REGULAR MEETING OF COUNCIL

MINUTES

Tuesday, November 13, 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 Administration	J. Astrologo, Director of Corporate Services R. Brown, Acting CAO J. Galea, Human Resources Manager K. Brcic, Planner S. Kitchen, Deputy Clerk-Council Services R. McLeod, Director of Financial Services C. Parsons, Fire Chief Absent: P. Van Mierlo-West, CAO (on personal business)

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 playing 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. MATTERS SUBJECT TO NOTICE

1. PUBLIC MEETING--ZBA/28/18 Application for Zoning By-law Amendment by Esther Vanderheyden for the Estate of Egbert Kruis Part of Lot C, Concession 2, Western Division 1577 Road 3 West Roll No. 3711 380 000 01200

K. Brcic, Town Planner

i) Notice of Complete Application and Public Meeting: Zoning By-law Amendment ZBA/28/18, dated October 17, 2018;

ii) Report of K. Brcic, Town Planner, dated November 1, 2018;

iii) Proposed By-law 119-2018, being a by-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville

Comments from the audience:

Keith Taylor, 1620 Road 3 West, asked for clarification as to whether bunkhouses are allowed or not allowed. Ms. Brcic responded that bunkhouses are permitted as an accessory use to, or supportive of, a greenhouse.

There were no further comments from anyone in attendance in the audience.

Comments from the Applicant:

Ron Reaume, Solicitor for the Applicant, indicated he is in attendance seeking approval of the Zoning By-law Amendment as recommended in the Planner's Report.

583-2018
Moved By Councillor Thomas Neufeld
Seconded By Councillor Tony Gaffan

That Council approve Zoning By-law Amendment application ZBA/28/18 to rezone the retained farm lands as a condition of consent File B/06/18 from ‘Agriculture (A1)’ to ‘Agriculture – Restricted (A2)’ located in Part of Lot C, Concession 2, WD, locally known as 1577 Road 3 West in the Town of Kingsville, and adopt the implementing by-law.

CARRIED

2. PUBLIC MEETING--ZBA/33/18 Application for Removal of the H – Holding Symbol 1552843 Ontario Ltd. (Sunvalley Estates Subdivision) Part of Lot 10, Concession 2 ED, Lots 29 to 44, Draft Plan 37-T-12001

K. Brcic, Town Planner

i) Notice of an Intention to Pass an Amending By-law to Remove a Holding Symbol, dated October 26, 2018;

ii) Report of R. Brown, Manager of Planning and Development Services, dated October 29, 2018;

iii) Proposed By-law 118-2018, being a by-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville

Ms. Brcic presented the Planning Report.

Comments from the audience:

Ms. Christina Porrone, 1811 Talbot Road asked what type of housing has been approved to be built, and if the roadway will continue over the ditch on Road 2. Mr. Brown advised that single family dwellings are approved for the subject lands, and explained that the road is an extension of Regent St. and it will not go over the Esseltine Drain as part of this approval. He stated that Regent St. was never intended to connect with the Porrone subdivision. It was always a cul de sac in the original plan.

There were no further questions from anyone in attendance in the audience.

584-2018
Moved By Councillor Thomas Neufeld
Seconded By Councillor Tony Gaffan

That Council approves the removal of the Holding (h) symbol on the lands outlined in Amending By-law 118-2018 in the Town of Kingsville and adopt the implementing by-law.

CARRIED

F. AMENDMENTS TO THE AGENDA

Deputy Mayor Queen added one notice of motion, Councillor Patterson added two notices of motion and one announcement, and Councillor Gaffan added an item under Unfinished Business.

G. ADOPTION OF ACCOUNTS

1. Town of Kingsville Accounts for the monthly period ended September 30, 2018 being TD cheque numbers 0066522 to 0066783 for a grand total of $1,373,304.04

585-2018
Moved By Councillor Larry Patterson
Seconded By Deputy Mayor Gord Queen

That Council approve Town of Kingsville Accounts for the monthly period ended September 30, 2018 being TD cheque numbers 0066522 to 0066783 for a grand total of $1,373,304.04.

CARRIED

2. Town of Kingsville Accounts for the monthly period ended October 31, 2018 being TD cheque numbers 0066784 to 00667104 for a grand total of $2,217,212.34

586-2018
Moved By Councillor Larry Patterson
Seconded By Councillor Susanne Coghill

That Council approves Town of Kingsville Accounts for the monthly period ended October 31, 2018 being TD cheque numbers 0066784 to 0067104 for a grand total of $2,217.212.34

CARRIED

H. STAFF REPORTS

1. Policy Review- Complaint Processing Policy

J. Galea, Human Resources Manager

587-2018
Moved By Councillor Larry Patterson
Seconded By Deputy Mayor Gord Queen

That Council adopt the Complaint Processing Policy.

CARRIED

2. Uncollectable Property Tax Write Off Under Section 354 of the Municipal Act, 2001

R. McLeod, Director of Financial Services

588-2018
Moved By Councillor Tony Gaffan
Seconded By Councillor Susanne Coghill

That Council authorize tax write offs totaling $404.19.

CARRIED

3. Tax Adjustments Under Sections 357 of the Municipal Act, 2001

R. McLeod, Director of Financial Services

589-2018
Moved By Councillor Tony Gaffan
Seconded By Councillor Susanne Coghill

Council authorize tax reductions totaling $4,721.61 for the 2018 taxation year.

CARRIED

4. Marsh Sideroad – Cost of Surface Treatment

S. Martinho, Manager of Public Works presented the report in the absence of Mr. Del Greco.

590-2018
Moved By Councillor Susanne Coghill
Seconded By Councillor Thomas Neufeld

That Council receives Report of Manager of Municipal Services dated September 28, 2018 regarding surface treatment of Marsh Sideroad from County Road 27 to Road 8 West.

CARRIED

5. Annual Traffic By-Law Amendment (2018)

S. Martinho, Manager of Public Works presented the report in the absence of Mr. Del Greco, who was unable to attend this evening.

591-2018
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Susanne Coghill

That Council approves the following amendment to Kingsville Traffic By-Law 21-2005:

Addition of 'No Parking' signs on both sides of Sandybrook Way from Division Street North to 27 Sandybrook Way.

CARRIED

592-2018
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Susanne Coghill

That Council approves the following amendment to Kingsville Traffic By-law 21-2005: Addition of 'No Parking' signs around the island and on the West side of Mettawas Lane going down into the cul de sac (allowing parking on the East side going up) and further, that Council directs that the Town erect directional 'in' and 'out' signage.

CARRIED

593-2018
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Tony Gaffan

That Council defer the discussion of the recommendation to amend Kingsville Traffic By-law 21-2005 to add 'No Parking' signs on both sides of Hillview Crescent starting from Division St. North and heading west for a distance of 150 meters, to the next Regular Meeting of Council.

CARRIED

594-2018
Moved By Councillor Larry Patterson
Seconded By Councillor Thomas Neufeld

That Council approves the following amendment to Kingsville Traffic By-law 21-2005:

Addition of 'No Parking' signs on the east/west section of Orchard Boulevard between 823 Orchard Boulevard and 841 Orchard Boulevard.

CARRIED

595-2018
Moved By Councillor Tony Gaffan
Seconded By Councillor Thomas Neufeld

That Council approves the following amendment to Kingsville Traffic By-law 21-2005:

Addition of 'No Parking' signs on the north side of Road 2 East from County Road 45 to 1604 Road 2 East.

CARRIED

596-2018
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Larry Patterson

That Council approves the following amendment to Kingsville Traffic By-law 21-2005:

Addition of 'No Parking' signs on both sides of Malo Street.

LOST

597-2018
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Tony Gaffan

That Council receives the balance of the Report of Manager of Municipal Services, dated October 1, 2018 RE: Annual Traffic By-law Amendment (2018).

CARRIED

6. Signage Honoring Kingsville's Olympians

S. Martinho, Public Works Manager.

598-2018
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Tony Gaffan

That Council receive the information on the status of signage showing the accomplishments of our local Olympians.

CARRIED

7. Update to Cemetery By-law 120-2018

S. Martinho, Public Works Manager

599-2018
Moved By Councillor Larry Patterson
Seconded By Councillor Susanne Coghill

That Council read the proposed Cemetery By-law (120-2018) a first and second time at this Regular meeting and direct Administration to move forward with the

process established by the Bereavement Authority of Ontario to obtain approval of said By-law.

CARRIED

I. BUSINESS/CORRESPONDENCE-ACTION REQUIRED

1. December 2018 Regular Meeting of Council Schedule

600-2018
Moved By Councillor Tony Gaffan
Seconded By Deputy Mayor Gord Queen

That Council confirms that the only **Regular** Council Meeting to be held in December is the December 10, 2018 Regular Meeting of Council.

CARRIED

The December Council Meeting Schedule, including the Inaugural and Council Orientation meeting dates, will be advertised.

2. Gosfield North Sportsmen Association--Correspondence dated October 5, 2018 RE: 2018 Pheasant Release Program

601-2018
Moved By Councillor Larry Patterson
Seconded By Deputy Mayor Gord Queen

That Council authorizes the continuation of the Town of Kingsville partnership with the Gosfield North Sportsmen Association in their Pheasant Release Program by contributing the licence fees collected for the 2018 hunting season.

CARRIED

J. MINUTES OF THE PREVIOUS MEETINGS

1. Regular Meeting of Council--September 24, 2018

602-2018
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Thomas Neufeld

That Council adopt Regular Meeting of Council Minutes, dated September 24, 2018.

CARRIED

2. Regular Meeting of Council--October 9, 2018

603-2018
Moved By Councillor Tony Gaffan
Seconded By Councillor Susanne Coghill

That Council adopt Regular Meeting of Council Minutes, dated October 9, 2018, as amended to correct typographical error.

CARRIED

K. MINUTES OF COMMITTEES AND RECOMMENDATIONS

1. Union Water Supply System Joint Board of Management - July 18, 2018 and July 26, 2018

604-2018
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Larry Patterson

That Council receive Union Water Supply System Joint Board of Management Meeting Minutes dated July 18, 2018 and July 26, 2018.

CARRIED

2. Parks, Recreation, Arts and Culture Committee - August 16, 2018

605-2018
Moved By Councillor Tony Gaffan
Seconded By Deputy Mayor Gord Queen

That Council receive Parks, Recreation, Arts and Culture Committee Meeting Minutes dated August 16, 2018 together with Minutes of the following sub-committee:

The 55+ Advisory Committee - July 5, 2018

CARRIED

3. Police Services Board - August 29, 2018 and September 26, 2018

606-2018
Moved By Councillor Larry Patterson
Seconded By Councillor Susanne Coghill

That Council receives Police Services Board Meeting Minutes dated August 29, 2018 and September 26, 2018.

CARRIED

4. Planning Advisory Committee - February 20, 2018

607-2018
Moved By Councillor Thomas Neufeld
Seconded By Councillor Tony Gaffan

That Council receives Planning Advisory Committee Meeting Minutes dated February 20, 2018.

CARRIED

5. Committee of Adjustment - August 21, 2018

608-2018
Moved By Councillor Tony Gaffan
Seconded By Deputy Mayor Gord Queen

That Council receives Committee of Adjustment Meeting Minutes dated August 21, 2018.

CARRIED

6. Parks, Recreation, Arts and Culture Committee - September 20, 2018

609-2018
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Susanne Coghill

That Council receives Parks, Recreation, Arts and Culture Committee Meeting Minutes dated September 20, 2018 together with Minutes of the following sub-committees:

Fantasy of Lights - April 24, 2018

Migration Festival - May 15, 2018

CARRIED

7. Tourism and Economic Development Committee - September 12, 2018

610-2018
Moved By Councillor Tony Gaffan
Seconded By Councillor Susanne Coghill

That Council receives Tourism and Economic Development Committee Meeting Minutes dated September 12, 2018.

CARRIED

Mayor Santos called for a brief recess at 8:28 p.m. and the meeting reconvened at 8:39 p.m.

L. BUSINESS CORRESPONDENCE - INFORMATIONAL

1. Minister of Health--Copy of correspondence to Tracey Ramsey M.P. dated September 13, 2018

2. Veterans Memories Project--Correspondence dated September 20, 2018 RE: 200 Veterans and 200 Students Dining Together

3. Town of Lakeshore--Correspondence dated September 19, 2018 RE: Allowing municipalities to use flashing traffic signals

4. Township of Montague--Correspondence dated September 19, 2018 RE: Better Local Government Act

5. **Township of Amaranth--Correspondence dated September 20, 2018 RE: Licensing Process to Take Water for Commercial Water Bottling Facilities**

6. **Deputy Mayor G. Queen--Correspondence dated October 2018 RE: Past, Current and Proposed Changes to the Town By-law regarding Open Fires within the limits of the Town of Kingsville**

7. **Deputy Mayor G. Queen--Correspondence dated October 16, 2018 RE: Ontario Association of Committee of Adjustment and Consent Authorities Seminar of October 15 and 16, 2018**

8. **Township of McKellar--Correspondence dated October 24, 2018 RE: Governance Models**

9. **The Royal Canadian Legion Ontario Command--Certificate of Appreciation presented to the Town of Kingsville for supporting the Military Recognition Book-Volume V of The Royal Canadian Legion Ontario Command.**

10. **City of Hamilton--Correspondence dated October 9, 2018 RE: NAFTA-Dairy Supply Management Program**

11. **Ministry of Tourism Culture and Sport--Correspondence dated October, 2018 RE: Invitation for Nomination for the Ontario Medal for Good Citizenship**

12. **Doug Plumb, Kingsville Highland Games Chair--Correspondence dated November 5, 2018 Re: Kingsville Highland Games**

13. **Anna Marie Nantais, Resident--Correspondence dated November 5, 2018 RE: Recently circulated "Warning" Flyer re: greenhouses.**

611-2018
Moved By Councillor Thomas Neufeld
Seconded By Councillor Susanne Coghill

That Council receive Business Correspondence-Informational items 1 to 13.

CARRIED

612-2018
Moved By Councillor Thomas Neufeld
Seconded By Councillor Tony Gaffan

That Council support Town of Lakeshore Resolution number 864-09-2018 requesting the Ministry of Transportation to consider authorizing municipalities to implement flashing traffic lights when appropriate and based upon the time of day when traffic volumes are minimal.

CARRIED

M. NOTICES OF MOTION

1. Councillor Patterson 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 St. due to a safety concern.

613-2018
Moved By Councillor Larry Patterson
Seconded By Deputy Mayor Gord Queen

That Administration be directed to prepare a fulsome report to identify potential locations for legal pedestrian crosswalks in the entire municipality, including, but not limited to, the location at Division Street South and Pearl Street and those areas identified in correspondence received from the Kingsville BIA.

CARRIED

2. Deputy Mayor Queen may move, or cause to have moved:

That Council as a whole receive an update as to the new school project as far as may be completed in open session, and further details that may be available as permitted in closed session.

614-2018
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Larry Patterson

That Council as a whole receive an update report from Administration as to the new school project as far as may be completed in open session, and further details that may be available as permitted in closed session.

CARRIED

3. Deputy Mayor Queen may move, or cause to have moved:

That Administration review and advise Council of any and all emergency processes and procedures that may exist in regard to, but not limited to, the arena.

615-2018
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Susanne Coghill

That Administration review and advise Council of any and all emergency processes and procedures that may exist in regard to, but not limited to, the arena.

CARRIED

4. Deputy Mayor Queen may move, or cause to have moved:

That Council revise the necessary by-laws to permit public input during Council discussion of Site Plan Approvals.

616-2018
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Larry Patterson

That Council direct administration to revise the necessary by-laws and policies to permit public input during Council discussion of Site Plan Approvals.

CARRIED

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

That there be a moratorium put in place on all new greenhouse development West of Division Road, until such time that Council ahs the opportunity to review current site plan controls as it relates to greenhouse development.

617-2018
Moved By Councillor Thomas Neufeld
Seconded By Deputy Mayor Gord Queen

That Administration, through a report to Council, consider the implementation of an interim control by-law to prohibit all greenhouse development west of Division Road, until such time as Council has the opportunity to review current zoning and Official Plan policies.

CARRIED

7. Deputy Mayor Queen may at the next Regular Meeting, move or cause to have moved that Administration investigate and report back to the new Council elect, the feasibility of adopting a policy similar to the recently approved policy of Secondary Suites to help ease the affordable housing shortage, based on compliance on both Building Code and Fire regulations.

8. Councillor Patterson may at the next Regular Meeting, move or cause to have moved that a petition signed by residents of the Olinda Sideroad be forwarded to management regarding the Olinda Sideroad as a safety concern.

9. Councillor Patterson may at the next Regular Meeting, move or cause to have moved that our Council representatives discuss with Essex County Council to consider that the speed limit on County Road 27 from Highway 3 going northeast to County Road 34 in Cottam be reduced from 80 km to 60 km, to the 50 km sign.

N. UNFINISHED BUSINESS, ANNOUNCEMENTS AND UPDATES

1. Councillor Patterson extended a "Thank you" to the election staff for their hard work and professionalism during the election. He said that he received feedback from a number of residents and they all said that the staff were knowledgeable, friendly and respectful.

2. Councillor Gaffan expressed his disappointment with the fact that the Division St. S. road construction will not be completed in time for the Town's annual Fantasy of Lights Santa Claus parade event and asked Public Works Manager M. Martinho and Director of Municipal Services A. Plancke to finalize the route for the parade participants.

O. BYLAWS

1. By-law 56-2018

618-2018
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Susanne Coghill

That Council read By-law 56-2018 being a By-law to designate certain lands as a public highway in the Town of Kingsville a first, second and third and final time.

CARRIED

2. By-law 118-2018

619-2018
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Thomas Neufeld

That Council read By-law 118-2018, being a by-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (ZBA/33/18; Part of Lot 10, Concession 2 ED, Lots 29-44, Draft Plan 37-T-12001), a first, second and third and final time.

CARRIED

3. By-law 119-2018

620-2018
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Tony Gaffan

That Council reads By-law 119-2018, being a by-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (ZBA/28/18; 1577 Road 3 West, Part of Lot C, Concession 2, WD) a first, second and third and final time.

CARRIED

4. By-law 120-2018

621-2018
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Larry Patterson

That Council reads By-law 120-2018, being a By-law to establish rules and regulations to be used in connection with all cemeteries owned and operated by The Corporation of the Town of Kingsville, a first and second time.

CARRIED

P. CLOSED SESSION

622-2018
Moved By Councillor Susanne Coghill
Seconded By Councillor Tony Gaffan

That Council, pursuant to Section 239(2) of the *Municipal Act, 2001*, enter into Closed Session at 9:00 p.m. to address the following matters:

1. Section 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board; pertaining to the acquisition of land for municipal purposes; and

2. Section 239(2)(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; being an update regarding the status of an application for expropriation of a portion of waterfront lands.

CARRIED

Q. REPORT OUT OF CLOSED SESSION

Upon rising from Closed Session at 9:21 p.m. Mayor Santos reported as follows:

Closed Session Item P-2--Council received an update regarding the status of an application for expropriation of a portion of waterfront lands; and

Closed Session Item P-1--Council is seeking a recommendation to enter into a donation agreement for a land donation.

623-2018
Moved By Councillor Susanne Coghill
Seconded By Councillor Tony Gaffan

That Council authorizes The Corporation of the Town of Kingsville to enter into a Donation Agreement with Paul Repko for lands to be used for a municipal dog park, and hereby authorizes the Mayor and Clerk to execute the same.

CARRIED

R. CONFIRMATORY BY-LAW

1. By-law 121-2018

624-2018
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Susanne Coghill

That Council reads By-law 121-2018, being a By-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its November 13, 2018 Regular Meeting, a first, second and third and final time.

CARRIED

S. ADJOURNMENT

625-2018
Moved By Councillor Tony Gaffan
Seconded By Councillor Larry Patterson

That Council adjourns this Regular Meeting at 9:22 p.m.

CARRIED