

The Corporation of the Town of Tillsonburg
Council Meeting
MINUTES



Monday, October 7, 2024
6:00 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, Director of Finance/Treasurer
Jonathon Graham, Director of Operations & Development
Cephas Panschow, Development Commissioner
Andrea Greenway, Director of Recreation, Culture and Parks

Regrets: Graig Pettit, Hydro Operations Manager

1. Call to Order

Meeting called to order at 5:30 p.m.

2. Closed Session (5:30 p.m.)

Resolution # 2024-448

Moved By: Councillor Parsons

Seconded By: Councillor Luciani

THAT Council move into Closed Session to consider the following:

2.4.1 Request for Extension - 2776807 Ontario Inc. - CLD-EDM-24-013

239 (2) (c) a proposed or pending acquisition or disposition of land by the municipality or local board;

239 (2) (i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;

239 (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

2.3 Adoption of Closed Council Minutes

2.4 Reports

2.4.1 Request for Extension - 2776807 Ontario Inc - CLD-EDM-24-013

2.5 Back to Open Session

2.6 Lift from the Table

2.7 Reports

2.7.1 1. CLD-EDM-24-013 titled Request for Extension – 2776807 Ontario Inc.

2.8 Back to Open Session

3. Moment of Silence

4. Adoption of Agenda (6:00 p.m.)

Resolution # 2024-453

Moved By: Deputy Mayor Beres
Seconded By: Councillor Parsons

THAT the Agenda as prepared for the Council meeting of Monday, October 7, 2024, be adopted, with the following amendment:

- Item 10.1. being heard directly following Item 8 (Public Meetings).

Carried

5. Disclosures of Pecuniary Interest and the General Nature Thereof

None

6. Adoption of Council Minutes of Previous Meeting

Resolution # 2024-454

Moved By: Councillor Parsons
Seconded By: Councillor Luciani

THAT the Council meeting minutes dated September 23, 2024 and the Special Council meeting minutes dated October 1, 2024 be approved.

Carried

7. Presentations

8. Public Meetings

8.1 ZN 7-24-10 Application for Zone Change (79 Tillson Avenue)

Laurel Davies-Snyder attended before Council to provide an overview on Item 8.1 and answer various questions from members of Council.

Manny Garcia, Applicant, attended before Council to speak in support of the application.

No one came forward to speak in opposition of the application.

Resolution # 2024-456

Moved By: Councillor Luciani
Seconded By: Councillor Parker

It is recommended THAT the Council of the Town of Tillsonburg approve the zone change application submitted by Nancy and Manny Garcia, whereby the lands described as Lot 1247, Plan 500, Town of Tillsonburg,

known municipally as 79 Tillson Avenue, are to be rezoned from 'Entrepreneurial District' to 'Special Entrepreneurial Zone (EC-sp)' to permit the development of a detached additional residential unit (ARU) on the subject lands.

Carried

8.2 ZN 7-24-11 Application for Zone Change (356 Tillson Avenue)

Laurel Davies-Snyder attended before Council to provide an overview on Item 8.2 and answer various questions from members of Council.

Rene Byvank, applicant, attended before Council to speak in support of their application.

No one attended before Council to speak in opposition.

Resolution # 2024-457

Moved By: Councillor Parker

Seconded By: Councillor Spencer

It is recommended THAT the Council of the Town of Tillsonburg approve the zone change application submitted by Rene Byvank, whereby the lands described as Part Lots 3,4, 6 Plan 500, Part 1, 41R-1860, Town of Tillsonburg, known municipally as 356 Tillson Avenue are rezoned to permit a broader range of commercial uses on the subject property.

Carried

8.3 A08-24 Minor Variance Application (32 Seaton Cres)

Laurel Davies-Snyder attended before Committee of Adjustment to provide an overview on Item 8.3 and answer various questions from members of Council.

Mr. Ursal and Ms. Ursal, applicant, attended before Committee to speak in support of their application.

No one attended before Committee to speak in opposition.

Resolution # 2024-458

Moved By: Councillor Spencer

Seconded By: Councillor Rosehart

THAT Council move into the Committee of Adjustment to hear applications for Minor Variances at 6:36 p.m.

Carried

Resolution # 2024-459

Moved By: Deputy Mayor Beres

Seconded By: Councillor Rosehart

THAT the Town of Tillsonburg Committee of Adjustment **approve** Application A08-24, submitted by Nikolay and Elena Ursal for lands described as Lot 15, Plan 41M372, in the Town of Tillsonburg, municipally known as 32 Seaton Crescent as it relates to:

1. Relief from **Section 5.37.1 – Permitted Projections Into Required Yards**, to increase the permitted projection into the required yard from 1.5 m (4.92 ft) to 3.1 m (10.2 ft); and,
2. Relief from **Section 5.37.1 – Permitted Projections Into Required Yards**, to reduce the minimum setback between projection and rear lot line from the required 7.5 m (24.6 ft) to 4.4 m (14.5 ft).

As the requested variances are considered to be:

3. Relief from **Section 5.37.1 – Permitted Projections Into Required Yards**, to reduce the minimum setback between projection and rear lot line from the required 7.5 m (24.6 ft) to 4.4 m (14.5 ft).i) minor variances from the provisions of the Town of Tillsonburg Zoning By-Law;ii) desirable for the appropriate development or use of the land;iii) in keeping with the general intent and purpose of the County's Official Plan, and;iv) in keeping with the general intent and purpose of the Town of Tillsonburg Zoning By-law.

Carried

8.4 A09-24 Minor Variance Application (7 Tanager Drive)

Laurel Davies-Snyder attended before Committee of Adjustment to provide an overview on Item 8.4 and answer various questions from members of Council.

Johan Peters, applicant, attended before Committee in support of their application.

No one attended before Committee to speak in opposition.

Resolution # 2024-460

Moved By: Councillor Parsons

Seconded By: Councillor Luciani

THAT the Town of Tillsonburg Committee of Adjustment **approve** Application A09-24, submitted by Johan Peters for lands described as Lot 60, Plan 41M-16, municipally known as 7 Tanager Drive in the Town of Tillsonburg, as it relates to:

1. **Section 5.1.1.4.1 v) – Accessory Uses, Buildings, Structures**, to increase the maximum lot coverage for all accessory buildings and structures from 100 m² (1,076.4 ft²) of ground floor area to 135 m² (1,453.1 ft²) to facilitate the construction of a detached accessory building.

As the requested variance is considered to be:

- i) a minor variance from the provisions of the Town of Tillsonburg Zoning By-Law;
- ii) desirable for the appropriate development or use of the land;
- iii) in keeping with the general intent and purpose of the County's Official Plan, and;
- iv) in keeping with the general intent and purpose of the Town of Tillsonburg Zoning By-Law.

Resolution # 2024-461

Moved By: Councillor Rosehart

Seconded By: Deputy Mayor Beres

THAT Council move out of the Committee of Adjustment and move back into regular Council session at 6:50 p.m.

Carried

9. Planning Reports

10. Delegations

10.1 Hanna Domagala, Director of Land Development and Design, The BMI Group Re: Station District Development Presentation

Item 10.1 was heard in advance of item 8.

Hanna Domagala, Director of Land Development and Design, The BMI Group attended before Council to provide a presentation to Council.

Highlights of the presentation include:

- An overview of the proposed mixed-use development located in the downtown core for those seeking easy and comfortable living
- A summary of the process to-date and proposed next steps
- Design partners and considerations
- Project inspirations and design goals

Resolution # 2024-455

Moved By: Councillor Luciani

Seconded By: Councillor Parker

THAT the delegation from Hanna Domagala, Director of Land Development and Design, The BMI Group Re: Station District Development Presentation be received as information.

Carried

11. Deputation(s) on Committee Reports

11.1 DTBIA Board of Directors Appointment - Decision Letter

Amended motion presented by Mover and Seconder.

Resolution # 2024-462

Moved By: Councillor Parker

Seconded By: Councillor Spencer

- A. THAT the decision letter titled "Motion to Recommend Board Appointment to the Council of the Town of Tillsonburg" to be received; and
- B. THAT AJ (Joost) Van Campen be appointed as a member of the Tillsonburg Business Improvement Area Board of Directors;
- C. THAT Jessy Rhora be removed as a member of the Tillsonburg Business Improvement Area Board of Directors; and

- D. THAT a by-law to appoint members to the Tillsonburg Business Improvement Area Board of Directors be brought forward for Council consideration.

Carried

11.2 DTBIA Board of Directors - Reimbursement of Legal Fees

Amended motion presented by Mover and Seconder.

Resolution # 2024-463

Moved By: Councillor Parsons

Seconded By: Deputy Mayor Beres

- A. THAT the decision letter titled "Formal Request to the Town of Tillsonburg to Reimburse Legal Fees - Council Appointed Board Members" be received as information.
- B. THAT the loan issued to the BIA to cover legal expenses in the amount of \$21,054.97, inclusive of interest charges and administrative fee, be forgiven, and be covered by the Tax Rate Stabilization Reserve.

Carried

12. Information Items

13. Staff Reports

13.1 Chief Administrative Officer

13.1.1 Payroll Compliance Review - CAO-24-020

Resolution # 2024-464

Moved By: Deputy Mayor Beres

Seconded By: Councillor Parsons

- A. THAT report CAO 24-020 titled "Payroll Compliance Review" be received as information; and
- B. THAT a payroll compliance review engagement with Sability Human Capital Consulting, up to a maximum of \$45,000 to be funded from the Tax Rate Stabilization Reserve, be approved.

Carried

13.1.2 Succession Planning Update - CAO-24-021

Resolution # 2024-465

Moved By: Councillor Rosehart

Seconded By: Deputy Mayor Beres

A. THAT report CAO-24-021 titled “Succession Planning Update” be received as information; and

B. THAT a by-law to adopt the updated Succession Planning policy be brought forward to Council for consideration.

Carried

13.2 Corporate Services

13.2.1 IT Services - Positions - CS-24-106

Resolution # 2024-466

Moved By: Councillor Spencer

Seconded By: Councillor Luciani

A. THAT report CS 24-106 titled “IT Services - Positions Realignment” be received as information; and

B. THAT Human Resources be directed to revise the two positions approved as outlined in report CS-24-106.

Carried

13.3 Economic Development

13.3.1 Surplus Land Declaration – Westerly Portion of Moose Street Right-of-Way (Revised) - EDM-24-038

Resolution # 2024-467

Moved By: Councillor Luciani

Seconded By: Councillor Parker

- A. THAT report titled EDM 24-038 Surplus Land Declaration – Westerly Portion of Moose Street Right-of-Way (Revised) be received; and,
- B. THAT the Westerly Portion of the municipally owned Moose Street Right-of-Way, described as part of Part 2 on Plan 41R-1403, save and except for any easements as may be required by public authorities, be declared surplus to the needs of the Town of Tillsonburg in accordance with Bylaw 2021-031 (land disposition) including suitable notification to the public; and,
- C. THAT the Westerly Portion of the Moose Street Right-of-Way, described as part of Part 2 on Plan 41R-1403, be closed with a bylaw being brought forward for Council's consideration; and,
- D. THAT the Development Commissioner be authorized to negotiate an Agreement of Purchase and Sale for these lands subject to being brought back to Council for approval.

Carried

13.4 Finance

13.4.1 2025 Budget Survey Results - FIN-24-047

Resolution # 2024-468

Moved By: Councillor Parker

Seconded By: Councillor Spencer

THAT Council receives report FIN-24-047 2025 Public Budget Survey Results as information.

Carried

13.5 Fire and Emergency Services

13.6 Operations and Development

13.6.1 2000 Model Franchise Agreement with Enbridge Gas Inc - OPD-24-052

Resolution # 2024-469

Moved By: Councillor Spencer

Seconded By: Councillor Parsons

- A. THAT report OPD 24-052 titled “2000 Model Franchise Agreement with Enbridge Gas Inc.” be received as information;
- B. THAT the “Guideline to Municipalities Respecting the Renewal of Franchise Agreements with Enbridge Gas Inc.” be received as information;
- C. THAT a draft by-law to “Authorize a Franchise Agreement Between the Corporation of the Town of Tillsonburg and Enbridge Gas Inc.” be presented to Council for consideration;
- D. THAT a draft resolution be presented to Council for consideration to resolve that
 - a. This Council approves the form of the draft by-law and franchise agreement attached hereto and authorizes the submission thereof to the Ontario Energy Board for approval pursuant to the provisions of Section 9 of the Municipal Franchises Act.
 - b. That Council requests that the Ontario Energy Board make an Order declaring and directing that the assent of the municipal electors to the attached draft by-law and franchise agreement pertaining to the Corporation of the Town of Tillsonburg is not necessary pursuant to the provisions of Section 9(4) of the Municipal Franchises Act.; and
- E. THAT the Director of Operations and Development be recognized as the “Engineer/Road Superintendent” defined in the Agreement.

Carried

**13.6.2 CMHC Housing Accelerator Fund Application Update Round 2
- OPD-24-056**

Resolution # 2024-470

Moved By: Councillor Rosehart

Seconded By: Deputy Mayor Beres

- A. THAT report titled “CMHC Housing Accelerator Fund Application Update/Round 2” be received as information; and
- B. THAT should the Town be successful in its application, Council affirm its commitment to achieving the Canada Mortgage and Housing Corporation (CMHC) Housing Accelerator Fund 2 (HAF2) application initiatives; and
- C. THAT further and should the Town be successful in its application, Council will commit to implementing 4 units as-of-right by-laws as part of the current Comprehensive Zoning By-Law review currently in progress.

Carried

13.7 Recreation, Culture and Parks

13.7.1 Community Sport and Recreation Infrastructure Fund - RCP-24-048

Resolution # 2024-471

Moved By: Deputy Mayor Beres

Seconded By: Councillor Parsons

- A. THAT report RCP 24-048 titled “Community Sport and Recreation Infrastructure Fund” be received as information; and
- B. THAT the Director of Recreation, Culture and Parks be directed to apply to the Community Sport and Recreation Infrastructure Fund - Stream 1: Repair and Rehabilitation grant program for project A: Indoor Pool Roof replacement at a cost with net HST of \$477,000; and
- C. THAT the selected project be included in the 2025 capital budget for consideration to meet the 50/50 cost sharing requirement.

Carried

13.7.2 Pop Up Pickleball Courts - RCP-24-047

Resolution # 2024-472

Moved By: Councillor Parsons

Seconded By: Councillor Luciani

- A. THAT report RCP 24-047 titled “Pop Up Pickleball Courts” be received as information; and
- B. THAT Council approve the proposed line painting for two Pop-Up Pickleball Courts at Southridge Park and Memorial Park.

Carried

14. New Business

15. Consideration of Minutes

15.1 Advisory Committee Minutes

Resolution # 2024-473

Moved By: Councillor Luciani

Seconded By: Councillor Parker

THAT Council receives as information:

- The Museum, Culture, Heritage and Special Awards Committee minutes dated September 18, 2024;
- The Tillsonburg Airport Advisory Committee minutes dated September 19, 2024;
- The Community Health Care Committee minutes dated September 3, 2024; and
- The Youth Advisory Committee minutes dated June 5, 2024.

Carried

16. Motions/Notice of Motions

16.1 Motion

16.1.1 Councillor Luciani - Continued Transit Funding

Resolution # 2024-474**Moved By:** Councillor Luciani**Seconded By:** Councillor Spencer

Whereas the County of Brant, Middlesex County, Municipality of Strathroy Caradoc, Norfolk County, Municipality of East Zorra Tavistock, Grey County, Perth County, City of Stratford, Municipality of Lambton Shores, and Wellington County have successfully utilized government funding to create and sustain local community transit through Southwest Community Transit; and

Whereas 85,000 riders have utilized the Southwest Community Transit services in the first half of 2024 alone, demonstrating significant community reliance on these services; and

Whereas the economic impact of this transit system is estimated to be \$748,800,000 annually, largely due to its role in providing transportation to employment opportunities; and

Whereas the current funding for this critical small urban and rural inter-community transit service is set to expire in March 2025, putting the sustainability of the service at risk:

Therefore be it resolved that the Town of Tillsonburg council urges the provincial government to continue funding Southwest Community Transit beyond March 2025 to ensure the ongoing viability of this essential service for small urban and rural Ontario

Be it further resolved that this resolution be circulated to the County of Brant, Elgin County, Middlesex County, Norfolk County, Oxford County, Municipality of Strathroy Caradoc, Municipality of East Zorra Tavistock, Perth County, City of Stratford, Municipality of Lambton Shores, Wellington County, Bruce County, Municipality of Bayham, Municipality of Thames Centre and other relevant stakeholders for their support and advocacy.

Carried**16.2 Notice of Motion****17. Resolutions/Resolutions Resulting from Closed Session**

18. By-Laws

18.7 By-Law 2024-116 was pulled from the By-Law listing to be presented at a later date.

Resolution # 2024-475

Moved By: Councillor Spencer

Seconded By: Councillor Rosehart

THAT the following By-Laws be read for a first, second and 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

18.1 By-Law 2024-110 - A By-Law to Amend Zoning By-Law 3295, as amended (ZN 7-23-11)

18.2 By-Law 2024-111 - A By-Law to Amend Zoning By-Law 3295, as amended (ZN 7-24-11)

18.3 By-Law 2024-112 - A By-Law to Amend Zoning By-Law 3295, as amended (ZN 7-24-10)

18.4 By-Law 2024-113 - A By-Law to appoint Directors to the Board of Management of the Tillsonburg BIA

18.5 By-Law 2024-114 - A By-Law to Adopt a Succession Management Policy

18.6 By-Law 2024-115 - A By-Law to Appoint a Treasurer to the Town of Tillsonburg (Renato Pullia)

18.7 By-Law 2024-116 - A By-Law to Authorize a Franchise Agreement Between The Corporation of the Town of Tillsonburg and Enbridge Gas Inc.

18.8 By-Law 2024-117 - A By-Law to Appoint OPP Detachment Board 3 Members

19. Confirm Proceedings By-law

Resolution # 2024-476

Moved By: Councillor Rosehart

Seconded By: Deputy Mayor Beres

THAT By-Law 2024-094, A By-Law to Confirm the proceedings of the Council Meeting held on October 7, 2024, be read for a first, second and 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

This portion of the meeting is not recorded.

21. Return to Close

Note: The broadcasted portion of the meeting ended as Council moved to Closed Session to complete item 2.4.1.

Resolution # 2024-477

Moved By: Councillor Parsons

Seconded By: Councillor Luciani

THAT Council return to Closed Session for the completion of Item report CLD-EDM-24-013 titled Request for Extension – 2776807 Ontario Inc.

Carried

22. Adjournment

Resolution # 2024-481

Moved By: Deputy Mayor Beres

Seconded By: Councillor Parsons

THAT the Council meeting of October 7, 2024, be adjourned at 8:34 p.m.

Carried