



**REGULAR MEETING OF COUNCIL  
MINUTES**

**Monday, March 6, 2023  
6:00 PM  
Council Chambers  
2021 Division Road N  
Kingsville, Ontario N9Y 2Y9**

**PRESENT**

Mayor Dennis Rogers  
Deputy Mayor Kimberly DeYong  
Councillor Tony Gaffan  
Councillor Debby Jarvis-Chausse  
Councillor Sheri Lowrie  
Councillor Thomas Neufeld  
Councillor Larry Patterson

John Norton, CAO  
Paula Parker, Clerk

**A. CALL TO ORDER**

The Mayor called the meeting to order at 6:00 pm.

**B. LAND ACKNOWLEDGEMENT**

Mayor Rogers acknowledged the Three Fires Confederacy (Ojibwe, Potawatomie and Odawa) and the Traditional ancestral, unceded territory of Caldwell First Nation; the original people of Point Pelee, Pelee Island and its surrounding waters. We recognize and respect the First Nations who are stewards of the land and waters of Turtle Island and who have embraced this stewardship since time immemorial. We would also like to acknowledge other nearby First Nations Communities and First Nations across Turtle Island.

**C. MOMENT OF SILENT REFLECTION AND NATIONAL ANTHEM**

The Mayor invited everyone to stand for a moment of silence and the national anthem.

**D. AMENDMENTS TO THE AGENDA**

There were no noted amendments to the agenda.

**E. DISCLOSURE OF PECUNIARY INTEREST**

Mayor Rogers 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.

There were no disclosures noted.

**F. MATTERS SUBJECT TO NOTICE**

**1. ZBA-06-22 – Zoning By-law Amendment for Vacant Land on Maple Street by Liovas Holdings Ltd.**

The Applicant was present for questions. The Town Clerk read a letter from Kaitlin Braithwaite, 25 Maple Street, regarding concerns with respect to ZBA-06-22. There were no other verbal comments from the public at this meeting.

**Moved By** Councillor Patterson

**Seconded By** Councillor Neufeld

- 1. That zoning by-law amendment application ZBA/06/2022 to amend the text of the site-specific zoning for the subject parcel on Maple Street from Residential Zone 2 Urban Exception 18 (R2.1-18) to allow a townhouse as an additional permitted use with supplemental regulations BE APPROVED; and**
- 2. By-law 16-2023 being a by-law to amend By-law No. 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.**

**For (6):** Mayor Rogers, Deputy Mayor DeYong, Councillor Gaffan, Councillor Lowrie, Councillor Neufeld, and Councillor Patterson

**Against (1):** Councillor Jarvis-Chausse

**CARRIED (6 to 1)**

**2. ZBA-2023-1 – Zoning By-law Amendment for 74 Jasperson Drive**

The Applicant and their Legal Counsel were present for any questions. The Town Clerk read a letter from Marianne Lefleur, 83 Jasperson Drive, regarding concerns with ZBA-2023-1. There were no other verbal comments received at this meeting.

**Moved By** Councillor Patterson

**Seconded By** Councillor Lowrie

- 1. That the zoning by-law amendment application ZBA/2023/01 to amend the zoning for the subject parcel at 74 Jasperson Drive in the Town of Kingsville, from Residential Zone 1 Urban (R1.1) to Residential Zone 2 Urban (R2.1) to permit Single Detached and Semi Detached Dwellings BE APPROVED; and**
- 2. By-law 15-2023 being a by-law to amend By-law No. 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.**

**For (4):** Mayor Rogers, Councillor Lowrie, Councillor Neufeld, and Councillor Patterson

**Against (3):** Deputy Mayor DeYong, Councillor Gaffan, and Councillor Jarvis-Chausse

**CARRIED (4 to 3)**

**G. REPORTS – COMMITTEES**

No reports.

**H. REPORTS - COMMUNITY AND DEVELOPMENT SERVICES**

No reports.

**I. REPORTS - FINANCIAL SERVICES AND INFORMATION TECHNOLOGY**

No reports.

**J. REPORTS - FIRE SERVICES**

No reports.

**K. REPORTS - INFRASTRUCTURE AND ENGINEERING**

**1. Banar Subdivision Phase 2 Construction**

**Moved By** Councillor Patterson

**Seconded By** Councillor Gaffan

- 1. That Phase 2 of the Banar Subdivision Watermain Replacement Project Tender BE AWARDED to Sherway Contracting (Windsor) Limited in the amount of \$1,084,865.00 (excluding HST) and the Mayor and Clerk BE AUTHORIZED to execute the requisite agreement.**

**For (7):** Mayor Rogers, Deputy Mayor DeYong, Councillor Gaffan, and Councillor Jarvis-Chausse, Councillor Lowrie, Councillor Neufeld, and Councillor Patterson

**Against (0):**

**CARRIED (7 to 0)**

**2. Road 2 East – Active Transportation Grant Funding**

**Moved By** Deputy Mayor DeYong

**Seconded By** Councillor Jarvis-Chausse

- 1. That the Mayor and Clerk BE AUTHORIZED to execute the requisite Active Transportation Fund agreement with His Majesty The King In Right Of Canada pertaining to grant funding for construction of a multi-use path on Road 2 East.**

**For (7):** Mayor Rogers, Deputy Mayor DeYong, Councillor Gaffan, and Councillor Jarvis-Chausse, Councillor Lowrie, Councillor Neufeld, and Councillor Patterson

**Against (0):**

**CARRIED (7 to 0)**

**3. 2023 Road Resurfacing – Tender Approvals**

**Moved By** Councillor Patterson

**Seconded By** Councillor Gaffan

- 1. That the 2023 Urban Road Program Tender BE AWARDED to GIP Paving Inc. in the amount of \$493,809 (excluding HST) and the Mayor and Clerk BE AUTHORIZED to execute the requisite agreement; and**

2. That the 2023 Rural Road Program Tender BE AWARDED to Shepley Road Maintenance Ltd. in the amount of \$2,425,171 (excluding HST) and the Mayor and Clerk BE AUTHORIZED to execute the requisite agreement; and
3. That the following changes to the 2023 Rural Road Resurfacing Program BE APPROVED:
  - Removal of Road 8 West resurfacing in favor of minor repairs.
  - Addition of the following road segments:
    - Resurfacing Road 8 East from Graham Sideroad to CR31.
    - Resurfacing Road 5 East from Graham Sideroad to Olinda Sideroad.
    - Resurfacing North Talbot Road from Cameron Sideroad to Road 10; and
4. That an upset limit of \$300,000 from Roads Life Cycle Reserves BE APPROVED to be utilized to cover an expected deficit with the 2023 Rural Road Resurfacing Program.

**For (7):** Mayor Rogers, Deputy Mayor DeYong, Councillor Gaffan, and Councillor Jarvis-Chausse, Councillor Lowrie, Councillor Neufeld, and Councillor Patterson

**Against (0):**

**CARRIED (7 to 0)**

**L. REPORTS - LEGAL AND BUILDING SERVICES**

No reports.

**M. REPORTS - CAO's OFFICE**

No reports.

**N. CONSENT AGENDA**

**1. Communities in Bloom Minutes - January 25, 2023**

The Deputy Mayor noted that Administration should ensure meeting agendas and minutes are posted and starting on time.

**2. School Board Elections - Town of Deep River**

**3. Letter of Objection to Cell Tower - Town of Essex**

**4. Regular Council Meeting Minutes - January 9, 2023**

5. **Special Council Budget Minutes - January 18, 2023**
6. **Special Council Budget Minutes - January 25, 2023**

**Moved By** Councillor Jarvis-Chausse  
**Seconded By** Councillor Lowrie

**That Consent Agenda items 4 and 6 BE RECEIVED.**

**CARRIED**

**Moved By** Deputy Mayor DeYong  
**Seconded By** Councillor Gaffan

**That Consent Agenda items 1 and 5 BE RECEIVED.**

**CARRIED**

**Moved By** Deputy Mayor DeYong  
**Seconded By** Councillor Lowrie

**That Consent Agenda item 2 BE SUPPORTED.**

**CARRIED**

**Moved By** Councillor Lowrie  
**Seconded By** Councillor Patterson

**That Consent Agenda item 3 BE RECEIVED.**

**CARRIED**

#### **O. NOTICES OF MOTION**

Councillor Patterson asked for the Mayor's indulgence to introduced 3 Notices of Motion that he did not disclose during "Amendments to the Agenda." The Mayor allowed the Notices of Motion.

Councillor Patterson introduced one notice of motion regarding Pickleball at the Grovedale, one notice of motion regarding the 2023 Grant Process and one notice of motion regarding moving Committee of the Whole back to Council Chambers.

**P. UNFINISHED BUSINESS AND ANNOUNCEMENTS**

Deputy Mayor DeYong advised that the Ruthven Essex County Library has now re-opened.

**Q. BYLAWS**

**Moved By** Deputy Mayor DeYong  
**Seconded By** Councillor Patterson

**That By-law 18-2023 and 19-2023 be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.**

**CARRIED**

**R. ADJOURNMENT**

**Moved By** Councillor Patterson  
**Seconded By** Councillor Neufeld

**That Council adjourn at 6:41 pm.**

**CARRIED**

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Dennis Rogers, Mayor

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Paula Parker, Clerk