



Regular Meeting of Council

Minutes

Monday, November 4, 2024

6:00 PM

Unico Community Centre

37 Beech Street

Kingsville, ON N9Y 1A9

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

Members Absent Mayor Dennis Rogers

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

A. Call to Order

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

B. Land Acknowledgement

Councillor Lowrie 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

D. Mayor's Welcome and Remarks

None.

E. Amendments to the Agenda

None.

F. 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 28, 2024, to discuss the following item:

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

including municipal employees. During the Open Session of the October 28, 2024 Regular Meeting, Council appointed Ed Cornies to the Committee of Adjustment & Appeals. The requisite appointment By-law can be found under the By-laws section of this Agenda.

G. Disclosure of Pecuniary Interest

Deputy Mayor DeYong 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. because he is a business owner in the Town.

H. Delegations

Tamara Stomp, resident, appeared before Council and expressed her concerns about the Short-Term Rental By-law. She spoke to the 300 hundred metre rule, licensing fees, and the number of Short-Term Rentals in the area.

Lorrie Mensch, resident, appeared before Council and thanked staff for their efforts in creating the Short-Term Rental By-law. She inquired about where the public could find information or guidelines on Fire inspection regulations and the timelines for applications.

I. Presentations

None.

J. Matters Subject to Notice

None.

K. Reports - Finance and Corporate Services

1. Short-Term Rental By-law

Matthew Ducharme, Licensing Coordinator and Sue Rice, Economic Development and Tourism Officer, appeared before Council to present an overview of the Short-Term Rental By-law.

213-11042024

Moved By: Councillor Gaffan

Seconded By: Councillor Lowrie

That the licensing fee for owner-occupied Short-Term Rentals where the owner/operator resides on the same property as the Short-Term Rental be set at \$250.00 and **BE INCLUDED** in the Town's 2025 Fees and Charges By-law.

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

Against (1): Councillor Neufeld

Carried (5 to 1)

214-11042024

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

That the Short-Term Rental Licensing fees **BE INCLUDED** in the 2025 Fees and Charges By-law and be set as follows: \$400 for up to 4 occupants, \$750 for up to 6 occupants, \$1400 for up to 8 occupants and \$1750 for up to 10 occupants and that the fees **BE REVIEWED** in 1 year.

For (4): Deputy Mayor DeYong, Councillor Gaffan, Councillor Jarvis-Chausse, and Councillor Lowrie

Against (2): Councillor Neufeld, and Councillor Patterson

Carried (4 to 2)

215-11042024

Moved By: Councillor Gaffan
Seconded By: Councillor Patterson

That the Short-Term Rental By-law **BE REVIEWED** in 1 year.

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

Carried (6 to 0)

216-11042024

Moved By: Councillor Neufeld
Seconded By: Councillor Patterson

That the Short-Term Rental Licensing period **BE AMENDED** to 5 years as opposed to annually.

For (1): Councillor Neufeld

Against (5): Deputy Mayor DeYong, Councillor Gaffan, Councillor Jarvis-Chausse, Councillor Lowrie, and Councillor Patterson

LOST (1 to 5)

217-11042024

Moved By: Councillor Patterson
Seconded By: Councillor Gaffan

That Council **APPROVE** By-law 82-2024, as amended, being a By-law to License, Regulate and Govern Short-Term Rentals in the Town of Kingsville;

And that the fees noted in this report **BE INCLUDED** in the Town's 2025 Fees and Charges By-law, subject to Council's amendments;

And that Administration **BE AUTHORIZED** to submit the set fines appended to By-law 82-2024 to the Ministry of the Attorney General for approval;

And that the corresponding By-law 82-2024, as amended, **BE ADOPTED** during the By-law stage of this Council Agenda.

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

Against (1): Councillor Neufeld

Carried (5 to 1)

2. Repeal of Hunting Licensing By-law

218-11042024

Moved By: Councillor Patterson

Seconded By: Councillor Neufeld

That Council **REPEAL** By-law 68-1999, being a By-law to issue and charge fees for licences to hunt during the open season Pheasants and Rabbits;

And that the fees for a municipal hunting licence for residents and non-residents **BE REMOVED** from the Town's 2025 Fees and Charges By-law;

And that corresponding By-law 81-2024 **BE ADOPTED** during the By-law stage of this Council Agenda.

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

Carried (6 to 0)

3. Repeal of Business Registration By-law

Councillor Gaffan declared a conflict on this item and abstained from voting.

219-11042024

Moved By: Councillor Patterson

Seconded By: Councillor Jarvis-Chausse

That Council **REPEAL** By-law 129-2004 being a By-law to establish and maintain a registry of businesses in the Town of Kingsville and require businesses to register and maintain their registration in the registry;

And that the corresponding By-law 83-2024 **BE ADOPTED** during the By-law stage of this Council Agenda.

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

Conflict (1): Councillor Gaffan

Carried (5 to 0)

4. Large Holiday Displays Nuisance By-law

221-11042024

Moved By: Councillor Gaffan

Seconded By: Councillor Lowrie

That Draft By-law 85-2024 **BE AMENDED** to extend the hours to 9 p.m. on Fridays and Saturdays, excluding the holidays listed;

And that the Draft Bylaw **BE FURTHER AMENDED** to extend the hours on October 31 from 6 p.m. until 8 p.m. to 5 p.m. until 9 p.m.

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

Against (1): Councillor Patterson

Carried (5 to 1)

222-11042024

Moved By: Councillor Neufeld

Seconded By: Councillor Gaffan

That the Draft By-law **BE AMENDED** to reduce the permitting period from 45 days to 30 days.

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

Carried (6 to 0)

220-11042024

Moved By: Councillor Patterson

Seconded By: Councillor Jarvis-Chausse

That Council **APPROVE** By-law 85-2024, as amended being a By-law to Prohibit and Regulate Public Nuisances related to Large Holiday Displays in the Town of Kingsville;

And that Administration **BE AUTHORIZED** to submit the set fines appended to By-law 85-2024 to the Ministry of the Attorney General for approval;

And that corresponding By-law 85-2024 **BE ADOPTED** during the By-law stage of this Council Agenda.

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

Carried (6 to 0)

5. 2025 Regular Meeting of Council Schedule

223-11042024

Moved By: Councillor Patterson

Seconded By: Councillor Neufeld

That Council **APPROVE** the 2025 Regular Council Meeting Schedule as outlined in Appendix A, attached hereto and forming part of this report.

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

Carried (6 to 0)

L. Reports - Public Operations

1. Kingsville Operational Plan

Erica Allen, Manager of Public Works and Environmental Services, presented the report.

224-11042024

Moved By: Councillor Gaffan

Seconded By: Councillor Patterson

That Council **ENDORSE** the Kingsville Operational Plan, Revision 11, dated August 8, 2024.

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

Carried (6 to 0)

M. Consent Agenda

225-11042024

Moved By: Councillor Lowrie

Seconded By: Councillor Neufeld

That Item 1 on the Consent Agenda, **BE RECEIVED.**

Carried

1. Fantasy of Lights Minutes - August 20, 2024

N. Correspondence

None.

O. Notices of Motion

None.

P. Unfinished Business and Announcements

None.

Q. By-laws

226-11042024

Moved By: Councillor Gaffan

Seconded By: Councillor Patterson

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

82-2024 – Being a By-law to License, Regulate and Govern Short-Term Rentals in the Town of Kingsville

83-2024 – Being a By-law to Repeal By-law 129-2004, a By-law to Establish and Maintain a Registry of Businesses in the Town of Kingsville

84-2024 – Being a By-law to Repeal By-law 68-1999, a By-law to Issue and Charge Fees for Licences to Hunt during the Open Season Pheasants and Rabbits

85-2024 – Being a By-law to Prohibit and Regulate Public Nuisances related to Large Holiday Displays in the Town of Kingsville

86-2024 – Being a By-law to Appoint a Member to the Committee of Adjustment & Appeals

87-2024 - Being a By-law to confirm the proceedings of the Council of the Corporation of the Town of Kingsville at its November 4, 2024 Regular Meeting of Council

Carried

R. Closed Session

Deputy Mayor DeYong noted that tonight's closed session is cancelled.

S. Adjournment

228-11042024

Moved By: Councillor Jarvis-Chausse

Seconded By: Councillor Neufeld

That Council adjourns this Regular Meeting at 8:17 p.m.

Carried

Mayor, Dennis Rogers

Acting Clerk, Angela Toole