



**SPECIAL MEETING OF COUNCIL
MINUTES**

Monday, August 16, 2021

8:00 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 R. Brown, Manager of Planning Services
Administration

 S. Kitchen, Deputy Clerk-Council Services
 R. McLeod, Director of Financial & IT Services
 R. Baines, Deputy Clerk - Administrative Services
 J. Norton, CAO
 J. Quennell, Fire Chief

A. CALL TO ORDER

Mayor Santos, in attendance in the Council Chambers, called the Special Meeting to order at 8:00 p.m. All other members of Council were in attendance. All members present 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.

C. BYLAWS

1. By-law 61-2021

498-2021

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Kimberly DeYong

That Council reads By-law 61-2021, being a By-law to exempt certain lands from Part Lot Control (Mettawas Subdivision--Registered Plan 965) a first, second and third and final time.

CARRIED

2. By-law 66-2021

499-2021

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Larry Patterson

That Council reads By-law 66-2021, being a By-law to appoint an Acting Clerk of The Corporation of the Town of Kingsville a first, second and third and final time.

CARRIED

D. STAFF REPORTS

**1. Discussion relating to Off-site Worker Housing in Kingsville
(Discussion/questions)**

Mayor Santos stated that this Special Meeting has been called for the purpose of discussion relating to Off-site Worker Housing in Kingsville and that Council has received two documents from Administration pertaining to this item for review and consideration.

Deputy Mayor Queen indicated that he was the Acting Mayor at the time this Special Meeting was requested, and thanked the CAO and Acting Clerk for their assistance to bring this special meeting to the Table. He reiterated that there is a need for good planning in the municipality and that this Council comes to the table with a mix of talent and experience. He stated that back in April of 2021, discussion and concerns were raised about Air BnB's and that the Cities of

Ottawa and Windsor have both crafted by-laws regarding housing. He stated that in this instance this evening, Council is being provided with the opportunity to properly move into Closed Session under Subsection 239(2)(f) [advice that is subject to solicitor- client privilege, including communications necessary for that purpose] to seek legal advice and guidance, and the following motion was made:

500-2021

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Laura Lucier

That Council at 8:07 p.m. enter into Closed Session to address a matter under Subsection 239(2)(f) [advice that is subject to solicitor-client privilege including communications necessary for that purpose] to obtain legal advice regarding the Town's agricultural worker policies.

CARRIED

Upon rising from Closed Session at 8:51 p.m. Mayor Santos reported that Council members received information subject to solicitor-client privilege, including communications necessary for that purpose, in regard to a discussion surrounding agricultural worker housing policies and the information was received.

The documents presented in Closed Session were then brought forward.

Document 1. Proposed Resolution to Commission a Study With Respect to Agricultural Worker Housing in the Town of Kingsville

Acting Clerk S. Kitchen read aloud the proposed Resolution/Motion to Commission a Study with Respect to Agricultural Worker Housing in the Town of Kingsville, in its entirety. A recorded vote was requested.

501-2021

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Laura Lucier

WHEREAS Section 38(1) of the Planning Act, R.S.O. 1990, c.P.13, as amended, authorizes the council of a municipality to pass an interim control by-law where the council has directed that a review or study be undertaken in respect of land use planning policies in the municipality, or in any defined area or areas thereof;

AND WHEREAS Council hereby seeks to commission a study for the purpose of informed decision-making with respect to the recently proposed housing of agricultural workers on lands and in buildings and structures not situated on the very lands where those agricultural workers are employed;

AND WHEREAS the Town of Kingsville's Official Plan and Comprehensive Zoning By-law currently do not provide guidance and/or policy with respect to the suitability of the housing of agricultural workers on lands and in buildings and structures not situated on the lands where those agricultural workers are employed.

AND WHEREAS the Council of the Town of Kingsville deems both desirable and expedient to commission a study as a prelude to the enactment of an interim control by-law that would provide the Town with the requisite time and resources to study the potential benefits and pitfalls of allowing off-site agricultural housing in the community.

BE IT RESOLVED that the Council of the Town of Kingsville hereby commissions and directs Town Administration to prepare and/or obtain a study of the issue of offsite agricultural housing in the Town of Kingsville, and that this resolution is passed providing Town Administration with the necessary authority to see that such a study is prepared for the benefit of the Town.

| | YEA | NAY | ABSTAIN |
|----------------------------|------------|------------|----------------|
| 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 | 0 |

CARRIED

Document 2. Proposed By-law of The Corporation of the Town of Kingsville to establish Interim Control on lands within The Corporation of the Town of Kingsville

Acting Clerk S. Kitchen then read aloud the proposed By-law to establish Interim Control on lands within The Corporation of the Town of Kingsville as follows:

WHEREAS Section 38(1) of the Planning Act, R.S.O. 1990, c.P.13, as amended, authorizes the council of a municipality to pass an interim control by-law where the council has directed that a review or study be undertaken in respect of land use planning policies in the municipality, or in any defined area or areas thereof;

AND WHEREAS Council has directed, by resolution, that a background study be undertaken to review the land use planning policies related to agricultural worker housing in respect of the lands within the Town of Kingsville;

AND WHEREAS it is deemed desirable and expedient to enact this interim control by-law to provide the Town with the necessary time to complete the study and allow Council to consider the results of such study.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF KINGSVILLE ENACTS AS FOLLOWS:

1. The provisions of this by-law shall apply to all lands within the Town of Kingsville.
2. Notwithstanding any other by-law to the contrary, no person shall, on lands located within the Town of Kingsville, use any land, building or structure for agricultural worker housing that is situated off the agricultural lands where those workers are employed. The provisions of this by-law shall not apply to off-site worker housing that lawfully existed on the date of the passage of this by-law as long as it continues to be used for such purpose.
3. Where any conflict exists between the provisions of this by-law and any other by-law of The Corporation of the Town of Kingsville this by-law shall prevail.
4. If any provision or requirement of this by-law, or the application thereof to any person, shall to any extent be held to be invalid or unenforceable, the remainder of this by-law or the application of such provision or requirement to all persons other than those to which it is held to be invalid or unenforceable, shall not be affected thereby, and each provision and requirement of this by-law shall be separately valid and enforceable to the fullest extent permitted by law.
5. This by-law shall come into force and take effect on the day it is finally passed and shall remain in effect for one (1) year from the passage of this By-law unless otherwise extended in accordance with Section 38 of the Planning Act, or repealed by Council at an earlier date.--A recorded vote was requested.

502-2021

Moved by Councillor Kimberly DeYong

Seconded by Deputy Mayor Gord Queen

That Council reads By-law 68-2021, being a By-law to establish Interim Control on lands within The Corporation of the Town of Kingsville a first, second and third and final time.

| | YEA | NAY | ABSTAIN |
|----------------------------|------------|------------|----------------|
| 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 | 0 |

CARRIED

E. CONFIRMATORY BY-LAW

1. By-law 67-2021

503-2021

Moved by Deputy Mayor Gord Queen

Seconded by Councillor Tony Gaffan

That Council reads By-law 67-2021, being a by-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its August 16, 2021 Special Meeting, a first, second and third and final time.

CARRIED

F. ADJOURNMENT

504-2021

Moved by Councillor Laura Lucier

Seconded by Councillor Larry Patterson

That Council adjourns this Special Meeting at 9:27 p.m.

CARRIED

MAYOR, Nelson Santos

ACTING CLERK, Sandra Kitchen