



**SPECIAL MEETING OF COUNCIL
AGENDA**

Monday, December 16, 2019, 6:00 PM

Council Chambers

2021 Division Road N

Kingsville, Ontario N9Y 2Y9

Pages

A. CALL TO ORDER

B. MOMENT OF SILENCE AND REFLECTION

C. PLAYING OF NATIONAL ANTHEM

D. DISCLOSURE OF PECUNIARY INTEREST

When a member of Council has any pecuniary interest, direct or indirect, in any matter which is the subject of consideration at this Meeting of Council (or that was the subject of consideration at the previous Meeting of Council at which the member was not in attendance), the member shall disclose the pecuniary interest and its general nature, prior to any consideration of the matter.

E. STAFF REPORTS

- 1. POC/01/19--Application for Exemption from Plan of Condominium by 2524634 Ontario Ltd., 86 Wigle Ave., Part of Block A, Plan 432, Parts 6 and 7, RP 12R 25287**

1

Recommended Action

That:

Council receive this report for information purposes regarding the requested removal of the sole condition for exemption from Plan of Condominium at 86 Wigle Drive, and

Council support, by Resolution, an exemption from Plan of Condominium by the County of Essex for the existing building located at 86 Wigle Ave., Part of Block A, Plan 432, Parts 6 & 7, RP 12R 25287, without conditions.

F. CLOSED SESSION

Pursuant to Section 239(2) of the Municipal Act, 2001, Council will enter into

Closed Session to address the following items:

- i) Section 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees; being a Report of CAO Van Mierlo-West dated December, 2019; and
- ii) Section 239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose; being correspondence from Solicitor D. Halliwill regarding legal matters/negotiations regarding Application for Site Plan Amendment by Tay Inc., 190 Main St. East, being Part of Lot 1, Concession 2, ED Part 2, 12R 26799. Solicitor D. Halliwill will be in attendance.
- iii) Section 239(b) personal matters about an identifiable individual, including municipal or local board employees; being a Report by CAO Van Mierlo-West dated December, 2019.

G. REPORT OUT OF CLOSED SESSION

H. CONFIRMATORY BY-LAW

1. By-law 113-2019

3

Being a By-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its December 16, 2019 Special Meeting a first, second and third and final time.

I. ADJOURNMENT



2021 Division Road North
Kingsville, Ontario N9Y 2Y9
(519) 733-2305
www.kingsville.ca
kingsvilleworks@kingsville.ca

Date: December 12, 2019

To: Mayor and Council

Author: Robert Brown, H. Ba, MCIP, RPP
Manager, Planning Services

RE: POC/01/19 – Application for Exemption from Plan of Condominium by
2524634 Ontario Ltd.
86 Wigle Ave.
Part of Block A, Plan 432, Parts 6 & 7, RP 12R 25287

Report No.: PS 2019-062

AIM

To provide the Mayor and Council with information on a requested removal of the condition related to the exemption from plan of condominium resolution approved by Council.

BACKGROUND

At the November 12, 2019 meeting of Council a resolution was passed in support of the County of Essex granting an exemption from the plan of condominium process. The resolution reads as follows:

“That Council receives the Report of R. Brown, Manager of Planning Services, dated November 1, 2019 for Information purposes on the request for Exemption from Plan of Condominium;

and that Council supports, by Resolution, an exemption from Plan of Condominium by the County of Essex for the existing building located at 86 Wigle Ave., Part of Block A, Plan 432, Parts 6 & 7, RP 12R 25287, subject to the following condition: that the Applicant provide an outline to the Director of Financial Services detailing the provisions being made to ensure that the payment of taxes is kept up-to-date until all units have been provided with Individual assessment roll numbers.”

DISCUSSION

When the resolution was forwarded to the County they indicated that they could not issue an exemption certificate to the applicant with the requested condition included. As such staff have asked the applicant's solicitor to provide an acknowledgment of the requested requirement to satisfy the Town and allow for removal of the condition for the County to then issue the exemption certificate.

LINK TO STRATEGIC PLAN

There is no link to the strategic plan

FINANCIAL CONSIDERATIONS

There are no financial implications of removing the condition of approval.

CONSULTATIONS

Director of Finance and CAO

RECOMMENDATION

It is recommended that:

Council receive this report for information purposes regarding the requested removal of the sole condition for exemption from Plan of Condominium at 86 Wigle Drive, and

Council support, by Resolution, an exemption from Plan of Condominium by the County of Essex for the existing building located at 86 Wigle Ave., Part of Block A, Plan 432, Parts 6 & 7, RP 12R 25287, without conditions.

Robert Brown

Robert Brown, H. Ba, MCIP, RPP
Manager, Planning Services

Peggy Van Mierlo-West

Peggy Van Mierlo-West, C.E.T.
Chief Administrative Officer

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 113-2019

Being a By-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its December 16, 2019 Special Meeting

WHEREAS sections 8 and 9 of the *Municipal Act, 2001* S.O. 2001 c. 25, as amended, (the "Act") provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising the authority conferred upon a municipality to govern its affairs as it considers appropriate.

AND WHEREAS section 5(3) of the Act provides that such power shall be exercised by by-law, unless the municipality is specifically authorized to do so otherwise.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the Town of Kingsville (the "Town") be confirmed and adopted by by-law.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF KINGSVILLE ENACTS AS FOLLOWS:

1. The actions of the Council at its December 16, 2019 Special Meeting in respect of each report, motion, resolution or other action taken or direction given by the Council at its meeting, is hereby adopted, ratified and confirmed, as if each resolution or other action was adopted, ratified and confirmed by its separate by-law.
2. The Chief Administrative Officer and/or the appropriate officers of the Town are hereby authorized and directed to do all things necessary to give effect to the actions set out in paragraph 1, or obtain approvals, where required, and, except where otherwise provided, the Mayor and the Clerk are hereby directed to execute all documents necessary and to affix the corporate seal to all such documents.
3. This By-Law comes into force and takes effect on the day of the final passing thereof.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS
16th DAY OF DECEMBER, 2019.**

MAYOR, Nelson Santos

**DEPUTY CLERK-COUNCIL SERVICES,
Sandra Kitchen**