



**REGULAR MEETING OF COUNCIL
MINUTES**

**Monday, April 8, 2019
6:15 PM
Council Chambers
2021 Division Road N
Kingsville, Ontario N9Y 2Y9**

Members of Council	Mayor Nelson Santos Deputy Mayor Gord Queen Councillor Tony Gaffan Councillor Thomas Neufeld Councillor Larry Patterson Councillor Kimberly DeYong Councillor Laura Lucier
Members of Administration	J. Astrologo, Director of Corporate Services R. Brown, Manager of Planning Services S. Kitchen, Deputy Clerk-Council Services P. Van Mierlo-West, CAO

A. CALL TO ORDER

Mayor Santos called the Regular Meeting to order at 6:15 p.m. with all members of Council, and those Members of Administration listed above, in attendance.

Solicitor Jeffrey J. Hewitt was also in attendance in respect to Agenda Item Bi).

B. CLOSED SESSION

223-2019

Moved By Councillor Thomas Neufeld

Seconded By Councillor Tony Gaffan

That Council, at 6:15 p.m., pursuant to Section 239(3.1) of the *Municipal Act, 2001*, enter into Closed Session to address the following item:

i) Educational or training sessions [(s.239(3.1)]--Solicitor Jeffrey J. Hewitt to provide an educational or training session to Council members pertaining to the Local Planning Appeal Tribunal (LPAT) process.

CARRIED

Upon rising from Closed Session at 6:51 p.m. Solicitor Hewitt left the Council Chambers, and did not return.

Mayor Santos called for a short recess at 6:52 p.m., and the Regular Meeting reconvened at 7:00 p.m. with all members of Council present, along with the following Members of Administration: CAO P. Van Mierlo-West, Director of Corporate Services/Clerk J. Astrologo, Director of Financial Services R. McLeod, Manager of Planning Services R. Brown and Deputy Clerk-Council Services S. Kitchen.

C. REPORT OUT OF CLOSED SESSION

(Rising Report was made by Mayor Santos following Item F, see below).

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 singing of O'Canada.

E. PLAYING OF NATIONAL ANTHEM

F. 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.

REPORT OUT OF CLOSED SESSION

RE: Agenda Item B i) Educational or training session pursuant to Section 239(3.1) of the *Municipal Act, 2001*

At 7:02 p.m., Mayor Santos reported that Council had entered into Closed Session earlier this evening for the purpose of Solicitor Jeffrey J. Hewitt providing education and training in respect to the Local Planning Appeal Tribunal (LPAT) appeal process.

G. PRESENTATIONS/DELEGATIONS

1. Kingsville Horticultural Society--1st Vice President Alan Batke will present a 2019 Update about the Horticultural Society's plans

On behalf of the Kingsville Horticultural Society members and executives, Mr. Batke presented a Life Membership Award to Deputy Mayor Queen for his "outstanding contributions, leadership and wisdom to the Town of Kingsville, and also as supporter and friend to many other organizations". President Heather Crewe, Past President Chris Childs, Secretary Katie Thorpe, and 2nd Vice President Anne Rudy were also in attendance. The Society thanked Mr. Queen for his volunteer efforts, outside of his role as an elected representative, toward the enhancement and beautification of this community. Deputy Mayor Queen stated that he is honoured, and surprised, to receive the Life Membership Award and thanked Mr. Batke and the Society.

H. MATTERS SUBJECT TO NOTICE

1. PUBLIC MEETING--Application for Removal of the H- Holding Symbol ZBA/06/19 by Cristina Porrone – Queen Valley Estates Part of Lot 11, Concession 2 ED Draft Plan 37-T-13002, Plan 12M 649 & Plan 12M

R. Brown, Manager of Planning Services

- i) Notice of an Intention to Pass an Amending By-law to Remove a Holding Symbol, dated March 19, 2019;
- ii) Report of R. Brown, dated March 19, 2019;
- iii) Proposed By-law 43-2019, being a by-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville.

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

224-2019

Moved By Councillor Larry Patterson

Seconded By Councillor Thomas Neufeld

That Council approves Zoning By-law Amendment Application ZBA/06/19 for removal of the H-Holding symbol on the subject lands known as Part of Lot 11, Concession 2 ED and within Draft Plan of Subdivision 37-T-13002 including Plan 12M 649 and 12M 651, in the Town of Kingsville, and adopt the implementing by-law.

CARRIED

I. AMENDMENTS TO THE AGENDA

There were no amendments to the Agenda.

J. ADOPTION OF ACCOUNTS

- 1. Town of Kingsville Accounts for the monthly period ended March 31, 2019 being TD cheque numbers 0068497 to 0068774 for a grand total of \$1,709,482.99**

225-2019

Moved By Councillor Laura Lucier

Seconded By Deputy Mayor Gord Queen

That Council approves Town of Kingsville Accounts for the monthly period ended March 31, 2019 being TD cheque numbers 0068497 to 0068774 for a grand total of \$1,709,482.99

CARRIED

K. STAFF REPORTS

- 1. Application for Site Plan Approval Amendment by Rico Root Plant Farm, 1156 Road 3 E Part of Lot 7, Concession 3 ED, Part 1, RP 12R 24428**

R. Brown, Manager of Planning Services.

226-2019

Moved By Councillor Tony Gaffan

Seconded By Councillor Laura Lucier

That Council approves the requested Site Plan Amendment for the retrofit of a 1.61 ha (4 ac.) greenhouse for use as a medical marihuana production facility (Rico Root Plant Farm, 1156 Road 3 E), subject to the conditions outlined in the Amending Site Plan Agreement and authorize the Mayor and Clerk to sign the Amending Site Plan Agreement and register said Agreement on title; and

That Council requires a security deposit equal to 50% of the total cost of the odour control system and lighting control to be deposited with the Town prior to release of any building permits.

CARRIED

2. Funding Announcement

P. Van Mierlo-West, CAO

227-2019

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Larry Patterson

That Council receives the Report of CAO P. Van Mierlo-West titled Funding Announcement; and

That Administration conduct a Request for Proposal for the provision of high speed internet between Town-owned buildings.

Recorded	For	Against
Mayor Nelson Santos	X	
Deputy Mayor Gord Queen	X	
Councillor Tony Gaffan	X	
Councillor Thomas Neufeld		X
Councillor Larry Patterson	X	
Councillor Kimberly DeYong	X	
Councillor Laura Lucier	X	
Results	6	1

CARRIED (6 to 1)

3. Sun Parlour Folk Music Society Rental – Carnegie Arts & Visitor Centre

P. Van Mierlo-West, CAO

228-2019

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Tony Gaffan

That Council approves the proposal brought forth by the Sun Parlour Folk Music Society;

And that the Sun Parlour Folk Music Society be approved to rent space at the Carnegie Arts & Visitor Centre for a period of three years in the amount of \$1,500.00 per year for the purposes of promoting, and selling tickets for, the Kingsville Folk Festival;

And that Administration be directed to complete a rental agreement to be brought to Council for approval.

CARRIED

4. 281 Main Street East

P. Van Mierlo-West, CAO

229-2019

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Thomas Neufeld

That Council receives the Report of CAO P. Van Mierlo-West dated April 3, 2019 RE: 281 Main St. East, and that Dillon Consulting be retained to complete the noise impact assessment, with costs of the assessment allocated to the Town.

Recorded	For	Against
Mayor Nelson Santos	X	
Deputy Mayor Gord Queen	X	
Councillor Tony Gaffan	X	
Councillor Thomas Neufeld	X	
Councillor Larry Patterson		X
Councillor Kimberly DeYong		X
Councillor Laura Lucier		X
Results	4	3

CARRIED (4 to 3)

L. BUSINESS/CORRESPONDENCE-ACTION REQUIRED

1. Watson and Associates Economists Ltd.--Town of Kingsville Water Financial Plan dated March 21, 2019

230-2019

Moved By Councillor Thomas Neufeld

Seconded By Councillor Laura Lucier

That Council approves the Town of Kingsville Water Financial Plan prepared by Watson & Associates Economists Ltd. in accordance with O. Reg. 453/07, dated March 21, 2019 ("the Plan"); and

That Council directs Administration to publicly advertise the availability of the Plan and to submit the Plan to the Ministry of Municipal Affairs and Housing and the Ministry of the Environment, Conservation and Parks as required to satisfy the requirements of the *Safe Drinking Water Act* and O. Reg. 453/07.

CARRIED

2. Leamington District Agricultural Society--RE: 171st Annual Leamington Fair--Request for support of children's bike giveaway

231-2019

Moved By Councillor Thomas Neufeld

Seconded By Councillor Tony Gaffan

That Council support the Leamington District Agricultural Society 171st Fair event in the amount of \$160.00, split in equal amounts from the 2019 conference allocation accounts of Councillor Neufeld and Councillor Gaffan.

CARRIED

M. MINUTES OF THE PREVIOUS MEETINGS

1. Regular Meeting of Council--March 25, 2019

2. Regular 'Closed Session' Meeting of Council--March 25, 2019

232-2019

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Laura Lucier

That Council adopts Regular Meeting of Council Minutes, dated March 25, 2019 and Regular 'Closed Session' Meeting of Council Minutes dated March 25, 2019.

CARRIED

N. MINUTES OF COMMITTEES AND RECOMMENDATIONS

1. Tourism and Economic Development Committee - February 14, 2019

233-2019

Moved By Councillor Tony Gaffan

Seconded By Councillor Larry Patterson

That Council receives Tourism and Economic Development Committee Meeting Minutes dated February 14, 2019

CARRIED

2. Kingsville Municipal Heritage Advisory Committee - February 20, 2019

234-2019

Moved By Councillor Kimberly DeYong

Seconded By Councillor Laura Lucier

That Council receives Kingsville Municipal Heritage Advisory Committee Meeting Minutes dated February 20, 2019

CARRIED

3. Parks, Recreation, Arts and Culture Committee - February 21, 2019

235-2019

Moved By Councillor Tony Gaffan

Seconded By Deputy Mayor Gord Queen

That Council receive Parks, Recreation, Arts and Culture Committee Meeting Minutes dated February 21, 2019 together with Minutes of the following sub-committees:

Kingsville Highland Games - November 20, 2018

CARRIED

4. Police Services Board - February 27, 2019

236-2019

Moved By Councillor Larry Patterson

Seconded By Councillor Kimberly DeYong

That Council receives Police Services Board Meeting Minutes dated February 27, 2019

CARRIED

O. BUSINESS CORRESPONDENCE - INFORMATIONAL

- 1. Town of Kingsville, Office of the Mayor--Letter of Support dated April 1, 2019 sent to Ontario Highway Transport Board (in support of Transit Windsor to provide transit services for the Long-Distance Scheduled Intercommunity Project)**
- 2. Layne and Elaine van Loo, Cottam Residents--Correspondence received April 2, 2019 RE: Proposal for formation of an 'En Plein Air' Arts event**
- 3. Office of the Prime Minister--Correspondence dated April 3, 2019 from T. Jolicoeur, Executive Correspondence Officer for the Prime Minister's Office RE: Phragmites Control**

237-2019

Moved By Councillor Kimberly DeYong

Seconded By Councillor Thomas Neufeld

That Council receives Business Correspondence-Informational Items 1-3.

CARRIED

238-2019

Moved By Councillor Kimberly DeYong

Seconded By Councillor Tony Gaffan

That Council direct Administration to forward Item O-2 (Layne and Elaine van Loo, RE: Proposal for formation of an 'En Plein Air" Arts event) to the Parks and Recreation, Arts and Culture Committee for consideration.

CARRIED

In respect to Item O-1 (Letter of support sent to Ontario Highway Transport Board in support of Transit Windsor to provide transit services for the Long-Distance Scheduled Intercommunity Project), Administration will bring back any further information as soon as it is received.

P. NOTICES OF MOTION

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

239-2019

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Tony Gaffan

That the Senior Members of Administration research and report back to Council within six (6) months the options and costs that may be incurred for better "improved" internet within the Town of Kingsville.

CARRIED

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

240-2019

Moved By Councillor Kimberly DeYong

Seconded By Councillor Tony Gaffan

That Council direct Administration to update/revise By-law 62-2014, being the "by-law to establish and regulate a Fire Department for the Town of Kingsville" to include a schedule of core services and excluded services.

CARRIED

Q. UNFINISHED BUSINESS, ANNOUNCEMENTS AND UPDATES

There were no unfinished business items, announcements or updates.

R. BYLAWS

1. By-law 38-2019

241-2019

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Kimberly DeYong

That Council reads By-law 38-2019, being a by-law to appoint Paul D. Watson as the Integrity Commissioner for The Corporation of the Town of Kingsville, a first, second and third and final time.

CARRIED

2. By-law 39-2019

242-2019

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Tony Gaffan

That Council reads By-law 39-2019, being a By-law authorizing the entering into of an Agreement with Cheema Cleaning Services Ltd. for the Janitorial Service Maintenance of the Various Town of Kingsville Buildings a first, second and third and final time.

CARRIED

3. By-law 40-2019

243-2019

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Larry Patterson

That Council reads By-law 40-2019, being a By-law authorizing the entering into of an Agreement with Mill-AM Corporation for the 2019 Urban Road Program (File No. 19-101; Landsdowne Avenue) a first, second and third and final time.

CARRIED

4. By-law 41-2019

244-2019

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Thomas Neufeld

That Council reads By-law 41-2019, being a By-law authorizing the entering into of an Agreement with Mill-AM Corporation for the 2019 Urban Road Program (File No. 19-102 Heritage Road) a first, second and third and final time.

CARRIED

5. By-law 42-2019

245-2019

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Laura Lucier

That Council reads By-law 42-2019, being a By-law authorizing the entering into of an Agreement with Mill-AM Corporation for the 2019 Urban Road Program (File No. 19-105; Cedarhurst Subdivision Urban Road Program) a first, second and third and final time.

CARRIED

6. By-law 43-2019

246-2019

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Kimberly DeYong

That Council reads By-law 43-2019, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (Part of Lot 11,

Concession 2 ED; Draft Plan 37-T-13002--Plan 12M 649 and Plan 12M 651, ZBA/06/19) a first, second and third and final time.

CARRIED

S. CONFIRMATORY BY-LAW

1. By-law 44-2019

247-2019

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Larry Patterson

That Council reads By-law 44-2019, being a By-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its April 8, 2019 Regular Meeting a first, second and third and final time.

CARRIED

T. ADJOURNMENT

248-2019

Moved By Councillor Kimberly DeYong

Seconded By Councillor Tony Gaffan

That Council adjourns this Regular Meeting at 8:09 p.m.

CARRIED