



**REGULAR MEETING OF COUNCIL
AGENDA**

Monday, August 28, 2017, 7:00 PM

Council Chambers

2021 Division Road N

Kingsville, Ontario N9Y 2Y9

Pages

- A. CALL TO ORDER**
- B. MOMENT OF SILENCE AND REFLECTION**
- C. PLAYING OF NATIONAL ANTHEM**
- 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. Michael Laba, Solicitor representing 1147160 Ontario Limited-
Request dated August 11, 2017 for extension of Amended Development
Agreement for the Mettawas Lane Development**

1

SEE: Correspondence dated August 18, 2017 and Council Resolution No. 163-2017 passed at February 13, 2017 Regular Meeting SEE ALSO: Staff Report G-1

Recommended Action

That Council not approve the extension requested by the Developer; and
That Council approve Municipal Services to complete the outstanding work in accordance with the Town's procurement policy and to charge back the cost to the Developer; and Further, That Council approve Municipal Services to enter into agreements with successful Contractors in order to correct all outstanding deficiencies as defined as soon as practicable.

- 2. William Parr, Resident, on behalf of residents of Lakeside Crescent and
area, Request dated August 17, 2017**

Request for removal of Wildfowl Hunting Blinds in the waters of Lake Erie from Kingsville Harbour to Cedar Island and request complete banning of Wildfowl Hunting Blinds in this area of the Lake Erie Kingsville Shoreline.

3. Giovanni Causarano, Resident, on behalf of Mettawas Lane Residents, Request dated August 18, 2017

Request to eliminate Duck Blinds and Hunting on the waterfront of residential property

F. AMENDMENTS TO THE AGENDA

G. STAFF REPORTS

1. Mettawas Lane Development Extension Request

4

K. Girard, Manager of Municipal Services

Recommended Action

That Council not approve the extension requested by the Developer; and that Council approve Municipal Services to complete the outstanding work in accordance with the Town's procurement policy and to charge back the cost to the Developer; and further that Council approve Municipal Services to enter into agreements with successful Contractors in order to correct all outstanding deficiencies as defined as soon as practicable.

2. Kingsville Community Grant Fund Policy

11

S. Zwiers, Director of Corporate Services

Recommended Action

The analysis of grant and donation expenditures in the context of the Kingsville Community Grant Fund Policy be received for Council's information, and that Council provides specific direction to Administration to amend the Kingsville Community Grant Fund Policy as appropriate.

3. Council Vacancy – Resignation of Councillor McIntyre

29

J. Astrologo, Director of Corporate Services/Clerk

Recommended Action

That Council declare the office of a member of council vacant; And that Council consider the options available to fill the vacancy, with a decision to be made at the September 11, 2017 Regular Council Meeting.

H. BUSINESS/CORRESPONDENCE-ACTION REQUIRED

1. Prostate Cancer Canada--Request dated August 16, 2017 RE: Request to proclaim September 2017 as 'Prostate Cancer Awareness Month' in the Town of Kingsville

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Recommended Action

That Council consider request from Prostate Cancer Canada to proclaim

September 2017 as 'Prostate Cancer Awareness Month' in the Town of Kingsville.

2. **Erie Shores Quilting Guild--Correspondence dated August 18, 2017 requesting waiver of fee for Unico Building** 43

Recommended Action

That Council consider the request of Erie Shores Quilting Guild regarding the Waiver of Fee for the Unico Building, dated August 18, 2017.

I. MINUTES OF THE PREVIOUS MEETINGS

1. **Regular Meeting of Council--August 14, 2017** 44
2. **Special Meeting of Council--August 17, 2017** 65

Recommended Action

That Council adopt the Regular Meeting of Council Minutes, dated August 14, 2017 and Special Meeting of Council Minutes, dated August 17, 2017

J. MINUTES OF COMMITTEES AND RECOMMENDATIONS

1. **Kingsville BIA-July 11, 2017** 68

Recommended Action

That Council receive Kingsville BIA Meeting Minutes dated, July 11, 2017.

2. **Tourism and Economic Development-June 8, 2017** 73

Recommended Action

That Council receive Tourism and Economic Development Committee Meeting Minutes dated, June 8, 2017.

3. **Parks, Recreation, Arts and Culture--June 15, 2017** 77

Together with the following sub-committee Minutes: Migration Festival--April 25, 2017; Fantasy of Lights--April 25, 2017; and Communities in Bloom--May 10, 2017.

Recommended Action

That Council receive Parks, Recreation, Arts and Culture Meeting Minutes dated, June 15, 2017, along with the following Subcommittee Minutes: Migration Festival dated April 25, 2017, Fantasy of Lights dated April 25, 2017, and Communities in Bloom dated May 10, 2017.

K. BUSINESS CORRESPONDENCE - INFORMATIONAL

1. **County of Essex--Correspondence from W. King, Manager, Planning Services RE: Town of Kingsville By-law 56-2017 duly approved under Section 50(7) of the Planning Act on July 25, 2017 (Millbrook Subdivision, Stage II, Phase 1, Plan 12M-552)** 92

Recommended Action

That Council receive Business Correspondence-Information item 1, as presented, for Information.

L. NOTICES OF MOTION

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

94

That Council be provided a complete list of the 2018 bookings that presently exist for the Lakeside Park Pavilion noting the breakdowns by category as follows: i) Private Rentals for the full fee as per our fees by-law; ii) Rentals by the Schedule E list of Free and Reduced rate rentals, and iii) dates that the Town has on hold and not available for rent due to Town Committees such as Fantasy of Lights/Dinner with Santa and any planned Town events such as the Christmas party; Such report to be provided to Council by December 31, 2017 with any staff recommendations for change.

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

That Council direct Administration to communicate with resident Penny Horne regarding the Lakeview Road reconstruction project and provide Council with a follow-up report.

3. Councillor L. Patterson may move or caused to have moved:

That Senior Management review the matter of animals (including chickens and other livestock) roaming at large.

4. Councillor L. Patterson may move or caused to have moved:

That the Town's Noise By-law (By-law 69-2003 as amended) be reviewed with the possibility of including noise generated by drums, guitars, horns and other musical instruments generating music greater than 65 decibels.

5. Mayor Santos may move or cause to have moved:

WHEREAS the residents of Noah Court, in Ruthven, have previously provided a petition to the Town of Kingsville in opposition to the installation of approximately 350 lineal feet of sidewalks within the southern side of the cul-de-sac of Noah Court;

AND WHEREAS, the residents of Noah Court and Developer have recently attended Council with new information regarding their proposal for an equitable solution and provision that the Developer would be agreeable to transfer and reallocate the dollar value/cost of the Noah Court sidewalks to the Town for additional improvements within the Sun Valley Estates for additional tree plantings/beautification and ensure that the Developer's financial obligation for funding the infrastructure would be assigned to this improvement or offered back to the municipality as a financial contribution (estimated at \$10,000.00).

THEREFORE let it be known that I may Move or Cause to Have Moved that based on this new information, that Council reconsider its previous decision on the matter of the inclusion of sidewalks on the southern side of Noah Court;

AND FURTHER that the Town of Kingsville accept an amendment to the Sun Valley Estates Development Agreement to remove the single sidewalk installation on Noah Court in concert with a new provision that the Developer provide to the municipality a contribution of \$10,000.00, representing the value of the Noah Court sidewalk installation;

AND FURTHER that the contribution be utilized for recognized improvements within the Hamlet of Ruthven for future sidewalk installations on Road 2 between Branco Drive and Mayfair and/or other identified areas in this immediate area in Ruthven to complement the Kingsville Active Transportation Plan.

M. UNFINISHED BUSINESS, ANNOUNCEMENTS AND UPDATES

N. CLOSED SESSION

Pursuant to section 239(2) of the *Municipal Act, 2001*, Council will enter into Closed Session to address the following items:

1. Section 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board; being a verbal report of CAO P. Van Mierlo-West pertaining to the potential acquisition of land for municipal purposes
2. Section 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board; being verbal report/update pertaining to 103 Park St.

O. REPORT OUT OF CLOSED SESSION

P. CONFIRMATORY BY-LAW

1. By-law 94-2017

Being a by-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its August 28, 2017 Regular Meeting.

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

Q. ADJOURNMENT

KARRY & LABA

BARRISTERS & SOLICITORS

25 MAIN STREET EAST, KINGSVILLE, ONTARIO N9Y 1A1

TELEPHONE (519) 733-2372

FACSIMILE (519) 733-3110

MICHAEL LABA - EXT. 25 Michael@karrylaba.com

ASSISTANT - EXT. 22 Saide@karrylaba.com

August 18 2017

Town of Kingsville
2021 Division Road North
Kingsville ON N9Y 2Y9

*Sent via email transmission only to
jastrologo@kingsville.ca*

ATTENTION: MS. JENNIFER ASTROLOGO -
Director of Corporate Services/Clerk

Dear Madam:

**RE: OUR CLIENT: 1147160 ONTARIO LIMITED
AMENDMENTS TO DEVELOPMENT AGREEMENT**

As you are aware, I am the solicitor for 1147160 Ontario Limited, which is a party to the Amended Development Agreement for the Mettawas Lane development dated March 2017.

Our client seeks a 60 - 90 day extension of the date for its completion of the outstanding work at the Mettawas Lane development. Specifically, our client seeks an extension of the September 1, 2017 date detailed in paragraphs 4 and 5 of the Amended Development Agreement to November 1, 2017, at the earliest.

Our client has satisfied paragraph 3 of the Amended Development Agreement and has paid to the Town of Kingsville the sum of \$11,130.00 towards the sidewalk installation along Park Street.

A geotechnical evaluation of the pavement on Mettawas Lane has been carried out by CT Soil and Materials Inc. and a report obtained verifying the condition of the existing pavement structure along Mettawas Lane. The report confirms that the pavement structure generally satisfies the requirements to proceed with the installation of the 2nd asphalt coat overlay. The areas which require saw-cut, removal and replacement are relatively minor and a meeting is being arranged between the representatives of our client, CT Soil Engineers and Municipal Services to identify and mark out those areas.

...2

The report was made necessary, as the engineering report obtained by the town in 2016 had suggested that much of the pavement was required to be removed and replaced. This 2016 report, however, was prepared without any geotechnical testing of the pavement structure.

Our client is in the process of obtaining contractor quotes for the curb repairs and fencing and it is expected that this work will commence prior to August 31, 2017 and will be completed within 30 days thereof.

The quotes for the asphalt repairs and installation of 2nd asphalt coat cannot be obtained until after the site meeting with Municipal Services.

It should be noted that our client has heard from a number of residents of Mettawas Lane and each has indicated that they do not wish to have the asphalt work on Mettawas Lane carried out before the town commences its re-paving of Park Street. We are given to understand that the re-paving of Park Street is now not scheduled to begin until some time in November, 2017.

No prejudice would be suffered by the town or the Mettawas Lane residents in the granting of the extension and as noted above, many of the residents have themselves requested a delay in the work.

Yours very truly,

KARRY & LABA



MICHAEL LABA

ML\sas

cc 1147160 Ontario Limited

Excerpt — Regular Meeting of Council Minutes, dated February 13, 2017

1. Mr. Ali Fayaz (PEACO Contracting) and William Jean, P. Eng.

Council direct Administration to prepare the amending agreement to the Development Agreement for the Mettawas Lane Development (1147160 Ontario Ltd.) within thirty (30) days, with a completion date of the project by September 1, 2017.

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2021 Division Road North
Kingsville, Ontario N9Y 2Y9
(519) 733-2305
www.kingsville.ca
kingsvilleworks@kingsville.ca

Date: August 28, 2017
To: Mayor and Council
Author: Kevin Girard, Manager of Municipal Services
RE: Mettawas Lane Development Extension Request
Report No.: MS 2017-42

AIM

To provide Council with an update on the completion of the Mettawas Lane development deficiencies.

BACKGROUND

As previously discussed in report number MS 2017-09 (Mettawas Lane Development Deficiencies) drafted by the Director of Municipal Services. Council originally entered into a Development Agreement with 1147160 Ontario Limited in May of 2005 passing By-Law 40-2005 to create 31 lots on lands within Part Lots 1 through 6, 28 to 32, Blocks B, C, and D on Plan 965 and Parts 1 to 3 on 12R-17281 in the Town of Kingsville.

Since the original by-law (40-2005), two amendments have been made. The first, by law 65-2009, allowed the Developer until November 09, 2011 to complete the outstanding issues. Many attempts were made since the expiration of this amendment with no action made by the Developer. In an effort to move forward, Municipal Services retained a third party engineering firm to review the outstanding deficiencies and provide estimates to rectify outstanding issues from the Development Agreement. The intention was to complete the outstanding works through the tendering process and have all the associated costs be charged back to the Developer.

This triggered action from the developer that lead to a delegation to Council and by-law 33-2017, allowing the Developer until September 1, 2017 to complete the already past due issues. By-law 33-2017 has been attached for your convenience.

DISCUSSION

Since the passing of the latest amendment, by-law (33-2017), a site meeting to discuss curb and gutter replacement was had between the Developer and the Town. Another meeting is scheduled to happen in the near future for the discussion of base asphalt replacement following the geotechnical report that was provided to the Town on August 16, 2017, approximately 2 weeks prior to the September 1, 2017 deadline.

Also, a cheque in the amount of \$11,130 has been received in compliance with paragraph 3 of the amended Development Agreement (by-law 33-2017) for sidewalks.

On August 11, 2017, Michael Laba, solicitor for the Developer, reached out to the Director of Corporate Services requesting delegation status. He was subsequently advised that the delegation could be heard at the August 28, 2017 Council Meeting. On August 18, 2017, correspondence from Mr. Laba was received by the Town requesting an extension of the September 1, 2017 deadline by 60-90 days.

Administration believes that the Developer has had ample time to complete the outstanding work from the original agreement in 2005 and that any more delays are a misuse of Town resources.

LINK TO STRATEGIC PLAN

Promote the betterment, self-image and attitude of the community.

To become a leader in sustainable infrastructure renewal and development.

FINANCIAL CONSIDERATIONS

The Engineer's estimate provided by N.J. Peralta to address the outstanding deficiencies is valued at \$214,700 not including HST.

Actual unit prices and construction costs in conjunction with relative project management and contract administration costs will be assumed by 1147160 Ontario Limited in accordance with the Development Agreement.

In the event 1147160 Ontario limited defaults on payment of works as undertaken by the Town, the Town will take steps to realize payment from the Performance Security on file. The Town is currently in possession of the original Subdivision Bond in the amount of \$224,244.18.

CONSULTATIONS

Chief Administrative Officer
Director of Municipal Services
Director of Corporate Services
N.J. Peralta Engineering

RECOMMENDATION

That Council not approve the extension requested by the Developer; and that Council approve Municipal Services to complete the outstanding work in accordance with the Town's procurement policy and to charge back the cost to the Developer; and further, that Council approve Municipal Services to enter into agreements with successful Contractors in order to correct all outstanding deficiencies as defined as soon as practicable.

Respectfully Submitted,

Kevin J. Girard

Kevin J. Girard, P.Eng
Manager of Municipal Services

G.A. Plancke

G.A. Plancke, Civil Eng. Tech (Env.)
Director of Municipal Services

Peggy Van Mierlo-West

Peggy Van Mierlo-West, C.E.T.
Chief Administrative Officer

THE CORPORATION OF THE TOWN OF KINGSVILLE
BY-LAW 33 - 2017

Being a By-law authorizing the entering into of an Amendment to the Development Agreement (Mettawas Development) with 1147160 Ontario Limited

WHEREAS Section 9 of the *Municipal Act, 2001*, S.O. c. 25 confers natural person powers on municipalities which include the power to enter into agreements with individuals and corporations.

WHEREAS The Corporation of the Town of Kingsville (the "Town") deems it expedient for the Town to enter into an Amendment to the Development Agreement with 1147160 Ontario Limited.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF KINGSVILLE ENACTS AS FOLLOWS:

1. **THAT** the Town enters into and executes with 1147160 Ontario Limited an Amendment to the Development Agreement attached hereto as Schedule "A" and forming part of this By-law.
2. **THAT** the Mayor and Clerk are hereby authorized and directed on behalf of the Town to execute the Amendment to the Development Agreement attached as Schedule "A".
3. This By-Law comes into force and takes effect on the day of the final passing thereof.

READ a FIRST, SECOND and THIRD time and FINALLY PASSED this 13th day of March, 2017.



MAYOR, Nelson Santos



CLERK, Jennifer Astrologo

AMENDMENT TO DEVELOPMENT AGREEMENT

THIS AGREEMENT made (in triplicate) this day of March, 2017.

BETWEEN:

THE CORPORATION OF THE TOWN OF KINGSVILLE,

hereinafter called the "Corporation",

OF THE FIRST PART

-and-

1147160 ONTARIO LIMITED

hereinafter called the "Owner",

OF THE SECOND PART

WHEREAS The Town and the Owner entered into a Development Agreement made the 24th day of May, 2005;

AND WHEREAS said Development Agreement was registered in the Registry Office for the County of Essex on December 7, 2005 as Instrument Number CB187540;

AND WHEREAS the Town and the Owner entered into an Agreement to Amend the Development Agreement on the 20th day of November 2006, which amending agreement was registered in the Registry Office for the County of Essex on January 31st, 2007;

AND WHEREAS the Town and the Owner entered into an Amendment to Site Plan Agreement (Mettawas Development Agreement Extension), dated November 9, 2009 which was registered in the Registry Office for the County of Essex on December 1, 2009;

AND WHEREAS the Owner has requested another amendment to the Development Agreement to extend the timeframe to complete the development on lots 1-6, 28-32 and Blocks B, C and D, Plan 965, Town of Kingsville, County of Essex; Water Lot in front of Blk D PI 965, Kingsville; Pt Water lots, Walk & Beach PI 965 Kingsville; Pt Private Dr PI 965 Kingsville Pt1 to 3, 12R17281; s/t R289792; s/t R387279; Kingsville, save and except Parts 1 to 28, 30 and 31 Plan 12R22847 Kingsville and Parts 1 to 17 Plan 12R23026 Kingsville;

NOW THEREFORE THIS AGREEMENT WITNESSETH THAT in consideration of the mutual covenants hereinafter expressed and other good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, the parties agree as follows:

1. That Sections 1, 2, 4 and 6 of the November 9, 2009 Mettawas Development Agreement Extension are deleted and replaced with the provisions outlined below.
2. That Section 5 "SANITARY SEWAGE AND TREATMENT CAPACITY" of the Development Agreement is hereby deleted and replaced with the following:

"5. SANITARY SEWAGE TREATMENT AND POTABLE WATER CAPACITY

The Town agrees to provide potable water and sanitary sewage treatment capacity for the 31 residential units. The Owner

acknowledges that the Town may withdraw potable water capacity and sanitary sewage treatment capacity allocation for the subject lands and redirect the allocation at its sole discretion if the Owner fails to install the services required by this Agreement by December 31, 2019, in accordance with the terms and conditions of this Agreement”

3. That Section 17 “SIDEWALKS” of the Development Agreement is hereby deleted and replaced with the following:

“17. SIDEWALKS

The Owner will pay the Town eleven thousand one hundred thirty dollars (\$11,130.00) towards the installation of the required sidewalk along Park Street. Such payment shall be made to the Town on September 1, 2017, or at the time of reconstruction of Park Street by the Town, whichever shall first occur. The Owner will be responsible for any damage to the sidewalks during the construction of the homes backing onto Park Street.”

4. That subsection 25.10 “GENERAL” of the Development Agreement is hereby deleted and is replaced with the following:

“25.10 In the event that the Owner fails to observe, perform or fulfill any of the terms and conditions of this Agreement, or in the event that the work and services are not constructed or located in the manner provided for in the engineering drawings and other drawings or in accordance with the specifications approved by the Town by September 1, 2017, then upon the Municipal Clerk giving fourteen (14) days’ notice by prepaid registered mail to the Owner with respect thereto, the Town may, but need not, without further notice enter upon the subject lands and proceed to supply all materials and do all necessary works (including the repair or reconstruction of faulty work and the replacement of defective materials not in accordance with the specifications or the drawings) and to charge the cost thereof together with the requisite fees for any engineering and administration to the Owner who shall forthwith pay the same on demand. If the Owner shall fail to pay the cost thereof within fifteen (15) days of demand, the Town shall be at liberty to recoup its costs by recovering the same by realizing on the Performance Securities deposited by the Owner without requiring the consent of the Owner before taking action in that connection. Any entry upon the subject lands by the Town for this purpose whatsoever as an acceptance of or an assumption of the service or works by the Town. The rights set forth herein are in addition to any other rights the Town may have in pursuance of this Agreement or at Law or in equity.”

5. That Section C.7 “Landscaping Plan” of the Development Agreement is amended with the addition of Section C.7.1 to immediately follow Section C.7:

“C.7.1 Fencing Along Park Street

The Owner agrees to prepare and submit for the review and approval of the Town, a plan for the required boundary fence where there will be rear yards abutting the Park Street road allowance. The plan shall provide for the type of fencing, including the height of the fence which is to be no greater than 1.2 metres in height. The required fence shall be a permanent decorative type fence with no gates, in compliance with the Town’s Fence By-law, along the entire length of the rear lot lines abutting the Park Street road allowance. The Owner agrees to install the approved fencing by September 1, 2017.”

6. The Owner hereby consents to the registration of this Amending Agreement on title at its sole expense and at the sole discretion of the Town.
7. All of the terms and covenants in the said Development Agreement and subsequent amending agreements are hereby confirmed in full force and effect save and except for the amendments noted in Paragraphs 2 through 5 herein and such other modifications as are necessary to make said paragraphs applicable to the Development Agreement.


IN WITNESS WHEREOF the parties have duly executed this Agreement with effect from the day first written above.

SIGNED SEALED AND DELIVERED

1147160 ONTARIO LIMITED




ALIASGHAR KATEBIAN
DIRECTOR



ALI FAYAZ
DIRECTOR

We have the authority to bind the Corporation

**THE CORPORATION OF THE TOWN OF
KINGSVILLE**



NELSON SANTOS
MAYOR



JENNIFER ASTROLOGO
CLERK



2021 Division Road North
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Date: August 2, 2017
To: Mayor and Council
Author: Sandra Zwiers, Director of Financial Services
RE: Kingsville Community Grant Fund Policy
Report No.: FS-2017-011

AIM

To provide council with the opportunity to review the existing policy and direct administration to make any amendments deemed appropriate.

BACKGROUND

Municipalities are often asked to provide financial and in kind support to various charities, not for profit organizations and other special interest groups. In September 2009, council approved the Kingsville Community Grant Fund Policy (attached for your reference). Our policy was based on the policy used in the Town of Essex and was modified to suit Kingsville's needs.

Since 2009, the policy and its accompanying application have been used by groups to seek support from the town through the annual budget process. The overall goal of the policy was to standardize the request process, establish spending guidelines and attempt to ensure the use of grant funds met the criteria set out by council.

At the regular meeting of council on February 12, 2017 the following motion was carried:

Motion #179-2017: Moved by G. Queen, seconded by L. Patterson:
Council review and update the Town Grant Policy with input from Administration.

DISCUSSION

Administration conducted a brief email survey of local treasurers to determine whether other municipalities approve donations and/or grants. The results revealed two main categories:

Grant program in place with some type of application/policy

- Kingsville
- Leamington

- Essex
- Amherstburg

No grant policy but allow specific exemptions

- County of Essex (exemption for disaster relief requests)
- LaSalle (exemption for disaster relief requests)
- Tecumseh (exemption for disaster relief requests)
- Lakeshore (exemption for two historical societies)

This brief survey did not explore the possibility that financial and in kind assistance may be offered outside of grant or donation policies and may take the form of partnerships or sponsorships. In Kingsville, an attempt has been made to identify grants, donations, partnerships and sponsorships all in one area of the budget. This method of grouping may not be the same in other municipalities which makes a true comparison of tax dollar allocation to these types of awards difficult.

To determine whether improvements or changes can/should be made to the existing grant policy, administration analysed the award results since policy adoption in 2010 to 2017. The analysis attempts to assess the effectiveness of achieving the policy's goals to provide funding to eligible applicants, for qualifying projects and within funding limit guidelines. Refer to Appendix B – Tables 1, 2, 3a and 3b.

The policy includes an application form that assists administration and council in determining the details of the funding request and asks the applicant to confirm they meet the eligibility criteria. Historically, administration has not vetted applications prior to presentation to council. In some cases, requests are presented and approved without complete application details.

The analysis of awards for the last 8 years suggests the application of the policy has not been as effective as it could have been. For example, awards have been given to organizations outside of our municipality, for projects that aren't accessible to all Kingsville residents, for ongoing operating expenses and in amounts far exceeding the policy suggested limit.

In general, policies are meant to form the basis for establishing standard operating procedures. Exceptions to the rule will never be eliminated however if a policy is routinely not followed, it begs the question whether a policy is appropriate at all. If council is satisfied with the historic results of grant and donation awards as a result of only loosely following the approved policy, administration recommends removing policy language that is consistently not followed or eliminating the policy entirely.

LINK TO STRATEGIC PLAN

- Promote the betterment, self-image and attitude of the community.
- Improve recreational and cultural facilities and opportunities within the Town of Kingsville.
- Support growth of the business community.
- Effectively manage corporate resources and maximize performance in day-to-day operations.

FINANCIAL CONSIDERATIONS

In 2017, the total award of grants and donations amounted to \$138,010 (approximately 1% of the total tax rate). Grant and donation approvals in each budget year should be weighed against other competing priorities to ensure municipal tax spending maximizes the town's effectiveness to meet its service obligations.

CONSULTATIONS

County Treasurers
Senior Administration

RECOMMENDATION

That the analysis of grant and donation expenditures in the context of the Kingsville Community Grant Fund Policy be received for Council's information, and further that Council provides specific direction to administration to amend the Kingsville Community Grant Fund Policy as appropriate.

Sandra Zwiers

Sandra Zwiers MAcc, CPA, CA
Director of Financial Services

Peggy Van Mierlo-West

Peggy Van Mierlo-West, C.E.T.
Chief Administrative Officer

APPENDIX B

TABLE 1
Analysis of Policy Limit Effectiveness

Year	Recommended 0.5% Limit	Approved at Time of Budget Deliberations*	Variance Over / (Under) Policy
2010	\$ 47,526	\$ 113,621	139.07%
2011	\$ 50,990	\$ 70,000	37.28%
2012	\$ 53,920	\$ 100,710	86.78%
2013	\$ 56,253	\$ 100,000	77.77%
2014	\$ 61,437	\$ 84,634	37.76%
2015	\$ 65,427	\$ 86,184	31.73%
2016	\$ 70,760	\$ 83,013	17.32%
2017	\$ 73,755	\$ 138,010	87.12%

* in 2014 and 2015 additional approvals were made after budget that have not been included in this analysis

CONCLUSION: Since inception, the policy has not been an effective tool to limit the total value of awards.

TABLE 2
Analysis of Policy Criteria Effectiveness

Year	Number of Applicants	Number Successful	Average Value
2010	23	20	\$ 5,681
2011	19	19	\$ 3,684
2012	23	22	\$ 4,578
2013	22	22	\$ 4,545
2014	20	16	\$ 5,290
2015	20	19	\$ 4,536
2016	16	16	\$ 5,188
2017	23	23	\$ 6,000

CONCLUSION: Nearly 100% of applicants are deemed eligible.

APPENDIX B

TABLE 3a
Recipients Sorted by Total Award Value

Name of Applicant/Project	Total Number of Successful Awards	Total Value of Awards
Communities for Doctors/Physician Recruitment	5	\$ 134,021
Sun Parlour Folk Music Society	4	\$ 80,000
BIA - Floral Project	5	\$ 60,000
Kingsville Historical Park	12	\$ 54,502
BIA - Visitor Centre / Carnegie Staff	1	\$ 50,000
Kingsville-Essex Assoc. Band	8	\$ 49,500
Affordable Housing Initiatives	2	\$ 48,720
Migrant Worker Community Program	8	\$ 41,500
Migration Hall	8	\$ 39,500
Jack Miner Migratory Bird Foundation	5	\$ 35,000
Kingsville Horticultural Society	5	\$ 31,000
Cottam Rotary	8	\$ 16,666
ACCESS/YFRN	8	\$ 15,400
Civic/Bursary Awards - KDHS	8	\$ 14,500
Unallocated at time of Budget	3	\$ 13,595
Royal Canadian Legion #188 (Kingsville)	2	\$ 12,300
Kingsville Minor Baseball	1	\$ 12,000
Habitat For Humanity	1	\$ 11,500
Migration Festival Committee	3	\$ 10,500
Skate Kingsville	3	\$ 10,000
Hospice of Windsor & Essex County	1	\$ 10,000
Kingsville BIA / Arts & Culture Development Association	1	\$ 9,555
Kingsville BIA Tourist Info. Booth	3	\$ 9,045
KCC - Celebrate Canada	3	\$ 9,000
BIA - Facelift Grant	2	\$ 8,000
Kingsville Lion's Club	3	\$ 7,200
Kingsville Comets Jr. C Hockey Club	3	\$ 6,000
Everything Outdoors	2	\$ 5,000
Curling Club of Kingsville	1	\$ 5,000
Sun County Crows - Lacrosse	2	\$ 4,050
LDMH Physician Recruitment Extravaganza	4	\$ 4,000
2918 Scottish	3	\$ 4,000
Windsor Symphony Orchestra	1	\$ 3,400
Leamington Lasers Swim Team	3	\$ 3,000
Arts Society of Kingsville	2	\$ 3,000
Megan Agosta	1	\$ 2,500
Rick Hansen 25th Anniversary Relay	1	\$ 2,500
Cottam Street Festival	3	\$ 2,000
2nd Kingsville Scouts	2	\$ 2,000

KDHS - Visual Arts Class	1	\$	1,200
South Essex Arts Association / Leamington Arts Centre	2	\$	1,000
Essex Spitfire Committee	1	\$	1,000
International Soccer Exchange	1	\$	1,000
IOOF Beaver Lodge #82	1	\$	1,000
Kingsville-Gosfield Heritage Society	1	\$	1,000
BIA Fashion Show	3	\$	750
ECFNC	1	\$	500
Essex Cnty Fed of Ag	1	\$	500
Ronald McDonald House	1	\$	500
OMAA Golf Tourney	1	\$	300
MADD	1	\$	279
Royal LePage Binder Real Estate Advertisement	1	\$	200
Trevor Funkenhauser - Day for a Life	1	\$	200
Knights of Columbus	1	\$	40
			<hr/>
			\$ 848,923
			<hr/>

CONCLUSIONS:

90% of the total awards have been paid to 21 out of 54 groups/organizations (39%)

Average Award \$15,721

Median Award \$5,000

APPENDIX B

TABLE 3b
Recipients Sorted by Number of Awards


Name of Applicant/Project	Total Number of Successful Awards	Total Value of Awards
Kingsville Historical Park	12	\$ 54,502
Kingsville-Essex Assoc. Band	8	\$ 49,500
Migrant Worker Community Program	8	\$ 41,500
Migration Hall	8	\$ 39,500
Cottam Rotary	8	\$ 16,666
ACCESS/YFRN	8	\$ 15,400
Civic/Bursary Awards - KDHS	8	\$ 14,500
Communities for Doctors/Physician Recruitment	5	\$ 134,021
BIA - Floral Project	5	\$ 60,000
Jack Miner Migratory Bird Foundation	5	\$ 35,000
Kingsville Horticultural Society	5	\$ 31,000
Sun Parlour Folk Music Society	4	\$ 80,000
LDMH Physician Recruitment Extravaganza	4	\$ 4,000
Unallocated at time of Budget	3	\$ 13,595
Migration Festival Committee	3	\$ 10,500
Skate Kingsville	3	\$ 10,000
Kingsville BIA Tourist Info. Booth	3	\$ 9,045
KCC - Celebrate Canada	3	\$ 9,000
Kingsville Lion's Club	3	\$ 7,200
Kingsville Comets Jr. C Hockey Club	3	\$ 6,000
2918 Scottish	3	\$ 4,000
Leamington Lasers Swim Team	3	\$ 3,000
Cottam Street Festival	3	\$ 2,000
BIA Fashion Show	3	\$ 750
Affordable Housing Initiatives	2	\$ 48,720
Royal Canadian Legion #188 (Kingsville)	2	\$ 12,300
BIA - Facelift Grant	2	\$ 8,000
Everything Outdoors	2	\$ 5,000
Sun County Crows - Lacrosse	2	\$ 4,050
Arts Society of Kingsville	2	\$ 3,000
2nd Kingsville Scouts	2	\$ 2,000
South Essex Arts Association / Leamington Arts Centre	2	\$ 1,000
BIA - Visitor Centre / Carnegie Staff	1	\$ 50,000
Kingsville Minor Baseball	1	\$ 12,000
Habitat For Humanity	1	\$ 11,500
Hospice of Windsor & Essex County	1	\$ 10,000
Kingsville BIA / Arts & Culture Development Association	1	\$ 9,555
Curling Club of Kingsville	1	\$ 5,000
Windsor Symphony Orchestra	1	\$ 3,400
Megan Agosta	1	\$ 2,500

Rick Hansen 25th Anniversary Relay	1	\$	2,500
KDHS - Visual Arts Class	1	\$	1,200
Essex Spitfire Committee	1	\$	1,000
International Soccer Exchange	1	\$	1,000
IOOF Beaver Lodge #82	1	\$	1,000
Kingsville-Gosfield Heritage Society	1	\$	1,000
ECFNC	1	\$	500
Essex Cnty Fed of Ag	1	\$	500
Ronald McDonald House	1	\$	500
OMAA Golf Tourney	1	\$	300
MADD	1	\$	279
Royal LePage Binder Real Estate Advertisement	1	\$	200
Trevor Funkenhauser - Day for a Life	1	\$	200
Knights of Columbus	1	\$	40
			<hr/>
			\$ 848,923
			<hr/>

CONCLUSIONS:

60% of applicants apply more than once for awards

13% of applicants have applied every year since 2010 and have received a total of \$231,568 (28% of total)

	FINANCIAL SERVICES KINGSVILLE COMMUNITY GRANT FUND	
Policy #: FS-001	Issued: September 2009	Reviewed/Revised: August 2017
Prepared By: Sandra Zwiers	Reviewed By: Senior Management	Approved By:

1.0 PURPOSE

The purpose of this policy is to:

1. Establish guidelines for funding to organizations that meet the eligibility requirements and funding categories of the Kingsville CGF;
2. Define the types of organizations that are eligible for funding;
3. Establish eligible funding categories;
4. Define funding mechanisms
5. Define the requirements for an annual application process for grant requests; and,
6. Ensure fairness and consistency in providing funding to qualifying organizations.

2.0 SCOPE

Only those organizations that meet all of the following criteria will be considered for a grant under the Kingsville CGF:

1. Organization is a:
 - a. Registered charitable organization or a
 - b. Registered not-for-profit organization or a
 - c. Volunteer group

Funding requests from individuals will not be considered;

2. Organizations seeking grants must provide services that fall into one of the funding categories identified in Section 3.1, "Funding Categories";
3. Organizations must provide services that directly benefit the general public within the municipal boundaries of the Town of Kingsville and make their services available to the general public without discrimination;

4. Organizations must be located in the Town of Kingsville or provide evidence of a project specific to the Town of Kingsville, with the majority of participants being from the Town of Kingsville; and,
5. Grant applicants related to a religious organization must be able to demonstrate that a distinct line of separation exists within its program and budgets between strictly religious activities and its community service program;

Organizations whose primary focus is in the Town of Kingsville will be given priority consideration for funding under the Kingsville CGF.

3.0 DEFINITIONS

3.1 FUNDING CATEGORIES

Applications which fall into one of the following funding categories will be considered for funding under the Kingsville CGF.

1. Social & Community Services

Services that respond to the basic needs and safety of residents within the community, including referral, information and assistance in a variety of areas such as health care, food, clothing, shelter, government services, counseling, employment, etc. and promote healthy communities. Services within this funding category must not duplicate or displace services offered by another organization. To be eligible for funding in this category the majority of the organization's clientele must reside in the Town of Kingsville.

2. Seniors or Youth

Activities directed towards the youth or senior population primarily within the Town of Kingsville. Includes Youth/Senior Centres offering activities and programming for youth and seniors whose primary membership is residents of the Town of Kingsville. Activities and programming offered within this funding category must not duplicate activities and programming offered by the Town of Kingsville. The Town of Kingsville will only recognize one senior or one youth group in each community

3. Historical & Cultural Events or Organizations

Events and activities which serve to celebrate historical or cultural heritage or gather, document, preserve or otherwise maintain information and artifacts of an historical or cultural value.

4. Fundraisers for Municipal Projects

Fees for fundraisers held in a municipal facility whose sole purpose is to raise funds for a municipal project to construct rehabilitate or maintain municipal infrastructure may be waived. Assistance provided in this category will be prorated based on the proportion of funds raised and directed towards municipal projects to total funds raised.

Fees for fundraisers held in a municipal facility whose sole purpose is to raise funds for charitable causes, other local causes not related to municipal projects or other nonlocal causes will not be waived.

5. Community Beautification & Protection/Preservation of the Environment

Includes projects which serve to enhance or beautify the municipality or preserve and protect the environment.

6. Disaster Relief

Appeals for disaster relief by other municipalities within Essex County or the Province of Ontario will be approved solely at the discretion of Council.

7. Purchase of Advertising in Event Program Booklets

Purchase of a business card size ad in an event program booklet when the booklet is covering an event at municipal facilities and/or when the event is attracting a large number of visitors to the Town of Kingsville.

3.2 TYPES OF FUNDING

The following generally describes the types of funding provided under the Kingsville CGF:

1. Grants

Cash grants provided by the Town of Kingsville to assist with an organization's operating expenditures up to a maximum of 50% of the organization's operating costs, excluding the cost to purchase or sell alcoholic beverages. Cash grants may also be provided for a one-time project.

2. In-Kind Assistance

In-kind assistance provided by the Town of Kingsville includes the following:

- a. work performed for the organization by Town of Kingsville employees during regular business hours while employed by the Town (for

example—snow removal, grass cutting, barricade placement, traffic control);

- b. long-term rental of municipal buildings at a reduced rent;
- c. payment of utilities for an organization's building in or adjacent to a municipal building

3. Waiver of Fees

Waiver of all or a portion of the fees normally charged for the use of space in a municipal facility. (This program does NOT cover the waiving of fees relating to development charges, building permit fees or planning fees. Separate requests must be made in writing to Council for individual consideration of requests of this kind.)

4. Purchase of Advertising

The purchase of advertising in an event or program booklet as set out in Section 3.1.7) above up to a maximum value of \$50 for a business card size advertisement.

4.0 REFERENCE DOCUMENTS

Annual Budget

Kingsville CGF Application Form

5.0 RESPONSIBILITIES

Administration from Financial Services will receive applications and prepare a package of all submissions for presentation to Council. Council will review submissions as part of the annual budget deliberation process.

6.0 PROCEDURE

6.1 SUSTAINABILITY

Organizations submitting grant requests for multiple years will be required to demonstrate the efforts and achievements related to future sustainability on an annual basis including:

- 1. That they are actively pursuing other sources of financial support and fundraising through other levels of government, donations, membership fees, ticket sales, user fees, etc.; and,
- 2. That they are working towards future self-sufficiency for purposes of reducing or eliminating their organization's need for municipal assistance in future years.

As part of the application process, organizations planning to submit grant requests annually for multiple years will be required to submit a 3- to 5-year business plan with each year's grant application (refer to Section 6.3, "Application for Funding under the Kingsville CGF").

6.2 BENEFIT TO RESIDENTS OF THE TOWN OF KINGSVILLE

All applicants under the Kingsville CGF will be required to provide information, including demographic information that identifies the level of participation or benefit that their project, activity, program, etc. provides to the residents of the Town of Kingsville.

6.3 APPLICATION FOR FUNDING UNDER THE KINGSVILLE COMMUNITY GRANT FUND

All organizations requesting funding under the Kingsville Community Grant Fund must submit an application using the Town's "Application for Funding under the Kingsville Community Grant Fund" contained in Appendix "A". All information requirements outlined in the application must be included with an application. Council reserves the right to disqualify any grant request where all required information has not been provided.

Applications for operating grants, capital grants and in-kind grants for the following funding categories will only be considered on an annual basis with the **deadline for submitting an application being October 31st for approval in the following year's budget.**

1. Social or Community Services
2. Seniors or Youth
3. Historical or Cultural Events or Organizations
4. Community Beautification & Protection/Preservation of the Environment

Applications for all other requests for funding including, advertisements in program booklets, waiver of fees for municipal facilities and appeals for disaster relief may be submitted at any time throughout the year.

Applications will only be considered if they are submitted prior to the commencement of a project and before any costs associated with the project have been incurred. The Town of Kingsville, through the Kingsville CGF, will not contribute to deficits from operations of past years.

If an organization or group applying for a grant has a financial surplus or reserve from prior year's operations and it is not designated for a specific purpose, the amount of the surplus or reserve will be deducted from any grant approved for the organization.

Only one application per organization will be considered in a fiscal year. All programs, projects and undertakings requiring grant funding for an organization must be consolidated into one application.

6.4 PROCESSING OF APPLICATIONS

Applicants submitting an application for operating grants, capital grants and in-kind grants for the October 31st deadline will be advised of the status of their grant application upon budget adoption by Council (March/April of the following year).

All other applications submitted throughout the year will be reviewed by Council or the Director of Financial Services at the earliest possible meeting date following receipt of the request.

All grant requests which are approved by Council must be adopted by resolution in a public meeting of Council.

Applicants may be required to make a presentation to Council as part of Council's review of a grant application. Council also reserves the right to request information in addition to the information requested in the Application for Funding under the Kingsville CGF.

The granting of assistance in any year is not to be regarded as a commitment by the Town of Kingsville to continue assistance in future years.

6.5 PAYMENT OF APPROVED GRANTS

Grants will be paid to grant recipients based on the timing of expenditures. Grant recipients may apply for up to 50% of the approved grant to assist with the start-up cost of a one-time project. Operating grants will be paid quarterly based on the cash flow requirements provided by the applicant.

6.6 REPAYMENT OF GRANTS

Grant recipients shall repay the whole or any part of the grant as determined by the Town of Kingsville if the grant recipient:

1. Ceases operating
2. Ceases to operate as a non-profit, charitable or volunteer group
3. Merges or amalgamates with any other party
4. Knowingly provides false information in a grant application
5. Uses grant funds for purposes other than those identified in the grant application and subsequently approved by the Town of Kingsville
6. Breaches any other terms or conditions of the Kingsville CGF
7. Breaches any of the provisions of the Ontario Human Rights Code in its operations
8. Acts in the capacity of funding body for, or make grants or transfers funds to, any other group or organization

Any unused portion of a grant paid to a grant recipient remains the property of the Town of Kingsville and must be repaid by the recipient upon request. It is recognized that organizations that receive grant funding may have a year end that is different from the Town's fiscal year end and the determination of funding use will be assessed based on the grant recipient's year end.

6.7 RECOGNITION

Grant recipients are required to acknowledge the Town's contribution to their activity, program, event or organization in all advertising, booklets, programs, signage, plaques, websites, etc. produced by the recipient. All recognition must be approved by the Town prior to printing, posting or distributing the material.

6.8 ANNUAL BUDGET FOR KINGSVILLE COMMUNITY GRANT FUND

The total value of grants provided through the Kingsville CGFnd will be limited to annual budget allocations approved by Council. The recommended annual maximum for the fund is set at 0.5% of taxation revenue. (Eg. 2009 Annual taxation \$9,260,799 x 0.5% = \$46,304).

7.0 REVIEW/REVISIONS

No.	Revision Details (incl. provision #)	Revision By	Date
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			

Questions about this policy can be referred to Director of Financial Services or Manager of Financial Services.

CORPORATION OF THE TOWN OF KINGSVILLE



2021 Division Road North
Kingsville, ON N9Y 2Y9
Phone: 519-733-2305

Kingsville Community Grant Fund
Application for Grant Funding

NOTICE TO APPLICANTS -

The Town of Kingsville policy for Municipal Grants is included as part of this application package and should be read prior to completing an Application for Grant Funding under the Kingsville Community Grant Fund. The Town of Kingsville reserves the right to reject any application that does not contain all required information. Send completed applications to the Town of Kingsville, 2021 Division Rd N, Kingsville, ON, N9Y 2Y9.

GENERAL INFORMATION (must be completed by all applicants)

Name of Organization/Group/Project:

Street Address/PO Box

City/Province Postal Code

Contact Person:

Name & Position

Telephone Number:

Fax Number:

Email Address:

INFORMATION ABOUT YOUR ORGANIZATION (must be completed by all applicants)

Type of Organization: (select one)

☐

Registered Charity

Regist. # : _____

☐

Incorporated Not-for-profit

Incorp. # : _____

☐

Other (provide details below)

Other: (please specify)

No. of Volunteers in Organization:

No. of Paid Employees in Organization:

TYPE OF GRANT & GENERAL GRANT INFORMATION (please select grant type(s) that apply)

☐

Cash Grant

Amount: _____

☐

In-Kind (provide detail below)

☐

Waive Fees (provide % and details below)

☐

Advertising (provide detail below)

☐

Disaster Relief (provide details below)



2021 Division Road North
Kingsville, Ontario N9Y 2Y9
(519) 733-2305
www.kingsville.ca
kingsvilleworks@kingsville.ca

Date: August 17, 2017
To: Mayor and Council
Author: Jennifer Astrologo, Director of Corporate Services
RE: Council Vacancy – Resignation of Councillor McIntyre
Report No.: CS-2017-016

AIM

To provide Council with information relating to the resignation of Councillor McIntyre and the options available to fill said vacancy on Council.

BACKGROUND

At the August 14th Regular Meeting of Council, Councillor McIntyre submitted correspondence communicating her resignation from Council, effective immediately. That correspondence was received by Council and filed with the Clerk at the conclusion of the Council Meeting in accordance with s. 260 of the *Municipal Act, 2001* (the “Act”).

This report is provided to outline the requirements of the *Act* when a Councillor resigns, the options available to fill the vacancy and the timelines in which said vacancy must be filled.

DISCUSSION

In accordance with section 259 of the *Act*, the office of a member of council becomes vacant if the member resigns from his/her office by filing notice with the clerk. Councillor McIntyre’s resignation was filed with the Clerk following the August 14, 2017 Regular Meeting. Therefore, Council must declare the office of a member of council vacant at its August 28, 2017 meeting.¹

Since this vacancy has occurred more than 90 days before a regular election, the Town must fill the vacancy.

¹ Section 262 of the *Act*.

Under section 263(1) of the *Act*, the Town has two (2) options by which they may fill the vacancy:

1. Appoint a person who has consented to accept the office if appointed, or
2. Hold a by-election in accordance with the *Municipal Elections Act, 1996* (“MEA”).

The *Act* requires that if Council chooses to appoint a person to fill the vacancy, the appointment must be made within sixty (60) days after the seat was declared vacant. Therefore, the appointment must be made by October 27, 2017.

If Council chooses to hold a by-election, the by-law authorizing a by-election must be passed within sixty (60) days of the declared vacancy. Similar to the deadline for an appointment, the election by-law must be passed by October 27, 2017.

The qualifications to hold office remain the same. The elected/appointed individual must meet the following qualifications:

- 18 years of age or older;
- Be a Canadian citizen;
- Reside in Kingsville or is the owner or tenant of land in Kingsville, or is the spouse of such an owner or tenant of land; and
- Is not prohibited from voting under any other Act or is disqualified from holding municipal office.

Finally, the new Councillor will serve from the time their oath of office is taken to the end of the current term of Council, being November 30, 2018.

Outlined below are options available to fill the vacancy left by Councillor McIntyre’s resignation for Council’s consideration. Regardless of the method that is selected by Council, it is recommended that Council consider the adoption of a Council Vacancy Policy which sets out the options available to Council in the event of a vacancy and the process to be followed depending on the method selected. Attached at Appendix B is a sample Council Vacancy Policy, based on the best practices of other municipalities which sets out in some detail the options available to Council.

Option 1 – Appointment

The *Act* does not prescribe how an appointment is carried out. In fact, The Municipal Councillor’s Guide 2014, which is published on the Ministry of Municipal Affairs and Ministry of Housing website specifically articulates that “Council decides what process it will use to choose the person it appoints.”² In this regard, there are two (2) options for consideration: i) appointment of an unsuccessful candidate from the 2014 election, or ii) application process.

² The Municipal Councillor’s Guide 2014, pg. 28

i) Appointment - Unsuccessful Candidate from Previous Election

Council may elect to choose the unsuccessful candidate with the greatest number of votes from the previous election. This is viewed as the most democratic means of appointing a member to Council as it represents the wishes of the votes who cast ballots in the most recent election. Attached at Appendix A is the Certificate of Election Results, as executed by the then Clerk, Ruth Orton, which provides a listing of all candidates and the number of votes that were received by each. Mr. Driedger is the next highest vote getter and remains eligible for appointment. If Mr. Driedger does not accept the appointment, the appointment would be offered to the next highest vote getter who is eligible and so forth until a candidate accepts the appointment.

Kingsville took this approach back in 2011 when Councillor Stiffler resigned from Council. On September 12, 2011, Council extended an invitation to Ms. Beth Riddiford to fill the vacancy (motion 713-2011).

ii) Appointment - Call for Applications

Alternatively, Council may choose to proceed by advertising the vacancy and allowing persons interested in holding office to submit an application. If Council wishes to proceed by making a call for applications, it is strongly recommended that a procedure be adopted for filling a vacancy in this manner. Similar to an election, the procedure would include public notices, information about the vacancy, coordination of applications, a system for hearing deputations and voting (see sample policy at Appendix B).

An open call for qualified applicants would be placed in the local papers, on the municipal website and on social media for a period of time (i.e. 3 weeks). Interested and qualified applicants would submit an application, on the prescribed form, and a declaration with the Clerk. At least one public meeting would be held to allow applicants the opportunity to make representations to Council and the public.

Below is a chart outlining the estimated timelines and related matters that would be carried out in relation to the call for applications process.

Date	Meeting	Activity
August 28, 2017	Council Meeting	Council seat declared vacant
September 11	Council Meeting	Council Vacancy Policy adopted
September 12 – October 3	Notice of Applications	Applications/Declarations submitted to Clerk
October 16	Public Meeting	Deputations by Applicant and Vote by Council
October 23	Council Meeting	Council passes By-law to appoint new Councillor and Oath of Office is taken
October 2017		Orientation for new Councillor
November 13	Council Meeting	First meeting for new Councillor

This option allows Council to appoint a new member using an open and transparent process and has been used by other municipalities that used an appointment process to fill a council vacancy. In 2016, at least three (3) municipalities (Tay Township, Town of Wasaga Beach and Township of Puslinch) used this method of filling a council vacancy.

It is estimated that the costs of this method would be approximately \$1,500.

Option 2 – By-election

Council may also choose to fill the vacancy by requiring a by-election to be held. As mentioned above, if this option is selected, a by-law authorizing the by-election must be adopted by Council by October 27, 2017.

Section 65 of the *MEA* requires that Nomination Day be set no less than thirty (30) and no more than sixty (60) days from the date the by-law to hold the election is passed. Voting Day must be held forty-five (45) days after Nomination Day.

Additionally, the *MEA* requires that by-elections “be conducted as far as possible in the same manner as regular elections.” The 2014 election was conducted by telephone and internet voting, and the Town recently passed By-law 53-2017 authorizing vote by mail with three ballot return stations for the 2018 election. The Town is not required to conduct a by-election using the same method as was provided for in the previous election. The *MEA* expressly permits a municipality to pass another by-law authorizing another alternative method of election.

The table below estimates the timelines if Council chose to fill the vacancy via a by-election.

Date	Meeting	Activity
August 28, 2017	Council Meeting	Council seat declared vacant
September 11	Council Meeting	Council Vacancy Policy adopted
October 23	Council Meeting	Council passes By-law to hold a by-election
December 22		Nomination Day (60 days after the by-law is passed)
February 15, 2018		Voting Day
February		Orientation for new Councillor
February 26	Council Meeting	First meeting for new Councillor

Councillors are elected at-large. There is no ward system in Kingsville. Therefore, the costs of a by-election would be the same as the costs of a regular election and would cost a minimum of \$55,000.

While this method of election respects the democratic process, the vacancy left by Councillor McIntyre's resignation will take longer to fill given the timelines prescribed by the legislation. The new member of Council would likely not be elected until late January/early February and sworn into office thereafter, leaving approximately nine (9) months left in the term of office. Additionally, this method of election would be more costly, and more labour intensive for the Corporate Services Department.

Summary

The decision as to the method to fill the vacancy is one that rests entirely with Council. However, to meet the legislative requirements, Council must declare the office of a member of council vacant at the August 28, 2017 Council Meeting and must either appoint a new member of Council or adopt a by-election by-law by October 27, 2017.

LINK TO STRATEGIC PLAN

No direct link to the strategic plan.

FINANCIAL CONSIDERATIONS

As noted above, the by-election options is the most expensive method to fill the vacancy. At the April 10, 2017 Regular Meeting, the costs of the 2018 election were estimated at a minimum of \$55,000. Since the Town of Kingsville's council members are elected at-large, the cost of a by-election will be the same as the costs of a regular election.

The costs associated with either of the appointment processes are nominal and would likely not exceed \$1,500.

Currently, there is \$15,000 in Election Reserves. The costs associated with either method will first be drawn from the Election Reserves.

CONSULTATIONS

Ministry of Municipal Affairs
Laura Moy, Director of Corporate Services/Clerk, Town of Tecumseh

RECOMMENDATION

That Council declare the office of a member of council vacant;

And that Council consider the options available to fill the vacancy, with a decision to be made at the September 11, 2017 Regular Council Meeting.

Jennifer Astrologo

Jennifer Astrologo, B.H.K (hons), LL.B.
Director of Corporate Services/Clerk

Peggy Van Mierlo-West

Peggy Van Mierlo-West, C.E.T.
Chief Administrative Officer



2021 Division Road North
 Kingsville, Ontario N9Y 2Y9
 Phone: (519) 733-2305
 Fax: (519) 733-8108
 www.kingsville.ca

CERTIFICATE OF ELECTION RESULTS

I, Ruth Orton, hereby certify that during the municipal election held on Monday, October 27, 2014, for the offices listed below, the certified candidates received the votes that follow their respective names:

NAME	OFFICE	VOTES	
Nelson SANTOS	MAYOR	5,902	ELECTED
Bernie LADENTHIN	MAYOR	1,065	

Gord QUEEN	DEPUTY MAYOR	4,271	ELECTED
Dennis LAPORTE	DEPUTY MAYOR	2,367	

Tony GAFFAN	COUNCILLOR	3,920	ELECTED
Larry PATTERSON	COUNCILLOR	2,806	ELECTED
Sandy MCINTYRE	COUNCILLOR	2,701	ELECTED
Susanne COGHILL	COUNCILLOR	2,323	ELECTED
Thomas NEUFELD	COUNCILLOR	2,104	ELECTED
John DREIDGER	COUNCILLOR	1,462	
Gary BAIN	COUNCILLOR	1,259	
Kim FRANCIS	COUNCILLOR	1,122	
Corey GOSSELIN	COUNCILLOR	1,065	
Willy FITTLER	COUNCILLOR	972	
Jason WINGERDEN	COUNCILLOR	957	
Tina WELLS	COUNCILLOR	946	
Ted MASTRONARDI	COUNCILLOR	908	
Elvira CACCIAVILLANI	COUNCILLOR	901	
Doug WILLIAMS	COUNCILLOR	713	
Cathy BASSKIN	COUNCILLOR	539	
Mike SHEEHAN	COUNCILLOR	532	
Ron PATRICK	COUNCILLOR	508	
R.L. (Dick) GOENS	COUNCILLOR	466	
Derek PROWSE	COUNCILLOR	451	
Eric BLACK	COUNCILLOR	361	
Patrick PARENT	COUNCILLOR	359	
George M. MRAVIK	COUNCILLOR	199	

Dated this 30th day of October, 2014


 Ruth Orton, Clerk

APPENDIX B

Council Vacancy Policy - Sample

PURPOSE

The Town of [Name] is committed to an open, accountable and transparent government.

The purpose of this policy is to provide for an accountable and transparent process for the filling of Council vacancies which occur during a term of office.

SCOPE

In accordance with the *Municipal Act, S.O. 2001, c.25*, when the seat of a member of council becomes vacant during the term of office, Council may fill a vacancy by appointing a person who has consented to accept the office if appointed, or requiring that a by-election be held to fill a vacancy in accordance with the *Municipal Elections Act, S.O., 1996, c.32*.

This policy will provide for a clear, accountable and transparent process for filling vacancies on Council.

DEFINITIONS

Act means the *Municipal Act, S. O. 2001, c. 25*, as amended.

Appointment means the appointment of a qualified individual, by majority vote of Council, to fill a vacancy on Council for the remainder of the current Council term.

By-election means an election, other than a regular election, held to fill a vacancy on Council and that is conducted in accordance with Section 65 of the *Municipal Elections Act, 1996*, as amended.

Candidate means an individual seeking to be appointed to fill a vacancy in the office of Councillor, having met the eligibility requirements and who has completed the requisite documentation as required by this policy.

Clerk means the Clerk or his/her designate of the Town of [Name] as appointed by Council.

Council means the Council of the Town of [Name].

Eligible Elector has the same meaning as subsection 17(2) of the Act, namely a person:

- a. who is a resident of the Town of [Name], or an owner or tenant of land in the Town or the spouse of such an owner or tenant;
- b. who is a Canadian Citizen;
- c. who is at least 18 years old; and,
- d. who is not prohibited from voting under any other Act or from holding municipal office.

Lot means a method of determination by placing the names of the Candidates on equal size pieces of paper and placed in a container with one Candidate name being drawn by the Clerk.

Municipal Elections Act means the *Municipal Elections Act, S.O., 1996, c.32*, as amended.

Nominee means those individuals seeking to fill a vacancy on Council who meet the eligibility requirements and who have completed the requisite documentation as outlined in this policy.

Regular Election Year means the year established for a regular municipal election in accordance with the *Municipal Elections Act, 1996*, as amended.

Term of Office means the period of time a Member is elected to hold office for which he/she is elected in accordance with the *Municipal Elections Act, 1996*, as amended.

Town means The Corporation of the Town of [Name].

Vacancy means when a seat on Council has become vacant in a manner described in section 259 of the Act.

GENERAL

1. Council is required to declare a seat vacant in accordance with the Act.
2. In accordance with the Act, if a vacancy occurs within 90 days before voting day of a regular election, the municipality is not required to fill a vacancy on Council.
1. Within 60 days after the day a declaration of vacancy is made by Council according to Section 262 of the Act, Council shall determine whether to fill the vacancy by by-election or by appointment in accordance with the Act, subject to:
 - a) the limitation on filling a vacancy only by appointment if the vacancy occurs after March 31 in the year of a regular election set out in Section 65(2) of the *Municipal Elections Act*; and
 - b) the restriction on filling a vacancy that occurs within 90 days of voting day of a regular election in Section 263(5)(b) of the Act.
4. In making its determination, Council will consider the costs and timelines associated with filling a vacancy by appointment or by by-election.

Eligibility Requirements

1. Any individual filling a vacancy must meet the eligibility requirements of office as outlined in the Act and the *Municipal Elections Act* as an eligible elector.
2. If an employee of the Town of [Name] seeks appointment to Council, the employee shall give Council written notice, in advance, of his or her intention to take unpaid leave. If the employee is appointed to office, they will be deemed to have resigned from their position with the Town immediately before making the declaration of office.

POLICY

A. Filling a Vacancy by Appointment of Previous Election Candidate

1. Within 60 days of declaring a seat vacant, Council shall appoint a new member by By-law.
2. Council may fill the vacancy by appointing the Candidate who ran for the position that is vacant from the last regular election who received the most votes but was not elected.
3. The Candidate shall reaffirm they meet the eligibility requirements of office as outlined in the Act and the *Municipal Elections Act*.
4. If he or she is no longer qualified to hold office, the appointment shall be to the next Candidate who ran for the position that is vacant from the last regular election who received the second most votes but was not elected, and so on.
5. A vote to fill a vacancy on Council by appointment shall occur at an open Special Council Meeting.
6. The successful Candidate shall formally be appointed by by-law and complete the Oath of Office at the next Council meeting.

B. Filling a Vacancy by Call for Nominees

1. Within 60 days of declaring a seat vacant, Council shall appoint a new member by By-law.

2. The Clerk shall post a Council Vacancy notice (**Appendix A**) on the Town's website and in the local newspaper for a minimum of three (3) consecutive weeks following Council's decision to fill a vacancy by appointment. The notice shall indicate Council's intention to appoint an individual to fill a vacancy and shall outline the nomination process.
3. Any individual wishing to be considered for appointment to fill the Council vacancy will complete and sign the Council Vacancy Appointment Application Form (**Appendix B**) and a Declaration of Qualification Form (**Appendix C**) approved by the Clerk, and will submit the forms to the Clerk in-person by the date and time established by the Clerk.
4. Candidate(s) may submit, to the Clerk, a personal statement of qualification for consideration of Council. Personal statements will be typewritten in a 12 point font on letter size (8 ½" x 11") paper, shall not exceed two (2) pages in length, and will include the Candidate(s) name and address. Statements that do not meet these requirements shall not be included in any Council meeting agenda, or provided to Council by the Clerk. The Clerk will advise Candidate(s) of the deadline for submission of a personal statement.
5. Any individual wishing to be considered for appointment to fill the Council vacancy will be required to provide identification to prove his or her identity and qualifying address to the satisfaction of the Clerk.
6. No sooner than 14 days after a notice of vacancy has been given, an information session shall be conducted by the Clerk for all interested Candidates.
7. It is the Candidate(s) sole responsibility to meet any deadline or otherwise comply with any requirement of this policy, the Act or the *Municipal Elections Act*.
8. The Clerk will create a list of all Candidates and publicly post the Candidate Listing on the Town's website. The Listing will be updated as eligible Applications are received.
9. Notwithstanding the requirement of the Procedural By-law, the agenda for the meeting shall be set by the Clerk to allow for the orderly proceeding of selecting a Candidate. The agenda shall include the following:
 - a) A certified list of all Candidates listed in alphabetical order by last name.
 - b) Any personal statement of qualification for consideration of Council.
10. At the meeting, the following shall take place:
 - a) The Chair will make a short statement of the purpose of the meeting and the general order of proceedings to be followed.
 - b) The Clerk will provide to the Chair a list of the names of those individuals who have indicated, in writing, their interest in being appointed to the vacancy and the Chair will call for a motion from Council in the following form: *"THAT the following individuals, who have signified in writing that they are legally qualified to hold office and consented to accept the office if they are appointed to fill the vacancy, be considered for appointment to fill such vacancy."*
 - c) Candidates will be sequestered in an adjacent room until it is their time to answer the questions posed by Council. Once a candidate has answered the questions, they may remain in the Council Chambers.
 - d) Each of the nominees shall be afforded the opportunity to address Council for a period of not more than ten (10) minutes. The order of speaking will be determined by alphabetical order by last name.
 - e) Each member of Council will be permitted two (2) questions to each Candidate. Responses from the Candidates shall be limited to a maximum of two (2) minutes per question.

11. Upon hearing all the submissions of the Candidates, Council will proceed to vote as follows:
 - a) Candidate names will be displayed on the monitor in alphabetical order, in the Council Chambers by the Clerk.
 - b) Each Member of Council will be provided with a ballot by the Clerk with their name on it listing all Candidates in alphabetical order.
 - c) Each Member of Council will cast their vote on the ballot and sign their name
 - d) Members of Council will cast their vote for one (1) Candidate only.
 - e) The Clerk will collect the ballots, place the ballots of all Members of Council in a container and randomly draw the completed ballots.
 - f) When a ballot is drawn, the Clerk will publicly announce the name of the Member of Council whose vote it is and announce the Candidate in which they voted for.
 - g) The Clerk will tabulate and announce the results.
 - h) If the Candidate receiving the greatest number of votes cast does not receive more than one-half the votes of all voting members of Council, the Candidate or Candidates who received the fewest number of votes will be excluded from further consideration. The vote will be taken again by the Clerk and, if necessary, more than once, excluding in each successive vote the Candidate or Candidates who receive the fewest number of votes. This process will be repeated until the Candidate receiving the greatest number of votes has also received more than one-half of the votes of the voting Members of Council.
 - i) Where the votes cast are equal for all remaining Candidates and if:
 - i. There are three or more Candidates remaining, the Clerk will by Lot select one such Candidate to be excluded from the subsequent voting.
 - ii. If only two (2) Candidates remain, the tie will be broken by selecting a Candidate by Lot, as conducted by the Clerk.
12. Upon conclusion of the voting, the Clerk will note the Candidate receiving the votes of more than one-half of the number of the voting Members of Council or the Candidate selected through Section 11 i) ii.
13. The appointment of the Candidate will be made by By-law. A By-law confirming the appointment will be enacted by Council at the next Council meeting.
14. The Clerk will administer the Declaration of Office required by subsection 232(1) of the Act, at the meeting where the By-law referred to in section 13 of this policy is enacted by Council, or as directed by Council.

Filling a Vacancy by Appointment for the Position of Mayor or Deputy Mayor

1. Within 60 days of declaring a seat vacant, Council shall appoint a new member by By-law.
2. Council may fill the vacancy by appointing any Member of Council wishing to be considered for appointment.
3. Any Member of Council wishing to be considered for appointment to the vacancy shall advise the Clerk in writing and by complete and sign the Council Vacancy Appointment Application Form **(Appendix B)** by 12:00 Noon on the Wednesday prior to the meeting.
4. Individuals seeking appointment to the position of Mayor or Deputy Mayor who are current members of Council (nominees) shall declare a pecuniary interest.
5. A vote to fill a vacancy of Mayor or Deputy Mayor by appointment shall occur at an open Council Meeting in accordance with sections 10 and 11 of this policy under "Filling a Vacancy by Call for Nominees".
6. The vacant seat of Councillor shall be filled in accordance with the provisions of this Policy.

Filling a Vacancy by By-election

1. Within 60 days of declaring a seat vacant, Council shall pass a By-law to fill the vacancy by By-election.
2. A By-election shall be held in accordance with the *Municipal Elections Act*.
3. The Clerk or designate shall be responsible for conducting any By-election in accordance with the *Municipal Elections Act* and all applicable policies and procedures.

RESPONSIBILITIES

The Clerk or designate shall be responsible for interpreting and where appropriate administering the Council Vacancy Policy and applicable procedures.

POLICY ADMINISTRATION AND REVIEW

This policy shall be administered by the Clerk.

This policy will be reviewed every three (3) years or as required based on revisions to corporate practises or Provincial legislation.

RELATED DOCUMENTS:

Appendix A Council Vacancy Public Notice Template
Appendix B Council Vacancy Appointment Application Form
Appendix C Council Declaration of Qualification

Sandy Kitchen

From: Sandy Kitchen
Sent: Thursday, August 24, 2017 8:39 AM
To: Sandy Kitchen
Subject: FW: Prostate Cancer Awareness Month

Sent: Wednesday, August 16, 2017 9:11 AM
To: KingsvilleWorks <Kingsvilleworks@kingsville.ca>
Subject: Prostate Cancer Awareness Month

Dear Mayor Nelson Santos,

In 2016, over 150 municipalities across Canada formally recognized September as Prostate Cancer Awareness Month. This year we hope to double this number in order to spread double the awareness about prostate cancer, the most common cancer among Canadian men. Please help us achieve this noble goal by joining other communities across Canada in a show of solidarity against this terrible disease by officially recognizing September 2017 as Prostate Cancer Awareness Month in the municipality of Kingsville.

I have included below a backgrounder on Prostate Cancer Canada and some facts about prostate cancer for your reference. For further information please go to our website at www.prostatecancer.ca.

Of course, please let me know if you have any questions.

Yours truly,

Stephanie Cole

Prostate Cancer Canada Background

Prostate Cancer Canada is the leading national foundation dedicated to the elimination of the most common cancer in men through research, advocacy, education, support and awareness. For 22 years, we have invested the generous donations of Canadians towards funding research that will uncover better diagnostic and treatment options, and towards providing comprehensive education and support services for those living with and affected by prostate cancer.

Prostate Cancer facts

- 1 in 7 Canadian men will be diagnosed with prostate cancer in their lifetime.
- An estimated 21,300 Canadian men will be diagnosed with prostate cancer in 2017
- An estimated 4,100 Canadian men will die of prostate cancer in 2017.
- Early detection saves lives. When detected early, the survival rate for prostate cancer is over 90%. This is why awareness is so important.

- Prostate Cancer Canada (PCC) encourages men to initiate a shared decision-making process with their doctors around age 40 to discuss their personal risk as well as the harms and benefits of the prostate-specific antigen (PSA) test. That way, men will be better equipped to decide upon an early detection strategy that is right for them.
- Over the last 20 years, the mortality rate from prostate cancer has been reduced by approximately 40% due to advancements in early diagnosis and treatment.

PROSTATE CANCER AWARENESS MONTH

September 2017

WHEREAS, prostate cancer is the most common cancer to affect Canadian men; and

WHEREAS, 1 in 7 Canadian men will be diagnosed with the disease in his lifetime; and

WHEREAS, an estimated 21,300 Canadian men will be diagnosed with prostate cancer this year; and

WHEREAS, the survival rate for prostate cancer can be over 90% when detected early; and

WHEREAS, those with a family history of the disease, or those of African or Caribbean descent, are at a greater risk of developing prostate cancer; and

WHEREAS, Prostate Cancer Canada recommends that men get a PSA test in their 40s to establish their baseline;

THEREFORE, I, Mayor Nelson Santos, do hereby proclaim **September 2017 as Prostate Cancer Awareness Month** in Kingsville.



ERIE SHORES QUILTING GUILD

August 18, 2017

105-124 Division Road North

Kingsville, ON N9Y 1E4

Phone: 226-345-1512

E-mail: chartmap.chartrand@gmail.com

Town of Kingsville

2021 Division Road North

Kingsville, ON N9Y 2Y9

Attention: Sandy Kitchen, Deputy Clerk

Maggie DeRocher, Manager of Kingsville Arena

Re: Waiver of Fee for the Unico Building

I am the chairperson for the Charity Program at the Erie Shores Quilting Guild. We meet on a monthly basis to sew charity quilts for nursing homes and shelters in our area.

We are presently meeting at a church where we are at full capacity. More space is required for sewing machines, table set-ups, iron and iron boards. We have been so productive in these last few months, that we will be making a public presentation to Royal Oak Retirement Home in Kingsville and Hiatus House in Windsor. Local newspapers will be invited so everyone can see the benefits that our community is receiving from our efforts.

Therefore, I kindly request that the Council of Kingsville waive the fees for our Charity Program so that we can continue meeting once a month for our sewing day.

Sincerely,

Fran Chartrand, Chairperson of the Charity Program

RECEIVED AUG 21 2017



**REGULAR MEETING OF COUNCIL
MINUTES**

Monday, August 14, 2017

7:00 PM

Council Chambers

2021 Division Road N

Kingsville, Ontario N9Y 2Y9

Members of Council	Mayor Nelson Santos Councillor Tony Gaffan Councillor Susanne Coghill Councillor Larry Patterson Deputy Mayor Gord Queen
Absent	Councillor Thomas Neufeld Councillor Sandy McIntyre
Members of Administration	P. Van Mierlo-West, CAO A. Plancke, Director of Municipal Services R. Brown, Manager of Planning & Development Services J. Astrologo, Director of Corporate Services S. Kitchen, Deputy Clerk-Council Services 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 reflection to be followed by the playing of O'Canada.

C. PLAYING OF NATIONAL ANTHEM

Following the playing of the National Anthem, Mayor Santos read aloud correspondence from Councillor Sandy McIntyre stating that she is resigning from Council.

524-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Larry Patterson

Council receive the Resignation of Councillor Sandy McIntyre.

CARRIED

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. MATTERS SUBJECT TO NOTICE

1. PUBLIC MEETING-Zoning By-law Amendment (ZBA/16/17) Estate of Elwyn G. Robinson (Betty Lou Newman – Estate Trustee) / Jacob Wiebe (Authorized Applicant) 52 County Road 29, Part of Lot 266, Con

R. Brown, Manager of Planning and Development Services presented the Report of D. French, Interim Town Planner, dated August 3, 2017.

There were no questions or comments from any member of Council.

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

525-2017

Moved by Councillor Larry Patterson

Seconded by Councillor Susanne Coghil

That Council approve zoning amendment application ZBA/16/17 to amend the zoning of the subject property from the site-specific 'Rural Residential Exception 6, (RR-6)' to the standard 'Rural Residential, (RR)' removing an automobile repair shop as a permitted use, and adopt the implementing by-law.

CARRIED

2. PUBLIC MEETING-Zoning By-law Amendment (ZBA/14/16) & Site Plan Approval (SPA/14/16) 1298466 Ontario Ltd. 364 County Road 34 West, Part of Lot 275, Concession NTR

R. Brown, Manager of Planning and Development Services presented the report of D. French, Interim Town Planner, dated August 3, 2017.

Councillor Gaffan commented that this zoning application is 'a need, not a want'.

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

526-2017

Moved by Councillor Tony Gaffan

Seconded by Deputy Mayor Gord Queen

That Council approve zoning amendment application ZBA/14/16 to amend the zoning of the subject property to a site-specific 'Transitional Commercial Exception 1 (C3-1)' to permit a stand-alone parking lot accessory to an existing restaurant use on abutting lands zoned 'Transitional Commercial, (C3)', and adopt the implementing by-law; and further,

That Council approve the proposed site plan, subject to the conditions outlined in the site plan agreement, for the construction of a gravel parking area and authorize the Mayor and Clerk to sign the site plan agreement and register said agreement on title.

CARRIED

**3. PUBLIC MEETING-Application for Zoning By-law Amendment (ZBA/13/17)
Benjamin Friesen 567 Road 11, Part of Lot 21, Concession 11**

R. Brown, Manager of Planning and Development Services presented the Planning Report, dated June 19, 2017.

There were no questions from Council.

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

527-2017

Moved by Councillor Larry Patterson

Seconded by Councillor Susanne Coghil

That Council approve zoning amendment application ZBA/13/17 to rezone the subject property from 'Education Zone (EG)' to 'Agriculture Zone 1 (A1)' and adopt the implementing by-law.

4. PUBLIC MEETING-Zoning By-law Amendment ZBA/14/17 1552843 Ontario Ltd. – Applicant 2085621 Ontario Inc. - Owners 169 Prince Albert St. N. Part of Lots 1 & 2, Concession 1 WD

R. Brown, Manager of Planning and Development Services presented the Planning Report regarding a proposed Zoning By-law Amendment for lands located at 169 Prince Albert St. North through a powerpoint presentation containing a summary of residents' concerns and objections to the proposal, photographs of the site and wooded area, and the Planning rationale. Mr. Brown indicated that recent correspondences containing comments of residents were received and provided to Council. Mayor Santos indicated those correspondences would be formally received by Council Motion this evening.

Comments from the audience:

Neil and Bonnie Baldwin, 151 Prince Albert St. North, presented 207 Letters of Objection to the ZBA Application signed by residents of Prince Albert St. North, Prince Albert St. South, Fern Avenue, Ivy Lane, Cameron Drive, O'Halloran St., Palmer Dr., Westlawn Avenue, Division Road North, Main St. West, Pecanwood Dr. and Water St. Mr. Baldwin distributed the presentation notes (6 pages in total including photographs) and the aforementioned 207 signed letters of objection. Mrs. Baldwin read the presentation notes aloud and asked Council to reject the Application.

Ed Cornies, 110 Prince Albert St. North, distributed copies of his correspondence dated August 12, 2017 and read the correspondence aloud, with his recommendation that Council turn down the proposed zoning by-law amendment, to approve the original application for the subject property that proposed the creation of three large lots for single homes, and to formulate a new planning policy as part of the upcoming Official Plan review that recognizes the unique character of Prince Albert St. North.

Terry Abbott, 214 Prince Albert St. N., stated that he moved to his home on Prince Albert St. 23 years ago and that the Street was a dead end street at the time. He stated the residents have been more than accommodating to go along with changes but asked, "when is enough, enough?" He stated he has concerns regarding traffic because Prince Albert St. North is used as an alternate route for residents to go downtown to Division Road and vice versa.

Comments from the Applicant/Owner:

Tony Burrell, representing 2085621 Ontario Inc. (owner of the subject property) stated that the proposed development is intended to provide rental opportunities for seniors. He presently owns 8 rental properties in the Town of Kingsville and the seniors who rent the units are very quiet and he has no concerns or issues with their tenancies. He indicated that property values will not go down as a result of this development.

Further comments from Residents:

Rod Zwiers, 226 Prince Albert St N., indicated that Mr. Burrell should come to the area to see that the residents at the rental units across from his home leave their homes ten to fifteen times per day and that the traffic is awful. He indicated that the tenants themselves are frustrated with weed growth and general lack of property maintenance. He stated that Mr. Branco should complete this project prior to starting any other.

Jean Bailey, 189 Prince Albert St. North, indicated she is opposed to this proposal due to increased traffic flow; drivers use the street to by-pass Division St. She indicated the neighbourhood already has 2 existing apartment buildings and there is an advertisement for executive townhomes, which she has found is not approved yet because sewage system is not sufficient to handle the development. She has lived there for 32 years and the deer, fox and other wildlife that were common are no longer seen. She said the proposed units will look crowded and inappropriately placed and stated adamantly that single family homes are best in keeping with the character of the neighbourhood. She asked Council to consider more suitable areas and pinpoint a future plan where these townhouses can be placed. She stated that 3 local schools will be closing in the future. She thanked Council, the Planning Advisory Committee and her neighbouring homeowners for their support in this matter.

Michael Dick, 125 Prince Albert St. North, indicated opposition to this proposal. He and his wife built their home 8 years ago on the Janzen property on one of the deep lots. He was drawn to the character of the street. He notes there is increased traffic, but it is the character of the street that will suffer. He hopes that Council can appreciate the betrayal he feels for the Town "changing the rules 1/2 way through the game" and wondered how the area will look 15 to 25 years from now.

George Schieven, 12 O'Halloran, indicated he objects to the proposal because it is not appropriate for the area and added that when it is windy garbage placed in recycle boxes blows all over the street.

Terry Wilkens, 170 Prince Albert St. North, indicated he has grave concerns, stated that the Planning Advisory Committee voted unanimously to not recommend the proposal, and asked for clarification on the planning process generally. He stated there is a lot of garbage that flows down the street and he cleans it up.

Mr. Brown explained the *Planning Act* process in general terms, the advisory role of the Planning Advisory Committee, and the requirement to adhere to legislated timelines.

Joel Bradt, 74 Prince Albert St. N. commented that the residents have made great points this evening and added that with this development 50% of the neighbourhood would be made up of multi-family units. He repeated that there is already a traffic problem on the street. Having lived on Prince Albert St. North for 12 years he has seen the change. He asked Council to very carefully consider what's being proposed; that the lives of the residents are in Council's hands.

Michelle Bosse, resident of Kingsville for 49 years, indicated that she and others are the faces of affordable housing; that life circumstances happen (retirement, illness, single mothers, single fathers). She has always been proud of Kingsville residents as being charitable and empathetic. She has lived in affordable housing for 5 years and she stated there is a huge need for affordable housing in this community.

An identified resident indicated she agrees completely with Ms. Bosse's comments; that people have no idea what the future holds for anyone; that the tenants are just people who are trying to go on with life.

Joel Bradt stated that residents are not speaking against affordable housing.

Nick Kuipers, 35 Palmer Dr., stated he and his wife are opposed to the application indicating there are 51 units at the end of Palmer right now and it is causing a real traffic problem (up to 100 vehicles) and with this proposal of 16 units there is a potential for 32 additional vehicles.

An identified individual, of 182 Prince Albert St. North asked if there is a master plan that organizes what can be done and what cannot be done.

Mayor Santos explained that the Application is being made through the legislated public planning process.

There were no other questions or comments from the audience.

Comments from the Applicant:

Tracey Pillon-Abbs, Planning Consultant representing Applicant (1552843 Ontario Ltd.) stated that there have been significant changes to the concept plan since the date of the Planning Advisory Committee meeting, including an internal parking area, reduction for the proposed single detached dwellings from 3 to 2 residential lots, and reduction in the multiple unit dwellings from 27 residential units to 16. She presented photographs to show what the development would look like. She indicated it was the decision of the Applicant not to go back to the Planning Advisory Committee. She indicated that the density is considered 'low density' by calculation of the number of units per gross hectare and provides a mix of housing both in terms of type and affordability which is demanded by the County of Essex, that the development will blend with the existing neighbourhood, and that the multiple dwellings will be at the rear of the property. She stated that zoning cannot control ownership, that the proposal falls under good planning practices, and that it is suitable for the location. She indicated mitigation measures can help protect the woodlot. In summary, she stated that the proposal is a good use of land, will allow for a mix of residential uses, and will improve the Town's assessment.

Comments from Council:

Councillor Gaffan stated that the proponents have done a great job in some ways, however, his position remains that affordable dwelling units should be blended throughout the Town.

Deputy Mayor Queen stated the Planning Advisory Committee articulated that there are many ways to provide affordable housing and that his views have not changed, and reminded that all correspondence concerns and objections are to be formally received this evening for the record.

528-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Susanne Coghill

That Council deny Zoning By-law Amendment Application ZBA/14/17 (169 Prince Albert St. North, Part of Lots 1 and 2, Concession 1 WD) as presented.

CARRIED

529-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Susanne Coghill

Council receive all additional items of correspondence provided by residents in connection with Zoning By-law Amendment Application ZBA/14/17 (169 Prince Albert St. North), including 207 letters of objection, Presentation by Neil Baldwin and Bonnie Baldwin including photographs, the correspondence of Ed Cornies dated August 12, 2017, and correspondences provided to Council by Manager of Planning and Development Services R. Brown.

CARRIED

Mayor Santos called for a ten minute recess at 8:53 p.m. and the meeting reconvened at 9:03 p.m.

5. PUBLIC MEETING-Official Plan Amendment OPA/02/16 & Zoning By-law Amendment ZBA/07/16 Guillermo & Rossana Moavro (King's Villa Condo) 342 Main St. E, 20, 24 & 28 Jasperson Dr.

R. Brown, Manager of Planning and Development Services

Mr. Brown presented his report regarding the proposed Zoning By-Law amendment for lands located at 342 Main St. E. He indicated that the plan has changed and the Applicant is now proposing a 6 storey building, with the same number of units.

Mr. Brown presented a powerpoint presentation which included details as to feedback of residents and concerns to date including increased traffic and impact on existing issues; height of building not in character with Kingsville, pressure on existing infrastructure, concern regarding the addition of more development with a variety of pending and in-progress development already; need for such a development, condo vs rental. He presented the Planning rationale as well as contained within his report.

Comments from Council:

Deputy Mayor Queen asked if the building is now proposed to be 5 storeys plus 1 commercial storey. Mr. Brown confirmed that to be the case.

Deputy Mayor Queen asked if the Town has a drawing with a potentially larger footprint and Mr. Brown indicated there was no revised drawing available at this time.

Councillor Gaffan asked whether there are other options for builders at this location if this proposal is not approved.

Councillor Patterson requested further details pertaining to the onsite sewage retention system. Mr. Brown explained the general principles of operation of that type of system and its built-in safety features.

Comments from the Applicant's agent:

Jackie Lassaline, Lassaline Planning Consultants, presented her report, stating that the intent right now is commercial and as things progress, to add the residential units above. The zoning by-law is an authorization of that amendment to establish the regulatory framework. She stated that the Applicant heard from the Planning Advisory Committee and the public, read the comments in the Council agenda, and indicated that 6 storeys was much more suited to the location, and more consistent with the Division St. S. at Park development. She stated that what is being proposed as a mixed use is consistent with the Provincial Policy Statement, and represents a wise use and management of lands. The properties are intended to be condominium properties, and the lands surrounding the building will be buffered. Parking will be available both above and below ground. Bike racks and bike spaces will be provided to support the healthy living community initiative. The commercial main floor is designed to fit in with the neighbourhood and the proposed building design has a heritage sensitivity. The building is an alternative housing style and will provide residence opportunities for empty nesters and older adults.

Councillor Gaffan questioned the existing infrastructure capacity (water) and Director Plancke indicated that there is sufficient flow to service this facility.

Mayor Santos asked how many units could be handled at the present time with the current capacity? Mr. Brown explained that development that has been proposed in the last year or so is 'at capacity' from a pipe standpoint and the Town knows what additional infrastructure is required and have estimates.

Ms. Lassaline explained sewage is held and pumped out at a specific time.

Comments from residents:

Tim Sala, 84 Golfview., indicated that the building will 'look like a wall' as you enter Town, like Toronto. Mr. Sala also commented that residents will not walk, they will drive. He suggested that could create a potential for 95 additional vehicles.

Councillor Gaffan inquired about a retention pond and the status of the plans for the straightening of Jasperson Lane. Mr. Brown indicated those plans are in progress.

Ms. Lassaline stated that the parking lot has catch basins and calculations will be made through an engineered, certified storm water management plan.

Lorraine Goddard, 1588 Jasperson Drive, stated that she disagrees that this is an appropriate spot for the development. She indicated that anyone who tries to

exit Tim Horton's or the Esso Station has difficulty, and many drivers turn right toward FreshCo, then turn left at that entrance, and then turn around in the parking lot to go back onto Main St. She stated that travelling by the arena is unsafe for children and families and asked that no traffic be added to the area planned for family pleasure. She stated that as the design has changed, the actual footprint is unknown. She indicated she does not know how Council can approve the application this evening without knowing the actual footprint. Ms. Goddard asked that wise planning decisions be made so that the rest of the world wants to live here.

Ms. Lassaline stated that the plan is at the inception stage and will be changing and evolving.

Tracey, 570 3rd Blvd. said she does not want Kingsville to be like Toronto.

Joseph Moavra, 12 Sherway Court, Leamington spoke in favour of the application. He suggested that the location is an ideal location for a development such as this. He stated he used to reside at this location at 342 Main St. East and the location is conveniently close to stores and other amenities and is walkable.

Jeff Robinson 298 Cherrywood, indicated that the Libro location had the right turn in and out and that failed at that location. He feels the residents will still drive and asked why the proposal is being reviewed this evening when the design was changed mid-way.

Ms. Lassaline explained that the picture shown onscreen is a concept plan. Details are discussed later (height: 1 storey commercial, 5 storeys residential, top utility floor to contain air conditioning, pool and elevator shaft).

Alyssa Ambrose, 90 Jasperson, stated traffic concern and safety concerns for seniors walking across the street.

Sandy Smith, 319 Heritage Road stated that the residents do not want six to nine storey apartment buildings in Kingsville.

An unidentified individual stated that the other apartment building is only one building, with no intention of developing outside of the area.

Joe Wilds, 56 Jasperson was concerned about the height of the building and the number of units, suggesting that the shadow plan might change with the new design and suggested height be discussed by measurement number rather than storey number.

Ms. Lassaline stated that the site plan would be specific with height numbers and that if there were substantial changes to the footprint, another shadow plan would be undertaken.

Kim Quadrini, 1327 Graham Sideroad, commented that there are already vacant commercial buildings in the Town and suggested that the Town focus on the downtown core. She also cited traffic concerns.

Ann Marie Nantais, 185 Woodycrest stated that she has lived in Kingsville her entire life and she is not against progress but this proposal crosses the line. She supports the residents' comments made this evening.

Kevin Black, 317 Applewood Road, stated that if the Town starts playing the game now, it's in and it will not matter later. He referenced the Traffic Master Plan and stated that it is not good planning to look at specific projects without considering the entire community plan (i.e. to include plans for future planned infrastructure that has not yet been constructed). Finally, he inquired how the footprint is going to be expanded since it is only 6 storeys, but remains at 95 units?

Dennis Laporte, 261 Lakeview Ave., expressed concerns for children's safety, school bus safety, number of school buses and whether the adjacent undeveloped property could also build a similar apartment building complex.

Tim Sala expressed that he was attracted to this community's small town atmosphere.

Janice Kubiak, 214 Applewood stated that the decision of Council will affect the whole community and that she does not support the proposal. When she moved to Kingsville she knew it was where she wanted to be.

Presentation of Traffic Impact Assessment by F. R. Berry & Associates:

Mr. Frank Berry presented his Traffic Impact Assessment report as contained within the Planning Report. Mr. Berry indicated he conducted one count at the shared access between the Tim Horton's location and the Esso Station and on the basis of that count indicated that the complex has been designed to be a "right turn only" complex. The audience viewed an onscreen video comparison of traffic patterns with and without the development. He indicated his Report was peer reviewed and everyone came to the conclusion that there is a traffic impact that is manageable. The traffic will get worse and mitigation measures are being taken. He concluded that there is traffic impact, it is manageable, and will not be a major problem. He indicated the traffic study was completed in early June of

2016. He chose the heaviest travelled hour based on 8 hours of counting at 3 different locations.

A recorded vote was requested.

530-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Tony Gaffan

That Council deny OPA/02/16 and Zoning By-law Amendment Application ZBA/07/16.

Recorded	YEA	NAY
Mayor Nelson Santos		X
Councillor Tony Gaffan	X	
Councillor Thomas Neufeld		
Councillor Susanne Coghill		X
Councillor Larry Patterson	X	
Deputy Mayor Gord Queen	X	
Councillor Sandy McIntyre		
Results	3	2

CARRIED

F. AMENDMENTS TO THE AGENDA

G. ADOPTION OF ACCOUNTS

- 1. Town of Kingsville Accounts for the monthly period ended July 31, 2017 being TD cheque numbers 0062582 to 0062818 for a grand total of \$1,451,830.09**

531-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Susanne Coghill

That Council approve Town of Kingsville Accounts for the monthly period ended July 31, 2017 being TD cheque numbers 0062582 to 0062818 for a grand total of \$1,451,830.09.

CARRIED

H. STAFF REPORTS

1. Q2 Financial Status Update to June 30, 2017

S. Zwiers, Director of Financial Services

532-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Susanne Coghill

That Council receives the financial status update report FS-2017-010 for the period ending June 30, 2017.

CARRIED

2. Overage on CWATS – Kings 13B

Director of Municipal Services A. Plancke presented the Report of K. Girard, Manager of Municipal Services

533-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Larry Patterson

That Council authorize the County of Essex to award the CWATS Kings 13B project to Pierascenzi Construction Ltd and that the funding for the overages of this project be taken from the surplus for Bridge #28 and CWATS Kings 9 projects.

CARRIED

3. Kingsville 5 year Official Plan Review RFP Response

R. Brown, Manager of Planning and Development Services

534-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Larry Patterson

Council approve Administration to award the completion of the Town of Kingsville 5 year Official Plan review to WSP Canada Group Limited, Thornhill Ontario at a cost of \$57,430 plus applicable taxes

CARRIED

4. Cedar Beach and Marina Action Plan

P. Van Mierlo-West, CAO

535-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Tony Gaffan

That Council approve the attached Cedar Beach and Marina Action Plan and that the plan be incorporated within the upcoming budget discussions.

CARRIED

5. Cover Report - Supervisor of Facilities

P. Van Mierlo-West, CAO

536-2017

Moved by Councillor Larry Patterson

Seconded by Deputy Mayor Gord Queen

That Council approves the proposed job description for the Supervisor of Municipal Facilities and Property and authorize Administration to proceed in recruiting this position.

CARRIED

6. Grovedale Arts and Cultural Centre – Canada 150 Agreement

P. Van Mierlo-West, CAO

537-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Susanne Coghill

That Council direct the Mayor and Clerk to sign the attached agreement between the Federal Economic Development Agency of Southern Ontario and the Town of Kingsville regarding the Renovation of the Grovedale Arts and Culture Centre.

CARRIED

I. BUSINESS/CORRESPONDENCE-ACTION REQUIRED

- 1. C. Labutte, Parish Picnic Committee-Request for consideration that rental fees be waived for the rental of the Lakeside Pavilion for Parish Picnic (cluster Parishes of St. John de Brebeuf, St. Anthony of Padua and Star of the Sea)**

538-2017

Moved by Councillor Tony Gaffan

Seconded by Councillor Susanne Coghill

That Council waive Lakeside Pavilion rental fee for a Parish Picnic to be held on September 10, 2017 made on behalf of the Cluster Parishes of St. John de Brebeuf, Kingsville, St. Anthony of Padua, Harrow and Star of the Sea, Pelee Island

CARRIED

J. MINUTES OF THE PREVIOUS MEETINGS

- 1. Regular Meeting of Council-July 24, 2017**
- 2. Regular 'Closed Session' Meeting of Council--July 24, 2017**

539-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Tony Gaffan

That Council adopt Regular Meeting of Council Minutes, dated July 24, 2017 and Regular Closed Session Meeting of Council Minutes, dated July 24, 2017.

CARRIED

K. MINUTES OF COMMITTEES AND RECOMMENDATIONS

- 1. Union Water Supply System Joint Board of Management Minutes-June 21, 2017**

540-2017

Moved by Councillor Tony Gaffan

Seconded by Councillor Larry Patterson

That Council receive The Union Water Supply System Joint Board of Management Meeting Minutes dated, June 21, 2017.

CARRIED

2. Kingsville Municipal Heritage Advisory Committee--June 14, 2017

541-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Susanne Coghill

That Council receive Kingsville Municipal Heritage Advisory Committee Meeting Minutes dated, June 14, 2017.

CARRIED

L. BUSINESS CORRESPONDENCE - INFORMATIONAL

- 1. Ministry of Agriculture, Food and Rural Affairs--Correspondence RE: Notification of NASM Plan Approval to Denotter Farms Inc., dated July 25, 2017**
- 2. Ministry of Agriculture, Food and Rural Affairs-Correspondence RE: Notification of NASM Plan Approval to Brad Anger, dated August 4, 2017**
- 3. C. A. Boon and H. M. Noestheden, Partners, Old Dutch Guys Chocolate--Correspondence received August 3, 2017**
- 4. County of Essex-Copy of correspondence to Windsor Essex County Environment Committee RE: Support for WECEC resolution pertaining to the Ontario Nuclear Emergency Response Plan, dated July 27, 2017**
- 5. City of Windsor--Copy of correspondence to Premier of Ontario RE: City of Windsor support of WECEC resolution pertaining to the Provincial Nuclear Emergency Response Plan (PNERP), dated July 28, 2017**
- 6. City of Owen Sound-Copy of correspondence to Premier of Ontario RE: Support Resolution - Request for Economic Impact Analysis**
- 7. City of Owen Sound--Copy of correspondence to Minister of Municipal Affairs RE: Proposed Changes Under Bill 68 - Out of Court Payments, dated August 2, 2017 (Support of Municipality of West Nipissing and Municipality of Killarney)**

8. **Dillon Consulting - Notice of Public Information Centre #2 RE: County Road 20 Environmental Assessment and Preliminary Design**
9. **County of Essex--Copy of correspondence to R. Nicholls, MPP, Chatham-Kent-Essex RE: Support for Bill 94-Amendments to the Highway Traffic Act and Pilot Project, dated July 27, 2017**

542-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Larry Patterson

That Council receive Business Correspondence - Information items 1 through 9 as presented.

CARRIED

M. UNFINISHED BUSINESS, ANNOUNCEMENTS AND UPDATES

N. NOTICES OF MOTION

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

That Council ask or direct the CAO to write to the Windsor-Essex Housing Authority seeking any information regarding Affordable Housing opportunities that currently exist within Kingsville under their care or direction, details as to any known shortfalls within our community, and any known plans for expansion of the site at, or by, 194 Division St. North, Kingsville.

543-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Susanne Coghill

That Council ask or direct the CAO of The Corporation of the Town of Kingsville to write to the Windsor Essex Housing Authority seeking any information regarding Affordable Housing opportunities:

1. That currently exist within Kingsville under their care or direction;
2. Details as to any known shortfalls within our community;
3. Any known plans for expansion of the site at, or by 194 Division Street North, Kingsville.

CARRIED

2. **Councillor Patterson may, at the next Regular Meeting of Council, move or cause to have moved:**

That Senior Management review the matter of animals (including chickens and other livestock) roaming at large.

3. **Councillor Patterson may, at the next Regular Meeting of Council, move or cause to have moved:**

That the Town's Noise By-law (By-law 69-2003 as amended) be reviewed with the possibility of including noise generated by drums, guitars, horns, and other musical instruments generating music at greater than 65 decibels.

O. BYLAWS

1. **By-law 82-2017**

544-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Larry Patterson

Council read By-law 82-2017, being a By-law authorizing the entering into of an Agreement with Sherway Contracting (Windsor) Limited for the construction of Park Street Road Improvements from Division Street South to Dock Street (Stantec Consulting Ltd. Project No. 165620097) a first, second and third and final time.

CARRIED

2. **By-law 86-2017**

545-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Susanne Coghill

Council read By-law 86-2017, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (567 Road 11, ZBA/13/17) a first, second, third and final time.

CARRIED

3. **By-law 87-2017**

546-2017

Moved by Deputy Mayor Gord Queen
Seconded by Councillor Susanne Coghill

Council read By-law 87-2017, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (52 County Road 29, ZBA/16/17) a first, second and third and final time.

CARRIED

4. By-law 88-2017

547-2017

Moved by Deputy Mayor Gord Queen
Seconded by Councillor Tony Gaffan

Council read By-law 88-2017, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (364 County Road 34 West, ZBA/14/16) a first, second and third and final time.

CARRIED

5. By-law 89-2017

548-2017

Moved by Deputy Mayor Gord Queen
Seconded by Councillor Larry Patterson

Council read By-law 89-2017, being a by-law authorizing the entering into of a Canada 150 Community Infrastructure Program Contribution Agreement with Her Majesty the Queen in Right of Canada represented by the Minister responsible for Federal Economic Development Agency for Southern Ontario for the Renovation of Grovedale Arts and Culture Centre, 103 Park St., Kingsville a first, second and third and final time.

CARRIED

P. CLOSED SESSION

Council did not enter into Closed Session at this Regular Meeting of Council. The closed session matters will be discussed at the next Regular Meeting of Council.

1. Section 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board; being verbal report of CAO P. Van

Mierlo-West pertaining to the potential acquisition of land for municipal purposes

2. **Section 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board; being verbal report/update pertaining to 103 Park St.**

Q. REPORT OUT OF CLOSED SESSION

R. CONFIRMATORY BY-LAW

1. **By-law 90-2017**

549-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Tony Gaffan

Council read By-law 90-2017, being a by-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its August 14, 2017 Regular Meeting a first, second and third and final time.

CARRIED

S. ADJOURNMENT

Council adjourn this Regular Meeting at 11:00 p.m.

550-2017

Moved by Councillor Tony Gaffan

Seconded by Councillor Larry Patterson

Council adjourn this Regular Meeting at 11:00 p.m.

CARRIED

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo



**SPECIAL MEETING OF COUNCIL
MINUTES**

**Thursday, August 17, 2017
6:00 PM
Lakeside Pavilion
315 Queen Street
Kingsville, ON N9Y 1Y8**

Members of Council Mayor Nelson Santos
 Deputy Mayor Gord Queen
 Councillor Susanne Coghill
 Councillor Tony Gaffan
 Councillor Thomas Neufeld
 Councillor Larry Patterson

Absent Councillor Sandy McIntyre

Members of J. Astrologo, Director of Corporate Services
Administration M. Durocher, Parks & Recreation Program Manager
 T. Del Greco, Manager of Municipal Facilities and Property
 P. Van Mierlo-West, CAO

A. CALL TO ORDER

Mayor Santos called the Special Meeting to order at 6:00 p.m.

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. PRESENTATIONS/DELEGATIONS

Presentation by Shane Mitchell and Randi Glos of Glos Associates Inc., Architectural and Engineering Consultants, RE: the design of a new arts and culture facility at the former Kings Landing Restaurant site.

Shane Mitchell presented 3 concept designs to Council for information. He indicated that these are the designs that will be provided for public comment at the Public Open House which immediately follows this meeting.

551-2017

Moved by Councillor Thomas Neufeld

Seconded by Councillor Susanne Coghill

Council receive the presentation information from Glos Associates Inc. regarding the design of the new arts and culture facility at the former Kings Landing Restaurant site.

CARRIED

D. CONFIRMATORY BY-LAW

1. By-law 92-2017

552-2017

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Tony Gaffan

Council read By-law 92-2017, being a By-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its August 17, 2017 Special Meeting a first, second and third and final time.

CARRIED

E. ADJOURNMENT

553-2017

Moved by Councillor Tony Gaffan

Seconded by Deputy Mayor Gord Queen

Council adjourn this Special Meeting at 6:30 p.m.

CARRIED

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo



MINUTES

REGULAR MEETING OF KINGSVILLE BIA TUESDAY, JULY 11TH, 2017 AT 6:00 P.M.

Carnegie Arts & Visitor Centre, 28 Division St. S, Kingsville, Ontario

A. CALL TO ORDER

Beth Riddiford called the Meeting to order at 6:02pm with the following persons in attendance:

Members of BIA Board: Tony Gaffan, Beth Riddiford, Tim Sala, Izabela Muzzin, Gord Queen, Mike Lauzon, Heather Brown, Brian Sanford, Roberta Weston

Members of Administration: Karen Wettlaufer

Guests:

Regrets: Trevor Loop

Absent: Jason Martin

B. DISCLOSURE OF PECUNIARY INTEREST

Beth Riddiford reminded members that any declaration and its general nature is to be made prior to each item being discussed.

C. DELEGATIONS

D. AMENDMENTS TO THE AGENDA

1. Facelift Grant Application – Re: New Designs

BIA-059-2017 Moved by T. Sala, seconded by T. Gaffan, to decline the application with reference to the Facelift Grant requirements.

CARRIED

Mike Lauzon requested a review of the eligible and non-eligible improvements for Facelift Grants.

E. ADOPTION OF ACCOUNTS

1. **BIA Coordinator/Karen Wettlaufer** – Re: BIA Accounts for the monthly period ending June 30th, 2017

BIA-060-2017 Moved by T. Gaffan seconded by T. Sala, to approve the accounts.

CARRIED

F. STAFF REPORTS

1. **BIA Coordinator/Karen Wettlaufer** – Re: Monthly Activity

The Coordinator presented her written report. Tim Sala may have a vacuum to donate to the Carnegie Arts & Visitor Centre.

BIA-061-2017 Moved by T. Gaffan, seconded by H. Brown, to purchase a vacuum up to \$200, if one is not donated.

CARRIED

Roberta Weston arrived 6:09pm

Heather Brown explained the Mayor has some interest to partner with the BIA for a 2018 event and a further meeting will be arranged in the near future.

The Coordinator was directed to submit the photos provided as well as a photo of the golf course and street shots at 4 Corners in all directions for the new Town website.

2. Council Representative

T. Gaffan presented his report which included a new brewery zoning approval and work on nuclear power waste regulations to protect Kingsville. Also, Communities in Bloom judges will be in Town July 17th and 18th and they will be staying overnight at The Grove.

3. EDDK Representative

Nothing to report.

G. BUSINESS / CORRESPONDENCE – ACTION REQUIRED

1. **Advanced Business Systems** – Re: John Tessier Proposal for Members

Tim Sala declared a pecuniary interest for this item.

The Coordinator was instructed to advise Advanced Business Systems to contact any of our businesses on their own.

2. Essex Free Press – Re: Greg Belchuk Advertising Request

The Coordinator was directed to decline any print advertising in this publication at this time.

3. Woodbridge Farm Conferences – Re: Support from BIA Members

The Coordinator was directed to provide Kingsville maps and suggest that Woodbridge Farm contacts businesses on their own. Heather Brown will also present this at the next EDDK meeting.

H. MINUTES OF THE PREVIOUS MEETINGS

Regular Meeting – June 13th, 2017

BIA-062-2017 Moved by T. Sala, seconded by R. Weston, to approve the minutes with changes to reflect the corrected numbers for motions and add Brian Sanford to Attendees.

CARRIED

I. BUSINESS/ CORRESPONDENCE - INFORMATIONAL

J. NEW AND UNFINISHED BUSINESS

1. Associate Membership Application – Re: TRU Styling

Beth Riddiford declared a conflict of interest for this item.

A decision on this application was deferred until the Coordinator is provided with the website and more information about this company.

2. Associate Membership Pricing Options

BIA-063-2017 Moved by T. Gaffan, seconded by T. Sala, to create a two tier Associate Membership pricing structure to be presented in our 2018 budget as follows:

1. \$125 per year to receive the monthly newsletter and regular communication, business listing on BIA website and printed directories, promotion of business on social media channels, brochure and business card display at Carnegie, featured business opportunity at Carnegie, opportunity to participate in BIA cooperative marketing and opportunity to attend BIA-arranged business seminars, and
2. \$200 per year for all of the above benefits plus representation at municipal council on issues facing our membership, BIA advocating membership interests with the Town and other levels of government, free meeting space at Carnegie during business hours, Customer Service Hero program, BIA Dollar promotion, Holiday Shopping Spree program, reduced cost rental space at Carnegie after business hours and opportunity for a business commercial on TV at Carnegie.

CARRIED

3. Facelift Grant Program – Re: Flower Fashions on King

BIA-064-2017 Moved by T. Gaffan, seconded by M. Lauzon, to approve the application.

CARRIED

4. Downtown Market Crawl – Re: Passport

Mike Lauzon explained the Market Crawl Passport program. Izabela Muzzin congratulated Mike on his efforts in organizing this event.

If the BIA is going to support this event moving forward, there should be further discussion on boundaries with regards to issues like sidewalk use and outside business participation.

Tony left at 7:03pm.

The Coordinator was instructed to visit our membership door to door to collect business opinions on road closures within the BIA for events and beautification preferences.

Gord Queen reminded the Board that the next SERT meeting is July 25th.

Roberta Weston discussed the smoking bylaw does not appear to be enforced by some businesses, specifically smoking in doorways and littering sidewalks with cigarette butts. The Coordinator was instructed to include the smoking bylaw in the next newsletter.

K. ADJOURNMENT

BIA-065-2017 Moved by T. Sala, seconded by B. Sanford to adjourn this meeting at 7:56 p.m.

CARRIED

A handwritten signature in cursive script, reading "Beth Riddiford", written over a horizontal line.

CHAIR, Beth Riddiford

A handwritten signature in cursive script, reading "Karen Wettlaufer", written over a horizontal line.

RECORDING SECRETARY, Karen Wettlaufer



MINUTES

**TOURISM AND ECONOMIC DEVELOPMENT COMMITTEE
THURSDAY, JUNE 8, 2017 @ 5:30 P.M.
Committee Room 'A', 2021 Division Rd N, Kingsville**

A. CALL TO ORDER

Mayor Santos called the Regular Meeting to order at 5:31 p.m. with the following persons in attendance:

Members:

Mayor N. Santos

J. Gaffan

T. Gaffan

D. Hunt

D. Quick – *arrived at 5:38pm*

M. Stranak

D. Quick

M. Lauzon

Members of Administration:

CAO P. Van Mierlo-West

Executive Assistant to the Mayor and CAO, T. Hewitt

Tourism Coordinator, N. Cobby

BIA Coordinator, K. Wettlaufer

B. DISCLOSURE OF PECUNIARY INTEREST

When a member of the Committee has any pecuniary interest, direct or indirect, in any matter which is the subject of consideration at this Meeting of the Committee (or that was the subject of consideration at the previous Meeting of the Committee 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. None were reported.

C. PRESENTATIONS/DELEGATIONS

1. Delegation from Councillor Thomas Neufeld regarding EcDev Ideas and Initiatives Learned at OSUM Conference

Mayor Santos welcomed Councillor Neufeld and provided some background for his presentation. T. Neufeld discussed key information from the OSUM conference that could benefit EcDev/Tourism initiatives. He explained that seeking opportunities for collaboration with other municipalities will provide Kingsville with a bigger voice and access to more resources. Other suggestions included:

1. Understanding the essential nature of communication and transportation infrastructure.

2. Investigating the possibility of providing electric vehicle plug-ins in parking lots
3. Considering an expansion in our job postings to include any jobs within Kingsville.
4. Pursuing structural grants for deteriorating businesses.

T. Neufeld also discussed an Alumni Attraction campaign that Minto follows that Kingsville could replicate. He explained that the Mayor of Minto sends letters to graduates and follows up with them through their post-secondary education with an enticement package to encourage graduates to return with their newly acquired skillset.

He encouraged the committee to consider initiatives that focus on Adaptable Housing to entice older adults to the area.

The committee discussed the job portal to advertise all jobs for the entire community. Mayor Santos stated that Windsor Essex Work Force has started a regional job portal and suggested the database could be used as a plug-in.

T. Neufeld left at 5:45pm

D. STAFF REPORTS

1. Economic Development Tourism Committee Update – P. Van Mierlo-West

P. Van Mierlo-West presented her Economic Development Tourism Committee Update and provided follow-up on the following items.

Memorial Cup: P. Van Mierlo-West stated the Memorial Cup tour was a great success with tourists and provided exposure to Jack Miner's and the museum.

Facebook Live Videos: P. Van Mierlo-West reported that we have started doing Facebook Live feeds surrounding Kingsville events. She indicated Derek Lewis of Red Arrow Digital Media provided training to N. Cobby, T. Hewitt and E. Peterson-King to increase engagement and improve video quality.

Move to Kingsville Commentary: P. Van Mierlo-West explained 4 commentaries have been received and marketing materials will be created for committee review.

App Development: P. Van Mierlo-West stated that the app is awaiting completion of the Town website as to assist in content development.

Council Report: P. Van Mierlo-West advised that delegation will be attending Council on June 12th, 2017 at 7pm.

Accommodation Review RFP: P. Van Mierlo-West reported the Accommodation Review is currently on the Town Bids and Tenders website. Eleven bids have been received. The bids will close on June 23rd, 2017.

After discussion about the Operational Update, the committee reviewed the Financial Report and Kingsville Events Guide.

(i) **Financial Report – Committee Budget vs. Actuals Period Ending March 31, 2017**

(ii) **Kingsville Events Guide – N. Cobby**

N. Cobby stated that new companies include: Chante Fishing Charters and Surf's Up – South Shore – Stand Up Paddle Boarding Rentals and Classes.

18-2017 Moved by M. Stranak, seconded by T. Gaffan, to receive the reports as presented.

CARRIED

2. Blue Flag Marina Requirements – P. Van Mierlo-West

P. Van Mierlo-West provided the committee with information regarding the Blue Flag Marina Requirements. She indicated there are two potential blue flags: A Beach Blue Flag and Marina Blue Flag. She stated that her report focusses on the Marina Blue Flag. She identified the steps required to achieve Blue Flag status, the timelines, obligations of the Town, and potential partnerships. She offered to coordinate a presentation on the benefits of Blue Flag.

There was discussion on Colchester's recent Blue Flag status. N. Santos stated that the sub-committee is focused on the marina and can continue to spearhead initiatives.

19-2017 Moved by D. Hunt, seconded by T. Gaffan, that the committee receive the reports for their information and refer the information to the subcommittee.

CARRIED

E. BUSINESS/CORRESPONDENCE – ACTION REQUIRED

F. MINUTES OF THE PREVIOUS MEETING

1. **Tourism/Economic Development Committee Meeting Minutes—May 11, 2017**

20-2017 Moved by J. Gaffan, seconded by M. Lauzon, to adopt the minutes of Tourism/Economic Development Committee Meeting dated May 11, 2017.

CARRIED

G. NEW AND UNFINISHED BUSINESS

The committee discussed new and unfinished business. A draft survey for the Zoomer show was presented. N. Cobby indicated it was similar to what was done last year, but focused more on vacations.

21-2017 Moved by D. Hunt, seconded by M. Stranak, to receive the survey for their information.

CARRIED

D. Hunt took the committee through the June 12th presentation. Feedback was provided.

There was discussion about beginning a new business "welcome wagon" to thank new businesses for investing in the community. N. Santos indicated it would require resources in order to bring it to fruition.

22-2017 Moved by T. Gaffan, seconded by J. Gaffan, to consider a welcome gift for new businesses in the next budget.

CARRIED

N. Santos suggested that when a title changes ownership it could that trigger Corporate Services to send.

K. Wetlaufer suggested the committee//Town work with the BIA in order to prevent double ups.

K. Wetlaufer reported that Kingsville's Staycation package partnership with TWEPI is very impressive and shines against other municipalities.

H. NEXT MEETING DATE

1. The next meeting of the Tourism/Economic Development Committee shall take place on July 13, 2017 at Municipal Office Committee Room A @ 5:30 p.m.

I. ADJOURNMENT

23-2017 Moved by T. Gaffan, seconded by J. Gaffan, to adjourn this Meeting at 6:24 p.m.

CARRIED



CHAIR, Mayor Santos



RECORDING SECRETARY, T. Hewitt



MINUTES

REGULAR MEETING OF PARKS/RECREATION/

ARTS AND CULTURE COMMITTEE

THURSDAY June 15 2017

KINGSVILLE ARENA

7:00 P.M

A. CALL TO ORDER

Deputy Mayor Queen called the meeting to order at 7:00 p.m. with the following persons in attendance:

Councillor Gaffan

B. Riddiford

S. l'Anson

M. Tremaine-Snip

Program Manager M. Durocher

Facilities Manager T. Del Greco

B. DISCLOSURE OF PECUNIARY INTEREST

Deputy Mayor Queen reminded members that any declaration and its general nature be made prior to each item being discussed.

C. DELEGATIONS/PETITIONS/CORRESPONDENCE

None

D. AMENDMENTS TO THE AGENDA

None

E. STAFF REPORTS

Facility Managers Report

Items covered include:

Coghill/Timbercreek Playground Equipment – Proposals to be reviewed by appropriate committees prior to final selection.

Lions Hall – Report going to Council to request reallocation of drainage funds in order to facilitate the hiring of a Landscape Architect.

Rotary Park – Removal of outdated play equipment and portable building to begin soon.

Kings Landing – Report going to Council to approve the hiring of an architect for design and project management services.

P&R 56-2017 Moved by B. Riddiford and seconded by Councilor T. Gaffan to receive the Facility Managers verbal report as presented.

CARRIED

Program Managers Report

Items covered include:

Transfer of Part Time employee L. Bilokraly to Fire Hall. This is a lateral move desired by L. Bilokray due to varied hours of work especially during special events, requirements to work evenings and weekends during special events, and the necessity to job share.

K. Laing will be moving from Friday, Saturday, and Sunday shifts to fill L. Bilokraly's shift. We will not be hiring a third part time employee until the ice goes back in.

P&R 57-2017 Moved by S. l'Anson and seconded by B. Riddiford to receive the Program Managers verbal report as presented.

CARRIED

F. Minutes of Previous Meetings

Regular Committee Minutes dated Thursday, May 18, 2017.

P&R 58-2017 Motion made by S. l'Anson and seconded by Councillor T. Gaffan to receive minutes of Parks, Recreation, Arts and Culture meeting dated May 18 2017

CARRIED

G. Committee Reports

P&R 59-2017 Motion made by S. l'Anson and seconded by M. Tremaine-Snip to receive minutes of the Migration Fest Committee meeting dated April 25, 2017.

CARRIED

P&R 60-2017 Motion made by Councillor T. Gaffan and seconded by M. Tremaine-Snip to receive minutes of the Fantasy of Lights Committee meeting dated April 25, 2017.

CARRIED

P&R 61-2017 Motion made by S. l'Anson and seconded by B. Riddiford to receive minutes of the Communities in Bloom Committee meeting dated May 10, 2017.

CARRIED

H. New and Unfinished Business

1. Update on User Group Meeting

M. Durocher provided information on user group meeting, including information on the new Federal Team

2. Communities in Bloom Tour

M. Durocher provided group with dates for upcoming Communities in Bloom Judges tour. Also provided updates on this year's route, and associated activities.

3. Municipal Alcohol Plan

Parks, Recreation, Arts and Culture Committee directed M. Durocher to provide a review of the current MAP to the group prior to the conclusion of the end of the current council term.

4. Night Market

The night market will not be returning to Kingsville at the directive of T. Lindsay

I. Notice of Motion

None presented at the time.

J. Next Meeting

**The Next meeting of the
Parks Recreation and Culture Committee
Will take place Thursday August 3 at 7pm
Kingsville Arena**

P&R 62-2017

Moved by S. l'Anson and seconded by B. Riddiford to
adjourn the meeting at 8:45 pm.

CARRIED

CHAIR: DEPUTY MAYOR GORD QUEEN

**RECORDING SECRETARY: M.
DUROCHER**



Minutes

MINUTES
THE CORPORATION OF THE TOWN OF KINGSVILLE
MIGRATION FESTIVAL
APRIL 25 2017 @ 6:00 PM
Kingsville Arena Room D 1741 Jasperson Lane,
Kingsville, Ontario

A. CALL TO ORDER

Chair T Brown called the meeting to order at 6:02 pm with the following members in attendance.

P. Bain
L. Lucier
N. Hickmott
M. Baruth
S. Girardin
S. Allen-Santos
M. Uprichard
Councillor S. Coghill
Durocher-Manager of Parks and Recreation Programs

B. DISCLOSURE OF PECUNIARY INTEREST

T. Brown reminded members that any declaration and its general nature is to be made prior to each item being discussed

C. DELEGATIONS/PETITIONS/CORRESPONDENCE

None.

D. AMENDMENTS TO THE AGENDA

E. STAFF REPORTS

NONE

F. MINUTES OF THE PREVIOUS MEETINGS

Minutes of meetings dated March 28 2017

MF 06-2017

Motion made by S. Girardin and seconded by M. Uprichard to receive the minutes of the March 28 2017 meeting

CARRIED

G. NEW AND UNFINISHED BUSINESS

Opening Ceremonies

Opening Ceremonies will be October 19 at Merlies which was very well attended last year.

Children's Events

There will not be a trout pond this year. It is very expensive to stock, and difficult to supervise. Birds of prey show will be booked for 2017. Also looking at having a magician, medieval group, pony rides and other events.

Parade

Councillor T. Gaffan noted that as this is Canada 150 he would like to see 150 Volunteers dressed as Geese in the Parade. The dye cut headbands that were Contemplated last year may serve this purpose.

Photo and Art Contest

No report

Market Update

No Report

Food Sales

For 2017 the little potato skins could be introduced, along with tortilla bowls

Fundraising

T. Brown indicated that a quarter auction could be planned for June 22. In addition T. Brown is proposing a steak fry with entertainment and quarter auction at the pavilion during Migration Festival weekend. L. Coghill has volunteered to bartend.

Activities at Jack Miner

Activities on Sunday will included Bird Crafts and bird House Building. M. Baruth would like to host the Duck Duck Goose Game on Sunday and will be working with other volunteers to enlist the support of Schools and Churches for participants.

Migration Hall

The Board is in discussion with respect to hosting a concert and other activities that weekend. More information will be available at the next meeting.

Web Site

Tara and Maggie to work on updating the website.

H. DATE OF NEXT MEETING

The next meeting of the Migration Festival Committee shall take place on June 13 at 6pm in Room D at the Arena,

MF 07-2017

Motion made by Councillor S. Coghill and seconded by S. Allen Santos that the meeting be adjourned at 6:35 pm

CARRIED

CHAIR, T. Brown

**RECORDING SECRETARY,
MAGGIE DUROCHER**



Minutes

MINUTES
THE CORPORATION OF THE TOWN OF KINGSVILLE
FANTASY OF LIGHTS COMMITTEE
APRIL 25 AT 4:00 P.M.
Kingsville Arena Room B, 1741 Jasperson Lane,
Kingsville, Ontario

A. CALL TO ORDER

Councilor Gaffan called the meeting to order at 4:00 pm with following persons in attendance:

Mayor N. Santos
P. Bain
D. Laman
D. Williams
M. Durocher, Manager Parks and Recreation

B. DISCLOSURE OF PECUNIARY INTEREST

Councilor Gaffan reminded members that any declaration and its general nature is to be made prior to each item being discussed

C. PRESENTATIONS/DELEGATIONS

D. AMENDMENTS TO THE AGENDA

E. Staff Report

None

F. MINUTES OF THE PREVIOUS MEETINGS

February 28 2017

FOL 06-2017 Moved by Mayor N. Santos and seconded by D. Williams to adopt the regular meeting of Fantasy of Lights Committee minutes dated February 28 2017

CARRIED

G. NEW AND UNFINISHED BUSINESS

Opening Ceremonies/ Dinner with Santa

Will ask the High School to participate again.

Children’s Activities

P. Bain requested colouring books again for this year.

Train

No Report

Sip and Shop

No Report

Sponsorship

TELUS is not able to return as a sponsor

Dinner with Santa

Request for Candy to be distributed

Parade

M. Durocher noted that the changes would be ready for next month

Park

Paths cannot be plowed. Message will be relayed through social media and signage at site.

Media

Mayor N. Santos asked if the Rack cards could be ready for May. Was also requested that the website be updated.

H. ADJOURNMENT

FOL 06-2017 Moved by D. Laman and seconded by D. Williams to adjourn this regular meeting at 4:13 pm

CARRIED

Next meeting: May 30 at 4pm Kingsville Arena

Chair: Councilor T. Gaffan

**RECORDING SECRETARY,
MAGGIE DUROCHER**



MINUTES

**COMMUNITIES IN BLOOM COMMITTEE
WEDNESDAY, MAY 10, @ 3:00 P.M.
Municipal Office, 2021 Division Rd. North, Kingsville**

A. CALL TO ORDER

Deputy Mayor Queen called the meeting to order at 3:00 P.M. with the following Persons in attendance:

Joan Cope
Sue Cosford
Joan Washburn
Karen Wettlaufer – *BIA Coordinator*
Liz Rogers
M. Durocher – *Manager of Parks and Rec Programs*
A. Batke
K. Batke
J. Dupuis

Also present:
Tara Hewitt – *Recording Secretary*

Regrets:
M. Tremaine-Snip
Councillor Thomas Neufeld

B. DISCLOSURE OF PECUNIARY INTEREST

When a member of the Committee has any pecuniary interest, direct or indirect, in any matter which is the subject of consideration at this Meeting of the Committee (or that was the subject of consideration at the previous Meeting of the Committee 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. None were disclosed.

C. AMENDMENTS TO THE AGENDA

NONE

D. STAFF REPORTS

1. Monthly Updates / Information—M. Durocher

M. Durocher presented her program report and provided follow-up on the following items.

Signs

M. Durocher stated the cost for Sponsor Signs is 23.74 each.

Chalkboard Signs

M. Durocher explained that Municipal Services is not able to construct the chalk boards at this time. The quote for outsourcing the work is \$206.35 each

Posters

M. Durocher confirmed that the Pollinators and Compost Workshop posters have been created, printed and shared on social media.

Mayor's Walk

M. Durocher confirmed that the Lakeside booking has been done. She volunteered to create a poster when further information is provided.

Door Hangers

M. Durocher explained that the door-hangers are complete.

Judges Tour

M. Durocher provided the committee with the draft schedule.

Update regarding Judges:

M. Durocher updated that Grace Dekker & Catherine Minielly will be our judges and that the tour dates will fall between July 17th and August 4th.

40-2017 Moved by K. Batke, seconded J. Dupuis, to receive the report as presented for the record.

CARRIED

41-2017 Moved by A. Batke, seconded J. Cope, to move forward with the purchase of 20 sponsor signs at 23.74 each.

CARRIED

J. Cope and J. Washburn provided additional information for the Mayor's Walk poster.

42-2017 Moved by K. Batke, seconded S. Cosford, that the committee will provide water bottles at the end of the walk.

CARRIED

It was decided the posters will be created as 8 ½ x 11.

The committee discussed the Door Hangers and will touch base with Sharon from Home Hardware before determining distribution.

E. MINUTES OF THE PREVIOUS MEETING

1. Communities in Bloom Committee Meeting Minutes—April 27, 2017

The committee reviewed the minutes from the April 27, 2017 meeting and they were approved without change.

43-2017 Moved by J. Dupuis, seconded by A. Batke, to approve the minutes of the Communities in Bloom Committee meeting dated April 27, 2017.

CARRIED

F. BUSINESS ARISING FROM MINUTES

The committee provided follow-up on each action item from the previous meeting

- *May 10-Input from Committee Members as to who wishes to attend each tour site*

Lunch at Lakeside Park – All members except S. Cosford

Lakeside Park Tour – A. Batke and K. Batke will act as tour guides.

Kingsville Historical Museum – L. Rogers

OPP Gardens – A. Batke and K Batke

Jack Miner Statues – M. Durocher

Kingsville BIA and Carnegie Visitor Centre – K. Wettlaufer

ACCESS Community Garden – J. Washburn and M. Tremaine-Snip

Mettawas Train Station and Greenway – J. Cope

Mettawas Park – M. Durocher

Yacht Club BBQ – All committee members, significant others are invited

Mucci Farms – J. Washburn

Lee & Maria's – L. Rogers

Cindy Kok Garden – K. Batke and A. Batke

Jack Miner Bird Sanctuary – M. Durocher

Colasanti's Tropical Gardens – A. Batke

Dairy Freeze North Ridge – G. Queen

M. Durocher will begin a cheque requisition for the Dairy Freeze. She will budget for 6 people.

Sunparlour Honey – J. Cope

Barb Sisley Garden – K. Batke, A. Batke and L. Rogers
Pelee Island Winery – T. Neufeld
Black Bear Winery – T. Neufeld
Kingsville Golf Club Dinner – All members

Once dates are confirmed the Golf Course will be booked.

- *May 10-Input from Committee Members to detail list as to Proposed Sponsor Sign Locations*
Outside of specific Tour stops, the following locations were identified as needing signs. Town Hall / Merlis' / Yacht Club / Golf Course
- *May 10-Input from Committee Members to Gord for suggestion to change draft CIB Handout. Following input new draft to be created with staff assistance. Gord to obtain Nelson's assistance with Edit.*

G. Queen reported that L. Bilokraly is editing the brochure will send to Mayor Santos for editing once complete.

L. Rogers provided the committee with a mock-up of the brochure with 12 point font. G. Queen indicated L. Roger's proposed changes may be considered for next year.

- *May 18-The Park Recreation Arts and Culture Committee will have meeting/ Suggestion regarding the Leamington Signage Model*
G. Gord explained that this item will be on the PRAC agenda.
- *May 23- Time that the Mayor, Committee members and Council that wish to attend will be Raising the Flag at Town Hall*
G. Queen confirmed the flag-raising is 12:00pm on May 23, 2017. He stated that a draft media release is complete and ready for distribution pending the Mayor's approval.
- *May 23-Pollinators Workshop at the Arena (Rooms B&C @ 7pm)*
A. Batke will provide information to T. Hewitt and M. Durocher to assist in promotion of the event
- *May 25-Backyard Composting Workshop at Merlis' (4 Main St W) 7pm / With Mike joined by Sharron of Home Hardware (Flyer prepared by Maggie, Prime Project Contact – Thomas)*
There was discussion about the proposed location, as Sharon from Home Hardware had expressed concern with cleanliness of the area.
- *May 28-Mayors Walk 1pm. Now at Lakeside Park (Family Walk) around park. Committee still needs to decide what is required at end of walk in terms of refreshment (Gazabo / north of Pavilion Booked*
It was decided that bottled water will be provided at the Mayor's Walk.

- *May 31-Deadline for Input of Scripts to Tour Visit Location / copy to Maggie with copy to Tara*
Lee and Marias, ACCESS, and Sunparlour Honey have been received. J. Washburn will check on the status of Mucci's.
- *June 14-the Older Adults Expo at Arena (CIB to have display / Alan coordinating) Committee will need to sign up for shifts / share the open times.*
A. Batke will have the sign-up sheet for the next meeting.
- *June 14-Highlight Display a Display Board to be prepared for expo. Committee Members may assist creation.*
There was discussion about the types of items that could be placed on the board, awards/ articles were recommended. A. Batke will provide flowers and greenery. M. Durocher will take the lead on the board creation and J. Dupuis will assist her.
- *June 30-Door Hanger (750) for distribution. The Town must be divided into sections for the Committee Members to visit each and deliver selected homes. (Typically door hangers redeemed for 2 week periods)*

It was decided that a map will be brought to the next meeting and divided into sections.

- *July 31-The Draft Fall Poster Program requirements (based on R.C. Legion) or Similar Requirements. Draft being prepared. Joan Washburn lead Contact person for project.*

J. Washburn handed out Rules for the "Why Litter" Poster Contest. She explained that the rules were created based off the Legion's poster contest. J. Washburn indicated her contact, Steve, will talk to the students at the first assembly. It was requested that the material be ready before the Migration Festival so it can be posted at the Arena. The BIA, library and other storefronts were identified as potential locations for posting. It was decided that judging will include a "homeschooler" category.

Some prizing suggestions were made including:

Colasantis Haunted Hayride passes - A. Batke will make contact.

Migration Hall and McDonalds – M. Durocher will make contact. She also indicated that skating passes, and/or a family birthday party could be easily secured at the Arena.

Box Office Video – G. Queen will make contact.

Further discussion regarding prizing will take place at the next meeting.

G. NEW AND UNFINISHED BUSINESS

1. Draft Program for the Formal Judges Dinner – G. Queen

Deputy Mayor Queen presented the program used at last year's Judges' dinner and recommended L. Bilokraly creates a new program once dates are confirmed. There was consensus to move forward with a revised program.

2. Gift Baskets for presentation to Judges – G. Queen

J. Dupuis agreed to champion the creation of the gift baskets for this year. She will work in conjunction with M. Durocher in order to secure donations. It was recommend that gift boxes be purchased from Pelee island winery and labeled with the Judges' names. It was suggested Canada150 wines be purchased. Other sources of free materials were brainstormed.

M. Durocher reported we were not selected to be a Miracle Grow recipient this year.

2. Notice of Motion

J. Cope provided a Notice of Motion that we have Clean Sweep Day again during Earth Day 2018.

44-2017 Moved by J. Cope, seconded by K. Batke, that we have Clean Sweep Day again during Earth Day next year.

CARRIED

Clean Sweep discussions continued and it was recommended that participants wear safety vests next year. M. Durocher suggested the committee send a thank-you note to Julie Dennis for the juice provided.

45-2017 Moved by S. Cosford, seconded by J. Cope, that a formal letter be sent to McDonalds thanking them for their in-kind donation.

CARRIED

H. NEXT MEETING DATE

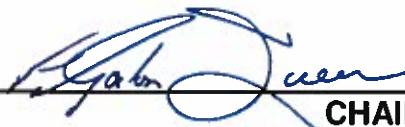
1. The date of the next Communities in Bloom Committee meeting is Thursday June 1, 2017 at the Municipal Office @ 3:00 p.m.

I. ADJOURNMENT


46-2017

Moved by K. Batke seconded by S. Cosford, to adjourn this meeting at 3:51 p.m.

CARRIED



CHAIR, G. Queen



RECORDING SECRETARY, T. Hewitt



Office of the Manager, Planning Services

William J. King, AMCT, MCIP, RPP
Manager, Planning Services

July 25, 2017

Town of Kingsville
Attention: Ms. Jennifer Astrologo
2021 Division Road North
Kingsville, ON
N9Y 2Y9

**Re: Town of Kingsville – By-Law No. 56-2017
Part Lot Control By-Law Under Section 50(7) of the Planning Act
37-P-2017-006**

Dear Ms. Astrologo:

Enclosed please find one original and one certified copy of By-Law 56-2017. This By-Law was approved under Section 50 (7) of the Planning Act on July 25, 2107.

Should you have questions about this matter, please do not hesitate to contact the undersigned.

Yours truly,

A handwritten signature in blue ink, appearing to read "WJ King", written over a horizontal line.

WILLIAM J. KING, AMCT, MCIP, RPP
Manager, Planning Services

c.c. Robert Brown

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 56-2017

*Being a By-law to exempt certain lands
from Part Lot Control
(Millbrook Subdivision, Stage II Phase 1 – Plan 12M-552)*

WHEREAS the Planning Act, R.S.O. 1990 c.P.13, as amended, provides that part-lot control shall apply where land is within a plan of subdivision registered before or after the coming into force of the Act;

AND WHEREAS Subsection 7 of Section 50 of the said Planning Act provides that the council of a municipality may by by-law provide that part-lot control does not apply to land that is within such registered plan or plans of subdivision or parts thereof as is or are designated in the by-law, and where the by-law is approved by the planning authority, Subsection 5 of Section 50, ceases to apply to such land;

AND WHEREAS it is deemed desirable that the provisions of Subsection 5 of Section 50 of the Planning Act shall not apply to certain lands that are within Registered Plan 12M-552, in the Town of Kingsville;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF KINGSVILLE HEREBY ENACTS AS FOLLOWS:

1. That Subsection 5 of Section 50 of the Planning Act, R.S.O. 1990, c.P.13, does not apply to those parts of the registered plan described as follows:

All and singular those certain parcels or tracts of land and premises lying and being in the Town of Kingsville, being Lots 74-79, on Plan 12M-552, locally known as 1, 3, 5, 7, 9 & 11 Woodland Street.

2. That the development of the lands more particularly described in Section 1 of this by-law shall only be by way of descriptions of lands on a registered Reference Plan, which Reference Plan has been duly approved by the Corporation.
3. This by-law shall expire on May 8, 2020.

READ a FIRST, SECOND and THIRD time and FINALLY PASSED this 8th day of May, 2017.

APPROVED pursuant to section 50 (7) of
the Planning Act

Dated this 25th day of July, 2017


MAYOR, Nelson Santos


WILLIAM KING, MCJP, RPP
Manager, Planning Services
County of Essex


CLERK, Jennifer Astrologo



28 Pulford Street, Kingsville, Ontario, Canada N9Y 1B4

August 14, 2017

Background:

We have heard on more than one Occasion that the Lakeside Park Pavilion is booked till 2019.
We also have a fees By-law and "schedule E" that lists a number of Groups that get the use of same for No Fee or a Reduced Fee.

Therefore at the next regular meeting of Council, I may move or cause to have moved,

That Council be provided with a complete list of the 2018 bookings that presently exist for Lakeside Park Pavilion.

Noting : The breakdowns by category

- A) Private Rentals for the full fee as per the fees by-law
- B) Rentals by the Schedule E list of Free and Reduced rate rentals
- C) Dates that the town has on hold and not available for rent due to Town Committees such as Fantasy of Lights/ Dinner with Santa and any Planned Town events such as a Christmas party.

Such report to be provided to Council by Dec 31, 2017 with any staff recommendations for change.

SCHEDULE E

REDUCED OR NO FEE

PARKS AND RECREATION SERVICES		
FACILITY RENTALS – REDUCED FEE		
COLUMN I	COLUMN II	COLUMN III
Lakeside Park Pavilion		<ul style="list-style-type: none"> • Delta Waterfowl • Lion's Club (including auxiliaries) • Neighbourhood Charitable Alliance • Royal Canadian Legion (including auxiliaries)
- anytime with or without alcohol - PLUS INDEMNITY DEPOSIT (with alcohol only)	\$245.00 per day	
Kingsville Recreational Complex Ice Time - Minor Sports - non-prime (before 4:00 pm)	\$71.50 per hour	<ul style="list-style-type: none"> • Public or Secondary Schools
FACILITY RENTALS – NO FEE		
COLUMN I	COLUMN II	COLUMN III non-transferable; for the exclusive use of the listed organizations/individuals
Lakeside Park Pavilion		<ul style="list-style-type: none"> • Business Improvement Area Board of Management • Canadian Blood Services • Cottam Cubs & Scouts • Cottam Rotary Club • Gosfield North Sportsmen • Horticultural Society • Kingsville Cubs & Scouts • Kingsville Firefighters Association • Kingsville Essex Associated Band • Knights of Columbus (including auxiliaries) • Optimist Club (including auxiliaries)
- anytime with or without alcohol - PLUS INDEMNITY DEPOSIT (with alcohol only)		
Kingsville Recreational Complex		
Auditorium		
- anytime with or without alcohol - PLUS INDEMNITY DEPOSIT (with alcohol only)		
Auditorium B, C or D		
- anytime with or without alcohol - PLUS INDEMNITY DEPOSIT (with alcohol only)	No Fee	
Ridgeview Park		
- hall and pavilion with alcohol - PLUS INDEMNITY DEPOSIT (with alcohol only)		
- hall with alcohol - PLUS INDEMNITY DEPOSIT (with alcohol only)		
Unico Community Centre		
- anytime with or without alcohol - PLUS INDEMNITY DEPOSIT (with alcohol only)		Organizations under contract for use of Greens or Ice Time (maximum two rentals under Column I)
Marina Seasonal Ramp Pass	No Fee	<ul style="list-style-type: none"> • Baldwin, Neil • Balkwill, Gary • Branch, Jim • Clemente, Manual • Hodgkins, Leslie • Lacey, Eugene • Mallott, Jim • Miinch, Craig • Pretli, Andy • Woodall, N.

This Price List is compiled for reference only. All fees are imposed pursuant to the relevant by-law unless otherwise indicated. If there is any discrepancy between the fee included on this list and the fee indicated in the relevant by-law, the fee indicated in the by-law is the fee that will be charged.

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 94 - 2017

***Being a By-law to confirm the proceedings of the
Council of The Corporation of the Town of Kingsville at its
August 28, 2017 Regular Meeting***

WHEREAS sections 8 and 9 of the *Municipal Act, 2011* S.O. 2001 c. 25, as amended, (the “Act”) provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising the authority conferred upon a municipality to govern its affairs as it considers appropriate.

AND WHEREAS section 5(3) of the Act provides that such power shall be exercised by by-law, unless the municipality is specifically authorized to do so otherwise.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the Town of Kingsville (the “Town”) be confirmed and adopted by by-law.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF KINGSVILLE ENACTS AS FOLLOWS:

1. The actions of the Council at its August 28, 2017 Regular Meeting in respect of each report, motion, resolution or other action taken or direction given by the Council at its meeting, is hereby adopted, ratified and confirmed, as if each resolution or other action was adopted, ratified and confirmed by its separate by-law.
2. The Chief Administrative Officer and/or the appropriate officers of the Town are hereby authorized and directed to do all things necessary to give effect to the actions set out in paragraph 1, or obtain approvals, where required, and, except where otherwise provided, the Mayor and the Clerk are hereby directed to execute all documents necessary and to affix the corporate seal to all such documents.
3. This By-Law comes into force and takes effect on the day of the final passing thereof.

READ a FIRST, SECOND and THIRD time and FINALLY PASSED this 28th day of August, 2017.

MAYOR, Nelson Santos

CLERK, Jennifer Astrologo