



## Regular Meeting of Council

### Minutes

**Monday, April 14, 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  
                                 Deputy Clerk, Natalie Sharp

#### **A. Call to Order**

Mayor Rogers called the Regular Meeting to order at 4:30 p.m.

#### **B. Closed Session**

**61-04142025**

Moved By: Councillor Jarvis-Chausse

Seconded By: Deputy Mayor DeYong

That Council enter into Closed Session at 4:30 p.m. pursuant to section 239 of the *Municipal Act, 2001*, to discuss the following items:

**Item I - Gravel Roads** to be heard under Section 239(2)(e) being litigation or potential litigation, including matters before administrative tribunals, affecting the municipality; and, Section 239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and,

**Item II - Ruthven Sewer Capacity Update** to be heard under Section 239(2)(e) being litigation or potential litigation, including matters before administrative tribunals, affecting the municipality; and, Section 239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

**Carried**

**62-04142025**

Moved By: Councillor Jarvis-Chausse

Seconded By: Deputy Mayor DeYong

That Council **rise** from Closed Session at 5:46 p.m.

**Carried**

**63-04142025**

Moved By: Councillor Gaffan

Seconded By: Councillor Patterson

That Council **resume** the open portion of its Regular Meeting at 6:00 p.m.

**Carried**

**C. Land Acknowledgement**

Mayor Rogers read the Land Acknowledgment Statement.

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

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

Mayor Rogers welcomed everyone to the meeting and acknowledged the presence of County Clerk Kate Hebert, CAO Sandra Zwiers, and Warden Hilda MacDonald from the County of Essex. He highlighted that Council and Administration were proudly wearing daffodil pins, which represent hope for those impacted by cancer and signify the community's commitment to improving lives and advancing cancer care.

Mayor Rogers reminded the public that this Saturday (April 19) is the Kingsville Easter Egg hunt from 10:00 am until 12:00 pm taking place at Lakeside Park and Lakeside Park Pavilion. He stated that the Town has an effective communication model and encouraged residents to subscribe to the Town's website for customizable information updates. Please visit [kingsville.ca/subscribe](https://kingsville.ca/subscribe) to sign up for these updates.

**F. Amendments to the Agenda**

Councillor Gaffan noted that he will have a Notice of Motion.

**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 Gaffan declared a conflict on Item M.2 Special Event - Hogs for Hospice 2025, as his business is located in the event area.

Mayor Rogers declared a conflict on Item M.2 Special Event - Hogs for Hospice 2025, as his business is located in the event area.

**H. Report Out of Closed Session**

Nothing to report.

## **I. Delegations**

### **1. Residents for Marsh Road**

Michelle Ramsay, resident, appeared before Council to request support for improving the conditions of Marsh Road and asked that the road be paved.

**64-04142025**

Moved By: Deputy Mayor DeYong

Seconded By: Councillor Gaffan

That Council **directs** Administration to prepare a report regarding the Town's Annual Gravel Road Maintenance Program and that the report include details on the cost to tar and chip gravel roads, maintenance schedules, the number of gravel roads in the Town, the process for selecting roads to hard surface and information on how residents may take action to get their road hard-surfaced.

And that the report include a review of the Town's Gravel Road Maintenance Policy.

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

**Carried (7 to 0)**

### **2. Haider Hasnain, Kingsville Urgent Care Clinic**

Haider Hasnain, representing the building project and the physician management of the Urgent Care Clinic located at 273 293 Main St. E., appeared before Council in support of item O.1 on the Agenda - Industrial and Commercial Community Improvement (CIP). He discussed how this grant would help expand the clinic and assist in recruiting and retaining healthcare providers to offer additional services.

### **3. Rob Petro, Ontario Greenhouse Vegetable Growers**

Rob Petro, Ontario Greenhouse Vegetable Growers (OGVG), appeared before Council and requested that Item O.2 Ruthven Sanitary System Capacity, be deferred for 30 days to give OGVG more time to collaborate with growers, Council, Administration, and residents to ensure the best possible exchange of information.

## **J. Presentations**

### **1. Essex County Library**

Joe Bachetti, Deputy Warden for the Count of Essex and Chair of the Essex County Library Board, introduced Adam Craig, CEO and Chief Librarian for Essex County Library. In his presentation, Mr. Craig outlined the library's achievements in 2024 and shared strategic plans for 2025, emphasizing the library's commitment to community engagement and ongoing improvements in services and resources.

## K. Matters Subject to Notice

1. Holding Removal (ZBA-2025-1) for 52 Heritage Road (County Road 50)

Albert Pinto, homeowner of 52 Heritage Road, appeared before Council and stated that he is building an addition to his house. He noted that there is currently a hold on the property due to an existing waterline.

### **65-04142025**

Moved By: Councillor Jarvis-Chausse

Seconded By: Councillor Patterson

That the Zoning By-law Amendment application ZBA-2025-1, to amend the Comprehensive Zoning By-law 1-2014 for the Town of Kingsville, on the subject property municipally known as 52 Heritage Road from 'Residential Zone 1 Urban with Holding (R1.1(h))' and 'Residential Zone 1 Urban' to "Residential Zone 1 Urban (R1.1)" **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. Application for Consent and Zoning By-Law Amendment (B-2025-2 and ZBA-2025-2): Surplus Dwelling Severance at 459 County Road 34 East

### **66-04142025**

Moved By: Councillor Patterson

Seconded By: Councillor Neufeld

That consent application B-2025-2, to sever an existing dwelling, deemed surplus to the needs of the applicants' farming operation with an area of 1.03 ha (2.56 ac) lot shown as Part 1 on the applicants' sketch, known as 459 County Road 34 East, in the Town of Kingsville, **be approved**, subject to the following conditions:

- a. Provide proof of drainage, acceptable to the municipality, 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 and,
- b. Execute an agreement for drainage apportionment due to lands severance or sale approved by the Municipality for each parcel being severed and,
- c. Execute a mutual drain agreement due to lands severance or sale approved by the Municipality for each parcel being severed and,
- d. Provide a copy of the registered 12-R Plan and,
- e. Provide confirmation that a permit to establish a new driveway on the retained farm parcel is obtain either from the County of Essex or the Town of Kingsville for a driveway either on Inman Sideroad or County Road 34 East and,
- f. Provide the necessary deed(s), transfer or changes electronically, signed and fully executed, prior to certification and,

- g. The conditions imposed above shall be fulfilled by April 14<sup>th</sup>, 2027, or this application shall be deemed to be refused in accordance with Section 53(41) of the Planning Act.

And that By-law 21-2025 being a By-law 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 34 East 'General Agricultural (A1)' to 'Agricultural - Restricted (A2)' and the severed residential parcel known as 459 County Road 34 East from 'General Agricultural (A1)' to 'Rural Residential (RR)' **be approved** and the Mayor and Clerk **be authorized** to sign same.

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. 2025 Rural Road Resurfacing Tender Award

**67-04142025**

Moved By: Councillor Patterson

Seconded By: Deputy Mayor DeYong

That the 2025 Rural Road Resurfacing Tender **be awarded** to Shepley Road Maintenance Ltd. in the amount of \$1,011,113.45 (excluding HST) and the Mayor and Acting Clerk **be authorized** to execute the requisite agreement.

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. Kingsville Pro Rodeo

**68-04142025**

Moved By: Councillor Gaffan

Seconded By: Councillor Jarvis-Chausse

That Council **direct** Administration to provide a letter of "Municipal Significance" for the Kingsville Pro Rodeo, to be held at Trimble Farms from July 25 to July 27, 2025, to allow the event to obtain a licence to serve alcohol.

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

**Carried (7 to 0)**

2. Special Event - Hogs for Hospice 2025

Mayor Rogers vacated his role as Chair due to declaring a pecuniary interest on Item M.2. and abstained from discussing and voting on the item. Deputy Mayor DeYong assumed the Chair.

Councillor Gaffan declared a pecuniary interest on Item M.2. and abstained from discussing and voting on the item.

**69-04142025**

Moved By: Councillor Neufeld

Seconded By: Councillor Patterson

That road closures of Main Street (from Spruce Street to Chestnut Street) and Division Street (from King Street to Pearl Street) from 10:00 am to 2:00 pm on Saturday, August 2, 2025, for the Hogs for Hospice Registered Ride **be approved**.

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

Conflict (2): Mayor Rogers, and Councillor Gaffan

**Carried (5 to 0)**

**N. Reports - Public Operations**

1. Grass Cutting and Trimming of Various Municipal Properties

Mayor Rogers resumed his role as Chair.

**70-04142025**

Moved By: Councillor Patterson

Seconded By: Councillor Jarvis-Chausse

That the Grass Cutting and Trimming of Various Municipal Properties Contract **be awarded** to A&M Lawncare in the amount of \$86,319.00 (excluding HST) and the Mayor and Clerk **be authorized** to execute the requisite agreement.

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

**Carried (7 to 0)**

## O. Reports - CAO's Office

### 1. Industrial and Commercial Community Improvement Plans (CIP)

Ryan McLeod, Director of Finance and Corporate Services/Treasurer and John Norton, CAO, gave a presentation on Industrial and Commercial Community Improvement Plans (CIP).

**71-04142025**

Moved By: Councillor Patterson

Seconded By: Councillor Gaffan

That the Industrial and Commercial Community Improvement Plan (CIP) for the Town of Kingsville as attached in Appendix A **be approved**;

And that Council **approve** the effective date of the CIP to be retroactive, beginning January 1, 2025.

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

**Carried (7 to 0)**

### 2. Ruthven Sanitary System Capacity

Shaun Martinho, Director of Public Operations, and John Norton, CAO, gave a presentation on the Ruthven Sanitary Sewer Capacity.

**72-04142025**

Moved By: Councillor Neufeld

Seconded By: Deputy Mayor DeYong

That Council **approve** an Interim Control By-law, pursuant to Section 38 of the *Planning Act*, in the format attached as Schedule "A" to this report;

And that corresponding By-law 24-2025, being a By-law to establish Interim Control on lands within The Corporation of the Town of Kingsville, **be adopted** during the By-law stage of this Council Agenda;

And that Council **direct** Administration:

1. To complete a review and study in respect of the Town's land use planning policies in relation to required changes to the Town's land use planning policies, and other regulatory framework, as a result of the Town's sanitary sewer constraints for the lands reliant on the Ruthven Sanitary System;
2. To take immediate steps, as determined by Administration, to improve the flow rates in the Ruthven Sanitary System, including the installation of a pressure relief valve, larger pump, and flow monitoring equipment for each greenhouse, and any other actions which are reasonably expected to improve the flow rates;
3. To bring forward recommendations on funding these actions, with a view to full cost recovery from greenhouse operations, and include all costs such as metering of flow rates from greenhouse operations, upgrades to the Ruthven Sanitary System, and enforcement of the prohibitions as required; and

4. To prepare a Greenhouse Sewer Use By-law for Council's consideration at the next regularly scheduled meeting of Council on April 28, 2025, and which shall:
  - a. Prohibit the discharge of agricultural storm and process water, including greenhouse nutrient feedwater, into Kingsville's sanitary sewer system;
  - b. Require all discharge from greenhouse operations into the municipal sanitary sewer system off-peak hours and with a metering system that provides real-time flow metering. For clarity, discharge from greenhouse operations shall not include agricultural storm or process water; and
  - c. Empower such steps as are deemed necessary to enforce this Greenhouse Sewer Use By-law, including the power of entry onto private property.

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

**Carried (7 to 0)**

**P. Consent Agenda**

1. Heritage Advisory Committee Minutes - February 4, 2025
2. BIA Board of Management Minutes - February 11, 2025
3. Committee of Adjustment & Appeals Minutes - February 18, 2025
4. Fantasy of Lights Committee Minutes - February 18, 2025
5. Regular Meeting of Council - March 17, 2025

**73-04142025**

Moved By: Councillor Patterson

Seconded By: Councillor Gaffan

That Items 1 through 5 on the Consent Agenda, **be received.**

**Carried**

**Q. Correspondence**

1. Correspondence from Municipality of Leamington dated April 1, 2025, regarding 2024-2025 Dedicated Gas Tax Funds for Public Transportation Program

**74-04142025**

Moved By: Deputy Mayor DeYong

Seconded By: Councillor Gaffan

That Council **endorses** the Municipality of Leamington to act on behalf of the Town of Kingsville as "host" for its provision of transit services for the purposes of the 2024-2025 Dedicated Gas Tax Funds for Public Transportation;

And that Council **directs** the Acting Manager of Municipal Governance and Clerk to provide the Municipality of Leamington with a certified copy of



this resolution which is to be returned with the Letter of Agreement to the Ministry of Transportation.

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

**Carried (7 to 0)**

2. Correspondence from the Western Ontario Wardens' Caucus dated March 18, 2025, Regarding Tariff Response

**R. Notices of Motion**

1. Deputy Mayor DeYong - Enwin Utilities Ltd. Purchase of E.L.K. Energy Inc.

**75-04142025**

Moved By: Deputy Mayor DeYong

Seconded By: Councillor Patterson

**Whereas** E.L.K. Energy Inc. (“E.L.K.”) is a local electricity distribution company that services over 12,600 customers in the communities of Belle River, Comber, Essex, Harrow, Cottam and Kingsville;

**And whereas** on Friday, March 14, 2025, Enwin Utilities Ltd. (“Enwin”) announced their purchase of E.L.K.;

**And whereas** given that electricity is a critical and essential service, Town of Kingsville Council has previously advocated to E.L.K. on behalf of Kingsville and Cottam customers for quality customer service, regular tree maintenance, and increased investments on its distribution infrastructure;

**Now therefore be it resolved** that Council directs Administration to write a letter to Enwin, as the new owner of E.L.K., conveying:

- that Town of Kingsville Council and Administration (the “Town”) are committed to building and maintaining a positive working relationship with Enwin premised on the Town’s advocacy position for Kingsville and Cottam customers; and request a meeting with Enwin at their earliest convenience.
- and that the Town is hopeful E.L.K.’s current mission statement to provide the highest quality of service to its customers by ensuring that the electrical system is designed, constructed and maintained to ensure its reliability, safety and affordability while increasing shareholder value continues, despite the purchase;
- and that the Town requests the continuation of regular tree maintenance for Kingsville and Cottam customers; and,
- that the Town requests the expedited construction and installation of a second feeder line to increase the reliability of electricity service for customers in Kingsville and Cottam.

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

**Carried (7 to 0)**

2. Councillor Patterson - Tariffs and Buy Canadian

**76-04142025**

Moved By: Councillor Patterson

Seconded By: Councillor Gaffan

**Whereas** trade relations between Canada and the United States (the “U.S.”) have been strained by tariffs imposed on Canadian goods by U.S. President Donald Trump;

**And whereas** the Town of Kingsville (the “Town”) is situated in close proximity to a main international border crossing between Canada and the U.S., in a region that is economically sustained by its manufacturing and industrial agriculture sectors;

**And whereas** such tariffs are likely to result in economic instability and massive job losses, and local municipalities are likely to experience these impacts directly;

**And whereas** all levels of Canadian government, including municipalities, have significant purchasing power but have traditionally been prevented by trade agreements from giving preference to purchasing Canadian goods;

**And whereas** Provincial and Federal leaders are encouraging Canadians to buy Canadian;

**And whereas** given the strain on trade relations and the impending economic instability, it is in the interest of all Canadians that municipalities procure goods from Canadian suppliers;

**Now therefore** be it resolved that The Council of the Corporation of the Town of Kingsville:

- Calls on the Provincial and Federal Governments to create and implement measures to protect Canadian businesses and consumers;
- Asks the Provincial and Federal Governments to remove any impediments that may prevent municipalities from giving preference to purchasing goods Canadian suppliers; and,
- Directs the Clerk to forward a copy of this Resolution to the Prime Minister of Canada, Premier of Ontario, all local MPs and MPPs, all Ontario Municipalities, AMO, and ROMA.

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

**Carried (7 to 0)**

3. Councillor Gaffan - Opposition to Strong Mayor Powers

**77-04142025**

Moved By: Councillor Gaffan

Seconded By: Deputy Mayor DeYong

That Council waive the notice requirements for Notices of Motion, to allow the previously stated Notice of Motion regarding Strong Mayor Powers to be debated and voted upon during the same Meeting at which it is introduced, due to the subject matter being time-sensitive, in accordance with Section 11.4 of the Town's Procedure Bylaw.

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

**Carried (7 to 0)**

**78-04142025**

Moved By: Councillor Gaffan

Seconded By: Deputy Mayor DeYong

**Whereas** on April 9, 2025, the Government of Ontario (hereafter, the "Province"), led by Premier Doug Ford, announced a proposal to expand by "Strong Mayor Powers" as provided for by Part VI.1 of the *Municipal Act, 2001*, to the heads of council in 169 additional municipalities, including the Town of Kingsville, effective May 1, 2025;

**And whereas** Strong Mayor Powers erode democratic process and have fundamentally altered the historic model of local governance, which has existed for almost two centuries, by:

- providing the head of council with the authority to unilaterally give direction and make certain decisions without a consensus from a majority of the members of council; and,
- creating a power imbalance by providing the head of council with special powers that other members do not generally have.

**And whereas** the Province is undermining the local governance model and municipal independence by attempting to advance its priorities through municipalities, and downloading its responsibilities to the same.

**Now therefore be it resolved that:**

- The Council of the Corporation of the Town of Kingsville ("Council") **opposes** the expansion of Strong Mayor Powers, as announced on April 9, 2025;
- That Council **requests** that the proposed amendments to O. Reg. 530/22 to Expand Strong Mayor Powers and Duties to Additional Municipalities not include the Town of Kingsville; and;
- That Council **directs** the Acting Manager of Municipal Governance/Clerk to forward a copy of this resolution to Doug Ford, Premier of Ontario; Rob Flack, Minister of Municipal Affairs and Housing; All Four Local MPPs; AMCTO, AMO and All Ontario Municipalities.

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

**Carried (7 to 0)**

**S. Unfinished Business and Announcements**

**T. By-laws**

**79-04142025**

Moved By: Deputy Mayor DeYong

Seconded By: Councillor Neufeld

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

21-2025 being a By-law to amend By-law No. 1-2014 the Comprehensive Zoning By-law for the Town of Kingsville;

22-2025 being a By-law to amend By-law No. 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville;

23-2025 being a By-law to Appoint Branden Shagat as an Inspector under the Building Code Act, 1992;

24-2025 being a By-law to establish Interim Control on lands within The Corporation of the Town of Kingsville;

25-2025 being a By-law to appoint Deputy Clerks for the Town of Kingsville; and,

26-2025 being a By-law to confirm the proceedings of the Council of the Corporation of the Town of Kingsville at its April 14, 2025 Regular Meeting of Council.

**Carried**

**U. Adjournment**

**80-04142025**

Moved By: Councillor Gaffan

Seconded By: Councillor Lowrie

That Council **adjourns** this Regular Meeting at 8:06 p.m.

**Carried**

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Mayor, Dennis Rogers

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Acting Clerk, Angela Toole