS-2017-008 was brought before council and the following motion was approved:

Motion 383-2017: Moved by G. Queen, seconded by S. McIntyre:
Council approves Administration to proceed, in principle, on a collective basis with the County Tax Collectors and Treasurers group to conduct a county wide public consultation session to propose the elimination of the Vacancy Rebate Program in Essex County effective for the 2018 taxation year.

DISCUSSION

A public input session was held on September 27, 2017 seeking feedback from property owners in regards to the elimination of the Vacancy Unit Property Tax Rebate Program. Additional feedback was also gathered through an online survey. The open house and survey were promoted by the County of Essex, and municipalities of Amherstburg, Essex, Kingsville, Leamington, Lasalle, Lakeshore, and Tecumseh. Representatives from each municipality attended the open house to answer any questions or concerns.

The open house and survey were promoted as follows:

- Posted on County of Essex website Sept. 18 - Oct. 02
- Advertisement in the following publications the week of Sept. 18:
 - o LaSalle Post
 - o Rivertown Times
 - o South Point Sun
 - o Essex Free Press
 - o Lakeshore News
 - o Shoreline News
 - o Kingsville Reporter
- County of Essex News Notification: Sept. 18
- 6 County of Essex Social Media Postings Sept. 18 - 29
- Facebook ad ran for 6 days – 4500 people reached, 82 link clicks (to County Of Essex website) and 5 ‘shares’ (folks shared the ad to their own personal pages).
- Posted on Town of Kingsville website Sept. 25 – 27
- Kingsville Facebook and Twitter posts on Sept. 20 & Sept. 25
- Letter emailed directly to Kingsville BIA members on Sept. 20

One business owner, who was not from Kingsville, attended the open house. Kingsville did not receive any phone calls during the consultation period. The County received 2 emails and 32 survey responses. In summary, the survey responses showed the respondents felt the Vacant Unit Tax Rebate program impact on them was:

- Not Important – 17
- Neutral – 3
- Somewhat Important – 2
- Very Important/Extremely Important – 10

One survey response mentioned Kingsville specifically, and the comment was in favour of eliminating the program.

The main issues in eliminating the program and counterpoints are summarized below:

Responses Received through Survey	Counterpoints
The program provides financial relief to owners to offset loss of rental revenues	Rebate program can discourage seasonal renting of commercial space (less than one year) and market driven rates
	Rebate programs that provide incentive for vacancy can be seen as counterproductive to other incentive programs that encourage occupancy and growth
	Some properties receive vacancy rebate year after year which suggest the program isn't addressing the main reason why the property is vacant
Elimination would discourage investment in commercial/industrial properties	Can contribute to speculative investment purchases that finance a period of vacancy longer than would otherwise be the case without the rebate program
The commercial tax rates are too high	Commercial and Industrial properties are taxed at a higher rate to account for their income potential

	Taxes in Kingsville are among the lowest in the County
	Businesses can write off property taxes against income for income tax purposes
It takes time to change the site specific zoning of a property	The <i>Planning Act</i> regulates the policies and procedures to change the zoning of a property. It is a public process in which input from other agencies and the public are sought. The municipality must follow the legislation.
	Assessment is based on the actual use of the land, not necessarily the zoning of the land.

The majority of the feedback received concluded the Program's impact was "Not Important" or "Neutral".

The Town of Kingsville is currently working on a Community Improvement Plan. The CIP has its own set of incentive programs to help commercial and industrial businesses. The goal is to help businesses improve existing structures which would help to eliminate vacancies.

The decision of the County Tax Collectors and Treasurers is to request our respective councils to support elimination of the vacancy rebate program. The next step would be for councils to request Essex County Council to seek approval from the Minister of Finance to enact a Regulation for Essex County to eliminate the program commencing with the 2018 taxation year.

LINK TO STRATEGIC PLAN

To develop an economic vision based on our strengths and opportunities that will retain existing and attract new businesses.

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

FINANCIAL CONSIDERATIONS

The elimination of the vacancy rebate program would reduce tax write off expense by approximately \$6,500 annually. The opportunity cost of staff resources assigned to the processing of applications and issuance of rebate cheques for the current program amounts to approximately \$1,250 annually. The first year the Town would see these savings would be in 2019. Council has the ability to apply these savings towards implementing CIP incentives in 2019.

CONSULTATIONS

County Tax Collectors and Treasurers
Karen Wettlaufer, BIA Coordinator

RECOMMENDATION

That council approve the elimination of the Vacant Unit Property Tax Rebate Program in Essex County, and request Essex County Council to seek approval from the Minister of Finance to enact a Regulation for Essex County to eliminate this Program, commencing for the 2018 taxation year.

Linda Brohman

Linda Brohman, BBA
Tax Collector

Sandra Zwiers

Sandra Zwiers, MAcc CPA, CA
Director of Financial Services

Peggy Van Mierlo-West

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



Vacant Unit Property Tax Rebate Consultation

Wednesday, Sept. 27, 2017



Agenda

- Welcome
- Vacant Unit Property Tax Rebate Program
- Provincial Amendments
- Current Program Challenge and Considerations
- Program Costs
- Future Program Options
- Next Steps



Welcome

- The County of Essex and all seven local municipalities in Essex County are considering the merits of the Vacant Unit Property Tax Rebate Program.
- We are soliciting feedback from commercial, industrial and residential property owners
- There are three ways for you to provide your feedback on the proposed changes:



County of
Essex

COUNTYOFESSEX.ON.CA¹³¹

Public Consultation Meeting

- We invite anyone attending the Open House to provide your comments to a representative from the municipality in which your business is located.
- Printed copies of the survey are available for you to complete at the Open House.
- Workstations have been setup at the Open House to complete the survey online.



Online Survey

- You may provide comments through an Online Survey
- Visit: countyofessex.on.ca
- Links to survey also available on Essex County local municipalities websites
- Survey results will be accepted until end of day, September 30th, 2017



E-mail Comments

- You may provide comments by e-mailing them to info@countyofessex.on.ca until September 30th, 2017



County of
Essex

COUNTYOFESSEX.ON.CA134

Overview

- Introduced in 2001, the Vacant Unit Property Tax Rebate Program provides property tax relief to owners of vacant commercial and industrial buildings.
- Local municipalities are mandated to have a program to provide tax rebates to owners of commercial or industrial property who have vacant portions.



Overview (cont'd)

- Property owners may apply to the municipality for a tax rebate for periods of vacancy.
- For commercial or industrial buildings to be eligible, the property or a portion of the property must be vacant for a period of at least ninety (90) consecutive days.
- Applicants are also required to meet specific municipal evidentiary requirements that must be satisfied for the owner to be entitled to the rebate.
- The current rebate percentage amount for vacant commercial space is 30% and vacant industrial space is 35%.



Provincial Amendments

- In 2016, the Province, in consultation with municipal and business stakeholders, undertook a review of the vacant unit property tax rebate program.
- The review was initiated in response to municipal concerns of any unintended implications this may have for local economies.
- On November 14, 2016, the Province released its Fall Economic Statement which provided municipalities with broader flexibility to tailor the Vacant Unit Rebate program to reflect community needs and circumstances.



Local Municipal Government Review

- Staff reports for local municipal Councils consideration were presented as follows:
 - Amherstburg – June 12, 2017
 - Essex – June 5, 2017
 - Kingsville – May 12, 2017
 - Lakeshore – June 13, 2017
 - LaSalle – June 5, 2017
 - Leamington – May 23, 2017
 - Tecumseh – September 12, 2017



Council Direction

- All seven local municipal Councils, as well as Essex County Council, directed Administration(s) to seek feedback on proposed changes
- To report back to local Councils and County Council in the Fall, with recommendations, following a review of the feedback received



Current Program Challenges and Considerations

- Vacancy allowance, chronic vacancy and/or reduced income due to vacant space are factors considered and adjusted for, when establishing the individual property assessments for the property, as established by Municipal Property Assessment Corporation (MPAC). When a vacancy rebate is granted, on top of the CVA considerations provided for with the property assessment, this can be viewed as “double-dipping”.
- The 90 day continuous vacancy requirement can discourage landlords from seeking and/or accepting short-term, pop-up and/or seasonal rentals.
- No guarantee that tax savings from the rebate program will be used to increase rental viability – can be counterproductive to other incentive programs which encourage redevelopment and occupancy growth like Community Improvement Plans.



Current Program Challenges and Considerations (cont'd)

- This is a business benefit that is largely subsidized by the residential class
- This is not a benefit which is afforded to other property classes which may experience a form of vacancy from time-to-time, such as residential or multi-residential properties



2016 Program Statistics

Municipality	Number of Applications Approved in 2016	% of Repeat (multiple year) Applications Received in 2016	Total Program Cost in 2016 (Municipal + County + School Board)
Amherstburg	12	75%	\$54,536
Essex	13	93%	\$24,443
Kingsville	6	83%	\$10,580
Lakeshore	21	80%	\$68,689
LaSalle	14	71%	\$67,732
Leamington	29	83%	\$48,549
Tecumseh	24	79%	\$105,439
Total	129		\$379,968

Future Program Options

- The County of Essex and our seven local municipalities are considering the options now available to make changes to the Vacant Unit Property Unit Tax Rebate Program
- Options available under the legislation include:
 - Status Quo
 - Phase-out of Program
 - Set new Eligibility Criteria
 - Class Fund Program
 - Impose Fee to Assist with Cost of Administering Program
 - Eliminate Program



Status Quo

- No change to existing program
 - Annual applications
 - 30% rebate for eligible vacant space within commercial buildings
 - 35% rebate for eligible vacant space within industrial buildings



Phase Out Program (1-3 yrs).

- Program would be phased-out over three years with a declining benefit each year
- Program would not be offered in the fourth year and beyond

Example	Application Year	Tax Year	Rebate Percentage (Comm/Ind)
Year 1	2018	2019	30% / 35%
Year 2	2019	2020	20% / 25%
Year 3	2020	2021	10% / 15%
Year 4	2021	2022	0% (Exit Program)



Eligibility Criteria

- Establish new eligibility criteria, in addition to 90 day vacancy requirement
 - Limit program to one type of building/structure i.e. new office developments



Class Fund Program

- All costs of the program, as well as the rebates, will be borne by the commercial and industrial classes alone
- Realigning cost of the program so that the residential class and multi-residential classes are no longer burdened
- The funding methodology of this option would need to be developed with both the County and Province



Impose Administration Fee

- The costs to administer the Vacant Unit Property Tax Rebate program are fairly significant.
- Site inspections may be necessary to validate period of vacancy.
- Fees to recover the cost of Administration of the Applications could be imposed.



Elimination of Current Program

- This option would conclude the Vacant Unit Property Tax Rebate Program.
- There would be no program offering for the 2018 application year and beyond.

Application Year	Tax Year	Rebate Available
2017	2018	Yes
2018	2019	No (Exit Program)
2019	2020	No



Next Steps

- Analysis of all feedback from in-person consultations, online survey and e-mail correspondence (beginning of October 2017)
- Staff will summarize feedback into themes and report back to respective local municipal Councils (by end of October 2017)
- Each local municipal Council will formalize a recommendation that will be forwarded to County Administration to aid in the development of a recommendation expected to be presented to Essex County Council in November 2017
- If Essex County Council approves any changes to the program, a resolution will be sent to the Minister of Finance, indicating that the County of Essex, in consultation and agreement with its local municipalities, wish to either:
 - “modify” or “eliminate” the vacant unit property tax rebate program.

Thank You

- Thank you for taking the time to provide us with your comments and feedback.
- Representatives from each of the local municipalities are here to also discuss possible changes to the Vacant Unit Property Tax Rebate Program and how that would impact your particular business.



County of
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COUNTYOFESSEX.ON.CA151

The County of Essex and the municipalities of Kingsville, Leamington, Essex, Tecumseh, LaSalle, Lakeshore and Amherstburg are considering a change to the existing vacancy tax rebate program for commercial and industrial properties. Under the proposal, these changes would go into effect for 2018.

The intent of this change is to encourage the use of vacant properties to help support vibrant and sustainable communities.

We welcome your feedback.

Do you benefit from a tax reduction for a vacant unit or vacant land? *

- ☐ Yes
- ☐ No

How important is a tax reduction for vacant units or vacant land in your business plan? *

- ☐ Not Important
- ☐ Somewhat Important
- ☐ Neutral
- ☐ Very Important
- ☐ Extremely Important

Is there anything else you would like to tell us about as we consider a change to the vacancy tax rebate program?

What impact would a discontinuation of the vacant unit rebate or vacant land tax reduction have on your business plan? *

- ☐ Limited Impact
- ☐ Significant Impact

Please describe the impact to your business plan. *



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

Date: October 18, 2017
To: Mayor and Council
Author: M. Durocher
RE: Skate Shop Tender
Report No.: PR 2017-04

AIM

To request council approval for the operation of the Arena Skate Shop based on the information provided in the attached RFP submission

BACKGROUND

At the conclusion of the 2016/17 hockey season the existing contract for the operation of the skate shop expired. A request for RFP's was advertised in order to solicit interest in the continued operation of this asset.

DISCUSSION

The skate shop and the services which it provides is a valuable asset to the Kingsville skating/hockey community. With the conclusion of the contract previously operated by Aaron Hickmott it was imperative that another operator be found to carry on this service. Ben Ward has a long history of working with hockey in Kingsville and also was involved in our Rusty Blade Hockey Tournament. The expanded services such as glove and pad repair, blade and helmet repair will add to the viability of the skate shop and allow for extended customer satisfaction with the arena services. The financial contribution that Mr. Ward is offering is the same as the previous operator's agreement, and therefore does not alter the budget for that particular operation.

LINK TO STRATEGIC PLAN

Improve recreational and cultural facilities and opportunities within the Town of Kingsville.

FINANCIAL CONSIDERATIONS

The operation of the skate shop is a planned revenue line in the arena budget. The proposed rent for this space is the same as the previous tenant paid.

CONSULTATIONS

Peggy Van Mierlo- West
Parks Recreation Arts and Culture Committee

RECOMMENDATION

That Council approve the RFP as submitted by Mr. Ben Ward for the operation of the Arena Skate Shop for the next 3 years.

Maggie Durocher

Maggie Durocher Hons. BHK
Manager of Parks and Recreation Programs

Peggy Van Mierlo-West

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

RFP- Operation of the Arena Skate shop – September 2017

Section A – Business plan

My growing small home-based business is looking for an outlet / storefront to showcase and make my services more readily available to the Kingsville arena users. In addition to sharpening skates, I plan to bring along a sewing machine to do basic repairs while people wait. Fixing skates, re-palming player gloves, sewing velcro or adding snaps can all be done there while customers wait. Also tape and skate-lace plus minor accessories that pertain to hockey will be sold.

I plan to take the first year to see which hours of operation are most needed. For this first year I will invest time and speak with the customers. From the information gathered I will develop a plan with the true needs and items I will need to offer to make this a viable growing business. As it grows I would also like to hire part time help to keep the shop opened as much as possible.

I will pay the rent in advance for each year in full. Upon viewing the current schedual I would have to be at the shop most of the weekend. However, For the first few months I will be there many evenings too. This will be to see what my requirements will be for a definitive “open for business” schedual.

Section B – Rent

Since this is a two-year contract with a one-year renewal and I would be behind the 8-ball by about a month or more to start I would like the start the first year @ \$500 for the season. I will be investing at least \$2000 in workbenches and machinery to get started. This is not including the supplies and machinery I would be bringing as well. Second season would be @ \$800. Each would be paid in full at the start of the season. Provided this works out and the sales/traffic is good I would pay for the 3rd year.

Section C – Services

In addition to skate sharpening I will be able to provide the following services listed below. With over 30 years of experience in the repairing of hockey equipment. Not to mention a 26-year background in the hockey business. Also, I would like to add coaching and playing in the Kingsville minor system for a total of 15 years.

Glove re-palming, skate repair and contouring, screws and replacement parts for helmets and skates, replacing skate blades and cowlings, sewing new velcro on to any items, repairing goalie equipment, re-lacing goalie gloves, fixing and sewing jerseys that are cut or torn, sewing new zippers into hockey bags, anything from minor stitching to major overhauls of any type of hockey equipment

Secondary to services I would like to have tape, skate laces, skate covers, and whatever else I feel the people would need me to have on hand.

Section D – Operation commencement

I would be able to start a skeleton work schedual ASAP, but would need approximately the first two months to set up and get some official hours of operation decided on.

Section E – Insurance

I currently have business insurance and with liability. I have called my agent and will present this before opening for business if my tender is accepted.

Section F – Workplace Safety

I will be a one-man operation for at least the first year. If this is needed when employees follow I will have it in place at that time.

Section G – Hours of Operation

As stated in the above, I plan on being there at least 30-40 hours a week until I can hammer down a schedual that I can post. I will have to see and become familiar with the ice schedules and be there to know when my services are needed. The final hours will be posted and should follow after a month or two.

Section H -

N/A

Please note: If any information or clarification is needed on any of the above please don't hesitate to call me @ 519-791-2455. Thank you.



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

Date: August 25, 2017

To: Mayor and Council

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

RE: PLC/02/17 – Amico Properties Inc.
100-148 Blue Jay Crescent
Lots 10-51 (inclusive), Plan 12M-598

Report No.: PDS-2017-039

AIM

To provide the Mayor and Council with information on an application for lands in the Royal Oak at the Creek subdivision (Phase 9) for exemption from part lot control.

BACKGROUND

The subject lands consist of forty-two (42) plan lots within the Royal Oak at the Creek Subdivision originally intended for the development of single detached dwellings. The developer is requesting exemption from part lot control to reconfigure lots 10 to 16, 28 to 41 & 45 to 51 into 20 blocks for development of semi-detached dwellings, eventually to be subdivided into 40 individual freehold units. Servicing needs and storm water have been reviewed and no issues identified. The Part Lot Control exemption would also apply to lots 17 to 27 and 42, 43 and 44 to make minor lot line adjustments to better align the single detached lot with the existing lots along Woodycrest Ave., however no additional lots are created as a result of these adjustments.

DISCUSSION

The subject properties are designated 'Residential' in the Official Plan and zoned 'Residential Zone 2 Urban Exception 6 (R2.1-6)' under the Kingsville Comprehensive Zoning By-law. The subject lands consist of forty-two (42) plan lots within the Royal Oak at the Creek Subdivision. Although the original intent of the subject lots was for the development of 42 single detached dwelling lots the zoning on the entire subdivision does also allow for the development of semi-detached dwellings and townhouses. The proposed change would reconfigure 28 single detached dwelling lots into 20 blocks to accommodate

a total of 40 semi-detached dwelling units. This would lead to a net increase of 12 dwelling units overall.

As part of the pre-consultation with the applicant it was suggested, by staff, that only lots abutting either existing semi-detached, townhouse or vacant single detached lot development be included as part of the requested exemption. A copy of both the existing lot layout and proposed layout are attached as Appendix A and B.

Once each semi-detached dwelling is constructed they are subdivided into individual freehold units. Exemption from part lot control is required to provide the developer the ability to convey the individual units via completion of a reference plan rather than individual consents (severance) on each parcel. This was the original intent at the time of the draft plan of subdivision and is the final step in the build out of the subject lands.

For a Sketch of the Proposed Lots, please refer to highlighted lots in Appendix B. Subsection 50(7) of the *Planning Act* authorizes Council to pass a by-law providing that the part lot control provisions of Section 50(5) of the said Act do not apply to lands designated in the by-law. If granted, the exemption would allow for the seven lots to be subdivided, as intended, into fourteen lots for each of the original proposed semi-detached dwelling units. The application is not subject to a public hearing or appeal because Council has already approved the entire subdivision in principle and the zoning of the lands is in place to accommodate the type of development. This is the final step in allowing the full build out on the subject lands.

LINK TO STRATEGIC PLAN

Manage residential growth through sustainable planning.

FINANCIAL CONSIDERATIONS

With the addition of more dwelling units in the final phase of development there will be some increase in the final assessment value of the lands once development is completed.

CONSULTATIONS

No public or agency consultations are required by the *Planning Act* when considering a Part Lot Control Exemption By-law. However, because of the number of lots involved and the time that has passed since the original approval the County Planner was consulted and requested that information be circulated to the abutting land owners for review and comment.

A Planning Advisory Committee meeting was held August 15th and written comments were submitted with the following comments or questions:

What impact will the change have on services, water, storm and sanitary?

Comment: At the time of the application Municipal Services requested information on servicing confirmation including storm water management. There have been no concerns expressed regarding the change based on the developer's review. A peer review of the developer's servicing assessment was also undertaken and did not identify any capacity issues.

Additional units will increase traffic

Comment: Any traffic impact that was undertaken at the time of the original development would have taken into consideration possible adjustment to the type of housing, single, semi or townhouse with a certain level of flexibility.

More units will add to existing on street parking volumes & gives the feel of a parking lot

Comment: Parking will be on the new streets and should not impact on parking on the existing streets. With the increase in dwelling proximity there does tend to be a sharing of driveways which does create a larger continuous surface that can give the parking lot feel.

Precedent of approval

Comment: The existing zoning permission has already established the potential for change so precedent is not being set by the requested change.

Finality of subdivision design

Comment: Changes in the housing market will always lend themselves to possible change in a developing subdivision. This was the primary consideration when it was suggested that only lots abutting existing semis, townhouses or vacant single detached lots be considered for reconfiguration to accommodate semis. This helps to maintain a certain level of expectation for any of the existing single detached development.

The overall subdivision has seen a number of changes as it has developed. Given that this is the final phase of development for Royal Oak it is unlikely that any additional changes will be entertained as much of the pattern of development has already been established on the abutting lands.

PAC 10-2017

Moved by Gord Queen, seconded by Shannon Olson, that the Planning Advisory Committee approve the recommendation with the addition that Municipal Services review the noted traffic safety concerns in the area.

Municipal Services was advised of the PAC recommendation regarding safety concern and indicated that monitoring of the area has been ongoing in terms of traffic signage and street parking. As the subdivision continues to build out and as comments are received from area residents additional measures may become necessary and will be implemented if warranted.

RECOMMENDATION

It is recommended that Council:

enact Part Lot Control Exemption By-law 83-2017 to allow Lots 10 to 16, 28 to 34, 35 to 41 and 45 to 51 on Plan 12M 598 to be exempt from Section 50(5) of the Planning Act,

enact Part Lot Control Exemption By-law 83-2017 to allow Lots 17 to 27 and 42 to 44 on Plan 12M 598 to be exempt from Section 50(5) of the Planning Act for the sole purpose of lot line adjustment of the existing single detached lot alignment only, and

direct administration to forward By-law 83-2017 and the Part Lot Control Exemption application to the County of Essex for final approval.

Robert Brown

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

Peggy Van Mierlo-West

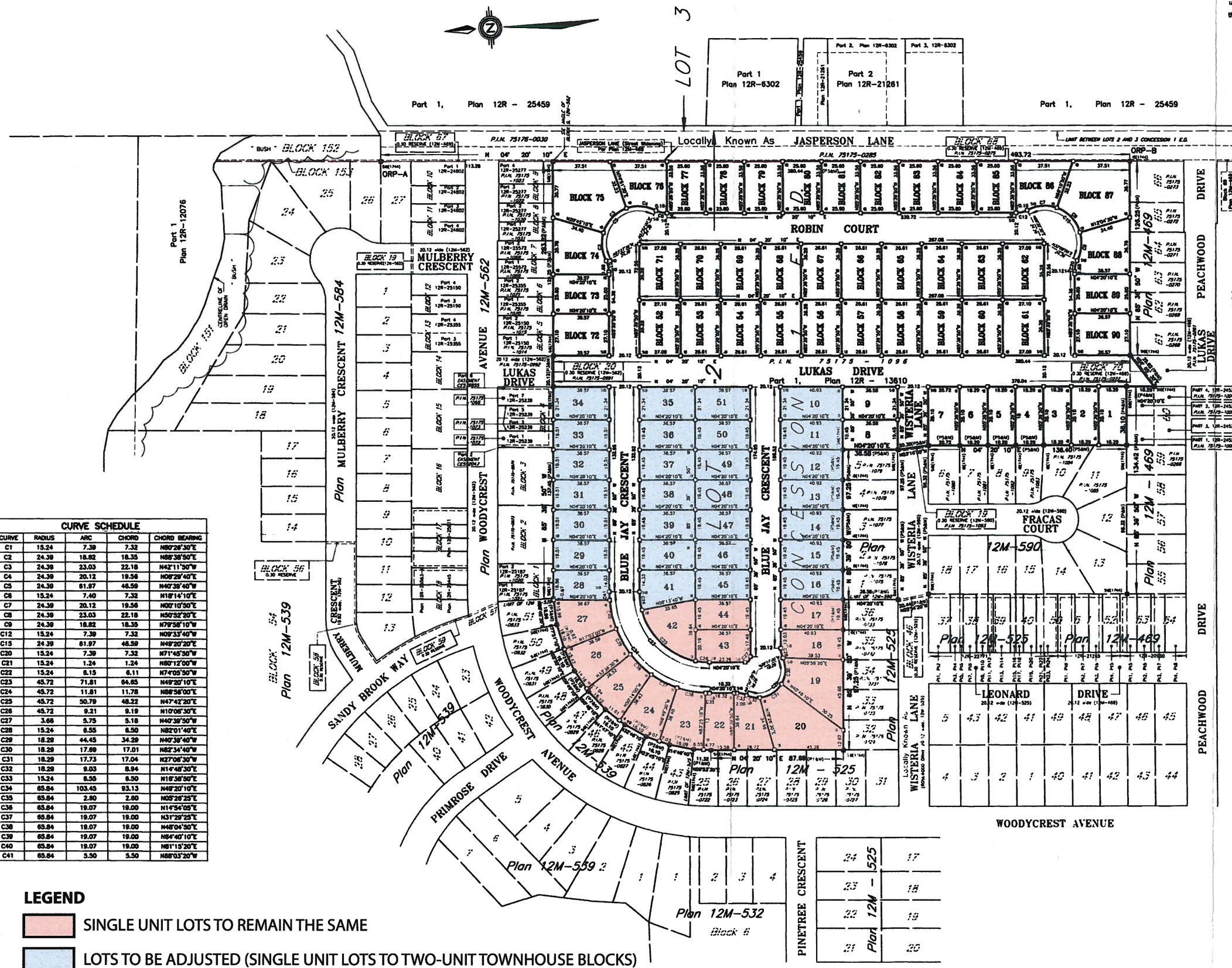
Peggy Van Mierlo-West, C.E.T.
Chief Administrative Officer

FIGURE 1

CURVE	RADIUS	ARC	CHORD	CHORD BEARING
C1	15.24	7.39	7.32	N80°26'30"E
C2	24.38	18.82	18.35	N88°38'50"E
C3	24.38	23.03	22.18	N42°11'50"W
C4	24.38	20.12	19.56	N60°29'40"W
C5	24.38	61.97	46.59	N40°39'40"W
C6	15.24	7.40	7.32	N18°14'10"E
C7	24.38	20.12	19.56	N00°10'50"E
C8	24.38	23.03	22.18	N50°52'20"E
C9	24.38	18.82	18.35	N79°58'10"W
C10	15.24	7.39	7.32	N49°33'40"W
C11	24.38	61.97	46.59	N49°20'20"E
C12	15.24	7.39	7.32	N71°45'50"W
C13	15.24	1.24	1.24	N80°12'00"W
C14	15.24	6.15	6.11	N74°05'50"W
C15	45.72	71.81	64.65	N49°20'10"E
C16	45.72	11.81	11.78	N88°56'00"E
C17	45.72	50.79	48.22	N47°42'20"E
C18	45.72	9.21	9.19	N10°06'30"E
C19	3.66	5.75	5.18	N40°39'50"W
C20	15.24	6.55	6.50	N82°01'40"E
C21	18.29	44.45	34.29	N40°39'40"W
C22	18.29	17.89	17.01	N82°34'40"W
C23	18.29	17.73	17.04	N27°06'30"W
C24	18.29	9.03	8.94	N14°48'50"E
C25	15.24	6.55	6.50	N18°38'50"E
C26	65.84	103.45	93.13	N48°20'10"E
C27	65.84	2.80	2.80	N05°28'25"E
C28	65.84	19.07	19.00	N14°54'05"E
C29	65.84	19.07	19.00	N37°29'25"E
C30	65.84	19.07	19.00	N48°04'50"E
C31	65.84	19.07	19.00	N57°40'10"E
C32	65.84	19.07	19.00	N67°15'20"E
C33	65.84	3.50	3.50	N86°03'20"W

LEGEND

- SINGLE UNIT LOTS TO REMAIN THE SAME
- LOTS TO BE ADJUSTED (SINGLE UNIT LOTS TO TWO-UNIT TOWNHOUSE BLOCKS)



37-T-12002
This final Plan of Subdivision is approved under s. 51 (58) of the Planning Act on this 19th day of July, 2014.
William King
WILLIAM KING M.C.P., R.P.P.
Manager, Planning Services
County of Essex

PLAN 12M-598
I CERTIFY THAT THIS PLAN IS REGISTERED IN THE LAND REGISTRY OFFICE FOR THE LAND TITLES DIVISION OF ESSEX (12) AT 12:11 O'CLOCK ON THE 19th DAY OF JULY 2014 AND ENTERED IN THE PARCEL REGISTER FOR PROPERTY IDENTIFIER 75175-1098 AND REQUIRED CONSENTS ARE REGISTERED AS PLAN DOCUMENT NO. CE 618793.

Belinda Lander
REPRESENTATIVE FOR LAND REGISTRAR

THIS PLAN COMPREHENDS ALL OF THE LAND IDENTIFIED BY P.L.N. 75175-1098

PLAN OF SUBDIVISION
OF
PART OF LOT 2
CONCESSION 1, EASTERN DIVISION
GEOGRAPHIC TOWNSHIP OF GOSFIELD SOUTH
NOW IN THE
TOWN OF KINGSVILLE
COUNTY OF ESSEX, ONTARIO
VERHAEGEN • STUBBERFIELD • HARTLEY • BREWER • BEZAIRE INC.

SCALE = 1:1250
0 12.50 25.00 50.00 75.00 100.00 METRES

"METRIC" DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

INTEGRATION DATA

COORDINATES ARE DERIVED FROM GPS OBSERVATIONS USING THE CAN-NET NETWORK SERVICE AND ARE REFERRED TO UTM ZONE 17 (81° WEST LONGITUDE) NAD83 (CSRS) (1997.0).		
COORDINATE VALUES ARE TO AN URBAN ACCURACY IN ACCORDANCE WITH SECTION 14(2) OREG 216/10		
POINT ID	NORTHING	EASTING
ORP-A	N4650454.549	E357291.285
ORP-B	N4650862.324	E357253.945
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.		

LEGEND AND NOTES

BEARINGS ARE UTM GRID, DERIVED FROM SIMULTANEOUS GPS OBSERVATIONS ON MONUMENTS "ORP-A" AND "ORP-B", SHOWN HEREON, HAVING A GRID BEARING OF N40°20'10"E NAD83 (CSRS) (1997.0) AND ARE REFERRED TO THE CENTRAL MERIDIAN OF UTM ZONE 17 (81° WEST LONGITUDE).

DISTANCES ON THIS PLAN ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.99982665

FOR BEARING COMPARISONS A ROTATION OF 1°04'00" CLOCKWISE WAS APPLIED TO THE BEARINGS ON PLAN 12M-582 TO CONVERT TO UTM BEARINGS.

LEGEND

- 58 DENOTES 25mm x 25mm x 1.22m STANDARD IRON BAR
- 58B DENOTES 25mm x 25mm x 0.61m SHORT STANDARD IRON BAR
- 6 DENOTES 16mm x 16mm x 0.61m IRON BAR
- 6B DENOTES 16mm x 16mm x 0.61m IRON BAR
- CC DENOTES CUT-CROSS
- CC DENOTES 30mm x 30mm STEEL PIN
- CC DENOTES SURVEY MONUMENT FOUND
- CC DENOTES SURVEY MONUMENT SET AND MARKED 1744
- CC DENOTES WITNESS
- (S) DENOTES SET
- (M) DENOTES MEASURED
- (D) DENOTES DEED
- (SSB) SHOWN ON THIS PLAN HAVE BEEN SET IN LIEU OF SIB'S WHERE THE POSSIBILITY THAT UNDERGROUND UTILITIES EXIST.
- (S/P) DENOTES SET PROPORTIONALLY
- (P) DENOTES PLAN 12M-489
- (P) DENOTES PLAN 12M-525
- (P) DENOTES PLAN 12M-525
- (P) DENOTES PLAN 12M-525
- (P) DENOTES PLAN 12M-525
- (P) DENOTES PLAN 12M-525
- (1744) DENOTES VERHAEGEN STUBBERFIELD HARTLEY BREWER BEZAIRE INC., O.L.S.

SURVEYOR'S CERTIFICATE

- I CERTIFY THAT:
- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
- THIS SURVEY WAS COMPLETED ON THE 3rd DAY OF JUNE, 2014.

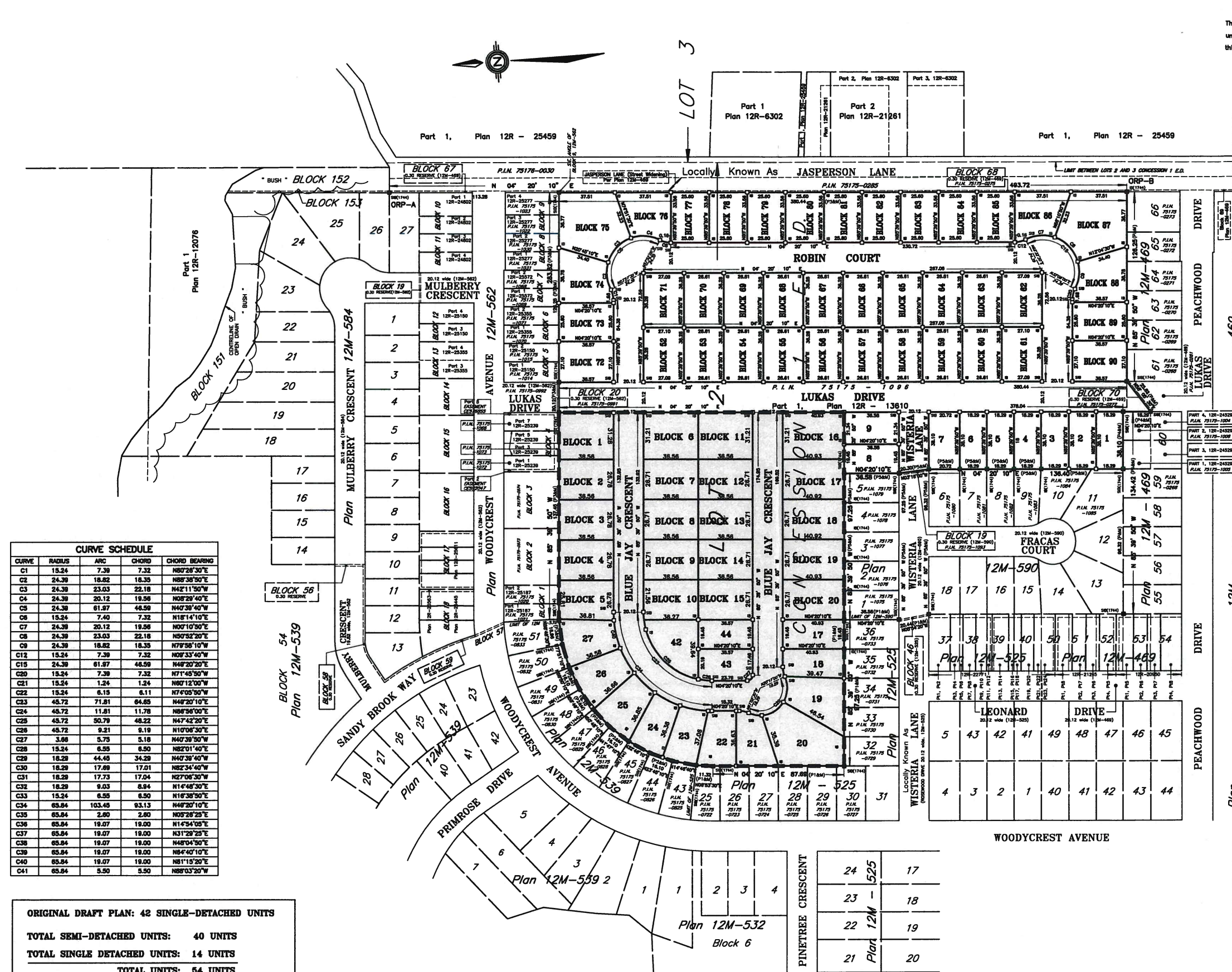
DATE JULY 3, 2014
Brian Coad
BRIAN COAD
ONTARIO LAND SURVEYOR
for VERHAEGEN • STUBBERFIELD • HARTLEY • BREWER • BEZAIRE INC.

OWNER'S CERTIFICATE

- THIS IS TO CERTIFY THAT
- LOTS 1 TO 51 (inclusive), BLOCKS 52 TO 90 (inclusive) THE STREETS NAMELY BLUE JAY CRESCENT, LUKAS DRIVE, ROBIN COURT AND WISTERIA LANE HAVE BEEN Laid OUT IN ACCORDANCE WITH OUR INSTRUCTIONS.
 - THE STREETS ARE HEREBY DEDICATED TO THE CORPORATION OF THE TOWN OF KINGSVILLE AS PUBLIC HIGHWAYS.
- AMCO PROPERTIES INC.
DATE JUL 3, 2014
Chris Prince
CHRIS PRINCE
I HAVE AUTHORITY TO BIND THE CORPORATION

WINDSOR 478 Devonshire Road, Suite 200 N9Y 2L5
Ph: (519) 258-1772 Fax: (519) 258-1771
LEAMINGTON 187 Talbot Street East N9M 1L8
Ph: (519) 252-5075 Fax: (519) 252-2875
ONTARIO LAND SURVEYORS
CAD Date: June 27, 2014 11:52 AM
CAD File: 51182908.1.dwg
Scale: 1:1250
E-Kingsville-1ED--2
PLAN FILE NO: H-72214

FIGURE 2



37-T-12002

This final Plan of Subdivision is approved
under ss 51 (58) of the Planning Act on
this 14th day of JULY, 2014.

WILLIAM KING

WILLIAM KING, MCIP, RPP
Manager, Planning Services
County of Essex

PLAN 12M-598

I CERTIFY THAT THIS PLAN IS REGISTERED
IN THE LAND REGISTRY OFFICE FOR
THE LAND TITLES DIVISION OF ESSEX (12)
AT 12:49 O'CLOCK ON THE 10 DAY OF
JULY 2014 AND ENTERED IN
THE PARCEL REGISTER FOR PROPERTY IDENTIFIER
75175-1096
AND REQUIRED CONSENTS ARE REGISTERED
AS PLAN DOCUMENT NO. CE618783

RICHARD LAVENDER
REPRESENTATIVE FOR LAND REGISTRAR

PLAN OF SUBDIVISION
OF
PART OF LOT 2
CONCESSION 1, EASTERN DIVISION
GEOGRAPHIC TOWNSHIP OF GOSFIELD SOUTH
NOW IN THE
TOWN OF KINGSVILLE
COUNTY OF ESSEX, ONTARIO
VERHAEGHE • STUBBERFIELD • HARTLEY • BREWER • BEZAIRE INC.
SCALE = 1:1250

"METRIC" DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES
AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

INTEGRATION DATA

COORDINATES ARE DERIVED FROM GPS OBSERVATIONS USING THE CAN-NET NETWORK SERVICE AND ARE REFERRED TO UTM ZONE 17 (81° WEST LONGITUDE),		
MAD3 (CSRS) (1997.0).		
COORDINATE VALUES ARE TO AN URBAN ACCURACY IN ACCORDANCE WITH SECTION 14(2) OREG 218/10		
POINT ID	NORTHING	EASTING
GRP-A	N4650454.549	E357291.285
GRP-B	N4650682.324	E357293.945
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS		

LEGEND AND NOTES
BEARINGS ARE UTM GRID, DERIVED FROM SIMULTANEOUS GPS OBSERVATIONS ON MONUMENTS "ORP-A" AND "ORP-B", SHOWN HEREON, HAVING A GRID BEARING OF N04°20'10"E NAD83 (CSRS) (1997.0) AND ARE REFERRED TO THE CENTRAL MERIDIAN OF UTM ZONE 17 (81° WEST LONGITUDE).

DISTANCES ON THIS PLAN ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.99982665

FOR BEARING COMPARISONS A ROTATION OF 1°04'00" CLOCKWISE WAS APPLIED TO THE BEARINGS ON PLAN 12M-582 TO CONVERT TO UTM BEARINGS

LEGEND

S# DENOTES 25mm X 25mm X 1.22m STANDARD IRON BAR
S#B DENOTES 25mm X 25mm X 0.81m SHORT STANDARD IRON BAR
DENOTES 16mm X 16mm X 0.81m IRON BAR
DENOTES 19mm diameter X 0.81m ROUND IRON BAR
cc CUT-CROSS
cp CUT
DENOTES 6mm X 50mm STEEL PIN
DENOTES SURVEY MONUMENT FOUND
DENOTES SURVEY MONUMENT SET AND MARKED 1744
WT DENOTES WITNESS
(S) DENOTES SET (u) DENOTES MEASURED (D) DENOTES DEED
S#B'S SHOWN ON THIS PLAN HAVE BEEN SET IN LIEU OF S#B'S WHERE THE
QUALITY MAY BE SUPERIOR TO PLATES EXIST
(O/P) DENOTES SET PROPORTIONALLY (u) DENOTES ORIGIN UNKNOWN
(P) DENOTES PLAN 12M-468
(P-1) DENOTES PLAN 12M-525
(P-2) DENOTES PLAN 12M-539
(P-3) DENOTES PLAN 12M-562
(P-4) DENOTES PLAN 12R-24529
(P-5) DENOTES PLAN 12M-650
(1744) DENOTES VERHAEGEN STUBBERFIELD HARTLEY BREWER BEZARE INC., O.L.S.

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM
2. THIS SURVEY WAS COMPLETED ON THE 3rd. DAY OF JUNE, 2014.

DATE JULY 3, 2014. BRIAN COAD

OWNER'S CERTIFICATE

1. LOTS 1 to 51 (inclusive), BLOCKS 52 to 90 (inclusive) THE STREETS NAMED BLUE JAY CRESCENT, LUKAS DRIVE, ROBIN COURT AND WISTERIA LANE HAVE BEEN LAID OUT IN ACCORDANCE WITH OUR INSTRUCTIONS.

2. THE STREETS ARE HEREBY DEDICATED TO THE CORPORATION OF THE TOWN OF KINGSVILLE AS PUBLIC HIGHWAYS.

AMICO PROPERTIES INC.

DATE JULY 3, 2014 CINDY PRINCE

CINDY PRINCE
I HAVE AUTHORITY TO BIND THE CORPORATION

VERHAEGEN

WINDSOR VERBODEN STUBBERFIELD LEAMING

475 Devonshire Road, Suite 200
ALBANY, NY 12206

Ph: (519) 258-1772

Fax (519) 258-1791 **ONTARIO LAND SURVEYORS** www.olsbbsurveyors.com

DRAWN BY: CMM CAD Date: July 12, 2017 11:42 AM

CHECKED BY: BC CAD FILE: ROADPNSC-Rev4.dwg 9
WORK ORDER: 11000-004 FILE NO.: 5 MILE: 15.0 PLAN FILE NO.: 11

9-1162909.1 E-Kingsville-120-2 H-72

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 83-2017

***Being a By-law to exempt certain lands
from Part Lot Control
(Royal Oak at the Creek Subdivision – Plan 12M-598)***

WHEREAS the Planning Act, R.S.O. 1990 c.P.13, as amended, provides that part-lot control shall apply where land is within a plan of subdivision registered before or after the coming into force of the Act;

AND WHEREAS Subsection 7 of Section 50 of the said Planning Act provides that the council of a municipality may by by-law provide that part-lot control does not apply to land that is within such registered plan or plans of subdivision or parts thereof as is or are designated in the by-law, and where the by-law is approved by the planning authority, Subsection 5 of Section 50, ceases to apply to such land;

AND WHEREAS it is deemed desirable that the provisions of Subsection 5 of Section 50 of the Planning Act shall not apply to certain lands that are within Registered Plan 12M-598, in the Town of Kingsville;

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

1. That Subsection 5 of Section 50 of the Planning Act, R.S.O. 1990, c.P.13, does not apply to those parts of the registered plan described as follows:

All and singular those certain parcels or tracts of land and premises lying and being in the Town of Kingsville, being Lots 10-16 (inclusive), Lots 28 to 34 (inclusive), Lots 35 to 41 (inclusive) and Lots 45 to 51 (inclusive), on Plan 12M-598, locally known as Blue Jay Crescent.

All and singular those certain parcels or tracts of land and premises lying and being in the Town of Kingsville, being Lots 17 to 27 (inclusive) and Lots 42 to 44 (inclusive), on Plan 12M-598, locally known as Blue Jay Crescent, for the sole purpose of lot line adjustment to the existing single detached dwelling lots.
2. That the development of the lands more particularly described in Section 1 of this by-law shall only be by way of descriptions of lands on a registered Reference Plan, which Reference Plan has been duly approved by the Corporation.
3. This by-law shall expire on September 11, 2022.

READ a FIRST, SECOND and THIRD time and FINALLY PASSED this 11th day of September, 2017.

MAYOR, Nelson Santos

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 83-2017

***Being a By-law to exempt certain lands
from Part Lot Control
(Royal Oak at the Creek Subdivision – Plan 12M-598)***

WHEREAS the Planning Act, R.S.O. 1990 c.P.13, as amended, provides that part-lot control shall apply where land is within a plan of subdivision registered before or after the coming into force of the Act;

AND WHEREAS Subsection 7 of Section 50 of the said Planning Act provides that the council of a municipality may by by-law provide that part-lot control does not apply to land that is within such registered plan or plans of subdivision or parts thereof as is or are designated in the by-law, and where the by-law is approved by the planning authority, Subsection 5 of Section 50, ceases to apply to such land;

AND WHEREAS it is deemed desirable that the provisions of Subsection 5 of Section 50 of the Planning Act shall not apply to certain lands that are within Registered Plan 12M-598, in the Town of Kingsville;

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

1. That Subsection 5 of Section 50 of the Planning Act, R.S.O. 1990, c.P.13, does not apply to those parts of the registered plan described as follows:

All and singular those certain parcels or tracts of land and premises lying and being in the Town of Kingsville, being Lots 10-16 (inclusive), Lots 28 to 34 (inclusive), Lots 35 to 41 (inclusive) and Lots 45 to 51 (inclusive), on Plan 12M-598, locally known as Blue Jay Crescent.

All and singular those certain parcels or tracts of land and premises lying and being in the Town of Kingsville, being Lots 17 to 27 (inclusive) and Lots 42 to 44 (inclusive), on Plan 12M-598, locally known as Blue Jay Crescent, for the sole purpose of lot line adjustment to the existing single detached dwelling lots.
2. That the development of the lands more particularly described in Section 1 of this by-law shall only be by way of descriptions of lands on a registered Reference Plan, which Reference Plan has been duly approved by the Corporation.
3. This by-law shall expire on October 23, 2022.

READ a FIRST, SECOND and THIRD time and FINALLY PASSED this 23rd day of October, 2017.

MAYOR, Nelson Santos



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

Date: October 23, 2017
To: Mayor and Council
Author: Kevin Girard, Manager of Municipal Services
RE: Annual Traffic By-Law Amendment
Report No.: MS 2017-49

AIM

To receive Council direction with respect to the various requests received which would require an amendment to the Traffic By-Law 21-2005.

BACKGROUND

The current Traffic By-Law 21-2005 is now 12 years old and has had 10 amendments since its adoption. Since its last amendment, Administration has received numerous requests for consideration to further amend the current traffic by-law. These requests were investigated and the following were deemed viable for investigation and public input:

1. Addition of 'No Parking' signs on the west side of Kratz adjacent to the soccer fields;
2. Addition of 'No Parking' signs on Jan's Crescent;
3. Addition of 'No Parking' signs on the North side of Thorncrest Street;
4. Addition of 'No Parking' signs on the north side of Pulford Street; and
5. Posting Division Street South as a 'No Truck Route' and having Wigle Avenue as the designated truck route.

On September 19, 2017 a Public Input Session was held to discuss the requests received since the last amendment and receive comments on them directly from the Public. There were 27 residents in attendance and many more comments were received by Administration through email, which are attached for your convenience.

Visuals that were available at the Public Input Session are attached in the appendix.

DISCUSSION

The comments included in the appendix of this report are summarized below for each proposal with the investigations from Municipal Services.

1) 'No Parking' on West Side of Kratz Sideroad

A representative of the Kingsville Soccer Association was in attendance at the Public Input Session. The concerns voiced were aimed towards the safety of the children that play in these fields and the danger that the parking in this location creates for these children. There were no objections voiced against the implementation of No Parking signs in this location.

2) 'No Parking' in Jan's Crescent Cul-de-sac

Home Owners that attended the Public Input Session were unopposed to the proposed no parking on Jan's Crescent. The only suggestion that was made was to include the centre island of the cul-de-sac in the no parking zones. There were no comments received that were opposed to the proposal.

3) 'No Parking' on North Side of Thorncrest Street

The property owners that attended the Public Input Session were avidly against the proposal to add no parking to the north side of Thorncrest. In addition, the attached includes emails from those who could not attend in protest of the proposal. There were no comments received that were in favour of the proposal.

4) 'No Parking' on North Side Pulford Street

The consensus of those residents who represented Pulford Street at the Public Input session was that the residents were pleased with the proposal and the placement of the no parking signs on the north side of the road. There were no comments received that were opposed to the proposal.

5) 'No Truck Route' on Division Street South

Many requests were made by residents to reduce the truck traffic that travels both Division Street South and Park Street. Originally Municipal Services had proposed alternating the truck route between Wigle Avenue and Division Street South by limiting truck usage to each road for certain months of the year. After investigation of this proposal it was realized that feasibility of enforcement was very limited and difficult. It was decided to change the proposal to have Wigle Avenue as the designated truck route for the sole reason that its industrial presence is far greater than Division.

Many comments were received from property owners regarding the truck routing proposal. The public input session revealed a strong opposition to the proposal and resulted in multiple emails, all of which are included, also voicing strong opposition to the proposal. The main concerns regarding this proposal from residents were the inability for trucks to turn on Wigle from Main Street as well as the safety of the public due to increased truck traffic on Wigle.

LINK TO STRATEGIC PLAN

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

FINANCIAL CONSIDERATIONS

All expenses for signage as a result of Council's direction will be incurred in the 2017 Public Works operational budget.

CONSULTATIONS

Municipal Services
Public Input Session

RECOMMENDATION

That Council approves the following amendments to the traffic by-law:

1. No parking is permitted on the west side of Kratz Sideroad adjacent to soccer fields from Road 2E to approximately 275m south of Road 2E;
2. No parking is permitted on the east side of Jans Crescent or in the cul-de-sac including the centre island; and
3. No parking is permitted on the north side of Pulford Street from Division Street North to Spruce Street North.

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



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

**PUBLIC INPUT SESSION – September 19TH, 2017
ANNUAL TRAFFIC BYLAW REVIEW**

SIGN-IN SHEET

Name	Address	Phone Number
David Wye		
Betty Tomek		
Norma Pantow		
NANCY POLLARD		
PERRY RINGROSE		
PENNY RINGROSE		
Erna Buckley		
Nick Buckley		
Mary Stifft		
Cheryl Patterson		
Tom & Linda Valentine		



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**PUBLIC INPUT SESSION – September 19TH, 2017
ANNUAL TRAFFIC BYLAW REVIEW**

SIGN-IN SHEET

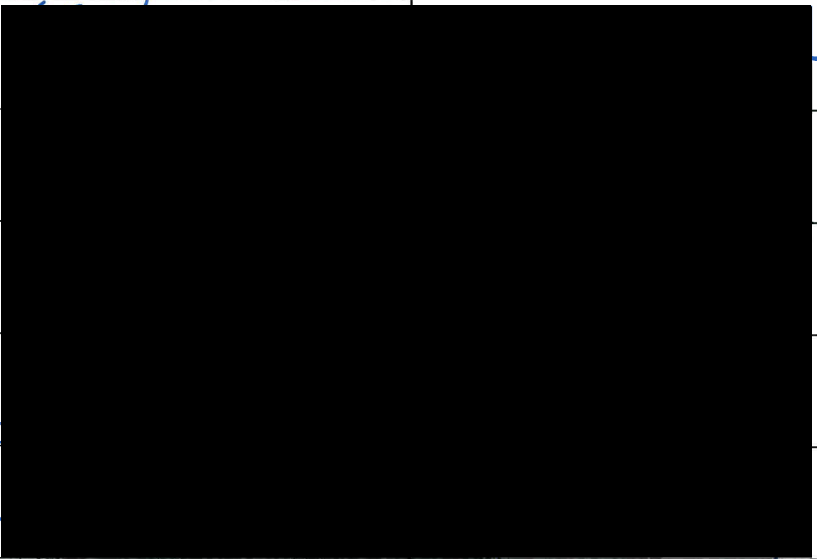
Name	Address	Phone Number
Melissa DeBock		
Wayne HALPERT		
Sally Bell		
Bob Bell		
Jean Brown		
Mike Storey		
Fred Bell		
McDane		
L. Gray		
OWEN KANE		
Ursula Murray		



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**PUBLIC INPUT SESSION – September 19TH, 2017
ANNUAL TRAFFIC BYLAW REVIEW**

SIGN-IN SHEET

Name	Address	Phone Number
George Dekker		
Ryan Sanger		
BRANDON RODDIFORD		
DLAPORTE		
Kathy + Gill Balcer		

Public Input Session - Traffic by-law Amendment

Road	Name	Question/Concern
KRATZ	Mike Stary 177 Coghill Dr	request placed on behalf of Kingsville Soccer Association due to safety concerns
	David Wye 85 Walnut St	Is area a viewpoint for people or parents to watch the game? Is there parking available for the fields other than this area?
JANS CRES	Nancy Palmer 17 Jans	only one "NO Parking" sign going up? No parking enforcing during yard sale?
	Sally 7 Jans Cres	No parking around median?
	Norma 25 Jans	no parking along red line in example diagram?
THORNCREST	Melissa DeBlock 44 Thorncrest	neighbour has no driveway, small child, would have parking issues; speeding issued on Thorncrest, opening up road would contribute/increase speeding believes Thorncrest should not be limited parking, McCallum is thoroughfare road Fire department has no issue w/driving down road what about unplated vehicle that is blocking sidewalk?
	Buckley 16 Thorncrest	live on north side, do not believe parking is an issue, but speeding; put in speed bumps, or lower speed limit; opening up road would increase speeding
	Decker 66 Thorncrest	inquiring what triggered this proposal of no parking why the north side?
	48 Thorncrest	how will you allow additional parking on the street if you follow through w/no parking? Speeding is an issue; if vehicle is parked for weeks, is there any enforcement?
	Penny 62 thorncrest	one resident has numerous vehicles which park on road, limiting parking
PULFORD	Mrs. Grace 70 Pulford	supports idea concerned w/parked cars and children walking to school
	Linda Valentine 79 Division St N	100% behind no parking people come around the corner quickly, garage employees park on street, service vehicles park on street, has become main thoroughfare for subdivision in the east
TRUCK ROUTE	Dennis Laporte 261 Lakeview Ave	why the change? What is the vehicle count on the road? When was that count last taken?
		we know what business drives this issue; unbelievable the trucks/traffic in front of his house, ridiculous assinine proposal
		typical of this municipality pitting neighbour against neighbour, ridiculous to force traffic down Wigle Ave; ridiculous, expropriate loud

Road	Name	Question/Concern
	Mary St. John 271 Lakeview Ave	trucks have to get into factories, do you want these big trucks to come down our main street, to Wigle? Why can't they keep using Division south? I can't even get out my street at Erie Ave.
		the children or the corner of Wigle & Lakeview, what will they do for school buses?
	Mr. Decker 66 Thorncrest	traffic study? Will it be done soon, will it take this route into account?
	Wayne Helpert 22 Mettawas	doesn't want the trucks coming down Division planners need to find a solution, people are not happy either way.
	Mary St. John 271 Lakeview Ave	truck route, how will it affect Lansdowne?
	Sheryl Patterson 211 Wigle Ave	people want Southwestern Sales gone, are you going to eliminate these jobs? What's the difference between a delivery and stone truck? I have lived on Wigle for 40 years; would a delivery truck be allowed to use Division for Brian's? traffic at Main & Wigle is ridiculous, took 9 minutes to get from IDA to Chuckwagon took alternate route through subdivision - took 7 minutes agrees with Mr. Laporte in regards to traffic at his driveway
	DeBlock	traffic at McDonalds is horrendous and needs to be addressed
	Cathy Baker 255 Lakeview	came in late, is this proposal final? Division driven complaints have caused this idea? Dust, gravel, traffic all night long, Neuford Stamping across the street poor timing for the meeting; agrees that an options through Industrial road would be a good one Planning Dept needs to go back to the drawing board.
	Mr. Valentine Division & Pulford	truck traffic would be routed down Pulford St.
	David Wye 85 Walnut St	kingsville since 1976 life long truck driver area used to be a large industrial area, dying industrial community coal dock is the only lake erie port in the area both truck routes need to stay open, turns are way too tight easier for drivers to turn left on Main for Wigle, straight to the corner community needs to make truck routes safe & a priority requested for more viable truck routes put pressure on better road improvements, better truck routes no truck signs can cause route mistakes, and trucks being on load restricted roads these drivers don't know our road network, we need designated truck routes there are more viable ways of reducing traffic

Road	Name	Question/Concern
		ask council to look into alternate solutions both routes have advantages/disadvantages trucking standpoint, you can't eliminate Division route
	Jan's cres	increased construction round town will add to traffic problems procedure for route change? Does Kevin address council w/report? Where will notice be posted of council meeting?
	Wayne Helpert 22 Mettawas	would a loaded route be feasible?
	David Wye 85 Walnut St	no truck route signs and lack of truck routes signs
	Dennis Laporte 261 Lakeview Ave	quality of life issue, can't breathe w/diesel fumes. Open up Industrial Road.
	Brandon and Beth Riddiford 116 Division St S	Large trucks stop in front of my house to shop shop on division. I do not have any issue with the truck traffic on Division Street South. I have lived at this address since 1997 and understand the traffic is necessary for both the coal dock and ferry. My wife is also in agreement.
	116 Division St S	have been there for 20 years, supports Division road traffic route, nothing has changed through the township
	<i>Multiple Contacts</i>	<i>Emails from various stakeholders are found in the attached.</i>

Kevin Girard

From: Christina Martin <[REDACTED]>
Sent: September-18-17 9:31 AM
To: Kevin Girard
Subject: Parking on Thorncrest Street

Good morning,

It has recently come to my attention that there is a proposal to have one-sided parking on Thorncrest Street. I will unfortunately be unable to attend the public input session - as I run my own business and was not given adequate notice to change my schedule in time. However, I would like to reiterate some of the points and concerns that Ryan Sanger has outlined in a previous email.

Notably:

- that I feel neither side of Thorncrest requires a 'No Parking' sign at the present time: there are very rare situations where two approaching cars meet and have to give way
- doubling up parking on one side of the street would create a thoroughfare for traffic to have increased speeds on the street: we already see quite a bit of speeding on Sumac's cul-de-sac

I agree with his suggested alternatives which include:

1. Leaving parking available on both sides of the street
2. Rotating 'No Parking' between the South and North sides on a monthly basis.
3. Outlaw Street Parking completely on Thorncrest or limit to 1 or 2 hours at a time.

Thank you for your time,

Dr. Christina Martin
BSc.H, MSc., DVM
Owner, Lakeside Animal Hospital
[REDACTED]

Kevin Girard

From: Ryan Sanger [REDACTED]
Sent: September-15-17 10:01 AM
To: Kevin Girard
Cc: Tony Gaffan
Subject: Traffic By-Law Amendments- Thorncrest St.

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Dear Kevin Girard and members of council,

I am writing this email to be included in the public comments for the September 19, 2017 public input session specifically as it applies to the No Parking signs installed on the North side of Thorncrest St.

I am a resident of Thorncrest St. on the South side. I understand the complaints resulting in a request for one sided parking are not specific to either side of the street. The Town has identified 2 fire hydrants on the North side of the street which would impact number of spaces available resulting in their decision as proposed. I would bring to your attention a 3rd fire hydrant on the south side of Thorncrest and west side of Sumac that would impact parking space on the south side of Thorncrest. The net impact is a loss of only 1 parking spot if the South was chosen over the North side for No Parking.

However, in my opinion neither side of Thorncrest requires a 'No Parking' sign at the present time. At any given time the cars are sporadically parked along both sides of the street and there are rarely situations with cars parked directly across from each other. As a result in the rare circumstance where two cars are approaching from opposite directions it is common practise for one side to wait while the other car passes. On a non-thoroughfare type residential street such as Thorncrest this is a non-issue. In fact it actually helps to regulate (slow down) traffic to ensure young children can safely play near the road and on the sidewalks close to the road.

If one side was chosen as No Parking you would double up the parking on the other side. This would create a straight thoroughfare for traffic increasing speeds on the street. Additionally, the street sweeper would never get close to the curb on the street with double the parking and the snow plow would never effectively clean the snow leaving potentially inaccessible driveways on one side of the street. I do not feel it is right to unfairly burden either side of the street (the South side as proposed) for the reasons above.

As an aside, as I am unaware of when the complaint was made, but I would like to add that Thorncrest has seen the sale of about 5 or 6 houses in the last year. Most of these sales resulted in families moving out and moving in at the same time and were all clustered in the same section of Thorncrest (40's-60's). I remember at that time one family had a large trailer parked on the street for a 2-3 week period and there was a lot of activity on both sides of the road. I can confirm that the trailer is no longer there and the street parking activity has subsided to normal. I strongly believe this was a short term pain and as a resident I was definitely impacted but I understood given the turnover of housing. I don't feel that this would warrant a By-Law amendment to parking on the street.

In Conclusion:

My thoughts on how to proceed:

1. Leave parking available on both sides of the street

2. Rotate 'No Parking' between the South and North sides on a monthly basis. Sign cost minimal. By-law enforcement costs increased but arguably insignificant. Would require monitoring and enforcement on the first 2-3 days of each month and on an 'as needed' (compliant) basis from there.
3. Outlaw Street Parking completely on Thorncrest or limit to 1 or 2 hours at a time.

Thank you for your time,

Ryan Sanger

Kevin Girard

From: matthew carter [REDACTED]
Sent: October-02-17 5:27 AM
To: Kevin Girard
Subject: Parking on Thorncrest

Hello Kevin,

I live on Thorncrest Street and I am vehemently against the proposed and any similar parking restrictions. I drive on my street multiple times a day and maybe about twice a month I may have to pull over to the side to let someone go by. It takes less than ten seconds. That is twenty seconds a month of minor courtesy compared to 24/7 of adhering to a useless law. Not to mention that one side of the street will constantly be annoyed with cars parked in front of their house that are not theirs, most likely forcing them to park farther down the street. While the other side will never be able to park in front of their house. It is great now-with few exceptions everybody has the ability to park in front of their own house. That is worth twenty seconds or less of time a month.

I know that this is coming in late-I apologize for that but I would like to know when a decision is made on this and what it is.

Thanks
M. Carter

Kevin Girard

From: cityworks@countyofessex.on.ca
Sent: September-22-17 12:55 PM
Subject: Request # 16364 has been Created

Request: MISCELLANEOUS STREET 16364
THE TOWN OF KINGSVILLE
SERVICE REQUEST

<u>Request ID:</u>	16364
<u>Dispatched To:</u>	
<u>Contractor:</u>	
<u>Incident Address:</u>	Lakeview Ave
<u>Incident Location:</u>	Lakeview Ave
<u>Problem Code:</u>	MISCELLANEOUS STREET
<u>Incident Details</u>	
<u>Submitted To:</u>	GIRARD, KEVIN
<u>Caller Comments:</u>	
<u>Incident Comments:</u>	<p>By SANTOS, LINDA: 9/22/2017 12:55:12 PM</p> <p>Hello. My name is Steve Whitfield. I live at 251 Lakeview Ave. Kingsville. We are just Down the street from southwesterns terminal. I was appalled to hear from a neighbour that attended the towns information session about truck traffic, that one of options presented was to divert all truck traffic down Lakeview ave and up Wiggle. This is a very bad idea (if it's true) my house has small children and the multi unit housing across from us is filled with young families with small children. There is a disproportionate amount of small children running onto the roads on our street. Just last week i personally grabbed a 2 year old child that had run into the road to play in water being flushed from a nearby fire hydrant(you can ask the city worker that was flushing the hydrant, he saw the whole thing). Truck traffic being diverted down lakeview affects quality of life. We already have non stop trucks driving down lakeview. In fact we just assumed the proposal being brought was to divert all truck traffic up division road! Not the other way around!!! Something needs to be done to STOP trucks from driving down lakeview ave. Now before someone gets hurt or killed. What about making a road between industrial road through too Main Street?</p> <p>Thank you for your time.</p> <p>Steve Whitfield 251 Lakeview Ave Kingsville N9y1n8</p>

Kevin Girard

From: Lisa Taylor [REDACTED]
Sent: September-15-17 1:38 PM
To: Kevin Girard
Subject: FW: "NO TRUCK" Meeting 9/19/2017

Importance: Low

Follow Up Flag: Flag for follow up
Flag Status: Flagged

From: Lisa Taylor [mailto:lisa-nsc@bellnet.ca]
Sent: September 15, 2017 8:46 AM
To: 'Jake Neudorf' <jake-nsc@bellnet.ca>
Subject: "NO TRUCK" Meeting 9/19/2017
Importance: Low

Kevin Girard

In response to the "No Truck" route being implemented on Division St. S.

We, Neudorf Stamping Corporation, at 200 Lakeview Ave. have been at this location since February 28, 1988. Almost 30 years.

We are one of many businesses on Lakeview and surrounding area which rely heavily on incoming and outgoing Trucks. Having All the truck traffic only on Wigle Street will cause

production problems and wait times as they travel through town. Wigle and Main Street intersection is already extremely congested without this rule in place. Hwy # 3 is the main truck entrance to Kingsville leading to Division Rd.

Rerouting trucks to go further through town is environmentally worse, as well as more dangerous for pedestrians and going through school areas. Our property taxes to this Town are almost \$30,000 per year therefore we feel as though we as well as

The other businesses in this area, deserve to have a say in this matter and we feel that his is not logical for any of us.

Lisa Taylor
Office Manager
Neudorf Stamping Corp.
P:519-733-8405 F:519-733-5074
Lisa-nsc@bellnet.ca
www.neudorfstamping.com

Kevin Girard

From: Dave Jackson [REDACTED]
Sent: September-19-17 11:09 AM
To: Kevin Girard
Subject: Truck Traffic

Good Morning;

This email is to provide our input to the proposal to restrict truck traffic on Division South and Wigle Avenue for portions of the year.

First of all, how many complaints were received about truck traffic on these streets?

We operate a trucking company and a truck and trailer repair business, both on Wigle Ave. Proposed restrictions would add costs and pollution as trucks would have to take a longer route to get here. This would affect all businesses that utilize trucks in the area bounded by Main, Division, Wigle and the lake, which translates into a LOT of trucks.

Has anyone considered the impact at the Main and Division intersection? When truck traffic is restricted to Wigle, any truck headed for Division north will be forced to make a right turn at this intersection. Traffic is already terribly slow here, and you are proposing to make it worse. When traffic is restricted to Division, trucks heading east on Main will be forced to make a right turn at the same intersection. If you're not familiar with tractor trailers, they need about 3 lanes width to make these right turns, and often have to wait quite a while to get an opening in traffic so they can safely make these corners. The backups at the main intersection will get much worse.

The proposal won't decrease traffic, it would only concentrate the traffic to one area. Trucks aren't driving down these roads for fun, they are there to service the industries that provide a lot of jobs and a lot of tax revenue to the town.

We oppose ANY restrictions to truck traffic on both Wigle and Division South.

And since we're talking about traffic, why not decrease the green light time for north/south traffic on Division, and increase green light time for East/West traffic on Main? We have all sat in that lineup, while very few vehicles are going on Division, traffic backs up sometimes as far as the High School!

Thank you

Dave Jackson

519-733-6331 (P)

888-908-8266(F)

[REDACTED]

Kevin Girard

From: Patti Howe [REDACTED]
Sent: September-19-17 12:57 PM
To: Kevin Girard
Subject: Traffic by-law amendments

Sept. 19/2017.

From: Ron Howe
owner - Howe Paving
159 Wigle Ave.
Kingsville, Ont

To: Kevin Girard

Re: No Truck route on Wigle Ave, or Division St. South

Hi Kevin, Im sorry that I cant make the meeting tonight. But i have some concerns about this matter.
I feel, there are too many businesses in the area proposed, that are in the need of trucks using these roads.

Just to name a few, myself - Howe Paving, also Pete N Annes Trucking, Percissions Spring, Kingsville Stamping,
Kingsville Plastic, Southwestern sales,
La Nassa Food, and Brians.

These restrictions could cause a major distrubance in any of these businesses. By denying them access to their place of business -- because of a NO TRUCK route.

I feel very stongly that this distrubance of the flow of trucks will cause more of a traffic problem. The intersection of Wigle Ave. and Main Street, can not adecuately handle a truck coming from the west, trying to turn right onto Wigle Ave, as there is no right-hand turn provision in place.

At one time --- the town accepted Wigle Ave. as an industrial area, and I am wondering why, the town would consider abandoning this plan. With the amount of businesses located in the area... as i stated above.

As a business owner, on Wigle Ave. and a resident of Kingsville for 60 years, I feel this proposal for a no truck route is unacceptable.

Thank You for listening to my concerns

Ron Howe/Howe Paving

Kevin Girard

From: Nelson Santos
Sent: September-27-17 7:46 PM
To: Steve Whitfield
Cc: Kevin Girard
Subject: RE: Southwestern truck traffic

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Good afternoon Steve,

Thank you for your message and outlining your concerns in the area. Firstly, I apologize for the delay in responding but wanted to acknowledge the time you took to reach out.

The town management team held a public forum and open house style last week, to basically get a better pulse of the concerns that have been identified over the recent months to past year about traffic, and truck traffic from this long-established and pretty much founding area of Kingsville.

The meeting was meant to have a good discussion and allow residents to put forward their concerns publically. At the meeting, I can confirm that the administration did put forward the suggestion of routing the truck traffic strictly to the Wgle Avenue corridor while previously they were also looking for comments about alternating the hours of when truck traffic could come through with Wgle or Division Street South. Based on the discussion at the meeting, there didn't appear to be any concrete support to make such a change and will likely not see that recommended in the future presentation. Realistically, both these roadways have served the industry/commercial/harbour area for truck traffic cohesively and as a shared responsibility. The meeting, did have residents speak in favour of maintaining the shared responsibility recognizing that the location of the destination points have benefits specific to their trip. It was about 4-5 years ago when the Town last looked at the truck routing through the municipality and since then not much has changed in terms of the presence of manufacturing (for sport/automotive/agriculture), fish processing, electrical, & aggregate transportation. All of which contribute to the economic vitality of our town but granted also contribute to the traffic along each roadway in some form. While new planning principles are pulling industrial developments from establishing in the core of municipalities, that was not the plan many decades ago when they originated and established themselves in this area all around the working harbour, the old railroad network and even rail car transit that existed. 50 per cent of the original warehousing and production plants have since closed between Lansdowne and Park Street but what remains is a footprint of the town's original employment area.

In terms of next steps, I am anticipating a follow-up report from administration to be presented at a future council meeting where any potential amendments to the current traffic by-law might be suggested. Looking forward, any amendments to the bylaw would always include the potential impacts to community safety along with many other circumstances including financial.

In terms of your reference to a new roadway extending at the dead end of Industrial road, that too was suggested at the public meeting as well as four years ago. From the discussion four years ago, and as you might expect the neighbouring subdivisions to the east and west of the parcel along with the three homes at the entrance to Main Street vehemently opposed such a new road and the owners of the farmland at that time saw a significant loss in their ability to farm the property and thus impacted their livelihood. Such a new road would also require the introduction of a new traffic light onto Main street for the trucks and the rest of the community has already referenced Main Street East having too many lights in play at the current time creating traffic flow concerns for all of Main Street.

In general, the discussion that was had with the public was good, in my opinion, and provided some insight into the long established nature of this area. It remains an important issue to keep in mind going forward and allowing for public input will remain key.

Hopefully this helps in responding to your email. But am happy to follow-up with you again at any time and for any initiatives that may help address some additional safety efforts in your immediate area...through signage, enforcement, etc.

Appreciate your time,
Nelson

-----Original Message-----

From: Steve Whitfield [REDACTED]
Sent: Friday, September 22, 2017 12:51 PM
To: Nelson Santos <nsantos@kingsville.ca>
Subject: Southwestern truck traffic

>
> Hello. My name is Steve Whitfield. I live at 251 Lakeview Ave. Kingsville. We are just Down the street from southwesterns terminal. I was appalled to hear from a neighbour that attended the towns information session about truck traffic, that one of options presented was to divert all truck traffic down Lakeview ave and up Wiggle. This is a very bad idea (if it's true) my house has small children and the multi unit housing across from us is filled with young families with small children. There is a disproportionate amount of small children running onto the roads on our street. Just last week i personally grabbed a 2 year old child that had run into the road to play in water being flushed from a nearby fire hydrant(you can ask the city worker that was flushing the hydrant, he saw the whole thing). Truck traffic being diverted down lakeview affects quality of life. We already have non stop trucks driving down lakeview. In fact we just assumed the proposal being brought was to divert all truck traffic up division road! Not the other way around!!! Something needs to be done to STOP trucks from driving down lakeview ave. Now before someone gets hurt or killed. What about making a road between industrial road through too Main Street?
> Thank you for your time.
>
> Steve Whitfield
> 251 Lakeview Ave Kingsville
> N9y1n8



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

Date: October 12, 2017
To: Mayor and Council
Author: Jennifer Galea, Human Resources Manager
RE: Supervisor of Municipal Facilities and Properties
Report No.: CS-2017-019

AIM

To obtain council approval to initiate the recruitment process for the Supervisor of Municipal Facilities position with an intended start date of November 2017.

BACKGROUND

At the 2017 Budget deliberations, Council approved the Supervisor of Municipal Facilities position. The details of this position (i.e. job description) were approved at the August 14, 2017 Regular Meeting. The original start date was slated for January 2018.

DISCUSSION

The Manager of Municipal Facilities and Property is responsible for 49 municipally owned parks and facilities, and for the supervision and direction of 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. There have been vacancies in the department throughout the year and it is therefore recommended that recruitment for the position begins immediately so the Manager can focus more time on the aspects of his role as listed above.

In consultation with the Director of Municipal Services and Manager of Facilities and Property, the attached job description for the position was developed and subsequently approved by Council. Pay Equity scoring was completed and the salary range established.

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 Published: October 24, 2017
Application Review, Interviews, Screenings: Early November
Start Date: Late November 2017

LINK TO STRATEGIC PLAN

Improve recreational and cultural facilities and opportunities within the Town of Kingsville.

To become a leader in sustainable infrastructure renewal and development.

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.

The cost for the remainder of 2017 is approximately \$9,576.00. As confirmed by the Director of Financial Services, there is money in the 2017 Budget to cover this cost.

CONSULTATIONS

Sandra Zwiers, Director of Financial Services
Andrew Plancke, Director of Municipal Services
Tim DelGreco, Manager of Municipal Facilities and Properties
Peggy Van Mierlo-West, Chief Administrative Officer

RECOMMENDATION

The Council authorize Administration to proceed in recruiting this position with an intended start date of late November 2017.

Jennifer Galea

Jennifer Galea, CHRL
Human Resources Manager

Jennifer Astrologo

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

Peggy Van Mierlo-West

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



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

Date: October 11, 2017
To: Mayor and Council
Author: Jennifer Galea, Human Resources Manager
RE: Policy Review: V&H, CI, PIP
Report No.: CS-2017-018

AIM

Obtain council approval to implement the draft Conflict of Interest Policy, Performance Improvement Plan and Violence and Harassment Policy and Program.

BACKGROUND

As part of the goals established for the Human Resources Department, the Human Resources Manager was tasked with conducting a review of the Town's human resources policies and procedures.

Upon preliminary review, the Manager determined that the Violence and Harassment Policy required updating and the following policies were non-existent:

- i) Employee Conflict of Interest Policy; and
- ii) Performance Improvement Plan for non-union employees

A conflict of interest policy is designed to ensure that employees conduct the business of the Town in an equitable, independent, impartial and responsible manner.

A performance improvement plan for non-union employees is a tool available to address performance issues with employees. This type of plan would be implemented, after consultation with the Human Resources Department, for employees who are experiencing difficulty achieving planned results against objectives or expectations.

On September 27, 2017 the Personnel Committee, reviewed the policies and directed that they be brought to Council for final review and approval.

DISCUSSION

The discrimination, violence and harassment policies/programs and procedures were reviewed and revised. Some of the revisions include:

- Condensing the current policy to a one page document; and
- Updating the current program to include forms and operating procedures for ease of use.

These revisions ensure that the municipality is compliant with the requisite health and safety legislation.

In addition, a Conflict of Interest policy was created for all Town employees. To assist the Town to define what constitutes a conflict situation for an employee. Additionally, it will provide guidance to the employees to exercise sound judgment.

The proposed addition of a Performance Improvement Plan is intended to drive early intervention on performance issues by providing the employee an opportunity to improve their performance while working towards achieving business objectives. Some of the key elements of the Plan include:

- A checklist to ensure managers have had conversations and documentation prior to initiating the plan;
- A formal plan with letters and meeting confirming details such as training, deadlines and expectations; and
- An open forum for discussion from both parties involved with the guidance of HR

LINK TO STRATEGIC PLAN

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

FINANCIAL CONSIDERATIONS

There are no direct financial costs associated with rolling out and training staff on the policy updates. The HR Manager can provide the necessary staff training. The costs include staff time and attendance at the training sessions.

CONSULTATIONS

Peggy Van Mierlo-West, Chief Administrative Officer
Jennifer Astrologo, Director of Corporate Services
Senior Management Team
Personnel Committee

RECOMMENDATION

Council approve the Conflict of Interest Policy, Performance Improvement Plan, and the revised Violence and Harassment Policy and Program.

Jennifer Galea


Jennifer Galea, CHRL
HR Manager

Jennifer Astrologo

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

Peggy Van Mierlo-West

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

	CONFLICT OF INTEREST POLICY	
Policy #: DRAFT	Issued: Human Resources	Reviewed/Revised: 09/18/2017
Prepared By: Human Resources	Reviewed By: XX	Approved By: XX

1.0 PURPOSE

The Corporation of the Town of Kingsville is committed to ensure that Town employees conduct the business of the Town in an equitable, independent, impartial and responsible manner.

2.0 SCOPE

This policy applies to all employees of the Municipality whether employed in a permanent, temporary, or contract capacity, including full-time, part-time, seasonal, summer students, co-op students, volunteers, and government sponsored program participants. Employees must exercise sound judgment and apply this policy in a proactive fashion to maintain the public's trust and the Municipality's objectivity and integrity.

3.0 DEFINITIONS

Conflict of Interest

A conflict of interest is defined as a situation in which an employee is in a position to exploit his or her employment with the Municipality in some way to obtain a direct or indirect personal benefit.

Employee

An employee is a member of the Town of Kingsville, local boards, and committees.

Municipality

When referring to the Municipality, this includes the Town of Kingsville, local boards, and committees.

Perceived Conflict of Interest

A perceived conflict of interest is a situation in which a reasonable member of the public

might believe that a conflict of interest exists where one does not.

Examples

On the following page is a short list of examples of conflicts of interest, which is not intended to be exhaustive or all inclusive:

1. Where an employee makes a personal bid on the sale of municipal property or goods, except in circumstances where the property or goods are being disposed of at public auction.
2. Employees or family members living within their household sell goods, materials or services to the Municipality. An exception may be made with the approval of the Chief Administrative Officer (CAO) to secure services from an employee outside the regular hours of employment on a fee for service basis, provided the opportunity is made available on an equal basis to other persons.
3. Where an employee may influence the decision of the Municipality in dealing with a company or person which conducts business with the Municipality, when the company or person is largely owned or controlled by an employee or an immediate relative, or in which the employee may have an interest.
4. Where an employee may influence the decision of the Municipality in respect of a particular company or person which is applying to the Municipality for a loan, grant or other advantage, when the employee has a significant responsibility in the affairs of the applicant (i.e. the employee is a trustee of land or other property).
5. Ownership by an employee of land or their property where a property value may be influenced by the employee.
6. When an employee solicits or accepts a gift, present, favour or the materiality of, placing the employee under obligation to the donor.
7. When members of an employee's immediate family receive personal benefit as a result of the position of the employee.

4.0 REFERENCE DOCUMENTS

Employee Policy and Procedure Book

5.0 PROCEDURE

The following procedure have been developed in accordance with the Town of Kingsville practices:

1. Employees owe a duty of loyalty to the Municipality and to the public whom they serve.
2. Employees may not use their position of employment to obtain a direct or indirect personal benefit.
3. Avoiding and preventing situations that could give rise to a Conflict of Interest, or a Perceived Conflict of Interest, is a primary means by which employees maintain the confidence of the public whom they serve.

4. Being in a Conflict of Interest is not improper in itself. Depending on the employee's position and responsibilities, a Conflict of Interest may occur without any wrongdoing on the part of the employee.
5. Employees have the obligation to disclose a discovered Conflict of Interest or a Perceived Conflict of Interest immediately to their supervisor. It is not the responsibility of the Municipality to discover a Conflict of Interest or a Perceived Conflict of Interest.
6. A Perceived Conflict of Interest should be avoided in order to maintain the confidence of the public. Therefore Perceived Conflicts of Interest will not be permitted unless reviewed and approved in accordance with this policy.

Disclosure and Consequences

If an employee believes that there is a potential for real or perceived conflict, then that employee must make prompt and full disclosure in writing to their supervisor.

In the case of the CAO, full disclosure in writing must be submitted to the Personnel committee for review.

Employees who use their position of employment to obtain a direct or indirect personal benefit will be subject to disciplinary action being taken, up to and including possible discharge for cause.

Employees, who fail to disclose a Conflict of Interest, or a Perceived Conflict of Interest, may face disciplinary action, up to discharge for cause.

Representing Others

An employee shall not act or advocate for or represent any person or entity other than the Municipality, in any court proceeding or other adversarial proceeding, in which the Municipality is a party or participant. This prohibition includes an employee representing the employee's family members in any such proceeding. This does not preclude any employee from representing themselves.

This prohibition does not prevent an employee of the Municipality from commencing or participating in proceedings against the Municipality in accordance with the employee's duty to comply with or enforce any laws, regulations or bylaws even if the subject of such enforcement action is the Municipality.

Disclosure of Confidential Information

Employees must use utmost care and discretion in the handling of confidential or privileged information and other information coming to them by reason of employment, and such information shall not be used for personal benefit of family, friends or associates. Employees are not to discuss or pass on information unless the exchange is necessary for a specific business purpose of the Municipality.

An example of disclosing confidential information may be the announcement to a family member or colleague the sale date of pending lands/equipment and expected purchase price (insider information).


Filing

Once issues have been dealt with all notices are to be forwarded to the Human Resource Manager, for filing in the appropriate employee's personnel file. A copy will be provided to the employee and the employee's supervisor.

6.0 REVIEW/REVISIONS

No.	Revision Details (incl. provision #)	Revision By	Date
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			

Questions about this policy can be referred to the Human Resources Manager

	<p style="text-align: center;">HUMAN RESOURCES</p> <p style="text-align: center;">WORKPLACE VIOLENCE AND HARASSMENT POLICY</p>	
Policy #: DRAFT	Issued: Human Resources	Reviewed/Revised: September 22,2017
Prepared By: Human Resources	Reviewed By: XX	Approved By: XX

1.0 PURPOSE

The Town of Kingsville is committed to building and preserving a safe, productive and healthy working environment based on mutual respect. In pursuit of this goal, the Town of Kingsville does not condone and will not tolerate acts of violence, harassment, discrimination or bullying against or by any Town of Kingsville employee.

2.0 SCOPE

This policy applies to all employees, elected/appointed officials, contractors, students, volunteers and visitors.

3.0 DEFINITIONS

Refer to “Workplace Violence and Harassment Program Standard Operating Procedure.”

4.0 REFERENCE DOCUMENTS

Workplace Violence and Harassment Program Standard Operating Procedure
Occupational Health and Safety Act
Ontario Human Rights Code

5.0 RESPONSIBILITIES

Refer to “Workplace Violence and Harassment Program Standard Operating Procedure.”

6.0 PROCEDURE

We comply with all laws in providing equal opportunity to all individuals in all areas of employment (recruitment hiring, training, assignment and promotion) and employee privileges without regard to race, age, ancestry, citizenship, religion or creed, colour, sex, sexual orientation, marital status, ethnic origin, record of offences, family status or handicap.

We are committed to providing a harassment free workplace. Harassment, be it verbal, physical or visual is defined as “course of vexatious comment or conduct that is known or ought to be reasonably to be known as unwelcome”, that denies individual dignity and

respect on the basis of the grounds such as gender, disability, race, colour, sexual orientation or other prohibited groups. All employees are expected to treat others with courtesy and consideration and to discourage harassment.


The Town of Kingsville will ensure that all employees are trained and educated on violence and harassment and that they are clear about their roles, responsibilities, as this policy, the corresponding program and all workplace procedures.

This policy applies at the workplace, at employment-related social functions, in the course of work assignments outside the workplace, during work-related travel, over the telephone, if the conversation is work-related or elsewhere, if the person is there as a result of work-related responsibilities or a work-related relationship.

Questions regarding the Workplace Violence and Harassment Policy direct to the Human Resources Manager.

7.0 REVIEW/REVISIONS

No.	Revision Details (incl. provision #)	Revision By	Date
1.			
2.			
3.			
4.			
5.			
6.			
7.			

	HUMAN RESOURCES STANDARD OPERATING PROCEDURE WORKPLACE VIOLENCE & HARASSMENT PROGRAM		XX
			Issued: xx
			Reviewed/ Revised:
			Total Pages: 5
Prepared By: Human Resources		Reviewed By:	Approved By:

1.0 PURPOSE

The Town of Kingsville is committed to building and preserving a safe, productive and healthy working environment based on mutual respect. In pursuit of this goal, the Town of Kingsville does not condone and will not tolerate acts of violence, harassment or bullying against or by any Town of Kingsville employee.

This policy prohibits reprisals against individuals acting in good faith who report incidents of workplace violence or act as witnesses. Management will take all reasonable and practical measures to prevent reprisals, threats of reprisal or further violence. It is a violation for anyone to knowingly make a false complaint of violence or harassment or to provide false information about a complaint. Individuals who violate any part of this policy are subject to disciplinary and corrective action, up to and including termination of employment.

The Town of Kingsville will ensure that all employees are trained and educated on violence and harassment and that they are clear about their roles, responsibilities, as this policy, the corresponding program and all workplace procedures. A copy of this policy will be made available to all employees.

2.0 SCOPE

This policy applies to all individuals working for the organization, including council members, committee members, volunteers, employees, contract service providers, contractors, all supervisory personnel, managers, officers and directors. The Town of Kingsville will not tolerate violence or harassment by any of the above listed personnel.

The Town of Kingsville will not tolerate any form of harassment or discrimination against job candidates and employees on any of the protected grounds, whether during the hiring process or during employment. This commitment applies to such areas as training, performance assessment, promotions, transfers, layoffs, remuneration and all other employment practices and working conditions.

All Town of Kingsville employees are personally accountable and responsible for enforcing this policy and must make every effort to prevent discrimination or harassing behaviour and to intervene immediately if they observe a problem or if a problem is reported to them.

This policy applies at the workplace, at employment-related social functions, in the course of work assignments outside the workplace, during work-related travel, over the telephone, if the conversation is work-related or elsewhere, if the person is there as a result of work-related responsibilities or a work-related relationship.

3.0 DEFINITIONS

Complainant(s): the person(s) who experiences the negative impacts and is the target(s) of the violent and / or discriminatory and / or harassing behaviour of the respondent.

Discrimination: any action or inaction that differentiates between people and imposes a disadvantage or withholds an advantage on the basis of any of the protected grounds under the Ontario Human Rights Code. Deliberately excluding a person from participating in an initiative is a form of discrimination if the exclusion is based on one of the protected grounds. Discrimination also includes the failure to provide appropriate accommodation short of undue hardship in accordance with the Ontario Human Rights Code.

Domestic Violence: a person who has a personal relationship with a worker - such as a spouse or former spouse, current or former intimate partner or a family member - may physically harm or attempt or threaten to physically harm that worker at work. In these situations, domestic violence is considered workplace violence.

Harassment: a course of vexatious comments or conduct directed toward an individual or group of individuals that is known or ought to be known to be unwelcome or unwanted. Where the harassment consists of comments or conduct linked to one of the protected grounds that are insulting, intimidating, humiliating, malicious, degrading or offensive or affects the Town of Kingsville's atmosphere, it is also a form of discrimination under the Ontario Human Rights Code. Though harassment often involves a pattern of behaviours, single acts of sufficient severity may constitute harassment. Harassment is concerned with the impact of behaviour, not the intent, and there are times when a person who is committing an act of harassment is unaware of the impact of his / her behaviour.

Protected Grounds: personal attributes that are recognized under the Ontario Human Rights Code as the most common targets of discriminatory or harassing actions. For offensive behaviour to be considered discrimination, the focus of the comment or conduct must be directed toward one, but not limited to any one or combination of, these aspects of the complainant's background:

- Age
- Ethnic or National Origin
- Place of Origin
- Citizenship
- Colour
- Creed or Religion
- Record of Offenses (pardoned Federal or Provincial)
- Marital and Family Status
- Race

- Sex
- Sexual Orientation
- Physical or Mental Disability
- Ancestry

Reprisal: any act of retaliation, either direct or indirect.

Respondent(s): the person(s) who is allegedly engaging in the violent and / or discriminatory and / or harassing behaviour against the complainant(s) and will be responding to the allegations as part of an intervention to resolve the complaint.

Workplace Sexual Harassment:

(a) engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, or

(b) making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome;

Violence or Bullying:

(a) the exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker,

(b) an attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker,

(c) a statement or behaviour that it is reasonable for a worker to interpret as a threat to exercise physical force against the worker, in a workplace, that could cause physical injury to the worker.

4.0 REFERENCE DOCUMENTS

Workplace Violence and Harassment Policy

Workplace Violence and Harassment Incident / Complaint Form

Workplace Violence and Harassment Investigation Follow-Up Form

Workplace Violence and Harassment Risk Assessment Standard Operating Procedure

Workplace Violence and Harassment Risk Assessment Form

Domestic Violence Safety Plan Standard Operating Procedure

Domestic Violence Safety Plan Form

5.0 RESPONSIBILITIES

5.1 Responsibilities of Town Council

Town Council shall ensure adequate human and financial resources are made available to Administration to meet the prescribed requirements of the Occupational Health and Safety Act and corresponding regulations.

5.2 Responsibilities of the Chief Administrative Officer (CAO)

The CAO shall support and maintain a safe and healthy workplace for all Town of Kingsville employees free from the exposure of workplace violence and harassment. The CAO will take on the role of Violence and Harassment Coordinator in the absence of the Human Resources Manager.

5.3 Responsibilities of Supervisors / Managers / Directors

1. Ensure their behavior at all times reflects this policy in their dealings with peers, employees, contractors, residents or any other person in dealings regarding the Town of Kingsville.
2. Document, report and duly investigate any incident(s) of workplace violence and / or harassment, where a worker identifies that they are experiencing violence or harassment in the workplace or are being compromised in their ability to perform their job duties as a result of violence and / or harassment, as per the Workplace Violence and Harassment Program. This includes incidents of violence and / or harassment that are reported by third parties, where the complainant may or may not make a formal report.
3. Ensure employees receive training to make them aware of the Workplace Violence and Harassment Policy and Program.
4. Ensure employees refrain from actions that may expose themselves or other workers to any unnecessary exposure to workplace violence and harassment.
5. Attend and participate in all Health and Safety training provided in relation to this policy and the prevention of Workplace Violence and Harassment.

5.4 Responsibilities of Human Resources Manager

The Human Resources Manager is designated as the Workplace Violence and Harassment Coordinator (the Coordinator) and is:

1. Responsible for the maintenance of the Workplace Violence and Harassment Policy and Program in compliance with the requirements of the Occupational Health and Safety Act and any corresponding regulations.

2. Responsible for the development of a plan of communication and training of this policy and the corresponding program to inform employees and officials of its existence and use.
3. Required to conduct investigations of complaints in a timely manner and provide a copy of completed investigation report to the Personnel Committee, appropriate management member(s), complainant and respondent.
4. In consultation with the Joint Health and Safety Committee, the Coordinator is responsible for ensuring the policy is reviewed on an annual basis to certify it complies with all applicable legal standards, codes and practices and is working effectively to ensure a safe and healthy work environment for all staff. If inadequacies in this policy or corresponding program are identified, the Coordinator will address deficiencies and recommend revisions.
5. The preparation of the initial assessment of the risk of violence and harassment and re-assess with consultation of the Joint Health and Safety Committee of the risk of workplace violence and harassment as often as is necessary to ensure that this policy and its related program continue to protect workers from workplace violence and harassment.

Where the Coordinator is a party to an incident of workplace violence or harassment or the Coordinator is absent, the CAO shall be designated as the Workplace Violence and Harassment Coordinator for that incident.

5.5 Employees

1. Refrain from comments and behaviour that may be considered discriminatory and / or harassing and not engage in any level of workplace violence.
2. Express their disapproval if they encounter discriminating and / or harassing behaviour on Town of Kingsville premises or Town of Kingsville related functions.
3. Employees shall not use, possess or threaten to use a weapon at any time.
4. Employees who witness any threats or acts of violence, discrimination and / or harassment shall report to the Coordinator immediately.
5. Employees who experience any threats or acts of violence, discrimination and / or harassment shall report to the Coordinator immediately.

5.6 Joint Health and Safety Committee (JH&S Committee)

1. Participate in inspections and maintain records of Workplace Violence and Harassment Risk Assessments and provide recommendations to the Coordinator on how to reduce or eliminate identified risks of violence and harassment.
2. Promptly report employee concerns of workplace violence or harassment to the Coordinator.
3. Participate in the investigation of critical injuries (e.g., incidents that place life in jeopardy or result in substantial blood loss or fracture of arm or leg).
4. Review all reports forwarded to the JH&S Committee regarding Workplace Violence or Harassment and other incidents as appropriate pertaining to incidents of workplace violence that result in personal injury or threat of personal injury, property damage, or police involvement.
5. Support the Coordinator in communication and training related to the Workplace Violence and Harassment Policy and Program.
6. Participate in the review of this Policy on an annual basis.

6.0 Violence and Harassment Risk Assessment

As outlined in the Workplace Violence and Harassment Risk Assessment Standard Operating Procedure, the Town of Kingsville will conduct a Risk Assessment of the work environment to identify any issues related to potential violence or harassment that may affect the operation and will institute measures to control any identified risks to employee safety.

Risk Assessments may include review of records and reports including incident or accident investigation reports, staff perception surveys, health and safety inspection reports, first aid records or other related records. Specific areas that may contribute to risk of violence may include, but are not limited to, contact with the public, exchange of money, receiving doors and working alone or at night. Research will include a review of similar workplaces with respect to their history of violence.

The Town of Kingsville will communicate information relating to a person with a history of violence where:

- Workers may reasonably be expected to come into contact with the person in the performance of their job duties; and

- There is a potential risk of workplace violence as a result of interactions with the person with a history of violence.

The Town of Kingsville will only disclose personal information that is deemed reasonably necessary to protect the worker from physical harm.

7.0 Complaint Procedures

The following procedures have been established so that complaints of violence and / or harassment can be resolved internally. However, it in no way prevents employees from exercising their rights under the Ontario Human Rights Code or Collective Agreement.

The Town of Kingsville will initiate action without waiting for an individual complaint when harassing or violent behavior, in violation of the Ontario Human Rights Code, is known to be taking place. To do otherwise constitutes misconduct or neglect of duty on the part of the Supervisor, Manager or Director.

7.1 Informal Complaint Procedure

1. There is an initial responsibility on the part of the person who is allegedly being harassed to attempt to control the situation before proceeding further. Clearly and directly ask the offender to stop the harassing or violent behaviour immediately.
2. When an individual feels harassment is or has taken place, he or she should advise the offender that his or her behavior is unacceptable and unwelcome. The offender may not realize the kind of behavior is objectionable. Make your objections known; inform the person that his or her behavior is unwelcome or distasteful and that it is against Town of Kingsville policy and / or your collective agreement.
3. Employees are encouraged to try the informal approach unless the harassment is of a more serious nature or continues after the individual has been clearly asked to stop. In such cases, every employee has the right to file a formal complaint.

7.2 Formal Complaint Procedures

A formal complaint of harassment must be made in writing by filling out the Workplace Violence and Harassment Incident / Complaint Form. The completed form can be submitted to any or all of the following individuals:

- Workplace Violence and Harassment Coordinator (Human Resources Manager)
- Union Steward
- Supervisor, Manager or Director
- Chief Administrative Officer (CAO)

If the formal complaint is not made directly to the Coordinator the Union Steward, Supervisor, Manager, Director or Chief Administrative Office will forward the formal complaint form to the Coordinator.

Upon receipt of a formal complaint the Coordinator will immediately notify the respondent of the complaint and provide the respondent with a copy of the written complaint. The respondent will be invited to reply in writing to the complainant's allegations and the respondent's reply will be made known to the complainant.

The Coordinator will investigate any formal complaint using the Workplace Violence and Harassment Investigation Standard Operating Procedure. Should the complaint involve any of the individuals normally involved in the investigation of a complaint, the Coordinator may refer the complaint and investigation to an external investigator. Complainants and respondents, if they so choose, may seek representation of their choice, including union representation or legal counsel, at any time during the complaint process, at their own expense.

The investigators are responsible for ensuring a thorough, fair and impartial investigation of the allegations in the complaint. As outlined in the Workplace Violence and Harassment Investigation Standard Operating Procedure, the investigator will interview the complainant, the respondent and any relevant witnesses as well as gather any documents relevant to the complaint. All members of the Town of Kingsville are required to cooperate fully with any investigation.

Any investigation and interviews which are required as a result of the complaint will be completed within thirty (30) working days from receipt of the complaint, although extenuating circumstance may warrant an extension. If the complaint takes the form of a grievance, any Collective Agreement provisions regarding response time will supersede the time frames outlined herein. To protect confidentiality and minimize stress for all parties involved, interviews will be held in a private neutral location with interview times staggered to ensure that chance encounters do not occur.

At the conclusion of the investigation, the investigators will submit a written report by filling out the Workplace Violence and Harassment Investigation Follow Up Form to the CAO. Where it is determined that the Workplace Violence and Harassment Policy has been violated, the CAO will recommend corrective action and disciplinary measures to the Personnel Committee. The Coordinator shall advise both the complainant and respondent of the outcome of the investigation and each will be provided with a copy of the Investigator's Workplace Violence and Harassment Investigation Follow Up Form.

Where the complainant is dissatisfied with the outcome of the investigation, the complainant shall be reminded of his / her rights under the Ontario Human Rights Code.

If the complainant decides not to lay a formal complaint, the Coordinator, the CAO or other members of Management may choose, at their own discretion, to proceed with a formal complaint based on the investigation of the incident.

8.0 Seeking Immediate Assistance

Canada's Criminal Code addresses violent acts, threats and behaviours, such as stalking. The police should be contacted immediately when an act of violence has occurred in the workplace or when someone in the workplace is threatened with violence. If an employee feels threatened by a co-worker, volunteer, contractor, student,

vendor, visitor, client or customer an immediate call to “911” or the use panic buttons is required. Workers who work off site will have a cell phone or two-way radio, charged and available for use when required to work away from the workplace.

9.0 The Right to Refuse Unsafe Work

The right to refuse unsafe work is a legal right of every worker provided by the Occupational Health and Safety Act the Town of Kingsville is committed to ensuring a safe workplace.

10.0 Special Circumstances

Should an employee have a legal court order (e.g., a restraining order, or “no-contact” order) against another individual, the employee is encouraged to notify his or her supervisor / manager / director and to supply a copy of the order to the Coordinator. This will be required in instances where the employee strongly feels the aggressor may attempt to contact the employee at the Town of Kingsville, in direct violation of the court order, so the Town of Kingsville may take all reasonable actions to protect the employee. Such information shall be kept confidential and protected in accordance with all applicable legislation.

As outlined in the Domestic Violence Safety Plan Standard Operating Procedure, if an employee is experiencing or is at risk of experiencing domestic violence or they know of a fellow employee that is experiencing or at risk of experiencing domestic violence, they should notify the Coordinator. In consultation with the Coordinator, a Domestic Violence Safety Plan will be put in place by completing the Domestic Violence Safety Plan Form.

If any visitor to the Town of Kingsville workplace is seen with a weapon, is known to possess one or makes a verbal threat or assault against an employee or another individual, employees are required to immediately contact the police, emergency response services, their immediate supervisor and the Coordinator.

In cases where criminal proceedings are forthcoming, the Town of Kingsville will assist police agencies, lawyers, insurance companies and courts to the fullest extent.

11.0 Fraudulent or Malicious Complaints

The Violence and Harassment Policy and Program must never be used to bring fraudulent or malicious complaints against employees. It is important to realize that unfounded or frivolous allegations of violence and harassment may cause both the accused person and the Town of Kingsville significant damage. If it is determined any employee has knowingly made false statements regarding an allegation of violence or harassment immediate disciplinary action will be taken.

Employees will not be demoted, dismissed, disciplined or denied a promotion, advancement or employment opportunities because they rejected sexual advances or because they lodged a complaint when they honestly believed they were being harassed or discriminated against.

12.0 Disciplinary Measures

If it is determined that any employee has been involved in a violent behaviour, unacceptable conduct or harassment of another employee, disciplinary action will be taken. Such disciplinary action will be proportional to the seriousness of the behaviour concerned and may involve counselling, a formal warning or termination.

13.0 Confidentiality

The Town of Kingsville will, to the extent possible, protect the privacy of the individuals involved and will ensure that complainants and respondents are treated fairly and respectfully. The Town of Kingsville will protect this privacy so long as doing so remains consistent with the enforcement of this policy and adherence to the law. Neither the name of the person reporting the facts nor the circumstances surrounding them, the written complaint, witness statements, investigation notes, reports and documents related to the complaint will be disclosed, unless such disclosure is necessary for an investigation or disciplinary action.

14.0 Managing and Coaching


Counselling, performance appraisals, work assignments and the implementation of disciplinary actions are not forms of harassment and this policy does not restrict management in these areas.

15.0 REVIEW / AMENDMENTS

The Town of Kingsville will review this Standard Operating Procedure annually along with the Workplace Violence and Harassment Policy.

No.	Date	Revision	Revision By

Questions regarding the Standard Operating Procedure direct to the Human Resources Manager.

	HUMAN RESOURCES STANDARD OPERATING PROCEDURE DOMESTIC VIOLENCE SAFETY PLAN		S.O.P. #
			Issued:
			Reviewed/ Revised:
			Total Pages: 2
Prepared By: Human Resources		Reviewed By:	Approved By:

1. PURPOSE

The Town of Kingsville acknowledges that domestic violence can have serious and even lethal consequences. Behaviours such as emotional and psychological intimidation and harassment can be disruptive and harmful to the victim and can quickly turn into physical violence that may spillover to the workplace. This Standard Operating Procedure outlines the steps in developing a Domestic Violence Safety Plan for employees experiencing or at risk of experiencing domestic violence.

2. RELATED DOCUMENTS

Workplace Violence and Harassment Policy
 Workplace Violence and Harassment Program
 Domestic Violence Safety Plan Form

3. PROCEDURE

4.1 Setting-Up the Plan

The employee and the Workplace Violence and Harassment Coordinator (the Coordinator) will work together to develop a Domestic Violence Safety Plan using the Domestic Violence Safety Plan Form. It is important to deal with each situation on a case-by-case basis, taking into account the needs of the individuals involved.

4.2 Additional Support

Safety plans look at the steps that can be taken at different points in time or in various situations (when at work, while living with the aggressor, getting ready to leave, leaving, afterwards, protecting children and family pets). Creating a safety plan requires experience in risk and threat assessments and expert help should be solicited from services in the community including:

- **Hiatus House** 250 Louis Avenue, Windsor, Ontario N9A 1W2 Phone: (519) 252-1143, 24-Hour Crisis Line: (519) 252-7781, Toll Free: 1-800-265-5142 (519 area), TDD: (519) 252-2768, Email: admin@hiatushouse.com
- **The Welcome Centre Shelter for Women** 263 Bridge Avenue, Windsor, Ontario N9B 2M1, Phone: (519) 971-7595, Email: info@welcomecentreshelter.com
- **Assaulted Women's Helpline** 1-866-863-0511 (offer anonymous and confidential crisis support for abused women in Ontario in 1554 languages)
- **Shelternet** at www.shelternet.ca or 1-416-642-5463 (provide information for abused individuals, their family, friends and colleagues on a variety of topics, including finding shelter and safety planning)

4.3 Privacy

The Town of Kingsville has the duty to take every reasonable precaution to protect workers and that responsibility might outweigh the need for complete privacy.

The Coordinator will ensure that all communication will happen on a "need to know" basis and will be done with the highest level of respect and confidentiality.

If it is determined that some information needs to be shared, the Town of Kingsville will make every effort to first discuss with the employee to explain:

- Who needs to be informed and why;
- What information will be communicated;
- The expectations for confidentiality; and
- Consequences if confidentiality is breached.

3.4 Changes

If at any time the employee would like to update or change the safety plan he or she can request a meeting with the Coordinator.

4. REVISIONS / AMENDMENTS

No.	Date	Revision	Revision By

Questions regarding the Standard Operating Procedure are to be directed to the Human Resources Manager.



HUMAN RESOURCES

DOMESTIC VIOLENCE SAFETY PLAN FORM

Employee Name:	Aggressor's Full Name:
Work Location:	Aggressor's Address:
Current Relation Status with Aggressor:	
Description of Aggressor:	
Optional – Attach extra sheet, photo and / or supporting documents (e.g. restraining order etc.)	
Aggressor's Patterns of Behaviour and High Risk Times (e.g. free hours):	
Employee Current Workdays and Hours:	
(a) Would changing your work schedule help? <input type="checkbox"/> YES <input type="checkbox"/> NO	
<u>If yes, please indicate new program or schedule:</u>	

(b)1.How do you normally arrive? (car, bike, walking, etc.)

If you drive, where do you park?

2. Would finding a new method to work help (including a new parking spot)? ☐YES ☐NO

If yes, please indicate new method and / or parking spot:

3. Would having someone escort you to your car help? ☐YES ☐NO

If yes please indicate plan:

(c)If the aggressor shows up, how would you suggest handling the situation? (check all that apply)

- ☐ Call the police
- ☐ Say that I am unavailable or not here
- ☐ Ask him/her to leave the building
- ☐ Other: _____

(d)Do you believe that he / she would be violent to others or cause a scene in order to see you? ☐YES ☐NO

If yes, please describe some of his/her behaviour and / or concerns you have:

(e) Who should we contact in case of an emergency? (name & phone number)


(f) If you are in danger, what code word can you use to ask for help?

Employee Signature

Date

Coordinator Signature

Date

	HUMAN RESOURCES STANDARD OPERATING PROCEDURE WORKING ALONE		S.O.P. #
			Issued:
			Reviewed/ Revised:
			Total Pages:
Prepared By: Human Resources		Reviewed By:	Approved By:

1. PURPOSE

The purpose of this Standard Operating Procedure (SOP) is to promote worker awareness and facilitate worker safety while working alone.

Town of Kingsville management, in consultation with the worker who will be working alone and the Joint Health and Safety Committee, will:

- Assess the conditions or circumstances under which the worker is required to work alone; and
- Develop and document a plan respecting the methods to be taken to ensure, so far as is reasonably practicable, the safety, health and welfare of the worker at that workplace, including a means of providing emergency assistance.

2. RELATED DOCUMENTS

Workplace Violence and Harassment Policy
 Workplace Violence and Harassment Program

3. DEFINITIONS

Working Alone - the performance of any work function by a worker who:

- i. Is the only worker at that workplace; and
- ii. Is not directly supervised by his or her Employer, or another person designated as a Supervisor by his or her Employer.

The definition of "workers working alone" has been written in such a manner as to indicate that the regulation will apply to virtually all workers who are performing a job function and are not in the presence of their Employer, another person in a Supervisory capacity designated by the same Employer, or another worker directly associated with the same Employer, at the particular workplace location and during the same time period the working alone job function is being performed.

Workplace Violence and Harassment Risk Assessment - the analysis of the risks and hazards and the establishment of a corrective action plan to effectively manage work place risks to life safety and / or the environment. The assessment must clearly identify individuals responsible for required actions.

Effective Means of Communications - radio, telephone, or other electronic communication device.

Critical Injury – an injury of a serious nature that:

- places life in jeopardy;
- produces unconsciousness;
- results in substantial loss of blood;
- involves the fracture of a leg or arm but not a finger or toe;
- involves the amputation of a leg, arm, hand or foot but not a finger or toe;
- consists of burns to a major portion of the body; or
- causes the loss of sight in an eye.

4. PROCEDURE

4.1 Responsibilities

4.1.1 Employer Responsibilities

Supervisors and Manager responsibilities include:

- Identify risks or hazards associated with the work to be performed (hazard assessment) or the environment where the work is to be done.
- Conduct and document a job hazard analysis/ hazard assessment for each specific type of work.
- Communicate the results of the hazard assessment to all affected workers and others conducting similar work.
- Provide written procedures for workers required to work alone. This should eliminate or minimize identified risks.
- Develop effective methods of communication for workers who may require emergency assistance.
- Document when working alone is permitted and / or prohibited and ensure this is effectively communicated to all workers.
- Schedule potentially hazardous work for times when supervisors and appropriate help will be available.
- Where possible, provide adequate staffing (for example: buddy system) for hazardous tasks performed during off-hours or at remote locations.

4.1.2 Employee Responsibilities

Employee responsibilities include:

- Participate in the working alone hazard evaluation and risk management decisions with the supervisor or manager.
- Follow safe work procedures and safe work practices at all times.
- Maintain regular communication as directed by supervisor or manager.

4.2 Procedures

Safety plans must be developed for all workers that are to work alone as part of their required duties and will include the following:

- An assessment of all work areas for potential health and safety hazards.
- Identify how hazards can be eliminated or controlled.
- Identify effective means of communication available including an emergency contact system for the worker in the event of an emergency.
- Specify procedures when working alone and effectively communicate the procedures to all affected workers.

4.3 Prohibited Work

Working alone is always prohibited when the work involves any one of the following:

- Confined space entry.
- An installation, equipment, or conductor operating at a nominal voltage of 300 volts or more, except while testing equipment or troubleshooting.
- Electrical systems rated at more than 750 volts.
- A portable ladder that exceeds 6 meters in length and is not securely fastened.
- Work with a ladder that is likely to be endangered by traffic.
- The use of fall arrest equipment.
- Machine and power tools that could cause critical injury.
- Quick-acting acutely toxic material as described by the Material Safety Data Sheet.
- Use of supplied air respiratory equipment or self-contained breathing apparatus.
- Use of a vehicle, crane or similar equipment near a live power line where it is possible for any part of the equipment or its load to make contact with the live power line.
- A vehicle, crane, mobile equipment or similar material handling equipment where the operator does not have full view of the intended path of travel.
- Welding operation where a fire watcher is required.
- Tasks which, based on the risk assessment conducted by the Supervisor in consultation with the worker and Joint Health and Safety Committee are deemed to require more than one person.

4.4 Training

Training will be conducted based on an as needed basis based on the job position.

4.5 Evaluation

A review of adherence to this policy will be conducted by the Joint Health and Safety Committee as determined necessary through workplace inspections.

5. REVISIONS / AMENDMENTS

No.	Date	Revision	Revision By

Questions regarding the Standard Operating Procedure are to be directed to the Human Resources Manager.

Performance Improvement Plan Work Instructions

Town of Kingsville	Doc. #:	Page: 1 of 3
Doc. Type: HR Work Instructions	Rev Date: 08/24/2017	Rev. Level: A

PURPOSE:

- To ensure that the Town of Kingsville has a standardized process for managing nonunion employees who are experiencing difficulty achieving planned results against objectives or expectations.
- The Performance Improvement Plan is intended to drive early intervention on performance issues by providing the employee an opportunity to improve their performance while working towards achieving business objectives.

SCOPE:

- Policy applies to all nonunion employees of Town of Kingsville.
- Work Instructions applies to all HR or their designate.

WORK INSTRUCTIONS:

1. Timing:

- 1.1. A Performance Improvement Plan is not necessarily on the same timeline as the Performance Review Process. Specifically, Performance Improvement Plans may be executed following unsuccessful attempts at coaching and development to address performance related difficulties.
- 1.2. The recommended duration of a PIP process is not to exceed 3 months. (This does not include Pre-PIP - Initial Notification of Performance Issue, which is an additional 30-90 days.)
- 1.3. Managers *must* receive input and approval from Human Resources prior to the development and communication of the Performance Improvement Plan.
- 1.4. A performance Improvement Implementation Checklist must be completed prior to launching a PIP plan.
- 1.5. The PIP process is fluid and can be altered by the Manager and HR based on employee progress. In other words, a 90-day PIP does not guarantee employment through the end of the 90 days. If a person's performance is not improving, or even worsening, termination of employment may be exercised at any time during the PIP. Likewise, if performance improves significantly in a shorter amount of time, a PIP can be closed sooner than originally scheduled.

2. Pre-PIP - Initial Notification of Performance Issue:

- 2.1. The Manager will ensure that job responsibilities and performance expectations have been clearly communicated to the employee and documented.
- 2.2. The Manager will, prior to implementing a formal Performance Improvement Plan (PIP), consult with HR and then initiate a discussion with the employee and outline performance issues and expectations over next 30 - 90 days.
- 2.3. The Manager will document the discussion in a letter format with the month/day/year and submit to employee (recommend via email). (Sample Letter A.) This will be considered the official date upon which the employee is notified that he/she is not meeting expectations.
 - 2.3.1. If performance improves, document and submit communication to employee the need for sustaining performance at the expected level. Leave open the option for a formal PIP if performance declines in the future. (Sample Letter B)
 - 2.3.2. If performance does not improve, begin to develop a formal PIP completing Columns 1 and 2, using the attached PIP form and proceed to next steps.

Performance Improvement Plan Work Instructions

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3. PHASE ONE - Establishing Performance Improvement Plan:

- 3.1. Prior to communication of the necessity for a PIP to employee, the Manager will receive input and approval from Human Resources and HR will provide Manager with initial notification documentation.
- 3.2. Manager will schedule initial meeting with employee (Human Resources attendance is optional) to discuss the necessity for the PIP, outline required performance changes, and develop an action plan with timeline. Be sure to select a time and place that will ensure quality time for the discussion. (Sample Letter C)
 - 3.2.1. The Manager will review with the employee the behaviors that require improvement, citing specific examples where deficiencies were observed and the impact this behavior has on customer satisfaction, business results, departmental efficiency, etc.
 - 3.2.2. The Manager will solicit feedback from the employee to determine root cause of the performance deficiency.
 - 3.2.3. Together, the Manager and the employee are to agree on the action plan that will improve performance, as completed on PIP form. Be sure to include specific actions, dates and support that may be needed by employee. Action plan duration should not exceed 3 months.

Note: Human Resources will help the Manager to ensure that the time scale for improvement is reasonable under the circumstances (i.e. seriousness of performance deficiencies, impact on business)

- 3.2.4. The Manager will communicate potential consequences to employee if performance does not improve.
- 3.3. The Manager will document the Action Plan along with milestones in Columns 3 and 4 of PIP form. Schedule performance checkpoint meetings in Column 5 in order to review on-going progress against the PIP. These should be done at least every 30 days in a formal fashion and clearly documented.
- 3.4. Manager, employee and Human Resources (if present for meeting) should sign the form. A copy of the completed form must be sent to Human Resources.

4. PHASE TWO - Conducting Progress Reviews:

- 4.1. The Manager and employee will follow action plan and conduct established review meetings on designated dates and times.
- 4.2. The Manager and employee will at each meeting, document progress using the "Appraisal of Progress" form.
 - 4.2.1. Document progress reviews, include signatures of both employee and supervisor. Provide copies to Employee and Human Resources. (Appraisal of Progress form)
- 4.3. If performance is improving, continue with established review meetings. The Manager with input from HR will Issue a letter to the employee summarizing progress to date. (Sample Letter D)
- 4.4. If performance is not improving, continue with established review meetings. The Manager with input from HR will Issue a letter to the employee documenting continuing performance issues. Inform the employee that failure to improve could result in termination of employment. (Sample Letter E)

5. PHASE THREE - Conclusion of PIP:

- 5.1. If performance is at expected level, the Manager and HR will prepare final documentation

Performance Improvement Plan Work Instructions

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outlining expectations for sustaining performance and leave opening for future action if performance trends downward. (Sample Letter F)

- 5.1.1. Document and print final progress review, include signatures of employee, Manager and Human Resources. Provide copies to employee and Human Resources.
(Appraisal of Progress form)
- 5.2. The Manager and employee will set Objectives and IDP for remainder of cycle
- 5.3. If performance is not at expected level, the Manager will consult with Human Resources to agree on specific course of action from this point forward.

ASSOCIATED MATERIAL:

1. [Sample Letter A – Initial Notification Follow Up](#)
2. [Sample Letter B – Performance Improves](#)
3. [Sample Letter C – Performance Did Not Improve; establish PIP](#)
4. [Sample Letter D – Performance is Improving](#)
5. [Sample Letter E – Performance is Not Improving](#)
6. [Sample Letter F – Performance is at Expected Levels](#)
7. [Appraisal of Progress Form](#)

INTRODUCTION OF Performance Improvement Plan (PIP)

Effective October 1, 2017, a new Performance Improvement Plan (PIP) process will be implemented. It is a solution aimed at standardizing the process used for managing non union employees who are experiencing difficulty achieving planned results against objectives or expectations.

Establishing this process will enable all of us to proactively address performance issues in a timely and systematic fashion and provide employees with clear expectations and consequences for their performance.

The process includes a formal PIP plan that is created by the Manager and Employee, outlining performance gaps and action plans for improvement; a series of meetings to review performance, and a series of memos to document performance. HR will guide you through the process with the required forms.

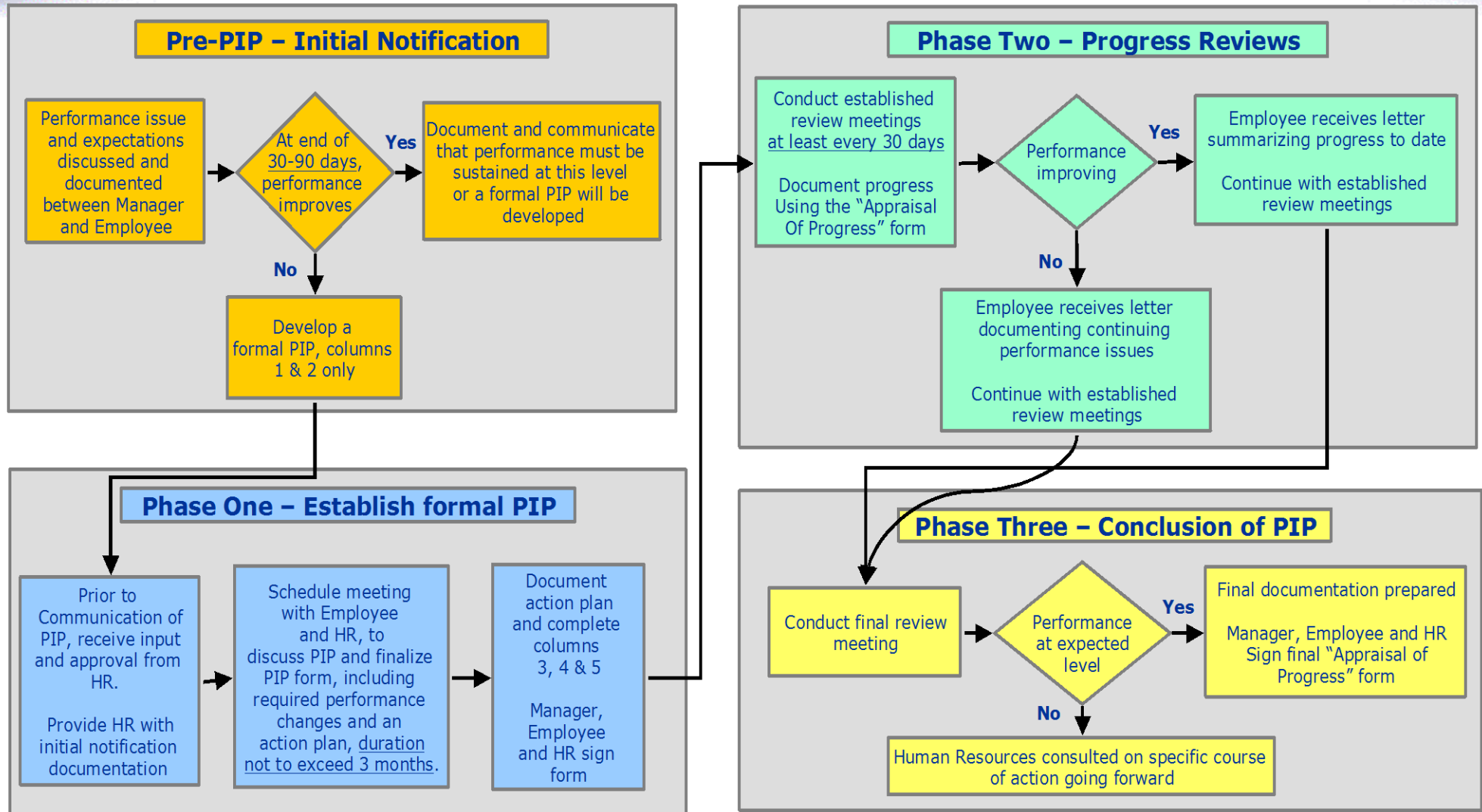
Key points about the process:

- The PIP and Performance Review Process are two separate processes. They stand alone from each other; but should be related with logic.
- Human Resources must be consulted prior to communicating the need for a PIP to an employee. HR will help Managers identify the appropriate course of action and duration of the PIP.
- HR will participate in the meetings with the employee. The following instances would require HR:
 - New managers or supervisors who have not implemented a PIP and are not comfortable doing so
 - The need for the PIP is due to an extreme event or issue that the manager or supervisor is not equipped to address alone
- Documenting the progress of a PIP is important. In the event of the need for a termination, this documentation will outline attempts by all parties to improve performance.
- Face-to-face meetings should always be conducted when reviewing progress with the employee.
- The PIP is a fluid process and can be altered by the Manager or HR based on employee progress. If performance does not improve upon conclusion of the PIP, HR must be consulted prior to taking any course of action.

The new Performance Improvement will help drive early intervention on performance issues. Ultimately, it will provide the Employee an opportunity to improve their performance while working towards achieving business objectives.

This process will be rolled out to in more detail to all Directors and Personnel Committee during the next Managers Meeting and Personnel Committee Meeting.

Performance Improvement Plan Process





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(519) 733-2305
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kingsvilleworks@kingsville.ca

Date: October 18, 2017
To: Mayor and Council
Author: Shaun Martinho, Manager of Public Works
RE: Request for Amendment to Cemetery By-Law 90-2012
Report No.: MS-2017-052

AIM

This report is to advise council on the current Cemetery By-Law and provide information on the request to waive section 21 d.

BACKGROUND

On September 28, 2017 the Municipal Service Department received a request from Hallmark Memorial on behalf of the Vercruysse family to allow for a monument with an inscription and images on the back of the stone (see attached). As per By-Law 90-2012, a stone should "have only a family name on its back" (see attached).

DISCUSSION

Throughout the year, the Municipal Services Department receives numerous requests for exemptions to the cemetery by-law. Considering the emotional circumstances surrounding these requests, these decisions are typically hard to make. In an effort to remain consistent, the department enforces the regulations as outlined in the by-law. As such, the Vercruysse family's request to incorporate an inscription and images on the back of their monument was respectfully declined. However, it was suggested to the family that the plaque be made into a supplementary marker under Section 23 of the by-law (size limitations: 20"x10" minimum; 24"x16" maximum) and installed on the plot along with the monument.

The provision of one-sided inscription is included in most Cemetery By-laws to make it as easy as possible to distinguish the front of a monument from the back of a monument. As our cemeteries get older and more cemetery plots are sold, it becomes more of a challenge to identify locations for interments. There have been instances where town staff

and contactors have not been able to locate marking pins and have used headstones as a means for locating plot boundaries. In an effort to minimize the potential of improperly locating a plot, only the family name is allowed on the back of monuments.

While Council has the authority to waive the requirements of the by-law, if it makes an exception in this case, there may be additional families that come forward requesting an exemption and Council will be faced with those difficult decisions.

For all the reasons mentioned above, it is Administration's recommendation that the provisions of the by-law be enforced as written.

LINK TO STRATEGIC PLAN

Promote the betterment, self-image and attitude of the community.

FINANCIAL CONSIDERATIONS

There are no financial considerations in the report

CONSULTATIONS

Municipal Services
Corporate Services

RECOMMENDATION

That Council direct Administration to maintain the standards that are set out in the provisions of the Cemetery By-law (90-2012).

Shaun Martinho

Shaun Martinho, H.Bs., C.E.T.
Manager of Public Works

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

October 18 2017

Andrew and Faith Vercruysse
388 RD 3E RR#2
Kingsville ON N9Y 2E5
[REDACTED]

Mayor Nelson Santos
2021 Division RD
Kingsville ON N9Y 2V9

Dear Mayor Nelson Santos and Town Council Respectfully;

Our names are Andrew and Faith Vercruysse. We are writing this letter as a request to amend a by-law with regards to the Greenville Cemetery. We are aware that the last name is all that is allowed on the back of a monument. We are asking for authorization to permit us to include a small phrase with pictures on the back along with a last name. Please find enclosed a copy of the monument outline. We have spoken to Stephanie Olewski as well as Shawn Martinho. We were denied our request from Shawn Martinho. He did tell us that if we were not satisfied, we could take our cause to town council. That is why we are here tonight. Shawn informed us that the reason for not putting illustration on the back of a monument is because it can lead to a grave being dug in the wrong direction. Where our plot is, there will never be a grave dug behind it as there is a tree directly behind it and the plots around it are full.

The reason for this request is that the monument is for our daughter Jocelyn. Jocelyn passed away suddenly and in the most tragic way. To say we were in shock would be an understatement. In many ways we still are. Shortly after her death, my sister came to the house and brought us a plaque with this phrase on it (see copy). There was an angel on it as well. My sister was not only Jocelyn's Aunt she was Jocelyn's Godmother. One of my biggest fears as a mother who has lost a child, is that your child will be forgotten... The plaque is in our living room and I see it everyday... It would mean so much to me if I could leave it with her as well. The other photo represents Jocelyn's devotion to her Faith. Jocelyn was an active member of her parish. As a young child she served on the Altar (Altar Girl) and as a teen and young adult, she was a lector. Unfortunately, Jocelyn's funeral was and still is a foggy memory. It wasn't until a year or so later that I had a vast realization, and much regret, that we did not put a Rosary in her hand. I really wanted to have something on her headstone for this reason.

It took me a long time to come to terms with the idea of putting a monument on Jocelyn's grave. If it wasn't for her brother's insistence, I still don't think I could have done it. I never truly put much thought to the phrase "it's not written in stone" until now.

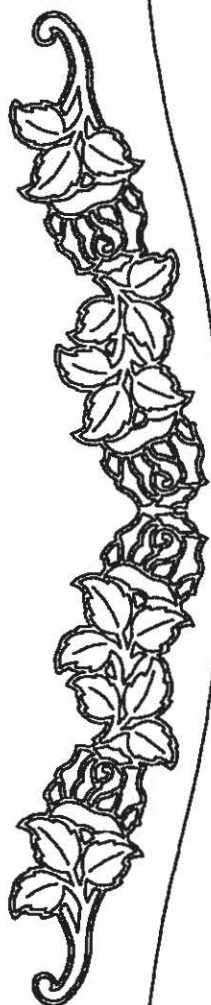
I have learned that the purpose for a monument is to provide the bereaved a focus for mourning and remembrance when they visit and to serve as a memorial of the deceased. All we ask is that you please consider our request for her monument so when we visit her we can leave her to rest with a feeling of peace that we left a piece of us with her and also that we honoured her memory on her monument the best we could in the space provided.

Thank You

Sincerely Andrew And Faith Vercruysse

Andrew Vercruysse
Faith M Vercruysse

RECEIVED OCT 18 2017 *sh*



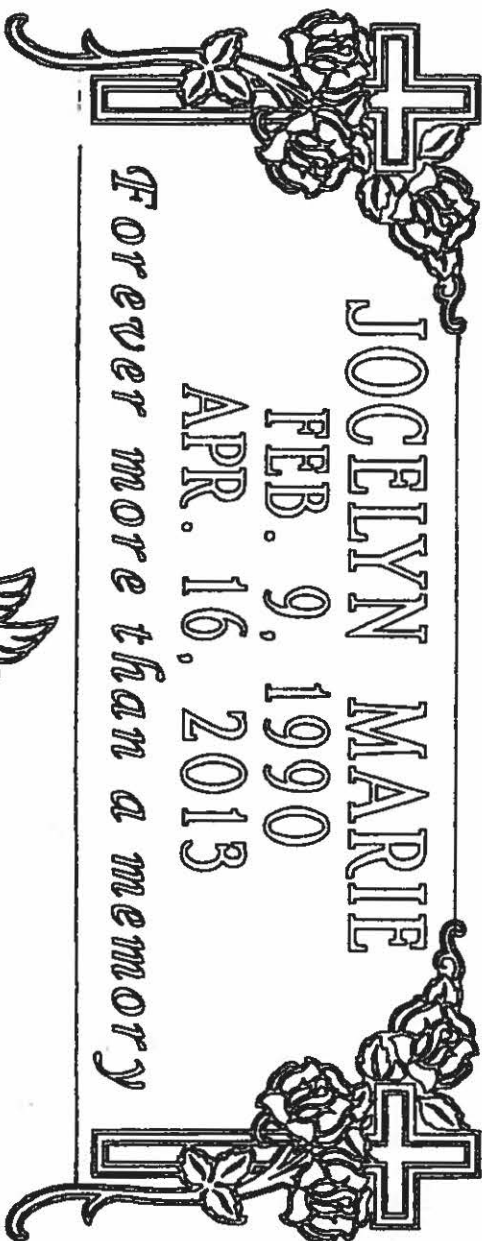
VERCROSS

JOCelyn MARIE

FEB. 9, 1990

APR. 16, 2013

Forever more than a memory



A breath away is not far
to where you are...



VERY

Someone Remembers,
Someone cares,
your name is *Whispered*

Someone's
Prayers



Delegation to Council Request Form

This Form must be completed and submitted to the Clerk of the Town of Kingsville by all persons wishing to address Council at a scheduled meeting of Council. Please refer to the Delegation Information Sheet for additional information about appearing before Council.

Please note that personal information collected in this Form may be included in the Council Agenda package and/or the Council Meeting Minutes both of which are part of the public record and posted on the Municipal website.

Date you wish to appear before Council

(Please note: our best efforts will be made to accommodate the requested date):

October 23 2017

Full name(s) of person(s) presenting:

Andrew & Faith
Vercautse

Are you representing a group?

☐ Yes

☒ No

Name of Group:

Please indicate your position/role in the group:

Will other group members be attending?

☐ Yes

☐ No

Address of Presenter or Delegation:

(address of main contact for the group, if applicable)

Contact Phone No: [REDACTED]

Alternative Phone No: [REDACTED]

Email:

[REDACTED]

Brief summary of the issue(s) you will be presenting to Council:

We are requesting to amend a by-law in regards to illustration on the back of a monument in Greenhill Cemetery. Plot 45 & 6 Lot 103 plan 1403.

Have you appeared before Council on this issue before?

☐ Yes

☒ No

Have you been in contact with staff on this issue before?

☒ Yes

☐ No

If you answered 'yes', please provide name(s) of staff:

224

Stephanie Olewski
Shawn Martinho

presentation?

☒ Yes

☐ No

If yes, please attach 1 copy of the handout material being presented

(letter)

Do you have any equipment needs for your presentation?

☐ Yes

☐ No

If 'yes', please describe your equipment needs:

Do you have any special needs when presenting?

☐ Yes

☐ No

If 'yes', please describe your special needs:

October 18 2017

Date

Andrew Vermeysse

Signature

The personal information contained in this Form is collected pursuant to the Municipal Act, 2001. Any personal information will be used to properly place the item/issue you wish to discuss in Council's Agenda package. This information will become part of the public record, unless you expressly request the removal of your personal information. Questions about the collection of this information may be directed to the Corporate Services Department.

THE CORPORATION OF THE TOWN OF KINGSVILLE
BY-LAW 90-2012

*Being a by-law to establish rules and regulations
to be used in connection with all cemeteries owned and
operated by The Corporation of the Town of Kingsville*

WHEREAS section 10 of the *Municipal Act, 2001* S.O. 2001, c. 25 provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public and may pass by-laws respecting such service.

AND WHEREAS The Corporation of the Town of Kingsville (the "Town") is the owner and operator of certain cemeteries within the boundaries of the Town, which cemeteries are listed in Schedule "A" attached hereto and forming part of this By-law, the locations of which cemeteries are more specifically indicated on a map attached hereto as Schedule "B" and forming part of this By-law.

AND WHEREAS section 150 of Regulation 30/11 (the "Regulations") made under the *Funeral, Burial and Cremation Services Act, 2002* S.O. 2002, c. 33 (the "Act") provides that a cemetery operator may make by-laws governing the operation of the cemetery and, in particular, governing rights, entitlements and restrictions with respect to interment and scattering rights.

AND WHEREAS section 151(1) of the Regulations provides that no cemetery by-law is effective until the cemetery operator has filed it with the registrar appointed under section 3 of the Act (the "Registrar") in an approved form and manner; provided notice of the filing in accordance with subsection 151(3) of the Regulations; and the Registrar has approved it.

AND WHEREAS it is expedient to repeal By-law 30-2003 being a by-law to establish rules and regulations to be used in connection with all cemeteries owned by the Town.

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

Definitions

1. For the purpose of this By-law, the following further definitions are applicable:
 - a) "Cemetery" means any one of the cemeteries owned and operated by the Town and listed in Schedule "A" herein and "Cemeteries" shall have a corresponding meaning;
 - b) "Contract" means a contract complying with the provisions of section 40 of the Act;
 - c) "Fee" means the corresponding fee charged for a service pursuant to the Town's Fees and Charges By-law, as amended from time to time, and as set out in a price list as required by section 33 of the Act.
 - d) "Inter" means the burial of human remains and includes the placing of human remains in a Lot and "Interred" and "Interment" shall have corresponding meanings;
 - e) "Interment Rights" includes the right to require or direct the Interment of human remains in a Lot;
 - f) "Holiday" means:

New Year's Day
Family Day
Good Friday
Easter Monday
Victoria Day
Canada Day
Civic Holiday

Labour Day
Thanksgiving Day
Remembrance Day
December 24
Christmas Day
Boxing Day
December 31

- g) "Lot" means an area of land in a Cemetery being approximately 3'4" x 8' containing, or set aside to contain, Interred human remains;
- h) "Manager" means the person assigned by the Town from time to time to manage the Cemeteries or his or her designate;
- i) "Marker" means any permanent memorial set flush with the surface of the ground and used to mark the location of a Lot;
- j) "Monument" means any permanent memorial projecting above the ground level and used to mark the location of a Lot;
- k) "Open Hours" means between 8:00 a.m. and sundown;
- l) "Plot" means two (2) or more Lots in respect of which the Interment Rights have been sold as a unit;
- m) "Rights Holder" means the person who holds the Interment Rights with respect to a Lot; and
- n) "Town" means The Corporation of the Town of Kingsville.

Regulations For Interments And Disinterments

Generally

- 2. A Rights Holder or his or her authorized representative shall provide notice of a proposed Interment in writing to the Manager by noon, two (2) days prior to the proposed date of Interment.
- 3. No Lot shall be opened for Interment or disinterment by a person not in the employ of; acting as agent of; or under the express direction of the Town.
- 4. The Town assumes no responsibility or liability for loss or damage to any person or property during Interment or disinterment.

Requirements Prior to Interment

- 5. In addition to any other requirement under the Act and the Regulations and any other legislation that may be in force from time to time, the following shall be received by the Town prior to an Interment in a Cemetery:
 - a) a Contract for the Interment;
 - b) if the remains to be Interred are not those of a Rights Holder, the written consent of all Rights Holders or their authorized representatives to such Interment; and
 - c) payment in full of the Fee for the Interment.

Requirements Prior to Disinterment

- 6. In addition to any other requirement under the Act and the Regulations and any other legislation that may be in force from time to time, the following shall be received by the Town prior to an Interment in a Cemetery:

- a) a Contract for the Disinterment; and
- b) payment in full of the Fee for the Disinterment.

Interments

7. The following may be Interred in one (1) Lot:
 - a) not more than four (4) cremated remains; or
 - b) one (1) non-cremated remains, and
 - i) one (1) 12"x 24" container containing infant remains to be Interred at the head of the Lot, provided space is available; or
 - ii) not more than two (2) cremated remains.
8. Remains to be Interred in a Lot shall be enclosed in a container which container shall be:
 - a) sealed securely;
 - b) of sufficient strength to permit Interment with the container remaining intact; and
 - c) of a size to permit Interment within the Lot.

Regulations For Markers And Monuments

Generally

9. Subject to sections 22 and 23, one (1) Marker or one (1) Monument that otherwise complies with the regulations contained in this By-law may be installed on a Lot or Plot.
10. No person shall erect, install, move, alter or remove or cause to be erected, installed, moved, altered or removed, a Marker or Monument in a Cemetery without written authorization from the Manager.
11. No person shall deliver to a Cemetery or cause to be delivered to a Cemetery a Marker or Monument without written authorization from the Manager and unless the foundation is prepared and the Marker and Monument is to be immediately installed.
12. Every person who wishes to deliver to a Cemetery or, erect, install, place, move, alter or remove a Marker or Monument in a Cemetery shall provide such information in connection with the Marker or Monument and the erection, installation, placement, movement, alteration or removal of the Marker or Monument as the Manager may require.
13. Vases permanently attached to a Marker or Monument shall be:
 - a) constructed of bronze;
 - b) of sufficient strength to protect the vase in an inverted position; and
 - c) attached to the Marker or Monument with a chain long enough to invert, and the Town shall assume no responsibility nor liability for the loss or damage to vases attached to any Marker or Monument.
14. Despite anything else in this By-law, no Marker, Monument or Foundation shall extend over the side of any Lot or Plot.

Requirements Prior to Installation

15. In addition to any other provision of this By-law, the following shall be received by the Town prior to the installation of a Marker or Monument:
 - a) written authorization for the installation of the Monument or Marker from all Rights Holders or the authorized representatives of the Rights Holders; and

- b) payment in full of the Fee for the Marker or Monument Care and Maintenance.

Markers

- 16. When measuring a Marker, depth shall refer to the distance from front to back and width shall refer to the distance from left to right.
- 17. A Marker shall:
 - a) be flat;
 - b) be constructed of marble, granite or bronze;
 - c) be set level with the ground so that a lawnmower may pass safely over the Marker;
 - d) not have any inscription which is not in keeping with the dignity and decorum of the Cemeteries;
 - e) be a minimum thickness of 4”;
 - f) be a minimum size of 10” in depth x 20” in width;
 - g) be a maximum size of:
 - i) 16” in depth x 30” in width if placed on a Lot; or
 - ii) 18” in depth x 42” in width if placed on a Plot.
 - h) be placed such that the Marker does not interfere with future Interments.
- 18. If the Marker has a skirt, such skirt shall be no more than 2” greater than the size of the Marker.

Monuments

- 19. Notwithstanding any other provision of this By-law, Monuments are prohibited in the following Cemeteries:
 - a) Sections A, B, C, D, and E, of the Greenhill Cemetery; and
 - b) Graceland Expanded Cemetery.
- 20. When measuring a Monument or its base, height shall refer to the distance from top to bottom; width shall refer to the distance from left to right; and depth shall refer to the distance from front to back.
- 21. A Monument shall:
 - a) not have any inscription which is not in keeping with the dignity and decorum of the Cemeteries;
 - b) be a maximum size of:
 - i) 24” in height x 24” in width if placed on a Lot; or
 - ii) 30” in height x 48” in width if placed on a Plot;
 - c) if it includes a base, have a base a maximum size of:
 - i) 8” in height x 32” in width x 14” in depth if placed on a Lot; or
 - ii) 8” in height x 60” in width x 14” in depth if placed on a Plot;
 - d) have only a family name on its back;
 - e) not be placed “back-to-back” against another Monument; and
 - f) be placed at the centre of the head of the Lot or Plot, unless otherwise authorized or directed by the Manager.

Supplementary Markers

- 22. Supplementary Markers may be installed on a Lot or Plot in accordance with section 23.

23. Supplementary Markers shall be a maximum size of 16" in depth and 24" in width and the maximum number to be installed shall be one (1) if on a Lot and two (2) if on a Plot and such supplementary Marker shall be installed as follows:
- a) flush to and centred under a Marker; or
 - b) at the opposite end of and centred under a Monument,
- and if two (2) supplementary Markers are installed in accordance with this By-law, such shall be installed one beside the other.

Foundations

24. Every Monument shall have foundation.
25. A foundation shall:
- a) be constructed between March 31 and November 14;
 - b) have a surface area that is flush with the surrounding ground level;
 - c) provide a level surface free of defects;
 - d) be cured for a minimum of forty-eight (48) hours before the installation of the Monument; and
 - e) have a skirt no more than two (2) inches greater than the size of the Monument base.

Removal by Manager

26. The Manager, in his or her sole discretion, may remove from a Cemetery, Lot or Plot any Marker or Monument that does not comply with the regulations in this By-law.

Maintenance

27. The Town shall be responsible for the general care and maintenance of the Markers and Monuments once installed on a Lot or Plot in accordance with the regulations in this By-law.
28. Notwithstanding any other provision of this By-law, if any Marker or Monument is found to pose a hazard or risk to public safety, the Town may remove such risk or hazard.
29. Any person who finds a Marker or Monument in need of care or maintenance shall notify the Town.
30. The Town assumes no responsibility nor liability for the proper installation of any Marker or Monument, nor for any loss or damage to any Marker or Monument resulting from normal wear and tear, including, but not limited to, minor scraping of the base of Monuments due to turf mowing operations.

Regulations For Cemeteries, Lots And Plots

General Care and Maintenance

31. The Town shall be responsible for the general care and maintenance of the Cemeteries, Lots and Plots.
32. Nails, wires, wooden crosses, articles of glass or pottery are prohibited in the Cemeteries.

Lots and Plots

33. No person may alter any Lot or Plot in any manner whatsoever, including, but not limited to the changing of the grade, the addition of sod, grass seed, or loose stone, the construction of curbing, coping, fencing or walkways of any kind.
34. No person shall place, leave, install or erect any article, item, memorial, structure, object or thing of any kind whatsoever in a Cemetery or upon any Lot or Plot unless otherwise permitted by this By-law.

35. Subject to section 39, the following articles are permitted to be left upon a Lot or Plot by any person:
- a) fresh and artificial flowers;
 - b) between November 1 and March 31 each year, Christmas wreaths and blankets or artificial wreaths without glass or plastic covers, provided the same are securely fastened to a Monument, or where there is no Monument, mounted on a stand of at least thirty (30) inches high and securely anchored to the ground; and
 - c) between April 1 and October 31 each year, potted plants on top of the ground, but not buried, and placed as close to the Monument or Marker base as practical.
36. Subject to section 39, flower beds not exceeding twelve (12) inches in width are permitted around the base of a Monument.

Maintenance

37. Any person who leaves any article permitted by this By-law on a Lot or Plot shall care for and maintain the article while it is left on the Lot or Plot and shall remove the article when the article is no longer permitted under this By-law.
38. Except as otherwise indicated in the Act, the Regulations and this By-law, the Town is not responsible to maintain, nor is the Town liable for loss or damage to any articles left in the Cemeteries or upon any Lot or Plot.

Removal by Manager

39. The Manager, in his or her sole discretion, may remove from the Cemetery, Lot or Plot:
- a) anything that is not authorized under this By-law;
 - b) any article if that article may not be left on a Lot or Plot after a certain date if that date has passed;
 - c) any article that is not cared for or maintained, including, but not limited to dead plants or flowers and pots or urns not filled with plants or flowers;
 - d) any trees or shrubs situated in any Lot or Plot that have become, by means of their roots or branches or in any other way detrimental to the adjacent Lot, drains, roads or walks, or prejudicial to the general appearance of the grounds or inconvenient to the public; and
 - e) any article which is detrimental to efficient maintenance or constitutes a hazard to machinery, employees or visitors, or does not conform with the natural beauty or design of the Cemetery.

Rules For Contractors

40. In section 41, "Contractor" shall mean any person undertaking work in the Cemeteries who is not an employee of the Town, whether party to a contract with the Town or not.
41. Contractors shall:
- a) respect the integrity and decorum of the Cemeteries;
 - b) cease work, if in the immediate vicinity of a funeral, until the conclusion of the funeral service;
 - c) indemnify and hold harmless the Town, its directors, officers, employees, agents and elected officials, from and against all claims, losses, suits, judgments, legal expenses and for any and all liability for damages to property and injury to persons, including death, which the Town may incur or suffer directly or indirectly as a result of or arising out of or in relation to the Contractor's work within the Cemeteries;

- d) at its own expense, take out and maintain, general liability insurance of not less than two million dollars (\$2,000,000.00) and such policy shall be written on a comprehensive basis with coverage for any one occurrence or claim of not less than two million dollars (\$2,000,000.00) and shall contain a provision for cross liability or severability of interest and non-owned automobile coverage with blanket contractual and physical damage coverage for hired automobiles and provide proof of such insurance as required by the Town;
- e) comply with all applicable laws, regulations, orders, by-laws and requirements of governmental or other public authorities having jurisdiction at any time, including, but not limited to, the following:
 - i) *Occupational Health and Safety Act R.S.O. 1990, c. O.1*, including the Town's Violence and Harassment in the Workplace Policy and Program, which shall be in place from time to time;
 - ii) *Workplace Safety and Insurance Act, 1997, S.O. 1997, c. 16, Schedule A*; and
 - iii) *Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c. 11*, including the Town's Accessible Customer Service Standards Policy, which shall be in place from time to time,

and, upon request, provide proof of such compliance in the prescribed form or in any other form as required by the Town;

- f) undertake all work during Open Hours, unless under special written permission of the Manager;
- g) undertake no work on a Saturday that cannot be finished on that day;
- h) do no work on a Sunday;
- i) not transport heavy loads in the Cemeteries when, in the opinion of the Manager, driveways or any other areas are in an unfit condition;
- j) lay planks on Lots and areas over which materials are to be moved;
- k) restore or replace any surface damaged by any work undertaken;
- l) not park on the grassy areas of the Cemeteries unless directed to do so by the Manager;
- m) place all implements and materials used in the performance of any work in accordance with the direction of the Manager; and
- n) remove all rubbish and surplus earth; refuse, litter and debris in such manner as the Manager directs.

Rules For Visitors

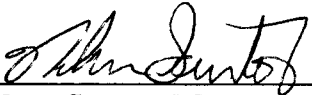
- 42. Funeral corteges within Cemeteries shall follow the route as may be directed by the Manager, when required.
- 43. All persons visiting the Cemeteries shall:
 - a) attend during Open Hours;
 - b) respect the integrity and decorum of the Cemeteries and not engage in any noisemaking, picnicking nor improper conduct;
 - c) not walk on any Marker nor sit, lean nor climb on any Monument;
 - d) drive vehicles in the Cemeteries at a moderate rate of speed on the designated driveways and not park on the grassy areas unless directed to do so by the Manager;
 - e) not drive any all-terrain vehicle or snowmobiles in the Cemeteries;

- f) not discharge any firearm unless in accordance with the provisions of any by-law of the Town that may be in effect from time to time regulating the discharge of firearms.
- g) not bring any dogs or other animals into the Cemeteries, except service animals;
- h) remove all rubbish, refuse, litter and debris from the Cemeteries or place the same in designated receptacles; and
- i) be responsible for any damage to the Cemeteries caused by any failure to comply with the rules set out in these By-laws.

General

- 44. Calculation of time periods within this By-law shall exclude the day on which the first event happens and include the day on which the second event happens and such calculation shall not include Saturdays, Sundays and Holidays.
- 45. This By-law shall come into effect upon approval by the Registrar.
- 46. By-law 30-2003 and any amendments thereto are hereby revoked.

READ a FIRST, SECOND and THIRD TIME and FINALLY PASSED this 27th day of August, 2012.



Nelson Santos, Mayor

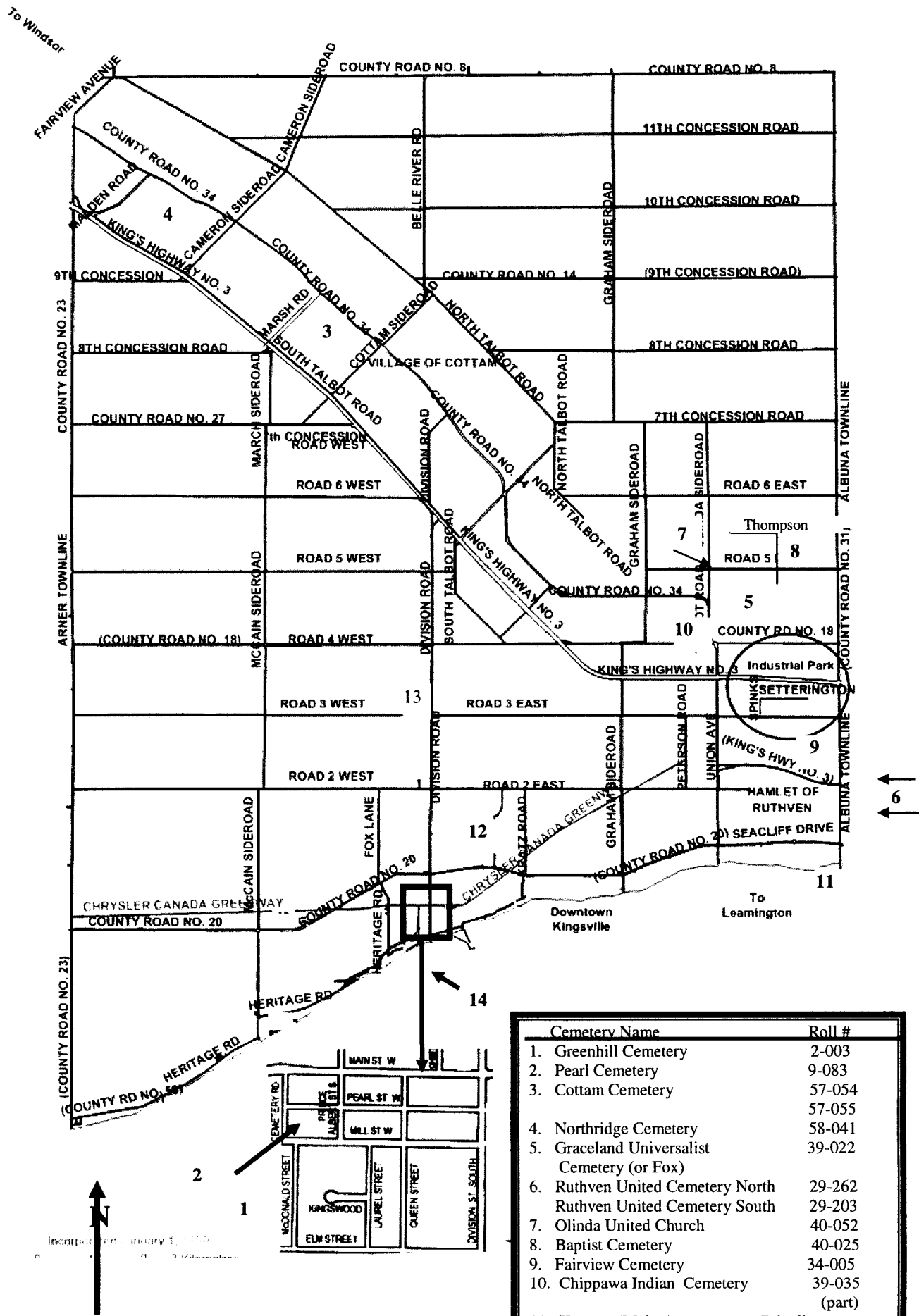


Ruth Orton-Pert, Clerk

SCHEDULE "A"

Cemetery Name	Location	Description	Status	Roll No.
Augustine	Farm Lot, Road 2 East	Lot: 1 Conc. 1 Pt. 3 12R15587	Inactive	None
Greenhill	Mill Street West	Lot: 4 Conc. 1	Active	020-00300
Pearl Street	Pearl Street West	Lot: 2 Conc. 1 WD	Inactive	090-08300
Cottam Cemetery	s/s County Road 34	Lot: 271 Conc. STR Part 1 Plan 12R12365	Active-Anglic. Active-Other	570-05400 570-05500
Northridge	South Talbot Road	Lots: 277, 278 Conc. STR Part 1 12R15809	Active	580-04100
Baptist	e/s Thompson Crescent	Lot: 21 Conc. 5 E.D.	Active	400-02500
Chippawa Indian	Farm Lot, Road 4 East	s/e corner Lot: 20 Conc. 4 E.D.	Inactive	390-03500
Fairview	n/s Road 3 East	Lot: 11 Conc. 3 E.D.	Active	340-00500
Graceland Universalist (or Fox) + Expansion	Road 5 East at Olinda Sideroad	Lot: 21 Conc. 4 E.D Part of Part 1 12R6602.	Active	390-02100
Kenyon (Malott)	Farm Lot 12, w/s Kenyon Point Rd.	Lot: Farm Lt. 12 Kenyon Point Road	Inactive	Road Allowance
Negro	Division Road	s/w corner Lot: M Conc 3 W.D.	Inactive	370-08600
Malott	Heritage Road	Lot: 4 Conc. 1 W.D. Parts 1 to 3 12R5593	Inactive	270-31502
Olinda United Church	w/s Olinda Sideroad	Lot: 20 Conc. 5 E.D. Part 1 12R11510	Active	400-05200
Ruthven United Church (north)	n/s Hwy. 3 at Albuna Townline	Lot: 13 Conc. 2 E.D.	Active	290-26200
(south)	s/s Hwy. 3 at Albuna Townline	Lot: 13 Conc. 2 E.D.	Active	290-20300

SCHEDULE "B"



Cemetery Name	Roll #
1. Greenhill Cemetery	2-003
2. Pearl Cemetery	9-083
3. Cottam Cemetery	57-054
4. Northridge Cemetery	57-055
5. Graceland Universalist Cemetery (or Fox)	58-041
6. Ruthven United Cemetery North	39-022
Ruthven United Cemetery South	29-262
7. Olinda United Church	29-203
8. Baptist Cemetery	40-052
9. Fairview Cemetery	40-025
10. Chippawa Indian Cemetery	34-005
	39-035 (part)
11. Kenyon (Malott) Cemetery	Rd. allowance w/s Kenyon Rd.
12. Augustine Cemetery	Pt. 22 12R17586
13. Negro Cemetery	37-086
14. Malott Cemetery	27-31502

PELEE ISLAND WINERY

*455 Seacliff Drive, County Road 20, Kingsville, Ontario N9Y 2K5
519-733-6551 • 1-800-597-3533 • Fax 519-733-6553
www.peleeisland.com*

September 22, 2017

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

Attention: Sandy Kitchen, Deputy Clerk-Council Services
Corporate Services Department

Dear Ms. Kitchen,

Pelee Island Winery is in the process of submitting to the AGCO an application for "By the Glass" – Manufacturer's Limited Liquor Sales Licence. This licence will allow Pelee Island Winery to sell and serve our wine to patrons for consumption in single servings on our manufacturing site. AGCO requires a municipal resolution to indicate the support of the local community. Attached for your review is a site plan indicating the area in consideration for the licence. We look forward to receiving the municipal resolution in support of our application.

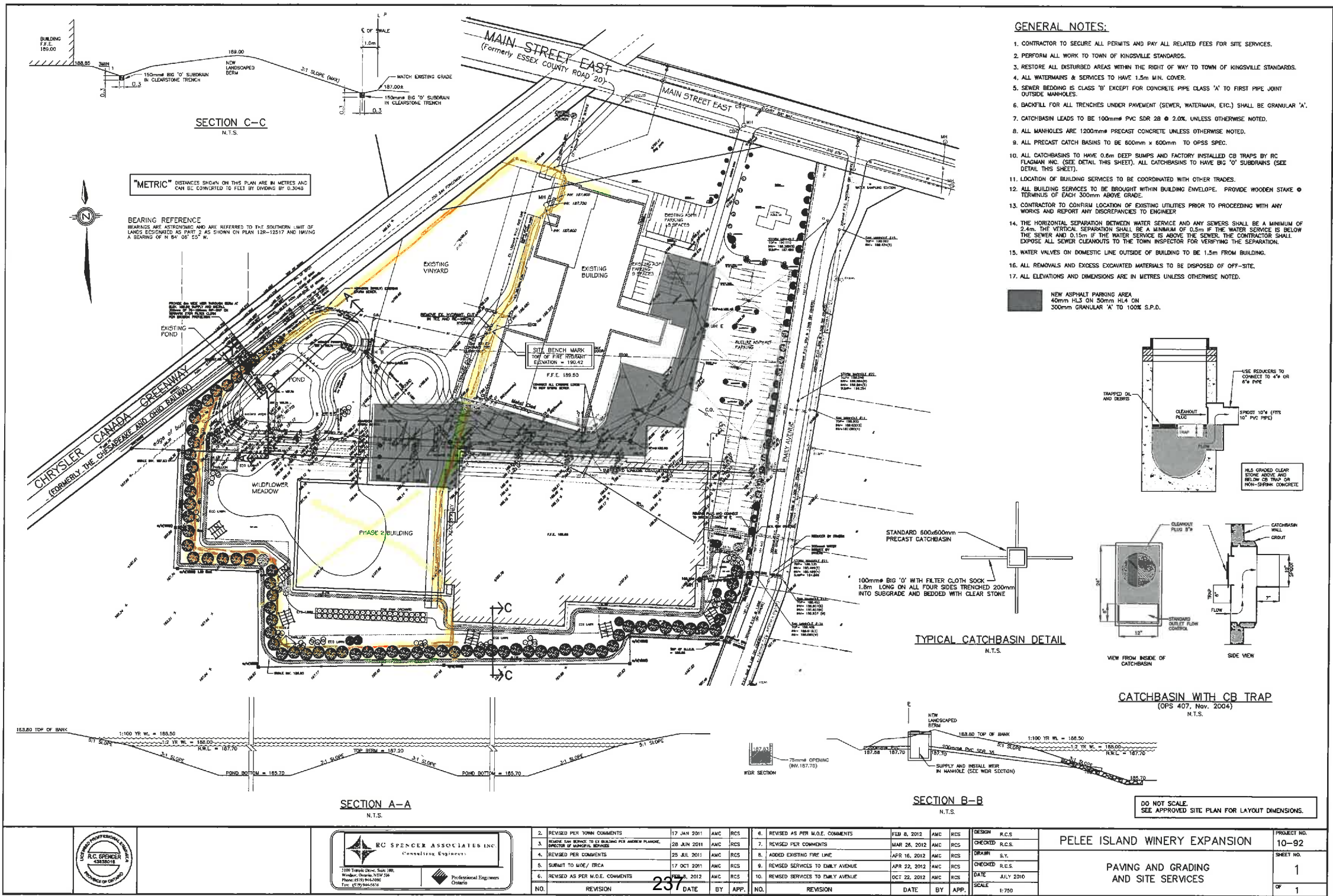
Please don't hesitate to contact me should you have any questions or require additional information.

Sincerely,



Liz Bennett
Executive Assistant

Encl. Pelee Island Winery - Site Plan





**SPECIAL MEETING OF COUNCIL
MINUTES**

**Tuesday, September 26, 2017
7:00 PM**

**Kingsville Arena Complex - Auditorium A
1741 Jasperson Lane
Kingsville, ON N9Y 3J4**

Members of Council	Mayor Nelson Santos Deputy Mayor Gord Queen Councillor Susanne Coghill Councillor Tony Gaffan Councillor Thomas Neufeld Councillor Larry Patterson Councillor John Driedger
Members of Administration	J. Astrologo, Director of Corporate Services S. Kitchen, Deputy Clerk-Council Services S. Martinho, Public Works Manager A. Plancke, Director of Municipal Services K. Vegh, Drainage Supervisor P. Van Mierlo-West, CAO S. Zwiers, Director of Financial Services R. Mackie, Public Works Supervisor/Engineering Coordinator

A. CALL TO ORDER

Mayor Santos called the Regular Meeting to order at 7:02 p.m.

B. DISCLOSURE OF PECUNIARY INTEREST

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

C. MATTERS SUBJECT TO NOTICE

ENGINEER'S REPORT CONSIDERATION - Esseltine Drain, Town of Kingsville

L. Zarlenga, P. Eng. and K. Vegh, Drainage Superintendent

- i) Notice of Meeting to Consider the Engineer's Report, dated August 29, 2017;
- ii) Engineer's Report, dated June 17, 2016 (RC Spencer Associates Inc. Project No.: 14-425) comprised of Book 1 (Report), Book 2 (Drawings) and Book 3 (Addendum Report)
- iii) Proposed By-law 93-2017, being a By-law to provide for the repair and improvement of the Esseltine Drain in the Town of Kingsville, in the County of Essex (RC Spencer Associates Inc. Project No. 14-425) to be provisionally adopted at this Regular Meeting; and
- iv) By-law 76-2017 being a by-law authorizing an extension of time for the filing of the engineer's report for the Esseltine Drain.

Engineer Zarlenga presented the Municipal Drainage Report prepared for the Town of Kingsville for the Esseltine Drain. He indicated that the Report comprises 3 parts, being Book 1 (Report), Book 2 (Drawings) and Book 3 (Addendum Report). By way of background, pursuant to Section 78 of the *Drainage Act*, the Town accepted a request from the Town's Administration to repair and improve the Esseltine Drain. The Town, acting as the initiating municipality subsequently appointed RC Spencer Associates Inc. to make an examination and prepare a report. The intent of the report is to provide for the repair and improvement of the Esseltine Drain, being an existing municipal drain and to convert the natural watercourse downstream of County Road 20 to a municipal drain. Presently, the natural watercourse is adversely affecting the ravine and the ravine side slopes are failing. The recommended works would be to stabilize the bottom, provide a water conveyance system and provide erosion control at the Lake itself. The total cost of the drainage works is estimated at \$4,072,005.00.

Comments from the audience:

Vicki Calcott, 1521 Brookview Drive, advised that the area she lives in is "losing nature" because their backyards are overflowing. She invited Council to attend her property to view the overflow. Mr. Vegh stated that he is aware of the issue in that area and the scope of this project will not alleviate this situation. Ms. Calcott will contact Mr. Vegh directly in this regard after this meeting for further investigation. She then asked if there is any guarantee that the construction of the proposed Esseltine Drainage works will not damage their septic system.

Mr. Vegh indicated that the contractors who will perform the construction have insurance policies in place to cover damage caused by construction, if any occurs, and that all necessary precautions will be taken. He stated there is one entire septic system that will have to be replaced (R. Hicks).

Mayor Santos then asked the representatives of RC Spencer Associates to review their Powerpoint presentation in an effort to explain the recommended works, including construction design, allowances, special benefit assessments and other items.

Presentation by Marvel Hormiz and Shane Lafontaine of RC Spencer Associates Inc.:

Mr. Hormiz and Mr. Lafontaine explained the proposed works through various cross-section drawings, charts, maps and photographs. The existing Esseltine Drain situated north of County Road 20 (Seacliff Dr.) will be extended to a sufficient outlet into Lake Erie. Bank stabilization to the ravine area will be provided as detailed. The outlet of the Esseltine Drain will also be provided substantial protection in order to safeguard the improvements made to the upstream areas of the Drain. The photographs shown depict where tree roots are unable to grab onto the ground and stay up. This erosion has been occurring for some time because of the flow of water and erosion protection efforts have failed.

Questions and comments from the audience:

Jennifer Fraser, 1516 Whitewood asked what the reference to the Richard Hicks Branch Drain and the Mucci-Hicks Branch Drain in the report pertains to. Mr. Vegh explained that those drains, which are minor in size, need to be updated and those works are included in the project.

Anne Evers, 1906 Road 3 East asked if the greenhouse owners will be assessed more than property owners who own residential lots. Mr. Zarlenga explained that the greenhouse will be assessed a larger amount; that the method of calculation is based on the size of the greenhouse operation, the run-off coefficient chart, and the nature of the works that are on that property.

Mr. Mattia, 1636 Talbot Road asked, if the works are being done south of County Rd. 20 why would his property be assessed? Mr. Vegh explained that properties that contribute water to the downstream watercourse are assessed.

Kim Iaquina, 1519 Brookview Drive, stated that the Esseltine Drain drains from north to south toward the lake. She wondered if it also drains west to east, or east to west. She asked how the engineer determines all of the drainage areas. Mr. Hormiz explained that the engineers review historical reports and see where

the drainage areas end, and stated that in the majority of these parcels, the water goes through storm systems underground and outlets into the drain.

Ms. Iaquina asked if there is any data that predates the greenhouse operations showing the volumes of water that flow through the natural watercourse, and asked whether the greenhouses paying contributively.

Engineer Zarlenga confirmed that to calculate the charges to be assessed to the greenhouse operators they use run-off coefficient calculations and aerial photographs.

Scott Shilson, 1510 Whitewood Rd., asked if the hydro pole behind his property will be removed during construction. Mr. Zarlenga indicated the pole would be removed at the time of construction with the cost to be borne by the appropriate hydro company.

Harry Keller, 1810 Talbot Road, asked if there are any construction mitigation plans in place during the construction process that will control sediment from flowing into the water.

Mr. Zarlenga confirmed that the construction will be inspected continuously from start to finish, that there are environmental regulations to be adhered to, and silk screens and other barriers will be used to control sediment and flow.

Andrew Dann, 1512 Whitewood Rd., asked how outlets to existing drains will be managed throughout the construction. Mr. Zarlenga showed the cross section of 600 diameter pipe for low-flow water control during construction.

There were no further questions from the audience.

There were no further questions or comments from Council.

632-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Thomas Neufeld

Council adopt Engineer's Report dated June 17, 2016 (RC Spencer Associates Inc. Project No. 14-425), read By-law 93-2017 a first and second time at this Special Meeting, and schedule Court of Revision for a future date.

CARRIED

D. BYLAWS

1. By-law 76-2017

633-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Susanne Coghill

Council read By-law 76-2017, being a by-law authorizing an extension of time for the filing of the engineer's report for the Esseltine Drain (RC Spencer Associates Inc. Project No. 14-425) a first, second and third and final time.

CARRIED

2. By-law 93-2017

634-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Tony Gaffan

Council read By-law 93-2017, being a by-law to provide for the repair and improvement of the Esseltine Drain and the construction of the Richard Hicks Branch Drain and the Mucci-Hicks Branch Drain in the Town of Kingsville, in the County of Essex a first and second time.

CARRIED

E. CONFIRMATORY BY-LAW

1. By-law 98-2017

635-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Larry Patterson

That Council read By-law 98-2017, being a By-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its September 26, 2017 Special Meeting, a first, second and third and final time.

CARRIED

F. ADJOURNMENT

636-2017

Moved by Councillor Tony Gaffan

Seconded by Councillor Susanne Coghill

That Council adjourn this Special Meeting at 8:05 p.m.

CARRIED

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo



**SPECIAL MEETING OF COUNCIL
MINUTES**

Tuesday, October 3, 2017

3:30 PM

**Kingsville Arena - Committee Rooms B and C
1741 Jasperson Lane
Kingsville, ON N9Y 2E4**

Members of Council Mayor Nelson Santos
 Deputy Mayor Gord Queen
 Councillor Susanne Coghill
 Councillor Tony Gaffan
 Councillor Larry Patterson
 Councillor John Driedger

Absent Councillor Thomas Neufeld

Members of J. Astrologo, Director of Corporate Services
Administration M. Durocher, Parks & Recreation Program Manager
 T. Del Greco, Manager of Municipal Facilities and Property
 R. McLeod, Manager of Financial Services
 P. Van Mierlo-West, CAO

A. CALL TO ORDER

Mayor Santos called the Special Meeting to order at 3:30 p.m.

B. DISCLOSURE OF PECUNIARY INTEREST

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

C. PRESENTATIONS/DELEGATIONS

1. Presentation and Workshop with Glos Associates RE: Grovedale Design Features

Shane Mitchell provided Council with a more detailed view of the exterior design features of the Grovedale building. He reviewed the suggested layout of the parking lot, the interior floor plan, and the suggestions for the second floor mezzanine.

Council was further provided suggestions for construction material and finishing that could be used in this project.

637-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Larry Patterson

That Council receive the diagrams and information provided by Glos Associates regarding the Grovedale design features.

CARRIED

D. CONFIRMATORY BY-LAW

1. By-law 99-2017

638-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Susanne Coghill

Council read By-law 99-2017, being a By-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its October 3, 2017 Special Meeting a first, second and third and final time.

CARRIED

E. ADJOURNMENT

639-2017

Moved by Councillor Susanne Coghill

Seconded by Councillor John Driedger

That Council adjourn the October 3, 2017, Special Meeting at 4:42 p.m.

CARRIED

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo



**REGULAR MEETING OF COUNCIL
MINUTES**

Tuesday, October 10, 2017

6:30 PM

Council Chambers

2021 Division Road N

Kingsville, Ontario N9Y 2Y9

Members of Council	Mayor Nelson Santos Deputy Mayor Gord Queen Councillor Susanne Coghill Councillor Thomas Neufeld Councillor Larry Patterson Councillor John Driedger
Absent	Councillor Tony Gaffan (on personal business)
Members of Administration	J. Astrologo, Director of Corporate Services P. Van Mierlo-West, CAO

A. CALL TO ORDER

Mayor Santos called the Regular Meeting to order at 6:30 p.m.

B. DISCLOSURE OF PECUNIARY INTEREST

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

C. CLOSED SESSION

1. Pursuant to Section 239(2) of the Municipal Act, 2001 Council entered into Closed Session to address the following item:

640-2017

Moved by Councillor Thomas Neufeld

Seconded by Councillor Larry Patterson

That Council move into Closed Session at 6:30 p.m. to address an item pursuant to Section 239(2)(b) of the *Municipal Act, 2001* (personal matters about an identifiable individual, including municipal or local board employees) being the performance of a senior level employee.

CARRIED

Upon rising from Closed Session at 7:05 p.m., the Regular Meeting of Council reconvened in Open Session at 7:10 p.m. with those members and individuals mentioned above remaining in attendance, along with the following additional members of Administration: Director of Financial Services S. Zwiers, Director of Municipal Services A. Plancke, Manager of Planning and Development Services R. Brown, and Deputy Clerk-Council Services S. Kitchen.

D. MOMENT OF SILENCE AND REFLECTION

Mayor Santos asked those present to stand and observe a moment of silence and reflection to be followed by the playing of O'Canada.

E. PLAYING OF NATIONAL ANTHEM

F. PRESENTATIONS/DELEGATIONS

1. Presentation by Mayor Santos on behalf of the Communities in Bloom Committee of three 2017 Communities in Bloom Award Plaques.

Mayor Santos proudly presented the three '2017 Provincial Edition of Communities in Bloom Ontario' Award Plaques to the Communities in Bloom Committee members as follows: i) Town of Kingsville - Recipient of 5 Blooms with Special Mention for Lakeside Park and Pavilion; ii) Criteria Award for Environmental Action; and iii) Criteria Award for Community Gardeners. He congratulated the Committee and thanked everyone involved for their hard work and dedication to the Communities in Bloom program. The plaques will be displayed at the Town's Municipal Offices and Arena Complex.

2. Presentation by Mayor Santos (on behalf of the Municipal Heritage Advisory Committee) to Julia Stomp and Ronni Battagello of Heritage Designation Plaque for The Alfred J. Allworth House (755 Seacliff Drive)

Mayor Santos presented the Heritage Designation Plaque for The Alfred J. Allworth House to homeowners Julia Stomp and Ronni Battagello. He stated that The Alfred J. Allworth House was built in 1887 and was formally designated as a property of cultural heritage value under the provisions of the *Ontario Heritage Act* earlier this year by Town of Kingsville By-law 14-2017.

G. MATTERS SUBJECT TO NOTICE

1. PUBLIC MEETING-Zoning By-law Amendment ZBA/19/17 1552843 Ontario Ltd. 150 Heritage Road Part of Lot 4, Concession 1, WD

Mr. Brown presented his Report dated September 27, 2017 regarding the proposed Zoning By-law Amendment for lands owned by 1552843 Ontario Ltd. located at 150 Heritage Road (County Road 50) in the Town of Kingsville. The applicant is proposing a two-phase proposal. Phase 1 would be the construction of a street from Heritage Road and a total of 16 dwelling units in a mix of semi-detached and townhouse style under one ownership. The remaining lands, Phase 2, would be a total of 17 single detached residential lots on a new street connected to the existing stub from Normandy Avenue. This portion would be developed through the plan of subdivision process over the next 12 to 24 months. He recommended that Council approve the application to re-zone the phase 1 portion of the subject property known as 150 Heritage Road from Lakeshore Residential Exception 30, holding (LR-30(h)) to Lakeshore Residential Exception 33, (LR-33) and adopt the implementing by-law.

Comments from Council:

Deputy Mayor Queen asked if the holding provision on Phase 1 was removed, what assurance would Council have that Phase 2 of the proposal would be developed as outlined? Mr. Brown explained that the holding symbol was placed on the subject property with the intent that a plan of subdivision is to come forward which would go to the County for final approval. The holding is not being removed.

Mayor Santos stated that as the existing zoning for Phase 2 allows for singles, semis and townhouses, could Phase 2 be designated as single family dwellings? Mr. Brown suggested that could be done in place of the current amendment.

Councillor Neufeld commented that most of the residents in attendance have concern regarding Phase 1 of the proposal.

Councillor Driedger indicated he is not in favour of affordable housing in one block. He indicated he opposes Phase 1 at this time and asked about the Town's existing policies and regulations respecting affordable housing development. Mr. Brown explained that the Town's existing Official Plan echoes the County's Official Plan and that part of the reason affordable housing projects are completed in large blocks is that they must be of single ownership.

Councillor Neufeld commented that there are residents who built homes on Heritage Road knowing that the property would be developed, but not knowing that affordable housing units would be constructed.

Deputy Mayor Queen asked as a point of clarification whether the Town's existing Official Plan is being updated. Mr. Brown responded that the update is in progress with no definite timeline for completion.

Mayor Santos stated that the Town is behind as far as access to affordable housing (15%, rather than the 20%) and is trying to identify where to best fit potential affordable housing units.

Councillor Patterson indicated this is not the right location for the proposal.

Comments from the Applicant:

Mr. Walter Branco, President, 1552843 Ontario Ltd., clarified that at this point there is no funding in place and he is seeking approval for zoning for units that could be rented at fair market value or at a lower rate. He also explained that the Canada-Ontario Affordable Housing Program is not a geared-to-income program, but one that provides affordable units to individuals who need them. The 16 proposed units are comparable to the Dieppe development, but would be owned by the numbered company. Mr. Branco stated that he builds custom homes for the community and wishes to offer a different range of housing and price points to everyone who lives in Kingsville. He thought the proposal (a re-design with a mix of 17 single family units and 16 rental units) addressed previous comments and concerns. Mr. Branco requested a deferral of the application.

Comments from the public:

Roxanne Pratt, 221 James Ave. stated that Phase 2 could be changed down the road and that she is opposed to the plan.

Charlene Doughty, 25 Normandy Cres. stated that townhomes do not fit into the local subdivision; that landscape and buffering will not help with the concerns regarding a decrease in property values.

Dave Cours, 39 Normandy Ave., indicated concerns regarding impact on water pressure, stormwater management (what criteria is being used), the narrower width of proposed Street A and access; and asked when the traffic study was completed.

Scott Kraus, 41 Normandy Ave., asked what are the implications, if any, if the Town does not reach the 20% affordable housing percentage.

Joseph Prout, 148 Heritage Rd., indicated he has no problem with the layout of the subdivision, but asked for details pertaining to the tenant selection process. Mr. Branco explained the regulated application process which allows Mr. Branco to have the final say on the selected tenants.

Victor Nelson, 20 Normandy Ave., asked whether there are other properties in Kingsville that are available which would not require a zoning change. Mr. Brown clarified that the re-zoning requirement is because the proposal is not a single unit (one lot/one building). The developer is proposing a multiple-unit building with single ownership.

Robert l'Anson, 195 Woodlawn Cresc. asked what is to prevent Mr. Branco in selling this property in one year. Mr. Branco clarified that he will be committed to a 20-year contract.

Don Wadsworth, 209 James, asked what happens if something happens to Mr. Branco.

Jason Henderson, 136 Heritage stated that he might have chosen a different location to build had he known about the proposal.

Matt Dick, 200 Heritage, stated that he understands the need but that the location of the affordable units should be spread out. He feels that the property values will be negatively impacted.

Tim Dobson, 35 Normandy stated he respects Mr. Branco's efforts, however, this proposal is not a good idea at this location. He asked that Council consider value-based principles and make the wise prudent decision to deny the application.

641-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Susanne Coghill

That Council receive items of correspondence filed by residents with Manager of Planning and Development Services R. Brown, including correspondence of objection from Mr. C. Conde of 207 James Avenue.

CARRIED

642-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Thomas Neufeld

That Council Defer the Zoning By-law Amendment Application ZBA/19/17 to rezone the Phase 1 portion of the subject property known as 150 Heritage Road from Lakeshore Residential Exception 30, holding (LR-30(h)) to Lakeshore Residential Exception 33 (LR-33).

CARRIED

Mayor Santos called for a ten minute recess at 8:45 p.m. and the meeting reconvened at 8:55 p.m.

H. AMENDMENTS TO THE AGENDA

Councillor Coghill stated that she had one announcement.

I. ADOPTION OF ACCOUNTS

- 1. Town of Kingsville Accounts for the monthly period ended September 30, 2017 being TD cheque numbers 0063083 to 0063369 for a grand total of \$1,076,806.72**

643-2017

Moved by Councillor Thomas Neufeld
Seconded by Councillor John Driedger

That Council approve Town of Kingsville Accounts for the monthly period ended September 30, 2017 being TD cheque numbers 0063083 to 0063369 for a grand total of \$1,076,806.72.

CARRIED

J. STAFF REPORTS

- 1. Kingsville Community Grant Fund Policy Amendments**

S. Zwiers, Director of Financial Services

644-2017

Moved by Deputy Mayor Gord Queen
Seconded by Councillor Thomas Neufeld

That Council adopt the Kingsville Community Grant Fund Policy and Appendices as amended.

CARRIED

- 2. PRAC September 2017 Budgetary Requests**

Director of Municipal Services A. Plancke presented the report in Manager Del Greco's absence.

645-2017

Moved by Councillor Larry Patterson

Seconded by Councillor Susanne Coghill

That Council approve allocating \$18,000 from the Parks Life Cycle Reserves Account for the supply and installation of a swing set by PlayPower Canada within Cottam Rotary Park in 2017; And further that Council reallocate account 171-360-71752 in order to facilitate the purchase of wall-mounted seating within the arena.

CARRIED

K. BUSINESS/CORRESPONDENCE-ACTION REQUIRED

1. Kingsville BIA--Correspondence dated September 13, 2017 RE: Planned Street Closures

646-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Susanne Coghill

That Council direct Administration to notify Kingsville BIA of any planned street closures in Town, including parades, which may affect the BIA businesses.

CARRIED

2. Correspondence from Brian Lennie, Stakeholder Engagement Specialist at Union Gas Limited, dated September 21, 2017 RE: Support for the proposed Kingsville Transmission Reinforcement Project

647-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Larry Patterson

That the Town of Kingsville Council provide a letter of support of the proposed Union Gas Kingsville Transmission Reinforcement Project to the OEB and Premier of Ontario.

CARRIED

- 3. Correspondence from City of Windsor Mayor Drew Dilkins, dated September 25, 2017 RE: Amazon HQ2 and Regional Transit**

648-2017

Moved by Councillor Thomas Neufeld

Seconded by Councillor Susanne Coghill

Council provide a letter addressed to Mayor Dilkins offering Kingsville's support for a Regional Transit solution if the City of Windsor is successful in its bid for Amazon's new headquarters.

CARRIED

L. MINUTES OF THE PREVIOUS MEETINGS

- 1. Regular Meeting of Council-September 25, 2017**

- 2. Regular Closed Session Meeting of Council--September 25, 2017**

649-2017

Moved by Councillor Thomas Neufeld

Seconded by Councillor Larry Patterson

That Council adopt Regular Meeting of Council Minutes dated September 25, 2017 and Regular 'Closed Session' Meeting of Council Minutes, dated September 25, 2017.

CARRIED

M. MINUTES OF COMMITTEES AND RECOMMENDATIONS

- 1. Kingsville Municipal Heritage Advisory Committee--August 23, 2017**

650-2017

Moved by Councillor Susanne Coghill

Seconded by Councillor Larry Patterson

That Council receive Kingsville Municipal Heritage Advisory Committee Meeting Minutes, dated August 23, 2017.

CARRIED

- 2. Parks, Recreation, Arts and Culture Committee--August 3, 2017**

651-2017

Moved by Councillor Susanne Coghill

Seconded by Deputy Mayor Gord Queen

That Council receive the Regular Meeting of Parks, Recreation, Arts and Culture Committee dated August 3, 2017 together with Minutes of the following sub-committees: Fantasy of Lights, dated May 30, 2017; Communities in Bloom, dated June 22, 2017; Migration Festival, dated June 13, 2017; Fundraising Committee, dated June 13, 2017 and The 55+ Advisory Committee, dated May 18, 2017.

CARRIED

3. Police Services Board--June 28, 2017

652-2017

Moved by Councillor Larry Patterson

Seconded by Councillor Susanne Coghill

That Council receive Police Services Board Meeting Minutes dated, June 28, 2017.

CARRIED

N. BUSINESS CORRESPONDENCE - INFORMATIONAL

- 1. Municipality of Leamington--Correspondence dated October 2, 2017 RE: Bill 94, Proposed Amendment to Highway Traffic Act and Pilot Project--School Bus Camera Systems**
- 2. Municipality of Chatham-Kent--Correspondence dated September 22, 2017 to Premier Wynne from Mayor Hope RE: Barriers on 401**
- 3. Municipality of Killarney--Correspondence dated September 19, 2017 RE: Proposed Changes to the Ambulance Act and Fire Protection and Prevention Act**
- 4. County of Essex--Correspondence from Mary Birch, Director of Council Services/Clerk dated September 13, 2017 RE: Essex County Council Resolution RE: Essex County Library Reserve Funds Administration**
- 5. Township of South Stormont--Correspondence dated September 11, 2017 in support of Municipality of Killarney RE: Proposed Changes under Bill 68 - Out of Court Payments**

6. **Municipality of East Ferris-Correspondence dated September 28, 2017 RE: Tax Rules**

7. **Windsor-Essex Compassion Care Community (WECCC) and Erie St. Clair Local Health Integration Network Shining a Light On Compassion Celebration**

653-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Larry Patterson

Council receive Business Correspondence - Informational items 1-7 as presented.

CARRIED

O. NOTICES OF MOTION

1. **Deputy Mayor Queen may move or cause to have moved that Council consider advancing the swing set installation at Cottam Rotary Park and advancing the funds for that installation from reserves**

Deputy Mayor Queen did not move, or cause to have moved, such motion at this Regular Meeting, because the matter had been addressed earlier through Mr. Del Greco's Report pertaining to PRAC September 2017 Budgetary requests (Item J-2 above).

2. **Councillor Neufeld may move, or cause to have moved, that Administration prepare a report on the costing to screen the fencing around the dog park and to determine whether the screening is feasible**

654-2017

Moved by Councillor Thomas Neufeld

Seconded by Councillor Susanne Coghill

That Administration prepare a report on costing to screen or paint fence at dog park and to determine whether the screening/painting is feasible.

CARRIED

P. UNFINISHED BUSINESS, ANNOUNCEMENTS AND UPDATES

Councillor Patterson requested an update on the status of the Road 11 watermain project. Director Plancke responded that the project will be put out for tender shortly for completion in or about the Spring of 2018.

Councillor Coghill announced the 1st Annual 'Dennis B. Chase Smile Walk for Optimism & Conservation' to be held at Hillman Marsh Conservation Area on Saturday, November 11, 2017 from 8:00 a.m. to 4:00 pm. The walkathon will support the Essex Region Conservation Foundation in honour of her late father, and she is hoping that a Kingsville Team can be registered.

Q. BYLAWS

None.

R. CLOSED SESSION

655-2017

Moved by Councillor Susanne Coghill

Seconded by Councillor Larry Patterson

That Council, at 9:34 p.m., move into Closed Session to address the following items:

Request dated October 2, 2017 RE: Review of Legal Contract (Section 239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose); and Verbal Report of CAO P. Van Mierlo-West pertaining to the potential acquisition of land for municipal purposes (Section 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board)

CARRIED

Upon rising from Closed Session at 10:06 p.m. the Regular Meeting continued in Open Session.

S. REPORT OUT OF CLOSED SESSION

There were no items to report.

T. CONFIRMATORY BY-LAW

1. By-law 101-2017

656-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Larry Patterson

That Council read By-law 101-2017, being a by-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its October 10, 2017 Regular Meeting a first, second and third and final time.

CARRIED

U. ADJOURNMENT

657-2017

Moved by Councillor Susanne Coghil

Seconded by Councillor Thomas Neufeld

That Council adjourn this Regular Meeting at 10:07 p.m.

CARRIED

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo



MINUTES

COMMITTEE OF ADJUSTMENT MEETING

TUESDAY AUGUST 15TH, 2017 AT 6:00 P.M.
CORPORATION OF THE TOWN OF KINGSVILLE
COUNCIL CHAMBERS
2021 DIVISION RD N, KINGSVILLE, ONTARIO N9Y 2Y9

A. CALL TO ORDER

Chairperson G. Queen called the meeting to order at 6:00 p.m. with the following Committee members in attendance:

Members of Committee of Adjustment	Members of Administration
<ul style="list-style-type: none">Deputy Mayor Gord QueenRussell HorrocksAllison VilardiCouncillor Larry PattersonJim Gaffan Jr.	<ul style="list-style-type: none">Manager of Planning & Development Services – Robert Brown

ABSENT: Town Planner – Kristina Brcic
Interim Planner – David French
Thomas Neufeld

B. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

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

C. ADOPTION OF COMMITTEE OF ADJUSTMENT MEETING MINUTES DATED TUESDAY, JUNE 20TH, 2017.

CA - 33 - 2017

Moved by Russell Horrocks, seconded by Jim Gaffan Jr. the Committee of Adjustment Meeting Minutes dated June 20th, 2017 be adopted.

CARRIED

D. HEARINGS

1. A/06/17 – 29 & 31 Robin Court – 1552843 Ontario Ltd. / Noah Homes

Manager of Planning & Development Services, Robert Brown introduced the minor variance application and reviewed the report prepared by Interim Planner, David French dated August 3rd, 2017 in which the applicant is seeking permission for reduction in front yard setback, rear yard setback and lot coverage for lands known as 29 & 31 Robin Court, Block 83, on Plan 12M-598 in the Royal Oak at the Creek subdivision

The parcel is an 859.65 sq. m (9253 sq. ft.) vacant lot. It is proposed that a semi-detached dwelling be constructed on the parcel. However, in order to construct the proposed dwelling the applicant has requested a minor variance which will provide for the following: 1.) A reduction in front yard setback from 6 m (19.66 ft.) to 5.5 m (18 ft.) 2.) A reduction in rear yard setback from 7.6 m (25 ft.) to 5.5 m (18 ft.) and 3.) An increase in permitted lot coverage from 50% to 52%.

The applicant was in attendance.

Committee member Jim Gaffan Jr. expressed no issues with the requested variance but did ask since there have been repeated requests for the same variance why a zoning amendment is not pursued.

Manager of Planning & Development Services, Robert Brown explained that this would be the ideal solution but would require the developer rather than the builder to make the application.

Committee member Russell Horrocks asked if consideration of the requested variance would be different if the rear yard didn't back onto Jasperson Dr.

Mr. R. Brown replied not likely.

Chairperson, G. Queen asked that the appeal process be outlined.

Chairperson, G. Queen confirmed there were no other comments from the applicant or the audience.

CA - 34 - 2017

Moved by Russell Horrocks, seconded by Larry Patterson that Minor Variance Application A/06/17, for the reduction in front yard setback from 6 m (19.66 ft.) to 5.5 m (18 ft.); the reduction in rear yard setback from 7.6 m (25 ft.) to 5.5 m (18 ft.) and an increase in permitted lot coverage from 50% to 52% on lands currently known as 29 & 31 Robin Court in the Town of Kingsville, be **Approved** subject to the following conditions:

1. The applicant obtain a letter from the engineer of record stating that the requested increase in lot coverage would not have an adverse effect on the approved stormwater management plan for the approved Plan of Subdivision.

CARRIED

2. A/07/17 – 25 & 27 Robin Court – 1552843 Ontario Ltd. / Noah Homes

Manager of Planning & Development Services, Robert Brown introduced the minor variance application and reviewed the report prepared by Interim Planner, David French dated August 3rd, 2017 in which the applicant is seeking permission for reduction in front yard setback, rear yard setback and lot coverage for lands known as 25 & 27 Robin Court, Block 84, on Plan 12M-598 in the Royal Oak at the Creek subdivision

The parcel is an 859.65 sq. m (9253 sq. ft.) vacant lot. It is proposed that a semi-detached dwelling be constructed on the parcel. However, in order to construct the proposed dwelling the applicant has requested a minor variance which will provide for the following: 1.) A reduction in front yard setback from 6 m (19.66 ft.) to 5.5 m (18 ft.) 2.) A reduction in rear yard setback from 7.6 m (25 ft.) to 5.5 m (18 ft.) and 3.) An increase in permitted lot coverage from 50% to 52%.

The applicant was in attendance.

Chairperson, G. Queen confirmed there were no comments from the applicant or the audience.

CA - 35 - 2017

Moved by Jim Gaffan Jr., seconded by Russell Horrocks that Minor Variance Application A/07/17, for the reduction in front yard setback from 6 m (19.66 ft.) to 5.5 m (18 ft.); the reduction in rear yard setback from 7.6 m (25 ft.) to 5.5 m (18 ft.) and an increase in permitted lot coverage from 50% to 52% on lands currently known as 25 & 27 Robin Court in the Town of Kingsville, be **Approved** subject to the following conditions:

1. The applicant obtain a letter from the engineer of record stating that the requested increase in lot coverage would not have an adverse effect on the approved stormwater management plan for the approved Plan of Subdivision.

CARRIED

3. B/08/17 & A/08/17 –168 Harold Cull Drive – David & Sharon O’BEID

Manager of Planning & Development Services, Robert Brown introduced the consent application and minor variance application and reviewed the report prepared by Interim Planner, David French dated August 8th, 2017 in which the applicant is seeking permission to create a new vacant 498.8 sq. m (5369 sq. ft.) parcel, for the purpose of future residential development. The retained parcel will contain the existing dwelling and accessory sheds. As a result of the proposed severance, the following zone deficiencies are created which will require a minor variance application to address: 1.) Reduced rear yard setback of the dwelling on the retained parcel (Part 2) from the required 7.5 m (25 ft.) to 5.8 m (19.29 ft.); and 2.) Reduced lot area of the severed parcel from the required 500 sq. m (5382 sq. ft.) to 498.8 sq. m (5369 sq. ft.). In addition to the above noted deficiencies the minor variance will also recognize the location of an existing shed located in the front yard of the dwelling on the retained parcel.

The applicant was in attendance, and outlined the dimensions of the lot.

John and June Pisani, at 169 Harold Cull Drive, asked if the requested severance would establish a precedent, and also if the lot creation will enhance the neighborhood.

Nelson Santos, on behalf of his mother Lurdes Santos, at 336 Stonehedge Dr. expressed concern with current upkeep of the lot, gardens and trimming of trees.

The applicant indicated that with the development of the new dwelling lot there would be a change in the upkeep for the better.

Committee member Allison Vilardi, requested clarification of the location of the rear yard.

Councillor Larry Patterson requested clarification on the location of the front of the lot.

Chairperson, G. Queen confirmed there were no comments from the applicant or the audience.

CA - 36 - 2017

Moved by Jim Gaffan Jr., seconded by Larry Patterson that Consent Application B/08/17, for the creation of a new vacant 498.8 sq. m (5369 sq. ft.) parcel, for the purpose of future residential development. The retained parcel will contain the existing dwelling and accessory sheds on lands currently known as 168 Harold Cull Drive in the Town of Kingsville, be **Approved** subject to the following conditions:

1. That a reference plan be deposited in the registry office, ***both an electronic and paper*** copy to be provided for the files of the Secretary-Treasurer;
2. That the owner shall provide that all municipal taxes be paid in full and that necessary apportionments of storm drainage and private park fees be established pursuant to the provisions of the Local Improvement Act and/or the Municipal Act;
3. That as a result of severance, owners shall become liable by way of up front monies for the assessment and taxation of their properties for any waterworks or sanitary sewer systems affecting their properties, in accordance with the Fees By-law in effect on the date the consent is being endorsed on the deeds;
4. That the necessary deed(s), transfer or charges be ***submitted in triplicate***; signed and fully executed (***no photo copies***), prior to certification;
5. That the applicant pay for and install individual water and sanitary sewer connections to the retained and severed parcels to the satisfaction of the Town;
6. That the applicant obtain municipal address and 911 signage for the retained and severed parcels at the owners expense;

7. That Minor Variance application A/08/17 be finally approved;
8. The conditions imposed above shall be fulfilled by **August 15, 2018** for this application shall be deemed to be denied in accordance with Section 53(41) of the Planning Act.

CARRIED

CA - 37 - 2017

Moved by Jim Gaffan Jr., seconded by Larry Patterson that Minor Variance Application A/08/17, for the reduction in rear yard setback of the dwelling on the retained parcel (Part 2) from the required 7.5 m (25 ft.) to 5.8 m (19.29 ft.); and reduced lot area of the severed parcel from the required 500 sq. m (5382 sq. ft.) to 498.8 sq. m (5369 sq. ft.). In addition to the above noted deficiencies the minor variance will also recognize the location of an existing shed located in the front yard of the dwelling on the retained parcel on lands currently known as 168 Harold Cull Drive in the Town of Kingsville, be **Approved**.

CARRIED

4. B/09/17 – 3145 Olinda Side Road – Johan & Mandi Lynn QUIRING

Manager of Planning & Development Services, Robert Brown introduced the consent application and reviewed the report prepared by Interim Planner, David French dated August 3rd, 2017 in which the applicant is requesting consent to create a rural residential 0.743 ha (1.836 ac.) lot from the lands known as 3145 Olinda Sideroad, in the Town of Kingsville.

The parcel is a 10.559 ha (26.092 ac.) farm parcel containing a single detached dwelling and three accessory structures.

In March of 1978 a consent was granted by the former Gosfield South Township to create vacant 0.26 ha (0.64 ac.) residential lot, fronting on Olinda Sideroad, in the northeast corner of the larger farm parcel. This lot is known as Part 1, 12R-5302 and maintains a Kingsville Roll Number being 3711 400 000 05005. This parcel (Part 1, 12R-5302), owned by the applicants, is currently vacant and is farmed as part of the larger farming operation on the subject parcel.

The applicants have indicated that this vacant lot sits in an area of high soil quality and high crop yields and as such they have applied to relocate this lot to another area of the farm which provides both lower soil quality and lower yields. As such an application for consent to this effect has been filed which will create a new 0.743 ha (1.836 ac.) lot, shown as Part 1 on the applicants' sketch attached to this report as Appendix 'B'

As per the applicants', the requested increase in size of the new lot over the existing is to accommodate the construction of a new 325 sq. m (3500 sq. ft.) dwelling and associated septic system, and a pool. Further to this, the applicants have indicated they wish to site the dwelling further back on the proposed lot in so that the greater front yard will act as a buffer between the residential use of the dwelling and the vehicular traffic on Olinda Sideroad. Please refer to Appendix 'C'.

In order to accommodate this request the Town will require, through conditions to the consent, that the existing rural residential lot (PIN 75148-0048 / Part 1, 12R-5302) merge back with the farm so that in effect no new (additional) lot is created.

The applicant was in attendance. Mr. Quiring echoed the rationale outlined by Mr. R. Brown on why the request for the larger lot.

Walter Brander, 3249 Olinda Side Road, asked if there will be the possibility of a future severance between the existing farm house and the proposed lot as an infill?

Mr. R. Brown indicated that infill lots are not permitted so this would not be a possibility.

Chairperson, G. Queen confirmed there were no other comments from the applicant or the audience.

CA - 38 - 2017

Moved by Russell Horrocks, seconded by Allison Vilardi that Consent Application B/09/17, to create a new vacant lot, being 0.743 ha (1.836 ac.) in area, from the lands known as 3145 Olinda Sideroad, Part of Lot 20, Concession 5, in the Town of Kingsville, be **Approved** subject to the following conditions:

1. That a reference plan be deposited in the registry office, ***both an electronic and paper*** copy of the registered plan is to be provided to the Town for the files of the Secretary-Treasurer.
2. That the deeds, such plan of survey or reference plan, for property lines being newly created, shall be in accordance with the existing zoning requirements for the municipality including satisfactory proof as to compliance of the location of all buildings on the subject lands either by way of a plan showing the location of all buildings located thereon, or a certificate from a qualified surveyor indicating the location and sizes of all buildings on the said lands and/or favourable minor variances shall have been processed for any non-compliances.
3. That the owner shall provide that all municipal taxes be paid in full and that necessary apportionments of storm drainage be undertaken for any special assessment imposed pursuant to the provisions of the Local Improvement Act and/or the Municipal Act.
4. That as a result of severance, owners shall become liable by way of up front monies for the assessment and taxation of their properties for any waterworks or sanitary sewer systems affecting their properties, in accordance with the Fees By-law in effect on the date the consent is being endorsed on the deeds.
5. That the existing lot known as PIN 75148-0048 / Part 1, 12R-5302 merge on title with the remnant farm parcel (PIN 75148-0047)
6. The conditions imposed above shall be fulfilled by **August 15, 2018** or this application shall be deemed to be refused in accordance with Section 53(41) of the Planning Act.

CARRIED

E. OTHER BUSINESS

F. ADJOURNMENT

CA - 39 - 2017

Moved by Allison Vilardi, seconded by Larry Patterson there being no further hearings scheduled, the meeting was adjourned at 6:40 p.m.

CARRIED


CHAIRPERSON G. QUEEN
SECRETARY-TREASURER



MINUTES

COMMITTEE OF ADJUSTMENT MEETING

TUESDAY SEPTEMBER 19TH, 2017 AT 6:00 P.M.

CORPORATION OF THE TOWN OF KINGSVILLE

COUNCIL CHAMBERS

2021 DIVISION RD N, KINGSVILLE, ONTARIO N9Y 2Y9

A. CALL TO ORDER

Chairperson G. Queen called the meeting to order at 6:00 p.m. with the following Committee members in attendance:

Members of Committee of Adjustment	Members of Administration
<ul style="list-style-type: none">• Deputy Mayor Gord Queen• Thomas Neufeld• Russell Horrocks• Allison Vilardi• Jim Gaffan Jr.	<ul style="list-style-type: none">• Manager of Planning & Development Services – Robert Brown• Interim Planner – David French

ABSENT: Town Planner – Kristina Brcic

B. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

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

C. ADOPTION OF COMMITTEE OF ADJUSTMENT MEETING MINUTES DATED TUESDAY, AUGUST 15TH, 2017.

CA - 40 - 2017

Moved by Allison Vilardi, seconded by Russell Horrocks the Committee of Adjustment Meeting Minutes dated August 15th, 2017 be adopted.

CARRIED

D. HEARINGS

1. A / 09 / 17 – 1503 Seacliff Drive – Antonino MUCCI

Interim Planner, David French introduced the minor variance application and reviewed his report dated September 11th, 2017 in which the applicant is seeking permission for reduction in the required lot frontage of the severed parcel from 24 m (78.74 ft.) to 18.47 m (60.6 ft.); and reduce the required lot frontage of the retained parcel from 24 m (78.74 ft.) to 21.9 m (71.85 ft.).

The subject land is a 1.22 ha (3.0 ac.) residential parcel containing a single detached dwelling. In June, 2016, a provisional consent was granted to sever the existing dwelling on a 0.69 ha (1.717 ac.) lot, shown as Parts 1 and 3 on the attached survey sketch, leaving a vacant 0.53 ha (1.309 ac.) vacant retained parcel. Both parcels met the minimum lot area requirement, however the provided lot frontage of each parcel was left undersized. It was a condition of the consent that the applicant successfully acquire a minor variance dealing with this deficiency on each parcel.

The applicant and agent were in attendance.

Russell Horrocks explained his concern of a Precedent Issue.

Chairperson, G. Queen confirmed there were no other comments from the applicant or the audience.

CA - 41 - 2017

Moved by Thomas Neufeld, seconded by Jim Gaffan Jr. that Minor Variance Application A/09/17, to reduce the required lot frontage of the severed parcel from 24 m (78.74 ft.) to 18.47 m (60.6 ft.); and reduce the required lot frontage of the retained parcel from 24 m (78.74 ft.) to 21.9 m (71.85 ft.) on lands currently known as 1503 Seacliff Dr. in the Town of Kingsville, be **Approved** without conditions:

CARRIED

2. B / 07 / 17 – S/S Talbot Rd – Mucci Farms Ltd.

Interim Planner, David French introduced the consent application and reviewed his report dated September 7th, 2017 in which the applicant is requesting to sever and convey a 0.05 ha (0.129 ac.) vacant portion of the parcel as a lot addition to an abutting rural residential lot known 1937 County Road 34 in the Town of Kingsville.

The subject land is a 7.97 ha. (19.7 ac.) vacant agricultural parcel (outlined in green on the attached aerial photo). The applicant received a request from an abutting property owner at 1937 County Road 34 to purchase a 0.05 ha. (0.129 ac.) portion of the parcel to be added as a lot addition to their 0.2 ha (0.65 ac.) lot.

There are no zoning issues raised as a result of the proposed lot addition as the severed lands and receiving lot are both zoned 'Agriculture Zone 1 (A1)' and both resultant lots meet the minimum required performance standards.

The applicant was in attendance.

Chairperson, G. Queen confirmed there were no comments from the applicant or the audience.

CA - 42 - 2017

Moved by Thomas Neufeld, seconded by Jim Gaffan Jr. that Consent Application B/07/17, to sever and convey a 0.05 ha (0.129 ac.) vacant portion of County Road 34 (No Address), Part of Lots 11 & 12, Concession 2, Eastern Division as a lot addition to an abutting rural residential lot known 1937 County Road 34 (PIN 75143-0153), in the Town of Kingsville, be **Approved** subject to the following conditions:

1. That a reference plan be deposited in the registry office, ***both an electronic and paper*** copy of the registered plan is to be provided to the Town for the files of the Secretary-Treasurer.
2. That the lot addition to be severed, shown as Part 2 on the applicant's sketch (attached) be conveyed to the owner of the abutting rural residential parcel (1937 County Rd 34 / PIN 75143-0153) and Section 50(3 or 5) of the Planning Act applies to any subsequent conveyance of or transaction involving the parcel of land that is the subject of this consent.
3. That a one-foot square be conveyed from the receiving lot to the County of Essex, free of charge and clear of all encumbrances, if necessary, to facilitate the consolidation of the lot addition and receiving lot.
4. That the deeds, such plan of survey or reference plan, for property lines being newly created, shall be in accordance with the existing zoning requirements for the

municipality including satisfactory proof as to compliance of the location of all buildings on the subject lands either by way of a plan showing the location of all buildings located thereon, or a certificate from a qualified surveyor indicating the location and sizes of all buildings on the said lands and/or favourable minor variances shall have been processed for any non-compliances.

5. That the owner shall provide that all municipal taxes be paid in full and that necessary apportionments of storm drainage be undertaken for any special assessment imposed pursuant to the provisions of the Local Improvement Act and/or the Municipal Act.
6. That as a result of severance, owners shall become liable by way of up front monies for the assessment and taxation of their properties for any waterworks or sanitary sewer systems affecting their properties, in accordance with the Fees By-law in effect on the date the consent is being endorsed on the deeds.
7. That the owner confirm that all building services are contained within existing property lines and do not cross over newly established lot lines.
8. The conditions imposed above shall be fulfilled by **September 19, 2018** or this application shall be deemed to be refused in accordance with Section 53(41) of the Planning Act.

CARRIED

3. B / 11 / 17 – 194 Division St N – Windsor Essex Community Housing Corporation

Interim Planner, David French introduced the consent application and reviewed his report dated September 7th, 2017 in which the applicant is requesting consent to create a new 4,244.996 sq. m (45,692 sq. ft.) vacant residential lot at 194 Division Street North, Part of Lot 1, Concession 1, Western Division, Part 1, RP 12R 24623, in the Town of Kingsville.

The parcel is an 8,483.67 sq. m (91,317.46 sq. ft.) medium density residential lot containing an existing apartment dwelling and ancillary parking lot. It is proposed that the lot be subdivided to create a new 4,244.996 sq. m (45,692.76 sq. ft.) vacant lot with frontage on Westlawn Avenue. The remnant parcel, containing the apartment dwelling and parking lot, is proposed to be 4,238.674 sq. m (45,624.71 sq. ft.) in area and will maintain existing road access on Division Street North.

There are no zoning issues created as a result of the proposed consent.

The applicant's agent, Mr. Jeff Belanger of the Windsor Essex Community Housing Corporation was in attendance.

Committee Member, Jim Gaffan Jr. ask for clarification of the frontage issue on the severed lot.

Interim Planner, David French outlined the frontage requirement of 25 m. At present the site only has 19 m. frontage.

Mr. J. Belanger, outlined the rationale for the severance, asset management, there are no development plans at present.

Committee Member, Jim Gaffan Jr. stated that the property is zoned for high density and could be expanded, Mr. Gaffan asked about the Cornies letter that was included in the committee binders/packages.

Ed Cornies, 110 Prince Albert St N. Mr. Cornies spoke to the Committee of Adjustment. Written submission submitted.

Russell Horrocks asked Mr. Cornies about the request made by the applicant.

Mr. E. Cornies asked for the application to be deferred

Russell Horrocks questioned the applicant regarding the deferral.

Mr. J. Belanger, explained that Windsor Essex Community Housing Corporation (WECHC) is only seeking a severance. At this time they have no development plans. There is nothing to discuss with neighbours regarding future plans. If anything were to be brought to the development table it would be 5 to 10 years before anything happened. WECHC wants to be ready for development, if something should arise, selling the property is also an option.

William Cornies, 204 Westlawn Ave, outlined the history of the subject property and area. Mr. W. Cornies feels that the zoning should be changed to R1.1. Mr. W. Cornies is concerned about increased traffic on Westlawn Ave., and concerned with safety and security, regarding the type of tenants. Mr. W. Cornies was told by the Town that the lot could not be developed or accessed from Westlawn

Jim Gaffan Jr. clarified that zoning is not a consideration at this meeting nor are there development plans.

Sherri Lowrie, 47 Cameron Dr. Mrs Lowrie spoke to the Committee of Adjustment. See attached written submission, as well as a petition which included 96 signatures.

Thomas Neufled thanked everyone for their comments.

Thomas Neufeld motioned to receive the written submission as well as the petition, Allison Vilardi seconded the motion.

Chairperson, G. Queen confirmed there were no other comments from the applicant or the audience.

CA - 43 - 2017

Moved by Russell Horrocks, seconded by Thomas Neufeld that Consent Application B/11/17, to create a new 4,244.996 sq. m (45,692 sq. ft.) vacant residential lot at 194 Division Street North, Part of Lot 1, Concession 1, Western Division, Part 1, RP 12R 24623, in the Town of Kingsville, be **Deferred** for one month for further discussion.

CARRIED

E. OTHER BUSINESS

F. ADJOURNMENT

CA - 44 - 2017

Moved by Allison Vilardi, seconded by Russell Horrocks there being no further hearings scheduled, the meeting was adjourned at 6:55 p.m.

CARRIED



CHAIRPERSON G. QUEEN



SECRETARY-TREASURER

THE UNION WATER SUPPLY SYSTEM
JOINT BOARD OF MANAGEMENT
MINUTES OF MEETING
HELD SEPTEMBER 20, 2017 AT 9 AM
IN KINGSVILLE COMMUNITY ROOM - KINGSVILLE ARENA

Members Present: Deputy Mayor MacDonald (Chair); Mayor Paterson, Councillors Dunn, Hammond, Jacobs, Verbeke - Leamington
Mayor Nelson Santos (Vice-Chair); Councillors Gaffan, Neufeld, Patterson - Kingsville
Mayor McDermott - Essex
Councillor Diemer - Lakeshore

UWSS Staff: Rodney Bouchard, Union Water Supply System Manager
Khristine Johnson, Recording Secretary

Municipal
Staff Present: Kevin Girard - Kingsville

OCWA Staff
Present: Nevin McKeown, Terry Bender, Susan Budden
Dale Dillen, Ken Penney, Dave Jubenville

PWC
Consultant: Tom Garner

Call to Order: 9:05 am

Disclosures of Pecuniary Interest: none

Adoption of Union Water Supply System Joint Board of Management Minutes:

No. UW-47-17

Moved by: Councillor Patterson

Seconded by: Councillor Diemer

That Minutes of the UWSS Joint Board of Management meeting of August 2, 2017 are received.

Carried

Business Arising Out of the Minutes:

There was none.

Reports and Correspondence

Report UW/25/17 Re: Status Update of the UWSS Operations & Maintenance Activities and Capital Works to September 15, 2017 and dated September 15, 2017

The Manager notes that during the regular UWSS Board meetings, OCWA operations staff including the Senior Operations Manager - Dale Dillen and Process and Compliance Technician - Ken Penney are often present and they assist the Manager by providing any operational details that may be asked by Board members. The Manager further notes that additional OCWA management staff are present for this meeting including the OCWA CEO/President - Nevin McKeown, Vice President of Operations - Terry Bender, Business Development Officer - Susan Budden, and Essex Regional Manager - Dave Jubenville.

The Manager then proceeds with his report. He informs members of the UWSS Board that the cleaning of the south settling pond has been completed by DiMenna Excavating. He further explains that DiMenna Excavating was the low bid on the project. He confirms that the jobs was completed quickly and efficiently.

The new Low Lift Pump #2 has arrived and should be installed in early October. Meter #14 has been upgraded with electrical service, as it was previously battery powered. Now this meter pit has a sump pump and flooding issues should be resolved. His hope is to start receiving flow information. He confirms that Meters #6 and #5 should have repairs completed by September 27th. Once this work is complete the meters will be working together to provide flow information throughout the system.

The Manager also confirms that the new lighting of the Leamington Water Tower bowl has been installed. Several members of the Board confirm that the lighting is pleasing to the eye and not overwhelming. He also indicates that an air conditioner was installed in the equipment building at the Leamington Tower in order to prevent overheating of electrical panels.

The Manager then informs the Board of the change in coagulant that has taken place over the last several weeks. He indicates that our testing was showing an increased aluminum residual and therefore operators changed over to an aluminum chlorohydrate (ACH) coagulant, Hyperion 1090, in order to reduce the plant effluent aluminum residual. He confirms that this is a temporary switch and that the MOECC has been notified of the temporary switch in coagulant. He further reminds members that UWSS has retained Associated Engineering to complete a preliminary design study for the CO2 pH adjustment system that would address the high raw water pH issue, which is creating the high aluminum residuals problem. There is a small discussion regarding home dialysis and the need for the switch.

The Manager states that he is awaiting receipt of the final draft for the SCADA RFP from Associated Engineering. He does expect to receive it sometime later in the week. He is hoping to have the RFP released to pre-selected SCADA integrators by the 2nd week of October and award the contract by the end of November.

Flows are then reviewed for the year. The Manager indicates that they are slightly down over last year and up over the previous four (4) year average, and that they are above the budget set for the 2017 year.

The Board asks the Manager why the aluminum residual is so high this year and is there worry for health effects. The Manager is not sure as to why the problem is occurring this year. It appears related to source water. He has spoken to other colleagues in various water systems and it appears that many are dealing with similar issues. The Manager also notes that this issue could be related to the polyaluminum chloride or just another factor in the lake at the moment. He confirms that when pH is adjusted the levels do come down substantially.

No. UW-48-17

Moved by: Councillor Jacobs

Seconded by: Councillor Dunn

That report UW/25/17 dated September 15, 2016 re: Status Update of the UWSS Operations & Maintenance Activities and Capital Works to September 15, 2016 is received.

Carried (UW/20/16)

Report UW/26/17 Re: Essex Water Tower Rehabilitation Tender Results dated September 14, 2017

The Manager reviews his report with the Board. He confirms that with the assistance of OCWA Engineering staff the RFP process has worked well. He notes that Landmark had performed two (2) inspections on the Essex Water Tower (EWT); one in 2013 and again in 2015. A few safety issues were noted at the time and will be addressed, along with a few items that the Ministry of Labour has also discovered.

The Manager explained that seven (7) firms were invited to place a bid, however, only four (4) bids were received at the time of deadline. The Manager explains that contractors are very busy at this time and EWT is far away for a lot of contractors. He confirms that the low bid received was from JDCMI, which is the same company that completed the LWT rehabilitation. The JDCMI bid was just over the approved budget for the EWT work.

The Manager then explains that because it is getting late in the year and the weather could turn at any moment, it is felt by OCWA, JDCMI and himself that it will be a more suitable situation to wait until the warmer weather of Spring 2018 to commence this project. If UWSS Board decides to wait then JDCMI will provide UWSS with a credit, which in turn brings the project budget within what has previously been approved.

There is a brief discussion regarding the credit received. The Manager explains that it was all part of the tender process. He had noted that there was a possibility of waiting until the Spring.

There is a brief discussion regarding the durability of the rehabilitation. The Manager feels that this process should allow the EWT to have another 15-20 years of life. There is then a small discussion regarding which logos will be placed on the tower. The Manager indicates the process will be similar to that of the LWT.

No. UW-49-17

Moved by: Councillor Verbeke
Seconded by: Mayor McDermott

That the UWSS Board authorizes the UWSS General Manager to award the Essex Water Tower Rehabilitation Project contract to Jacques Daoust Coatings Management Inc. (JDCMI) of Cambridge, Ontario for a sum of \$1,045,900 and that the project be implemented in Spring 2018 before May 15, 2018.

Carried (UW/26/17)

Report UW/27/17 dated September 15, 2017 Re: Payments from July 29 to September 15, 2017

No. UW-50-17

That report UW/27/17 dated July 28, 2017 re: Payments from July 29 to September 15, 2017 is received.

Moved by: Mayor Paterson
Seconded by: Councillor Gaffan

Carried (UW/27/17)

New Business

The Manager takes a moment to recognize the operations and maintenance completed by members of OCWA staff. The wants to make special mention of Elvino Azevedo, who is retiring at the end of the month, the maintenance foreman for the operations at the Ruthven WTP. The Manager further explains that his skill and talent will be hard to replace.

No. UW-51-17

Adjournment

Moved by: Mayor Santos
Seconded by: Councillor Gaffan

That the meeting adjourn at 9:24 am

Carried

Date of Next Meeting: October 18, 2017 at 9 am Kingsville Community Room, Kingsville Arena



Lt./Col. F.K. Jasperson
Royal Canadian Legion, Branch #188
145 Division Rd. S., P.O. Box 266, Kingsville, ON. N9Y 2E9
Office - (519) 733-5162 Bar - (519) 733-9081
E-mail: kingsvillelegion188@cogeco.net



October 1, 2017

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

Dear Council Members,

On November 11, Royal Canadian Legion Branch 188 will join together with members of the Kingsville community to remember those veterans who gave their lives in war. We also remember all those who had given their lives Canada's peacekeeping operations; particularly those killed in Afghanistan.

As in years before, we will be starting our Remembrance Day service with a parade featuring our branch colour party, executive, Ladies' Auxiliary, veterans, members and community members. The parade will start at Sykes Funeral Home parking lot at 10:45 a.m. and continue to the cenotaph at Branch 188. In the event that we can not form up at Sykes we will be forming up at Epworth United Church parking lot.

Having said that, I would like to take this opportunity to personally invite the entire council and committee members to join us in the parade. If anyone wishes to parade with us, they should be at Sykes or Epworth at 10:30 a.m. If anyone would prefer to not parade with us, we invite you to join us for the Remembrance Day service at our cenotaph at 10:45 a.m..

Sincerely,

Lynne Crawford,
Branch 188 President

RECEIVED OCT 16 2017

**CITY HALL
WINDSOR, ONTARIO
N9A 6S1**

Phone: (519)255-6211

Fax: (519)255-6868

E-mail: clerks@citywindsor.ca

WEBSITE: www.citywindsor.ca

**City Council
Decision
Monday, October 02, 2017**

Decision Number: CR613/2017

- 1) That Administration **PROVIDE** additional data to City Council regarding the exact number of the greenhouse gas emissions by local vehicle traffic in addition to the international truck and vehicle traffic towards the City of Windsor's community greenhouse gas inventory, that was provided; and,
- 2) That City Council **APPROVE** annual reporting on the performance status of the Community Energy Plan and the Corporate Climate Action Plan.

Carried.

Report Number: S 132/2017

Clerk's File: EI/10822 11.4

Steve Vlachodimos

Deputy City Clerk/Senior Manager of Council Services

October 13, 2017

Department Distribution

Karina Richters	Supervisor, Environmental Sustainability and Climate Change
Chris Manzon	Senior Manager Pollution Control
Mark Winterton	City Engineer



*The Corporation of the Municipality of Killarney
32 Commissioner Street
Killarney, Ontario
P0M 2A0*

MOVED BY: Pierre Paquette

SECONDED BY: Nancy Wirtz

RESOLUTION NO. 17-382

BE IT RESOLVED THAT the Municipality of Killarney support the resolution passed by the Town of Halton Hills at its meeting held on August 28, 2017 regarding Zero Tolerance Against Racism.

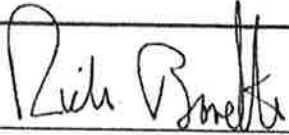
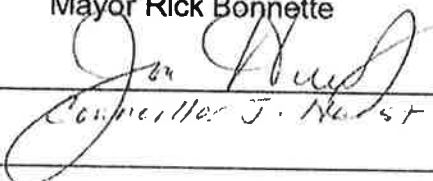
CARRIED

I, Candy K. Beauvais, Clerk Treasurer of the Municipality of Killarney do certify the foregoing to be a true copy of Resolution #17-382 passed in a Regular Council Meeting of The Corporation of the Municipality of Killarney on the 11th day of October, 2017.


Candy K. Beauvais
Clerk Treasurer



THE CORPORATION
OF
THE TOWN OF HALTON HILLS

Moved by:  Date: August 28, 2017
Mayor Rick Bonnette
Seconded by:  Resolution No.: 2017-0152
Councillor J. Hunt
15A

WHEREAS on August 12, 2017 a horrific, cowardly, and racially motivated act of violence took place in Charlottesville, Virginia that led to the death of a 32 year old woman, and injuries to at least 19 others;

AND WHEREAS this horrific and cowardly act took place during what has been described as one of the largest white supremacist events in U.S. history;

AND WHEREAS further incidents of racially motivated acts of violence have taken place both locally and abroad;

AND WHEREAS we must join together as a community, province, and nation to condemn this type of hatred and racism;

THEREFORE BE IT RESOLVED that Council for the Town of Halton Hills supports zero tolerance for racism of any kind, including nazi'ism and white supremacy;

AND FURTHER THAT Council for the Town of Halton Hills encourages all Ontario Municipalities to pass a resolution to support zero tolerance against racism and condemn all racism acts of violence;

AND FURTHER THAT a copy of this resolution be sent to Michael Chong, MP, Wellington Halton-Hills, Ted Arnott, MPP, Wellington Halton-Hills, FCM, AMO, Region of Halton, and Ontario municipalities.


Mayor Rick Bonnette

Ministry of Citizenship
and Immigration

Minister

6th Floor, 400 University Avenue
Toronto ON M7A 2R9
Tel.: 416 325-6200
Fax: 416 325-6195

Ministère des Affaires civiles
et de l'immigration

Ministre

400, avenue University, 6^e étage
Toronto ON M7A 2R9
Tél. : 416 325-6200
Télec. : 416 325-6195



September 2017

Dear Colleagues,

It is my pleasure to invite you to submit a nomination for the **June Callwood Outstanding Achievement Award for Voluntarism.**

Volunteers are the backbone and strength of communities across Ontario. This award recognizes the exceptional leadership, innovation and creativity in voluntarism and community service that contribute to a strong and dynamic province. Recipients of this award may include individual volunteers, volunteer groups, or volunteer management individuals or groups from a not-for-profit or charitable organization.

To submit a nomination for this award:

1. Visit ontario.ca/honoursandawards.
2. Select the **Volunteering** category.
3. Click on **June Callwood Outstanding Achievement Award for Voluntarism**.
4. Download the PDF form.
5. Read the eligibility criteria and instructions carefully.
6. Fill out the form and submit it **no later than December 5, 2017**. Instructions for submitting your nomination package can be found on the website.

To ensure that outstanding volunteers and volunteer managers across the province receive the recognition they deserve, please share this information with your constituents. This invitation has also been distributed to volunteer and community organizations, libraries, municipalities and regional provincial government offices.

If you have questions about this program, please call 416-314-7526, toll free 1-877-832-8622, TTY 416-327-2391, or email ontariohonoursandawards@ontario.ca.

Thank you for your support of this important recognition program.

Sincerely,

Laura Albanese
Minister

October 6, 2017
File: 160961211

Attention: Ms. Jennifer Astrologo, Director of Corporate Services/Clerk
Town of Kingsville
2021 Division Road North
Kingsville, ON N9Y 2Y9

Dear Ms. Astrologo,

**Reference: Union Gas Proposed Pipeline Project – Notice of Information Sessions
Kingsville Transmission Reinforcement Project**

To increase capacity and accommodate additional demand for natural gas, Union Gas is proposing to construct a natural gas pipeline in the Lakeshore and Kingsville areas. The proposed pipeline will meet the growing residential, commercial, and industrial market demand for natural gas in the Windsor-Essex, Chatham-Kent, and surrounding areas, including the fast-growing greenhouse market.

A Corridor and Route Selection Process is being conducted to determine the best location for the proposed pipeline. Alternative Corridors were presented during Information Sessions held on August 1st and 2nd, 2017. Feedback on the Alternative Corridors was taken into consideration during a qualitative and quantitative evaluation. The evaluation resulted in the selection of a Preferred Corridor. Subsequently, a Preliminary Preferred Route for the proposed pipeline within the selected Corridor has also been determined.

The proposed pipeline will be up to 20 inches in diameter and 19 km in length. The Preliminary Preferred Route for the proposed pipeline will begin at Union Gas' existing 20-inch Panhandle Pipeline in the Town of Lakeshore, and will travel beside a hydro corridor and Highway 3 between Belle River Road/County Road 27 and Graham Side Road. The proposed pipeline will end at a new valve site located at the intersection of Concession Road 3 East and Graham Side Road in the Town of Kingsville.

As an integral part of this project, Union Gas has hired Stantec Consulting Ltd. to undertake an environmental study of the construction and operation of the proposed pipeline and related facilities. The environmental study will fulfill the requirements of the Ontario Energy Boards' (OEB) *Environmental Guidelines for the Location, Construction and Operation of Hydrocarbon Pipelines and Facilities in Ontario (2016)*. The environmental study process includes consultation and engagement with landowners, municipalities, agencies, Indigenous communities, and other interested parties through notices, mailouts, meetings, and Information Sessions.

An Environmental Report, summarizing the results of the environmental study, will accompany Union Gas' application to the OEB, whose review and approval is required before the proposed project can proceed. The Environmental Report for the proposed project is anticipated to be completed and submitted to the OEB as early as Fall 2017. If approved by the OEB, construction of the proposed expansion project is planned to begin as early as Spring/Summer 2019 with an in-service date six months after construction begins.



October 6, 2017
Page 2 of 2

As a stakeholder with authority or a potential interest in developments in the project location you are invited to provide comments regarding the proposed pipeline. Specifically, Stantec is seeking information that may affect construction and operation of the proposed pipeline, including: background environmental and socio-economic information, planning principles or guidelines which fall under your authority and other proposed developments known in the area to assess potential cumulative effects.

Information Sessions are planned to seek feedback on the project in general and on the Preliminary Preferred Route. Information on the Corridor and Route Selection process, access and land requirements, pre-construction studies, and construction activities will also be available. The Information Sessions will be conducted as drop-in centres, and representatives from both Union Gas and Stantec Consulting Ltd. will be available to answer any questions you may have.

The Information Sessions will be held on the following two dates:

Wednesday October 25, 2017
4:00 pm to 8:00 pm
Kingsville Arena – Auditorium A
1741 Jasperson Drive
Kingsville, ON

Thursday October 26, 2017
4:00 pm to 8:00 pm
Libro Community Centre
1925 South Middle Road
South Woodlee, ON

If you cannot attend one of the Information Sessions, the detailed design drawings showing the proposed route are available for you to view at: uniongas.com/Kingsville-Reinforcement. Further, if you cannot attend but would like to provide feedback or learn more about the project, please contact the undersigned.

Sincerely,

STANTEC CONSULTING LTD.

Mark Knight, MA, MCIP, RPP
Senior Environmental Planner
Stantec Consulting Ltd.
100-300 Hagey Boulevard
Waterloo, ON N2L 0A4
Phone: (519) 585-7430
Mark.Knight@stantec.com

Attachment: Notice of Information Sessions

c. Tony Vadlja, Union Gas

UNION GAS PROPOSED PIPELINE PROJECT

Notice of Information Sessions

Kingsville Transmission Reinforcement Project

To increase capacity and accommodate additional demand for natural gas, Union Gas is proposing to construct a natural gas pipeline in the Lakeshore and Kingsville areas. The proposed pipeline will meet the growing residential, commercial, and industrial market demand for natural gas in the Windsor-Essex, Chatham-Kent, and surrounding areas, including the fast-growing greenhouse market.

A Corridor and Route Selection Process is being conducted to determine the best location for the proposed pipeline. Alternative Corridors were presented during Information Sessions held on August 1st and 2nd, 2017. Feedback on the Alternative Corridors was taken into consideration during a qualitative and quantitative evaluation. The evaluation resulted in the selection of a Preferred Corridor. Subsequently, a Preliminary Preferred Route for the proposed pipeline within the selected Corridor has also been determined.

The proposed pipeline will be up to 20 inches in diameter and 19 km in length. The Preliminary Preferred Route for the proposed pipeline will begin at Union Gas' existing 20-inch Panhandle Pipeline in the Town of Lakeshore, and will travel beside a hydro corridor and Highway 3 between Belle River Road/ County Road 27 and Graham Side Road. The proposed pipeline will end at a new valve site located at the intersection of Concession Road 3 East and Graham Side Road in the Town of Kingsville. If approved by the Ontario Energy Board, construction is planned to begin as early as Spring/Summer 2019 with an in-service date six months after construction begins.

Information Sessions are planned to seek feedback on the project in general and on the Preliminary Preferred Route. Information on the Corridor and Route Selection process, access and land requirements, pre-construction studies, and construction activities will also be available. The Information Sessions will be conducted as drop-in centres, and representatives from both Union Gas and Stantec Consulting Ltd. will be available to answer any questions you may have.

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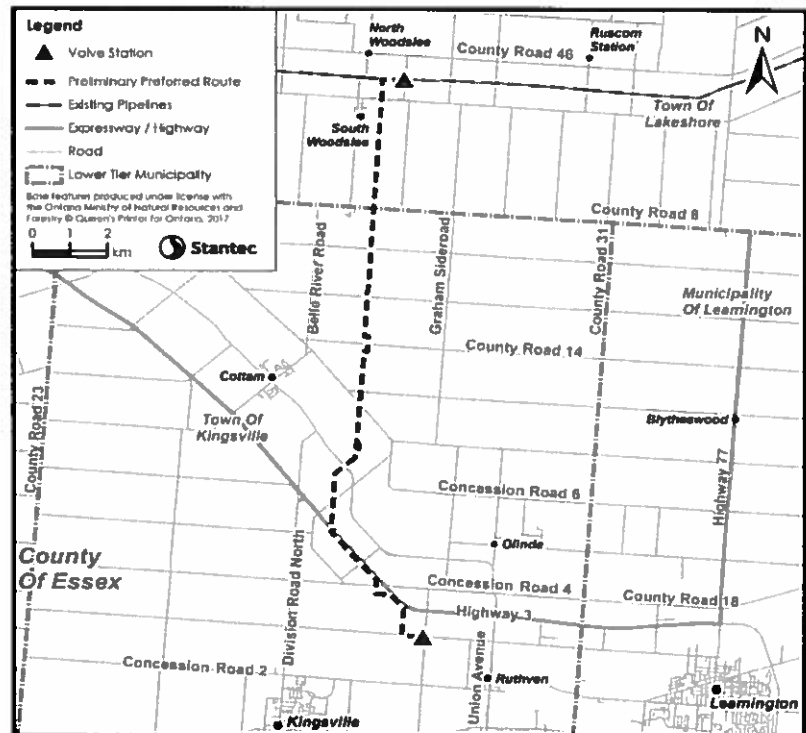
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If you cannot attend one of the Information Sessions, the detailed design drawings showing the proposed route are available for you to view at: uniongas.com/Kingsville-Reinforcement. Further, if you cannot attend but would like to provide feedback or learn more about the project, please contact:

Mark Knight, MA, MCIP, RPP
Senior Environmental Planner
Stantec Consulting Ltd.
100-300 Hagey Boulevard
Waterloo, ON N2L 0A4
Phone: (519) 585-7430
Email: Mark.Knight@stantec.com



Sandy Kitchen

From: Sandy Kitchen
Sent: Monday, October 16, 2017 9:44 AM
To: Sandy Kitchen
Subject: FW: Nominate Someone Today: Rural Ontario Leaders Award

From: noreply@salesforce.com [<mailto:noreply@salesforce.com>] On Behalf Of Ag Info
Sent: October-13-17 10:30 AM
To: Peggy Van Mierlo-West <pvmwest@kingsville.ca>
Subject: Nominate Someone Today: Rural Ontario Leaders Award

Hello Peggy Van Mierlo-West,

OMAFRA has just introduced a new awards program that we think you're going to like. It's the new Rural Ontario Leaders Awards or ROLA for short.

The program recognizes leaders among rural residents, communities, businesses and organizations, and their work in improving the quality of life and economic well-being of rural Ontario.

Recognizing leadership in rural Ontario is important to this government. That's why we're celebrating the achievements of those who are dedicated to helping build a stronger rural Ontario.

The awards will also help to raise the awareness of rural Ontario's ability to foster a competitive and innovative business environment, and help recognize the essential contribution of rural Ontario to the provincial economy.

One award will be provided in each of the following streams;

- Individual Award (25 years of age and older)
- Individual - Youth (24 years of age and younger)
- Community (Municipality or Indigenous community)
- Business
- Not-for-profit/non-government organization

Award winners will be recognized by the Minister of Agriculture, Food and Rural Affairs, the Honourable Jeff Leal, at a special presentation during the next Rural Ontario Summit in February of next year.

To help make the awards a success, we need your help. We need to know who in your community or organization has demonstrated strong leadership that supports rural economic development with any of the following outcomes:

- Training and skills development;
- Entrepreneurship and local employment;
- Strong social infrastructure; or
- Civic engagement

Help us to recognize leaders in your community who have helped to improve the quality of life and economic well-being of rural Ontario, by nominating someone today.

Nominations will be accepted until November 15, 2017.

If you have any questions on the Rural Ontario Leaders Awards program, please contact the Agricultural information Contact Centre at 1-877-424-1300, or at ag.info.omafra@ontario.ca, or visit our website at: <https://ontario.ca/ruralleaders>.

Program and Application Guide

2017

Rural Ontario Leaders Awards
Ontario Ministry of Agriculture, Food and Rural Affairs
1 Stone Road West, 3rd Floor SW
Guelph, Ontario N1G 4Y2
Tel: 1-877-424-1300
E-mail: ruralleaders@ontario.ca

Rural Ontario Leaders Awards 2017

Program and Application Guide

Deadline: November 15, 2017 is the due date for applications. Electronic applications must be received no later than 5 p.m. EST and hard copy applications must be postmarked by the deadline date to be accepted.

Introduction

Rural communities are an essential part of our cultural and economic fabric and the Ontario government is committed to ensuring they remain vibrant places where our children can learn, grow, work and play.

Strong rural communities help create good jobs, attract investment and promote new economic opportunities for their residents and businesses.

Celebrating innovative leadership that keeps rural communities economically, socially and environmentally vibrant is a priority for the government of Ontario.

That is why the Ontario government created the **Rural Ontario Leaders Awards**.

Every two years, this program will recognize outstanding leadership in the area of rural economic development that supports one or more of the following outcomes:

- Training and skills development
- Entrepreneurship and local employment
- Strong social infrastructure
- Civic engagement

The Rural Ontario Leaders Awards has five streams with up to one winner in each of the following categories:

- Individual (25 years of age and older)
- Individual -Youth (24 years of age and younger)
- Community (lower-tier municipality, Indigenous community)
- Business
- Not-for-profit/non-government organization

Recipients in their award category receive:

- A Rural Ontario Leaders Awards plaque
- An invitation to attend the awards reception at the Rural Ontario Summit in February 2018
- Award recipients will also receive a media kit detailing recipient achievements in multiple formats and the use of the Rural Ontario Leaders Awards wordmark to support their marketing and promotional efforts

The recipients of the 2017 awards will be announced at The Rural Ontario Summit in February 2018.

Objectives

The objectives of the Rural Ontario Leaders Awards are to:

- Recognize rural Ontario's contributions to the economy
- Promote initiatives that contribute to the quality of life and economic well-being of rural Ontario
- Support knowledge and technology transfer to inspire the adoption of best practices and initiatives that enable rural economic development
- Raise awareness about rural Ontario's ability to foster a competitive and innovative business environment, and strong leadership

Eligibility Criteria

Nominees must meet the criteria for a category (a, b, c, d or e):

a) Individual Award (25 years of age and older)

- Be a resident of Ontario
- Must be 25 years of age or older
- Individual applicants need not be rural residents but their leadership achievement must result in a significant benefit to rural Ontario.

b) Youth Award (Individual - 24 years of age and younger)

- Be a resident of Ontario
- Individual youth applicants must be 24 years of age and younger Individual youth applicants need not be rural residents but their leadership achievement must result in a significant benefit to rural Ontario.

c) Community (Municipality, Town, Village, Hamlet)

- Only communities classified as rural (a population of less than 100 000) may be eligible for this award
- A group of communities or a region is eligible to apply if they are collaborating for the purposes of regional planning and managing common services such as counties or former counties
- Indigenous communities and remote northern communities are encouraged to apply for the award.

d) Business

- Must be Ontario based with a direct relationship to rural Ontario
- All types of businesses are eligible including:
 - Sole proprietorship
 - Corporation duly incorporated pursuant to the laws of Canada or the laws of Ontario
 - partnership
 - Unincorporated association
- Nominees must be in compliance with all applicable federal, provincial and municipal legislation that apply to the operation of the business.

e) Not-For-Profit/Non-Governmental Organization

- Not-For-Profit/Non-Governmental Organization that do not operate on a sole for-profit basis and may include:
 - Registered charities
 - Religious organizations
 - Social entrepreneurships
 - Cooperatives
 - Community development agencies or organizations
 - Economic development agencies or organizations
 - Individuals affiliated with any of the above organizations

Ineligibility Criteria

Nominees are ineligible for the program if:

- They are an employee of the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA)
- Individuals employed by OMAFRA who are owners of, members of, or have a controlling and/or financial interest in a sole proprietorship, partnership, corporation and any combination of business or organization.

NOTE:

Nominators can nominate more than one nominee under each stream, provided that the nominee meets the eligibility criteria. A separate application form will be required for each nomination.

Nominees and nominators must be willing to participate in interviews, site visits, photographs and video recordings at the discretion of OMAFRA or selection committees.

OMAFRA has the right to refuse an application for any reason, including but not limited to concerns with compliance, undue influence, false or misleading information.

Areas of Leadership

Leadership may include demonstrated excellence in the following:

- Local and or regional rural economic development
- Fostering an innovative rural economy
- Rural community development
- Cultural development
- Attracting tourism
- Environmental stewardship
- Promoting the value of Ontario's agri-food sector
- Working to attract Human capital
- Youth retention

Application Process

Applications must be received either electronically or be postmarked **by 5 p.m. EST on November 15, 2017**. The application form can be downloaded from: www.ontario.ca/ruralleaders

Please refer to the last page of the Application Form for options to submit your completed application.

Please ensure that you answer all questions in the application form.

Applicants and nominators are strongly encouraged to include photos (300 dpi - dots per inch) supporting the application in electronic format, if available. Print copies will be accepted. Letters of support are also encouraged.

Nominees must consent to the collection of personal, business or organizational information in relation to the administration of the Rural Ontario Leaders Awards.

Nominees must consent to the disclosure of any personal information (name, job, title, etc.) collected in relation to the administration of the Rural Ontario Leaders Awards, including the publication of personal information used for the purpose of providing information about the Rural Ontario Leaders Awards.

Selection Process

The selection process for the Rural Ontario Leaders Awards recipients is as follows:

- An acknowledgement e-mail will be sent to each nominee.
- Applications will be reviewed for eligibility and considered by two independent review panels: (1) an internal OMAFRA panel with staff and; (2) an external panel of recognized leaders in the field of rural economic development.
- The internal review panel will evaluate all applications and provide a short list to the external review panel.
- The external panel will assess the selected award applications and make recommendations to the Ministry of Agriculture, Food and Rural Affairs (Minister).
- The Minister will review the recommended applications and approve award winners in each of the five leadership categories.

Assessment Criteria

The following criteria will be used to assess applications:

- **Uniqueness and Originality** - where and how the leadership initiative originated and the uniqueness of design or style used to produce positive change in rural Ontario.
- **Community Benefits** - The extent to which the leadership achievement is leading to, or has led to, demonstrable positive change in rural Ontario.
- **Impact** - the positive economic and/or social benefit to rural Ontario communities, businesses and development organizations.
- **Development** - the extent to which the leadership initiative has been thought through to implementation.
- **Broader Use** - the potential for use on a broader basis and be able to demonstrate the potential for having a positive effect if applied elsewhere in rural Ontario.

Nomination Form

***NOMINATION DEADLINE: November 15, 2017 by 5:00PM
EST***

NOMINEE CONTACT INFORMATION

Name of Individual, Youth Individual, Business, Community or Non-Government Organization:

Nomination Type (check one):

- | | |
|---|--|
| <input type="checkbox"/> Individual (25 years of age and older) | <input type="checkbox"/> Business |
| <input type="checkbox"/> Individual – Youth (24 years of age and younger) | <input type="checkbox"/> Community |
| | <input type="checkbox"/> Non-Government Organization |

Mailing Address: _____

City: _____ Region/County/District: _____

Province: _____ Postal Code: _____

Phone: _____ E-mail: _____

Website: _____ Social Media Accounts: _____

NOMINATOR CONTACT INFORMATION

- ☐ IF THIS IS A SELF-NOMINATION, PLEASE CHECK THIS BOX AND PROCEED TO THE NOMINEE PROFILE SECTION.

Nominator Contact: _____ Title: _____

Relationship to Nominee: _____

Phone: _____ Alternate/Cell Phone: _____

Fax: _____ E-mail: _____

Website: _____

Has the nominee been told that they are being nominated for this award? Y/N

NOMINEE PROFILE

Individual / Youth Individual:

Please attach a brief biography of the nominee. You may include links to web-sites, media stories or other materials that would help describe the individual.

Business / NGO:

Please attach your organization's mission statement, purpose and objectives. You may include links to web-sites, media stories or other materials that would help describe the organization.

Community / Region:

Please attach a brief profile of the community or region being nominated including location, size, economic and demographic statistics, etc. You may include links to web-sites, media stories or other materials that would help describe the community or region.

LEADERSHIP ACHIEVEMENT DESCRIPTION

- ☐ Provide a Title of the Leadership Achievement. (15 words maximum)
- ☐ Summarize the Leadership Achievement. (50 words maximum)

Describe the Leadership Achievement. (Maximum 1000 words)

- ☐ Please provide a detailed description of the reason(s) why the nominee should receive the award. You may use the assessment criteria as sub-headings (Uniqueness and Originality, Community Benefits, Impact, Development and Broader Use) within your document or you may provide an essay-format submission. Content may include:
 - A description of the individual or organization as it relates to the leadership achievement and any background or contextual information.
 - What made this an outstanding leadership achievement – indicate any extraordinary circumstances or challenges.
 - The impact that this achievement has had locally and/or on the rest of the province.
 - Best practices in leadership.
 - When the leadership achievement was initiated and completed, or if it is ongoing.

Testimonials / Letters of Support

- ☐ A minimum of two signed testimonials from individuals, other than the nominator, who have direct knowledge of the value and impact of the nominee's achievement and who support the nomination. Please ensure that the contact information of the testimonial writer is included.

Additional Material (optional)

The following materials are not mandatory but you are encouraged to supplement your nomination in order to improve its overall strength.

- ☐ Additional supporting material such as supplementary testimonials, publications, media stories, evidence of leadership excellence being recognized by other groups or individuals.

ELIGIBILITY

- ☐ I certify that the nominee(s) meet the eligibility criteria for the program stream for which they are nominated, as set out in the Rural Ontario Leaders Awards 2017 Guidebook.

CERTIFICATION

Compliance with Terms and Conditions of Participation

- ☐ I, the undersigned, acknowledge that I have read, understood, agreed and complied with the terms and conditions of participation in the Rural Ontario Leaders Awards program, as outlined in the 2017 Program Guidebook and Application Form, and certify that the information provided on all parts pertaining to the program is true, complete to the best of my knowledge and can be substantiated.

Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) Family Relationship

- ☐ I certify that the nominee(s) are not employees of OMAFRA.
- ☐ I certify that I, the nominator, am not an employee of OMAFRA.

Applicant: _____

Title: _____

Signature _____ **Date** _____

PART D - CERTIFICATION

The information you supply on this form is being collected by the OMAFRA Economic Development Division and will be used and disclosed for the purpose of administering and promoting the Rural Ontario Leaders Awards Program. This includes processing this form, confirming any eligibility requirements and contacting you in the event that you or the nominee is an award recipient. The information you provide in this form may be subject to audit and also be shared with external review panels. In the event that you are an award recipient, your name, contact information and photographs may also be disclosed in print and/or electronic form to promote the objectives of the Rural Ontario Leaders Awards Program as set out in the 2017 Program Guidebook and Application Form. Recipients of this award will be recognized at an awards event in 2018.

Questions about the collection of personal information on this form can be directed to the Program Analyst, Regional Economic Development Branch, OMAFRA, 1 Stone Road West, 3rd Floor SW, Guelph, Ontario, N1G 4Y2, or by phone at 1-519-826-3278.

Mailing address and contact information.

Submit your application postmarked by 5 p.m. EST on

November 15, 2017 to:

Ontario Ministry of Agriculture, Food and Rural Affairs

Attn: Rural Ontario Leaders Awards

1 Stone Road West, 3rd Floor SW

Guelph, Ontario N1G 4Y2

Online at: www.ontario.ca/ruralleaders

E-mail: ruralleaders@ontario.ca

Fax : 519-826-3442

For more information, contact the Agricultural Information Contact Centre at 1-877-424-1300.

Contact Information

Agricultural Information Contact Centre: 1-877-424-1300

E-mail: ruralleaders@ontario.ca

Fax: 519-826-3442

ontario.ca/ruralleaders



Également disponible en français

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 83-2017

Being a By-law to exempt certain lands from Part Lot Control (Royal Oak at the Creek Subdivision – Plan 12M-598)

WHEREAS the Planning Act, R.S.O. 1990 c.P.13, as amended, provides that part-lot control shall apply where land is within a plan of subdivision registered before or after the coming into force of the Act;

AND WHEREAS Subsection 7 of Section 50 of the said Planning Act provides that the council of a municipality may by by-law provide that part-lot control does not apply to land that is within such registered plan or plans of subdivision or parts thereof as is or are designated in the by-law, and where the by-law is approved by the planning authority, Subsection 5 of Section 50, ceases to apply to such land;

AND WHEREAS it is deemed desirable that the provisions of Subsection 5 of Section 50 of the Planning Act shall not apply to certain lands that are within Registered Plan 12M-598, in the Town of Kingsville;

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

1. That Subsection 5 of Section 50 of the Planning Act, R.S.O. 1990, c.P.13, does not apply to those parts of the registered plan described as follows:

All and singular those certain parcels or tracts of land and premises lying and being in the Town of Kingsville, being Lots 10-16 (inclusive), Lots 28 to 34 (inclusive), Lots 35 to 41 (inclusive) and Lots 45 to 51 (inclusive), on Plan 12M-598, locally known as Blue Jay Crescent.

All and singular those certain parcels or tracts of land and premises lying and being in the Town of Kingsville, being Lots 17 to 27 (inclusive) and Lots 42 to 44 (inclusive), on Plan 12M-598, locally known as Blue Jay Crescent, for the sole purpose of lot line adjustment to the existing single detached dwelling lots.

2. That the development of the lands more particularly described in Section 1 of this by-law shall only be by way of descriptions of lands on a registered Reference Plan, which Reference Plan has been duly approved by the Corporation.
3. This by-law shall expire on October 23, 2022.

READ a FIRST, SECOND and THIRD time and FINALLY PASSED this 23rd day of October, 2017.

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 102-2017

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 Subsection 6.4.1 RESIDENTIAL ZONE 4 URBAN EXCEPTIONS is amended with the addition of the following new subsection:

6.4.1.3 'RESIDENTIAL ZONE 4 URBAN EXCEPTION 3 (R4.1-3)'

For lands shown as R4.1-3 on Map 71 (Lansdowne Ave) Schedule "A" of this By-law.

a) Permitted Uses

Those uses permitted under Section 6.4.1

b) Permitted Buildings and Structures

Semi-detached dwellings
Semi-detached dwelling units
Townhouse Dwellings
Townhouse Dwelling Units
Apartment dwelling
One Group Home
Nursing or Rest Home
Buildings and structures accessory to the Main Use

c) Zone Provisions

- i) Provisions of the (R4.1) shall apply

2. Schedule "A", Map 71 of By-law 1-2014 is hereby amended by changing the zone symbol on lands known municipally as Part of Lots 25 and 26, Plan 269 and locally known as 122 to 148 Lansdowne Ave, as shown on Schedule 'A' in cross-hatch attached hereto from 'Residential Zone 3 Urban, (R3.1)' to 'Residential Zone 4 Exception 3, (R4.1-3)'.

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 23rd day of October, 2017.

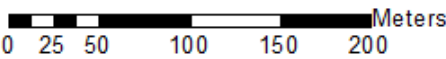
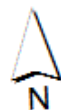
MAYOR, Nelson Santos

CLERK, Jennifer Astrologo

Schedule 'A'



Part of Lots 25 & 26, Plan 269
(122 to 148 Lansdowne Ave.)
Zoning By-law Amendment ZBA/21/17



Schedule "A", Map 71 of By-law 1-2014 is hereby amended by changing the zone symbol as shown on Schedule 'A' in cross-hatch attached hereto from
'Residential Zone 3 Urban (R3.1)' to 'Residential Zone 4 Urban Exception 3 (R4.1-3)'

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 103-2017

***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 72 of By-law 1-2014 is hereby amended by changing the zone symbol on lands known municipally as Part of Lot 1, Concession 1 ED and locally known as 115 Main St. E., as shown on Schedule 'A' in cross-hatch attached hereto from 'Residential Zone 3 Urban, (R3.1)' to 'Residential Zone 4 Exception 3, (R4.1-3)'.
2. This by-law shall come into force and take effect from the date of passing by Council and shall come into force in accordance with Section 34 of the Planning Act.

READ a FIRST, SECOND and THIRD time and FINALLY PASSED this 23rd day of October, 2017.

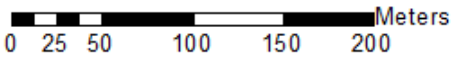
MAYOR, Nelson Santos

CLERK, Jennifer Astrologo

Schedule 'A'



Part of Lot 1, Concession 1 ED
(115 Main St. E.)
Zoning By-law Amendment ZBA/21/17



Schedule "A", Map 72 of By-law 1-2014 is hereby amended by changing the zone symbol as shown on Schedule 'A' in cross-hatch attached hereto from 'Residential Zone 3 Urban (R3.1)' to 'Residential Zone 4 Urban Exception 3 (R4.1-3)'

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 104-2017

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

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

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

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

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

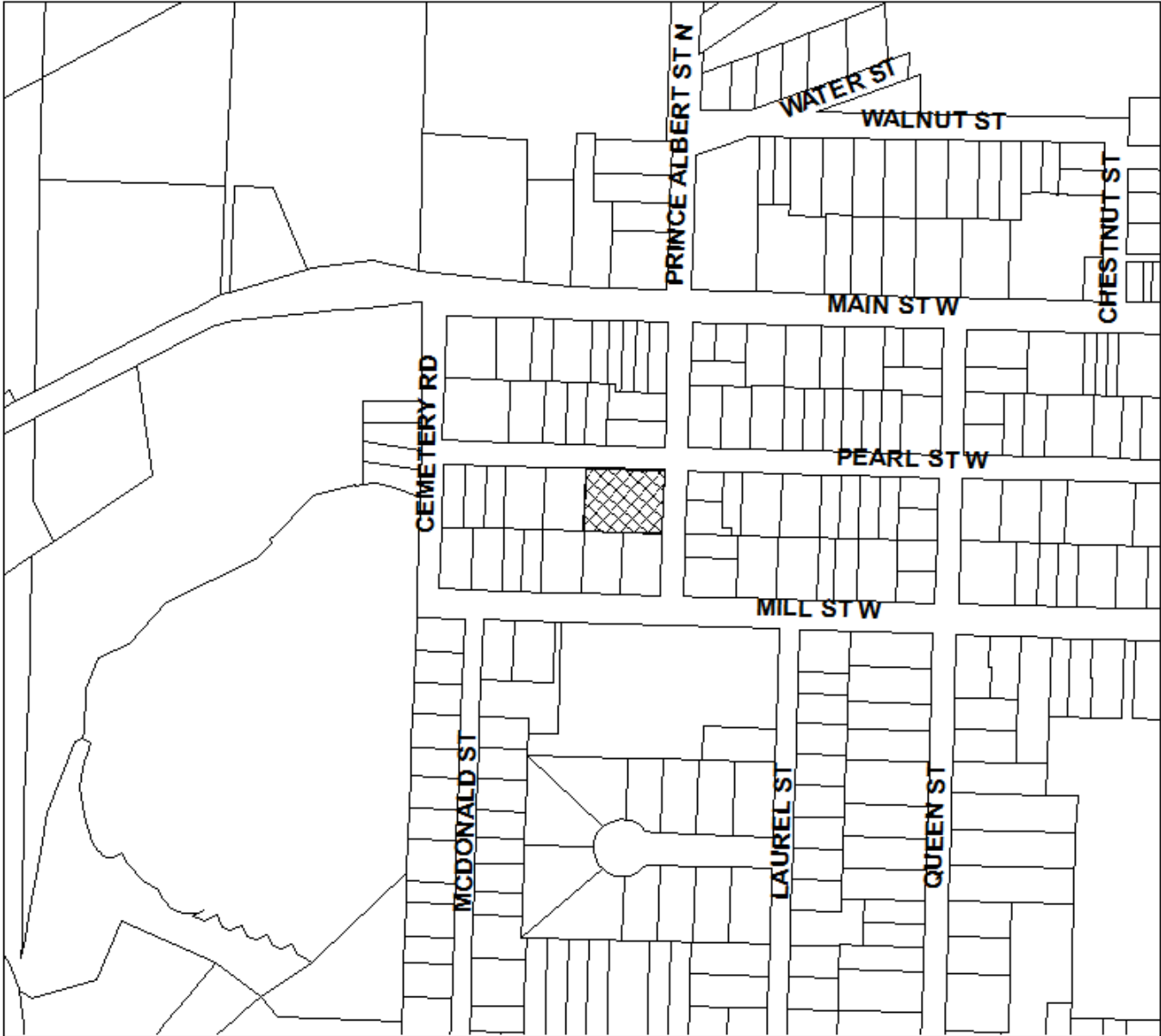
1. Schedule "A", Map 68 of By-law 1-2014 is hereby amended by changing the zone symbol on lands known municipally as Part of Lot 2, Concession 1 WD and locally known as 32 Prince Albert St. S., as shown on Schedule 'A' in cross-hatch attached hereto from 'Residential Zone 3 Urban, (R3.1)' to 'Residential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

READ a FIRST, SECOND and THIRD time and FINALLY PASSED this 23rd day of October, 2017.

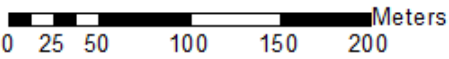
MAYOR, Nelson Santos


CLERK, Jennifer Astrologo

Schedule 'A'



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



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

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 105-2017

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 65 of By-law 1-2014 is hereby amended by changing the zone symbol on lands known municipally as Part of Lot 1, Concession 1 ED, Plan 1182 and locally known as 109 & 129 Division St. N., as shown on Schedule 'A' in cross-hatch attached hereto from 'Residential Zone 3 Urban, (R3.1)' to 'Residential Zone 4 Exception 3, (R4.1-3)'.
2. This by-law shall come into force and take effect from the date of passing by Council and shall come into force in accordance with Section 34 of the Planning Act.

READ a FIRST, SECOND and THIRD time and FINALLY PASSED this 23rd day of October, 2017.

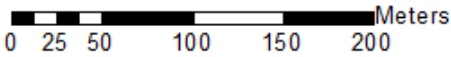
MAYOR, Nelson Santos

CLERK, Jennifer Astrologo

Schedule 'A'



Part of Lot 1, Concession 1 ED
(109 & 129 Division St N.)
Zoning By-law Amendment ZBA/21/17



Schedule "A", Map 66 of By-law 1-2014 is hereby amended by changing the zone symbol as shown on Schedule 'A' in cross-hatch attached hereto from 'Residential Zone 3 Urban (R3.1)' to 'Residential Zone 4 Urban Exception 3 (R4.1-3)'

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 106-2017

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:

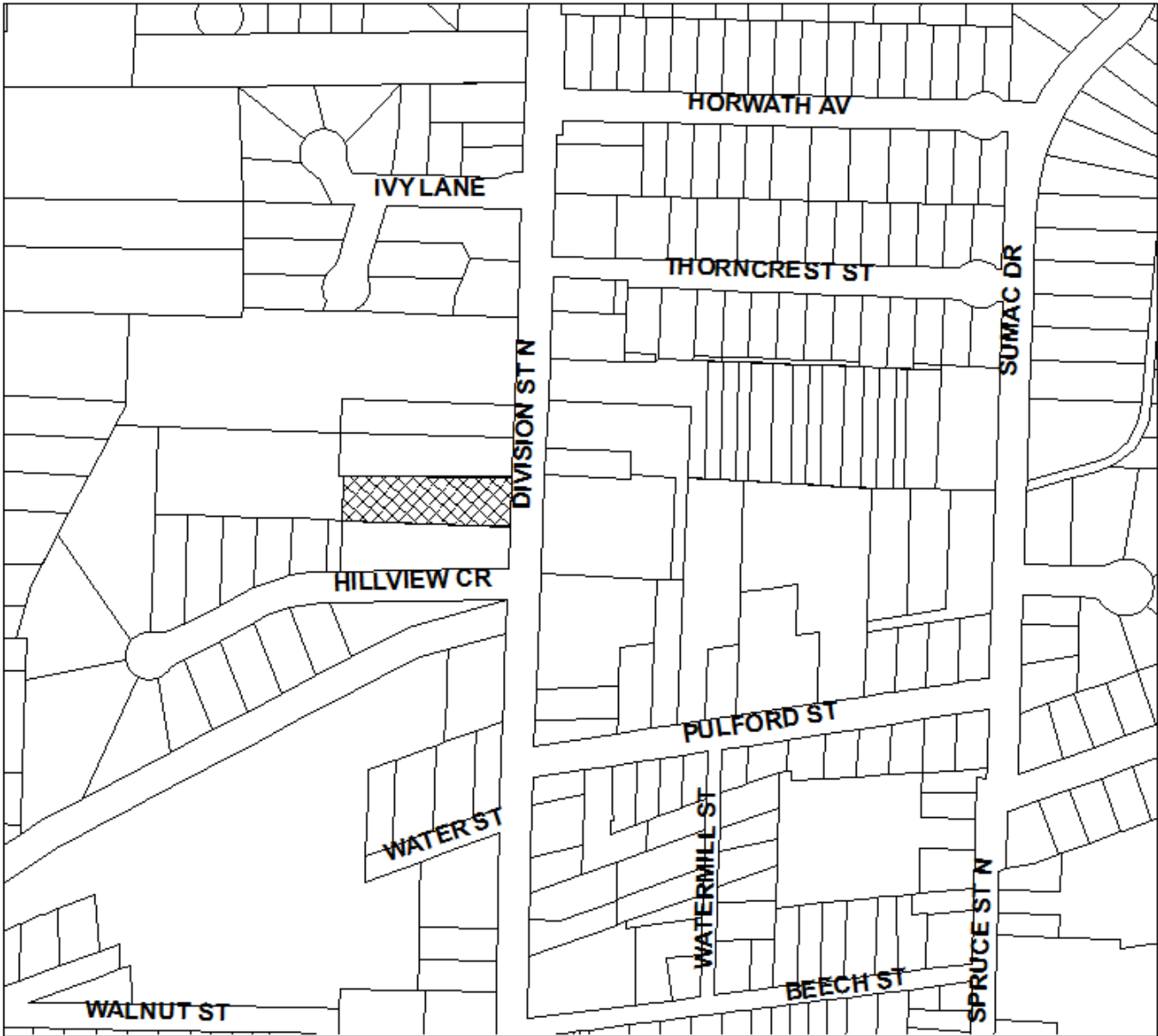
1. Schedule "A", Map 65 of By-law 1-2014 is hereby amended by changing the zone symbol on lands known municipally as Part of Lot 1, Concession 1 WD and locally known as 124 Division St. N., as shown on Schedule 'A' in cross-hatch attached hereto from 'Residential Zone 3 Urban, (R3.1)' to 'Residential Zone 4 Exception 3, (R4.1-3)'.
2. This by-law shall come into force and take effect from the date of passing by Council and shall come into force in accordance with Section 34 of the Planning Act.

READ a FIRST, SECOND and THIRD time and FINALLY PASSED this 23rd day of October, 2017.

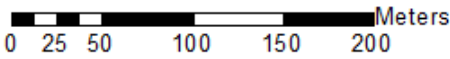
MAYOR, Nelson Santos

CLERK, Jennifer Astrologo

Schedule 'A'



Part of Lot 1, Concession 1 WD
(124 Division St. N.)
Zoning By-law Amendment ZBA/21/17



Schedule "A", Map 65 of By-law 1-2014 is hereby amended by changing the zone symbol as shown on Schedule 'A' in cross-hatch attached hereto from 'Residential Zone 3 Urban (R3.1)' to 'Residential Zone 4 Urban Exception 3 (R4.1-3)'

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 107-2017

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 Subsection 6.4.1 RESIDENTIAL ZONE 4 URBAN EXCEPTIONS is amended with the addition of the following new subsection:

6.4.1.4 'RESIDENTIAL ZONE 4 URBAN EXCEPTION 4 (R4.1-4)'

For lands shown as R4.1-4 on Map 65 (Division St. N) Schedule "A" of this By-law.

a) Permitted Uses

Those uses permitted under Section 6.4.1

b) Permitted Buildings and Structures

Semi-detached dwellings
Semi-detached dwelling units
Townhouse dwellings
Townhouse dwelling units
Apartment dwelling
One Group Home
Nursing or Rest Home
Buildings and structures accessory to the main use

c) Zone Provisions

- i) Provisions of the (R4.1) shall apply
- ii) Notwithstanding the zone provisions of (R4.1) the following regulations shall apply to lands zoned (R4.1-4):

- i) Minimum Lot Frontage – 19 m

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 Lot 1, Concession 1 WD and locally known as 194 Division St. N., as shown on Schedule 'A' in cross-hatch attached hereto from 'Residential Zone 3 Urban, (R3.1)' to 'Residential Zone 4 Exception 4, (R4.1-4)'.

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 23rd day of October, 2017.

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo

Schedule 'A'




Part of Lot 1, Concession 1 WD
(194 Division St. N.)
Zoning By-law Amendment ZBA/21/17



N



0 25 50 100 150 200 Meters

 Schedule "A", Map 65 of By-law 1-2014 is hereby amended by changing the zone symbol as shown on Schedule 'A' in cross-hatch attached hereto from 'Residential Zone 3 Urban (R3.1)' to 'Residential Zone 4 Urban Exception 4 (R4.1-4)'

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 108-2017

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 Subsection 6.4.1 RESIDENTIAL ZONE 4 URBAN EXCEPTIONS is amended with the addition of the following new subsection:

6.4.1.2 'RESIDENTIAL ZONE 4 URBAN EXCEPTION 2 (R4.1-2)'

For lands shown as R4.1-2 on Map 67 (Lansdowne Ave) Schedule "A" of this By-law.

a) Permitted Uses

Those uses permitted under Section 6.4.1
Neighbourhood Commercial uses

b) Permitted Buildings and Structures

Two Apartment Buildings – (maximum 60 units per building)
A Medical Clinic
Office
Personal Service Shop
Accessory Retail or Pharmacy
Buildings and structures accessory to the Main Use

c) Zone Provisions

- i) Provisions of the (R4.1) shall apply
- ii) Notwithstanding the zone provisions of (R4.1) the following regulations shall apply to lands zoned (R4.1-2):
 - i) Maximum Permitted Height – 22 m
 - ii) North Lot Line Setback – equal to the height of the building

2. Schedule "A", Map 67 of By-law 1-2014 is hereby amended by changing the zone symbol on lands known municipally as Part of Lot 2, Concession 1 ED and locally known as 200 Main St. E., as shown on Schedule 'A' in cross-hatch attached hereto from 'Residential Zone 1 Urban, (R1.1)' to 'Residential Zone 4 Exception 2, (R4.1-2)'.

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 23rd day of October, 2017.

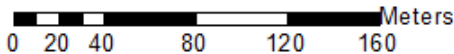
MAYOR, Nelson Santos


CLERK, Jennifer Astrologo

Schedule 'A'



Part of Lot 2, Concession 1 ED
(200 Main St. E.)
Zoning By-law Amendment ZBA/02/16



 Schedule "A", Map 67 of By-law 1-2014 is hereby amended by changing the zone symbol as shown on Schedule 'A' in cross-hatch attached hereto from 'Residential Zone 1 Urban - holding (R1.1(h))' to 'Residential Zone 4 Urban Exception 2 (R4.1-2)'

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 109-2017

***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:

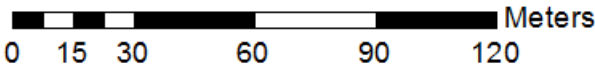
1. Schedule "A", Map 71 of By-law 1-2014 is hereby amended by changing the zone symbol on lands known municipally as Gladstone Avenue (no address), Lot 16, Plan 1068, as shown on Schedule 'A' in cross-hatch attached hereto from 'Residential Zone 1 Urban (R1.1)' to from 'Residential Zone 2 Urban (R2.1)'.
2. This by-law shall come into force and take effect from the date of passing by Council and shall come into force in accordance with Section 34 of the Planning Act.

READ a FIRST, SECOND and THIRD time and FINALLY PASSED this 23rd day of October, 2017.

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo

Schedule A



GLADSTONE AVENUE (NO ADDRESS)
LOT 16, PLAN 1068
ZBA/18/17



Schedule "A", Map 71 of By-law 1-2014 is hereby amended by changing the zone symbol on property known municipally as Gladstone Avenue (no address), Lot 16, Plan 1068 on Schedule 'A' cross-hatched attached hereto from 'Residential Zone 1 Urban (R1.1)' to 'Residential Zone 2 Urban (R2.1)'.

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 111 - 2017

***Being a By-law to confirm the proceedings of the
Council of The Corporation of the Town of Kingsville at its
October 23, 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 October 23, 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 23rd day of October, 2017.

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo