



REGULAR MEETING OF COUNCIL

MINUTES

Monday, October 23, 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

Mayor Rogers called the meeting to order at 5:00 p.m. and Council immediately moved into Closed Session.

B. CLOSED SESSION

Moved by Councillor Patterson
Seconded by Councillor Lowrie

Pursuant to Section 239(2) of the Municipal Act, 2001, Council entered into Closed Session at 5:00 pm to address the following item:

Item I - 183 Main Street East heard under Section 239(2)(f) - advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

CARRIED

236-10232023

Moved by Councillor Patterson
Seconded by Councillor Lowrie

That Council resume public session at 6:01 p.m.

CARRIED

C. 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 all the moccasins who have walked lands of Turtle Island.

D. MOMENT OF SILENT REFLECTION AND NATIONAL ANTHEM

Mayor Rogers invited everyone to stand for a moment of silent reflection and the national anthem.

E. AMENDMENTS TO THE AGENDA

There were no additions to the agenda.

F. MAYOR'S WELCOME AND REMARKS

Mayor Rogers said a few words of welcome and provided some highlights from the Migration Festival which included the parade, activities for the entire family in conjunction with the Jack Miner Bird Sanctuary, and the Great Migration Paint Out which saw over 54 artists participate.

Mayor Rogers thanked the Migration Festival committee, staff and volunteers for their hard work and the residents for supporting the Festival.

G. DISCLOSURE OF PECUNIARY INTEREST

Mayor Rogers reminded Council that any declaration of pecuniary interest 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.

H. REPORT OUT OF CLOSED SESSION – October 10 and October 11, 2023

Pursuant to section 239(2) of the Municipal Act, 2001, Council entered into Closed Session at 5:00 pm on October 10, 2023 to address the following item:

Item I - Southwest Water Service Area/West Side Collector Road heard under Section 239(2)(f). The decision of Council on this matter was heard later that evening in public session.

Pursuant to section 239(2) of the Municipal Act, 2001, Council entered into Closed Session at 12:30 pm on October 11, 2023 to address the following item:

Item I - Albuna Townline Update heard under Section 239(2)(f). There is nothing further to report.

Item II - Road Closures due to Highway 3 Construction heard under Section 239(2)(e). There is nothing further to report.

Item III - Towing Contract heard under Section 239(2)(f). There is nothing further to report.

Item IV - 183 Main Street heard under Section 239(2)(k) and (f). There is nothing further to report.

Item V - Fire Department Update heard under Section 239(2)(b), (d), (e), and (f). There is nothing further to report.

Item VI - 2 Personnel Matters heard under Section 239(2)(b) and (d). There is nothing further to report.

Item VII - 2 Potential Property Lease/Sales heard under Section 239(2)(c), (f), and (k). There is nothing further to report.

Item VIII - ELK Update heard under Section 239(2)(i). There is nothing further to report.

Item IX - Role of Mayor, Council and Administration heard under Section 239(3.1). There is nothing further to report.

I. RECOGNITIONS

1. **Gary Taveirne - The KYIV Home Project**

J. MATTERS SUBJECT TO NOTICE

1. **ZBA-2023-14 – Application for Zoning By-law Amendment for 183 Main Street – Christian LeFave**

237-10232023

Moved By Councillor Patterson

Seconded By Councillor Neufeld

1. That zoning by-law amendment application ZBA-2023-14 **BE APPROVED**; to amend the zoning for the subject parcel(s) at 183 Main Street East in the Town of Kingsville, from Residential Zone 1 Urban (R1.1) and Residential Zone 4 Urban Exception 6 (R4.1-6), to an amended site-specific Residential Zone 4 Urban Exception 6 (R4.1-6) to permit:
 - i. A 42-unit multiple dwelling building
 - ii. The relocation of the existing historic single detached dwelling with a 5.5m (18 ft.) front setback and side yard of 2.2m (7.22 ft.)
 - iii. Neighbourhood commercial uses in the existing single detached dwelling
 - iv. Parking for the permitted uses in the interior (east) side yard and the rear yard
 - v. Increase permitted maximum height from 12.2m (40 ft.) to 19.5 m (64 ft.)
 - vi. Increase the minimum rear yard setback from 7.5m (24.5 ft.) to 19.5m (64 ft.)
2. **By-law 64-2023** 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.
3. That alterations to the Esther Jasperson Campbell House, a designated property under Part IV of the Ontario Heritage Act, **BE APPROVED** under Part 33 of the Ontario Heritage Act, subject to the following conditions:
 - i. That a Heritage Conservation Plan and appropriate securities be included in any future Site Plan Agreement to ensure the long term protection of the Esther Jasperson Campbell House.
 - ii. That the relocation and stabilization of the Esther Jasperson Campbell House be completed prior to any construction of the 42-unit multiple dwelling building.

For (3): Councillor Lowrie, Councillor Neufeld and Councillor Patterson

Against (4): Mayor Rogers, Deputy Mayor DeYong, Councillor Gaffan, Councillor Jarvis-Chausse

LOST (3 to 4)

K. REPORTS - PLANNING AND DEVELOPMENT SERVICES

1. Notice of Intention to Designate 101 Mill Street under the Ontario Heritage Act

238-10232023

Moved By Deputy Mayor DeYong

Seconded By Councillor Gaffan

1. That the Town Clerk **BE AUTHORIZED** to publish a Notice of Intention to Designate the Colonel James King House, at 101 Mill Street West, in accordance with Part IV of the Ontario Heritage Act according to the Statement of Cultural Heritage Value or Interest attached in Appendix 'A'; and,
2. That Administration **BE DIRECTED** prepare the By-law for Council to designate the property in accordance with the requirements of the Ontario Heritage Act.

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

CARRIED (7 to 0)

P. REPORTS - CAO's OFFICE

1. Committee of the Whole - September 18, 2023

239-10232023

Moved By Councillor Patterson

Seconded By Councillor Lowrie

1. That Ruthven Park **BE RENAMED** as Porrone Estates Park.

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

CARRIED (7 to 0)

Q. CONSENT AGENDA

240-10232023

Moved By Councillor Gaffan

Seconded Councillor Jarvis-Chausse

That Consent Agenda items 1 to 7 BE RECEIVED:

1. **Special Council Meeting Minutes - September 13 2023**
2. **Regular Meeting Minutes - October 10 2023**
3. **Special Meeting Minutes - October 11 2023**
4. **Communities in Bloom Minutes - September 5 2023**
5. **BIA Minutes - September 12 2023**
6. **Committee of Adjustment Minutes - September 19 2023**

CARRIED

R. NOTICES OF MOTION

241-10232023

Moved By Councillor Neufeld
Seconded By Councillor Patterson

That Council waive rules of notice to vote of the IESO motion this evening.

CARRIED

242-10232023

Moved By Deputy Mayor DeYong
Seconded By Councillor Patterson

That Council direct the Town Clerk to send written request to the Independent Electricity System Operator (IESO) and Hydro One, with a copy to ELK Energy, asking for expedited construction and installation of a second feeder line for Kingsville and Cottam. It is understood that a second feeder line will result in more reliable electricity service in Kingsville which is a critical and essential service.

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

CARRIED (7 to 0)

S. UNFINISHED BUSINESS AND ANNOUNCEMENTS

Councillor Gaffan thanked the Town of Kingsville, on behalf of his family, for providing great memories by bringing back the Migration Festival.

T. BYLAWS

1. By-law 65-2023

243-10232023

Moved By Deputy Mayor DeYong
Seconded By Councillor Patterson

That By-law 65-2023 be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.

CARRIED

U. CLOSED SESSION

244-10232023

Moved by Councillor Jarvis-Chausse
Seconded by Councillor Patterson

Pursuant to Section 239(2) of the Municipal Act, 2001, Council will enter into Closed Session at to address the following item:

Item I - Personnel Matters - Section 239(2)(b) - personal matters about an identifiable individual, including municipal or local board employees; and Section 239(2)(d) - labour relations or employee negotiations.

CARRIED

V. ADJOURNMENT

245-10232023

Moved by Deputy Mayor DeYong

Seconded by Councillor Jarvis-Chausse

That Council adjourn this Regular Meeting at 8:37 p.m.

CARRIED

MAYOR, Dennis Rogers

CLERK, Paula Parker