



**REGULAR MEETING OF COUNCIL  
AGENDA**

**Monday, August 23, 2021, 6:00 PM**

**Council Chambers**

**2021 Division Road N**

**Kingsville, Ontario N9Y 2Y9**

**Pages**

**A. CALL TO ORDER**

In light of the ongoing COVID-19 pandemic, this Regular Meeting of Council is being held electronically. Members will meet via electronic participation. Members of the public can view the meeting at [www.kingsville.ca/meetings](http://www.kingsville.ca/meetings) and select the VIDEO icon.

**B. MOMENT OF SILENCE AND REFLECTION**

**C. PLAYING OF NATIONAL ANTHEM**

Live singing of O'Canada by Julia Martin.

**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. PRESENTATIONS/DELEGATIONS**

1. Concerned Citizens of Linden Beach-Presentation of Petition by Aline La Fleche and Sherry Bogert requesting the Town to deny Construction of Multi-Unit Residences in the Community of Linden Beach

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**F. AMENDMENTS TO THE AGENDA**

**G. MATTERS SUBJECT TO NOTICE**

1. Application for Zoning By-law Amendment File ZBA/13/21 by Giuseppe QuadriniV/L County Rd 14Part of Lot 13, Concession 9Part 1, RP 12R-5422Roll No. 3711 550 000 00101

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K. Brcic, Town Planner

i) Notice of Complete Application and Public Meeting: Zoning By-law Amendment, dated July 30, 2021;

ii) Report of K. Brcic dated August 11, 2021;

iii) Proposed By-law 69-2021, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville.

**Recommended Action**

That Council:

Approve zoning by-law amendment application ZBA/13/21 to rezone the severed portions (Parts 1-11 on the applicant's sketch), in Part of Lot 13, Concession 9, Part 1, RP 12R-5422, in the Town of Kingsville, from 'Agriculture (A1)' to 'Rural Residential (RR)', and adopt the implementing by-law.

**2. Application for Surplus Dwelling Severance, Lot Addition & Access Easement File B/10/21 & Zoning By-law Amendment File ZBA/07/21 by Rock Island Investments Inc. & Kennedy Colasanti 838 & 888 Road 3 E Part of Lot 5 & 6, Concession 3 ED, Pts. 4, 5 &**

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K. Brcic, Town Planner

i) Notice of Complete Application and Public Meeting: Zoning By-law Amendment and Consent, dated July 30, 2021;

ii) Report of K. Brcic, dated August 11, 2021;

iii) Proposed By-law 70-2021, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville.

**Recommended Action**

That Council:

Approve consent application B/10/21 to:

sever an existing dwelling, deemed surplus to the needs of the applicant's farming operation on a 1.3 ha (3.2 ac.) lot shown as Part 3 on the applicant's sketch, known as 888 Road 3 E, in the Town of Kingsville, subject to the following conditions:

That a reference plan be deposited in the registry office, both an electronic and paper copy of the registered plan is to be provided to the Town.

That any special assessment imposed pursuant to the provisions of the Local Improvement Act and/or Municipal Act be paid in full along with all municipal taxes.

That any necessary drainage apportionments be undertaken.

That the applicants provide confirmation to the satisfaction of the Town of

the location of and function of the septic system.

That as a result of the severance, owners shall become liable by way of up front monies for the assessment and taxation of their properties for any waterworks or sanitary sewer systems affecting their properties, in accordance with the Fees By-law in effect on the date of certification of the deed.

The zoning of the retained parcel be amended to prohibit future dwellings, and protect the Natural Heritage Feature prior to certification (ZBA/07/21).

That the applicant provide confirmation to the satisfaction of the Town the location of any existing septic systems in relation to the revised lot line locations.

sever and convey a portion of lands from 838 Road 3 E, shown as Parts 5 & 6, as a lot addition to 888 Road 3 E, subject to the following conditions:

That a reference plan be deposited in the registry office, both an electronic and paper copy of the registered plan is to be provided to the Town.

That the lot addition to be severed, shown on the applicant's sketch as Parts 5 & 6, be conveyed to and consolidated with the abutting parcel, known as 888 Road 3 E (P.I.N. 75169-0110) and Section 50(3 or 5) of the Planning Act applies to any subsequent conveyance of or transaction involving the parcels of land that are the subject of this consent.

That any special assessment imposed pursuant to the provisions of the Local Improvement Act and/or Municipal Act be paid in full along with all municipal taxes.

That any necessary drainage apportionments be undertaken.

That as a result of the severance, owners shall become liable by way of up front monies for the assessment and taxation of their properties for any waterworks or sanitary sewer systems affecting their properties, in accordance with the Fees By-law in effect on the date of certification of the deed.

That the necessary deed(s), transfer or changes be submitted in triplicate, signed and fully executed (no photocopies), including a copy of the reference plan, prior to certification of the dwelling severance, lot addition and right-of-way.

The conditions imposed above applicable to all approvals shall be fulfilled by August 23, 2022 or this application shall be deemed to be refused in accordance with Section 53(41) of the Planning Act.

Establish a permanent access right-of-way over 838 Road 3 E (Parts 1 & 2 on the applicant's sketch), in favour of 888 Rd 3 E for the purpose of access to the woodlot, subject to the following conditions:

That a reference plan be deposited in the registry office, both an electronic and paper copy of the registered plan is to be provided to the Town;

That the necessary deed(s), transfer or changes be submitted in triplicate, signed and fully executed (no photocopies), including a copy of the reference plan, prior to certification;

The conditions imposed above shall be fulfilled by August 23, 2022 or this application shall be deemed to be refused in accordance with Section 53(41) of the Planning Act.

Approve zoning by-law amendment application ZBA/07/21 to rezone the farmed portion of the retained parcel (Parts 5 & 6 and a portion of Part 4 on the applicant's sketch) from 'Agriculture (A1)' to 'Agriculture – Restricted (A2)', and rezone the woodlot area (a portion of Part 4) from 'Agriculture (A1)' to 'Natural Environment (NE)' on Part of Lots 5 & 6, Concession 3 ED, Pts. 4, 5 & 8, RD 189 & Pt. 1, RP 12R 2247, in the Town of Kingsville, and adopt the implementing by-law.

**3. Application for Draft Plan of Subdivision SUB/01/2021 (County File #37-T-21002 & Zoning By-law Amendment Application ZBA/08/2021 by 1646322 Ontario Ltd. V/**

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R. Brown, Manager of Planning Services

i) Notice of Complete Application and Public Meeting for: Draft Plan of Subdivision and Zoning By-law Amendment, dated July 12, 2021;

ii) Report of R. Brown dated August 9, 2021;

iii) Proposed By-law 9-2021, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville.

**Recommended Action**

That Council:

Approve zoning amendment application ZBA/08/2021 to:

amend the zoning on the subject lands as outlined in the amending by-law to reflect the revised layout of the draft plan of subdivision, and

amend the Lakeshore Residential Exception 32 (holding), (LR-32(h)) to reduce the required lot frontage for a semi-detached dwelling on a corner lot from 11.8 m to 10.3 m, reduce the required lot frontage for a townhouse on end units from 8.8 m to 8.5 m and corner lots from 11.8 m to 10.3 m.

Approve a resolution in support of the draft plan of subdivision, County File No.

37-T-21002, subject to the conditions outlined by the County in the draft approval

and approval of a development agreement with the applicant to the satisfaction of

the Town.

Direct administration to forward the resolution of support to the County Planner for final approval of the draft plan of subdivision.

#### **H. ADOPTION OF ACCOUNTS**

- 1. Town of Kingsville Accounts for the month of July, 2021** 160

##### **Recommended Action**

That Council receives Town of Kingsville Accounts for the monthly period ended July 2021, being TD cheque numbers 0076932 to 0077086 for a grand total of \$1,266,118.11.

#### **I. STAFF REPORTS**

- 1. Outline of the Current Home Occupation Regulation - Section 4.18 of the Kingsville Comprehensive Zoning By-law** 170

R. Brown, Manager of Planning Services

##### **Recommended Action**

There is no recommended action.

- 2. Highland Games Kingsville Tartan Request** 175

D. Plumb, Highland Games Chair and K. Loney, Manager of Recreation Programs and Special Events

##### **Recommended Action**

That Council approves the purchase of fabric for the purpose of producing various merchandising items to be sold at the Highland Games

#### **J. MINUTES OF THE PREVIOUS MEETINGS**

- 1. Regular Meeting of Council--July 26, 2021** 180

- 2. Regular Closed Session Meeting of Council--July 26, 2021**

##### **Recommended Action**

That Council adopts Regular Meeting of Council Minutes dated July 26, 2021 and Regular Closed Session Meeting of Council Minutes dated July 26, 2021.

#### **K. MINUTES OF COMMITTEES AND RECOMMENDATIONS**

- 1. Tourism and Economic Development Committee--April 8, 2021, May 13, 2021 and July 8, 2021** 196

##### **Recommended Action**

That Council receives Tourism and Economic Development Committee Meeting Minutes dated April 8, 2021, May 13, 2021 and July 8, 2021.

2. **Kingsville B.I.A.--May 11, 2021 and July 13, 2021** 204

**Recommended Action**

That Council receives Kingsville BIA Meeting Minutes dated May 11, 2021 and July 13, 2021

3. **Kingsville Municipal Heritage Advisory Committee--May 18, 2021 and June 15, 2021** 210

**Recommended Action**

That Council receives Kingsville Municipal Heritage Advisory Committee Meeting Minutes dated May 18, 2021 and June 15, 2021

4. **Union Water Supply System Joint Board of Management--June 16, 2021** 219

**Recommended Action**

That Council receives Union Water Supply System Joint Board of Management Meeting Minutes dated June 16, 2021

5. **Planning Advisory Committee--June 22, 2021** 224

**Recommended Action**

That Council receives Planning Advisory Committee Meeting Minutes dated June 22, 2021

6. **Committee of Adjustment--June 22, 2021** 230

**Recommended Action**

That Council receives Committee of Adjustment Meeting Minutes dated June 22, 2021

7. **Police Services Board--May 26, 2021 and June 23, 2021** 234

**Recommended Action**

That Council receives Police Services Board Meeting Minutes dated May 26, 2021 and June 23, 2021

**L. BUSINESS CORRESPONDENCE - INFORMATIONAL**

1. **Municipality of Chatham-Kent--Correspondence dated July 6, 2021 RE: Support Motion M-84 Anti-Hate Crimes and Incidents and Private Member's Bill C-313 Banning Symbols of Hate Act** 241

2. **Town of Cobourg--Correspondence dated July 19, 2021 Re: Resolution 272-21--Support for Bill C-6, an Act to amend the Criminal Code (Conversion Therapy)** 244

3. **City of Stratford--Correspondence dated July 23, 2021 RE: Resolution to** 247

## **Phase Out Ontario's Gas Plants**

- |    |  |     |
|----|--|-----|
| 4. | City of Windsor--Correspondence dated August 4, 2021 RE: 2021 Rental Housing Component of the Ontario Priorities Housing Initiative (OPHI) and Canada-Ontario Community Housing Initiative (COCHI) | 249 |
| 5. | Township of Huron-Kinloss--Correspondence dated August 6, 2021 RE: Support Resolution #567 (Bill C-313)  | 251 |
| 6. | Perth County Council--Office of the Warden--Correspondence dated August 16, 2021 RE: Relationship with MPAC  | 252 |

### **Recommended Action**

That Council receives Business Correspondence-Informational items 1 through 6 as outlined.

## **M. NOTICES OF MOTION**

- |    |  |     |
|----|--|-----|
| 1. | <b>Deputy Mayor Queen may move, or cause to have moved:</b>  | 254 |
|    | That Council receive that old or traditional information regarding Home Occupations that they may be enlightened as to historical terminology that is attached.  |     |
| 2. | <b>Deputy Mayor Queen may move, or cause to have moved:</b>  |     |
|    | WHEREAS the City of Ottawa recently passed a by-law in respect to Housing (reference number 2021-104) and the City of Windsor recently passed a by-law in respect to housing in, and around the University that also considers the health and safety of the occupants. |     |
|    | NOW THEREFORE IT BE RESOLVED THAT:   |     |
|    | 1. Council members download and read this information at their pleasure;   |     |
|    | 2. The staff give future consideration to content of these by-laws as well as the legal suggestions moving forward as we plan.   |     |
| 3. | <b>Deputy Mayor Queen may move or cause to have moved:</b>   | 261 |
|    | That Council receive details as to what is being done to ensure compliance with the requirements for Home Occupations in a home in a residential zone, specifically 9 Pulford Street, Kingsville.  |     |

## **N. UNFINISHED BUSINESS, ANNOUNCEMENTS AND UPDATES**

## **O. BYLAWS**

- |    |   |     |
|----|---|-----|
| 1. | <b>By-law 9-2021</b>  | 263 |
|    | Being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (V/L South Side County Road 20, Part of |     |

Lots 8, 9 and 10, Concession 1 WD)

To be read a first, second and third and final time.

**2. By-law 69-2021** 266

Being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (V/L County Rd 14, Part of Lot 13, Concession 9, Part 1, RP 12R-5422; ZBA/13/21)

To be read a first, second and third and final time

**3. By-law 70-2021** 268

Being a by-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (888 Road 3 East; Part of Lot 5 and 6, Concession 3 ED, Parts 4, 5, and 8, RD 189 and Part 1, RP 12R-2247; ZBA/07/21)

To be read a first, second and third and final time.

**P. CONFIRMATORY BY-LAW**

**1. By-law 71-2021** 270

Being a by-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its August 23, 2021 Regular Meeting.

To be read a first, second and third and final time.

**Q. ADJOURNMENT**