

**THE CORPORATION OF THE MUNICIPALITY OF  
CHATHAM-KENT**

**CHATHAM-KENT COUNCIL MEETING**

**COUNCIL CHAMBERS, CHATHAM-KENT CIVIC CENTRE**

**August 11, 2014**

**4:00 P.M.**

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**1. CALL TO ORDER**

The Mayor called the meeting to Order.

Present were: Mayor Randy Hope, Councillors Bondy, Brown, Crew, Faas, Fluker, Gilbert, Herman, King, Myers, Leclair, Pinsonneault, Stirling, Sulman, Vercouteren, and Wesley

Absent: Councillors Parsons and Robertson

**2. DISCLOSURES OF PECUNIARY INTEREST (DIRECT OR INDIRECT)  
AND THE GENERAL NATURE THEREOF**

**3. SUPPLEMENTARY CLOSED SESSION AGENDA ITEMS**

**4. RECESS TO CLOSED SESSION**

**5. ADJOURNMENT OF CLOSED SESSION**

**6. APPROVAL OF SUPPLEMENTARY AGENDA**

The Municipal Clerk noted that there was one supplementary agenda item. The Audit Policy Committee minutes from its meetings held on June 23 and July 14, 2014 will be added to the Consent Agenda as Item 11(c)(iii).

**7. DISCLOSURES OF PECUNIARY INTEREST (DIRECT OR  
INDIRECT) AND THE GENERAL NATURE THEREOF**

Councillor Myers declared a conflict with regard to Item 14(c) - Motion by Councillor Stirling re Rondeau Provincial Park as a family member owns property.

Councillor Wesley declared a conflict regarding Item 8(a) - Application for Consent, Community Living Wallaceburg as a family member sits on the Board of Directors.

Councillor Vercouteren declared a conflict with regard to Item 15(a) – Surplus Properties due to business.

## **8. PLANNING (*electronic voting*)**

The Clerk reviewed the procedure to be followed during the planning meeting. Mr. Robert Brown, Storey Samways Planning Ltd. explained for members of the public that if any person or public body that files an appeal of a decision of The Corporation of the Municipality of Chatham-Kent in respect of a proposed planning application does not make any oral submission at the public meeting or any written submission to The Corporation of the Municipality of Chatham-Kent before the proposed Zoning By-law Amendment is approved, the Ontario Municipal Board may dismiss all or part of the appeal.

She also advised that information on Council's actions would be published on the municipal website ([www.chatham-kent.ca](http://www.chatham-kent.ca)). All persons receiving notice of this meeting will receive a Notice of the Passing of a By-law, relating to any of the planning applications presented here tonight, if approved, including appeal procedures. Any other person who wishes to receive a Notice of Passing or a Notice of Council's decision must submit a written request to the Municipal Clerk.

- (a) Combined Application for Consent (File B-37/14) &  
Zoning By-law Amendment (File D-28 WA/16/14/C)  
Community Living Wallaceburg, Community of Wallaceburg

The Mayor asked if any person from the public had an interest in the application. There were no members from the public noted as being present with an interest in the matter. The applicant was present at the meeting.

Councillor Faas moved, Councillor Leclair seconded:

**"That**

**1. Council approve consent application B-37/14 concerning 427 Nelson Street, Part of Lots 168 & 169, Plan 116, in the Community of Wallaceburg to create one (1) new residential lot shown as Part 3 on the applicant's sketch, subject to the following conditions:**

- i) that the Chatham-Kent Zoning By-law be amended to rezone Parts 1 to 5 on the applicant's sketch from Residential Second High Density, "(RH2-421)" to Residential Third Low Density, "(RL3)";**
- ii) that the Chatham-Kent Zoning By-law be amended to rezone lands known as 505 Nelson Street from Residential Second High Density, "(RH2-422) to Residential Third Low Density, "(RL3-422)" to include a parking area as an additional permitted use;**
- iii) that the applicant pay for and install a new water connection to the severed parcel, according to Municipal standards;**
- iv) that the applicant pay for and install a new sanitary sewer connection to the retained parcel, according to Municipal standards;**
- v) that the applicant obtain civic addresses based on the overall new lot configuration of the subject lands;**
- vi) that the applicant consolidate Part 1 and Part 2 on the applicant's sketch, PIN # 00564-0020 & 00564-0019 under one PIN #;**
- vii) that the necessary deed(s), transfer or charges be submitted in triplicate; signed and fully executed (no photo copies) including a**

hard copy and AutoCAD.dwg version of the final reference plan projected to the NAD 83/UTM 17N coordinate system, prior to certification.

2. Council approve the zoning amendment application D-28 WA/16/14/C and adopt the by-law to implement the consent.”

The Mayor put the Motion

Councillor	Vote	Councillor	Vote
Bondy	yes	Parsons	Absent
Brown	yes	Pinsonneault	yes
Crew	yes	Robertson	Absent
Faas	yes	Stirling	yes
Fluker	yes	Sulman	yes
Gilbert	yes	Vercouteren	yes
Herman	yes	Wesley	Conflict
King	yes	Mayor Hope	yes
Leclair	yes	<b>Total 15 Yes</b>	<b>0 No</b>
Myers	yes		

**Motion Carried**

## REGULAR

### 9. PRESENTATIONS

- (a) Presentation by Jim Hogan, President and Chief Executive Officer, Entegrus Inc. re Cost of Electricity

#### **ENTEGRUS POWERLINES INC.**

**TO:** Mayor and Members of Council

**FROM:** Jim Hogan

**DATE:** July 24, 2014

**SUBJECT:** Council Motion re: Cost of Electricity

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#### **BACKGROUND**

Entegrus has been requested to provide the following information to Council:

- (a) A breakdown of the reasons for the cost increases in electricity; (b) A forecast of electricity prices for the next 1-5 years;
- (c) Information on the competitiveness of Chatham-Kent electricity prices compared to other local municipalities, Michigan and Ohio;
- (d) Advise Council on what steps or actions (if any are available) can be taken by the Municipality and Entegrus to maintain competitive electricity pricing which will assist local businesses and residents.

#### **COMMENTS:**

**(A) Reasons for the Cost Increases in Electricity:**

In November of 2010, former Ontario Energy Minister Dwight Duncan announced that electricity prices would increase 46% over a five year period. Duncan indicated that electricity rates would rise as the province shifted away from coal-fired generation to renewable energy sources for which the government would pay much higher prices.

Minister Duncan noted, *“We are all paying for decades of neglect by governments of all political stripes. We had to invest. These were necessary, unavoidable costs.”*

Since Minister Duncan’s announcement, electricity commodity prices have increased across all rate classes. Please see **Exhibit I**, which shows graphs of electricity commodity price trends in Ontario for the following rate class divisions: (i) Residential and Small Commercial customers, and (ii) Large Commercial customers, including the GS>50 kW, Intermediate and Large User rate classes.

As shown in **Exhibit I**, for Large Commercial customers, the true cost of electricity commodity in Ontario is represented by the aggregate of the average hourly price and the Province’s Global Adjustment. The Global Adjustment is an additional charge set by the Independent Electricity System Operator (“IESO”) to support Ontario’s contracted generating capacity and to cover the cost of conservation programs in Ontario.

### **(B) Forecasted Ontario Electricity Prices:**

In December 2013, the Ontario government released its new Long Term Energy Plan. The Plan disclosed that average monthly residential bills would rise 42% over the next few years. Energy Minister Bob Chiarelli indicated that his government faced an “energy deficit” and needed to spend \$32 billion to improve transmission and distribution networks, as well as new and cleaner generation. The Plan confirmed that Ontario would not build nuclear reactors. Instead, the Province would refurbish the Bruce and Darlington stations while phasing-out coal-fired generation. Minister Chiarelli noted, *“We had a lot of damage control to do so we had to invest in the system”*.

As part of the Plan, the Ontario Power Authority released a forecast of Ontario residential electricity bill prices from 2014-2032. Please see **Exhibit II** attached. The forecast shows continuation of the current trend of rising electricity prices.

### **(C) Electricity Prices Compared to Other Municipalities & Jurisdictions:**

Please see **Exhibit III** for a comparison of total typical monthly bills for electrical distributors in the Southwestern Ontario. These graphs show that Entegrus is at or below the median rate when compared to other distributors in the region.

In terms of comparing to other jurisdictions, please see **Exhibit IV** for a comparison of total electricity bills for the same corporation operating in Chatham-Kent, Michigan and Ohio. The comparison shows that while the total cost per kWh is relatively comparable between jurisdictions, the cost of electricity commodity is cheaper in the U.S. Conversely, distribution costs are cheaper in Ontario.

While the cost of electricity in Ontario has increased over the past 7 years, the Entegrus portion of residential rates has remained relatively consistent between \$24 per month and \$26 per month. This can be seen in **Exhibit V**, which breaks down total monthly electricity costs between provincial costs and Entegrus costs.

### **(D) Steps and Actions to Maintain Competitive Electricity Prices:**

Entegrus remains committed to controlling distribution costs. For the past 5 years, Entegrus has been recognized by the Ontario Energy Board as a strong performer in

terms of cost efficiency. **Exhibit VI** shows the Ontario Energy Board's 2014 efficiency rankings for the 75 electrical distributors in the province. It can be seen that Entegrus is amongst the most efficient distributors in the province.

Some of Entegrus' efficiency is rooted in its successful acquisition of other distributors, including Middlesex Power, Dutton Hydro and Newbury Power. These acquisitions have assisted Entegrus in achieving a unique balance of economies of scale and local service.

Schools Energy Coalition representative and professional electricity industry intervenor Jay Shepherd recently recognized Entegrus' efforts as follows: "*Entegrus Powerlines is a utility that has provided safe and reliable electricity distribution at a reasonable cost.*"

Beyond efficiency, it is important to provide strong customer service and advise customers on managing energy costs. Such services provided by Entegrus include:

- **Customer Meetings:** Entegrus continues to meet with individual customers to provide information and discussions about electricity costs, Global Adjustment, power quality, reliability and energy efficiency incentives.
- **Customer Seminars:** In December 2013, Entegrus hosted the "Taking Charge of Your Energy Costs" event at the Bradley Centre. Presentations at the event included industry experts discussing topics such as "Understanding the Global Adjustment", energy efficiency incentives for business, understanding commercial and industrial electricity bills, as well as other topics.
- **Power Quality Information Sessions:** In February 2014, in partnership with Municipal Economic Development, and in response to customer concerns regarding power quality and reliability in Wallaceburg, Entegrus hosted an Information Session focused on assessing "behind the meter" power quality.
- **Business-Specific Power Quality Assessments:** Entegrus provides full scale power quality assessments upon customer request. These assessments include service level and behind the meter data collection, monitoring and analysis. In some cases, power quality assessments can pinpoint unwanted reactions, or interactions, between the various units of customer equipment.
- **Residential Conservation Programs:** Entegrus continues to offer conservation programming, including the Peaksaver Plus program. Peaksaver Plus provides residential customers with an in-home display which has allowed some homeowners to significantly reduce their consumption.
- **Commercial Conservation Incentive Applications:** Entegrus continues to assist commercial customers with successful applications to the Ontario Power Authority for energy incentive dollars. The Entegrus team is committed to working with customers to identify and implement existing energy efficiency opportunities as well as new program upgrades as released.

Entegrus is very active in the Ontario electrical distribution industry via its representation on the board of the Electricity Distributors Association ("EDA"), as well as various levels of membership on a cross-section of EDA committees. This participation allows for influence, meetings and submissions with the various industry provincial agencies (Ministry of Energy, Ontario Energy Board, Ontario Power Authority, and Independent Electricity System Operator) on industry issues such as the cost of electricity.

Prepared by:

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Mr. Hogan provided Council with an presentation regarding the cost of electricity focusing on the following key issues:

- Breakdown of the reasons for the cost increase in electricity.
- Forecast of electricity prices for the next 1-5 years.
- The competitiveness of Chatham-Kent electricity prices compared to other local municipalities, Michigan, and Ohio.
- Actions that can be taken by the Municipality and Entegrus to maintain competitive electricity pricing which will assist local businesses and residents.

In response to a question by Councillor Wesley, Mr. Hogan noted that he would support a letter from Council to The Premier and the Minister of Energy to reinforce the fact that municipalities need assistance in reducing hydro rates.

Councillor Stirling noted that there have been problems with Smart Meters in Saskatchewan where the meters have posed a fire hazard. Mr. Hogan noted that the meters in Saskatchewan are manufactured by a different company than the meters used by Entegrus or by Hydro One in the Chatham-Kent area.

Mayor Hope noted that there are meetings taking place during the upcoming AMO Conference and requested that a motion to send a letter to the Premiere and the Minister of Energy wait until after those meetings have taken place and administration can get a clearer picture of what issues need to be highlighted in that letter.

Councillor Wesley requested that a copy of this presentation be sent to the local BIA's and Chambers of Commerce and an insert be included in future bills highlighting the information presented tonight.

Councillor Fluker moved, Councillor Herman seconded:

**“That the report be received for information.”**

The Mayor put the Motion

**Motion Carried**

- (b) Presentation by Dr. April Rietdyk, Director, Public Health re Chatham-Kent Community Gardens

The Director of Public Health explained that Public Health is the major funder for the community gardens throughout Chatham-Kent and provided Council with an overview of the community gardens that are in place throughout Chatham-Kent. Policies and procedures were established in January of 2014 through the Board of Health to provide a gardeners code of conduct and guide the development of new gardens.

Councillor King moved, Councillor Faas seconded:

**“That the report be received for the information of Council.”**

The Mayor put the Motion

**Motion Carried**

- (c) Presentation by Dr. April Rietdyk, Director, Public Health re Business Plan

**MUNICIPALITY OF CHATHAM-KENT**

**CAO and Council**

**CAO's OFFICE**

**TO:** Mayor and Members of Council  
**FROM:** Don Shropshire, Chief Administrative Officer  
**DATE:** July 30, 2014  
**SUBJECT:** Business Plans – Public Health

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This report is for the information of Council.

**BACKGROUND**

It has been recognized that, business planning has become crucial for public sector organizations because of a significant reduction in funding with increased community demand for quality services, as well as to engage our community, to provide transparency of government, and to provide a means to show citizens how their tax dollars are being invested to provide municipal services.

Council directed the Chief Administrative Officer to create business plans. The business planning process is to incorporate Council's Directions and allocate resources accordingly. The expected timeline to complete the standardized business plan template and for the initial business unit plans to be completed, was estimated to take from 18 months up to two years. The timeline for this project has been accelerated.

The first business plans will be presented to Council during the summer of 2014 with the balance of the plans being reviewed during the fall months of 2014. (refer to Appendix I- list of business units to submit business plans)

This report outlines for Council the process for presenting business plans.

**COMMENTS**

It is essential that a mechanism to connect Council objectives to business unit strategies, budget, performance measurement and continuous improvement be followed and that the performance measurement framework be flexible enough to adapt to changing priorities without unduly sacrificing the measurement of progress over time.

Our business planning process provides that framework. It links Council's vision for the community to budgets and work plans and ensures a consistent strategic direction. It also provides a solid foundation for making decisions regarding programs and services, as well as for allocating resources in a manner consistent with that direction. It helps to ensure that the programs and services offered by the Municipality provide value and are responsive to our citizens and customers.

A total of thirty-five (35) business plans are expected to be presented for review. Current information suggests that it will take at least twenty minutes for each Director/Manager to present their plan to Council. Presenting each business plan will take a significant amount of time, and we feel that there will not be sufficient time during the remaining scheduled Council meetings to present all of the business plans prior to the end of the year.

Therefore, we recommend that one business plan, Public Health, be presented to Council. Although this business plan will be tabled, this presentation will allow Council an opportunity to advise administration on how much detail they would prefer when presenting business plans in the coming weeks. Administration will then develop a systemic approach to presenting the plans based on Council's comments and provide a recommendation at the next scheduled Council meeting.

### **CONSULTATION**

This recommendation was reviewed and is supported by the following members:

1. Chief Administrative Officer

### **FINANCIAL IMPLICATIONS**

There are no direct financial implications resulting from the Integrated Business Planning Process, however, by linking our budget process with our business plans could result in efficiencies and more effective allocation of resources.

Prepared by:

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Amy Wilcox, CPA, CMA, PMP  
Community Development Analyst/ Manager, Project Management Office

Reviewed by:

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Don Shropshire, MBA  
Chief Administrative Officer

The Director of Health works provided Council with an overview of the Business Plan for Public Health.

Councillor King moved, Councillor Myers seconded:

**“That the information be received for the information of Council**

The Mayor put the Motion

**Motion Carried**

## **10. DEPUTATIONS - ITEMS ON CURRENT AGENDA** *(requests must be received by 3:00 p.m.)*

The following persons spoke with regard to Item 14(c) – Motion by Councillor Stirling re Rondeau Provincial Park:

- Peter Stewart, Partner, George Robb Architect on behalf of the Rondeau Cottagers Association
- David Kirwin, Kirwin Fryday Medcalf Lawyers on behalf of the Rondeau Cottagers Association
- Dr. David Colby, President, Rondeau Cottages Association



## 11. CONSENT AGENDA

- a) Information Reports
  - (i) Lega-Istriaana Commemorative Rock Placement, Kingston Park, Community of Chatham
  - (ii) Traffic Control Study: McNaughton Avenue West at Keil Drive North, Community of Chatham
- b) Routine Approvals
  - (i) Taxes and Assessment Adjusted to June 30, 2014
  - (ii) Dedication By-laws
- c) Committee Reports
  - (i) Committee of Adjustment, Citizen Panel minutes from its meeting held on June 26, 2014
  - (ii) Drainage Board Recommendations from its meetings held on July 8 and August 5, 2014
  - (iii) Audit Policy Committee minutes from its meeting held on June 23, 2014

Councillor Stirling requested that Item #11(a)(i) - Lega-Istriaana Commemorative Rock Placement, Kingston Park, Community of Chatham be set aside for discussion

Councillor Myers requested that Item #11(a)(ii) – Traffic Control Study: McNaughton Avenue West at Keil Drive North, Community of Chatham be placed aside for discussion.

Councillor Stirling moved, Councillor Vercooteren seconded:

**“That the Items listed on the Consent Agenda be approved as presented and that action be taken as required, excluding those items placed aside.”**

The Mayor Put the Motion

**Motion Carried**

Item #11(a)(i) Lega-Istriaana Commemorative Rock Placement, Kingston Park, Community of Chatham

### MUNICIPALITY OF CHATHAM-KENT

#### COMMUNITY DEVELOPMENT

#### COMMUNITY SERVICES – PARKS, CEMETERIES AND HORTICULTURE

#### INFORMATION REPORT

**TO:** Mayor and Members of Council

**FROM:** Deb Veccia, Supervisor  
Chatham Parks

**DATE:** July 24, 2014  
**SUBJECT:** Lega-Istria Commemorative Rock Placement  
Kingston Park, Community of Chatham

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This report is for the information of Council.

### **BACKGROUND**

In the late 1950s, 400 Italian families from Istria, an area that was once part of northeastern Italy and is now part of Slovenia and Croatia, immigrated to the Chatham-Kent area. Following World War II, families were displaced from their homes since their existing ones were given to the former Yugoslavia to pay for Italy's losses in World War II. These Istrian-Italian people lost everything they owned and up until a decade ago, this mass exodus (305,000 refugees worldwide) was virtually hidden from everyone. The Istrian-Italian people were not acknowledged as Italian citizens and they felt it was as though they never existed.

The Redpath Sugar Beet Company gave these families the opportunity to start a new life for themselves in Canada, and more specifically, the Chatham-Kent area.

The Istrian-Italian newcomers worked very hard to make Chatham-Kent their new home. They worked the region's sugar beet fields, as well as other cash crops until they had accumulated enough money to pay for their immigration process and eventually purchase their own homes. Some established their own farms (the Furlan family), their own businesses (Rossini's, Maple City Bakery), construction (Perini Painting), helped to build Ontario's infrastructure, Highway 401, bridges, etc. (Facca), built houses and communities, studied at college and university to become educators, doctors and accountants, (Dr. Bernardi, Dr. Perini, Dr. Brezzi), in Chatham-Kent. Chatham-Kent welcomed these displaced families to work, prosper and make this community their new home for their families and for their future generations.

### **COMMENTS**

Istrian-Italian people continue to be vibrant, hard-working individuals who continually give back to Chatham-Kent. The Lega-Istria Social Club was formed over 25 years ago to maintain their culture, roots and heritage.

A request was received from the Lega-Istria Social Club of Chatham-Kent to place a commemorative rock at Kingston Park in the Community of Chatham, to acknowledge the heritage of the Istrian people that settled in Chatham-Kent. Kingston Park is where they often gather for family reunions and various other functions. It was felt that Kingston Park is the ideal location for a memorial where it would be highly visible to commemorate the story of the Istrian newcomers.

This monument is a way to thank and commemorate Chatham-Kent for giving the Istrian-Italian people the opportunity to call Chatham-Kent their home.

### **CONSULTATION**

The Kingston Park location was chosen by the Lega-Istria group. The location of the placement of the rock within Kingston Park will be agreed upon between the Chatham Parks Supervisor and representatives of the Lega-Istria Social Club.

### **FINANCIAL IMPLICATIONS**

There are no financial impacts to the Municipality as a result of this report. The cost of purchasing and installing the rock would be covered by the Lega-Istria Social Club.

Prepared by:

Reviewed by:

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Deborah Veccia, D.P.A.  
Supervisor, Chatham Parks

Reviewed by:

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Tom Beaton, Manager  
Parks, Cemeteries and Horticulture

Reviewed by:

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Evelyn Bish, Director  
Community Services

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Bob Crawford, General Manager  
Community Development

Councillor Stirling recognized the members of the Lega-Istria Social Club and felt that the commemorative rock is an outstanding tribute to a most deserving community in Chatham-Kent.

Councillor Stirling moved, Councillor Faas seconded:

**“That the report be received for information.”**

The Mayor put the Motion

**Motion Carried**

**11(a)(ii) – Traffic Control Study: McNaughton Avenue West at Keil Drive North, Community of Chatham**

Councillor Myers moved, Councillor Pinsonneault seconded:

**“That the report be postponed to the September 8, 2014 Council meeting and that it be listed under the Infrastructure and Engineering Department.”**

The Mayor put the Motion

**Motion Carried**

## **12. NOTICES OF MOTION**

- a) Presentation of new Notices of Motion

Councillor Bondy presented a Notice of Motion regarding the St. Clair College Grant. The matter will be added to September 8, 2014 Council Meeting for discussion and voting.

## **13. HEALTH AND FAMILY SERVICES**

- a) Smoke-Free Public Places and Workplaces By-law

### **MUNICIPALITY OF CHATHAM-KENT**

#### **CHIEF ADMINISTRATIVE OFFICE & HEALTH AND FAMILY SERVICES**

#### **LEGAL SERVICES & PUBLIC HEALTH**

**TO:** Mayor and Members of Council

**FROM:** April Rietdyk, Director, Public Health  
Carina Rodgers, Program Manager, Chronic Disease & Injury  
Prevention  
Daniel Byskal, Legal Officer – Litigation and Insurance

**DATE:** July 23, 2014

**SUBJECT:** Smoke-Free Public Places and Workplaces By-law

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**RECOMMENDATIONS** It is recommended that:

- 1) The following Smoking By-laws be repealed;
  - a) Smoke-Free Public Places and Workplaces By-Law (265-2002)
  - b) Smoking By-law Amendment (336-2002)
  - c) Smoking By-law Amendment (212-2009)
- 2) The Smoke-Free Chatham-Kent By-law, as attached in Appendix A, be adopted.

**BACKGROUND**

Council, in Committee, heard the following recommendations during the March 17, 2014 Committee of the Whole meeting and requested administration prepare an amended by-law for presentation back to Council for approval.

It is recommended that:

1. The Smoke-Free Public Places and Workplaces By-Law (# 265-2002) be amended to prohibit smoking or carrying of lit tobacco in the following locations:
  - All municipally owned and operated parks and recreation facilities
  - All sports and recreation fields including stadium seating around the fields and/or play area
  - All municipally owned and operated beaches
2. The Smoke-Free Public Places and Workplaces By-Law (# 265-2002) be amended to allow an opt-in clause for any business owner or event planner who wishes their event or outdoor patio/premises to be smoke-free and supported under the by-law.

Since the Committee of the Whole meeting, further issues related to tobacco control have been brought to the attention of Public Health and other partners within the Municipality. Hookah bars and vapor lounges, where waterpipe and e-cigarette smoking occur have been opening across the province, and have recently made their way to Chatham-Kent.

A waterpipe, also known as a hookah or narghile, consists of four main components, a small ceramic bowl on top, a stem that connects the bowl to the bottom vase, and one or more hoses. Shisha is usually the product “smoked” in a waterpipe and is typically a combination of tobacco, molasses, and added flavours; it may also be an herbal or non-tobacco product.

An e-cigarette consists of a mouthpiece, liquid cartridge, atomization chamber, a rechargeable battery and an LED light. When a user inhales on the end as they would on a cigarette, air flow is detected by a sensor which activates a heating element called the atomizer. The atomizer vaporizes the liquid solution stored in the mouthpiece called the cartridge. The liquid in the cartridge comes in a variety of flavours and may contain nicotine and other illegal substances such as marijuana oil.

Currently in Ontario, the *Smoke-Free Ontario Act* prohibits the smoking of lighted tobacco in enclosed public places and workplaces, including the use of waterpipes for smoking tobacco. However, the *Smoke-Free Ontario Act* does not prohibit the use of waterpipes to smoke herbal or other non-tobacco products. Similarly, e-cigarettes are not regulated by the *Smoke-Free Ontario Act*, as they do not contain tobacco. However,

e-cigarettes containing nicotine cannot legally be imported, marketed, or sold in Canada without market authorization from Health Canada.

Regulating the smoking of tobacco is a power specifically given to a municipality under Section 115(1) of the Municipal Act, 2001. Section 10(2)(6) does however provide authority for municipalities to pass by-laws respecting the “health, safety and well-being of persons.” The following Ontario municipalities have already passed by-laws prohibiting waterpipe smoking, of tobacco as well as other weeds or substances: St. Thomas, Ottawa, Niagara Falls, Kirkland Lake, Cobalt, Englehart, Peterborough, Orillia, Barrie, and Gwillimbury. These bans range from indoor restaurants and cafes, to sports fields and recreation facilities (NSRA, 2014).

## **COMMENTS**

Hooka smoking is often a social activity with multiple individuals smoking on the same waterpipe at the same time or passing the hose/mouthpiece from person to person. The 2013 Ontario Student Drug Use and Health survey revealed that 10% of youth in grades 7-12 had used a waterpipe in the last year. Hooka smoking among 15-19 year olds doubled in Ontario between 2006 and 2011, from 6% to 12% (Health Canada, 2012). Hooka smoking of tobacco is not safer than smoking cigarettes despite many believing the water acts as a filter removing the nicotine from the smoke inhaled. Recent studies indicate that smoking tobacco in a waterpipe poses health risks similar to those from cigarette smoking (Akl, Gaddam, Gunukula, Honein, Abou Jaoude & Irani 2011; Neergaard, Singh, Job & Montgomery, 2007).

### Health Concerns

Hooka bars and vapor lounges are relatively new to Canada. As such, the research on the health risks associated with hookas and e-cigarettes is just beginning to be published. New evidence is now indicating that waterpipe use for the smoking of herbal, non-tobacco products is exposing individuals to similar and sometimes higher levels of cancer causing chemicals, including polycyclic aromatic hydrocarbons and heavy metals (Hammal et al, 2013). This recent study conducted in Alberta showed higher levels of tar and carbon monoxide in herbal shisha and levels of nitric oxide and benz(a)pyrene at similar levels in herbal and tobacco based shisha. The Ontario Tobacco Research Unit have concluded, even with research just beginning to be published, that staff and visitors to hooka bars and vapor lounges are exposed to air quality levels considered harmful. They base this conclusion on the high levels of carbon monoxide, air nicotine, and fine particulate matter found in these establishments.

There are well established risks associated with tobacco use of any kind, both for the user and bystanders being exposed to second hand smoke. Evidence is now demonstrating that non-tobacco waterpipe use impacts air quality with potential negative consequences on health to users, bystanders and unprotected workers in hooka bars and vapor lounges. One study in Virginia found levels of fine particulate matter or air pollutant particles, higher in hooka bars than in businesses where cigarette smoking continued to be allowed (Cobb, Vansickel, Blank, Jentink, Travers & Eissenberg 2012).

### Enforcement Issues

Similar issues exist with waterpipe smoking. Herbal, non-tobacco products used for waterpipe smoking are unregulated, with no labelling requirements. As such, the smoker is unable to identify what they are actually smoking. Poor labelling also makes it difficult for tobacco enforcement officers to know what is actually being smoked in the waterpipe, complicating enforcement. In a recent air quality study conducted by the Ontario Tobacco Research Unit (OTRU) in twelve indoor “tobacco-free” waterpipe cafes in Toronto, all twelve had nicotine levels comparable to levels found in previous studies on air quality in bars and restaurants where cigarette smoking was allowed (Zhan, Haji, Kaufman, Muir & Ferrence, 2013). Claiming to be tobacco-free does not make shisha or the establishment tobacco-free.

## Smoking Denormalization

Great strides have been made in denormalizing tobacco and cigarette use among youth and children, through the *Smoke-Free Ontario Act*, municipal by-laws, and the dedicated work of public health. Limiting tobacco use and other forms of “smoking” substances, especially in places where the use of regular tobacco has been banned, will benefit the general public and youth by reducing their likelihood of experimenting and becoming addicted to tobacco. It will also limit exposure to second-hand smoke and vapour that may have negative consequences on health to users, bystanders, and unprotected workers in hookah bars and vapour lounges. Both shisha and e-cigarette cartridges are available in a variety of flavours, which are particularly attractive to youth and further undermines the work being done to ban flavoured tobacco and prevent kids from initiating tobacco use. Renormalizing the act of smoking, especially in places where the use of regular tobacco has been banned, and exposing children and youth to the use of e-cigarettes may be a gateway to the use of regular tobacco products and the beginning of a lifetime of nicotine addiction.

Public Health has a responsibility to continue denormalizing all smoking behaviour and promoting a smoke-free lifestyle for all citizens in Chatham-Kent, especially children and youth. Municipal councils have the responsibility to ensure the health, safety, and well-being of local residents and have the authority to pass by-laws that support this protection.

## COUNCIL DIRECTIONS

The recommendations in this report support the following Council Directions:

- JOBS:  
Everyone in Chatham-Kent who wants to work is able to work in meaningful employment
  - PEOPLE:  
Chatham-Kent is a welcoming community where people choose to live, learn, work, and play
  - HEALTH:  
Chatham-Kent is a healthy, active, safe, accessible community within a healthy natural and built environment
  - FINANCIAL SUSTAINABILITY:  
The Corporation of the Municipality of Chatham-Kent is financially sustainable
- Has the potential to support **all** Council Directions
- Neutral issues (does not support negatively or positively)

## CONSULTATION

Numerous municipal by-laws and health unit reports were reviewed in preparation for writing this report. Health Unit employees working in the area of tobacco control were consulted and are in agreement with this report. The Chatham-Kent Board of Health received specific reports on e-cigarettes and waterpipe use.

Legislative Services was consulted and have drafted the by-law for review. The existing municipal regulation of smoking is conducted through three separate bylaws. These by-laws operate separate and distinct from the provincial *Smoke-Free Ontario Act*, SO 1994, c 10. The proposed by-law repeals and replaces the existing municipal by-laws with a single by-law to regulate smoking and is drafted to work in conjunction with the provincial *Smoke-Free Ontario Act*.

## FINANCIAL IMPLICATIONS

There are no financial implications resulting from the recommendation. Costs incurred through signage, education, and enforcement are within the health unit's current

Smoke-Free Ontario budget, funded 100% provincially.

Prepared by:

Prepared by:

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Carina Rodgers, BSc, MPH  
PUBH  
Program Manager, Chronic Disease  
and Injury Prevention  
Chatham-Kent Public Health

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April Rietdyk, RN, BScN, MHS, PhD  
Director, Public Health  
Chatham-Kent Public Health

Reviewed by:

Reviewed by:

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Daniel Byskal, BA, BAsC, JD  
Legal Officer – Litigation and Insurance  
Legislative Services

---

Lucy Brown, R.N., B.A.  
General Manager  
Health and Family Services

Councillor King moved, Councillor Bondy seconded:

**“That**

- 1) The following Smoking By-laws be repealed;**
  - a) Smoke-Free Public Places and Workplaces By-Law (265-2002)**
  - b) Smoking By-law Amendment (336-2002)**
  - c) Smoking By-law Amendment (212-2009)**
- 2) The Smoke-Free Chatham-Kent By-law, as attached in Appendix A, be adopted.”**

Councillor Pinsonneault expressed concern with how the by-law would affect the municipally owned camp sites in Clearville and Mitchell’s Bay. He also felt that the by-law would have a negative impact on special events if smoking is prohibited entirely.

Councillor Pinsonneault moved an Amendment, Councillor Fluker seconded:

**“That Part 3 Exemptions be amended to add:**

**1(d) That special events in public parks have designated smoking areas set up.”**

**1(e) Camp Sites within Mitchell’s Bay and Clearville Park include the entire camp site.”**

Councillor Faas requested that the two parts of the amendment be voted on separately.

The Mayor put the Amendment 1(d)

<b>Councillor</b>	<b>Vote</b>	<b>Councillor</b>	<b>Vote</b>
Bondy	yes	Parsons	Absent
Brown	yes	Pinsonneault	yes
Crew	yes	Robertson	Absent
Faas	yes	Stirling	yes
Fluker	yes	Sulman	yes

Gilbert	yes	Vercouteren	yes
Herman	yes	Wesley	yes
King	no	Mayor Hope	yes
Leclair	yes	<b>Total 14 Yes</b>	<b>1 No</b>
Myers	Abstain		

**Motion Carried**

The Mayor put the Amendment 1(e)

<b>Councillor</b>	<b>Vote</b>	<b>Councillor</b>	<b>Vote</b>
Bondy	yes	Parsons	Absent
Brown	yes	Pinsonneault	yes
Crew	no	Robertson	Absent
Faas	no	Stirling	yes
Fluker	yes	Sulman	no
Gilbert	yes	Vercouteren	yes
Herman	yes	Wesley	no
King	no	Mayor Hope	yes
Leclair	yes	<b>Total 10 Yes</b>	<b>5 No</b>
Myers	Abstain		

**Motion Carried**

The Mayor put the Motion, as amended

<b>Councillor</b>	<b>Vote</b>	<b>Councillor</b>	<b>Vote</b>
Bondy	yes	Parsons	Absent
Brown	no	Pinsonneault	yes
Crew	yes	Robertson	Absent
Faas	yes	Stirling	yes
Fluker	yes	Sulman	no
Gilbert	yes	Vercouteren	no
Herman	yes	Wesley	yes
King	yes	Mayor Hope	yes
Leclair	yes	<b>Total 12 Yes</b>	<b>3 No</b>
Myers	Abstain		

**Motion Carried**

## **14. COMMUNITY DEVELOPMENT /FIRE AND EMERGENCY SERVICES**

- (a) Official Plan Amendment No. 28, Forestglade East Developments Limited & Kringa Incorporated

### **MUNICIPALITY OF CHATHAM-KENT**

#### **COMMUNITY DEVELOPMENT**

#### **PLANNING SERVICES**

**TO:** Mayor and Members of Council

**FROM:** Ryan Jacques, Planner



Planning Services

**DATE:** July 30, 2014

**SUBJECT:** Official Plan Amendment No. 28  
Forestglade East Developments Ltd. & Kringa  
Incorporated

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### **RECOMMENDATION**

It is recommended that:

1. The request from Forestglade East Developments Ltd. & Kringa Incorporated to include its lands in the Chatham urban boundary as part of Official Plan Amendment No. 28 be refused.

### **BACKGROUND**

During 2013, administration and Dillon Consulting Ltd. completed the Comprehensive Official Plan Review (COPR). This planning exercise consisted of:

- A comprehensive analysis of the Municipality's development land supply and its land needs based on projected changes in population and housing demand over a 20 year planning horizon
- A review and update of the current Chatham-Kent Official Plan. This part of the initiative fulfills the Municipality's obligations under Section 26 of the *Planning Act* requiring municipalities in Ontario to complete and update their Official Plans at least every five years

The COPR culminated into Official Plan Amendment No. 28 (OPA 28). At its Special Meeting of [October 28, 2013](#), Council reviewed Item 8(a) "Comprehensive Official Plan Review Planning Report and Official Plan Amendment No. 28". Council carried several motions regarding OPA 28 following its review. One of the motions carried included the following direction:

*"That the request from Forest Glade to include their lands in the Chatham urban boundary be postponed until Council considers the pending 1998 application of Official Plan Amendment, Zoning By-law Amendment, and Plan of Subdivision."*

At its Planning Meeting of [November 25, 2013](#) (also the statutory public meeting for OPA 28), Council carried the following motion when considering Item 9(e) "Comprehensive Official Plan Review Planning Report and Official Plan Amendment No. 28":

1. *Official Plan Amendment 28 (OPA 28), as amended in accordance with the direction of Council given at the Special Planning Council meeting of October 28, 2013, and listed in Appendix 1 attached, be adopted by by-law and submitted to the Ministry of Municipal Affairs and Housing in the manner prescribed by the Ontario Planning Act, for approval, and*
2. *No further circulation of Official Plan Amendment 28, as further amended, be required.*

Following its adoption on November 25, 2013, OPA 28 and all prescribed documentation was submitted and received by the Ministry of Municipal Affairs and Housing (MMAH) on December 24, 2013. Consultation with MMAH on the entire OPA 28 and the broader Official Plan is ongoing as of the writing of this report.

### **COMMENTS**

At its Planning meeting of June 16, 2014, Council considered the following Forestglade East Developments Ltd. & Kringa Incorporated [applications](#):

- Official Plan Amendment (OPA 36)
- Zoning By-law Amendment
- Plan of Subdivision (36T-14501)

Council's decision on the application is set out in the Notice of *Planning Act* Decision dated June 20, 2014, as described, in part, below:

*“Take Notice that the Council of the Corporation of the Municipality of Chatham-Kent at its meeting on June 16, 2014, refused to approve the following applications, all dealing with the same area of land, and made jointly by Forestglade East Developments Limited and Kringa Incorporated:*

- 1. Application for Official Plan Amendment (File OPA 36 – Chatham-Kent) made under Sections 17 & 22 of the Planning Act, R.S.O.1990, c.P.13;*
- 2. Application for Draft Plan of Subdivision Approval (File 36T-14501) made under Section 51 of the Planning Act, R.S.O.1990, c.P.13;*
- 3. Application for Zoning By-law Amendment (File HA-ZC1/98/C – Harwich) made under Section 34 of the Planning Act, R.S.O.1990, c.P.13.”*

As a result of the Decision dated June 20, 2014, administration recommends that Council pass a motion that the request from Forestglade East Developments Ltd. & Kringa Incorporated to include its lands in the Chatham urban boundary as part of Official Plan Amendment No. 28 be refused. This recommendation is consistent with the direction of Council at its June 16, 2014 meeting.

### **COUNCIL STRATEGIC DIRECTIONS**

The recommendation in this report supports the following Council Directions:

- JOBS:  
Everyone in Chatham-Kent who wants to work is able to work in meaningful employment
- PEOPLE:  
Chatham-Kent is a welcoming community where people choose to live, learn, work, and play
- HEALTH:  
Chatham-Kent is a healthy, active, safe, accessible community within a healthy natural and built environment
- FINANCIAL SUSTAINABILITY:  
The Corporation of the Municipality of Chatham-Kent is financially sustainable
  - Has the potential to support all Council Directions
  - Neutral issues (does not support negatively or positively)

**CONSULTATION**

Legislative Services reviewed this report.

**FINANCIAL IMPLICATIONS**

There are no financial implications as a result of the recommendation.

Prepared by:

Reviewed by:

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Ryan Jacques, Planner  
Planning Services  
Services

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Marsha Coyne, MCIP, RPP  
Acting Director, Planning

Reviewed by:

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Robert J. Crawford, General Manager  
Community Development

Councillor Herman moved, Councillor Crew seconded:

**“That**

- 1. The request from Forestglade East Developments Ltd. & Kringa Incorporated to include its lands in the Chatham urban boundary as part of Official Plan Amendment No. 28 be refused.”**

The Mayor put the Motion

Councillor	Vote	Councillor	Vote
Bondy	yes	Parsons	Absent
Brown	no	Pinsonneault	yes
Crew	yes	Robertson	Absent
Faas	no	Stirling	yes
Fluker	yes	Sulman	yes
Gilbert	yes	Vercouteren	yes
Herman	yes	Wesley	yes
King	yes	Mayor Hope	yes

Leclair	yes	<b>Total 14 Yes</b>	<b>2 No</b>
Myers	yes		

**Motion Carried**

(b) Purchase of one (1) Emergency Response Unit

**MUNICIPALITY OF CHATHAM-KENT**  
**INFRASTRUCTURE AND ENGINEERING SERVICES**  
**DRAINAGE, ASSET AND WASTE MANAGEMENT**

**TO:** Mayor and Members of Council  
**FROM:** Kevin Rankin  
Acting Manager, Fleet Services  
**DATE:** July 7, 2014  
**SUBJECT:** Purchase of One (1) Emergency Response Unit

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**RECOMMENDATION**

It is recommended that:

1. One Emergency Response unit be purchased from Victory Ford equipped with emergency conversion equipment purchased from D and R Electronics in the amount of \$55,758.34 (including HST).

**BACKGROUND**

Prior to the 2014 equipment replacement list being submitted for Council approval, unit 07AM020 was reviewed for replacement. At that time another EMS unit required excessive repairs and was included on the list as a higher priority. Unit 07AM020 was subsequently reassessed in June of 2014. Due to the age of the unit and increased maintenance and repair costs, replacement of the vehicle is the more cost effective option at this time.

**COMMENTS**

This unit will be a direct replacement for unit 07AM020 (2007 model) and meets all Ministry of Health Standards.

Having received combined quotations for chassis and conversion equipment it is recommended that one emergency response unit be purchased from Victory Ford equipped with emergency conversion equipment from D and R Electronics.

**COMMUNITY STRATEGIC PLAN**

The recommendation in this report supports the following Council Directions:

- JOBS:  
Everyone in Chatham-Kent who wants to work is able to work in meaningful employment
- PEOPLE:  
Chatham-Kent is a welcoming community where people choose to live, learn, work, and play
- HEALTH:  
Chatham-Kent is a healthy, active, safe, accessible community within a healthy natural and built environment
- FINANCIAL SUSTAINABILITY:  
The Corporation of the Municipality of Chatham-Kent is financially sustainable
  - Has the potential to support **all** Council Directions
  - Neutral issues (does not support negatively or positively)

**CONSULTATION**

Fleet Services has consulted with the Emergency Medical Services Department and they are in agreement with this purchase.

**FINANCIAL IMPLICATIONS**

2014 Estimated Fleet Ambulance Reserve as of July 2, 2014 (NB: This reserve is 50% funded by the Ontario Ministry of Health)	\$777,630.00
Cost to purchase new emergency response unit	-\$55,758.34
2014 Estimated Fleet Ambulance Remaining Balance	<u>\$721,871.66.</u>

Prepared by:

Reviewed by:

\_\_\_\_\_  
Kevin Rankin  
Acting Manager, Fleet Services  
Management

\_\_\_\_\_  
Tim Dick, C.E.T.  
Director,  
Drainage, Asset and Waste

Reviewed by:

\_\_\_\_\_  
Thomas Kelly, P. Eng., MBA  
General Manager  
Infrastructure and Engineering Services

Councillor Vercouteren moved, Councillor Crew seconded:

**“That**

- 1. One Emergency Response unit be purchased from Victory Ford equipped with emergency conversion equipment purchased from D and R Electronics in the amount of \$55,758.34 (including HST).”**

The Mayor put the Motion

<b>Councillor</b>	<b>Vote</b>	<b>Councillor</b>	<b>Vote</b>
Bondy	yes	Parsons	Absent
Brown	yes	Pinsonneault	yes
Crew	yes	Robertson	Absent
Faas	yes	Stirling	yes
Fluker	yes	Sulman	yes
Gilbert	yes	Vercouteren	yes
Herman	yes	Wesley	yes
King	Not Present	Mayor Hope	yes
Leclair	yes	<b>Total 14 Yes</b>	<b>0 No</b>
Myers	Not Present		

**Motion Carried**

(c) Motion by Councillor Stirling re Rondeau Provincial Park

Councillor Stirling moved, Councillor Wesley seconded:

“That

1. **Council requests the addition of the Rondeau Park cottage community to the Municipal Heritage Registry maintained by the Planning Department which lists the property of heritage value or interest, per Article 27(1) of the *Ontario Heritage Act*.**
2. **Council requests and directs staff to prepare a report for Council discussion and decision which includes:**
  - a. **The steps required for a Heritage Conservation District designation under the *Heritage Act*;**
  - b. **A by-law, for the consideration of Council, designating the area occupied by the Rondeau Cottagers Association as a Heritage Conservation District;**
  - c. **Advise Council on any financial implications (positive and negative) on passing a by-law to create a Heritage Conservation District as outlined above;**
  - d. **Any other information that staff deems important.”**

Councillor Gilbert noted that adding a property to the Heritage Registry cannot be done on the fly as it requires a report to Council from the Municipal Heritage Committee. She requested that the recommendations be voted on separately.

The Mayor put Recommendation #1

<b>Councillor</b>	<b>Vote</b>	<b>Councillor</b>	<b>Vote</b>
Bondy	yes	Parsons	Absent
Brown	yes	Pinsonneault	yes
Crew	yes	Robertson	Absent
Faas	yes	Stirling	yes
Fluker	yes	Sulman	yes
Gilbert	no	Vercouteren	yes
Herman	yes	Wesley	yes
King	yes	Mayor Hope	yes
Leclair	yes	<b>Total 14 Yes</b>	<b>1 No</b>
Myers	Conflict		

The Mayor put Recommendation #2

<b>Councillor</b>	<b>Vote</b>	<b>Councillor</b>	<b>Vote</b>
Bondy	yes	Parsons	Absent
Brown	yes	Pinsonneault	yes
Crew	yes	Robertson	Absent
Faas	yes	Stirling	yes
Fluker	yes	Sulman	yes
Gilbert	yes	Vercouteren	yes
Herman	yes	Wesley	yes
King	yes	Mayor Hope	yes
Leclair	yes	<b>Total 15 Yes</b>	<b>0 No</b>
Myers	Conflict		

## **15. CORPORATE SERVICES**

a) Surplus Properties

### **MUNICIPALITY OF CHATHAM-KENT**

#### **CORPORATE SERVICES**

#### **FINANCIAL SERVICES**

**TO:** Mayor and Members of Council

**FROM:** Gord Quinton, MBA, CPA, CGA  
Acting Director, Financial Services/Treasurer

**DATE:** July 30, 2014

**SUBJECT:** Surplus Properties

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#### **RECOMMENDATIONS**

It is recommended that:

1. All properties listed on Appendix "A" be declared surplus to the needs of the Municipality of Chatham-Kent and with the discretion of the Manager, Revenue list any property for sale with a licensed realtor as per Section 13 of By-Law Number 100-2012, "A by-law to establish policies for the disposition of real property".
2. All remnant properties listed on Appendix "B" be declared surplus to the needs of the Municipality of Chatham-Kent and be offered for sale to the abutting owners by direct negotiation for a nominal fee plus all costs associated with the sale as per Section 13 of By-Law Number 100-2012, "A by-law to establish policies for the disposition of real property".
3. At the discretion of the Manager, Revenue, any property not sold on Appendix "B" may be listed for sale with a licensed realtor in the same manner as those listed on Appendix "A".

4. All remnant properties listed on Appendix “C” receive further review to resolve technical issues or to determine if any department has a municipal need for the property, and any parcel not required for Municipal needs be automatically declared as surplus and then disposed of by the Manager, Revenue as per Section 13 of By-Law Number 100-2012, “A by-law to establish policies for the disposition of real property”.
5. Any property declared as surplus to municipal needs may be removed from the Chatham-Kent Surplus Property Register or recalled from a Real Estate listing should any municipal department request come forth in the future to use the property again for municipal purposes.

## **BACKGROUND**

Administration has been compiling an inventory of municipally owned lands within Chatham-Kent that may be surplus to municipal needs. Before administration can sell any land, the Municipality must declare the land to be surplus.

## **COMMENTS**

An RFP for Realtor Service has been prepared and will be released shortly if not already available on the web at the time of reading this report.

The properties listed on Appendix “A” of this report are no longer used or required by the Municipality, therefore should be declared as surplus and offered for sale according to Municipal policy. These properties may, with the discretion of the Manager, Revenue, be listed with the successful realtor who is awarded the contract as a result of the RFP process.

The properties listed on Appendix “B” of this report appear to be remnant lands that, due to its size or location, would be of no use to anyone other than an abutting owner. Administration is recommending that these parcels be declared as surplus to municipal needs and by means of direct negotiations with the abutting owners, attempt to sell the property and consolidate it with their existing parcel. If successful, this would eliminate liability insurance and maintenance costs, as well as having potential for future tax assessment that may generate revenue for the Municipality. In some cases, these parcels may be currently in encroachment situations, therefore viable sales for a nominal price plus any fees associated with the property transfer is being recommended.

The remaining properties listed on Appendix “C” of this report require further investigation to determine if any municipal department has a need for the property, or have technical issues that need to be resolved to ready the property for sale. Once all properties have been reviewed, it is being recommended that the property then be automatically declared as surplus and disposed of by the Manager, Revenue as per Section 13 of By-Law Number 100-2012, “A by-law to establish policies for the disposition of real property”.

A brief description of each property has been provided for reference. Official GIS maps of each property are available from the Manager, Revenue.

The properties listed on Appendices A and B will be added to the existing Surplus Property Registry currently located on the Chatham-Kent website. This site allows a prospective purchaser to search the properties by former community and/or description. The registry also provides a link for each property to the Chatham-Kent GIS mapping system which allows an interested party to obtain a visual of the parcel and obtain other valuable information pertaining to the site. It is believed that the enhanced features on the website leads to increased exposure of the surplus properties.

A subsequent report will be presented to Council for consideration on any purchase offers that come forth. Legislative Services will be asked for assistance with the closing



of any sale as required.

Please note there are some industrial properties included on the existing Surplus Property Registry which will remain available to the public. These parcels will continue to be available, however will only be offered for sale in accordance with the policies developed by Economic Development Services. Only on request from Economic Development Services could specific industrial properties be listed with a realtor through the Manager, Revenue.

### **COUNCIL DIRECTIONS**

The recommendations in this report support the following Council Directions:

- JOBS:  
Everyone in Chatham-Kent who wants to work is able to work in meaningful employment
  - PEOPLE:  
Chatham-Kent is a welcoming community where people choose to live, learn, work, and play
  - HEALTH:  
Chatham-Kent is a healthy, active, safe, accessible community within a healthy natural and built environment
  - FINANCIAL SUSTAINABILITY:  
The Corporation of the Municipality of Chatham-Kent is financially sustainable
- Has the potential to support **all** Council Directions  
 Neutral issues (does not support negatively or positively)

### **CONSULTATION**

The Technical Advisory Committee and all applicable departments have been asked for their recommendations for all properties listed on Appendices A, B and C to ensure they were in agreement with the surplus and disposal recommendations of this report. This Committee will also be part of the extended review of all parcels listed on Appendix C.

### **FINANCIAL IMPLICATIONS**

The Property Disposition budget includes lot sale revenue. The sale proceeds offset the legal costs associated with the land transfer. Any surplus proceeds from the sale will contribute to the revenue line. The sale of surplus land would create potential for assessment growth, generate future tax revenue, and decrease municipal liability and maintenance costs.

Prepared by:

Reviewed by:

\_\_\_\_\_  
Bonnie Drewery  
Manager, Revenue

\_\_\_\_\_  
Gord Quinton, MBA, CPA, CGA  
Acting Director, Financial Services/Treasurer

Reviewed by:

Gerry Wolting, B.Math, CPA, CA  
General Manager, Corporate Services

Councillor Faas moved, Councillor Bondy seconded:

**“That**

- 1. All properties listed on Appendix “A” be declared surplus to the needs of the Municipality of Chatham-Kent and with the discretion of the Manager, Revenue list any property for sale with a licensed realtor as per Section 13 of By-Law Number 100-2012, “A by-law to establish policies for the disposition of real property”.**
- 2. All remnant properties listed on Appendix “B” be declared surplus to the needs of the Municipality of Chatham-Kent and be offered for sale to the abutting owners by direct negotiation for a nominal fee plus all costs associated with the sale as per Section 13 of By-Law Number 100-2012, “A by-law to establish policies for the disposition of real property”.**
- 3. At the discretion of the Manager, Revenue, any property not sold on Appendix “B” may be listed for sale with a licensed realtor in the same manner as those listed on Appendix “A”.**
- 4. All remnant properties listed on Appendix “C” receive further review to resolve technical issues or to determine if any department has a municipal need for the property, and any parcel not required for Municipal needs be automatically declared as surplus and then disposed of by the Manager, Revenue as per Section 13 of By-Law Number 100-2012, “A by-law to establish policies for the disposition of real property”.**
- 5. Any property declared as surplus to municipal needs may be removed from the Chatham-Kent Surplus Property Register or recalled from a Real Estate listing should any municipal department request come forth in the future to use the property again for municipal purposes.”**

The Mayor put the Motion

<b>Councillor</b>	<b>Vote</b>	<b>Councillor</b>	<b>Vote</b>
Bondy	yes	Parsons	Absent
Brown	no	Pinsonneault	yes
Crew	yes	Robertson	Absent
Faas	yes	Stirling	yes
Fluker	yes	Sulman	no
Gilbert	yes	Vercouteren	Conflict
Herman	yes	Wesley	yes
King	yes	Mayor Hope	yes
Leclair	yes	<b>Total 12 Yes</b>	<b>2 No</b>
Myers	Not Present		

**Motion Carried**

b) Internal Audit Function

## MUNICIPALITY OF CHATHAM-KENT

### CORPORATE SERVICES

**TO:** Mayor and Members of Council

**FROM:** Gerry Wolting, B. Math, CPA, CA  
General Manager, Corporate Services

**DATE:** July 29, 2014

**SUBJECT:** Internal Audit Function

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### **RECOMMENDATIONS**

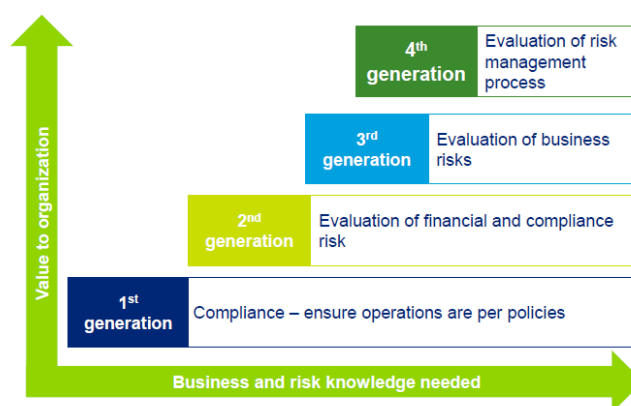
It is recommended that Council adopt the recommendations of the Audit Policy Committee as follows:

1. That administration continues with the evolution of the Service Sustainability Review Process and not implement an Internal Auditor role at this time.
2. That through the SSRP process, expert external advice be sought when required.
3. That the Audit Policy Committee be aligned with the SSRP process where the Committee would be available to assist in developing recommendations if needed.

### **BACKGROUND**

The formation of an Internal Audit function in Chatham-Kent has been discussed by Council for a number of years. As shown in the following chart, internal auditing has evolved over

**Evolution of Internal Audit**



time: 13 Internal Audit - Chatham-Kent Municipality

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An effective Internal Audit Function would fall under the category of 3<sup>rd</sup> and 4<sup>th</sup> generation in the above table.

In order to have the information necessary to make a final recommendation to Council on this matter, the Audit Policy Committee included an Enterprise Risk Analysis in the External Audit RFP issued in 2013. The following link outlines the terms of reference for this report <http://www.chatham-kent.ca/Council/CouncilMeetings/2013/Documents/December/Dec-9-13b.pdf>.

The External Audit RFP was awarded to Deloitte and as a result, Deloitte was also awarded the Enterprise Risk Analysis project. Deloitte's full report is attached as appendix A.

## **COMMENTS**

In summary, the objective of the Enterprise Risk Analysis project is paraphrased from Deloitte's report as follows:

The risk assessment process involved identifying and gaining a clear understanding of the risks facing Chatham-Kent. Internal audit should be focused on the key risks affecting the business and validating to management and stakeholders that controls and mitigating practices are functioning as intended to reduce risk to acceptable levels. To achieve the development of a risk based internal audit plan, Deloitte undertook the following steps:

**a) Identify the risks applicable to Chatham-Kent:**

This occurred through interviews and workshops with the Executive Management Team (EMT). To facilitate the conversation, Deloitte employed their risk intelligence map as a basis for better understanding of an organization's risk universe. The resulting risk intelligence map for Chatham-Kent is presented in the report.

**b) Develop the Chatham-Kent risk universe:**

This involves prioritizing the top 25 inherent risks relevant to Chatham-Kent. When management was initially asked to prioritize the risks, this was done on an *inherent* basis. Inherent risk contemplates the impact the control would have on meeting the municipality's objective *should it occur* and the inherent likelihood the control will occur with *little or no controls in place*.

**c) Identify auditable units:**

Working with management, auditable units were identified across the organization. An auditable unit refers to processes, sub-processes, locations and technology systems that will be considered for future audits. Each of these units were tied to risk factors from the Chatham-Kent Risk Universe and prioritized for audit in a proposed 3-year internal audit plan.

**d) Applying the risk universe to auditable units:**

Through a survey, management was asked to map the relevant top 25 risks to their auditable unit on an *inherent* basis. In addition, management identified mitigating strategies and controls for the risks relevant to their unit and their perceived assessment of the effectiveness of these controls. The responses by management were used to assess the perceived level of residual risk at the auditable unit level and the organizational risk level.

**e) Develop the risk based internal audit plan:**

Based on a ranking of auditable units and risks, an internal audit plan was tied to the key risks facing the organization. Deloitte produced a proposed three-year internal audit plan as a starting point, which allows for a multi-year view of coverage of different components of the business, and also enables an easier roll-forward of the audit plan from year to year.

Deloitte presented its report (attached as appendix A) to EMT on June 10, 2014 and to the Audit Policy Committee on June 23, 2014. The minutes of the Audit Policy Committee are attached to this report as appendix B.

EMT provided two options to the Audit Policy Committee and recommended option 2:

**Option 1:**

Proceed with a 3 year audit plan by way of either:

- a) **In-house:** Internal audit activities executed by an in-house department with external subject matter experts brought in when necessary
- OR
- b) **Outsourcing:** Internal Audit function outsourced to a service provider

**Option 2 (recommended):**

Allow the Service Review process to evolve prior to making a final Internal Auditor decision and bring in subject matter experts when necessary.

After considering the Deloitte report and EMT's recommendations, the Audit Policy Committee concluded that the outcome of the Enterprise Risk Analysis and the resulting proposed internal audit program had significant overlap with the existing Service Sustainability Review Process. As a result, the Committee approved that the following recommendations be forwarded to Council for consideration:

That the Audit Policy Committee recommend to Council the following:

1. Administration continue with the evolution of the Service Sustainability Review Process and not implement an Internal Auditor role at this time.
2. That through the SSRP process, expert external advice be sought when required.
3. That the Audit Policy Committee be aligned with the SSRP process where the Committee would be available to assist in developing recommendations if needed.
4. Administration and the Chair provide a report to Council at the August 11, 2014 meeting explaining the roles of the traditional financial audit, special audits, the internal audit functions and the SSRP process.

To address recommendation #4, we offer the following explanation of roles:

a) Financial audit:

The Canadian Institute of Chartered Accountants (CICA) defines an audit as follows:

The audit is the highest level of assurance that can be provided on financial statements. The audit provides reasonable assurance that the entity's financial statements present fairly its financial position, financial performance and its cash flows in accordance with the applicable financial reporting framework.

The key concept is "reasonable" assurance. The auditor does not provide absolute assurance because this is not attainable due to factors like the need for judgment, the use of testing, the inherent limitations of internal control and the fact that audit evidence is generally persuasive rather than conclusive.

An audit of financial statements by an independent auditor may be required for various reasons. For example, a company's banker may require an audit to support an application for financing; an audit may be necessary when negotiating the purchase or sale of a business; or management or owners may find value in having an audit.

An auditor of a corporation is responsible to the shareholders. On behalf of the shareholders, an auditor examines the company's financial records and operations to determine whether the information reported in the financial statements is presented fairly. The CA communicates this assessment to shareholders through the expression of the audit opinion. It is important to

remember that, in the end, management is responsible for the preparation and fair presentation of the financial statements.

If the CA discovers the financial statements depart materially from the applicable financial reporting framework, this fact is disclosed in the auditor's report.

b) Special audits:

Special audits involve the auditing of a specific service or program. The scope of a special audit is normally very narrow and addresses specific criteria. Examples of special audits required for Chatham-Kent include the utilization of Federal gas tax funds, cultural activities for grant purposes, programs that receive Provincial funding, etc.

c) Internal audit:

Deloitte defines an internal audit function as follows:

- Evaluates risk exposures relating to the organization's governance, operations and information systems and financial reporting processes, including:
  - Effectiveness and efficiency of operations
  - Reliability and integrity of financial and operational information
  - Safeguarding of assets
  - Compliance with laws, regulations and contracts
- Provides assurance to management and the audit committee that internal controls are effective and working as intended
- Provides recommendations for improvement where opportunities or deficiencies are identified

The Institute of Internal Auditor's (IIA) defines an internal audit function as follows:

- An independent, objective assurance and consulting activity designed to add value and improve an organization's operations. It helps an organization accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control, and governance processes.

d) Service Sustainability Review Process:

We have defined the SSRP as an examination of CK services with the intent to:

- i) Determine what services should be delivered by CK and at what level those services should be delivered.
- ii) Identify potential improvements to effectiveness and efficiency in the delivery of those identified services.
- iii) Develop a plan to achieve financial sustainability for those identified services.

The objective of the CK SSRP is to conduct a review of services delivered by Chatham-Kent with the intent to:

- i) Contain or reduce future years' projected tax increases
- ii) Ensure service plans are sustainable
- iii) Create opportunities to strategically reinvest existing funds.

In consultation with Council, community stakeholders and staff resources, this will be accomplished through the following processes:

- i) a service level review
- ii) a service delivery review
- iii) a user fee review.

Final decisions and implementation plans will, wherever possible, complement the strategic directions adopted by Council.

## **COUNCIL DIRECTIONS**

The recommendations in this report support the following Council Directions:

- JOBS:  
Everyone in Chatham-Kent who wants to work is able to work in meaningful employment
- PEOPLE:  
Chatham-Kent is a welcoming community where people choose to live, learn, work, and play
- HEALTH:  
Chatham-Kent is a healthy, active, safe, accessible community within a healthy natural and built environment
- FINANCIAL SUSTAINABILITY:  
The Corporation of the Municipality of Chatham-Kent is financially sustainable
  - Has the potential to support all Council Directions
  - Neutral issues (does not support negatively or positively)

### **CONSULTATION**

This report received input from the Executive Management Team, the Acting Director of Financial Services and the chair of the Audit Policy Committee.

### **FINANCIAL IMPLICATIONS**

The cost of the Enterprise Risk Analysis report was \$30,000 and was funded through the Reserve for Strategic Initiatives. There are no other financial implications resulting from the recommendations in this report. However, if Council was to proceed with an Internal Audit Function, the implementation costs would be approximately \$150,000 annually. Savings found by the process, if any, would be available to be applied to those costs.

Prepared by:

Reviewed by:

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Gerry Wolting, B. Math, CPA, CA  
General Manager  
Corporate Services

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Councillor Derek Robertson  
Chair, Audit Policy Committee

Councillor Vercouteren moved, Councillor Pinsonneault seconded:

“That

1. That administration continue with the evolution of the Service Sustainability Review Process and not implement an Internal Auditor role at this time.
2. That through the SSRP process, expert external advice be sought when required.
3. That the Audit Policy Committee be aligned with the SSRP process where the Committee would be available to assist in developing recommendations if needed.”

The Mayor put the Motion

Councillor	Vote	Councillor	Vote
Bondy	no	Parsons	Absent
Brown	yes	Pinsonneault	no
Crew	yes	Robertson	Absent
Faas	no	Stirling	yes
Fluker	yes	Sulman	yes
Gilbert	no	Vercouteren	yes
Herman	no	Wesley	yes
King	no	Mayor Hope	yes
Leclair	yes	<b>Total 9 Yes</b>	<b>6 No</b>
Myers	Not Present		

**Motion Carried**

## 16. INFRASTRUCTURE AND ENGINEERING SERVICES

a) Capital Drains Levying By-law - 2014 Final Tax Levy

### MUNICIPALITY OF CHATHAM-KENT

#### INFRASTRUCTURE AND ENGINEERING SERVICES

#### DRAINAGE, ASSET AND WASTE MANAGEMENT

**TO:** Mayor and Members of Council

**FROM:** Tim Dick, C.E.T.  
Director, Drainage, Asset and Waste Management

**DATE:** July 25, 2014

**SUBJECT:** Capital Drains Levying By-law – 2014 Final Tax Levy

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#### **RECOMMENDATION**

It is recommended that:

1. Three readings to the capital drain levying by-law be given to provide for the collection of construction drainage assessments on various municipal drains in accordance with Section 4 and Section 78 of the Drainage Act.



## **BACKGROUND**

Section 4 and Section 78 of the Drainage Act, R.S.O. 1990 provide that the Municipality of Chatham-Kent can construct new or improved municipal drains in response to a request or petition from a Chatham-Kent property owner. Appointed engineer reports proceed through required meetings and appeal opportunities as legislated under the Drainage Act process. Assessments are established for each affected property and are legislated by by-law after the timelines for any appeals have expired.

A list of completed capital drainage projects is attached as *Appendix A*. The projects included in the by-law require Council's approval to levy the assessed capital costs on the 2014 Final Tax Roll as legislated by Section 61(4) of the Drainage Act, R.S.O. 1990.

## **COMMENTS**

After the by-law receives third reading for each capital project, it is tendered according to Chatham-Kent's tendering policy. Assessments to all affected property owners are calculated by drainage staff once the project is certified complete by the appointed engineer. The Province of Ontario, through the Ministry of Agriculture, Food and Rural Affairs (OMAFRA), provide a one-third grant to eligible properties as legislated by the Agricultural Drainage Infrastructure Program (ADIP). The properties must be classified at the Farm Tax Rate to receive the grant monies which are applied for by drainage staff and deducted from the gross assessment for each individual property.

The 17 capital drainage projects listed on the attached by-law were certified complete in 2013 and have met the engineered design standards.

The drainage assessments are to be levied and collected on the final 2014 tax roll.

## **COUNCIL DIRECTIONS**

The recommendation in this report supports the following Council Directions:

- JOBS:  
Everyone in Chatham-Kent who wants to work is able to work in meaningful employment
  - PEOPLE:  
Chatham-Kent is a welcoming community where people choose to live, learn, work, and play
  - HEALTH:  
Chatham-Kent is a healthy, active, safe, accessible community within a healthy natural and built environment
  - FINANCIAL SUSTAINABILITY:  
The Corporation of the Municipality of Chatham-Kent is financially sustainable
- Has the potential to support **all** Council Directions  
 Neutral issues (does not support negatively or positively)

## **CONSULTATION**

Financial Services was consulted regarding the collection of drainage assessments through the tax system.

## **FINANCIAL IMPLICATIONS**

All costs associated with the projects are recovered through property assessments and the one-third grant from OMAF.

The total drainage assessment to Chatham-Kent Roads for the 17 projects listed in *Appendix A* is \$141,418.55 and is provided for in the Infrastructure and Engineering Services base budget.

Administrative fees totaling \$7,308.00 are included in the assessments to be levied on the 2014 final tax roll. The fees have been charged according to the amount established by Council in By-law #43-2013, being a By-law to Establish Certain User Fees. This amount is a budget revenue item for the Drainage Division.

Prepared by:

Reviewed by:

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Lynn Tyhurst  
Drainage Analyst  
Drainage Division

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Tim Dick, C.E.T.  
Director  
Drainage, Asset and Waste Management

Reviewed by:

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Thomas Kelly, P. Eng., MBA  
General Manager  
Infrastructure and Engineering Services

Councillor Faas moved, Councillor Brown seconded:

**“That**

- 1. Three readings to the capital drain levying by-law be given to provide for the collection of construction drainage assessments on various municipal drains in accordance with Section 4 and Section 78 of the Drainage Act.”**

The Mayor put the Motion

<b>Councillor</b>	<b>Vote</b>	<b>Councillor</b>	<b>Vote</b>
Bondy	yes	Parsons	Absent
Brown	yes	Pinsonneault	yes
Crew	yes	Robertson	Absent
Faas	yes	Stirling	yes
Fluker	yes	Sulman	yes
Gilbert	yes	Vercouteren	yes
Herman	yes	Wesley	yes
King	yes	Mayor Hope	yes
Leclair	Not Present	<b>Total 14 Yes</b>	<b>0 No</b>
Myers	Not Present		

**Motion Carried**

- b) Various Maintenance Drains Levying By-law - 2014 Final Tax Levy

**MUNICIPALITY OF CHATHAM-KENT**

**INFRASTRUCTURE AND ENGINEERING SERVICES**

## **DRAINAGE, ASSET AND WASTE MANAGEMENT**

**TO:** Mayor and Members of Council

**FROM:** Tim Dick, C.E.T.  
Director, Drainage, Asset and Waste Management

**DATE:** July 25, 2014

**SUBJECT:** Various Maintenance Drains Levying By-law – 2014 Final Tax Levy

---

### **RECOMMENDATION**

It is recommended that:

1. Three readings to the drain maintenance levying by-law be given to provide for the collection of repair and maintenance costs on various Municipal Drains in accordance with Section 74 of the Drainage Act.

### **BACKGROUND**

Section 74 of the Drainage Act, R.S.O. 1990 provides that the Municipality of Chatham-Kent is responsible for the maintenance and repair of numerous drainage works. Section 74 states that projects are completed at the expense of all the upstream lands and roads in the watershed. The costs for each drainage project are assessed in the proportions determined by previous engineer's reports and governed by the current by-law for each drain.

A list of drains on which maintenance and repair has been completed is attached as *Appendix A*. The projects included in the by-law require Council's approval to levy the assessed maintenance and repair costs on the 2014 Final Tax Roll as legislated by Section 61(4) of the Drainage Act, R.S.O. 1990.

### **COMMENTS**

The Province of Ontario, through the Ministry of Agriculture, Food and Rural Affairs(OMAFRA), annually provides a one-third grant for municipal drainage assessments that are assessed to properties within the Municipality of Chatham-Kent providing the properties are classified at the Farm Tax Rate. The grant is applied for by drainage staff for all completed maintenance and repair projects each year. The total maintenance grant requested by the Municipality for the 2014 final tax levy is \$1,022,836.48 and applies to projects completed by December 31, 2013.

The 560 maintenance projects listed on *Appendix A* are to be levied and collected on the final two installments of the 2014 tax roll.

### **COUNCIL DIRECTIONS**

The recommendation in this report supports the following Council Directions:

- JOBS:**  
Everyone in Chatham-Kent who wants to work is able to work in meaningful employment
- PEOPLE:**  
Chatham-Kent is a welcoming community where people choose to live, learn, work, and play
- HEALTH:**  
Chatham-Kent is a healthy, active, safe, accessible community within a healthy natural and built environment
- FINANCIAL SUSTAINABILITY:**

The Corporation of the Municipality of Chatham-Kent is financially sustainable

- Has the potential to support **all** Council Directions  
 Neutral issues (does not support negatively or positively)

### **CONSULTATION**

Financial Services was consulted regarding the collection of drainage assessments through the tax system.

### **FINANCIAL IMPLICATIONS**

All costs associated with the projects are recovered through property assessments and the one-third grant from OMAF.

The total drainage assessment to Chatham-Kent Roads for the 560 projects listed on *Appendix A* is \$631,690.31 and is provided for in the Infrastructure and Engineering Services base budget.

Administrative fees totaling \$213,798.00 are included in the assessments to be levied on the 2014 final tax roll. The fees have been charged according to the amount established by Council in By-law #43-2013, being a By-law to Establish Certain User Fees. This amount is a budget revenue item for the Drainage Division.

Prepared by:

Reviewed by:

\_\_\_\_\_  
Lynn Tyhurst  
Drainage Analyst  
Management

\_\_\_\_\_  
Tim Dick, C.E.T.  
Director  
Drainage, Asset and Waste

Reviewed by:

\_\_\_\_\_  
Thomas Kelly, P. Eng., MBA  
General Manager  
Infrastructure and Engineering Services

Councillor King moved, Councillor Brown seconded:

**“That**

- 1. Three readings to the drain maintenance levying by-law be given to provide for the collection of repair and maintenance costs on various Municipal Drains in accordance with Section 74 of the Drainage Act.”**

The Mayor put the Motion

<b>Councillor</b>	<b>Vote</b>	<b>Councillor</b>	<b>Vote</b>
Bondy	yes	Parsons	Absent
Brown	yes	Pinsonneault	yes
Crew	yes	Robertson	Absent

Faas	yes	Stirling	yes
Fluker	yes	Sulman	yes
Gilbert	yes	Vercouteren	yes
Herman	yes	Wesley	yes
King	yes	Mayor Hope	yes
Leclair	Not Present	<b>Total 14 Yes</b>	<b>0 No</b>
Myers	Not Present		

**Motion Carried**

c) 90 km/h Speed Limits on Chatham-Kent Roadways (Phase 2)

**MUNICIPALITY OF CHATHAM-KENT**

**INFRASTRUCTURE AND ENGINEERING SERVICES**

**ENGINEERING AND TRANSPORTATION DIVISION**

**TO:** Mayor and Members of Council

**FROM:** Mark Ceppi,  
Engineering Technologist

**DATE:** July 28, 2014

**SUBJECT:** 90 km/h Speed Limits on Chatham-Kent Roadways (Phase 2)

**RECOMMENDATIONS**

It is recommended that:

- 1) 90 km/h speed limits be implemented on the following road sections in the Municipality of Chatham-Kent:
  - a) Charing Cross Road from Charing Cross to Cedar Springs
  - b) Countryview Line from Kent Bridge Road to Turnerville
  - c) Irish School Road from McCreary Line to the north limit (Lambton County boarder)
  - d) Kent Bridge Road from McKay's Corners to Magnavilla Line
  - e) Kent Bridge Road from Kent Bridge to Base Line
  - f) Longwoods Road from Thamesville to the easterly limit (Middlesex County border)
  - g) Merlin Road from 300 m south of Tenth Line to Fletcher
  - h) Middle Line from Blenheim to Charing Cross
  - i) Middle Line from Charing Cross to South Buxton
  - j) Middle Line from South Buxton to Merlin
  - k) Middle Line from Merlin to 400 m west of Valetta Road
- 2) 90 km/h speed limits be implemented on Clachan Road between Longwoods Road and the Middlesex County border subject to by-law approval from the County of Middlesex Council.
- 3) The current 60 km/h speed limit zone on Kent Bridge Road in Kent Bridge be reduced to 50 km/h.
- 4) The current 60 km/h speed limit zone on Middle Line in South Buxton be extended to a point 450 m west of A.D. Shadd Road.

- 5) Chatham-Kent Traffic and Parking By-law #245-2004 be amended to account for these speed limit recommendations and by-law housekeeping items identified in the report.

## **BACKGROUND**

In March of 2003, administration brought to Council a report which recommended 90 km/h speed limits for the first phase of rural arterial roadways. The following list of roadways were recommended by administration and approved by Council:

- Base Line (CK #21) from Florence Road (CK #23) to Dresden,
- Cairo Road (CK #79) from Main Line (CK #22) to Lambton County border,
- Communication Road (CK #11) from King's Highway 401 to Blenheim,
- Irish School Road (CK #21) from Dresden to Lambton County border,
- Longwoods Road (CK #2) from Chatham to Thamesville,
- McCreary Line (CK #78) from Dresden to Wallaceburg,
- Queen's Line (CK #2) from Chatham to Tilbury,
- Talbot Trail (CK #3) from Communication Road (CK #11) to Elgin County border,
- Talbot Trail (CK #3) from Cedar Springs to Wheatley,
- Victoria Road (CK #17) from Ridgetown to King's Highway #401,
- Victoria Road (CK #21) from King's Highway #401 to Thamesville.

The implementation of 90 km/h speed limits on these roadways was made subject to funding approval during the 2004 Budget Deliberations. However, funding was not approved until 2008 Budget Deliberations.

In April 2008, administration brought a report to Council which requested by-law approval for implementing Phase 1- 90 km/h speed limit roadway sections. Prior to the submission of this report, Council had requested the removal of two roadways that were previously approved. These roadway sections include:

- Irish School Road (CK #21) from Dresden to north limits (Lambton County),
- Talbot Trail (CK #3) from Cedar Springs to Wheatley.

The 90 km/h speed limits on all Phase 1 roads were implemented in October 2008. The conversion of the speed limit on Queen's Line was delayed until May 2009 due to a bridge reconstruction project at the Raleigh Plains Drain.

Council directed administration to evaluate additional roadways for 90 km/h speed limit implementation in March 2003. This next phase review was delayed until Phase 1 was completely implemented. The roadway candidates for Phase 2 were selected with input from Council and administration.

An information report was present to Council in January 2014 which indicated which roadway section administration recommended for 90 km/h speed limits. The report also outlined the need for \$11,400 in base budget and \$34,000 in supplementary budget funding required to implement the 90 km/h speed limit (Phase 2) roadways. A portion of the funding (\$34,000) was approved by Council during 2014 Budget Deliberations.

An amendment to Chatham-Kent Traffic and Parking By-law 245-2004 is now required in order to implement Phase 2 roadways.

## **COMMENTS**

### **Road Section Candidates**

Road section candidates for 90 km/h Speed Limit (Phase 2) were selected based on administration's knowledge of the Chatham-Kent rural road system. Roads known to be inadequate for 90 km/h speed limits were not selected. Members of Council also submitted road section candidates to be reviewed for Phase 2. The road candidates

reviewed for Phase 2 of the 90 km/h Speed Limits study include:

- A) Base Line (CK #15), Communities of Chatham Township and Camden
- B) Bloomfield Road (CK #27), Community of Raleigh
- C) Brigden Road, Community of Chatham Township
- D) Charing Cross Road (CK #10), Communities of Harwich and Raleigh
- E) Clachan Road (CK #121), Community of Zone
- F) Countryview Line (CK #29), Community of Chatham Township
- G) Irish School Road (CK #21), Community of Camden
- H) Kent Bridge Road (CK #15), Communities of Chatham Township, Camden, Harwich and Howard
- I) Kimball Road (CK #31), Community of Chatham Township
- J) Longwoods Road (CK #2), Communities of Camden and Zone
- K) Merlin Road (CK #7), Communities of Raleigh and Tilbury East
- L) Middle Line (CK #8), Communities of Harwich, Raleigh and Tilbury East
- M) Ridge Line (CK #19), Communities of Harwich and Howard
- N) Wheatley Road (CK #1), Communities of Tilbury East, Romney and the County of Essex

Road sections that run parallel to and within close proximity to a Ministry of Transportation highway were not selected. A Chatham-Kent roadway with a 90 km/h speed limit may siphon off vehicle traffic from a Ministry of Transportation roadway with an 80 km/h speed limit if the two roadways are close in distance and run parallel to each other. Additional vehicle traffic, heavy vehicles in particular, can increase maintenance costs, decrease roadway lifecycle performance and become a nuisance for residents not accustomed to the new traffic conditions on their roadway. This scenario has already been observed on Kimball Road, where the 90 km/h speed limit in Lambton County resulted in increased truck traffic that may have otherwise used Hwy 40. In year 2010, Lambton County reverted their section of Kimball Road back to 80 km/h.

### Road Section Evaluation

The following criteria were used to evaluate each roadway section for a speed limit increase to 90 km/h:

- Length of road section
- Traffic volume
- Vehicle operating speeds
- Geometric Design based on the Geometric Design Standards for Ontario Highways (GDSOH) Manual and the MTO Roadside Safety Manual (RSM), including:
  - lane width
  - shoulder width
  - roadside clearances (bridge/culvert structures, drains, poles, etc.)
  - curve design speed (ball bank test or survey data if available)
- Roadside property development level

A detailed description of the road section evaluation criteria is outlined in Appendix A.

A total of 199.2 km of roadway was evaluated for 90 km/h Speed Limits (Phase 2). A summary of the recommendations based on the evaluation is shown in Table 1.

<b>Table 1 - 90 km/h Speed Limit Evaluation Summary</b>	
<b>Road Section</b>	<b>Road Section Recommendation</b>
A) Base Line (CK #15) from Dresden to Wallaceburg	No
B) Bloomfield Road (CK #27)	
1) Chatham to Eighth Line	No
2) Eighth Line to Middle Line	No
3) Middle Line to Talbot Trail	No
C) Brigden Road from McCreary Line to north limit (St. Clair Township)	No

D) Charing Cross Road (CK #10)	
1) Hwy 401 to Charing Cross	No
2) Charing Cross to Cedar Springs	Yes
E) Clachan Road (CK #121) from Longwoods Road to north limit (Middlesex County)	Yes
F) Countryview Line (CK #29)	
1) Kent Bridge Road to Lindsay Road (Turnerville)	Yes
2) Lindsay Road to Hwy 40 (Oungah)	No
3) Hwy 40 to Bear Line Road	No
G) Irish School Road (CK #21) from Dresden to north limits (Lambton County)	Yes

<b>Table 1 - 90 km/h Speed Limit Evaluation Summary</b>	
<b>Road Section</b>	<b>Road Section Recommendation</b>
H) Kent Bridge Road (CK #15)	
1) Bates Subdivision to Talbot Trail	No
2) Talbot Trail to Ridge Line	No
3) Ridge Line to Hwy 401	No
4) McKay's Corners to Kent Bridge	Yes
5) Kent Bridge to Base Line	Yes
I) Kimball Road (CK #31) from Wallaceburg to north limit (Lambton County)	No
J) Longwoods Road (CK #2) from Thamesville to east limit (Middlesex County)	Yes
K) Merlin Road (CK #7)	
1) Prairie Siding to Queen's Line	No
2) Queen's Line to Fletcher	No
3) Fletcher to Merlin	Yes
4) Merlin to Talbot Trail	No
L) Middle Line (CK #8)	
1) Blenheim to Charing Cross	Yes
2) Charing Cross to Merlin	Yes
3) Merlin to Valetta	Yes
4) Valetta to Tilbury	No
M) Ridge Line (CK #19)	
1) Ridgetown to Rushton's Corners	No
2) Rushton's Corners to Blenheim	No
N) Wheatley Road (CK #1) from Tilbury to Wheatley	No



Approximately 84.1 km of the total 199.2 km of roadway evaluated for Phase 2 are recommended for 90 km/h Speed Limits. All road sections evaluated for Phase 2 are illustrated in Appendix B.

### Border Roadway

Clachan Road (CK #121) is a border road that is shared between the County of Middlesex and the Municipality of Chatham-Kent. By-law Approval from Middlesex County Council is required in order to implement 90 km/h speed limits on Clachan Road.

### Hamlet Speed Limit Adjustments

Adjustments to the speed limit zones in the hamlets of South Buxton and Kent Bridge are recommended in conjunction with the implementation of 90 km/h speed limits on adjacent roadways.

Kent Bridge Road through Kent Bridge is currently signed as a 60 km/h zone. However, the Traffic and Parking By-Law 245-2004 currently lists Kent Bridge Road twice, once as a 60 km/h roadway and once as a 50 km/h roadway. The 50 km/h speed limit would be consistent with the speed limit of Longwoods Road through Kent Bridge and would also be appropriate for this road section considering the residential built-up area, major agri-business facility, bridge structure, major intersection and railway crossing located adjacent to this road section. Therefore administration recommends that the 60 km/h speed limit listed in the by-law be deleted and speed limit signs on Kent Bridge Road changed to 50 km/h.

Middle Line through South Buxton is currently signed as a 60 km/h zone that extends 215 m west of A.D. Shadd Road. However, the built-up area extends further west and therefore an extension of the 60 km/h speed limit zone to a point 450 m west of A.D. Shadd Road is recommended in order to include the entire built-up area. The speed limit signs on Middle Line will need to be adjusted and by-law will also require an amendment.

The speed limit adjustments for Kent Bridge Road in Kent Bridge and Middle Line in South Buxton are included in the by-law amendment as shown in Appendix C.

### **Maintaining Minimum Maintenance Standards**

Chatham-Kent has adopted the Minimum Maintenance Standards for Municipal Highways, which sets maintenance frequency and reaction times based on the classification of the roadway section. The classification is determined by the posted speed limit and the traffic volume of the roadway. Classifications range from 1 to 6, with 1 being the highest maintenance priority.

Depending on traffic volume, increasing the speed limit to 90 km/h will raise the roadway classification to a higher priority. A roadway section with a higher priority class will require increased frequency or faster response times for various maintenance activities such as routine patrolling, cold mix asphalt patching, snow plowing, and roadway salting. This in turn will increase the cost of maintaining them.

Approximately 19.5 km of roadway section will increase from a Class 3 to a Class 2 priority rating. The total annual increase in maintenance costs for these roadway sections due to the priority rating change is estimated to be \$11,400.

## Road Sign Installations

The Ontario Traffic Manual (OTM) provides standards and guidelines for signing roadways in the Province of Ontario. Implementation of 90 km/h speed limits will require either the installation of new signs, or modifications to existing signs in order to meet OTM signing standards. These standards and guidelines are applicable to regulatory signs, warning signs, and guidance signs.

All 90 km/h speed limit Phase 2 roadways will require new speed limit regulatory signs in order to define the new speed zone limits. Additional speed limit signs are required at major intersections to differentiate between the 80 km/h speed limit roadways and 90 km/h speed limit roadways.

The positions of all intersection, curve, and traffic control warning signs installed along the 90 km/h speed limit Phase 2 roadways will need to be measured and adjusted accordingly in order to meet OTM standards. In addition, all intersections will require directional guidance signs if they are not already installed, or if they are either sub-standard or require replacement. Guidance signs, in conjunction with regulatory and warning signs, are an important component of a coordinated information system for motorists.

The total cost for supplying and installing all required regulatory signs for Phase 2 implementation is estimated to be \$34,000.

## Roadway Safety

A comparison analysis of motor vehicle collision events four years before and after the implementation of 90 km/h speed limits on Phase 1 roadways was conducted. The analysis results indicate a 14% increase in vehicle collisions recorded after the implementation of Phase 1. However, this comparison analysis did not consider factors such as changes of operating speeds, traffic volume changes, weather conditions, etc. and therefore the increase in collision events cannot be attributed solely to an increase in the posted speed limit. A detailed study involving additional data collection in the field (e.g. traffic counts and speed studies), and analysis of the factors (e.g. weather conditions, wild animals, etc.) contributing to each collision event occurring before and after the implementation of Phase 1 is required in order to determine if 90 km/h speed limits have negatively affected roadway safety.

### **Work Zone Traffic Control**

The Ontario Traffic Manual Book 7 (Temporary Conditions) provides the provincial standards and guidelines for providing traffic control through work zones. Based on Book 7, a 90 km/h non-freeway roadway work zone typically requires the same signs and markers (cones, barrels, etc.) as an 80 km/h non-freeway roadway work zone. However, the higher speed limit increases the tangent lengths, longitudinal buffer zones and marker spacing through the work zone. Therefore the total length of the work zone increases, which may cause a slight increase in set up time, but no additional or special equipment is required.

## Ontario Graduated Driver's License Regulations

After the implementation of 90 km/h Speed Limits (Phase 1) some concerns were raised by motorists operating with the beginner's level license. This was caused by an error in a Driver's License training manual stating a motorist with a G1 license could not operate a motor vehicle on a roadway with a 90 km/h speed limit. The error has since been corrected.

Under the Ontario Ministry of Transportation's graduated driver's license regulations in the Highway Traffic Act, motorists with a Class G1 or M1 license are permitted to operate a motor vehicle (excluding a motorcycle, or any other vehicle excluded from the

Class G license) on a roadway with a posted speed limit of 90 km/h. However, motorists with a Class M1 license are not permitted to operate a motorcycle on a roadway with a posted speed limit of 90 km/h. A motorist may operate a motorcycle on a posted 90 km/h speed limit roadway once they have graduated to a Class M2 license.

### Rural Mail Delivery

Upon request of their delivery staff, Canada Post will conduct safety reviews of mail delivery sites, including rural mailboxes. The safety review criteria consists vehicle operating speed, traffic volumes, sight lines, Municipal regulations (e.g. No Stopping Zones), etc. The vehicle operating speed on a roadway is not dependant on the posted speed limit. Therefore, raising the posted speed limit alone does not affect the outcome of the safety review. If a site fails a safety review the resulting action is typically the relocation of the rural mailbox or the consolidation of multiple mailboxes into a Community Mailbox site.

### By-Law Housekeeping

While reviewing these roadway sections, discrepancies were found between the actual signed speed limit zones and the legal description listed in Traffic and Parking By-law #245-2004. The following discrepancies were identified:

- Kent Bridge Road through McKay's Corners – Change the legal description of the 60 km/h speed limit zone to 140 m north of McKay's Line / Pinehurst Line and 161 m south of McKay's Line / Pinehurst Line in order to match the posted signs.
- Middle Line east of Charing Cross Road – Change the legal description of the 60 km/h speed limit zone to 160 m east of Charing Cross and 625 m east of Charing Cross Road on Middle Line to match the signs installed on the roadway.
- St. George Street North and Irish School Road north of Dresden – Change the legal description of the 60 km/h speed limit zone to 250 m south of McCreary Line on St. George Street North and 250 m north of McCreary Line on Irish School Road in order to match the posted signs.

Administration proposes a by-law housekeeping exercise to amend Traffic and Parking By-law #245-2004 to reflect these changes.

Speed limits on Chatham-Kent roadways are regulated under Chatham-Kent Traffic and Parking By-law #245-2004. A by-law amendment is required before 90 km/h speed limits are can be implemented on Chatham-Kent roadways. The amending by-law is shown in Appendix C.

### **COUNCIL DIRECTIONS**

The recommendations in this report support the following Council Directions:

- JOBS:  
Everyone in Chatham-Kent who wants to work is able to work in meaningful employment
  - PEOPLE:  
Chatham-Kent is a welcoming community where people choose to live, learn, work, and play
  - HEALTH:  
Chatham-Kent is a healthy, active, safe, accessible community within a healthy natural and built environment
  - FINANCIAL SUSTAINABILITY:  
The Corporation of the Municipality of Chatham-Kent is financially sustainable
- Has the potential to support **all** Council Directions

Neutral issues (does not support negatively or positively)

## **CONSULTATION**

Public Works Division staff provided information and estimates regarding increases in maintenance costs due to road classification changes under the Minimum Maintenance Standards for Municipal Highways regulations. Approximately 19.5 km/h of roadway recommended for 90 km/h speed limits will be increasing to a class 2 priority rating, which will demand a higher level of service. Public Works Division calculated the estimated maintenance cost increases based on the current rates for labour and materials.

Chatham-Kent Police Services Traffic Unit was consulted for comments regarding the implementation of 90 km/h speed limits for Phase 1. Enforcement is generally down on these roads as the officers find the magnitude of speeding vehicles is reduced relative to the speed limit. There has not been a noticeable change in collision rates on Phase 1 90 km/h speed limit roadway sections but they have not completed a statistical review to verify. They are concerned about the operation of tractors or other slow moving vehicles on 90 km/h roadways.

Canada Post officials were consulted to determine if 90 km/h speed limits will affect rural mail delivery.

## **FINANCIAL IMPLICATIONS**

The implementation of 90 km/h speed limits (Phase 2) will increase maintenance costs by an estimated \$11,400 on an annual basis. The implementation will also require the installation, relocation or replacement of various regulatory, warning, and direction guidance signs at a one-time estimated cost of \$34,000.

The following is a multi-year summary of the cost increase estimates for implementation of 90 km/h speed limits (Phase 2):

<b><u>Item</u></b>	<b><u>Year 1</u></b>	<b><u>Beyond Year 1</u></b>
Routine Patrol Frequency	\$2,730	\$2,730
Winter Maintenance (Snow Removal / Salting)	\$5,900	\$5,900
Cold Mix Asphalt Patch	\$2,770	\$2,770
Sign Installations	\$34,000	\$0
Total	\$45,400	\$11,400

Due to the cost increases, administration recommended that the implementation of 90 km/h speed limits (Phase 2) be subject to approval of Supplementary and Base Budget funding during 2014 Budget Deliberations. During 2014 Budget Deliberations the following recommendation was moved by Council:

*'That Item 116 in the amount of \$11,400 be funded from existing base budget and Item 117 in the amount of \$34,000 be funded from Future Capital Budget reserves.'*

With this funding direction from Council the implementation of the 90 km/h speed limits on Phase 2 roadway sections will proceed. The \$11,400 annual increase in maintenance costs will be funded by a reduction in Roadside Ditching contract work.

Prepared by:

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Mark Ceppi  
Engineering Technologist

Engineering and Transportation Division

Reviewed by:

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Stephen Jahns, P. Eng.  
Manager, Infrastructure and Transportation Engineering and Transportation Division

Reviewed by:

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Thomas Kelly, P. Eng., MBA  
General Manager  
Infrastructure and Engineering Services

Councillor Stirling moved, Councillor Pinsonneault seconded:

**“That**

- 1) 90 km/h speed limits be implemented on the following road sections in the Municipality of Chatham-Kent:**
  - a. Charing Cross Road from Charing Cross to Cedar Springs**
  - b. Countryview Line from Kent Bridge Road to Turnerville**
  - c. Irish School Road from McCreary Line to the north limit (Lambton County boarder)**
  - d. Kent Bridge Road from McKay’s Corners to Magnavilla Line**
  - e. Kent Bridge Road from Kent Bridge to Base Line**
  - f. Longwoods Road from Thamesville to the easterly limit (Middlesex County border)**
  - g. Merlin Road from 300 m south of Tenth Line to Fletcher**
  - h. Middle Line from Blenheim to Charing Cross**
  - i. Middle Line from Charing Cross to South Buxton**
  - j. Middle Line from South Buxton to Merlin**
  - k. Middle Line from Merlin to 400 m west of Valetta Road**
- 2) 90 km/h speed limits be implemented on Clachan Road between Longwoods Road and the Middlesex County border subject to by-law approval from the County of Middlesex Council.**
- 3) The current 60 km/h speed limit zone on Kent Bridge Road in Kent Bridge be reduced to 50 km/h.**
- 4) The current 60 km/h speed limit zone on Middle Line in South Buxton be extended to a point 450 m west of A.D. Shadd Road.**
- 5) Chatham-Kent Traffic and Parking By-law #245-2004 be amended to account for these speed limit recommendations and by-law housekeeping items identified in the report.”**

The Mayor put the Motion

<b>Councillor</b>	<b>Vote</b>	<b>Councillor</b>	<b>Vote</b>
Bondy	no	Parsons	Absent
Brown	yes	Pinsonneault	yes
Crew	yes	Robertson	Absent

Faas	yes	Stirling	yes
Fluker	yes	Sulman	yes
Gilbert	no	Vercouteren	yes
Herman	yes	Wesley	yes
King	yes	Mayor Hope	yes
Leclair	Not Present	<b>Total 12 Yes</b>	<b>2 No</b>
Myers	Not Present		

**Motion Carried**

## 17. CHIEF ADMINISTRATIVE OFFICE

- a) Motion by Councillor Robertson re Renaming of Wellington Street for month of December

Mayor Hope noted that Councillor Robertson was not in attendance and requested that Council postpone his motion to the September 8, 2014 Council Meeting.

Councillor Crew moved, Councillor Brown seconded:

**“That Item #17(a) be postponed until the September 8<sup>th</sup>, 2014 Council Meeting.”**

**Motion Carried**

## 18. CLOSED SESSION REPORTS

**Council Closed Session Report  
Monday, August 11, 2014  
4:03 p.m. to 5:36 p.m.**

**MEMBERS:** Chair Herman, Mayor Hope, Councillors Bondy, Brown, Crew, Faas, Fluker, Gilbert, King, Leclair, Myers, Pinsonneault (arrived at 4:37 pm), Robertson, Stirling, Sulman, Vercouteren and Wesley.

Not in Attendance: Councillor Parsons.

Mayor Hope declared a conflict of interest on the issues regarding **Industrial Road in Ward 2** re relative employment and **OPP investigation into alleged conflict of interest** due to ongoing police investigation.

Councillor Myers declared a conflict of interest regarding **Rondeau Provincial Park** re family owns property in the area.

Council directed administration on:

- A proposed or pending acquisition of land by the municipality or local board in regard to **Industrial Road in Ward 2**. *Section 239.2(c)*

Council received information on:

- Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board in regard to the **Chatham-Kent Airport**. *Section 239.2(e)*

- Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board in regard to the **Forest Glade subdivision**. *Section 239.2(e)*
- Advice that is subject to solicitor-client privilege, including communications necessary for that purpose regarding **OPP investigation into alleged conflict of interest** *Section 239.2(f)*
- Personal matters about an identifiable individual, including municipal or local board employees in regard to changes to the **Organizational Chart**. *Section 239.2(b)*
- Advice that is subject to solicitor-client privilege, including communications necessary for that purpose, in regard to **Rondeau Provincial Park** *Section 239 (2)(f), Municipal Act* *Note this item was added by 2/3 Vote by Council.*

**Next closed session meeting to be held Wednesday, August 13, 2014** regarding A proposed disposition of land, and advice that is subject to solicitor-client privilege, including communications necessary for that purpose in regards to proposed disposition of land by the municipality in regards to the former **CSX railway**. *Section 239.2. (c) and (f), Municipal Act*

Councillor Herman moved, Councillor Stirling seconded:

**“That the August 11, 2014 Closed Session Report be received.”**

The Mayor put the Motion

<b>Councillor</b>	<b>Vote</b>	<b>Councillor</b>	<b>Vote</b>
Bondy	yes	Parsons	Absent
Brown	yes	Pinsonneault	yes
Crew	yes	Robertson	Absent
Faas	yes	Stirling	yes
Fluker	yes	Sulman	yes
Gilbert	yes	Vercouteren	yes
Herman	yes	Wesley	yes
King	yes	Mayor Hope	yes
Leclair	Not Present	<b>Total 14 Yes</b>	<b>0 No</b>
Myers	Not Present		

**Motion Carried**

## **19. READING OF BY-LAWS**

### **(a) FIRST READING**

Councillor Stirling moved, Councillor Pinsonneault seconded:

**“That the By-laws be taken as read for the first time.”**

The Mayor put the Motion

**Motion Carried**

(b) **SECOND READING**

- i. By-law to provide for drainage work in the Municipality of Chatham-Kent for the Kuri Drain & Pump Works, Community of Dover **FIRST AND SECOND READING ONLY**

Councillor Stirling moved, Councillor Pinsonneault seconded:

**“That the By-laws be taken as read for the second time.”**

The Mayor put the Motion

**Motion Carried**

(c) **COUNCIL TO GO INTO COMMITTEE, IF REQUIRED, TO DISCUSS BY-LAWS**

(d) **RESUMPTION OF COUNCIL**

(e) **THIRD AND FINAL READING**

- ii. By-law to amend Zoning By-law 216-2009 of the Municipality of Chatham-Kent (Community Living Wallaceburg)(Hansen #8629)
- iii. By-law to dedicate certain lands for Highway Purposes as part of Countryview Line, Geographic Township of Chatham now in the Municipality of Chatham-Kent
- iv. By-law to dedicate certain lands for Highway Purposes as part of Longwoods Road, Geographic Township of Zone now in the Municipality of Chatham-Kent
- v. By-law to dedicate certain lands for Highway Purposes as part of Pain Court Line, Geographic Township of Dover now in the Municipality of Chatham-Kent
- vi. By-law to dedicate lands for Highway Purposes as part of Thomas Avenue, Community of Wallaceburg now in the Municipality of Chatham-Kent
- vii. By-law to dedicate lands for Highway Purposes as part of Zone Road 1, Community of Thamesville now in the Municipality of Chatham-Kent
- viii. By-law to provide for drainage work in the Municipality of Chatham-Kent for the Arnold Drain West, Arnold Drain West Branch, Arnold Drain East & Arnold Creek Drain (Community of Chatham Township) **THIRD AND FINAL READING**



- ix. By-law to provide for drainage work in the Municipality of Chatham-Kent for the Carey Drain Branch A (Community of Orford) THIRD AND FINAL READING
- x. By-law to provide for drainage work in the Municipality of Chatham-Kent for the Hind Relief, Barfoot, Richmond & Hind Outlet Drains (Community of Dover) THIRD AND FINAL READING
- xi. By-law to provide for drainage work in the Municipality of Chatham-Kent for the Dunlop Drain, Bell Mobility Inc. Access (Community of Dover) THIRD AND FINAL READING
- xii. By-law to provide for drainage work in the Municipality of Chatham-Kent for the Bullis Creek Drain, Lower Portion & Pump Station No. 2 (Community of Raleigh) THIRD AND FINAL READING
- xiii. By-law to regulate smoking of tobacco or tobacco-like products on lands within the Municipality of Chatham-Kent
- xiv. By-law to provide for the collection of certain repair charges on Municipal Drains under section 74 of the Drainage Act
- xv. By-law to amend drainage assessments estimated in engineer reports based on actual costs incurred for constructing various drains
- xvi. By-law to amend By-law Number 245-2004 of the Municipality of Chatham-Kent (Implementation of 90 km/h Speed Limit Zones on various roadways in the Municipality of Chatham-Kent)
- xvii. By-law to confirm proceedings of the Council of The Corporation of the Municipality of Chatham-Kent at its meeting held on the 11<sup>h</sup> day of August, 2014

Councillor Brown moved, Councillor King seconded:

**“That the by-laws be taken as read for a third time and finally passed.”**

The Mayor put the Motion.

**Motion Carried**

## **20. APPROVAL OF COMMUNICATION ITEMS**

- (a) Approval of the August 11, 2014 Council Information Package
- 

### **1. Staff Reports and Information**

- (a) Action items from the July 14, 2014 Council Meeting.

### **2. Correspondence From**

- (a) Letter from Dillon Consulting Limited dated July 7, 2014 re Notice of Study Commencement, Detailed Design and Class Environmental Assessment Study, Highway 401/40 Interchange Reconfiguration and Highway 401 Pavement Reconstruction in the Municipality of Chatham-Kent.
- (b) Card of appreciation from Police Chief Dennis Poole in the recent bereavement of his father-in-law Jack Authier.

- (c) Letter of appreciation addressed to the Members of the Chatham Fire Department from Irene Williams, President of Br. 628 Royal Canadian Legion.
- (d) Letter from David Pearce, Managing Director, Stewardship Ontario to the Mayor and Members of Council dated July 14, 2014 re Interim Industry funding for Municipal Blue Box Recycling for the 2014 Program Year.
- (e) Letter to Mayor Hope from Nancy Ball, Founder, President of CK Animal Rescue dated August 1, 2014 re Remember Me Thursday Ceremony.
- (f) Communication addressed to Barry Card, Barrister and Solicitor, from George Rayner, Case Management Administrative Assistant, Environment and Land Tribunals Ontario dated July 15, 2014 re Forest Glad East Developments Ltd. & Kringa Incorporated.

### **3. Routine Approvals Delegated to Administration**

- (a) Corporate Services
  - (i) Two letters addressed to the Liquor Control Board of Ontario re:
    - Kinsmen Club of Dover, Mitchell's Bay Singing Contest, August 2 & 3, 2014
    - North Buxton Annual Homecoming, August 29 to September 1, 2014

#### Resolutions

- (a) Resolution from the Regional Municipality of Halton dated July 11, 2014 re Protection of Public Participation Act, 2014 (Bill 83)
- 

Councillor Pinsonneault moved, Councillor Wesley seconded:

**“That the August 11, 2014 Council Information Package be approved.”**

The Mayor put the Motion

**Motion Carried**

## **21. NON AGENDA BUSINESS**

Councillor Sulmam requested an update on the plan for the area where the former Kinsmen Auditorium was located. He felt that the gravel area should be paved, especially with the start of the hockey season coming up where there will be increased traffic at the Memorial Arena. The General Manager of Community Development noted the cost associated with paving the former Kinsmen Auditorium location and was unsure if the expense was feasible at this time. Councillor Sulman requested that staff come back with a plan and a timeline for addressing this issue.

## **22. RESOLUTION COUNCIL IN CLOSED SESSION & ADJOURNMENT**

Councillor Herman moved, Councillor Pinsonneault seconded:

**“That Chatham-Kent Council adjourn to its next Meeting to be held on Monday, Wednesday, August 13, 2014 and that Chatham-Kent Council authorize itself to meet in closed session on that day to discuss any matters permitted by The Municipal Act.”**

The Mayor put the Motion

**Motion Carried**

The meeting adjourned at 9:35 p.m.

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MAYOR – Randy R. Hope

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CLERK – Judy Smith