



**REGULAR MEETING OF COUNCIL  
MINUTES**

**Monday, July 8, 2019**

**7:00 PM**

**Council Chambers**

**2021 Division Road N**

**Kingsville, Ontario N9Y 2Y9**

Members of Council	Mayor Nelson Santos Deputy Mayor Gord Queen Councillor Tony Gaffan Councillor Thomas Neufeld Councillor Larry Patterson Councillor Kimberly DeYong Councillor Laura Lucier
Members of Administration	J. Astrologo, Director of Corporate Services R. Brown, Manager of Planning Services S. Kitchen, Deputy Clerk-Council Services R. McLeod, Director of Financial Services P. Van Mierlo-West, CAO 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. will all Members in attendance.

**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. MATTERS SUBJECT TO NOTICE**

**1. PUBLIC MEETING--Application for Official Plan Amendment – OPA/03/18 & Zoning By-law Amendment ZBA/27/18 by 1933892 Ontario Inc. 700 County Road 20 Part of Lots 10 & 11, Concession 1 WD Parts 1, 2, 3, 7, 8, 9, & 13, RP 12R26991**

R. Brown, Manager of Planning Services

i) Notice of Public Meeting to Consider an Application for Official Plan Amendment and Zoning By-law Amendment, dated June 17, 2019;

ii) Report of R. Brown, dated July 2, 2019;

iii) Proposed By-law 66-2019, being a By-law to amend the Official Plan of the Town of Kingsville (Official Plan Amendment No. 9);

iv) Proposed By-law 67-2019, being a By-law to amend By-law No. 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (ZBA/27/18; Part of Lots 10 and 11, Concession 1 WD, 700 County Road 20)

Comments from the audience:

Vern Batte, 97 Crosswinds Blvd. stated that he is a property owner and one of the four Presidents representing the four Crosswinds Condominium Associations. He presented the correspondence from the Crosswinds Condominium Residents marked as Appendix E in the Planning Report, reiterating key points and concerns as detailed therein.

**367-2019**

**Moved By** Councillor Thomas Neufeld

**Seconded By** Councillor Laura Lucier

That Council receives correspondence of Nick Di Menna and Vern Batte on behalf of the Residents of Crosswinds Condominiums Kingsville (presented by Vern Batte) identified as Appendix E in Planning Report of R. Brown.

**CARRIED**

John Manias, 115 Crosswinds Blvd. (representing himself and V. Delorme of 114 Crosswinds Blvd.) stated that he and Mr. Delorme are the two closest residents

to the Stay-and-Play hotel/motel and presented key points from the correspondence included in the agenda package. They have no objections to the residential development, but are worried about being exposed to the potentially loud and raucous behavior of guests that may stay at the motel, including offensive language and public nudity. He stated concerns about the use of the property during the winter months when it would be used as a motel and that due to the proximity of marijuana greenhouse growers, there may be an opportunity for drug deals. He asked Council to reject the Stay-and-Play facility, or move it to another part of the property where the noise would have minimal effect on the Crosswinds community.

**368-2019**

**Moved By** Councillor Thomas Neufeld

**Seconded By** Deputy Mayor Gord Queen

That Council receives the correspondence submitted by John Manias (Resident, 115 Crosswinds Blvd.) and Vic Delorme (Resident, 114 Crosswinds Blvd.) (attached to and included in the Planning Report of R. Brown).

**CARRIED**

Comments from the Applicant's Agent:

Cindy Prince, representing the Owner/Applicant Corporation, namely 1933892 Ontario Inc. and Mr. Dan Loop, a Director of that Corporation.

Ms. Prince thanked the Crosswinds residents who have been generous with their time throughout many discussions over the past months. She indicated that the owner is committed to working with that group throughout the site plan process, and the developer will continue to listen to their input in a meaningful way. As far as the Stay-and-Play motel, she indicated that their entire investment hinges on the Stay-and-Play being appropriate. The investment in the residential condominium development is significant, the facility will not be disruptive, and will bring new people to the community to enjoy one of the nicest golf courses in Ontario. She stated that the course is a very unique site, a real treasure in the community, and that they are going to do the best job they can for Kingsville.

There were no further questions or comments from the audience.

**369-2019**

**Moved By** Councillor Thomas Neufeld

**Seconded By** Councillor Laura Lucier

That Council:

Adopt Official Plan Amendment No. 9 (OPA 9) to add site-specific policies with the existing Lakeshore Residential West designation on the subject parcel, known as 700 County Road 20, Part of Lots 10 and 11, Concession 1 WD, Parts 1, 2, 3, 7, 8, 9 and 13, RP 12R 26991 to permit a multi-unit dwelling, maximum of 96 units together with an accessory commercial use (stay-and-play) and direct Administration to forward the amendment to the County of Essex for final approval;

Approve Zoning By-law Amendment Application ZBA/27/18, to implement OPA 9 and amended the existing Lakeshore Residential Exception 29 (holding), LR-29(h) to add multi-unit dwelling, 96 units, maximum as an additional permitted use and an accessory stay-and-play (hotel), and adopt the implementing by-law subject to final approval of OPA 9 by the County of Essex.

**CARRIED**

**F. AMENDMENTS TO THE AGENDA**

Deputy Mayor Queen added one announcement, Councillor Neufeld added one Notice of Motion, and Councillor Patterson added one update.

**G. ADOPTION OF ACCOUNTS**

- 1. Town of Kingsville Accounts for the Monthly period ended June 30, 2019 being TD cheque numbers 0069339 to 0069709 for a grand total of \$1,866,017.61**

**370-2019**

**Moved By** Councillor Larry Patterson

**Seconded By** Councillor Kimberly DeYong

That Council receives Town of Kingsville Accounts for the monthly period ended June 30, 2019 being TD cheque numbers 0069339 to 0069709 for a grand total of \$1,866,017.61.

**CARRIED**

**H. STAFF REPORTS**

**1. Lions Park Development Phase 1A-1B – Tender Results**

D. Wolicki, Manager of Municipal Facilities and Property.

**371-2019**

**Moved By** Deputy Mayor Gord Queen

**Seconded By** Councillor Larry Patterson

That Council authorizes the Mayor and Clerk to execute an agreement with Pierascenzi Construction Ltd. in the amount of \$193,459.00 (excluding HST) for the construction of Phase 1A-1B of the Lions Park development project.

**CARRIED**

**I. MINUTES OF THE PREVIOUS MEETINGS**

**1. Regular Meeting of Council--June 24, 2019**

**2. Regular "Closed Session" Meeting of Council--June 24, 2019**

**372-2019**

**Moved By** Councillor Tony Gaffan

**Seconded By** Councillor Laura Lucier

That Council adopts Regular Meeting of Council Minutes dated June 24, 2019, and Regular 'Closed Session' Meeting of Council Minutes dated June 24, 2019.

**CARRIED**

**J. MINUTES OF COMMITTEES AND RECOMMENDATIONS**

**1. Kingsville Municipal Heritage Advisory Committee - May 15, 2019**

**373-2019**

**Moved By** Councillor Larry Patterson

**Seconded By** Councillor Thomas Neufeld

That Council receives Kingsville Municipal Heritage Advisory Committee Meeting Minutes, dated May 15, 2019.

**CARRIED**

**2. Union Water Supply System Joint Board of Management - May 15, 2019**

**374-2019**

**Moved By** Councillor Laura Lucier

**Seconded By** Deputy Mayor Gord Queen

That Council receive Union Water Supply System Joint Board of Management Meeting Minutes dated May 15, 2019

**CARRIED**

**3. Committee of Adjustment - May 21, 2019**

**375-2019**

**Moved By** Councillor Thomas Neufeld

**Seconded By** Councillor Laura Lucier

That Council receives Committee of Adjustment Meeting Minutes dated May 21, 2019

**CARRIED**

**4. Police Services Board - May 29, 2019**

**376-2019**

**Moved By** Councillor Kimberly DeYong

**Seconded By** Councillor Tony Gaffan

That Council receives Police Services Board Meeting Minutes dated May 29, 2019

**CARRIED**

**K. BUSINESS CORRESPONDENCE - INFORMATIONAL**

- 1. Arts Society of Kingsville (A.S.K.)--Correspondence from Ann Ducharme, Chairperson, dated June 30, 2019 RE: 2019 Kingsville Highland Games**

2. **Town of LaSalle--Correspondence to Mayor Drew Dilkens dated June 19, 2019 RE: Support of a new regional hospital for Windsor-Essex County**
3. **City of Hamilton--Office of the Mayor-Correspondence dated June 14, 2019 RE: City of Hamilton-Mayor's Correspondence respecting Proposed Public Health Changes**
4. **Township of Huron-Kinloss--Correspondence dated June 21, 2019 RE: Copy of Resolution #512 Regarding Ontario Library Service Support**
5. **Town of Halton Hills-Correspondence dated June 17, 2019 RE: ROMA/OGRA Combined Conference**
6. **Township of South Frontenac - Correspondence dated June 24, 2019 RE: ROMA/OGRA Combined Conference**
7. **Township of Tyendinaga - Correspondence dated June 25, 2019 RE: ROMA/OGRA Combined Conference**
8. **City of Brantford--Correspondence dated July 3, 2019 Re: Endorsement of Large Urban Mayors Caucus of Ontario (LUMCO) Resolution regarding Retail Cannabis Stores**
9. **Township of South Glengarry--Correspondence dated July 2, 2019 RE: Library Resolution Services**

**377-2019**

**Moved By** Councillor Kimberly DeYong

**Seconded By** Councillor Tony Gaffan

That Council receives Business Correspondence - Informational items 1-9.

**CARRIED**

**L. NOTICES OF MOTION**

**1. Councillor T. Neufeld may move, or cause to have moved:**

That signage be posted indicating "No Left Turn" at the entrance/exit of 329 Main St. East, known locally as the old McDonald's site; and further, that Administration be directed to provide a report to Council regarding the expropriation process for a service road, immediately south of the current building, including cost implications, timeframes, and procedure.

Upon the request of Councillor DeYong, Mayor Santos divided the question into two parts.

**378-2019**

**Moved By** Councillor Thomas Neufeld

**Seconded By** Councillor Laura Lucier

That signage be posted indicating "No Left Turn" at the entrance/exit of 329 Main Street East, known locally as the old McDonald's site.

**LOST**

**379-2019**

**Moved By** Councillor Thomas Neufeld

**Seconded By** Councillor Laura Lucier

That Administration be directed to provide a report to Council regarding the expropriation process for a service road, immediately south of the current building, including cost implications, timeframes, and procedure.

**CARRIED**

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

**380-2019**

**Moved By** Deputy Mayor Gord Queen

**Seconded By** Councillor Kimberly DeYong

That the members of Council be provided with the following: 1. A copy of the proposed funding agreement that was prepared by our Town Clerk/lawyer that was provided to the Pickleball group; 2. A copy of any written response received from the Pickleball group regarding the funding agreement; 3. A report of any and all dollars received from the Pickleball group by the Town to advance this capital project (dollars received; not pledges); 4. A record of any motions by the Town that promised any actions by the Town to advance the Pickleball project.

**CARRIED**



**3. Councillor L. Patterson may move, or cause to have moved:**

**381-2019**

**Moved By** Councillor Larry Patterson

**Seconded By** Councillor Tony Gaffan

That Administration be directed to provide an update and report regarding the universal shoreline speed restrictions and responsibilities of the Marine Unit of the local enforcement agency (or OPP) to enforce these speed limits. The area of concern is in regard to Cedar Creek.

**CARRIED**

Councillor Neufeld introduced a Notice of Motion, indicating that at the next Regular Meeting he may move, or cause to have moved, that Administration be directed to create a policy with regard to dimming streetlights during fish fly season to a level that will decrease the accumulation of the flies but also maintain a level of security for the residents.

**M. UNFINISHED BUSINESS, ANNOUNCEMENTS AND UPDATES**

1. Deputy Mayor Queen thanked staff for the wonderful Canada Day celebrations held at the Kingsville Arena. He stated that from the cupcakes to the pony rides, all events were well received and enjoyed by many.

2. Councillor Patterson indicated that the Ruthven Apple Festival is soon approaching and the Festival Committee is in need of volunteers. He asked that if anyone is able to volunteer to notify Tony DeSantis at Community Living Essex County.

3. Mayor Santos reminded of the following events:

i) Public Open House to be held at the Kingsville Arena Complex on July 10 regarding the proposed designs for the Mettawas Park Development; and

ii) Public Information Session to be held July 17 RE: draft Parks, Recreation, Arts and Culture Master Plan. Everyone is invited to attend.

**N. BYLAWS**

**1. By-law 66-2019**

**382-2019**

**Moved By** Deputy Mayor Gord Queen

**Seconded By** Councillor Kimberly DeYong

That Council reads By-law 66-2019, being a By-law to amend the Official Plan of the Town of Kingsville (Official Plan Amendment No. 9; 700 County Road 20; Part of Lots 10 and 11, Concession 1 WD; Parts 1, 2, 3, 7, 8, 9 and 13, RP 12R-26991) a first, second and third and final time.

**CARRIED**

**2. By-law 67-2019**

**383-2019**

**Moved By** Deputy Mayor Gord Queen

**Seconded By** Councillor Tony Gaffan

That Council reads By-law 67-2019, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (ZBA/27/18; Part of Lots 10 and 11, Concession 1 WD, Parts 1, 2, 3, 7, 8, 9 and 13, RP 12R26991) a first, second and third and final time.

**CARRIED**

**O. CONFIRMATORY BY-LAW**

**1. By-law 68-2019**

**384-2019**

**Moved By** Deputy Mayor Gord Queen

**Seconded By** Councillor Larry Patterson

That Council reads By-law 68-2019, being a By-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its July 8, 2019 Regular Meeting a first, second and third and final time.

**CARRIED**

**P. ADJOURNMENT**

**385-2019**

**Moved By** Councillor Tony Gaffan

**Seconded By** Councillor Kimberly DeYong

That Council adjourns this Regular Meeting at 7:55 p.m.

**CARRIED**