



**REGULAR MEETING OF COUNCIL
MINUTES**

**Monday, September 24, 2018
7:00 PM
Council Chambers
2021 Division Road N
Kingsville, Ontario N9Y 2Y9**

Members of Council Mayor Nelson Santos
 Deputy Mayor Gord Queen
 Councillor Susanne Coghill
 Councillor Tony Gaffan
 Councillor Thomas Neufeld
 Councillor Larry Patterson

Members of J. Astrologo, Director of Corporate Services
Administration R. Brown, Manager of Planning Services (@ 7:52 p.m.)
 K. Brcic, Planner (@ 7:52 p.m.)
 T. Del Greco, Municipal Services Manager
 S. Kitchen, Deputy Clerk-Council Services
 R. McLeod, Director of Financial Services
 A. Plancke, Director of Municipal Services
 P. Van Mierlo-West, CAO
 R. Baines, Deputy Clerk - Administrative Services
 D. Wolicki, Manager of Municipal Facilities and Property

A. CALL TO ORDER

Mayor Santos called the Regular Meeting to order at 7:00 p.m.

B. MOMENT OF SILENCE AND REFLECTION

Mayor Santos asked those present to stand and observe a moment of silence and reflection to be followed by the singing of O'Canada.

C. PLAYING OF NATIONAL ANTHEM

D. DISCLOSURE OF PECUNIARY INTEREST

Mayor Santos reminded Council that any declaration is to be made prior to each item being discussed and to identify the nature of the conflict, if any, as the agenda items come forward.

E. PRESENTATIONS/DELEGATIONS

1. Christina Heinrichs, Resident, and Livia Congi and Kathleen Foubister, representatives from Autism Ontario RE: Specialty Sign request

Ms. Foubister, Family Support Coordinator at Autism Ontario addressed Council (Ms. Congi was not able to be in attendance this evening).

Ms. Foubister stated that she is in attendance this evening with Ms. Christina Heinrichs, a resident who has requested the installation of a specialty sign. Ms. Foubister explained that autism spectrum disorder affects 1 in 66 children. Children and adults with ASD usually have particular characteristics in common, but the condition covers a wide spectrum with individual differences in symptoms and severity. She stated that neighbourhood awareness signs (specialty signs) are helpful safety tools. She added that the *Accessibility for Ontarians with Disabilities Act* regulations are encouraging the use of specialty signs with pictures rather than words, and she distributed a sample sign that the City of Sarnia has developed that Kingsville may wish to also consider. Ms. Foubister also stated her agreement with the specialty sign being attached to specific assessment roll numbers for tracking and reference.

545-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Susanne Coghill

That Council refer the request of C. Heinrichs for the installation of a specialty sign to Administration for a report.

CARRIED

F. AMENDMENTS TO THE AGENDA

Councillor Patterson added one notice of motion, and Councillor Coghill added one Unfinished Business Item.

Mayor Santos added one Announcement.

G. STAFF REPORTS

1. Duck Blinds

R. Baines, Deputy Clerk-Administrative Services

546-2018

Moved By Councillor Thomas Neufeld

Seconded By Councillor Tony Gaffan

That Council directs that Administration prepare an updated map showing where a duck blind cannot be erected, and provide the updated map to the public.

CARRIED

Mayor Santos advised members of the audience in attendance to forward any correspondence in this matter to the Clerk, so that the correspondences can be addressed at a future meeting.

2. Culvert # 503 - McCallum Drive over Mill Creek

T. Del Greco, Manager of Municipal Services

547-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Larry Patterson

That Council receive the Report of Manager of Municipal Services T. Del Greco dated September 4, 2018 regarding the replacement of Culvert #503 – McCallum Drive over Mill Creek.

CARRIED

Construction notices and updates will be posted on the Town's website.

3. 2018 Urban Road Program

T. Del Greco, Manager of Municipal Services

548-2018

Moved By Councillor Larry Patterson

Seconded By Councillor Thomas Neufeld

That Council direct the Mayor and Clerk to execute the Contract Agreement with Coco Paving Inc. for road resurfacing of Division Street South.

CARRIED

4. Next Steps for Cottam Revitalization Plan

D. Wolicki, Manager of Municipal Facilities and Property

549-2018

Moved By Councillor Larry Patterson

Seconded By Councillor Susanne Coghill

That Council approve the budget amount of \$20,000 for new displays and services for Rotary Park to be reallocated from the Downtown Revitalization Grant Funding Program in 2018; and further that Council directs Administration to incorporate the remaining short-term plan items as identified through the Cottam Revitalization Plan into the annual budget process for Council consideration.

CARRIED

5. Source Water Protection Enforcement Transfer Agreement

G. A. Plancke, Director of Municipal Services

550-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Larry Patterson

That Council approve entering into a three (3) year amendment of the Majority Agreement effective October 1, 2018 ending December 31, 2021 with the Essex Region Conservation Authority for the purpose of Source Water Protection Plan enforcement responsibility on behalf of the Town of Kingsville for the total cost of \$34,798; and

That Council direct the Mayor and Clerk to execute the amending Agreement to extend the Majority Agreement for a period of three years and three months as stipulated within the amending Agreement; and further,

That Authorizing By-Law 111- 2018 be enacted at this Regular Meeting.

CARRIED

6. **Application for Extension of Part Lot Control Exemption Builder Direct Buy Corporation; Hazel Crescent 20-22, 60-62, 56-58, 64-66 Hazel Cres. Lots 7, 55, 56 & 57, Plan 12M-552 Roll Nos: Multiple**

K. Brcic, Town Planner

551-2018

Moved By Councillor Larry Patterson

Seconded By Deputy Mayor Gord Queen

That Council approve the further extension of Part Lot Control Exemption, By-Law 114-2011, to allow Lots 7, 55, 56 & 57 on Plan 12M-552 to continue to be exempt from Section 50(5) of the Planning Act, and that Council authorize and direct Planning Services to register the by-law (107-2018) on title, subject to the following condition:

That the applicant provide confirmation that the subject lots have separate services and that those services are aligned with the proposed final lot configuration to the satisfaction of the Town for Lots 7, 55, 56 & 57 prior to final registration of the Part Lot Control By-law extension.

CARRIED

7. **Application for Part Lot Control Exemption HTM Management 27, 29 & 31 Mettawas Lane Pt Lots 1, 2, 3, 4, 30, 31 & Part of Private Drive, Plan 12M 965 Roll No. 3711 180 000 05205**

K. Brcic, Town Planner

552-2018

Moved By Councillor Tony Gaffan

Seconded By Councillor Susanne Coghill

That Council enact Part Lot Control By-law 108-2018 to allow Pt. Lots 1, 2, 3, 4, 30, 31 & Part of Private Drive, Plan 12M-965 to be exempt from Section 50(5) of the Planning Act, and that Council authorize and direct Planning Services to forward the by-law to the County of Essex for final approval, subject to the following conditions:

The applicant provide a lot servicing plan to confirm both individual servicing of each lot and the final alignment of the services consistent with the proposed lot fabric and to the satisfaction of the Town, prior to final approval of the Part Lot Control by-law by the County of Essex.

CARRIED

8. Application for Site Plan Approval by 2435895 Ontario Limited 1593 County Road 34, Part of Lot 9, Concession 2 ED Pts. 1, 2, 3, 4 & 13 Plan 12R 24914

R. Brown, Manager of Planning Services

Ms. Kathryn Hengl of Rosati Construction Group was also in attendance on behalf of the Applicant. She stated that the smaller warehouse is intended strictly for the owner's use as a storage facility, and the additional new warehouse will be set up to be occupied by two tenants. She also stated that there are no tenants secured as of yet.

553-2018

Moved By Councillor Larry Patterson

Seconded By Councillor Tony Gaffan

That Council approve site plan application SPA/08/18 for lands located at 1593 County Road 34, Part of Lot 9, Concession 2 ED, subject to the conditions outlined in the associated site plan agreement for the development of a 1,114.8 sq. m (12,000 sq. ft.) storage building and 4,031.8 sq. m (43,400 sq. ft.) warehouse and authorize the Mayor and Clerk to sign the site plan agreement and register said agreement on title.

CARRIED

Mayor Santos called for a recess at 8:16 p.m. and the meeting reconvened at 8:24 p.m.

9. Medical Marihuana Policy Options and Review

R. Brown, Manager of Planning Services

554-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Thomas Neufeld

That Council receives the Report of Manager of Planning Services reviewing Medical Marihuana Policy Options for information purposes; directs Administration to prepare a report about amending the Official Plan and Zoning By-law to rework the current policies and update same to address future approval of Medical Marihuana Production Facilities; and further, that no further zoning by-law amendment applications be approved until that report is brought back to Council for consideration.

CARRIED

555-2018

Moved By Councillor Tony Gaffan

Seconded By Councillor Larry Patterson

That Council directs Administration to prepare a report regarding Part II Applications under the *Access to Cannabis for Medical Purposes Regulations* specifically referencing the jurisdiction of each level of government (municipal, provincial, federal) under that legislation.

CARRIED

H. BUSINESS/CORRESPONDENCE-ACTION REQUIRED

1. Kingsville BIA--Correspondence dated September 18, 2018 RE: Additional crosswalk

556-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Susanne Coghill

That Council refer correspondence of Kingsville BIA dated September 18, 2018 (request to evaluate and consider signage for additional crosswalks for pedestrian crossings in key downtown areas, including Division by the Post Office, and Main St. E. near the parking lot at the Unico Building) to Administration to conduct additional research and report back to Council.

CARRIED

I. MINUTES OF THE PREVIOUS MEETINGS

1. Regular Meeting of Council--September 10, 2018

557-2018

Moved By Councillor Susanne Coghill

Seconded By Councillor Tony Gaffan

That Council adopts Regular Meeting of Council Minutes, dated September 10, 2018.

CARRIED

J. MINUTES OF COMMITTEES AND RECOMMENDATIONS

1. Kingsville Municipal Heritage Advisory Committee--August 8, 2018

558-2018

Moved By Councillor Larry Patterson

Seconded By Councillor Susanne Coghill

That Council receives Kingsville Municipal Heritage Advisory Committee Meeting Minutes dated August 8, 2018

CARRIED

2. Tourism and Economic Development Committee - August 9, 2018

559-2018

Moved By Councillor Tony Gaffan

Seconded By Councillor Susanne Coghill

That Council receives Tourism and Economic Development Committee Meeting Minutes dated August 9, 2018

CARRIED

3. Kingsville B.I.A. - August 14, 2018

560-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Thomas Neufeld

That Council receives Kingsville B.I.A. Meeting Minutes dated August 14, 2018

CARRIED

K. BUSINESS CORRESPONDENCE - INFORMATIONAL

- 1. Township of Amaranth--Correspondence dated August 30, 2018 RE: NAFTA-Dairy Supply Management Program**
- 2. Township of South Glengarry--Resolution 255-18 passed September 4, 2018 RE: Paramedics as a full Essential Service**
- 3. Brenda and Ed Ryall--Correspondence received September 18, 2018**

561-2018

Moved By Councillor Larry Patterson

Seconded By Councillor Thomas Neufeld

That Council receives Business Correspondence-Informational Items 1 to 3.

CARRIED

L. NOTICES OF MOTION

- 1. Councillor Coghill may move or cause to be moved:**

That Administration prepare an amending by-law for Council's consideration to amend Section 8(f)(iii) of By-law 57-2015 to reduce the length of time that a dog can be tethered from twelve (12) hours per day to no more than four (4) hours in a 24-hour period.

562-2018

Moved By Councillor Susanne Coghill

Seconded By Deputy Mayor Gord Queen

That Administration prepare an amending by-law for Council's consideration to amend Section 8(f)(iii) of By-law 57-2015 to reduce the length of time that a dog

can be tethered from twelve (12) hours per day to no more than four (4) hours in a 24-hour period and that a public meeting be held.

CARRIED

2. Councillor Neufeld may move, or cause to have moved:

That Administration designate a courtesy parking lot for veterans in each municipally-owned parking lot, which spot shall be located next to or near the designated handicap parking spaces.

563-2018

Moved By Councillor Thomas Neufeld

Seconded By Councillor Larry Patterson

That Administration prepare a report in connection with the potential designation of a courtesy parking spot (painted on pavement) for veterans in each municipally-owned parking lot, which spot would be located next to or near the designated handicap parking spaces.

CARRIED

- 3.** Councillor Patterson, at the next Regular Meeting of Council may move, or cause to have moved that Administration be directed to prepare a report regarding a pedestrian crosswalk at Division St. South and Pearl Street due to a safety concern.

M. UNFINISHED BUSINESS, ANNOUNCEMENTS AND UPDATES

1. Mayor Santos announced that the annual Ruthven Apple Festival will be held on September 29th and 30th. The parade starts at 10:30 a.m. on Saturday, and on Sunday there has been a request for a Citizen of the Year presentation at 11:45 a.m. at the main stage at Colasanti's.

2. Councillor Coghill asked that there be increased 'No Diving From Bridge' signage installed at the Heritage Road Bridge and the Cedar Beach Bridge. There have been reports of people jumping into the water from the bridges and rock jetty.

N. BYLAWS

1. By-law 66-2018

564-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Larry Patterson

That Council read By-law 66-2018, being a by-law to amend By-law 53-2008, being a By-law to provide for the circumstances in which the municipality shall provide notice to the public and where notice is to be provided, the form, manner and times notice shall be given, a first, second and third and final time.

CARRIED

2. By-law 106-2018

565-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Susanne Coghil

That Council read By-law 106-2018, being a By-law to designate a certain property, including land and buildings, known as The Christopher Dresser House (192 County Road 14, Cottam) as being of cultural heritage value or interest under the provisions of the Ontario Heritage Act, R.S.O. 1990, c. O.18 as amended, a first, second and third and final time.

CARRIED

3. By-law 107-2018

566-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Thomas Neufeld

That Council read By-law 107-2018, being a By-law to extend the exemption from Part Lot Control pursuant to Section 50(7) of the Planning Act as provided for in By-law 114-2011 (Millbrook Expansion - Hazel Crescent) a first, second and third and final time.

CARRIED

4. By-law 108-2018

567-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Tony Gaffan

That Council read By-law 108-2018, a By-law to exempt certain lands from Part Lot Control (Mettawas Subdivision - Plan 12M-965) a first, second and third and final time.

CARRIED

5. By-law 110-2018

568-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Larry Patterson

That Council read By-law 110-2018, being a by-law to authorize the entering into of an Agreement with Coco Paving Inc. for the 2018 Urban Road Program a first, second and third and final time.

CARRIED

6. By-law 111-2018

569-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Susanne Coghil

That Council read By-law 111-2018, being a By-law authorizing the entering into of a Source Protection Plan Part IV Enforcement Transfer Agreement Amendment with the Town of Amherstburg, the Town of Essex, the Town of Lakeshore, the Town of LaSalle, the Municipality of Leamington, the Township of Pelee, the Town of Tecumseh, the City of Windsor, the Municipality of Chatham-Kent and the Essex Region Conservation Authority, a first, second and third and final time.

CARRIED

O. CONFIRMATORY BY-LAW

1. By-law 112-2018

570-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Tony Gaffan

That Council read By-law 112-2018, being a By-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its September 24, 2018 Regular Meeting, a first, second and third and final time.

CARRIED

P. ADJOURNMENT

571-2018

Moved By Councillor Larry Patterson

Seconded By Councillor Tony Gaffan

That Council adjourn this Regular Meeting at 9:24 p.m.

CARRIED