



## Regular Meeting of Council

### Minutes

**Monday, October 7, 2024**

**6:00 PM**

**Unico Community Centre**

**37 Beech Street**

**Kingsville, ON N9Y 1A9**

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

Staff Present                CAO, John Norton  
                                    Acting Clerk, Angela Toole  
                                    Deputy Clerk, Natalie Sharp

#### **A. Call to Order**

Mayor Rogers called the Regular Meeting to order at 5:06 p.m. and Council immediately moved in Closed Session.

#### **B. Closed Session**

**187-10072024**

Moved By: Councillor Patterson

Seconded By: Councillor Neufeld

That Council **ENTER** into Closed Session at 5:06 p.m. pursuant to Section 239 of the Municipal Act, 2001, to discuss the following items:

**Item I - Subdivision Application** to be heard under Section 239(2)(f) being advice that is subject to solicitor-client privilege, including communications necessary for that purpose, and;

**Item II - Disposition of Lions Hall** to be heard under Section 239(2)(k) being a position, plan, procedure, criteria, or instruction to be applied to negotiations.

**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 the lands of Turtle Island.

**D. Moment of Silent Reflection and National Anthem**

**E. Mayor's Welcome and Remarks**

Mayor Rogers highlighted that October is an important month for the community, with Thanksgiving and the annual Migration Festival taking place. The festival will begin on Friday, October 18, with a kickoff event featuring a performance by Jody Raffoul. Proceeds from this event will be going to the 2nd Kingsville Scouts. On Saturday, October 19, there will be a market at the Grovedale from 10:00 a.m. to 4:00 p.m., and a parade starting around 10:00 a.m. He explained that the Migration Festival has been recognized as an excellent showcase for local artists and visiting artists, with events such as the Quick Paint event on Saturday, followed by a show and sale on Sunday. In addition, there will be kids' activities at Lions Park from 11:30 a.m. to 3:00 p.m. on Saturday, and the Jack Miner Bird Sanctuary will host children's activities throughout the weekend, including a car show on Sunday.

Mayor Rogers stated that he recently participated in the 2nd Cottam Scouts' Apple Days event this past Saturday and expressed thanks to the Cottam community for their support. He will also attend the second scheduled Kingsville Scouts' Apple Days later in the month.

Mayor Rogers reminded members of the public that every quarter, the Town organizes a "Meet and Greet" with the Mayor to allow residents to share their thoughts, feedback, and concerns. The next "Meet and Greet" will focus on seniors and is scheduled for Tuesday, November 19, at the Kingsville Community Centre.

**F. Amendments to the Agenda**

None.

**G. 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.

Councillor Gaffan declared a conflict on item K.3. due to being a resident in the affected neighbourhood.

**H. Report Out of Closed Session**

The Clerk reported that pursuant to Section 239 of the *Municipal Act, 2001*, Council entered into Closed Session at 7:33 p.m. on September 23, 2024, to discuss the following items:

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

**Item II - Development Plan** to be heard under Section 239(2)(k) being a position, plan, procedure, criteria, or instruction to be applied to negotiations. There is nothing further to report.

**I. Delegations**

1. Kingsville Military Museum

Tim Dobson, Director, along with Dave Marsh, Chair of the Board of Directors, and Bob Lynch, Director, of the Kingsville Military Museum, appeared before Council, thanked the Town for the years of support, and shared the museum's future plans to expand.

**J. Presentations**

1. Recognition of Gord Queen

On behalf of the Town of Kingsville, Mayor Rogers thanked Gord Queen for his 24 years of exemplary service and dedication to the Town as a member of Council and committees, as well as his volunteer work.

2. Heritage Advisory Committee - Assessment of Main Street Properties

Jeffrey Robinson, Chair of the Heritage Advisory Committee, presented the report.

**188-10072024**

Moved By: Deputy Mayor DeYong

Seconded By: Councillor Jarvis-Chausse

That the Report from the Heritage Advisory Committee regarding the Assessment of the Main Street Properties **BE REFERRED** to Administration for review and further comment.

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

**Carried (7 to 0)**

**K. Matters Subject to Notice**

1. Irwin Drain

**189-10072024**

Moved By: Councillor Patterson

Seconded By: Councillor Gaffan

That the Report prepared by Rood Engineering dated September 6, 2024, regarding new access over the Irwin Drain for parcel 620-03300 under Section 78 of the *Drainage Act*, **BE ADOPTED**.

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

**Carried (7 to 0)**

2. West Townline Drain Upper

**190-10072024**

Moved By: Councillor Patterson

Seconded By: Councillor Neufeld

That the Report prepared by Rood Engineering dated August 28, 2024, regarding new access over the West Townline Drain Upper for parcel 580-01006 under Section 78 of the *Drainage Act*, **BE ADOPTED**.

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

**Carried (7 to 0)**

3. 175 Wigle Ave Draft Plan of Subdivision (SUB-2024-01) County of Essex  
File No.: 37-T-24007

Councillor Gaffan declared a conflict on this item because he is a resident in the affected area and abstained from voting.

Gail Stiffler, 55 Wigle Avenue, appeared before Council and expressed her concerns about traffic in the area.

Tyler Vickerman, appeared before Council and inquired about how traffic and noise related to the industrial plants will be addressed in the new Subdivision Plan.

Barry Wilson, 4 Katie Crescent, appeared before Council and raised concerns about traffic and safety in the area and proposed amendments to the Subdivision Plan.

Alfredo Lozano, 191 Grandview Avenue, appeared before Council and expressed his concerns about speeding vehicles in the neighbourhood.

Robert Brown, Agent on behalf of Anthony Abraham, appeared before Council to address the questions and concerns that were raised.

**191-10072024**

Moved By: Deputy Mayor DeYong

Seconded By: Councillor Patterson

That the proposed Draft Plan of Subdivision for 175 Wigle Avenue **BE AMENDED** to add a second access road to Grandview Boulevard through Block 28 and that Katie Crescent provide full emergency, pedestrian, and active transportation corridor.

For (5): Deputy Mayor DeYong, Councillor Jarvis-Chausse, Councillor Lowrie, Councillor Neufeld, and Councillor Patterson

Against (1): Mayor Rogers

Conflict (1): Councillor Gaffan

**Carried (5 to 1)**

**192-10072024**

Moved By: Deputy Mayor DeYong

Seconded By: Councillor Lowrie

That Administration **BE DIRECTED** to advise the County of Essex that the Town of Kingsville has no concern or comment, except as per the amended motion, regarding the proposed Draft Plan of Subdivision for 175 Wigle by 1364674 Ontario Limited, which is a County of Essex decision, and is subject to the required Zoning By-law Amendment to be considered by Council at a later date, as described in the report presented at the October 7, 2024, Council Meeting;

And further that the proposed Draft Plan of Subdivision for 175 Wigle **BE AMENDED**, as may be required, to meet Town of Kingsville design guidelines for cul-de-sac radius recognizing that such amendment may impact block and lot boundaries.

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

Conflict (1): Councillor Gaffan

**Carried (6 to 0)**

**L. Reports - Finance and Corporate Services**

1. Pelee Island Winery – Application for a “By-the-Glass Endorsement” to a Winery Licence

**193-10072024**

Moved By: Deputy Mayor DeYong

Seconded By: Councillor Gaffan

That the Council of The Corporation of the Town of Kingsville **SUPPORTS** Pelee Island Winery’s Application to the Alcohol and Gaming Commission of Ontario (“AGCO”) for a “By the Glass” Manufacturer’s Limited Liquor Sales Licence at its manufacturing site (455 Seacliff Drive, Kingsville).

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

**Carried (7 to 0)**

**194-10072024**

Moved By: Deputy Mayor DeYong

Seconded By: Councillor Patterson

That Council take a 5 minute recess at 7:45 p.m.

**Carried**

**195-10072024**

Moved By: Councillor Jarvis-Chausse

Seconded By: Councillor Patterson

That Council resumes at 7:52 p.m.

**Carried**

**M. Consent Agenda**

**196-10072024**

Moved By: Councillor Lowrie  
Seconded By: Councillor Gaffan

That Council **DIRECT** the Mayor and Deputy Mayor to bring forward a Notice of Motion to the County of Essex requesting that County Administration bring forward a report respecting the delegation of its approval authority for plans of subdivision and plans of condominium to lower-tier municipalities;

And further to request that the County's administration consult with the administration of each lower-tier municipality in regard to the timing and implementation of this delegation.

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

**Carried (7 to 0)**

**197-10072024**

Moved By: Councillor Jarvis-Chausse  
Seconded By: Councillor Gaffan

That Items 2 through 8 on the Consent Agenda, **BE RECEIVED.**

**Carried**

1. Ontario's Planning Process for Plan of Subdivision and Zoning By-law Amendment
2. Migration Festival Minutes - May 28, 2024
3. Communities in Bloom Minutes - June 11, 2024
4. Heritage Advisory Committee - August 13, 2024
5. Heritage Advisory Committee - September 3, 2024
6. Communities in Bloom Minutes - September 3, 2024
7. Committee of the Whole Minutes - September 16, 2024
8. Regular Council Meeting Minutes - September 23, 2024

**N. Correspondence**

1. Letter from Municipality of Tweed Regarding Provincial Absorption of Costs Related to the Ontario Provincial Police

**198-10072024**

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

That Council **SUPPORTS** the Municipality of Tweed's correspondence dated April 23, 2024, regarding Provincial Absorption of Costs Related to the Ontario Provincial Police;

And that Council **DIRECTS** Administration to draft correspondence relevant to the Town of Kingsville's population, regarding the absorption of costs related to the Ontario Provincial Police;

And that Council **DIRECTS** Administration to circulate this correspondence to Premier Doug Ford, the Ministry of the Solicitor General, the Ministry of Finance, and the Association of Municipalities of Ontario, and all local MPPs.

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

**Carried (7 to 0)**

**O. Notices of Motion**

None.

**P. Unfinished Business and Announcements**

None.

**Q. By-laws**

**198-10072024**

That the following By-laws receive two readings and be provisionally adopted:

74-2024 - Being a By-law to provide for the enclosure over the Irwin Drain for Parcel No. 620-03300 at a total estimated cost of \$92,000 in the Town of Kingsville, in the County of Essex

75-2024 - Being a By-law to provide for the enclosure over the West Townline Drain (Upper) for Parcel No. 580-01006 at a total estimated cost of \$32,000 in the Town of Kingsville, in the County of Essex

**199-10072024**

Moved By: Deputy Mayor DeYong

Seconded By: Councillor Gaffan

That the following By-laws receive three readings and finally pass:

76-2024 - Being a By-law to appoint a Drainage Superintendent, Drainage Inspector, and Weed Inspector for the Town of Kingsville

77-2024 - Being a By-law imposing special annual drainage rates upon land in respect of which money is borrowed under the Tile Drainage Act (provisionally adopted)

78-2024 - Being a By-law to confirm the proceedings of the Council of the Corporation of the Town of Kingsville at its October 7, 2024 Regular Meeting of Council

**Carried**

**R. Closed Session**

**200-10072024**

Moved By: Councillor Patterson

Seconded By: Councillor Jarvis-Chausse

That Council **ENTER** into Closed Session at 8:12 p.m. pursuant to Section 239 of the Municipal Act, 2001, to discuss the following items:

**Item I - Information Supplied to the Town by Another Level of Government** to be heard under Section 239(2)(h) being information supplied in confidence to the municipality by another level of government; and, Section 239(2)(b) being personal matters about an identifiable individual, including municipal employees; and,

**Item II - Update on Legal Agreement with the Port Authority** to be heard under Section 239(2)(f) being advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

**Carried**

**S. Adjournment**

**202/10/07**

Moved By: Councillor Gaffan

Seconded By: Councillor Jarvis-Chausse

That Council rise from Closed Session and adjourn the Regular Meeting at 10:26 p.m.

**Carried**

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Mayor, Dennis Rogers

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Acting Clerk, Angela Toole