



**REGULAR MEETING OF COUNCIL
MINUTES**

Monday, January 29, 2018

7:00 PM

Council Chambers

2021 Division Road N

Kingsville, Ontario N9Y 2Y9

Members of Council Mayor Nelson Santos
 Deputy Mayor Gord Queen
 Councillor John Driedger
 Councillor Tony Gaffan
 Councillor Thomas Neufeld
 Councillor Larry Patterson
 Absent: Councillor Susanne Coghill (on personal business)

Members of
Administration J. Astrologo, Director of Corporate Services
 R. Brown, Manager of Planning & Development Services
 K. Girard, Municipal Services Manager
 S. Kitchen, Deputy Clerk-Council Services
 R. McLeod, Manager of Financial Services
 C. Parsons, Fire Chief
 A. Plancke, Director of Municipal Services

A. CALL TO ORDER

Mayor Santos called the Regular Meeting to order at 7:01 p.m.

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. SINGING 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. PRESENTATIONS/DELEGATIONS

**1. Kingsville Municipal Heritage Advisory Committee-Dr. Lydia Miljan, Chair--
Presentation recommending designation under the Ontario Heritage Act of
1422 Road 3 East as a property of heritage value**

i) Kingsville Municipal Heritage Advisory Committee Research Report, Statement of Significance, Resources Evaluation Sheet, and letter of consent of property owners, dated January 2, 2018.

Dr. Miljan presented the 27-pg. Research Report with respect to The John S. Bruner House, municipally known as 1422 Road 3 East, Ruthven. The John S. Bruner House is a 3-storey French Second Empire brick dwelling built in 1888.

88-2018

Moved By Councillor Larry Patterson

Seconded By Councillor Tony Gaffan

Council receive correspondence from property owners dated January 2, 2018 consenting to have the property municipally known as 1422 Road 3 East designated by the Town of Kingsville as a heritage building under the *Ontario Heritage Act*; and further Council authorize publication of Notice of Intention to Designate.

CARRIED

**2. Michael Damm, 69 Road 11, spokesperson on behalf of certain Road 11
Residents**

Mr. Michael Damm (speaking as property owner of 69 Road 11 and on behalf of certain other affected residents residing on Road 11) expressed concerns pertaining to the proposed 2018 Road 11 Water Works petition(Agenda Item H-1 / MS 2018-01).

Mayor Santos then brought forward staff report H-1, being Report of K. Girard, Manager of Municipal Services RE: 2018 Road 11 Water Works Petition

H-1 K. Girard, P. Eng., Manager of Municipal Services--Report, dated January 22, 2018

Mr. Girard presented his Report (with attached Petition for Waterworks from the North Talbot Road to 130 Road 11 filed January 22, 2018) and Recommendation as contained therein, and provided Council with information regarding the specifics of the proposed new running line.

89-2018

Moved By Councillor Thomas Neufeld

Seconded By Councillor Larry Patterson

That Council authorize Municipal Services to retain RC Spencer Associates Inc. to prepare the engineer's report for the benefitting property owners' consideration; approve funding of fire suppression in the amount of \$35,000.00; and direct Administration to assess benefitting vacant land 50% upon installation and the remaining balance (50%) upon water service connection in accordance with historical practice.

CARRIED

3. Richard Welker, 160 Road 5 West-Request dated January 16, 2018 RE: Road Repair Road 5 West, Drainage and conservation

Mr. Welker presented his concerns and photographs regarding the condition of the east end of Road 5 West. Mr. Welker stated that the photographs provided in the package of material were taken in 2014.

90-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Thomas Neufeld

That Council receive information package as provided by Mr. Richard Welker in regard to concerns with respect to Road 5 West (correspondences and photographs) and that Road 5 West be included in the Municipal Road Tour.

CARRIED

91-2018

Moved By Councillor Thomas Neufeld

Seconded By Councillor Tony Gaffan

That Council allow Mr. Richard Welker an additional 5 minutes beyond the ten-limit time allocation to address Council on drainage and conservation matters.

CARRIED

Mr. Welker stated that, as per his previous delegation to Council in September of 2017, he has requested repair of the Conklin Drain and other drains and further, he is looking for maintenance practices that preserves his right to drainage.

92-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Thomas Neufeld

That Council receive the information from Mr. Welker pertaining to his previously submitted Request(s) for Drain Maintenance and Repair and direct Administration to provide a further report, including ERCA comments regarding drain maintenance practices.

CARRIED

F. MATTERS SUBJECT TO NOTICE

1. PUBLIC MEETING--Zoning By-law Amendment ZBA/22/17; Mastron Enterprises Ltd., 2100 Road 4 E, Part of Lot 24, Concession 4

R. Brown, Manager of Planning and Development Services

i) Notice of Complete Application and Public Meeting, dated December 21, 2017;

ii) Notice of Rescheduled Public Meeting, dated January 16, 2018;

iii) Report of D. French, Interim Town Planner, dated January 19, 2018;

iv) Proposed By-law 11-2018, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville.

Mr. Brown presented the Planning Report and recommendation.

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

93-2018

Moved By Councillor Larry Patterson

Seconded By Councillor John Driedger

That Council approve zoning amendment application ZBA/22/17 (2100 Road 4 East, Part of Lot 24, Concession 4) to amend the zoning of the subject lands to a site-specific 'Agriculture Zone 1 Exception 61 (A1-61)' classification which will deem the two subject parcels to be a single lot or parcel of land for zoning purposes, and adopt the implementing by-law.

CARRIED

G. AMENDMENTS TO THE AGENDA

Mayor Santos added one announcement.

H. STAFF REPORTS

1. 2018 Road 11 Water Works Petition

K. Girard, Manager of Municipal Services

Report H-1 was presented above (SEE: Delegation E-2 / Motion 89-2018).

2. Development Charges – Revised By-law

R. McLeod, Acting Treasurer

Ms. Van Mierlo-West announced that Mr. Ryan McLeod has accepted the Town's offer to be appointed as the Town's Director of Financial Services/Treasurer.

94-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Tony Gaffan

That Council approves Bylaw 1-2018 to establish development charges in the Town of Kingsville for the period from January 30, 2018 to January 29, 2023.

CARRIED

3. Agreement with County Of Essex (Windsor-Essex Emergency Medical Services)

C. Parsons, Fire Chief

95-2018

Moved By Councillor Larry Patterson

Seconded By Councillor John Driedger

That Council approves the Lease Agreement between the Town of Kingsville and the County of Essex (Windsor-Essex Emergency Medical Services) and authorizes the Mayor and Clerk to sign the aforementioned agreement.

CARRIED

4. Tiered Response Agreement

C. Parsons, Fire Chief

96-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Tony Gaffan

That Council approves the Medical Tiered Response Agreement between The Corporation of the Town of Kingsville (Fire Department) and Essex-Windsor E.M.S. and authorizes Mayor Santos to sign the aforementioned agreement.

CARRIED

5. Artisan Alley Summary

G. A. Plancke, Director of Municipal Services

97-2018

Moved By Councillor Thomas Neufeld

Seconded By Councillor Tony Gaffan

That Council receives the information as requested under resolution 703-2017 regarding the Artisan Alley project.

CARRIED

6. Waiver of fees request

M. Durocher, Parks and Recreation Programs Manager

98-2018

Moved By Councillor Thomas Neufeld

Seconded By Councillor Tony Gaffan

That organizations looking to receive a waiver of fees for use of Town owned facilities be directed to utilize the Town of Kingsville Community Grant Application, and furthermore that these organizations fulfil the requirements as outlined in the grant process.

CARRIED

7. **Queen Valley Development Agreement (Porrone Lands) Pt. Lot 11, Concession 2, ED and Pt. Road Allowance between Conc. 1 and 2, Pt. 1, 2 3 and 4 RP 12R-25761**

R. Brown, Manager of Planning and Development Services

99-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Larry Patterson

That Council approve the Development Agreement for the Queen Valley Subdivision in the community of Ruthven for a 130 lot residential subdivision, authorize the Mayor and Clerk to sign the agreement and direct administration to have the agreement registered on title; and further that Council deny the applicant's request for a foregoing or reduction in the required cash-in-lieu of parkland dedication payment.

CARRIED

Mayor Santos called for a recess at 8:50 p.m. and the Meeting reconvened at 8:59 p.m.

- I. **BUSINESS/CORRESPONDENCE-ACTION REQUIRED**
 1. **Municipality of Leamington- Copy of Report to Leamington Council of Director R. Orton RE: Dedicated Gas Tax Funds for Public Transportation Program, and copy of Kingsville endorsement for the 2016/17 year**

100-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Tony Gaffan

That Council of The Corporation of the Town of Kingsville endorses the Municipality of Leamington to act in the capacity of host community for the 2017/2018 Dedicated Gas Tax Funds for Public Transportation Program.

CARRIED

101-2018

Moved By Councillor Thomas Neufeld

Seconded By Councillor Tony Gaffan

That Council direct Administration to engage in preliminary discussions with the Municipality of Leamington to expand the existing services of the Erie Shore Community Transit.

CARRIED

- 2. The Hospice of Windsor and Essex County-Correspondence received January 19, 2018 from Executive Director Carol Derbyshire RE: Request for support/donation**

102-2018

Moved By Councillor Larry Patterson

Seconded By Councillor John Driedger

That Council receive donation request of The Hospice of Windsor and Essex County.

CARRIED

J. MINUTES OF THE PREVIOUS MEETINGS

- 1. Special Meeting of Council--December 20, 2017**
- 2. Regular Meeting of Council--January 8, 2018**

3. **Regular "Closed Session" Meeting of Council--January 8, 2018**
4. **Special Meeting of Council (Budget #1)--January 16, 2018**

103-2018

Moved By Councillor John Driedger

Seconded By Councillor Thomas Neufeld

That Council adopt Special Meeting of Council Minutes dated December 20, 2017, Regular Meeting of Council Minutes dated January 8, 2018, Regular 'Closed Session' Meeting of Council Minutes dated January 8, 2018, and Special Meeting of Council Minutes dated January 16, 2018

CARRIED

K. MINUTES OF COMMITTEES AND RECOMMENDATIONS

1. **Planning Advisory Committee--October 17, 2017**

104-2018

Moved By Councillor Thomas Neufeld

Seconded By Councillor Tony Gaffan

That Council receive Planning Advisory Committee Meeting Minutes, dated October 17, 2017

CARRIED

L. BUSINESS CORRESPONDENCE - INFORMATIONAL

1. **Ontario Good Roads Association--Correspondence dated January 17, 2018
RE: OGRA requests Support for Municipal Class Environmental
Assessment (MCEA) process**
2. **Ontario Municipal Board--Notice of Prehearing Conference-Case No.
PL171077 (1552843 Ontario Ltd. v. Kingsville;169 Prince Albert St. North)**
3. **Town of Amherstburg--Correspondence dated January 16, 2018 RE: Tax
Changes Proposed by the Federal Liberal Government**
4. **Town of Amherstburg--Correspondence dated January 16, 2018 RE:
Proposed Changes to the Cannabis Act (Bill C-45)**

5. **Town of Lakeshore--Correspondence dated January 16, 2018 RE: Allocate Infrastructure Funding Dedicated to Municipalities for Storm Water Management and Drainage Improvements**
6. **Town of Lakeshore--Correspondence dated January 22, 2018 RE: Population Growth Projections**
7. **Town of Lakeshore--Correspondence dated January 22, 2018 RE: Marijuana Tax Revenue**
8. **Ontario Municipal Fire Prevention Officers Association--RE: OMFPOA Symposium and Conference--Request dated January 12, 2018 for support through an advertisement**

105-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor John Driedger

That Council receive Business Correspondence Informational items L-1 through L-8.

CARRIED

M. NOTICES OF MOTION

N. UNFINISHED BUSINESS, ANNOUNCEMENTS AND UPDATES

Mayor Santos announced the 2nd Mayor's Roundtable to be held Tuesday, February 6, 2018 from 7:00 p.m. until 9:00 p.m. at the Kingsville Arena Complex, 1741 Jasperson Drive, Kingsville. The roundtable/open house discussion will pertain to the development of an Affordable Housing Strategy for the Town of Kingsville.

O. BYLAWS

1. By-law 1-2018

106-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Larry Patterson

That Council read By-law 1-2018, being a by-law for the imposition of development charges, a first, second and third and final time.

CARRIED

2. By-law 6-2018

107-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Tony Gaffan

That Council read By-law 6-2018, being a by-law to amend By-law 21-2005 as amended, being a By-law to Regulate Traffic and Parking on Highways within the Town of Kingsville, a first, second and third and final time.

CARRIED

3. By-law 11-2018

108-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor John Driedger

That Council read By-law 11-2018, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (ZBA/22/17; 2100 Road 4 East) a first, second and third and final time.

CARRIED

4. By-law 12-2018

109-2018

Moved By Councillor Larry Patterson

Seconded By Councillor Tony Gaffan

That Council read By-law 12-2018, being a By-law to provide for an Interim Tax Levy and to provide for the Payment of Taxes, a first, second and third and final time.

CARRIED

5. By-law 13-2018

110-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Thomas Neufeld

That Council read By-law 13-2018 being a By-law to amend By-law 1-2015, being a by-law to appoint certain members of Council and individuals to boards and committees a first, second and third and final time.

CARRIED

6. By-law 14-2018

111-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor John Driedger

That Council read By-law 14-2018 being a by-law authorizing the entering into of an agreement with Windsor/Essex County Humane Society (stray cats) a first, second and third and final time.

CARRIED

7. By-law 16-2018

112-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Thomas Neufeld

That Council read By-law 16-2018, being a By-law authorizing the entering into of an Animal Control and Pound Services Agreement with The Corporation of the Municipality of Leamington and with Essex County K9 Services

CARRIED

8. By-law 20-2018

113-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Larry Patterson

That Council read By-law 20-2018, being a By-law to appoint by-law enforcement Officers and municipal law enforcement officers for Purposes of the *Dog Owners' Liability Act*, a first, second and third and final time.

CARRIED

9. By-law 21-2018

114-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Thomas Neufeld

That Council read By-law 21-2018, being a By-law authorizing the entering into of a Lease Agreement between The Corporation of the Town of Kingsville and The Corporation of the County of Essex for an Emergency Medical Services Station, a first, second and third and final time.

CARRIED

P. CONFIRMATORY BY-LAW

1. By-law 22-2018

115-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Tony Gaffan

That Council read By-law 22-2018, being a By-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its January 29, 2018 Regular Meeting a first, second and third and final time.

CARRIED

Q. ADJOURNMENT

Council adjourn this Regular Meeting at 9:08 p.m.

116-2018

Moved By Councillor Thomas Neufeld

Seconded By Councillor John Driedger

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

CARRIED