



Regular Meeting of Council

Minutes

Monday, January 13, 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 CAO, John Norton
 Acting Clerk, Angela Toole
 Matthew Ducharme

A. Call to Order

Mayor Rogers called the Regular Meeting to order at 5:04 p.m. and Council immediately moved into Closed Session.

B. Closed Session

1-01132025

Moved By: Councillor Jarvis-Chausse

Seconded By: Councillor Gaffan

That Council **ENTER** into Closed Session at 5:04 p.m. pursuant to Section 239 of the Municipal Act, 2001, to discuss the following items:

Item I - Integrity Commissioner Report to be 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; and,

Item II - Licensing Enforcement to be 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.

Carried

2-01132025

Moved By: Councillor Gaffan

Seconded By: Councillor Patterson

That Council **RISE** from Closed Session at 5:56 p.m.

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 welcomed everyone and wished a Happy New Year.

Mayor Rogers said that the New Year is a time for both reflection and anticipation and noted that 2024 was a year of challenges and triumphs. He expressed gratitude for people coming together in community groups, organizations, local businesses, working and helping each other to the Town of Kingsville the best it can be.

Mayor Rogers spoke to the difficulty Council faces in decision-making on behalf of the community as people are often divided on the decisions made by Council. He highlighted that By-law Enforcement, and the Building and Fire Departments are in tough positions when it comes to enforcing such decisions. Mayor Rogers continued by thanking Town Administration and Members of Council who are neighbours and local business owners that are committed to making good decisions for the community.

Mayor Rogers said that residents will continue to have opportunities to provide Council with feedback, ideas, thoughts and concerns. He said that every Member of Council is willing to meet with residents and noted that Coffee with the Mayor will continue on a quarterly basis beginning in February until the end of the Council term.

F. Amendments to the Agenda

None noted.

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 Sheri Lowrie declared a conflict on Item J.1 - Integrity Commissioner Report dated January 6, 2025.

H. 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 4:12 p.m. on December 4, 2024, to discuss the following item:

Item I - Personnel Matters heard under Section 239(2)(b) being personal matters about an identifiable individual, including municipal employees and Section 239(2)(d) being labour relations or employee negotiations. There is nothing further to report.

Further, pursuant to Section 239 of the Municipal Act, 2001, Council entered into Closed Session at 7:09 p.m. on December 9, 2024, to discuss the following item:

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

I. Delegations

Laura Mastronardi, Sunrise Farms Limited, appeared as a delegation to request that Council defer its consideration of Item L.4 - Boarding, Lodging and Rooming House By-law - One Year Review.

J. Presentations

1. Integrity Commissioner Report dated January 6, 2025

Mary Ellen Bench, Integrity Commissioner for the Town of Kingsville, presented her report dated January 6, 2025.

3-01132025

Moved By: Councillor Patterson

Seconded By: Councillor Jarvis-Chausse

1. Pursuant to the recommendations made by Mary Ellen Bench, Integrity Commissioner for the Town of Kingsville, in her report dated January 6, 2025, Council takes the following action:

- a. Council **ISSUES** a public reprimand to Mr. Szabo Verzoc to ensure that the public are aware that the Town of Kingsville Council does not condone his conduct described in the Integrity Commissioner's report;
- b. Council **DIRECTS** that Mr. Szabo Verzoc submit a written apology to the members of the Town of Kingsville Migration Festival Committee for his outbursts and issue a specific apology to Councillor Lowrie for the emails he sent wherein he defames her; and,
- c. Council **DIRECTS** that in the event Mr. Szabo Verzoc refuses to apologize for his conduct, that Council rescinds his appointment to the Kingsville Migration Festival Committee effective within 14 days of the Clerk providing him with a copy of Council's decision.

2. And further that Council **DIRECTS** that if Mr. Szabo Verzoc is removed from the Migration Festival Committee pursuant to these decisions of Council and the recommendations of the Integrity Commissioner, that he is also simultaneously removed from the Fantasy of Lights Committee;

3. And further that Council **DIRECTS** that in the event Mr. Szabo Verzoc conducts himself in the same or similar manner to that described in the report of the Integrity Commissioner, Council **AUTHORIZES** the Acting Clerk to remove Mr. Szabo Verzoc from both the Migration Festival Committee and Fantasy of Lights Committee without further consultation with Council; and,

4. And further that Council **DIRECTS** that newly appointed Committee of Council members are required to complete a training program as prepared by Administration, to review and sign the Code of Conduct and other relevant policies, and that this is a mandatory requirement prior to assuming their position as a member of a Committee of Council.

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

Conflict (1): Councillor Lowrie

Carried (5 to 0)

K. Matters Subject to Notice

1. Zoning By-law Amendment (ZBA-2024-21) for a Town wide amendment to accessory structure height

4-01132025

Moved By: Deputy Mayor DeYong

Seconded By: Councillor Lowrie

That Council **APPROVE** the changes recommended by the Committee of Adjustment and Appeals, with the support of Administration, to amend Section 4.2 (h) and 4.2 (i) of the Town of Kingsville Comprehensive Zoning By-law 2014-1 to the following:

1. Section 4.2 (h) Accessory buildings and structures shall not exceed the following heights:
 - i. in residential zones within the primary and secondary settlement area – 5.8 m (19 ft.)
 - ii. in residential zones or lots under 2 ha that are outside the settlement area - 6.5 m (21.3 ft)
2. Section 4.2 (i) Notwithstanding any other provision of this by-law, the maximum building height for an accessory building which contains a dwelling unit is not to exceed 6.5 m (21.3 ft);

And that corresponding By-law 1-2025 **BE ADOPTED** during the By-law stage of the Agenda.

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

Carried (6 to 0)

2. Main Street Neighbourhood and Gateway – Building Heights

Melanie Muir, agent for Jeremy Capussi, appeared before Council in support of the proposed changes for building heights in the Main Street Neighbourhoods and Main Street Gateway.

David French, Partner and Planning Technician at Storey Samways Planning Ltd. and representative of King Dev Co, appeared before Council in support of the proposed changes for building heights in the Main Street Neighbourhoods and Main Street Gateway.

Max De Angelis, President at Fortis Construction Group Ltd., appeared before Council in support of the proposed changes for building heights in the Main Street Neighbourhoods and Main Street Gateway.

Ann Marie Lemire, resident, appeared before Council in opposition to proposed changes for building heights in the Main Street Neighbourhoods and Main Street Gateway.

Cindy Prince, Vice President at Amico Infrastructures Inc., appeared before Council in support of the proposed changes for building heights in the Main Street Neighbourhoods and Main Street Gateway.

5-01132025

Moved By: Deputy Mayor DeYong

Seconded By: Councillor Patterson

That the report titled Main Street Neighbourhood and Gateway – Building Heights, dated January 13, 2025, **BE DEFERRED** to the February 10, 2025, Regular Meeting of Council.

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

Against (1): Mayor Rogers

Carried (5 to 1)

L. Reports - Finance and Corporate Services

1. ERCA Non-Mandatory Cost Apportioning Agreement

6-01132025

Moved By: Deputy Mayor DeYong

Seconded By: Councillor Patterson

That Council **DIRECTS** Administration to continue to participate in funding the Essex Region Conservation Authority's ("ERCA") Non-Mandatory Programs and Services for three (3) years to the end of 2027;

And that the Mayor and Clerk **BE AUTHORIZED** to sign the three (3) year Cost Apportioning Agreement of which the contribution is \$21,520 for 2025 for the Town of Kingsville.

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

Carried (6 to 0)

2. Joint Pound Facility and Pound Services Agreement with the Municipality of Leamington

7-01132025

Moved By: Councillor Gaffan

Seconded By: Councillor Jarvis-Chausse

That Administration **BE AUTHORIZED** to enter into a Joint Pound Facility and Pound Services Agreement with the Municipality of Leamington.

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

Carried (6 to 0)

3. Kingsville Military Museum – Four Year Funding Agreement

8-01132025

Moved By: Deputy Mayor DeYong

Seconded By: Councillor Patterson

That Council **DIRECTS** Administration to prepare a 4-year Funding Agreement between The Corporation of the Town of Kingsville (the “Corporation”) and Kingsville Historical Park Inc. in the amount of \$10,000.00 per year to begin in 2025 and expire at the end of 2028;

And that the Mayor and Clerk **BE AUTHORIZED** to sign the Funding Agreement on behalf of the Corporation.

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

Carried (6 to 0)

4. Boarding, Lodging and Rooming House By-law – One Year Review

9-01132025

Moved By: Deputy Mayor DeYong

Seconded By: Councillor Jarvis-Chausse

That Council **APPROVE** the following amendments to By-law 3-2024, being a By-law to licence Boarding, Lodging, and Rooming Houses (BLRH) in the Town of Kingsville:

1. Clarify that the By-law does not apply to long-term care homes, homes for special care, and retirement homes licensed by the Province; and
2. Clarify the provisions of the By-law related to appeals of licensing decisions.

And that the Fees and Charges By-law 89-2024 **BE AMENDED** to reflect the fees for a Boarding, Lodging and Rooming House (BLRH) Licence as noted in this report;

And that corresponding By-law 2-2025, being a By-law to amend By-law 89-2024, and corresponding By-law 3-2025, being a By-law to amend By-law 3-2024, **BE ADOPTED** during the By-law stage of this Council Agenda.

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

Against (2): Mayor Rogers, and Councillor Gaffan

Carried (4 to 2)

M. Consent Agenda

10-01132025

Moved By: Councillor Patterson

Seconded By: Councillor Gaffan

That Items 1 to 7 on the Consent Agenda, **BE RECEIVED**.

Carried

1. Communities in Bloom Minutes - September 3, 2024
2. Migration Festival Minutes - September 25, 2024
3. Communities in Bloom Minutes - October 3, 2024
4. Communities in Bloom Minutes - November 5, 2024
5. Committee of Adjustment & Appeals Minutes - November 19, 2024
6. Special (Budget) Council Meeting Minutes - December 4, 2024
7. Regular Council Meeting Minutes - December 9, 2024

N. Correspondence

None at this time.

O. Notices of Motion

None at this time.

P. Unfinished Business and Announcements

None at this time.

Q. By-laws

11-01132025

Moved By: Deputy Mayor DeYong

Seconded By: Councillor Patterson

That the following By-laws be given a third reading and finally pass:

65-2024 - Being a By-law to provide for a new bridge over the Kunch Drain at a total estimated cost of \$37,000 in the Town of Kingsville, in the County of Essex;

66-2024 – Being a By-law to provide for the emergency access replacement over the 7th Concession Drain for Parcel Nos. 460-00701 and 460-00702 at a total estimated cost of \$264,154 in the Town of Kingsville, in the County of Essex;

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; and,

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.

Carried

12-01132025

Moved By: Deputy Mayor DeYong

Seconded By: Councillor Lowrie

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

1-2025 - Being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville;

2-2025 - Being a By-law to amend By-law 89-2024, being a By-law to impose fees and charges by The Corporation of the Town of Kingsville;

3-2025 - Being a By-law to amend By-law 3-2024, being a By-law to Licence Boarding, Lodging and Rooming Houses (BLRH) in the Town of Kingsville;

6-2025 -Being a By-law to confirm the proceedings of the Council of the Corporation of the Town of Kingsville at its January 13, 2025, Regular Meeting of Council.

Carried

R. Closed Session

13-01132025

Moved By: Councillor Jarvis-Chausse

Seconded By: Councillor Gaffan

That Council **ENTER** into Closed Session at 7:39 p.m. pursuant to Section 239 of the Municipal Act, 2001, to discuss the following item:

Item I - 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

S. Adjournment

14-01132025

Moved By: Councillor Patterson

Seconded By: Deputy Mayor DeYong

That Council **RISE** from Closed Session and **ADJOURN** its Regular Meeting at 8:08 p.m.

Carried

Mayor, Dennis Rogers

Acting Clerk, Angela Toole