REGULAR MEETING OF COUNCIL

MINUTES

Monday, December 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 Kimberly DeYong Councillor Tony Gaffan Councillor Laura Lucier Councillor Thomas Neufeld Councillor Larry Patterson
Members of Administration	J. Norton, CAO J. Astrologo, Director of Corporate Services R. Brown, Manager of Planning Services J. Dean, Deputy Fire Chief T. Del Greco, Municipal Services Manager S. Kitchen, Deputy Clerk-Council Services S. Martinho, Public Works Manager R. McLeod, Director of Financial Services A. Plancke, Director of Municipal Services P. Valore, Chief Building Official R. Baines, Deputy Clerk - Administrative Services D. Wolicki, Manager of Municipal Facilities and Property J. Quennell, Deputy Fire Chief

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.

Councillor Gaffan declared an interest in respect to Agenda item C-2 (Heather Brown-Request dated November 18, 2020 on behalf of a group of local business owners regarding support for small business in Kingsville) and declared an interest in respect to Agenda item L-3 (Notice of Motion by Councillor DeYong).

C. PRESENTATIONS/DELEGATIONS

1. Presentation of Certificates of Commendation to South Station Captain Jeremy McHardy and Firefighters Jeffrey McHardy and Matthew Stewart

Deputy Chief John Quennell introduced South Station Captain Jeremy McHardy and Firefighters Jeffrey McHardy and Matthew Stewart who are being recognized this evening for their bravery during the rescue of three American boaters on September 7, 2020. Also in attendance were Deputy Chief Jeff Dean, South Station Chief Robert Brando, and the spouses of the three firefighters.

The bravery awards were presented to Captain Jeremy McHardy, and Firefighters Jeffrey McHardy and Matthew Stewart, and a bouquet of flowers was presented to each of their spouses.

2. Heather Brown-Request dated November 18, 2020 on behalf of a group of local business owners regarding support for small businesses in Kingsville

Councillor Gaffan, having declared an interest, shut off his camera and left the Council table for this presentation.

Heather Brown (The Main Grill & Ale House) and Dennis Rogers (Greenheart Kitchen) addressed Council on behalf of the following local business owners: Jennifer and James Flynn of The Grove Hotel; Trevor Loop of Jack's, Banded Goose Brewery and Distinctive Inns of Kingsville; Beth Riddiford of My Cousin's Closet; Jodie Scherer of Tangles Hair Spa; Chris Bishop of Pinnacle Plus Realty; and Tony Smith of The Garage Gym. Due to the COVID-19 pandemic they advised Council that some businesses were mandated to close from March 17 to August 12 which has had an incredible impact. They are looking for tourism

support assistance from the Town to provide a 'one-stop shop' where a local business owner or guest can find out what is going on in Kingsville. The local businesses do not currently know where to point them. In this regard, they are requesting Council to consider during its upcoming budget deliberations the hiring of a full-time tourism coordinator. They are also seeking increased communication from the Town so that small business is aware of any grants or other types of COVID-19 support that may be available, now or in the future, whether provincially or federally.

Additionally, the group is asking that the Town request more funding for small business from the upper levels of government and request the Province to apply to the 'big box stores' all of those regulations that small business must follow. There is presently a 2-tier system approach, which must stop. They indicated that the core of this community is not big box but rather small business from all different sectors.

679-2020
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Laura Lucier

That Council receives the presentation from Heather Brown and Dennis Rogers.

CARRIED

D. MATTERS SUBJECT TO NOTICE

1. Application for Zoning By-law Amendment ZBA/15/2020 by Golden Acres Farms Inc. & 5021103 Ontario Inc. 1999 and 2011 Graham Sideroad; Part of Lot 6, Concession 2 ED Part 1 and 2, RP 12R 20174

R. Brown, Manager of Planning Services

i) Notice of Complete Application and Public Meeting: Zoning By-law Amendment, dated November 24, 2020;

ii) Report of R. Brown dated November 18, 2020;

iii) Proposed By-law 15-2020, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville.

Mr. Brown presented his Planning Report.

Comments from the Applicant/Applicant's agent:

Ms. Jackie Lassaline (Lassaline Planning Consultants) representing the Applicants, concurred with Mr. Brown's Planning report. She indicated this is a temporary situation and in future years Mr. Luis Chibante (Golden Acres Farms Inc.) intends to consolidate the parcel. For now, this proposed connecting link between the greenhouses provides for an efficient and effective operation and protects workers from exposure and snow allowing for walking back and forth from one operation to the other.

There were no questions or comments from the public.

680-2020
Moved By Councillor Laura Lucier
Seconded By Councillor Thomas Neufeld

That Council approves Zoning By-law Amendment Application ZBA/15/2020 to amend the zoning on the subject parcels from Agriculture, “A1” to a site-specific Agriculture, “A1-81” to consider both properties a single parcel for zoning purposes only and adopt the implementing by-law.

CARRIED

2. Application for Zoning By-law Amendment ZBA/17/2020 by ZBA/17/2020 by The Corporation of the Town of Kingsville; 1, 7 and 19 Park Lane, 13, 23, 25, 29, 35 and V/L Park Street and 317 Division St. S.

R. Brown, Manager of Planning Services

i) Notice of an Intention to Pass an Amending By-law to Remove a Holding Symbol, dated November 18, 2020;

ii) Report of R. Brown dated November 18, 2020;

iii) Proposed By-law 84-2020, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville.

Mr. Brown presented his Planning Report and recommendation.

There were no questions or comments.

681-2020
Moved By Councillor Thomas Neufeld
Seconded By Councillor Larry Patterson

That Council approves Zoning Amendment Application ZBA17/2020 to rezone the subject lands from Residential Zone 1 Urban – Holding, “R1.1-(h))” to Residential Zone 1 Urban, “R1.1” and adopt the implementing by-law.

CARRIED

3. Official Plan Five-Year Review – Adoption of Plan

R. Brown, Manager of Planning Services and Gregory Bender, Senior Project Manager, WSP Canada

i) Five-Year Official Plan Review; Notice of Meeting to Consider Adoption of the Town's Revised Official Plan, dated November 6, 2020;

ii) Report of R. Brown, dated November 27, 2020.

Mr. Brown presented the Planning Report, providing Council with an overview of the final version of the Official Plan resulting from the five-year review process.

Mr. Bender presented a PowerPoint presentation, providing background information, steps taken to date during this review process (including Council Meetings and Public Open Houses), and highlighting changes that have been incorporated into the Town's revised Official Plan. Councillor Gaffan asked whether the word 'affordable housing' can be referred to as 'affordable and attainable housing' in the Official Plan at this time in the process. Mr. Bender indicated that he has used the term 'attainable' and will review the same with the County before making those changes to ensure it conforms with existing County policies. Mr. Brown stated that that would be a small wording change, and there would be no need for additional public circulation because the intent is not to delete the term 'affordable' but to simply add reference to the commonly used term 'attainable' where it makes sense to do so.

There were no comments from the public.

682-2020
Moved By Councillor Kimberly DeYong
Seconded By Councillor Tony Gaffan

That Council adopts the Official Plan, based on the five-year review process, as presented and directs Administration to forward the plan to the County for final review and approval.

CARRIED

E. AMENDMENTS TO THE AGENDA

1. Mayor Santos noted the Addendum Agenda which added one Staff Report (G-7--D. Wolicki, Manager of Municipal Facilities and Property RE: Arena Ice).

2. Deputy Mayor Queen added one Unfinished Business item.

3. Councillor DeYong added one Announcement.

F. ADOPTION OF ACCOUNTS

1. Town of Kingsville Accounts for the monthly period ended November 30, 2020 being TD cheque numbers 0074827 to 0075168 for a grand total of $2,752,029.92.

683-2020
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Laura Lucier

That Council receives Town of Kingsville Accounts for the monthly period ended November 30, 2020 being TD cheque numbers 0074827 to 0075168 for a grand total of $2,752,029.92.

CARRIED

G. STAFF REPORTS

1. 2021 Insurance Program – Award of Contract

R. McLeod, Director of Financial Services

684-2020
Moved By Councillor Larry Patterson
Seconded By Councillor Kimberly DeYong

That Frank Cowan Company be appointed as the Town's insurance provider for the period beginning January 1, 2021, and that the Town;

- Increase the deductible for its Commercial General Liability policy from $25,000 to $50,000.

- Utilize Dave Rikley, FCIP, FRM as a local area sub-broker under the insurance agreement to provide Insurance and risk management assistance to the Town at no additional cost.

CARRIED

2. 2021 Municipal Budget – Executive Summary

R. McLeod, Director of Financial Services

685-2020
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Tony Gaffan

That Council receives the 2021 Draft Budget for deliberation on January 13th and 27th, 2021.

CARRIED

686-2020
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Laura Lucier

That Council approves the transfer to reserves the amount of unspent tax dollars on 2020 capital projects for their completion in 2021.

CARRIED

687-2020
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Kimberly DeYong

That Administration be authorized to submit either the Upper Bowl trail paving at Lakeside Park or the Ridgeview Park walking trail paving to the Investing in Canada Infrastructure Program (ICIP) COVID-19 Stream, whichever Administration thinks is the better option.

CARRIED

3. Cottam Sanitary Lagoons – Capacity Increase

T. Del Greco, Manager of Engineering

688-2020
Moved By Councillor Kimberly DeYong
Seconded By Councillor Larry Patterson

That Council approves $2,627,000 in the 2021 Capital Budget in order to facilitate increased sanitary treatment capacity at Cottam Lagoons;

And That Council directs Administration to provide Veolia Water Technologies with order confirmation of a nitrification system for the treatment of sanitary wastewater.

CARRIED

4. Report on OPP initiatives on theft and mischief

Police Services Board Chair N. Santos

689-2020
Moved By Councillor Thomas Neufeld
Seconded By Councillor Tony Gaffan

That Council receives the report on OPP initiatives that deal with mischief and theft for information.

CARRIED

5. Erie Shores Health Foundation Banner Project

S. Martinho, Manager of Public Works and Environmental Services

690-2020
Moved By Councillor Laura Lucier
Seconded By Councillor Tony Gaffan

That Council approves waiving the fees outlined in Kingsville's banner policy in support of the Erie Shores Health Foundation 'Care Happens Here' campaign.

CARRIED

6. Appointments to Management Committee of the Port of Kingsville

J. Astrologo, Director of Legislative Services

691-2020
Moved By Councillor Larry Patterson
Seconded By Councillor Kimberly DeYong

That Council adopts By-law 108-2020, being a By-law to appoint CAO John Norton and Mayor Nelson Santos to the Management Committee of the Port of Kingsville at this Regular Meeting.

CARRIED

7. Arena Ice--Verbal Report

D. Wolicki, Manager of Municipal Facilities and Property

Mr. Wolicki presented an operational cost analysis pertaining to the Kingsville Arena, presenting two scenarios amid the Windsor-Essex County region's current COVID-19 Level Grey "lockdown" status--one that the ice surface remains installed; and one where the ice is removed.

692-2020
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Larry Patterson

That Council directs Administration to remove the ice surface (including proper close out of refrigeration system) at the Kingsville Arena in the interest of public health and safety.

CARRIED

H. BUSINESS/CORRESPONDENCE- ACTION REQUIRED

I. MINUTES OF THE PREVIOUS MEETINGS

1. Regular Meeting of Council--November 23, 2020

2. Regular Closed Session Meeting of Council--November 23, 2020

693-2020
Moved By Councillor Thomas Neufeld
Seconded By Councillor Tony Gaffan

That Council adopts Regular Meeting of Council Minutes dated November 23, 2020, and Regular Closed Session Meeting of Council Minutes dated November 23, 2020.

CARRIED

J. MINUTES OF COMMITTEES AND RECOMMENDATIONS

1. Kingsville Accessibility Advisory Committee - August 19, 2020 and October 8, 2020

694-2020
Moved By Councillor Larry Patterson
Seconded By Councillor Laura Lucier

That Council receives Kingsville Accessibility Advisory Committee Meeting Minutes dated August 19, 2020 and October 8, 2020.

CARRIED

2. Committee of Adjustment - October 20, 2020

695-2020
Moved By Councillor Kimberly DeYong
Seconded By Deputy Mayor Gord Queen

That Council receives Committee of Adjustment Meeting Minutes dated October 20, 2020.

CARRIED

3. Union Water Supply System Joint Board of Management - October 21, 2020

696-2020
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Tony Gaffan

That Council receives Union Water Supply System Joint Board of Management Meeting Minutes dated October 21, 2020.

CARRIED

4. Police Services Board - October 28, 2020

697-2020
Moved By Councillor Laura Lucier
Seconded By Councillor Larry Patterson

That Council receives Police Services Board Meeting Minutes dated October 28, 2020.

CARRIED

5. Parks Recreation Arts and Culture Committee - October 29, 2020

698-2020
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Kimberly DeYong

That Council receives Parks, Recreation, Arts and Culture Committee Meeting Minutes dated October 29, 2020 together with Minutes of the following sub-committees: Migration Festival - September 15, 2020; Fantasy of Lights - August 25, 2020; Communities in Bloom - September 29, 2020; Highland Games - June 26, 2020.

CARRIED

Correction to Parks Recreation Arts and Culture Committee meeting minutes--October 29, 2020

Councillor DeYong asked that the listing of Members in attendance be corrected to indicate that CAO Norton and Councillor DeYong (who attended to observe) are not appointed Members.

K. BUSINESS CORRESPONDENCE - INFORMATIONAL

1. City of Belleville--Correspondence dated November 10, 2020 re: Bill 218

2. City of Brantford--Correspondence dated November 12, 2020 RE: Bill 218--Ranked Ballots for Municipal Elections

3. Bill 229, Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020

- **a. Municipality of Grey Highlands--Correspondence dated November 18, 2020**
- **b. Township of Essa--Correspondence dated November 19, 2020**
- **c. City of Quinte West--Correspondence dated November 19, 2020**
- **d. Town of Shelburne--Correspondence dated November 25, 2020**
- **e. Town of Mono--Correspondence dated November 25, 2020 RE: Schedule 6 of Bill 229-Open Letter to the Honourable Sylvia Jones, MPP for Dufferin-Caledon**
- **f. Town of Orangeville--Resolution 2020-426 passed December 7, 2020**

4. Township of Howick--Correspondence dated November 19, 2020 RE: Resolution regarding amending the Tile Drain Loan Program

5. Town of Essex--Correspondence dated November 20, 2020 RE: Opposition to Further Amalgamation

6. Township of Amaranth--Correspondence received November 23, 2020 RE: Support of County of Wellington Aggregate Resource Property Valuation Resolution

7. Township of Huron-Kinloss--Correspondence dated November 23, 2020 RE: Municipal Insurance Policy

8. Municipality of Marmora and Lake--Correspondence dated November 25, 2020 RE: Council Resolution--Accessibility for Ontarians with Disabilities Act--Website Support

9. Region of Peel--Correspondence dated November 26, 2020 RE: Motion Regarding Property Tax Exemptions for Veteran Clubs

10. City of Hamilton--Correspondence dated November 24, 2020 RE: Cap on Gas Plant and Greenhouse Gas Pollution

11. City of Hamilton--Correspondence dated November 24, 2020 RE: Temporary Cap on Food Delivery Service Charges

12. Township of Howick--Correspondence dated December 3, 2020 RE: Resolution re amending the Tile Drainage Installation Act

13. Municipality of Southwest Middlesex--Correspondence dated December 7, 2020 RE: SWM Municipal Drainage and CN Rail Resolution

14. Double Diamond Group of Farms--Correspondence from Benji Mastronardi, Owner dated December 6, 2020

699-2020
Moved By Councillor Tony Gaffan
Seconded By Councillor Laura Lucier

That Council receives Business Correspondence-Informational items 1 through 14.

CARRIED

700-2020
Moved By Councillor Tony Gaffan
Seconded By Councillor Kimberly DeYong

That Council supports Town of Essex Resolution R20-11-417 Re: Opposition to Further Amalgamation.

CARRIED

L. NOTICES OF MOTION

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

701-2020
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Larry Patterson

That the end date of the West Side Collector Road Steering Committee, which currently ends at the end of 2020, be extended for ninety (90) days so that they may complete the tasks assigned that have been under discussion for decades.

At 10:15 p.m. there was a brief power outage, and this meeting continued through power supplied by the Town's standby generator. Mayor Santos called for a recess at 10:17 p.m. in order to resolve the technological issue as members G. Queen, L. Lucier, T. Gaffan and T. Neufeld attempted to reconnect.

The meeting resumed at 10:23 p.m. with all members in attendance.

Amendment:
702-2020
Moved By Councillor Laura Lucier
Seconded By Deputy Mayor Gord Queen

That the motion be amended to state that the Steering Committee be extended for 30 days, rather than 90 days.

CARRIED

Motion as Amended:
701-2020
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Larry Patterson

That the end date of the West Side Collector Road Steering Committee, which currently ends at the end of 2020, be extended for thirty (30) days so that they may complete the tasks assigned that have been under discussion for decades.

CARRIED

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

703-2020
Moved By Councillor Laura Lucier
Seconded By Councillor Kimberly DeYong

WHEREAS excess light increases energy use, negatively impacts human health and the environment, and causes light pollution;

AND WHEREAS public sentiment indicates a desire for the return of Dark Skies to Kingsville;

AND WHEREAS the Municipality currently includes International Darksky Association (IDA) terminology in Site Plan Agreement language and other development documents.

NOW THEREFORE BE IT RESOLVED that the Town of Kingsville demonstrate leadership in Dark Sky Compliance by committing to reduce light pollution, light trespass, skyglow, and glare, and decrease excessive light levels within the Municipality by the following;

1. That the Municipality install and supply in any new installations or construction only Full Cut-off lighting that is fully Dark Sky Compliant in municipally owned lighting, including municipal buildings, parking lots, recreational facilities, and street lighting;
2. And Further that as Municipally owned luminaries and fixtures are replaced they are brought into Dark Sky Compliance as quickly as possible making every effort to reduce glare, light trespass, and sky glow;
3. And Further that private development, through Site Plan Agreements and the Development Manual or other methods, be required to install only Full Cut-off Dark Sky Compliant street lighting for lighting of all future municipal roads;
4. And Further that Administration bring forward a By-law regarding Outdoor Illumination By-Law encompassing best practices as utilized in other municipalities. This By-law to be brought forward to Council for consideration on or before June 30, 2021.

CARRIED

3. Councillor DeYong may move, or cause to have moved:

Councillor Gaffan, having declared an interest refrained from discussion.

704-2020
Moved By Councillor Kimberly DeYong
Seconded By Councillor Larry Patterson

Attention: Premier Doug Ford

WHEREAS the health and safety of Ontarians is the number one priority and health is a state of physical, mental and social well-being, not merely the absence of disease;

AND WHEREAS many businesses rely on the holiday season for their financial strength and whereby these businesses have faced unprecedented difficult times throughout 2020 due to the COVID-19 pandemic restrictions;

AND WHEREAS closing our small local businesses during the holiday season means many will not survive and business owners and their employees will lose their livelihoods;

AND WHEREAS the Town of Kingsville's commercial businesses are predominately made up of small independently owned businesses and closing them will force residents to travel out of town into larger crowds increasing their exposure to COVID-19;

AND WHEREAS our small independent businesses have every reason to keep customers safe and are able to ensure limited capacity, customer contact tracing and disinfecting in-between customers and may be able to offer curb-side and delivery.

NOW THEREFORE BE IT RESOLVED that the Town of Kingsville calls upon the Premier of Ontario, Doug Ford, as well as the Ontario cabinet and Health officials, to protect the health of Ontarians and our small businesses by allowing them to remain open to in-store sales and service with limited capacity and increased safety measures;

AND THAT this resolution be forwarded to: All Ontario municipalities; Minister of Economic Development, Job Creation and Trade Hon. Victor Fedeli; Associate Minister of Small Business and Red Tape Reduction Hon Prabmeet Singh Sarkaria; Minister of Health Hon. Christine Elliott; Minister of Finance Hon. Rod Phillips; Associate Minister of Mental Health and Addictions Hon. Michael A. Tibollo; MPP Taras Natyshak; the Windsor-Essex County Health Unit Board of Health and the Windsor-Essex County Health Unit Medical Officer of Health Dr. Wajid Ahmed.

CARRIED

M. UNFINISHED BUSINESS, ANNOUNCEMENTS AND UPDATES

Deputy Mayor Queen inquired about an agreement that was to be placed on the Agenda in connection with the Lions Club. Mr. Norton advised that it has been arranged that the Town will receive the Lions Club donations before the end of the year, tax receipts will be issued, and the funds will be held in trust. He explained that Administration will then bring the report to Council in January.

Administration did not want to rush the process, and wanted to do the proper legal work. Deputy Mayor Queen thanked Mr. Norton for the update.

Ms. DeYong withdrew her announcement and, having in mind the brief power outage that occurred earlier, reminded residents that when they experience a power outage they should immediately report the outage to their hydro provider.

Mayor Santos commented that as this is the last meeting of 2020 he hopes everyone enjoys the holiday season.

N. BYLAWS

1. By-law 84-2020

705-2020
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Thomas Neufeld

That Council reads By-law 85-2020, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (1, 7 and 19 Park Lane, 13, 23, 25, 29, 35 and V/L Park St. and 317 Division St. South; ZBA/17/2020) a first, second and third and final time.

CARRIED

2. By-law 105-2020

706-2020
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Larry Patterson

That Council reads By-law 105-2020, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (1, 7 and 19 Park Lane, 13, 23, 25, 29, 35 and V/L Park St. and 317 Division St. South; ZBA/17/2020) a first, second and third and final time.

CARRIED

3. By-law 107-2020

707-2020
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Kimberly DeYong

That Council reads By-law 107-2020, being a by-law to amend By-law 55-2016, as amended, being a By-law to Govern the Calling, Place and Proceedings of Council and Committee, a first, second and third and final time.

CARRIED

4. By-law 108-2020

708-2020
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Laura Lucier

That Council reads By-law 108-2020, being a by-law to appoint members and individuals to the Port of Kingsville Management Committee a first, second and third and final time.

CARRIED

O. CONFIRMATORY BY-LAW

1. By-law 109-2020

709-2020
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Tony Gaffan

That Council reads By-law 109-2020, being a By-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its December 14, 2020 Regular Meeting a first, second and third and final time.

CARRIED

P. ADJOURNMENT

710-2020
Moved By Councillor Larry Patterson
Seconded By Councillor Thomas Neufeld

That Council adjourns this Regular Meeting at 10:51 p.m.

CARRIED