



REGULAR MEETING OF COUNCIL

MINUTES

Tuesday, April 11, 2023

6:00 PM

Council Chambers

2021 Division Road N

Kingsville, Ontario N9Y 2Y9

PRESENT: Mayor Dennis Rogers
Deputy Mayor Kimberly DeYong
Councillor Tony Gaffan
Councillor Debby Jarvis-Chausse
Councillor Sheri Lowrie
Councillor Thomas Neufeld
Councillor Larry Patterson

John Norton, CAO
Paula Parker, Clerk

A. CALL TO ORDER

Mayor Rogers called the Regular Meeting to order at 6:00 p.m.

B. LAND ACKNOWLEDGEMENT

The Mayor 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 like to acknowledge other nearby First Nations Communities and First Nations across Turtle Island.

C. MOMENT OF SILENT REFLECTION AND NATIONAL ANTHEM

Mayor Rogers invited everyone to stand for a moment of silent reflection and the national anthem.

D. MAYOR'S WELCOME AND REMARKS

Mayor Rogers thanked Administration for a successful Easter weekend. He reminded everyone of National Wildlife Week at Jack Miner Bird Sanctuary. Mayor Rogers also advised that the April 17, 2023 Committee of the Whole Meeting would be a discussion focused on the Town's Main Street Development Strategy at the Kingsville Arena.

E. AMENDMENTS TO THE AGENDA

Deputy Mayor DeYong and Councillor Neufeld each added one announcement.

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.

Mayor Rogers disclosed an interest in Item H.1 which pertains to his neighbour. He discussed this item with the Integrity Commissioner and was advised that his conflict is not pecuniary in nature.

G. DELEGATIONS

1. Lions Club 90th Anniversary and Star Chef Gala 2023 - Fred Cross, Lions Club

Mr. Fred Cross addressed Council with respect to an invitation to the Lions Club 90th Anniversary celebration. In addition, Mr. Casey Van den Heuvel invited Council to attend the Lions Club 2023 Star Chef Gala and requested that the fee be waived or significantly reduced for rental of the Grovedale.

119-04112023

Moved By Councillor Neufeld

Seconded By Councillor Patterson

That a rental fee of \$300 for the Lions Club's use of the Grovedale BE APPROVED for the 2023 Star Chef Gala.

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

CARRIED (7 to 0)

120-04112023

Moved By Councillor Gaffan

Seconded By Councillor Lowrie

That set rates for the Grovedale of \$150/day or \$300/weekend for non profit organizations and \$3500/per day or \$5000/weekend for all others BE APPROVED for the remainder of the year.

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

CARRIED (7 to 0)

2. Crosswalk on Greenway - Chuck Laliberte, Royal Canadian Legion

Mr. Laliberte proposed to Council a crosswalk by the Greenway near the Royal Canadian Legion with red and white stripes including the words "Lest we forget." Council referred the proposal to Administration for follow up.

H. MATTERS SUBJECT TO NOTICE

1. Application for Zoning By-law Amendment and Consent for Severance by L.V Renaud Enterprises Inc. (Larry Renaud) ZBA-2023-03 and B-34-22 – Surplus Dwelling Severance at 848 Road 2 West

Sebastien Schmoranz, Legal Counsel for the Applicant spoke to the severance request. No other comments from the public were received.

121-04112023

Moved By Councillor Patterson

Seconded By Councillor Jarvis-Chausse

- 1. That consent application B/34/22 to sever an existing dwelling, deemed surplus to the needs of the applicants' farming operation on a 0.48 ha (1.2 ac.) lot shown as Part 1 on the applicants' sketch, known as 848 Road 2 West, in the Town of Kingsville, BE APPROVED, subject to the following conditions:**

- a) That a reference plan be deposited in the registry office, both an electronic and paper copy of the registered plan is to be provided to the Town.**

b) That any special assessment imposed pursuant to the provisions of the Local Improvement Act and/or Municipal Act be paid in full along with all municipal taxes.

c) That any necessary drainage apportionments be undertaken.

d) That as a result of the severance, owners shall become liable by way of up front monies for the assessment and taxation of their properties for any waterworks or sanitary sewer systems affecting their properties, in accordance with the Fees By-law in effect on the date of certification of the deed.

e) The zoning of the retained parcel be amended to prohibit future dwellings prior to certification (ZBA-2023-03).

f) That the applicant provide confirmation to the satisfaction of the Town the location of any existing septic systems in relation to the revised lot line locations.

g) That the necessary deed(s), transfer or changes be submitted in triplicate, signed and fully executed (no photocopies), including a copy of the reference plan, prior to certification.

h) That each parcel have their own access to Road 2 or Road 3 West and the applicant acquire an entrance or encroachment permit for access to both parcels to the satisfaction of the Town or County of Essex as applicable.

i) That the applicant provide confirmation to the satisfaction of the Town that any structures in proximity to newly created lot lines are moved to meet minimum setback requirements or demolished.

j) The conditions imposed above shall be fulfilled by April 11, 2025 or this application shall be deemed to be refused in accordance with Section 53(41) of the Planning Act.

- 2. By-law 25-2023 being a by-law to amend By-law No. 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville be taken as having been read three times and finally passed 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)

**2. ZBA-2023-5 Application for Zoning By-law Amendment by Terry Murdoch
V/L County Road 34 West 3711-600-0000-6600**

Mr. Wayne Mills, Wayne Mills Consulting, an agent acting on behalf of the Applicant spoke to the severance request. No other comments from the public were heard.

122-04112023

Moved By Councillor Patterson

Seconded By Councillor Gaffan

- 1. That the zoning by-law amendment application ZBA/2023/05 to amend the zoning for the subject parcel on County Road 34 West (roll number 3711-600-0000-6600) in the Town of Kingsville, from Agriculture (A1) to Agriculture Exemption 81 (A1-81) to permit a Contractor's Yard and Shop on an undersized parcel BE APPROVED with the following:**
 - i. Reduction of the required lot area minimum from 16 ha (39.5 ac.) to 0.77 ha (1.9 ac.);**
 - ii. Permit a Contractor's yard, office and shop as a Main Use; and**
- 2. By-law 26-2023 being a by-law to amend By-law No. 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville be taken as having been read three times and finally passed 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)

J. REPORTS - COMMUNITY AND DEVELOPMENT SERVICES

No reports.

K. REPORTS - FINANCIAL SERVICES AND INFORMATION TECHNOLOGY

1. Tile Loan Applications

123-04112023

Moved By Deputy Mayor DeYong
Seconded By Councillor Patterson

1. That **Tile Drainage Debenture 20-2023** and the related **Offer to Sell, BE APPROVED**; and,
2. That **By-Law 20-2023** to authorize the issuance and collection of **Tile Loans under the Tile Drainage Act** be taken as having been read **three times and finally passed** 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 - FIRE SERVICES

No reports.

M. REPORTS - INFRASTRUCTURE AND ENGINEERING

No reports.

N. REPORTS - LEGAL AND BUILDING SERVICES

No reports.

O. REPORTS - CAO's OFFICE

No reports.

P. CONSENT AGENDA

Councillor Jarvis-Chausse noted errors in the Migration Festival Committee Minutes of February 28, 2023 and asked that they be removed and amended prior to adoption by Council.

124-04112023

Moved By Deputy Mayor DeYong
Seconded By Councillor Patterson

That the consent agenda items 2-7 BE RECEIVED:

2. **Fantasy of Lights Advisory Committee Minutes - March 9, 2023**
3. **Special Closed Session Meeting Minutes - February 13, 2023**
4. **Regular Council Meeting Minutes - February 13, 2023**

5. **Regular Council Meeting Minutes - March 6, 2023**
6. **Special Closed Session Council Meeting Minutes - March 23, 2023**
7. **Regular Council Meeting Minutes - March 27, 2023**

CARRIED

Q. CORRESPONDENCE

1. **Appointment of Municipal Representation to the Essex Region Source Protection Committee (SPC)**

125-04112023

Moved By Deputy Mayor DeYong

Seconded By Councillor Lowrie

That Council endorse the following individuals' appointment to the Essex Region Source Protection Committee: Frank Garardo, City of Windsor and Dennis Rogers, Union Water Supply System.

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

CARRIED (7 to 0)

R. NOTICES OF MOTION

There were no notices of motion introduced at this meeting.

S. UNFINISHED BUSINESS AND ANNOUNCEMENTS

The Deputy Mayor reminded Council and the community of a Seniors Expo at the Kingsville Community Centre, Thursday April 13, 2023 9 am to 12 pm.

Councillor Neufeld announced a 30 year celebration event on May 6th, 2023 at the Kingsville Military Museum. Tickets are available for \$20 and dinner begins at 5:30 pm.

T. BYLAWS

126-04112023

Moved By Deputy Mayor DeYong

Seconded By Councillor Neufeld

**That By-laws 27-2023 and 28-2023 be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.
CARRIED**

U. ADJOURNMENT

127-04112023

Moved By Councillor Patterson

Seconded By Councillor Jarvis-Chausse

That Council adjourns this Regular Meeting at 6:40 p.m.

CARRIED

Mayor – Dennis Rogers

Clerk – Paula Parker