



REGULAR MEETING OF COUNCIL

MINUTES

Monday, April 8, 2024

6:00 PM

Unico Community Centre

37 Beech Street

Kingsville, ON N9Y 1A9

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

Members Absent Councillor Tony Gaffan

CAO, John Norton
Acting Clerk, Angela Toole

A. CALL TO ORDER

Mayor Rogers called the Regular Meeting to order at 6:00 p.m.

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 all the moccasins who have walked lands of Turtle Island.

C. MOMENT OF SILENT REFLECTION AND NATIONAL ANTHEM

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

D. MAYOR'S WELCOME AND REMARKS

The Mayor spoke to the 2024 Eclipse and commended Town staff for their preparation efforts and for putting together a great, well-attended event at The Grovedale Arts and Culture Centre. Mayor Rogers also thanked local businesses for representing the Town well through their eclipse events, including The Grove Hotel, Pelee Island Winery, Auntie Aldoo's Kitchen, Jack Miner Migratory Bird Centre, Cindy's Home and Garden, and Green Heart Farms.

The Mayor noted that last week Minister Raymond Cho, Minister of Seniors and Accessibility of Ontario, was in Town for a special announcement regarding the SALC Grant the Town received in which the Town, in partnership with the

Kingsville Community Centre for programming for seniors including Tai Chi classes that are set to begin this week at the Cottam United Church. Mayor Rogers thanked Council for advocating for funding and said that Council will continue to do so.

E. AMENDMENTS TO THE AGENDA

None.

F. 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.

None noted.

G. REPORT OUT OF CLOSED SESSION

The Clerk gave the following Report out of Closed Session:

Pursuant to Section 239(2) of the Municipal Act, 2001, Council entered into Closed Session at 5:15 p.m. on March 25, 2024, to discuss the following item:

Item I - Board Appointments heard under Section 239(2)(b) being personal matters about an identifiable individual, including municipal employees. There is nothing further to report.

H. DELEGATIONS

No Delegations at this time.

I. PRESENTATIONS

No Presentations.

J. MATTERS SUBJECT TO NOTICE

1. Application for Consent B-2024-8 & Zoning By-law Amendment ZBA-2024-5 for 1645 Road 2 East

Sahar Jamshidi, Manager of Planning, provided an overview as to Consent Applications B-2024-8, B-2024-9, and B-2024-10. She also provided an overview of Zoning By-law Amendment ZBA-2024-5.

070-04082024

Moved By Councillor Lowrie

Seconded By Councillor Patterson

1. That Consent Application B-2024-8, to create two additional buildable residential lots, the first lot having an area of 8210 m² and is shown as Parts 2, 3 & 4 on the severance sketch (Appendix C) and the second lot having an area of 8070 m² and is shown as Parts 5, 6 & 7 on the severance sketch (Appendix C), on lands municipally known as 1645 Road 2 East, in the Town of Kingsville, **BE APPROVED**, subject to the following conditions:
 - a. Prior to consent being endorsed on the deeds the property owners are to execute an agreement for drainage apportionment due to land severance or sale approved by the Municipality for each parcel being severed. Drainage Apportionment Request, 12R plan shall be

submitted to the Municipality a minimum of one month prior to the stamping of the deeds.

- b. Prior to consent being endorsed on the deeds the owner and designers are required to install the retaining walls proposed on the lot grading plan provided by Peralta Engineering, dated March 6th, 2024 and the stormwater management plan as outlined on the report by Peralta Engineering, dated January 11th, 2024 be installed.
 - c. That the necessary deed(s), transfer or changes be submitted electronically, signed and fully executed, including a copy of the reference plan, prior to certification.
 - d. The conditions imposed above shall be fulfilled by April 8th, 2026 or this application shall be deemed to be refused in accordance with Section 53(41) of the Planning Act.
2. And that By-law 27-2024 being a By-law to amend the Comprehensive Zoning By-law 1-2014 for the Town of Kingsville, to amend the zoning on the two severed parcels from “General Agricultural (A1)” to “Residential Zone 2 Rural/Urban (R2.2)” and amend the zoning on the retained parcel municipally known as 1645 Road 2 E, from ‘General Agricultural (A1)’ to ‘General Agricultural – exception 88 (A1-88)’ **BE APPROVED**; and the Mayor and Clerk **BE AUTHORIZED** to sign same.

For (6): Mayor Rogers, Deputy Mayor DeYong, Councillor Jarvis-Chausse, Councillor Lowrie, Councillor Neufeld and Councillor Patterson

CARRIED (6 to 0)

**2. Application for Consent B-2024-9 for V/L Road 2 E (West of 1645 Road 2 E)
071-04082024**

Moved By Deputy Mayor DeYong
Seconded By Councillor Patterson

1. That Consent Application B-2024-9, to create two additional buildable residential lots, the first lot having an area of 2870 m² and is shown as Part 2 on the severance sketch (Appendix C) and the second lot having an area of 2670 m² and is shown as Part 3 on the severance sketch (Appendix C), on lands municipally known as 0 Road 2 East (West of 1645 Road 2 East), in the Town of Kingsville, **BE APPROVED**, subject to the following conditions:
 - a. Prior to consent being endorsed on the deeds the property owners are to execute an agreement for drainage apportionment due to lands severance or sale approved by the Municipality for each parcel being severed. Drainage Apportionment Request, 12R plan shall be submitted to the Municipality a minimum of one month prior to the stamping of the deeds.
 - b. Prior to consent being endorsed on the deeds, proof of drainage, acceptable to the municipality, shall be provided by the applicant to serve the lands being conveyed and the lands being retained, with the costs of such drainage being solely at the expense of the applicant. Proof of Drainage shall be submitted to the Municipality a minimum of one month prior to the stamping of the deeds.

- c. That the necessary deed(s), transfer or changes be submitted electronically, signed and fully executed, including a copy of the reference plan, prior to certification.
- d. The conditions imposed above shall be fulfilled by April 8th, 2026 or this application shall be deemed to be refused in accordance with Section 53(41) of the Planning Act.

For (6): Mayor Rogers, Deputy Mayor DeYong, Councillor Jarvis-Chausse, Councillor Lowrie, Councillor Neufeld and Councillor Patterson

CARRIED (6 to 0)

**3. Application for Consent B-2024-10 for V/L Road 2 E (East of 1645 Road 2 E)
072-04082024**

Moved By Councillor Patterson

Seconded By Councillor Jarvis-Chausse

1. That Consent Application B-2024-10, to create two additional buildable residential lots, the first lot having an area of 990 m² and is shown as Part 6 on the severance sketch (Appendix C), and the second lot having an area of 2700 m² and is shown as Part 7 on the severance sketch (Appendix C), on lands municipally known as 0 Road 2 East (East of 1645 Road 2 East), in the Town of Kingsville, **BE APPROVED**, subject to the following conditions:
 - a. Prior to consent being endorsed on the deeds the property owners are to execute an agreement for drainage apportionment due to lands severance or sale approved by the Municipality for each parcel being severed. Drainage Apportionment Request, 12R plan shall be submitted to the Municipality a minimum of one month prior to the stamping of the deeds.
 - b. Prior to consent being endorsed on the deeds, proof of drainage, acceptable to the municipality, shall be provided by the applicant to serve the lands being conveyed and the lands being retained, with the costs of such drainage being solely at the expense of the applicant. Proof of Drainage shall be submitted to the Municipality a minimum of one month prior to the stamping of the deeds.
 - c. That the necessary deed(s), transfer or changes be submitted electronically, signed and fully executed, including a copy of the reference plan, prior to certification.
 - d. The conditions imposed above shall be fulfilled by April 8th, 2026 or this application shall be deemed to be refused in accordance with Section 53(41) of the *Planning Act*.

For (6): Mayor Rogers, Deputy Mayor DeYong, Councillor Jarvis-Chausse, Councillor Lowrie, Councillor Neufeld and Councillor Patterson

CARRIED (6 to 0)

K. REPORTS - PLANNING AND DEVELOPMENT SERVICES

No Reports at this time.

L. REPORTS - FINANCE AND CORPORATE SERVICES

No Reports at this time.

M. REPORTS - FIRE RESCUE SERVICES

No Reports at this time.

N. REPORTS - PUBLIC OPERATIONS

No Reports at this time.

O. REPORTS - LEGAL, BUILDING AND BY-LAW SERVICES

No Reports at this time.

P. REPORTS - CAO's OFFICE

No Reports at this time.

Q. CONSENT AGENDA

073-04082024

Moved By Councillor Neufeld

Seconded By Councillor Lowrie

That Items 1 through 4 on the Consent Agenda, **BE RECEIVED.**

- 1. Regular Council Meeting Minutes - March 25, 2024**
- 2. Fantasy of Lights Minutes - March 19, 2024**
- 3. Committee of Adjustment & Appeals Minutes - February 20, 2024**
- 4. Heritage Advisory Committee Minutes - February 6, 2024**

CARRIED

R. CORRESPONDENCE

No Correspondence.

S. NOTICES OF MOTION

1. Amendments to By-law 27-2021 - Councillor Neufeld

074-04082024

Moved By Councillor Neufeld

Seconded By Deputy Mayor DeYong

That Council approve amendments to By-law 27-2021 being a By-law to regulate the outdoor parking or storage of recreational, commercial and motor vehicles on private property within the Town of Kingsville:

1. Adjusting the dates in Section 3.5 to read April 1 to November 30 (currently April 16 to November 14); and,

2. Adjusting the dates in Section 4 to read December 1 to March 31 (currently November 15 to April 15).

For (6): Mayor Rogers, Deputy Mayor DeYong, Councillor Jarvis-Chausse, Councillor Lowrie, Councillor Neufeld and Councillor Patterson

CARRIED (6 to 0)

T. UNFINISHED BUSINESS AND ANNOUNCEMENTS

No Unfinished Business or Announcements.

U. BYLAWS

075-04082024

Moved By Deputy Mayor DeYong

Seconded By Councillor Jarvis-Chausse

That the following By-law receive a third and final reading and finally pass:

By-law 31-2024 being a By-law to confirm the proceedings of the Council of the Corporation of the Town of Kingsville at its April 8, 2024 Regular Meeting of Council.

CARRIED

V. CLOSED SESSION

076-04082024

Moved By Councillor Neufeld

Seconded By Councillor Patterson

That Council move into Closed Session at 6:25 p.m. pursuant to Section 239 of the Municipal Act, 2001, to consider the following items:

Item I - Property Disposition - Lions Park and Lions Hall to be heard under Section 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality; Section 239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and Section 239(2)(k) a position, plan, procedure, criteria, or instruction to be applied to negotiations; and;

Item II - Property Acquisition - Surplus School Properties to be heard under Section 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality; Section 239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and Section 239(2)(k) a position, plan, procedure, criteria, or instruction to be applied to negotiations.

CARRIED

W. ADJOURNMENT

078-04082024

Moved By Councillor Jarvis-Chausse
Seconded By Deputy Mayor DeYong

That Council rise from Closed Session and adjourn the Regular Meeting at 8:18 p.m.

CARRIED

MAYOR, Dennis Rogers

ACTING CLERK, Angela Toole