

# MINUTES



Monday, September 9, 2019

4:30 PM

Council Chambers

200 Broadway, 2nd Floor

ATTENDANCE: Mayor Molnar  
Deputy Mayor Beres  
Councillor Esseltine  
Councillor Gilvesy  
Councillor Luciani  
Councillor Parker  
Councillor Rosehart

Staff: David Calder, CAO  
Kevin De Leebeeck, Director of Operations  
Dave Rushton, Director of Finance  
Rick Cox, Director of Recreation, Culture and Parks  
Lana White, Deputy Clerk/Executive Assistant  
Amelia Jaggard, Legislative Services Coordinator

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## 1. Call to Order

The meeting was called to order at 6:00 p.m.

## 2. Closed Session

### Resolution # 1

**Moved By:** Councillor Gilvesy

**Seconded By:** Councillor Rosehart

THAT Council move into Closed Session to consider:

- 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. (Town Hall Project)

- a proposed or pending acquisition or disposition of land by the Town (Earle Street)

**Carried**

### **3. Adoption of Agenda**

#### **Resolution # 2**

**Moved By:** Councillor Parker

**Seconded By:** Councillor Esseltine

THAT the Agenda as prepared for the Council meeting of Monday, September 9, 2019, be adopted.

**Carried**

### **4. Moment of Silence**

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

No disclosures of pecuniary interest were declared.

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

#### **Resolution # 3**

**Moved By:** Councillor Esseltine

**Seconded By:** Councillor Parker

THAT the Minutes of the Council meeting of August 12, 2019 and September 4, 2019, be approved.

**Carried**

### **7. Presentations**

#### **7.1 Volunteer of the Month - Christopher Kelly**

Mark Dickson, member of the Cultural, Heritage and Special Awards Advisory Committee and Mayor Molnar presented the Volunteer Achievement Award to community member Chris Kelly as recognition for his years of contributions to local sports.

### **8. Public Meetings**

**Resolution # 4****Moved By:** Councillor Esseltine**Seconded By:** Councillor Parker

THAT Council move into the Committee of Adjustment to hear applications for Minor Variance at 6:09 p.m.

**Carried****8.1 Application for Minor Variance A10-19 (Myer)**

Eric Gilbert, Senior Planner, County of Oxford, appeared before Council to provide an overview of the application.

Opportunity was provided for comments and questions from Council.

The applicant, Bill Myer, appeared before Council in support of the application. Mr. Myer submitted a letter to Council that will be added to the public record. Mr. Myer noted that the subject property is not used for commercial purposes.

No members of the public appeared before Council in support of the application.

Randy Oldham, 95 Parkwood Drive, appeared before Council in opposition to the application. Mr. Oldham noted he is concerned that the proposed shed is intended for commercial uses. Mr. Oldham provided Council with a ariel shot of the property obtained on Google Maps.

Mike Jaczko, 38 Alexandra Avenue, appeared before Council in opposition to the application. Mr. Jaczko noted he is concerned that the property is being used for commercial purposes and that the property typically hosts numerous vehicles and auto parts visible from neighbouring properties. Mr. Jaczko provided a letter to Council on September 6, 2019, that will be added to the public record.

Council defeated the following resolution.

**Resolution # 5****Moved By:** Councillor Luciani**Seconded By:** Deputy Mayor Beres

THAT the Committee of Adjustment **approve** Application File A 10-19, submitted by Bill and Mila Myer, for lands described as Lot 74, Plan M-59, Town of Tillsonburg, as it relates to:

1. Relief from Table 5.1.1.4 – Regulations for Accessory Buildings and Structures, to increase the maximum permitted lot coverage from 50 m<sup>2</sup> (538 ft<sup>2</sup>) to 65 m<sup>2</sup> (700 ft<sup>2</sup>) to permit the construction of a second detached accessory building, 15 m<sup>2</sup> (160 ft<sup>2</sup>) in size;

Subject to the following condition:

- i. A building permit for the proposed accessory building shall be issued within one year of the date of the Committee's decision.

### **Defeated**

## **8.2 Application for Minor Variance A11-19 (Christo)**

Eric Gilbert, Senior Planner, County of Oxford, appeared before Council to provide an overview of the application.

Opportunity was provided for comments and questions from Council.

Henry Dalm, Agent of Dalm Construction Ltd., appeared before Council in support of the application.

No members of the public appeared before Council either in support of or opposition to the application.

Council passed the following resolution.

### **Resolution # 6**

**Moved By:** Councillor Luciani

**Seconded By:** Deputy Mayor Beres

THAT the Committee of Adjustment **approve** Application File A11-19, submitted by Dalm Construction Ltd (Christo) for lands described as Lot 32, Plan 41M-218 in the Town of Tillsonburg as it relates to:

1. Relief from **Section 6.2, Low Density Residential Type 1 Zone Provisions (R1) – Lot Coverage**, to increase the maximum permitted lot coverage from 33% to 35% to facilitate the construction of a single detached dwelling,

Subject to the following condition:

- i. A building permit for the single detached dwelling shall be issued within one year of the date of the Committee's decision.

### **Carried**

**Resolution # 7****Moved By:** Deputy Mayor Beres**Seconded By:** Councillor Luciani

THAT Council move out of the Committee of Adjustment and move back into regular Council session at 6:48 p.m.

**Carried****9. Planning Applications****10. Delegations****10.1 Drainage Issues**

Maurice Temoin appeared before Council to request support to solve drainage issues on his property.

Opportunity was provided for comments and questions from Council.

Staff provided comments on the matter.

**Resolution # 8****Moved By:** Deputy Mayor Beres**Seconded By:** Councillor Luciani

THAT Council receive the delegation of Maurice Temoin, as information.

**Carried****11. Deputation(s) on Committee Reports****12. Information Items****12.1 Ministry of Finance - Ontario Cannabis Legalization Implementation Fund (OCLIF)****Resolution # 9****Moved By:** Councillor Rosehart**Seconded By:** Councillor Gilvesy

THAT Council receive the Ministry of Finance letter regarding the Ontario Cannabis Legalization Implementation Fund, as information.

**Carried**

## **12.2 Letter to Council - Fillion and Perry**

A petition was submitted to Council by Ashley Schultz at 5:57 p.m. that will be added to the public record.

### **Resolution # 10**

**Moved By:** Councillor Gilvesy

**Seconded By:** Councillor Rosehart

THAT Council receive the letter from Rosanne Fillion and Ashley Perry requesting Council's support, as information.

AND THAT Council direct staff to work in partnership with the County of Oxford to review pedestrian crossing activity along the Tillson Avenue corridor between Concession Street and North Street.

**Carried**

**Moved By:** Deputy Mayor Beres

**Seconded By:** Councillor Luciani

THAT a message and petition from Ashley Schultz regarding supporting a cross walk at 4th Street at Tillson be received and forwarded to the County.

**Carried**

## **12.3 Ministry of Municipal Affairs and Housing - Bill 108, More Homes, More Choice Act, 2019**

### **Resolution # 11**

**Moved By:** Councillor Gilvesy

**Seconded By:** Councillor Rosehart

THAT Council receive the Ministry of Municipal Affairs and Housing letter regarding Bill 108, More Homes, More Choice Act, 2019, as information.

**Carried**

## **13. Staff Reports**

### **13.1 Chief Administrative Officer**

#### **13.1.1 HR 19-09 Interim CAO Recruitment**

**Resolution # 12****Moved By:** Councillor Gilvesy**Seconded By:** Councillor Rosehart

THAT Council receives HR 19-09 Interim Chief Administrative Officer Recruitment as information;

AND THAT Council Authorize the Mayor and Clerk to enter into an Agreement with RS & Associates;

AND THAT By-Law 4341, to appoint Ron Shaw as Interim Chief Administrative Officer be brought forward for Council's consideration.

**Carried****13.2 Clerk's Office****13.2.1 CLK 19-22 Local Court Security Advisory Committee****Resolution # 13****Moved By:** Councillor Parker**Seconded By:** Councillor Esseltine

THAT Report CL 19-22, Local Court Security Advisory Committee – Town of Tillsonburg Representative, be received;

AND THAT the Town of Tillsonburg recommends the appointment of Larry Scanlan, Chair of the Tillsonburg Police Service Board, to the Local Court Security Advisory Committee.

**Carried****13.2.2 CLK 19-23 BIA Board of Management Resignations****Resolution # 14****Moved By:** Councillor Parker**Seconded By:** Councillor Esseltine

THAT Council receives Report CLK 19-23 BIA Board of Management Resignations;

AND THAT By-Law 4338 to amend By-Law 4260, be brought forward for Council consideration.

**Carried**

### **13.3 Development and Communication Services**

#### **13.3.1 DCS 19-25 Appointment of By-Law Enforcement Officer**

**Resolution # 15**

**Moved By:** Councillor Esseltine

**Seconded By:** Councillor Luciani

THAT Council receives Report DSC 19-25 Appointment of By-Law Enforcement Officer as information;

AND THAT By-Law 4339 to appoint Cameron Cyr as a By-Law Enforcement Officer for the Town of Tillsonburg, be brought forward for Council's consideration.

**Carried**

#### **13.3.2 DCS 19-26 Building, Planning and By-Law Services CO-OP Student and Internship**

Geno Vanhaelewyn, Chief Building Official, appeared before Council to answer questions.

**Resolution # 16**

**Moved By:** Councillor Esseltine

**Seconded By:** Councillor Parker

THAT Council receives Report DCS 19-26 Building, Planning, By-Law Services CO-OP Student and Internship, as information;

AND THAT Council continues to support the requirements set in the Ontario Building Code Act to ensure adequate staffing are in place to administer the Ontario Building Code;

AND FURTHER THAT Council direct staff to proceed in establishing the Building, Planning, By-Law Office Assistant – CO-OP Student and Building Services Inspector Internship positions and recruitment process.

**Carried**

### **13.4 Finance**



#### **13.4.1 FIN 19-16 Auditor's Management Letter Report**

##### **Resolution # 17**

**Moved By:** Councillor Luciani

**Seconded By:** Deputy Mayor Beres

THAT Council receive Report FIN 19-16 Auditor's Management Letter Report, as information.

**Carried**

#### **13.4.2 FIN 19-17 Turtlefest Loan Repayment**

##### **Resolution # 18**

**Moved By:** Councillor Luciani

**Seconded By:** Councillor Esseltine

THAT Council receives FIN 19-17 Turtlefest Loan Repayment, as information.

**Carried**

#### **13.4.3 FIN 19-20 2018 Financial Statement Reconciliation**

##### **Resolution # 19**

**Moved By:** Deputy Mayor Beres

**Seconded By:** Councillor Luciani

THAT Council receive Report FIN 19-20 2018 Financial Statement Reconciliation, as information.

**Carried**

#### **13.4.4 FIN 19-21 2018 Surplus Allocation**

##### **Resolution # 20**

**Moved By:** Deputy Mayor Beres

**Seconded By:** Councillor Luciani

THAT Council receives report FIN 19-21 2018 Surplus Allocation, as information;

AND THAT Council approve the allocation of the 2018 surplus of \$54,461 be contributed to specific reserves; Fleet & Equipment \$50,000; and the balance to Tax Rate Stabilization \$4,461.

**Carried**

**13.5 Fire and Emergency Services**

**13.6 Operations**

**13.7 Recreation, Culture & Park Services**

**13.7.1 RCP 19-35 RFT 2019-013 Annandale Diamond Lighting Enhancements**

Opportunity was provided for comments and questions from Council.

Staff noted that the project will be brought forward during the 2020 budget deliberations as it has been determined through the procurement process that additional funding is required to complete the project.

**Resolution # 21**

**Moved By:** Councillor Rosehart

**Seconded By:** Councillor Gilvesy

THAT Council receives Report RCP 19-35 RFT 2019-013 Annandale Diamond Lighting Enhancements;

AND THAT Council cancel RFT 2019-13;

AND THAT the Annandale Diamond Lighting Enhancements are considered during the 2020 Budget deliberations.

**Carried**

**13.7.2 RCP 19-36 RZone Policy – Responsible Behaviour in Recreation Spaces**

Andrea Brown, Manager of Recreation Programs and Services, appeared before Council to provide an overview of the proposed RZone Policy.

Staff to forward the policy to the Police Services Board as information.

**Resolution # 22**

**Moved By:** Councillor Rosehart

**Seconded By:** Councillor Gilvesy

THAT Council receives Report RCP 19-36 RZone Policy - Responsible Behaviour in Recreation Spaces;

AND THAT By-Law 4340 to adopt an RZone Policy, be brought forward for Council's consideration.

**Carried**

### **13.7.3 RCP 19-37 Aquatic Facility Upgrades in Tillsonburg**

The funding application deadline is November 12, 2019.

Staff to use funds released from the aquatic facility study budget to work with consultants in order to prepare and report back to Council with both large and small scale options to consider for submission.

#### **Resolution # 23**

**Moved By:** Councillor Gilvesy

**Seconded By:** Councillor Rosehart

THAT Report RCP Aquatic Facility Upgrades in Tillsonburg be received;

AND THAT Staff prepare a submission for the Investing in Canada Infrastructure Program's Community, Culture and Recreation Stream 2019 funding intake;

AND THAT the submission incorporates a major upgrade to the Tillsonburg Community Centre using the MJMA Report as a guideline;

AND THAT the submission incorporate funding for a splash pad (site undetermined) and revitalization of the Lake Lisgar Waterpark area;

AND THAT up to \$20,000 from budgeted aquatic design study for application options to be brought back to Council.

**Carried**

### **13.7.4 RCP 19-38 Auditorium Kitchen Upgrade Update**

#### **Resolution # 24**

**Moved By:** Councillor Gilvesy

**Seconded By:** Councillor Rosehart

THAT Report RCP 19-38 Auditorium Kitchen Upgrade Update be received, as information.

**Carried**

**14. New Business**

**15. Consideration of Committee Minutes**

**15.1 Committee Minutes**

**Resolution # 25**

**Moved By:** Councillor Parker

**Seconded By:** Councillor Esseltine

THAT Council receive the Cultural, Heritage and Special Awards Advisory Committee Minutes date August 7, 2019, the Transit Advisory Committee Minutes dated August 20, 2019 and the Airport Advisory Committee Minutes dated August 15, 2019, as information.

**Carried**

**15.2 Long Point Region Conservation Authority Board of Director Minutes**

**Resolution # 26**

**Moved By:** Councillor Parker

**Seconded By:** Councillor Esseltine

THAT Council receive the Long Point Region Conservation Authority Board of Director Minutes dated July 3, 2019 and August 7, 2019, as information.

**Carried**

**16. Motions/Notice of Motions**

Moved by: Councillor Parker

THAT Town Hall public consultation be delayed until further options are made available via Staff Report.

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

**18. By-Laws**

**18.1 By-Law 4338, To Amend By-Law 4260 To Appoint Directors to the BIA Board of Management**

**18.2 By-Law 4339, To Appoint a By-Law Enforcement Officer Cameron Cyr**

**18.3 By-Law 4340, To Adopt an Rzone Policy**

**18.4 By-Law 4341, To Appoint an Interim CAO**

**Resolution # 27**

**Moved By:** Councillor Esseltine

**Seconded By:** Councillor Parker

THAT By-Law 4338, To Amend By-Law 4260 To Appoint Directors to the BIA Board of Management; and

By-Law 4339, To Appoint Cameron Cyr as a By-Law Enforcement Officer; and

By-Law 4340, To Adopt an RZone Policy; and

By-Law 4341, To Appoint an Interim CAO, 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**

**19. Confirm Proceedings By-law**

**Resolution # 28**

**Moved By:** Councillor Esseltine

**Seconded By:** Councillor Parker

THAT By-Law 4337, to Confirm the Proceedings of the Council Meeting held on September 9, 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**

There will be a Council Budget Meeting on Thursday, September 12, 2019 starting at 5:00 p.m. Due to time constraints there will be an item on the Agenda that deals with an offer to purchase land.

The work occurring in the downtown core including implementing accessible parking stalls, AODA upgrades at Ridout and Broadway is anticipated to be completed by the end of the month.

Staff would like to remind the public that it is important to ensure you engage with a Pedestrian Cross Over (PXO) by pressing the walk button and making clear eye contact with motorist. Motorist are not to proceed until the pedestrian has safely crossed the road.

**21. Adjournment**

**Resolution # 29**

**Moved By:** Councillor Luciani

**Seconded By:** Deputy Mayor Beres

THAT the Council meeting of Monday, September 9, 2019, be adjourned at 9:08 p.m.

**Carried**