



**Village of Point Edward  
Council Meeting  
AGENDA**

**December 10, 2019, 2:00 p.m.  
Council Chambers, Point Edward Municipal Office  
135 Kendall Street, Point Edward Ontario**

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Pages

**1. Call to Order**

The Mayor called the meeting to order at (time).

**2. Disclosure of Pecuniary Interest**

**3. Resolution to Adjourn to an 'In Camera' Session**

1. Mr. Peter Marshall - Ontario Provincial Police regarding contract renewal

**4. Resolution to Reconvene to Regular Council Session**

**5. Report of the Closed Session Meeting of Council**

**6. Delegations**

1. Jay Verstraeten - 2020 Water/WWTP Budget

The budget material for the 2020 Water/WWTP Department will be circulated and reviewed at the meeting.

**7. Planning**

1. Site Plan agreement for Sarnia Produce

1 - 28

**8. Adoption of Minutes**

1. Council Minutes from the meeting of November 26, 2019

29 - 35

**9. Communications (Receive and File) – Listed**

1. AMO Watch File - November 28, 2019

36 - 37

2.	AMO Watch File - December 5, 2019	38 - 40
10.	<b>New Business</b>	
11.	<b>By-Laws</b>	
1.	By-Law number 49, being a By-Law to Authorize the execution of the Agreement Between the Corporation of the Village of Point Edward and Sarnia Produce For Site PPlan Purposes	41 - 51
12.	<b>Confirmation By-Law</b>	52
13.	<b>Adjournment</b>	



**Planning & Development Services Department**

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Wyoming, ON N0N 1T0

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December 10, 2019

Mayor Hand and Members of Council  
Village of Point Edward  
135 Kendall Street  
Point Edward, ON N7V 4G6

Attention: Jim Burns, CAO/Clerk

Dear Mayor Hand and Members of Council:

**Re: Sarnia Produce Inc.  
Site Plan Control Application and Agreement  
707 & 709 Lite Street**

Sarnia Produce Inc. submitted an site plan control proposal in order to facilitate the construction of a new market store on the property know municipally as 707 Lite Street. The land is currently vacant and is proposed to amalgamated with the property at 709 Lite Street, on which sits Sarnia Produce's warehouse. The applicant is proposing to constructed a 10,000 ft<sup>2</sup> market store. A site plan control submission has also been submitted as part of the development proposal.

As Council is aware, staff have been in discussion with the applicant since May 2019 regarding the construction of the market store on the land. As part of the proposal, the applicant submitted a minor variance application in order to reduce the minimum require setback for the proposed building from 7.5 m to 1.16 m. The minor variance application was approved by the Village of Point Edward's Committee of Adjustment on May 16, 2019. The following condition was attached to their decision:

*"That the site plan agreement between the Owner and Village include a noise warning clause regarding vehicular noise from the adjacent ramp and roadways that are located south of the properties known municipally as 707 and 709 Lite Street."*

The site plan control submission consists of site layout, servicing, grading, removals, elevations and landscaping plans. Given the proximity of the Highway 402, and upon comments received from the Ministry of Transportation Ontario, a Potential Traffic Briefing report was requested from the applicant. The site layout drawings and Traffic Brief are attached to this report

The subject site is located with the Commercial 3 (C3) Zone and is currently vacant. The former the Point Edward Car Wash building was demolished this past summer in order to make way for the proposed market store. The proposed development meets the C3 zone standards and the granted minor variance from the Villages Committee of Adjustment. The building will actually be 1.6 m from the rear property line which is in compliance

with the approved 1.16 m setback. The applicant submitted a Traffic Impact Statement, prepared by Transportation Planning Consultants F.R. Berry & Associates. This statement indicated that the proposed development will not have a significant impact on the operation of the intersections or the highway ramps. A Noise Warning Clause (Section 2(b)(xi)) has been added to the site plan agreement as per the direction from the Village's Committee of Adjustment decision in May 2019.

The site plan shows that the proposed pathway for delivery trucks to the existing warehouse appears to encroach onto the neighbouring Open Grill Restaurant property at 721. A letter was received from Sarnia Produce regarding this potential encroachment and this letter stated that: *"We have a great relationship with all surrounding neighbours and would never want to tarnish that. The deliveries would take place on our joint property. We've had no issues in the past with truck movement on our property or with our fellow neighbours."*

While vehicle movement on the property may not be an issue today, the following condition has been added to the site plan agreement in order to ensure that this remains the case:

*"Section 2(b)(iv) All vehicle movements must occur on this property and not encroach onto neighbouring properties unless an access easement or agreement is signed and registered on title that permits otherwise"*

This site plan application was referred to the Village, County and the Ministry of Transportation for comments/review. The following comments were received:

1. Village Public Works - The sewer clean out must be a double 2 way clean out at the property line (*will be addressed at Inspection stage*)
2. Village Fire Department - No concerns
3. MTO - No issues with this application as the required traffic impact briefing was supplied and indicated that the proposed development will not adversely impact their infrastructure.
4. County Inspections: No Issues

## **Recommendation**

Staff recommends that the site plan be approved and that the Mayor and Clerk be authorized to execute the agreement subject to:

1. The amalgamation of 707 and 709 Lite Street;
2. The receipt of a final servicing and grading plan that is to the satisfaction of Village staff.

Yours truly,

Philip Rough  
Planner  
Lambton County



**SITE PLAN AGREEMENT**

**THIS AGREEMENT** made the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

**BETWEEN:** SARNIA PRODUCE INC  
(hereinafter referred to as the “Owner”)

OF THE FIRST PART

**AND:** THE CORPORATION OF THE VILLAGE OF POINT EDWARD  
(hereinafter referred to as the "Corporation")

OF THE SECOND PART

**WHEREAS** the Corporation has enacted a Site Plan Control By-law 10 of 2001 pursuant to the provisions of Section 41 of the Planning Act, R.S.O. 1990 c. P.13, as amended;

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

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

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

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

- 1. The following Schedules, being a legal description of the lands affected by this agreement, the plans required by the Corporation pursuant to subsection (4) of Section 41 of the Planning Act, R.S.O. 1990 c. P.13, as amended, and particulars of the services being provided are hereby declared to form part of this agreement and are attached hereto:

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

- 2. The attached Schedule 'B' is hereby approved by the Corporation subject to the following conditions:
  - a) The Owner hereby agrees that the development shall be carried out and completed in accordance with the attached Schedule 'B'.
  - b) The following facilities, works or matters shall be provided by the Owner to the satisfaction of and at no expense to the Corporation:
    - i) All parking areas and access, shown on Schedule 'B', shall be constructed and maintained with a stable hard surface.
    - ii) All parking spaces shall be demarcated clearly with painted lines, signage and by concrete curbing to the satisfaction of the Corporation.

- iii) Parking spaces shown on Schedule 'B' shall have a minimum width of 2.7 metres and a minimum length of 6 metres.
- iv) All vehicle movements must occur on this property and not encroach onto neighbouring properties unless an access easement or agreement is signed and registered on title that permits otherwise.
- v) Internal site sidewalks and walkways shall be constructed and maintained with a stable hard surface such as concrete or asphalt. Barrier-free access shall be provided throughout the site.
- vi) All exterior lighting shall be directed away from abutting properties and roadways.
- vii) Any required extensions or expansions to storm, sanitary and/or water services required for the development of the site shall be installed at the expense of the Owner and to the satisfaction of the Corporation.
- viii) The property shall be adequately drained, and prior to the issuance of building permits the Corporation will be satisfied that:
  - the flow of water resulting from any grading and drainage facilities will not create an erosion problem nor aggravate an existing problem, and;
  - the flow of water will not cause a drainage problem on the site or on abutting lands.
- ix) Open storage of refuse, building materials (except in connection with an approved construction project occurring on the site) or similar materials is not permitted on the said lands. Open storage as defined by the Corporation's Zoning By-Law is permitted on the said lands only if it is listed as a permitted use in that By-law. Any area to be used for permitted open storage shall be set out on the site plan through an amendment to this agreement.
- x) Development of the area marked for future development/retail shall be subject to an amendment to this agreement, including the provision of elevation and servicing drawings to the satisfaction of the Corporation.
- xi) Purchasers and/or tenants are advised that despite the inclusion of noise control features within the new Market Store and Existing Warehouse, sound from traffic along Highway 402, may continue to be of concern. Noise may occasionally interfere with some activities of the building occupants and users, as the outdoor vehicle traffic sound levels may exceed the noise criteria of the Municipality and the Ministry of Environment, Conservation and Parks (MOECP)."
- c) The Owner hereby agrees to maintain to the satisfaction of the Corporation and at the sole risk and expense of the Owner those facilities, works or matters required to be provided under subclause b) of clause 2 hereof.

The Owner shall be responsible for protecting existing streets affected by the construction of this project, and shall restore such streets to their previous condition. As security to ensure such restoration, a damage deposit of \$2,000.00 shall be submitted with the Corporation prior to the signing of this agreement. Provided the Corporation is satisfied that no damage has occurred, or that damage has been repaired to its satisfaction, all of the damage deposit will be returned to

the Owner. If the Corporation must conduct repairs, an appropriate amount of the deposit will be retained by the Corporation to cover the cost of such repairs.

Prior to the issuance of the damage deposit, the Corporation shall document the pre-existing conditions on the public lands adjacent to the site by taking photographs of those lands.

- d) The approval of the attached Schedule 'B' by the Corporation shall lapse if development of the said lands:
  - i) is not carried out and completed in accordance with the said Schedule 'B'; or
  - ii) is not completed within two (2) years of the execution of this agreement, unless an extension has been agreed to in writing by the Corporation.

3. The Owner hereby acknowledges and agrees that:

- a) Pursuant to subsection (10) of Section 41 of the Planning Act, R.S.O. 1990 c. P.13, as amended, this agreement may be registered against the said lands to which it applies and the Corporation is entitled to enforce the provisions hereof against the Owner, and subject to the provisions of the Registry Act and the Land Titles Act, any and all subsequent owners of the land.
- b) Pursuant to subsection (11) of Section 41 of the Planning Act, R.S.O. 1990 c. P.13, as amended, Section 446 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, applies to any requirements made under subclauses (a), (b) and (c) of clause 2 hereof and to any other requirements made under this agreement.
- c) Upon completion by the Owner with all of the terms and conditions of this Agreement and at the written request of the Owner, the Corporation shall provide a letter of such compliance.

4. Amendments to this agreement may be carried out at any time with the consent, in writing, of the Corporation and the registered Owner of the said lands at the time of such amendment.

5. Upon breach by the Owner of any covenant, term or condition of this Agreement, which such breach has not been rectified to the satisfaction of the Corporation by the Owner within seven (7) days of notice from the Corporation, the Corporation at its sole option, may:

- a) require all work as aforesaid to cease, or;
- b) complete any necessary work and the Owner agrees to forthwith indemnify the Corporation for any expense in this regard, such expense shall form a lien against the lands and may be collected by the Corporation in the same manner as realty taxes pursuant to Section 1(3) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended. The remedies provided in this paragraph shall be in addition to any other remedy available to the Corporation pursuant to this Agreement or at law.

6. All payments, notices, demands, requests, approvals, representations, and consents which may be or are required to be given by either party to the other herein, shall be in writing and delivered or sent by prepaid registered mail to the parties at their respective addresses. Unless notice of change of address shall be given by either party to the other, their respective addresses shall be:

If to the Corporation, to it at:

The Corporation of the Village of Point Edward  
135 Kendall Street  
Point Edward, ON N7V 4G6

Attention: C.A.O./Clerk

If to the Owner, to it at:

Sarnia Produce Inc.  
707 and 709 Lite Street  
Point Edward, ON N7V 1A7

and if any such notice, demand, request, approval, representation or consent is sent by prepaid registered mail, it shall be conclusively deemed to have been received on the third business day following the mailing thereof and if delivered, it shall be conclusively deemed to have been received at the time of delivery. It is agreed, however, that notwithstanding the foregoing provisions with respect to mailing, in the event that it may be reasonably anticipated that due to any strike, lock-out, or similar event involving a postal service, any payment, notice, demand, request, approval, representation or consent will not be received by the addressee within the time hereinbefore provided, then the mailing of any payment, notice, demand, request, approval, representation or consent as aforesaid shall not be an effective means of sending the same but rather any payment, notice, demand, request, approval, representation or consent must be sent by the most reasonably expeditious means of transportation available.

7. This Agreement shall be governed and construed in accordance with the laws of the Province of Ontario and the courts of such Province shall have exclusive jurisdiction to ascertain any action in connection with this agreement.
8. This Agreement constitutes the entire agreement among the parties and shall not be modified, amended or assigned except with the consent in writing of the parties hereto. A consent to any assignment required hereunder may be arbitrarily or unreasonably withheld until the proposed assignee executes and delivers such documents as, in the opinion of the legal counsel of the Corporation, are necessary to oblige themselves or itself hereunder.
9. The provisions hereof shall endure to the benefit of the parties hereto and their heirs, executors, administrators, successors and assigns.
10. If any of the terms of this agreement shall be found to be ultra vires of the Corporation, or otherwise unlawful, such terms shall inclusively be deemed to be severable, and the remainder of this Agreement mutatis mutandis shall be and remain in full force and effect.

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

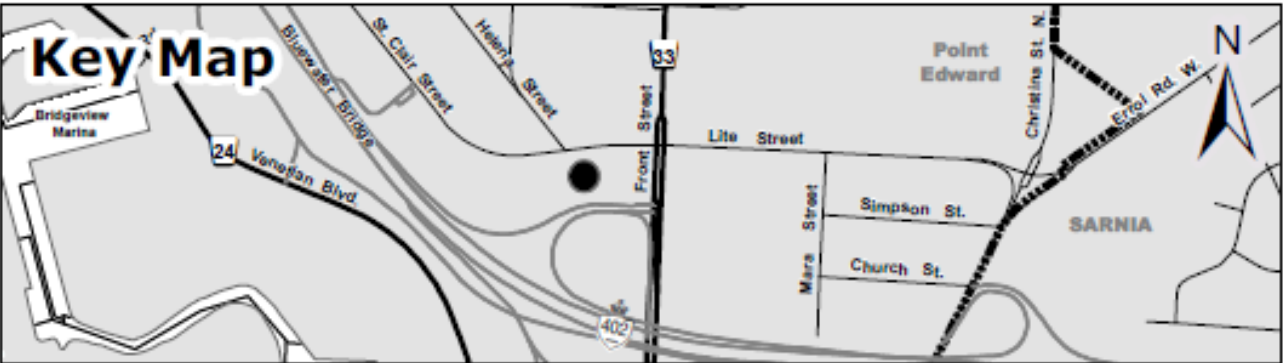
(SEAL)  
The Corporation of the Village of Point Edward

\_\_\_\_\_  
Mayor

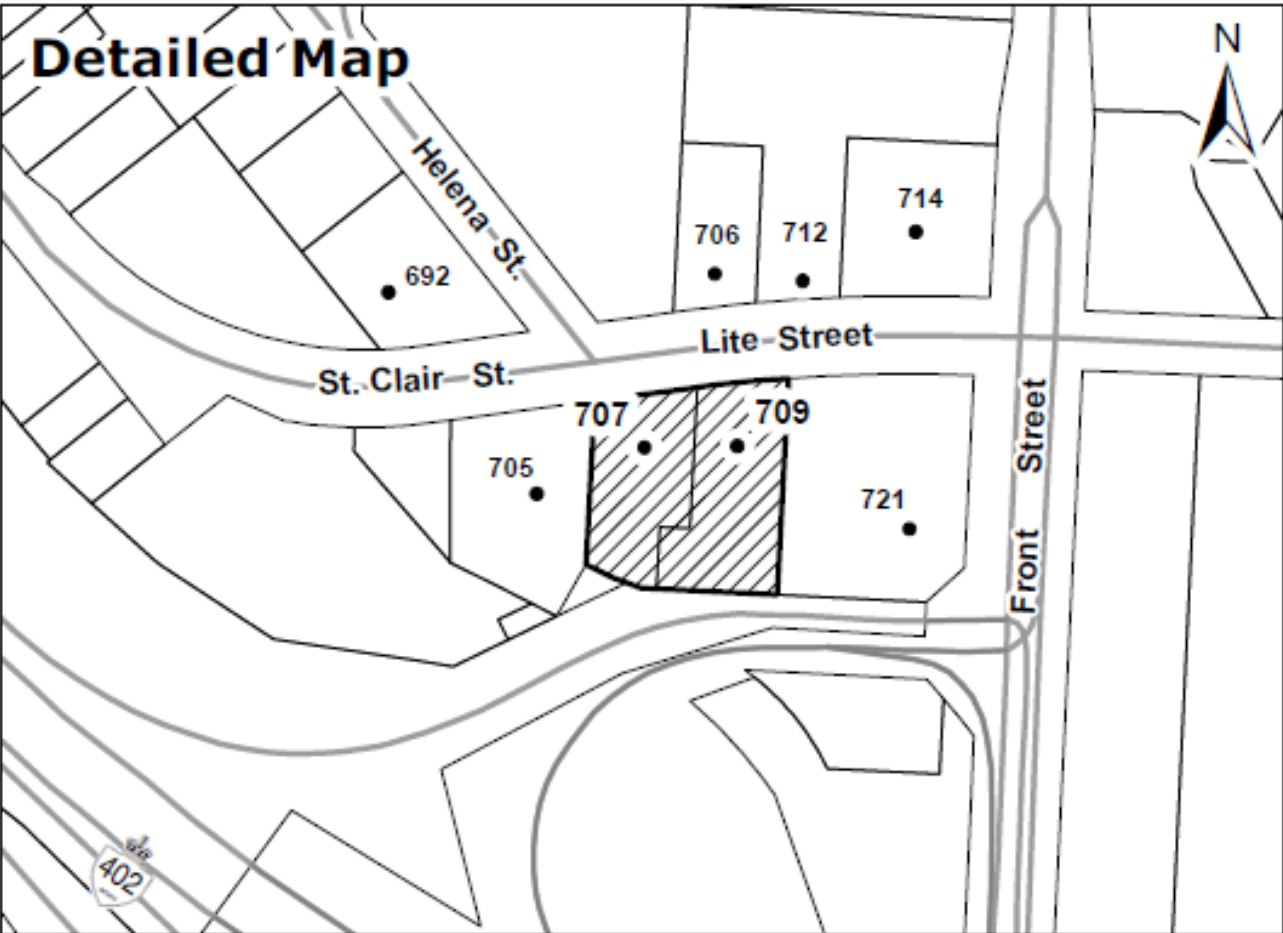
\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Sarnia Produce Inc.  
Owner

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



● Subject Property



Lands Subject to Site Plan Agreement

APPLICANT:	Sarnia Produce Inc.
LOCATION:	Part of Lots 53, 54, 55 and Part of Helena St. (Closed), Plan 2 & 4, Village of Point Edward.

**SCHEDULE "B"**  
**SITE PLAN AND SERVING REPORT**

Drawings:

Cover Sheet  
Philip Agar Architect  
September 19, 2019

Site Plan  
Philip Agar Architect  
September 19, 2019

Site Servicing Plan  
B. M. Ross and Associates Limited  
September 19, 2019

Site Servicing Report  
Wellington Builders Inc.  
November 19, 2019



November 22, 2019

Village of Point Edward

RE: New Build (Retail Market Store – Sarnia Produce)

To Whom it May Concern,

Sarnia Produce is planning an expansion to build a retail market store (Sarnia Produce Market Place). The store will be located directly adjacent to its current warehouse in Point Edward. The property has been purchased (existing building demolished) and we are currently in the design and build stage. Both properties will be legally merged into one.

The new build will have a delivery dock used for unloading of trucks. The existing warehouse also has a dock used for unloading and loading of delivery trucks. It has been brought to our attention of the concern that we may be encroaching neighboring properties to maneuver trucks upon receiving and delivering of product. Most of the deliveries will be made at our wholesale warehouse and cross docked to the retail market. There will be minimal deliveries at the new store. We have a great relationship with all surrounding neighbours here and would never want to tarnish that. The deliveries would take place on our joined property. Most often, the deliveries take place early mornings usually before 8:00 am prior to any surrounding business' hours of operation. We've had no issues in the past with truck movement on our property or with our fellow neighbours. We want to work together with our fellow merchants to further promote the Village of Point Edward and its business community.

Sincerely,

Dean Troiani  
Owner  
Sarnia Produce Inc.



# F.R. Berry & Associates

TRANSPORTATION PLANNING CONSULTANTS

660 Inverness Avenue

London, Ontario N6H 5R4

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

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November 12, 2019

Our Ref. **1969**

B. M. Ross and Associates Limited  
2695 Hamilton Road  
P.O. Box 400  
Bright's Grove ON  
N0N 1C0

Attn. Mr. A. Morfin

Dear Mr. Morfin;

**RE: PROPOSED SARNIA PRODUCE EXPANSION  
707 – 709 LITE STREET, POINT EDWARD**

At your request, I have assessed the potential traffic impact of a proposed expansion to the existing Sarnia Produce business at 707 Lite Street in Point Edward. I understand that this assessment has been requested by the Ministry of Transportation in order to ensure that there are no adverse impacts on the operation of the intersections of Front Street with the Highway 402 ramps.

Sarnia Produce has proposed the construction of a 10 000sf building on an adjacent lot at 709 Lite Street. This lot is currently occupied by a car wash. The location of the site is shown in **Figure 1**. **Figure 2** shows a view of the existing Sarnia Produce building and the adjacent car wash.

**Existing Conditions**

Sarnia Produce is primarily a wholesale purchaser and distributor of fresh fruits and vegetables. Customers include restaurants, stores, institutions, casinos, franchises and other related businesses in Sarnia and Lambton County. In addition to the wholesale operation, Sarnia Produce offers a complete specialty retail area for walk-in customers.

The existing operation is located within a single building with a floor area of approximately 5 400sf. There is a single driveway access to Lite Street. The adjacent car wash contains five self service bays.



-2-

Lite Street is a two lane local street providing access between Front Street and the southern part of the Village of Point Edward. The intersection of Lite Street and Front Street is signalized. Each of the Front Street approaches has a dedicated left turn lane, a through lane and a shared through and right turn lane. The eastbound approach on Lite Street has a single shared lane. There is provision for an advanced green indication for northbound and southbound left turns on Front Street.

The intersection of Front Street and the north Highway 402 ramp terminal is unsignalized with stop control on the left turn lane from the exit ramp. The right turn movement from Highway 402 to southbound Front Street is channelized. There are two through lanes in each direction on Front Street and a northbound left turn lane to the Highway 402 on-ramp.

The intersection of Front Street and the south Highway 402 ramp terminals is signalized with an advance green provision from southbound Front Street to the Highway 402 on-ramp eastbound. Front Street has two through lanes in each direction plus a southbound left turn lane. The Highway 402 off-ramp has a left turn lane and a shared through and right turn lane.

### **Proposed Expansion**

Sarnia Produce has proposed the construction of a 10 000sf building dedicated to its retail operation. The site plan is shown in **Figure 3**. The new building will utilize the driveway access to the existing building. It is understood that the driveway will be reconstructed to appropriate current standards.

The existing retail operation specializes in fruits and vegetables. It is expected that the range of products will be expanded in the new facility. However, given its size and the primary focus of the business, it would not be reasonable to compare the proposed expansion with a full service food store or supermarket.

**Table 1** shows estimated peak hour vehicle trip generation based on rates contained in the Institute of Transportation Engineers (ITE) Trip Generation Manual, Tenth Edition, for ITE Land Use 850, Supermarket. These trip generations have been adjusted to reflect the size and nature of the operation and the fact that the existing retail operation is being transferred to the new facility. It was considered that a 50 percent reduction would be a reasonable adjustment.

**Figure 4** shows the assignment of peak hour trips generated by the proposed expansion. The assignment does not include trip generations from the existing facility.





-3-

It was estimated that about 20 percent of the new trips would be oriented to and from the west via Lite Street, Helena Street and St. Clair Street. The remainder were split equally among Front Street to and from the north, Front Street to and from the south and Highway 402 to and from the east.

### Analysis

Ministry of Transportation staff have indicated that a traffic impact study brief or letter would be acceptable if it can be conclusively demonstrated that the proposed development would have little or no impact on the capacity or safety of the highway network. The incremental volumes of peak hour vehicle trips expected to be generated by the proposed expansion, as shown in **Figure 4**, meet this condition.

About 10 vehicle trips in the morning peak hour and 25 in the afternoon peak hour, all but 6 of which would be through traffic, would be added to the total traffic passing through the intersection of Front Street and the north ramp terminal. At the intersection with the south ramp terminal, about four vehicle trips would be added in the morning peak hour and 19 in the afternoon peak hour. About six vehicles would be added to each of the Highway 402 entrance and exit ramps in the afternoon peak hour. These volumes would have no significant impact on the operation of the intersections or the highway ramps.

Very truly yours

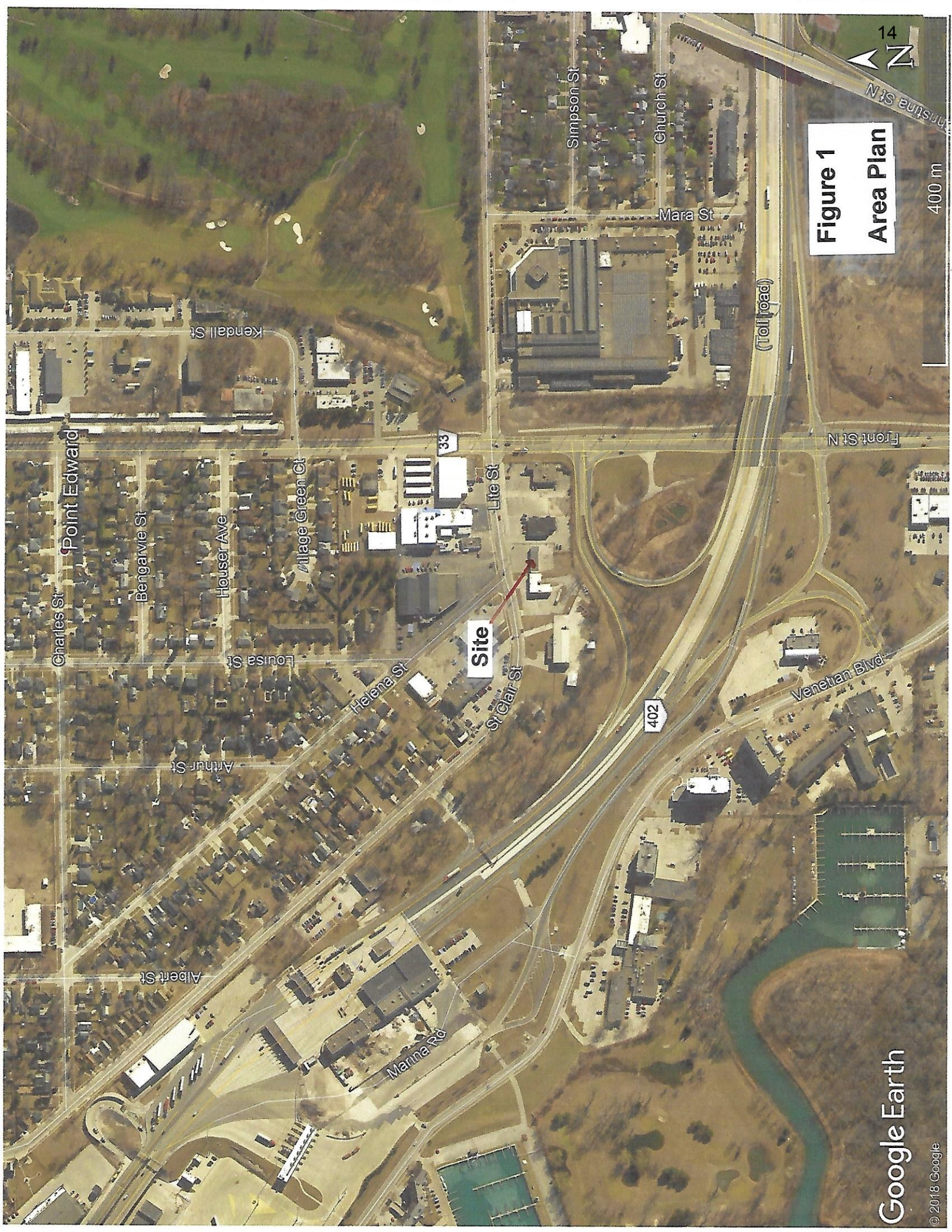
F. R. Berry & Associates

Frank R. Berry, P.Eng.  
Principal



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**Figure 1**  
**Area Plan**



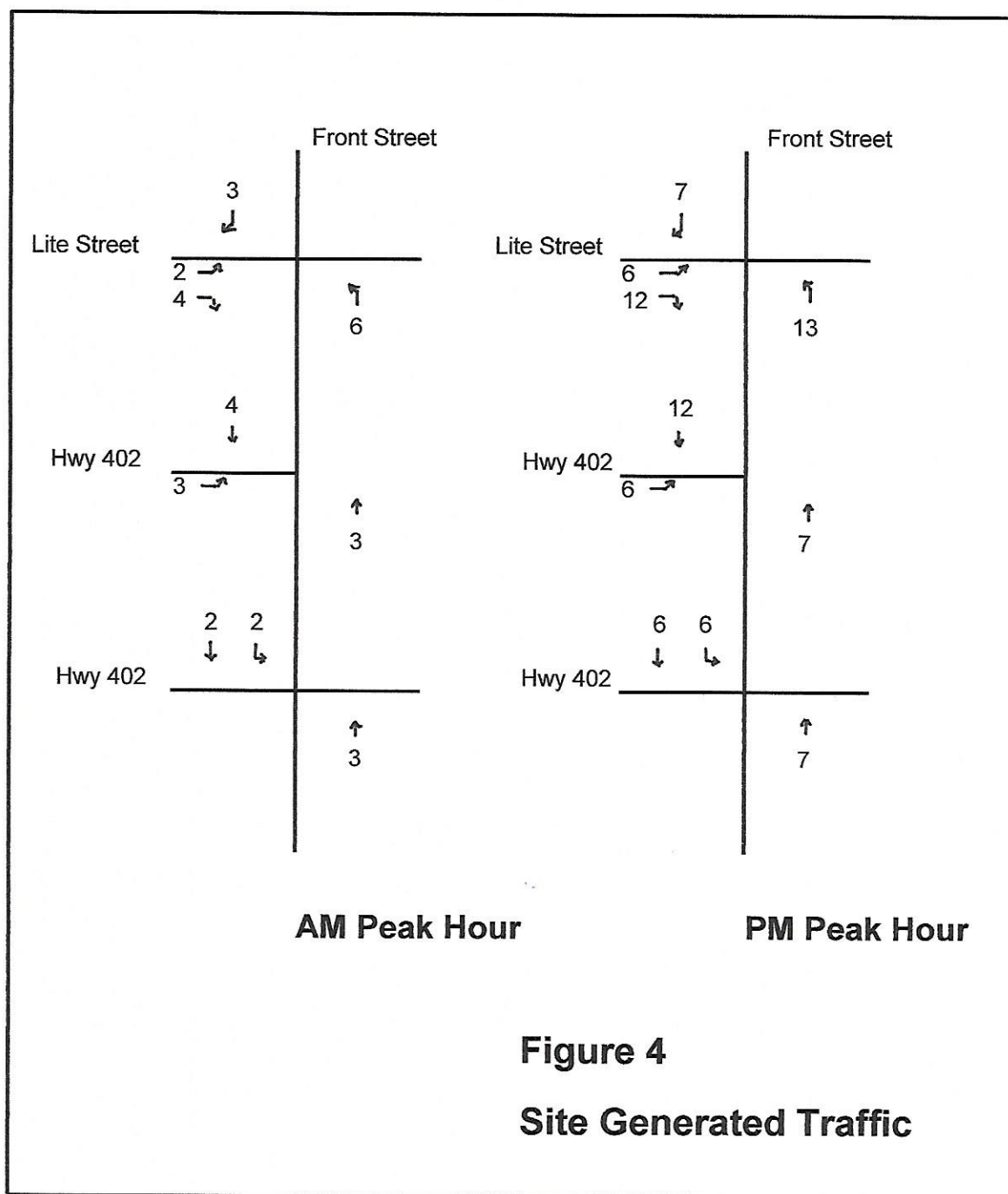


**Figure 2**

**Existing Building and  
Expansion Site**







**SERVICING REPORT**

**WELLINGTON BUILDERS INC.**  
**SARNIA PRODUCE SITE EXPANSION**

**VILLAGE OF POINT EDWARD**

**Project No. 19158**

**Date: November 19, 2019**





**B. M. ROSS AND ASSOCIATES LIMITED**

**Engineers and Planners**

2695 Hamilton Road, P.O. Box 400

Brights Grove, ON N0N 1C0

p. (519) 908-9564 • f. (519) 524-4403

[www.bmross.net](http://www.bmross.net)

File No. 19158

**November 19, 2019**

WELLINGTON BUILDERS INC.

6367 Townsend Line

P.O. Box 790

Forest, Ontario

N0N 1J0

**Attention: Mr. Jake Wellington**

Re: Servicing Report  
Sarnia Produce Site  
707 & 709 Lite Street  
Point Edward, Ontario

Dear Sir:

This letter summarizes the servicing report for the proposed expansion of the Sarnia produce site located at #709 Lite Street in the Village of Point Edward in support of an application for Site Plan Approval. The expansion will consolidate two existing commercial lots (#707 and #709 Lite Street) Zoned C3 to create one lot (the "site") with two buildings. The design proposes new water/sanitary/storm service connections for the new building and one shared vehicle access off Lite Street. Independent utilities shall also be provided from Lite Street. Please refer to the following descriptions and the attached drawings:

- |              |                       |
|--------------|-----------------------|
| • 19158 – 01 | Removals Plan         |
| • 19158 – 02 | Site Servicing Plan   |
| • 19158 – 03 | Site and Grading Plan |
| • 19158 – 04 | Details Sheet         |
| • 19158 – 05 | Details Sheet         |

The servicing layout is based on the latest AGAR Architect Site Plan A101 dated July 11, 2019.

**Roads:**

Access to the site is currently provided by three driveways on Lite Street. The design proposes to eliminate the existing driveways and provide a single new 9m wide asphalt driveway on Lite Street complete with asphalt ramp and dropped curb as per OPSD-350.010. Due to future road upgrades on Lite Street planned for 2021 by the Village of Point Edward, the surface works to be constructed under the site plan agreement will terminate at the property line with the exception of minimal grading to meet existing boulevard grade.

Removal of existing curb cuts, placement of new curbs and gutter, municipal sidewalk and grassed boulevard will be completed by the Village of Point Edward as part of their Lite Street reconstruction project.

Garbage and recycling pickup shall remain with a new storage bin and concrete pad proposed at the rear of the new building.

**Water:**

Water servicing to the site was provided by two (2) service connections from the existing 200mm dia. main on Lite Street, one (1) to #707 and one (1) to #709. The existing service connection to #709 shall remain in place and the service to the former carwash at #707 has already been decommissioned.

The design proposes a new 50mm dia. service connection located 27.5 meters off-set from the west property line to service the new building at #707. A 50mm dia. curb stop and service box shall be provided at property line.

**Sanitary:**

Sanitary servicing to the site is provided by two (2) service connections from the existing 250mm dia. main on Lite Street, one (1) to #707 and one (1) to #709. The existing service connection to #709 shall remain in place as required by the Village of Point Edward. The size and location of the service connection to #707 is unknown.

The design proposes a new 150mm dia. service connection located 29.6 meters off-set from the west property line to service the new building at #707 complete with cleanout at property line and a sanitary maintenance hole at the building sewer connection.

**Storm Drainage:**

Storm servicing to the site is provided by one (1) 150mm service connection from the existing 450mm dia. main on Lite Street. The on-site system consists of three catch basins: one located at the front; one at the rear of the site; and one at the bottom of the loading dock.

The design proposes a new 200mm dia. service connection located 38.2 meters off-set from the west property line to service the new building and parking lot at #707. The new service connection will consist of three additional catch basins located in the parking lot and a lawn basin to collect runoff from landscaped areas and the building roof drainage. The existing storm service connection to #709 shall remain in place as required by the Village of Point Edward.

The existing 450mm dia. municipal storm sewer on Lite Street flows easterly along Lite Street to the existing 1350mm dia. storm sewer on Front Street which flows to the existing Village stormwater pumping station at the intersection of Venetian Boulevard and Exmouth Street, which discharges to Sarnia Bay.

### **Stormwater Management**

The existing site coverage is 92% impervious and consists of asphalt pavement, one building, grass, and a few small shrubs. The design proposes additional landscaping at the front of the lot to reduce the overall site imperviousness to 89%. This provides a reduction in the 2-year peak run-off of 2.5 L/s. The proposed design will also reduce the imperviousness off-site within the municipal boulevard with proposed sodding once the road is re-constructed in 2021.

Due to the proposed reduction in on-site imperviousness, quantity control of storm runoff is not required. However, it is considered appropriate to implement quality control measures. To improve runoff quality before discharge, roof drainage shall be discharged to ground surface and directed to flow overland to the proposed lawn basin to promote filtration and absorption of runoff. The catch basins on the site shall also be provided with appropriate sumps to manage contaminants in the runoff from the parking lot.

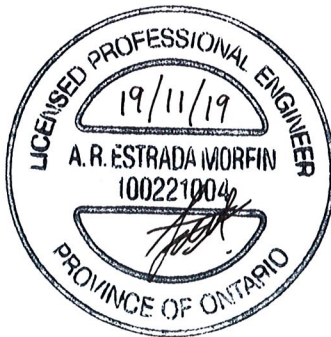
### **Utilities:**

Independent utility servicing to the site is provided by Bluewater Power, Bell Canada, and Union Gas. The design proposes to use the existing Bell Canada and Union Gas services and to upgrade the Bluewater Power service connection with a single underground service from Lite Street.

We trust that this summary letter is sufficient for your present requirements in support of an application for site plan approval. Should any point require clarification, please contact the undersigned.

Servicing Report Prepared by

B. M. ROSS AND ASSOCIATES LIMITED

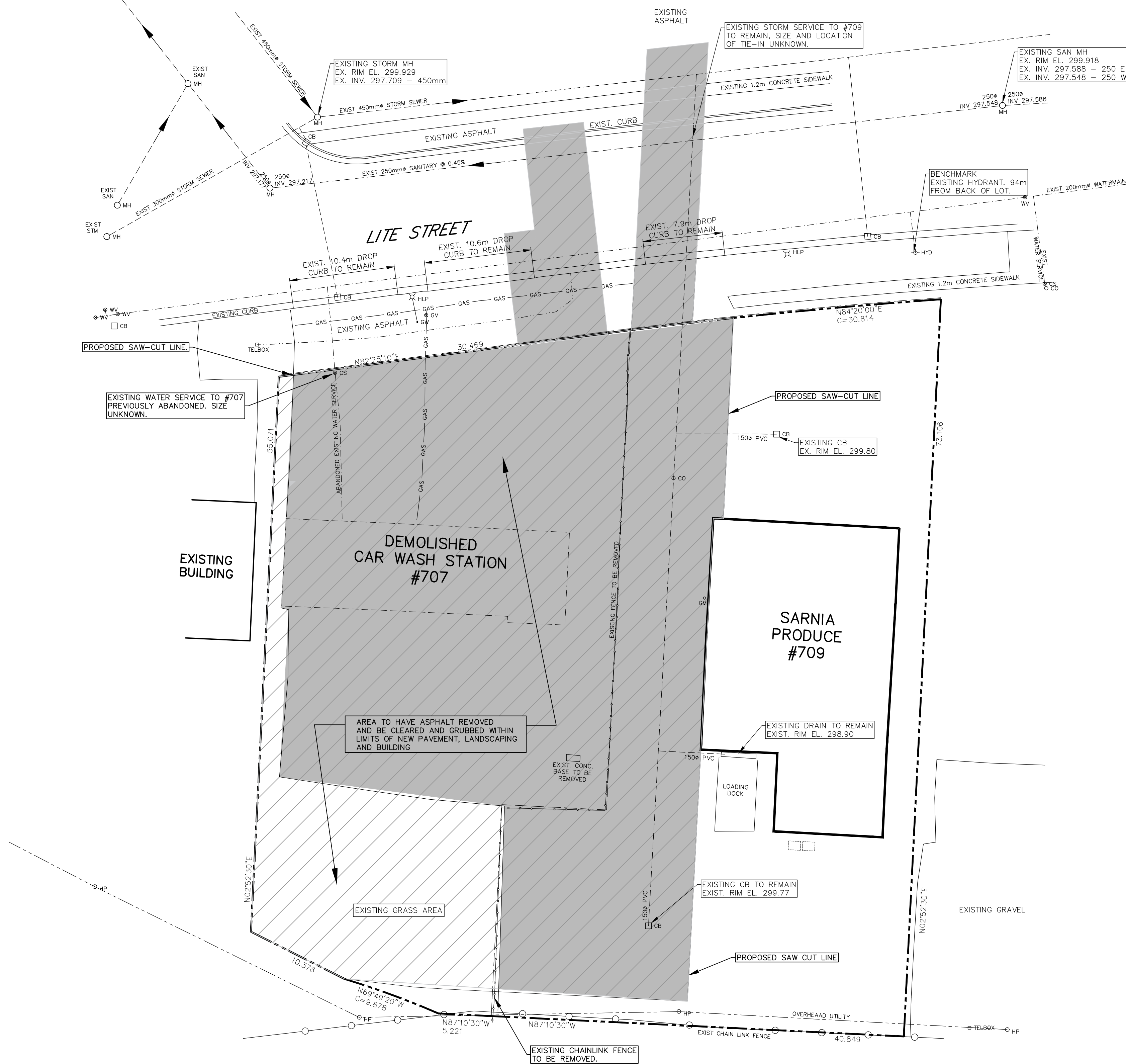


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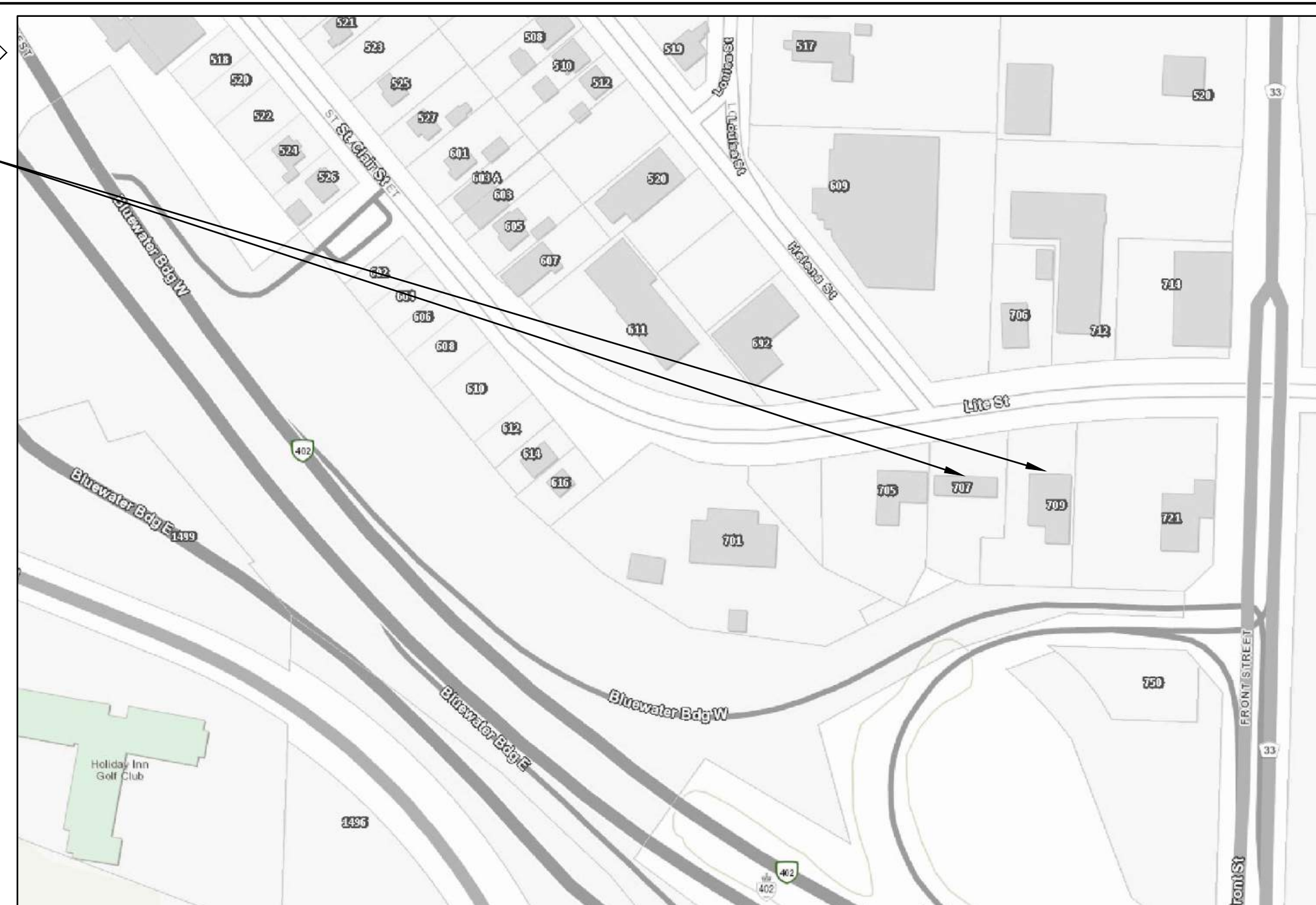
A handwritten signature in blue ink, appearing to read "Alex Morfin".

Alex Morfin, P.Eng.





#707 &amp; #709 LITE STREET

KEY PLAN  
NTSEXISTING RESTAURANT  
(OPEN GRILL  
STEAKHOUSE)

**NOTE:**  
ALL WORK WITHIN THE ROW TO BE COMPLETED WHEN LITE STREET IS REBUILT BY OTHERS, EXCLUDING WATER, STORM AND SANITARY CONNECTIONS REQUIRED FOR THIS DEVELOPMENT AND THE ASSOCIATED RESTORATION OF EXISTING CONCRETE AND ASPHALT

**LEGEND:**

AREA TO HAVE ASPHALT REMOVED AND BE CLEARED AND GRUBBED WITHIN LIMITS OF NEW PAVEMENT, LANDSCAPING AND BUILDING

ASPHALT TO BE REMOVED

**LEGEND**

SAN. or STM. EXISTING SEWERS, SANITARY or STORM

STORM. PROPOSED STORM SEWERS

SANITARY. PROPOSED SANITARY SEWERS

MH. CB. EXISTING MANHOLE and CATCHBASIN

MH. CB. PROPOSED MANHOLE and CATCHBASIN

EXISTING WATERMAIN

PROPOSED WATERMAIN

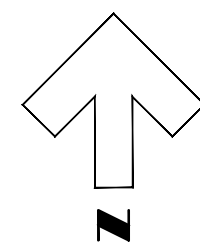
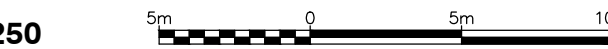
HYD. W.V. HYDRANT AND WATER VALVE

H B T H-B S/L UTILITY POLES

GRUBBING

ROAD AND PARKING LOT TO BE PAVED

1:250

**NOTE**

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**BENCHMARK INFORMATION**

Local B.M. Elev. = 301.070m  
Top Nut of Hydrant Located on South Side of Lite Street in front of Sarnia Produce  
Survey prepared by BM Ross

Design By: AM

Checked By: PS



No.	DATE	REVISION
1	07/19	For Review
2	11/19	For Approval



Goderich Mount Forest Sarnia

**Sarnia Produce**  
**707 & 709 Lite Street**  
**Point Edward, Ontario**

Existing Conditions and Removal Plan

**Project No.**  
**19158**

**Scale (24x36)**  
**1:250**

**Drawing No.**  
**19158-01**

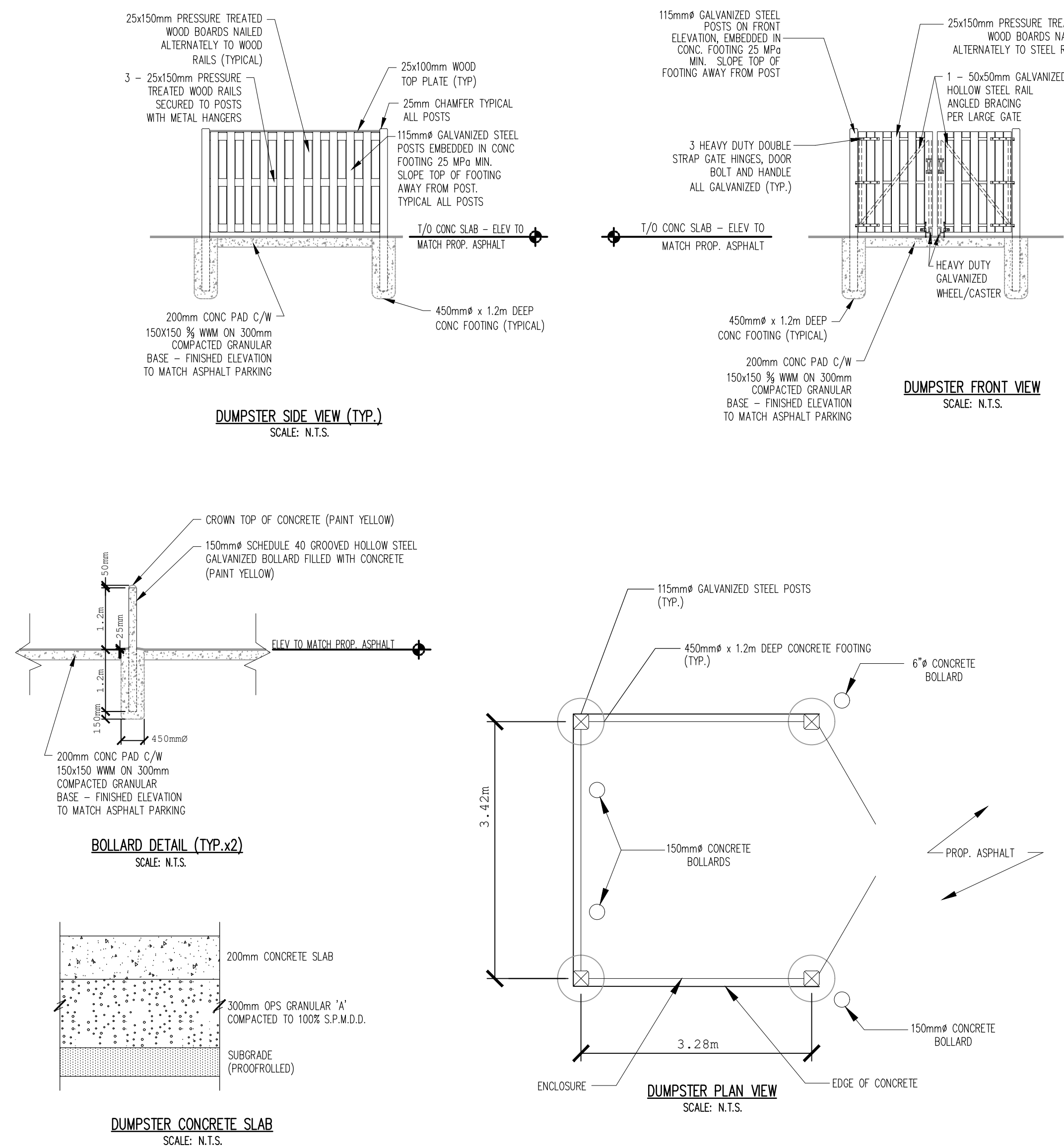
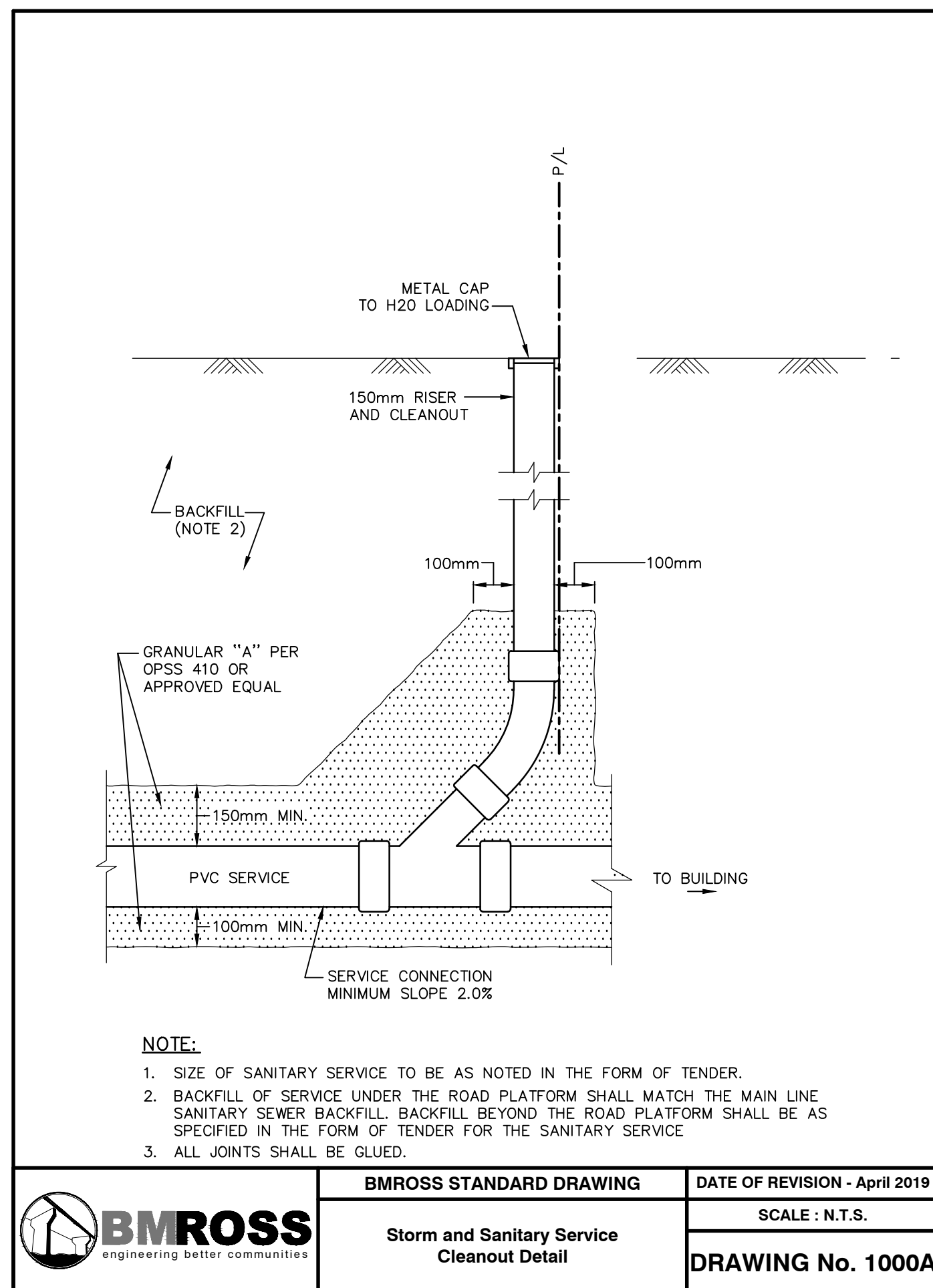












## NOTES:

1. IT IS THE CONTRACTOR'S RESPONSIBILITY PRIOR TO CONSTRUCTION TO INVESTIGATE AND VERIFY THE LOCATIONS OF ALL EXISTING MUNICIPAL AND PRIVATE SERVICES AND UTILITIES WHICH MAY EFFECT THE WORK WHETHER OR NOT INDICATED ON THE DRAWINGS
2. THE CONTRACTOR SHALL REFER TO THE ARCHITECTURAL DRAWINGS FOR ALL BUILDING AND SITE LAYOUT DIMENSIONS.
3. ALL WORKS SHALL BE COMPLETED IN ACCORDANCE WITH THE LATEST REVISION OF THE ONTARIO PROVINCIAL STANDARD SPECIFICATIONS AND CITY OF SARNIA SPECIFICATIONS AND DRAWINGS
4. THE CONTRACTOR AND/OR APPROPRIATE SUB-TRADES SHALL BE RESPONSIBLE FOR NOTIFYING THE FOLLOWING PEOPLE AT LEAST THREE (3) WORKING DAYS PRIOR TO COMMENCEMENT OF CONSTRUCTION:
  - A. THE VILLAGE OF POINT EDWARD:  
CONTACT: JAY VERSTRAETEN 519-339-7273  
CONTACT: PAUL CHURCHILL 519-337-3021
  - B. THE ENGINEERING CONSULTANT BM ROSS AT 519-908-9564
  - C. THE COUNTRY OF LAMBTON BUILDING & PLUMBING INSPECTOR AT 519-845-0801
5. THE CONTRACTOR SHALL CONDUCT PRE-CONSTRUCTION MEETING BEFORE STARTING ANY WORK ONSITE
6. ALL WORK SHALL BE CARRIED OUT TO THE SATISFACTION OF THE MUNICIPAL ENGINEER OR HIS/HER REPRESENTATIVE
7. ANY EXISTING ROAD OR PROPERTY DISTURBED BY CONSTRUCTION ACTIVITIES SHALL BE FULLY RESTORED IN ACCORDANCE WITH ONTARIO PROVINCIAL STANDARDS TO THE SATISFACTION OF THE MUNICIPAL ENGINEER
8. TRAFFIC SHALL NOT BE INTERRUPTED WITHOUT PREVIOUS WRITTEN AUTHORITY OF THE MUNICIPAL ENGINEER

## REMOVALS:

1. REMOVE AND DISPOSE OF EXISTING ASPHALT AND GRANULAR BASE MATERIALS TO SUB-GRADE LEVEL OFF-SITE
2. REMOVE AND DISPOSE OF EXISTING CONCRETE PADS, CURBS AND GRANULAR BASE MATERIALS TO DESIGN SUBGRADE LEVEL OFF-SITE

## PAVEMENT, CURBS, AND SIDEWALKS:

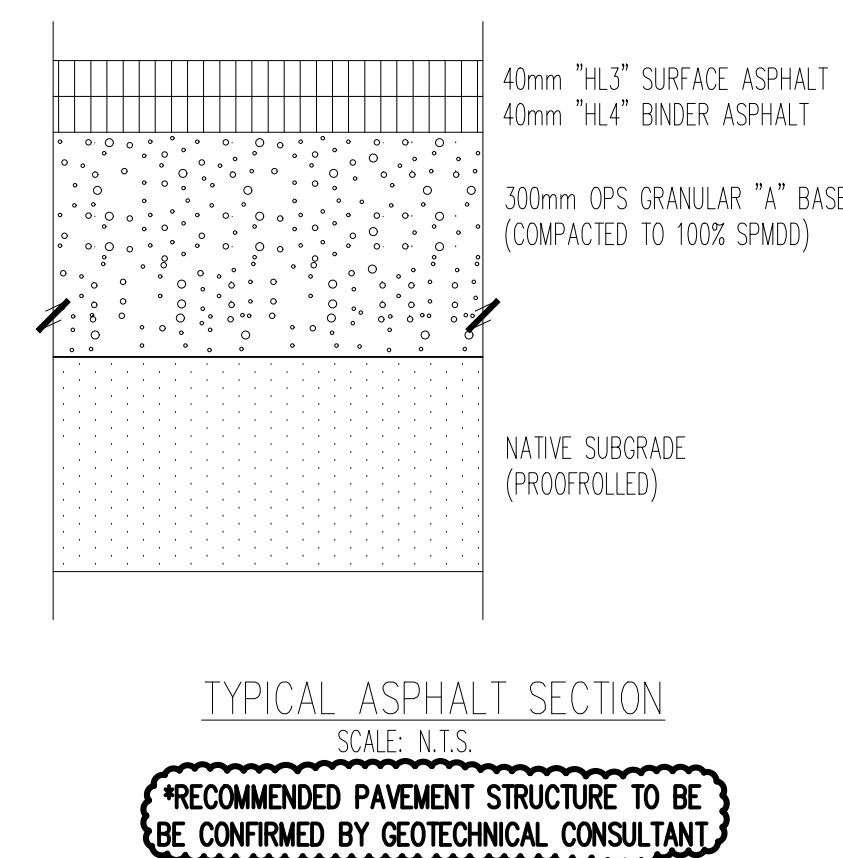
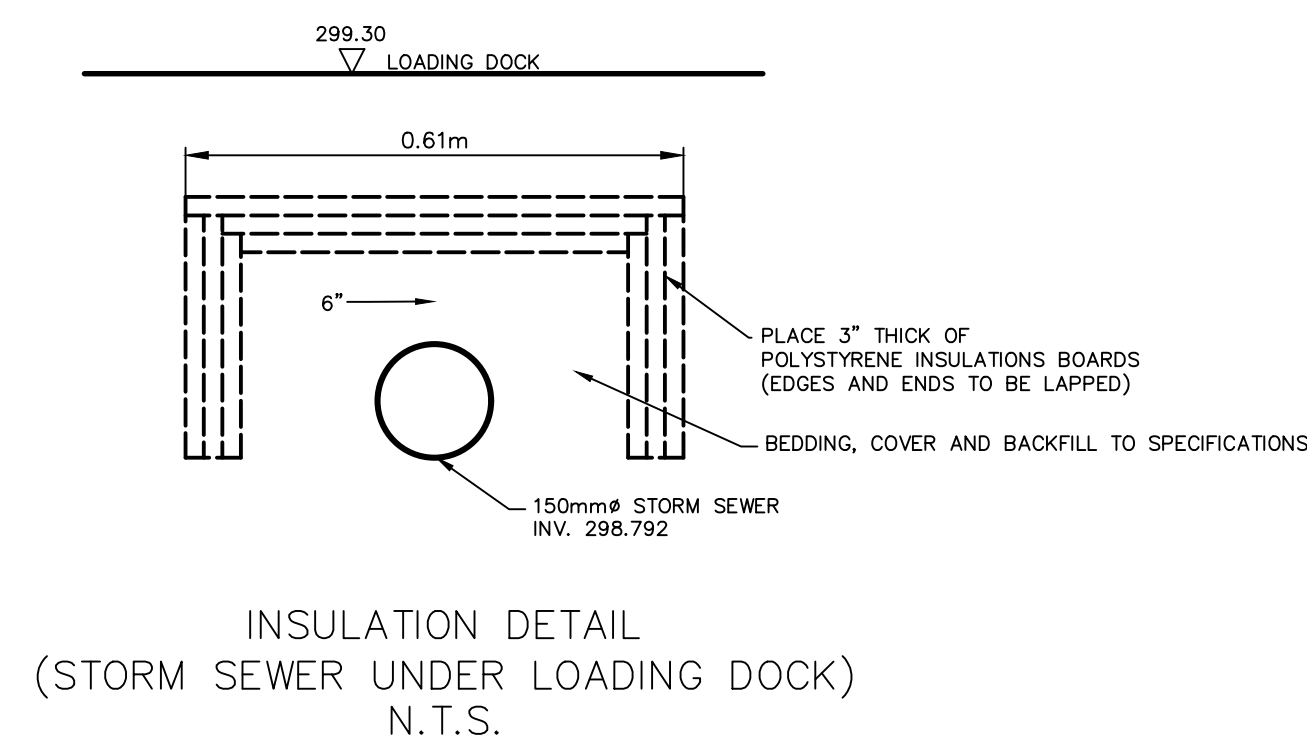
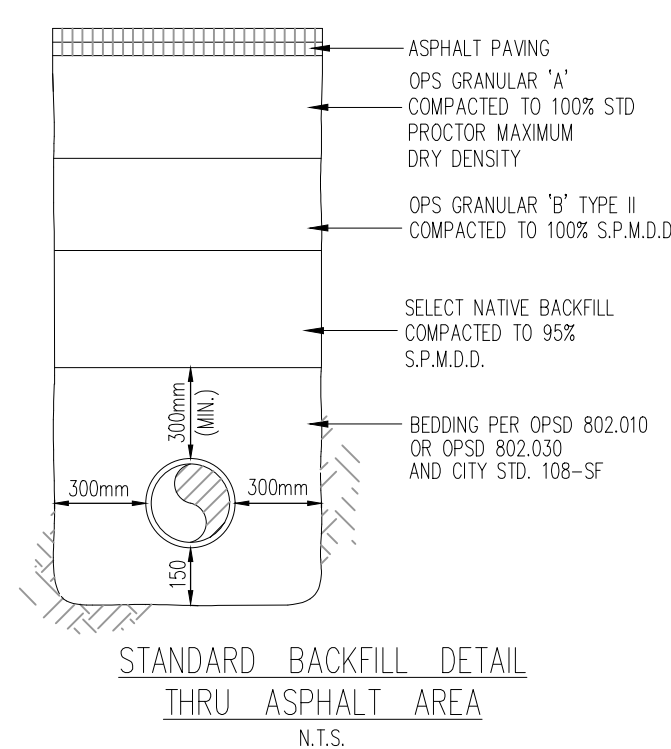
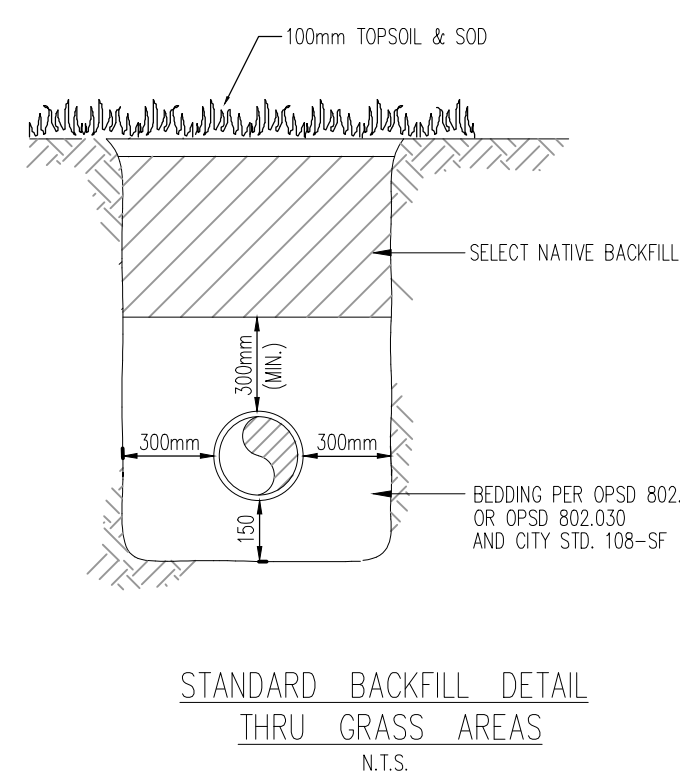
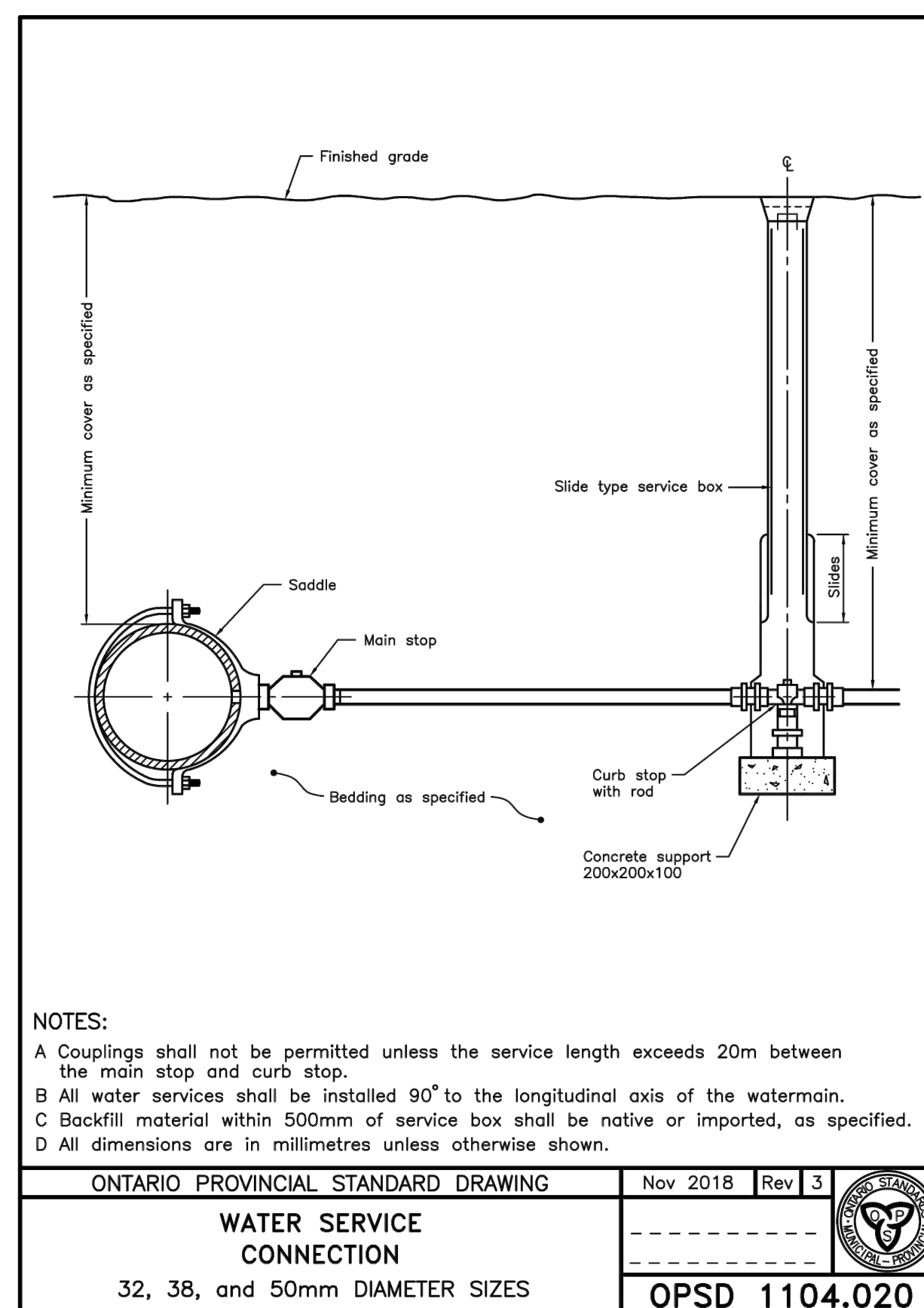
1. EXCAVATE AS REQUIRED TO PAVEMENT SUBGRADE INCLUDING REMOVAL OF ANY TOPSOIL ENCOUNTERED.
2. PAVEMENT OVER APPROVED SUBGRADE SHALL BE IN ACCORDANCE WITH THE GEOTECHNICAL REPORT.
3. CONTRACTOR SHALL SUBMIT MIX DESIGN FOR ASPHALT FOR REVIEW AND APPROVAL BY ENGINEER PRIOR TO CONSTRUCTION.
4. OFF-SITE ROADWORKS TO BE COMPLETED BY OTHERS WHEN LITE STREET UPGRADES TAKE PLACE. ADJUSTMENTS TO THE PROPOSED CUT AND RESTORATION LIMITS MAY NEED TO BE ADJUSTED DEPENDING ON GEOTECHNICAL REPORT AND/OR CONSTRUCTION METHODS.
5. BARRIER FREE PARKING SIGNS & POSTS TO BE INSTALLED IN THE MIDDLE OF PARKING SPACES INCLUDING PARKING LINES AND PAVEMENT PAINTED BLUE c/w GLASS BEADS AND BARRIER FREE SYMBOL.
6. RETAINING WALL TO BE DESIGNED BY OTHERS. RAILINGS TO BE PROVIDED ALONG TOP OF RETAINING WALL WHERE DIFFERENCES IN GRADE ARE GREATER THAN 0.6m MIN.

## STORM &amp; SANITARY SEWERS:

1. STORM AND SANITARY SEWERS SHALL BE INSTALLED IN ACCORDANCE WITH MOE GUIDELINES, ONTARIO PROVINCIAL STANDARDS OPSS 410 AND 407.
2. STORM LATERAL CONNECTION SHALL BE CONNECTED TO EXISTING MAIN ON LITE STREET USING TEE SECURED WITH FERNCO'S
3. SANITARY LATERAL CONNECTION SHALL BE CONNECTED TO EXISTING MAIN ON LITE STREET USING TEE SECURED WITH FERNCO'S
4. STORM AND SANITARY LATERALS SHALL BE A MINIMUM GRADE OF 0.5% AND MAXIMUM GRADE OF 8% TO THE PROPERTY LINE.
5. STORM LATERALS SHALL BE 150mm DIAMETER PVC SDR-28 GREEN IN COLOUR AND CERTIFIED BY CSA; CSA B182.2 AND ASTM APPROVED.
6. SANITARY LATERALS SHALL BE 150mm DIAMETER PVC SDR-28 PVC WHITE IN COLOUR AND CERTIFIED BY CSA; CSA B182.2 AND ASTM APPROVED.
7. SERVICE LATERALS SHALL BE MANUFACTURED BY REHAU INDUSTRIES INC., ROYAL PIPE CO., IPEX INC., DIAMOND PLASTICS CORPORATION, NORTHERN PIPE PRODUCTS OR NATIONAL PIPE AND PLASTICS INC.
8. SERVICE LATERAL CLEAN OUT CAPS SHALL BE CAST IRON EMCO # DF44 c/w SOLVENT WELD BUSHING AND H2O LOADING OR APPROVED EQUAL AND INSTALLED TO FINISHED GRADE.
9. ALL BACKFILL MATERIAL SHALL BE GRANULAR B TYPE I IN OPSS 1010 UP TO 600mm BELOW FINISHED GRADE, UNLESS OTHERWISE DIRECTED BY THE GEOTECHNICAL ENGINEER.
10. CB'S SHALL BE PROVIDED WITH FRAME AND GRATE AS PER OPSD-400.020.
11. ROOF DOWNSPOUTS SHALL DISCHARGE TO SWALE AT THE FRONT OF THE BUILDING. DETAILS TO BE PROVIDED ONCE BUILDING DESIGN IS COMPLETED.
12. STORM SWALE TO BE LINED WITH RIP RAP ON NON-WOVEN FILTER FABRIC.
13. DITCH INLET CATCH BASIN AT NORTH END OF WEST SIDEYARD SWALE BE PER OPSD-705.030 c/w HORIZONTAL GRATE PER OPSD-403.010.

## WATERMAIN:

1. WATERMAIN, VALVES, CURB STOP AND SERVICES SHALL BE INSTALLED IN ACCORDANCE WITH OPSS 441.
2. WATERMAIN SERVICE CONNECTION INSTALLATION SHALL BE PER OPSD 1104.020.
3. WATER BACKFLOW PREVENTERS SHALL BE WILKINS MODEL 350A c/w STRAINER OR EQUAL APPROVED.
4. CORP STOP, CURB STOP AND SERVICE BOX SHALL BE c/w STAINLESS STEEL ROD AND PIN.



## NOTE

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## BENCHMARK INFORMATION

Local B.M. Elev. = 301.070m  
Top Nut of Hydrant Located on South Side of Lite Street in front of Sarnia Produce

Design By: AM

Checked By: PS



No.	DATE	REVISION
1	07/19	For Review
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Goderich Mount Forest Sarnia

**Sarnia Produce**  
**707 & 709 Lite Street**  
**Point Edward, Ontario**

## Detail Sheet

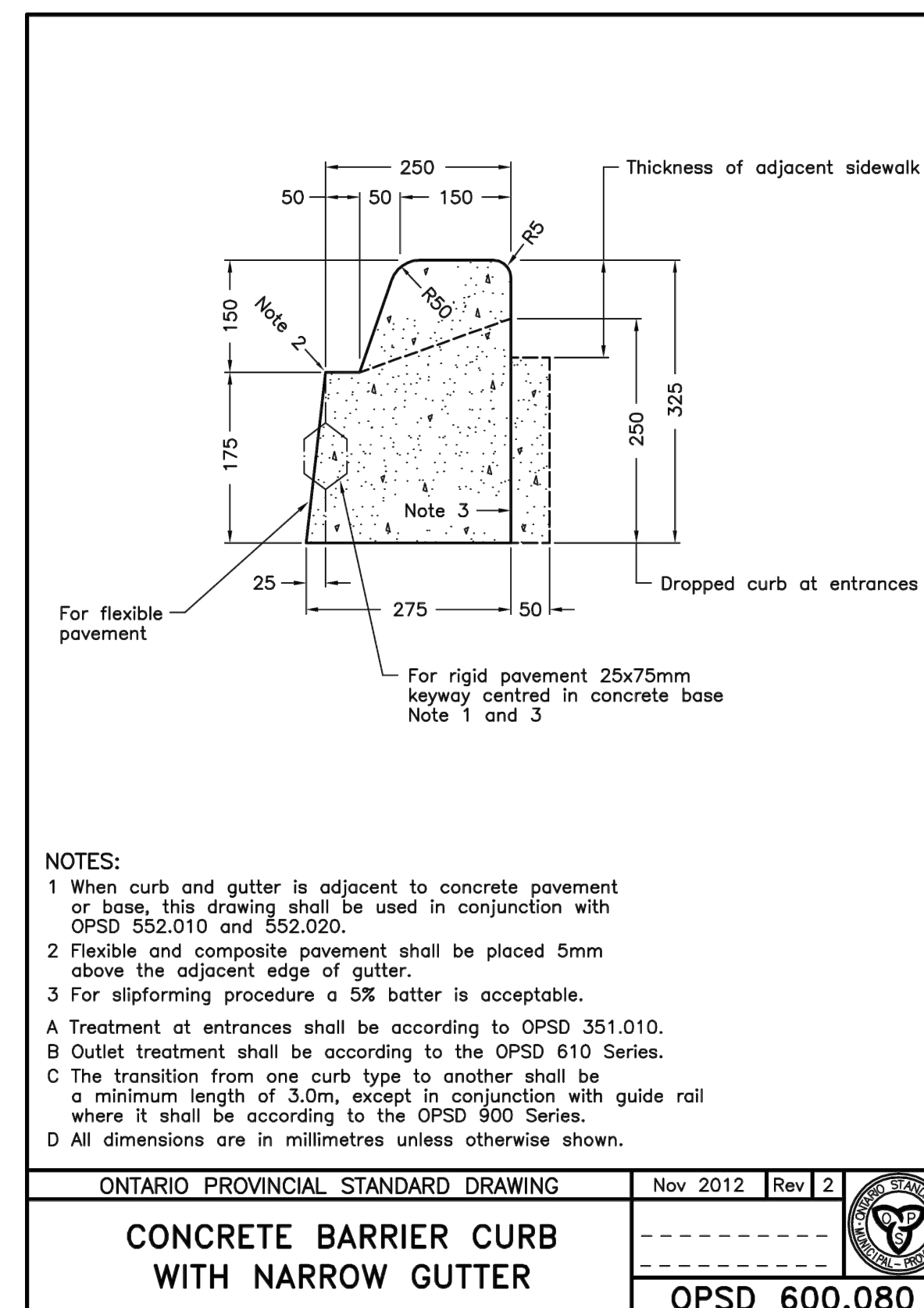
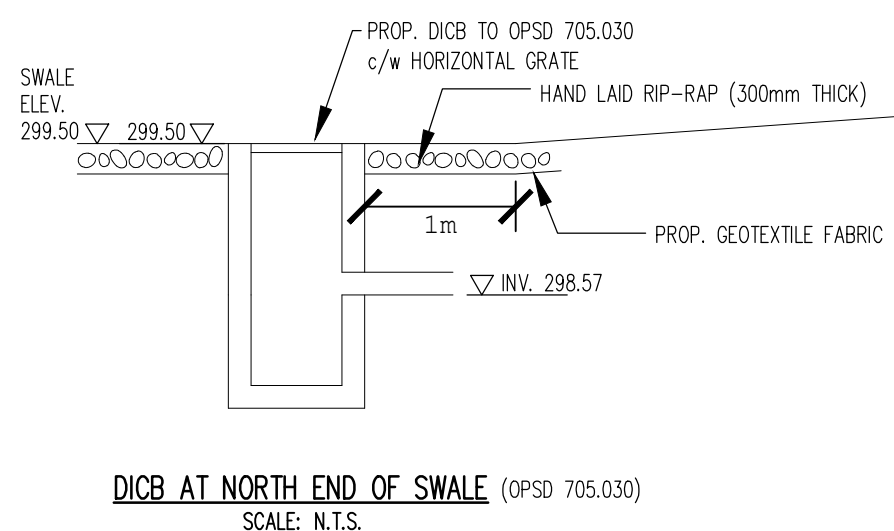
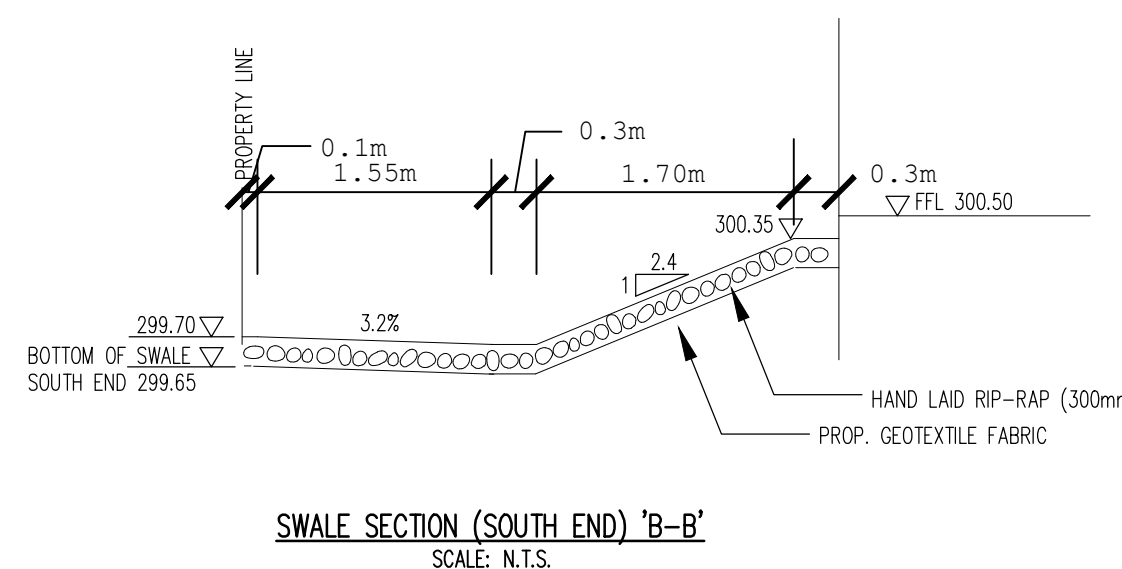
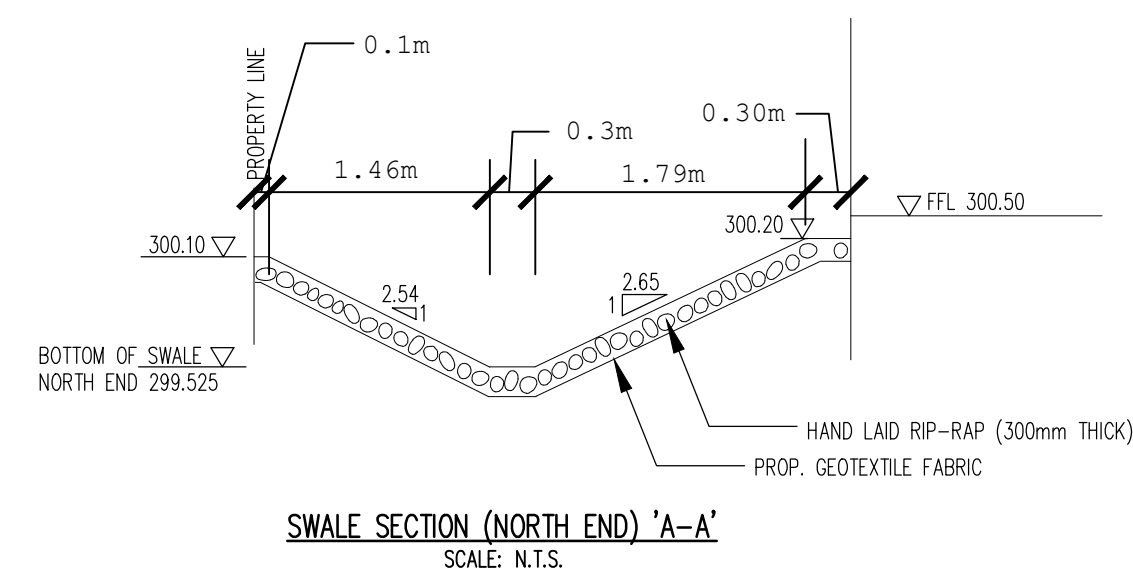
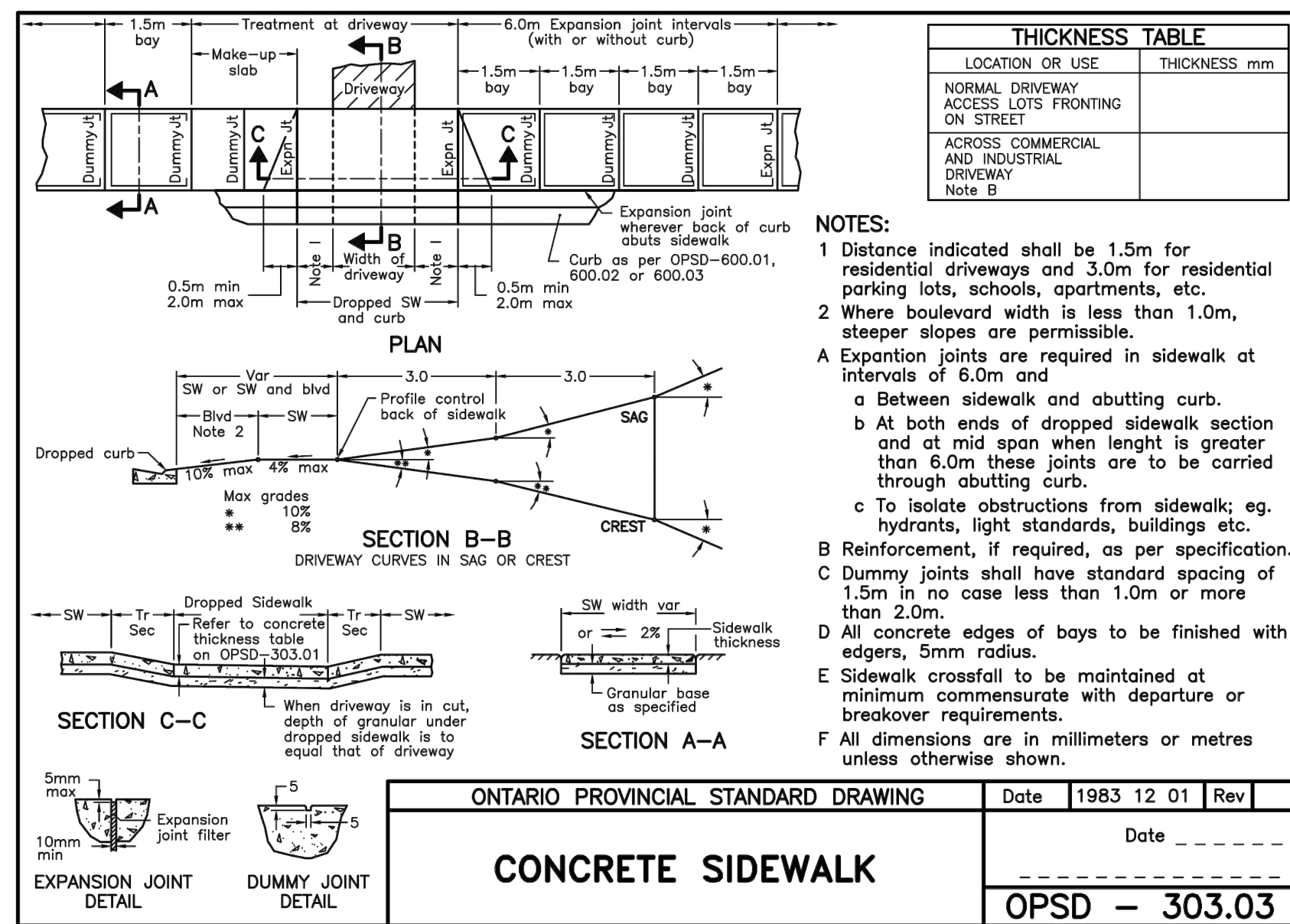
**Project No.**  
**19158**

Scale (24x36)

NTS

**Drawing No.**  
**19158-04**





- NOTES:**
- When curb and gutter is adjacent to concrete pavement or base, this drawing shall be used in conjunction with OPSD 552.010 and 552.020.
  - Flexible and composite pavement shall be placed 5mm above the adjacent edge of gutter.
  - For slipforming procedure a 5% batter is acceptable.
- A Treatment at entrances shall be according to OPSD 351.010.  
 B Outlet treatment shall be according to the OPSD 610 Series.  
 C The transition from one curb type to another shall be a minimum length of 3.0m, except in conjunction with guide rail where it shall be according to the OPSD 900 Series.  
 D All dimensions are in millimetres unless otherwise shown.

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Goderich Mount Forest Sarnia

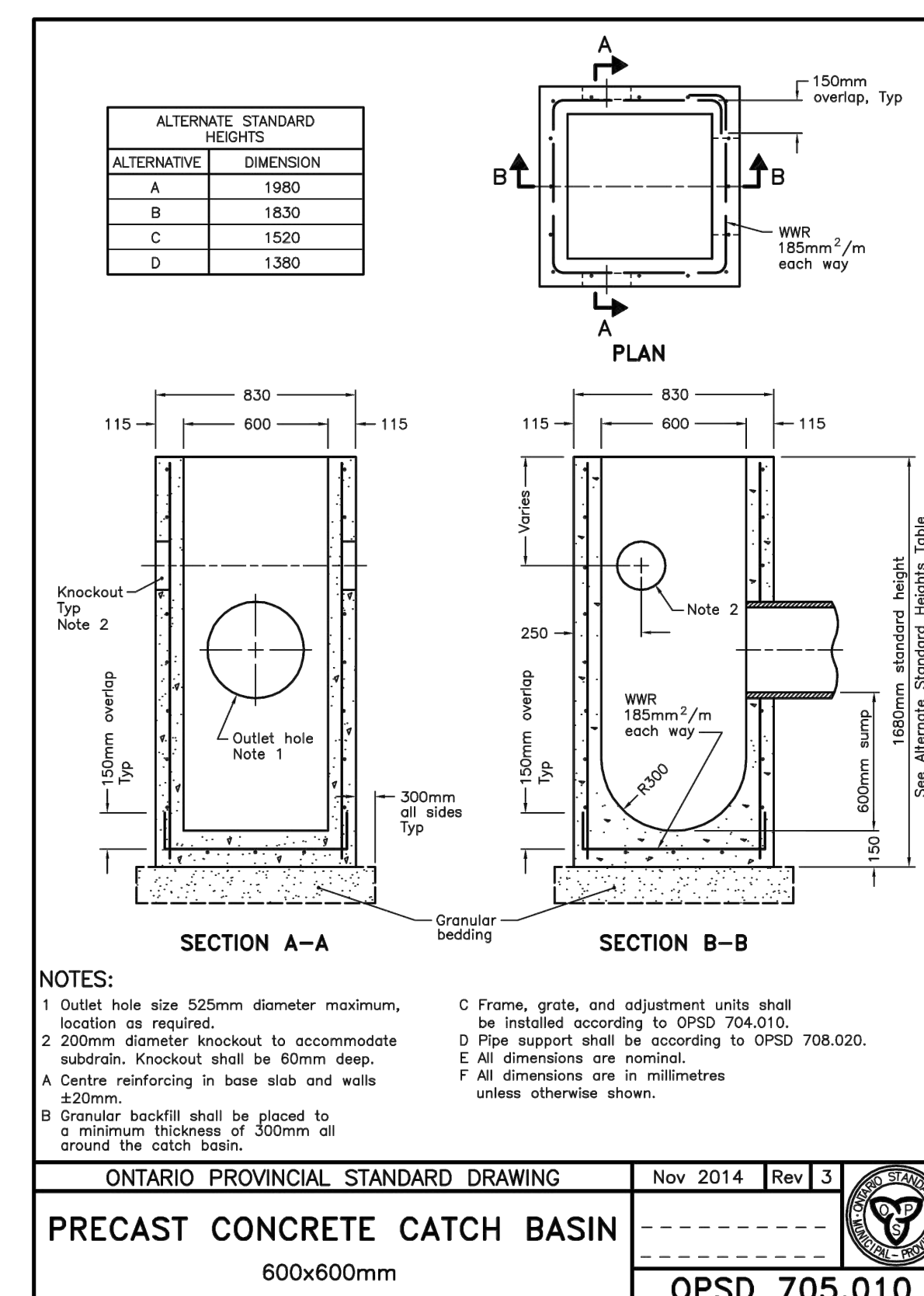
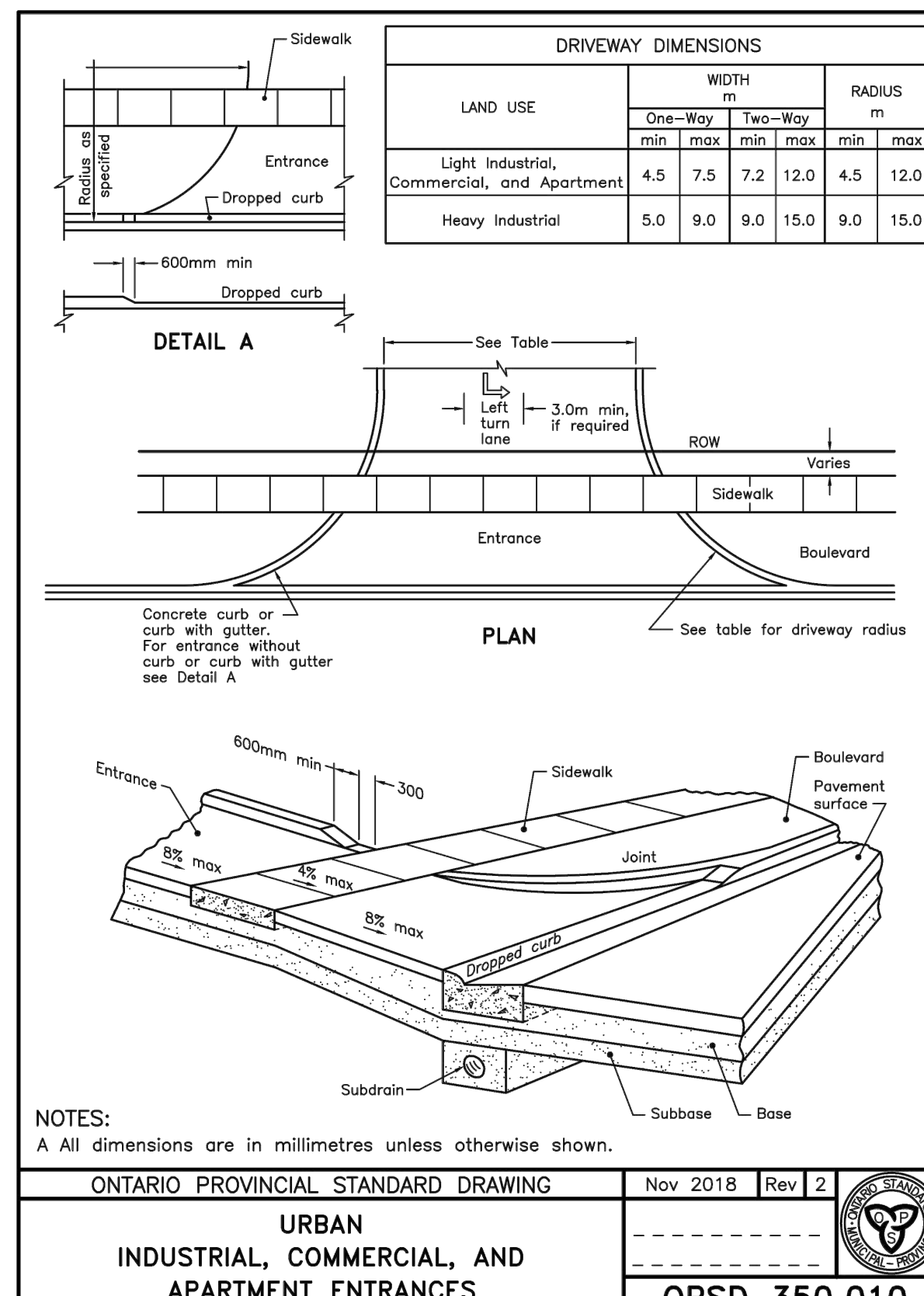
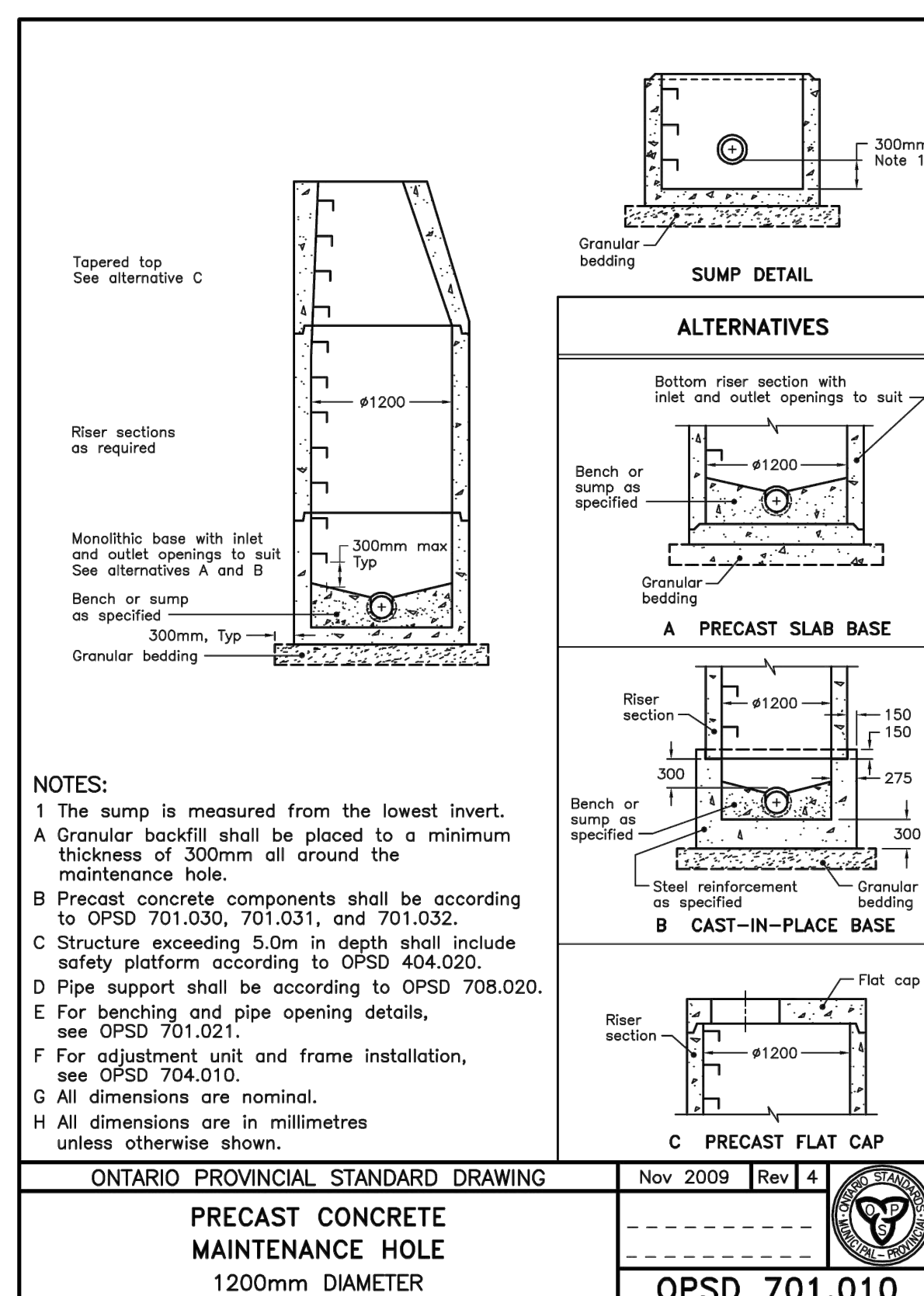
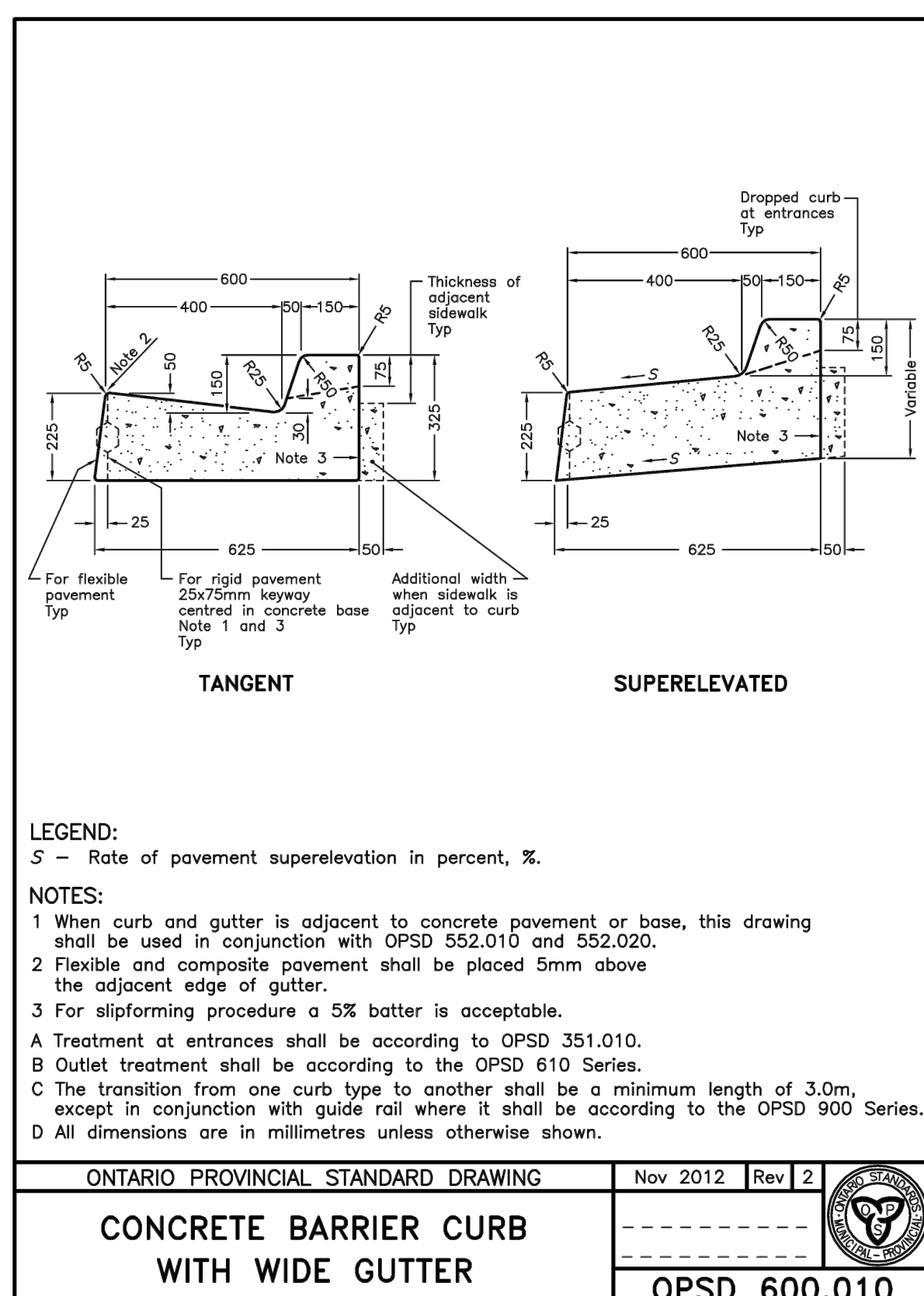
**Sarnia Produce**  
**707 & 709 Lite Street**  
**Point Edward, Ontario**

Detail Sheet

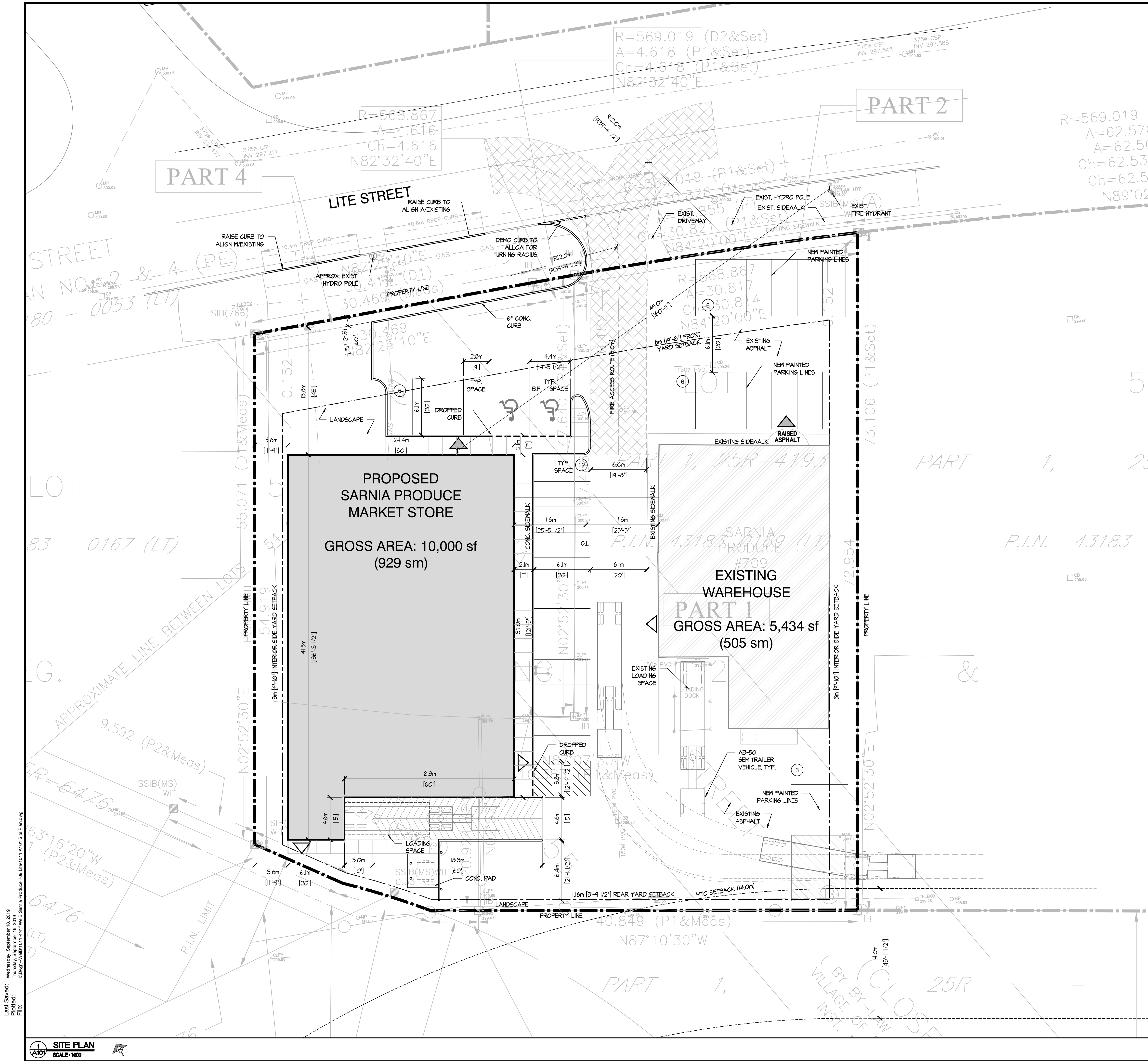
Scale (24x36)  
 NTS

Project No.  
 19158

Drawing No.  
 19158-05







SITE DATA MATRIX

1. GROSS SITE AREA: 46,942 s.f. (4,361 s.m.) (0.4361 HECTARES)  
2. TOTAL BUILDING AREA: 15,434 s.f. (1,434 s.m.)  
3. ASPHALT AREA: 23,615 s.f. (2,193 s.m.)

ITEM	ZONE PROVISIONS	REQUIREMENTS	PROPOSED
4.	ZONE	C3	C3
5.	LOT AREA (MIN)	10,164 s.f. (1,000 s.m.)	46,942 s.f. (4,361 s.m.)
6.	LOT FRONTAGE (MIN)	65'-1" (20.0 m)	215'-2" (65.0 m)
7.	FRONT YARD SETBACK (MIN)	15'-0" (4.6 m)	44'-10" (13.7 m)
8.	SIDE YARD SETBACK (MIN)	9'-10" (3 m)	9'-10" (3 m) (EXISTING)
9.	SIDE YARD SETBACK (MIN)	9'-10" (3 m)	11'-9" (3.6 m)
10.	REAR YARD SETBACK (MIN)	24'-1" (7.3 m)	6'-3" (1.9 m)
11.	LANDSCAPED OPEN SPACE (% MIN)	10%	16%
12.	LOT COVERAGE (% MAX)	40%	33%
13.	HEIGHT (MAX)	3 STOREYS	1 STOREY
14.	PARKING REQUIRED	RETAIL: 1 SPACE PER 371 s.m. OF GROSS FLOOR AREA WAREHOUSE: 5 SPACES MIN FOR FIRST 1,800 s.m. OF GROSS FLOOR AREA (26+5+31 SPACES)	35 SPACES (2 LOADING SPACES INCLD.)

LEGEND

- F.H. FIRE HYDRANT  
• O.L.S. LIGHT STANDARD  
• FIRE DEPARTMENT CONNECTION  
• ASPHALT PAVING  
• FIRE ROUTE - ASPHALT  
• BUILDING ENTRY/EXIT  
• FIRE FIGHTER/PRINCIPAL ENTRANCE  
• CHAIN LINK FENCE  
• ORNAMENTAL FENCE  
• WOOD PRIVACY FENCE  
• CONC. SIDEWALK  
• PAINTED PAVEMENT MARKER MARKING DIRECTION  
• B.F.# BARRIER FREE ONLY PARKING SIGN  
• F.R.# FIRE ROUTE SIGN  
• C.B. CATCH BASIN  
• W.M. WALL MOUNTED LIGHT FIXTURE  
• F.L.F. FLOOD LIGHT FIXTURE  
• B.C.R. BICYCLE RACK  
• C.C. CURB CUT

NOTE:

THE PURPOSE OF THIS DRAWING IS TO SHOW THE GENERAL LOCATION OF THE BUILDINGS, FIRE ROUTES, PARKING, SETBACKS, LIMITING DISTANCES, GARBAGE ENCLOSURES, SITE SIGNAGE AND THE GENERAL LOCATION AND ARRANGEMENT OF LANDSCAPED AREAS. ITS INTENDED USE IS FOR BUILDING PERMIT AND SITE PLAN APPROVAL SUBMISSION ONLY.

THIS DRAWING CONTAINS INFORMATION PROVIDED BY OTHERS. IT MAY NOT BE COMPLETE OR CURRENT, AND IS COMPILED HERE FOR GENERAL COORDINATION AND CONVENIENCE ONLY.

FOR ALL CONSTRUCTION PURPOSES, REFER TO THE MOST UP TO DATE COPY OF CONSTRUCTION DOCUMENTS PREPARED BY OTHER CONSULTANTS, IE: SURVEYS, SOILS REPORTS, SITE SERVICING, GRADING, SITE LIGHTING, LANDSCAPE AND OTHER CONSULTANT DRAWINGS AND SPECIFICATIONS.

OTHER THAN FOR COMPLIANCE WITH THE ARCHITECTURAL CONCEPT, THE ARCHITECT HAS NOT REVIEWED THE DETAILS OR DESIGNS OF OTHERS AND ACCEPTS NO LIABILITY WHATSOEVER FOR INFORMATION PROVIDED BY OTHERS.

SURVEY & SITE INFORMATION IS DERIVED FROM PLANS PROVIDED BY:  
MONTEITH & SUTHERLAND LIMITED  
FILE: PE-21/B-1205 DATED: JUNE 6, 2019

LEGAL DESCRIPTION

PLAN OF SURVEY OF PART OF LOTS 53, 54, 55 AND PART OF HELANA STREET (CLOSED)  
(CLOSED BY BY-LAW NO. 138)  
REGISTERED PLAN NO. 2 & 4 (FE)  
VILLAGE OF POINT EDWARD  
COUNTY OF LAMBTON

OBC DESIGNATION

BUILDING AREAS: EXISTING WAREHOUSE: 5,375 s.f./499 s.m.  
PROPOSED MARKET STORE: 10,000 s.f./929 s.m.

OCCUPANCY: GROUP E, UP TO 2 STOREYS  
PART 3 BUILDING 322.61  
COMBUSTIBLE/NON-COMBUSTIBLE CONSTRUCTION

FLOOR ASSEMBLIES TO BE FIRE SEPARATIONS WITH A 45 MIN. FIRE RATING

LOAD-BEARING WALLS/SUPPORTING STRUCTURE TO HAVE A FRR EQUAL TO THE SUPPORTED ASSEMBLY

3.425(1) MAX. TRAVEL DISTANCE FROM ANY POINT ON A FLOOR AREA TO AN EXIT 30m (98'-5")

MAX. FLAME SPREAD RATINGS OF 150 FOR ALL INTERIOR WALL & CEILING SURFACES

FIRESTOP PENETRATIONS IN RATED ASSEMBLIES TO ASHME 814 AND CAN4-S101M. PROVIDE LIST OF MATERIALS USED AND THEIR LOCATIONS TO ARCHITECT & OFFICIALS

CONCEALED CEILING SPACES USED AS RETURN AIR PLenums TO HAVE MAX. FLAME SPREAD RATING OF 25 AND A MAX. SMOKE DEVELOPMENT CLASSIFICATION OF 50

1011

AS NOTED

By: JS/AR

Date: MAR 1/19

Project No: 1011

Scale: AS NOTED

Dwg. No: A101

SITE PLAN

SARNIA PRODUCE

709 LITE STREET

POINT EDWARD, ON

PRELIMINARY NOT FOR CONSTRUCTION

AGAR ARCHITECT

philip agar architect inc.

513 queens avenue, london, on n6b 1y3

tel: 519 462-7366 info@agar-archi.com

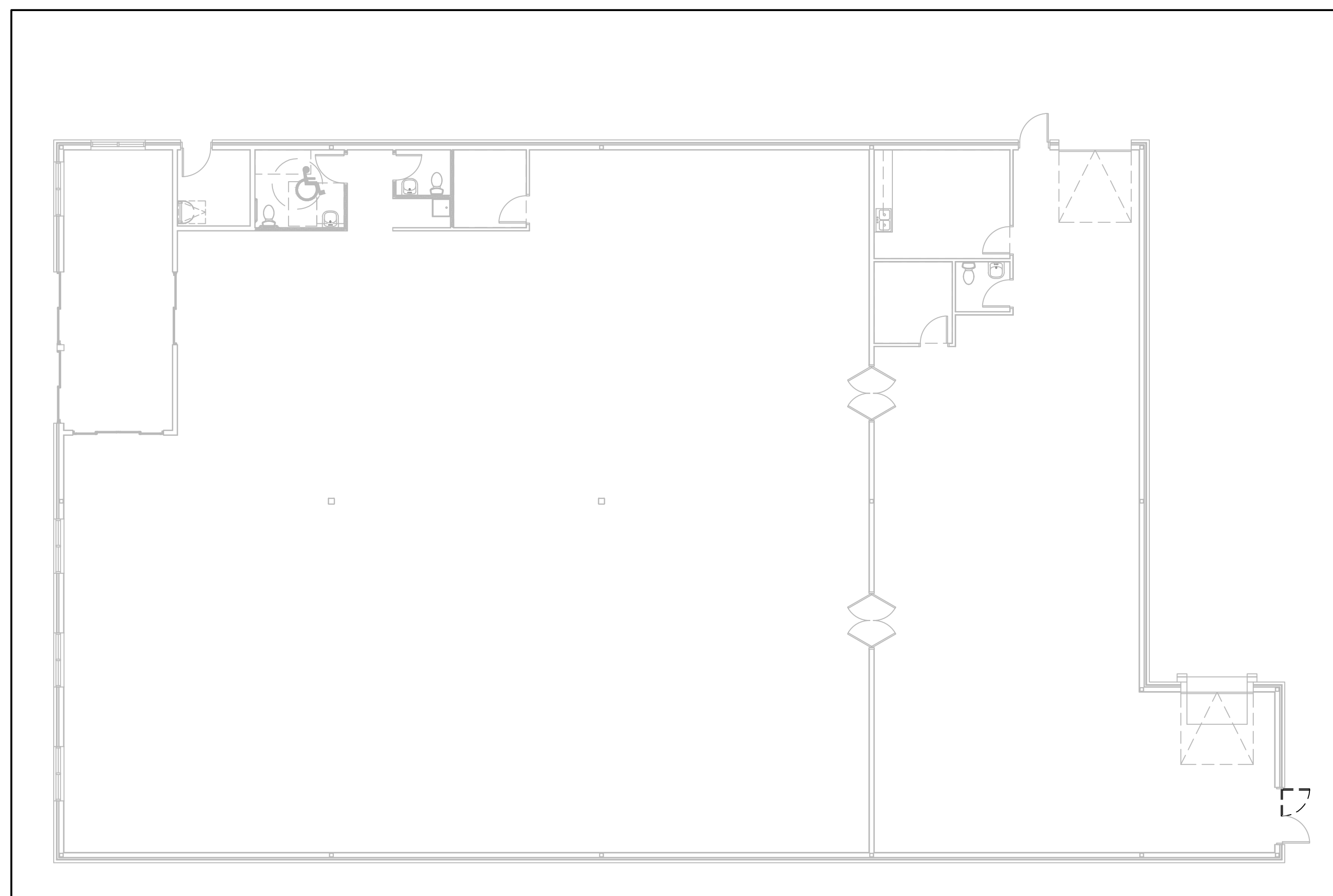
1 MAR 2019 ISSUED FOR CLIENT REVIEW

12 INCH

10 mm



DWG. NO. A001	COVER SHEET
DWG. NO. A101	SITE PLAN
DWG. NO. A201	FLOOR PLAN
DWG. NO. A202	ROOF PLAN
DWG. NO. A301	ELEVATIONS
DWG. NO. A401	WALL SECTIONS
DWG. NO. A402	WALL SECTIONS
DWG. NO. A403	WALL SECTIONS
DWG. NO. A501	DETAILS
DWG. NO. A502	DETAILS
DWG. NO. A503	DETAILS
DWG. NO. A601	DOOR & WINDOW SCHEDULES



LEGEND

1 HOUR FIRE SEPARATION

2 HOUR FIRE SEPARATION

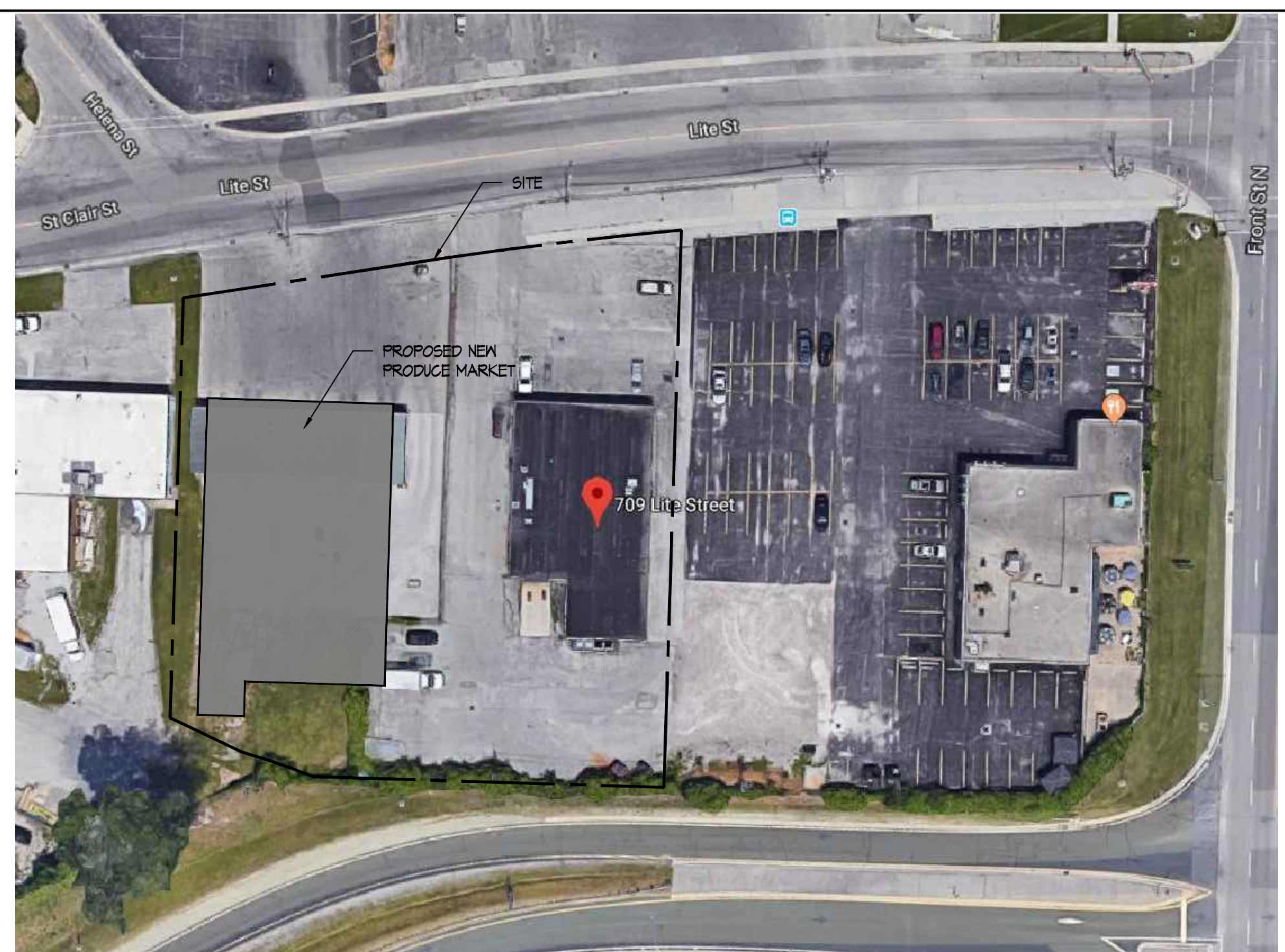


ITEM	2022 ONTARIO BUILDING CODE DATA MATRIX PART 3				OBC REFERENCE	
					REFERENCES ARE TO DIVISION B UNLESS NOTED [A] FOR DIVISION A OR [C] FOR DIVISION C.	
1.	PROJECT DESCRIPTION: PROPOSED RETAIL PRODUCE MARKET		<input checked="" type="checkbox"/> NEW <input type="checkbox"/> ADDITION <input type="checkbox"/> CHANGE OF USE <input type="checkbox"/> ALTERATION	<input type="checkbox"/> PART 11 11.1 to 11.4	<input checked="" type="checkbox"/> PART 3 11.2 [A]	<input type="checkbox"/> PART 9 11.2 [A] & 9.10.3.
2.	MAJOR OCCUPANCY(S): GROUP E - RETAIL PRODUCE MARKET				9.1.2.1(1)	9.10.2.
3.	BUILDING AREA (m²): EXISTING: NEW: 10,000 SF / 929 SM TOTAL: 10,000 SF / 929 SM				1.4.1.2 [A]	1.4.1.2 [A]
4.	GROSS AREA: EXISTING: NEW: 10,000 SF / 929 SM TOTAL: 10,000 SF / 929 SM RENOVATED AREA: 10,000 SF / 929 SM				1.4.1.2 [A]	1.4.1.2 [A]
5.	NUMBER OF STOREYS: ABOVE GRADE: 1 BELOW GRADE: 0				1.4.1.2 [A] & 3.2.11.	1.4.1.2 [A] & 9.10.4.
6.	BUILDING HEIGHT: 20'-0" / 6.3 m					
7.	NUMBER OF STREETS/FIRE FIGHTER ACCESS: 1 STREET				3.2.2.10.	9.10.20.
8.	BUILDING CLASSIFICATION: GROUP E, RETAIL, UP TO 2 STOREYS				3.2.2.61	9.10.2.
9.	SPRINKLER SYSTEM PROPOSED: <input type="checkbox"/> ENTIRE BUILDING (EXISTING) <input type="checkbox"/> SELECTED COMPARTMENTS <input type="checkbox"/> SELECTED FLOOR AREAS <input type="checkbox"/> BASEMENT <input type="checkbox"/> IN LIEU OF ROOF RATING <input checked="" type="checkbox"/> NOT REQUIRED				3.2.2.20.-83	9.10.8.2.  INDEX
10.	STANDPIPE REQUIRED: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO				3.2.4.	N/A
11.	FIRE ALARM REQUIRED: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO				3.2.4.	9.10.18.
12.	WATER SERVICE/SUPPLY IS ADEQUATE: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO				3.2.5.7.	N/A
13.	HIGH BUILDING: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO				3.2.6.	N/A
14.	CONSTRUCTION RESTRICTIONS: <input type="checkbox"/> COMBUSTIBLE PERMITTED <input type="checkbox"/> NON-COMBUSTIBLE REQUIRED <input checked="" type="checkbox"/> BOTH ACTUAL CONSTRUCTION: <input type="checkbox"/> COMBUSTIBLE <input checked="" type="checkbox"/> NON-COMBUSTIBLE <input type="checkbox"/> BOTH				3.2.2.60.-83	9.10.6.
15.	MEZZANINE(S) AREA m²: N/A				3.2.11.3(-8)	9.10.4.1.
16.	OCCUPANT LOAD BASED ON: <input checked="" type="checkbox"/> m²/PERSON <input type="checkbox"/> DESIGN OF BUILDING				3.1.1.7.	9.1.1.3.
TOTAL OCCUPANCY = 180 PEOPLE						
17.	BARRIER-FREE DESIGN: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO				3.8.	9.5.2.
18.	HAZARDOUS SUBSTANCES: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO				3.3.1.2. & 3.3.1.4.	9.10.13.(4)

HORIZONTAL ASSEMBLIES	FLOORS	45 MIN.	-	N/A SLAB ON GRADE		-
	ROOF	-	-	-		-
	MEZZANINE	-	-	-		-
SUP. FLOOR ASSEMBLIES	LOAD BEARING WALLS	45 MIN.	-	N/A		-
	STEEL COLUMN PROTECTION	45 MIN.	-	N/A		-
	BEAM PROTECTION	45 MIN.	-	N/A		-
SUP. ROOF ASSEMBLIES	LOAD BEARING WALLS	-	-	-		-
	STEEL COLUMN PROTECTION	-	-	-		-
	BEAM PROTECTION	-	-	-		-
SUP. MEZZ. ASSEMBLIES	LOAD BEARING WALLS	-	-	-		-
	STEEL COLUMN PROTECTION	-	-	-		-
	BEAM PROTECTION	-	-	-		-
VERTICAL ASSEMBLIES	PUBLIC CORRIDORS	-	-	-		-
	JANITORS ROOMS	-	-	-		-
	NEW DEMISING WALLS	-	-	-		-

20. SPATIAL SEPARATION – CONSTRUCTION OF EXTERIOR WALLS:										TABLE 3.2.3.1.C		9.10.14.
WALL	AREA OF EBF (sm²)	L/D (m)	L/H OR H/L	PERMITTED MAX % OF OPENINGS	PROPOSED % OF OPENINGS	FRR (hours)	LISTED DESIGN OR DESCRIPTION	COMBUSTIBLE CONSTRUCTION	COMBUSTIBLE CONSTRUCTION NON-COMBUSTIBLE CLADDING	NON-COMBUSTIBLE CONSTRUCTION		
NORTH	140	13.8	4:1	49%	26%	1 HR		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
SOUTH	140	2.1	4:1	4%	3%	2 HR		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
EAST	240	7.8	6:1	12%	10%	2 HR		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
WEST	240	3.6	6:1	6%	0%	2 HR		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
								<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

21. OTHER:	<ul style="list-style-type: none"><li>3.4.2.5.(1)(f) MAX. TRAVEL DISTANCE FROM ANY POINT 30m (98')</li><li>ALL BUILDING SERVICE PENETRATIONS TO BE FIRESTOPPED WITH A FIRESTOP SYSTEM CONFORMING TO CAN4-S115-M.</li><li>MAX. FLAME SPREAD RATINGS OF 150 FOR ALL INTERIOR WALLS/CEILINGSS</li></ul>
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## 2 KEY PLAN

A001 NT8

3 OBC MATRIX  
A001 SCALE:NT8

A001



**4A AGAR ARCHITECT**  
philip agar architect inc.  
513 queens avenue, london, on n6b 1y3  
tel: 510.492.7368 info@agar.arch.com

COVER SHEET  
SARNIA PRODUCE  
709 LITE STREET  
POINT EDWARD, ON

Project No:	1011
Scale:	AS NOTED
Dwn/Chkd. By:	ES/PA
Date:	MAR 1/19

Dwg. No:

# A001

All survey information, existing and proposed measurements are to be confirmed on site by the contractor. The contractor shall immediately notify the architect of all inconsistencies, errors or omissions in this, or other documents, or in their relation to whole or in part. Do not proceed where there is uncertainty. This drawing is an instrument of service & remains the property of the author firm. This drawing & the designs represented in it are protected by copyright & may not be stored electronically, reproduced in whole or part without the author firms permission.

Check scale print may be reduced: ☐ 1/2 inch ☐ 10 mm





## **Village of Point Edward**

### **Council Meeting**

### **MINUTES**

**November 26, 2019, 4:00 p.m.**

**Council Chambers, Point Edward Municipal Office**

**135 Kendall Street, Point Edward Ontario**

Present: Mayor B. Hand, Deputy Mayor G. Grimes, Councillor L. Gordon, Councillor P. Burgess, Councillor T. Mondoux, Chief Administrative Officer (CAO) J. Burns, Administrative Assistant J. Capes, Operations Manager P. Churchill

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#### **1. Call to Order**

The Mayor called the meeting to order at 4:00 pm.

#### **2. Disclosure of Pecuniary Interest**

- None.

#### **3. Delegations**

##### **Resolution 1**

**Moved By** Councillor Gordon

**Seconded By** Councillor Mondoux

THAT Jesse Soetemans and Corrine Nauta, the Lambton County Property Standards Officers, be invited within the bar.

**Carried**

1. Jesse Soetemans and Corrine Nauta from Lambton County Property Standards regarding 200 Exmouth Street orders:

An explanation of the appeal process was provided by the Chief Administrative Officer (CAO). In the explanation, it was stated that the Committee Of Adjustment and Property Standards Committee have merged and that this new joint committee will hear appeals. The CAO will be contacting the committee to have a meeting scheduled once he hears back from the lawyer with available hearing dates.

There are three outcomes that are most likely to result from an appeal made to the committee: denial of the appeal, modification of the order, or rescinding the order to start process over again.

If the appellants are not in acceptance of the outcome they will have the right to appeal to the Superior Court.

### **Resolution 2**

**Moved By** Councillor Gordon

**Seconded By** Councillor Burgess

THAT the Property Standards Officer be directed to proceed with the awarding of a contract for the demolition and clearance of the property (200 Exmouth Street) utilizing the lowest quote pending the outcome of a planned property standards hearing.

**Carried**

## **4. Public Meetings**

- None.

## **5. Adoption of Minutes**

1. Council Minutes from the meeting of October 22, 2019

### **Resolution 3**

**Moved By** Councillor Burgess

**Seconded By** Councillor Mondoux

THAT the Minutes of the Council Meeting held October 22, 2019, be adopted as circulated.

**Carried**

## **6. Business Arising from the Minutes**

- None

## 7. Financial Reports

1. General Operations Financial Statements - October, 2019

### **Resolution 4**

**Moved By** Councillor Burgess

**Seconded By** Councillor Gordon

THAT the Total Revenues in General Operations for the month of October, 2019, in the amount of \$741,436.75 be approved and THAT the Total Expenditures in General Operations for the month of October, 2019, in the amount of \$552,933.30 be approved.

**Carried**

2. Water/Wastewater Financial Statements - October, 2019

### **Resolution 5**

**Moved By** Councillor Gordon

**Seconded By** Councillor Mondoux

THAT the Total Revenues in Water/Wastewater for the month of October, 2019, in the amount of \$64,533.27 be approved and THAT the Total Expenditures in Water/Wastewater for the month of October, 2019, in the amount of \$243,105.72 be approved.

**Carried**

## 8. Committee Reports

1. Operations Committee Meeting of November 18, 2019

Councillor Mondoux reviewed highlights from the Operations Committee Meeting of November 18, 2019.

### **Resolution 6**

**Moved By** Councillor Mondoux

**Seconded By** Deputy Mayor Grimes

THAT the Operations Committee Meeting minutes of November 18, 2019 be received and filed.

**Carried**

2. Fire Committee Meeting of November 18, 2019

Deputy Mayor Grimes reviewed highlights from the Operations Committee Meeting of November 18, 2019.

**Resolution 7**

**Moved By** Deputy Mayor Grimes

**Seconded By** Councillor Gordon

THAT the Fire Committee Meeting minutes of November 18, 2019 be received and filed.

**Carried**

3. Water/Wastewater Meeting of November 15, 2019

Councillor Gordon reviewed highlights from the Water/Wastewater Committee Meeting of November 15, 2019.

**Resolution 8**

**Moved By** Councillor Gordon

**Seconded By** Councillor Mondoux

THAT the Water/Wastewater Committee meeting minutes of November 15, 2019 be received and filed.

**Carried**

4. Finance Committee Meeting of November 18, 2019

Councillor Burgess reviewed highlights from the Finance Committee Meeting of November 18, 2019.

**Resolution 9**

**Moved By** Councillor Burgess

**Seconded By** Councillor Gordon

THAT the Finance Committee Meeting minutes of November 18, 2019 be received and filed.

**Carried**

**9. Miscellaneous Reports**

1. Building Permit report

**Resolution 10****Moved By** Councillor Mondoux**Seconded By** Councillor Gordon

THAT the Building Permit report dated November 19, 2019 be received and filed.

**Carried**

2. Police Services Board report for September and October, 2019

**Resolution 11****Moved By** Deputy Mayor Grimes**Seconded By** Councillor Burgess

THAT the Police Services Board report for September and October, 2019 be received and filed.

**Carried****10. Communications (Council Action)****11. Communications (Receive and File) – Listed****Resolution 12****Moved By** Councillor Mondoux**Seconded By** Deputy Mayor Grimes

THAT Communications (Receive and File) Listed Items (1-5) be received and filed.

**Carried**

1. AMO Watch File - October 24, 2019
2. AMO Watch File - October 31, 2019
3. AMO Watch File - November 7, 2019
4. AMO Watch File - November 14, 2019
5. AMO Watch File - November 21, 2019

**12. New Business**

1. Request for Financial Support from St. Clair Child and Youth Services

**Resolution 13****Moved By** Councillor Gordon**Seconded By** Deputy Mayor Grimes

THAT the request for Financial Support from St. Clair Child and Youth Services be received and filed.

**Carried**

2. Correspondence from Bridgeview School Parent Council regarding financial support

The CAO will contact the Parent Council secretary and Bridgeview Principal to come before Council for the December 10th meeting.

3. Staff praised for a job well done

Councillor Gordon commended Public Works for how well they pulled together and cleared the record breaking snowfall.

Also commended was Shelley for the great job done for another successful Appreciation Night.

**13. By-Laws****14. Resolution to Adjourn to an 'In Camera' Session****Resolution 14****Moved By** Councillor Mondoux**Seconded By** Deputy Mayor Grimes

THAT Council adjourn to an "In Camera" session at 5:37 pm to discuss matters related to labour relations and matters related to contract negotiations.

**Carried****15. Resolution to Reconvene to Regular Council Session****Resolution 15****Moved By** Councillor Gordon**Seconded By** Councillor Burgess

THAT Council reconvene to Regular Council Session at 6:39 pm.

**Carried**



**16. Report of the Closed Session Meeting of Council****17. Confirmation By-Law****Resolution 16****Moved By** Councillor Mondoux**Seconded By** Councillor Gordon

THAT By-Law 48 of 2019, Being a By-Law to Confirm the Resolutions of Point Edward Council which were adopted up to and including November 26, 2019 be READ a FIRST, SECOND and THIRD TIME and FINALLY PASSED this on this 26th day of November, 2019.

**Carried****18. Adjournment****Resolution 17****Moved By** Councillor Mondoux**Seconded By** Councillor Gordon

THAT the Council Meeting be adjourned until the next regularly scheduled meeting or at the call of the Chair at such time as a Special Council Meeting is held.

**Carried**

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Mayor Bev Hand

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Chief Administrative Officer/Clerk Jim Burns



November 28, 2019

### In This Issue

- Time to book your accommodations for AMO's 2020 AGM!
- ROMA Conference 2020 - Key deadlines.
- A barrier-free web solution for AMO members.
- The Journey Towards a Digital CRM Solution for AMO Members.
- Fleet Management webinar: Municipal Group Buying Program.
- Office Supplies webinar: Municipal Group Buying Program.
- Participate in energy training including a treasure hunt!
- ONE Investment - Holiday transaction schedule.
- Municipal health and safety compliance.
- Save 15% off Deluxe Canada products.
- Careers with AMO, Goderich, Durham Region and North Glengarry.

### Eye on Events

The 2020 AMO Annual General Meeting and Conference will be held in Ottawa from August 16-19, 2020. AMO has arranged hotel accommodations for delegates at various hotels in downtown Ottawa. Guest rooms can only be booked as of Tuesday, **January 7, 2020 at 10:00 a.m.** Hotels have been instructed to decline reservations for AMO delegates until that time. Please [click here](#) to book your rooms and for all information on accommodations.

2020 ROMA Conference - please note key deadlines: Request for delegations with the government closes **December 2**; Hotel booking closes **December 6**; and pre-registration closes **January 16, 12:00 pm**.

A quality, accessible website is the face of your municipality and is important to engaging and serving residents effectively. As part of AMO's Digital Toolkit, we have partnered with eSolutions to offer members cost-effective website solutions that meet accessibility requirements. Join us on Thursday, December 12 from 3 pm to 4 pm EST for a free webinar where we will introduce our latest partner.

### LAS

Learn how AMO came to partner with Frequency Foundry, our preferred partner for a digital citizen relationship management/online 3-1-1 solution.

Less than a week away! LAS is hosting a webinar on **December 3 @ 2pm** about the Fleet Offering under our Group Buying Program. Enterprise Fleet Management will discuss their procurement options and available tools to optimize your fleet of 15+ vehicles. [Register here](#).

Did you know the LAS Group Buying program offers Office supplies. Everything from pens to furniture, and coffee supplies to promotional materials. Join our webinar on **December 11 at 10am** to learn how you can take advantage of preferential pricing through Staples Business Advantage! [Register here](#).

Did you know that LAS and TdS Dixon's custom Energy Training Workshops include a treasure hunt? AND this training is eligible for up to 75% IESO incentives. Book your Spring 2020 Workshop now! Contact [Christian Tham](#) for more info.

**ONE**

Holiday Schedule Update: Please note, AMO Offices and Toronto Stock Exchange will have special hours during holidays. [Click here](#) to find detailed schedule for processing of ONE HISA Transactions and ONE (Portfolio) Transactions.

**Municipal Wire\***

4S offers training, support, and a digital management platform to ensure municipal governments comply with occupational health and safety requirements. Reach out to 4S, AMO's partner for health and safety management, for [more information](#) on how they can support your health and safety program for 2020 and beyond.

Enter promotion code 63647 when ordering and save 15% on [Deluxe Canada products](#) including customizable forms, cheques, print marketing, promo & apparel, and more. This continues AMO's member discount with the company formerly known as NEBS.

**Careers**

**Policy Intern - AMO.** Assisting senior advisors and the Director of Policy, the successful candidate will support AMO's policy development process. The Internship is a temporary position of up to 17 weeks. Please apply in confidence to: [careers@amo.on.ca](mailto:careers@amo.on.ca) by Friday, January 3rd, 2020 at 12 noon.

**Director of Operations - Town of Goderich.** To learn more about this leadership opportunity, please visit [Career Opportunities](#). Please email a cover letter and resume in one PDF document to [goderichinfo@goderich.ca](mailto:goderichinfo@goderich.ca) or, mail or drop off to the following address: Town of Goderich – Human Resources, 57 West Street, Goderich, Ontario, N7A 2K5. Application Deadline: 4:00 pm, December 6, 2019.

**Program Coordinator - Climate Change (Job ID# 12369) - Durham Region.** Reports to: Manager of Sustainability, Office of the Regional Chair & CAO. To learn more about this opportunity, please visit [Durham Region Job Postings](#) and apply directly to Job ID# 12369 no later than December 15, 2019.

**Director of Public Works - Township of North Glengarry.** Reports to: Chief Administrative Officer. A copy of the draft job description and this ad can be found on the [Township's website](#). Resumes will be accepted in strict confidence through email until 4:30 pm, Thursday, December 19, 2019 to [cao@northglengarry.ca](mailto:cao@northglengarry.ca).

**About AMO**

AMO is a non-profit organization representing almost all of Ontario's 444 municipal governments. AMO supports strong and effective municipal government in Ontario and promotes the value of municipal government as a vital and essential component of Ontario's and Canada's political system. Follow [@AMOPolicy](#) on Twitter!

**AMO Contacts**

AMO Watch File Tel: 416.971.9856

[Conferences/Events](#)

[Policy and Funding Programs](#)

[LAS Local Authority Services](#)

[MEPCO Municipal Employer Pension Centre of Ontario](#)

[ONE Investment](#)

[Media Inquiries](#) Tel: 416.729.5425

[Municipal Wire, Career/Employment and Council Resolution Distributions](#)

\*Disclaimer: The Association of Municipalities of Ontario (AMO) is unable to provide any warranty regarding the accuracy or completeness of third-party submissions. Distribution of these items does not imply an endorsement of the views, information or services mentioned.



December 5, 2019

### In This Issue

- MPAC in focus on latest AMO podcast.
- AMO-Frequency Foundry partnership - webinar recording.
- WSIB's new premium Rate Model for Schedule 1 Municipalities.
- A barrier-free web solution for AMO members.
- Social media webinar series.
- Office Supplies webinar: Municipal Group Buying Program.
- ONE Investment - Holiday transaction schedule.
- Timmins resolution concerning Conservation Authorities.
- Municipal health and safety compliance.
- Save 15% off Deluxe Canada products.
- Careers with OPS, Caledon, Haldimand County, The Blue Mountains and AMO.

### AMO Matters

In the latest AMO ON Topic podcast, Brian Rosborough is joined by MPAC's Carmelo Lipsi and Chris Rickett to discuss MPAC's collaborative approach in supporting Ontario's municipalities. Listen wherever you get your podcasts, or on the [AMO ON Topic website](#).

On November 28, AMO and Frequency Foundry introduced the partnership and demonstrated [Signal](#), a digital CRM/online 3-1-1 solution available to members. Implementing Signal will allow staff to manage and resolve 3-1-1 requests and allow citizens to track requests. Staff will also benefit from dashboards, analytics, and other customer service features. Visit [our webpage](#) for more information.

### Provincial Matters

As of January 1, 2020, the WSIB is introducing a [new way of setting premium rates](#) for almost 300,000 businesses across Ontario, including Schedule 1 Municipalities. [Connect](#) with WSIB if you have any questions about their new Rate Framework.

### Eye on Events

A quality, accessible website is the face of your municipality and is important to engaging and serving residents effectively. As part of AMO's Digital Toolkit, we have partnered with eSolutions to offer members cost-effective website solutions that meet accessibility requirements. Join us on Thursday, **December 12 from 3 pm to 4 pm EST** for a [free webinar](#) where we will introduce our latest partner.

AMO's Social Media webinar series is back by popular demand! Elected officials live in the spotlight making effective communication essential. With the rise of social media and decline of local news, the communications landscape has changed. These 1 hour lunch & learn workshops will help promote good news, manage issues professionally, and leverage traditional and social media. [Register now](#) for 1 or all 4 webinars, designed to help you navigate social media more effectively and safely.

### LAS

The LAS [Municipal Group Buying Program](#) can help you save money on your [office supplies](#). Join us and Staples Business Advantage on **December 11 at 10am** to learn how to save money on everything from pens to furniture and coffee supplies. [Register here](#).

### ONE Investment

Holiday Schedule Update: Please note, AMO Offices and Toronto Stock Exchange will have special hours during holidays. [Click here](#) to find detailed schedule for processing of ONE HISA Transactions and ONE (Portfolio) Transactions.

### Municipal Wire\*

The City of Timmins [resolution](#) supports continuation of the programs and services of the Mattagami Region Conservation Authority (MRCA), and requests the Ministry of Environment, Conservation and Parks to recognize the strong and positive provincial role Conservation Authorities (CA's) play in flood risk reduction programs and reinstate funding to the CA's of Ontario.

4S offers training, support, and a digital management platform to ensure municipal governments comply with occupational health and safety requirements. Reach out to 4S, AMO's partner for health and safety management, for [more information](#) on how they can support your health and safety program for 2020 and beyond.

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### Careers

[Assistant Deputy Minister, Municipal Services Division - Ministry of Municipal Affairs and Housing](#). As the Assistant Deputy Minister of Municipal Services Division, you will lead the operations division on matters related to municipal land-use planning, municipal finance, municipal governance, housing, disaster recovery and Ontario's Building Code. Please [apply online](#), only, by Friday, December 6, 2019.

[Assistant Deputy Minister, Local Government and Planning Policy - Ministry of Municipal Affairs and Housing](#). As the Assistant Deputy Minister (ADM) of Local Government and Planning Policy you will lead a division responsible for the development and implementation of policy, program and legislation for local government finance, governance and land use planning. The ADM is responsible for leading the ministry's partnerships with the municipal sector. Please [apply online](#), only, by Friday, December 6, 2019.

[Chief Administrative Officer – Town of Caledon](#). To apply for this extraordinary leadership opportunity in confidence, please submit a detailed resume to Town of Caledon at [CaledonCAOrecruitment@caledon.ca](mailto:CaledonCAOrecruitment@caledon.ca). A complete position description is available at [Caledon Careers](#). Application Deadline: 4:30 p.m., Friday, January 3, 2020.

[Supervisor, Risk Management & Legal Services - Haldimand County](#). Permanent Full-Time. Those who are interested in applying for this position must submit a resume and covering letter as appropriate in confidence to [careers@haldimandcounty.on.ca](mailto:careers@haldimandcounty.on.ca) by Thursday, December 12, 2019, 4:30 p.m.

[Director, Legislative Services - Town of The Blue Mountains](#). Reports to: Chief Administrative Officer. A detailed job description and instructions on how to apply are available on the Town's website under Town Hall - [Employment Opportunities](#). The submission deadline for applications is 4:30 p.m. on Friday, January 3, 2020.

[Policy Intern - AMO](#). Assisting senior advisors and the Director of Policy, the successful candidate will support AMO's policy development process. The Internship is a temporary position of up to 17 weeks. Please apply in confidence to: [careers@amo.on.ca](mailto:careers@amo.on.ca) by Friday, January 3rd, 2020 at 12 noon.

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**VILLAGE OF POINT EDWARD**

**By law Number 49 of 2019**

***"Being a By-law to Authorize the execution of the Agreement  
Between the Corporation of the Village of Point Edward and  
Sarnia Produce Inc.  
Part of Lots 53, 54, 55 and Part of Helena Street (closed),  
Plan 2 & 4  
707 and 709 Lite Street  
Village of Point Edward  
For Site Plan Purposes***

---

**WHEREAS** the Council of the Corporation of the Village of Point Edward deems it advisable to enter into a Site Plan Agreement with Sarnia Produce for a property legally described as Part of Lots 53, 54, 55 and Part of Helena Street (closed), Plan 2 & 4 and located at 707 and 709 Lite Street, Point Edward;

**WHEREAS** the Owner has filed a Site Plan Application in order to permit the construction of a new Market Store at 709 Lite Street;

**NOW THEREFORE** The Council of the Corporation of the Village of Point Edward enacts as follows:

1. THAT subject to the amalgamation of 707 and 709 Lite Street and upon the receipt of a final grading and servicing plan to the satisfaction of Village staff, the Village of Point Edward enter into a Site Plan Agreement with Sarnia Produce Inc for property legally described as Part of Lots 53, 54, 55 and Part of Helena Street (Closed), Plan 2 & 4 and located at 707 and 709 Lite Street, Point Edward;
2. THAT Schedule “A” attached to this by-law is the Agreement.
3. THAT subject to the appropriate zoning being in effect and upon receipt of a final grading and servicing plan to the satisfaction of Village staff, the Mayor and Clerk be authorized to execute the Agreement and any related documents and affix to them the corporate seal.

READ a first, second and third time and finally passed this 10<sup>th</sup> day of December, 2019.

---

**Mayor**

---

**Clerk**



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

**SITE PLAN AGREEMENT**

**THIS AGREEMENT** made the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

**BETWEEN:** SARNIA PRODUCE INC  
(hereinafter referred to as the “Owner”)

OF THE FIRST PART

**AND:** THE CORPORATION OF THE VILLAGE OF POINT EDWARD  
(hereinafter referred to as the "Corporation")

OF THE SECOND PART

**WHEREAS** the Corporation has enacted a Site Plan Control By-law 10 of 2001 pursuant to the provisions of Section 41 of the Planning Act, R.S.O. 1990 c. P.13, as amended;

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

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

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

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

1. The following Schedules, being a legal description of the lands affected by this agreement, the plans required by the Corporation pursuant to subsection (4) of Section 41 of the Planning Act, R.S.O. 1990 c. P.13, as amended, and particulars of the services being provided are hereby declared to form part of this agreement and are attached hereto:

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

2. The attached Schedule 'B' is hereby approved by the Corporation subject to the following conditions:
- a) The Owner hereby agrees that the development shall be carried out and completed in accordance with the attached Schedule 'B'.
- b) The following facilities, works or matters shall be provided by the Owner to the satisfaction of and at no expense to the Corporation:
- i) All parking areas and access, shown on Schedule 'B', shall be constructed and maintained with a stable hard surface.
- ii) All parking spaces shall be demarcated clearly with painted lines, signage and by concrete curbing to the satisfaction of the Corporation.

- iii) Parking spaces shown on Schedule 'B' shall have a minimum width of 2.7 metres and a minimum length of 6 metres.
- iv) All vehicle movements must occur on this property and not encroach onto neighbouring properties unless an access easement or agreement is signed and registered on title that permits otherwise.
- v) Internal site sidewalks and walkways shall be constructed and maintained with a stable hard surface such as concrete or asphalt. Barrier-free access shall be provided throughout the site.
- vi) All exterior lighting shall be directed away from abutting properties and roadways.
- vii) Any required extensions or expansions to storm, sanitary and/or water services required for the development of the site shall be installed at the expense of the Owner and to the satisfaction of the Corporation.
- viii) The property shall be adequately drained, and prior to the issuance of building permits the Corporation will be satisfied that:
  - the flow of water resulting from any grading and drainage facilities will not create an erosion problem nor aggravate an existing problem, and;
  - the flow of water will not cause a drainage problem on the site or on abutting lands.
- ix) Open storage of refuse, building materials (except in connection with an approved construction project occurring on the site) or similar materials is not permitted on the said lands. Open storage as defined by the Corporation's Zoning By-Law is permitted on the said lands only if it is listed as a permitted use in that By-law. Any area to be used for permitted open storage shall be set out on the site plan through an amendment to this agreement.
- x) Development of the area marked for future development/retail shall be subject to an amendment to this agreement, including the provision of elevation and servicing drawings to the satisfaction of the Corporation.
- xi) Purchasers and/or tenants are advised that despite the inclusion of noise control features within the new Market Store and Existing Warehouse, sound from traffic along Highway 402, may continue to be of concern. Noise may occasionally interfere with some activities of the building occupants and users, as the outdoor vehicle traffic sound levels may exceed the noise criteria of the Municipality and the Ministry of Environment, Conservation and Parks (MOECP)."
- c) The Owner hereby agrees to maintain to the satisfaction of the Corporation and at the sole risk and expense of the Owner those facilities, works or matters required to be provided under subclause b) of clause 2 hereof.

The Owner shall be responsible for protecting existing streets affected by the construction of this project, and shall restore such streets to their previous condition. As security to ensure such restoration, a damage deposit of \$2,000.00 shall be submitted with the Corporation prior to the signing of this agreement. Provided the Corporation is satisfied that no damage has occurred, or that damage has been repaired to its satisfaction, all of the damage deposit will be returned to

the Owner. If the Corporation must conduct repairs, an appropriate amount of the deposit will be retained by the Corporation to cover the cost of such repairs.

Prior to the issuance of the damage deposit, the Corporation shall document the pre-existing conditions on the public lands adjacent to the site by taking photographs of those lands.

- d) The approval of the attached Schedule 'B' by the Corporation shall lapse if development of the said lands:
  - i) is not carried out and completed in accordance with the said Schedule 'B'; or
  - ii) is not completed within two (2) years of the execution of this agreement, unless an extension has been agreed to in writing by the Corporation.

3. The Owner hereby acknowledges and agrees that:

- a) Pursuant to subsection (10) of Section 41 of the Planning Act, R.S.O. 1990 c. P.13, as amended, this agreement may be registered against the said lands to which it applies and the Corporation is entitled to enforce the provisions hereof against the Owner, and subject to the provisions of the Registry Act and the Land Titles Act, any and all subsequent owners of the land.
- b) Pursuant to subsection (11) of Section 41 of the Planning Act, R.S.O. 1990 c. P.13, as amended, Section 446 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, applies to any requirements made under subclauses (a), (b) and (c) of clause 2 hereof and to any other requirements made under this agreement.
- c) Upon completion by the Owner with all of the terms and conditions of this Agreement and at the written request of the Owner, the Corporation shall provide a letter of such compliance.

4. Amendments to this agreement may be carried out at any time with the consent, in writing, of the Corporation and the registered Owner of the said lands at the time of such amendment.

5. Upon breach by the Owner of any covenant, term or condition of this Agreement, which such breach has not been rectified to the satisfaction of the Corporation by the Owner within seven (7) days of notice from the Corporation, the Corporation at its sole option, may:

- a) require all work as aforesaid to cease, or;
- b) complete any necessary work and the Owner agrees to forthwith indemnify the Corporation for any expense in this regard, such expense shall form a lien against the lands and may be collected by the Corporation in the same manner as realty taxes pursuant to Section 1(3) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended. The remedies provided in this paragraph shall be in addition to any other remedy available to the Corporation pursuant to this Agreement or at law.

6. All payments, notices, demands, requests, approvals, representations, and consents which may be or are required to be given by either party to the other herein, shall be in writing and delivered or sent by prepaid registered mail to the parties at their respective addresses. Unless notice of change of address shall be given by either party to the other, their respective addresses shall be:

If to the Corporation, to it at:

The Corporation of the Village of Point Edward  
135 Kendall Street  
Point Edward, ON N7V 4G6

Attention: C.A.O./Clerk

If to the Owner, to it at:

Sarnia Produce Inc.  
707 and 709 Lite Street  
Point Edward, ON N7V 1A7

and if any such notice, demand, request, approval, representation or consent is sent by prepaid registered mail, it shall be conclusively deemed to have been received on the third business day following the mailing thereof and if delivered, it shall be conclusively deemed to have been received at the time of delivery. It is agreed, however, that notwithstanding the foregoing provisions with respect to mailing, in the event that it may be reasonably anticipated that due to any strike, lock-out, or similar event involving a postal service, any payment, notice, demand, request, approval, representation or consent will not be received by the addressee within the time hereinbefore provided, then the mailing of any payment, notice, demand, request, approval, representation or consent as aforesaid shall not be an effective means of sending the same but rather any payment, notice, demand, request, approval, representation or consent must be sent by the most reasonably expeditious means of transportation available.

7. This Agreement shall be governed and construed in accordance with the laws of the Province of Ontario and the courts of such Province shall have exclusive jurisdiction to ascertain any action in connection with this agreement.
8. This Agreement constitutes the entire agreement among the parties and shall not be modified, amended or assigned except with the consent in writing of the parties hereto. A consent to any assignment required hereunder may be arbitrarily or unreasonably withheld until the proposed assignee executes and delivers such documents as, in the opinion of the legal counsel of the Corporation, are necessary to oblige themselves or itself hereunder.
9. The provisions hereof shall endure to the benefit of the parties hereto and their heirs, executors, administrators, successors and assigns.
10. If any of the terms of this agreement shall be found to be ultra vires of the Corporation, or otherwise unlawful, such terms shall inclusively be deemed to be severable, and the remainder of this Agreement mutatis mutandis shall be and remain in full force and effect.



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

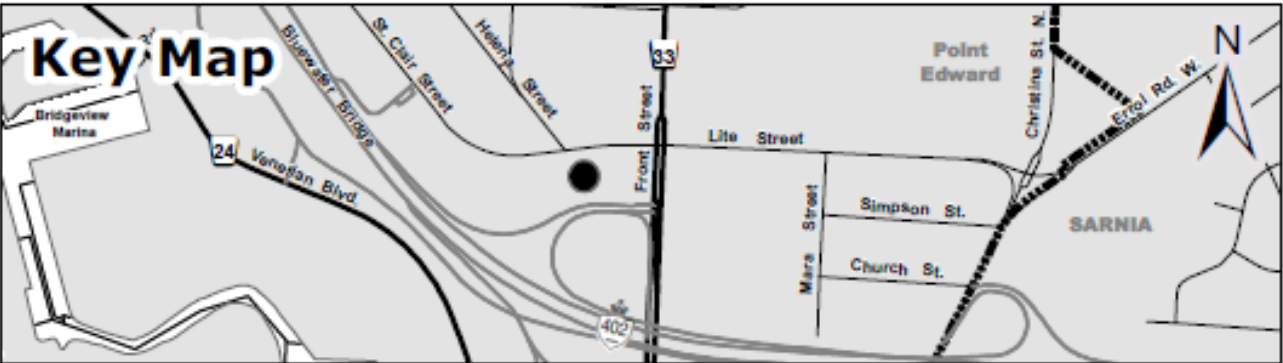
(SEAL)  
The Corporation of the Village of Point Edward

\_\_\_\_\_  
Mayor

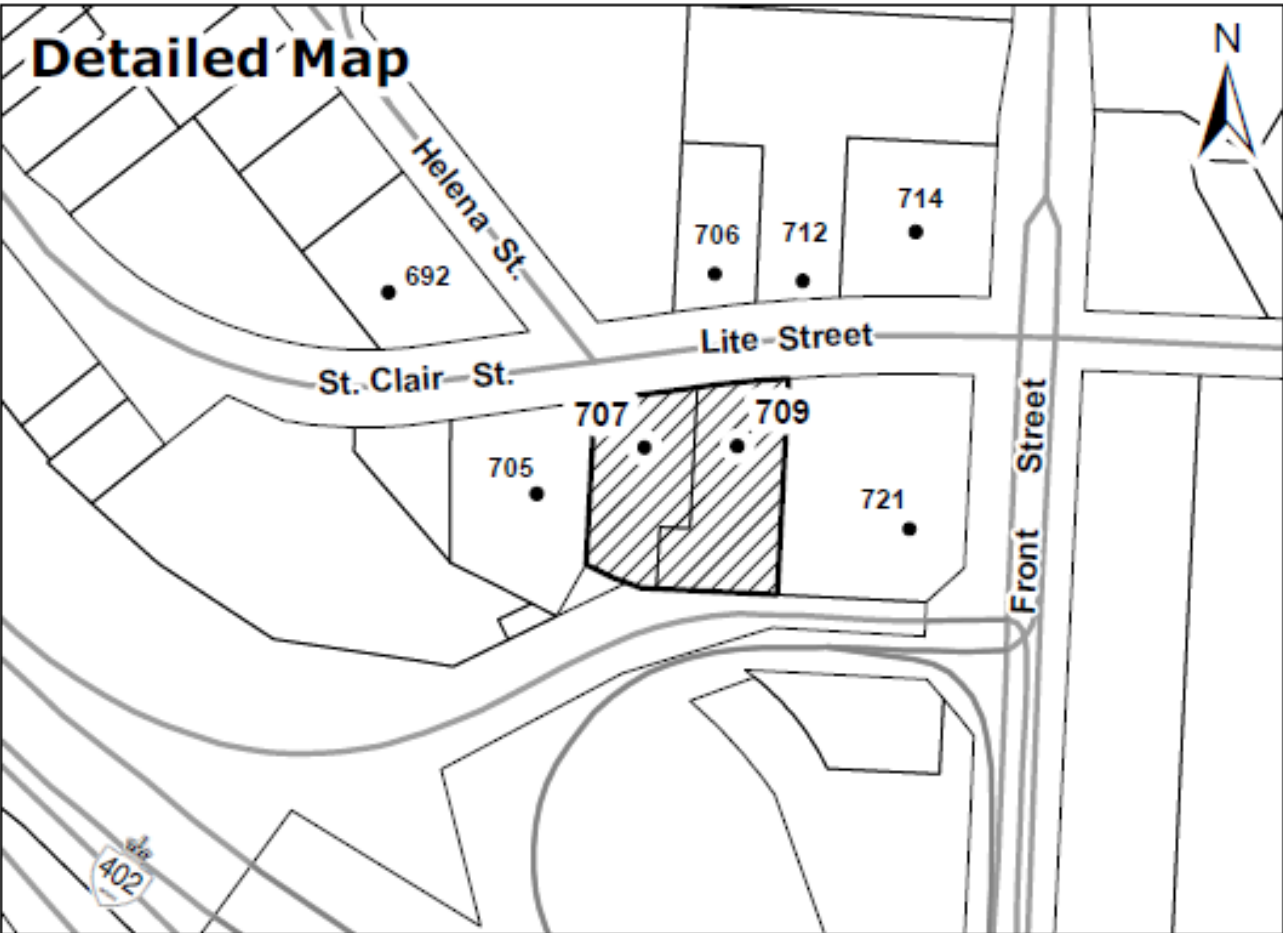
\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Sarnia Produce Inc.  
Owner

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



● Subject Property



Lands Subject to Site Plan Agreement

APPLICANT:	Sarnia Produce Inc.
LOCATION:	Part of Lots 53, 54, 55 and Part of Helena St. (Closed), Plan 2 & 4, Village of Point Edward.

**SCHEDULE "B"**  
**SITE PLAN AND SERVING REPORT**

Drawings:

Cover Sheet  
Philip Agar Architect  
September 19, 2019

Site Plan  
Philip Agar Architect  
September 19, 2019

Site Servicing Plan  
B. M. Ross and Associates Limited  
September 19, 2019

Site Servicing Report  
Wellington Builders Inc.  
November 19, 2019

# Village of Point Edward

## Schedule "A"

to By-law No. \_\_\_\_\_ of 2019

Dated this \_\_\_\_\_ Day of \_\_\_\_\_, 2019

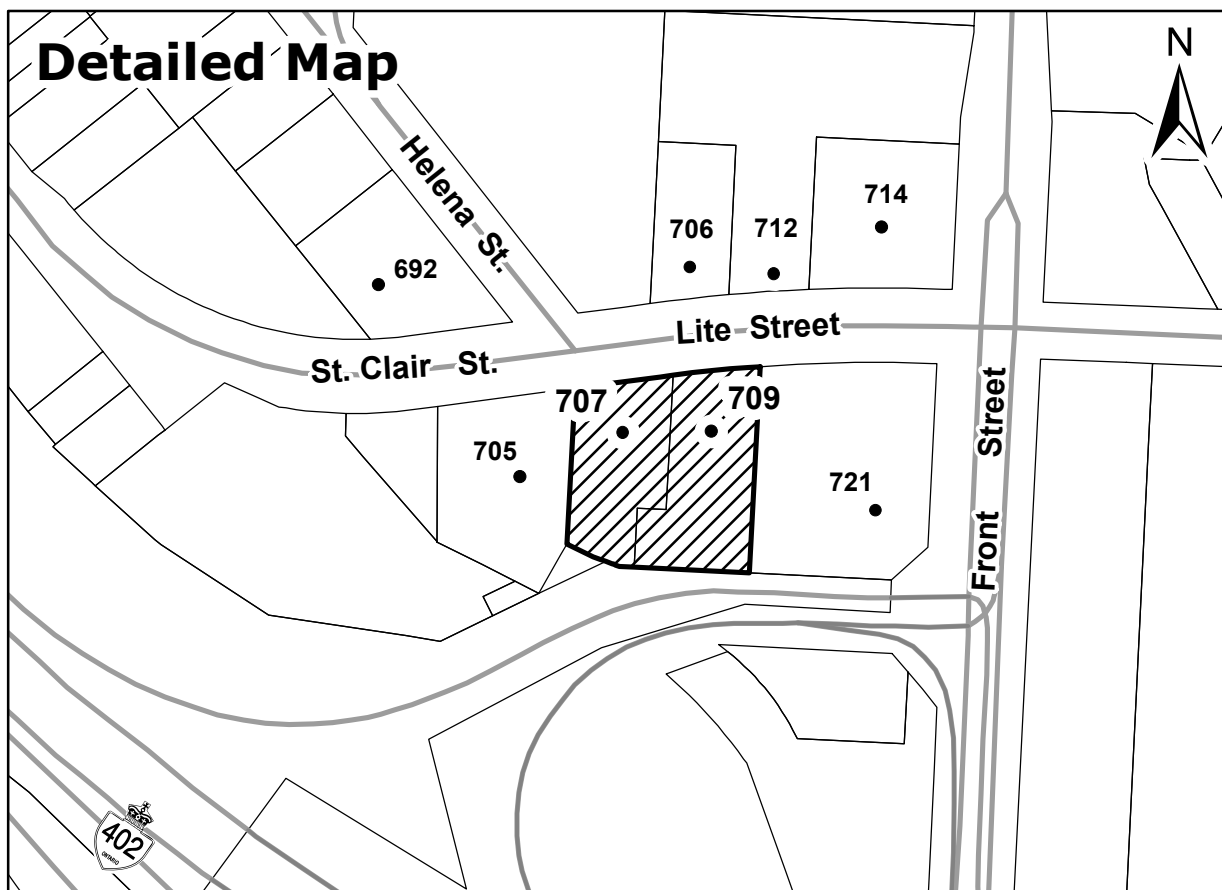
Signed: \_\_\_\_\_

Bev Hand, Mayor

Jim Burns, Clerk



● Subject Property



Lands Subject to Site Plan Agreement

APPLICANT: Sarnia Produce Inc.

LOCATION: Part of Lots 53, 54, 55 and Part of Helena St. (Closed),  
Plan 2 & 4, Village of Point Edward.

## VILLAGE OF POINT EDWARD

BY-LAW Number 50 of 2019 Being a By-Law to Confirm the Resolutions of Point Edward Council which were Adopted Up To and Including December 10, 2019

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**WHEREAS** it has been deemed expedient that, from time to time, the Council of the Corporation of the Village of Point Edward should enact by resolution of Council;

**AND WHEREAS** it is deemed advisable that all such actions which have been adopted by resolution of Council only, should be authorized by By-Law;

**NOW THEREFORE** the Council of the Corporation of the Village of Point Edward enacts as follows;

**THAT** all actions of Council which have been authorized by a resolution of Council and that were recorded in the minutes of Council or the minutes of a Committee of Council and accepted by Council up to and including December 10, 2019 be hereby confirmed.

**THAT** By-Law 48 of 2019, Being a By-Law to Confirm the Resolutions of Point Edward Council which were adopted up to and including December 10, 2019 be READ a FIRST, SECOND and THIRD TIME and FINALLY PASSED on this day, December 10, 2019

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**Mayor**

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**Clerk**