



REGULAR MEETING OF COUNCIL

MINUTES

Monday, July 26, 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
Absent	Deputy Mayor Gord Queen
Members of Administration	J. Astrologo, Director of Legislative Services/Solicitor/Clerk R. Brown, Manager of Planning Services K. Brcic, Planner 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 M. Schroeder, Manager of Financial Services J. Wiesenthal, Solicitor R. Wyma, Director of Community and Development Services

A. CALL TO ORDER

Mayor Santos called the Regular Meeting to order at 6:01 p.m. All other members of Council were in attendance, except for Deputy Mayor Queen (absent on personal business). All members present participated in the meeting through video conference technology from remote locations.

B. 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.

C. NATIONAL ANTHEM

Live Singing of O'Canada by Avery Neufeld.

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. CLOSED SESSION

466-2021

Moved By Councillor Larry Patterson

Seconded By Councillor Tony Gaffan

That Council enter into Closed Session to address the following items:

Subsection 239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose on each of the following items:

- i) Agenda Item H. 1, being Application for Consent B/11/21;
- ii) Agenda Item H. 2, being Zoning By-law Amendment Application ZBA/14/21;
- iii) Agenda Item H.3, being Zoning By-law Amendment Application ZBA/15/21;
and
- iv) Agenda Item H.4, being Zoning By-law Amendment Application ZBA/16/21.

CARRIED

F. REPORT OUT OF CLOSED SESSION

Upon rising from Closed Session at 6:53 pm, Mayor Santos reported that Council discussed four items (as detailed above) as follows:

E.i. RE: Application for Consent B/11/21--Council received information and legal advice regarding an application for consent;

E.ii. RE: ZBA/14/21-Council received legal advice;

E.iii RE: ZBA/15/21--Council received legal advice; and

E.iv. RE: ZBA/16/21-- Council received legal advice.

G. PRESENTATIONS/DELEGATIONS

1. Introduction of Richard Wyma, Director of Community and Development Services for the Town of Kingsville

CAO Norton introduced and welcomed Richard Wyma as the new Director of Community and Development Services for the Town of Kingsville.

2. Introduction of Patrick Girard, Manager of Information Technology for the Town of Kingsville

CAO Norton welcomed and introduced Patrick Girard as the new Manager of Information and Technology for the Town of Kingsville.

3. Mary and Pino Porrone and their representative Shane Lafontaine, P. Eng.-- Request for exemption to sidewalk installation prior to Initial Acceptance for a current phase of Queens Valley Subdivision

Mary and Pino Porrone request that the installation of sidewalks in the Queens Valley Subdivision be deferred until all utilities have been installed. The developer's Engineer was present and provided additional information to Council regarding timing of the development.

Administration conveyed its support for this request.

467-2021

Moved By Councillor Laura Lucier

Seconded By Councillor Larry Patterson

That the installation of sidewalks in the Queens Valley Subdivision can be delayed for no more than 1 year to permit the installation of utilities as long as the developer guarantees that any homeowners who take possession prior to the installation of the sidewalks are notified that sidewalks are going to be installed.

CARRIED

4. Jim Liovas of Liovas Homes--RE: Vacant land on Maple Street (proposed housing development)

Mr. Liovas provided an update on proposed housing development on Maple St and clarified that these units will not be for guest worker housing. He advised that it is for family housing and that they have made specific requests and that he is trying to accommodate those requests.

468-2021

Moved By Councillor Kimberly DeYong

Seconded By Councillor Larry Patterson

To defer the Maple Street proposed housing development matter to Administration for further review.

CARRIED

Mayor Santos called for a recess at 7:50 p.m. and reconvened the meeting at 7:57 p.m.

H. MATTERS SUBJECT TO NOTICE

**1. Application for Consent B/11/21 by Willy & Donna Jean Krahn – Owners
Brotto Investments Inc. – Authorized Agent 183 Main St. E. Part
of Lot 2, Concession 1 ED Roll No. 3711 210 000 00700**

K. Brcic, Town Planner

i) Notice of Complete Application and Public Meeting: Consent Application dated July 6, 2021;

ii) Report of K. Brcic dated July 13, 2021;

iii) Comments from the Kingsville Municipal Heritage Advisory Committee (correspondence dated July 20, 2021).

The applicant, Harry Froussios, provided comments on the severance request and stated that regardless of zoning outcome, the property will be developed.

The applicant's solicitor, Analee Baroudi, expressed concern that the application was originally circulated as going to the Committee of Adjustment, but then taken off that agenda and brought to Council.

Administration will provide Ms. Baroudi with written correspondence advising of that position.

Comments received from the public:

Anne Marie Lemire, resides at 171 Main St E, opposes the application. She stated that the development would take away from the heritage aspects of the property and encouraged Council to deny the application.

Les McDonald - provided comments opposing severance. He stated that this is setting a precedent and that the appeal and heritage designation should be waited out before making a decision.

469-2021

Moved By Councillor Laura Lucier

Seconded By Councillor Thomas Neufeld

That Council deny Application for Consent B/07/21.

CARRIED

2. Zoning By-law Amendment Application ZBA/14/21 by Rock Island Investments Inc. 2037 Peterson Lane Pt. Lot 8, Concession 2 ED Pt. Part 1 RP 12R 6854 Roll No. 3711 300 000 23801

K. Brcic, Town Planner

i) Notice of Complete Application and Public Meeting: Zoning By-law Amendment, dated June 30, 2021;

ii) Report of K. Brcic, dated July 13, 2021;

iii) Proposed By-law 62-2021, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville.

The applicant, Richard Colasanti, stated that the standards and rules are being followed as set out by the law. Engineering, Health Canada, and the Fire Department all have to approve before he proceeds. The lack of housing affects all farmers and stated that he is trying to use the rural area to take the pressure off the urban areas.

There were no public comments at the meeting.

470-2021

Moved By Councillor Laura Lucier

Seconded By Councillor Kimberly DeYong

That Council defer Zoning By-law Amendment Application ZBA/14/21 for no more than 60 days to allow Administration to obtain public feedback.

LOST

471-2021

Moved By Councillor Thomas Neufeld

Seconded By Councillor Larry Patterson

That Council approve Zoning By-law Application ZBA/14/21 to amend the zoning of the subject parcel, Pt. Lot 8, Concession 2 ED, Pt. Part 1 RP 12R 6854, known as 2037 Peterson Lane from 'Agriculture (A1)' to 'Agriculture Exception 85 (A1-85)' to permit the use of a rural residential dwelling for worker housing, and adopt the implementing by-law.

LOST

472-2021

Moved By Councillor Thomas Neufeld

Seconded By Councillor Kimberly DeYong

That Council receive all correspondence items for Zoning By-law Amendment Application ZBA/14/21.

CARRIED

3. Zoning By-law Amendment Application ZBA/15/21 by Rock Island Investments Inc. 1566 Road 3 E Pt. Lot 9, Concession 3 ED Roll No. 3711 300 000 01700

K. Brcic, Town Planner

i) Notice of Complete Application and Public Meeting: Zoning By-law Amendment dated June 30, 2021;

ii) Report of K. Brcic dated July 13, 2021;

iii) Proposed By-law 63-2021, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville.

The applicant advised that this bunkhouse is for 10 people.

Ms. Brcic noted that additional comments were received by email and had been forwarded to Council members for information.

473-2021

Moved By Councillor Kimberly DeYong

Seconded By Councillor Laura Lucier

That Council defer Zoning By-law Amendment Application ZBA/15/21 for no more than 60 days for the purposes of public consultation.

LOST

474-2021

Moved By Councillor Thomas Neufeld

Seconded By Councillor Larry Patterson

That Council approve Zoning By-law Application ZBA/15/21 to amend the zoning of the subject parcel, Pt. Lot 9, Concession 3 ED, known as 1566 Road 3 E from 'Agriculture (A1)' to 'Agriculture Exception 85 (A1-85)' to permit the use of a rural residential dwelling for worker housing, and adopt the implementing by-law.

LOST

475-2021

Moved By Councillor Thomas Neufeld

Seconded By Councillor Tony Gaffan

That Council receive the information for Zoning By-law Amendment Application ZBA/15/21.

CARRIED

4. **Zoning By-law Amendment Application ZBA/16/21 by Rock Island Investments Inc., 1557 Road 3 E, Pt Lot 9, Conc 3 ED (roll no. 37-11-300-000-32800)**

K. Brcic, Town Planner

- i) Notice of Complete Application and Public Meeting: Zoning By-law Amendment, dated June 30, 2021;
- ii) Report of K. Brcic dated July 13, 2021;
- iii) Proposed By-law 64-2021, 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.

476-2021

Moved By Councillor Larry Patterson

Seconded By Councillor Thomas Neufeld

That Council:

Approve Zoning By-law Application ZBA/16/21 to amend the zoning of the subject parcel, Pt. Lot 9, Concession 3 ED, known as 1557 Road 3 E from 'Agriculture (A1)' to 'Agriculture Exception 85 (A1-85)' to permit the use of a rural residential dwelling for worker housing, and adopt the implementing by-law.

LOST

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 June 30, 2021

477-2021

Moved By Councillor Laura Lucier

Seconded By Councillor Larry Patterson

That Council receives Town of Kingsville Accounts for the monthly period ended June 30, 2021 being TD cheque numbers 0076731 to 0076931 for a grand total of \$2,323,891.85.

CARRIED

K. STAFF REPORTS

1. Fire Chief John Quennell and Manager of Recreation Programs, Special Events, Tourism--Kingsville Fire Fest Celebration Update and Open Streets Update

J. Quennell, Fire Chief

K. Loney, Manager of Recreation Programs, Specials Events, Tourism

478-2021

Moved By Councillor Laura Lucier

Seconded By Councillor Kimberly DeYong

That Council receives the staff presentation on Kingsville Fire Fest Celebration Update and Open Streets Update.

CARRIED

479-2021

Moved By Councillor Larry Patterson

Seconded By Councillor Thomas Neufeld

That Council extends curfew for this meeting to 10:15 p.m.

CARRIED

2. Multi-Year Accessibility Plan Status Update

R. Baines, Deputy Clerk-Administrative Services

480-2021

Moved By Councillor Kimberly DeYong

Seconded By Councillor Tony Gaffan

That Council receives the 2020-2024 Multi-Year Accessibility Plan Status Report for information.

CARRIED

3. **Application for Minor Development Agreement by Laszlo
Lakatos & Krisztina Szabo 1749 Road 4 E, Part of Lot 10,
Concession 3 ED**

R. Brown, Manager of Planning Services

481-2021

Moved By Councillor Thomas Neufeld

Seconded By Councillor Laura Lucier

That Council:

Approves the proposed minor development agreement to permit a second dwelling (temporarily) at 1749 Road 4 E (County Road 18) during the construction of a new dwelling on the same lot, and authorize the Mayor and Clerk to sign the minor development agreement, and register said agreement on title.

CARRIED

4. **Application for Site Plan Amendment SPA/20/21 by Keller Bros.
Greenhouses Inc., 1890 Road 5 E, Part of Lot 22, Concession 5, Parts 1 to 5,
RP 12R 12745**

R. Brown, Manager of Planning Services

482-2021

Moved By Councillor Thomas Neufeld

Seconded By Councillor Larry Patterson

That Council:

Approves site plan amendment application SPA 20/21 for the replacement of existing greenhouse growing area 0.265 ha (0.65 ac.) on lands located at 1890 Road 5 E, subject to the conditions and requirements outlined in the site plan agreement amendment and authorize the Mayor and Clerk to sign the amending agreement and register said agreement on title.

CARRIED

5. **Application for Part Lot Control Exemption by Management Inc.** **HTM**
12 & 14 Mettawas Lane **Pt. of**
Lots 28 & 29, Part of Walkway & Pt. Blks. C & D RP 965 & Pt.

R. Brown, Manager of Planning Services

483-2021

Moved By Councillor Laura Lucier

Seconded By Councillor Tony Gaffan

That Council:

Enacts Part Lot Control By-law 61-2021 to allow Part of lots 28 & 29, Part of Walkway & Part of Blocks C & D, Plan 965 & Part Water Lot in Front of Lot 1, Concession 1 ED to be exempt from Section 50(5) of the Planning Act, and that Council authorize and direct Planning Services to forward the by-law to the County of Essex for final approval.

CARRIED

6. **Woodridge Estates Storm Water Pump Station**
Cottam Solar Limited - Undertaking

G.A. Plancke, Director of Infrastructure and Engineering

484-2021

Moved By Councillor Larry Patterson

Seconded By Councillor Thomas Neufeld

That Council authorizes the future expenditure of \$89,380.05 plus HST burden consistent with the declaration of Final Acceptance and assumption of the Woodridge Estates Phase 1 Development related to upsizing costs of the Woodridge Estates storm water pump station / amalgamation of the Wilos storm water pump station and to;

Authorize the Director of Infrastructure & Engineering to execute an undertaking regarding this future expenditure with the Developer: Cottam Solar Limited.

CARRIED

7. **Cityworks Report 2nd Quarter 2021**

G.A. Plancke, Director of Infrastructure and Engineering

485-2021

Moved By Councillor Kimberly DeYong

Seconded By Councillor Laura Lucier

That Council receives the Report "Cityworks Report 2nd Quarter 2021" for information.

CARRIED

L. MINUTES OF THE PREVIOUS MEETINGS

1. Regular Meeting of Council--July 12, 2021

486-2021

Moved By Councillor Laura Lucier

Seconded By Councillor Kimberly DeYong

That Council adopts Regular Meeting of Council Minutes dated July 12, 2021.

CARRIED

M. MINUTES OF COMMITTEES AND RECOMMENDATIONS

1. Planning Advisory Committee--March 16, 2021

487-2021

Moved By Councillor Laura Lucier

Seconded By Councillor Larry Patterson

That Council receives Planning Advisory Committee Meeting Minutes dated March 16, 2021.

CARRIED

2. Committee of Adjustment--May 18, 2021

488-2021

Moved By Councillor Kimberly DeYong

Seconded By Councillor Thomas Neufeld

That Council receives Committee of Adjustment Meeting Minutes dated May 18, 2021.

CARRIED

3. Union Water Supply System Joint Board of Management--May 19, 2021

489-2021

Moved By Councillor Kimberly DeYong

Seconded By Councillor Larry Patterson

That Council receives Union Water Supply System Joint Board of Management Meeting Minutes dated May 19, 2021.

CARRIED

4. Kingsville B.I.A.--June 8, 2021

490-2021

Moved By Councillor Laura Lucier

Seconded By Councillor Kimberly DeYong

That Council receives Kingsville B.I.A. Meeting Minutes dated June 8, 2021.

CARRIED

N. BUSINESS CORRESPONDENCE - INFORMATIONAL

1. Municipality of Callander--Motion of Support passed June 22, 2021 for Kingsville Motion RE: C-31

2. Township of Tarbutt--Support correspondence dated June 22, 2021 RE: Bill C-21, an Act to amend certain Acts and to make certain consequential amendments (firearms)

3. **Township of Wainfleet--Correspondence dated June 23, 2021 RE: Resolution--Action on Invasive Phragmites**
4. **City of Mississauga--Resolution 0155-2021 passed June 30, 2021 RE: Canada Day and 2019 Human Rights Tribunal Ruling.**
5. **Township of Scugog--Correspondence dated July 6, 2021 RE: Williams Point Road and Beacock Road School Bus Turnarounds**
6. **The Lions Club of Kingsville--Letter of thanks dated July 9, 2021**
7. **City of Kitchener--Correspondence dated July 12, 2021 RE: Motion M-84 Anti-Hate Crimes and Incidents and private member's Bill-C 313 Banning Symbols of Hate Act**
8. **City of Kitchener--Correspondence dated July 12, 2021 RE: Rising cost of building materials**
9. **Township of Georgian Bay--Resolution C-194-2021 passed July 12, 2021 RE: Truth and Reconciliation Commission of Canada**
10. **Town of Thessalon--Correspondence dated July 14, 2021 RE: Bill C-21 (Firearms)**
11. **City of Woodstock--Correspondence dated July 16, 2021 RE: Affordable housing, homelessness, and addictions crisis**
12. **Deputy Mayor G. Queen--Correspondence dated July 20, 2021 RE: Information item for the Council Members of the Town of Kingsville**
13. **Lorraine Jewell, Windsor Family Support Liaison for Windsor/Essex for Childcan--Request to have September 2021 proclaimed as Childhood Cancer Awareness Month in the Town of Kingsville. SEE: draft Proclamation/Resolution attached as provided by Childcan**

491-2021

Moved By Councillor Kimberly DeYong

Seconded By Councillor Thomas Neufeld

That Council receives Business Correspondence-Informational Items 1-13.

CARRIED

492-2021

Moved By Councillor Laura Lucier

Seconded By Councillor Larry Patterson

That Council supports City of Woodstock's correspondence item dated July 16, 2021 re: Affordable housing, homelessness and addictions crisis.

CARRIED

493-2021

Moved By Councillor Thomas Neufeld

Seconded By Councillor Laura Lucier

That Council supports Township of Wainfleet's correspondence item dated June 23, 2021 re: Action on Invasive Phragmites.

CARRIED

O. NOTICES OF MOTION

1. Councillor Lucier may move or cause to have moved

494-2021

Moved By Councillor Laura Lucier

Seconded By Councillor Kimberly DeYong

That Administration review the recommendations of the Lions Park Residents Group as presented at the July 12, 2021 Council meeting and bring a report back to council on the consequences of pausing the approved work, as well as identifying which of the recommendations can be incorporated and what other measures can be taken to address these ongoing concerns including vehicle access, noise, and nuisance, both immediately and as improvements continue.

CARRIED

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

Councillor Patterson advised that after receiving new information from Infrastructure and Engineering Services he would like to withdraw his motion. This letter will be presented at the next council meeting.

495-2021

Moved By Councillor Kimberly DeYong

Seconded By Councillor Laura Lucier

To amend to extend curfew to conclude meeting.

LOST

R. CONFIRMATORY BY-LAW

1. By-law 65-2021

496-2021

Moved By Councillor Tony Gaffan

Seconded By Councillor Larry Patterson

That Council reads By-law 65-2021, being a By-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its July 26, 2021 Regular Meeting, a first, second and third and final time.

CARRIED

Mayor Santos and CAO Norton acknowledged that this was the last meeting for the Clerk, Ms. Astrologo, and thanked her for her years of service.

S. ADJOURNMENT

497-2021

Moved By Councillor Laura Lucier

Seconded By Councillor Thomas Neufeld

That Council adjourns this Regular Meeting at 10:21 p.m.

CARRIED