



**REGULAR MEETING OF COUNCIL
MINUTES**

Monday, August 23, 2021

6:00 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**

R. Brown, Manager of Planning Services

K. Brcic, Planner
S. Kitchen, Acting Clerk
S. Martinho, Manager of Public Works and Environmental
R. McLeod, Director of Financial & IT Services
R. Baines, Deputy Clerk - Administrative Services
John Quennell, Fire Chief
Karen Loney, Manager of Recreation Programs and Special
Events
R. Wyma, Director of Community and Development Services

J. Wiesenthal, Solicitor

Absent: CAO J. Norton (on personal business)

A. CALL TO ORDER

Mayor Santos, in attendance in the Council Chambers. called the Regular Meeting to order at 6:00 p.m. All other members of Council participated in the meeting through video conferencing technology from remote locations.

B. MOMENT OF SILENCE AND REFLECTION

Mayor Santos asked members to stand and observe a moment of silence 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. 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

Ms. La Fleche and Ms. Bogert presented the Petition of the Concerned Citizens of Linden Beach.

505-2021

Moved By Councillor Thomas Neufeld

Seconded By Councillor Laura Lucier

That Council receives the Petition of the Concerned Citizens of Linden Beach as presented by Aline La Fleche and Sherry Bogert.

CARRIED

506-2021

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Larry Patterson

That Council receives the balance of the information as presented by Aline La Fleche and Sherry Bogert on behalf of the Concerned Citizens of Linden Beach.

F. AMENDMENTS TO THE AGENDA

Councillor Neufeld added one Unfinished Business item, and Councillor Patterson added one announcement and one update.

G. MATTERS SUBJECT TO NOTICE

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

R. Brcic, Town Planner

i) Notice of Complete Application and Public Meeting: Zoning By-law Amendment dated July 31, 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.

Ms. Brcic presented the Planning Report.

Comments from the Applicant:

Mr. Quadrini thanked Administration for the report and commented that he is in support of the same.

Mayor Santos noted that there were comments from Starre and Kevin Miller to be provided this evening, and they were registered as a delegate to speak to this matter, however, there was no one in attendance in the virtual meeting room registered under that name.

507-2021

Moved By Councillor Thomas Neufeld

Seconded By Councillor Kimberly DeYong

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 &**

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.

Ms. Brcic presented the Planning Report.

Comments from the Applicant:

Richard Colasanti and Kennedy Colasanti thanked Ms. Brcic for the planning report, and commented there will be no changes to the lands. Ms. Brcic again confirmed that the woodlot would be preserved.

There were no public comments.

508-2021

Moved By Councillor Larry Patterson

Seconded By Councillor Laura Lucier

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.

CARRIED

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/

R. Brown, Manager of Planner 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.

Mr. Brown presented the Planning Report.

Comments from the Applicant:

Peter Valente and Remo Valente were in attendance.

Remo Valente commented that the centre of the development is zoned for singles, townhomes and semis, and if the Town and the market wanted smaller townhomes built to meet demand, that may be an option in the future. The streets would remain the same, but the size of units and the number of units could change. Further, he indicated that there is no water capacity now, but if it were possible today, that they would move ahead and build phases 1 to 5 all in one phase, so the residents would not have to worry about construction traffic and residential traffic.

Public Comments:

Ilene Steinke, 28 Conservation (Golfside Subdivision) commented that construction traffic is her over-riding concern. She stated that the empty construction trucks come down Conservation Blvd. because of the convenience, and they use the street even when the access was at County Road 50, which is an awkward entry. She explained that trucks always use Conservation and she's concerned about the adjoining roads in the Golfside Subdivision as well, being Championship Way and Creekview Boulevard. She asked that the new subdivision be kept closed until the residents require it. Finally, she stated that she provided written emails setting out her concerns in detail, which are part of the planner's report package.

There were no further comments from the public.

509-2021

Moved By Councillor Thomas Neufeld

Seconded By Councillor Tony Gaffan

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.

CARRIED

H. ADOPTION OF ACCOUNTS

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

510-2021

Moved By Councillor Laura Lucier

Seconded By Councillor Larry Patterson

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.

CARRIED

I. STAFF REPORTS

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

R. Brown, Manager of Planning Services

511-2021

Moved By Councillor Kimberly DeYong

Seconded By Deputy Mayor Gord Queen

That Council directs Administration to bring forward an amendment to the existing Comprehensive Zoning By-law to remove the reference to 'tattoo parlour' as a prohibited home occupation.

CARRIED

512-2021

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Larry Patterson

That Council receives the Report of R. Brown, Manager of Planning Services RE:
Outline of the Current Home Occupation Regulation--Section 4.18 of the
Kingsville Comprehensive Zoning By-law.

CARRIED

2. Highland Games Kingsville Tartan Request

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

513-2021

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Kimberly DeYong

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

CARRIED

J. MINUTES OF THE PREVIOUS MEETINGS

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

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

514-2021

Moved By Councillor Tony Gaffan

Seconded By Councillor Thomas Neufeld

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

CARRIED

K. MINUTES OF COMMITTEES AND RECOMMENDATIONS

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

515-2021

Moved By Councillor Kimberly DeYong

Seconded By Deputy Mayor Gord Queen

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

CARRIED

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

516-2021

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Laura Lucier

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

CARRIED

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

517-2021

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Thomas Neufeld

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

CARRIED

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

518-2021

Moved By Councillor Larry Patterson

Seconded By Councillor Tony Gaffan

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

CARRIED

5. Planning Advisory Committee--June 22, 2021

519-2021

Moved By Councillor Kimberly DeYong

Seconded By Councillor Laura Lucier

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

CARRIED

6. Committee of Adjustment--June 22, 2021

520-2021

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Kimberly DeYong

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

CARRIED

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

521-2021

Moved By Councillor Laura Lucier

Seconded By Deputy Mayor Gord Queen

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

CARRIED

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**
- 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)**
- 3. City of Stratford--Correspondence dated July 23, 2021 RE: Resolution to 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)**
- 5. Township of Huron-Kinloss--Correspondence dated August 6, 2021 RE: Support Resolution #567 (Bill C-313)**
- 6. Perth County Council--Office of the Warden--Correspondence dated August 16, 2021 RE: Relationship with MPAC**

522-2021

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Larry Patterson

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

CARRIED

523-2021

Moved By Councillor Laura Lucier

Seconded By Councillor Tony Gaffan

That Council supports Town of Cobourg Resolution 272-21, being Support for Bill C-6, an Act to amend the Criminal Code (Conversion Therapy).

CARRIED

524-2021

Moved By Councillor Kimberly DeYong

Seconded By Councillor Laura Lucier

That The Corporation of the Town of Kingsville intends to participate in the 2021 Rental Housing component of the Ontario Priorities Housing Initiative (OPHI) and Canada-Ontario Community Housing Initiative (COCHI).

CARRIED

M. NOTICES OF MOTION

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

That Council receive that old or traditional information regarding Home Occupations that they may be enlightened as to historical terminology that is attached.

Deputy Mayor Queen did not move this motion, as the matters had been addressed.

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

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.

Deputy Mayor Queen did not move this motion.

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

525-2021

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Larry Patterson

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, within 30 days.

CARRIED

N. UNFINISHED BUSINESS, ANNOUNCEMENTS AND UPDATES

Councillor Neufeld commented that earlier this year, there was a discussion regarding the Sumac Bridge and thinks this is something that the Town should be exploring further.

526-2021

Moved By Councillor Thomas Neufeld

Seconded By Councillor Tony Gaffan

That Council directs Administration to bring a report back to Council for discussion in regard to the Sumac pedestrian bridge project, including additional information and cost estimates to be considered, with other capital project items, in the 2022 budget.

CARRIED

Councillor Patterson stated that the new speed limit reduction to 60 km in front of Gosfield North School has been well received, and thanked County representatives Mayor Santos and Deputy Mayor Queen for their input.

Councillor Patterson commented that further information will be coming forward in connection with Cedar Island roads.

O. BYLAWS

1. By-law 9-2021

527-2021

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Kimberly DeYong

That Council reads By-law 9-2021, 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) a first, second and third and final time.

CARRIED

2. By-law 69-2021

528-2021

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Laura Lucier

That Council reads By-law 69-2021, 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) a first, second and third and final time.

CARRIED

3. By-law 70-2021

529-2021

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Thomas Neufeld

That Council reads By-law 70-2021, 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) a first, second and third and final time.

CARRIED

P. CONFIRMATORY BY-LAW

1. By-law 71-2021

530-2021

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Larry Patterson

That Council reads By-law 71-2021, 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 a first, second and third and final time.

CARRIED

Q. ADJOURNMENT

531-2021

Moved By Councillor Kimberly DeYong

Seconded By Councillor Thomas Neufeld

That Council adjourns this Regular Meeting at 8:14 p.m.

CARRIED