

**The Corporation of the Town of Tillsonburg**  
**Council Meeting**  
**MINUTES**



Monday, May 27, 2024  
5:00 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  
Renato Pullia, Interim Director of Finance/Treasurer  
Johnathon Graham, Director of Operations & Development  
Cephas Panschow, Development Commissioner  
Andrea Greenway, Interim Director of Recreation, Culture and  
Parks  
Julie Ellis, Deputy Clerk

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**1. Call to Order**

The meeting was called to order at 5:00pm

**2. Closed Session (5:00 p.m.)**

**Resolution # 2024-245****Moved By:** Councillor Spencer**Seconded By:** Councillor Luciani

THAT Council move into Closed Session to consider the following:

**2.4.1 CLD-FIN-24-003 Information Technology Programs and Services**

239 (2) (a) the security of the property of the municipality or local board;

239 (2) (d) labour relations or employee negotiations;

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 Minutes****2.4 Reports****2.4.1 CLD-FIN-24-003 Information Technology Programs and Services Follow-up****2.5 Back to Open Session****3. Moment of Silence****4. Adoption of Agenda (6:00 p.m.)****Resolution # 2024-250****Moved By:** Deputy Mayor Beres**Seconded By:** Councillor Parker

THAT the Agenda as prepared for the Council meeting of May 27, 2024, be approved with the following amendments:

- Agenda Item 7.1, Report RCP-24-024 Tennis Court Resurfacing Project has been moved to directly follow Agenda Item 10.2 – Delegation from Henrietta Van hulle.
- Agenda Item 18.6 – By-Law 2024-023 has been added to the agenda

Due to a delayed arrival of the Development Charges Study consultant, the Planning Public Hearing items were to be heard prior to Development Charges Study.

**Carried**

**5. Disclosures of Pecuniary Interest and the General Nature Thereof**

None.

**6. Adoption of Council Minutes of Previous Meeting**

**Resolution # 2024-251**

**Moved By:** Councillor Luciani

**Seconded By:** Councillor Spencer

THAT the Council Meeting Minutes dated May 13, 2024, be approved.

**Carried**

**7. Presentations**

**8. Public Meetings**

**8.2 Planning Items**

Items within 8.2 were considered in advance of item 8.1

**8.2.1 CP-2024-244 Application for Zone Change ZN 7-24-04 (671 Broadway)**

Eric Gilbert, County Planner, attended before Council and provided an overview of Item 8.2.1. Mr. Gilbert answered questions from Council member regarding Daycare operation.

Rob Koppert attended before Council to speak in support of the application and provided comment on the daycare outdoor space use.

No other speakers, either for or against the application, attended before Council.

**Resolution # 2024-252**

**Moved By:** Councillor Parker

**Seconded By:** Deputy Mayor Beres

THAT Town of Tillsonburg Council approve the zone change application submitted by KerMar Holdings Inc., whereby the 'Special Service Commercial (SC-29)' zoning for 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 amended to permit a pharmacy and a day care as additional permitted uses.

**Carried**

### **8.2.2 CP-2024-156 Application for Minor Variance A03-24 (1, 3, 5 and 7 Greenhill Drive)**

Eric Gilbert, County Planner, attended before Committee and provided an overview of Item 8.2.2.

No individuals spoke in favour or opposition of the application.

#### **Resolution # 2024-253**

**Moved By:** Councillor Luciani

**Seconded By:** Councillor Spencer

THAT Council move into the Committee of Adjustment to hear an application for Minor Variance at 6:08 p.m.

**Carried**

#### **Resolution # 2024-254**

**Moved By:** Councillor Parsons

**Seconded By:** Councillor Rosehart

THAT the Committee of Adjustment **approve** Application A03-24, submitted by 2407774 Ontario Limited for lands described as Lot 17 Plan 41M-395 in the Town of Tillsonburg as it relates to:

1. **Table 8.2: Zone Provisions – Front Yard, Minimum Depth**, to reduce the minimum required front yard depth from 6 m (19.7 ft) to 4.5 m (14.9 ft);
2. **Section 8.6.22.2.4 – Rear Yard, Minimum Depth**, to reduce the minimum required rear yard depth from 6.0 m (19.7 ft) to 1.2 m (3.11 ft).

The proposed relief meets the four tests of a minor variance as set out in Section 45(1) of the Planning Act as follows:

1. The proposed relief is considered minor variances from the provisions of the Town's Zoning By-law in that the requested relief from the front yard depth and rear yard depth will not impact neighbouring properties, is compatible with surrounding land uses, is minor, and is desirable for the development of the lands.
2. The proposed relief maintains the general intent and purpose of the Town's Zoning By-law, and no negative impacts are anticipated due to the proposed reduction in the required yards.
3. The relief is desirable for the use of the land as the said relief will allow for development that is permitted by the Zoning By-law, the use is compatible with planned development and is complimentary to proposed development in the area.
4. The relief maintains the intent and purpose of the Official Plan as the proposed relief will facilitate development that is contemplated within the Low Density Residential designation.

**Carried**

**Resolution # 2024-255**

**Moved By:** Deputy Mayor Beres

**Seconded By:** Councillor Parker

THAT Council move out of Committee of Adjustment and move back into regular Council session at 6:13 p.m.

**Carried**

## **8.1 Development Charges**

Item 8.1 was considered following the items within section 8.2.

### **8.1.1 Town of Tillsonburg Development Charge Background Study**

Item 8.1.1 was a public meeting under section 12 of the *Development Charges Act, 1997*, as amended. The purpose of the meeting was to give the public an opportunity to make

representations on the 2024 Development Charges Background Study. This study calculates new development charges for Services Related to a Highway, Fire Protection Services, Parks and Recreation Services, and Policing services.

Prior to receiving the public comments, the Town's consultant Sean-Michael Stephen, Watson & Associates Economists Ltd., completed a brief presentation of the findings of the study. The presentation included:

- Timeline;
- Explanation of the Development Charges;
- Growth forecast;
- Anticipate Capital Needs;
- Calculated Schedule of D.C's and Comparison information;
- Development Charges Policies; and
- Next Steps.

No members of the public spoke to the Item.

Mr. Stephen answered questions from Mayor Gilvesy regarding policing service funding within this study as well as affordable housing.

Council then moved to Item 8.1.2.

### **8.1.2 FIN-24-032 - Development Charges By-law Recommendations**

#### **Resolution # 2024-256**

**Moved By:** Councillor Parsons

**Seconded By:** Councillor Rosehart

- A. THAT report FIN 24-032 titled “Development Charges By-law Recommendations” be received as information; and
- B. THAT the exemption for Development Charges for the Commercial class be removed; and
- C. THAT the exemption for Development Charges for the Industrial class continue, as part of a proactive approach to attracting Industrial growth and employment.

**Carried**

**9. Planning Reports**

**9.1 CP 2024-177 Application for Zone Change ZN 7-24-07 (Potters Road and West Town Line)**

Eric Gilbert, County Planner, attended before Council for Item 9.1. providing a brief overview.

**Resolution # 2024-257**

**Moved By:** Councillor Parsons

**Seconded By:** Councillor Luciani

THAT Council approve the zone change application submitted by Oxnard Potters Gate Inc. for lands legally described as Part Lot 24, Plan 1653, Part 1, 41R-10426 in the Town of Tillsonburg, to remove the Holding Provisions from lands as identified on Plate 3 of Report No. CP 2024-177.

**Carried**

**10. Delegations**

**10.1 Jodie Konior Re: VIBE Youth Social Space - 1 Year Pilot Update**

Jodie Konior and Stephanie Ellens-Clark attended before Council to provide an update on their one year pilot program. The presentation included an overview of Communities Building Youth Futures, an overview of VIBE Youth social space and observations, and next steps for the program. Presenters answered questions from members of Council.

**Resolution # 2024-258**

**Moved By:** Councillor Spencer

**Seconded By:** Councillor Parsons

THAT the delegation from Jodie Konior regarding VIBE Youth Social Space - 1 Year Pilot Update, be received as information.

**Carried**

**10.2 Henrietta Van hulle Re: Dedicated Space for the Sport of Tennis**

Henrietta Van hulle attended before Council regarding dedicated space for the sport of tennis. Henrietta Van hulle requested Council consider the logistics of the tennis and do not include pickleball lines on the new tennis courts allowing for dedicated courts. Further, it was requested to indefinitely have the separation of the two sports.

**Resolution # 2024-259**

**Moved By:** Deputy Mayor Beres

**Seconded By:** Councillor Rosehart

THAT the delegation from Henrietta Van hull regarding Dedicated Space for the Sport of Tennis be received as information.

**Carried**

**13.7.1 RCP-24-024 Tennis Court resurfacing project**

Item 13.7.1 was considered immediately following the delegation Item 10.2.

Andrea Greenway, Acting Director, Recreation, Culture and Parks, answered various questions.

**Resolution # 2024-260**

**Moved By:** Councillor Parker

**Seconded By:** Councillor Parsons

- A. THAT report RCP 24-024 titled “Tennis Court Resurfacing Project” be received as information; and
- B. THAT Council maintains the project scope for the tennis resurfacing project and approve the designation of separate tennis and pickleball courts for the 2024 season; and
- C. THAT Council directs staff to monitor and collect data on court usage and to solicit community feedback on multi-use courts; and
- D. THAT the issue of multi-use courts be referred to the Recreation and Sports Advisory Committee.

**Carried**

**11. Deputation(s) on Committee Reports**

**11.1 RCP-24-023 Parks, Beautification and Cemeteries Committee Recommendation - Bert Newman Park Fencing**



**Resolution # 2024-261****Moved By:** Councillor Luciani**Seconded By:** Councillor Rosehart

- A. THAT report titled Bert Newman Park Fencing be received as information; and
- B. THAT Council approve the recommendation of the Parks, Beautification & Cemeteries Committee and direct staff to remove three sides of fencing around Bert Newman Park and complete remediation efforts through beautification of the park upon passing of the Parks Use By-Law.

**Carried**

**11.2 CS-24-059 Museum, Heritage and Special Awards Advisory Committee Recommendation - Museum, Culture and Heritage Master Plan**

Deputy Mayor Beres assumed the Chair in order to the Mayor to present a friendly amendment to the motion. Upon passing of the amended recommendation, the Mayor reassumed the Chair.

**Resolution # 2024-262****Moved By:** Councillor Spencer**Seconded By:** Deputy Mayor Beres

- A. THAT report titled Museum, Culture, Heritage and Special Advisory Awards Committee Recommendation - Museum, Culture and Heritage Master Plan be received as information; and
- B. THAT Council refer the recommendation of the Museum, Culture, Heritage and Special Advisory Awards Committee that a Museum, Culture and Heritage Master Plan to the 2025 Operating Budget.

**Carried****12. Information Items****13. Staff Reports****13.1 Chief Administrative Officer****13.2 Corporate Services**

### **13.2.1 CS-24-030 Records Retention By-Law Update**

#### **Resolution # 2024-263**

**Moved By:** Deputy Mayor Beres

**Seconded By:** Councillor Parker

A. THAT report CS 24-030 titled “Records Retention By-Law Update” be received as information; and

B. THAT a by-law to establish retention periods for records for the town of Tillsonburg, and to repeal By-Law 3933, be brought forward for Council Consideration.

**Carried**

### **13.3 Economic Development**

### **13.4 Finance**

#### **13.4.1 FIN-24-029-Community Improvement Plan Property Tax Rebate Summary**

#### **Resolution # 2024-264**

**Moved By:** Councillor Rosehart

**Seconded By:** Councillor Spencer

THAT report FIN 24-029 titled Community Improvement Plan Property Tax Rebate Summary be received as information.

**Carried**

#### **13.4.2 FIN-24-011 Development Charges Reserve Fund Report**

#### **Resolution # 2024-265**

**Moved By:** Councillor Parker

**Seconded By:** Deputy Mayor Beres

THAT report FIN 24-011 titled “Development Charges Reserve Fund Statements” for 2019 to 2023 be received as information.

**Carried**

### **13.5 Fire and Emergency Services**

### **13.6 Operations and Development**

**13.6.1 OPD-24-033 Encroachment Agreement - 500 Highway 3 Access from Newell Road**

**Resolution # 2024-266**

**Moved By:** Councillor Luciani

**Seconded By:** Councillor Spencer

- A. THAT report OPD 24-033 titled “Encroachment Agreement - 500 Highway 3 Access from Newell Road” be received as information; and
- B. THAT Town Council direct the Director of Operations and Development to execute an Encroachment Agreement between THE CORPORATION OF THE TOWN OF TILLSONBURG and E&E McLaughlin Ltd.

**Carried**

**13.6.2 OPD-24-035 Hangar Land Lease Agreement Taxiway C2-1**

**Resolution # 2024-267**

**Moved By:** Deputy Mayor Beres

**Seconded By:** Councillor Luciani

- A. THAT report OPD 24-035 titled Hangar Land Lease Agreement Taxiway C2-1 be received as information; and
- B. THAT a By-law to execute the Hanger Land Lease Agreement for Taxiway C2 Lot #1 with Permterra Development Corporation (John Gilvesy) be brought forward for Council consideration
- C. AND THAT the Mayor and CAO be authorized to enter into a new Land Lease Agreement for Taxiway C2 Lot #1 with Permterra Development Corporation (John Gilvesy)

**Carried**

**13.6.3 OPD-24-034 Hangar Land Lease agreement Taxiway G1-6**

**Resolution # 2024-268**

**Moved By:** Councillor Parsons

**Seconded By:** Councillor Parker

- A. THAT report OPD 24-034 titled Hangar Land Lease Agreement Taxiway G1-6 be received as information; and
- B. THAT a By-law to execute the Hanger Land Lease Agreement for Taxiway G1 Lot #6 with Isaac Froese be brought forward for Council consideration; and
- C. AND THAT the Mayor and CAO be authorized to enter into a new Land Lease Agreement for Taxiway G1 Lot #6 with Isaac Froese.

**Carried**

### **13.7 Recreation, Culture and Parks**

## **14. New Business**

## **15. Consideration of Minutes**

### **15.1 Advisory Committee Minutes**

#### **Resolution # 2024-269**

**Moved By:** Councillor Luciani

**Seconded By:** Councillor Rosehart

THAT the following minutes of Advisory Committees be received as information:

- Youth Advisory Council minutes dated May 1, 2024
- Economic Development Advisory Committee minutes dated May 14, 2024
- Museum, Culture, Heritage and Special Awards Advisory Committee dated May 15, 2024
- Traffic Advisory Committee minutes dated May 16, 2024

**Carried**

## **16. Motions/Notice of Motions**

### **16.1 Deputy Mayor Beres - Motion to Reconsider By-Law 2024-053**

#### **Resolution # 2024-270**

**Moved By:** Deputy Mayor Beres  
**Seconded By:** Councillor Parsons

THAT By-Law 2024-053, defeated at the Council Meeting of May 13, 2024, be reconsidered.

**Carried**

**Resolution # 2024-271**

**Moved By:** Councillor Rosehart  
**Seconded By:** Councillor Parker

THat By-Law 2024-053 be referred to staff in order to bring two separate By-laws being one addressing Mr. Tomico's membership and one including all other committee members.

**Defeated**

**Resolution # 2024-272**

**Moved By:** Deputy Mayor Beres  
**Seconded By:** Councillor Spencer

THAT By-Law 2024-053, A BY-LAW to amend By-Law 2023-009 being a by-law to appoint members to Town of Tillsonburg advisory committees, be read for a first, second, third and final reading and that the Mayor and Clerk be and are hereby authorized to sign the same, and place the corporate seal thereunto.

A recorded vote was requested by Councillor Parker.

	<b>For</b>	<b>Against</b>	<b>Abstain</b>	<b>Conflict</b>
Mayor Gilvesy		X		
Deputy Mayor Beres	X			
Councillor Luciani	X			
Councillor Parker		X		

Councillor Parsons	X			
Councillor Rosehart		X		
Councillor Spencer	X			
<b>Results</b>	<b>4</b>	<b>3</b>	<b>0</b>	<b>0</b>

**Carried (4 to 3)**

**17. Resolutions/Resolutions Resulting from Closed Session**

**18. By-Laws**

**Resolution # 2024-273**

**Moved By:** Councillor Parsons

**Seconded By:** Councillor Spencer

THAT the following By-Laws be read for a first, second, third and final reading and that the Mayor and Clerk be and are hereby authorized to sign the same, and place the corporate seal thereunto.

**18.1 By-Law 2024-060 A By-Law to amend Zoning By-Law Number 3295, as amended (ZN 7-24-04)**

**18.2 By-Law 2024-061 A By-Law to amend Zoning By-Law Number 3295, as amended (ZN 7-24-07)**

**18.3 By-Law 2023-062 A BY-LAW to establish retention periods for records of the Town of Tillsonburg, and to repeal By-Law 3933**

**18.4 By-Law 2024-063 A BY-LAW to enter into an Airport Hangar Land Lease Agreement with Permtterra Development (John Gilvesy) for Taxiway C2-1**

**18.5 By-Law 2024-064 A BY-LAW to enter into an Airport Hangar Land Lease Agreement with Isaac Froese for Taxiway G1-6**

**18.6 By-Law 2024-023 A BY-LAW to authorize an agreement with Mr. Don Huras of Northlands Adventure Properties Inc. for the provision of consulting services as the Tillsonburg Regional Airport Management Firm**

**Carried**

**19. Confirm Proceedings By-law**

**Resolution # 2024-274**

**Moved By:** Councillor Parker

**Seconded By:** Councillor Spencer

THAT By-Law 2024-065, A By-Law to Confirm the proceedings of the Council Meeting held on May 27, 2024, be read for a first, second, third and final reading and that the Mayor and the Clerk be and are hereby authorized to sign the same, and place the corporate seal thereunto.

**Carried**

**20. Items of Public Interest**

**21. Adjournment**

**Resolution # 2024-275**

**Moved By:** Councillor Rosehart

**Seconded By:** Councillor Luciani

THAT the Council meeting of May 27, 2024, be adjourned at 8:02 p.m.

**Carried**