



**TOWN OF KINGSVILLE  
REGULAR MEETING OF COUNCIL  
AGENDA**

**Monday, May 6, 2024, 6:00 PM**

**Unico Community Centre**

**37 Beech Street**

**Kingsville, ON N9Y 1A9**

View Livestream at the time of the proceedings at  
<https://www.kingsville.ca/livestream>

For information pertaining to this agenda or to arrange for any additional accessibility needs please contact the Clerk at [atoole@kingsville.ca](mailto:atoole@kingsville.ca)

**Pages**

**A. CALL TO ORDER**

**B. LAND ACKNOWLEDGEMENT**

We acknowledge 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**

**E. AMENDMENTS TO THE AGENDA**

**F. DISCLOSURE OF PECUNIARY INTEREST**

When a member of Council has any pecuniary interest, direct or indirect, in any matter which is the subject of consideration at this Meeting of Council (or that was the subject of consideration at the previous Meeting of Council at which the member was not in attendance), the member shall disclose the pecuniary interest and its general nature, prior to any consideration of the matter.

**G. REPORT OUT OF CLOSED SESSION**

Pursuant to Section 239 of the *Municipal Act, 2001*, Council entered into Closed Session at 5:15 p.m. on April 22, 2024, to discuss the following items:

**Item I - Tender Awards: 2024 Kingsville Urban Road Resurfacing** heard under 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.

**Item II - BLRH Licensing By-law 3-2024** heard under 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.

## H. DELEGATIONS

## I. PRESENTATIONS

No Presentations at this time.

## J. MATTERS SUBJECT TO NOTICE

1. ZBA-2023-2 - Applications for Zoning By-law Amendment by 1000057229 Ontario Inc. - 0 Seacliff Drive

1

### Recommended Action

1. That By-law 36-2024 being a by-law to amend the Comprehensive Zoning By-law 1-2014, for the Town of Kingsville be **BE APPROVED** to amend the zoning for the vacant parcel of land, municipally known as 0 Seacliff Dr. (Part of Lot 4, Concession 1, Eastern Division Town of Kingsville as shown on Appendix A - Location Map), in the following manner:
  - a. Amend the zoning on lots 19-26 inclusive, and lots 30-37 inclusive, as shown on the Appendix C - Draft Plan of Subdivision, from "Lakeshore Residential-Holding (LR (h))" to "Lakeshore Residential Exception 36-Holding (LR-36 (h))" to include semi-detached dwellings as an additional permitted use (as shown on Appendix B - Zoning Amendment);
  - b. Amend the zoning on Block 64, and the southern portion of the Lots 56 to 59 inclusive (Appendix C - Draft Plan of Subdivision) from "Lakeshore Residential-Holding (LR (h))" to "Environmental Reserve District-Holding (ERD (h))" along the lake to prohibit any improvements or construction (Appendix B – Zoning Amendment);
  - c. Amend the zoning on Block 60 and Block 63 (Appendix C - Draft Plan of Subdivision) from "Lakeshore Residential-Holding (LR (h))" to "Public Utilities/Facilities (MG)-Holding (MG (h))" to allow for the placement of the required municipal storm and sanitary sewer infrastructure to service the entire subdivision (Appendix B – Zoning Amendment); and
2. The Mayor and Clerk **BE AUTHORIZED** to sign same.

## K. REPORTS - PLANNING AND DEVELOPMENT SERVICES

1. Kingsville Pro Rodeo 26

### Recommended Action

1. That Administration **PROVIDE** a letter of “Municipal Significance” for the Kingsville Pro Rodeo, to be held at Trimble Farms from July 26 to July 28, 2024, for the purpose of allowing the event to obtain a licence to serve alcohol.

2. Hogs for Hospice 30

### Recommended Action

1. That road closures of Main Street (from Spruce Street to Queen Street) and Division Street (from King Street to Pearl Street) from 10:00 am to 2:00 pm on Saturday, August 3, 2023, for the Hogs for Hospice Registered Ride **BE APPROVED**.

3. Notice of Intention to Designate the Pastorius House (12 Main Street East) under the Ontario Heritage Act 33

### Recommended Action

1. That the Town Clerk **PUBLISH** a Notice of Intention to Designate the Pastorius House, at 12 Main Street East, in accordance with Part IV of the *Ontario Heritage Act* according to the Statement of Cultural Heritage Value or Interest attached in Appendix ‘A’; and,
2. That Administration **PREPARE** the necessary By-law for Council to designate the property in accordance with the requirements of the *Ontario Heritage Act*.

## L. REPORTS - FINANCE AND CORPORATE SERVICES

1. 2024 Final Tax Levy By-Law 55

### Recommended Action

1. That **By-Law 37-2024** being a By-law for the establishment of the 2024 final tax levy be taken as having been read three times and finally passed; and that the Mayor and Clerk **BE AUTHORIZED** to sign same.

## M. REPORTS - FIRE RESCUE SERVICES

No Reports at this time.

## N. REPORTS - PUBLIC OPERATIONS

1. Banar Subdivision Phase 3 Construction 63

### Recommended Action

1. That Phase 3 of the Banar Subdivision Watermain Replacement Project Tender **BE AWARDED** to D'Amore Construction (2000) Ltd. in the amount of \$844,000.00 (excluding HST) and the Mayor and Clerk **BE AUTHORIZED** to execute the requisite agreement.

**O. REPORTS - LEGAL, BUILDING AND BY-LAW SERVICES**

No Reports at this time.

**P. REPORTS - CAO's OFFICE**

No Reports at this time.

**Q. CONSENT AGENDA**

1. Regular Council Meeting Minutes - April 22, 2024 66

**Recommended Action**

That Items 1 and 2 on the Consent Agenda, **BE RECEIVED**.

2. Migration Festival Minutes - November 27, 2023 74

**R. CORRESPONDENCE**

1. Correspondence from the City of Sarnia dated January 19, 2024, regarding Carbon Tax 77
2. Correspondence from the Municipality of St. Charles dated March 20, 2024, regarding Expanding the Life Span of Fire Apparatus 79

**S. NOTICES OF MOTION**

1. Regional Organic Waste Collection and Processing Program - Councillor Gaffan

Councillor Gaffan may move or cause to have moved that at this Regular Meeting of Council:

Whereas on March 16, 2022, Essex County Council determined that all lower-tier municipalities shall participate in the regional organic waste collection and processing program;

And whereas County Council has established the level of service associated with such program;

And whereas it is estimated that this service will result in a 4.3% property tax increase for the Town of Kingsville in the first year of the program;

It is moved that Kingsville Council **DIRECTS** Deputy Mayor DeYong or Mayor Rogers to make a Motion at County Council asking that the County Council agree to fund the cost of the regional organic waste collection and



processing program through the County of Essex property tax levy. If changes are required to by-laws and agreements to achieve this result, it is requested that the County of Essex amend these by-laws and agreements as required, such as with EWSWA, City of Windsor, and others.

2. Short Term Rental Survey Next Steps - Councillor Gaffan

Councillor Gaffan may move or cause to have moved that at this Regular Meeting of Council:

Whereas Administration has been conducting an online Short Term Rental Survey since January 29, 2024;

And Whereas Council has heard directly from many residents about the need for restrictions and controls on Short Term Rentals;

Therefore, Council **DIRECTS** Administration to close and bring forward the results of the Short Term Rental Survey at the May 13, 2024, Committee of the Whole Meeting for review and discussion.

T. UNFINISHED BUSINESS AND ANNOUNCEMENTS

U. BYLAWS

84

**Recommended Action**

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

**By-law 39-2024** 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; and,

**By-law 40-2024** being a By-law to confirm the proceedings of the Council of the Corporation of the Town of Kingsville at its May 6, 2024 Regular Meeting of Council.

V. CLOSED SESSION

**Recommended Action**

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

**Item I - Sanitary Sewer Connections** to be heard under Section 239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and, a position, plan, procedure, criteria, or instruction to be applied to negotiations; and,

**Item II - Personnel Matter** to be heard under Section 239(2)(b) being personal matters about an identifiable individual, including municipal employees.

W. ADJOURNMENT

**Recommended Action**

That Council adjourns this Regular Meeting at p.m.



**Date:** May 6, 2024

**To:** Mayor and Council

**Author:** Sahar Jamshidi, MUP, RPP, MCIP, C.E.T.  
Manager of Planning

**RE:** ZBA-2023-2 - Applications for Zoning By-law Amendment by  
1000057229 Ontario Inc. - 0 Seacliff Dr.

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## **RECOMMENDED ACTION**

1. That By-law 36-2024 being a by-law to amend the Comprehensive Zoning By-law 1-2014, for the Town of Kingsville be **BE APPROVED** to amend the zoning for the vacant parcel of land, municipally known as 0 Seacliff Dr. (Part of Lot 4, Concession 1, Eastern Division Town of Kingsville as shown on Appendix A - Location Map), in the following manner:
  - a. Amend the zoning on lots 19-26 inclusive, and lots 30-37 inclusive, as shown on the Appendix C - Draft Plan of Subdivision, from "Lakeshore Residential-Holding (LR (h))" to "Lakeshore Residential Exception 36-Holding (LR-36 (h))" to include semi-detached dwellings as an additional permitted use (as shown on Appendix B - Zoning Amendment);
  - b. Amend the zoning on Block 64, and the southern portion of the Lots 56 to 59 inclusive (Appendix C - Draft Plan of Subdivision) from "Lakeshore Residential-Holding (LR (h))" to "Environmental Reserve District-Holding (ERD (h))" along the lake to prohibit any improvements or construction (Appendix B – Zoning Amendment);
  - c. Amend the zoning on Block 60 and Block 63 (Appendix C - Draft Plan of Subdivision) from "Lakeshore Residential-Holding (LR (h))" to "Public Utilities/Facilities (MG)-Holding (MG (h))" to allow for the placement of the required municipal storm and sanitary sewer infrastructure to service the entire subdivision (Appendix B – Zoning Amendment); and
2. The Mayor and Clerk **BE AUTHORIZED** to sign same.

## BACKGROUND

The Town of Kingsville has received the above-noted Zoning By-law amendment applications for the vacant land municipally known as 0 Seacliff Dr. (Appendix A - Location Map) in preparation for a future Plan of Subdivision.

The Subject property is an 8.608 ha (21.27 acre) vacant parcel of land, which extends from Seacliff Drive, south to the bluff along the Lake Erie's north shoreline. It is bound by Seacliff Dr./ Main Street/County Rd. 20, to the north, Woodbridge Lane to the east, Lake Erie to the south and Wigle Grove Drive to the west (Appendix A – Location Map).

Currently, the subject land has the Official Plan Designation of “Lakeshore Residential East”, and Zoning Designation of Lakeshore Residential-Holding (LR (h)).

The land owner, 1000057229 Ontario Inc. (Jeremy Truax), is proposing a residential plan of subdivision consisting of:

- 43 single detached dwelling units;
- 32 semi detached dwelling units (16 blocks);
- Local road connections to Seacliff Drive and Wigle Grove Drive;
- New local roads shown as Streets ‘A’ and ‘C’ on the draft plan of subdivision;
- Environmental Reserve District zoning over portions of the properties along Lake Erie to restrict any improvements, or construction within the lake bluffs;
- Block 60 (to be conveyed to the Town) will contain a proposed municipal storm sewer which will be servicing the entire subdivision, and will outlet directly into Lake Erie;
- Block 63 (to be conveyed to the Town) for the placement of the required municipal sanitary pumping station to service the entire subdivision; and
- Block 64 (to be conveyed to the Town) is to be zoned Environmental Reserve District for park and recreation purposes.

(See Appendix C Draft Plan of Subdivision, prepared by Verhaegen Land Surveyors.)

The applicant hosted a Public Information Centre on March 28, 2023 (see Appendix D, PIC Feedback Summary).

The background studies for the subdivision have been completed. An application for a draft plan of subdivision (Gardner Estates 37-T-24001) has been filed with the County of Essex, the approval authority, as well as the Town of Kingsville, the lower tier municipality (SUB-2023-1).

In order to facilitate this future draft plan of subdivision, the applicant has applied for a Zoning By-law Amendment (ZBA-2023-2), as the first step in seeking the required approvals in order to implement the proper zoning designation. The proposed amendment includes the following:

- The applicant has requested a Zoning By-law amendment to permit semi-detached dwelling unit in the centre of the subdivision, on lots 19-26 inclusive, as well as lots 30-37 inclusive (Appendix C Draft Plan of Subdivision).
- The Town of Kingsville is requiring that Block 64, as well as the southern portion of Lots 56 to 59 inclusive (Appendix C Draft Plan of Subdivision) be rezoned to Environmental Reserve District-Holding (ERD (h)) to prohibit any improvements or construction taking place within those areas.
- Furthermore, the Town of Kingsville is requiring that Block 60 and Block 63 be zoned “Public Utilities/Facilities (MG)-Holding (MG (h))” to allow for the placement of the required municipal storm and sanitary sewer infrastructure which will service the entire subdivision. Both Block 60 and Block 63 shall be conveyed to the Town to allow for access and maintenance of the proposed municipal storm and sanitary sewer infrastructure.

Once the requested changes to the zoning designation are in effect, Town of Kingsville Planning Services will provide public notice of the receipt of the draft plan of subdivision application on behalf of the County of Essex, and will bring forward a report to Council to obtain a Council resolution of support.

## **DISCUSSION**

### **Provincial Policy Statement (PPS) 2020:**

PPS, Section 1.0 sets out policies related to building strong healthy communities and encourages efficient land use and development patterns to support liveable, healthy and resilient communities, and facilitate economic growth.

Within this broad policy statement, PPS includes policies specific policies:

- 1.3.1 states that, “*Settlement areas shall be the focus of growth and development.*”
- 1.1.3.3 further outlines that, “*Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.*”
- Section 1.1.3.6 states, “*New development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.*”

The property is currently designated Lakeshore Residential East, and is located within a Primary Settlement Area on Schedule A (Land Use Plan) of the Official Plan for the Town of Kingsville. Furthermore, the property abuts an existing settlement area along Wigle Grove Drive to the west, and also lands to the east are designated Lakeshore Residential East.

The future subdivision will have access to municipal water and sanitary sewer. High-level details related to servicing the subdivision will be provided in a future report to Council for the Plan of Subdivision Application (SUB-2023-1) which will be brought forward once zoning is in effect.

### **County of Essex Official Plan**

The County of Essex Official Plan includes the subject property within the Primary Settlement Area. The County of Essex Official Plan mirrors the policies of the PPS (listed above) in terms of applicable policies and encouragement of appropriate development within the Settlement Area boundaries while protecting natural heritage. The proposed Zoning By-law Amendment for the future development of a subdivision is consistent with the County of Essex Official Plan.

### **Town of Kingsville Official Plan**

The subject parcel is designated “Lakeshore Residential East” within the Official Plan for the Town of Kingsville. The stated goals for Lakeshore Residential East include recognizing existing and designated residential development lands, encouraging limited infilling of the existing development pattern, and consideration of service capacity. Policies permit single family, semi-detached and townhouse dwellings, while full municipal sewage (sanitary and storm) and municipal water services are the preferred means of servicing. The designation also acknowledges that lands may be placed in holding until municipal sewer, water, and other service arrangements are made, and recognizes that area adjacent to the Lake Erie shoreline are susceptible to erosion and bank instability and require approvals from ERCA. The proposed development will include shoreline and erosion control measures as well as shoreline restoration.

The proposed Zoning By-law Amendment for the future subdivision is consistent with the policies listed in the “Lakeshore Residential East” land use designation in the Town of Kingsville’s Official Plan. A mix of single detached and semi-detached dwellings are proposed (Appendix C Draft Plan of Subdivision).

### **Comprehensive Zoning By-law**

The subject property is zoned “Lakeshore Residential-Holding (LR(h))”. This zoning permits one, single-detached dwelling and buildings and structures accessory to residential use, such as garages and sheds. The proposed zoning change would amend the zoning on the subject parcel from “Lakeshore Residential-Holding (LR (h))” to

“Lakeshore Residential Exception 36 (LR-36 (h))” to include semi-detached dwellings as an additional permitted use on lots 19-26 inclusive, as well as lots 30-37 inclusive, as (Appendix C Draft Plan of Subdivision & Appendix B – Zoning Amendment).

The proposed lot sizes for the semi-detached dwelling, as shown on the draft plan of subdivision, are:

- a) Frontage – range from 22.86 m to 26.52m
- b) Depth – 41.61m

The following regulations will apply to lots 19-26 inclusive, as well as lots 30-37 inclusive:

c) Regulations		
	Semi-detached dwelling	Semi-detached dwelling unit
i) Lot area (minimum)	600 m <sup>2</sup> (6,460 ft <sup>2</sup> )	300 m <sup>2</sup> (3,225 ft <sup>2</sup> )
ii) Lot frontage (minimum)	15 m (50 ft) if an interior lot;	7.5 m (24.5 ft) if an interior lot;
	19 m (62 ft) if an exterior lot	11.5 m (38 ft) if an exterior lot
iii) Open space (minimum)	30%	
iv) Lot coverage (maximum)	50%	
v) Front yard depth (minimum)	5.5 m (18 ft)	
vi) Rear yard depth (minimum)	7.5 m (25 ft)	
vii) Interior Side Yard Width (minimum)	1. 1.5 m (5ft) with an attached garage or carport; or 2. 1.5 m (5 ft) on one side of the main building and 3.0 m (10 ft) on the other side when there is no attached garage or carport; and 3. 0 m side yard is allowed on the common wall side.	
viii) Exterior Side Yard Width (minimum)	4.0 m (13 ft)	
ix) Main building height (maximum)	11 m (36 ft)	
d) Supplementary Regulations		
i)	Each dwelling shall be connected to full municipal services (storm water services, potable water services, sanitary services) and electrical services as approved by The	

*Corporation* or any other authority having jurisdiction.

- ii) The following supplementary regulations *shall* also apply to lands zoned (R2.1):

Subsection 3: Definitions

Subsection 4: General Provisions

Subsection 5: Parking Regulations

- iii) Subsection 4.15 *Floodplain Development Control Area* shall apply in whole or in part to lands situated within the following restricted areas shown on Schedule "A":

1. Natural Environment Zone – Subsection 11.1;

2. Wetland Zone – Subsection 11.2,& ERCA Floodplain Development Control Area

Block 64 and the southern portion of the Lots 56 to 59 inclusive (Appendix C - Draft Plan of Subdivision) are to be zoned Environmental Reserve District. Block 64 is to be conveyed to the Town of Kingsville. Block 64 contains natural heritage features as identified in the Environmental Impact Assessment. This block also abuts Block A in the Wigle Grove subdivision, which is similarly zoned ERD, and is across from the Wigle Grove Conservation Area which provides for both ecological connectivity, and potential for future trail development from Seacliff Drive to Lake Erie through Wigle Grove Conservation Area.

Southern portion of the Lots 56 to 59 inclusive, require protection from future developments as the area contains both natural heritage. In keeping with the shoreline erosion assessment, improvements were made at the base of the bluff. Southern portion of the Lots 56 to 59 inclusive will be zoned Environmental Reserve District to restrict any future development within the shoreline restoration lands along the slope. These lands will be privately owned as part of the subdivision lots.

Block 60 will contain a municipal storm sewer that will outlet directly into Lake Erie, servicing the entire subdivision. Block 63 will contain a municipal sanitary sewer pumping station servicing the entire subdivision. Both Block 60 and Block 63 are to be zoned "Public Utilities/Facilities (MG)-Holding (MG (h))" to allow for the placement of the required municipal sewer infrastructure, and shall be conveyed to the Town.

The applicant has provided a Planning Justification Report prepared by Oakview Land Use Planning (Robert Brown, H.BA, MCIP, RPP), which is attached as Appendix E.

## **FINANCIAL CONSIDERATIONS**

In future, there will be an increase in the assessment of the semi-detached properties. This will be subsequent to the approval of the Plan of Subdivision, and those serviced lots becoming ready for issuance of building permits.



## ENVIRONMENTAL CONSIDERATIONS

The site is currently farmed, although has been designated and zoned for residential development even prior to amalgamation (based on review of Gosfield South Official Plan). The location is considered an opportunity to infill the existing development patterns and to take advantage of existing municipal services. As part of the next step for this proposed development (during the approval of the Plan of Subdivision) conveyance of natural heritage features to the municipality, provides an opportunity to better connect natural heritage assets within the Town of Kingsville

## CONSULTATIONS

### Public Notice

As noted, a Public Information Centre was held on March 28, 2023. Comments are summarized in Appendix D.

In accordance to O. Reg 544/06 and 545/06 of the Planning Act, property owners within 120 m of the subject site boundaries received the Notice of Public Meeting by mail.

Comments received to date, at the time of writing this report, are attached. Any additional comments received before May 6, 2024 will be provided for review on the date of the Public Meeting.

### PREPARED BY:

*Sahar Jamshidi*

Sahar Jamshidi, MUP, RPP, MCIP, C.E.T.  
Manager of Planning

### REVIEWED BY:



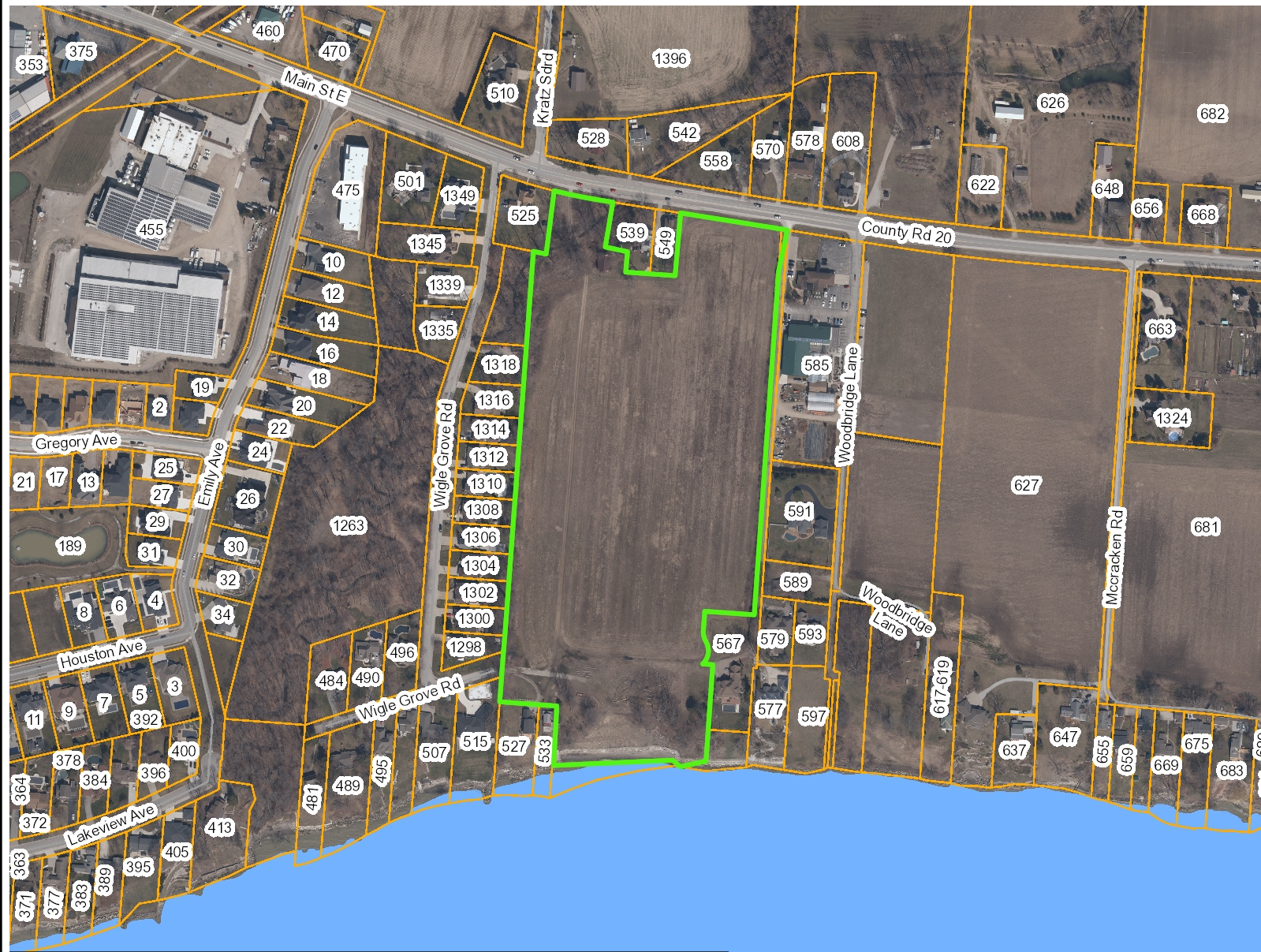
Richard J.H. Wyma CSLA  
Director of Planning and Development



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John Norton  
CAO

# Gardner Estates



## Legend

### Essex Municipalities

- <all other values>
- Kingsville

- Street
- Kingsville Assessment

## Notes

VL Seacliff Drive

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Copyright the Corporation of the County of Essex, 2012. Data herein is provided by the Corporation of the County of Essex on an 'as is' basis. Assessment parcel provided by Teranet Enterprises Inc. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

0 83.34 166.7 Meters

1: 5,000






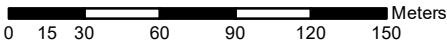
4/29/2024

Schedule 'A'



**Gardner Estates Subdivision  
Part of Lot 4, Concession 1, Eastern Division  
Town of Kingsville**

-  Proposed Zoning: "Environmental Reserve District-Holding (ERD (h))"
-  Proposed Zoning: "Lakeshore Residential Exception 36-Holding (LR-36 (h))", to include Semi-detached Dwelling as an additional permitted use.
-  Proposed Zoning: Public Utilities / Facilities-Holding (MG(h))





INTEGRATION DATA		
OBSERVED REFERENCE POINTS (ORPs): UTM ZONE 17 NAD83 (CSRS) (2010.0).		
COORDINATES TO URBAN ACCURACY PER SECTION 14 (2) OF O. REG. 216/10.		
POINT ID	NORTHING	EASTING
ORP-A	4654863.36	357989.40
ORP-B	4655224.94	358014.92
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.		

ADDITIONAL INFORMATION  
REQUIRED UNDER SECTION 51(17) OF THE PLANNING ACT (R.S.O. 1990)

(A) AS SHOWN ON PLAN (G) AS SHOWN ON PLAN  
(B) AS SHOWN ON PLAN (H) PIPED MUNICIPAL  
(C) AS SHOWN ON PLAN (I) SILTY SAND WITH TRACE CLAY DEPOSITS  
(D) RESIDENTIAL (J) AS SHOWN ON PLAN  
(E) REFER TO KEY PLAN (K) ALL SERVICES TO BE PROVIDED  
(F) AS SHOWN ON PLAN (L) AS SHOWN ON PLAN

ELEVATIONS:  
ELEVATIONS SHOWN ON THE PLAN ARE IN METRES TO CANADIAN GEODETIC DATUM

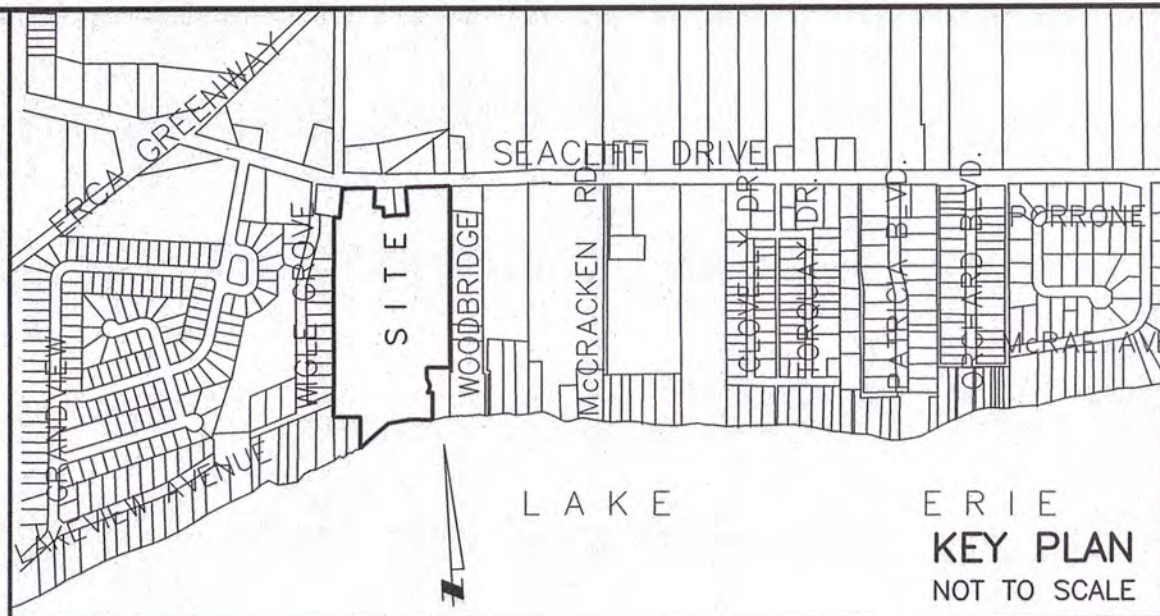
SITE BENCHMARK:  
AS SHOWN ON FACE OF PLAN

SITE INFORMATION:  
SINGLE FAMILY DWELLINGS = 43 UNITS  
MULTI FAMILY DWELLINGS = 32 UNITS  
TOTAL AREA OF SUBDIVISION = 8.608 HECTARES, (21.270 ACRES)  
TOTAL RESIDENTIAL AREA = 6.264 HECTARES  
RESIDENTIAL DENSITY = 11.973 UNITS PER HECTARE

37T-

This Draft Plan of Subdivision is approved  
under ss 51 (31) of the Planning Act on  
this --- day of ---, 2023.

REBECCA BELANGER, MCIP, RPP,  
Manager, Planning Services  
County of Essex



# DRAFT PLAN OF SUBDIVISION OF PART OF LOT 4 CONCESSION 1, EASTERN DIVISION GEOGRAPHIC TOWNSHIP OF GOSFIELD SOUTH NOW IN THE TOWN OF KINGSVILLE COUNTY OF ESSEX VERHAEGEN LAND SURVEYORS - A DIVISION OF J.D. BARNES LTD. SCALE = 1:750

## LEGEND AND NOTES

BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY  
REAL TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010.0).

DISTANCES ON THIS PLAN ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING  
BY THE COMBINED SCALE FACTOR OF 0.99982512

ALL MONUMENTS SHOWN THUSLY □ ARE IRON BARS (IB) UNLESS OTHERWISE NOTED.  
SIB DENOTES 25mm X 25mm X 1.22m STANDARD IRON BAR  
SIB DENOTES 25mm X 25mm X 0.61m SHORT STANDARD IRON BAR  
IB DENOTES 16mm X 16mm X 0.61m IRON BAR  
IB DENOTES 19mm diameter X 0.61m ROUND IRON BAR  
CIB DENOTES CUT-CROSS  
IB DENOTES 5mm X 50mm STEEL PIN  
IB DENOTES PLASTIC BAR  
IB DENOTES SURVEY MONUMENT FOUND  
IB DENOTES SURVEY MONUMENT SET AND MARKED 1744  
IB DENOTES WITNESS 1 DENOTES PERPENDICULAR (D) DENOTES DEED R892689  
(S) DENOTES SET (M) DENOTES MEASURED (D1) DENOTES DEED R925582  
ORP DENOTES OBSERVED REFERENCE POINT  
ALL SET SIB AND IB MONUMENTS WERE USED DUE TO LACK OF OVERBURDEN  
AND/OR PROXIMITY OF UNDERGROUND UTILITIES IN ACCORDANCE WITH  
SECTION 11(4) OF O. REG. 525/91.  
(S/P) DENOTES SET PROPORTIONALLY (NI) DENOTES NOT IDENTIFIABLE  
(P) DENOTES PLAN 12R-21496  
(P1) DENOTES PLAN OF SURVEY BY (1040), DATED: Jan. 14, 1980. Plan File: B-51-A.  
(P2) DENOTES MTO PLAN P-1921-9, REGISTERED AS INST. No. R270427  
(P3) DENOTES PLAN 12R-22811  
(P4) DENOTES PLAN 12R-22980  
(P5) DENOTES PLAN M-143  
(P6) DENOTES PLAN OF SURVEY BY (1040), DATED Aug. 18, 1976. Plan File: 2A4492.  
(1744) DENOTES VERHAEGEN SURVEYORS INC., O.L.S.  
(MTO) DENOTES MINISTRY OF TRANSPORTATION, ONTARIO  
(1040) DENOTES WILLIAM J. SETTERINGTON, O.L.S.  
(1194) DENOTES JOHN B. SMETTON INC., O.L.S.

CURVE SCHEDULE				
CURVE	RADIUS	ARC	CHORD	CHORD BEARING
C1	450.31	46.22	46.20	N78°00'50"W
C2	450.31	38.88	38.87	N78°28'50"W
C3	450.31	7.34	7.34	N75°32'30"W
C4	152.40	58.09	57.74	N83°06'10"E
C5	15.24	20.58	19.05	N07°56'50"E
C6	15.24	9.02	8.89	N13°47'40"W
C7	15.24	8.78	8.66	N69°27'10"W
C8	15.24	42.00	29.92	N48°07'40"E
C9	15.24	17.62	16.65	N86°03'20"W
C10	15.24	14.91	14.33	N32°48'00"E
C11	15.24	9.46	9.31	N13°01'00"W
C12	15.24	9.27	9.12	N13°23'00"W
C13	172.40	22.62	22.60	N75°56'30"E
C14	172.40	22.72	22.70	N89°45'10"W
C15	15.24	24.55	21.98	N87°13'20"W
C16	152.40	30.67	30.62	N87°55'20"E
C17	152.40	6.27	6.26	N80°58'40"E
C18	152.40	15.63	15.63	N76°51'50"E
C19	152.40	4.63	4.63	N73°03'10"E
C20	15.24	0.67	0.67	N39°49'00"W
C21	15.24	45.80	30.41	N55°21'10"E
C22	152.40	0.89	0.89	N86°08'40"W

## OWNER'S CERTIFICATE

I HEREBY AUTHORIZE THE FILING OF THIS DRAFT PLAN FOR APPROVAL.

DATE: OCT 18 2023 1000057229 ONTARIO INC.

JEREMY TRUAX  
"I HAVE THE AUTHORITY TO BIND THE CORPORATION"

## SURVEYOR'S CERTIFICATE

I CERTIFY THAT:  
THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED AND THEIR RELATIONSHIP  
TO THE ADJACENT LANDS HAVE BEEN ACCURATELY AND CORRECTLY SHOWN.

DATE OCTOBER 13, 2023. ALEC S. MANTHA  
ONTARIO LAND SURVEYOR



VERHAEGEN  
LAND SURVEYORS  
A Division of  
J. D. BARNES Limited  
187 TALBOT ST E, LEAMINGTON, ON, N8H 1L8  
T: (519) 322-2375 F: (519) 322-2675 www.jdbarnes.com

DRAWN BY: CMM CHECKED BY: AM REFERENCE NO.: 21-48-036-03  
CAD Date: October 16th, 2023 FILE NO.: E-Gosfield South-1ED-4  
CAD File: 21-48-036-03.dwg

"METRIC" DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES  
AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048





6 Royal Cres  
PO Box 188  
Pain Court, Ontario N0P 1Z0  
(519) 809-4539  
oakviewlup@outlook.com

**Date:** March 30, 2023

**To:** Town of Kingsville, Planning Services  
Attn: George Robinson, MCIP, RPP

**RE:** Summary of Feedback from March 28 PIC  
RE: Seacliff Drive, Pt. of Lot 4, Concession 1 ED  
Roll # 3711 310 000 24800

**Author:** Robert Brown, H. Ba, MCIP, RPP

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## **Purpose**

To provide an overview of the comments, questions and concerns raised by abutting landowners.

## **Background**

The subject property is an 8.608 ha (21.27 ac.) vacant parcel located on the south side of Seacliff Drive, just east of Wagle Grove Drive. The property extends from Seacliff Drive to the bluff along the Lake Erie shoreline. The property was acquired by the applicant in May of 2021 with the intention of developing a residential subdivision consisting of 75 lots, 43 for single detached dwellings and 16 blocks to accommodate 32 semi-detached dwelling units on individual lots.

As part of the application process the Town requires applicants to hold a Public Information Centre (PIC) to provide abutting land owners the opportunity to provide feedback on significant development such as a plan of subdivision. A PIC was held on March 28<sup>th</sup> from 6pm to 8 pm at the Kingsville Arena. There were approximately 35 people in attendance including the developers, planning consultant and Town representative.

## **Feedback with Comment**

Will Wigle Grove Rd be connected to the subdivision?

Comment: The plan as presented is to connect WGR to the new subdivision. The development itself will have its own access directly to Seacliff.

Why does it have to be connected?

Comment: Connection provides both WGR and the new subdivision with a secondary access point consistent with the Town's development standards.

Could the connection be limited to emergency access only similar to the connection between Timbercreek Estates and Lakeview?

Comment: This could be a consideration if the municipality is in agreement with this. That connection was made to resolve an existing lack of secondary access to Lakeview. Best practice though tends to be connection of subdivision unless there is some physical limitation to doing so.

WGR has been a road for quite sometime. Is this something that could be classified as a heritage road?

Comment: At the time of the meeting no information was provided on this however follow-up review notes that the Ontario Heritage Act does not contain any provisions for the designation of a road.

Traffic concerns along Seacliff

Comment: This is a concern with all development regardless of location. With more development comes more traffic. A TIS was completed and reviewed and noted that road improvements on Seacliff (a left turn lane) would be required. The study did consider current traffic volumes and future changes into 2032 but concluded that each of the reviewed intersection would continue to function at good levels.

In addition it was noted that there are a number of projects that have been completed or are in the works to improve traffic along Main Street including the realignment of Jasperson, improvement of Road 2 E and the planned West Side collector. All of these improvements are driven by ongoing development pressure and funded in part by that development.

Traffic impact on Wigle Grove Rd directly if connected to new development

Comment: The new development has its own direct connection to Seacliff Drive. Connection to WGR is done for two main reasons, to provide secondary access for the

new development and provide secondary access for WGR which like many other developments along Seacliff does not comply with the development standards secondary access policy. With its own main connection to Seacliff there is limited rationale to support any dramatic increase in traffic on WGR. For the new development to use WGR there has to be some advantage over simply accessing Seacliff via Street A. There is also assumption that all traffic from the new development will use WGR. There is no supporting rationale for this conclusion. Even if you considered this a possibility then you also have to consider that WGR residents are equally likely to take Street A to County 20 as it is a new road and full urban cross section with better site lines at County Road 20.

#### Status of East/West portion of WGR

Comment: Based on comment at the PIC the status of the road in this location needs to be confirmed, public or private. If private then who owns it?

Will WGR residents be required to connect to sewer?

Comment: No, no infrastructure is being extended along the north south portion of the road. Only a force main will be in the east/west portion and will not permit individual domestic connections.

Development should consider larger lots and fewer lots.

Comment: This was noted however it is important to keep in mind that provincial goals on all development is to take full advantage of existing designated lands to maximize their use. Continuing current development patterns that don't support or encourage greater density and housing variety is not sustainable.

Will WGR be upgraded?

Comment: It was noted that all roads and streets in the municipality are assessed and have a timeframe for when they will require repair or replacement. We are not aware of any planned improvements in the immediate future.

#### Environmental Impacts

Comment: Development of the property has required a number of background studies including an EIA and Species at Risk review. Recommendations from these reports will be incorporated into the development agreement if needed. All works complete to date have been undertaken consistent with the recommendations in those reports including any tree removal or bank stabilization. Additional restoration work will be undertaken on the shoreline to re-naturalize the area impacted by the shoreline works.

Existing laneways and tree rows.

Comment: Any existing laneways abutting the development will remain as is. Any trees that are located on adjacent lands can't be removed. Any trees on the development side will remain if they are not impacting on servicing works. Rear yard drains will need to factor in setbacks to avoid existing trees and root balls.

Impact of force main installation on ERCA lands

Comment: Construction of the force main will require permission from ERCA and can be undertaken in such a way to minimize impact to the ravine.

Impact on existing septic systems

Comment: Construction activities in the new development will not have any impact on existing septic systems.

Stormwater outlet

Comment: The stormwater outlet for the development is the lake. An outlet will need to be engineered and installed.

Erosion issues with stormwater run-off and ERCA ravine

Comment: Currently there is natural run-off that would impact on bank erosion however there has been recent work completed along the bank and a new stormwater outlet will collect, direct and control the flow of water through an engineered outlet. Any erosion issues in the ravine area will be up to the owner to maintain and address. This doesn't change as a result of the property development.

Future Erosion repair

Comment: The bank along the new development has been engineered to prevent long-term erosion. It should however be noted that ongoing maintenance of this will eventually be on the individual property owners who purchase the lot.

Who will be responsible for the force main once installed?

Comment: Infrastructure associated with most residential subdivision development is assumed and maintained by the Town. This includes water, sewer, storm and roads.

Can lands along the rear of the WGR lots be conveyed to owners that have maintained the lands for many years.

Comment: No



Will there be sidewalks?

Comment: Development standards require sidewalks on both sides of the new streets.

Will there be traffic lights at the new intersection?

Comment: No the TIS did not indicate a need for traffic lights, only a left turn lane

Was sanitary sewer connection considered to County Rd 20?

Comment: There is no connected infrastructure along County 20 to direct flows into the existing system. Sanitary servicing for this area in generally was always intended to run along the southerly end and not back toward County Rd 20 in part due to the natural fall from County Rd 20 toward the lake.

Has the sanitary system been designed to consider lands to the east?

Comment: At the time of the PIC this was not clear. Follow-up with Town staff confirmed that the sanitary main along the south end of the development will be oversized to service lands to the east. The pump station in the new development is also being oversized to accommodate future development to the east.

Price point of homes

Comment: Lots are around \$400,000. Sizing, style and type of homes will be up to the owners but constructed in conformity with the zoning regulations.

The subject lands were only recently designated and zoned for residential.

Comment: Based on a review of the former Gosfield South OP and Zoning these lands have been both designated and zoned for residential development even prior to amalgamation. They have been used for agricultural purposes but eventual development was the long-term plan.

What changes or improvements will be done to WGR?

Comment: Other than the sewer works and physical connection of WGR with the new development there is no planned upgrades to changes to WGR.

Timing of development

Comment: Construction is due to start as soon as approvals are in place. Developer indicated that road, water, storm and sanitary installation would take 84 working days to complete.

What are the next steps?

Comment: The general process and steps were outlined. The Plan of Subdivision and Zoning will both require Council approval. This will occur at a public meeting where residents will have the opportunity to comment.

What review has taken place with regard to former gas or oil wells?

Comment: The County of Essex planner requires that the developer provide documentation that this has been reviewed and the location of any wells (if applicable) is noted

Will there be a park or open space in the development.

Comment: Lands are being conveyed (Block 64) to the Town as natural area however there is currently no park planned for the development.

Will there be a sign for the subdivision (gateway feature)

Comment: There is not one planned however the subdivision agreement does require a temporary sign outlining the subdivision layout and details during development.

Affordable Housing

Comment: There is no provisions for this in the subdivision

How long will development take to complete?

Comment: This is market driven. Similar subdivisions in the area have taken 5 years or so to build out the majority of the homes. Complete build out could be longer.

Where will construction access be?

Comment: Access to the subdivision will be required off Seacliff and onto Street A.

## Conclusions

The proposed development is a logical infilling of the area and has been planned as future residential development for many years. With much of the larger scale development having taken place to west it is good to see lands on the east side of the community start to grow. All developments, regardless of size, raise issues of concern and are not always well received. The subject proposal is on lots that are consistent with other development in the area, will be on full services and will help to introduce an additional form of housing (semi-detached). When connecting new development to existing development, particularly if the existing development has been in place for many years there is often concern with the impact of that connection. Overall the development represents good land use planning.

Prepared by:

A handwritten signature in black ink, appearing to read 'Robert Brown', with a long horizontal line extending to the right.

Robert Brown, H, Ba, MCIP, RPP  
Principal Planner  
Oakview Land Use Planning



6 Royal Cres  
PO Box 188  
Pain Court, Ontario N0P 1Z0  
(519) 809-4539  
oakviewlup@outlook.com

**Date:** October 10, 2023

**To:** Town of Kingsville, Planning Services  
Attn: George Robinson, MCIP, RPP

**RE:** Planning Rationale for  
Proposed Application for Zoning By-law Amendment  
Seacliff Drive, Pt. of Lot 4, Concession 1 ED  
Roll # 3711 310 000 24800

**Author:** Robert Brown, H. Ba, MCIP, RPP

---

## **Purpose**

To provide an overview of the related land use planning considerations in support of a zoning by-law amendment application to facilitate the development of a residential subdivision.

## **Background**

The subject property is an 8.608 ha (21.27 ac.) vacant parcel located on the south side of Seacliff Drive, just east of Wigle Grove Drive. The property extends from Seacliff Drive to the bluff along the Lake Erie shoreline. The property was acquired by the applicant in May of 2021 with the intention of developing a residential subdivision consisting of 75 lots, 43 for single detached dwellings and 16 blocks to accommodate 32 semi-detached dwelling units on individual lots.

The current zoning on the property is Lakeshore Residential, Holding, LR(h). The holding symbol applies to most vacant lands along Seacliff Drive. Removal of the holding symbol requires development of a plan of subdivision and associated development agreement along with the provision of acceptable servicing. The subject lands have access to municipal water and are proposing to install a gravity collection system within the new subdivision that will flow to a pump station in the southeast corner and be then directed toward the existing collection system in the Timbercreek subdivision to the west.

## **Planning Rationale**

### **1) Provincial Policy Statement (2020)**

The proposed zoning amendment on the subject property does not directly raise any issues of provincial interest as it is currently designated and zoned for residential development. The amended zoning will assist in providing an additional housing type and a minor increase in density to take advantage of the available services.

The south end of the property abuts Lake Erie and as such needs to address bank stability and erosion concerns (natural hazard). The south end along with the northeast corner will also need to address natural heritage concerns such as species at risk and existing wooded area. Background work on this has been completed and submitted to the applicable authority. Requirements related to this will be addressed via the development agreement and zoning by-law amendment.

The zoning amendment request is consistent with Provincial Policy.

### **2) Official Plan – County of Essex, Town of Kingsville**

The subject site is designated Lakeshore Residential East in the Town of Kingsville Official Plan and within a primary settlement area under the County of Essex Official Plan. The zoning amendment will continue to be in conformity with the Lakeshore Residential East designation as the development will continue to result in the construction of single unit dwellings in the form of single detached dwellings and semi-detached dwelling units.

### **3) Comprehensive Zoning By-law**

The current zoning on the property is Lakeshore Residential, Holding LR(h). With removal of the Holding symbol the zoning permits development of single detached dwellings. The proposed draft plan shows a total 43 dwelling lots for singles and the lots will meet the minimum lot area and frontage requirements. The amendment is required to add semi-detached dwellings and dwelling units as a permitted use and establish regulations to sell the individual semi-detached dwelling units as freeholds. This would be accomplished through application for part-lot control once construction of the buildings is started.

In addition to the added use and regulations for semi-detached dwellings it will be necessary to include site-specific regulations for the lots along the lake bluff (lots 56 to 59 based on ECRA requirements. This approach is recommended as it will provide clarity for any prospective purchaser that the shoreline is a no build, no development area that is to remain nature and not be improved via landscaping or inclusion of any built infrastructures such as stairways.

There are lands in the northeast corner (Block 64) that have been identified for conveyance to the abutting Block A in the Wigle Grove subdivision. Block A is owned by the Town and is currently vacant green space. The lands conveyed from the development to the Town should be rezoned to Environmental Reserve District (ERD) to reflect their intended future use. It is also suggested that the Town include amendment of Block A to the same classification from its current LR classification to clarify its ongoing use as natural area.

## **Conclusions**

The proposed zoning amendment on the subject lands does not represent a significant change to the current intended use of the lands. The amendment will not introduce any new uses abutting the existing single detached dwelling lots to the east or west. Lot sizes and frontage are smaller than the lots along Wigle Grove however those lands are not on full services and require additional lot area to accommodate on site septic systems. In total there will be 13 new lots abutting 11 existing lots which does not represent a significant increase in density and will not negatively impact the existing lots along Wigle Grove Drive.

With the ability to provide full services to the subject lands the zoning amendment helps to make better use of the lands and provides an additional type of housing not currently provided for within the Lakeshore Residential East area. The zoning and subsequent plan of subdivision represent good long-term land use planning and continues to support the ongoing need for housing.

Prepared by:

A handwritten signature in black ink, appearing to read 'Robert Brown', with a long horizontal line extending to the right.

Robert Brown, H, Ba, MCIP, RPP  
Principal Planner  
Oakview Land Use Planning

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 36-2024

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

**WHEREAS** By-law No. 1-2014 is the Town’s Comprehensive Zoning By-law to regulate the use of land and the character, location and use of buildings and structures in the Town of Kingsville;

**AND WHEREAS** the Council of the Corporation of the Town of Kingsville deems it expedient and in the best interest of proper planning to further amend By-law No. 1-2014 as herein provided;

**AND WHEREAS** the application conforms to the Official Plan of the Town of Kingsville;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF KINGSVILLE ENACTS AS FOLLOWS:**

1. Schedule "A", Map 59 of By-law 1-2014 is hereby amended in the following manner:
- a. Amend the zoning within the central area of the subject lands, as shown on ‘Schedule A’ below, from “Lakeshore Residential-Holding (LR (h))” to “Lakeshore Residential Exception 36-Holding (LR-36 (h))” to include semi-detached dwellings as an additional permitted use, and the following additional regulations will apply to Lakeshore Residential Exception 36-Holding (LR-36 (h))”:

c) Regulations		
	Semi-detached dwelling	Semi-detached dwelling unit
i) Lot area (minimum)	600 m <sup>2</sup> (6,460 ft <sup>2</sup> )	300 m <sup>2</sup> (3,225 ft <sup>2</sup> )
ii) Lot frontage (minimum)	15 m (50 ft) if an interior lot;	7.5 m (24.5 ft) if an interior lot;
	19 m (62 ft) if an exterior lot	11.5 m (38 ft) if an exterior lot
iii) Open space (minimum)	30%	
iv) Lot coverage (maximum)	50%	
v) Front yard depth (minimum)	5.5 m (18 ft)	
vi) Rear yard depth (minimum)	7.5 m (25 ft)	
vii) Interior Side Yard Width (minimum)	1. 1.5 m (5ft) with an attached garage or carport; or 2. 1.5 m (5 ft) on one side of the main building and 3.0 m (10 ft) on the other side when there is no attached garage or carport; and 3. 0 m side yard is allowed on the common wall side.	
viii) Exterior Side Yard Width (minimum)	4.0 m (13 ft)	
ix) Main building height (maximum)	11 m (36 ft)	

d) Supplementary Regulations	
i)	Each <i>dwelling shall</i> be connected to full municipal services (storm water services, potable water services, sanitary services) and electrical services as approved by The <i>Corporation</i> or any other authority having jurisdiction.
ii)	The following supplementary regulations <i>shall</i> also apply to lands zoned (R2.1):  Subsection 3: Definitions Subsection 4: General Provisions Subsection 5: Parking Regulations
iii)	Subsection 4.15 <i>Floodplain Development Control Area shall</i> apply in whole or in part to lands situated within the following restricted areas shown on Schedule “A”:  1. Natural Environment Zone – Subsection 11.1; 2. Wetland Zone – Subsection 11.2,& ERCA Floodplain Development Control Area

- b. Amend the zoning at the northwest corner of the subject lands, as well as the southern portion of the subject lands, as shown on ‘Schedule A’ below, from “Lakeshore Residential-Holding (LR (h))” to “Environmental Reserve District-Holding (ERD (h))”;
- c. Amend the zoning of two small portions of land, at the southwest area of the subject lands, as shown on ‘Schedule A’ below, from “Lakeshore Residential-Holding (LR (h))” to “Public Utilities/Facilities (MG)-Holding (MG (h))” to allow for the placement of the required municipal storm and sanitary sewer infrastructure to service the entire subdivision; and

- 2. This by-law shall come into force and take effect from the date of passing by Council and in accordance with Section 34 of the Planning Act.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 6<sup>th</sup> DAY OF MAY, 2024.**

\_\_\_\_\_  
**MAYOR, Dennis Rogers**




\_\_\_\_\_  
**CLERK, Paula Parker**

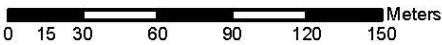


Schedule 'A'



**Gardner Estates Subdivision**  
**Part of Lot 4, Concession 1, Eastern Division**  
**Town of Kingsville**

-  Proposed Zoning: "Environmental Reserve District-Holding (ERD (h))"
-  Proposed Zoning: "Lakeshore Residential Exception 36-Holding (LR-36 (h))", to include Semi-detached Dwelling as an additional permitted use.
-  Proposed Zoning: Public Utilities / Facilities-Holding (MG(h))



1:3,000

April, 2024

Ron & Elsie Galbraith,  
1298 Wigle Grove Road,  
Kingsville, ON N9Y 3S1

April 23, 2024

Dear Sir/Madam,

We are writing to address the proposed zoning application for Part of Lot 4, Concession 1 in the Eastern Division of the Town of Kingsville. On Friday, April 19, 2024. We received a communication from the town's Planning Services Department detailing the applicant's request for the Council to consider changes to the zoning of certain sections of the land parcel. The applicant is specifically seeking a rezoning for sixteen **proposed** lot configurations, identified as lots 19-26 and 30-37 in the proposed subdivision plan. The rezoning would entail modifying the existing zoning to allow semi-detached dwellings as an additional permitted use.

Our comments/objections regarding this application for rezoning are as follows:

- It is important to record that the applicant has not yet acquired absolute title to the land in accordance with the Land Titles Act. There are several formal objections to the land boundaries shown on the proposed subdivision plan provided by Planning Services. It seems the applicant may have overlooked these legal objections in their application. These disputes could alter the land and lot boundaries as they are currently shown on the preliminary subdivision plan and could change the legal ownership of areas under dispute. Consequently, the granting of absolute title to the Lot Parcel will probably be postponed until these disputes over boundaries are resolved. Any rezoning to parts of Lot 4 would be premature and prejudicial at this point and should be deferred until boundary challenges have been resolved.
- The surrounding land is exclusively used for single-family detached homes. Therefore, rezoning to permit semi-detached homes would not be compatible with the existing adjacent land use.
- The application fails to address adequate road infrastructure, access, and sewage services. This omission further emphasizes the premature nature of approving a rezoning request that would permit increased density use of the lands in question.
- The comprehensive zoning bylaws of Kingsville, established through amendments on March 06, 2023, have been in place for only a year. Therefore, this application, being submitted so soon after the amended bylaws, should not be accepted solely on that ground.

We appreciate your consideration of the information provided before deciding on the applicant's rezoning request.

Sincerely,

Ron & Elsie Galbraith,  
1298 Wigle Grove Road,  
Kingsville, ON N9Y 3S1

**Date:** May 6, 2024  
**To:** Mayor and Council  
**Author:** Karen Loney  
**RE:** Kingsville Pro Rodeo

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## **RECOMMENDED ACTION**

1. That Administration **PROVIDE** a letter of “Municipal Significance” for the Kingsville Pro Rodeo, to be held at Trimble Farms from July 26 to July 28, 2024, for the purpose of allowing the event to obtain a licence to serve alcohol.

## **BACKGROUND**

The Sun Parlour Rodeo event, which was successfully held for twenty years, ended in 2023. The event raised funds for numerous charities, but the family determined it was time for them to retire.

Mr. Adam Trimble from Trimble Farms volunteered to continue the event and agreed to rebrand it to Kingsville Pro Rodeo and host it on his 41.3-acre farm located at 383 County Road 27 E (at the intersection of Road 11). Mr. Trimble contacted the Manager of Special Events and Programs to confirm any town regulations or requirements he would have to meet.

Mr. Trimble provided some information regarding the event, and noted that he was anticipating 5,000 people per day attending and it was agreed that, though it was not being held on public lands, the event would benefit from a review by the Special Events Review Team (SERT) which took place on April 22, 2024.

## **DISCUSSION**

The schedule for the Kingsville Pro Rodeo is as follows:

- Friday, July 26, 2024, from 5 pm to 11 pm,
- Saturday, July 27, 2024, from 5 pm to 11 pm, and,
- Sunday, July 28, 2024, from Noon to 7 pm.

Full details of the event can be found at [www.kingsvilleprorodeo.ca](http://www.kingsvilleprorodeo.ca).

Funds from the event will be allocated to the Cottam Rotary Club and programs through Canadian Mental Health, Agriculture Wellness Ontario and Farmers Wellness Initiatives. Plus, the Windsor–Essex Therapeutic Riding Association First Responders Program and the Children's Bereavement Programs.

To help recover costs and raise funds for charities, Mr. Trimble is planning to include a fenced-in area where alcohol would be served. As the event is on private property, for him to acquire a Special Occasion Permit through the Alcohol and Gaming Commission of Ontario (AGCO), he must have a letter from the Town of Kingsville recognizing the event as municipally significant. There is no formal definition of 'municipally significant', but in discussion with the AGCO representative, they explained that it is related to whether the Town sees the event as beneficial to the community.

With approximately 15,000 people attending this event and many people from out of Town, this event is a significant tourism draw. In addition, the funds being re-invested into the community through service clubs and programs. To that end, the event is important in providing financial and mental health support and supporting local tourism and economic development opportunities in Kingsville.

To mitigate the risk of having alcohol at the event, Mr. Trimble has set up the following safeguards:

- The bar will be inside a fenced area, which is not formally required,
- Bartending will be through a professional company called Cheers & Chills who will additionally check identification, limit numbers of drinks individuals can purchase at one time
- Tack-two Emergency Medical service and Fire Suppression Inc. will be on site
- Off-duty OPP officers will be contracted and on site
- Signage for taxis and the importance of having a designated driver will be posted throughout the area
- Trimble Farms will provide a 5 Million dollar certificate of insurance to the Town of Kingsville.

The SERT committee reviewed the event requirements and supported the Kingsville Pro Rodeo application, with the following items being completed.

- Application to the Windsor-Essex Health Unit for a Special Events Permit,
- Application to the AGCO and 5 Million dollars certificate of insurance to the Town,
- Fire and building permits are to be purchased for inspection of food trucks, bleachers, stage, and tents; a Fire Safety Plan is to be submitted.
- Notification to the County of Essex for increased traffic on roads and,
- Marketing on Kingsville Community Calendar.
- Multiple port-a-johns are to be brought in.

## **FINANCIAL CONSIDERATIONS**

There are no financial impacts from this report. Any support provided to the Kingsville Pro Rodeo is within the scope of daily administrative functions. Mr. Trimble will pay multiple permit fees, such as boarding and fire.

## **ENVIRONMENTAL CONSIDERATIONS**

The Town's ban on single-use plastics was reviewed as part of the SERT process.

## **CONSULTATIONS**

SERT Consultation:

- Windsor Essex County Health Unit
- Alcohol Gaming Commission of Ontario
- Ontario Provincial Police
- Essex Windsor Emergency Services
- Town of Kingsville Clerk and Legal Department
- Communications and Public Relations Coordinator
- Kingsville Parks, Recreation and Facilities
- Kingsville Public Works and Environmental Services
- Kingsville Fire and Rescue
- Kingsville Special Events and Programs
- Kingsville Building Department

Senior Management Team

## **PREPARED BY:**



---

Karen Loney, MA  
Manager of Recreation Programs and Special Events

## **REVIEWED BY:**



---

Richard J.H. Wyma  
Director of Planning and Development



---

John Norton  
CAO

**Date:** May 6, 2024  
**To:** Mayor and Council  
**Author:** Karen Loney  
**RE:** Hogs for Hospice

---

## **RECOMMENDED ACTION**

1. That road closures of Main Street (from Spruce Street to Queen Street) and Division Street (from King Street to Pearl Street) from 10:00 am to 2:00 pm on Saturday, August 3, 2023, for the Hogs for Hospice Registered Ride **BE APPROVED**.

## **BACKGROUND**

On April 24, 2024, the Special Events Review Team (SERT) reviewed the 2024 event plan for the Hogs for Hospice Registered Ride.

Any festival or event that desires to use Municipal property or resources, including closing public streets, must present a proposal to SERT for review.

Hogs for Hospice is a fundraiser organized by a group of dedicated volunteers under the leadership of Erie Shores Hospice and Health Foundation. All funds go to Erie Shores Hospice and Health Foundation, which services Kingsville residents.

## **DISCUSSION**

The 2024 "Tour the Tip" event will take place on Saturday, August 3, 2024. It will include 2,000 motorcycles on a 4-hour organized ride that leads riders to the southern tip of mainland Canada inside Point Pelee National Park. The ride then heads across the County with a short rest stop in Kingsville before returning to Seacliff Park.

The lunch in Kingsville will require parking for up to 2,000 motorcycles on both sides of the street, leaving access for emergency response vehicles. To support this, the Hogs for Hospice organizers requested the following streets to be closed from 10:30 am to 2:00 pm.

- Main St. from Prince Albert St. to Spruce St.
- Division Rd from King St. to Pearl St.
- Queen St. from Main St. to Pearl St. W.
- Chestnut St. from Main St. to Kings St.



Should Council approve the streets closure, as in the past, administration requires that Hogs for Hospice organizers complete the following items:

- To have volunteers at the barricades,
- To provide a copy of insurance naming the Town of Kingsville,
- To provide administration with a safety plan, which ensures there is space for emergency vehicles to drive in the centre of the streets and,
- To inform businesses and residents of the event.

## **FINANCIAL CONSIDERATIONS**

If the Hogs for Hospice event is approved administration will assign staff:

- from Public Operations to close and open the streets, and support any usage of facilities, such as bathroom cleaning,
- from Events staff to coordinator the logistics as per the SERT agreement, and,
- Economic Development & Tourism Officer to communicate with businesses pre-event/event and to engage in pre-event/event tourism opportunities.

## **ENVIRONMENTAL CONSIDERATIONS**

The Town's ban on single-use plastics was reviewed as part of the SERT process.

## **CONSULTATIONS**

SERT Consultation:

- Windsor Essex County Health Unit
- Alcohol Gaming Commission of Ontario
- Ontario Provincial Police
- Essex Windsor Emergency Services
- Town of Kingsville Clerk and Legal Department
- Communications and Public Relations Coordinator
- Kingsville Parks, Recreation and Facilities
- Kingsville Public Works and Environmental Services
- Kingsville Fire and Rescue
- Kingsville Special Events and Programs
- Kingsville Building Department

Senior Management Team

**PREPARED BY:**



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Karen Loney, MA  
Manager of Recreation Programs and Special Events

**REVIEWED BY:**



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Richard J.H. Wyma  
Director of Planning and Development



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John Norton  
CAO

**Date:** May 6, 2024

**To:** Mayor and Council

**Author:** Vitra Chodha, Town Planner

**RE:** Notice of Intention to Designate the Pastorius House (12 Main Street East) under the Ontario Heritage Act

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## **RECOMMENDED ACTION**

- I. That the Town Clerk **PUBLISH** a Notice of Intention to Designate the Pastorius House, at 12 Main Street East, in accordance with Part IV of the *Ontario Heritage Act* according to the Statement of Cultural Heritage Value or Interest attached in Appendix 'A'; and
- II. That Administration **PREPARE** the necessary By-law for Council to designate the property in accordance with the requirements of the *Ontario Heritage Act*.

## **BACKGROUND**

The Pastorius House (now known as the Grove Hotel), originally built in 1885 and located at 12 Main Street East, has a long and varied history as a central figure in the town's development. It has undergone significant transformations and restorations, most recently in 2017. This property has served multiple purposes, from a premier hotel to its use today as a boutique inn, reflecting the community's growth and cultural evolution over more than a century.

The property owners reached out to the Town in early 2024 with interest in seeking designation under Part IV of the *Ontario Heritage Act*. The Heritage Committee and Administration have researched and rated the house and have confirmed that it has sufficient heritage value and is worthy of designation.

Under the *Ontario Heritage Act*, Council has 90 days to issue a Notice of Intention to Designate (NOID) the property unless the Owner and the Town agree that the 90 days does not apply. This report is intended to give Council the ability to issue the NOID within the 90 days after the approval is given. The Owner has indicated that they do not object to designation of the property.

## DISCUSSION

### Legal Provisions:

Part IV, Section 29(1) (a) of the *Ontario Heritage Act* (OHA) provides the authority to the Council of a municipality to designate a property that is of cultural heritage value or interest, where the property meets the prescribed criteria. Ontario Regulation 9/06 provides criteria for designation under the *OHA*. A property may be designated under Section 29 of the *Act* if it meets two or more of the following criteria for determining whether it is of cultural heritage value or interest:

1. The property has design value or physical value because it is rare, unique, representative or early example of a style, type, expression, and material or construction method.
2. The property has design value or physical value because it displays a high degree of craftsmanship or artistic merit.
3. The property has design value or physical value because it demonstrates a high degree of technical or scientific achievement.
4. The property has historical value or associative value because it yields, or has the potential to yield, information that contributes to an understanding of a community or culture.
5. The property has historical value or associative value because it has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community.
6. The property has historical value or associative value because it demonstrates or reflects the work or ideas of an architect, artist, builder, designer, or theorist who is significant to a community.
7. The property has contextual value because it is important in defining, maintaining, or supporting the character of an area.
8. The property has contextual value because it is physically, functionally, visually or historically linked to its surroundings.
9. The property has contextual value because it is a landmark.

Designation requires “*a statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property*”. The Act further requires that a municipal heritage committee, if it exists, must be consulted about a designation before the council makes a decision on it. As described below, the Committee has completed its research and assessment and confirms that the Pastorius House meets the criteria for designation.

Should Council decide to designate a property, the first step is to initiate a Notice of Intention to Designate, which provides direction for the Town Clerk to give notice to the owner, the Ontario Heritage Trust, and through the newspaper. After thirty days, if there is no objection, the Council may pass a by-law to designate the property in accordance with the OHA.

If no notice of objection is served with-in the 30-day period after newspaper publication or a notice is served but council decides not to withdraw, the council may pass a by-law designating the property as long as these requirements are met:

1. The by-law must be passed within 120 days after the date of publication of the notice of intention or, if a prescribed circumstance exists where another time frame is prescribed for the circumstance.
2. The by-law must include a statement explaining the cultural heritage value or interest of the property, as well as a description of the property.
3. The council must serve the owner of the property, any person who objected, and the Trust; a copy of the by-law and a notice that any person who objects the by-law may appeal to the Tribunal, by giving the Tribunal and clerk of the municipality a notice of appeal setting out the objection to the by-law and the reasons in support of the objection. This must be done within 30 days of the by-law being published. A fee charged by the Tribunal also applies.
4. The council must publish notice of the by-law in a newspaper having general circulation in the municipality. This must state that anyone who objects to the by-law may appeal to the Tribunal by giving the Tribunal and the clerk of the municipality, within 30 days of publication, a notice of appeal setting out the objection to the by-law and the reasons in support of the objection. A fee charged by the Tribunal should also be included.

### **Heritage Evaluation according to Ontario Regulation 9/06**

The heritage evaluation of the property can be considered in the three broad categories of design/physical value, historical/associative value, and contextual value.

A Heritage Research Report is attached as Appendix C to this report.

#### Description of the Property:

The Pastorius House is a 3-storey hotel located on the north side of Main Street East in the former Village of Kingsville (formerly the Township of Gosfield). Situated on part of Lot 2 on Registered Plan 184-185, which is the original plan surveyed in 1850. Built by Walter Pastorius in 1885 as a 2-storey hotel to replace the Commercial Hotel that had been destroyed by fire. The third storey was added four years later. Major restoration was undertaken in 2010 and the addition on the west was completed in 2017.

#### Design/Physical Value:

With construction beginning in 1885, the Pastorius House is built in the Italianate architectural style with flat roof parapeted, outside chimney, segmental arches, smooth-faced sills and wrap porches. Foreman J.W. Drake used local material and craftsman to build the "Pastorius House". The brick was supplied by John Miner and it was of the best quality, the mason's work was undertaken by William Davey, Geo Cady did the

plastering, Wm Brimner the painting and George Stephenson, the tin work, plumbing and heating arrangements.

The main building was 41 by 36 and the wing to the north end was 25 by 35; two stories high and made of veneered brick. The ground floor contained a bar room, commercial room, private sitting room, dining hall, kitchen, pantry, and other necessary offices for a first-class hotel. The upper story had 14 bedrooms, one bathroom, two sitting rooms, and closets. There was also a large cellar under the main part of the building. The whole of the carpenter's work inside was finished in chestnut and oiled and the whole building was heated by a furnace.

In the spring of 2010, Phil Towle acquired The Kingsville Inn and quickly started the renovations, transforming the exterior to reflect the original architecture. The building stands today as a close replica of the original structure that was built in 1885 and including the third story addition that was added in 1889.

#### Heritage Attributes:

Each heritage attribute of the property at 12 Main Street East listed below is indicative of its design value:

- Original Brick Chimney
- Full Span Balconies
- Dentil Moldings
- Hardie Board Siding
- Multi-Level columns
- Corbels
- Window Toppers
- Footprint of the building
- Style and arching of the front door

#### Historical/Associative Value:

Present-day Main Street was established in the 1840s after a section of the road running along the shore caved into the lake. Where it intersects with Division Street, (the street that divides the Stewart farm on the west and the Herrington Farm on the east) became known as the Crossroads.

In 1850, encouraged by Colonel James King, Andrew Stewart and Richard Herrington had part of their farms surveyed into building lots to form the Village of Kingsville. Samuel Rose purchased Lot No. 2 on the north side of Main Street East in 1853 for £10. He built the Temperance House, a hotel that catered to travelling businessmen offering food and drink, but no hard liquor. The following year, Rose sold the hotel to Col. King, who gave it to one of his sons, Alfred, in 1876.

Later known as the Commercial Hotel, Alfred King sold the property to Walter Pastorius in 1882. In February 1885, the Commercial Hotel was destroyed by fire. Four months later, Pastorius commenced work on a new 2- storey, brick veneered hotel. The “Pastorius House” opened on 27 July 1885. By 1889, Pastorius’ business outgrew the hotel and he had to rent rooms above neighbouring stores to meet the demand. He engaged local architect, John Alexander Maycock, to design a third storey and upgraded facade.

In addition to Walter, the whole Pastorius family lived and worked at the hotel including his wife Charlotte, sons James and Thomas, and daughter Malla, with her husband William Brundage. After Walter’s death in 1895 from typhoid fever, the family continued to run the hotel until it was sold in 1901.

George Lario, who had been running the Kingsville Exchange Hotel on Main Street West, purchased the hotel from Charlotte Pastorius in 1901 for \$6,700. For the renovations, Lario took out a \$1,500 mortgage with the Walkerville Brewing Company. The following year, George Lario exchanged the King’s Hotel with Frank Stenlake for his hotel in Tilbury. In 1904, Stenlake gave a 5-year lease to Thomas Oke of Exeter, and in 1907 sold the property back to Charlotte Pastorius. When Oke’s lease expired on 1 May 1909, Charlotte gave the day-to-day operating responsibilities to her son-in-law, William Brundage.

On 3 January 1910, the voters of Kingsville passed the Local Option By-Law (prohibiting the retail sale of liquor) by a margin of 257 to 140. In disgust and “according to promise”, Mr. Brundage proceeded to board up the Kings hotel. Kingsville would remain a “dry” town until 1942 when the Local Option was repealed by a vote of 820 to 430.

Thomas Pastorius promptly took over the running of the hotel until 1914 when the “Chief of police seized a couple of slot machines, which had been operating for some time at the Kings Hotel. Mr Pastorius had been in Windsor or Detroit ever since, and no action has been started against him because the chief was unable to serve the necessary papers on him.

The following month, Charlotte Pastorius sold the King’s Hotel to a group of local businessman, who hired the Oxley Bros. to fix up the building.

There was a lot of excitement for the newly refurbished establishment, but it still had trouble staying on the right side of the law. In 1917, the proprietor Alfred Hall was charged and convicted of “selling beer that contained more than the regulation 2½ per cent of alcohol.

The early 1970s saw the introduction of topless dancers at the Kingsville Hotel. As owner-manager Jack Churchmuch explained, “We’ve had topless for two years and it helps us. We’ve tried to go without them but people keep asking for dancers.”

Churchmuch opened the Fogcutter Restaurant inside the hotel in 1978 in an attempt to draw in “the visitors, the summer people, and the tourists.” The hotels rooms were converted into rental accommodations.

### Contextual Value

The Pastorius House continues to occupy its original location. Remarkably, the property's essence has remained largely untouched, throughout the various modifications to the building that took place over the years, with the last renovation bringing the building closer to its original form.

The house itself has always stood as the focal point of an expansive commercial area within the Town of Kingsville. Even now, its distinctive features make it instantly recognizable, and its significance persists as one of the most notable properties in the commercial district of Kingsville. Serving as a link to Kingsville's past, the house embodies the history of the town taking us through various periods of times from an era of prohibition to where we stand today.

### Official Plan Policy

The Kingsville Official Plan (section 4.1: Cultural Heritage and Archaeological Resources) includes policies related to the identification, recognition, enhancement, and conservation of archaeological, cultural, and built heritage resources for the benefit of the community. Further, the OP commits the Town to working with the Municipal Heritage Advisory Committee to identify potential heritage resources to increase public awareness and involvement in the protection and enhancement of the Town's heritage features.

As it relates to Cultural and Built Heritage Resources (4.1.1), the OP supports designation of resource that are valued for the important contribution they make to our understanding of the Town. The OP seeks to identify built heritage resources by researching and documenting potential built heritage significance and contacting owners regarding the potential significance of their property and seeking their cooperation and support to designate (though support is not required).

Once designated, the OP outlines policies related to tax incentives, prohibition of demolition, and describes the process whereby alterations can be considered and permitted in accordance with the Ontario Heritage Act.

Development and site alteration may be permitted on adjacent lands to protected heritage property where the proposed development and site alteration has been assessed and evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved. Mitigating measures and/or alternative development approaches may be required in order to conserve the heritage attributes of the protected heritage property affected by the adjacent development or site alteration.



In keeping with these policies, the Kingsville Municipal Heritage Advisory Committee undertook the research and documentation of the heritage significance of the Pastorius House, and have cooperation and support from the owners to have their property designated.

## **Risk Analysis**

If not designated, the property Owner has indicated that the house will continue to be used as a hotel and coffee shop. However, in fall of 2022, the Province passed Bill 23 the *More Homes Built Faster Act, 2022* which contained amendments to the Ontario Heritage Act. By January 1, 2025, if Council has not issued a notice of intention to designate any non-designated properties, then those properties will have to be removed from the Heritage Register (including the subject property at 12 Main Street East). Once removed from the Register, the property owner or future owners may apply for demolition of the building without the review of Council through a regular building permit application, resulting in a potential loss of heritage resources in the Town. On the other hand, if designated, alterations, modifications or additions that affect the property will require consultation of the municipal heritage committee and approval by Council to ensure the heritage values for which the building is designated are maintained. There are also additional Property Standards Bylaw requirements that apply to designated heritage properties, such as the maintenance of specific heritage attributes and maintenance of vacant heritage property.

## **FINANCIAL CONSIDERATIONS**

If Council chooses to designate the property, the Town will pay the costs of legal notices and registering the by-law amendment with the Land Registry Office. The Planning Services budget for Heritage includes funding to cover the cost of the designation plaque. Once designated, the owner could request property tax reductions for the costs of eligible conservation works under the Town's Heritage Tax Relief Program.

## **ENVIRONMENTAL CONSIDERATIONS**

There are no anticipated environmental impacts resulting from the designation.

## **CONSULTATIONS**

The Kingsville Heritage Advisory Committee reviewed the history of and visited the site. Assistance was provided by Town Planner Vitra Chodha and Researcher Veronica Brown, with information from the Kingsville Archives, County Libraries, and the property owner being used to write reports.

## **APPENDICES**

1. Appendix A – Draft Notice of Intention to Designate
2. Appendix B – Photographs of the Property

3. Appendix C – Pastorius House Research Report, Veronica Brown

**PREPARED BY:**

*Vitra Chodha*

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Vitra Chodha  
Planner

**REVIEWED BY:**



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Richard J.H. Wyma, CSLA  
Director of Planning & Development



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John Norton  
CAO

In the Matter of the *Ontario Heritage Act*

**Notice of Intent to Designate**

The *Ontario Heritage Act*, R.S.O., 1990, c. 0.18 as amended, provides that the Municipal Council may pass a by-law designating property within the boundaries of the municipality to be of cultural heritage value and interest. The Council of the Municipality of Kingsville hereby gives Notice of Intent to designate the Pastorius House, 12 Main Street East, Kingsville Ontario for the following reasons:

**Description of Property:**

The Pastorius House, 12 Main Street East, Kingsville Ontario, is worthy of designation for its cultural heritage value and meets the criteria for municipal designation prescribed by the Province of Ontario under the three categories of design, association and contextual values as described in the Statement of Cultural Heritage Value or Interest below. The Pastorius House is a three-storey hotel constructed as a two storey-hotel in 1855 with the third storey added in 1859 and is located on the North side of Main Street.

**Statement of Cultural Heritage Value or Interest:**

Design Value

The Pastorius House, originally constructed in 1885, showcases significant architectural evolution that underscores its design value. Initially built as a two-story structure to replace the fire-damaged Commercial Hotel, a third story was added in 1889 by architect John Alexander Maycock, enhancing both its capacity and facade. The architectural upgrades transformed it into a landmark with a distinct veneered brick design and an elaborate interior featuring chestnut finishes and a comprehensive heating system.

Significant restorations over the years, such as the 2010 exterior renovation that aimed to reflect the original architecture, have preserved the structural integrity and historical aesthetics of the building. This adherence to preserving original design elements while accommodating modern needs exemplifies a deep appreciation for the architectural heritage and a commitment to maintaining its aesthetic and functional value.

Associative Value

The Pastorius House is deeply rooted in its historical and cultural significance to the community of Kingsville. Initially serving as a hotel under various ownerships, it has been a central hub for local and traveling patrons for over a century. Throughout its history, the Pastorius House has undergone multiple ownership changes and purposes, ranging from a hotel to a venue for topless dancers, before being transformed into the current mixed use hotel featuring accommodation and dining option.

Each phase of its existence has contributed layers of social and cultural significance, embodying the evolving community values and economic shifts. The building's ability to adapt to community needs while maintaining its historical essence enhances its associative value, making it not just a structure but a storied place with deep roots in local heritage.

### Contextual Value

The Pastorius House holds a key position in the architectural and urban development narrative of Kingsville. Located on Main Street, it has witnessed and adapted to significant urban changes, from its origins in a burgeoning village to its current status in a developed urban landscape. Its presence at a strategic location has made it a focal point in the town, contributing significantly to the urban aesthetic and economic activity of the area.

The building's historical context, from serving as a temperance hotel to becoming a vibrant part of the town's social scene, reflects the broader socio-economic trends and cultural shifts within Kingsville. Moreover, its continual restoration and adaptation highlight the community's effort to balance growth with historical preservation, ensuring that the Pastorius House remains relevant and valuable in a modern context. Through thoughtful preservation and adaptive reuse, it remains a testament to the architectural heritage and cultural history of the region, continually serving as a bridge between the past and the present.

### **Description of Heritage Attributes:**

Each heritage attribute of the Pastorius House property at 12 Main Street East listed below is indicative of its design value:

- Original Brick Chimney
- Full Span Balconies
- Dentil Moldings
- Hardie Board Siding
- Multi-Level columns
- Corbels
- Window Toppers
- Footprint of the building
- Style and arching of the front door

## Appendix B – 12 Main Street E Photos



Front face with full span balconies





Sideview



Front door



Multi Level -Columns



Window



Window Toppers, Dentil Mouldings, Corbels etc.



Side view with chimney



## Description of Property

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The Pastorius House is a 3-storey hotel located on the north side of Main Street East in the former Village of Kingsville (formerly the Township of Gosfield). Situated on part of Lot 2 on Registered Plan 184-185, which is the original plan surveyed in 1850. Built by Walter Pastorius in 1885 as a 2-storey hotel to replace the Commercial Hotel that had been destroyed by fire. The third storey was added four years later. Major restoration was undertaken in 2010 and the addition on the west was completed in 2017.





## Chain of Ownership

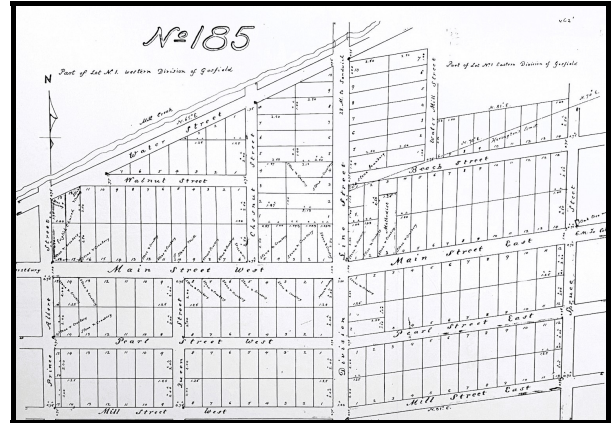
Instr #	Type	Date	From	To	Price	Remarks
	Patent	9 Feb 1824	Crown	John Tofflemire		200 acres
58	Bargain & Sale	28 Jun 1824	John Tofflemire	Richard Herrington	Not mentioned	200 acres
184-185	Plan	29 Jan 1850	Surveyed by John A Wilkinson for Richard Herrington			
G20	Indenture	26 Jan 1853	Richard Herrington	Samuel Rose	£10	Lot 2 - 1/3 acre
G46	Indenture	10 Apr 1854	Samuel Rose	James King	£300	
G2857	Deed	4 Jan 1876	James King	Alfred L King	\$10	
G2967	Deed	3 Nov 1876	Alfred L King	Theodore Schmidt	\$2,000	
G4698	Deed	4 May 1881	Theodore Schmidt	Alfred L King	\$750	
KV205	Deed	13 Nov 1882	Alfred L King	Walter Pastorius	\$3,200	
KV225	Deed	13 Mar 1883	Walter Pastorius	George Pastorius	\$3,500	
KV405	Lien	26 Aug 1885	GA Daugherty	George Pastorius	\$578.20	
KV407	Deed	2 Sep 1885	George A Pastorius	Charlotte Pastorius	\$4,000	
KT45	Deed	2 Sep 1901	Charlotte Pastorius	George Lario	\$6,700	
KT68	Mortgage	23 Nov 1901	George Lario	Walkerville Brewing Co.	\$1,500	
KT73	Deed	30 Oct 1902	George Lario	Frank Stenlake	\$9,000	
KT672	Deed	13 Dec 1907	Frank Stenlake	Charlotte Pastorius	\$5,500	
KT1428	Deed	1 Apr 1914	Charlotte Pastorius	R H Pickard, D H McCay, W P Tinsley, H P D Evans, W A Smith (Trustees)	\$5,500	
KT1771	Deed	11 Sep 1915	R H Pickard, D H McCay, W P Tinsley, H P D Evans, W A Smith (Trustees)	The Kingsville Hotel Co Ltd	\$1	
KT2314	Deed	31 Mar 1920	The Kingsville Hotel Co Ltd	Alfred & May Hall	\$9,000	
KT2315	Mortgage	31 Mar 1920	Alfred & May Hall	Concord Lodge I.O.O.F.	\$6,000	
2789	Deed	8 May 1922	Alfred & May Hall	Morley & Alberta Shibley	\$35,000	
KT2948	Deed	2 Feb 1923	Morley & Alberta Shibley	Bon Jasperson	\$1 & assumption of mortgages	
KT4608	Order	21 Sep 1933	Concord Lodge No. 142 I.O.O.F.	Alfred & May Hall, Bon Jasperson		Foreclosure Part Lot 2
KT6063	Deed	20 Jun 1944	Concord Lodge No. 142 I.O.O.F.	John Vassar, Alfred Vassar & Bert Weir	\$6,000 & mortgage	
KT6567	Deed	24 Aug 1946	John Vassar, Alfred Vassar & Bert Weir	Simone Egan	\$40,000	
KT8408	Deed	1 Feb 1955	Simone Egan	William & Grace O'Malley	\$40,000	
273784	Grant	10 Jan 1963	William & Grace O'Malley	Stephen J Perrault	\$80,000	
486951	Deed	11 Dec 1970	Stephen J Perrault	Kingsville Hotel Ltd	\$150,000	
CE170964	APL	16 Sep 2005	Kingsville Hotel Ltd	Fogcutter Hotel Ltd		CH NAME OWNER
CE420453	APL	19 Apr 2010	Fogcutter Hotel Ltd	S Funtig & Associates Inc		TR BK-OWNER
CE420619	Transfer	20 Apr 2010	S Funtig & Associates Inc	The Kings Hotel, Inc		
CE707848	Transfer	8 Apr 2016	The Kings Hotel, Inc	2511369 Ontario Ltd		
CE823235	APL	5 Apr 2018	2511369 Ontario Ltd	The Grove Hotel Ltd		CH NAME OWNER

## History

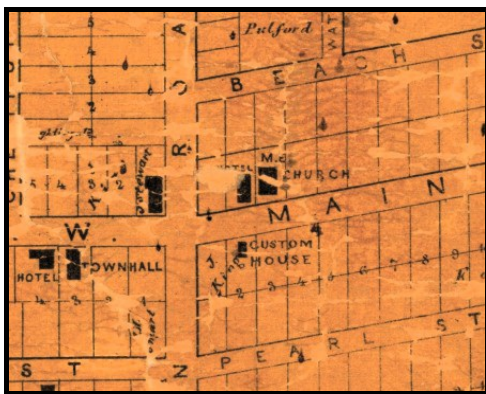
Present-day Main Street was established in the 1840s after a section of the road running along the shore caved into the lake. Where it intersects with Division Street, (the street that divides the Stewart farm on the west and the Herrington Farm on the east) became known as the Cross Roads.<sup>1</sup>

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**Registered Plan No. 185**



**H.F. Walling, 1877**

Later known as the Commercial Hotel, Alfred King sold the property to Walter Pastorius in 1882.

In February 1885, the Commercial Hotel was destroyed by fire. Four months later, Pastorius commenced work on a new 2-storey, brick veneered hotel:

*The main building will be 41x36 and the wing on the north end 25x35; two stories high, and will be of veneered brick. The ground floor will contain bar room, commercial room, private sitting room, dining hall, kitchen, pantry and the other necessary offices for a first-class hotel. The upper story will have 14 bedrooms, one bath room, two sitting rooms, closets, &c. There will be a large cellar under the main part of the building. The whole of the carpenter work inside will be finished in chestnut and oiled, and the whole building will be heated by a furnace.<sup>2</sup>*

The “Pastorius House” opened on 27 July 1885. On the roof of the hotel was an observatory with “a view covering 17 miles of the country” and “the whole village, the grove, the harbor, the lake and Pelee comprising the view.”<sup>3</sup>

<sup>1</sup> Windsor Evening Record, 13 September 1901, p.2.

<sup>2</sup> Amherstburg Echo, 1 May 1885, p.6.

<sup>3</sup> Amherstburg Echo, 31 July 1885, p.6.

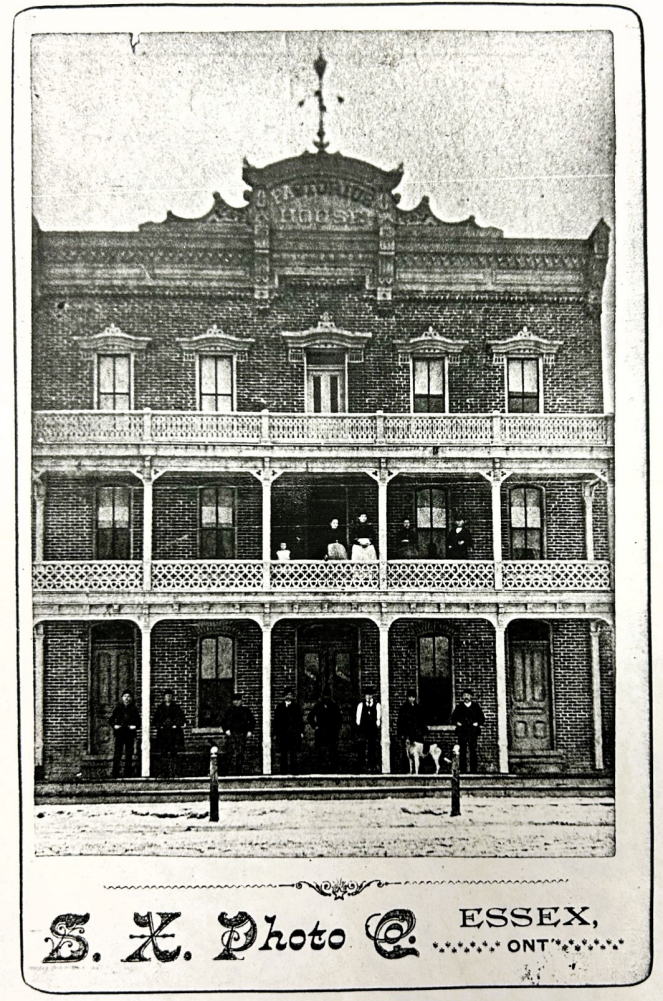
The foreman, J.W. Drake, used local materials and craftsman. "The brick was supplied by John Miner and it was of the best quality, the mason's work was undertaken by William Davey, Geo Cady did the plastering, Wm Brimner the painting and George Stephenson, the tin work, plumbing and heating arrangements."<sup>4</sup>

By 1889, Pastorius' business outgrew the hotel and he had to rent rooms above neighbouring stores to meet the demand. He engaged local architect, John Alexander Maycock, to design a third storey and upgraded facade. Maycock had recently designed the Union Block (29-33 Main Street West).

"Walter Pastorius has just completed the inside of his hotel. Having put another story on, it gives it a fine appearance and is a credit to the town."<sup>5</sup>

In addition to Walter, the whole Pastorius family lived and worked at the hotel including his wife Charlotte, sons James and Thomas, and daughter Malla, with her husband William Brundage. After Walter's death in 1895 from typhoid fever, the family continued to run the hotel until it was sold in 1901.

George Lario, who had been running the Kingsville Exchange Hotel on Main Street West, purchased the hotel from Charlotte Pastorius in 1901 for \$6,700. According to the Kingsville Reporter, "It is his intention to overhaul the house, fit up a nice office, repaint the outside, and put everything generally in good order. The hotel will hereafter be known as the 'King's.'"<sup>6</sup>



*Courtesy of the Kingsville Archives*

For the renovations, Lario took out a \$1,500 mortgage with the Walkerville Brewing Company.

The following year, George Lario exchanged the King's Hotel with Frank Stenlake for his hotel in Tilbury. In 1904, Stenlake gave a 5-year lease to Thomas Oke of Exeter, and in 1907 sold the property back to Charlotte Pastorius. When Oke's lease expired on 1 May 1909, Charlotte gave the day-to-day operating responsibilities to her son-in-law, William Brundage.

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<sup>4</sup> Ibid.

<sup>5</sup> Amherstburg Echo, 17 January 1890, p.6.

<sup>6</sup> The Kingsville Reporter, 5 September 1901, p.5.



*The Kingsville Reporter, 9 Dec 1909*

On 3 January 1910, the voters of Kingsville passed the Local Option By-Law (prohibiting the retail sale of liquor) by a margin of 257 to 140.<sup>7</sup> In disgust and “according to promise, Mr. Brundage proceeded to board up the Kings hotel.”<sup>8</sup>

Kingsville would remain a “dry” town until 1942 when the Local Option was repealed by a vote of 820 to 430.<sup>9</sup>

Thomas Pastorius promptly took over the running of the hotel until 1914 when the “Chief of police seized a couple of slot machines, which had been operating for some time at the Kings Hotel here. Mr Pastorius has been in Windsor or Detroit ever since, and no action has been started against him because the chief has been unable to serve the necessary papers on him.”<sup>10</sup>

The following month, Charlotte Pastorius sold the King’s Hotel to a group of local businessmen, who hired the Oxley Bros. to fix up the building.

*The house has been improved and cleaned up and put in the pink of condition. It was re-plastered, re-painted, re-papered and decorated, and the entire outside re-painted; the verandahs and balconies etc put in condition; flower baskets and boxes put out in front, making the entrance pleasant and attractive. Bath and toilet on every floor, bedrooms all bright and airy and spotlessly clean. Windows and doors are all screened, and the entire place practically fly proof. The house has been largely refurnished and contains twenty-four bedrooms.*<sup>11</sup>

There was a lot of excitement for the newly refurbished establishment, but it still had trouble staying on the right side of the law. In 1917, the proprietor Alfred Hall was charged and convicted of “selling beer that contained more than the regulation 2½ per cent of alcohol.”

Alfred Hall and his wife Olive purchased the hotel in 1920 and, except for a brief time running a fruit farm in Niagara-on-the-Lake, managed the business until 1933 when they lost it to Concord Lodge No. 142, I.O.O.F. (Independent Order of Odd Fellows), who held the mortgage.



*Courtesy of the Kingsville Archives*

<sup>7</sup> The Kingsville Reporter, 3 January 1910, p.3.

<sup>8</sup> The Kingsville Reporter, 5 May 1910, p.4.

<sup>9</sup> “Kingsville Goes Wet!” 22 January 1942, p.1.

<sup>10</sup> The Kingsville Reporter, 12 March 1914, p.5.

<sup>11</sup> “Our Hotels,” The Kingsville Reporter, 20 Aug 1914, p.1.



During the 1930s, Everett and Olive Moore managed the hotel for Concord Lodge No. 142.

**NOW OPEN**

THE NEW  
**KINGSVILLE  
HOTEL**  
Government Licensed

Remodelled  
Reconditioned • Redecorated

Modern Dining Room Facilities

MEALS • PARTIES • BANQUETS

FRESH CLEAN ROOMS  
WITH RUNNING WATER

THE HOTEL WHERE A HOME-LIKE WELCOME AWAITS YOU

MR. AND MRS. E. G. GARDNER, RESIDENT MANAGERS

*The Essex County Reporter, 17 Sep 1942*

Pat and Grace O'Malley started managing the Kingsville Hotel in 1945 before being able to purchase the property in 1955 for \$40,000.

**KINGSVILLE  
HOTEL**  
At Main Intersection, Kingsville  
Phone RE 3-4102

**Now Under New  
Management**

Watch for the  
Grand Opening Soon  
off the newly renovated  
**KINGSVILLE SUPPER CLUB  
AND TAVERN**

Present Dining Room  
Operating As Usual

Modern Rooms with TV  
and Private Bath

Our Famous  
Lake Erie  
Perch Dinners  
All You **\$1.25**  
Can Eat  
Try Our Salad Bar —  
Wheeled right to your  
table.

*The Windsor Star, 29 June 1963*

The I.O.O.F. sold the property in 1942 to three businessmen from London. "We are going to give Kingsville the type of commercial hotel the citizens of Kingsville want. And we are certainly going to do our best to sell Kingsville as a summer town to our many friends in London."<sup>12</sup>

"The building has been completely overhauled and new floors laid throughout in the upstairs. The downstairs and basement floors are of terrazzo. The walls have all been replastered and complete new plumbing installed."<sup>13</sup>

**Kingsville Hotel**  
*In the Heart of Kingsville*

A friendly place to  
**DINE**

Southern Ontario's Most Modern  
Small Town Hotel

FINEST FOODS  
OUR SPECIALTY  
★ Steaks ★ Fish & Chicken Dinners

25 MODERN ROOMS—MANY WITH BATH

Phone RE 3-4102

*The Windsor Star, 9 July 1955*

Stephen and Ann Perrault bought the hotel for \$80,000 in 1963 and sold it for \$150,000 in 1970..

<sup>12</sup> "'Unite the town' is theme," The Essex County Reporter, 22 January 1942, p.1.

<sup>13</sup> "Kingsville hotel," The Essex County Reporter, 17 September 1942, p.6.

The early 1970s saw the introduction of topless dancers at the Kingsville Hotel. As owner-manager Jack Churchmuch explained, “We’ve had topless for two years and it helps us. We’ve tried to go without them but people keep asking for dancers.”<sup>14</sup>

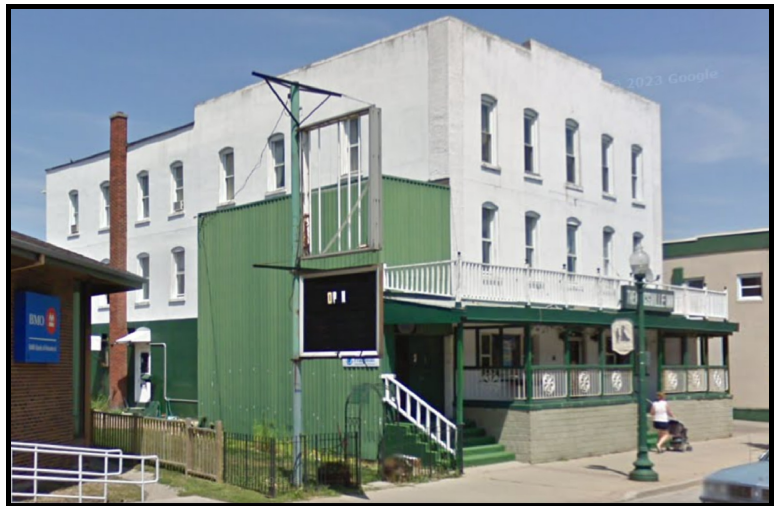
Churchmuch opened the Fogcutter Restaurant inside the hotel in 1978 in an attempt to draw in “the visitors, the summer people, and the tourists.”<sup>15</sup> The hotels rooms were converted into rental accommodations.



*Courtesy of the Kingsville Archives*

“Ted Chopin of the Fogcutter Hotel has provided an amazing transformation to date with the improvements on the building. The colour scheme and balcony intrigue residents as they watch Kingsville's first hotel built in 1885 return to the dimensions of the past. The Fogcutter received a certificate and the B.I.A. looks forward to presenting a Beautification Plaque for 1988 when the work is completed.”<sup>16</sup>

By 2006, the Fogcutter had been renamed The Kingsville Inn and featured live music on Friday and Saturday nights.



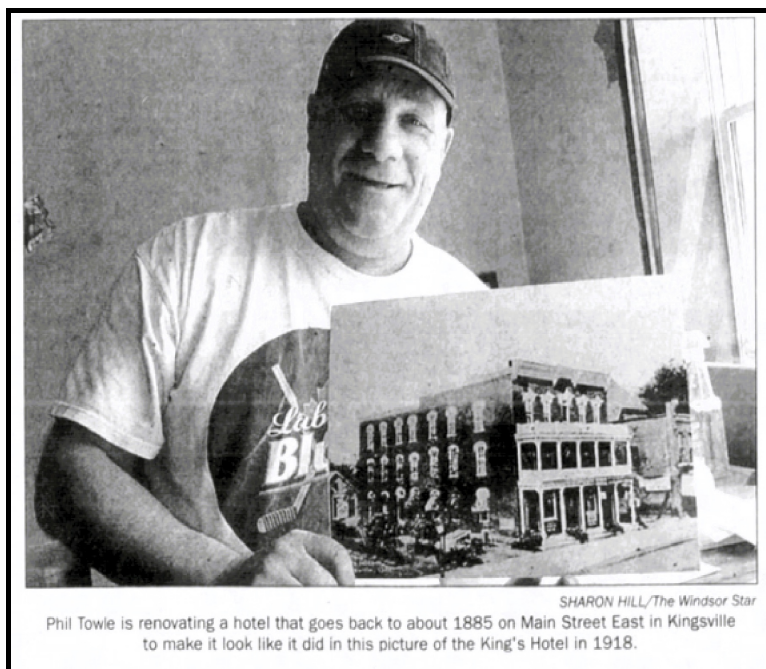
*Google Streetview, July 2009*

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<sup>14</sup> “Essex County: Strippers draw,” *The Windsor Star*, 22 July 1972, p.35.

<sup>15</sup> “You’ll feel at home in Fogcutter,” *The Windsor Star*, 4 July 1978, p.55.

<sup>16</sup> *The Kingsville Reporter*, 15 March 1988, p.1.



*The Windsor Star, 25 May 2010*

In the spring of 2010, Phil Towle acquired The Kingsville Inn and quickly started the renovations, transforming the exterior to reflect the original architecture.

The new name was to be the Kings Hotel Inn and Suites.



*The Windsor Star, 25 November 2010*



*Google Streetview, June 2012*

"Towle said his upscale inn will include some rooms with access to the balconies that will stretch across the front of the hotel. The inn will also have a restaurant in the lower level that features the original terrazzo floors."<sup>17</sup>

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<sup>17</sup> "The Fogcutter's transformation," The Windsor Star, 25 May 2010, p.4





*The Grove, August 2019*

The property changed hands again in the spring of 2016:

“The five Kingsville businessmen who bought the former King’s Hotel, changed the name and created a destination attraction will soon begin work on their next project, a craft brewery and restaurant, which they expect to unveil In March.”<sup>18</sup>

### Grove Brew House set to open Monday with final preparations underway



Pictured in the soon to open Grove Brew House are owners (standing) Jim Flynn, Jeff Smith, (seated) Shawn Chapman, Trevor Loop and Jeremy Truax. Also pictured is Head Brewer Donovan McFadden inside the brewery.  
Photos by Steve l'Anson

*The Kingsville Reporter, 25 July 2017*

<sup>18</sup> “Kingsville’s Grove Hotel: Transforming Main Street,” The Windsor Star, 22 September 2016, p.B6.



**Date:** May 6, 2024  
**To:** Mayor and Council  
**Author:** Vicky Sawatzky  
**RE:** 2024 Final Tax Levy By-Law  
**Report No.:** FS-2024-05

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## **RECOMMENDED ACTION**

1. That **By-Law 37-2024** being a By-law for the establishment of the 2024 final tax levy be taken as having been read three times and finally passed; and that the Mayor and Clerk **BE AUTHORIZED** to sign same.

## **BACKGROUND**

In accordance with Section 312 (2) of the *Municipal Act, 2001*, each year Council must authorize a By-law to establish rates for the levy and collection of property taxes.

The Town of Kingsville is also responsible for levying and collecting property taxes on behalf of the County of Essex and the Ministry of Education.

## **DISCUSSION**

The total tax rate for each property tax class is comprised of three separate components:

1. Local rate
2. County rate
3. Education rate

The Local tax rates are based on the following factors:

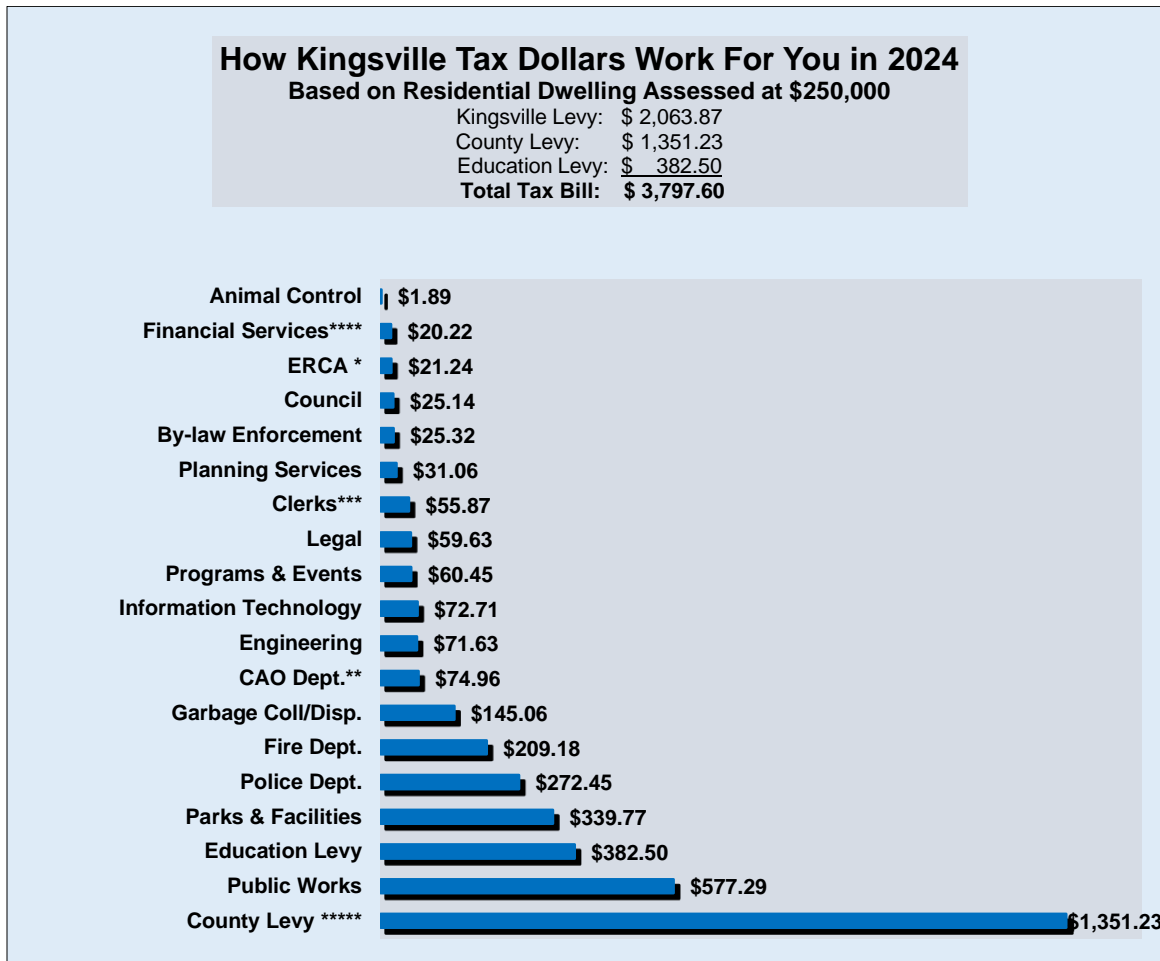
- the amount to be levied, as per the approved municipal budget
- the assessment roll for the tax year, as provided by MPAC
- the tax class ratios, as established by the County of Essex

The Town of Kingsville approved its 2024 municipal budget on December 13, 2023.

The County tax rates are established annually by County Council. For 2024, these rates are provided in County of Essex By-law 2024-07.

The Education tax rates are provided each year by the Ministry of Education.

On a combined basis, the Local, County, and Education tax rates have increased by 6.1% over 2023. For the average residential dwelling, assessed at \$250,000, this amounts to an increase of \$218.26. A breakdown of the allocation of tax dollars is noted below.



\* Essex Region Conservation Authority

\*\* CAO Dept. includes: CAO & Human Resources

\*\*\* Clerks Dept includes: Clerks & Communications

\*\*\*\* Financial Services includes: Finance, Customer Service & Economic Development

\*\*\*\*\* County levy spent on: County Roads, Libraries, Social Services, Ambulance, etc.

## FINANCIAL CONSIDERATIONS

Based on the current year assessment roll as provided by MPAC, the local tax rates proposed in By-law 37-2024 will raise \$23,898,364 as approved in the 2024 municipal budget.

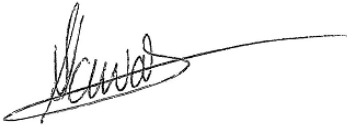
## ENVIRONMENTAL CONSIDERATIONS

There are no environmental considerations associated with this report

## CONSULTATIONS

The assessment values and tax classes for all properties are provided by Municipal Property Assessment Corporation

PREPARED BY:



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Vicky Sawatzky, BBA  
Supervisor of Customer Service and Tax Revenue

REVIEWED BY:



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Ryan McLeod, CPA, CA  
Director of Finance and Corporate Services

# THE CORPORATION OF THE TOWN OF KINGSVILLE

## BY-LAW 37-2024

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**Being a By-law to provide for the establishment of rates for the levy and collection of property taxes in the Town of Kingsville for the year 2024 pursuant to the provisions of the Municipal Act.**

**WHEREAS** the Council of the Corporation of the Town of Kingsville has reviewed its estimates for the year 2024;

**AND WHEREAS** Section 290 (1) of the Municipal Act, 2001, S.O. 2001 c. 25, as amended, provides that the Council of a local municipality shall in each year prepare and adopt a budget including the estimates of all sums required during the year for the purposes of the municipality;

**AND WHEREAS** the Council of the Corporation of the Town of Kingsville has approved the 2024 Town of Kingsville estimates in accordance with Schedule “A” attached hereto;

**AND WHEREAS** pursuant to the Corporation of the County of Essex By-law 2024-07, the Corporation of the County of Essex passed a by-law to adopt estimates of all sums required during the year 2023 for the Corporation of the County of Essex and to establish tax rates for same against the local municipalities;

**AND WHEREAS** Section 312 (2) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides that the Council of a local municipality shall, after the adoption of estimates for the year, pass a by-law to levy a separate tax rate, as specified in the by-law, on the assessment in each property class in the municipality ratable for local municipal purposes;

**AND WHEREAS** Section 312 (6) of the said Act requires tax rates to be established in the same proportion to tax ratios;

**AND WHEREAS** The Corporation of the County of Essex passed By-law 2024-07, being a by-law to establish tax ratios for 2024 for the Corporation of the County of Essex and the lower tier municipalities within the boundaries of the County of Essex, pursuant to Section 308 of the Municipal Act, 2001, S.O. 2001, c. 25 as amended;

**AND WHEREAS** Sections 315 and 322 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, provide for the apportionment of payments in lieu of taxes and taxation of certain railway and power utility lands.

### **NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF KINGSVILLE ENACTS AS FOLLOWS:**

1. That the 2024 assessment per property class as detailed in Schedule “B” attached hereto and forming part of this by-law, be adopted for purposes of calculating the tax rates for municipal purposes and for determining the levy for the Town of Kingsville.
2. That the amount to be raised by tax rates for the Town of Kingsville purposes in the amount of \$23,898,364 as set out in Schedule “A” attached hereto and forming part of this by-law be adopted.
3. That the tax rates as listed in Schedule “C” attached to this by-law be applied to the corresponding taxable assessments listed in Schedule “B” to raise sums of: \$23,898,364 for general Town purposes; \$15,646,426 for the County of Essex; and \$6,399,188 for education purposes.
4. That the levies listed in clause (3) of this by-law shall be reduced by the amount of the interim levy for 2024.
5. That the 2024 final tax demand be levied in two (2) installments which will be due and payable on **August 30, 2024** and **November 29, 2024**.

6. That amounts to be collected for local improvements, tile drains, municipal drains, water mains, sewers and miscellaneous charges shall be collected in accordance with their respective authorizing by-laws and are deemed to be imposed and due on the installment due dates listed in clause (5) of this by-law.
7. That the Treasurer and/or Tax Collector, no later than twenty one (21) days prior to the day the first installment is due, may mail or cause to be mailed to the address of the residence or place of business of each person taxed as aforesaid, a notice specifying the amount of taxes payable by such person/corporation.
8. That pursuant to Section 345 (2) of the Municipal Act, 2001, S.O. 2001, C.25, as amended, 1 ¼ per cent of the amount of taxes due and unpaid, shall be imposed as a penalty for the non-payment of taxes on the first day of default.
9. That pursuant to Section 345 (3) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, 1 ¼ per cent shall be imposed on outstanding taxes on the first day of the calendar month after payment default and each calendar month thereafter. No discount shall be allowed for pre-payment.
10. That failure to receive a tax notice does not exempt the property owner from penalty and late payment charges as outlined in clauses (8) and (9) of this by-law.
11. Council reserves the right to waive or reduce the penalty and interest calculations outlined in clauses (8) and (9), for specified periods of time, through an approved motion of Council. Any such waivers or reductions shall be applied consistently, to all property classes.
12. That taxes shall be payable to The Corporation of the Town of Kingsville at 2021 Division Road North, Kingsville, ON or paid at any financial institution which is authorized to accept payment under the Canadian Payments Association Regulations.
13. That the Treasurer and/or Tax Collector shall hereby be authorized to administer a pre-authorized payment plan for the Town of Kingsville and accept four (4) quarterly due date or twelve (12) monthly payments on account of taxes due.
14. This By-law shall remain in force from year to year until it is repealed and any By-law repealing this by-law shall be effective only at the end of any year.
15. In the event of conflict between the provisions of this By-law and any other By-law, the provisions of this by-law shall prevail.
16. That all By-laws inconsistent with this by-law are hereby repealed.
17. This By-law shall come into force and take effect on the day of the final passing thereof.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS  
6<sup>th</sup> DAY OF MAY, 2024.**

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**MAYOR, Dennis Rogers**

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**ACTING CLERK, Angela Toole**

Consolidated Budget Summary

Taxation	2023 Budget	2024 Budget
Taxation Levy	\$ 21,789,337	\$ 23,898,364
Supplemental & Other Taxes	\$ 390,000	\$ 390,000
Total Taxation:	\$ 22,179,337	\$ 24,288,364

Operations	2023 Budget	2024 Budget
Operating Revenue:		
Council	\$ -	\$ -
Financial Services	\$ 1,698,100	\$ 1,749,000
CAO Department / Human Resources		\$ -
Clerks	\$ 24,200	\$ 105,200
Legal	\$ 200	\$ 200
Information Technology		\$ -
Animal Control	\$ 40,000	\$ 40,000
Fire	\$ 143,950	\$ 158,850
Police	\$ 182,400	\$ 155,400
Building and By-law	\$ 893,350	\$ 893,350
Public Works	\$ 96,600	\$ 56,900
Engineering	\$ 70,500	\$ 137,500
Cemetery	\$ 97,225	\$ 101,900
Arena	\$ 271,700	\$ 259,900
Parks	\$ 15,000	\$ 10,000
Facilities	\$ 196,000	\$ 135,845
Marina	\$ 77,000	\$ 76,000
Programs & Events	\$ 38,700	\$ 49,700
Planning	\$ 145,000	\$ 179,750
BIA	\$ 143,750	\$ 156,600
Total:	\$ 4,133,675	\$ 4,266,095

Operating Expenditures:		
Council	\$ 289,655	\$ 295,810
Financial Services	\$ 1,621,443	\$ 1,695,912
CAO Department / Human Resources	\$ 916,073	\$ 842,204
Clerks	\$ 632,472	\$ 730,215
Legal	\$ 654,348	\$ 701,897
Information Technology	\$ 575,047	\$ 753,664
Animal Control	\$ 67,800	\$ 62,300
Fire	\$ 1,898,846	\$ 2,153,014
Police	\$ 3,412,446	\$ 3,281,676
Building and By-law	\$ 1,321,829	\$ 1,451,525
Public Works	\$ 2,840,056	\$ 2,885,166
Engineering	\$ 670,442	\$ 894,009
Sanitation	\$ 1,623,848	\$ 1,707,150
Cemetery	\$ 158,175	\$ 167,622
Arena	\$ 1,307,047	\$ 1,220,878
Parks	\$ 945,158	\$ 1,122,862
Facilities	\$ 420,085	\$ 417,003
Marina	\$ 99,125	\$ 110,008
Programs & Events	\$ 640,488	\$ 761,139
Planning	\$ 551,961	\$ 545,271
BIA	\$ 153,803	\$ 161,637
Total:	\$ 20,800,147	\$ 21,960,961
Transfer to (from) Operating Reserves:	\$ (141,532)	\$ (216,712)
Operating Surplus/(Deficit):	\$ (16,524,940)	\$ (17,478,154)

Capital	2023 Budget	2024 Budget
Capital Revenue:	\$ 20,807,000	\$ 17,452,397
Capital Expenditures:		
Council	\$ -	\$ -
Financial Services	\$ 319,000	\$ -
CAO Department / Human Resources		
Clerks		
Legal		
Information Technology	\$ 95,000	\$ 104,000
Animal Control	\$ -	\$ -
Fire	\$ 786,600	\$ 352,500
Police	\$ -	\$ -
Building and By-law	\$ 53,000	\$ 190,000
Public Works	\$ 16,297,750	\$ 10,240,000
Sanitation	\$ -	\$ 2,759,000
Cemetery	\$ -	\$ -
Arena	\$ 1,930,000	\$ -
Parks	\$ 2,370,500	\$ 425,000
Facilities	\$ 165,000	\$ 670,000
Marina	\$ 25,000	\$ 3,235,000
Programs & Events	\$ -	\$ -
Planning	\$ 85,000	\$ -
BIA	\$ -	\$ -
Total:	\$ 22,126,850	\$ 17,975,500
Transfer to Capital Reserves	\$ 3,290,000	\$ 4,905,000
Repayment of Long-Term Debt	\$ 1,044,547	\$ 1,382,106
Capital Surplus/(Deficit)	\$ (5,654,397)	\$ (6,810,209)

Net Surplus/(Deficit)	\$ -	\$ -
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**2024 Assessment Totals**  
**(including Payment In Lieu Assessment)**
**Taxable Assessment**

Realty Tax Class	Realty Tax Qualifier	RTC/RTQ	Current Value Assessment (CVA)
Commercial	Small Scale On-Farm Business	C7	31,200
Commercial	Full	CT	182,449,370
Commercial	Excess Land	CU	1,692,500
Commercial	Vacant Land	CX	2,087,600
Office	Full	DT	946,400
Farm	Full	FT	753,101,500
Parking Lot	Full	GT	71,000
Industrial	Small Scale On-Farm Business	I7	51,000
Industrial	Full	IT	37,390,700
Industrial	Excess Land	IU	761,800
Industrial	Vacant Land	IX	2,096,300
Large Industrial	Full	LT	12,241,088
Large Industrial	Excess Land	LU	53,700
Multi-Residential	Full	MT	23,716,900
New Multi-Residential	Full	NT	333,900
Pipeline	Full	PT	25,620,000
Residential	Farmland 1	R1	766,700
Residential	Full	RT	2,306,615,342
Shopping Centre	Full	ST	10,270,200
Shopping Centre	Excess Land	SU	127,600
Managed Forest	Full	TT	1,003,700
		Total:	3,361,428,500

**Payment In Lieu Assessment**

Realty Tax Class	Realty Tax Qualifier	RTC/RTQ	Current Value Assessment (CVA)
Commercial	Full	CF	11,776,100
Commercial	General	CG	1,618,000
Commercial	Full, Shared PIL	CH	84,000
Farm	Full, Taxable Tenant of Province	FP	0
Industrial	Full, Shared PIL	IH	366,500
Industrial	Vacant Land, Shared PIL	IJ	57,900
Industrial	Excess Land, Shared PIL	IK	0
Residential	General	RG	24,300
Residential	Full, Shared PIL	RH	94,000
Residential	Full, Taxable Tenant of Province	RP	23,000
		Total:	14,043,800

**Exempt Assessment**

Realty Tax Class	Realty Tax Qualifier	RTC/RTQ	Current Value Assessment (CVA)
Exempt	Exempt	E	82,645,900
		Total:	82,645,900
		Total:	3,458,118,200

**2024 Tax Rates**

<b>Tax Property Class</b>	<b>Class</b>	<b>Local</b>	<b>County</b>	<b>Education</b>	<b>Total</b>
Residential	RT	0.00825549	0.00540493	0.00153000	0.01519042
Farmland	FT / R1	0.00206387	0.00135123	0.00038250	0.00379760
Commercial Occupied	CT	0.00893280	0.00584837	0.00880000	0.02358117
Office Building	DT	0.00893280	0.00584837	0.00880000	0.02358117
Commercial Excess Land	CU	0.00893280	0.00584837	0.00880000	0.02358117
Commercial Vacant Land	CX	0.00480882	0.00314837	0.00633473	0.01429192
Commercial On-Farm Business	C7	0.00893280	0.00584837	0.00220000	0.01698117
Parking Lot	GT	0.00480882	0.00314837	0.00633473	0.01429192
Multi-Residential	MT	0.00908104	0.00594542	0.00153000	0.01655646
Multi-Residential New Construction	NT	0.00908104	0.00594542	0.00153000	0.01655646
Pipelines	PT	0.01075690	0.00704262	0.00880000	0.02659952
Industrial Occupied	IT	0.01603629	0.01049907	0.00880000	0.03533536
Industrial Excess Land	IU	0.01603629	0.01049907	0.00880000	0.03533536
Industrial Vacant Land	IX	0.01603629	0.01049907	0.00880000	0.03533536
Industrial On-Farm Business	I7	0.01603629	0.01049907	0.00220000	0.02873536
Large Industrial Occupied	LT	0.02217507	0.01451818	0.00880000	0.04549325
Large Industrial Excess Land	LU	0.02217507	0.01451818	0.00880000	0.04549325
Managed Forests	TT	0.00206387	0.00135123	0.00038250	0.00379760
Shopping Centres	ST	0.00893280	0.00584837	0.00880000	0.02358117
Shopping Centres Excess Land	SU	0.00893280	0.00584837	0.00880000	0.02358117
Exempt	Ex	0.00000000	0.00000000	0.00000000	0.00000000



**Date:** May 6, 2024

**To:** Mayor and Council

**Author:** Erica Allen, Manager of Public Works and Environmental Services

**RE:** Banar Subdivision Phase 3 Construction

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## RECOMMENDED ACTION

1. That Phase 3 of the Banar Subdivision Watermain Replacement Project Tender **BE AWARDED** to D'Amore Construction (2000) Ltd. in the amount of \$844,000.00 (excluding HST) and the Mayor and Clerk **BE AUTHORIZED** to execute the requisite agreement.

## BACKGROUND

The watermain in the Banar Subdivision are constructed of ductile iron and were installed beginning in 1966 and built out by 1974. These watermain frequently fail, causing service disruptions to customers and property damage. As such, they were identified for replacement in the Town's 5-year capital schedule for buried infrastructure as outlined in the following table:

Year	Phase	Projects	Risk Assessment Analysis
2022	1	Stonehedge Dr/Coghill Dr/Allen Crt/Long Crt	- Aging infrastructure - Pipeline/water main break
2023	2	Woodlawn Cr/Summerset Ave/Commissioner Dr/Parkdale Cr	- Aging infrastructure - Low Pressure
2024	3	Owenwood Dr/James Ave/Katrishe Cr/Heritage Rd (Greenway to Main)	- Aging infrastructure - Low Pressure

During 2024 budget deliberations, \$1.2 million was approved for the completion of Phase 3 of the project. Upgrading these mains will improve pressure, reduce the frequency of breaks, decrease operational costs, and improve overall water quality.

## DISCUSSION

The tender for Phase 3 was advertised on February 20, 2024 and closed on March 15, 2024. In total, eleven (11) bids were received. The top five (5) bids (excluding HST) are as follows:

Contractor / Vendor Name	Bid Amount
D'Amore Construction (2000) Ltd.	\$844,000.00
Major Reconstruction (2010) Ltd.	\$875,215.50
Sterling Ridge Infrastructures Inc.	\$895,445.00
Sherway Contracting (Windsor) Ltd.	\$917,000.00
J.C.S. Construction Inc.	\$923,150.00

D'Amore Construction (2000) Ltd. is able to satisfy requirements relating to experience with similar projects, bonding, and insurance while providing the lowest cost proposal. Therefore, the recommendation is to proceed with this vendor. RC Spencer and Associates has also endorsed this recommendation (see the Appendix for their tender review letter). If approved, construction would commence in early summer and last approximately eight (8) weeks.

## FINANCIAL CONSIDERATIONS

The 2024 capital budget included \$1.2 Million to replace watermain within the Banar subdivision. The total project costs including contract administration and engineering for 2024 is approximately \$875,000 including contingency.

In early 2022, Administration was pleased to announce that the Town had successfully applied for funding through the Investing in Canada Infrastructure Program (ICIP) to replace these vulnerable watermain. Through the ICIP grant, funding for this project will be shared between the Federal Government (40%) and the Province (33.33%), with the remaining 26.67% of eligible costs borne by the Town. An estimated breakdown of expenses is as follows:

Source of Funding	Cost
Federal	\$350,000.00
Provincial	\$291,637.50
Municipal	\$233,362.50
TOTAL	\$875,000.00

## ENVIRONMENTAL CONSIDERATIONS

The watermain in Banar Subdivision are prone to failure. Upgrading these assets will reduce water loss and increase energy efficiency to treat and convey potable water to consumers in Kingsville.

## CONSULTATIONS

None

PREPARED BY:



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Erica Allen, C.Tech.

**Manager of Public Works and Environmental Services**

REVIEWED BY:



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Shaun Martinho, HBSc., MBA

**Director of Public Operations**



**REGULAR MEETING OF COUNCIL  
MINUTES**

**Monday, April 22, 2024  
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

CAO, John Norton  
Acting Clerk, Faren Kalmar

**A. CALL TO ORDER**

Mayor Rogers called the Regular Meeting to order at 5:11 p.m.

**B. CLOSED SESSION**

**079-04222024**

**Moved By** Councillor Jarvis-Chausse

**Seconded By** Councillor Gaffan

That Council move into Closed Session at 5:15 p.m. pursuant to section 239(2) of the *Municipal Act, 2001* to consider the following items:

**Item I - Tender Awards: 2024 Kingsville Urban Road Resurfacing** to be heard under Section 239(2)(f) being advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

**Item II - BLRH Licensing By-law 3-2024** to be heard under Section 239(2)(f) being advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

**CARRIED**

**080-04222024**

**Moved By** Deputy Mayor DeYong

**Seconded By** Councillor Neufeld

That Council rise from Closed Session at 5:29 p.m.

**CARRIED**

The Regular Meeting of Council resumed at 6:02 p.m.

**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**

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

**E. MAYOR'S WELCOME AND REMARKS**

Mayor Rogers welcomed those in attendance including those viewing online.

**F. AMENDMENTS TO THE AGENDA**

Councillor Gaffan had one (1) 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.

Mayor Rogers declared a conflict on Item I-1 (Short Term Rental Units) as the owner of a STRU in the business district.

**H. REPORT OUT OF CLOSED SESSION**

The Acting Clerk gave the following report out of Closed Session:

Pursuant to Section 239(2) of the Municipal Act, 2001, Council entered into Closed Session at 6:25 p.m. on April 8, 2024, to discuss the following items:

**Item I - Property Disposition - Lions Park and Lions Hall** heard under Section 239(2)(c) being a proposed or pending acquisition or disposition of land by the municipality; Section 239(2)(f) being advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and Section 239(2)(k) being a position, plan, procedure, criteria, or instruction to be applied to negotiations. There is nothing further to report; and,

**Item II - Property Acquisition - Surplus School Properties** heard under Section 239(2)(c) being a proposed or pending acquisition or disposition of land by the municipality; Section 239(2)(f) being advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and Section 239(2)(k) being a position, plan, procedure, criteria, or instruction to be applied to negotiations. There is nothing further to report.

**I. DELEGATIONS**

**1. Short Term Rental Units**

Mayor Rogers vacated the Chair and Deputy Mayor DeYong assumed the Chair.

The following residents spoke:

- Liz Gates
- Linc Kesler

- Judi Lacey
- Rita Singor
- Tamara Stomp

Mayor Rogers resumed the Chair.

## 2. **Boarding, Lodging, Rooming House By-law 3-2024**

The following members of the public spoke:

- Caesar Colasanti (Col-Mac Orchards)
- Aaron Coristine (OGVG)
- Brenda Gagnier (resident)
- Elizabeth Ha (Justicia for Migrant Workers, Ontario Federation of Labour, Ontario Public Service Employees Union)
- Laura Mastronardi (Sunrise Farms)
- Kathy Mastronardi-Black (Lee & Maria's)
- Lydia Miljan (resident)
- Sarah Sacheli (resident)

## J. **NOTICES OF MOTION**

### 1. **Boarding, Lodging, Rooming House (BLRH) Licensing - Councillor Neufeld**

Mayor Rogers explained that a Motion to Reconsider requires a 2/3 vote (5 of 7 members) to pass.

**081-04222024**

**Moved By** Councillor Neufeld

**Seconded By** Councillor Patterson

That Council **RECONSIDER** By-law 03-2024 (inclusive of Appendix "A") being a By-law to Licence Boarding, Lodging, Rooming Houses (BLRH) in the Town of Kingsville (which was approved on January 8, 2024).

**For (4):** Mayor Rogers, Councillor Lowrie, Councillor Neufeld, and Councillor Patterson

**Against (3):** Deputy Mayor DeYong, Councillor Gaffan, and Councillor Jarvis-Chausse

**LOST (4 to 3)**

**082-04222024**

**Moved by** Councillor Patterson

**Seconded by** Councillor Gaffan

That Council take a 5 minutes **RECESS**

**CARRIED**

**083-04222024**

**Moved by** Deputy Mayor DeYong

**Seconded by** Councillor Gaffan

That Council **RESUME** the Regular Meeting.

**CARRIED**

**K. PRESENTATIONS**

**1. 2024 Tourism Update**

Sue Rice, Economic Development and Tourism, gave a presentation outlining the Town's tourism initiatives for 2024.

**L. MATTERS SUBJECT TO NOTICE**

**1. 134 County Rd 34 W - Application for Consent B-2024-12 & Zoning By-law Amendment ZBA-2024-6**

Mr. Jason Greenberg, resident, attended virtually.

Don Casmore, applicant, General Manager for Gosfield North Communications Co-operative Limited, attended in person and spoke to the applications.

**084-04222024**

**Moved By** Deputy Mayor DeYong

**Seconded By** Councillor Patterson

1. That Consent application B-2024-8, to create a lot that has an area of 1007.67 m<sup>2</sup> (10,846.44 ft<sup>2</sup>) and a frontage of 22.31 m (73.22 ft) on County Rd 34 W shown as Parts 2 on the Plan of Survey (Attached as Appendix B), on lands municipally known as 134 County Rd 34 W, in the Town of Kingsville, **BE APPROVED**, subject to the following conditions:
  - a. Prior to consent being endorsed on the deeds the property owners are to:
    - i. execute an agreement for drainage apportionment of each lot of record, approved by the Municipality. Drainage Apportionment Request, 12R plan shall be submitted to the Municipality a minimum of one month prior to the stamping of the deeds.
    - ii. provide confirmation that the Concrete Block Garage, identified on the applicant's Survey in Appendix B, is demolished
    - iii. provide a lot grading plan acceptable to the municipality to serve the lands being conveyed, and the lands being retained, with the cost of such drainage being solely at the expense of the applicant. Lot Grading Plans shall be submitted to the Engineering Department a minimum of three months prior to the stamping of the deeds.
  - b. That the necessary deed(s), transfer or changes be submitted electronically, signed and fully executed, including a copy of the reference plan, prior to certification.
  - c. The conditions imposed above shall be fulfilled by April 22, 2026 or this application shall be deemed to be refused in accordance with Section 53(41) of the Planning Act.

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

**CARRIED (7 to 0)**

**085-04222024**

**Moved By** Councillor Patterson

**Seconded By** Councillor Gaffan

2. And that By-law 34-2024 being a By-law to amend the Comprehensive Zoning By-law 1-2014 for the Town of Kingsville, **BE APPROVED** to amend the zoning in the following manner:

- a. The severed parcel (Part 2) from “Residential Zone 2 Rural/Urban (R2.2)”, “Residential Zone 2 Rural/Urban with exception 1 (R2.2-1)” and “Central Commercial with exception 2 (C2-2)” to “Central Commercial with exception 2 (C2-2)”; and
- b. The retained parcel (Part 1), from “Residential Zone 2 Rural/Urban (R2.2)”, “Residential Zone 2 Rural/Urban with exception 1 (R2.2-1)” and “Central Commercial with exception 2 (C2-2)” to “Residential Zone 2 Rural/Urban with exception 1 (R2.2-1)”; and
- c. 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)**

**M. REPORTS - PLANNING AND DEVELOPMENT SERVICES**

**1. York Subdivision Phase 4B – Final Acceptance**

Mr. Norton, CAO, declared a conflict as he is a resident of the York Subdivision. Mr. Wyma assumed Administrative leadership.

**086-04222024**

**Moved By** Councillor Gaffan

**Seconded By** Councillor Patterson

That Council **APPROVE** final acceptance and assumption of the roadway and infrastructure for the York Subdivision Phase 4B.

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

**CARRIED (7 to 0)**

Mr. Norton, CAO, resumed Administrative leadership.

**2. 2024 Urban Road Tender Awards**

**087-04222024**

**Moved By** Councillor Patterson

**Seconded By** Councillor Neufeld

- 1. That Council **ENDORSE** the award of the 2024 Kingsville Urban Road Resurfacing Program to Mill-Am Corporation in the amount of \$820,050 (excluding HST) via formal award by the County of Essex.



2. That the Main Street East and Jasperson Drive Reconstruction Tender **BE AWARDED** to Piera Con Enterprises Inc. in the amount of \$1,150,000 (excluding HST) and the Mayor and Clerk **BE AUTHORIZED** to execute the requisite agreement, and further, Council **APPROVE** the revised budget for this project as described in the Financial Considerations section of this report.

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

**CARRIED (7 to 0)**

**N. REPORTS - FINANCE AND CORPORATE SERVICES**

No Reports at this time.

**O. REPORTS - FIRE RESCUE SERVICES**

No Reports at this time.

**P. REPORTS - PUBLIC OPERATIONS**

No Reports at this time.

**Q. REPORTS - LEGAL, BUILDING AND BY-LAW SERVICES**

No Reports at this time.

**R. REPORTS - CAO's OFFICE**

No Reports at this time.

**S. CONSENT AGENDA**

**088-04222024**

**Moved By** Councillor Lowrie

**Seconded By** Deputy Mayor DeYong

That Items 1 through 3 on the Consent Agenda, **BE RECEIVED:**

1. Regular Council Meeting Minutes - April 8, 2024
2. BIA Minutes - March 12, 2024
3. Accessibility Advisory Committee - November 29, 2023

**CARRIED**

**T. CORRESPONDENCE**

**089-04222024**

**Moved By** Councillor Neufeld

**Seconded By** Councillor Jarvis-Chausse

That Council **RECEIVE** for information.

1. Correspondence from the Town of Cobourg dated March 8, 2024, Regarding Proposed Amendments to the Ontario Heritage Act
2. Correspondence from the Town of Cobourg dated March 11, 2024, Regarding Affordability of Water and Wastewater Systems

3. Correspondence from the Town of Aurora dated March 6, 2024 Regarding Legislative Amendments to Improve Municipal Codes of Conduct and Enforcement

**CARRIED**

**U. UNFINISHED BUSINESS AND ANNOUNCEMENTS**

Councillor Gaffan may move or cause to have moved that at the next Regular Meeting of Council:

**WHEREAS** on March 16, 2022, Essex County Council determined that our lower-tier municipalities shall participate in the Regional Organic Waste Collection and Processing Program;

**AND WHEREAS** the County has established the level of service associated with such program;

**AND WHEREAS** it is estimated that the service will result in a 4.3% property tax increase for the Town of Kingsville in the first year of the program;

**THEREFORE** I move that Kingsville Council direct Deputy Mayor DeYong or Mayor Rogers to make a motion at County Council asking that the County Council agree to fund the cost of the Regional Organic Waste Collection and Processing Program through the County of Essex property tax levy. If changes are required to the by-laws and agreements to achieve this result, it is requested that the County of Essex amend these by-laws and agreements as required, such as with EWSWA, City of Windsor and others.

**V. BYLAWS**

**090-04222024**

**Moved By** Deputy Mayor DeYong

**Seconded By** Councillor Jarvis-Chausse

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

**By-law 08-2024** being a By-law to provide for the three (3) new bridges over the Cameron Road Branch of the Billings Drain at a total estimated cost of \$83,328 in the Town of Kingsville, in the County of Essex;

**By-law 09-2024** being a By-law to provide for a new bridge over the Orton Drain at a total estimated cost of \$38,500 in the Town of Kingsville, in the County of Essex; and,

**By-law 12-2024** being By-law to provide for the new petition drain called Jamis Drain and Branches Project for Roll # 290-38900, in the Town of Kingsville, in the County of Essex.

**CARRIED**

**091-04222024**

**Moved By** Deputy Mayor DeYong

**Seconded By** Councillor Neufeld

And that the following By-law receive three readings and finally pass:

**By-law 32-2024** being a By-law to amend By-law 27-2021, as amended, being a By-law to regulate the outdoor parking or storage of recreational, commercial and motor vehicles on private property within the Town of Kingsville

**CARRIED**

**092-04222024**

**Moved By** Deputy Mayor DeYong

**Seconded By** Councillor Lowrie

And that the following By-law receive three readings and finally pass:

**By-law 33-2024** being a By-law to confirm the proceedings of the Council of the Corporation of the Town of Kingsville at its April 22, 2024 Regular Meeting of Council.

**CARRIED**

**W. ADJOURNMENT**

**093-04222024**

**Moved By** Councillor Gaffan

**Seconded By** Councillor Lowrie

That Council adjourns this Regular Meeting at 7:36 p.m.

**CARRIED**

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MAYOR, Dennis Rogers

---

ACTING CLERK, Faren Kalmar



# MINUTES

## MIGRATION FESTIVAL COMMITTEE

November 28, 2023

Kingsville Arena – Room C  
1741 Jasperson Drive, Kingsville

**PRESENT:** Leslie Pittendreigh  
Layne Van Loo  
Bailey Waldon  
Glenda Willemsma  
Councillor Debby Jarvis-Chausse  
Councillor Sheri Lowrie

Karen Loney and Shelby Gault, Staff Liaison

### A. CALL TO ORDER

Chair L. Pittendreigh called the meeting to order at 5:32 PM

### B. DISCLOSURE OF PECUNIARY INTEREST

Chair L. Pittendreigh reminded if a member of the Committee has any pecuniary interest, direct or indirect, in any matter which is the subject of consideration at this Meeting of the Committee (or that was the subject of consideration at the previous Meeting of the Committee at which the member was not in attendance), the member shall disclose the pecuniary interest and its general nature, before any consideration of the matter.

### C. ORDER OF BUSINESS

1. Confirmation of dates, details for booking
  - A. GMPO October 17, 2024, to October 20, 2024, but looking at hosting the children's category earlier to help with logistics

**Moved by** Layne van Loo

**Seconded by** Glenda Willemsma

**THAT the maximum number of adult artists that can attend is 70.**



## MINUTES

**CARRIED**

B. Migration Fall Festival Kick-off: Friday, October 18, 2024, from 6 PM to 9:30 PM

- I. Singer – to book Jody Raffoul
- II. Scouts – to ask them to provide chili again
- III. Artist Fee – to save \$5 on the Friday night ticket price and include this in the registration form

**Moved by** Layne van Loo

**Seconded by** Councillor Sheri Lowrie

**THAT the number of adult artists that can attend is 70.**

**CARRIED**

C. The Parade Date is October 19, 2024, at 10 AM

**Move by Councillor Sheri Lowrie**

**Seconded by** Glenda Willemsma

**THAT the Kingsville Migration Festival Parade will be held on Saturday, October 19, 2023, starting at 10 AM.**

**CARRIED**

D. Children's activities and market

**Moved by** Glenda Willemsma

**Seconded by** Layne van Loo

**THAT the Kingsville Children's Activities and Market will be at Lakeside on Saturday, October 19, 2024.**

**CARRIED**

### **D. MINUTES OF THE PREVIOUS MEETING**

- 1. Migration Festival Committee Meeting Minutes – September 26, 2023, and October 24, 2023.

**Moved by** Councillor Debby Jarvis-Chausse

**Seconded by** Layne van Loo



## MINUTES

**THAT the minutes of the Migration Festival Committee dated September 26, 2023 and October 24, 2023, BE RECEIVED.**

**CARRIED**

### **E. STAFF REPORTS**

1. K. Loney, Manager of Recreation Programs and Special Events
  - a. Budget being presented to Council for approval
  - b. Would be beneficial to have more members on the committee

### **F. INFORMATION ITEMS**

- A. Sponsors – creating a sponsorship package that can be used

### **G. NEXT MEETING DATE**

1. February 27, 2024 at 5:30 PM

### **H. ADJOURNMENT**

**Moved by** Lan van Loo

**Seconded by** Glenda Willemsma

**THAT the meeting be adjourned at 7:25 PM**

**CARRIED**

---

**CHAIR, Leslie Pittendreigh**

---

**RECORDING SECRETARY, Karen Loney**



**THE CORPORATION OF THE CITY OF SARNIA  
City Clerk's Department**

255 Christina Street N. PO Box 3018  
Sarnia ON Canada N7T 7N2  
519-332-0330 (phone) 519-332-3995 (fax)  
519-332-2664 (TTY)  
[www.sarnia.ca](http://www.sarnia.ca) [clerks@sarnia.ca](mailto:clerks@sarnia.ca)

January 19, 2024

The Right Honourable Justin Trudeau  
Prime Minister of Canada  
80 Wellington Street  
Ottawa, ON K1A 0A2  
[Justin.trudeau@parl.gc.ca](mailto:Justin.trudeau@parl.gc.ca)

Dear Prime Minister:

**Re: Carbon Tax**

At its meeting held on January 15, 2024, Sarnia City Council adopted the following resolution:

***Whereas the federal government recently increased the carbon tax in April 2023 and will almost triple it by 2030; and***

***Whereas the Parliamentary Budget officer has admitted that when fiscal and economic impacts of the federal fuel charge are considered that the vast majority of households will see a staggering loss; and***

***Whereas this tax flows through from producers to transporters to the grocery store floor for our citizens; and***

***Whereas this tax does very little to reduce pollution and emissions; and***

***Whereas two thirds of Canadians are approximately \$200 away or less from not being able to pay all their bills at the end of the month; and***

***Therefore, be it resolved that Sarnia City Council write a Letter to the Federal government (and copied to other Municipalities for their consideration) strongly urging them to cancel the carbon tax which is financially hurting our citizens at a time***

***when affordability concerns are at an all-time high to ease the financial and inflationary pressure on our Citizens.***

Your consideration of this request is respectfully requested.

Yours Sincerely,

A handwritten signature in cursive script, appearing to read 'Amy Burkhart'.

Amy Burkhart  
City Clerk

cc: All Ontario Municipalities



**The Corporation of the Municipality of St. Charles  
RESOLUTION PAGE**



**Regular Meeting of Council**

**Agenda Number:** 8.2.

**Resolution Number** 2024-070

**Title:** Resolution stemming from February 21, 2024 Regular Meeting of Council - Item 10.1 - Correspondence #7, 28 and 30

**Date:** March 20, 2024

---

**Moved by:** Councillor Loftus

**Seconded by:** Councillor Lachance

**BE IT RESOLVED THAT** Council for the Corporation of the Municipality of St.-Charles hereby supports the Resolution passed by the Corporation of the County of Prince Edward on January 16, 2024, and the support Resolutions passed by the Town of Plympton-Wyoming on February 14, 2024, and by the Township of McMurrich / Monteith on February 6, 2024, regarding expanding the life span of fire apparatus;

**AND BE IF FURTHER RESOLVED THAT** a copy of this Resolution be sent to Premier Doug Ford; Minister of Labour, Training, Immigration and Skilled Trades, David Piccini; Minister of Municipal Affairs and Housing, Paul Calandra; the Association of Municipalities of Ontario (AMO); our local Member of Provincial Parliament (MPP); and all Ontario Municipalities.

**CARRIED**

  
MAYOR

January 22, 2024

Please be advised that during the regular Council meeting of January 16, 2024 the following motion regarding support for the Province to expand the life span of fire apparatus, specifically pertaining to the replacement of fire trucks due to insurance requirements was carried:

**RESOLUTION NO. 2024-46**

**DATE:** January 16, 2024

**MOVED BY:** Councillor Nieman

**SECONDED BY:** Councillor Branderhorst

**WHEREAS** By-Law 3256-2013, being a By-Law to Establish, Maintain, and Operate a Fire Department established service level standards for the Corporation of the County of Prince Edward Fire Department;

**AND WHEREAS** apparatus and equipment are directly tied to the delivery of fire protection services authorized by Council in By-Law 3256-2013, and a safe, reliable and diverse fleet is required to serve operational needs;

**AND WHEREAS** fire Apparatus is governed by industry best practices, the application of law and recognized industry partners, including the Ontario Fire Service Section 21 Guidance Notes, National Fire Protection Association Standards, The Occupational Health and Safety Act, and Fire Underwriters Survey (FUS);

**AND WHEREAS** Fire Underwriters Survey (FUS) is a provider of data, underwriting, risk management and legal/regulatory services focusing on community fire-protection and fire prevention systems in Canada, establishing apparatus replacement schedules based on safety and risk mitigation practices;

**AND WHEREAS** on November 16, 2023, Council, received report FD-06-2023 regarding asset Management - Fire Apparatus Fleet Report and noted the budgetary pressures of meeting FUS replacement schedules;

**AND WHEREAS** no provincial funding is available for new fire trucks, yet, small and rural municipalities must meet the same standards set by FUS as larger municipalities for fire equipment, including additional pressure to move fire trucks out when they reach a specific age, even though they can still meet the safety regulations;

**THEREFORE BE IT RESOLVED THAT** the Council of the Corporation of Prince Edward County direct the Mayor to draft a letter to MPP Minister Todd Smith requesting a meeting to discuss the life span of fire apparatus, specifically pertaining to the replacement of fire trucks due to insurance requirements; and

**THAT** the Mayor draft a letter to FUS requesting the creation of a new community fire-protection and fire prevention insurance system that does not put all municipalities under the same umbrella, with distinct categories for rural and urban municipalities;

**THAT** this resolution be sent to Premier Doug Ford, the Honourable David Piccini, Minister of Labour, Immigration, Training and Skills Development, Paul Calandra, Minister of Municipal Affairs and Housing requesting a response on this matter within 30 days of receipt; and

**THAT** this resolution be shared with all 444 municipalities in Ontario, The Federation of Canadian Municipalities (FCM), The Association of Municipalities Ontario (AMO), and The Eastern Ontario Wardens' Caucus (EOWC).

**CARRIED**

Yours truly,



Catalina Blumenberg, **CLERK**

cc: Mayor Steve Ferguson, Councillor Nieman, Councillor Branderhorst, Marcia Wallace, CAO and Fire Chief Chad Brown





The Honourable Doug Ford  
Premier of Ontario  
[premier@ontario.ca](mailto:premier@ontario.ca)  
(sent via e-mail)

February 15<sup>th</sup>, 2024

Re: Expanding the Life of Fire Apparatus

Please be advised that the Council of the Town of Plympton-Wyoming, at its meeting on February 14<sup>th</sup>, 2024, passed the following motion supporting the resolution from Prince Edward County regarding Expanding the Life of Fire Apparatus.

**Motion #11**

Moved by Councillor Bob Woolvett  
Seconded by Councillor Kristen Rodrigues  
That Council support correspondence item 'r' from Prince Edward County regarding Expanding the Life of Fire Apparatus.

***Carried.***

If you have any questions regarding the above motion, please do not hesitate to contact me by phone or email at [eflynn@plympton-wyoming.ca](mailto:eflynn@plympton-wyoming.ca).

Sincerely,

Ella Flynn  
Executive Assistant – Deputy Clerk  
Town of Plympton-Wyoming

Cc: Minister of Labour, Immigration, Training and Skills Development – David Piccini  
Minister of Municipal Affairs and Housing – Paul Calandra  
Federation of Canadian Municipalities  
Association of Municipalities of Ontario  
The Eastern Ontario Wardens' Caucus  
All Ontario Municipalities



## TOWNSHIP OF McMURRICH / MONTEITH

District of Parry Sound  
P.O. Box 70 31 William Street  
Sprucedale, Ontario P0A 1Y0  
Phone 705-685-7901 Fax 705-685-7393  
[www.mcmurrichmonteith.com](http://www.mcmurrichmonteith.com) E-Mail: [clerk@mcmurrichmonteith.com](mailto:clerk@mcmurrichmonteith.com)

---

February 16, 2024

The Honourable Doug Ford  
Premier of Ontario  
[premier@ontario.ca](mailto:premier@ontario.ca)

Re: Expanding the Life of Fire Apparatus

Please be advised that the Council of the Township of McMurrich/Monteith, at its meeting on February 6<sup>th</sup>, 2024, pass the following motion supporting the resolution from Prince Edward County regarding Expanding the Life of Fire Apparatus.

Resolution #2024-53

Moved by: Vicky Roeder-Martin

Seconded by: Terry Currie

Be It Resolved that Council supports resolution 2024-46 from the County of Prince Edward relating to a request to the Province to expand the life span of fire apparatus, specifically pertaining to the replacement of fire trucks due to insurance requirements. Carried

If you have any questions regarding the above resolution, please do not hesitate to contact me by phone or email at [clerk@mcmurrichmonteith.com](mailto:clerk@mcmurrichmonteith.com)

Yours truly,

Cheryl Marshall  
Clerk-Treasurer

cc. Minister of Municipal Affairs and Housing – Paul Calandra  
Minister of Labour, Immigration, Training and Skills Development – David Piccini  
Federation of Canadian Municipalities  
Association of Municipalities of Ontario  
All Ontario Municipalities

# THE CORPORATION OF THE TOWN OF KINGSVILLE

## BY-LAW 39 - 2024

---

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.

**WHEREAS** the Council of the Town of Kingsville, in the County of Essex, has accepted petitions in accordance with the provisions of Section 74 of the Drainage Act, R.S.O. 1990, c. D. 17, requesting that maintenance and repair be carried out on these drains,

**AND WHEREAS** the Council of the Town of Kingsville has incurred costs for the said works to date as follows:

- 3<sup>rd</sup> Concession – Clifford Drain
- 3<sup>rd</sup> Concession Road Drain East
- 8<sup>th</sup> Concession Road Drain
- C.A. Quick Drain
- Cameron Road Branch of Billings Drain
- East Branch of No. 47 Drain
- Irwin Drain & Branch (Town of Leamington)
- Moon Drain
- Oxley Drain
- Palmer Drain
- Silver Creek Drain (Town of Lakeshore)
- South East Townline Drain
- Staddon Drain
- Thurston Drain
- Tinney Drain
- Union Avenue Drain

for a total cost of approximately \$123,609.82.

**AND WHEREAS** the said amount to be collected on a pro rata basis on the lands and roads assessed by the Corporation of the Town of Kingsville for such maintenance and repair;

**AND WHEREAS** Council is of the opinion that the repair of the area was desirable.

**THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF KINGSVILLE, PURSUANT TO THE DRAINAGE ACT, R.S.O 1990, c. D. 17, ENACTS AS FOLLOWS:**

1. The actual costs are hereby adopted as set forth in the final schedules of assessment.
2. The Corporation of the Town of Kingsville may borrow on the credit of the Corporation the amount to be contributed by the Corporation for the maintenance repair of the drainage works less the amount of
  - a) Grants received under Section 85 of the Act; and
  - b) Commuted payments made in respect of lands assessed.
3. Amounts assessed to property owners under the Drainage Act, shall be billed in accordance with the Town of Kingsville's *Municipal Drainage Billing Policy* dated June 24, 2019.
4. Any costs added to a property's tax roll in accordance with the *Municipal Drainage Billing Policy*, shall have priority lien status and shall be collected in the same manner as property taxes.

5. This by-law comes into force on the passing thereof.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS  
6<sup>th</sup> DAY OF MAY, 2024.**

\_\_\_\_\_  
**MAYOR, Dennis Rogers**

\_\_\_\_\_  
**CLERK, Angela Toole**

**THE CORPORATION OF THE TOWN OF KINGSVILLE**  
**BY-LAW 40 - 2024**

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**Being a By-law to confirm the proceedings of the  
Council of the Corporation of the Town of Kingsville at its  
May 6, 2024 Regular Meeting of Council**

**WHEREAS** sections 8 and 9 of the *Municipal Act, 2001* S.O. 2001 c. 25, as amended, (the “Act”) provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising the authority conferred upon a municipality to govern its affairs as it considers appropriate.

**AND WHEREAS** section 5(3) of the Act provides that such power shall be exercised by by-law, unless the municipality is specifically authorized to do so otherwise.

**AND WHEREAS** it is deemed expedient that the proceedings of the Council of The Corporation of the Town of Kingsville (the “Town”) be confirmed and adopted by by-law.

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE  
TOWN OF KINGSVILLE ENACTS AS FOLLOWS:**

1. The actions of the Council at its April 22, 2024 Regular Meeting in respect of each report, motion, resolution or other action taken or direction given by the Council at its meeting, is hereby adopted, ratified and confirmed, as if each resolution or other action was adopted, ratified and confirmed by its separate by-law.
2. The Chief Administrative Officer and/or the appropriate officers of the Town are hereby authorized and directed to do all things necessary to give effect to the actions set out in paragraph 1, or obtain approvals, where required, and, except where otherwise provided, the Mayor and the Clerk are hereby directed to execute all documents necessary and to affix the corporate seal to all such documents.
3. This By-Law comes into force and takes effect on the day of the final passing thereof.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS  
6<sup>th</sup> DAY OF MAY, 2024.**

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**MAYOR, Dennis Rogers**

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**ACTING CLERK, Angela Toole**