



**REGULAR MEETING OF COUNCIL
MINUTES**

**Monday, March 12, 2018
7:00 PM
Council Chambers
2021 Division Road N
Kingsville, Ontario N9Y 2Y9**

Members of Council	Deputy Mayor Gord Queen Councillor Susanne Coghill Councillor John Driedger Councillor Tony Gaffan Councillor Thomas Neufeld Councillor Larry Patterson Absent: Mayor Nelson Santos (on personal business)
Members of Administration	J. Astrologo, Director of Corporate Services R. Brown, Manager of Planning Services M. Durocher, Parks & Recreation Program Manager S. Kitchen, Deputy Clerk-Council Services S. Martinho, Public Works Manager R. McLeod, Director of Financial Services (@ 8:00 p.m.) P. Valore, Chief Building Official (@ 7:12 p.m.) P. Van Mierlo-West, CAO

A. CALL TO ORDER

Deputy Mayor Queen called the Regular Meeting to order at 7:00 p.m. with all members in attendance, except Mayor Santos (absent on personal business).

B. MOMENT OF SILENCE AND REFLECTION

Deputy Mayor Queen asked those present to stand and observe a moment of silence and reflection to be followed by the singing of O'Canada.

C. PLAYING OF NATIONAL ANTHEM

D. DISCLOSURE OF PECUNIARY INTEREST

Deputy Mayor Queen 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/24/17 - 1552843 Ontario Ltd. 950 Seacliff (County Road 20) Pt. Lot 6, Concession 1 ED, Parts 1 and 2 RP 12R-23813

R. Brown, Manager of Planning and Development Services

i) Notice of Public Meeting: Zoning By-law Amendment ZBA/24/17 dated February 2, 2018

ii) Report of R. Brown, Manager of Planning Services, dated March 2, 2018 re: ZBA/24/17 and Site Plan Amendment SPA/21/17 with attached Appendices A to H and Amending Agreement.

iii) Proposed By-law 30-2018, being a by-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville.

The Applicant, Mr. Walter Branco, President of 1552843 Ontario Ltd. o/a Noah Homes, was in attendance.

Public Comments:

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

205-2018

Moved By Councillor Tony Gaffan

Seconded By Councillor Thomas Neufeld

That Council:

Approves Zoning Amendment Application ZBA/24/17 to amend the existing 'Agricultural Zone 1 Exception 22, (A1-22)' to correct the noted errors, provide greater clarification as to the permitted uses on the site, and adopt the implementing by-law; and further

Approves Site Plan Amendment Application SPA/21/17 to permit the relocation of a proposed shop and indoor storage building to the northeast corner of the lot as shown on the attached site plan; and further

Authorizes the Mayor and Clerk to sign the amending site plan agreement and have said agreement registered on title.

CARRIED

2. PUBLIC MEETING - Zoning By-law Amendment ZBA/01/18 617885 Ontario Limited o/a JEM Farms , 1583 & 1585 County Road 34 E Part Lot 9, Concession 2 ED

R. Brown, Manager of Planning Services

i) Notice of Public Meeting, dated February 15, 2018

ii) Report of R. Brown, Manager of Planning Services, dated February 26, 2018 with attached Appendices A, B and C

iii) Proposed By-law 32-2018, being a by-law to amend By-law 1-2014 the Comprehensive Zoning By-law for the Town of Kingsville

The Applicant, represented by Paul Mastronardi, Secretary, 617885 Ontario Limited o/a JEM Farms, was in attendance.

Public Comments:

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

206-2018

Moved By Councillor Larry Patterson

Seconded By Councillor Susanne Coghill

That Council approves zoning by-law amendment ZBA/01/18 to permit a medical marihuana production facility at 1583 and 1585 County Road 34 E and address the required relief or exemption from Section 4.46 of Kingsville Zoning By-law 1-2014 as outlined in the attached amendment and adopt the implementing by-law.

CARRIED

3. PUBLIC MEETING - Zoning By-law Amendment ZBA/02/18 Rico Roots Plant Farm Inc., NS Road 3 E Part of Lot 7, Concession 3 ED

R. Brown, Manager of Planning Services

- i) Notice of Public Meeting, dated February 15, 2018
- ii) Report of R. Brown, Manager of Planning Services, dated February 27, 2018 with attached Appendices A and B
- iii) Proposed By-law 33-2018, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville

The Applicant, Rico Roots Plant Farms Inc. represented by Rudy Mastronardi, President, was in attendance.

Public Comments:

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

207-2018

Moved By Councillor Thomas Neufeld

Seconded By Councillor John Driedger

That Council approves zoning by-law amendment ZBA/02/18 to permit a medical marihuana production facility on property located on the north side of Road 3 E and address the required relief or exemption from specific provisions of Section 4.46 of Kingsville Zoning By-law 1-2014 as outlined in the attached amendment and adopt the implementing by-law.

CARRIED

4. PUBLIC MEETING - Zoning By-law Amendment ZBA/03/18 1659437 Ontario Limited, 1555-1557 County Road 34 E, Part of Lot 9, Concession 3 ED

R. Brown, Manager of Planning and Development Services.

- i) Notice of Public Meeting, dated February 15, 2018
- ii) Report of R. Brown, Manager of Planning Services dated February 28, 2018 with attached Appendices A and B
- iii) Proposed By-law 34-2018, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville

The Applicant, 1659437 Ontario Limited, represented by Mike Del Ciano, was in attendance.

Public Comments:

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

208-2017

Moved By Councillor Larry Patterson

Seconded By Councillor Tony Gaffan

That Council approve zoning by-law amendment ZBA/03/18 to permit a medical marihuana production facility on property located at 1555 and 1557 County Road 34 E and address the required relief or exemption from specific provisions in Section 4.46 of Kingsville Zoning By-law 1-2014 as outlined in the attached amendment and adopt the implementing by-law.

CARRIED

F. AMENDMENTS TO THE AGENDA

None.

G. ADOPTION OF ACCOUNTS

1. **Town of Kingsville Accounts for the monthly period ended February 28, 2018 being TD cheque numbers 0064622 to 0064925 for grand total of \$3,267,002.83**

209-2018

Moved By Councillor Larry Patterson

Seconded By Councillor Susanne Coghill

That Council approve Town of Kingsville Accounts for the monthly period ended February 28, 2018 being TD cheque numbers 0064622 to 0064925 for grand total of \$3,267,002.83

CARRIED

H. STAFF REPORTS

1. **Communities in Bloom 2018**

M. Durocher, Parks and Recreation Programs Manager

210-2018

Moved By Councillor Thomas Neufeld

Seconded By Councillor Susanne Coghill

That Council concurs with the recommendation of the Parks, Recreation Arts and Culture Committee with regard to the Communities in Bloom status for 2018 (that the Town not compete in the judged portion of the National CIB Tour, and remain as a provincial member of CIB Ontario in the non-competitive friend category); and furthermore,

That Council direct Administration to evaluate the committee application process and implement a reporting requirement at the conclusion of each 4-year term, which report shall be provided from the Administrative support staff, as it pertains to each committee, in advance of the 2018-2022 term of Council.

CARRIED

2. Broadcasting Tower – 3165 South Talbot Road 2506312 Ontario Corp. (Southshore Broadcasting)

R. Brown, Manager of Planning Services

211-2018

Moved By Councillor Larry Patterson

Seconded By Councillor Thomas Neufeld

That Council authorizes Administration to provide the applicant (2506312 Ontario Corporation) with a Statement of Concurrence that sufficient public consultation has occurred and public comments considered regarding the proposed broadcasting tower installation at 3165 South Talbot Road.

CARRIED

3. Timbercreek Estates Extension of Draft Plan of Subdivision Approval County File No. 37-T-06015, dated March 6, 2018

212-2018

Moved By Councillor Susanne Coghill

Seconded By Councillor Larry Patterson

That Council support the granting of a further three-year extension of the Draft Plan of Subdivision Approval for Phase 2 of the Timbercreek Estates Subdivision in the Town of Kingsville (County of Essex File No. 37-T-06015).

CARRIED

I. BUSINESS/CORRESPONDENCE-ACTION REQUIRED

No items.

J. MINUTES OF THE PREVIOUS MEETINGS

1. Regular Meeting of Council - February 26, 2018

213-2018

Moved By Councillor Larry Patterson

Seconded By Councillor Tony Gaffan

That Council adopt Regular Meeting of Council Minutes dated February 26, 2018.

CARRIED

2. Regular 'Closed Session' Meeting of Council - February 26, 2018

214-2018

Moved By Councillor Tony Gaffan

Seconded By Councillor John Driedger

That Council adopt Regular 'Closed Session' Meeting of Council Minutes dated February 26, 2018

CARRIED

K. MINUTES OF COMMITTEES AND RECOMMENDATIONS

1. Planning Advisory Committee - November 21, 2017

215-2018

Moved By Councillor Thomas Neufeld

Seconded By Councillor Susanne Coghill

That Council receives Planning Advisory Committee Meeting Minutes dated November 21, 2017

CARRIED

2. Kingsville Accessibility Advisory Committee - December 12, 2017

216-2018

Moved By Councillor Thomas Neufeld

Seconded By Councillor John Driedger

That Council receives Kingsville Accessibility Advisory Meeting Minutes dated December 12, 2017

CARRIED

3. Committee of Adjustment - December 19, 2017

217-2018

Moved By Councillor Thomas Neufeld

Seconded By Councillor Susanne Coghill

That Council receives Committee of Adjustment Meeting Minutes dated December 19, 2017

CARRIED

4. Union Water Supply System Joint Board of Management - December 20, 2017

218-2018

Moved By Councillor Larry Patterson

Seconded By Councillor John Driedger

That Council receives Union Water Supply System Joint Board of Management Meeting Minutes dated December 20, 2017

CARRIED

5. Kingsville Heritage Advisory - January 23, 2018

219-2018

Moved By Councillor Susanne Coghill

Seconded By Councillor John Driedger

That Council receives Kingsville Heritage Advisory Meeting Minutes dated January 23, 2018

CARRIED

6. Police Services Board - January 24, 2018

220-2018

Moved By Councillor Larry Patterson

Seconded By Councillor Tony Gaffan

That Council receives Police Services Board Meeting Minutes dated January 24, 2018

CARRIED

L. BUSINESS CORRESPONDENCE - INFORMATIONAL

- 1. County of Renfrew - Correspondence from Jennifer Murphy, Warden enclosing Resolution passed February 28, 2018 RE: Proposed amendments to Endangered Species Act**

- 2. Cedar Island Yacht Club - Correspondence from Paul Cairolis dated March 1, 2018 RE: Grant from Town of Kingsville to CIYC Youth Sail Program**

221-2018

Moved By Councillor Susanne Coghill

Seconded By Councillor Tony Gaffan

That Council receives Business Correspondence-Informational items 1 and 2.

CARRIED

M. NOTICES OF MOTION

1. Councillor Driedger may move, or cause to have moved:

That Administration review the Town's existing policies, by-laws and the Official Plan in relation to the production of medical marihuana and provide a report back to Council to provide recommendations as to whether Council should:

- i) amend the zoning by-law to allow for the production of medical marihuana in newly constructed greenhouses that have proper odour control and security facilities, and if so, what is the process, the cost to undertake said amendment, and the implications of such an amendment;
- ii) consider medical marihuana has a legitimate greenhouse crop;
- iii) prohibit the use of old refurbished greenhouses for the production of medical marihuana, and what are the implications of such a restriction.

Councillor Driedger stated and clarified that section iii of the Notice of Motion (above-captioned) will not be included in his motion to be made this evening.

222-2018

Moved By Councillor John Driedger

Seconded By Councillor Tony Gaffan

That Administration review the Town's existing policies, by-laws and the Official Plan in relation to the production of medical marihuana and provide a report back to Council to provide recommendations as to whether Council should:

- amend The Zoning By-law to allow for the production of medical marihuana in newly-constructed greenhouses that have proper odour control and security facilities, and if so, what is the process, the cost to undertake said amendment, and the implications of such an amendment; and
- consider medical marihuana as a legitimate greenhouse crop.

CARRIED

2. Councillor Neufeld may move, or cause to have moved:

WHEREAS the Avenues of Bainbridge, Nottingham and Oxford in the Municipality of Kingsville, formerly Gosfield South having not seen improvement prior to amalgamation;

AND WHEREAS these avenues having no streetlights, no sidewalks or multi-use paths for safe pedestrian travel;

AND WHEREAS the current condition of the roads do not allow for proper surface drainage to municipal storm sewers;

AND WHEREAS these streets provide a natural walking loop for residents of this area and to those who visit primarily for walking;

AND WHEREAS this Council has identified active transportation as a priority;

AND WHEREAS Administration has identified these roads to be outside of the 1 to 5 year rehabilitation program;

That the avenues of Bainbridge, Nottingham and Oxford, in the Municipality of Kingsville, formerly Gosfield South be brought within the 1 to 2 year priority range of the current Roads Needs study and that any safety concerns or tripping hazards be addressed immediately.

223-2018

Moved By Councillor Thomas Neufeld

Seconded By Councillor Susanne Coghill

WHEREAS the Avenues of Bainbridge, Nottingham and Oxford in the Municipality of Kingsville, formerly Gosfield South, having not seen improvement prior to amalgamation;

AND WHEREAS these avenues having no streetlights, no sidewalks or multi-use paths for safe pedestrian travel;

AND WHEREAS the current condition of the roads do not allow for proper surface drainage to municipal storm sewers;

AND WHEREAS these streets provide a natural walking loop for residents of this area and to those who visit primarily for walking;

AND WHEREAS this Council has identified active transportation as a priority;

AND WHEREAS Administration has identified these roads to be outside of the 1 to 5 year rehabilitation program;

NOW THEREFORE BE IT RESOLVED that the avenues of Bainbridge, Nottingham and Oxford, in the Municipality of Kingsville, formerly Gosfield South be brought within the 1 to 2 year priority range of the current Roads Needs study and that any safety concerns or tripping hazards be addressed immediately.

DEFERRED BY MOTION 224-2018

224-2018

Moved By Councillor Tony Gaffan

Seconded By Councillor Larry Patterson

That the Motion be Deferred until completion of the 2018 municipal Road Tour.

CARRIED

N. UNFINISHED BUSINESS, ANNOUNCEMENTS AND UPDATES

None.

O. BYLAWS

1. By-law 30-2018

Being a By-law to amend By-law No. 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (ZBA/24/17-950 Seacliff (County Road 20))

225-2018

Moved By Councillor Susanne Coghill

Seconded By Councillor John Driedger

That Council read By-law 30-2018, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (ZBA/24/17; 950 Seacliff (County Road 20)) a first, second, and third and final time.

CARRIED

2. By-law 32-2018

Being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (ZBA/01/18; 1583 and 1585 County Road 34 East)

226-2018

Moved By Councillor Susanne Coghill

Seconded By Councillor Thomas Neufeld

That Council read By-law 32-2018, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (ZBA/01/18; 1583 and 1585 County Road 34 East) a first, second, and third and final time.

CARRIED

3. By-law 33-2018

Being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (ZBA/02/18; NS Road 3 E)

227-2018

Moved By Councillor Susanne Coghill

Seconded By Councillor John Driedger

That Council read By-law 33-2018, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (ZBA/02/18; NS Road 3 E) a first, second, and third and final time.

CARRIED

4. By-law 34-2018

Being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (ZBA/03/18; 1555 and 1557 County Road 34 E)

228-2018

Moved By Councillor Susanne Coghill

Seconded By Councillor Tony Gaffan

That Council read By-law 34-2018, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (ZBA/03/18; 1555 and 1557 County Road 34 E) a first, second, and third and final time.

CARRIED

5. By-law 35-2018

229-2018

Moved By Councillor Susanne Coghill

Seconded By Councillor Larry Patterson

That Council read by-law 35-2018, being a by-law to appoint a Deputy Chief Building Official for The Corporation of the Town of Kingsville a first, second, and third and final time.

CARRIED

6. By-law 36-2018

Being a By-law authorizing the entering into of an Amendment to the Site Plan Agreement with 1552843 Ontario Limited-Noah Homes.

230-2018

Moved By Councillor Susanne Coghill

Seconded By Councillor Tony Gaffan

That Council read By-law 36-2018, being a by-law authorizing the entering into of an Amendment to the Site Plan Agreement with 1552843 Ontario Limited - Noah Homes (950 Seacliff Dr.) a first, second, and third and final time.

CARRIED

P. CONFIRMATORY BY-LAW

1. By-law 37-2018

Being a By-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its March 12, 2018 Regular Meeting

231-2018

Moved By Councillor Susanne Coghill

Seconded By Councillor Larry Patterson

That Council read By-law 37-2018, being a By-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its March 12, 2018 Regular Meeting a first, second, and third and final time.

CARRIED

Q. ADJOURNMENT

232-2018

Moved By Councillor Larry Patterson

Seconded By Councillor Thomas Neufeld

That Council adjourn this Regular Meeting at 8:39 p.m.

CARRIED