



REGULAR MEETING OF COUNCIL

MINUTES

Monday, February 8, 2021

6:00 PM

Council Chambers

2021 Division Road N

Kingsville, Ontario N9Y 2Y9

Members of Council	Mayor Nelson Santos Councillor Tony Gaffan Councillor Thomas Neufeld Councillor Larry Patterson Councillor Kimberly DeYong Councillor Laura Lucier
Members of Administration	J. Astrologo, Director of Legislative Services/Solicitor/Clerk R. Brown, Manager of Planning Services K. Brcic, Planner T. Del Greco, Manager of Engineering S. Kitchen, Deputy Clerk-Council Services R. McLeod, Director of Financial & IT Services A. Plancke, Director of Infrastructure & Engineering R. Baines, Deputy Clerk - Administrative Services J. Norton, CAO John Quennell, Fire Chief Karen Loney, Manager of Recreation, Programs and Special Events

A. CALL TO ORDER

Mayor Santos, in attendance in the Council Chambers, called the Regular Meeting to order at 6:28 p.m. (rather than the scheduled 6:00 p.m. start time) due to a technical difficulty.

All other members of Council in attendance participated in the meeting through video conferencing technology from remote locations. Deputy Mayor Queen was absent on personal business.

B. MOMENT OF SILENCE AND REFLECTION

Mayor Santos asked members to stand and observe a moment of silence to be following by the playing of O'Canada.

C. PLAYING OF NATIONAL ANTHEM

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--Combined Application for Consent and Zoning By-law Amendment-File B/14/20 & ZBA/16/20 by 407 & 409 County Rd 14 E Part of Lot 23, Concession 9

K. Brcic, Town Planner

i) Notice of Complete Application and Public Meeting: Zoning By-law Amendment and Consent, dated January 20, 2021;

ii) Report of K. Brcic, dated January 20, 2021;

iii) Proposed By-law 14-2021, being a by-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville.

Ms. Brcic presented the Planning Report.

There were no comments from the Applicant.

There were no questions or comments from the public in connection with the application.

133-2021

Moved By Councillor Larry Patterson

Seconded By Councillor Laura Lucier

That Council:

Approve consent application B/14/20 to:

1. sever an existing dwelling, deeds surplus to the needs of the applicants' farming operation on the subject parcel, shown as Part 3 on the applicants' sketch, being 0.36 ha (0.88 ac.) in area and known as 409 County Rd 14 E, in the Town of Kingsville;
2. sever and convey a portions of land, shown as Part 2 on the applicants' sketch, from the lands known as 409 County Rd 14 E, to an abutting parcel, known as 407 County Rd 14 E as a lot addition, in the Town of Kingsville, subject to the following applicable conditions:
3. That the lot addition to be severed, shown on the applicant's sketch as Part 2, be conveyed to the owner of the abutting parcel (407 County Rd 14 E (P.I.N. 75152-0183) and Section 50 (3 or 5) of the Planning Act applies to any subsequent conveyance of or transaction involving the parcels of land that are the subject of this consent.
4. 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.
5. That the necessary drainage apportionments be undertaken.
6. The applicant provides, to the satisfaction to the Town, that each parcel has separate water connections and that water lines do no cross property lines.
7. That a clearance letter of approval for the septic systems on Parts 1 and 3 must be obtained from the Town's Building Department.
8. 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;
9. 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.
10. The zoning of the retained farm parcel be amended to prohibit future dwellings and recognized the undersized frontage, prior to certification (ZBA/16/20).

11. 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.
12. The conditions imposed above shall be fulfilled by February 8, 2022 or this application shall be deemed to be refused in accordance with Section 53(41) of the Planning Act. Approve zoning by-law amendment application ZBA/16/20 to rezone the retained farm parcel, in Part of Lot 23, Concession 9, in the Town of Kingsville, from 'Agriculture (A1)' to 'Agriculture – Restricted Exception 2 (A2-2)', to permit a lot frontage of 15.37 m (50.42 ft.) and prohibit the future construction of dwellings, and adopt the implementing by-law.

CARRIED

F. AMENDMENTS TO THE AGENDA

Councillor Patterson added two announcements.

G. STAFF REPORTS

1. Establishing and Regulating a Fire Department for the Town of Kingsville

J. Quennell, Fire Chief

134-2021

Moved By Councillor Thomas Neufeld

Seconded By Councillor Tony Gaffan

That Council adopts By-law 2-2021, being a By-law to establish and regulate a Fire Department for the Town of Kingsville.

CARRIED

2. Jasperson Drive Realignment – Land Expropriation

T. Del Greco, Manager of Engineering

135-2021

Moved By Councillor Laura Lucier

Seconded By Councillor Kimberly DeYong

That Council approve the expropriation of lands located at 319 Road 2 East, otherwise known as Part 1 and Part 2 on Reference Plan 12R-28405 and Further That Council adopts By-law 18-2021 at this Regular Meeting.

CARRIED

3. Timbercreek Subdivision Phase 1B – Dedications

R. Brown, Manager of Planning Services

136-2021

Moved By Councillor Larry Patterson

Seconded By Councillor Thomas Neufeld

That Council adopts By-law 3-2021 at this Regular Meeting, being a By-law to designate and dedicate Blocks 35 and 36 on Plan 12M-565 as Part of Grandview Drive, to designate and dedicate Blocks 40 and 42 on Plan 12M-565 as Part of Emily Avenue (all being 0.30 metre reserves).

CARRIED

4. Lease Renewal – Kingsville-Gosfield Heritage Society

R. McLeod, Director of Financial and IT Services

137-2021

Moved By Councillor Kimberly DeYong

Seconded By Councillor Larry Patterson

That Council directs Administration to enter a new 5-year lease agreement with the Kingsville-Gosfield Heritage Society at the Kingsville Public Library, with no rent or utilities payable for the duration of the term.

CARRIED

5. Highland Games, Kingsville Tartan

K. Loney, Manager of Recreation Programs and Special Events

138-2021

Moved By Councillor Larry Patterson

Seconded By Councillor Laura Lucier

That Council approves the proposed tartan as shown in Appendix A, as the official tartan of the Town of Kingsville.

CARRIED

H. BUSINESS/CORRESPONDENCE-ACTION REQUIRED

1. Essex Region Conservation--Correspondence dated January 25, 2021 RE: Essex Region Source Protection Committee--Municipal Representation

139-2021

Moved By Councillor Laura Lucier

Seconded By Councillor Kimberly DeYong

That Council endorses Kevin Webb's appointment to the Essex Region Source Protection Committee (appointment date: April 14, 2021; expiration of appointment: April 14, 2026).

CARRIED

I. MINUTES OF THE PREVIOUS MEETINGS

1. Special Meeting of Council--January 13, 2021

2. Regular Meeting of Council--January 25, 2021

3. Regular Closed Session Meeting of Council--January 25, 2021

140-2021

Moved By Councillor Larry Patterson

Seconded By Councillor Thomas Neufeld

That Council adopts Special Meeting of Council Minutes dated January 13, 2021, Regular Meeting of Council Minutes dated January 25, 2021, and Regular Closed Session Meeting of Council Minutes dated January 25, 2021.

CARRIED

J. MINUTES OF COMMITTEES AND RECOMMENDATIONS

1. Police Services Board - November 25, 2020

141-2021

Moved By Councillor Laura Lucier

Seconded By Councillor Kimberly DeYong

That Council receives Police Services Board Meeting Minutes dated November 25, 2020.

CARRIED

2. Union Water Supply System Joint Board of Management - December 16, 2020

142-2021

Moved By Councillor Larry Patterson

Seconded By Councillor Kimberly DeYong

That Council receives Union Water Supply System Joint Board of Management Meeting Minutes dated December 16, 2020.

CARRIED

3. West Side Collector Road Steering Committee - December 17, 2020

143-2021

Moved By Councillor Laura Lucier

Seconded By Councillor Kimberly DeYong

That Council receives West Side Collector Road Steering Committee Meeting Minutes dated December 17, 2020.

CARRIED

K. BUSINESS CORRESPONDENCE - INFORMATIONAL

1. **Town of Bracebridge--Office of the Mayor--Correspondence dated January 22, 2021 RE: Item for Discussion--Infrastructure Funding**
2. **Municipality of Grey Highlands--Correspondence dated January 22, 2021 RE: Insurance Rates Resolution**
3. **Township of Augusta--Resolution passed January 25, 2021 RE: Ontario Fire College closure**
4. **Township of North Glengarry--Resolution #8 passed Monday, January 25, 2021 RE: Small Businesses to immediately reopen**
5. **Township of South Stormont--Correspondence dated January 25, 2021 RE: Support for Reopening Small Businesses**
6. **Resolutions of Support of Kingsville Council Resolution RE Small Businesses**
 - a. **Town of Bruce Mines--Correspondence dated January 19, 2021**
 - b. **Township of Addington Highlands-Correspondence dated January 21, 2021**
 - c. **City of Temiskaming Shores--Correspondence dated January 22, 2021**
 - d. **Township of Howick--Correspondence dated January 22, 2021**
 - e. **City of St. Catharines--Correspondence dated January 27, 2021**
 - f. **Town of Ajax--Correspondence dated January 27, 2021**
 - g. **Municipality of Tweed--Correspondence dated January 27, 2021**
7. **G. Queen--Report to Council dated January 26, 2021 RE: ROMA Conference January 25 and 26, 2021**
8. **Town of Asphodel Norwood--Correspondence dated February 1, 2021 RE: Community Safety and Wellbeing Plan--Extension Request**

144-2021

Moved By Councillor Larry Patterson

Seconded By Councillor Thomas Neufeld

That Council receives Business Correspondence-Informational Items 1 through 8.

CARRIED

145-2021

Moved By Councillor Laura Lucier

Seconded By Councillor Larry Patterson

That Council supports Township of Augusta Resolution passed January 25, 2021
RE: Ontario Fire College closure.

CARRIED

L. NOTICES OF MOTION

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

146-2021

Moved By Councillor Kimberly DeYong

Seconded By Councillor Laura Lucier

That in light of the ongoing COVID-19 pandemic and in light of staffing changes, that Motion 22-2020 (whereby it was moved that Administration provide a report on the vacancy rate of the municipality's rental facilities for the purposes of effectively knowing what kind of promotional effort is required and also to measure the success of any promotional effort taken) be rescinded.

CARRIED

M. UNFINISHED BUSINESS, ANNOUNCEMENTS AND UPDATES

Councillor Patterson announced that he received emails from residents with concerns about heavy traffic around the Gosfield North Public School at various times of the day when students are dropped off. He advised the residents that he would notify the Clerk and the two County Council representatives about the situation.

Councillor Patterson recognized Cottam resident Graham Murray for his outstanding work cleaning the Cottam pond and expressed appreciation for Mr. Murray's efforts through many dedicated hours to the task.

Councillor Lucier reminded of the strategic mid-term planning public interaction session scheduled for Wednesday, February 10 at 7:00 p.m. Residents can still register to participate online (www.kingsville.ca/haveyoursay).

N. BYLAWS

1. By-law 2-2021

147-2021

Moved By Councillor Thomas Neufeld

Seconded By Councillor Laura Lucier

That Council reads By-law 2-2021, being a By-law to establish and regulate a Fire Department for the Town of Kingsville, a first, second and third and final time.

CARRIED

2. By-law 3-2021

148-2021

Moved By Councillor Thomas Neufeld

Seconded By Councillor Kimberly DeYong

That Council reads By-law 3-2021, being a by-law to designate and dedicate Blocks 35 and 36 on Plan 12M-565 as Part of Grandview Drive, and to designate and dedicate Blocks 40 and 42 on Plan 12M-565 as part of Emily Avenue (all being 0.30 metre reserves), all in the Town of Kingsville, in the County of Essex, a first, second and third and final time.

CARRIED

3. By-law 13-2021

149-2021

Moved By Councillor Thomas Neufeld

Seconded By Councillor Tony Gaffan

That Council reads By-law 13-2021, being a By-law to amend the Official Plan of the Town of Kingsville, a first, second and third and final time.

CARRIED

4. By-law 14-2021

150-2021

Moved By Councillor Thomas Neufeld

Seconded By Councillor Larry Patterson

That Council reads By-law 14-2021, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (409 County Road 14 E, Part of Lot 23, Concession 9; ZBA/16/20) a first, second and third and final time.

CARRIED

5. By-law 18-2021

151-2021

Moved By Councillor Thomas Neufeld

Seconded By Councillor Laura Lucier

That Council reads By-law 18-2021, being a By-law to authorize the realignment of Jasperson Drive between Woodycrest Avenue and Road 2 East, a first, second and third and final time.

CARRIED

O. CLOSED SESSION

152-2021

Moved By Councillor Larry Patterson

Seconded By Councillor Laura Lucier

That Council at 7:27 p.m., pursuant to Subsection 239(2) of the *Municipal Act, 2001*, enter into Closed Session to address the following item:

Subsection 239(2)(f) advice that is subject to solicitor-client privilege RE:
1808278 Ontario Inc.

CARRIED

At 7:28 p.m. Ms. Astrologo advised that the video encoder was not functioning and due to an eSCRIBE technical issue. Mayor Santos called for a recess and Ms. Astrologo created a separate meeting invitation for purposes of the closed session. After the recess, Council entered into closed session at 7:39 p.m.

The Regular Meeting resumed in Open Session at 9:06 p.m.

P. REPORT OUT OF CLOSED SESSION

Q. CONFIRMATORY BY-LAW

1. By-law 19-2021

153-2021

Moved By Councillor Thomas Neufeld

Seconded By Councillor Tony Gaffan

That Council reads By-law 19-2021, being a By-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its February 8, 2021 Regular Meeting, a first, second and third and final time.

CARRIED

R. ADJOURNMENT

154-2021

Moved By Councillor Laura Lucier

Seconded By Councillor Larry Patterson

That Council adjourns this Regular Meeting at 9:08 p.m.

CARRIED