



**REGULAR MEETING OF COUNCIL
MINUTES**

Monday, August 10, 2020

6:00 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
M. Durocher, Parks & Recreation Program Manager
K. Brcic, Planner
T. Iacobelli, Manager of Information Technology
S. Kitchen, Deputy Clerk-Council Services
S. Martinho, Public Works Manager
R. McLeod, Director of Financial Services
A. Plancke, Director of Municipal Services
R. Baines, Deputy Clerk - Administrative Services
D. Wolicki, Manager of Municipal Facilities and Property

A. CALL TO ORDER

Mayor Santos, in attendance in the Council Chambers, called the Regular Meeting to order at 6:00 p.m. All other members participated in the meeting through video conferencing technology from remote locations.

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.

1. **Councillor Gaffan declared an interest in respect to Agenda Item marked F-1--Staff Report RE: Financial Support for Businesses due to COVID-19**

C. PRESENTATIONS/DELEGATIONS

1. **Sarah Sacheli, Chair, Kingsville Municipal Heritage Advisory Committee**

RE: Presentation of Report RE: By-law 12-2017 Heritage Designation of 107 Elm Street (The Cowan-Valentine House)

Ms. Sacheli presented the Committee's Report and Recommendation that Council proceed to amend Heritage Designation By-law 12-2017 in accordance with Section 30.1(2) to (10) of the *Ontario Heritage Act*.

As stated within the Report, presently the list of heritage attributes in Schedule "A" of the designation by-law includes five old-growth native trees on the property. Since the time of designation, one of the trees became uprooted and fell over. As the designation is no longer accurate because of the loss of one of the trees, and in the interest of safety and expediency for the maintenance of the remaining trees referenced in the designation by-law, the Committee recommends the reference to specific trees be removed from the designation. The designation by-law will remain the same in all other respects.

467-2020

Moved By Councillor Kimberly DeYong

Seconded By Deputy Mayor Gord Queen

That Council amends By-law 12-2017 to remove the reference in Schedule "A" to the five old-growth trees on the property.

CARRIED

Notice of the Proposed Amendment will be served upon the property owner.

D. MATTERS SUBJECT TO NOTICE

1. Application for Zoning By-law Amendment and Consent ZBA/09/2020 by Solid Rock Homes Inc., 273 and 281 Glass Avenue, Kingsville (to be deferred at the Request of the Applicant)

K. Brcic, Town Planner

i) Notice of Complete Application and Public Meeting: Zoning By-law Amendment and Consent, dated July 17, 2020.

468-2020

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Thomas Neufeld

That Council defers the Zoning By-law Amendment Application ZBA/09/2020 as requested by the Applicant, Solid Rock Homes Inc. to a future Regular Meeting of Council.

CARRIED

2. Combined Application for Consent and Zoning By-law Amendment File B/01/20 & ZBA/05/20 by David & Rosanne Nickels 1246 & 1250 County Road 34 Part of Lot 19, Concession 4, WD, Pt. 1, RP 12R 14075

K. Brcic, Town Planner.

i) Notice of Complete Application and Public Meeting: Zoning By-law Amendment and Consent, dated July 10, 2020;

ii) Report of K. Brcic, Town Planner, dated June 12, 2020;

iii) Proposed By-law 41-2020, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville.

Comments from the Applicant:

Mr. David Nickels asked if Council would consider moving the stop sign forward at the intersection, and stated there are trees at other intersection locations in the municipality, such as Olinda and Concession 5, and County Road 31 and Concession 5. He further commented that he would be amenable to working with Mr. Plancke and Town Administration with the understanding to save as many trees as possible that are situated in the proposed daylight triangle (at the corner of Graham Sideroad and Road 5 East).

There were no further comments.

469-2020

Moved By Councillor Larry Patterson

Seconded By Councillor Kimberly DeYong

That Council:

Approves Consent Application B/01/20 to sever two existing dwellings, deemed surplus to the needs of the applicants' farming operation on parcels shown as Part 1 (1246 County Rd 34) - 0.28 ha (0.692 ac.) and Part 2 (1250 County Rd 34) - 0.25 ha (0.626 ac.), on the applicants' sketch, in the Town of Kingsville, subject to the following conditions:

- a. That a reference plan be deposited in the registry office, both an electronic and paper copy of the registered plan is to be provided to the Town.
- b. That any special assessment imposed pursuant to the provisions of the Local Improvement Act and/or Municipal Act be paid in full along with all municipal taxes.
- c. That any necessary drainage apportionments be undertaken.
- d. That a clearance letter of approval for the septic systems on Parts 1 and/or 2 must be obtained from the Town's Building Department.
- e. That as a result of the severance, owners shall become liable by way of up front monies for the assessment and taxation of their properties for any waterworks or sanitary sewer systems affecting their properties, in accordance with the Fees By-law in effect on the date of certification of the deed.
- f. The zoning of the retained parcel be amended to prohibit future dwellings prior to certification.
- g. That the applicants convey a 9m x 9m daylight triangle to the Town (at the corner of Graham Sideroad and Road 5 East) free of charge and clear of all encumbrances, And That Administration work with the applicants regarding

the cutting back and trimming of existing trees and vegetation at such location in an effort to save as many trees as possible;

- h. That the applicants obtain the necessary permit for and install a new access to the retained farm parcel at the applicant's expense and to the satisfaction of the Town and/or County;
- i. That the necessary deed(s), transfer or changes be submitted in triplicate, signed and fully executed (no photocopies), including a copy of the reference plan, prior to certification.
- j. The conditions imposed above shall be fulfilled by August 10, 2021 or this application shall be deemed to be refused in accordance with Section 53(41) of the Planning Act.

And Further That Council approves Zoning By-law Amendment Application ZBA/05/20 to rezone the retained parcel, in Part of Lot 19, Concession 4, WD, Pt. 1, RP 12R 14075, in the Town of Kingsville, from 'Agriculture (A1)' to 'Agriculture – Restricted (A2)' and adopt the implementing by-law.

CARRIED

3. Combined Application for Consent and Zoning By-law Amendment File B/06/20 & ZBA/08/20 by David Armstrong 257 Rd 10 E Part of Lot 16, Concession 10

K. Brcic, Town Planner

- i) Notice of Complete Application and Public Meeting: Zoning By-law Amendment and Consent, dated July 17, 2020;
- ii) Report of K. Brcic, Town Planner, dated July 21, 2020;
- iii) Proposed By-law 73-2020, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville.

There were no comments from the Applicant, and no other comments from the public.

470-2020

Moved By Councillor Laura Lucier

Seconded By Councillor Larry Patterson

That Council:

Approves Consent Application B/06/20 to sever an existing dwelling, deemed surplus to the needs of the applicants farming operation on a 0.48 ha (1.19 ac.) lot shown as Part 1 on the applicants sketch, known as 257 Road 10 E, in the Town of Kingsville, subject to the following conditions:

1. That a reference plan be deposited in the registry office, both an electronic and paper copy of the registered plan is to be provided to the Town.
2. That any special assessment imposed pursuant to the provisions of the Local Improvement Act and/or Municipal Act be paid in full along with all municipal taxes.
3. That any necessary drainage apportionments be undertaken.
4. That as a result of the severance, owners shall become liable by way of up front monies for the assessment and taxation of their properties for any waterworks or sanitary sewer systems affecting their properties, in accordance with the Fees By-law in effect on the date of certification of the deed.
5. The zoning of the retained parcel be amended to prohibit future dwellings prior to certification (ZBA/08/20).
6. That the applicant provide confirmation to the satisfaction of the Town the location of any existing septic systems in relation to the revised lot line locations.

7. That the necessary deed(s), transfer or changes be submitted in triplicate, signed and fully executed (no photocopies), including a copy of the reference plan, prior to certification.
8. The conditions imposed above shall be fulfilled by August 10, 2021 or this application shall be deemed to be refused in accordance with Section 53(41) of the Planning Act.

And that Council approves Zoning By-law Amendment Application ZBA/08/20 to rezone the retained parcel, in Part of Lot 16, Concession 10, in the Town of Kingsville, from 'Agriculture (A1)' to 'Agriculture – Restricted (A2)' and adopt the implementing by-law.

CARRIED

4. Application for Draft Plan of Subdivision Approval SUB/01/2020 (37-T- 20002) & Zoning By-law Amendment ZBA/06/2020

R. Brown, Manager of Planning Services

- i) Notice of Complete Application and Public Meeting: Draft Plan of Subdivision and Zoning By-law Amendment, dated July 10, 2020;
- ii) Report of R. Brown, dated July 27, 2020;
- iii) Proposed By-law 77-2020, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville.

Comments from the Applicant's representative:

Solicitor Ed Hooker (Wolf Hooker Professional Corporation), representing the Applicants, stated that he appreciates the thorough analysis provided by Mr. Brown, and indicated that he and the Applicants are in attendance to answer any questions that Council may have.

There were no questions presented by Council to Solicitor Hooker in this matter, and there were no further comments.

471-2020

Moved By Councillor Larry Patterson

Seconded By Councillor Thomas Neufeld

That Council approves Zoning Amendment Application ZBA/06/2020 to amend the Residential Zone 2 Rural/Urban, holding (R2.2(h)) to establish regulations for the subdivision of permitted semi-detached dwellings into individual freehold units;

And That Council Approves a Resolution in support of the draft plan of subdivision, County File No. 37-T-20002, and subject to conditions outlined by the County in the draft approval and subject to approval of the necessary development agreement between the applicant and Town;

And Further That Council Directs Administration to forward the resolution of support to the County Planner for final approval.

CARRIED

5. Application for Zoning By-law Amendment ZBA/03/2020 by Jennifer Gagnon, 111 Queen St., Pt. Lot 5, Plan 187

R. Brown, Manager of Planning Services.

i) Notice of Complete Application and Public Meeting: Zoning By-law Amendment, dated July 10, 2020;

ii) Report of R. Brown, Manager, Planning Services, dated July 22, 2020;

iii) Proposed By-law 78-2020, being a by-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville.

Comments from the Applicant:

The Applicant, Jennifer Gagnon, indicated that she had no further comments in connection with the Application as presented by Mr. Brown, except that she hoped it would not be necessary to add any school crossing signage because it is a small group and the children, upon arriving to the school, will be assisted to enter the building.

There were no further comments from anyone from the public.

472-2020

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Tony Gaffan

That Council approves Zoning Amendment Application ZBA/03/2020 to rezone 111 Queen St. from Residential Zone 1 Urban (R1.1) to a site-specific

Residential Zone 1 Urban Exception (R1.1-29) to add a private school limited to a maximum student occupancy of 20 or as determined by the change of use permit process, whichever is less.

CARRIED

6. Application for Zoning By-law Amendment ZBA/07/2020 & Site Plan Amendment SPA/05/2020 by Jeremy Capussi, 140 Main St. East, Pt. Lot 1, Concession 1, ED, Parts 1 and 2, RP 12R-14569

R. Brown, Manager of Planning Services

- i) Notice of Complete Application and Public Meeting: Zoning By-law Amendment and Site Plan Approval, dated July 10, 2020;
- ii) Report of R. Brown, Manager, Planning Services, dated July 24, 2020;
- iii) Proposed By-law 76-2020, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville.

Comments from the Applicant:

The Applicant, Jeremy Capussi, and Davide Petretta of Petretta Construction Inc. were in attendance. Mr. Petretta thanked Mr. Brown for the concise summary of the Application. He stated that they did listen to the community's concerns and have seen the tremendous growth in Kingsville. He indicated that by eliminating the commercial traffic with this new design, it will certainly help the neighbours.

Comments from members of the Public:

Mary Ellen Havlik, indicated she lives kitty corner from the proposed development and her concern overall is that she does not see a vision for Main Street and hopes this addresses the gap. She stated that she appreciates the removal of the retail element but remains very concerned about traffic and traffic flow. She asked that a Victorian element be added to the design.

Carmen Smith, 23 Cherry Lane requests that a fence be added for privacy and noise abatement, rather than shrubbery as shown on the landscape plan, and asked about the construction schedule, so that she could have an opportunity to bring her concerns forward.

John Smith, also of 23 Cherry Lane, asked if the retention pond will be maintained (control of algae and nitrates), and stated that his major issue is the

bollards and how that fits in with the transition. He also commented about the need for repair and maintenance to a section of Cherry Lane.

Mr. Brown responded that he will look into whether there is a pond maintenance plan in place, will look at the final landscaping plan and transitions, and will inquire with Municipal Services as to whether improvements to Cherry Lane can be expedited.

473-2020

Moved By Councillor Larry Patterson

Seconded By Councillor Tony Gaffan

That Council approves Zoning By-law Amendment Application ZBA/07/2020 to amend the site-specific Residential Zone 4 Urban Exception 5, 'R4.1-5' to:

limit the proposed apartment building to three (3) stories;

permit a maximum of 30 residential dwelling units;

maintain the front yard setback requirement of 8 m (26 ft.), and

limit the maximum height of the building to 10 m (32.8 ft.), and adopt the implementing by-law;

And That Council Approves Site Plan Approval Application SPA/05/2020 for the development of a three storey, 30 unit multiple unit apartment dwelling, subject to the terms and conditions of the associated Site Plan Agreement and authorizes the Mayor and Clerk to sign the Agreement and register said Agreement on title.

CARRIED

At 8:00 p.m. Mayor Santos called for a recess, and the Regular Meeting reconvened at 8:10 p.m.

E. AMENDMENTS TO THE AGENDA

Councillor Neufeld added one item under Unfinished Business, and Mayor Santos added one update in connection with COVID-19.

F. STAFF REPORTS

1. Financial Support for Businesses due to COVID-19

Councillor Tony Gaffan declared a conflict on this item.

R. McLeod, Director of Financial Services.

Councillor Gaffan, having declared an interest refrained from discussion.

474-2020

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Kimberly DeYong

That Council approves the proposed Business Relaunch Fund of up to \$225,000.00 to assist eligible businesses and non-profit organizations with increased operating and facility expenses due to the COVID-19 pandemic (cap up to \$750.00 each);

And, That the funding for such program be obtained from the Budget Stabilization Reserve.

CARRIED

2. Open Streets Program Update

G. A. Plancke, Director of Municipal Services

475-2020

Moved By Councillor Tony Gaffan

Seconded By Councillor Kimberly DeYong

That Council receives the Report of Director Plancke RE: Open Streets Program Update (#MS 2020-33); That the Report be provided to the Kingsville BIA on August 12 for consideration; That the BIA contact Director Plancke no later than the morning of Friday, August 14 with a response.

Amendment:

476-2020

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Larry Patterson

That Council amend the Motion to add the words "And That Council directs Administration to advise the BIA that the Council will withdraw their support of Open Streets if the BIA cannot provide or supply a minimum of 4 volunteers or

staff members plus an event coordinator that is on-site for the duration of the event per day".

CARRIED

Motion as Amended:

475-2020

Moved By Councillor Tony Gaffan

Seconded By Councillor Kimberly DeYong

That Council receives the Report of Director Plancke RE: Open Streets Program Update (#MS 2020-33); That the Report be provided to the Kingsville BIA on August 12 for consideration; That the BIA contact Director Plancke no later than the morning of Friday, August 14 with a response; and That Council directs Administration to advise the BIA that the Council will withdraw their support of Open Streets if the BIA cannot provide or supply a minimum of 4 volunteers or staff members plus an event coordinator that is on-site for the duration of the event per day.

CARRIED

477-2020

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Laura Lucier

That Council receives Report of Director of Municipal Services G. A. Plancke RE: Open Streets Program Update (#MS 2020-33) as to how the Town has prepared for the Open Streets Program as presented.

CARRIED

478-2020

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Thomas Neufeld

That Council commits to the Base Level cost of staffing the event for the remaining duration of the Open Streets program if the BIA commits to provide or

supply a minimum of 4 volunteers or staff members, plus an event coordinator that is on-site for the duration of the program per day.

CARRIED

479-2020

Moved By Councillor Kimberly DeYong

Seconded By Councillor Laura Lucier

That if the Town continues to pay staff for Open Streets, that those participating businesses in Open Streets are not also eligible for additional grant funds through the Town's Business Relaunch Fund program.

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	5	2

CARRIED (5 to 2)

Ms. Astrologo indicated that the Town has a list of all participating businesses, and those businesses will be notified of the Town's policy.

3. Reopening Plan for Kingsville Arena and Recreation Facilities

D. Wolicki, Manager of Municipal Facilities and Property

480-2020

Moved By Councillor Thomas Neufeld

Seconded By Councillor Larry Patterson

That Council receives Report MS-2020-32 Reopening Plan for Kingsville Arena and Recreation Facilities; And That the reopening timelines and Financial Implications as outlined in the report be approved.

CARRIED

G. BUSINESS/CORRESPONDENCE-ACTION REQUIRED

- 1. Essex Region Conservation Authority--Correspondence dated July 31, 2020 from Dr. Katie Stammler, Water Quality Scientist and Source Water Project Manager, ERCA--RE: Essex Region Source Protection Committee-Municipal Representation**

481-2020

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Kimberly DeYong

That Council of The Corporation of the Town of Kingsville endorses the following individuals' appointment to the Essex Region Source Protection Committee: Albert Dionne, Town of Lakeshore, appointment date: September 10, 2020; expiration of appointment September 10, 2025; Ian Wilson, City of Windsor, appointment date: September 10, 2020; expiration of appointment September 10, 2021; Nelson Santos, Union Water Supply System, appointment date: September 10, 2020; expiration of appointment November 30 2022.

CARRIED

- 2. Proposed Terms of Reference for the West Side Collector Road Steering Committee**

482-2020

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Tony Gaffan

That Council endorses the Terms of Reference for the West Side Collector Road Steering Committee.

CARRIED

Amico will be added as part of the representation as external resources, and others to be determined as needed from a Committee perspective. There will be no remuneration paid.

3. Mayor N. Santos--Striking Committee Update Report dated August 6, 2020

483-2020

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Kimberly DeYong

That Council endorses the following appointments to the Main Street Development Committee as presented by the Striking Committee to include: 1. David Hunt; 2. Karla Kroslak; 3. Tasha Slater; And Further That Council confirms the appointment of Mayor Santos, Councillor Laura Lucier, and Councillor Larry Patterson to the West Side Collector Road Steering Committee.

CARRIED

H. MINUTES OF THE PREVIOUS MEETINGS

1. Regular Meeting of Council--July 27, 2020

2. Regular Closed Session Meeting of Council--July 27, 2020

484-2020

Moved By Councillor Larry Patterson

Seconded By Deputy Mayor Gord Queen

That Council adopts Regular Meeting of Council Minutes dated July 27, 2020 and Regular Closed Session Meeting of Council Minutes dated July 27, 2020.

CARRIED

I. MINUTES OF COMMITTEES AND RECOMMENDATIONS

1. Police Services Board--June 24, 2020

485-2020

Moved By Councillor Laura Lucier

Seconded By Councillor Tony Gaffan

That Council receives Police Services Board Meeting Minutes dated June 24, 2020.

CARRIED

2. Committee of Adjustment--June 16, 2020

486-2020

Moved By Councillor Kimberly DeYong

Seconded By Councillor Larry Patterson

That Council receives Committee of Adjustment Meeting Minutes dated June 16, 2020.

CARRIED

J. BUSINESS CORRESPONDENCE - INFORMATIONAL

- 1. Town of Tecumseh--Correspondence dated June 16, 2020 RE: Letter of Support for Broadband Access across Ontario**
- 2. Municipality of Northern Bruce Peninsula--Correspondence dated July 17, 2020 RE: Resolution of Support (Rent Assistance Program)**
- 3. Township of South Glengarry--Resolution No. 229-2020 passed July 20, 2020 RE: Long Term Care Homes**
- 4. Municipality of Chatham Kent--Correspondence dated July 21, 2020 RE: Emancipation Day Resolution**
- 5. Town of Gore Bay--Correspondence dated July 21, 2020 RE: Support of OPP Diversity Training**
- 6. Town of Gore Bay--Correspondence dated July 21, 2020 RE: Support of Universal Basic Income Resolution**
- 7. Town of Essex--Correspondence dated July 23, 2020 RE: Request for Raw Data on Positive COVID-19 Cases in Essex County**

8. **City of Windsor--Correspondence dated July 28, 2020 RE: Windsor City Council's Resolution CR333/2020 adopted July 13, 2020**
9. **Township of Huron-Kinloss--Correspondence dated July 28, 2020 RE: Copy of Resolution #451 Common Training Requirements for All Members of Police Services in Ontario**
10. **County of Essex--Correspondence dated July 29, 2020 RE: Support for Federal Assistance for People with Disabilities--COVID-19 Pandemic**
11. **Town of Mono--Correspondence dated July 24, 2020 RE: Diversity Training Requirements for Police Services in Ontario**
12. **City of Owen Sound--Correspondence dated July 31, 2020 RE: Support for Private Member's Bill M-36--Emancipation Day**
13. **Ontario Energy Board--COVID-19 Energy Assistance Program (CEAP) information--Full program details including eligibility criteria is available at oeb.ca/CEAP.**

487-2020

Moved By Councillor Laura Lucier

Seconded By Deputy Mayor Gord Queen

That Council receives Business Correspondence-Informational items 1 through 13.

CARRIED

K. NOTICES OF MOTION

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

That Council be provided with any and all information that the Town may have in respect to the proposed Kratz Road Extension to the north of Road 2, to the Third Concession.

488-2020

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Larry Patterson

That Council be provided with any and all information that the Town may have in respect to the proposed Kratz Road Extension to the north of Road 2 to the Third Concession, such update to be provided by year end.

CARRIED

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

That the Committee (Main Street Development Review Committee) be started with or without any vacancies that may exist on or before September 8, 2020; And Further That Council and the Committee so appointed be provided with a sample type or style of agreement that might be considered as well as the details as to when the term might be (two vs. one year in term) by the end of September 2020.

Deputy Mayor Queen indicated that he would not be moving the motion, because the matter had been dealt with this evening.

L. UNFINISHED BUSINESS, ANNOUNCEMENTS AND UPDATES

Councillor Neufeld indicated that his Unfinished Business item would be dealt with at the next meeting.

Mayor Santos indicated also that his COVID-19 update would be provided at the next meeting, having in mind the late hour.

M. BYLAWS

1. By-law 41-2020

489-2020

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Tony Gaffan

That Council reads By-law 41-2020, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (1246 and 1250 County Road 34, Part of Lot 19, Concession 4, WD, Pt. 1, RP12R-14075; ZBA/05/20) a first, second and third and final time.

CARRIED

2. By-law 73-2020

490-2020

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Kimberly DeYong

That Council reads By-law 73-2020, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (257 Road 10 E, Part of Lot 16, Concession 10; ZBA/08/20) a first, second and third and final time.

CARRIED

3. By-law 76-2020

491-2020

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Larry Patterson

That Council reads By-law 76-2020, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (140 Main St. East; ZBA/07/2020) a first, second and third and final time.

CARRIED

4. By-law 77-2020

492-2020

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Thomas Neufeld

That Council reads By-law 77-2020, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (V/L NE Side County Road 34 East, Part of Lot 269, Concession NTR, Pts. 1 and 2, RP 12R 26017 and Pt. 1 RP 12R 26659; ZBA/06/20), a first, second and third and final time.

CARRIED

5. By-law 78-2020

493-2020

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Laura Lucier

That Council reads By-law 78-2020, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (111 Queen St., Part of Lot 5, Plan 187; ZBA/03/20) a first, second and third and final time.

CARRIED

At 9:56 p.m. the following motion was passed unanimously:

494-2020

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Kimberly DeYong

That Council allows this Regular Meeting to extend beyond the 10:00 p.m. curfew.

Unanimous	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	7	0

CARRIED (7 to 0)

N. CLOSED SESSION

495-2020

Moved By Councillor Kimberly DeYong

Seconded By Councillor Laura Lucier

That Council at 9:56 p.m. entered into Closed Session to address the following items:

1. Subsection 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board; being a Report of Director of Corporate Services J. Astrologo dated July 22, 2020 regarding the proposed granting of an easement by the Town to a property owner on Park Lane; and
2. Subsection 239(2)(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; being an update from Director of Corporate Services J. Astrologo regarding 183 Main St. East, Kingsville.

CARRIED

O. REPORT OUT OF CLOSED SESSION

Upon rising from Closed Session at 10:11 p.m. Council passed the following motion in respect to Closed Session Item N-1:

496-2020

Moved By Councillor Larry Patterson

Seconded By Councillor Laura Lucier

That Council approves the entering into of an Easement Agreement with E.D.M. Custom Renovations Ltd., the owner of property known as 7 Park Lane, Kingsville, for an easement over certain municipal property described as a Private Drive and more particularly identified as Part 9 on Reference Plan 12R-27480, and authorizes the Mayor and Clerk to execute said Easement Agreement; and that the Easement Agreement be registered on title as required by said Agreement.

CARRIED

In respect to Item N-2, Mayor Santos reported that Council provided direction to Administration regarding a response to a matter under Subsection 239(2)(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality.

P. CONFIRMATORY BY-LAW

1. By-law 79-2020

497-2020

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Thomas Neufeld

That Council reads By-law 79-2020, being a By-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its August 10, 2020 Regular Meeting a first, second and third and final time.

CARRIED

Q. ADJOURNMENT

498-2020

Moved By Councillor Tony Gaffan

Seconded By Councillor Larry Patterson

That Council adjourns this Regular Meeting at 10:13 p.m.

CARRIED