

The Corporation of the Town of Tillsonburg

Council Meeting

MINUTES



Tuesday, October 10, 2023
5:15 PM
LPRCA
4 Elm St
Tillsonburg

ATTENDANCE: Mayor Gilvesy (Chair)
Deputy Mayor Beres
Councillor Luciani
Councillor Parker
Councillor Parsons
Councillor Rosehart
Councillor Spencer

Staff: Kyle Pratt, Chief Administrative Officer
Tanya Daniels, Director of Corporate Services/Clerk
Jonathon Graham, Director of Operations & Development
Renato Pullia, Director of Innovation & Strategic Initiatives and
Interim Director of Finance/Treasurer

1. Call to Order

The meeting was called to order at 5:15 p.m.

2. Closed Session (5:15 p.m.)

Resolution # 2023-428

Moved By: Deputy Mayor Beres

Seconded By: Councillor Luciani

THAT Council move into Closed Session to consider the following:

Town Council Meeting - Location Negotiation Update

239 (2) (k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

Carried

2.1 Adoption of Agenda

2.2 Disclosures of Pecuniary Interest and the General Nature Thereof

2.3 Adoption of Closed Session Council Minutes

2.4 Reports

2.4.1 Town Council Meeting - Location Negotiation Update

2.5 Back to Open Session

3. Moment of Silence

4. Adoption of Agenda

Resolution # 2023-433

Moved By: Councillor Spencer

Seconded By: Councillor Parsons

THAT the Agenda for the Council meeting of October 10, 2023, be amended and approved to include the delegation of Anthony Thompson and reorder to hear the delegation prior to 9.2.

Note: The delegation request was received prior to the noon deadline.

Carried

5. Disclosures of Pecuniary Interest and the General Nature Thereof

None.

6. Adoption of Council Minutes of Previous Meeting

Resolution # 2023-434

Moved By: Councillor Luciani

Seconded By: Deputy Mayor Beres

THAT the Special Council Meeting minutes dated September 13, 2023 and the Council meeting minutes dated September 25, 2023, be approved.

Carried

7. Presentations

Frank Gross, Manager of Transportation and Waste Management, Oxford County and Shawn Vanacker, Supervisor of Transportation, Oxford County presented regarding Speed Management on Oxford Road 20.

7.1 Frank Gross, Manager of Transportation and Waste Management, Oxford County, and Shawn Vanacker, Supervisor of Transportation, Oxford County Re: Speed Management on Oxford Road 20

Frank Gross, Manager of Transportation and Waste Management, Oxford County, and Shawn Vanacker, Supervisor of Transportation, Oxford County regarding Speed Management attended before Council to provide a presentation. The presentation included the following items:

- County-wide Traffic Calming Approach
- Speed & Road Safety Review Work Plan
- Establishing Posted Speeds (TAC)
- Oxford Road 20/North St. E - existing conditions, future work and next steps.

Mr. Gross and Mr. Vanacker answered various questions from members of Council.

Resolution # 2023-435

Moved By: Councillor Parker

Seconded By: Councillor Rosehart

- A. THAT the presentation from Frank Gross, Manager of Transportation and Waste Management, Oxford County, and Shawn Vanacker, Supervisor of Transportation, Oxford County regarding Speed Management on Oxford Road 20 be received as information; and
- B. THAT Tillsonburg Town Council requests that the PXO for development in 2025 be considered in the Oxford County 2024 budget and business plan.

Carried

8. Public Meetings

8.1 Applications for Official Plan Amendment and Zone Change OP 23-08-7 & ZN 7-23-05 - 671 Broadway

Laurel Davies-Snyder, Development Planner for Oxford County, presented the report and responded to questions of Council.

Pre-Construction Manager Herman Sinke and land owner / leasing representative Rob Koppert attended before Council in support of the application. Mr. Sinke requested Council approve the application as the medical exemption would offer complimentary uses with other potential clients (Pharmacy, Medical Office, Dentist Office). Mr. Koppert further provided comments reflecting his research on the lack of available front space location available for Pharmacy or other medical professionals. The exemption not being approved would prevent a Pharmacy from providing full scale operation and services available to Town residents.

A motion to approve was presented.

A. THAT the Council of the Town of Tillsonburg does not the application to amend the Oxford County Official Plan (File No. OP 23-08-7) as submitted by KerMar Holdings Inc., for lands located at 671 Broadway, in the Town of Tillsonburg to establish a special development policy to permit medical centre as an additional permitted use on Service Commercial designated lands; and

B. THAT the Council of the Town of Tillsonburg does not approve the zone change application submitted by KerMar Holdings Inc., whereby the lands described as Part of Lot 1, Plan 41M-103, Part 2 of 41R-5579, Town of Tillsonburg, known municipally as 671 Broadway are to be rezoned from Service Commercial Zone (SC) to Special Service Commercial Zone (SC-sp).

Resolution # 2023-436

Moved By: Deputy Mayor Beres

Seconded By: Councillor Luciani

A. THAT the Council of the Town of Tillsonburg approves the application to amend the Oxford County Official Plan (File No. OP 23-08-7) as submitted by KerMar Holdings Inc., for lands located at

671 Broadway, in the Town of Tillsonburg to establish a special development policy to permit medical centre as an additional permitted use on Service Commercial designated lands; and

- B. THAT the Council of the Town of Tillsonburg approves the zone change application submitted by KerMar Holdings Inc., whereby the lands described as Part of Lot 1, Plan 41M-103, Part 2 of 41R-5579, Town of Tillsonburg, known municipally as 671 Broadway are to be rezoned from Service Commercial Zone (SC) to Special Service Commercial Zone (SC-sp).

Carried

9. Planning Reports

9.1 Application for Consent and Minor Variance B23-487 & A23-09-7 - 306 Tillson Avenue

Laurel Davies-Snyder, Development Planner for Oxford County, presented the report and responded to questions of Council.

Resolution # 2023-437

Moved By: Councillor Luciani

Seconded By: Councillor Parsons

A. THAT The Council of the Town of Tillsonburg advise the Oxford County Land Division Committee that the Town supports the Application for Consent B23-48-7 as submitted by Krystal and Michael West for lands described as Lots 27 and 28, Plan 500, in the Town of Tillsonburg, subject to the following conditions:

1. The owners shall agree to submit an updated survey to confirm lot sizes and building setbacks, to the satisfaction of the Town of Tillsonburg;
2. The owners shall agree to submit a preliminary lot grading plan, including services for the lot to be severed to the satisfaction of the Town of Tillsonburg Engineering Services Department;
3. The owners shall agree, in writing, to satisfy all requirements, financial and otherwise, of the Town of Tillsonburg, regarding the installation of services and drainage facilities, to the satisfaction of the Town of Tillsonburg. Any work being completed in the Town's right-of-way will require an Encroachment Permit and the owner

shall agree that a representative of the developer's consultant be on-site for any work being completed in the Town's right of way. The owner shall submit a stamped and sealed letter to the Town of Tillsonburg from the consulting engineer stating that all servicing and restoration work has been completed to the Town's design standards;

4. The owners shall provide an Oxford County Connection application to the Town of Tillsonburg Engineering Services Department prior to construction;

5. The owner shall agree to satisfy all requirements, financial and otherwise, of the County, regarding the installation of water and sanitary sewer services, to the satisfaction of the County including payment of all outstanding fees regarding the same. To this regard, the lot to be severed must be independently serviced (water/sanitary), and if any/all services crossing the proposed property line should be disconnected, it is done to the satisfaction of the County of Oxford Public Works Department;

6. The Clerk of the Town of Tillsonburg advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Town of Tillsonburg have been complied with; and

B. THAT The Council of the Town of Tillsonburg advise the Oxford County Land Division Committee approve Minor Variance Application A23-09-7 submitted by Krystal and Michael West for lands described as Lots 27 and 28 Plan 500 in the Town of Tillsonburg, as it relates to:

1. Relief from Section 7.2 – Table 7.2 Zone Provisions – decrease the Minimum Lot Frontage from 18 m to 15.82 m for the lot to be retained via Application for Consent B23-48-7

As the proposed variances are:

(i) deemed to be minor variances from the provisions of the Town of Tillsonburg Zoning By-law No. 3295;

(ii) desirable for the appropriate development or use of the land;

(iii) in-keeping with the general intent and purpose of the Town of Tillsonburg Zoning Bylaw No. 3295; and,

(iv) in-keeping with the general intent and purpose of the Official Plan.

Carried

10. Delegations

10.1 Anthony Thompson Re: Item 9.2 - 111 Rolph Street

The delegation was added to the agenda as part of the amended agenda adoption motion noting the receipt of the delegation request was prior to the noon deadline required within the Procedure By-Law. 10.1 Delegation from Anthony Thompson was heard prior to Planning Report Item 9.2.

Mr. Thompson attended before Council and provided a handout relative to a similar application being presented to Council in 2022 that was denied. Mr. Thompson asked for an explanation on the differences in the application and for an explanation of the application.

Council then considered item 9.2.

9.2 Application for Consent and Minor Variance B23-46-7 & A23-08-7 111 Rolph Street

Laurel Davies-Snyder, Development Planner for Oxford County, presented the report and responded to questions of Council.

Resolution # 2023-438

Moved By: Councillor Parker

Seconded By: Councillor Rosehart

The Council of the Town of Tillsonburg advise the Oxford County Land Division Committee that the Town supports Minor Variance Application A23-08-7 submitted by Brother Marketing Inc, for lands described as Lot 747, Plan 500, in the Town of Tillsonburg, as it relates to:

1. Relief from Section 12.2, Table 12.2 – EC Zone Provisions, to reduce the minimum lot depth from 30 m (98.4 ft) to 25 m (82 ft) for the lots to be severed and retained;
2. Relief from Section 12.2, Table 12.2 – EC Zone Provisions, to reduce the minimum lot area from 558 m² (6,006 ft²) to 505 m²

(5,435.8 ft²) for the lots to be severed and retained;

3. Relief from Section 12.2, Table 12.2 – EC Zone Provisions, to reduce the minimum required rear yard depth from 9 m (29.5 ft) to 7.5 m (24.6 ft) for the lot to be retained.

As the proposed variances are;

- (i) deemed to be minor variances from the provisions of the Town of Tillsonburg Zoning By-law No. 3295;
- (ii) desirable for the appropriate development or use of the land;
- (iii) in keeping with the general intent and purpose of the Town of Tillsonburg Zoning By-law No. 3295; and
- (iv) in keeping with the general intent and purpose of the Official Plan of the County of Oxford.

AND FURTHER, it is recommended that Tillsonburg Council advise the Oxford County Land Division Committee that the Town supports the proposal to sever the subject property, subject to the following conditions:

1. The owners shall provide confirmation of the location of any existing overhead or underground services installed to the retained lot. Tillsonburg Hydro Inc. (THI) will require an easement across the lot to be retained and the lot to be severed, and a relocation of existing electrical cables that feed 111 Rolph Street to the lot to be severed as there are no hydro distribution assets along Rolph Street (in this general location). Any proposed easements shall be reviewed by the Town of Tillsonburg and Tillsonburg Hydro Inc.
2. The lands to be severed must be serviced with sanitary and water. The owners shall agree, in writing, to satisfy all requirements, financial and otherwise, of the Town of Tillsonburg, regarding the installation of services and drainage facilities, to the satisfaction of the Town of Tillsonburg. Any work being completed in the Town's right-of-way will require an Encroachment Permit and the owner shall agree that a representative of the developer's consultant be on-site for any work being completed in the Town's right of way. The owner shall submit a stamped and sealed letter to the Town of Tillsonburg from the consulting engineer stating that all servicing and restoration work has been completed to the Town's design standards.

3. The owners shall provide an Oxford County Connection application to the Town of Tillsonburg Engineering Services Department prior to construction.
4. The owners shall agree to submit an updated survey to confirm lot sizes and building setbacks, to the satisfaction of the Town of Tillsonburg.
5. The existing accessory building on the lot to be severed shall be removed to the satisfaction of the Town of Tillsonburg.
6. The owners shall provide payment for cash-in-lieu of parkland to the Town of Tillsonburg for the lot to be severed, to the satisfaction of the Town of Tillsonburg.
7. The owners shall agree to provide a preliminary Lot Grading Plan, including services, to the satisfaction of the Town of Tillsonburg Engineering Services Department.
8. The owners agree to satisfy all the financial requirements of the County of Oxford, regarding the installation of sanitary and water services, to the satisfaction of the County of Oxford Public Works Department.
9. The Clerk of the Town of Tillsonburg advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Town of Tillsonburg have been complied with.

AND FURTHER THAT council requests a report from Town staff to review the parking on Valleyview lane.

Carried

11. Deputation(s) on Committee Reports

12. Information Items

Deputy Mayor Beres provided additional comment on the Royal Canadian Legion Branch 153 and the Tillsonburg Military History Club Veteran Banners.

Resolution # 2023-439

Moved By: Councillor Spencer

Seconded By: Councillor Luciani

THAT the following items be received as information:

- 12.2 CS 2023-30 Oxford County Concession St Services Extension Project
- 12.3 Correspondence from the Honourable David Piccini, Minister of Environment, Conservation and Parks Re Ontario Parks
- 12.4 Catherine Fife, MPP for Waterloo Re: Requesting your support for Bill 21, Fixing Long-Term Care Amendment Act (Till Death Do Us Part), 2022
- 12.5 National Chronic Pain Society Re: Opioid Crisis in Our Communities and Municipalities
- 12.6 Royal Canadian Legion Branch 153 - Thank you
- 12.7 Royal Canadian Legion Branch 153 and the Tillsonburg Military History Club Re: Veteran Banners
- 12.8 Royal Canadian Legion Re: Remembrance Day Banquet; and

THAT the Clerk be requested to provide correspondence to MPP Catherine Fyfe expressing support from Tillsonburg Town Council to the Till Death Do Us Part Act.

Carried

12.1 Oxford County Resolution re: Strong Mayors

Resolution # 2023-440

Moved By: Councillor Parker

Seconded By: Deputy Mayor Beres

WHEREAS Tillsonburg Town Council supports the resolution from Oxford County Council regarding Strong Mayor powers, as outlined below:

Whereas Oxford is a responsible and accountable government with respect to matters within its jurisdiction; and,

Whereas powers being transferred from the whole of Council to the Head of Council should be viewed as a matter within its jurisdiction; and,

Whereas service delivery should be viewed as a matter within its jurisdiction;

Therefore be it resolved that Oxford does not wish to be considered for the implementation of either “Strong Mayor” powers per the

“Strong Mayors, Building Homes Act, 2022, S.O. 2022, c. 18 - Bill 3”, and,

That this resolution be forwarded to all Oxford area municipalities requesting resolutions of support so that the future governance of Oxford is in the hands of its residents; and,

That this resolution, and all resolutions of support from Oxford’s area municipal partners, be forwarded to the Oxford MPP, the Minister of Municipal Affairs and Housing, and the Premier of Ontario.

NOTING a strike of the following: or any restructuring that is not requested by Oxford with its area municipal partners.

Carried

13. Staff Reports

13.1 Chief Administrative Officer

13.1.1 CAO 23-13 General Volunteer Policy

Councillor Parker was not present at the time of the vote.

Resolution # 2023-441

Moved By: Councillor Rosehart

Seconded By: Deputy Mayor Beres

- A. THAT report titled CAO 23-13 General Volunteer Policy be received as information; and
- B. THAT Council adopts the General Volunteer Policy as per the attached.

Carried

13.1.2 CAO 23-17 Town Hall Report Floor Plan Options

Kyle Pratt, CAO and Renato Pullia, Director of Innovation & Strategic Initiatives and Interim Director of Finance / Treasurer provided an overview of report 13.1.2. Staff answered various questions from members of Council.

Resolution # 2023-442**Moved By:** Councillor Luciani**Seconded By:** Deputy Mayor Beres

- A. THAT report titled “CAO 23-17 Town Hall Floor Plan Options” be received as information;
- B. THAT Council selects Option 2A as the preferred floor plan option; and
- C. THAT staff proceeds working with VG+ Architects to prepare a detailed building concept based on the selected floor plan.

Carried**13.1.3 CAO 23-19 Film Industry Opportunities**

Renato Pullia, Director of Innovation & Strategic Initiatives and Interim Director of Finance / Treasurer presented the report and responded to questions of Council.

Resolution # 2023-443**Moved By:** Councillor Parsons**Seconded By:** Councillor Parker

THAT report titled “Film Industry Opportunities” be received as information; and

THAT staff be directed to:

- i. improve the Town’s current process by enhancing the Ontario Creates registry with all municipal properties, parks, trails and cemeteries;
- ii. create a permitting process and fees; and create a central point of contact for film enquiries in the Economic Development and Marketing department.

Carried

13.1.4 CAO 23-20 Market Compensation Update

Resolution # 2023-445

Moved By: Councillor Parker

Seconded By: Councillor Rosehart

- A. THAT report titled “Market Compensation Review Update” be received as information; and
- B. THAT the Council approves the list of comparators selected for the market compensation review and directs staff to proceed with the review.

Carried

13.2 Corporate Services

13.3 Economic Development

13.4 Finance

13.5 Fire and Emergency Services

13.6 Operations and Development

13.7 Recreation, Culture and Parks

13.7.1 RCP 23-36 Lake Lisgar Waterpark Swim Sponsorships

Resolution # 2023-446

Moved By: Councillor Spencer

Seconded By: Deputy Mayor Beres

THAT report RCP 23-36 titled Lake Lisgar Waterpark Swim Sponsorships be received as information.

Carried

14. New Business

15. Consideration of Minutes

15.1 Advisory Committee Minutes

Resolution # 2023-447**Moved By:** Councillor Parsons**Seconded By:** Councillor Parker

THAT Council receives the following as information:

- The Police Services Board minutes dated August 16, 2023
- The Economic Development Advisory Committee minutes dated September 12, 2023
- The Community Health Care Advisory Committee minutes dated September 12, 2023
- The Accessibility Advisory Committee minutes dated September 19, 2023
- The Museum, Culture, Heritage and Special Awards Advisory Committee minutes dated September 20, 2023
- The Affordable and Attainable Housing Committee minutes dated September 27, 2023
- The Traffic Advisory Committee minutes dated September 28, 2023

Carried**16. Motions/Notice of Motions****16.1 Councillor Spencer - Calls to Action of the Final Report of the Truth and Reconciliation Commission of Canada****Moved By:** Councillor Spencer**Seconded By:** Councillor Parsons

THAT Town of Tillsonburg Council acknowledges and recognizes the Truth and Reconciliation Commission's Calls to Action and the United Nations Declaration on the Rights of Indigenous Peoples; and,

THAT staff be directed to draft a policy whereby Council will table and present an annual report during a public session of Council meeting outlining the ways that it is addressed the following municipal calls to action of the Truth and Reconciliation Commission of Canada:

- 43. Adopt and implement the United Nations Declaration on the Rights of Indigenous Peoples as a the framework for reconciliation.

- 47. Repudiate the concepts of terra nullius and the Doctrine of Discovery and reform policies and legislation that rely on these concepts.
- 57. We call upon federal, provincial, territorial, and municipal governments to provide education to public servants on the history of Indigenous peoples: Including the history and legacy of residential schools, the United Nations Declaration on the Rights of Indigenous Peoples, Treaties and Aboriginal rights, Indigenous law, and Indigenous-Crown relations. This will require skills-based training in intercultural competency, conflict resolution, human rights, and anti-racism.
- 77. Municipal and community archives will provide records pertaining to the Residential School System to the National Centre for Truth and Reconciliation in Winnipeg, Manitoba.

Resolution # 2023-448

Moved By: Councillor Spencer

Seconded By: Councillor Parsons

THAT Item 16.1 BE DEFERRED to 2024 Budget Deliberations.

Carried

17. Resolutions/Resolutions Resulting from Closed Session

18. By-Laws

18.1 By-Law 2023-071 A By-Law to Adopt a General Volunteer Policy

Resolution # 2023-449

Moved By: Deputy Mayor Beres

Seconded By: Councillor Parker

THAT By-Law 2023-071 Being A By-Law to Adopt a General Volunteer Policy be read for a first, second and third and final reading and that the Mayor and Clerk are hereby authorized to sign the same, and place the corporate seal thereunto.

Carried

19. Confirm Proceedings By-law

Resolution # 2023-450

Moved By: Councillor Parsons

Seconded By: Councillor Parker

THAT By-Law 2023-082, to Confirm the Proceedings of the Council Meeting held on October 10, 2023, be read for a first, second and third and final reading and that the Mayor and the Clerk are hereby authorized to sign the same, and place the corporate seal thereunto.

Carried

20. Items of Public Interest

21. Adjournment

Resolution # 2023-451

Moved By: Councillor Rosehart

Seconded By: Councillor Spencer

THAT the Council meeting of October 10, 2023, be adjourned at 8:23 p.m.

Carried