



Regular Meeting of Council

Minutes

Monday, October 28, 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 5:30 p.m. and Council immediately moved in Closed Session.

B. Closed Session

203-10282024

Moved By: Councillor Patterson

Seconded By: Councillor Gaffan

That Council **ENTER** into Closed Session at 5:31 p.m. pursuant to Section 239 of the Municipal Act, 2001, to discuss the following item:

Item I - Appointment to Committee of Adjustment and Appeals to be heard under Section 239(2)(b) being personal matters about an identifiable individual, including municipal employees.

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

E. Mayor's Welcome and Remarks

Mayor Rogers noted that the Migration Festival, held over the past weekend, was a tremendous success for the community. Appreciation was extended to all those involved.

Mayor Rogers stated that October was also Apple Days for the 2nd Cottam Scouts and 2nd Kingsville Scouts. He commended their efforts and thanked residents who offered support.

Mayor Rogers highlighted that November is Woman Abuse Prevention Month, and Hiatus House is again hosting the Shine the Light Campaign. A tree lighting ceremony is scheduled for November 1 at Charles Clark Square at 6 p.m., all are invited. He noted that November 15 is Wear Purple Day and encouraged everyone to wear purple to spread awareness and show their support for abused women and girls.

F. Amendments to the Agenda

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.

None disclosed.

H. Report Out of Closed Session

Pursuant to Section 239 of the *Municipal Act, 2001*, Council entered into Closed Session at 5:00 p.m. on October 7, 2024, to discuss the following items:

Item I - Subdivision Application heard under Section 239(2)(f) being advice that is subject to solicitor-client privilege, including communications necessary for that purpose. There is nothing further to report.

Item II - Disposition of Lions Hall 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.

Pursuant to Section 239 of the *Municipal Act, 2001*, Council entered into Closed Session at 8:12 p.m. on October 7, 2024, to discuss the following items:

Item I - Information Supplied to the Town by Another Level of Government 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. There is nothing further to report.

Item II - Update on Legal Agreement with the Port Authority heard under Section 239(2)(f) being advice that is subject to solicitor-client privilege, including communications necessary for that purpose. There is nothing further to report.

I. Delegations

None.

J. Presentations

None.

K. Matters Subject to Notice

1. Application for Consent and Zoning By-Law Amendment (B 2024-23 and ZBA 2024-18): Surplus Dwelling Severance at 27 Road 8 East

204-10282024

Moved By: Councillor Patterson

Seconded By: Councillor Gaffan

That consent application B-2024-23, to sever an existing dwelling, deemed surplus to the needs of the applicants' farming operation with an area of 1.4 ac (0.57 ha) lot shown as Part 1 on the applicants' sketch, known as 27 Road 8 East, in the Town of Kingsville, **BE APPROVED**, subject to the following conditions:

- a. 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. 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.
- c. The conditions imposed above shall be fulfilled by October 28th, 2026, or this application shall be deemed to be refused in accordance with Section 53(41) of the Planning Act.

And that corresponding By-law 79-2024 being a by-law to amend the Comprehensive Zoning By-law 1-2014 for the Town of Kingsville, **BE ADOPTED** during the by-law section of this council agenda.

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

Carried (7 to 0)

L. Reports - Planning and Development Services

1. Millbrook Estates Stage 2 Phase – Final Acceptance

205-10282024

Moved By: Councillor Lowrie

Seconded By: Councillor Patterson

That Council **APPROVE** the final acceptance and assumption of the roadway and infrastructure for the Millbrook Estates Subdivision Stage 2 Phase 2.

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

Carried (7 to 0)

2. Subdivision Agreement (AGR 2024-1) for King's Valley at the Lake (Valente)

206-10282024

Moved By: Deputy Mayor DeYong

Seconded By: Councillor Lowrie

That the Subdivision Agreement for Kings Valley at the Lake (Valente) Subdivision in the Town of Kingsville for 149 single detached dwelling lots, 28.5 blocks for a total of 434 semi-detached dwelling units, 4.5 blocks for a total of 59 townhouse dwelling units, 1 commercial block, and 2 blocks for parkland **BE APPROVED**;

And that the Mayor and Clerk **BE AUTHORIZED** to execute the agreement;

And that Administration **BE DIRECTED** to register the agreement on title;

And that corresponding By-law 80-2024 to amend the zoning on Phase 1 of the Draft Plan of Subdivision in the Town of Kingsville from Lakeshore Residential Exception 31 (holding) (LR-31(h))' to 'Lakeshore Residential Exception 31 (LR-31)'; and from Lakeshore Residential Exception 32 (holding) (LR-32(h))' to 'Lakeshore Residential Exception 32 (LR-32)' **BE ADOPTED** during the by-law section of this council agenda;

And that the vegetation buffer associated with the drain within Block 184, to be conveyed to the Town, **BE PRESERVED** and not impacted by the development, except that area where Drainage Act drain improvements are required.

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

Carried (7 to 0)

M. Reports - Finance and Corporate Services

1. Appointment to the Committee of Adjustment & Appeals

207-10282024

Moved By: Councillor Lowrie

Seconded By: Councillor Neufeld

That Ed Cornies **BE APPOINTED** to the Committee of Adjustment & Appeals for a term set to expire with the expiration of the current Term of Council;

And that the Clerk **BE DIRECTED** to prepare the requisite appointment By-law for inclusion on the November 4, 2024, Regular Meeting Agenda.

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

Carried (7 to 0)

N. Reports - Public Operations

1. Grant Application to Community Sport and Recreation Infrastructure Fund

208-10282024

Moved By: Councillor Patterson

Seconded By: Councillor Lowrie

That Council **DIRECTS** Administration to apply for the Community Sport and Recreation Infrastructure Fund; Stream 1: Repair and Rehabilitation to restore and revitalize various sections of the Kingsville Recreation Sports Complex.

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

Carried (7 to 0)

O. Consent Agenda

209/10/28

Moved By: Councillor Jarvis-Chausse

Seconded By: Councillor Gaffan

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

Carried

1. Committee of Adjustment & Appeals Minutes - August 20, 2024
2. BIA Minutes - September 10, 2024
3. Committee of Adjustment & Appeals Minutes - September 17, 2024
4. Regular Council Meeting Minutes - October 7, 2024

P. Correspondence

1. Woman Abuse Prevention Month/Shine the Light Campaign

Q. Notices of Motion

R. Unfinished Business and Announcements

Councillor Patterson noted that he has received positive feedback since the initiation of the westbound right-hand turn lane project at Main and Jasperson. He expressed his gratitude to Administration for working together with Council and other groups to improve traffic in that area.

Councillor Gaffan thanked the BIA and Art Society for organizing a successful trick-or-treat event downtown this past weekend.

S. By-laws

210-10282024

Moved By: Deputy Mayor DeYong

Seconded By: Councillor Jarvis-Chausse

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

59-2024 – being a By-law to provide for MTO Improvements to the Upper Portion of the 4th Concession Drain at a total estimated cost of \$570,800 in the Town of Kingsville, in the County of Essex

60-2024 – being a By-law to provide for MTO Improvements to the Upper Portion of the No. 5 Drain at a total estimated cost of \$1,094,000 in the Town of Kingsville, in the County of Essex

Carried

211-10282024

Moved By: Deputy Mayor DeYong

Seconded By: Councillor Lowrie

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

79-2024 – Being a By-law to amend By-law No. 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville

80-2024 - Being a By-law to amend By-law No. 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville

81-2024 - Being a By-law to confirm the proceedings of the Council of the Corporation of the Town of Kingsville at its October 28, 2024, Regular Meeting of Council

Carried

T. Adjournment

212-10282024

Moved By: Councillor Neufeld

Seconded By: Councillor Jarvis-Chausse

That Council adjourns this Regular Meeting at 6:48 p.m.

Carried

Mayor, Dennis Rogers

Acting Clerk, Angela Toole