



Regular Meeting of Council

Minutes

Monday, June 16, 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 Sheri Lowrie Councillor Thomas Neufeld Councillor Larry Patterson
Members Absent	Councillor Debby Jarvis-Chausse
Staff Present	CAO, John Norton 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 read the Land Acknowledgement Statement.

C. Moment of Silent Reflection and National Anthem

D. Mayor's Welcome and Remarks

Mayor Rogers welcomed all in attendance and wished everyone a Happy Father's Day spent with loved ones. He stated that the first Kingsville Block Party of the season would take place this upcoming Saturday in Cottam, located in Cottam Centre. Additionally, the Kingsville Horticultural and Arts Society are hosting the Vintage Garden Tour and Tea on both Saturday and Sunday at the Carnegie Arts & Visitor Centre. Members of the public are encouraged to visit the Town's website for more details on upcoming events.

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:

Council entered into Closed Session pursuant to Section 239 of the Municipal Act, 2001, on June 2, 2025, at 6:00 p.m. and discussed the following items:

Item I - Appointments to Committees (Communities in Bloom and Migration Festival Committee Vacancies) heard under Section 239(2)(b), being personal matters about an identifiable individual, including municipal employees. There is nothing further to report.

Item II - Various 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.

Item III - Update on Matters Before an Administrative Tribunal heard under Section 239(2)(e), being litigation or potential litigation, including matters before administrative tribunals, affecting the municipality. There is nothing further to report.

H. Delegations

1. Written Delegation Regarding Request for Enforcement and Planning Action for Pelee Island Winery

I. Presentations

None.

J. Matters Subject to Notice

1. Application for Consent and Zoning By-Law Amendment (B-2025-09 and ZBA-2025-04 at 389 County Road 20 West

104-06162025

Moved By: Deputy Mayor DeYong

Seconded By: Councillor Lowrie

1. That consent application B-2025-09, to sever an existing dwelling, deemed surplus to the needs of the applicants' farming operation with an area of 0.16 hectares (0.40 acres) shown as Part 1 on the applicants' sketch, known as 389 County Road 20 West, in the Town of Kingsville, **be approved**, subject to the following conditions:
 - a. Provide the following to the satisfaction of the Town:
 - i. 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;
 - ii. an executed agreement for drainage apportionment due to lands severance or sale approved by the Municipality for each parcel being severed;
 - iii. a mutual drain agreement executed due to lands severance or sale approved by the Municipality for each parcel being severed;
 - iv. a registered 12-R Plan;

- v. confirmation that there is a separate septic system on each property and that it meets Ontario Building Code requirements and setbacks;
 - b. Provide the necessary deed(s), transfer or changes electronically, signed and fully executed, prior to certification;
 - c. The conditions imposed above shall be fulfilled by June 13, 2027, or this application shall be deemed to be refused in accordance with Section 53(41) of the *Planning Act*.
2. And that By-law 40-2025, being a By-law to amend the Comprehensive Zoning By-law 1-2014 for the Town of Kingsville, to amend the zoning on the severed residential parcel from 'General Agricultural (A1) to 'Rural Residential (RR)' **be approved**.

For (6): Mayor Rogers, Deputy Mayor DeYong, Councillor Gaffan, Councillor Lowrie, Councillor Neufeld, and Councillor Patterson

Carried (6 to 0)

2. Application for Consent and Zoning By-Law Amendment (B-2025-08 and ZBA-2025-7) at 76 County Road 14 East

105-06162025

Moved By: Councillor Patterson

Seconded By: Councillor Neufeld

- 1. That consent application B-2025-08, to sever an existing dwelling, deemed surplus to the needs of the applicants' farming operation, with an area of 0.83 hectares (2.05 acres) and shown as Part 1 on the applicants' sketch, known as 76 County Road 14 East, in the Town of Kingsville, **be approved**, subject to the following conditions:
 - a. Provide the following to the satisfaction of the Town:
 - i. 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;
 - ii. an agreement for drainage apportionment due to lands severance or sale approved by the Municipality for each lots;
 - iii. a lot grading plan, for the lands being conveyed and the lands being retained, with the costs of such grading being solely at the expense of the applicant;
 - iv. registered 12-R Plan for the severed parcel.
 - b. The owner must establish a new entrance for the retained farm parcel and provide the Town with a copy of the permit provided by the County of Essex Infrastructure Services.
 - c. The conditions imposed above shall be fulfilled by June 16, 2027, or this application shall be deemed to be refused in accordance with Section 53(41) of the *Planning Act*.
- 2. And that By-law 39-2025, 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 14 East from 'General Agricultural with Exception 37 (A1-37)' to 'Restricted Agricultural with Exception 4 (A2-4)' and the severed residential parcel from 'Agricultural Exception 37 (A1-37)' to 'Rural Residential (RR)' **be approved**.

For (6): Mayor Rogers, Deputy Mayor DeYong, Councillor Gaffan, Councillor Lowrie, Councillor Neufeld, and Councillor Patterson

Carried (6 to 0)

3. Application for Consent and Zoning By-law Amendment (B-2025-7 & ZBA-2025-3) at 1529 Union Avenue (County Road 45)

106-06162025

Moved By: Councillor Patterson

Seconded By: Councillor Gaffan

1. That consent application B-2025-07, to sever an existing greenhouse and dwelling, for the property known as 1529 Union Avenue (County Road 45), deemed surplus to the Union Water Facility expansion, and to add the remaining retained parcel to the property municipally known as 1615 Union Avenue (County Road 45), **be approved**, subject to the following conditions:
 - a. That the applicant provide, to the satisfaction of the Town:
 - i. 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 including an amended section 65 Report
 - ii. registered 12-R Plan for the severed parcel;
 - iii. private locates are required to confirm no municipal services (water, storm and sanitary) cross the proposed property lines
 - b. The conditions imposed above shall be fulfilled by June 16, 2027, or this application shall be deemed to be refused in accordance with Section 53(41) of the *Planning Act*;
2. And that By-law 42-2025, 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 parcel municipally known as 1615 Union Avenue (County Road 45) from 'General Agricultural' to 'Public Utilities/Facilities (MG)' and the severed residential parcel from 'General Agricultural (A1)' to 'General Agricultural Exception 90 (A1-90)', **be approved**.

For (6): Mayor Rogers, Deputy Mayor DeYong, Councillor Gaffan, Councillor Lowrie, Councillor Neufeld, and Councillor Patterson

Carried (6 to 0)

K. Reports - Planning and Development Services

1. Kingsville Heritage Plaque Program

107-06162025

Moved By: Deputy Mayor DeYong

Seconded By: Councillor Lowrie

That Council **approve** the creation of the Kingsville Heritage Plaque Program to recognize historically significant properties within the Town;

And that Council **direct** staff to develop the necessary procedures, application process, and funding arrangements for its implementation.

For (6): Mayor Rogers, Deputy Mayor DeYong, Councillor Gaffan, Councillor Lowrie, Councillor Neufeld, and Councillor Patterson

Carried (6 to 0)

2. SWSA Watermain - Tender for Phase 2 Construction

108-06162025

Moved By: Councillor Neufeld

Seconded By: Councillor Gaffan

That Council **defer** Item K.2 - SWSA Watermain - Tender for Construction of Phase 2, to the end of this meeting to allow Council to enter into Closed Session to discuss the item under certain exceptions per the Municipal Act, 2001.

For (5): Mayor Rogers, Deputy Mayor DeYong, Councillor Gaffan, Councillor Lowrie, and Councillor Neufeld

Against (1): Councillor Patterson

Carried (5 to 1)

L. Consent Agenda

1. Migration Festival Committee Minutes - April 22, 2025
2. Heritage Advisory Committee Minutes - May 6, 2025
3. Regular Council Meeting Minutes - May 26, 2025

109-06162025

Moved By: Councillor Neufeld

Seconded By: Deputy Mayor DeYong

That Items 1 through 3 on the Consent Agenda, **be received**.

Carried

M. Correspondence

1. Windsor-Essex County Health Unit Board of Health

110-06162025

Moved By: Councillor Gaffan

Seconded By: Deputy Mayor DeYong

That Item M.1 being correspondence from the Windsor Essex County Health Unit regarding Lyme Disease Prevention, **be received**.

Carried

N. Notices of Motion

None.

O. Unfinished Business and Announcements

John Norton, CAO, announced that the Town is developing an accessible logo because the current logo includes script text, which is not accessible.

P. Closed Session

111-06162025

Moved By: Councillor Gaffan

Seconded By: Deputy Mayor DeYong

That Council **enter** into Closed Session at 6:36 p.m. pursuant to Section 239 of the Municipal Act, 2001 to discuss the following item:

Item I - Local Impact of Bill 17, Protect Ontario by Building Faster and Smarter Act, 2025, 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)(b) being personal matters about an identifiable individual, including municipal employees.

Carried

112-06162025

Moved By: Councillor Neufeld

Seconded By: Councillor Patterson

That Council **rise** from Closed Session and resume the open portion of this Meeting at 7:15 p.m.

Carried

Q. Reports - Planning and Development Services

1. SWSA Watermain – Tender for Construction of Phase 2

113-06162025

Moved By: Councillor Patterson

Seconded By: Councillor Lowrie

That the Tender for watermain construction through the planned West Side Collector Road corridor **be awarded** to Sherway Contracting (Windsor) Limited in the amount of \$1,947,194 (excluding HST) and the Mayor and Clerk **be authorized** to execute the requisite agreement;

And that Administration **be directed** to submit an application to Ontario Infrastructure Lands Corporation (OILC) to finance the Development Charge component of Phase 1 and 2 of the Southwest Service Area Watermain.

For (6): Mayor Rogers, Deputy Mayor DeYong, Councillor Gaffan, Councillor Lowrie, Councillor Neufeld, and Councillor Patterson

Carried (6 to 0)

R. By-laws

114-06162025

Moved By: Deputy Mayor DeYong

Seconded By: Councillor Patterson

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

38-2025 – Being a by-law to provide for the collection of the costs incurred for drainage works completed for numerous drains all in the Town of Kingsville;

39-2025 - Being a By-law to amend By-law No. 1-2014, the comprehensive Zoning By-law for the Town of Kingsville;

40-2025 - Being a By-law to amend By-law No. 1-2014, the comprehensive Zoning By-law for the Town of Kingsville;

*41-2025 - Being a By-law to confirm and authorize continued participation in the OMERS Primary Pension Plan (“Primary Plan”) and the Retirement Compensation Arrangement for the OMERS Primary Pension Plan (“RCA”), each as amended from time to time, of the employees, councillors and head of council of the Corporation of the Town of Kingsville (“Employer”) identified herein;

42-2025 - Being a By-law to amend By-law No. 1-2014, the comprehensive Zoning By-law for the Town of Kingsville;

43-2025 – Being a By-law to confirm the proceedings of the Council of the Corporation of the Town of Kingsville at its June 16, 2025, Regular Meeting of Council.

Carried

S. Adjournment

115-06162025

Moved By: Councillor Lowrie

Seconded By: Councillor Patterson

That Council adjourns this Regular Meeting at 7:19 p.m.

Carried

Mayor, Dennis Rogers

Acting Clerk, Angela Toole