



AGENDA

Council Meeting

4:00 PM - Thursday, June 23, 2022
Municipal Office-Hybrid

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| 1. CALL TO ORDER | |
| 2. DISCLOSURE OF PECUNIARY INTEREST | |
| 3. MINUTES | |
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| 4. BUSINESS ARISING FROM THE MINUTES | |
| 5. DELEGATIONS & TIMED EVENTS | |
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| 5.5. DRAINAGE: Court of Revision-MacDougall Drain MacDougall Drain | 27 |
| 5.6. Kucera Site Plan - 3200 Nauvoo Road Planning Report - 3200 Nauvoo Road Kucera Site Plan Agreement 3200 Nauvoo Road Site plan drawing | 28 - 37 |
| 5.7. Kucera Site Plan - 3216 Nauvoo Road, 8011 Centre St., 8002 Railroad Line Planning Report - 2022 Kucera Site Plan Agreement 2022 Site plan drawing - warehouse | 38 - 47 |
| 6. CORRESPONDENCE | |
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| 6.2. Correspondence Requiring Action Requiring Action - June 23, 2022 | 55 - 58 |

7. STAFF REPORTS

- 7.1. **Clerk Administrator's Report:** Revisions to Standards of Maintenance & Occupancy By-law 59 - 81
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- 7.2. **Clerk Administrator's Report:** Tanner Redick Memorial Ball Tournament - SOP Request (Optimist Club) 82 - 83
[Tanner Redick Memorial Ball Tournament - SOP Request](#)
- 7.3. **Clerk Administrator's Report:** Bluewater Power Shareholder Resolution 84 - 89
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- 7.4. **Drainage Superintendent's Report** 90 - 91
[Ruth Drain Tender Summary Letter](#)
[Ruth Drain Tender Review Results](#)

8. BY-LAWS

- 8.1. Proposed By-law 40 & 41 of 2022 - Tizzard OP/Zoning Amendment 92 - 106
[By-law 40 of 2022 ZBLA-Tizzard](#)
[Schedule A to By-law](#)
[OPA 5 Document](#)
[OPA5 -Schedule A](#)
[Brooke-Alvinston Sch. A-Key Map](#)
- 8.2. Proposed By-law 42 of 2022 - Property Standards By-law
- 8.3. Proposed By-law 43 of 2022 - Site Plan Agreement (3200 Nauvoo Road)
- 8.4. Proposed By-law 44 of 2022 - Site Plan Agreement (3216 Nauvoo Rd., 8011 Centre St., 8002 Railroad Line)

9. NEW BUSINESS

10. CLOSED SESSION

Section 239 (1) 2(b): Personal matters about an identifiable individual including employees

11. RISE AND REPORT

12. BY-LAW CONFIRMING PROCEEDINGS

13. ADJOURNMENT



MINUTES

Council Meeting

4:00 PM - Thursday, June 9, 2022
Municipal Office-Hybrid

The Council of the Municipality of Brooke-Alvinston was called to order on Thursday, June 9, 2022, at 4:00 PM, in the Municipal Office-Hybrid, with the following members present:

Council Present: Mayor David Ferguson, Deputy Mayor Frank Nemcek, Councillor Jeannette Douglas, Councillor Jamie Armstrong, and Councillor Wayne Deans

Staff Present: Clerk Administrator Janet Denkers, Treasurer Stephen Ikert, Public Works Manager Randy Hills, Fire Chief Steve Knight, County Planner Rob Nesbitt, Manager of Planning & Development at Lambton County Ken Melanson, Parks and Recreation Supervisor Kevin Miller, and Public Works Foreman Jerrett Hodgins

Regrets:

1 CALL TO ORDER

Mayor Ferguson called the meeting to order at 4:00 p.m.

2 DISCLOSURE OF PECUNIARY INTEREST

Mayor Ferguson requested that any pecuniary interests be declared when appropriate during the meeting.

3 MINUTES

a) Regular Council Meeting Minutes of May 26, 2022

RESOLUTION-2022-198

Deputy Mayor Frank Nemcek made a motion that the May 26, 2022 meeting Minutes be approved as presented without any errors or omissions. Councillor Jeannette Douglas seconded the motion.

Carried

4 BUSINESS ARISING FROM THE MINUTES

5 DELEGATIONS & TIMED EVENTS

a) Zoning Amendment / Official Plan Amendment Application (Therault)

A Zoning Amendment application was submitted to change the lands municipally known as 6483 Weidman Line from the Institutional zone to a central commercial zone.

An Official Plan Amendment application was additionally submitted to change the designation on the same lands from residential to a site specific commercial designation.

No members of the public were in attendance.

RESOLUTION-2022-199

Deputy Mayor Frank Nemcek made a motion that the Council of the Municipality of Brooke-Alvinston approve the application to consider a proposed amendment to the Municipal Official Plan in accordance with Section 22.2.1 of the Planning Act; and that Council authorize the Mayor and Clerk Administrator to sign the by-laws for amendments to the Official Plan By-law and Amendments to the Zoning By-law. Councillor Wayne Deans seconded the motion.

Carried

b) Zoning Amendment / Official Plan Amendment Application (Tizzard)

Members of the public in attendance were Kevin Tizzard, Gord Book, Gary Straatman, Martin Gerrits, Nathan Ikert, Peter Kelly, James Duncan and Dave MacKellar.

An application was made to amend the Municipality's Official Plan to redesignate part of the above noted property from mixed commercial / industrial to residential. The applicant also proposed to amend the municipal zoning by-law to rezone the property from mixed commercial / industrial holding to residential.

The County of Lambton planning department did not support the application at this time. It was noted the area could be reviewed during the zoning / official plan review.

RESOLUTION-2022-200

Deputy Mayor Frank Nemcek made a motion that the Council of the Municipality of Brooke-Alvinston approve the applicant's request for Council to consider a proposed amendment to the Municipal Official Plan in accordance with Section 22.2.1 of the Planning Act; and that Council authorize the appropriate by-laws be prepared and have the Mayor and Clerk Administrator sign the by-laws for amendments to the Official Plan By-law and Amendments to the Zoning By-law at the next regular session of Council. Councillor Jamie Armstrong seconded the motion.

Carried

6 CORRESPONDENCE

a) Municipal Correspondence

RESOLUTION-2022-201

Councillor Wayne Deans made a motion that the Municipal Information be received and filed. Councillor Jeannette Douglas seconded the motion.

Carried

b) Municipality of Shuniah - Rural and Northern Education Fund

RESOLUTION-2022-202

Councillor Jamie Armstrong made a motion that the Council of the Municipality of Brooke-Alvinston supports the Municipality of Shuniah's request that the Province of Ontario ensures that all students have the opportunity to attend elementary and secondary school in their home community, and that the Province of Ontario increase the Rural and Northern Education Fund to \$50 million. Deputy Mayor Frank Nemcek seconded the motion.

Carried

c) Town of the Blue Mountains - Municipal Election Candidate Information

RESOLUTION-2022-203

Councillor Wayne Deans made a motion that the request from the Town of the Blue Mountains be received and filed. Deputy Mayor Frank Nemcek seconded the motion.

Carried

- d) Town of Fort Erie - Vacant Foreign Owned Properties

RESOLUTION-2022-204

Councillor Jamie Armstrong made a motion that the Council of the Municipality of Brooke-Alvinston supports the Town of Fort Erie's request to the Federal Government to review the proposed exemption framework for seasonal vacation properties to better reflect the reality of where these properties are located and how they are used. Councillor Wayne Deans seconded the motion.

Carried

- e) Town of Fort Erie - Bidding Wars on Apartment Rentals

RESOLUTION-2022-205

Councillor Jamie Armstrong made a motion that the request from the Town of Fort Erie be received and filed. Councillor Jeannette Douglas seconded the motion.

Carried

- f) Town of Aurora - Private Member's Bill C-233 "Keira's Law"

RESOLUTION-2022-206

Councillor Jeannette Douglas made a motion that the Council of the Municipality of Brooke-Alvinston supports the Town of Aurora to call upon the House of Commons to support Member of Parliament Anju Dhillon's Private Member's Bill C-233, that will raise the level of education on domestic violence and coercive control for federally appointed judges. Deputy Mayor Frank Nemcek seconded the motion.

Carried

- g) Municipality of Muskoka - Annual Emergency Exercise Exemption

RESOLUTION-2022-207

Councillor Jamie Armstrong made a motion that the Council of the Municipality of Brooke-Alvinston supports the Municipality of Muskoka to request that the Province of Ontario amend the Ontario Regulation 380/04 under the Emergency Management and Civil Protection Act to provide an exemption to the annual exercise requirement for municipalities that have activated their Emergency Control Group and/or Emergency Response Plan in response to an actual emergency that year in recognition of the significant resources used to respond to the emergency and the effectiveness of such response in evaluating the municipality's response plan and procedures. Councillor Wayne Deans seconded the motion.

Carried

- h) City of Cambridge - Ontario Must Build It Right the First Time

RESOLUTION-2022-208

Councillor Jamie Armstrong made a motion that the request from the City of Cambridge be received and filed. Councillor Jeannette Douglas seconded the motion.

Carried

- i) Shannon Stubbs, M.P. - Address of Federal Funding for Rural Communities

RESOLUTION-2022-209

Councillor Jamie Armstrong made a motion that the Municipality comment on the economic development in rural communities. Councillor Wayne Deans seconded the motion.

Carried

7 STAFF REPORTS

- a) **Manager of Planning's Report:** Site Plan Delegation

RESOLUTION-2022-210

Deputy Mayor Frank Nemcek made a motion that the Council of the Municipality of Brooke-Alvinston receive and file the report dated June 9, 2022 from the County of Lambton Manager of Planning and Development; and that the associated by-law be approved. Councillor Jeannette Douglas seconded the motion.

Carried

- b) **Clerk Administrator's Report:** Storage Containers / Sea Can - Residential Areas

RESOLUTION-2022-211

Councillor Jeannette Douglas made a motion that the Standards of Maintenance and Occupancy By-law (15 of 2001) be amended to include regulations regarding storage containers / sea cans and that the by-law be presented at the June 23, 2022 Council meeting for review and adoption. Councillor Jamie Armstrong seconded the motion.

Carried

- c) **Clerk Administrator's Report:** Placement of Murals - Auditorium

RESOLUTION-2022-212

Councillor Jeannette Douglas made a motion that the photogenically preserved photos be reproduced and displayed in the BAICCC; and that the project occur with budget approval or grant in 2023. Deputy Mayor Frank Nemcek seconded the motion.

Carried 3-1 (opposed: Councillor Wayne Deans).

- d) **Treasurer's Report:** Accounts Payable Listing - May 2022

RESOLUTION-2022-213

Councillor Jeannette Douglas made a motion that Council receive and file the Accounts Payable Listing for May 2022. Councillor Wayne Deans seconded the motion.

Carried

- e) **Treasurer's Report:** Ontario Clean Water Agency (OWCA) Contract Renewal / Extension

RESOLUTION-2022-214

Deputy Mayor Frank Nemcek made a motion that Council authorizes staff to negotiate a contract renewal / extension with Ontario Clean Water Agency (OCWA) for the Operations and Maintenance Services for our Water and Wastewater Systems. Councillor Jeannette Douglas seconded the motion.

Carried

- f) **Treasurer's Report:** New Phone System Proposal

RESOLUTION-2022-215

Councillor Wayne Deans made a motion that Council approve the purchase of new phone systems for the Main Office and Firehall and for the Brooke-Alvinston Inwood Community Centre as per attached quotes received from our supplier, Integrated Digital Systems. Councillor Jeannette Douglas seconded the motion.

Carried

- g) **Parks & Recreation Supervisor's Report:** Arena Header Replacement

RESOLUTION-2022-216

Deputy Mayor Frank Nemcek made a motion that the low tender from Strathroy Welding & Repair in the amount of \$17,628.00 including tax be accepted. Councillor Wayne Deans seconded the motion.

Carried

- h) **Drainage Superintendent's Report:** Drain Maintenance Request - McNeil Douglas Drain

Councillor Douglas declared a conflict of interest as she is assessed on the drain. She did not vote on the matter.

RESOLUTION-2022-217

Councillor Jamie Armstrong made a motion that Staff be directed to forward the request to the Drainage Superintendent with the power to act. Councillor Wayne Deans seconded the motion.

Carried

8 BY-LAWS

- a) Proposed By-laws 36 & 37 of 2022 Zoning / Official Plan Amendment (Theriault)

RESOLUTION-2022-218

Councillor Jamie Armstrong made a motion that By-law 36 of 2022 be read a first, second and third time and finally passed this 9th day of June, 2022. Councillor Wayne Deans seconded the motion.

Carried

- b) Proposed By-law 37 of 2022 - Site Plan Control Delegation

Subsection 3 was decided to be removed from the presented by-law

RESOLUTION-2022-219

Councillor Jamie Armstrong made a motion by-law 37 of 2022 be read a first, second and third time and finally passed this 9th day of June 2022. Deputy Mayor Frank Nemcek seconded the motion.

Carried

9 NEW BUSINESS

- a) Notice of Motion: Mayor Ferguson

RESOLUTION-2022-220

Mayor David Ferguson made a motion that the Public Works Manager has authority to apply dust suppressant at his discretion on municipal roads as he sees fit for safety reasons and within budget. Councillor Jeannette Douglas seconded the motion.

Carried

b) Ball booth - Inwood

Councillor Armstrong inquired that with the money received for the basketball court in Inwood through the Alix Foundation, would the previously budgeted funds be allocated for overages.

c) Status of the municipal A/C unit

Councillor Armstrong inquired to the status of the A/C unit at the municipal office and the neighbouring property.

d) Arena Plans

Councillor Armstrong inquired about the status of the arena plans. The Parks & Recreation Supervisor advised he was still waiting on user group responses

e) Funding Applications

Councillor Armstrong requested a heads up when staff submit funding applications for various municipal projects

f) Status of Inwood Ball Booth

Councillor Deans requested a status update of the washrooms in Inwood

g) Municipal Office repairs

The Public Works Manager advised that work will be undertaken to reroute a drain to eliminate flooding in the basement with heavy rainfall

h) Rodeo

The Clerk Administrator advised that members of the Rawhide Rodeo Company will be camping on the grounds in order to oversee their operations and livestock

i) Animal Control

The Clerk Administrator advised that the municipality is included in a RFP for animal control services with surrounding municipalities

10 CLOSED SESSION**11 RISE AND REPORT****12 BY-LAW CONFIRMING PROCEEDINGS****a) Confirming By-Law****RESOLUTION-2022-221**

Councillor Wayne Deans made a motion that By-law 38 be read a first, second and third time and finally passed this 9th day of June, 2022. Deputy Mayor Frank Nemcek seconded the motion.

Carried

13 ADJOURNMENT

Councillor Armstrong adjourned the meeting at 5:47 p.m.

Clerk-Administrator

Mayor

Campbell Leitch Drain
Municipality of Brooke-Alvinston
March 21, 2022

1 of 8

SCHEDULE OF ASSESSMENT

To replace the crossing in the E1/2 Lot 28, Concession 6 in the Municipality of Brooke Alvinston and to construct a crossing in the E1/2 Lot 1, Concession 10 in the Township of Adelaide Metcalfe.

| Conc. | Lot or Part | Affected Hect. | Roll No. | Owner | Benefit | Outlet | Total |
|---|-------------|----------------|----------|----------------------|----------|--------|-----------|
| Municipality of Brooke Alvinston | | | | | | | |
| Agricultural Land | | | | | | | |
| 6 | W1/2 L28 | 2.50 | 30-083 | 2623793 Ontario Inc. | | 10.00 | 10.00 |
| | E1/2 L28 | 18.80 | 30-084 | K. Campbell | 9,978.00 | 29.00 | 10,007.00 |
| | L29 | 54.90 | 30-085 | W McAlpine | | 447.00 | 447.00 |
| 7 | L29 | 12.40 | 30-12701 | J. & J. Douglas | | 101.00 | 101.00 |
| Total Benefit | | | | | 9,978.00 | 587.00 | 10,565.00 |
| Total Outlet | | | | | 587.00 | | |
| Total - Agricultural | | | | | | | 10,565.00 |

Schedule of Assessment (cont'd)

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| Conc. | Lot or Part | Affected Hect. | Roll No. | Owner | Benefit | Outlet | Total |
|--------------------------------------|--------------|----------------|----------|----------------------------------|--|-------------|-----------|
| Public Lands: Roads | | | | | | | |
| | | | | | | | 2 of 8 |
| Maple Ridge Line | | 1.00 | | Municipality of Brooke Alvinston | | 10.00 | 10.00 |
| Sexton Road (1/2) | | 2.00 | | Municipality of Brooke Alvinston | | 49.00 | 49.00 |
| | | | | | Total Benefit | 0.00 | |
| | | | | | Total Outlet | 59.00 | 59.00 |
| | | | | | Total - Public Lands: Roads | 59.00 | |
| | | | | | Total - Agricultural | 10,565.00 | |
| | | | | | Total - Municipality of Brooke Alvinston | \$10,624.00 | |
| Township of Adelaide Metcalfe | | | | | | | |
| Agricultural Land | | | | | | | |
| 9 | W1/2 L1 | 2.10 | 20-00101 | A. Dixon Challoner | | 30.00 | 30.00 |
| 10 | W1/2 L1 | 40.00 | 20-010 | A. Berghammer | | 581.00 | 581.00 |
| | NE1/4 L1 | 15.68 | 20-009 | P. Van Lierop | | 228.00 | 228.00 |
| | SE1/4 L1 | 21.42 | 20-00910 | P. Van Lierop | 9,978.00 | 311.00 | 10,289.00 |
| | Wpt. L2 | 34.50 | 20-008 | W. Wright | | 501.00 | 501.00 |
| | Ept. L2 & L3 | 35.00 | 20-007 | T. Field | | 508.00 | 508.00 |
| 11 | L1 | 16.20 | 20-011 | 1838107 Ontario Ltd. | | 235.00 | 235.00 |
| 12 | S1/2 L18 | 1.20 | 20-031 | A. Langford | | 17.00 | 17.00 |
| | N1/2 L19 | 40.50 | 20-018 | T. Field | | 588.00 | 588.00 |

Schedule of Assessment (cont'd)

3 of 8

| Conc. | Lot or Part | Affected Hect. | Roll No. | Owner | Benefit | Outlet | Total |
|----------------------------|--------------|----------------|----------|--------------------------|---------|--------|-------|
| Agricultural Land (cont'd) | | | | | | | |
| 12 | S1/2 L19 | 40.50 | 20-032 | G. Walker | 588.00 | 588.00 | |
| | N1/2 L20 | 40.50 | 20-017 | T. Field | 588.00 | 588.00 | |
| | S1/2 L20 | 38.90 | 20-033 | G. Campbell | 565.00 | 565.00 | |
| | N1/2 L21 | 39.70 | 20-016 | E. Vanlierop | 576.00 | 576.00 | |
| | pt.S1/2 L21 | 13.00 | 20-03701 | E. Vanlierop | 189.00 | 189.00 | |
| | pt.S1/2 L21 | 26.30 | 20-037 | M. Kerrigan | 382.00 | 382.00 | |
| | NE1/4 L22 | 19.00 | 20-015 | D. Bowman | 276.00 | 276.00 | |
| | NW1/4 L22 | 42.10 | 20-014 | G. Oke | 611.00 | 611.00 | |
| | N1/2 L23 | | | | | | |
| | S1/2 L22 | 39.30 | 20-038 | K & E McNally Farms Ltd. | 571.00 | 571.00 | |
| 13 | S1/2 L16 | 4.10 | 20-06401 | K. DeGroot | 60.00 | 60.00 | |
| | S1/2 L17 | 24.30 | 20-065 | G. Campbell | 353.00 | 353.00 | |
| | N1/2 L18 | 30.40 | 20-052 | J. VanBerkei | 441.00 | 441.00 | |
| | pt.S1/2 L18 | 34.80 | 20-066 | D. Baer | 505.00 | 505.00 | |
| | pt.S1/2 L18 | 4.50 | 20-067 | H. MacKellar | 65.00 | 65.00 | |
| | NE1/4 L19 | 20.20 | 20-051 | P. Vanlierop | 293.00 | 293.00 | |
| | NW1/4 L19 | 19.80 | 20-050 | G. Walker | 287.00 | 287.00 | |
| | pt.SE1/4 L19 | 4.50 | 20-066 | D. Baer | 65.00 | 65.00 | |
| | pt.SE1/4 L19 | 14.60 | 20-067 | E. McNally | 212.00 | 212.00 | |
| | SW1/4 L19 | 19.40 | 20-068 | D. MacMillan | 282.00 | 282.00 | |
| | NE1/4 L20 | 19.40 | 20-050 | B. Walker | 282.00 | 282.00 | |
| | NW1/4 L20 | 19.80 | 20-049 | A. Hendrix | 287.00 | 287.00 | |
| | S1/2 L20 | 36.40 | 20-069 | D. MacMillan | 528.00 | 528.00 | |

Schedule of Assessment (cont'd)

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| Conc. | Lot or Part | Affected Hect. | Roll No. | Owner | Benefit | Outlet | Total |
|----------------------------|-------------|----------------|----------|--------------------------|-----------|-----------|-----------|
| Agricultural Land (cont'd) | | | | | | | |
| | NE1/4 L21 | 16.20 | 20-047 | Hendrix Farms Limited | 235.00 | 235.00 | |
| | NW1/4 L21 | 14.10 | 20-046 | G. Walker | 205.00 | 205.00 | |
| | SE1/4 L21 | 8.10 | 20-070 | K & E McNally Farms Ltd. | 118.00 | 118.00 | |
| | N1/2 L22 | 14.20 | 20-046 | G. Walker | 206.00 | 206.00 | |
| 14 | N1/2 L15 | 22.30 | 20-089 | E. Bryant | 324.00 | 324.00 | |
| | SE1/4 L15 | 8.90 | 20-096 | C. Towers | 129.00 | 129.00 | |
| | SW1/4 L15 | 20.20 | 20-097 | R. Galbraith | 293.00 | 293.00 | |
| | NE1/4 L16 | 18.60 | 20-08801 | R. Vreeken | 270.00 | 270.00 | |
| | NW1/4 L16 | 18.20 | 20-087 | Ken DeGroot Farms Ltd. | 264.00 | 264.00 | |
| | S1/2 L16 | 38.50 | 20-099 | 1838107 Ontario Ltd. | 559.00 | 559.00 | |
| | N1/2 L17 | 38.50 | 20-086 | Roger Buurma | 559.00 | 559.00 | |
| | S1/2 L17 | 39.70 | 20-100 | B. Stubbs | 576.00 | 576.00 | |
| | N1/2 L18 | 36.80 | 20-085 | S. Noone | 534.00 | 534.00 | |
| | S1/2 L18 | 32.80 | 20-101 | 1838107 Ontario Ltd. | 476.00 | 476.00 | |
| | N1/2 L19 | 22.30 | 20-084 | M. Kerrigan | 324.00 | 324.00 | |
| | SE1/4 L19 | 16.20 | 20-102 | J. McGill | 235.00 | 235.00 | |
| Total Benefit | | | | | 9,978.00 | 16,312.00 | 26,290.00 |
| Total Outlet | | | | | 16,312.00 | | |
| Total - Agricultural | | | | | | 26,290.00 | |

Schedule of Assessment (cont'd)

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| Conc. | Lot or Part | Affected Hect. | Roll No. | Owner | Benefit | Outlet | Total |
|-------|----------------|-------------------|-------------|-------|---------|--------|-------|
|-------|----------------|-------------------|-------------|-------|---------|--------|-------|

Non Agricultural Lands

| | | | | | | | |
|----|---------------------|-------|----------|----------------------|--------|--------|--------|
| 12 | pt.N1/2 L20 | 0.57 | 20-01702 | D. Wells | | 14.00 | 14.00 |
| | pt.S1/2 L20 | 0.80 | 20-034 | K. Hoogstra | | 17.00 | 17.00 |
| | pt.S1/2 L21 | 0.13 | 20-035 | M. Gerow | | 10.00 | 10.00 |
| | pt.S1/2 L21 | 0.13 | 20-036 | T. Barley | | 10.00 | 10.00 |
| | pt.S1/2 L21 | 0.13 | 20-03601 | D. Russell | | 10.00 | 10.00 |
| 13 | pt.NW1/4 L20 | 0.16 | 20-048 | D. Baer | | 10.00 | 10.00 |
| | pt.NE1/4 L21 | 0.10 | 20-04701 | F. Russell | | 10.00 | 10.00 |
| | pt.NE1/4 L21 | 0.10 | 20-04702 | F. Russell | | 10.00 | 10.00 |
| 14 | pt.NE1/4 L16 | 0.85 | 20-088 | K. Haggis | | 18.00 | 18.00 |
| | pt.S1/2 L16 | 0.43 | 20-098 | K. Reycraft | | 12.00 | 12.00 |
| | pt.N1/2 L18 | 1.50 | 20-08501 | D. Sim | | 28.00 | 28.00 |
| | pt.N1/2 L18 | 1.10 | 20-08502 | G. Davis | | 22.00 | 22.00 |
| 10 | pt. L1 | | | Hydro One | | | |
| 12 | pt. L20, 21, 22, 23 | | | | | | |
| 13 | pt. L18, 19, 20 | 18.10 | | | | | |
| | | | | Hydro One | | 526.00 | 526.00 |
| | | | | Total Benefit | 0.00 | 697.00 | 697.00 |
| | | | | Total Outlet | 697.00 | | |
| | | | | Total - Agricultural | 697.00 | | |

Schedule of Assessment (cont'd)

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| Conc. | Lot or Part | Affected Hect. | Roll No. | Owner | Benefit | Outlet | Total |
|-------|-------------|----------------|----------|-------|---------|--------|-------|
|-------|-------------|----------------|----------|-------|---------|--------|-------|

Municipality of Southwest Middlesex**Agricultural Land**

| | | | | | | | |
|----------------------|-------------|-------|---------|---------------------|----------|----------|----------|
| 4 | N1/2 L15 | 34.40 | 6-186 | D. Crawford | | 499.00 | 499.00 |
| | N1/2 L16 | 16.20 | 7-058 | A. Carruthers | | 235.00 | 235.00 |
| 5 | pt.N1/2 L15 | 15.40 | 6-211 | S. Towers | | 224.00 | 224.00 |
| | pt.N1/2 L15 | 12.60 | 6-210 | R. Kouwenberg | | 183.00 | 183.00 |
| | S1/2 L15 | 20.20 | 6-20802 | V. Towers | | 293.00 | 293.00 |
| | N1/2 L16 | 39.70 | 7-082 | R. Kouwenberg | | 576.00 | 576.00 |
| | S1/2 L16 | 31.60 | 7-059 | W. Carruthers | | 458.00 | 458.00 |
| | N1/2 L17 | 24.30 | 7-081 | 468676 Ontario Ltd. | | 353.00 | 353.00 |
| | NE1/4 L18 | 2.00 | 7-080 | S. Marko | | 29.00 | 29.00 |
| Total Benefit | | | | | 0.00 | 2,850.00 | 2,850.00 |
| Total Outlet | | | | | 2,850.00 | | |
| Total - Agricultural | | | | | 2,850.00 | | |

Non Agricultural Lands

| | | | | | | | |
|--------------------------|-------------|------|-------|-----------|-------|-------|-------|
| 5 | pt.N1/2 L15 | 1.60 | 6-211 | J. Dale | | 29.00 | 29.00 |
| | Hydro ROW | 2.80 | 8-102 | Hydro One | | 41.00 | 41.00 |
| Total Benefit | | | | | 0.00 | 70.00 | 70.00 |
| Total Outlet | | | | | 70.00 | | |
| Total - Non Agricultural | | | | | 70.00 | | |

Schedule of Assessment (cont'd)

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| Conc. | Lot or Part | Affected Hect. | Roll No. | Owner | Benefit | Outlet | Total |
|---|----------------|-------------------|-------------|-------------------------------------|-------------|--------|--------|
| Public Lands: Roads (cont'd) | | | | | | | |
| Public Lands: Roads | | | | | | | |
| Inadale Drive (1/2) | | 2.00 | | Municipality of Southwest Middlesex | | 116.00 | 116.00 |
| Olde Drive | | 0.50 | | Municipality of Southwest Middlesex | | 138.00 | 138.00 |
| McArthur Road | | 6.90 | | Municipality of Southwest Middlesex | | 301.00 | 301.00 |
| Total Benefit | | | | | 0.00 | 555.00 | 555.00 |
| Total Outlet | | | | | 555.00 | | |
| Total - Public Lands: Roads | | | | | 555.00 | | |
| Total - Non Agricultural | | | | | 70.00 | | |
| Total - Agricultural | | | | | 2,850.00 | | |
| Total - Municipality of Southwest Middlesex | | | | | 3,475.00 | | |
| Total - Township of Adelaide Metcalfe | | | | | 28,352.00 | | |
| Total - Municipality of Brooke Alvinston | | | | | 10,624.00 | | |
| Total Assessment | | | | | \$42,451.00 | | |

Thompson Drain North & Thompson Drain South
Municipality of Brooke-Alvinston
March 4, 2022

SCHEDULE OF ASSESSMENT NO.1 - THOMPSON DRAIN NORTH

To install a new culvert in the E1/2 Lot 24 Concession 12, a new DICB at the outlet of the Thompson Drain North, and improve the open channel along Hardy Creek.

| Conc. | Lot or Part | Affected Hect. | Roll No. | Owner | Culverts | | Channel | | Total | Equiv. Ha |
|-------|-------------|----------------|----------|-------|----------|--------|---------|--------|-------|-----------|
| | | | | | Benefit | Outlet | Benefit | Outlet | | |

Municipality of Brooke-Alvinston

Agricultural Lands

12 E1/2 Lot 24 4.31 50-070-15 K. Saunders 10,965.00 1,631.00 4,595.00 - 17,191.00 2.16

10,965.00 1,631.00 4,595.00 - 17,191.00

Total Benefit 15,560.00
Total Outlet 1,631.00

Total Agricultural Lands 17,191.00

Public Lands: Roads

Hardy Creek Road 0.85 Mun. of Brooke-Alvinston 3,107.00 2,573.00 9,190.00 - 14,870.00 3.40

3,107.00 2,573.00 9,190.00 - 14,870.00

Total Benefit 12,297.00
Total Outlet 2,573.00

Ag. Lands assessment 1/2 rate as per
November 14, 2014 Engineers Report.

Total Municipal Lands 14,870.00
Total Agricultural Lands 17,191.00

Total-Municipality of Brooke-Alvinston 32,061.00

Total Assessment - Thompson Drain North \$32,061.00

Total Equiv. Ha 5.56

Thompson Drain North & Thompson Drain South
Municipality of Brooke-Alvinston
March 4, 2022

SCHEDULE OF ASSESSMENT NO.2 - THOMPSON DRAIN SOUTH

To improve the open channel along Hardy Creek Road.

| Conc. | Lot or Part | Affected Hect. | Roll No. | Owner | Culverts | | Channel | | Total | Equiv. Ha |
|---|----------------|----------------|-----------|-----------------------------------|-------------|--------|----------|----------|-----------------------|-----------|
| | | | | | Benefit | Outlet | Benefit | Outlet | | |
| Municipality of Brooke-Alvinston | | | | | | | | | | |
| Agricultural Lands | | | | | | | | | | |
| 11 | E1/2 L23 & L24 | 5.67 | 50-046 | Katesville Farms Ltd. | - | - | 1,646.00 | 1,471.00 | 3,117.00 | 2.84 |
| 12 | E1/2 L23 | 0.21 | 50-069-15 | VDN Farms Ltd. | - | - | - | 54.00 | 54.00 | 0.11 |
| | W1/2 L24 | 3.69 | 50-070 | J and D Brown Ridge Farms Limited | - | - | - | 958.00 | 958.00 | 1.85 |
| | E1/2 Lot 24 | 5.67 | 50-070-15 | K. Saunders | - | - | 320.00 | 1,471.00 | 1,791.00 | 2.84 |
| | | | | | - | - | 1,966.00 | 3,954.00 | 5,920.00 | |
| Total Benefit | | | | | 1,966.00 | | | | | |
| Total Outlet | | | | | 3,954.00 | | | | | |
| Total Agricultural Lands | | | | | 5,920.00 | | | | | |
| Public Lands: Roads | | | | | | | | | | |
| Hardy Creek Road | | 1.77 | | Mun. of Brooke-Alvinston | - | - | 5,921.00 | - | 5,921.00 | 7.08 |
| | | | | | - | - | 5,921.00 | - | 5,921.00 | |
| Total Benefit | | | | | 5,921.00 | | | | | |
| Total Outlet | | | | | - | | | | | |
| Total Municipal Lands | | | | | 5,921.00 | | | | | |
| Total Agricultural Lands | | | | | 5,920.00 | | | | | |
| Agr. Lands assessment 1/2 rate as per November 14, 2014 Engineers Report. | | | | | | | | | | |
| Total-Municipality of Brooke-Alvinston | | | | | 11,841.00 | | | | | |
| Total Assessment - Thompson Drain South | | | | | \$11,841.00 | | | | Total Equiv. Ha 14.70 | |

COMPOSITE SCHEDULE OF ASSESSMENT - THOMPSON DRAIN NORTH & THOMPSON DRAIN SOUTH

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[illegible]

Agricultural Lands

| | | | | | | | | | | |
|----|----------------|------|-----------|-----------------------------------|-----------|----------|----------|----------|-----------|------|
| 11 | E1/2 L23 & L24 | 5.67 | 50-046 | Katesville Farms Ltd. | - | - | 1,646.00 | 1,471.00 | 3,117.00 | 2.84 |
| 12 | E1/2 L23 | 0.21 | 50-069-15 | VDN Farms Ltd. | - | - | - | 54.00 | 54.00 | 0.11 |
| | W1/2 L24 | 3.69 | 50-070 | J and D Brown Ridge Farms Limited | - | - | - | 958.00 | 958.00 | 1.85 |
| | E1/2 Lot 24 | 4.31 | 50-070-15 | K. Saunders | 10,965.00 | 1,631.00 | 4,915.00 | 1,471.00 | 18,982.00 | 2.84 |

17,526.00
5,585.00

23,111.00

| | |
|------------------|------|
| Hardy Creek Road | 0.85 |
|------------------|------|

| | | | | | | |
|--------------------------|----------|----------|-----------|---|-----------|------|
| Mun. of Brooke-Alvinston | 3,107.00 | 2,573.00 | 15,111.00 | - | 20,791.00 | 7.08 |
|--------------------------|----------|----------|-----------|---|-----------|------|

18,218.00
2,573.00

Total Municipal Lands
Total Agricultural Lands

Total-Municipality of Brooke-Alvinston 43,902.00

| | |
|-----------------|-------|
| Total Equiv. Ha | 14.70 |
|-----------------|-------|

McEachren Drain
Municipality of Brooke Alvinston
April 20, 2022

1 of 4

SCHEDULE OF ASSESSMENT

Incorporate the access culvert in the E1/2 Lot 2, remove the access in Lot 4 and replace the access culverts in the E1/2 L7, W1/2 L8 and the E1/2 L8 on the McEachren Drain.

| Conc. | Lot or Part | Affected Hect. | Roll No. | Owner | Benefit | Outlet | Total |
|--------------------------|--------------------|----------------|----------|--------------------------|-----------|----------|-----------|
| Agricultural Land | | | | | | | |
| I1 | E1/2W1/2 L1 | 14.84 | 40-036 | J. Sawyer | | 18.00 | 18.00 |
| | E1/2 L1 | 18.22 | 40-037 | Sleepy Hollow Farms Ltd. | | 23.00 | 23.00 |
| | W1/2 L2 | 31.22 | 40-038 | Sleepy Hollow Farms Ltd. | | 39.00 | 39.00 |
| | E1/2 L2 | 28.34 | 40-040 | G. & H. Straatman | 14,587.00 | 1,185.00 | 15,772.00 |
| | W1/4 L3 | 14.17 | 40-041 | Griffith Seeds Inc. | | 593.00 | 593.00 |
| | E3/4 L3 | 40.48 | 40-042 | J. & C. Griffith | | 1,693.00 | 1,693.00 |
| | SW1/4 L4 | 7.31 | 40-04201 | Art Griffith Farms Inc. | | 306.00 | 306.00 |
| | NW1/4 L4 | 20.24(7.73) | 40-044 | K. & A. Campbell | | 685.00 | 685.00 |
| | E1/2 L4 | 26.32(1.74) | 40-045 | Griffith Seeds Inc. | 2,188.00 | 1,213.00 | 3,401.00 |
| | W1/2 L5 | 26.32(4.26) | 40-046 | K. & A. Campbell | | 1,153.00 | 1,153.00 |
| | E1/2 L5 & SW1/4 L6 | 32.39(2.95) | 40-047 | R. & S. Peaslee | | 1,474.00 | 1,474.00 |
| | N1/2 L6 | 40.48(5.54) | 40-049 | T. Campbell | | 1,798.00 | 1,798.00 |
| | SE1/4 L6 | 10.12 | 40-050 | D. & P. Milliken | | 482.00 | 482.00 |
| | W1/2 L7 | 26.32 | 40-051 | W. Milliken | | 1,255.00 | 1,255.00 |
| | E1/2 L7 | 26.32 | 40-052 | W. Milliken | 14,587.00 | 3,098.00 | 17,685.00 |
| | W1/2 L8 | 26.32(1.61) | 40-053 | E. Lucas & W. Milliken | 14,587.00 | 5,286.00 | 19,873.00 |

Schedule of Assessment (cont'd)

2 of 4

| Conc. | Lot or Part | Affected Hect. | Roll No. | Owner | Benefit | Outlet | Total |
|----------------------------|---------------------------------------|----------------|----------|--------------------------|-----------|----------|-----------|
| Agricultural Land (cont'd) | | | | | | | |
| 11 | E1/2 L8 | 26.32 | 40-055 | D. & P. Milliken | 14,587.00 | 7,666.00 | 22,253.00 |
| | S1/2 L9 | 6.07 | 40-057 | J. & V. Lucas | | 1,768.00 | 1,768.00 |
| | S1/2N1/2 L9 | 20.24(1.54) | 40-056 | Art Griffith Farms Inc. | | 5,671.00 | 5,671.00 |
| | N1/4 L9 | 20.24 | 40-058 | C. Holbrook | | 1,200.00 | 1,200.00 |
| | W1/2 L10 | 20.24 | 40-059 | L. Podolinsky | | 5,895.00 | 5,895.00 |
| | E1/2 L10 | 20.24(4.45) | 40-060 | 1432234 Ontario Ltd. | | 5,249.00 | 5,249.00 |
| | pt. W1/2 L11 S. of Railway | 15.73(2.57) | 40-061 | R. & S. Edgar | | 4,209.00 | 4,209.00 |
| | pt. W1/2 L11 N. of Railway & E1/2 L11 | 17.23 | 40-062 | H. & E. Boere | | 5,018.00 | 5,018.00 |
| | N1/2 L12 | 16.19 | 40-065 | L. Minten | | 677.00 | 677.00 |
| 12 | W3/4 L2 | 3.77 | 40-075 | B. McKay | | 10.00 | 10.00 |
| | E1/4 L2 | 3.24(3.24) | 40-076 | M. & I. Shamblaw | | 10.00 | 10.00 |
| | S1/2 L3 | 27.53 | 40-077 | TJ Straatman Enterprises | | 34.00 | 34.00 |
| | W1/2 L4 | 20.24 | 40-08001 | L. & M. Shamblaw | | 25.00 | 25.00 |
| | W1/2E1/2 L4 | 10.12(4.94) | 40-080 | T. Straatman | | 10.00 | 10.00 |
| | E1/4 L4 & W1/2 L5 | 30.36(3.79) | 40-081 | W. & L. McPhail | | 35.00 | 35.00 |
| | E1/2 L5 | 20.24(7.15) | 40-082 | H. & G. Straatman | | 21.00 | 21.00 |
| | S1/4 L6 | 20.24(2.16) | 40-085 | B. Bygrove | | 23.00 | 23.00 |
| | N1/2S1/2 L6 | 14.17 | 40-084 | G. Edwards | | 18.00 | 18.00 |
| | W1/2 L7 | 40.48 | 40-086 | E. & M. Thorne | | 50.00 | 50.00 |
| | E1/2 L7 & E1/4 L8 | 60.72 | 40-087 | E. & M. Thorne | | 75.00 | 75.00 |
| | E3/4 L8 | 60.70(3.34) | 40-088 | A. & L. Copley | | 73.00 | 73.00 |
| | W1/2 L9 | 40.48(1.05) | 40-08901 | A. & L. Copley | | 50.00 | 50.00 |

Schedule of Assessment (cont'd)

3 of 4

| Conc. | Lot or Part | Affected Hect. | Roll No. | Owner | Benefit | Outlet | Total |
|-----------------------------------|--------------|----------------|----------|--------------------------|------------|-----------|------------|
| Agricultural Land (cont'd) | | | | | | | |
| 12 | W1/2E1/2 L9 | 20.24 | 40-089 | J. & L. McPhail | | 25.00 | 25.00 |
| | E1/4 L9 | 20.24 | 40-08801 | J. & L. McPhail | | 25.00 | 25.00 |
| | W1/2 L10 | 40.48(5.47) | 40-090 | R. Holbrook | | 47.00 | 47.00 |
| | E1/2 L10 | 40.48 | 40-091 | Buurma Farms Inc. | | 50.00 | 50.00 |
| | W1/2 L11 | 40.48 | 40-092 | A. & J. Straatman | | 50.00 | 50.00 |
| | E1/2 L11 | 40.48 | 40-093 | K. & J. Van Den Ouweland | | 50.00 | 50.00 |
| | L12 | 80.96 | 40-094 | Ron Van Damme Ltd. | | 3,036.00 | 3,036.00 |
| | W1/2 L13 | 28.34 | 40-095 | Mintem Family Farms Ltd. | | 3,559.00 | 3,559.00 |
| Total Benefit | | | | | 60,536.00 | 64,930.00 | 125,466.00 |
| Total Outlet | | | | | 64,930.00 | | |
| Total - Agricultural | | | | | 125,466.00 | | |
| Non Agricultural Land | | | | | | | |
| 11 | SWpt.E1/2 L1 | 2.09 | 40-03701 | K. & P. Weese | | 87.00 | 87.00 |
| | pt. W1/2 L7 | 0.86 | 40-05101 | R. & M. Tanninga | | 53.00 | 53.00 |
| Total Benefit | | | | | | 140.00 | 140.00 |
| Total Outlet | | | | | | 140.00 | |
| Total - Non Agricultural | | | | | | 140.00 | |

Schedule of Assessment (cont'd)

4 of 4

| Conc. | Lot or Part | Affected Hect. | Roll No. | Owner | Benefit | Outlet | Total |
|-----------------------------|-------------|----------------|----------|----------------------------------|--------------|----------|----------|
| Public Lands: Roads | | | | | | | |
| Inwood Road | | 2.91 | | Municipality of Brooke Alvinston | 354.00 | 354.00 | |
| Sutorville Road | | 4.07 | | Municipality of Brooke Alvinston | 567.00 | 567.00 | |
| Little Ireland Road | | 4.05 | | Municipality of Brooke Alvinston | 1,331.00 | 1,331.00 | |
| Ebenezer Road | | 3.10 | | Municipality of Brooke Alvinston | 1,377.00 | 1,377.00 | |
| LaSalle Line | | 2.10 | | Municipality of Brooke Alvinston | 10.00 | 10.00 | |
| Total Benefit | | | | | | 3,639.00 | 3,639.00 |
| Total Outlet | | | | | | 3,639.00 | |
| Total - Public Lands: Roads | | | | | 3,639.00 | | |
| Total - Non Agricultural | | | | | 140.00 | | |
| Total - Agricultural | | | | | 125,466.00 | | |
| Total Assessment | | | | | \$129,245.00 | | |

Smith Drain
Municipality of Brooke-Alvinston
April 29, 2022

SCHEDULE OF ASSESSMENT - SMITH DRAIN

To replace an existing culvert in the E1/2 Lot 14 Concession 6.

| Conc. | Lot or Part | Affected Hect. | Roll No. | Owner | Special Benefit | Benefit | Outlet | Total |
|--------------------|-----------------|----------------|----------|------------------------------|-----------------|-----------|----------|-----------|
| Agricultural Lands | | | | | | | | |
| 6 | E1/2 Lot 14 | 17.41 | 30-047 | 1432234 Ontario Ltd. | 13,249.00 | 10,885.00 | - | 24,134.00 |
| 6 | S1/2 Lot 15 | 36.84 | 30-050 | B. & L. Van Damme Farms Ltd. | - | - | 6,879.00 | 6,879.00 |
| 5 | pt. W1/2 Lot 15 | 2.02 | 30-006 | B. & L. Van Damme Farms Ltd. | - | - | 377.00 | 377.00 |
| | | | | | 13,249.00 | 10,885.00 | 7,256.00 | 31,390.00 |
| Total Benefit | | | | | 24,134.00 | | | |
| Total Outlet | | | | | 7,256.00 | | | |
| Total Assessment | | | | | 31,390.00 | | | |

MacDougall Drain
Municipality of Brooke-Alvinston
April 29, 2022

SCHEDULE OF ASSESSMENT

To incorporate the access culvert in the N Pt. Lot 7, Concession 5, replace the access culvert in the W1/2 Lot 8, Concession 5, and revise the Maintenance Schedule.

| Conc. | Lot or Part | Affected Hect. | Roll No. | Owner | Benefit | Outlet | Total | |
|--------------------|--------------|----------------|----------|-----------|---------------|-----------|-----------|-----------|
| Agricultural Lands | | | | | | | | |
| 5 | N. Pt. Lot 7 | * | 16.18 | 20-025 | C. Martin | 11,774.00 | 1,909.00 | 13,683.00 |
| | W 1/2 Lot 8 | | 8.40 | 20-027 | A. MacDougall | 11,774.00 | 1,982.00 | 13,756.00 |
| | E 1/2 Lot 8 | | 8.40 | 20-027-01 | D. MacDougall | - | 4,943.00 | 4,943.00 |
| | N. Pt. Lot 9 | | 25.00 | 20-027-02 | D. MacDougall | - | 14,713.00 | 14,713.00 |
| | | | | | | 23,548.00 | 23,547.00 | 47,095.00 |
| Total Benefit | | | | | | 23,548.00 | | |
| Total Outlet | | | | | | 23,547.00 | | |
| Total Assessment | | | | | | | 47,095.00 | |

* denotes surface water only

* denotes surface water only



Planning & Development Services Department

789 Broadway Street, Box 3000
Wyoming, ON N0N 1T0

Telephone: 519-845-0801
Toll-free: 1-866-324-6912
Fax: 519-845-3817

5.6.

Date: June 20, 2022
To: Janet Denkers, Clerk
From: Rob Nesbitt, Senior Planner
Re: Site Plan – 3200 Nauvoo Road
(Kucera Farm Supply Limited)

The property located at 3200 Nauvoo Road is zoned “Highway Commercial (C2)” which allows its use for an agricultural implement sales establishment and an agricultural services establishment. The site plan that has been submitted for this property proposes the addition of a 297.3 square metre (3,200 square foot) building that will be used for washing vehicles and equipment associated with the agricultural implement sales and services establishment to the north.

a) Use

As noted, the subject property is zoned “Highway Commercial (C2)” by the Brooke Alvinston Zoning By-law. The proposed building will be used in association with an agricultural implement sales and services establishment which is a permitted use in the “C2” zone.

b) Building Dimensional Requirements

The proposed building will comply with the “C2” zone regulations, as shown in the following table.

| <i>Regulation</i> | <i>Proposed</i> |
|---|----------------------------------|
| Maximum Permitted Lot Coverage - 50% | 37.4% |
| Minimum Front Yard Setback (north lot line) – 7.5 metres | 7.53 metres |
| Minimum Rear Yard Setback (south lot line) – 7 metres | 7.0 metres |
| Minimum Setback from Side Lot Lines 1. Exterior side lot line (west lot line) - 7 metres 2. Interior side lot line (east lot line) 7.5 metres | 13.3 metres Approx. 30 metres |
| Minimum landscaped open space - 10% | >10% |

The “C2” zone allows buildings and structures to have a maximum height of 11 metres (36 feet). The proposed building will have a height that is approximately 7.9 metres (25.8 feet).

c) Parking

The applicant is proposing the addition of 6 parking spaces,

Section 3.27.7 b) of the Zoning By-law requires driveways to be not more than 9 metres in width. The site plan proposes an 8.5 metre wide driveway on Railroad Street and the use of an existing driveway that is approximately the same width on Mill Street.

The Zoning By-law requires the driveways to be defined by a curb of concrete or rolled asphalt.

d) Landscaping

Section 3.19 of the Zoning By-law requires a 3 metre wide landscaped planting strip along the east property line. The planting strip must include a continuous unpierced hedgerow of evergreens or shrubs. The evergreens or shrubs must be a minimum of 1 metre in height at the time of planting and must be maintained so that the hedgerow is not less than 1.5 metres high. The remainder of the planting strip shall be used for no purpose other than planting shrubs, flowers, grass or similar vegetation.

The site plan proposes a 3 metre landscaped strip along the east lot line. Six (6) trees currently exist within this strip. We recommend that additional plantings should be provided so that the intent of Section 3.19 of the Zoning By-law is met. For example, a hedgerow of evergreens or shrubs could be provided in the sections of the strip that lack trees.

e) Lighting

Any exterior lighting must be designed and installed so that no lighting is projected onto adjacent properties. The site plan should be amended to indicate the location of any exterior light fixtures. Details for the fixtures should also be provided to ensure that they are full cut-off in design.

f) Comments from Lambton County Building Services Department

The Lambton County Building Services Department has advised that the site plan does not show the location of an oil interceptor. The site plan must be amended to provide this information.

g) Comments from Public Works

The Municipality's Public Works Manager has advised that the site plan does not show drainage or elevations to show where the surface water will be drained to. The proposed water connection needs to be shown on the site plan and the applicant needs to advise whether any washrooms are proposed.

h) Agreement

We have prepared a site plan agreement for Council's consideration. The agreement includes the items referenced in this report. The site plan agreement should not be signed until a revised site plan is provided that includes these items. The revised site plan, and potential revisions to the agreement, must also address the items identified by the Public Works Manager and the Lambton County Building Services Department.

A handwritten signature in black ink, appearing to read "Rob Nesbitt". The signature is fluid and cursive, with the first name "Rob" and last name "Nesbitt" clearly distinguishable.

Rob Nesbitt, MCIP RPP
Senior Planner

SITE PLAN AGREEMENT

THIS AGREEMENT made in duplicate this ____th day of _____ 2022.

| | | |
|-----------------|---|--|
| BETWEEN: | KUCERA FARM SUPPLY LTD. | HEREINAFTER CALLED “OWNER” OF THE FIRST PART |
| AND: | THE MUNICIPALITY OF BROOKE-ALVINSTON | HEREINAFTER CALLED THE "MUNICIPALITY" OF THE SECOND PART |

WHEREAS the Municipality has enacted a Site Plan Control Area By-law pursuant to the provisions of Section 41 of the Planning Act, R.S.O. 1990;

AND WHEREAS the Owner represents and warrants that it intends to develop lands described in Schedule 'A' to this agreement (hereinafter called the "said lands");

AND WHEREAS the Owner of the said lands has submitted plans to the Municipality for approval in accordance with subsection (4) of the said Section 41;

AND WHEREAS subsection (7) (c) of the said Section 41 authorizes the Municipality to require the Owner of the said lands to enter into an agreement with the Municipality dealing with the provision and approval of the plans referred to in subsection 4 of the said Section 41;

NOW THEREFORE THIS AGREEMENT WITNESSETH that the parties hereto agree as follows:

- 1. The following Schedules, being a legal description of the lands affected by this agreement and the plans required by the Municipality pursuant to subsection (4) of Section 41 of the Planning Act, R.S.O. 1990, are hereby declared to form part of this agreement and are attached hereto:

| <u>Schedule</u> | <u>Description</u> |
|-----------------|--|
| "A" | - being a legal description of the lands affected (the “said” lands). |
| "B" | - being the plans showing grading and drainage facilities, works and matters to be provided on the said lands. |

2. The attached Schedule 'B' is hereby approved by the Municipality subject to the following conditions:
 - a) The Owner hereby agrees that the development shall be carried out and completed in accordance with the attached Schedule 'B'.
 - b) The facilities, works or matters that comprise the development are to be used only for washing vehicles and equipment associated with the agricultural implement sales and services establishment located immediately to the north.
 - b) The following shall be provided by the Owner to the satisfaction of and at no expense to the Municipality:
 - i. A 3 metre wide landscaped planting strip shall be provided along the east lot line, as shown on Schedule 'B'. The planting strip must include a continuous unpierced hedgerow of evergreens or shrubs. The evergreens or shrubs must be a minimum of 1 metre in height at the time of planting and must be maintained so that the hedgerow is not less than 1.5 metres high.
 - ii. The yards to the west and south of the building shall be planted and maintained as a grass landscaped area, as shown on Schedule 'B'.
 - iii. No vehicles, equipment or other items are to be placed or encroach within the landscaped areas shown on Schedule 'B'.
 - iv. The parking area shall be surfaced with gravel. These areas shall have the capability of supporting large trucks and fire fighting equipment. The Owner must ensure that no dust is generated within these areas.
 - v. The driveways serving the property from Railroad Street and Mill Street shall be defined by a curb of concrete or rolled asphalt.
 - vi. Exterior lighting shall be directed onto the subject lands and away from abutting properties. Exterior lighting fixtures shall be full cut-off in design.
 - vii. An oil interceptor shall be provided in the location shown on Schedule 'B'.
 - viii. The Owner shall ensure that no surface water run-off will flow onto any

adjacent property.

- ix. Any building, structure and/or change of use that is proposed on the said lands shall require an amendment to the site plan and a further agreement with the Municipality.
- c) The Owner hereby agrees to maintain to the satisfaction of the Municipality and at the sole risk and expense of the Owner those facilities, works or matters required to be provided as pre attached Schedule 'B'.
- d) The approval of the attached Schedule 'B' by the Municipality shall lapse if development of the said lands:
 - i) is not carried out and completed in accordance with the said Schedule 'B'; or
 - ii) is not completed within twelve (12) months of the execution of this agreement unless an extension has been agreed to in writing by the Municipality.

The Owner agrees to service the development in accordance with the requirements of the Municipality's Operations Manager, or designate, including water, sanitary sewer connection(s), storm sewer connection(s), and electrical power requirements.

The Owner hereby agrees to maintain to the satisfaction of the Municipality and at the sole risk and expense of the Owner those facilities, works and matters required to be provided under subclause b) of clause 2 hereof.

3. The Owner hereby acknowledges and agrees that:

- a) Pursuant to subsection (10) of Section 41 of the Planning Act, R.S.O. 1990, this agreement may be registered against the said lands to which it applies and the Municipality is entitled to enforce the provisions hereof against the Owner, and subject to the provisions of the Registry Act and the Lands Titles Act, any and all subsequent owners of the land.
- b) Upon breach by the Owner of any covenant, term or condition of this agreement, the Municipality, at its option may:
 - i) by written notice, require all work as aforesaid to cease; or

ii) complete any necessary work and the Owner agrees to forthwith indemnify the Municipality for any expense incurred in completing such work. In the event that the Municipality incurs any expense in this regard, such expense shall form a lien against the lands and may be collected by the Municipality in the same manner as realty taxes pursuant to Section 325 of the Municipal Act R.S.O. 1990. The remedies provided in this paragraph shall be in addition to any other remedy available to the Municipality pursuant to this agreement or at law.

4. This agreement may be amended at any time with the consent, in writing, of the Municipality and the registered Owner of the said lands at the time of such amendment.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their signatures and Corporate Seals attested to by the hands of their proper officers, duly authorized in that behalf.

The Municipality of
Brooke-Alvinston

Mayor

(SEAL)

Clerk

Owner – Kucera Farm Supply Ltd.

(SEAL)

Witness

SCHEDULE "A"

LEGAL DESCRIPTION OF LANDS AFFECTED BY THE SITE PLAN AGREEMENT

**PLAN 7 PART LOTS 1 AND 2 ; BEING RP 25R8225 PART 1
MUNICIPALLY KNOWN AS 3200 NAUVOO ROAD (ALVINSTON)**

SCHEDULE "B"

SITE PLAN

Building Data:
New Wash Bay
wash bay - 30' x 80'
mechanical room - 10' x 20'
covered porch - 10' x 60'

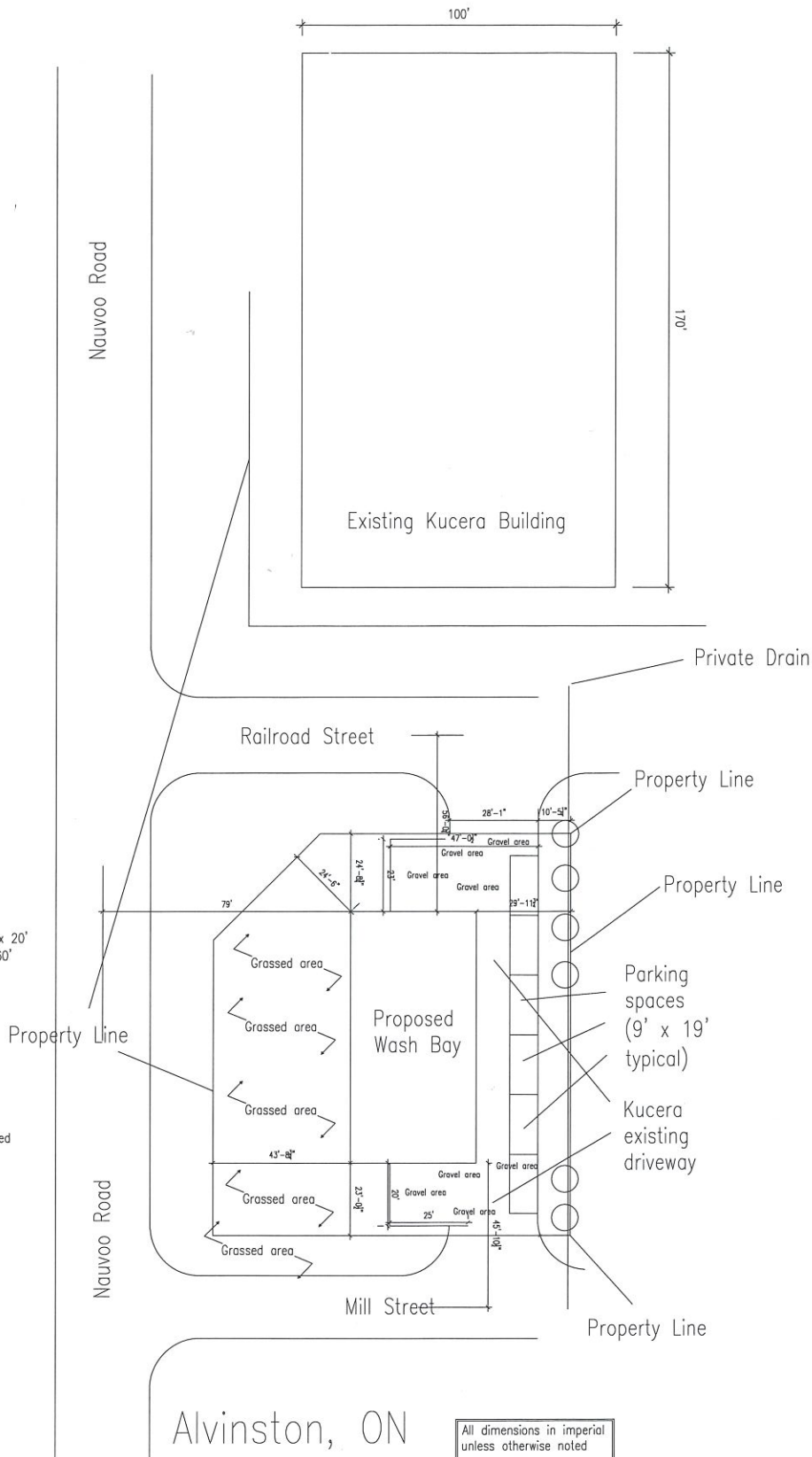
Building set back:
North - 24'-8 3/4"
South - 23'-0 1/2"
West - 43'-8 3/4"
East - 29'-11 3/4"
Northwest - 24'-6"

Parking Spaces:
5 spaces + 1 handicapped
in North spot
@ 9' x 19'

Landscaping:
Currently trees between
east lot line and existing
driveway - no changes
to be made
No other landscaping at
this time whatsoever

Total property area
= 14,250 sqft

Grassed area = >10%



All dimensions in imperial
unless otherwise noted

| | | | | | | |
|---|--|--|--------------------------|----------------------------|--|--|
| DESIGN • BUILD • GENERAL CONTRACTING INC. 519-880-4415 www.aubdesigndesign.com | | | Reviewed By: | No. Revision Date 1 | O Preliminary for Pricing O Reviewed for Permit O Reviewed for Construction Drawn By: EFC Thielens | Drawing Site Plan Location Alvinston, ON Date June 14, 2022 Sheet Size 11" x 17" Page 22 |
|---|--|--|--------------------------|----------------------------|--|--|



Planning & Development Services Department

789 Broadway Street, Box 3000
Wyoming, ON N0N 1T0

Telephone: 519-845-0801
Toll-free: 1-866-324-6912
Fax: 519-845-3817

5.7.

Date: June 20, 2022
To: Janet Denkers, Clerk
From: Rob Nesbitt, Senior Planner
Re: Site Plan – 3216 Nauvoo Road, 8011 Centre Street & 8002
Railroad Line
(Kucera Farm Supply Limited)

The property located at 3216 Nauvoo Road, 8011 Centre Street and 8002 Railroad Line is zoned “Highway Commercial (C2)” which allows its use for an agricultural implement sales establishment and an agricultural services establishment. The site plan that has been submitted for this property proposes the addition of a 1,625 square metre warehouse building. A parking area, consisting of 38 parking spaces, is also proposed

a) Use

As noted, the subject property is zoned “Highway Commercial (C2)” by the Brooke Alvinston Zoning By-law. The proposed warehouse structure and parking area are to be used by the agricultural implement sales establishment and an agricultural services establishment that are currently located on the property.

b) Building Dimensional Requirements

The proposed building will comply with the “C2” zone regulations, as shown in the following table.

| <i>Regulation</i> | <i>Proposed</i> |
|---|----------------------------------|
| Maximum Permitted Lot Coverage - 50% | 37.4% |
| Minimum Front Yard Setback (north lot line) – 7.5 metres | Approx. 17 metres |
| Minimum Setback from Side Lot Lines 1. Exterior side lot line (west lot line) - 7 metres 2. Interior side lot line (east lot line) 7.5 metres | 10 6 metres Approx. 33 metres |
| Minimum landscaped open space - 10% | 17.3% |

The “C2” zone allows buildings and structures to have a maximum height of 11 metres (36 feet). The proposed warehouse building will have a height that is less than 11 metres.

c) Parking

The Zoning By-law requires a minimum of 5 parking spaces for the first 1,858 square metres of the warehouse's gross floor Area and 1 parking space for each additional 300 square metres of gross floor area. Therefore, a minimum of 5 parking spaces are required for the proposed 1,625 square metre warehouse building. The applicant is proposing the addition of 38 parking spaces,

The site plan proposes a 27 metre wide driveway on Centre Street. Section 3.27.7 b) of the Zoning By-law requires the driveway to be not more than 9 metres in width. The existing driveway serving the property from Centre Street is 13 metres wide.

The County of Lambton Public Works Department has advised that, though all access to the site is by Brook-Alvinston local roadways, they are in the vicinity of the intersections with County Road 79 (Nauvoo Road). Public Works has stated that the width of the proposed access on Centre Street should be reduced and kept as far to the east of the intersection as possible. The County typically reviews any proposal against Ontario Provincial Standard Drawing (OPSD) for dimensioning on Commercial and Light Industrial Entrances. The OPSD recommends that driveways should be a maximum of 12 metres in width. Narrowing the driveway is not expected to impact the fire route and should not significantly affect heavy equipment's negotiating their alignment/turns into the warehouse door.

The site plan should be revised so that the driveway is no more than 13 metres wide.

The Zoning By-law requires the driveway to be defined by a curb of concrete or rolled asphalt.

d) Landscaping

Section 3.19 of the Zoning By-law requires a 3 metre wide landscaped planting strip along the east property line. The planting strip must include a continuous unpierced hedgerow of evergreens or shrubs. The evergreens or shrubs must be a minimum of 1 metre in height at the time of planting and must be maintained so that the hedgerow is not less than 1.5 metres high. The site plan should be revised to show the planting strip.

The site plan proposes landscaped drainage swales along the east side of the property and at the northwest corner of the site. The swales should be grass surfaced so they are landscaped features on the site.

e) Lighting

Any exterior lighting must be designed and installed so that no lighting is projected onto adjacent properties.

f) Comments from Lambton County Building Services Department

The Lambton County Building Services Department has advised that the site plan does not show the location of an oil interceptor. The site plan must be amended to provide this information.

g) Agreement

We have prepared a site plan agreement for Council's consideration. The agreement includes the items referenced in this report. The site plan agreement should not be signed until a revised site plan is provided that includes these items.



Rob Nesbitt, MCIP RPP
Senior Planner

SITE PLAN AGREEMENT

THIS AGREEMENT made in duplicate this ____th day of _____ 2022.

| | | |
|-----------------|---|--|
| BETWEEN: | KUCERA FARM SUPPLY LTD. | HEREINAFTER CALLED “OWNER” OF THE FIRST PART |
| AND: | THE MUNICIPALITY OF BROOKE-ALVINSTON | HEREINAFTER CALLED THE "MUNICIPALITY" OF THE SECOND PART |

WHEREAS the Municipality has enacted a Site Plan Control Area By-law pursuant to the provisions of Section 41 of the Planning Act, R.S.O. 1990;

AND WHEREAS the Owner represents and warrants that it intends to develop lands described in Schedule 'A' to this agreement (hereinafter called the "said lands");

AND WHEREAS the Owner of the said lands has submitted plans to the Municipality for approval in accordance with subsection (4) of the said Section 41;

AND WHEREAS subsection (7) (c) of the said Section 41 authorizes the Municipality to require the Owner of the said lands to enter into an agreement with the Municipality dealing with the provision and approval of the plans referred to in subsection 4 of the said Section 41;

NOW THEREFORE THIS AGREEMENT WITNESSETH that the parties hereto agree as follows:

- 1. The following Schedules, being a legal description of the lands affected by this agreement and the plans required by the Municipality pursuant to subsection (4) of Section 41 of the Planning Act, R.S.O. 1990, are hereby declared to form part of this agreement and are attached hereto:

| <u>Schedule</u> | <u>Description</u> |
|-----------------|---|
| "A" | - being a legal description of the lands affected (the “said lands). |
| "B" | - being the plans showing works and matters to be provided on the said lands. |

2. The attached Schedule 'B' is hereby approved by the Municipality subject to the following conditions:
 - a) The Owner hereby agrees that the development shall be carried out and completed in accordance with the attached Schedule 'B'.
 - b) The following facilities, works or matters shall be provided by the Owner to the satisfaction of and at no expense to the Municipality:
 - i. A 4.65 metre wide strip of landscaped open space shall be provided along the east lot line, as shown on Schedule 'B'. A 3 metre wide landscaped planting strip shall be provided within this area. The planting strip shall include a continuous unpierced hedgerow of evergreens or shrubs. The evergreens or shrubs shall be a minimum of 1 metre in height at the time of planting and shall be maintained so the hedgerow is not less than 1.5 metres high. The remainder of the landscaped open space shall be used for no purpose other than planting shrubs, flowers, grass or similar vegetation.
 - ii. The drainage swales proposed along the east side of the property and at the northwest corner of the site shall be planted and maintained as a grass landscaped area.
 - iii. No vehicles, equipment or other items shall be placed or encroach within the landscaped areas shown on Schedule 'B'.
 - iv. The parking area and outdoor storage area shall be surfaced with gravel. These areas shall have the capability of supporting large trucks and fire fighting equipment. The Owner shall ensure that dust is not generated within these areas.
 - v. The driveway serving the property from Centre Street shall be defined by a curb of concrete or rolled asphalt.
 - vi. Any exterior lighting shall be directed onto the subject lands and away from abutting properties.
 - vii. An oil interceptor shall be provided in the location shown on Schedule 'B'.
 - viii. The Owner shall ensure that no surface water run-off will flow onto any adjacent property.
 - ix. Any building, structure and/or change of use that is proposed on the said

lands shall require an amendment to the site plan and a further agreement with the Municipality.

- c) The Owner hereby agrees to maintain to the satisfaction of the Municipality and at the sole risk and expense of the Owner those facilities, works or matters required to be provided as pre attached Schedule 'B'.
- d) The approval of the attached Schedule 'B' by the Municipality shall lapse if development of the said lands:
 - i) is not carried out and completed in accordance with the said Schedule 'B'; or
 - ii) is not completed within twelve (12) months of the execution of this agreement unless an extension has been agreed to in writing by the Municipality.

The Owner agrees to service the development in accordance with the requirements of the Municipality's Operations Manager, or designate, including water, sanitary sewer connection(s), storm sewer connection(s), and electrical power requirements.

The Owner hereby agrees to maintain to the satisfaction of the Municipality and at the sole risk and expense of the Owner those facilities, works and matters required to be provided under subclause b) of clause 2 hereof.

3. The Owner hereby acknowledges and agrees that:

- a) Pursuant to subsection (10) of Section 41 of the Planning Act, R.S.O. 1990, this agreement may be registered against the said lands to which it applies and the Municipality is entitled to enforce the provisions hereof against the Owner, and subject to the provisions of the Registry Act and the Lands Titles Act, any and all subsequent owners of the land.
- b) Upon breach by the Owner of any covenant, term or condition of this agreement, the Municipality, at its option may:
 - i) by written notice, require all work as aforesaid to cease; or
 - ii) complete any necessary work and the Owner agrees to forthwith indemnify the Municipality for any expense incurred in completing such work. In the event that the Municipality incurs any expense in this regard, such expense shall form a lien against the lands and may be collected by the Municipality in the same manner as realty taxes pursuant to Section 325 of the Municipal

Act R.S.O. 1990. The remedies provided in this paragraph shall be in addition to any other remedy available to the Municipality pursuant to this agreement or at law.

4. This agreement may be amended at any time with the consent, in writing, of the Municipality and the registered Owner of the said lands at the time of such amendment.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their signatures and Corporate Seals attested to by the hands of their proper officers, duly authorized in that behalf.

The Municipality of
Brooke-Alvinston

Mayor

(SEAL)

Clerk

Owner – Kucera Farm Supply Ltd.

(SEAL)

Witness

SCHEDULE "A"**LEGAL DESCRIPTION OF LANDS AFFECTED BY THE SITE PLAN AGREEMENT**

**PLAN 15 PART LOTS 27 TO 30, LOTS 31 TO 35 LOT 37, AND PART 1 RP25R7367
MUNICIPALLY KNOWN AS 3216 NAUVOO ROAD 8011 CENTRE STREET AND 8002
RAILROAD LINE (ALVINSTON)**

SCHEDULE "B"

SITE PLAN





BROOKE-ALVINSTON COMMITTEE OF ADJUSTMENT

PROVISIONAL CONSENT
 (Ont. Regulation 197/96)

DECISION

FILE NO. B-004 / 22

In the case of an application for consent from David & Donna Tait made under Section 53 of the Planning Act, as it affects the property legally described as Part Lot 19, Concession 5 in the Municipality of Brooke-Alvinston, in the County of Lambton as described in the application and shown on a sketch and municipally known as 3160 Nauvoo Road.

DECISION: GRANTED WITH CONDITIONS

CONDITIONS:

1. That a copy of the deed and R.D. Plan or survey be submitted to the Secretary-Treasurer in digital format, if available, and property geo referenced to the NAD83 UTM Zone 17 Coordinate System and also in a form suitable for registration;
2. That a fee of \$300.00 be paid to the Municipality of Brooke-Alvinston by cash or cheque;
3. That all conditions be fulfilled within two years of the notice of decision of this consent. That the certification of consent required by Section 53(42) of The Planning Act, be obtained within one year of the notice of decision of this consent. *The Municipality will endeavour to send the applicant a reminder that the Provisional Consent is approaching its lapsing date. However, each applicant is responsible for ensuring that the Provisional Consent does not lapse. If the Provisional Consent does lapse (meaning the deeds have not been stamped within one year of the notice of decision of the consent), a new application will be required. There is no provision in The Planning Act for extensions to the Provisional Consents;*

Members concurring in the above ruling:

Simon Lee - Nancy Faflak - Christa Sawyer - Frank Nemcek - Wayne Deans

*** **CERTIFICATION** ***

I, Janet Denkers, Secretary-Treasurer for this meeting of the Brooke-Alvinston Committee of Adjustment in the County of Lambton certify that the above is a true copy of the decision of the Committee with respect to the application recorded electronically herein which was brought before the Committee on June 7, 2022 with the Notice of Decision being mailed June 8, 2022

Janet Denkers, Secretary-Treasurer
 Municipality of Brooke-Alvinston Committee of Adjustment

**MUNICIPALITY OF BROOKE-ALVINSTON
COMMITTEE OF ADJUSTMENT - APPLICATION A-001/22**

DECISION OF COMMITTEE WITH REASONS
The Planning Act, R.S.O. 1990, Section 45

Re: Application for Francesco Calipari), in respect of 8069 & 8073 Centre St.
Municipality of Brooke-Alvinston

We, the undersigned, concur in the following decision and reasons for decision of the Committee of Adjustment for the Municipality of Brooke-Alvinston made on June 7, 2022.

DECISION:

GRANTED - Relief to allow 3 lots used for semi-detached dwellings to have:

- i) Frontages of 19 metres (By-law requires 20m)
- ii) Areas of 560 m² (By-law requires 600m²)

REASONS:

In the opinion of the Committee:

- 1. The Variances are minor in nature;
- 2. The intent of the Official Plan is maintained;
- 3. The intent of the Zoning By-law is maintained; and
- 4. The Variances are desirable for the appropriate development or use of the land, building or structure.

Nancy Faflak Christa Sawyer Simon Lee Frank Nemcek Wayne Deans

*** **CERTIFICATION** ***

I, Janet Denkers, Secretary-Treasurer of the Brooke-Alvinston Committee of Adjustment in the County of Lambton certify that the above is a true copy of the decision of the Committee with respect to the application recorded therein.

Dated this 7th day of June, 2022.



Janet Denkers, Secretary-Treasurer
Brooke-Alvinston Committee of Adjustment



**MUNICIPALITY OF BROOKE-ALVINSTON
NOTICE OF THE ADOPTION OF
OFFICIAL PLAN AMENDMENT AND
THE PASSING OF ZONING BY-LAW AMENDMENT**

TAKE NOTICE that the Council of the Corporation of the Municipality of Brooke-Alvinston, on June 9, 2022 passed By-law 37 of 2022 under Section 22 and 17(22) of the Planning Act to adopt Amendment No. 4 to the Brooke-Alvinston Official Plan and also By-law 36 of 2022 under Section 34 of the Planning Act to amend the Zoning By-law. Official Plan Amendment No. 4 is being submitted to the County of Lambton for approval.

THE PROPOSED OFFICIAL PLAN AMENDMENT amends the Official Plan by changing the designation on lands described as PLAN 5 LOT 4 TO LOT 7 (known municipally as 6483 Weidman Line) from "Residential" to a site specific "Commercial" designation. The applicant intends to convert the existing building into warehousing and storage.

THE PROPOSED ZONING BY-LAW AMENDMENT amends the Municipality of Brooke-Alvinston Zoning By-law 9 of 2013 by changing the zoning on lands described as 6483 Weidman Line from "Institutional" to a site specific "Central Commercial 1(3)" zone. The "C1(3)" zone will add a warehouse and open storage as permitted uses on the property.

TAKE NOTICE that any person or public body is entitled to receive notice of the decision of approval of Official Plan Amendment No. 4 from the County of Lambton if a written request to be notified (including person or public body's address) is made to the County of Lambton Planning and Development Services Department, County of Lambton Administration Building, Box 3000 Wyoming, On, N0N 1T0 Phone: 519-845-0801. A Notice of the proposed decision from the County of Lambton will set out the requirements and last date for filing a notice of **appeal of the Official Plan Amendment**.

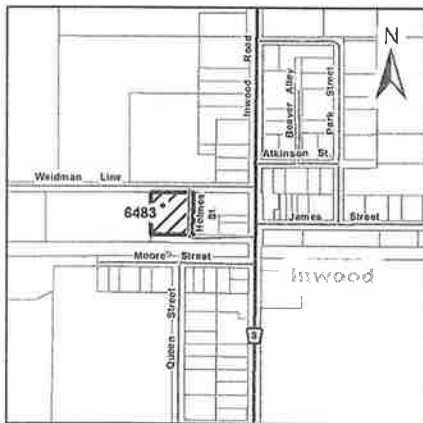
APPEALS to the Ontario Land Tribunal **in respect of the Zoning By-law Amendment** may be made by filing with the Administrator-Clerk of the Municipality of Brooke-Alvinston a written notice of appeal, **not later than the 6th day of July 2022**, setting out the reasons for the appeal and accompanied by the Ontario Land Tribunal fee made payable to the Minister of Finance

ONLY INDIVIDUALS, corporations and public bodies may appeal a by-law to the Ontario Land Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

NO OTHER APPLICATIONS are being considered at this time.

A **KEY MAP** showing the location of the lands to which the By-law applies, is attached.

COMPLETE COPIES of the amendments are available for inspection during regular office hours at the Municipal Offices at Municipal Offices at 3236 River St., Alvinston ON.



 Subject Property

Janet Denkers, Clerk Administrator

Municipality of Brooke-Alvinston
3236 River Street, Box 28
Alvinston, ON N0N 1A0

Telephone: 519-898-2173

Fax: 519-898-5653

Email: jdenkers@brookealvinston.com

Dated: June 16, 2022

3236 River St. P.O. Box 28
Alvinston, ON N0N 1A0

Phone: 519.898.2173

Fax: 519.898.5653



NOTICE OF MAINTENANCE SITE MEETING COURTRIGHT DRAIN

Drainage Act, R.S.O. 1990, Chapter D.17, s. 74

Dear Sir/Madam:

You are hereby notified that the Drainage Superintendent will be available for a maintenance site meeting for the **Courtright Drain** in accordance with Section 74 of the Drainage Act.

Section 74 of the Drainage Act sets out provisions that all Municipalities are responsible for the maintenance and repair of a drainage works constructed under a by-law passed under this Act and are required to maintain each drain in good working order according to the last revised Engineer's Report, if the said drain so requires.

The Council of the Municipality of Brooke-Alvinston has scheduled an on-site meeting for the:

Courtright Drain

on

Tuesday, July 5th, 2022

11:00 a.m.

**Location: Inwood Ball Park
(Weidman Line, Inwood, ON)**

Dated the 16th day of June, 2022

Janet Denkers
Clerk-Administrator

Failure to attend examination – You are hereby notified that if you do not attend at the examination, it may proceed in your absence and except as otherwise provided in the Drainage Act, you will not be entitled to any further notice in the proceedings. Statutory Powers Procedure Act., 1990, c. D.17, Last Amendment: 2010, c.16, Schedule 1, s.2.

MUNICIPALITY OF BROOKE-ALVINSTON
MAY, 2022

| <u>PERMITS</u> <u>ISSUED</u> | <u>OWNER/CONTRACTOR</u> | <u>LOCATION</u> | <u>FEE</u> | <u>TYPE/ VALUE</u> |
|---|--|---|-------------------|--|
| 22-012 | Evan Lucas, owner 6878 Petrolia Line, (alteration to existing roof on single family dwelling for installation of 3 skylights) Cont: owner, May 6/2022 120-040-05200 | 6878 Petrolia Line Con 11, E Pt Lot 7 | 750.00 | Res/Alt 10,000 |
| 22-013 | Jozef Schotman, owner 6725 Shiloh Line, Alvinston (erect deck) Cont: Hickory Dickory Decks, May 11/2022 120-020-05401 | 6725 Shiloh Line Con 6, N Pt Lot 6 | 375.00 | Res/Add 40,000 495' ² |
| 22-014 | Lawrence Moraal, owner 6000 Shiloh Line, Petrolia (erect addition to existing dwelling with new attached garage) Cont: owner May 16/2022 120-030-20305 | 8982 Rokeby Line Con 9, E Pt Lot 28 RP25R3439, Pt 1 | 950.00 | Res/Add 150,000 1787' ² |
| 22-015 | Joanne Van Hooydonk, owner, 3282 Morrell St (erect attached garage) Cont: Kevin Huctwith, May 18/2022 140-002-20400 | 3282 Morrell St Plan 16, Lot 8 | 600.00 | Res/Add 60,000 546' ² |
| 22-016 | Archie Hart, owner 3577 Inwood Rd, Alvinston (erect storage shed) Cont: owner, May 24/2022 120-020-07605 | 3577 Inwood Rd Con 7, Pt Lot 3 RP25R4796, Pt 1 | 450.00 | Non/Res 60,000 1728' ² |



**Notice of Meeting to Consider
the Engineer's Report**
Drainage Act, R.S.O. 1990, c. D.17, subs. 9(1)

To: Benefitting and Non-Benefitting Landowners

In accordance with section 42 of the *Drainage Act*, you as an owner of land affected by the proposed drainage works for the **Moffatt Drain Extension 2022**, are requested to attend a council meeting to consider the final report filed with the **Township of Warwick** for this drainage works.

The meeting will take place:

| Date | Time | Location |
|---------------|-----------|--|
| July 11, 2022 | 6:30 p.m. | Council Chambers at the New Warwick Township Office 5280 Nauvoo Road, Watford, ON N0M 2S0 |

If the share of the project cost assessed to your property is more than \$100, a copy of the report is included with this notice.

| Name of Clerk (Last, first name) | Signature | Date |
|----------------------------------|--|---------------|
| Gubbels, Amanda |  | June 13, 2022 |

Failure to Attend Meeting: If you do not attend the meeting, it will proceed in your absence. If you are affected or assessed by this proposed project, you will continue to receive notification as required by the *Drainage Act*.

Activities at the meeting to consider the report:

- Usually the engineer will present a summary of the report to council
- For drains initiated by petition:
 - Petitioners will be given an opportunity to withdraw their name from the petition
 - Other owners that benefit from the drain will be given an opportunity to add their name to the petition
- Council must decide whether or not to proceed with the project by provisionally adopting the engineer's report by by-law; they also have the option to refer the report back to the engineer for modifications
- All property owners affected by the drain will have an opportunity to influence council's decision
- There is no right to appeal assessments or other aspects of the engineer's report at this meeting; these appeal rights will be made available later in the procedure. *Drainage Act, R.S.O. 1990, c.D.17,s.47-54*

Petitioners: After the meeting to consider the final report, if the petition does not comply with section 4, the project is terminated and the original petitioners are responsible for the costs in shares proportional to their assessment in the engineer's report. *Drainage Act, R.S.O. 1990, c.D.17,s.47-54*

Cc: Spriet Associates
Andrew Maver, Public Works Manager, Warwick Township
Ontario Ministry of Agriculture, Food and Rural Affairs
St. Clair Region Conservation Authority
Ministry of Natural Resources



2022 MOUNT CARMEL CEMETERY

WELCOME BACK

DECORATION DAY & MEMORIAL SERVICE

7649 LA SALLE LN, BROOKE-ALVINSTON TWSP., LAMBTON COUNTY

DATE: Sunday, June 23, 2022
SPEAKER: Brian Aiken

TIME: 2:30 p.m.
PIANO: Raymond Greer

SPECIAL MUSIC: Brian Aiken

Mount Camel Board welcomes you all back. It will be great to gather again, enjoy the service and visit the church and grounds. We are giving you the personal choice of wearing a Mask or not that day.

You will notice that the church has new aluminum siding similar to the original board siding, the doors and windows have been repainted. We know you will appreciate the restoring of our dear church.

Your continued financial support is so appreciated to maintain and care for our precious property. We thank you.

If you or someone in you know has moved or would like to be added to our data base, email (lteskey2@cogeco.ca) or contact Lynda Teskey at the address or phone number below. We would like to continue updating our data base to keep you informed. Thank you.

We would love to have you join us after the service for a time of reflection and fellowship. Refreshments will be served.

Our board is open to addressing new members, so please contact Muriel, Lynda or any other member. And if you have any email updates, questions or concerns, please contact:

Chair of the Board: Muriel Wright
5174 Egremont Rd.
Camlachie, ON N0N 1E0
519-899-2345 bawright@xcelco.on.ca

Secretary: Lynda Teskey
434 First Ave.
Petrolia, ON N0N 1R0
519-490-4438 lteskey2@cogeco.ca

Treasurer: Stewart Cran
8571 Churchill Ln.
Watford, ON NOM 2S0
519-849-5288 secran@brktel.on.ca



Legislative Services
Michael de Rond
905-726-4771
clerks@aurora.ca

Town of Aurora
100 John West Way, Box 1000
Aurora, ON L4G 6J1

May 31, 2022

Delivered by email
sylvia.jones@ontario.ca

The Honourable Sylvia Jones
Solicitor General of Ontario
Ministry of the Solicitor General
25 Grosvenor Street, 18th Floor
Toronto, ON M7A 1Y6

Dear Solicitor General Jones:

Re: Town of Aurora Council Resolution of May 24, 2022
Motion 10.3 - Councillor Thompson; Re: Mandatory Firefighter Certification

Please be advised that this matter was considered by Council at its meeting held on May 24, 2022, and in this regard, Council adopted the following resolution:

Whereas municipal governments provide essential services to the residents and businesses in their communities; and

Whereas the introduction of new provincial policies and programs can have an impact on municipalities; and

Whereas municipal governments are generally supportive of efforts to modernize and enhance the volunteer and full-time fire services that serve Ontario communities; and

Whereas the Association of Municipalities of Ontario (AMO) believes in principle that fire certification is a step in the right direction, it has not endorsed the draft regulations regarding firefighter certification presented by the Province; and

Whereas municipalities and AMO are concerned the thirty-day consultation period was insufficient to fully understand the effects such regulations will have on municipal governments and their fire services; and

Whereas fire chiefs have advised that the Ontario firefighter certification process will create additional training and new costs pressures on fire services; and

Town of Aurora Council Resolution of May 24, 2022
 Mandatory Firefighter Certification
 May 31, 2022

2 of 2

Whereas the Ontario government has not provided any indication they will offer some form of financial support to deliver this service; and

Whereas AMO, on behalf of municipal governments, in a letter to Solicitor General Jones dated February 25, 2022, made numerous comments and requests to address the shortcomings in the draft regulations;

- 1. Now Therefore Be It Hereby Resolved That the Town of Aurora does hereby support AMO's recommendations; and**
- 2. Be It Further Resolved That the Town of Aurora does hereby call on the Solicitor General of Ontario to work with AMO, municipal governments and fire chiefs across Ontario to address the concerns raised so that municipalities can continue to offer high quality services to their communities; and**
- 3. Be It Further Resolved That a copy of this Motion be sent to the Association of Municipalities of Ontario (AMO), the Ontario Small Urban Municipalities (OSUM), and all Ontario municipalities for their consideration.**

The above is for your consideration and any attention deemed necessary.

Yours sincerely,



Michael de Rond
 Town Clerk
 The Corporation of the Town of Aurora

MdR/lb

Copy: Association of Municipalities of Ontario (AMO)
 Ontario Small Urban Municipalities (OSUM)
 All Ontario municipalities



Jun 13, 2022

Municipal Councils of Ontario

Subject: The Retention of Professional Engineers at Ontario Municipalities

The purpose of this letter is to stress the importance that municipal engineers play in the successful operation of cities, counties, towns, and townships across Ontario.

The Municipal Engineers Association (MEA) is a non-profit association representing the municipal engineering field in Ontario. We have a membership base of over 1,000 municipal engineers across Ontario who are employed as professional engineers at Ontario municipalities and other provincial agencies serving in the engineering/public works field.

We advocate for sustainable municipal infrastructure practices and our members provide significant input into the development of processes, standards, and specifications for use in municipal infrastructure systems such as drinking water delivery, wastewater collection and treatment, storm water management, waste management and transportation systems.

The MEA has been the proponent for the *Municipal Class Environmental Assessment* process since the mid-1980s. We are also a co-proponent of *Ontario Provincial Standards & Specifications* that many Ontario municipalities use when planning for and tendering municipal engineering projects.

There are a number of examples in various current legislation, where the use of a professional engineer is referenced. Key tasks include roles in transportation, natural resources, health and safety, consumer services, environment, tourism, agriculture, climate change, and energy. It is essential that municipalities consider the appointment of professional engineers, especially within the areas of engineering and public works, to afford municipal councils the appropriate due diligence toward public safety. Unfortunately, we are observing a concerning trend where this is no longer the case.

Professional engineers, through education and practical experience requirements, have the knowledge and foresight to not only understand the 'how' of an issue, but also understand the 'why' behind issues as well. Professional engineers are licensed to practice in Ontario through the *Professional Engineers Act* and are bound by statutory accountabilities, which includes a code of ethics. Under this code, professional engineers are required to act at all times with fidelity to public needs; professional engineers regard their duty to public welfare and safety as paramount.

Professional engineers also provide significant value to municipalities through their understanding of risk management, which assists in lowering exposure to claims against a municipality. With insurance premiums rising every year, it is prudent that municipalities appoint a professional engineer to guide these decision-making processes.

**MUNICIPAL
ENGINEERS
ASSOCIATION**



Office of the President
1525 Cornwall Road
Oakville ON
L6J 0B2

As of December 31, 2019, there were 57,134 practicing professional engineers licensed and practicing in the Province of Ontario. Of this number, only 136 professional engineers work for municipalities with a population of 50,000 or less. This represents only 0.2% of licensed and practicing Ontario Professional Engineers being employed by Ontario municipalities serving populations of less than 50,000. Many of these smaller municipalities have a Public Works/Engineering Department head and would benefit by appointing a Professional Engineer.

The vast majority of professional engineers working at Ontario municipalities are employed by larger urban centres having a population greater than 50,000.

For smaller municipalities that do not have the financial resources to employ a full-time professional engineer on their staff, the MEA recommends the appointment of a professional engineer through a licensed consulting firm so that your municipality may meet the needs only a professional engineer can provide.

We would also like to take this opportunity to promote membership in the MEA. There are Ontario municipalities that currently do not have representation in the MEA. If you have a professional engineer(s) on staff and they are not MEA members, we encourage your municipality to have them apply. The MEA offers members access to knowledge, learning and the ability to stay up to date with current industry practices. It truly is great value for a very nominal fee.

On behalf of the MEA, we thank you for taking time to review this letter. Should you have any questions, please reach out to the MEA's Executive Director, Dan Cozzi, P. Eng. at dan.cozzi@municipalengineers.on.ca.

Yours sincerely,

Jason Cole, P. Eng.,
MEA President 2021 - 2022



Council Staff Report

To: Mayor Ferguson and Members of Council
Subject: Revisions to Standards of Maintenance & Occupancy By-law
Meeting: Council - 23 Jun 2022
Department: Clerks
Staff Contact: Janet Denkers, Clerk Administrator

Recommendation:

That this report be received and filed and that the associated by-law be approved as presented.

Background:

At the June 9, 2022 regular session of Council, an amendment related to storage and sea cans was presented. Council had no objections to the inclusion and the by-law was to be presented for review at the June 23rd meeting.

Comments:

A full review of the current by-law (15 of 2001) was undertaken in consultation with the County of Lambton Property Standards Officer. The following additions were recommended:

SECTION 2 - DEFINITIONS

Section 2.2 Definition of Administrative Fee
 Section 2.19 Definition of Graffiti
 Section 2.44 Definition of Storage Container

SECTION 3 - MAINTENANCE OF YARD & ACCESSORY BUILDINGS

Section 3.1g Injurious insects, termites, rodents, vermin or other pests
 Section 3.1h Graffiti
 Section 3.11 Storage Containers / Sea Cans

SECTION 4 - MAINTENANCE OF BUILDINGS

Section 4.5 Compost Heaps
 Section 4.6 Elevating Devices
 Section 4.7 Disconnected Services
 Section 4.16 Walls & Ceilings
 Section 4.17 Floors
 Section 4.18 Stairs & Porches

SECTION 6 - VACANT LANDS & BUILDINGS

Entire section

SECTION 7-NON-RESIDENTIAL PROPERTY STANDARDS

Entire Section

SECTION 8 - ADMINISTRATION & ENFORCEMENT

Section 8.2 Revised Administration & Enforcement

Section 8.3 Notice of Violation

Section 8.4 Rights of Appeal

Section 8.5 Emergency Powers

The revised by-law is attached.

Financial Considerations:

None associated with this report.

ATTACHMENTS:

[By-law xx of 2022 Property Standards By-law](#)

MUNICIPALITY OF BROOKE-ALVINSTON

BY-LAW NUMBER xx OF 2022
(Replacing Bylaw 15 of 2001)

BEING A BY-LAW TO PROVIDE FOR
STANDARDS OF MAINTENANCE AND OCCUPANCY

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**THE CORPORATION OF THE
MUNICIPALITY OF BROOKE-ALVINSTON**

**BY-LAW NUMBER xx OF 2022
(Replacing Bylaw 15 of 2001)**

A by-law to provide standards for the maintenance of the physical condition and occupancy of property in the Municipality of Brooke-Alvinston;

WHEREAS the Council of the Corporation of the Municipality of Brooke-Alvinston deems it necessary and expedient to pass a by-law pursuant to the provisions of Section 15 of the Building Code Act, S.O. 1992, as amended, for prescribing standards for the maintenance and occupancy of property within the Municipality and for prohibiting the occupancy or use of such property that does not conform to the standards; for requiring property below the standards prescribed in the Bylaw to be repaired and maintained to comply with the standards, or for the site to be cleared of all buildings, structures, debris or refuse and left in a graded or leveled condition; and for prohibiting the removal from any premises of any sign, notice or placard placed thereon pursuant to this Bylaw; and further that policies and procedures be established for the enforcement of this by-law;

AND WHEREAS the passing of said By-law is desirable for the protection of the safety, health and well-being of the residents;

AND WHEREAS Section 446 of the Municipal Act, as amended, gives a municipality authority to take the appropriate remedial action for any default of the provisions of a by-law and collect the corresponding related costs on the tax roll;

NOW THEREFORE the Council of the Corporation of the Municipality of Brooke-Alvinston ENACTS as follows:

That By-law 15 of 2001 (including 20 Of 2001) be hereby repealed

SECTION 1 - TITLE, APPLICATION AND SCOPE

1.1 TITLE OF BY-LAW

This By-law may be cited as the "Property Standards By-Law".

1.2 APPLICATION

The provisions of this By-law shall apply to all lands in the Municipality of Brooke-Alvinston.

1.3 SCOPE OF BY-LAW

- a) Where other by-laws, regulations, or statutes prescribe standards of maintenance and occupancy already addressed in this By-law, or where a provision of this By-law conflicts with a provision of another by-law in force in the Municipality of Brooke-Alvinston, the provisions that establish the higher standard shall prevail.
- b) Should any provision of this By-law be declared invalid for any reason by a court of competent jurisdiction, the remainder of this By-law shall continue in force.

1.4 GENERAL DUTY TO REPAIR AND MAINTAIN PROPERTY

- a) The owner or purchaser, under an agreement of sale, shall repair and maintain the property in accordance with the standards prescribed in this By-law to the satisfaction of the Officer.
- b) Notwithstanding subsection a), where the maintenance of any property affected by this By-law is made, by written terms of a lease or by an agreement for occupancy, the responsibility of the occupant, the Officer may, at his/her discretion, require the occupant to repair and maintain the property in accordance with the standards prescribed in this By-law to the satisfaction of the Officer. Such standards include the following:
 - i) Limit occupancy of that part of the premises which he/she occupies or controls to the maximum permitted by this By-law;
 - ii) Maintain that part of the premises which he/she occupies or controls in a clean, sanitary and safe condition;
 - iii) Maintain all plumbing and refrigeration fixtures as well as other building equipment and storage facilities in that part of the premises which he/she occupies or controls in a clean and sanitary condition and provide reasonable care in the operation and use thereof;
 - iv) Provide a smoke alarm in all corridors which provide access to bedrooms;
 - v) Maintain a safe condition and unobstructed exit from the interior of the building to the exterior at the street or grade level;
 - vi) Dispose of garbage, refuse, and waste into receptacles in a clean, sanitary manner, in accordance with the provisions established in this By-law;
 - vii) Exterminate insects, rodents, and other pests;
 - viii) Maintain yards in a clean, sanitary, and safe condition and free from infestation insofar as he/she occupies or controls the yards.
- c) No person shall occupy or let to another for occupancy, any property which does not comply with the regulations of this By-law.

SECTION 2 - DEFINITIONS

- 2.1 ACCESSORY BUILDING means a building or structure, the use of which is incidental or subordinate to the main use of any other building on the premises, or which, if there is no other building on the premises, is incidental to the use of the premises, and which is not intended for human habitation.
- 2.2 ADMINISTRATIVE FEE means all fees associated with a property(s) in contravention of this by-law, including such fees for servants of orders, title searches, By-law Officers' wages and mileage, and any other fees deemed appropriate by Council.
- 2.3 APPROVED means, as applied to a grade, material device or method of construction, approved by the Property Standards Officer under the provisions of this By-law; approved by the Building Inspector under the provisions of the Building Code Act; approved by the Fire Chief under the provisions of The Fire Code, or approved by any other authority designated by law to give approval to the matter in question.
- 2.4 BALUSTRADE means a row of balusters or spindles surmounted by a railing.
- 2.5 BASEMENT means a storey or storeys of a building located below the first storey.
- 2.6 BATHROOM means a room or rooms containing at least one wash basin, a toilet, a bathtub or shower.
- 2.7 BUILDING means any structure whether temporary or permanent, used or intended for sheltering any use or occupancy but shall not include a boundary wall, fence, travel trailer, camping trailer, truck camper, motor home, or tent.
- 2.8 BUILDING CODE means The Building Code Act, S.O. 1992, as amended.
- 2.9 CHIEF OF THE FIRE DEPARTMENT means a Fire Chief appointed by the Corporation of the Municipality of Brooke-Alvinston.
- 2.10 COMMITTEE means a Property Standards Committee, established pursuant to Section 15.6 of The Building Code Act, S.O. 1992, as set out in this By-law.
- 2.11 CORPORATION means the Corporation of the Municipality of Brooke-Alvinston.
- 2.12 COUNCIL means the Council of the Corporation of the Municipality of Brooke-Alvinston.
- 2.13 CRAWL SPACE means a space beneath a floor with clearance of less than 1.5 metres.
- 2.14 DWELLING means a building or structure or part of a building or structure occupied or capable of being occupied exclusively as a home, residence or sleeping place by one or more persons and includes a building that would be used for such purposes except for its state of disrepair and shall include any mobile dwelling unit.
- 2.15 DWELLING UNIT means one or more habitable rooms occupied or capable of being occupied by an individual or family as an independent and separate housekeeping establishment in which separate kitchen and sanitary facilities are provided for the use of such individual or family, with a private entrance from outside the building or from a common hallway or stairway inside the building.
- 2.16 FINISHED GRADE LEVEL means the average elevation of the finished surface of the ground abutting the external walls of the building or structure, exclusive of any embankment in lieu of steps.
- 2.17 FIRE RESISTANCE RATING means time in hours or parts thereof that a material construction or assembly will withstand fire exposure, as determined in a fire test made in conformity with generally accepted standards, or as determined by extension or interpretation of information derived therefrom.

- 2.18 FIRST STOREY means the storey with its floor closest to grade and having its ceiling more than 1.8 metres above grade.
- 2.19 GRAFFITI means unauthorized markings, including but not limited to initials, slogans, emblems, logos, or drawings, either written in ink, spray paint, chalk, marker or any other writing implement on private property and visible to the public.
- 2.20 GROUND COVER means organic or non-organic materials applied to prevent the erosion of the soil, such as concrete, flagstone, gravel, asphalt, grass or other form of landscaping.
- 2.21 HABITABLE ROOM means any room in a dwelling unit used or capable of being used for living, sleeping, cooking, or eating purposes, but does not include a bathroom, toilet room, laundry, pantry, foyer, lobby, stairwell, hall, closet, cellar, recreation room, storage room, furnace room or other space for the service or maintenance of a dwelling.
- 2.22 LAND means the land around or appurtenant to the whole or any part of a premises and used or intended to be used, or capable of being used in connection with the building.
- 2.23 MAINTENANCE means the preservation and keeping in repair of a property.
- 2.24 MEANS OF EGRESS means a continuous path of travel provided by a doorway, hallway, corridor, exterior passageway, balcony, lobby, stair, ramp or other egress facility for the escape of persons from any point within a building, floor area, room or contained open space to a public thoroughfare or approved open space.
- 2.25 MULTIPLE DWELLING means a building containing three or more dwelling units.
- 2.26 MULTIPLE USE BUILDING means a building containing both a dwelling unit and a non-residential use.
- 2.27 MUNICIPALITY means the Corporation of the Municipality of Brooke-Alvinston.
- 2.28 NON-HABITABLE ROOM means any room in a dwelling or dwelling unit other than a habitable room, and includes a bathroom, toilet room, laundry room, pantry, communicating corridor, stairway, closet, basement, boiler room or other space for service and maintenance of the dwelling, for public use, and for access to, and vertical travel between storeys.
- 2.29 NON-RESIDENTIAL PROPERTY means a building or structure or part of a building or structure not occupied or not capable of being occupied in whole or in part for the purpose of human habitation, and includes those lands and premises appurtenant thereto, and all outbuildings, fences or erections thereon or therein.
- 2.30 NOXIOUS means any structure, weed, shrub, animal, insect or rodent which, from its nature or operation creates a nuisance or is liable to create a nuisance or is offensive by reason of the creation of noise, objectionable odour, or by reason of its unsightly nature or habits, and without limiting the foregoing shall mean any structure, weed, shrub, animal, insect or rodent which may be declared by the Property Standards Officer to be noxious or offensive.
- 2.31 OCCUPANCY means the use or intended use of a building or part thereof for the shelter or support of persons, animals or property.
- 2.32 OCCUPANT means any person or persons over the age of 18 years in possession of the property.
- 2.33 OFFICER means a Property Standards Officer appointed by the Corporation to administer and enforce this By-law.
- 2.34 OUTDOOR STORAGE means the land used for the purpose of storing building supplies or materials salvaged from any demolition of a building either for storage or salvage for reuse or sale.

- 2.35 OWNER means:
- a) the person for the time being managing or receiving the rent of the land or premises in connection with which the word *owner* is used, whether on the person's own account or as agent or trustee of any other person, or who would so receive the rent if such land or premises were let, and
 - b) A lessee or occupant of the property who, under the terms of a lease, is required to repair and maintain the property in accordance with the standards for the maintenance and occupancy of property.
- 2.36 PERSON includes an individual, firm, corporation, association or partnership.
- 2.37 PLUMBING AND FIXTURES means water heating facilities, water pipes, garbage disposal units, water closets, bathtubs, showers, installed clothes washing or drying machines, laundry tubs, sinks or other similar equipment, catch basins, drains, vents, traps, together with all connections to water, sewage, or vent pipes.
- 2.38 PROPERTY means a building or structure or part of a building or structure and includes the lands and premises appurtenant thereto and all mobile homes, mobile buildings, mobile structures, outbuildings, accessory buildings, fences, and erections thereon, whether heretofore or hereafter erected, and includes vacant property.
- 2.39 REPAIR means the provision of such facilities and the making of additions or alterations or the taking of such action as may be required so that the property shall conform to the standards established in this By-law.
- 2.40 RESIDENTIAL PROPERTY means any property that is used, or designed for use, as a domestic establishment in which one or more persons usually sleep and prepare and serve meals, and includes any land or buildings that are appurtenant to such establishment.
- 2.41 SEWAGE means any liquid waste containing animal, vegetable or mineral matter in suspension or solution but does not include roof water or other storm runoff.
- 2.42 SEWAGE SYSTEM means the municipal sanitary sewerage system or a private sewage disposal system approved by the Part VIII Director under the Environmental Protection Act or Part 8 of the Ontario Building Code.
- 2.43 STANDARDS means the standards for the maintenance and improvement of the physical condition of property and for the fitness for occupancy prescribed in this By-law.
- 2.44 STORAGE CONTAINER includes a sea can, a shipping container, a truck body, and a rig trailer, or any other similar container, either with or without the running gear axles
- 2.45 SUBSTANDARD means a quality less than that required by this By-law.
- 2.46 SUPPLIED means installed, furnished or provided by the owner.
- 2.47 TOILET ROOM means:
- a) In relation to non-residential property, a room containing one or more water closets and wash basins; and
 - b) In relation to residential property, a room containing a water closet.
- 2.48 TWO-UNIT DWELLING means a building containing two dwelling units and includes semi-detached and duplex dwellings.
- 2.49 UNSAFE CONDITION means any condition that would cause undue or unexpected hazard to life, limb, or health of any person authorized or expected to be on or about the premises.
- 2.50 YARD means the land other than publicly-owned land around and appurtenant to the whole or any part of the property and used, or capable of being used, in connection with the property whether or not the land is owned by the owner of the building.

SECTION 3 - MAINTENANCE OF YARD AND ACCESSORY BUILDINGS

3.1 YARDS

All yards, including vacant land, shall be kept in a neat and tidy condition, free from:

- a) Rubbish, garbage, waste, dead animals, and other debris;
- b) Objects and conditions that are health, fire or accident hazards;
- c) Heavy undergrowth and noxious plants, such as ragweed, poison ivy, poison oak, and excessive growth of grass and/or weeds more than 20cm (8 inches) in height and other vegetation out of character with the surrounding environment;
- d) Dead, decaying or damaged trees or other natural growth, and the branches and limbs which create an unsafe or unsightly conditions;
- e) Wrecked, dismantled, inoperative, unused or unlicensed vehicles, trailers, or other machinery or any part thereof and junk and refuse of any kind, except in an establishment licensed or authorized to conduct and operate such a business, and then only in an arrangement such as to prevent an unsafe condition or an unsightly condition out of character with the surrounding environment;
- f) Dilapidated or collapsed structures and any unprotected well, old underground tanks, or other unsafe condition or unsightly condition out of character with the surrounding environment.
- g) Injurious insects, termites, rodents, vermin or other pests.
- h) Graffiti.

3.2 LANDSCAPING

- a) Hedges, planting, trees or other landscaping, required by the Municipality as a condition of site development, redevelopment or rearrangement, shall be maintained in a living condition or shall be replaced with equivalent landscaping, so as to carry out their intended function and maintain an attractive appearance.
- b) Suitable groundcover shall be provided to prevent erosion of the soil. Where grass forms a part of the groundcover, and such grass has been killed, such dead areas shall be re-sodded or reseeded as often as required so as to restore the grass to a living condition.
- c) Areas within the yard not covered by buildings or structures, sidewalks, driveways and parking areas shall be maintained to a standard at least compatible with the abutting and adjoining properties.
- d) All areas used for vehicular traffic, parking, and facilities for loading and unloading shall be maintained in good repair, free of potholes, and adequately drained.

3.3 FENCES

Fences shall be maintained in good repair, free from graffiti, accident hazards and protected by paint, preservative or other weather resistant material. Fences around swimming pools shall be a minimum of 1.5 metres (5 feet) in height and shall be provided with a latch in good working order.

3.4 RUBBISH

- a) Garbage should be stored under cover or in containers. Rubbish and garbage containers shall be kept and maintained in a clean state.

- b) Every property shall be kept free of such refuse or litter.
- c) Every non-residential building shall provide sufficient receptacles to contain all refuse and litter as may be left by customers or other members of the public.

3.5 **PASSAGEWAYS**

Passageways, steps, walks, driveways, parking space and similar areas of a yard shall be maintained so as to afford safe passage under normal use and weather conditions.

3.6 **DRAINAGE**

- a) Exterior property areas shall be graded and maintained in such a manner as to prevent the excessive or recurrent ponding of storm water thereon, and shall be cultivated or protected with suitable groundcover to prevent erosion of the soil.
- b) No downspout or sump pump drainage shall be discharged on sidewalks, stairs or neighbouring properties or into a sanitary sewer.

3.7 **SEWAGE**

- a) Sewage shall be discharged into the sewerage system and at no time shall sewage be discharged onto the surface of the ground whether into a natural or artificial surface drainage system or otherwise.
- b) Notwithstanding subsection a) above, where a municipal sanitary sewer has not been installed, all sewage shall be discharged into a private sewage disposal system approved by the Ministry of the Environment or the Ontario Building Code.
- c) Private sewage systems shall be maintained in accordance with the Ontario Building Code requirements.

3.8 **SIGNS**

- a) All signs permitted under By-laws of the Corporation shall be maintained in a good state of repair.
- b) Signs which are damaged or broken, or which are excessively weathered or faded, upon which the finish is worn, peeled or cracked, shall, with their fastenings and supporting members, be removed or refinished and put in a good state of repair.

3.9 **ACCESSORY BUILDINGS**

- a) Accessory buildings including garages, carports, fences and other structures appurtenant to the property shall be kept in good repair and free from graffiti and health, fire and accident hazards.
- b) Where an accessory building or any condition in a yard harbors noxious insects or rodents, all necessary steps shall be taken to eliminate the insects or rodents and to prevent their reappearance in accordance with the provisions of The Pesticides Act, R.S.O., 1980, Chapter 376 and all regulations passed pursuant thereto.
- c) Where an accessory building is not maintained in accordance with these standards it shall be removed from the yard.

3.10 **SWIMMING POOLS**

- a) All swimming pools, wading pools and ponds and any appurtenances thereto shall be maintained in good repair, free from leaks and free from health and safety hazards

- b) All swimming pools, wading pools and ponds shall be kept clean of stagnant water and any such areas that are unkept or unused shall be drained of all water found therein.

3.11 **STORAGE CONTAINERS / SEA CANS**

- a) Without a valid permit, STORAGE CONTAINERS are not permitted in any Residential zone.
- b) Where permitted, storage containers shall comply with the accessory uses section for the corresponding zone and shall obtain a permit prior to arrival on-site.

EXCEPTIONS

- c) The use of STORAGE CONTAINERS may be temporarily permitted in a Residential Zone entirely on private property in a space permitted for parking by the Township Zoning Bylaw as updated periodically under the below conditions:
 - (i) It is located entirely on private property, and not on any township street or boulevard;
 - (ii) It complies with site triangle setbacks for corner lots;
 - (iii) It is removed within 14 days of its arrival on-site.
- d) In addition to the above conditions, anyone wishing to have a temporary STORAGE CONTAINER on-site longer than 14 days must receive authorization of Council prior to the container’s arrival on-site.

SECTION 4 - MAINTENANCE OF BUILDINGS

4.1 **STRUCTURAL CAPABILITY**

- a) Every building, accessory structure or any part thereof shall be maintained in a structurally sound condition so as to be capable of sustaining its own weight or any additional weight which may be put on it through normal use, and materials which show damage or evidence of decay or other deterioration shall be repaired or replaced.
- b) All exterior exposed surfaces not inherently resistant to deterioration shall be treated with a protective coating or paint or otherwise repaired, coated, sealed or treated to protect them from deterioration or weathering.
- c) The exterior walls, roofs and other parts of a building shall be free from loose, rotten, warped and broken materials and objects; such materials and objects shall be removed, repaired or replaced.

4.2 **FIRE AND ACCIDENT PREVENTION**

- a) When, because of the existence of a building or accessory structure, or the contents thereof, an unsafe condition exists to persons on or about the exterior property areas of premises, The Building Code Act shall apply to the extent necessary to abate the unsafe condition.
- b) In the event that strict application of the regulations of The Building Code Act is not practical, the Property Standards Officer may accept alternative measures, provided the standard of safety that results is generally equivalent to the standard provided by the detailed Building Code Act regulations.
- c) In the event of fire or other disaster, measures shall be taken as soon as possible to make the damaged building or accessory structure compatible with its environment. Without restricting the generality of the foregoing, such measures include making the building or accessory structure safe, repairing damaged surfaces exposed to view, and refinishing so as to be in harmony with adjoining undamaged surfaces and the general

environment.

- d) In the event the building or accessory structure is beyond repair or not repaired, the land shall be cleared of all remains and left in a graded, level, and tidy condition.
- e) Materials of an inflammable nature shall be safely stored or removed at once from the property.

4.3 **PEST PREVENTION**

- a) All buildings shall be kept free of rodents, vermin and insects at all times and methods used for exterminating rodents or insects or both shall be in accordance with the provisions of The Pesticides Act, R.S.O.,1980, and all regulations passed pursuant thereto.
- b) A basement or cellar window used for ventilation and any other opening in a basement, crawl space or cellar including a floor drain that might permit entry of rodents shall be screened with wire mesh, metal grip or other durable material which will effectively exclude rodents.

4.4 **VENTILATION**

- a) Every habitable room or room where people work shall have an opening or openings for natural ventilation or a system of mechanical ventilation.
- b) All systems of mechanical ventilation or air conditioning shall be maintained in good working order.
- c) Every unheated crawl space shall be adequately vented to the outside air.
- d) Where an aperture such as a window, skylight, or louver is used for ventilation, the aperture shall be maintained so as to be easily opened, kept open, and closed.
- e) Where a system of mechanical ventilation or air conditioning such as an electric fan with a duct leading outside has been installed in a dwelling, the system shall be maintained in good working order.

4.5 **COMPOST HEAPS**

The occupant of a residential property may provide for a compost heap in accordance with the health regulations, provided that the compost pile is no larger than one square metre and 1.8 metres (5.9 ft.) in height and is enclosed on all sides by concrete block, or lumber, or in a forty-five gallon container, a metal frame building with a concrete floor, or a commercial plastic enclosed container designed for composting.

4.6 **ELEVATING DEVICES**

Elevators and other elevating devices including all mechanical and electrical equipment, lighting fixtures, lamps, control buttons, floor indicators, ventilation fans, and emergency communication systems shall be operational and maintained in good condition.

4.7 **DISCONNECTED SERVICES**

Owners of residential buildings or any person or persons acting on behalf of such owner shall not disconnect or cause to be disconnected any service or utility supplying heat, electricity, gas, refrigeration or water to any residential unit or building occupied by a tenant or lessee, except for such reasonable period of time as may be necessary for the purpose of repairing, replacing, or otherwise altering said service or utility.

4.8 **LIGHTING**

- a) Adequate lighting fixtures shall be installed and maintained in all areas so that the work

or operations normally carried out in such areas, or the use of such areas, can be undertaken in safety and without undue eye strain.

- b) All public halls and stairs in multiple dwellings shall be illuminated at all times so as to provide safe passage.

4.9 **THERMAL INSULATION**

Thermal insulation of buildings to minimize heat losses shall be provided in accordance with the provisions of the Ontario Building Code where necessary and practical.

4.10 **DAMPNESS**

The interior floors, ceilings and walls of a building shall be kept free from dampness arising from the entrance or moisture through an exterior wall or through a roof or through a cellar, basement or crawl space.

4.11 **FOUNDATIONS**

- a) The foundation walls and the basement floor of a building or an accessory structure shall be maintained in good repair and structurally sound as to prevent settlement detrimental to the appearance of the building, and to prevent the entrance of moisture, insects or rodents into the building.
- b) Without limiting the generality of subsection a), the maintenance of a foundation includes:
 - i) The jacking-up, underpinning or shoring of the foundation where necessary;
 - ii) Installing subsoil drains below interim grade of basements and crawl spaces where such would be beneficial;
 - iii) The grouting of masonry cracks;
 - iv) Waterproofing the walls and joints;
 - v) The carrying out of such other work as may be required to overcome any existing settlement detrimental to the appearance of the building;
 - vi) Repairing or replacing decayed, damaged or weakened sills, piers, posts or other supports;
 - vii) Making sills, piers, posts or other supports waterproof and resistant to insects by the application of suitable materials or treatment.

4.12 **EXTERIOR WALLS**

- a) Exterior walls, parapet walls and components thereof shall be maintained in good repair, weather-tight, free from graffiti and loose or unsecured objects and materials in a manner to prevent deterioration due to weather or infestation or deterioration detrimental to the appearance of the building.
- b) Without limiting the generality of subsection a), the maintenance of exterior walls includes:
 - i) The applying of paint or materials to preserve all exterior wood and metal work;
 - ii) The applying of paint or materials to improve or maintain a pleasant and satisfying appearance at least commensurate with that of the neighbourhood;
 - iii) the restoring, repairing or replacing of the wall, the bricks and mortar, the stucco, shingles or cladding, the coping, the flashing and the waterproofing and the caulking of the wall and joints.

- c) All canopies, marquees, signs, awnings, fire escapes, stand pipes, exhaust ducts, and similar overhanging extensions shall be maintained in good repair, be properly anchored and shall be protected from the elements and against decay and rust by the periodic application of a weather coating material such as paint or other protective treatment.
- d) All cornices, belt courses, corbels, terracotta trim, wall facings, and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.
- e) All air conditioners shall be maintained in a safe mechanical and electrical condition and water condensators directed so as not to create a hazard.
- f) Where mechanical ventilation is used the ventilating duct which is on the exterior wall shall not be located closer than 1.8 metres (6 feet) from a window located in an adjoining building, or in the building in which the ventilating duct is located.

4.13 **ROOFS**

- a) The roof including a fascia board, soffit and cornice, shall be maintained in a weather tight condition so as to prevent leakage and free from loose or unsecured objects or materials and will be free from graffiti.
- b) Without restricting the generality of subsection a), the maintenance includes repairing of the roof and flashing, applying waterproof coating, installing or repairing eaves trough and rain water piping, and using other suitable means.
- c) Dangerous accumulations of snow or ice or both shall be removed.
- d) Eaves troughs and downpipes shall be kept in good repair, free from obstructions and properly secured to the building.

4.14 **EGRESS**

- a) Every dwelling unit or building shall have satisfactory means of egress to meet Part 11 of the Ontario Building Code.

4.15 **EXTERIOR DOORS AND WINDOWS**

- a) Exterior doors and windows shall be maintained in good repair, reasonably draft free and weather tight and free from graffiti.
- b) Exterior doors shall be kept weather resistant through the use of appropriate weather resistant materials.
- c) Nothing in this Section shall be construed as preventing doors, windows and other openings in an unoccupied building or accessory structure from being protected from damage or to prevent entry, provided that protection of exterior doors and windows is prohibited for unoccupied buildings, unless this protection is fitted and painted or otherwise covered to blend in with the exterior of the building.

4.16 **WALLS AND CEILINGS**

- a) Interior walls and ceilings shall be maintained in good condition and free of holes or cracks and loose plaster or other material.
- b) Without restricting the generality of subsection a) maintenance includes repairing or filling holes and cracks and removing and replacing loose or defective parts.
- c) Where fire resistant walls exist between separate dwelling units, they shall be maintained in a condition which maintains their fire resistant quality.

4.17 **FLOORS**

- a) Floors shall be maintained in a clean and sanitary condition, reasonably smooth and level and free of loose, warped or decayed boards, depressions, protrusions, deterioration or other defects which are health, fire or accident hazards.
- b) Where floors are covered, the covering shall be maintained in a safe condition free from worn, torn, damaged or holed parts in which dirt collects or which forms a health or accident hazard.
- c) Lavatory or washroom floors, shower-room floors, toilet room and bathroom floors shall be maintained reasonably impervious to water and in a condition conducive to easy cleaning.
- d) Basements which are served by a stairway leading from inside the building or from outside the building shall have a durable finished floor, and where required, shall have a floor drain located at the lowest point of the said floor, which shall be connected to a storm drain or storm sewer system.
- e) A finished floor in a basement shall be free from major cracks, breaks or such as may create a hazardous condition.
- f) Without restricting the generality of subsection a), b), c), d) and e), maintenance includes installing, repairing, refinishing and replacing a floor or floor covering to the required standards.

4.18 **STAIRS & PORCHES**

- a) Any inside or outside stair, balcony, porch or canopy shall be maintained so as to be free of holes, cracks and other defects which may constitute possible accident hazards.
- b) Without restricting the generality of subsection a), the maintenance includes repairing and replacing of treads or risers that show excessive wear or are broken, warped or loose or otherwise defective and supporting structural members that are rotted or deteriorated. Precast or poured concrete steps shall be maintained in good repair and to correct settlement.
- c) All stairs, balconies, porches and canopies shall be painted or coated with a preservative unless constructed of material inherently resistant to deterioration.
- d) A handrail or guard shall be installed and maintained in good repair on the open side of a stairway and on the open side of a balcony, porch or landing so as to provide protection against accident or injury.

4.19 **CHIMNEYS & FIRE PLACES**

- a) Every chimney smoke pipe and flue in or on a building, actually in use or available for use, shall be maintained so as to prevent gases from leaking into the building, and at all times shall be kept in good repair and maintained free from loose or broken capping.
- b) Without restricting the generality of subsection a), the maintenance includes clearing the flue of obstructions, sealing open joints and repairing masonry.
- c) Every fireplace used or intended to be used in a building for burning fuel in open fires shall be maintained so that adjacent combustible material and structure members shall not be heated to unsafe temperatures.
- d) Without restricting the generality of subsection c), the maintenance includes securing the connection to a chimney that complies with the CAN/CSA-B365-M standard of the Ontario Building Code, lining and repairing and relining with fire resistant material, and installing and repairing and replacing the hearth.

SECTION 5 - STANDARDS OF FITNESS FOR OCCUPANCY

5.1 PLUMBING & PLUMBING FIXTURES

- a) All installed plumbing, including plumbing fixtures, drains, vents, water pipes, water closets and connecting lines to the water and sewer systems, shall be maintained in good working order and repair, free from leaks or other defects.
- b) Every dwelling shall be provided with an adequate supply of potable running water from a source approved under the Ontario Building Code.
- c) All dwellings shall have the sanitary facilities connected to a sewage system approved under the Ontario Building Code.
- d) Every self-contained dwelling unit shall be provided with a bathroom and toilet room with provision for privacy that is accessible and available to all occupants having at least:
 - i) One toilet;
 - ii) One bathtub or shower or combination bathtub and shower;
 - iii) One wash basin located in or immediately adjacent to every room containing a water closet or urinal;

that are:

 - iv) In good working order.
 - v) Served with hot and cold running water (only cold water connection required to water closets and urinals).
 - vi) Connected to the drainage system.
- e) The hot water serving the wash basin and bathtub or shower required by subsection d) shall be provided so that it may be drawn from the tap at a temperature of not less than 38 degrees C (100 degrees F) and shall not exceed 49 degrees C (120 degrees F).
- f) Rooms containing sanitary conveniences and toilet facilities shall:
 - i) Be regularly cleaned so as to be maintained in a clean and sanitary condition;
 - ii) Have surfaces reasonably impervious to water;
 - iii) Be kept in a safe and bacteria free condition.
- g) No facilities for the preparation, cooking, storage or consumption of food, or for sleeping, shall be contained within a room that contains a toilet.
- h) Non-residential buildings that are places of employment shall be used in accordance with Subsection 3.7.4 of the Ontario Building Code.
- i) Where toilet, kitchen or bathroom facilities are shared by occupants of residential accommodation other than self-contained dwelling units, an appropriate entrance shall be provided from a common passageway, hallway, corridor or other common space to the room or rooms containing the said facilities. The number of toilets, kitchens or bathrooms required shall be related to the number of occupants sharing the facility.

5.2 HEATING SYSTEM

- a) Every dwelling unit shall be provided with a heating system which maintains a room temperature of 20 degrees C (68 degrees F) in all habitable rooms, bathrooms and toilet rooms.

- b) The heating system required by subsection a) shall be maintained in good working condition so as to be capable of heating the dwelling safely.
- c) Permanently sealed connections shall be kept between all heating equipment involving combustion and a chimney or flue which provides sufficient outlet for venting to the exterior of all gases so as to prevent any health, fire or accidental hazard.
- d) Approved connections shall be kept between all heating and cooking equipment burning gaseous fuels and the supply line.
- e) A space that contains a heating unit shall have a natural or mechanical means of supplying air in such quantities to provide adequate combustion.
- f) No room heater shall be placed so as to cause a fire hazard to walls, curtains and furniture, nor to impede the free movements of persons within the room where the heater is located.
- g) Where any heating equipment burns solid or liquid fuel, a place or receptacle for the storage of the fuel shall be provided and maintained in a convenient location and properly constructed so as to be free from fire or accident hazard and maintained to the standard provided by the Energy Act as amended or other applicable legislation.

5.3 **ELECTRICAL SERVICES**

- a) Every dwelling unit and, where required by the Building or Electrical Safety Codes, all buildings and accessory structures shall be:
 - i) Connected to an electrical supply system and wired to receive electricity.
 - ii) provided with an adequate supply of electric power available at all times.
- b) The capacity of the connection to the building and the system of circuits distributing the electrical supply within the building shall be adequate for the use and intended use and shall be in compliance with The Electrical Safety Code.
- c) Every habitable room, except a kitchen, shall contain at least one electrical duplex convenience outlet and every kitchen shall contain at least two duplex convenience outlets.
- d) Fuses or overload devices shall not exceed limits set by Hydro-One.
- e) Existing wiring and electrical equipment shall be in good, serviceable and safe condition as required by Hydro-One.

5.4 **KITCHENS**

- a) Every self-contained dwelling unit shall contain a kitchen area equipped with a sink served with hot and cold water, storage facilities, a countertop work area and space for a stove and refrigerator.
- b) Every kitchen sink shall have a drain area of an impervious surface and shall be connected to an appropriate drain.
- c) Every main cooking space shall have provided an adequate and approved energy source.
- d) All combustible materials in the area of a cooking surface shall meet the standards of the Ontario Building Code.
- e) All habitable rooms, except kitchens, shall be provided with a source of natural light.

5.5 **OCCUPANCY STANDARD**

- a) A non-habitable room shall not be used as a habitable room.
- b) No portion of a building shall be occupied if it does not meet the requirements of this By-law.
- c) The maximum number of occupants in a dwelling unit shall not exceed one person per 9.3 square metres (100 square feet) of habitable room floor area.
- d) No basement shall be used as a dwelling unit unless it is otherwise permitted and it meets the following requirements:
 - i) The dwelling unit meets all requirements for egress, light and ventilation set out in this By-law;
 - ii) Floors and walls are constructed so as to be impervious to leakage of underground and surface runoff water.

SECTION 6 - VACANT LANDS AND BUILDINGS

All repairs and maintenance of property shall be carried out with suitable and sufficient materials and in a manner accepted as good workmanship within the trades concerned. All new construction or repairs shall conform to the Ontario Building Code where applicable.

6.1 **VACANT LANDS**

Vacant land shall be graded, filled or otherwise drained so as to prevent recurrent ponding of water.

6.2 **VACANT BUILDINGS**

- a) Vacant buildings shall be kept cleared of all garbage, rubbish and debris and shall have all water, electrical and gas services turned off except for those services that are required for the security and maintenance of the property.
- b) The owner or agent of a vacant building shall board up the building to the satisfaction of the Property Standards Officer by covering all openings through which entry may be obtained with at least 12.7 mm (0.5 inch) weather-proof sheet plywood securely fastened to the building and painted a colour compatible with the surrounding walls.

SECTION 7 - NON –RESIDENTIAL PROPERTY STANDARDS

All repairs and maintenance of property shall be carried out with suitable and sufficient materials and in a manner accepted as good workmanship within the trades concerned. All new construction or repairs shall conform to the Ontario Building Code where applicable.

7.1 **YARDS**

- a) The warehousing or storage of material or operative equipment that is required for the continuing operation of the industrial or commercial aspect of the property shall be maintained in a neat and orderly fashion so as not to create a fire or accident hazard or any unsightly condition and shall provide unobstructive access for emergency vehicles.

7.2 **STRUCTURAL SOUNDNESS**

- a) Every part of a building structure shall be maintained in a sound condition so as to be capable of safely sustaining its own weight load and any additional load to which it may be subjected through normal use, having a level of safety required by the Ontario

Building Code. Structural members or materials that have been damaged or indicate evidence of deterioration shall be repaired or replaced.

- b) Walls, roofs, and other exterior parts of a building or structure shall be free from loose or improperly secured objects or materials.

SECTION 8 - ADMINISTRATION AND ENFORCEMENT

8.1 PROPERTY STANDARD OFFICER

This By-law shall be administered and enforced by a Property Standards Officer appointed by the Municipality of Brooke-Alvinston.

8.2 ADMINISTRATION AND ENFORCEMENT

The administration and enforcement of this By-law is to be carried out in accordance with Section 15 of the Building Code Act, S.O. 1992.

- a) When any lands are not maintained pursuant to the requirements of this By-law, the By-law Enforcement Officer or designated person shall send Notice to the current or registered property Owner on title at the subject address listed on title. Such notice, in the form of an Order to Comply, shall detail the violation and allow the owner 14 days (unless otherwise stated by Council) from time of receipt to correct the violation. Such notice shall be deemed received, if delivered other than by hand, within five days after the date of the notice.
- b) If the Owner of any property fails to comply with anything required to be done accordance with this by-law, the Municipality of Brooke-Alvinston in addition to all other remedies, shall:
 - i) Have the right to proceed with appropriate measures in order to bring the property into compliance with this By-law, and for this purpose with its servants and agents from time-to-time to enter in and upon the property.
 - ii) Not be liable to compensate such owner or any other person having an interest in the property by reasons of anything done by or on behalf of the Municipality of Brooke-Alvinston under provisions of this subsection, and
 - iii) Have the right to recover from the Owner of the property any amount expended by or on behalf of the Municipality of Brooke-Alvinston under the authority of this section together with an administrative fee representing 10% of the amount expended by or on behalf of the municipality to a maximum of \$5,000.00
- c) It is hereby declared that each and every of the foregoing provisions of the By-law is servable and that, if any provisions of this By-law should, for any reasons, be declared invalid by any court, It is the intention and desire of this Council that each and every of the then remaining provisions hereof shall remain in full force and effect.

8.3 NOTICE OF VIOLATION

- a) If, after inspection, the Officer is satisfied that in any respect the property does not conform to the standards prescribed in this By-law, he/she may make an order,
 - i) Stating the municipal address or legal description of the property;
 - ii) giving reasonable particulars of the repairs to be made or stating that the site is to be cleared of all buildings, structures, debris or refuse and left in a graded and levelled condition;
 - iii) indicating the time for complying with the terms and conditions of the order and giving notice that, if such repairs or clearance are not carried out within the time, the Municipality may carry out the repairs or clearance at the expense of the owner; and

- iv) Indicating the final date for giving notice of appeal from the order.
- b) The order shall be served on the owner of the property and such other persons affected by it as the Officer determines and a copy of the order may be posted on the property.
- c) The order may be registered in the proper registry office and, upon such registration, any person acquiring any interest in the land subsequent to the registration of the order shall be deemed to have been served with the order on the date on which the order was served and when the requirements of the order have been satisfied, the Clerk of the Municipality shall forthwith register in the proper land registry office a certificate that such requirements have been satisfied, which shall operate as a discharge of such order.

8.4 **RIGHTS OF APPEAL**

- a) When an owner or occupant upon whom an order has been served in accordance with this By-law is not satisfied with the terms or conditions of the order, he/she may appeal by registered mail to the Secretary of the Committee within fourteen (14) days after service of the order, and in the event that no appeal is taken, the order shall be deemed to have been confirmed.
- b) The Secretary of the Committee, in receipt of a notice of appeal, shall determine the date, place and timing of the hearing of the appeal which shall take place not less than seven (7) days and not more than thirty (30) days from the date of receipt of the foresaid notice and shall give notice in writing of the date, place and time of the hearing to the appellant and the Officer who issued the order.
- c) When an appeal has been taken, the Committee shall hear the appeal and shall have all the powers and functions of the Officer and may confirm the order to demolish or repair or may modify or quash it or may extend the time for complying with the order provided that, in the opinion of the Committee, the general intent and purpose of the By-law and of the Official Plan or policy statement are maintained.
- d) The Committee shall give a copy of its written decision to the appellant and the Officer who issued the order.
- e) The Municipality in which the property is situate or any owner or occupant or person affected by a decision of the Committee may appeal to a Judge of the Ontario Court (General Division) by so notifying the Clerk of the Corporation in writing and by applying for an appointment within fourteen (14) days after the sending of a copy of the decision and:
 - i) the Judge shall, in writing, appoint a day, time and place for the hearing of the appeal and in his/her appointment, may direct that it shall be served upon such persons, and in such manner as he/she prescribes;
 - ii) The appointment shall be served in a manner prescribed;
 - iii) The Judge on such appeal has the same powers and functions as the Committee.
- f) The order as deemed to have been confirmed by the Officer or as confirmed or modified by the committee or, in the event of an appeal to the judge as confirmed or modified by the judge, shall be final and binding upon the owner and occupant who shall make the repair or effect the demolition within the time and in the manner specified in the order.

8.5 **EMERGENCY ORDER**

Despite any other provisions of this By-law, if upon inspection of a property the Officer is satisfied there is nonconformity with the standards prescribed in the By-law to such extent as to pose an immediate danger to the health or safety of any person the Officer may make an order containing particulars of the nonconformity and requiring remedial repairs or other work to be carried out forthwith to terminate the danger.

8.6 **EMERGENCY POWERS**

After making an order under section 8.3 of this By-law, the Officer may, either before or after the order is served, take or cause to be taken any measures he/she considers necessary to terminate the danger, and for this purpose the municipality has the right, through its servants and agents, to enter in and upon the property from time to time.

8.7 The Provisions of this By-law do not apply to municipally owned or controlled property.

SECTION 9 - ENACTMENT

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

Read a First and Second and Third time and finally passed this xxth day of June, 2022.

MAYOR

CLERK ADMINISTRATOR



Council Staff Report

To: Mayor Ferguson and Members of Council
Subject: Tanner Redick Memorial Ball Tournament - SOP Request (Optimist Club)
Meeting: Council - 23 Jun 2022
Department: Clerks
Staff Contact: Janet Denkers, Clerk Administrator

Recommendation:

That the Council of the Municipality of Brooke-Alvinston has no objections to the Alvinston Optimist Club obtaining a Special Occasion Permit for the Tanner Redick Memorial Tournament(July 21- 24, 2022) as the event is deemed an event of municipal significance to the community.

Background:

The Tanner Redick Memorial Ball Tournament Committee has planned the event for July 21-24, 2022. This is the second annual tournament.

Comments:

The Optimist Club will be hosting a refreshment area / bar under the pavilion while the ball tournament is underway and have requested permission to do so. The refreshment area is a fundraiser for the Optimist Club.

Financial Considerations:

There are no costs associated with the request from the Optimist Club in hosting a refreshment area.

ATTACHMENTS:

[Optimist Request letter](#)

Janet Denkers

From: john koolen <koolen.john1@gmail.com>
Sent: Monday, June 13, 2022 11:04 PM
To: Janet Denkers
Subject: Resolution letter

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

Hi Janet. Could the Optimist Club get a Municipal resolution letter for the Tanner Reddick Memorial Ball Tournament. The tournament will be going on July 21-24 2022. The Optimist Club is running the bar for it and as you know just about every dime the Club makes off of these bars goes back into our community.

If the Municipality could help the Club to get this permit it would be greatly appreciated.

Thanks in advance.

John Koolen



Council Staff Report

To: Mayor Ferguson and Members of Council
Subject: Bluewater Power Shareholder Resolution
Meeting: Council - 23 Jun 2022
Department: Clerks
Staff Contact: Janet Denkers, Clerk Administrator

Recommendation:

That the Mayor and Clerk be authorized to sign the attached resolutions as presented.

Background:

The Municipality of Brooke-Alvinston holds shares with Bluewater Power Distribution Corporation.

Comments:

As per requirements, resolutions are required and the attached correspondence requesting this is attached. The signing of the resolutions is routine annually.

Financial Considerations:

None associated with this report.

ATTACHMENTS:

[Shareholder Resolution Municipality of Brooke-Alvinston June 2022](#)



P.O. Box 2140
 855 Confederation Street
 Samia, Ontario N7T 7L6
 Tel: (519) 337-8201
 Fax: (519) 344-6094

June 13, 2022

The Municipality of Brooke-Alvinston
 3236 River Street, Box 28
 Alvinston, ON N0N 1A0

Via Email

Attention: D. Ferguson, Mayor – mayor@brookealvinston.com
 J. Denkers, Clerk-Administrator – jdenkers@brookealvinston.com

Dear Sir and Madame:

Re: Shareholders Annual General Meeting – Written Resolution

This letter relates to the Annual General Meeting (AGM) of Bluewater Power Distribution Corporation and its affiliates (the "Corporations").

Bluewater Power Distribution Corporation (BPDC) and its affiliates are required to hold an Annual General Meeting (AGM) of its shareholders. As we have done for a number of years, we will meet the technical requirements for the AGM by resolution in writing and we will hold a separate informational session for the public on June 30, 2022.

With respect to the required written resolutions, please find enclosed the resolution required to be executed by your municipality as the shareholders of your electricity holding company. One aspect of that resolution is to appoint your mayor and clerk as the directors of the holding company and, then, the second resolution is to be signed by your mayor and clerk as the directors of the holding company, which is a shareholder in Bluewater Power Corporation. The resolutions deal with the business of the shareholders as follows:

- (1) *Appoint your director to Bluewater Power Distribution Corporation and its affiliates;*
- (2) *Appoint the Auditors of the Corporation: confirm the re-appointment of KPMG;*
- (3) *Acknowledge receipt of audited financial statements dated April 30, 2022; and*
- (4) *Confirm all actions in the prior year, including the declaration of dividends as evidenced in the financial statements.*

We trust the foregoing is satisfactory. If you have any questions, please contact the undersigned.

Sincerely,

A handwritten signature in black ink, appearing to read "AP", is written over a horizontal line.

Alex Palimaka
 Senior Vice President & General Counsel
 Tel: (519) 337-8201 ext. 2292 / Fax: (519) 344-6094
 email: apalimaka@bluewaterpower.com

cc: Janice McMichael-Dennis

/Enc.

ALVINSTON ELECTRICITY HOLDINGS INCORPORATED

(the “Corporation”)

RESOLUTION OF SHAREHOLDER

Annual Financial Statements

BE IT RESOLVED:

THAT the balance sheet of the Corporation showing the financial position of the Corporation as at December 31, 2021, and the statement of earnings for the Corporation’s financial year ended December 31, 2021 and the Corporation’s statement of cash flows for the year ended December 31, 2021 are hereby accepted.

BE IT RESOLVED:

THAT all acts, intentions and undertakings of the Board and the Officers of the Corporation, including the declaration of dividends evidenced in the financial statements set out above, are confirmed and approved.

Appointment of Auditors

BE IT RESOLVED:

THAT KPMG LLP Chartered Accountants be appointed as auditors of the subsidiaries to the Corporation but the shareholder waives the requirement for an audit of the Corporation.

Election of Directors

BE IT RESOLVED that:

David Ferguson
Janet Denkers

are elected as directors of the Corporation to hold office until the next annual meeting of the Corporation or until his or her successor has been duly elected or appointed, subject to the provisions of the Corporation's bylaws.

BE IT RESOLVED that;

Brad Goodhill

is elected as director of the affiliates to the Corporation to hold office until the next annual meeting of Bluewater Power Corporation, Bluewater Power Distribution Corporation, Bluewater Power Services Corporation, Bluewater Power Renewable Energy Inc., Electek Power Services Inc., Unconquered Sun Solar Technologies Inc. and Bluewater Regional Networks Inc. or until his or her successor has been duly elected or appointed, subject to the provisions of the Affiliates' bylaws. Further, the directors of the Corporation are authorized to execute such further documentation as may be required to further this resolution.

THE FOREGOING RESOLUTIONS are hereby consented to by the shareholders of the Corporation pursuant to the Business Corporations Act (Ontario), as evidenced by its signature hereto.

DATED effective the 30th day of June, 2022.

THE MUNICIPALITY OF BROOKE-ALVINSTON

Mayor

Clerk-Administrator

BLUEWATER POWER CORPORATION

(the “Corporation”)

RESOLUTION OF SHAREHOLDERS

Annual Financial Statements

BE IT RESOLVED:

THAT the balance sheet of the Corporation showing the financial position of the Corporation as at December 31, 2021, and the statement of earnings for the Corporation’s financial year ended December 31, 2021 and the Corporation’s statement of cash flows for the year ended December 31, 2021 are hereby accepted.

BE IT RESOLVED:

THAT all acts, intentions and undertakings of the Board and the Officers of the Corporation, including the declaration of dividends evidenced in the financial statements set out above, are confirmed and approved.

Appointment of Auditors

BE IT RESOLVED:

THAT KPMG LLP Chartered Accountants be appointed as auditors of the Corporation until the next annual meeting of shareholders or until a successor is appointed. The Audit shall be performed in a consolidated basis and the shareholders waive the requirement for an audit of the Corporation on a non-consolidated basis.

Election of Directors

BE IT RESOLVED that:

Richard Grogan
F. Glenn Jones
Brad Goodhill

are elected as directors of the Corporation to hold office until the next annual meeting of the Corporation or until his or her successor has been duly elected or appointed, subject to the provisions of the Corporation’s bylaws.

THE FOREGOING RESOLUTIONS are hereby consented to by the shareholders of the Corporation pursuant to the Business Corporations Act (Ontario), as evidenced by its signature hereto.

This resolution is signed effective June 30, 2022 and may be signed in counterparts and signature by copy or facsimile shall be treated as original.

SARNIA POWER CORPORATION

Richard Grogan, Chair

F. Glenn Jones, Vice Chair

Date

PETROLIA ELECTRICITY HOLDINGS INC.

Brad Loosley

Rick Charlebois

Date

**ALVINSTON ELECTRICITY
HOLDINGS INC.**

Dave Ferguson

Janet Denkers

Date

**OIL SPRINGS ELECTRICITY
HOLDINGS INC.**

Ian Veen

Martha Gawley

Date

**WARWICK ELECTRICITY
HOLDINGS INC.**

Jackie Rombouts

Amanda Gubbels

Date

**POINT EDWARD ELECTRICITY
HOLDINGS INC.**

Bev Hand

Jim Burns

Date



4218 Oil Heritage Road
 Petrolia, Ontario, N0N 1R0
 Phone: (519) 882-0032 Fax: (519) 882-2233
 www.dobbineng.com

June 20, 2022

The Mayor and Council
 Municipality of Brooke-Alvinston
 3236 River Street
 Alvinston, ON
 N0N 1A0

Re: Ruth Drain

Three (3) sealed tenders for the Ruth Drain were received and opened on April 28, 2022 at the Municipality of Brooke-Alvinston Municipal Office.

Following the tender opening, the schedule of tender prices from each bid was reviewed by R. Dobbin Engineering to ensure correct unit price extensions and total tender prices. Following are the confirmed, corrected, tender prices submitted (including HST):

- AG Hayter \$91,020.37
- VanBree Drainage \$96,045.25
- Robinson Farm Drainage \$96,948.35

Based on this review, the bid from AG Hayter in the amount of \$91,020.37 (including HST) for the drainage work is the lowest price tendered and meets all of the requirements stipulated in tender documents. This tender price is 28% higher than the engineer's estimate of \$71,030.67 (including HST). R. Dobbin Engineering recommends awarding the drainage works to AG Hayter.

We trust this meets your requirements at this time; however, should you have any questions regarding this information, please feel free to call.

Regards,

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

David Moores
 Project Manager, R. Dobbin Engineering Inc.

| Estimate of Cost | | | | | |
|------------------|------------------------------|----------|------|------------|-----------|
| Item | Description | Quantity | Unit | Unit Price | Total |
| 1 | Preconstruction Meeting | 1 | LS | 0.00 | 0.00 |
| 2 | Benchmark Loop | 1 | LS | 0.00 | 0.00 |
| | | | | | 0.00 |
| Ruth Drain | | | | | |
| 1 | Expose Existing Tile | 1 | LS | 0.00 | 0.00 |
| 2 | Strip Topsoil | 1 | LS | 0.00 | 0.00 |
| 3 | Remove Exisitng CB | 1 | LS | 290.00 | 290.00 |
| 4 | S. & I. 525mm dia. Conc Tile | 880 | m | 56.08 | 49,349.00 |
| 5 | S. & I. 375mm dia. HDPE Tile | 12 | m | 100.83 | 1,210.00 |
| 6 | S. & I. 900 x 1200 DICB | 2 | each | 2,085.00 | 4,170.00 |
| 7 | Outlet Works | 1 | LS | 3,385.00 | 3,385.00 |
| 8 | Connect Exisitng Tile Drains | 20 | each | 29.00 | 580.00 |
| 9 | Surface Water inlet and Berm | 1 | LS | 920.00 | 920.00 |
| 10 | Restoration | 1 | LS | 0.00 | 0.00 |
| 11 | Environmental Considerations | 1 | LS | 0.00 | 0.00 |
| Ruth Drain | | | | | 59,904.00 |
| Subtotal | | | | | 59,904.00 |
| Misc. | | | | | 2,955.00 |
| Total | | | | | 62,859.00 |
| HST | | | | | 8,171.67 |
| Ruth Drain Total | | | | | 71,030.67 |

| AG Hayter | | | | Tender Results | | | | VanBree | | | | Robinson | | | |
|-----------|-----|------------|-----------|----------------|-----|------------|-----------|----------|-----|------------|-----------|----------|-----|------------|-----------|
| Item | Qty | Unit Price | Total | Item | Qty | Unit Price | Total | Item | Qty | Unit Price | Total | Item | Qty | Unit Price | Total |
| 1 | 1 | 350.00 | 350.00 | 1 | 1 | 330.00 | 330.00 | 1 | 1 | 500.00 | 500.00 | 1 | 1 | 1,000.00 | 1,000.00 |
| 2 | 1 | 750.00 | 750.00 | 2 | 1 | 320.00 | 320.00 | 2 | 1 | 700.00 | 700.00 | 2 | 1 | 0.00 | 0.00 |
| | | | 1,100.00 | | | | 650.00 | | | | 1,200.00 | | | | |
| 1 | 1 | 1,215.00 | 1,215.00 | 1 | 1 | 1,672.00 | 1,672.00 | 1 | 1 | 1,000.00 | 1,000.00 | 3 | 1 | 400.00 | 400.00 |
| 2 | 1 | 0.00 | 0.00 | 2 | 1 | 0.00 | 0.00 | 2 | 1 | 0.00 | 0.00 | 4 | 880 | 70.00 | 61,600.00 |
| 3 | 1 | 375.00 | 375.00 | 3 | 1 | 175.00 | 175.00 | 3 | 1 | 175.00 | 175.00 | 5 | 12 | 120.00 | 1,440.00 |
| 4 | 880 | 66.00 | 58,080.00 | 4 | 880 | 66.30 | 58,344.00 | 4 | 880 | 66.30 | 58,344.00 | 6 | 2 | 3,500.00 | 7,000.00 |
| 5 | 12 | 147.00 | 1,764.00 | 5 | 12 | 126.40 | 1,516.80 | 5 | 12 | 126.40 | 1,516.80 | 7 | 1 | 3,500.00 | 3,500.00 |
| 6 | 2 | 2,655.00 | 5,310.00 | 6 | 2 | 2,765.00 | 5,530.00 | 6 | 2 | 2,765.00 | 5,530.00 | 8 | 20 | 150.00 | 3,000.00 |
| 7 | 1 | 2,692.00 | 2,692.00 | 7 | 1 | 5,790.00 | 5,790.00 | 7 | 1 | 5,790.00 | 5,790.00 | 9 | 1 | 1,800.00 | 1,800.00 |
| 8 | 20 | 125.00 | 2,500.00 | 8 | 20 | 97.90 | 1,958.00 | 8 | 20 | 97.90 | 1,958.00 | 10 | 1 | 1,500.00 | 1,500.00 |
| 9 | 1 | 2,218.00 | 2,218.00 | 9 | 1 | 4,460.00 | 4,460.00 | 9 | 1 | 4,460.00 | 4,460.00 | 11 | 1 | 400.00 | 400.00 |
| 10 | 1 | 1,765.00 | 1,765.00 | 10 | 1 | 1,825.00 | 1,825.00 | 10 | 1 | 1,825.00 | 1,825.00 | | | | |
| 11 | 1 | 575.00 | 575.00 | 11 | 1 | 120.00 | 120.00 | 11 | 1 | 120.00 | 120.00 | | | | |
| | | | 76,494.00 | | | | 81,390.80 | | | | 81,640.00 | | | | |
| Subtotal | | | 77,594.00 | Subtotal | | | 82,040.80 | Subtotal | | | 82,840.00 | | | | |
| Misc. | | | 2,955.00 | Misc. | | | 2,955.00 | Misc. | | | 2,955.00 | | | | |
| Total | | | 80,549.00 | Total | | | 84,995.80 | Total | | | 85,795.00 | | | | |
| HST | | | 10,471.37 | HST | | | 11,049.45 | HST | | | 11,153.35 | | | | |
| Total | | | 91,020.37 | Total | | | 96,045.25 | Total | | | 96,948.35 | | | | |
| Eng. % | | | 128% | Eng. % | | | 135% | Eng. % | | | 136% | | | | |

THE CORPORATION OF THE MUNICIPALITY OF BROOKE-ALVINSTON

BY-LAW NUMBER xx OF 2022

(Being a By-law to amend By-law 9 of 2013)

WHEREAS the Council of the Corporation of the Municipality of Brooke-Alvinston passed a comprehensive Zoning By-law 9 of 2013 on the 28th day of February 2013; and

WHEREAS the Council deems it desirable to make certain amendments to its comprehensive Zoning By-law;

NOW THEREFORE, the Council of the Corporation of the Municipality of Brooke-Alvinston enacts as follows:

1. Schedule “A”, attached, is hereby declared to form part of this By-law.
2. Schedule “A” to By-law 9 of 2013 is hereby amended by changing the zone symbol that applies to those lands indicated on Schedule “A” to this By-law from the “Mixed Commercial / Industrial Holding (CM(h))” Zone” to the “Residential (R1) Zone”.
3. This By-law shall come into force and effect pursuant to Sections 34 (21) or Section 34 (30) of the Planning R.S.O. 1990.

Read a first, second and third time and finally passed this xxth day of June 2022

David Ferguson, Mayor

Janet Denkers, Clerk Administrator

THE CORPORATION OF THE MUNICIPALITY OF BROOKE-ALVINSTON

ZONING BY-LAW NUMBER xx OF 2022

Explanatory Note

The purpose of this Zoning By-law amendment is to rezone lands located on the south side of Shiloh Line, east of Nauvoo Road, from “Mixed Commercial / Industrial Holding (CM(h))” to “Residential (R1)”.

The applicant intends to create residential building lots on the lands.

The Key Map and Schedule “A” show more particularly the lands affected.

Municipality of Brooke-Alvinston

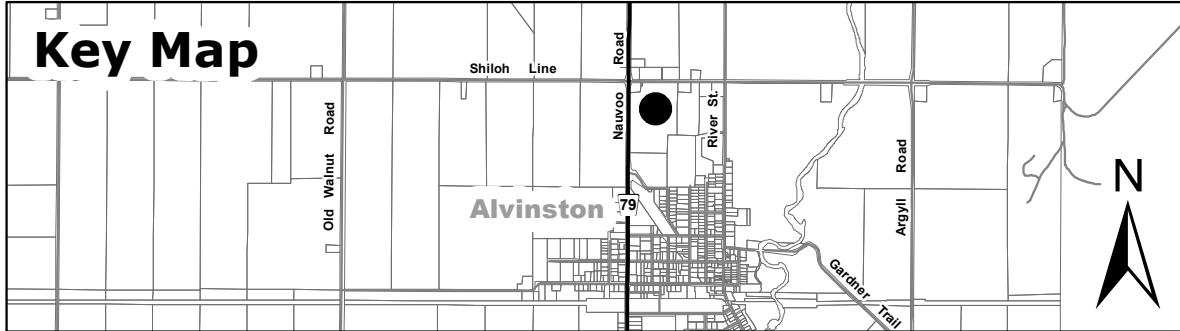
SCHEDULE "A"

to By-law No. _____

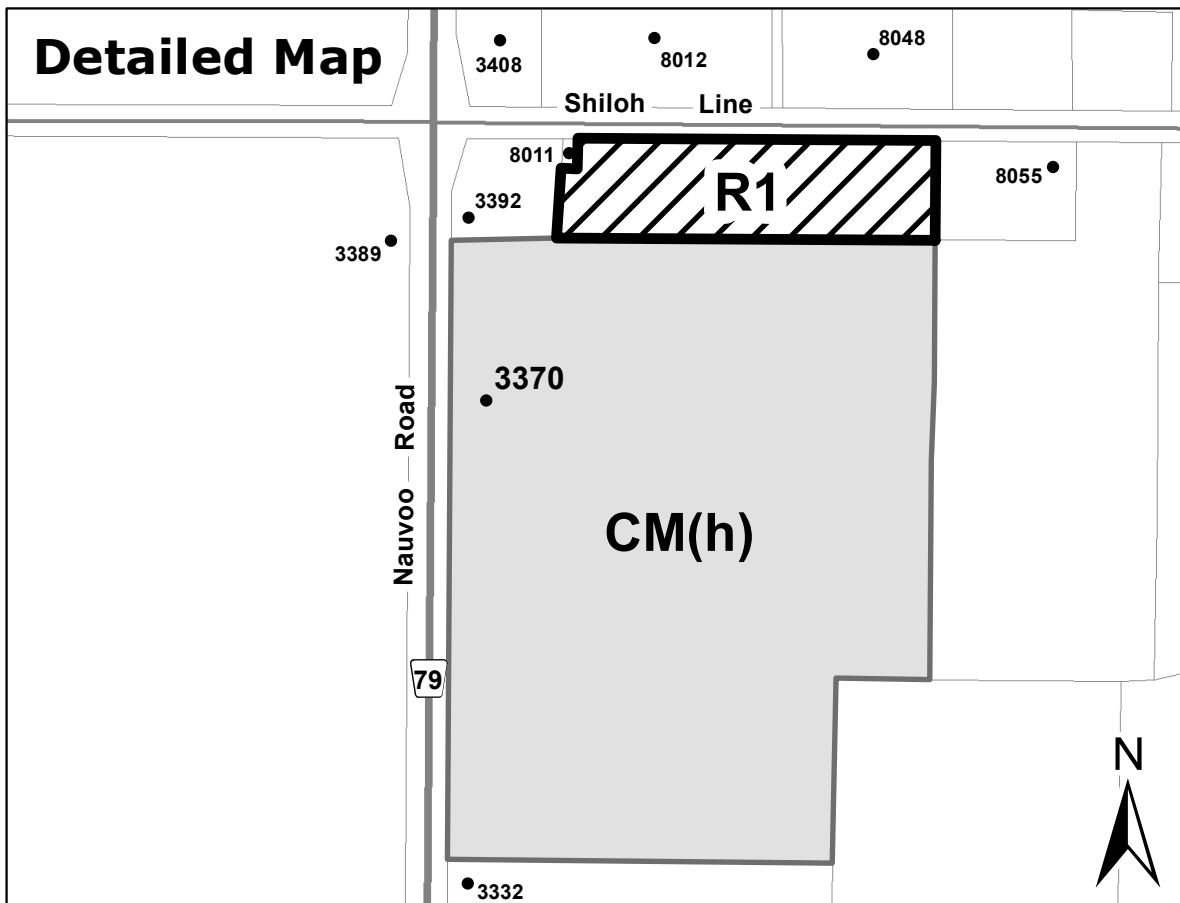
Dated this _____ Day of _____, 2022

Signed: _____
David Ferguson, Mayor

Janet Denkers, Clerk-Administrator



● Subject Property



APPLICANT: Kevin Tizzard (Owner: Marilyn Dolbear)

LOCATION: Part Lot 19, Concession 6
3370 Nauvoo Road, Alvinston, Brooke-Alvinston.

File:

**AMENDMENT NO. 5
TO THE
MUNICIPALITY OF BROOKE-ALVINSTON
OFFICIAL PLAN**

County of Lambton
Planning and Development
Department
June, 2022

MUNICIPALITY OF BROOKE-ALVINSTON
Official Plan Amendment No. 5

This amendment was adopted by the Council of the Municipality of Brooke-Alvinston by By-law ____ of 2022 in accordance with the provisions of Section 22 (1) and 17 (15) of the Planning Act, R.S.O. 1990, on the ____ day of _____, 2022.

Corporate
Seal

Mayor

Clerk

CERTIFICATE OF COMPLIANCE
WITH PUBLIC INVOLVEMENT
AND NOTICE REQUIREMENT

I, Janet Denkers, Clerk for the Municipality of Brooke-Alvinston, hereby certify that the requirements for the holding of at least one public meeting as set out in subsection 17(15) of the Planning Act, R.S.O.1990 and the giving notice as set out in subsection 17(19) of the Planning Act, R.S.O.1990, have been complied with.

Clerk

MUNICIPALITY OF BROOKE-ALVINSTON
BY-LAW NUMBER _____ OF 2022

The Council of the Municipality of Brooke-Alvinston, in accordance with the provisions of Section 17 (22) of the Planning Act, R.S.O. 1990, hereby enacts as follows:

1. Amendment No. 5 of the Municipality of Brooke-Alvinston Official Plan, consisting of the attached text and maps, is hereby adopted.

2. The Clerk is hereby authorized and directed to make application to the County of Lambton for approval of Amendment No. 5 to the Municipality of Brooke-Alvinston Official Plan.

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

ENACTED AND PASSED THIS ____ DAY OF _____, 2022.

MAYOR

CLERK

Certified that the above is a true copy of By-law No. ____ of 2022 as enacted and passed by the Council of the Municipality of Brooke-Alvinston on the ____ day of _____, 2022.

Clerk, Municipality of Brooke-Alvinston

**AMENDMENT NO. 5
TO THE MUNICIPALITY OF BROOKE-ALVINSTON
OFFICIAL PLAN**

INDEX

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| <u>PART C - APPENDIX</u> | 3 |

STATEMENT OF COMPONENTS

PART A - THE PREAMBLE does not constitute part of this amendment.

PART B - THE AMENDMENT consisting of the following text constitutes Amendment No. 5 to the Municipality of Brooke-Alvinston Official Plan.

PART C - APPENDIX does not constitute part of this amendment. This appendix contains background data, planning considerations and a record of the public involvement associated with this amendment.

-1-

PART A - THE PREAMBLE**1. PURPOSE**

This amendment would redesignate the subject lands from the current “Mixed Commercial/Industrial” designation to the “Residential” designation.

2. LOCATION

The lands affected by Official Plan Amendment No. 4 are described as Lots 4 to 7, Plan 5. The subject lands are located on the south side of Shiloh Line, east of Nauvoo Road.

The lands are owned by Marilyn Dolbear and are shown more particularly on the Key Map.

3. BASIS

The applicant is planning to establish residential building lots on the lands being redesignated.

The Official Plan Amendment is necessary to allow the proposed uses on the property that is being redesignated.

The subject lands are also subject to a Zoning By-law Amendment that is being considered concurrently with this Official Plan Amendment.

Additional information is included in **PART C - THE APPENDIX**

- 2 -

PART B - THE AMENDMENT1. **INTRODUCTION**

All of this part of the document entitled **PART B - THE AMENDMENT** consisting of the following text constitutes Amendment No. 5 to the Official Plan of the Municipality of Brooke-Alvinston.

2. **DETAILS OF THE AMENDMENT**

The Official Plan for the Municipality of Brooke-Alvinston is amended as follows:

- 1) The area indicated on the attached Schedule “A” is hereby redesignated from the “Mixed Commercial/Industrial” designation to the “Residential” designation.

3. **IMPLEMENTATION AND INTERPRETATION**

The implementation and interpretation of this amendment shall be in accordance with the policies of the Official Plan of the Municipality of Brooke-Alvinston.

PART C - THE APPENDIX

The following appendix does not constitute part of Amendment No. 5 but is included as information supporting the amendment.

APPENDIX 1Planner’s Report

APPENDIX 2.....Minutes of Public Meeting

APPENDIX 1.

Planner's Report (Presented to the Municipality's Council at the public meeting).

APPENDIX 2

Minutes of Public Meeting

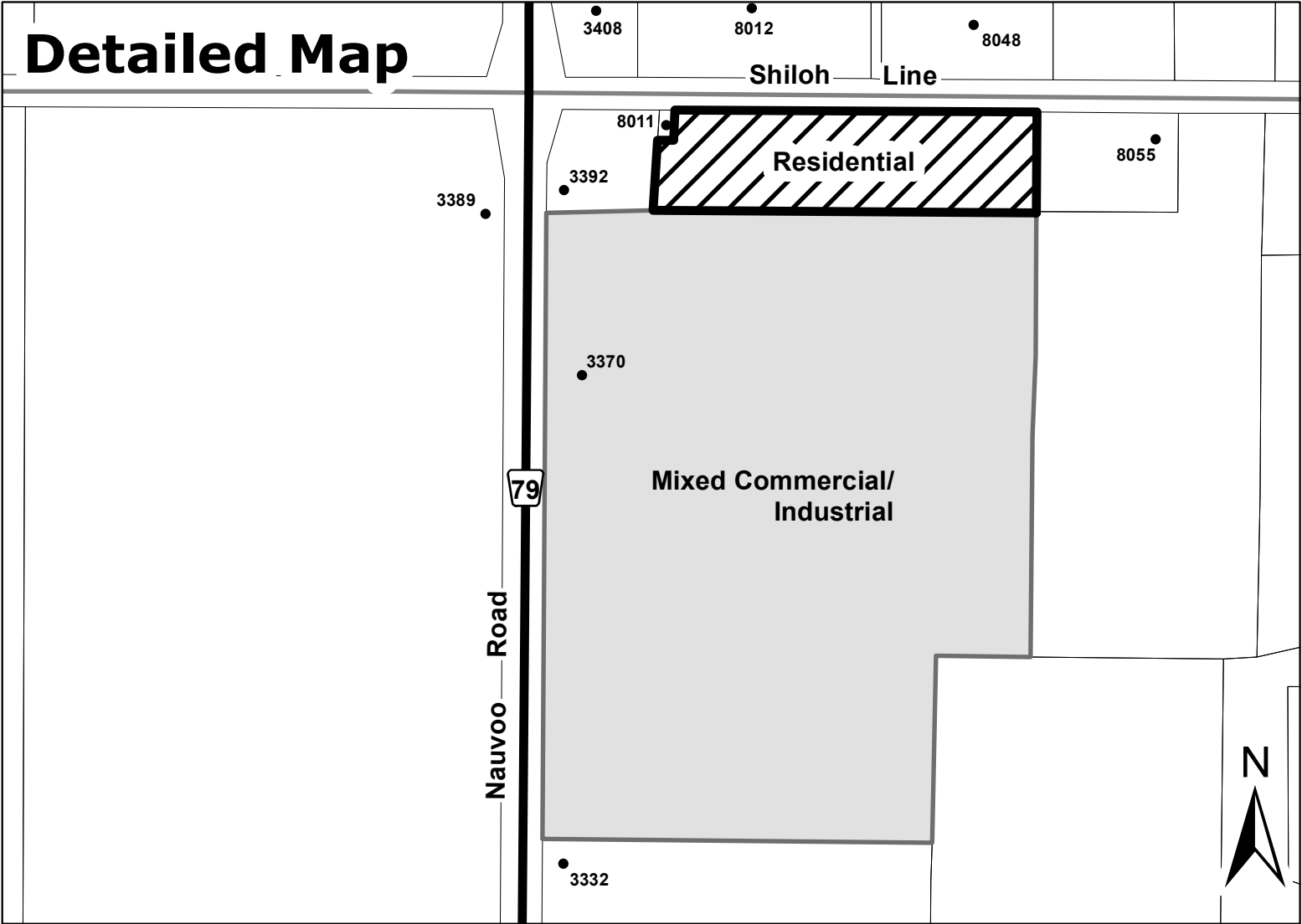
Municipality of Brooke-Alvinston

SCHEDULE "A" LAND USE PLAN

THIS SCHEDULE FORMS PART OF AMENDMENT NO. 5 TO THE MUNICIPALITY OF BROOKE-ALVINSTON OFFICIAL PLAN AND MUST BE READ WITH THE WRITTEN TEXT.

Signed: _____
David Ferguson, Mayor

Janet Denkers, Clerk-Administrator



Lands subject to OPA # 5

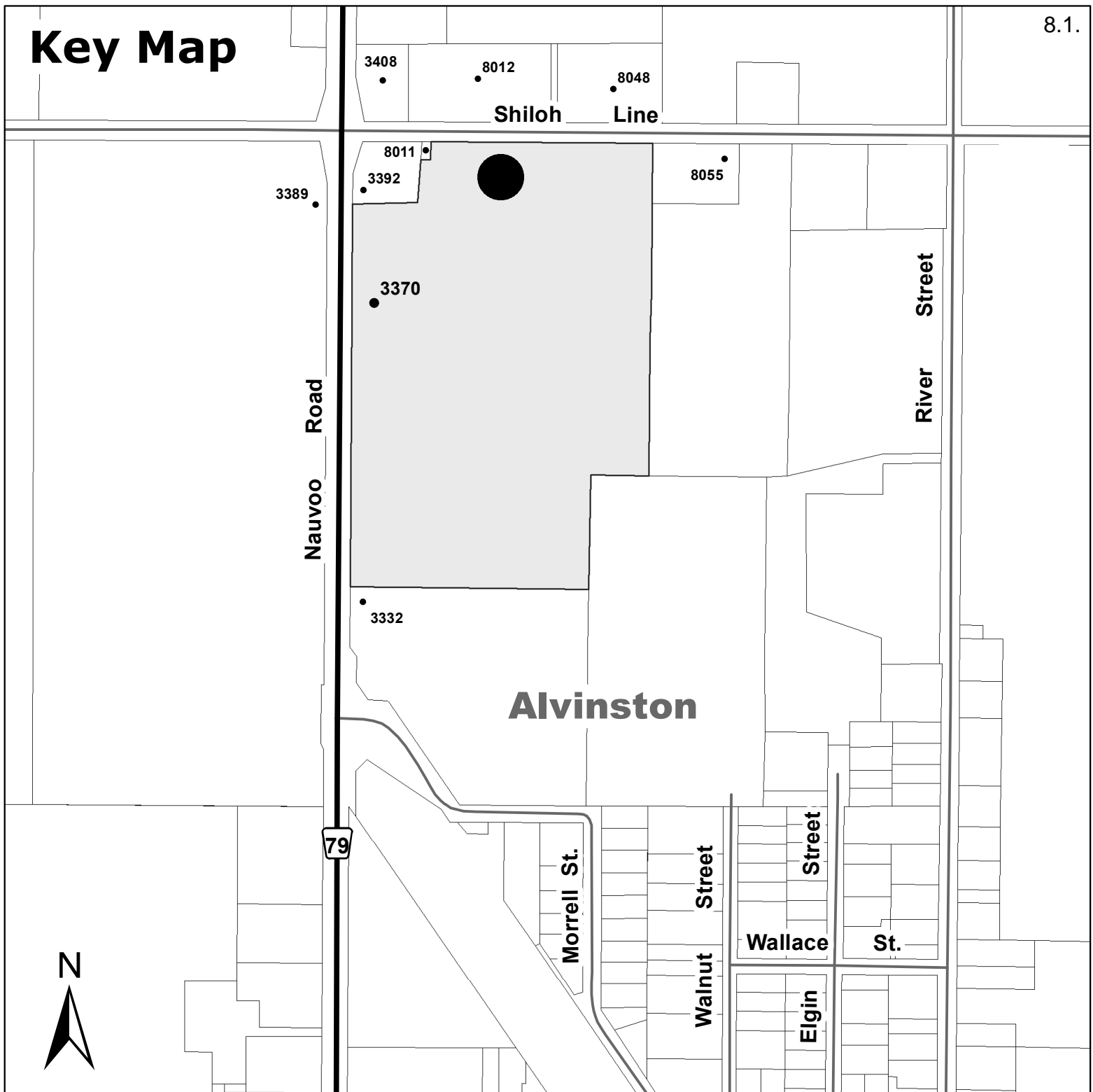
APPLICANT: Kevin Tizzard (Owner: Marilyn Dolbear)

LOCATION: Part Lot 19, Concession 6
3370 Nauvoo Road, Alvinston, Brooke-Alvinston.

FILE: OPA # 5

Key Map

8.1.



SUBJECT AREA

APPLICANT: Kevin Tizzard (Owner: Marilyn Dolbear)

LOCATION: Part Lot 19, Concession 6
3370 Nauvoo Road, Alvinston, Brooke-Alvinston.

FILE: OPA # 5