



**REGULAR MEETING OF COUNCIL  
MINUTES**

**Tuesday, October 10, 2017  
6:30 PM  
Council Chambers  
2021 Division Road N  
Kingsville, Ontario N9Y 2Y9**

Members of Council	Mayor Nelson Santos Deputy Mayor Gord Queen Councillor Susanne Coghill Councillor Thomas Neufeld Councillor Larry Patterson Councillor John Driedger
Absent	Councillor Tony Gaffan (on personal business)
Members of Administration	J. Astrologo, Director of Corporate Services P. Van Mierlo-West, CAO

**A. CALL TO ORDER**

Mayor Santos called the Regular Meeting to order at 6:30 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. CLOSED SESSION**

**1. Pursuant to Section 239(2) of the Municipal Act, 2001 Council entered into Closed Session to address the following item:**

**640-2017**

Moved by Councillor Thomas Neufeld  
Seconded by Councillor Larry Patterson

That Council move into Closed Session at 6:30 p.m. to address an item pursuant to Section 239(2)(b) of the *Municipal Act, 2001* (personal matters about an identifiable individual, including municipal or local board employees) being the performance of a senior level employee.

**CARRIED**

Upon rising from Closed Session at 7:05 p.m., the Regular Meeting of Council reconvened in Open Session at 7:10 p.m. with those members and individuals mentioned above remaining in attendance, along with the following additional members of Administration: Director of Financial Services S. Zwiers, Director of Municipal Services A. Plancke, Manager of Planning and Development Services R. Brown, and Deputy Clerk-Council Services S. Kitchen.

**D. 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.

**E. PLAYING OF NATIONAL ANTHEM**

**F. PRESENTATIONS/DELEGATIONS**

**1. Presentation by Mayor Santos on behalf of the Communities in Bloom Committee of three 2017 Communities in Bloom Award Plaques.**

Mayor Santos proudly presented the three '2017 Provincial Edition of Communities in Bloom Ontario' Award Plaques to the Communities in Bloom Committee members as follows: i) Town of Kingsville - Recipient of 5 Blooms with Special Mention for Lakeside Park and Pavilion; ii) Criteria Award for Environmental Action; and iii) Criteria Award for Community Gardeners. He congratulated the Committee and thanked everyone involved for their hard work and dedication to the Communities in Bloom program. The plaques will be displayed at the Town's Municipal Offices and Arena Complex.

**2. Presentation by Mayor Santos (on behalf of the Municipal Heritage Advisory Committee) to Julia Stomp and Ronni Battagello of Heritage Designation Plaque for The Alfred J. Allworth House (755 Seacliff Drive)**

Mayor Santos presented the Heritage Designation Plaque for The Alfred J. Allworth House to homeowners Julia Stomp and Ronni Battagello. He stated that The Alfred J. Allworth House was built in 1887 and was formally designated as a property of cultural heritage value under the provisions of the *Ontario Heritage Act* earlier this year by Town of Kingsville By-law 14-2017.

**G. MATTERS SUBJECT TO NOTICE**

**1. PUBLIC MEETING-Zoning By-law Amendment ZBA/19/17 1552843 Ontario Ltd. 150 Heritage Road Part of Lot 4, Concession 1, WD**

Mr. Brown presented his Report dated September 27, 2017 regarding the proposed Zoning By-law Amendment for lands owned by 1552843 Ontario Ltd. located at 150 Heritage Road (County Road 50) in the Town of Kingsville. The applicant is proposing a two-phase proposal. Phase 1 would be the construction of a street from Heritage Road and a total of 16 dwelling units in a mix of semi-detached and townhouse style under one ownership. The remaining lands, Phase 2, would be a total of 17 single detached residential lots on a new street connected to the existing stub from Normandy Avenue. This portion would be developed through the plan of subdivision process over the next 12 to 24 months. He recommended that Council approve the application to re-zone the phase 1 portion of the subject property known as 150 Heritage Road from Lakeshore Residential Exception 30, holding (LR-30(h)) to Lakeshore Residential Exception 33, (LR-33) and adopt the implementing by-law.

Comments from Council:

Deputy Mayor Queen asked if the holding provision on Phase 1 was removed, what assurance would Council have that Phase 2 of the proposal would be developed as outlined? Mr. Brown explained that the holding symbol was placed on the subject property with the intent that a plan of subdivision is to come forward which would go to the County for final approval. The holding is not being removed.

Mayor Santos stated that as the existing zoning for Phase 2 allows for singles, semis and townhouses, could Phase 2 be designated as single family dwellings? Mr. Brown suggested that could be done in place of the current amendment.

Councillor Neufeld commented that most of the residents in attendance have concern regarding Phase 1 of the proposal.

Councillor Driedger indicated he is not in favour of affordable housing in one block. He indicated he opposes Phase 1 at this time and asked about the Town's existing policies and regulations respecting affordable housing development. Mr. Brown explained that the Town's existing Official Plan echoes the County's Official Plan and that part of the reason affordable housing projects are completed in large blocks is that they must be of single ownership.

Councillor Neufeld commented that there are residents who built homes on Heritage Road knowing that the property would be developed, but not knowing that affordable housing units would be constructed.

Deputy Mayor Queen asked as a point of clarification whether the Town's existing Official Plan is being updated. Mr. Brown responded that the update is in progress with no definite timeline for completion.

Mayor Santos stated that the Town is behind as far as access to affordable housing (15%, rather than the 20%) and is trying to identify where to best fit potential affordable housing units.

Councillor Patterson indicated this is not the right location for the proposal.

Comments from the Applicant:

Mr. Walter Branco, President, 1552843 Ontario Ltd., clarified that at this point there is no funding in place and he is seeking approval for zoning for units that could be rented at fair market value or at a lower rate. He also explained that the Canada-Ontario Affordable Housing Program is not a geared-to-income program, but one that provides affordable units to individuals who need them. The 16 proposed units are comparable to the Dieppe development, but would be owned by the numbered company. Mr. Branco stated that he builds custom homes for the community and wishes to offer a different range of housing and price points to everyone who lives in Kingsville. He thought the proposal (a re-design with a mix of 17 single family units and 16 rental units) addressed previous comments and concerns. Mr. Branco requested a deferral of the application.

Comments from the public:

Roxanne Pratt, 221 James Ave. stated that Phase 2 could be changed down the road and that she is opposed to the plan.

Charlene Doughty, 25 Normandy Cres. stated that townhomes do not fit into the local subdivision; that landscape and buffering will not help with the concerns regarding a decrease in property values.

Dave Cours, 39 Normandy Ave., indicated concerns regarding impact on water pressure, stormwater management (what criteria is being used), the narrower width of proposed Street A and access; and asked when the traffic study was completed.

Scott Kraus, 41 Normandy Ave., asked what are the implications, if any, if the Town does not reach the 20% affordable housing percentage.

Joseph Prout, 148 Heritage Rd., indicated he has no problem with the layout of the subdivision, but asked for details pertaining to the tenant selection process. Mr. Branco explained the regulated application process which allows Mr. Branco to have the final say on the selected tenants.

Victor Nelson, 20 Normandy Ave., asked whether there are other properties in Kingsville that are available which would not require a zoning change. Mr. Brown clarified that the re-zoning requirement is because the proposal is not a single unit (one lot/one building). The developer is proposing a multiple-unit building with single ownership.

Robert l'Anson, 195 Woodlawn Cresc. asked what is to prevent Mr. Branco in selling this property in one year. Mr. Branco clarified that he will be committed to a 20-year contract.

Don Wadsworth, 209 James, asked what happens if something happens to Mr. Branco.

Jason Henderson, 136 Heritage stated that he might have chosen a different location to build had he known about the proposal.

Matt Dick, 200 Heritage, stated that he understands the need but that the location of the affordable units should be spread out. He feels that the property values will be negatively impacted.

Tim Dobson, 35 Normandy stated he respects Mr. Branco's efforts, however, this proposal is not a good idea at this location. He asked that Council consider value-based principles and make the wise prudent decision to deny the application.

**641-2017**

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Susanne Coghill

That Council receive items of correspondence filed by residents with Manager of Planning and Development Services R. Brown, including correspondence of objection from Mr. C. Conde of 207 James Avenue.

**CARRIED**

**642-2017**

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Thomas Neufeld

That Council Defer the Zoning By-law Amendment Application ZBA/19/17 to rezone the Phase 1 portion of the subject property known as 150 Heritage Road from Lakeshore Residential Exception 30, holding (LR-30(h)) to Lakeshore Residential Exception 33 (LR-33).

**CARRIED**

Mayor Santos called for a ten minute recess at 8:45 p.m. and the meeting reconvened at 8:55 p.m.

**H. AMENDMENTS TO THE AGENDA**

Councillor Coghill stated that she had one announcement.

**I. ADOPTION OF ACCOUNTS**

- 1. Town of Kingsville Accounts for the monthly period ended September 30, 2017 being TD cheque numbers 0063083 to 0063369 for a grand total of \$1,076,806.72**

**643-2017**

Moved by Councillor Thomas Neufeld  
Seconded by Councillor John Driedger

That Council approve Town of Kingsville Accounts for the monthly period ended September 30, 2017 being TD cheque numbers 0063083 to 0063369 for a grand total of \$1,076,806.72.

**CARRIED**

**J. STAFF REPORTS**

- 1. Kingsville Community Grant Fund Policy Amendments**

S. Zwiers, Director of Financial Services

**644-2017**

Moved by Deputy Mayor Gord Queen  
Seconded by Councillor Thomas Neufeld

That Council adopt the Kingsville Community Grant Fund Policy and Appendices as amended.

**CARRIED**

- 2. PRAC September 2017 Budgetary Requests**

Director of Municipal Services A. Plancke presented the report in Manager Del Greco's absence.

**645-2017**

Moved by Councillor Larry Patterson

Seconded by Councillor Susanne Coghill

That Council approve allocating \$18,000 from the Parks Life Cycle Reserves Account for the supply and installation of a swing set by PlayPower Canada within Cottam Rotary Park in 2017; And further that Council reallocate account 171-360-71752 in order to facilitate the purchase of wall-mounted seating within the arena.

**CARRIED**

**K. BUSINESS/CORRESPONDENCE-ACTION REQUIRED**

**1. Kingsville BIA--Correspondence dated September 13, 2017 RE: Planned Street Closures**

**646-2017**

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Susanne Coghill

That Council direct Administration to notify Kingsville BIA of any planned street closures in Town, including parades, which may affect the BIA businesses.

**CARRIED**

**2. Correspondence from Brian Lennie, Stakeholder Engagement Specialist at Union Gas Limited, dated September 21, 2017 RE: Support for the proposed Kingsville Transmission Reinforcement Project**

**647-2017**

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Larry Patterson

That the Town of Kingsville Council provide a letter of support of the proposed Union Gas Kingsville Transmission Reinforcement Project to the OEB and Premier of Ontario.

**CARRIED**

3. **Correspondence from City of Windsor Mayor Drew Dilkens, dated September 25, 2017 RE: Amazon HQ2 and Regional Transit**

**648-2017**

Moved by Councillor Thomas Neufeld

Seconded by Councillor Susanne Coghill

Council provide a letter addressed to Mayor Dilkens offering Kingsville's support for a Regional Transit solution if the City of Windsor is successful in its bid for Amazon's new headquarters.

**CARRIED**

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

1. **Regular Meeting of Council-September 25, 2017**
2. **Regular Closed Session Meeting of Council--September 25, 2017**

**649-2017**

Moved by Councillor Thomas Neufeld

Seconded by Councillor Larry Patterson

That Council adopt Regular Meeting of Council Minutes dated September 25, 2017 and Regular 'Closed Session' Meeting of Council Minutes, dated September 25, 2017.

**CARRIED**

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

1. **Kingsville Municipal Heritage Advisory Committee--August 23, 2017**

**650-2017**

Moved by Councillor Susanne Coghill

Seconded by Councillor Larry Patterson

That Council receive Kingsville Municipal Heritage Advisory Committee Meeting Minutes, dated August 23, 2017.

**CARRIED**

2. **Parks, Recreation, Arts and Culture Committee--August 3, 2017**



**651-2017**

Moved by Councillor Susanne Coghill

Seconded by Deputy Mayor Gord Queen

That Council receive the Regular Meeting of Parks, Recreation, Arts and Culture Committee dated August 3, 2017 together with Minutes of the following sub-committees: Fantasy of Lights, dated May 30, 2017; Communities in Bloom, dated June 22, 2017; Migration Festival, dated June 13, 2017; Fundraising Committee, dated June 13, 2017 and The 55+ Advisory Committee, dated May 18, 2017.

**CARRIED**

**3. Police Services Board--June 28, 2017**

**652-2017**

Moved by Councillor Larry Patterson

Seconded by Councillor Susanne Coghill

That Council receive Police Services Board Meeting Minutes dated, June 28, 2017.

**CARRIED**

**N. BUSINESS CORRESPONDENCE - INFORMATIONAL**

- 1. Municipality of Leamington--Correspondence dated October 2, 2017 RE: Bill 94, Proposed Amendment to Highway Traffic Act and Pilot Project--School Bus Camera Systems**
- 2. Municipality of Chatham-Kent--Correspondence dated September 22, 2017 to Premier Wynne from Mayor Hope RE: Barriers on 401**
- 3. Municipality of Killarney--Correspondence dated September 19, 2017 RE: Proposed Changes to the Ambulance Act and Fire Protection and Prevention Act**
- 4. County of Essex--Correspondence from Mary Birch, Director of Council Services/Clerk dated September 13, 2017 RE: Essex County Council Resolution RE: Essex County Library Reserve Funds Administration**
- 5. Township of South Stormont--Correspondence dated September 11, 2017 in support of Municipality of Killarney RE: Proposed Changes under Bill 68 - Out of Court Payments**

6. **Municipality of East Ferris-Correspondence dated September 28, 2017 RE: Tax Rules**

7. **Windsor-Essex Compassion Care Community (WECCC) and Erie St. Clair Local Health Integration Network Shining a Light On Compassion Celebration**

**653-2017**

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Larry Patterson

Council receive Business Correspondence - Informational items 1-7 as presented.

**CARRIED**

**O. NOTICES OF MOTION**

1. **Deputy Mayor Queen may move or cause to have moved that Council consider advancing the swing set installation at Cottam Rotary Park and advancing the funds for that installation from reserves**

Deputy Mayor Queen did not move, or cause to have moved, such motion at this Regular Meeting, because the matter had been addressed earlier through Mr. Del Greco's Report pertaining to PRAC September 2017 Budgetary requests (Item J-2 above).

2. **Councillor Neufeld may move, or cause to have moved, that Administration prepare a report on the costing to screen the fencing around the dog park and to determine whether the screening is feasible**

**654-2017**

Moved by Councillor Thomas Neufeld

Seconded by Councillor Susanne Coghill

That Administration prepare a report on costing to screen or paint fence at dog park and to determine whether the screening/painting is feasible.

**CARRIED**

**P. UNFINISHED BUSINESS, ANNOUNCEMENTS AND UPDATES**

Councillor Patterson requested an update on the status of the Road 11 watermain project. Director Plancke responded that the project will be put out for tender shortly for completion in or about the Spring of 2018.

Councillor Coghill announced the 1st Annual 'Dennis B. Chase Smile Walk for Optimism & Conservation' to be held at Hillman Marsh Conservation Area on Saturday, November 11, 2017 from 8:00 a.m. to 4:00 pm. The walkathon will support the Essex Region Conservation Foundation in honour of her late father, and she is hoping that a Kingsville Team can be registered.

**Q. BYLAWS**

None.

**R. CLOSED SESSION**

**655-2017**

Moved by Councillor Susanne Coghill

Seconded by Councillor Larry Patterson

That Council, at 9:34 p.m., move into Closed Session to address the following items:

Request dated October 2, 2017 RE: Review of Legal Contract (Section 239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose); and Verbal Report of CAO P. Van Mierlo-West pertaining to the potential acquisition of land for municipal purposes (Section 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board)

**CARRIED**

Upon rising from Closed Session at 10:06 p.m. the Regular Meeting continued in Open Session.

**S. REPORT OUT OF CLOSED SESSION**

There were no items to report.

**T. CONFIRMATORY BY-LAW**

**1. By-law 101-2017**

**656-2017**

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Larry Patterson

That Council read By-law 101-2017, being a by-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its October 10, 2017 Regular Meeting a first, second and third and final time.

**CARRIED**

**U. ADJOURNMENT**

**657-2017**

Moved by Councillor Susanne Coghil

Seconded by Councillor Thomas Neufeld

That Council adjourn this Regular Meeting at 10:07 p.m.

**CARRIED**

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MAYOR, Nelson Santos

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CLERK, Jennifer Astrologo