



**REGULAR MEETING OF COUNCIL  
MINUTES**

**Monday, September 14, 2020  
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. Norton, CAO  J. Astrologo, Director of Corporate Services R. Brown, Manager of Planning Services J. Galea, Human Resources Manager K. Brcic, Planner T. Del Greco, Municipal Services Manager  S. Kitchen, Deputy Clerk-Council Services R. McLeod, Director of Financial Services A. Plancke, Director of Municipal Services

**A. CALL TO ORDER**

Mayor Santos, in attendance in the Council Chambers, called the Regular Meeting to order at 7:00 p.m. All other members participated in the Meeting through video conferencing technology from remote locations.

**B. 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.

**C. BYLAWS**

At the request of Mayor Santos, Deputy Mayor Queen presented By-law 85-2020, being a By-law to appoint the Chief Administrative Officer of The Corporation of the Town of Kingsville.

**1. By-law 85-2020**

**518-2020**

**Moved By** Deputy Mayor Gord Queen

**Seconded By** Councillor Laura Lucier

That Council reads By-law 85-2020, being a By-law to appoint the Chief Administrative Officer of The Corporation of the Town of Kingsville a first, second and third and final time.

**CARRIED**

**D. PRESENTATIONS/DELEGATIONS**

Mayor Santos welcomed Town of Kingsville CAO John Norton to the Town of Kingsville.

Mr. Norton stated that he is looking forward to getting to know Council, Administration, and the residents of this community, and that it is a privilege and an honour to have the opportunity to serve the Town and its residents.

**E. MATTERS SUBJECT TO NOTICE**

**1. PUBLIC MEETING--Application for Zoning By-law Amendment File ZBA/09/20 by Solid Rock Homes Inc.; 273 and 281 Glass Avenue, Lots 29, 30, 31 and 32, Plan 1013**

K. Brcic, Town Planner

i) Notice of Complete Application and Public Meeting: Zoning By-law Amendment, dated August 26, 2020;

ii) Report of K. Brcic dated July 24, 2020;

iii) Proposed By-law 74-2020, being a by-law to amend By-law 1-2014, the Comprehensive Zoning By-law of the Town of Kingsville.

Ms. Brcic presented the Planning Report dated July 24, 2020.

Comments from the Applicant:

The Applicant, Adam Penner of Solid Rock Homes Inc. indicated that he had no further comments to add to the Planning Report presented by Ms. Brcic.

There were no comments from the public in connection with this Application.

**519-2020**

**Moved By** Councillor Kimberly DeYong

**Seconded By** Councillor Tony Gaffan

That Council approves Zoning By-law Amendment Application ZBA/09/20 to rezone the subject parcels, Lots 29, 30, 31 and 32, on Plan 1013, in the Town of Kingsville from 'Residential Zone 1 Urban (R1.1)' to 'Residential Zone 1 Urban Exception 29 (R1.1-29)' to permit: i) a semi detached dwelling and semi-detached dwelling unit, and; ii) reduction of the required exterior side yard setback from 4.5 m (15 ft.) to 3 m (10 ft.); and That Council adopts the implementing by-law.

**CARRIED**

**2. PUBLIC MEETING--Application for Zoning By-law Amendment File ZBA/09/20 and Minor Development Agreement File AGR/03/20 by 1185609 Ontario Inc., 1473 Wellington Union Avenue, Lots 3-6, Part of Lots 1 and 2, RP 30, Pt Lot 9, Conc. 1 ED**

K. Brcic, Town Planner

i) Notice of Complete Application and Public Meeting: Zoning By-law Amendment, dated August 26, 2020;

ii) Report of K. Brcic dated August 25, 2020;

iii) Proposed By-law 75-2020, being a by-law to amend By-law 1-2014, the Comprehensive Zoning By-law of the Town of Kingsville.

Ms. Brcic presented the Planning Report dated August 25, 2020. She also informed Council that the Executive Director of 1185609 Ontario Inc. is a Town employee.

Mr. Norton commented that he has no concerns about the Town employee being an officer of the Applicant in this circumstance and is satisfied that it is an appropriate Application, however, wanted that information to be disclosed so that both Council, and the public, is aware of the relationship.

Comments from the Applicant:

Shaun Martinho of 1185609 Ontario Inc. commented that he enjoys the natural features of the property, that the terms of the Agreement will protect those features and ensure the property will be developed in the right way.

There were no comments from the public.

**520-2020**

**Moved By** Councillor Larry Patterson

**Seconded By** Councillor Kimberly DeYong

That Council approves Zoning By-law Amendment Application ZBA/30/18 to: remove the holding (H) symbol on the subject lands known as Lots 3-6, Part of Lots 1 and 2, RP 30, Pt Lot 9, Conc. 1 ED, in the Town of Kingsville; and rezone a portion of the subject parcel (the area shown as Part 2 on the Applicant's Sketch), from 'Lakeshore Residential (LR)' to 'Lakeshore Residential Exception 34 (LR-34)' to recognize the reduction of the required lot frontage from 24 m (78.5 ft.) to 13.29 m (43.60 ft.); and adopt the implementing by-law;

And Further That Council approves the proposed Minor Development Agreement Application AGR/03/20 to administer the ERCA recommendations and building envelope over Part 2 in the Applicant's Survey on the subject lands known as Lots 3-6, Part of Lots 1 and 2, RP 30, Pt Lot 9, Conc. 1 ED, in the Town of Kingsville and authorize the Mayor and Clerk to sign the Minor Development Agreement and register said Agreement on title.

**CARRIED**

**F. AMENDMENTS TO THE AGENDA**

Councillor Patterson added one Notice of Motion, and Mayor Santos added one Announcement.

**G. ADOPTION OF ACCOUNTS**

1. **Town of Kingsville Accounts for the monthly period ended August 31, 2020 being TD cheque numbers 0073792 to 0074101 for a grand total of \$2,633,553.27**

**521-2020**

**Moved By** Councillor Thomas Neufeld

**Seconded By** Councillor Laura Lucier

That Council receives Town of Kingsville Accounts for the monthly period ended August 31, 2020 being TD cheque numbers 0073792 to 0074101 for a grand total of \$2,633,553.27.

**CARRIED**

## **H. STAFF REPORTS**

1. **Application for Minor Development Agreement AGR/02/2020 by Benjamin and Sara Epp, 3621 County Road 31, Part of Lot 25, Concession 7**

R. Brown, Manager of Planning Services

**522-2020**

**Moved By** Councillor Thomas Neufeld

**Seconded By** Councillor Kimberly DeYong

That Council approves the proposed Minor Development Agreement to permit a second single detached dwelling at 3621 County Road 31, temporarily during the construction of a new dwelling on the property, and authorizes the Mayor and Clerk to sign the Minor Development Agreement and register said Agreement on title.

**CARRIED**

2. **Federation of Canadian Municipalities Grant Opportunity**

T. Del Greco, Manager of Municipal Services

**523-2020**

**Moved By** Councillor Larry Patterson

**Seconded By** Councillor Thomas Neufeld

That Council directs Administration to apply for a grant opportunity from the Federation of Canadian Municipalities' Municipal Asset Management Program for a Roads Condition Assessment;

And That Council commits to conducting the following activities in its proposed project submitted to the Federation of Canadian Municipalities' Municipal Asset Management Program:

- Surface Condition Data Collection and Analysis for 258 km's of Kingsville Roads.
- Custom data analysis software and visualization in a secure web-based GIS application including software hosting and support;

And That Council commits \$13,552 in the 2021 Capital Budget towards the cost of a Roads Condition Assessment.

**CARRIED**

**I. MINUTES OF THE PREVIOUS MEETINGS**

- 1. Regular Meeting of Council--August 24, 2020**
- 2. Regular Closed Session Meeting of Council--August 24, 2020**

**524-2020**

**Moved By** Deputy Mayor Gord Queen

**Seconded By** Councillor Tony Gaffan

That Council adopts Regular Meeting of Council Minutes dated August 24, 2020 and Regular Closed Session Meeting of Council Minutes dated August 24, 2020

**CARRIED**

**J. MINUTES OF COMMITTEES AND RECOMMENDATIONS**

- 1. Kingsville Accessibility Advisory Committee--March 5, 2020**

**525-2020**

**Moved By** Councillor Laura Lucier

**Seconded By** Councillor Kimberly DeYong

That Council receives Kingsville Accessibility Advisory Meeting Minutes dated March 5, 2020.

**CARRIED**

**2. Kingsville B.I.A--July 14, 2020**

**526-2020**

**Moved By** Councillor Tony Gaffan

**Seconded By** Councillor Thomas Neufeld

That Council receives Kingsville B.I.A. Meeting Minutes dated July 14, 2020.

**CARRIED**

**3. Parks, Recreation, Arts and Culture Committee--July 16, 2020**

**527-2020**

**Moved By** Deputy Mayor Gord Queen

**Seconded By** Councillor Kimberly DeYong

That Council receives Parks, Recreation, Arts and Culture Committee Meeting Minutes dated July 16, 2020 together with Minutes of the following sub-committees: Fantasy of Lights - May 26, 2020; Migration Festival - May 26, 2020; Communities in Bloom - May 21, 2020; Highland Games - April 2, 2020.

**CARRIED**

**4. Committee of Adjustment--July 21, 2020**

**528-2020**

**Moved By** Councillor Laura Lucier

**Seconded By** Councillor Larry Patterson

That Council receives Committee of Adjustment Meeting Minutes dated July 21, 2020.

**CARRIED**

**5. Police Services Board--July 29, 2020**

**529-2020**

**Moved By** Councillor Thomas Neufeld

**Seconded By** Councillor Tony Gaffan

That Council receives Police Services Board Meeting Minutes dated July 29, 2020.

**CARRIED**

A request was made that a breakdown be provided regarding Kingsville and Cottam foot patrol hours.

**K. BUSINESS CORRESPONDENCE - INFORMATIONAL**

- 1. Town of Essex--Correspondence dated August 14, 2020 RE: Request for more detailed information and data regarding the spread of COVID-19 in Essex County**
- 2. Township of Front of Yonge--Correspondence dated August 25, 2020 RE: Support of Kingsville Resolution regarding the rent assistance program**
- 3. Town of Amherstburg--Correspondence dated August 26, 2020 RE: Support for Increased Provincial Funding**
- 4. City of Windsor--Correspondence dated August 28, 2020 RE: Endorsement of legislation and regulations to support and rejuvenate news outlets across Canada**
- 5. Windsor-Essex County Health Unit--Correspondence dated September 2, 2020 RE: Request for more detailed information and data regarding the spread of COVID-19 in Essex County**

**530-2020**

**Moved By** Councillor Laura Lucier

**Seconded By** Councillor Tony Gaffan

That Council receives Business Correspondence-Informational Items 1 through 5.



RE: Business Correspondence-Informational Item 5

Deputy Mayor Queen commented that while he appreciates the response from the Windsor-Essex County Health Unit to the Town's request for more detailed information and data regarding the spread of COVID-19 in Essex County, he wished to bring Council's attention to an article published in The Star's Toronto newspaper this morning. The article reported that a recent COVID-19 outbreak has occurred at a Mississauga business involving 61 employees, but the name of the business was not identified. Mr. Queen commented that the Town is not unique in its request for more transparency, and that Brampton Mayor Patrick Brown is also seeking complete transparency for the public.

Deputy Mayor Queen commented that the Town is still not receiving complete transparency from the Health Unit.

**L. NOTICES OF MOTION**

Councillor Patterson did not add a Notice of Motion at this Regular Meeting.

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

**1. Councillor Neufeld--RE: Maintaining Accessibility Routes / Unfinished Business**

Councillor Neufeld requested an update from Administration as to the where the Town stands on the issue of maintaining accessibility standards in the Town of Kingsville when construction projects create barriers to accessibility. The photograph Councillor Neufeld provided showed a cut in a sidewalk with no warning signage and no accessible corridor created for pedestrians to go around the barrier. Director Plancke explained that during construction within a Town right-of-way, a utility must enter into an encroachment permit with the Town. In the photo example, the Town had entered into two previous permits for this project site (one with Cogeco, one with Bell) and both were in compliance with the Town's standards. Unfortunately, E.L.K. Energy performed the sidewalk works without notice, and without a permit. Director Plancke will make appropriate revisions to the Development Standards manual (to add signage requirements, etc.) when the Manual comes forward for review.

Deputy Mayor Queen suggested that Administration write to the Town's E.L.K. board representative, Dr. Lydia Miljan, notifying her of E.L.K.'s failure to follow the required permit process, so that she can present the correspondence item at the next Board Meeting.

**531-2020**

**Moved By** Councillor Tony Gaffan

**Seconded By** Councillor Kimberly DeYong

That Council receives the update from Director Plancke in regard to Maintaining Accessibility Routes.

**CARRIED**

**2. Status update from Administration RE: Site grading causing no adverse affects (follow-up from August 24, 2020 Regular Meeting)**

Director Astrologo updated that the Administration Management Group will be discussing the matter of Subdivision Drainage design and compliance at its meeting to be held September 17, and a Report will be provided at an upcoming Regular Meeting

**3. Declaration of Partial State of Emergency in response to gasoline leak--**

Mayor Santos advised that earlier today, the Town of Kingsville declared a localized state of emergency in response to a petroleum leak at the gas station located at the corner of County Road 20 and County Road 23. The site is being monitored as the clean up continues. He thanked the Kingsville Fire Department, the Ontario Provincial Police, and the Windsor Fire and Rescue Service HAZMAT team for their continuing assistance to resolve this incident while protecting residents and property. The public is advised to avoid the area as the road closures remain in effect.

**N. BYLAWS**

**1. By-law 74-2020**

**532-2020**

**Moved By** Deputy Mayor Gord Queen

**Seconded By** Councillor Tony Gaffan

That Council reads By-law 74-2020, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (ZBA/09/20; Solid Rock Homes Inc.; 273 and 281 Glass Avenue) a first, second and third and final time.

**CARRIED**

**2. By-law 75-2020**

**533-2020**

**Moved By** Deputy Mayor Gord Queen

**Seconded By** Councillor Thomas Neufeld

That Council reads By-law 75-2020, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (ZBA/30/18; 1473 Wellington Union Ave.) a first, second and third and final time.

**CARRIED**

**O. CLOSED SESSION**

**1. Pursuant to Subsection 239(2) of the Municipal Act, 2001, Council will enter into Closed Session to address the following item:**

**534-2020**

**Moved By** Councillor Larry Patterson

**Seconded By** Councillor Laura Lucier

That Council at 7:59 p.m. pursuant to Subsection 239(2) of the *Municipal Act, 2001*, enter into Closed Session to address the following items:

i) Subsection 239(2)(b) personal matters about an identifiable individual, including municipal employees RE: CAO Performance; and

ii) Subsection 239(2)(b) personal matters about an identifiable individual, including municipal employees RE: Matters involving the Kingsville Fire Department

**CARRIED**

**P. CLOSED SESSION - Item 1. ii)**

**Q. REPORT OUT OF CLOSED SESSION**

Upon rising from Closed Session at 9:02 p.m. Mayor Santos advised that Council had entered into Closed Session to address items 1.i and 1.ii, captioned above, both relating to matters under Subsection 239(2)(b), being personal matters about an identifiable individual, including municipal employees. Mayor Santos

reported that Council received information on each item, and provided additional direction to Town Administration.

**R. CONFIRMATORY BY-LAW**

**1. By-law 86-2020**

**535-2020**

**Moved By** Deputy Mayor Gord Queen

**Seconded By** Councillor Kimberly DeYong

That Council reads By-law 86-2020, being a By-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its September 14, 2020 Regular Meeting a first, second and third and final time.

**CARRIED**

**S. ADJOURNMENT**

**536-2020**

**Moved By** Councillor Larry Patterson

**Seconded By** Councillor Thomas Neufeld

That Council adjourns this Regular Meeting at 9:03 p.m.

**CARRIED**