REGULAR MEETING OF COUNCIL

MINUTES

Monday, November 27, 2017
7:00 PM
Council Chambers
2021 Division Road N
Kingsville, Ontario N9Y 2Y9

Members of Council	Mayor Nelson Santos
	Deputy Mayor Gord Queen
	Councillor Susanne Coghill
	Councillor John Driedger
	Councillor Tony Gaffan
	Councillor Thomas Neufeld
	Councillor Larry Patterson
Members of Administration	J. Astrologo, Director of Corporate Services
	R. Brown, Manager of Planning & Development Services
	M. Durocher, Parks & Recreation Program Manager
	K. Girard, Municipal Services Manager
	S. Kitchen, Deputy Clerk-Council Services
	S. Moore, Fire Prevention Officer
	P. Van Mierlo-West, CAO
	S. Zwiers, Director of Financial Services

A. CALL TO ORDER

Mayor Santos called the Regular Meeting to order at 7:00 p.m.

B. MOMENT OF SILENCE AND REFLECTION

Mayor Santos asked those present to stand and observe a moment of silence and quiet reflection to be followed by the playing of O'Canada.

C. PLAYING OF NATIONAL ANTHEM

D. DISCLOSURE OF PECUNIARY INTEREST

Mayor Santos reminded Council Members 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. Fran Chartrand and Donna Murawski of the Erie Shores Quilters Guild (SEE Staff Report H-1)

Ms. Francoise Chartrand, Erie Shores Quilters' Guild Charity Program Chairperson, and Ms. Donna Murawski, President, provided a slide presentation displaying various finished quilts made by The Charity Program of the Guild. They also showed Council a variety of finished 'lap' quilts that will be donated soon.

They indicated that thirty quilts have been donated to the Hiatus House and over forty quilts are designated for donation to the Royal Oak Nursing Home in Kingsville.

Ms. Chartrand thanked Council for allowing 4 months of rent-free space at the Unico to work on their quilts and requested that Council consider continuing allowing the waiver of the rental fee for the Unico Building once per month for the purposes of the quilt-making.

Mayor Santos thanked the members of the Guild for their work and their presentation, and then brought forward Staff Report H-1 for discussion.

H-1 Maggie Durocher, Parks and Recreation Programs Manager, Report dated November 2, 2017 RE: Erie Shores Quilters Guild

Ms. Durocher presented the Report, Administration's recommendation to deny the request, and the reasoning therefor.

736-2017
Moved by Deputy Mayor Gord Queen
Seconded by Councillor Susanne Coghill

That Council receive the Report of M. Durocher, Parks and Recreation Programs Manager dated November 2, 2017 RE: Erie Shores Quilters Guild; and further, That Council request Administration to bring forward a further Report pertaining to fee waivers and facility usage with a recommendation not only for the Erie Shores Quilters Guild, but also for the rest of the community groups.

CARRIED

2. Maureen Nefs RE: Flooding issues on property (266 Lansdowne Ave.)

Ms. Nefs provided a sketch showing the flooding occurring on her property and Council viewed a photograph of the water flowing onto her property. She indicated that she had met with Ken Vegh, the Town's Drainage Superintendent on site.

737-2017
Moved by Councillor Larry Patterson
Seconded by Councillor John Driedger

That Council receive the presentation and sketch filed by Maureen Nefs pertaining to flooding at 266 Lansdowne Avenue, Kingsville.

CARRIED

Administration will look into this issue.

F. MATTERS SUBJECT TO NOTICE

1. PUBLIC MEETING - Housekeeping Amendment to Comprehensive Zoning By-law (32 Prince Albert St. S.)

R. Brown, Manager of Planning and Development Services

i) Public Notice, dated November 3, 2017;

ii) Report of R. Brown, dated November 3, 2017 RE: Housekeeping Amendment to Comprehensive Zoning By-law, Amendment of Existing Zoning on Property Located at 32 Prince Albert St. S.;

iii) Proposed By-law 104-2017.

Mr. Brown provided information regarding a necessary housekeeping amendment to correct a zoning error as a result of the consolidation of the former Gosfield South, Gosfield North and Town of Kingsville Zoning By-laws.

There were no questions or comments from anyone in attendance in the audience.

738-2017
Moved by Deputy Mayor Gord Queen
Seconded by Councillor Tony Gaffan

That Council approve zoning amendment application ZBA/21/17 to rezone property located at 32 Prince Albert St. S. from ‘Residential Zone 3 Urban (R3.1)’ to “Residential Zone 4 Urban Exception 3 (R4.1-3)’ and adopt the implementing by-law.

CARRIED

2. PUBLIC MEETING - Zoning By-law Amendment (ZBA/17/17)

R. Brown, Manager of Planning and Development Services

i) Public Notice, dated September 28, 2017

ii) Report of R. Brown, dated November 8, 2017 RE: Zoning By-law Amendment ZBA/17/17; Vince Moceri Holdings Inc.; 2071 Road 3 East, Part of Lot 13, Conc. 2, ED, Part 2, RP 12R 12742

iii) Proposed By-law 120-2017, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville

Comments from Council:

Deputy Mayor Queen asked Mr. Brown to explain, in general terms, the Town's site plan approval process, and Mr. Brown provided such explanation.

Councillor Patterson asked for clarification pertaining to truck loads and load restrictions. Mr. Brown advised that, as stated within the Planning Report, there will be weigh scales located on site, and further that trucks the size of garbage trucks will be entering the facility with their loads.

Councillor Patterson questioned efforts to be made to mitigate the sound signals on the trucks. Mr. Brown indicated this is site is zoned for heavy industrial use and that zoning has been in place since 1996. There are specific industrial zoning setbacks in place.

Comments from the Applicant's representative/agent:

Tom Storey, Storey Samways Planning Consultants, representing the applicant, indicated he agrees with the contents of the Planning Report presented by Mr. Brown. He pointed out that the proposed zoning will be subject to the holding symbol provision so that the waste transfer use cannot begin until the Ministry of Environment and Climate Change has completed its Environmental Compliance Approval (ECA). He stated that storm water management is more complicated because this is an orphan site and not part of a particular drain, and it will have to

be determined which way the land will drain. These and other matters will be reviewed as part of the site plan process.

Councillor Neufeld asked the Applicant to explain the potential benefits to the Town.

Mr. Moceri replied that the proposed recycling and waste transfer station will reduce truck traffic (traffic will enter/exit one station), will provide a recycling centre with 10-12 employees onsite, and the possibility for the attraction of other business development, among other benefits. The operation will run from 7:00 a.m. to 6:00 p.m. weekdays, and 7:00 a.m. to 2:00 p.m. on Saturdays.

Comments from the audience:

Maria Araujo, 2082 Road 3 East asked for clarification as to the location of the driveway access for the trucks and stated concerned with the amount of truck traffic that the Applicant has indicated the facility is expected to generate (20-25 per day) and traffic safety.

The Applicant responded that the 2 accesses from the north side of the property would be the access points to the site and that a roadway around the back (south) of the building provides entrance into the unloading and loading areas of the facility. The trucks accessing the property are normal collection trucks and that there will only be 2 or 3 large trucks leaving the site to dump.

Maria Araujo stated that the trees in front of the proposed development are not trees, but rather brush growth, and does not represent a sufficient buffer. The Applicant stated that more buffering will be provided at the front of the property. Mayor Santos explained buffering should be addressed at the site plan process.

Maria Branco, 2014 Road 3 East, expressed concerns about the additional traffic on Road 3, that there is already existing truck traffic and the extra truck traffic will cause delays at the roundabout.

The Applicant explained all traffic will run during the daylight hours.

Allison Araujo, 2018 Road 3 East, stated concerns that the facilty might create line-ups for dumping at the site.

Michael Araujo, 2068 Road 3 East, asked that his comments as contained in his correspondence dated November 10, 2017 (included with the Planning Report above) be taken into consideration for the site plan consideration meeting. He stated concerns pertaining to the monitoring of the weight of the vehicles, flooding and drainage, and finally asked Council to consider the noise from the

back-up alarms of the trucks and allow the neighbouring residents to enjoy their homes on the weekend.

Mr. Brown stated that buffering and drainage and other matters will be reviewed, and more detail will be provided through ongoing discussions.

Felice Gualdieri, indicated that he farms the property to the east of the proposed facility and asked that a commitment be made for a sufficient berm/buffer to protect the crops from any harm. He stated he is also concerned about the potential line-ups to the dumping site.

Mr. Brown confirmed that the buffer provision is included in the amending By-law.

There were no further questions from the audience.

739-2017
Moved by Deputy Mayor Gord Queen
Seconded by Councillor Thomas Neufeld

That Council approve zoning amendment application ZBA/17/17 to rezone the subject property at 2071 Road 3 E from ‘Heavy Industrial, M3’ and ‘Heavy Industrial Exception 1, M3-1’ to an amended site-specific ‘Heavy Industrial Exception 1, holding, M3-1(h)’ to add a waste transfer station as an additional permitted use and adopt the implementing by-law.

CARRIED

740-2017
Moved by Deputy Mayor Gord Queen
Seconded by Councillor Susanne Coghill

That Council direct Administration to provide the same Notice provisions when the proposed site plan agreement (2071 Road 3 East) is presented as had been provided for this evening's Public Meeting, to ensure that residents are notified of the site plan process.

CARRIED

G. AMENDMENTS TO THE AGENDA

Deputy Mayor Queen added one announcement.

Councillor Patterson added one announcement and one Notice of Motion.

H. STAFF REPORTS

1. Erie Shores Quilters Guild

See Delegation Item E-1 above.

2. Recent Legislation Changes per Bill 68, Modernizing Ontario's Municipal Legislation Act, 2017

S. Zwiers, Director of Financial Services presented the report of L. Brohman.

741-2017
Moved by Councillor Larry Patterson
Seconded by Councillor Thomas Neufeld

That Council recommend the continuation of the existing 3 year tax registration process.

CARRIED

3. Affordable Housing Tax Rate By-Law (225 Prince Albert St N)

S. Zwiers, Director of Financial Services presented the report.

742-2017
Moved by Councillor Thomas Neufeld
Seconded by Deputy Mayor Gord Queen

Council authorize by-law 114-2017 to authorize a single residential tax rate for municipal purposes for the municipal capital facility for affordable housing at 225 Prince Albert St N.

CARRIED

4. Delegation of Authority Regarding the Assessment Review Board

S. Zwiers, Director of Financial Services presented the Report.

743-2017
Moved by Councillor Susanne Coghill
Seconded by Councillor Thomas Neufeld

That Council delegate the municipality's authority for the collection of property taxes and the related assessment maintenance to the Treasurer, which then allows the Treasurer to delegate specific authorities to any other person or licensed legal service providers.

CARRIED

5. Cottam Community Improvement Plan

R. Brown, Manager of Planning and Development Services

744-2017
Moved by Councillor Larry Patterson
Seconded by Councillor Tony Gaffan

That Council approve the Cottam Community Improvement Plan and adopt the implementing by-law.

CARRIED

6. Application for Site Plan Approval Kingsville Plaza Inc., PA/16/17 - Lots 7 to 10, SS Main St E. Plan 184 or 185 & Pt. Lots 5 – 8, SS Main St. E. Plan 185 & Pt. 1, Plan EXR 139

R. Brown, Manager of Planning and Development Services.

745-2017
Moved by Deputy Mayor Gord Queen
Seconded by Councillor Susanne Coghill

That Council approve site plan control application SPA/16/17 to cover property at 39, 41 and 59 Main St. E. and the construction of a 368 sq. m (3,958 sq. ft.) addition to accommodate a new medical clinic and authorize the Mayor and Clerk to sign the site plan agreement and register said agreement on title.

CARRIED

Mayor Santos called for a recess at 8:53 p.m. and the Regular Meeting reconvened at 9:00 p.m.

7. Municipal Services 5 Year Capital Forecast

K. Girard, Manager of Municipal Services.

746-2017
Moved by Deputy Mayor Gord Queen
Seconded by Councillor Thomas Neufeld

That Council receives the Municipal Services capital forecast for the 2018-2022 period with the understanding that these projects be presented as part of the 2018 Municipal Services Department capital budget.

CARRIED

747-2017
Moved by Councillor Tony Gaffan
Seconded by Councillor Larry Patterson

Council request Mayor or Deputy Mayor, being the appointed Town of Kingsville County representatives, to ask County Council to consider implementing a program to recognize the adoption/sponsorship of a portion of the CWATS corridors.

CARRIED

I. BUSINESS/CORRESPONDENCE - ACTION REQUIRED

1. Shooters Photography Club

748-2017
Moved by Councillor Thomas Neufeld
Seconded by Councillor Susanne Coghill

That Council extend an invitation to the Shooters Photography Club to make application through grant application.

J. MINUTES OF THE PREVIOUS MEETINGS

1. Regular Meeting of Council--November 14, 2017

2. Regular 'Closed Session' Meeting of Council-November 14, 2017

749-2017
Moved by Councillor Larry Patterson
Seconded by Councillor John Driedger

That Council adopt the Regular Meeting of Council Minutes, dated November 14, 2017 and the Regular 'Closed Session' Meeting of Council Minutes, dated November 14, 2017.

CARRIED

K. MINUTES OF COMMITTEES AND RECOMMENDATIONS

1. Kingsville Municipal Heritage Advisory Committee--October 24, 2017

750-2017
Moved by Councillor Susanne Coghill
Seconded by Councillor Thomas Neufeld

That Council receive the Kingsville Municipal Heritage Advisory Committee Meeting Minutes, dated October 24, 2017.

CARRIED

2. Striking Committee - November 14, 2017

751-2017
Moved by Councillor Tony Gaffan
Seconded by Councillor John Driedger

That Council receive the Striking Committee Meeting Minutes, dated November 14, 2017;

And That Council appoint the following Community Members to the Cottam Revitalization Committee: Kathy Cormier, Heather Parise, Kim Gilliland, Sherri Dutot, Melisa Wiper, Mike Eaton, and Kelly Frail;

And That Council appoint Council nominees J. Driedger and T. Neufeld to the Cottam Revitalization Committee;

And That the Appointment By-law be amended to reflect the appointments.

CARRIED

L. BUSINESS CORRESPONDENCE - INFORMATIONAL

1. Town of Lakeshore - Correspondence dated October 11, 2017 RE: Council resolution regarding the Provincial Flood Insurance Program

2. Town of Tillsonburg - Correspondence dated November 13, 2017 RE: Council resolution for municipal authority to approve landfill projects

3. OPP - Correspondence dated November 14, 2017 RE: Updates from the Municipal Policing Bureau

4. Ontario Municipal Board - Correspondence dated October 24, 2017 RE: File No. PL171077

752-2017
Moved by Councillor Larry Patterson
Seconded by Councillor Thomas Neufeld

That Council receive Business Correspondence- Informational items 1 to 4.

CARRIED

753-2017
Moved by Councillor Thomas Neufeld
Seconded by Councillor Susanne Coghill

That Council support Information Item No. 1, being Town of Lakeshore resolution regarding the Provincial Flood Insurance Program.

CARRIED

M. NOTICES OF MOTION

1. Deputy Mayor Queen may move, or cause to be moved that

754-2017
Moved by Deputy Mayor Gord Queen
Seconded by Councillor Larry Patterson

That Council direct Administration and two (2) members of Council to deal with the issue of Migration Hall as it relates to Community Use and Community Interest, with the assistance of the Director of Corporate Services/Clerk.

CARRIED

755-2017
Moved by Councillor Larry Patterson
Seconded by Councillor Tony Gaffan

Council select Councillor Susanne Coghill and Deputy Mayor Gord Queen as the Members of Council authorized and directed to work with Administration to deal with the issue of Migration Hall.

CARRIED

2. 2. Councillor Patterson may move or cause to have moved at the next Regular Meeting that Administration pursue looking into the installation of an additional snowfake light at Cottam Rotary Park.

N. UNFINISHED BUSINESS, ANNOUNCEMENTS AND UPDATES

1. Deputy Mayor Queen advised that the Communities in Bloom Committee will look into suggestions for garbage cans in 2018 along with the clean sweep program.

2. Councillor Patterson advised Council that the Cottam Rotary Club is selling Christmas Trees again this year at the Cottam Rotary Park.

O. BYLAWS

1. By-law 104-2017

756-2017
Moved by Deputy Mayor Gord Queen
Seconded by Councillor Thomas Neufeld

Council read By-law 104-2017, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (32 Prince Albert St. South) a first, second and third and final time.

CARRIED

2. By-law 113-2017

757-2017
Moved by Deputy Mayor Gord Queen
Seconded by Councillor Larry Patterson

Council read By-law 113-2017, being a By-law to adopt and maintain a policy with respect to violence and harassment in the workplace a first, second and third and final time.

CARRIED

3. By-law 114-2017

758-2017
Moved by Deputy Mayor Gord Queen
Seconded by Councillor Susanne Coghill

Council read By-law 114-2017, being a by-law to authorize a single residential tax rate for municipal purposes for the municipal capital facility for affordable housing at 225 Prince Albert St North, a first, second and third and final time.

CARRIED

4. By-law 116-2017

759-2017
Moved by Deputy Mayor Gord Queen
Seconded by Councillor Tony Gaffan

Council read By-law 116-2017, being a By-law to provide for the Delegation of Authority to Initiate and/or Resolve Certain Matters before the Assessment Review Board a first, second and third and final time.

CARRIED

5. By-law 120-2017

760-2017
Moved by Deputy Mayor Gord Queen
Seconded by Councillor John Driedger

Council read By-law 120-2017, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (a first, second and third and final time.

CARRIED

6. By-law 121-2017

761-2017
Moved by Deputy Mayor Gord Queen
Seconded by Councillor Thomas Neufeld

Council read By-law 121-2017, being a By-law to approve a Community Improvement Plan for the Downtown Cottam Core Community Project Area a first, second and third and final time.

CARRIED

7. By-law 122-2017

762-2017
Moved by Deputy Mayor Gord Queen
Seconded by Councillor Susanne Coghill

That Council read By-law 122-2017, being a by-law authorizing the entering into of a Management Agreement CA-4555-H-1710 with Her Majesty the Queen in

right of Canada, represented by the Minister of Fisheries and Oceans (the Small Craft Harbours' Facility at Cedar Beach, Ontario) a first, second and third and final time.

CARRIED

8. By-law 123-2017

763-2017
Moved by Deputy Mayor Gord Queen
Seconded by Councillor John Driedger

Council read By-law 123-2017, being a By-law to appoint a Deputy Clerk, Deputy Division Registrar and Deputy Issuer of Marriage Licences for The Corporation of the Town of Kingsville, a first, second and third and final time.

CARRIED

9. By-law 124-2017

764-2017
Moved by Deputy Mayor Gord Queen
Seconded by Councillor Larry Patterson

Council read By-law 124-2017, being a by-law to amend By-law 1-2015, being a by-law to appoint certain members of Council and individuals to boards and committees and first, second and third and final time.

CARRIED

P. CLOSED SESSION

765-2017
Moved by Councillor Susanne Coghill
Seconded by Councillor Tony Gaffan

Pursuant to section 239(2) of the *Municipal Act, 2001,* Council at 9:42 p.m. entered into Closed Session to address the following items:

1. Personal matters about an identifiable individual, including municipal and local board employees, being a member of the Administration Management Team (subsection (2)(b))

2. Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board, being OMB Case No. PL171077 (subsection 2(e))

3. Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board, being appeal to Ontario Municipal Board regarding 194 Division St. North (subsection 2(e))

4. Labour relations or employee negotiations, being part-time collective agreement negotiations (subsection 2(d))

CARRIED

1. **Personal matters about an identifiable individual , including municipal and local board employees, being a member of the Administration Management Team (subsection 2(b))**
2. **Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board, being OMB Case No. PL171077 (subsection 2(e))**
3. **Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board, being appeal to OMB regarding 194 Division St. N (subsection 2(e))**
4. **Labour relations or employee negotiations, being part-time collective agreement negotiations (subsection 2(d))**

Q. REPORT OUT OF CLOSED SESSION

Upon rising from Closed Session at 9:56 p.m., Mayor Santos reported that Items P.1, P.2, P.3 and P.4 were discussed, and that direction from Council to Administration was provided.

R. CONFIRMATORY BY-LAW

1. By-law 125-2017

766-2017
Moved by Deputy Mayor Gord Queen
Seconded by Councillor Susanne Coghill

Council read By-law 125-2017, being a By-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its November 14, 2017 Regular Meeting, a first, second and third and final time.

CARRIED

S. ADJOURNMENT

767-2017
Moved by Deputy Mayor Gord Queen
Seconded by Councillor Susanne Coghill

Council adjourn this Regular Meeting at 9:57 p.m.

CARRIED

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MAYOR, Nelson Santos

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CLERK, Jennifer Astrologo