



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

**Date:** July 9, 2018  
**To:** Mayor and Council  
**Author:** G.A. Plancke – Director of Municipal Services  
**RE:** Road Use Agreement – 2081967 Ontario Limited  
**Report No.:** MS 2018 – 25

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## **AIM**

To provide Council with information regarding a proposed Road Use / Encroachment Agreement between 2081967 Ontario Limited, for the purpose of constructing, and maintaining a Private Electrical Service Line within the Town road allowance to service Thermo Energy System Inc. located at 2035 Spinks Dr.

## **BACKGROUND**

The owners of Thermo Energy Systems Inc. located at 2035 Spinks Dr. retained N.J. Peralta Engineering to design and draft plans for a new underground Private Electrical Service Line to support their planned expansion to their operation as part of the amended site plan. (See attached plan E16-056).

Thermo Energy Systems Inc is currently being serviced via an overhead electrical service, which was originally identified in the approved site plan but, subsequent to that approval has been determined that it cannot meet the required electrical demands of the expanded facility.

Thermo energy requires a new electrical service capable of meeting the new demand and has requested an underground supply rather than a standard aerial option.

Hydro One Networks would retain responsibility of an overhead supply to the onsite meter, but has informed Thermo Energy, that a new underground electrical service would be supplied from their overhead plant across the road. The new line would be the sole responsibility of Thermo Energy, as the Hydro One disconnect and metering facility will remain on the pole.

## **DISCUSSION**

The Thermo Energy Systems Inc. current site plan did not identify the requirement or option for an underground electrical service at the time of approval.

In order to facilitate, and accommodate a new Private Electrical Service Line within the municipal road allowance, a Road Use Encroachment Agreement is required between the Town, and Thermo Energy Systems Inc. in order to place private infrastructure within the public road allowance.

Municipal Services in conjunction with Corporate Services has drafted a Road Use Encroachment Agreement to the benefit of Thermo Energy Systems Inc. (See attached "Draft" Road Use Encroachment Agreement).

It has been vetted through 2081967 Ontario Limited without comment or revision.

## **LINK TO STRATEGIC PLAN**

Support growth of the business community.

## **FINANCIAL CONSIDERATIONS**

No financial impact to the Town at this time. Conjunction

## **CONSULTATIONS**

Municipal Services  
Corporate Services  
N.J. Peralta Engineering

## **RECOMMENDATION**

That Council enters into a Road Use Agreement with 2081967 Ontario Limited, for the construction, maintenance, and operation of a Private Electrical Service Line within the Town road allowance as stipulated in the conditions listed within the document Road Use Encroachment Agreement between the Corporation of the Town of Kingsville, and 2081967 Ontario Limited;

And That Council direct the Mayor and Clerk to execute said Agreement and adopt the applicable authorizing by-law (94-2018).

*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