



## Regular Meeting of Council

### Minutes

Monday, November 25, 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 into Closed Session.

#### B. Closed Session

**229-11252024**

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 - Update on Development Matter** to be heard under Section 239(2)(f) being advice that is subject to solicitor-client privilege, including communications necessary for that purpose, and Section 239(2)(k) being a position, plan, procedure, criteria, or instruction to be applied to negotiations.

**Item II - Update Legal Matter Related to User Group** to be heard under Section 239(2)(f) being advice that is subject to solicitor-client privilege, including communications necessary for that purpose, and 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 lands of Turtle Island.

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

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

Mayor Rogers thanked the Fantasy of Lights Committee, volunteers, Town staff, and generous sponsor, S K Cornerstone Group Inc., for a great Fantasy of Lights kickoff and parade. The event was very successful, with great attendance.

Mayor Rogers announced that the Town's 2025 Draft Budget has been released. Residents were encouraged to send in their questions or feedback to [haveyoursaykingsville.ca](mailto:haveyoursaykingsville.ca) or reach out to Council at [council@kingsville.ca](mailto:council@kingsville.ca). Budget deliberations are scheduled to begin on December 4, 2024.

Mayor Rogers stated that Council recently attended the Kingsville Fire and Rescue Annual Recognition Dinner. Medals and service ribbons were awarded to several officers and firefighters in recognition of their dedicated service.

On behalf of the Town of Kingsville, Mayor Rogers extended heartfelt condolences to the Deputy Mayor and the DeYong family on the loss of Henry DeYong. Henry served as Mayor and Reeve of Gosfield South prior to amalgamation and a Firefighter for nearly a decade. He was a local business owner, hockey coach and a devoted family man. Henry made a positive impact on our community, and gratitude was expressed for his contributions.

**F. Amendments to the Agenda**

A. Toole, Acting Clerk, stated that Administration has withdrawn staff report L.3. regarding the Power of Entry By-law from 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.

**H. Report out of Closed Session**

Pursuant to Section 239 of the Municipal Act, 2001, Council entered into Closed Session at 8:47 p.m. on November 18, 2024, to discuss the following items:

**Item I - 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.

**Item II - Non-Union Compensation Review** heard under 239(2)(d) being labour relations or employee negotiations and 239(2)(b) being personal matters about an identifiable individual, including municipal employees. There is nothing further to report.

**I. Delegations**

Rick Stephenson, President of Kingsville Tennis Association, appeared before Council to request the removal of tennis fees from the proposed 2025 Fees and Charges By-law.

**J. Presentations**

1. Arts Society of Kingsville

Wendy Durante, Chair of the Arts Society of Kingsville, appeared before Council to thank the Town for their support and provided an update on the organization's activities and future plans.

**K. Matters Subject to Notice**

1. 1478 Road 2 East and part of 0 Road 2 East (Vacant lot) Draft Plan of Subdivision (SUB-2022-02) – Mivita Estates County of Essex File No.: 37-T- 24002
2. 1478 Road 2 East and part of 0 Road 2 East (Vacant lot) – Mivita Estates Subdivision Zoning By-law Amendment (ZBA-2024-19) and Consent Application (B-2024-27)

**230-11252024**

Moved By: Deputy Mayor DeYong

Seconded By: Councillor Lowrie

That Items K.1 and K.2 being reports regarding 1478 Road 2 East and Part of 0 Road 2 East (Vacant Lot) containing the proposed Draft Plan of Subdivision, the corresponding Consent Application (B-2024-27), and Zoning By-law Amendment (ZBA-2024-19) for Mivita Estates **BE REFERRED** back to Administration for additional information including, information regarding sewer capacity.

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 - Finance and Corporate Services**

1. 2025 Fees and Charges By-law

**231-11252024**

Moved By: Deputy Mayor DeYong

Seconded By: Councillor Jarvis-Chausse

That the proposed Meter Transponder Replacement Fee listed in Schedule A of the proposed 2025 Fees and Charges By-law, be charged upon the second occurrence.

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

Against (1): Councillor Patterson

**Carried (6 to 1)**

**232-11252024**

Moved By: Councillor Patterson  
Seconded By: Deputy Mayor DeYong

That any fees related to Tennis as listed in Schedule A of By-law 89-2024, **BE REFERRED** to Administration for additional information, subject to discussions with Kingsville Tennis Association;

And that Council **APPROVE** the proposed 2025 Fees and Charges, as amended;

And that corresponding By-law 89-2024, as amended, being a By-law to impose Fees and Charges by The Corporation of the Town of Kingsville **BE ADOPTED** during the By-law stage 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)**

**233-11252024**

Moved By: Deputy Mayor DeYong  
Seconded By: Councillor Jarvis-Chausse

That Council **RECESS** at 7:49 p.m.

**Carried**

**234-11252024**

Moved By: Councillor Patterson  
Seconded By: Councillor Gaffan

That Council **RESUME** at 7:57 p.m.

**Carried**

2. 2025 Water and Sewer Rates

**235-11252024**

Moved By: Councillor Neufeld  
Seconded By: Councillor Patterson

That Council **APPROVE** the proposed 2025 Water and Sewage Rates;

And that corresponding By-law 90-2024, being a By-law to impose water and sewage rates **BE ADOPTED** during the By-law stage 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)**

3. Development Charges By-law Update – Amendments as per Bill 185

**236-11252024**

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

That By-law 4-2023, being a By-law to establish Development Charges for the Town of Kingsville **BE AMENDED** to:

1. Include the cost of growth-related studies identified in section 3.1.2 of the attached memorandum dated October 21, 2024; and,
2. Repeal the phase-in requirements that are no longer mandatory;

And that corresponding By-law 91-2024, being a By-law to amend By-law 4-2023, **BE ADOPTED** during the By-law stage 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)**

4. Management Agreement with Fisheries and Oceans Canada for the Small Craft Harbours' Facility at Cedar Beach

**237-11252024**

Moved By: Councillor Patterson

Seconded By: Councillor Gaffan

That the Mayor and Clerk **BE AUTHORIZED** to enter into Management Agreement OP-4555-H-2401 with His Majesty the King, in right of Canada, represented by the Minister of Fisheries and Oceans;

And that By-law 95-2024 being a By-law to repeal By-law 122-2017 which is a By-law authorizing the entering into of a Management Agreement CA-4555-H-1710 with Her Majesty the Queen, in right of Canada, represented by the Minister of Fisheries and Oceans (the Small Craft Harbours' Facility at Cedar Beach, Ontario), **BE APPROVED** during the By-law stage 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)**

## **M. Reports - Fire Rescue Services**

1. Community Risk Assessment

**238-11252024**

Moved By: Councillor Patterson

Seconded By: Councillor Jarvis-Chausse

That the Community Risk Assessment **BE ENDORSED**, as presented;

And that Council **DIRECT** the Fire Chief to submit the Kingsville Fire & Rescue's 2024 Community Risk Assessment to the Office of the Fire Marshal in accordance with Ontario Regulation 378/18 of the Fire Protection and Prevention Act, 1997.

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

**Carried (7 to 0)**

**N. Consent Agenda**

1. Communities in Bloom Committee Minutes - September 3, 2024
2. Heritage Advisory Committee Minutes - October 1, 2024
3. BIA Minutes - October 8, 2024
4. Committee of Adjustment & Appeals Minutes - October 15, 2024
5. Regular Council Meeting Minutes - October 28, 2024
6. Regular Council Meeting Minutes - November 4, 2024
7. Committee of the Whole Minutes - November 18, 2024

**239-11252024**

Moved By: Councillor Patterson

Seconded By: Councillor Lowrie

That Items 2 through 7 on the Consent Agenda, **BE RECEIVED.**

**Carried**

**O. Correspondence**

None.

**P. Notices of Motion**

None.

**Q. Unfinished Business and Announcements**

None.

**R. By-laws**

**240-11252024**

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

88-2024 - A By-law to amend By-law 2-2021 being a By-law to establish and regulate a Fire Department for the Town of Kingsville;

89-2024 - A By-law to impose fees and charges by The Corporation of the Town of Kingsville;

90-2024 - A By-law to impose water and sewage rates;

91-2024 - A By-law to amend By-law 4-2023 being a By-law to establish development charges for the Town of Kingsville;

93-2024 - A By-law to amend By-law 72-2024, being a by-law to establish procedures governing the standards for the maintenance and occupancy of property within the municipality;

94-2024 - A By-law to adopt an Emergency Management Program and Emergency Response Plan and to meet other requirements under the Emergency Management and Civil Protection Act;

95-2024 - A By-law to Repeal By-law 122-2017, a By-law authorizing the entering into of a Management Agreement CA-4555-H-1710 with Her Majesty the Queen, in right of Canada, represented by the Minister of Fisheries and Oceans (the Small Craft Harbours' Facility at Cedar Beach, Ontario)

97-2024 - A By-law to confirm the proceedings of the Council of the Corporation of the Town of Kingsville at its November 25, 2024 Regular Meeting of Council

**S. Adjournment**

**241-11252024**

Moved By: Councillor Gaffan

Seconded By: Councillor Jarvis-Chausse

That Council adjourns this Regular Meeting at 8:28 p.m.

**Carried**

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Mayor, Dennis Rogers

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Acting Clerk, Angela Toole