



Regular Meeting of Council

Minutes

Monday, January 27, 2025

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 Acting CAO, Richard Wyma
 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

D. Mayor's Welcome and Remarks

Mayor Rogers announced that the Town of Kingsville will receive a \$7.4 million grant under the Municipal Housing Infrastructure Program. This grant is intended to fund the necessary infrastructure for increased housing development in the area. The Mayor expressed gratitude to the province for their support. He stated that the funding will substantially contribute to the development of the West Side Collector Road, a key infrastructure project that will facilitate future development on the west side of the Town. The project will also alleviate the financial burden on existing taxpayers, as the costs associated with this growth will not be passed onto them. The new road will provide an alternate route for residents, further enhancing transportation options within the Town. This initiative is part of a broader effort to address the growing needs of the community. The funding will support the creation of approximately 3,000 housing units in the future, with projections estimating a population of around 30,000 people by 2040.

Mayor Rogers highlighted the importance of strategic planning for the Town's future growth. He emphasized that it is the responsibility of Council and Administration to plan effectively to accommodate this growth, ensuring that Kingsville remains a beautiful and well-planned community. Resilient infrastructure was identified as one of the key pillars of the Town's 2040 Strategic Plan and outlines a series of actions that will be undertaken to support the Town's growth.

Mayor Rogers reminded the public that each development proposal undergoes a service capacity review by professional engineers to ensure that the infrastructure can support the projected growth. He noted that grants such as this one are vital in supporting the Town's strategic priorities and making meaningful improvements that benefit the residents of Kingsville.

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.

G. Report Out of Closed Session

The Acting Clerk gave the following 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 January 13, 2025, to discuss the following items:

Item I - Integrity Commissioner Report heard under Section 239(2)(b) being personal matters about an identifiable individual, including municipal employees and 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. And;

Item II - Licensing Enforcement heard under Section 239(2)(b) being personal matters about an identifiable individual, including municipal employees and 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.

Further pursuant to Section 239 of the Municipal Act, 2001, Council entered into Closed Session at 7:39 p.m. on January 13, 2025, to discuss the following item:

Item I - 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.

H. Delegations

None.

I. Presentations

None.

J. Matters Subject to Notice

1. Consent (B-2024-29) and Zoning By-law Amendment application (ZBA-2024-20) for 516 Road 11

15-01272025

Moved By: Deputy Mayor DeYong

Seconded By: Councillor Jarvis-Chausse

That consent application B-2024-29 to sever an existing dwelling, deemed surplus to the needs of the applicants' farming operation on a 0.51 ha (1.3 ac.) lot shown as Part 1 on the applicants' sketch, known as 516 Road 11, in the Town of Kingsville, **BE APPROVED**, subject to the following conditions:

- A. Prior to consent being endorsed on the deeds, the property owners provide, acceptable to the Municipality:
 - i. proof of access to serve the lands being conveyed and the lands being retained. The costs related to proof of access shall be solely at the expense of the applicant. This will include obtaining an encroachment permit and a Section 78 permit to add a new access over a municipal drain or roadside ditch for the retained farm lot on Road 11.
 - ii. proof of drainage 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.
 - iii. an executed agreement for drainage apportionment due to lands severance approved by the Municipality for each parcel being severed. Drainage Apportionment Agreement Request, 12R plan shall be submitted to the Municipality a minimum of one month prior to the stamping of the deeds.
 - iv. confirmation of existing septic system on the property that meets Ontario Building Code requirements and setbacks in relation to the revised lot line locations.
- B. That the necessary deed(s), transfer or changes be submitted electrically, signed and fully executed, including a copy of the reference plan, prior to certification.
- C. The conditions imposed above shall be fulfilled by January 27th, 2027, or this application shall be deemed to be refused in accordance with Section 53(41) of the Planning Act.

That Zoning by-law application ZBA-2024-20, to amend the Comprehensive Zoning By-law 1-2014 for the Town of Kingsville, to amend the zoning on the retained farm parcel municipally known as VL Road 11 from 'General Agricultural (A1)' to 'Agricultural - Restricted (A2)' and the severed residential parcel known as 516 Road 11 from 'General Agricultural (A1)' to 'Rural Residential (RR)', **BE APPROVED**.

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

Carried (7 to 0)

2. Consent (B-2024-21) and Zoning By-law Amendment application (ZBA-2024-14) for 306 Road 8 East

16-01272025

Moved By: Councillor Neufeld

Seconded By: Councillor Gaffan

That consent application B-2024-21 to sever an existing dwelling and shed, deemed surplus to the needs of the applicants' farming operation on a 0.23 ha (0.56 ac.) lot shown as Part 1 on the applicants' sketch, known as 306 Road 8 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 provide, acceptable to the Municipality:
 - i. proof of access to serve the lands being conveyed and the lands being retained. The costs related to proof of access shall be solely at the expense of the applicant. This will include obtaining an encroachment permit and a Section 78 permit to add a new access over a municipal drain or roadside ditch for the retained farm lot on Road 8 East.
 - ii. proof of drainage 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.
 - iii. an executed agreement for drainage apportionment due to lands severance approved by the Municipality for each parcel being severed. Drainage Apportionment Agreement Request, 12R plan shall be submitted to the Municipality a minimum of one month prior to the stamping of the deeds.
 - iv. Confirmation that any existing farm buildings/barn(s) shall comply with the National Farm Building Code and Ontario Building Code requirements for Spatial Separation and Exposing Building Face allowance from the proposed property lines.
 - v. confirmation of existing septic system on the property that meets Ontario Building Code requirements and setbacks in relation to the revised lot line locations.
- B. That the necessary deed(s), transfer or changes be submitted electrically, signed and fully executed, including a copy of the reference plan, prior to certification.
- C. The conditions imposed above shall be fulfilled by January 27th, 2027, or this application shall be deemed to be refused in accordance with Section 53(41) of the Planning Act.

And that Zoning by-law application ZBA-2024-14, to amend the Comprehensive Zoning By-law 1-2014 for the Town of Kingsville, to amend the zoning on the retained farm parcel municipally known as VL County Road 8 East from 'General Agricultural (A1)' to 'Agricultural - Restricted (A2)' and the severed residential parcel known as 306 Road 8 East from 'General Agricultural (A1)' to 'Rural Residential (RR)' **BE APPROVED**.

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

Carried (7 to 0)

3. No. 47 Drain – North Branch of the East Branch Realignment for Intersection Improvements

17-01272025

Moved By: Councillor Patterson

Seconded By: Councillor Lowrie

That report prepared by Rood Engineering, dated December 23, 2024, on the No. 47 Drain – N Branch of the East Branch for a realignment of a portion of the drain for the Intersection of County Road 29 and Road 5 improvements, pursuant to 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)

K. Reports - Finance and Corporate Services

1. 2025 Municipal Tax Rates and Interim Tax Levy By-Law

Ryan McLeod, Director of Finance and Corporate Services/Treasurer, provided a high-level overview of the Interim Tax Levy By-law for 2025.

18-01272025

Moved By: Councillor Gaffan

Seconded By: Councillor Lowrie

That By-Law 10-2025 being a by-law to provide for the establishment of rates for the Town of Kingsville for the year 2025 and to provide for an interim tax levy, **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)

2. Communities in Bloom - 2025 Judging

Karen Loney, Manager of Recreation Programs and Special Events, provided a high-level overview with respect to the Report.

19-01272025

Moved By: Councillor Jarvis-Chausse

Seconded By: Councillor Gaffan

That the recommendation from the Communities in Bloom (CIB) Committee, with the support of Administration, to not enter the 2025 National CIB judging competition and any budget funds previously identified for competition expenses be redirected towards increasing native tree and plant cover in Kingsville **BE APPROVED**.

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

Carried (7 to 0)

L. Consent Agenda

1. BIA Board of Management Minutes - November 12, 2024
2. Fantasy of Lights Committee Minutes - November 19, 2024
3. Communities in Bloom Committee Minutes - December 3, 2024
4. Heritage Advisory Committee Minutes - December 3, 2024
5. Committee of Adjustment & Appeals Minutes - December 17, 2024
6. Regular Council Meeting - January 13, 2025

20-01272025

Moved By: Councillor Lowrie

Seconded By: Councillor Patterson

That Items 1 through 6 on the Consent Agenda, **be received.**

Carried

M. Correspondence

None.

N. Notices of Motion

None.

O. Unfinished Business and Announcements

None.

P. By-laws

21-01272025

Moved By: Deputy Mayor DeYong

Seconded By: Councillor Jarvis-Chausse

That the following By-law be given a first and second reading:

7-2025 – Being a By-law to provide for a realignment of a portion of the No. 47 Drain – North Branch of the East Branch at a total estimated cost of \$15,160.00 in the Town of Kingsville, in the County of Essex

Carried

22-01272025

Moved By: Deputy Mayor DeYong

Seconded By: Councillor Patterson

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

8-2025 – Being a By-law to amend By-law No. 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville

9-2025 – Being a By-law to amend By-law No. 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville

10-2025 – Being a By-law to provide for the establishment of rates for the Town of Kingsville for the year 2025 and to provide for an Interim Tax Levy

11-2025 – Being a By-law to appoint members to the Committee of Adjustment and Appeals

12-2025 – Being a By-law to confirm the proceedings of the Council of the Corporation of the Town of Kingsville at its January 27, 2025 Regular Meeting of Council

Carried

Q. Adjournment

23-01272025

Moved By: Councillor Patterson

Seconded By: Councillor Jarvis-Chausse

That Council **adjourns** this Regular Meeting at 6:23 p.m.

Carried

Mayor, Dennis Rogers

Acting Clerk, Angela Toole