



TOWN OF KINGSVILLE
REGULAR MEETING OF COUNCIL
AGENDA

Monday, November 25, 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

Pages

A. Call to Order

B. Closed Session

Recommended Action

That Council **ENTER** into Closed Session at 5:00 p.m. pursuant to Section 239 of the Municipal Act, 2001, to discuss the following items:

Item I - Update on Development Matter to be heard under Section 239(2)(f) being advice that is subject to solicitor-client privilege, including communications necessary for that purpose, and Section 239(2)(k) being a position, plan, procedure, criteria, or instruction to be applied to negotiations.

Item II - Update Legal Matter Related to User Group to be heard under Section 239(2)(f) being advice that is subject to solicitor-client privilege, including communications necessary for that purpose, and Section 239(2)(k) being a position, plan, procedure, criteria, or instruction to be applied to negotiations.

C. 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.

D. Moment of Silent Reflection and National Anthem

E. Mayor's Welcome and Remarks

F. Amendments to the Agenda

G. 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.

H. Report out of Closed Session

Pursuant to Section 239 of the Municipal Act, 2001, Council entered into Closed Session at 8:47 p.m. on November 18, 2024, to discuss the following items:

Item I - Lions Hall heard under Section 239(2)(k) being a position, plan, procedure, criteria, or instruction to be applied to negotiations. There is nothing further to report.

Item II - Non-Union Compensation Review heard under 239(2)(d) being labour relations or employee negotiations and 239(2)(b) and under 239(2)(b) being personal matters about an identifiable individual, including municipal employees. There is nothing further to report.

I. Delegations

J. Presentations

1. Arts Society of Kingsville

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Wendy Durante, Chair of the Arts Society of Kingsville, appearing before Council to thank the Town for their support and provide an update on the organization's activities and future plans.

K. Matters Subject to Notice

1. 1478 Road 2 East and part of 0 Road 2 East (Vacant lot)
Draft Plan of Subdivision (SUB-2022-02) – Mivita Estates
County of Essex File No.: 37-T- 24002

12

Recommended Action

That Council **DIRECTS** Administration to advise the County of Essex that the Town of Kingsville supports the proposed Draft Plan of Subdivision by 552843 Ontario Ltd. & Mivita Holdings Inc., in principle and subject to the required Zoning By-law Amendment and Consent Application for land exchange and granting of required easement, as described in this Report

presented at the November 25, 2024, Regular Meeting of Council.

2. 1478 Road 2 East and part of 0 Road 2 East (Vacant lot) – Mivita Estates Subdivision Zoning By-law Amendment (ZBA-2024-19) and Consent Application (B-2024-27)

40

Recommended Action

That Zoning By-law Amendment application ZBA 2024-19 to amend the current Residential Zone 2 Rural/Urban (R2.2) zoning on those parts of the lands, municipally known as 1478 Road 2 East and part of 0 Road 2 East (Vacant lot), having legal description Part of Lot 9, Concession 2 Eastern Division in the Town of Kingsville, as shown on Appendix A of this report, by changing the current zoning designation from 'General Agricultural (A1)' to a 'Site-Specific Residential Zone 2 Rural/Urban - Hold (R2.2-12[H])' and 'Public Utilities/Facilities Zone - Hold (MG [H])' **BE APPROVED** in the following manner:

1. Subsection 6.2.2 Residential Zone 2 Rural/Urban (R2.2) of Town of Kingsville Comprehensive Zoning By-law No. 1-2014 is amended by adding Exception 12 (R2.2-12) as shown in Appendix A of this report;
2. Town of Kingsville Comprehensive Zoning By-law No. 1-2014 is further amended by adding Site-specific Holding Provisions as shown in Table 1 of Appendix A of this report;

And that corresponding By-law 95-2024 being a by-law to amend the Comprehensive Zoning By-law 1-2014 for the Town of Kingsville, **BE ADOPTED** during the by-law section of this council agenda;

And that Consent Application (B-2024-27) for land exchange between 1478 Road 2 East and 0 Road 2 East (Vacant lot), and transfer of a 3-metre-wide easement or right of way to the Town of Kingsville, for placement of water services **BE APPROVED** subject to the following conditions:

1. Prior to the consent being endorsed on the deeds, the property owner shall provide a registered 12R-Plan to the Municipality;
2. Prior to consent being endorsed on the deeds, the applicant must provide confirmation that the transfer of easement or right of way to the Town of Kingsville has been registered;
3. 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; and
4. The conditions imposed above shall be fulfilled by **November 25, 2026**, or this application shall be deemed to be denied in accordance with Section 53(41) of the *Planning Act*.

L. Reports - Finance and Corporate Services

1. 2025 Fees and Charges By-law

98

Recommended Action

That Council **APPROVE** the proposed 2025 Fees and Charges;

And that the corresponding By-law 89-2024, being a By-law to impose Fees and Charges by The Corporation of the Town of Kingsville **BE ADOPTED** during the By-law stage of this Council Agenda.

2. 2025 Water and Sewer Rates 124

Recommended Action

That Council **APPROVE** the proposed 2025 Water and Sewage Rates;

And that the corresponding By-law 90-2024, being a by-law to impose water and sewage rates **BE ADOPTED** during the By-law stage of this Council Agenda.

3. Power of Entry By-law 141

Recommended Action

That Council **APPROVE** the proposed Power of Entry By-law, being a By-law to provide for Powers of Entry on Land for the Purpose of Carrying Out Inspections;

And that the corresponding By-law 92-2024 **BE ADOPTED** during the By-law stage of this Council Agenda.

4. Development Charges By-law Update – Amendments as per Bill 185 149

Recommended Action

That By-law 4-2023, being a by-law to establish Development Charges for the Town of Kingsville **BE AMENDED** to:

1. Include the cost of growth-related studies identified in section 3.1.2 of the attached memorandum dated October 21, 2024; and,
2. Repeal the phase-in requirements that are no longer mandatory;

And that corresponding By-law 91-2024, being a by-law to amend By-law 4-2023, **BE ADOPTED** during the By-law stage of this Council Agenda.

5. Management Agreement with Fisheries and Oceans Canada for the Small Craft Harbours' Facility at Cedar Beach 172

Recommended Action

That the Mayor and Clerk **BE AUTHORIZED** to enter into Management Agreement OP-4555-H-2401 with His Majesty the King, in right of Canada, represented by the Minister of Fisheries and Oceans;

And that By-law 96-2024 being a By-law to repeal By-law 122-2017 which is a By-law authorizing the entering into of a Management Agreement CA-4555-H-1710 with Her Majesty the Queen, in right of Canada, represented by the Minister of Fisheries and Oceans (the Small Craft Harbours' Facility at Cedar Beach, Ontario, **BE APPROVED** during the By-law stage of this Council Agenda.

M. Reports - Fire Rescue Services

- 1. Community Risk Assessment 176

Recommended Action

That the Community Risk Assessment **BE ENDORSED**, as presented;

And that Council **DIRECT** the Fire Chief to submit the Kingsville Fire & Rescue's 2024 Community Risk Assessment to the Office of the Fire Marshal in accordance with Ontario Regulation 378/18 of the Fire Protection and Prevention Act, 1997.

N. Consent Agenda

- 1. Communities in Bloom Committee Minutes - September 3, 2024 238
- 2. Heritage Advisory Committee Minutes - October 1, 2024 241
- 3. BIA Minutes - October 8, 2024 244
- 4. Committee of Adjustment & Appeals Minutes - October 15, 2024 251
- 5. Regular Council Meeting Minutes - October 28, 2024 256
- 6. Regular Council Meeting Minutes - November 4, 2024 262
- 7. Committee of the Whole Minutes - November 18, 2024 269

O. Correspondence

P. Notices of Motion

Q. Unfinished Business and Announcements

- R. By-laws** 271

Recommended Action

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

88-2024 - A By-law to amend By-law 2-2021 being a By-law to establish and regulate a Fire Department for the Town of Kingsville;

89-2024 - A By-law to impose fees and charges by The Corporation of the Town of Kingsville;

90-2024 - A By-law to impose water and sewage rates;

91-2024 - A By-law to amend By-law 4-2023 being a By-law to establish development charges for the Town of Kingsville;

92-2024 - A By-law to Provide for Powers of Entry on Land for the Purpose of

Carrying Out Inspections;

93-2024 - A By-law to amend By-law 72-2024, being a by-law to establish procedures governing the standards for the maintenance and occupancy of property within the municipality;

94-2024 - A By-law to adopt an Emergency Management Program and Emergency Response Plan and to meet other Requirements under the Emergency Management and Civil Protection Act;

95-2024 - A By-law to Repeal By-law 122-2017, a By-law authorizing the entering into of a Management Agreement CA-4555-H-1710 with Her Majesty the Queen, in right of Canada, represented by the Minister of Fisheries and Oceans (the Small Craft Harbours' Facility at Cedar Beach, Ontario)

96-2024 - A By-law to amend By-law No. 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville

97-2024 - A By-law to confirm the proceedings of the Council of the Corporation of the Town of Kingsville at its November 25, 2024 Regular Meeting of Council

S. Adjournment

Recommended Action

That Council adjourns this Regular Meeting at p.m.



ARTS SOCIETY OF KINGSVILLE



Since 2013

ABOUT ASK

Arts Society of Kingsville (ASK) is a member-run collective dedicated to cultivating, supporting, and promoting the arts in our community.

At Carnegie, our mission is to cultivate a welcoming, creative, and inclusive environment where individuals can exhibit, teach, learn, and grow without judgment.

Our amazing group of creative members and volunteers help to present Carnegie and Kingsville as a unique and welcoming arts destination.



CARNEGIE ARTS AND VISITOR CENTRE

Since 2021, ASK has the privilege of hosting the Carnegie Arts and Visitor Centre on behalf of, and in support of, the Town of Kingsville and Tourism Windsor, Essex and Pelee Island.

At Carnegie, ASK volunteers curate a gallery and gift shop with monthly themed art exhibits featuring ASK members and other local artists. We welcome emerging and experienced artists and artisans that include painters, photographers, woodworkers, potters, jewellery makers, glass workers, textile artists, authors, and more.

Our open and inclusive atmosphere attracts talented individuals from Kingsville and Ontario at large.



MORE THAN ART SHOWS



ASK prides itself on being more than an art gallery. In addition to high-quality art exhibits, we also display items by local artists and artisans that appeal to tourists, visitors, and locals looking for unique cards, gifts, and keepsakes. This fits well with our other role as tourism ambassadors for the Town of Kingsville.

Over the past year, ASK volunteers have greeted more than 2,500 visitors from across North America, Europe, and distant locations such as Australia, Nigeria, and Japan, among others.

PROGRAMMING

ASK is committed to arts education and offers a variety of fun, interactive, and informative sessions. Creative 55+ is a very popular program and ASK is privileged to be able to provide it at no cost to mature members of our community thanks to funding provided by the Kingsville Community Grant.

Creative 55+, our weekly Adult Drop-In, and member-run classes consistently reach capacity. Participants tell us they appreciate the opportunity to share, encourage, and learn from each other, develop new skills, and enhance the quality of their lives and their work.



ASK CONTRIBUTES

- A dedicated roster of over 40 ASK volunteers collectively contribute over **1800 volunteer hours per year** to serve as tourism ambassadors and keep Carnegie operating as a vital tourism and arts hub in Kingsville.
- Proceeds from ASK exhibit and gift shop sales, and art classes, help support local artists and artisans, with **20%** of sales going directly to the municipality.
- With over **200 members**, over half of whom reside in Kingsville, ASK is a proud supporter of other local not-for-profits, committees of council, and local businesses.
- ASK does this, and so much more because our members and volunteers are dedicated to **supporting the arts, local businesses, and community events!**

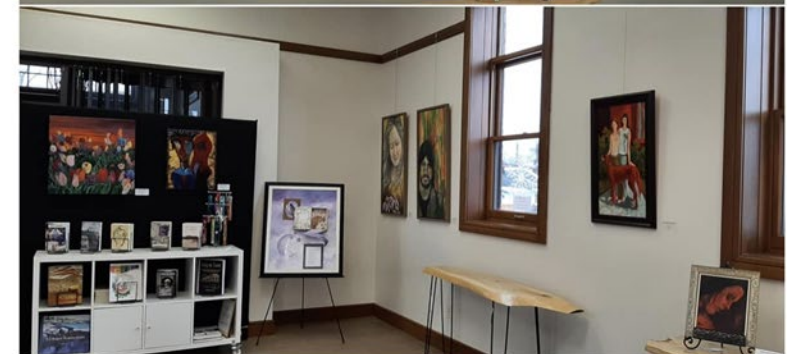
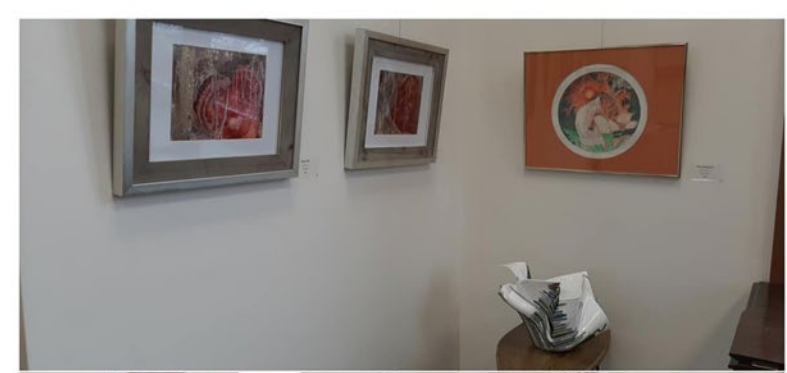


COULD WE DO MORE? YES!

ASK has proven that it can efficiently operate a year-round community art gallery and gift shop while providing helpful visitor information.

The main floor of Carnegie is a beautiful gallery space with its high ceilings and abundant natural light and with additional dedicated space, we could expand arts programs.

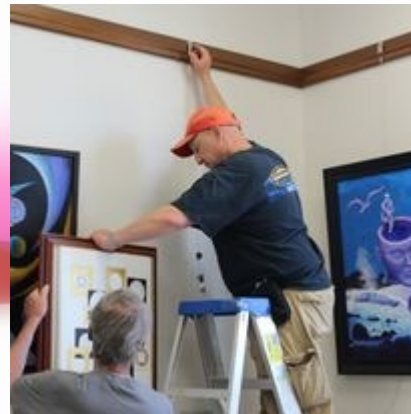
Through fundraising initiatives and the generous support of contributors to the ASK Founders Fund, we envision a future filled with new opportunities to make the arts accessible to people of all ages and backgrounds.



THE FUTURE LOOKS PROMISING

Our close relationship and collaborations with the BIA have proven mutually beneficial. We value that partnership and will continue to cultivate it.

Recognized for its welcoming spirit and leadership within the local arts community, and backed by the Town of Kingsville, the Arts Society of Kingsville remains committed to inspiring and guiding efforts to make art accessible to everyone.



OPPORTUNITIES



The ASK Youth Arts Council and Creative Business Workshops are new initiatives designed to empower young creative minds. They will offer emerging artists opportunities to chart their unique path while gaining essential job skills.

We see on the horizon goals such as an after-school arts centre for children and teens, an arts hub for migrant workers, and a permanent children's art gallery.

FOR CONSIDERATION

A.S.K. highly values and is thankful to the Town of Kingsville for the space provided us at the beautiful, historic, Carnegie building.

Our vision for the future sees the entire Carnegie Arts & Visitor Centre as an integral arts and tourism hub in the county. We hope you'll agree.



“To create one’s own world takes courage.”

ArtProMotivate.com

**We thank you for your continued support of the arts
and the Arts Society of Kingsville!**



Date: November 25, 2024

To: Mayor and Council

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

RE: 1478 Road 2 East and part of 0 Road 2 East (Vacant lot)
Draft Plan of Subdivision (SUB-2022-02) – Mivita Estates
County of Essex File No.: 37-T- 24002

RECOMMENDED ACTION

That Council **DIRECTS** Administration to advise the County of Essex that the Town of Kingsville supports the proposed Draft Plan of Subdivision by 552843 Ontario Ltd. & Mivita Holdings Inc., in principle and subject to the required Zoning By-law Amendment and Consent Application for land exchange and granting of required easement, as described in this Report presented at the November 25, 2024 Regular Meeting of Council.

BACKGROUND

The County of Essex, the approval authority under the *Planning Act* for plans of subdivision in Town of Kingsville, has received and deemed complete an application for a Draft Plan of Subdivision (County of Essex File No. 37-T-24002). The subject properties (municipally known as 1478 Road 2 East and 0 Road 2 East) are currently vacant (agricultural use) and are located on the north side of Road 2 East, between Peterson Lane and Woodfern Avenue in Ruthven as shown in the attached Key Map (see Appendix “A”) and the Draft Plan of Subdivision (see Appendix “B”).

The portion of the lands which is being considered for the Draft Plan of Subdivision is within Ruthven’s secondary settlement area (through Kingsville’s OPA 15 - By-law 56-2023 and County of Essex’s OPA 4 – By-law 2023-45). The lands are designated Hamlet in Kingsville Official Plan, and zoned General Agricultural Zone (A1) in the Comprehensive Zoning By-law 1-2014, for the Town of Kingsville.

The applicant has applied for Draft Plan of Subdivision Approval for:

- thirty (30) single detached dwelling lots;
- thirty-one (31) lots for sixty-two (62) semi-detached dwelling units;
- two (2) blocks for Townhouse Dwellings, containing a total of ten (10) townhouse units;

- one (1) block for a multi-residential townhouse complex, containing a total of twenty-four (24) units;
- one (1) block for a stormwater management facility; and,
- one (1) block for stormwater access.

The new lots and blocks will have access from the proposed Virginio Avenue, which will connect to Road 2 East and the future extension of Peach Drive, as well as three (3) proposed cul-de-sacs named Amelia Court, Igino Court and Fiorina Court, which will all be dedicated as public roads.

The County of Essex is the approval authority for plans of subdivision as the upper-tier municipality. It is part of the County of Essex process to request a resolution of support from the local municipal Council for a plan of subdivision approval. As a result of the changes imposed under Bill 23, public meetings pursuant to a Draft Plan of Subdivision applications are no longer a legislated requirement. The County of Essex has requested that the Town of Kingsville give notice of application to the public on its behalf, in accordance with Subsection 4 of Ontario Regulation 544/06, for information purposes to the public (see Appendix “C”). A copy of the public notice which was sent out by Town of Kingsville to the public is attached (see Appendix “D”), as well as photos of the public notice signs which were placed on public highways/streets (see Appendix “G”).

The notice encourages any questions or concerns regarding the proposed plan of subdivision from the public to contact **Rebecca Belanger, Manager, Planning Services**, County of Essex, 360 Fairview Avenue West, Essex, ON, N8M1Y6, or via email at rbelanger@countyofessex.ca, indicating the **County of Essex file number, No. 37-T-24002 – Mivita Residential Subdivision**, in the subject of the email.

To allow the proposed subdivision for residential development, it is required that the lands be properly zoned for Rural/Urban Residential use. The applicant is requesting a site-specific Residential Zone (R2.2-12), to allow for the construction of Single Detached Dwellings, Semi-Detached Dwellings and units, as well as Townhouse Dwellings and units and Multi-Residential Townhome Complex, which will all have reduced lot area, lot frontage, setbacks and increased lot coverage, when compared to R2.2 zone. Likewise, that portion of the lands in the Draft Plan of Subdivision which will be used for the stormwater management facility and stormwater access will be zoned from General Agricultural Zone (A1) to Public Utilities/Facilities Zone (MG).

Furthermore, in 2023, Council for the Town of Kingsville and the County of Essex approved Official Plan Amendments to both Kingsville OP and County OP, which allowed for a 1:1 swap of lands between the subject properties and a corresponding adjustment to the Secondary Settlement Area. The land swap conformed to the Official Plan for the County of Essex. However, the ownership of the swapped lands were never transferred prior to the County’s notice of the complete Draft Plan of Subdivision. To that end, a consent application is required for land exchange (boundary adjustments) between 1478 Road 2 East and 0 Road 2 East, as well as granting a 3m wide easement in favour of the Town of Kingsville, for placement of water services.

The Town of Kingsville is the approval authority for Zoning By-law Amendments as well as Consent Applications, as the lower-tier municipality. Additionally, the required Zoning By-law Amendment, as well as the required Consent Application are both subject to statutory public meetings, therefore the two applications are brought forward in a separate report (ZBA-2024-19 and B-2024-27) to Council on November 25, 2024, prior to this report requesting endorsement of the draft plan of subdivision.

DISCUSSION

The Planning Act sets the ground rules for land use planning in Ontario. It gives upper-tier and lower-tier municipalities the authority to make local planning decisions which shall be consistent with the minimum standards set in the Provincial Planning Statement 2024 (“PPS 2024”), to ensure we are growing responsibly and sustainably.

The following provides the key pieces of information, to Kingsville municipal council, which corresponds to the proposed draft plan of subdivision being consistent with PPS 2024, as well as the County of Essex Official Plan (“OP”) and Town of Kingsville Official Plan (“OP”).

Provincial Planning Statement 2024, County of Essex Official Plan and Town of Kingsville Official Plan

The proposed residential draft plan of subdivision for 1478 Road 2 East and part of 0 Road 2 East is located on the western edge of Kingsville’s secondary settlement area in Ruthven, designated Hamlet in schedule A-3 of Kingsville Official Plan.

The vacant parcels abut existing residential land uses to the east and the proposed draft plan of subdivision implements planned growth within the Ruthven secondary settlement area according to both the County of Essex OP and Town of Kingsville OP. This development proposal will make efficient use of existing municipal services consistent with the policies of the PPS 2024. Although it can be stated that the proposal supports and implements many of PPS 2024 policies, the proposed draft plan of subdivision supports the following important policies which are specifically highlighted:

Settlement Area/Land Use Patterns

- Section 2.3.1.1 – Settlement Areas - Settlement areas shall be the focus of growth and development;
- Section 2.3.1.2 – Land use patterns within settlement areas should be based on densities and a mix of land uses which:
 - a) efficiently use land and resources;

- b) optimize existing and planned infrastructure and public service facilities;
- Section 2.3.1.6 – Planning authorities should establish and implement phasing policies, where appropriate, to ensure that development within designated growth areas is orderly and aligns with the timely provision of the infrastructure and public service facilities.

Rural Areas in Municipalities

Section 2.5.1 – Healthy, integrated and viable rural areas should be supported by:

- c) accommodating an appropriate range and mix of housing in rural *settlement areas*;
- d) using rural *infrastructure* and *public service facilities* efficiently;

Section 2.5.2 – In *rural areas*, rural *settlement areas* shall be the focus of growth and development and their vitality and regeneration shall be promoted.

Section 2.5.3 – When directing development in rural *settlement areas* in accordance with policy 2.3, planning authorities shall give consideration to locally appropriate rural characteristics, the scale of development and the provision of appropriate service levels.

Natural Heritage

Section 4.1 of PPS 2024 requires that natural features and areas shall be protected for the long term. Kingsville Official Plan, as well as the County of Essex Official Plan, do not identify any natural features on or adjacent to the subject lands.

The protection of matters of provincial interest, namely natural features in this instance, fall under the responsibilities of the upper-tier municipality (the “County of Essex”) as the approval authority for a draft plan of subdivision. Accordingly, the County of Essex required a Species at Risk (SAR) Preliminary Screening Memo, which was prepared by Goodban Ecological Consulting Inc. (“GEC”), dated February 14, 2023, and submitted to the Ministry of the Environment, Conservation and Parks (“MECP”). MECP reviewed the information provided in the preliminary screening memo and provided confirmation that based on the findings of the preliminary screening memo an *Endangered Species Act* (“ESA”) permit will not be required.

Minerals and Petroleum

Section 4.4 of PPS 2024 requires that minerals and petroleum resources shall be protected for long-term use, and that any development (which would) hinder the establishment of new operations or access to the resources shall only be permitted if the proposed land use or development serves a greater long-term public interest.

Both the Kingsville Official Plan and the County of Essex Official Plan do not identify any natural resources within or near the proposed draft plan of subdivision, which is consistent with the information publicly available at the province's Geospatial Data (<https://geohub.lio.gov.on.ca/datasets/lio::petroleum-well/about>)

Adherence to this regulation falls under the responsibilities of the upper-tier municipality (The County of Essex) as the approval authority for a draft plan of subdivision. According to the information provided above, the proposed development is permitted on the subject lands as there are no identified natural resources on or adjacent to these lands.

Cultural Heritage and Archeology

Section 4.6 of PPS 2024 requires that planning authorities shall not permit development and site alteration on lands containing archaeological resources or areas of archaeological potential unless the significant archaeological resources have been conserved.

Before approving a development project regulated by legislation, an approval authority may require an archaeological assessment of all lands that are part of the project. Assessments are required when the land has either a known archaeological site or the potential to have archaeological sites. The assessment must be carried out by licensed archaeologists and is based on a 'checklist' to help identify areas of archaeological potential on lands being developed.

As a matter of provincial interest, archaeology and cultural resources fall under the authority of the County of Essex as the approval authority for a draft plan of subdivision. The County required an archaeological assessment study to be provided as part of the supporting documents for Draft Plan of Subdivision application, which resulted in the completion of Stage 1-2 Archaeological Assessment, by Archeoworks Inc., dated August 5, 2021. The Stage 1-2 Archaeological Assessment report was submitted to the Ministry of Heritage, Sport, Tourism, and Culture Industries, and has been entered into the Ontario Public Register of Archaeological Reports without technical review. This satisfied the County of Essex's requirements for protecting provincial interest for the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest.

In conclusion, the proposed draft plan of subdivision meets the policy directions of PPS 2024, the County of Essex Official Plan and the Kingsville Official Plan.

Municipal Zoning By-law and Consent Application for Land Exchange

The lands subject to the proposed Draft Plan of Subdivision are currently zoned General Agricultural Zone (A1) in the Comprehensive Zoning By-law 1-2014, for the Town of Kingsville. To allow the proposed subdivision for residential development it is required

that the lands be properly zoned for Rural/Urban Residential use. The applicant is requesting a site-specific Residential Zone (R2.2-12), to allow for the construction of Single Detached Dwellings, Semi-Detached Dwellings and units, Townhouse Dwellings and units and a Multi-Residential Townhome Complex, which will all have reduced lot area, lot frontage, setbacks and increased lot coverage, when compared to R2.2 zone. Likewise, that portion of the lands in the draft plan of subdivision which will be used for the stormwater management facility and stormwater access will be zoned from General Agricultural Zone (A1) to Public Utilities/Facilities Zone (MG).

Furthermore, since the subject lands are not serviced for the proposed development, as the lands go through the process of being rezoned from Agricultural Zone (A1) to Residential Zone (R2.2-12) and Public Utilities/Facilities Zone (MG), a holding provision will be placed on the entirety of the subject lands indicating the following in the corresponding By-law:

“The Holding Provision applies to the entirety of the subject lands, and the holding provision shall not be removed from these lands, and no development shall occur until the following has been completed to the satisfaction of the Town of Kingsville:

- a. Confirmation of availability and allocation of Municipal Water and Sanitary Sewage Treatment and conveyance capacity to the satisfaction of the Town of Kingsville;
- b. Execution of a Subdivision Agreement for specified phase(s), where the holding provisions will be removed only on those phase(s) included in the Subdivision Agreement; and
- c. Collection of all required securities by the Town of Kingsville according to the executed Subdivision Agreement.

The above holding provision will still allow the servicing to commence, however no building permits can be issued until the Hold is removed from the lands.

Furthermore, a consent application is required for land exchange (boundary adjustments) between 1478 ROAD 2 EAST and 0 ROAD 2 EAST, as well as granting a 3m wide easement in favour of the Town of Kingsville, for placement of water services.

The Town of Kingsville is the approval authority for Zoning By-law Amendments as well as Consent Applications, as the lower-tier municipality. Additionally, the required Zoning By-law Amendment, as well as the required Consent Application are both subject to statutory public meetings, therefore the two applications are brought forward in a separate report (ZBA-2024-19 and B-2024-27) to Council on November 25, 2024, prior to this report requesting endorsement of the draft plan of subdivision.

Development Standards

The Draft Plan of Subdivision will also have to comply with municipal development standards related to functional servicing, stormwater management, lighting, road and cul-de-sac design, linear infrastructure and other requirements. These details will be included within the Subdivision Agreement to achieve compliance with municipal development standards and will collect appropriate securities. The Subdivision Agreement, once finalized, will be brought forward to a future Council meeting.

CONSULTATIONS

The County of Essex, as the approval authority for plans of subdivision, has conferred with the persons or public bodies which they consider may have an interest in the approval of the proposed subdivision (see appendix E), according to section 51 (23) of the *Planning Act*.

Furthermore, in accordance with section 51 (19) of the Planning Act and Subsection 2 of Ontario Regulation 544/06, the County of Essex requested that the Town of Kingsville give public notice of the application on its behalf. Town of Kingsville provided public notice (see appendix D) by:

- a. ordinary mail, to every owner of land within 120 metres of the subject land; and
- b. posting notice signs, clearly visible and legible from a public highway or other place to which the public has access, namely on Road 2 East frontage of the subject land, and at the end of Peach Drive.

In addition to the above required ordinary mail and signposting notices, additional notice has been placed on Kingsville's municipal webpage at the following link:

<https://www.kingsville.ca/en/news/planning-items-for-review-at-the-november-25-2024-committee-of-adjustment-and-appeals.aspx>

(see appendix F.)

Public comments received to date are attached (see Appendix H.)

FINANCIAL CONSIDERATIONS

The town of Kingsville will be collecting subdivision securities in accordance with requirements and conditions which will be stipulated in the development/subdivision agreement. At the appropriate time release of the collected securities will be managed by the Town of Kingsville.

Upon completion of servicing the subdivision, once building permits can be issued on each block, development charges and building permit fees will be collected, which ultimately will contribute to additional taxation, water, and wastewater revenue for Town of Kingsville.

PREPARED BY:

Sahar Jamshidi

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

REVIEWED BY:



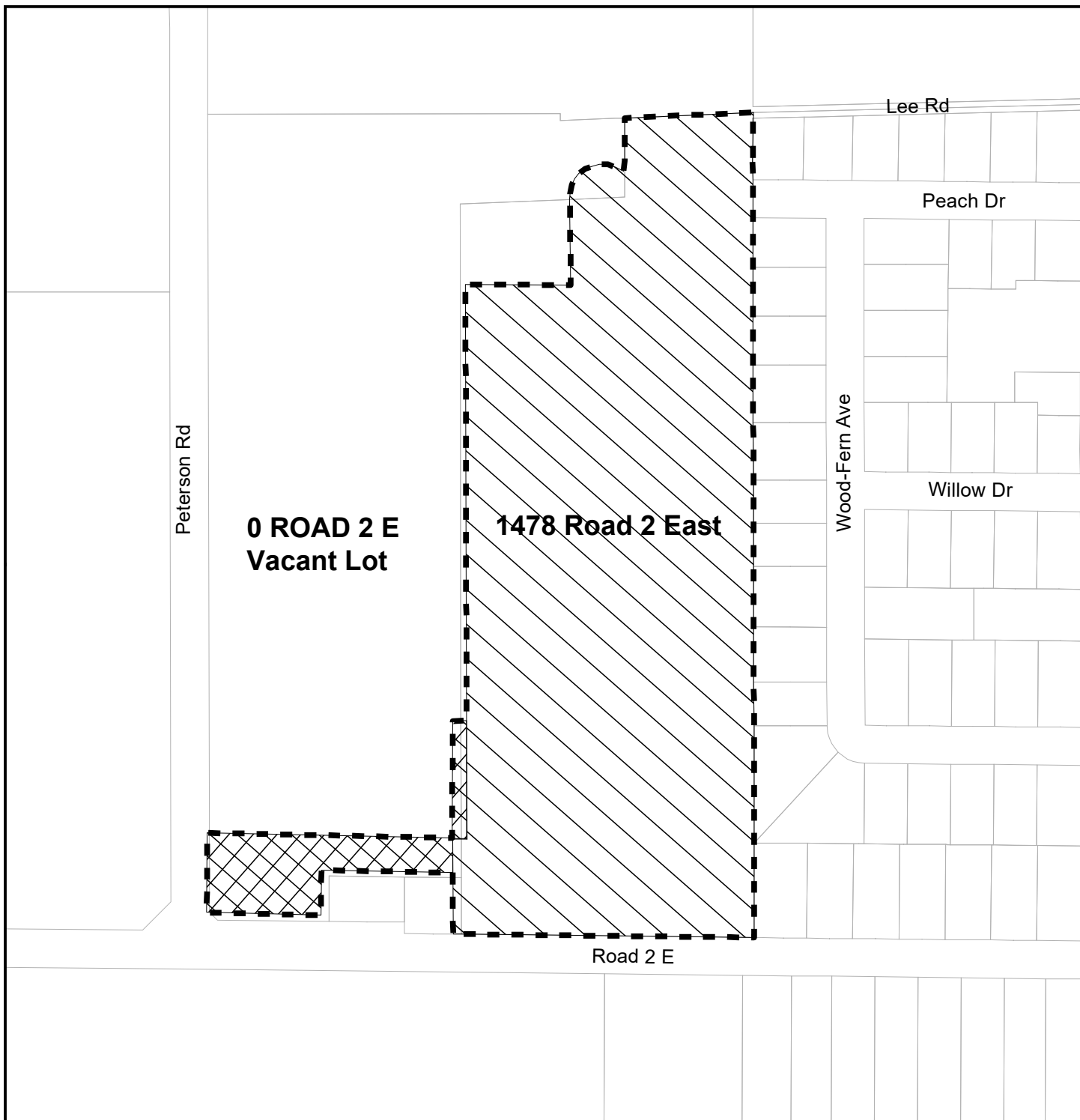
Richard J.H. Wyma CSLA
Director of Planning and Development



John Norton, CAO




- Appendix A – Key Map
- Appendix B – Draft Plan of Subdivision
- Appendix C – County of Essex Request to Notify
- Appendix D – Notice of Application for Draft Plan of Subdivision
- Appendix E – County of Essex Request for Comments
- Appendix F – Website Notice Nov 14, 2024
- Appendix G – Notice Signs Placed on Public Highways
- Appendix H – Public Comments

Mivita Estates Subdivision Key Map

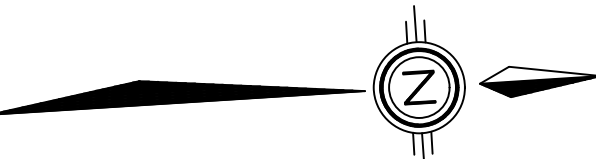


Mivita Estates Subdivision SUB-2022-02



-  Requires Zoning change from General Agricultural Zone A1 to Site Specific Residential Zone 2 Rural/Urban (R2.2-12)
-  Requires Zoning change from General Agricultural Zone A1 to Public Utilities/Facilities (MG)
-  Subject Lands - Limits of Mivita Estates Draft Plan of Subdivision

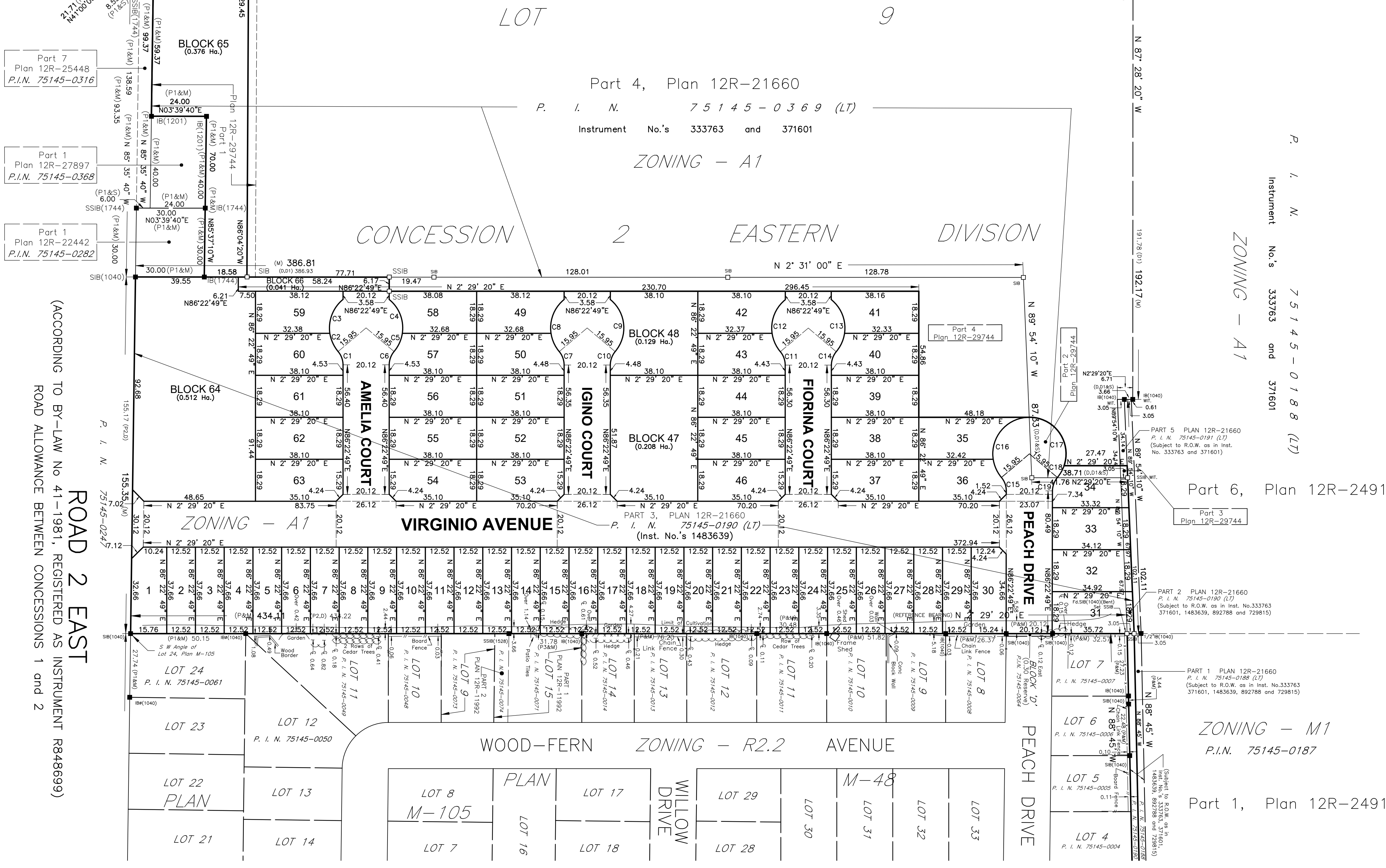
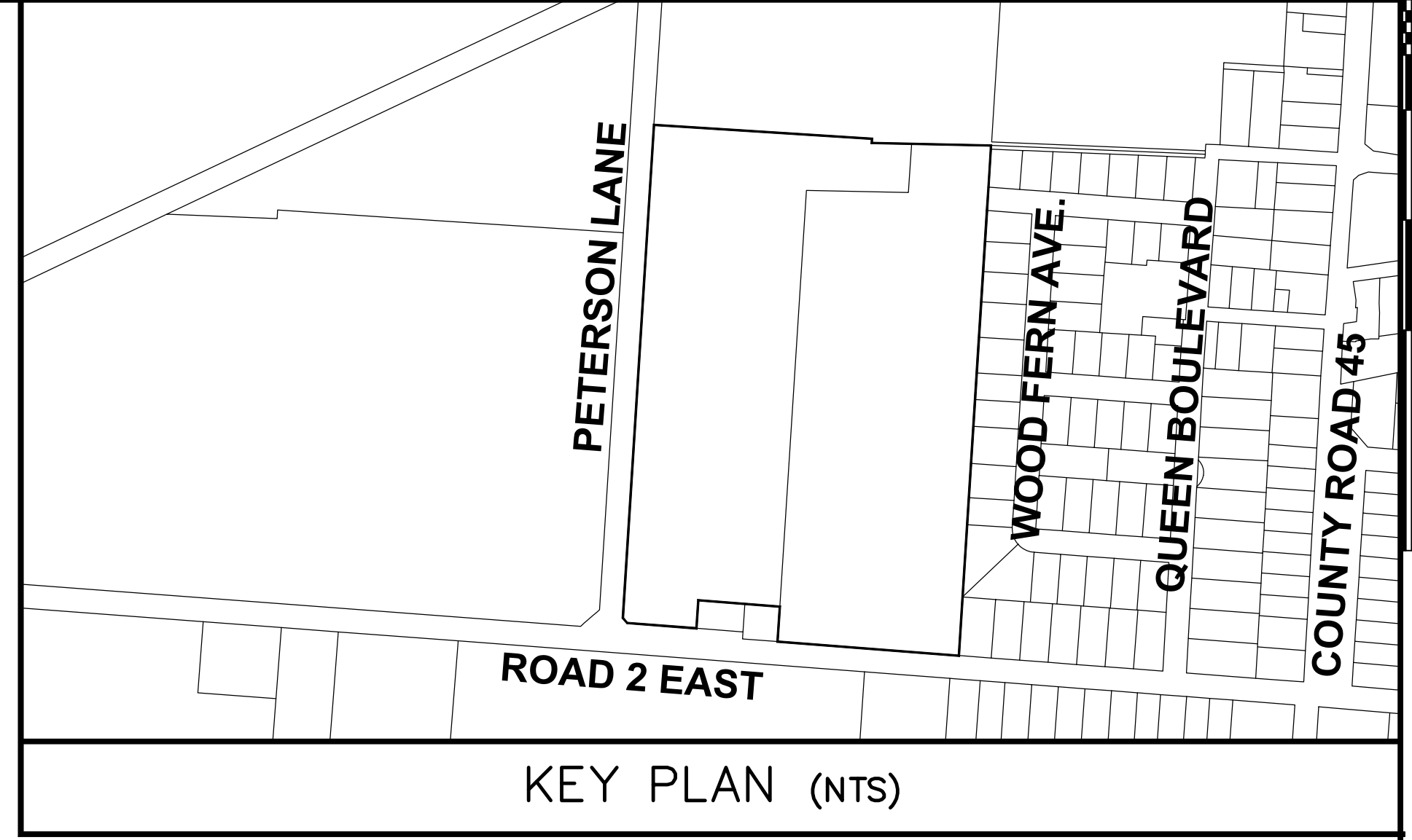




KNOWN AS PETERSON (FORCED ROAD) LANE



CURVE SCHEDULE				
CURVE	RADIUS	ARC	CHORD	CHORD BEARING
C1	9.28	6.31	6.19	N 73°29'50" E
C2	15.95	8.83	8.72	N 69°17'33" W
C3	15.95	16.55	15.82	N 65°06'39" W
C4	15.95	16.50	15.77	N 72°26'48" E
C5	15.95	8.83	8.72	N 62°03'13" W
C6	9.21	6.31	6.18	N 66°18'37" W
C7	9.28	6.31	6.19	N 73°29'49" E
C8	15.95	25.39	22.79	N 80°58'36" W
C9	15.95	25.33	22.75	N 88°18'42" E
C10	9.21	6.31	6.18	N 66°18'37" W
C11	9.28	6.31	6.19	N 73°29'49" E
C12	15.95	25.39	22.79	N 80°58'37" W
C13	15.95	25.44	22.83	N 88°07'08" E
C14	9.21	6.31	6.18	N 66°18'37" W
C15	9.25	6.31	6.19	N 73°31'22" E
C16	15.95	36.24	28.93	N 61°28'39" W
C17	15.95	30.30	25.95	N 58°02'41" E
C18	15.95	5.94	5.91	N 56°51'30" W
C18	9.55	6.31	6.20	N 65°58'48" W



OWNER'S CERTIFICATE

PART OF LOT 9
CONCESSION 2 EASTERN DIVISION
(GEOGRAPHIC TOWNSHIP OF GOSFIELD SOUTH)
IN THE TOWN OF KINGSVILLE
IN THE COUNTY OF ESSEX, ONTARIO

A) SHOWN ON PLAN
B) SHOWN ON KEY PLAN
C) SHOWN ON PLAN
D) RESIDENTIAL SINGLE AND SEMI-DETACHED DWELLINGS
E) RESIDENTIAL
F) SHOWN ON PLAN
G) SHOWN ON PLAN
H) PIPED MUNICIPAL CLAY
J) SHOWN ON PLAN
K) STORM AND SANITARY SEWER TO BE PROVIDED
L) SHOWN ON PLAN

OWNER'S CERTIFICATE

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

DATE: _____ SIGNED: _____
1552843 ONTARIO LTD.

DATE: _____ SIGNED: _____
MIVITA HOLDINGS INC.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN ON THIS PLAN.

DATE: October 8th, 2024 SIGNED: [Signature]
ONTARIO LAND SURVEYOR

LAND USE SCHEDULE (PHASES 1-4)			
LAND USE	BLOCKS	RESIDENTIAL UNITS	AREA (Ha.)
SINGLE FAMILY DWELLING	1-30	30	1.434
SEMI-DETACHED DWELLING	31-46, 49-63	62	2.069
TOWNHOUSE DWELLING UNITS	47-48	10	0.337
TOWNHOUSE COMPLEX	64	24	0.512
STORMWATER MANAGEMENT	65	-	0.376
STORMWATER ACCESS	66	-	0.041
R.O.W.	-	-	1.586
TOTAL	66	126	6.355

<p>ROOD ENGINEERING INC. CONSULTING ENGINEERS Leamington, Ontario 519-322-1621</p>	<p>NEVAN DEVELOPMENTS</p>	7. ADDED DAYLIGHT CORNERS 2024-10-08 DM DESIGN: DM	<p>MIVITA ESTATES DEVELOPMENT</p>	PROJECT No.: REI2022E001
		6. CLIENT & COUNTY REVIEW 2024-09-09 DM		SCALE: 1:1000
		5. CLIENT & COUNTY REVIEW 2024-06-26 DM DRAWN: DM	<p>DRAFT PLAN OF SUBDIVISION</p>	<p>SHEET No.: 1 OF 1</p>
		4. REVISED PER COUNTY REVIEW 2024-01-30 DM		
		3. REVISED PER COUNTY REVIEW 2024-01-23 DM CHECKED: GR		
		2. FOR COUNTY SUBMISSION 2023-07-14 DM		
		1. CLIENT REVIEW 2023-04-01 DM DATE: 2024-10-08		
		No. ISSUED FOR: _____ DATE: _____ BY: _____		



October 16, 2024

VIA EMAIL ONLY

Town of Kingsville
Attention: Ms. Angela Toole, Acting Clerk
2021 Division Road North
Kingsville, ON N9Y 2Y9

Subject: Notice of an Application and Request to Notify the Public and Public Bodies
Municipality: Town of Kingsville
Location: PT LT 9, CON 2 ED (Gosfield South)
Applicants: 1552843 Ontario Ltd. & Mivita Holdings Inc. c/o Walter Branco
County of Essex File No.: 37-T- 24002 (Mivita Estates Subdivision)

Dear Ms. Toole:

Pursuant to Subsection 51(19.1) of the Planning Act, the County of Essex advises the Town of Kingsville that the attached proposed draft plan of subdivision, County of Essex File No. 37-T-24002 has been deemed complete.

It is also requested that you give Notice of the Application in accordance with Subsection 51(19) of the Planning Act and Subsection 4 of Ontario Regulation 544/06 as amended by Regulation 298/19. The regulation provides that the approval authority may require the local municipality to provide public notice of the receipt of an application on its behalf.

Notice of the application shall be given to the public and identified agencies in accordance with Subsection 4 of Ontario Regulation 544/06. The public notice shall include the below information:

- (i) include a description of the proposed plan of subdivision;
- (ii) include a description of the subject land or a key map showing the location of the land proposed to be subdivided;
- (iv) indicate where and when additional information regarding the proposed plan of subdivision will be available to the public for inspection;
- (v) if applicable, a request that the notice be posted by the owner of any land that contains seven or more residential units in a location that is visible to all of the residents;
- (vii) include the following statement:

For more information about this matter, including the information about preserving your appeal rights, contact the Manager, Planning Services, County of Essex, 360 Fairview Avenue West, Essex, ON, N8M1Y6, indicating the County of Essex file number.

Further, based on Subsection 51(22) Notice of the application should also advise that “any person or public body may make written submissions to the approval authority before the approval authority makes its decision under subsection (31) of the Act”.

We would also request that this application be brought to an upcoming Council Meeting seeking a resolution of support and provide the same to the County, along with any requested conditions of approval as in Subsection 51(25) of the Planning Act.

Thank you for your assistance in this matter.

Yours truly,



REBECCA BELANGER, MCIP, RPP
Manager, Planning Services

c.c. Richard Wyma Robert Brown Rob Molliconi Walter Branco
Sahar Jamshidi

Planning Services

**NOTICE OF APPLICATION FOR DRAFT PLAN OF SUBDIVISION
&
NOTICE OF PUBLIC MEETING FOR ZONING BY-LAW AMENDMENT
&
NOTICE OF PUBLIC MEETING FOR CONSENT APPLICATION**

**Changes are proposed for
1478 ROAD 2 EAST and part of 0 ROAD 2 EAST (Vacant lot) - See attached maps**

Location: Part of Lot 9, Concession 2 Eastern Division, in The Town of Kingsville

Applicant: 1552843 Ontario Ltd. & Mivita Holdings Inc. c/o Walter Branco

File No.: SUB-2022-02 – Residential Subdivision
(Approval Authority - County of Essex File No.: 37-T- 24002)

ZBA-2024-19 – Zoning change from General Agricultural Zone (A1) to a Site-Specific Residential Zone 2 Rural/Urban (R2.2-12) and Public Utilities/Facilities Zone (MG)

B-2024-27 – Consent application for land exchange (boundary adjustments) between 1478 ROAD 2 EAST and 0 ROAD 2 EAST, as well as granting a 3m wide easement in favour of the Town of Kingsville

Description of Proposed Plan of Subdivision (SUB-2022-02 / 37-T- 24002)

The County of Essex (Approval Authority) has received and deemed complete an application for a Draft Plan of Subdivision, File No. 37-T- 24002. The subject properties (municipally known as 1478 ROAD 2 EAST and 0 ROAD 2 EAST) are currently vacant (agricultural use) and are located to the north side of Road 2 East, between Peterson Lane and Woodfern Avenue in Ruthven, as shown in the attached map and the Draft Plan of Subdivision.

The portion of the lands which is being considered for the draft plan of Subdivision is designated Hamlet within the Kingsville Official Plan, and zoned General Agricultural Zone (A1) in the Comprehensive Zoning By-law 1-2014, for the Town of Kingsville. The applicant has applied for Draft Plan of Subdivision Approval for thirty (30) single detached dwelling lots, thirty-one (31) lots for sixty-two (62) semi-detached dwelling units, two (2) blocks for Townhouse Dwellings, containing total of ten (10) townhouse units, one (1) block for a multi-residential townhouse complex, containing total of twenty-four (24) units, one (1) block for a stormwater management facility, and one (1) block for stormwater access. The new lots and blocks will have access from the proposed Virginio Avenue, which will connect to Road 2 East and the future extension of Peach Drive, as well as three (3) proposed cul-de-sacs named Amelia Court, Igino Court and Fiorina Court, which will all be dedicated as public roads.

Planning Services

It is part of the County of Essex process to request a resolution of support from the local municipal Council for a plan of subdivision approval. **The date this matter will be considered by the Town of Kingsville Council seeking a resolution of support is Monday, November 25, 2024.**

Based on recent changes to the *Planning Act*, **there is no requirement to hold a statutory public meeting and this notice is provided for information purposes to the public.** Further, based on Subsection 51(22) Notice of the application should also advise that “any person or public body may make written submissions to the approval authority (County of Essex) before the approval authority makes its decision under subsection (31) of the Act”.

For More Information about the proposed Draft Plan of Subdivision, including the information about preserving your appeal rights, contact Rebecca Belanger, Manager, Planning Services, County of Essex, 360 Fairview Avenue West, Essex, ON, N8M1Y6, or via email at rbelanger@countyofessex.ca, indicating the **County of Essex file number, No. 37-T- 24002 – Mivita Residential Subdivision**, in the subject of the email.

Any comments regarding this proposed subdivision should be submitted to the County of Essex for consideration no later than December 2, 2024.

Any owner of any land that contains seven (7) or more residential units is requested to post this notice in a location that is visible to all the residents.

Any Person or Public Body may make written submissions to the approval authority before the approval authority makes its decision under subsection (31) of the Act.

Description of the required Zoning By-law Amendments (ZBA-2024-19) and Consent Application (B-2024-27) for boundary adjustments as well as granting easement for the proposed Draft Plan of Subdivision

ZBA-2024-19:

The portion of the lands which is being considered for the draft plan of Subdivision is designated Hamlet within Kingsville Official Plan, and zoned General Agricultural Zone (A1) in the Comprehensive Zoning By-law 1-2014, for the Town of Kingsville. To allow the proposed subdivision for residential development it is required that the lands be properly zoned for Rural/Urban Residential use. The applicant is requesting a site-specific Residential Zone (R2.2-12), to allow for construction of Single Detached Dwellings, Semi-Detached Dwellings and units, as well as Townhouse Dwellings and units and Multi-Residential Townhome Complex, which will all have reduced lot area, lot frontage, setbacks and increased lot coverage, when compared to R2.2 zone.

Furthermore, that portion of the lands in the draft plan of subdivision which will be used for the stormwater management facility and stormwater access will be zoned from General Agricultural Zone (A1) to Public Utilities/Facilities Zone (MG).

Planning Services

B-2024-27:

1. To sever part of the vacant lot, municipally known as 0 ROAD 2 East, at its south-west end, having the area of 3,759.3 m², and convey it to the property next east, municipally known as 1478 ROAD 2 East, to be used for stormwater management pond facilities for the proposed draft plan of subdivision, as shown on the attached map for Consent B-2024-27;
2. To sever part of the vacant lot, municipally known as 0 ROAD 2 East, at its north-east end, having the area of 494.6 m², and convey it to the property next east, municipally known as 1478 ROAD 2 East, to be used for part of the cul-de-sac bulb at west end of proposed extension of Peach Drive, as well as part of Lot 34 on the proposed draft plan of subdivision, as shown on the attached map for Consent B-2024-27;
3. To register a 3m wide easement, having the area of 692.3 m², along the west property line of the lands municipally known as 1478 ROAD 2 East, in favour of the Town of Kingsville, for placement of water services; and
4. To sever part of the land municipally known as 1478 ROAD 2 East, along its west property line and at its north-west end, having the area of 4,258 m², and convey it to the property next west, municipally known as 0 ROAD 2 East, in exchange of the 2 parts received above.

For More Information about the Zoning By-law Amendment and/or Consent Application or to provide your input on this matter, **please contact Town of Kingsville Planning Services**. Your comments can be submitted until 4:00 p.m. on November 25, 2024, by email planning@kingsville.ca, or by mail to:

Town of Kingsville, Planning Services
2021 Division Road North
Kingsville, ON N9Y 2Y9

If you wish to be notified of the decision of the Town of Kingsville on the proposed Zoning By-law Amendment and/or Consent Application, you must make a written request to planning@kingsville.ca, or mail to the attention of: **Town of Kingsville, Planning Services, 2021 Division Road North, Kingsville, ON N9Y 2Y9**. This will also entitle you to be advised of appeals, if any are submitted.

If a person or public body would otherwise have an ability to appeal the decision of the Town of Kingsville to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the Town of Kingsville before the by-law is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the Town of Kingsville before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Planning Services

If you would like to know more about this application or to tell us what you think you can attend the Council Meeting.

WHEN: November 25, 2024 - 6:00 p.m.

WHERE: Virtual meeting on Zoom – Please see the “Electronic Participation” document for instruction, attached to this notice

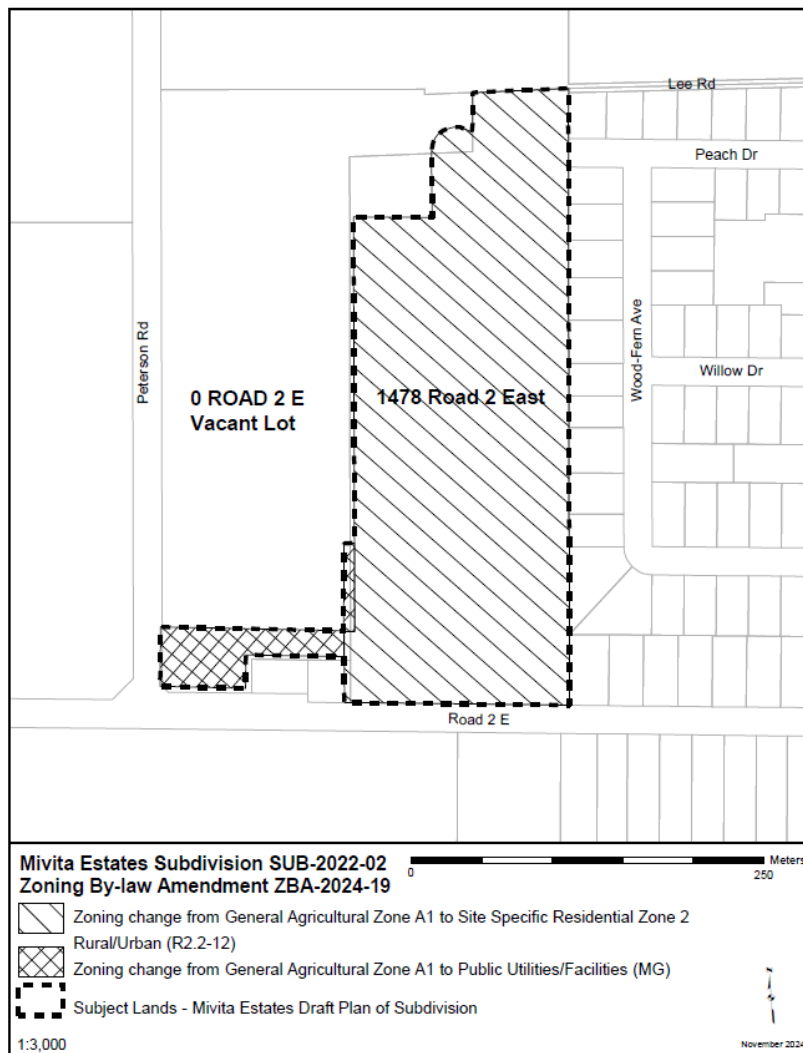
OR

In-person by attending the public meeting at:

Unico Hall Community Centre, 37 Beech Street, Kingsville, ON N9Y 1A9

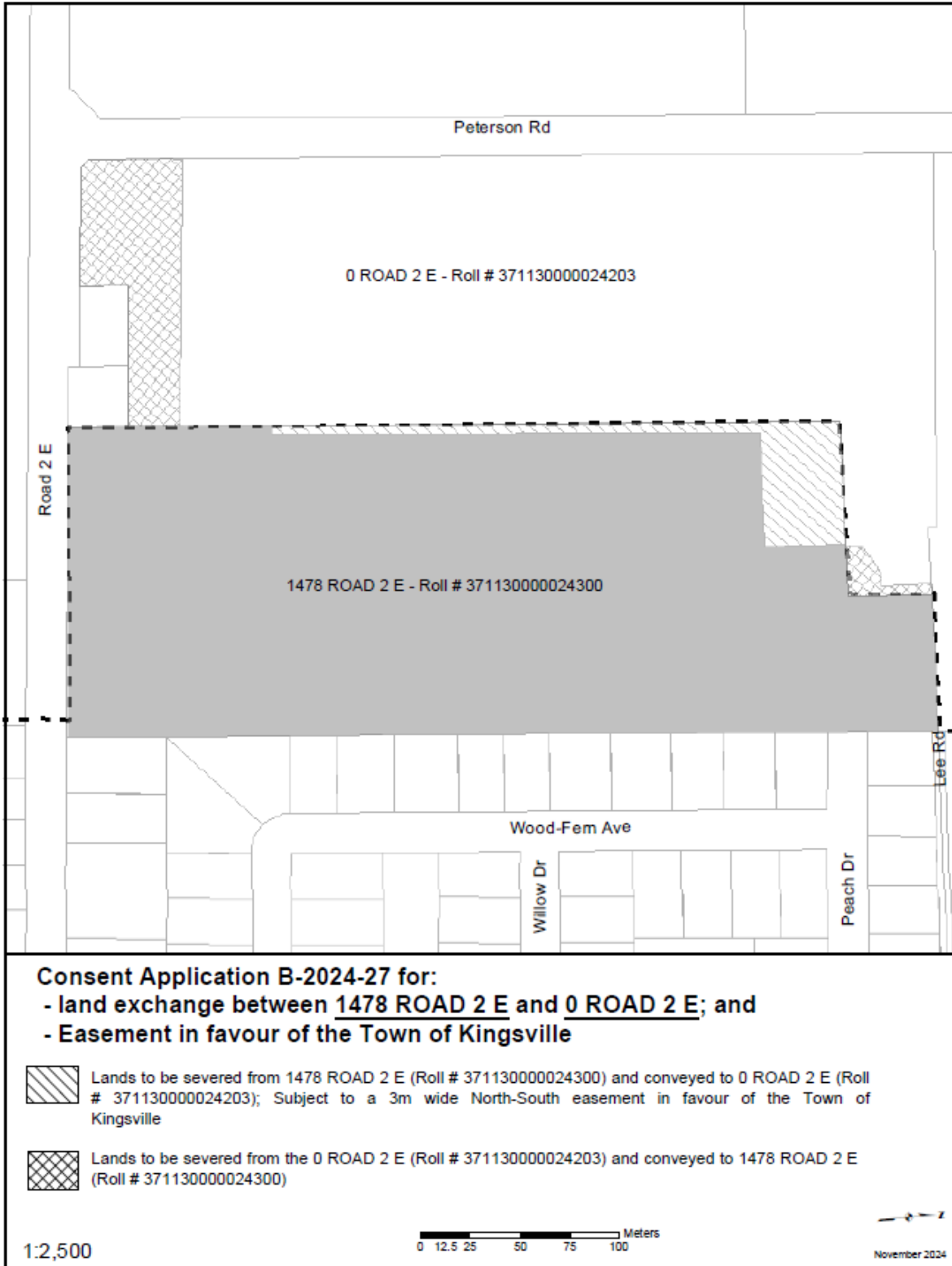
Dated at the Town of Kingsville this 5th day of November 2024.

Mivita Estates Subdivision and Rezoning Key Map

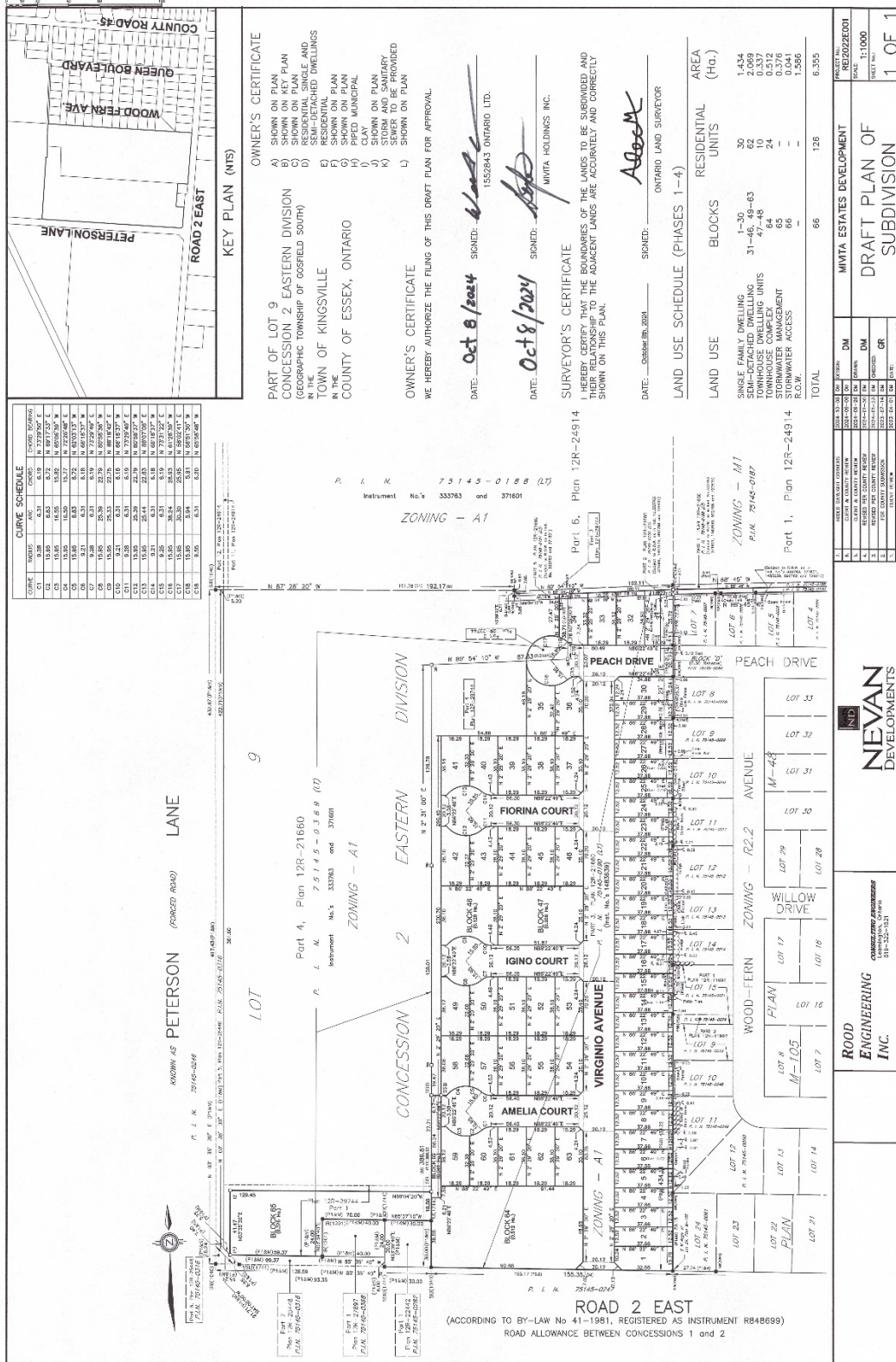


Planning Services

Consent Application Key Map



Planning Services



Planning Services

Electronic Participation

This meeting will be held in person, with an electronic element, in accordance with Procedural By-law 77-2021. Delegates and presenters will be provided with the option to attend in-person or electronically and spectators will be allowed into the building to watch or can continue to use the livestream option.

If you wish to participate via zoom, please read the instructions below:

Delegates, participants, and members of the public wishing to participate electronically **must request Zoom details by 11:00 am on the date of the public meeting**, as per By-Law 77-2021. Please refer to the contact information provided with this notice.

Please note that neither a computer, nor a video sharing device, is required to participate in the meeting via Zoom. You may also opt to call in from a cell or landline.

Persons who intend to participate electronically during the meeting may wish to register/sign up in Zoom, if they have not already done so. The following information is provided for your consideration and guidance during remote participation in the meeting:

- **Please join the meeting by 5:55 PM in order to avoid any delays.** If you have not joined the public meeting while your Agenda Item is up for public comment you will have forfeited your request.
- When you join the meeting, either by phone or online, you will be admitted in as an attendee. You will not be greeted upon joining the call. You will be able to hear the meeting and see the active speaker (if you have video capability), but your mic will be muted until it is your turn to speak.
- If you join the Zoom meeting through your phone, please **Do not put the phone on hold at any time**, as this will result in broadcasting “hold music” online once your mic function is unmuted.
- To optimize call quality when using a laptop, a headset with microphone is recommended. If you are using your laptop microphone or cell phone, please speak directly into the receiver and do not use speaker phone
- **Please do not forward the Zoom meeting details with anyone or post through social media.** Only registered participants will be admitted to the Zoom meeting.
- **Participants should keep comments directly related to the matter to which they are speaking to.** Questions are to be directed to the Chairperson. Council Members may choose to ask you follow-up questions following your remarks, comment, or ask staff to respond to your comments.
- After providing your comments and answering any questions that may be directed to you, the Meeting Coordinator will disconnect you from the Zoom meeting.

For more information, please contact:

Town of Kingsville, Planning Services
Phone: 519-733-2305 Ext. 244
Email: planning@kingsville.ca
The Corporation of the Town of Kingsville
2021 Division Road North
Kingsville, Ontario N9Y 2Y9

Appendix E

From: [Rebecca Belanger](#)
To: [Richard Wyma](#); [Sahar Jamshidi](#); [Giuliana.Hinchliffe@publicboard.ca](#); [vw@watsonecon.ca](#); [Meagan Adams \(seniormanagerfs@wecdsb.on.ca\)](#); [Miguel Ladouceur \(ladouceurm@csviamonde.ca\)](#); [gagnjean@cscprovidence.ca](#); [CA - Circulations](#); [nmacaulay@elkenenergy.com](#); [barbara.baranow@enbridge.com](#); [Bruno DeSando \(bruno.desando@canadapost.ca\)](#)
Subject: FW: Notice of Complete Application and Request for Agency Comments- Mivita Subdivision Town of Kingsville File No. 37-T-24002
Date: October 26, 2024 10:49:03 AM
Attachments: [Mivita Estates Signed Draft Plan Oct 2024.pdf](#)
[Mivita Estates Subdivision Concept Plan Oct 2024.pdf](#)

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good Morning Everyone,

The developer has put forward a modified draft plan of subdivision for Mivita Estates in Kingsville, file no. 37-T-24002, to be utilized as the draft plan of record. The changes of note include a six unit townhome on Block 47 and a four unit townhome on Block 48. The revised concept plan and draft plan of subdivision have been provided for reference. The total unit count is 126 units. Previously Block 67 (the Block fronting onto Road 2 and Virginio) was proposed to contain a high density residential unit of 108 units. This has been clarified on the revised draft plan of subdivision to contain a total of 24 townhomes on this Block. We have received your comments and requested conditions earlier this year and provided these comments to the municipality for consideration. If you have any additional comments please send them by November 6th as the town will be advancing the application to a public meeting for the Zoning By-law Amendment and seeking a Council Resolution of support for the subdivision.

Thank you and Kind Regards,
Rebecca



[Rebecca Belanger](#)
Manager, Planning Services
County of Essex
360 Fairview Ave. W. Suite 302 | Essex, ON | N8M 1Y6
P: 519-776-6441 ext. 1325
F: 519-776-4455
TTY: 1-877-624-4832

This e-mail and any attachments may contain personal information or information that is otherwise confidential. If you are not the intended recipient, any use, disclosure or copying of any part of it is prohibited. If this e-mail is received in error, please immediately reply and delete or destroy any copies of it.

From: Rebecca Belanger <RBelanger@countyofessex.ca>

Sent: February 6, 2024 2:10 PM

To: rwyma@kingsville.ca; Planning <planning@ERCA.org>; Giuliana Hinchliffe <Giuliana.Hinchliffe@publicboard.ca>; Meagan Adams (seniormanagerfs@wecdsb.on.ca) <seniormanagerfs@wecdsb.on.ca>; gagnjean@cscprovidence.ca; Miguel Ladouceur (ladouceurm@csviamonde.ca) <ladouceurm@csviamonde.ca>; CA - Circulations <CA.Circulations@wsp.com>; nmacaulay@elkenenergy.com; barbara.baranow@enbridge.com; Bruno DeSando (bruno.desando@canadapost.ca) <bruno.desando@canadapost.ca>

Cc: Daryan Branch <DBranch@countyofessex.ca>

Subject: Notice of Complete Application and Request for Agency Comments- Mivita Subdivision
Town of Kingsville File No. 37-T-24002

The County of Essex has received an application for a draft plan of subdivision as noted above and deemed the application complete. We request that you review this proposal based on the mandate of your organization and provide any comments and or proposed conditions of draft plan approval to me along with Daryan Branch by February 23, 2024.

VIA EMAIL ONLY

Attached:

- Letter requesting comments and/or conditions of draft plan approval
- Application form
- Draft plan

Available on request:

- Functional Servicing Report, Rood Engineering, August 31, 2023
- Stormwater Management Report, Rood Engineering, November 22, 2023
- Stage 1-2 Archaeological Assessment, Archeoworks Inc., August 5, 2021
- Species-at-Risk Report, Anthony Goodban, email dated June 7, 2021,
- Traffic Impact Study, RC Spencer, July 2021

Kind Regards,
Rebecca

[Rebecca Belanger](#)

Manager, Planning Services ext. 1325



February 6, 2024

- Town of Kingsville - Attention: Richard Wyma
- Essex Region Conservation Authority- Attention: Alicia Good
- Greater Essex County District School Board- Attention: Giuliana Hinchliffe
- Windsor Essex Catholic District School Board- Attention: Meagan Adams
- Conseil scolaire catholiques Providence- Attention: Jean Paul Gagnier
- Conseil scolaire Viamonde- Attention: Miguel Ladouceur
- Bell Canada- Attention: CA.Circulations@wsp.com
- ELK Energy - Attention: Norman Macaulay
- Enbridge- Attention: Barbara M.J. Baranow
- Canada Post- Attention: Bruno DeSando

Dear Sir/Madame:

**Re: Request for Comments
Proposed Draft Plan of Subdivision
Town of Kingsville – PT LT 9, CON 2 ED (Gosfield South)
County of Essex File No. 37-T-24002 (Mivita Estates Subdivision)**

The County of Essex has recently received the above noted application and deemed the application to be complete. Please find attached information in this regard.

As noted above, the circulation consists of an application seeking approval of a draft plan of subdivision located on the southeast corner of Road 2 East and Peterson Lane in Ruthven in the Town of Kingsville, File #37-T-24002, known as Mivita Estates, which will be seeking draft plan approval for thirty (30) single detached dwelling lots, thirty-six (36) lots for seventy-two (72) semi-detached dwelling units, one (1) block for multi-residential use, one (1) block for a stormwater management facility and one (1) block for stormwater access.

We request that you review this proposal based on the mandate of your respective organization and provide any comments and/or concerns that you have to me by **February 23, 2024**. Any requested conditions will be considered for inclusion into the Notice of Decision as conditions of draft plan approval.

Should you have any questions concerning this application, please do not hesitate to contact me.

Yours truly,

REBECCA BELANGER, MCIP, RPP
Manager, Planning Services

cc. Walter Branco Rob Molliconi

Planning Items for Review at the November 25, 2024 Committee of Adjustment and Appeals

Posted Thursday, November 14, 2024

[← Back to Search](#)



The Committee of Adjustment and Appeals will review the following application at its November 25, 2024 meeting:

Applications for a residential subdivision, consent for land exchange, and a zoning by-law amendment at 1478 Road 2 East and the adjacent vacant lot at 0 Road 2 East. Please note that a more updated version of the draft plan of subdivision is provided here, after the paper notices were mailed out to neighbouring property owners. The total number of lots, blocks and unit remain unchanged between the 2 plans. The layout of the subdivision also remains the same. [SUB-2022-02, B-2024-27, and ZBA-2024-19](/en/news/resources/Planning-Notices/SUB-2022-02-Notice-of-Application-Draft-Plan-ZBA-Consent---Accessible.pdf) (/en/news/resources/Planning-Notices/SUB-2022-02-Notice-of-Application-Draft-Plan-ZBA-Consent---Accessible.pdf).

In 2023, Council for the Town of Kingsville and the County of Essex approved an Official Plan Amendment, which allowed for a 1:1 swap of lands between the subject properties and a corresponding adjustment to the Secondary Settlement Area. The land swap conformed to the Official Plan for the County of Essex. The amendment was required to proceed with a draft plan of subdivision, which the applicant is proposing at this time. The County of Essex, being the approval authority for plans of subdivisions, has deemed their application complete and as a result, an amendment to the existing zoning and a consent for a land exchange to facilitate the approved Official Plan Amendment will be considered.

The proposed residential subdivision (County of Essex File 37-T-24002 and Town File SUB-2022-02) is thirty (30) single detached dwelling lots, thirty-one (31) lots for sixty-two (62) semi-detached dwelling units, two (2) blocks for Townhouse Dwellings, containing total of ten

(10) townhouse units, one (1) block for a multi-residential townhouse complex, containing total of twenty-four (24) units, one (1) block for a stormwater management facility, and one (1) block for stormwater access. The new lots and blocks will have access from the proposed Virginio Avenue, which will connect to Road 2 East and the future extension of Peach Drive, as well as three (3) proposed cul-de-sacs named Amelia Court, Iginio Court and Fiorina Court, which will all be dedicated as public roads. To allow the proposed subdivision, a site-specific amendment to the zoning by-law is necessary to permit residential use (Town File ZBA-2024-19). The proposed consent will reflect the Official Plan Amendment that was approved in 2023 (Town File B-2024-27).

The decision to approve the subdivision is with the County of Essex and any comments relating to the subdivision should be sent to Rebecca Belanger, Manager of Planning Services for the County of Essex at rbelanger@countyofessex.ca (<mailto:rbelanger@countyofessex.ca>). The rezoning application and consent application will be considered by Council for the Town of Kingsville and any comments relating to these applications should be sent to Planning & Development for the Town of Kingsville at planning@kingsville.ca (<mailto:planning@kingsville.ca>).

The meeting starts at 6:00 pm. Please review the notice and follow the directions to submit your comments.

We are now holding Council and Committee meetings at the Unico Hall Community Centre, 37 Beech Street.

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By GHD Digital

Appendix G – Notice Signs Placed on Public Highways



Appendix H

From: outlook_F2119150763A4C2A@outlook.com <alefox1964@gmail.com>
Sent: August 24, 2023 1:04 PM
To: planning <planning@kingsville.ca>
Subject: RE: Application 1552843 Ontario Ltd (Noah Homes)

This email is in regards to the planned residential area, west of the existing subdivision off of Lee Road in Ruthven. My concern is traffic access to and from the future development. The main intersection in Ruthven at County road 34, County road 45 and Talbot Road is already a very busy intersection, and with additional traffic will become more dangerous. It is difficult to exit Lee road as the southbound traffic is not required to stop, and the visibility is limited due to shrubs and parked cars at Ruthven Towing. Lee road is also a narrow road with no room for pedestrians, and has driveways close to the intersection which could back traffic up into the intersection. The proposal of an all way stop at this intersection will only exacerbate the issues. An all way stop would back up traffic from the north, increase noise for the existing residents, and restrict access to businesses, homes and the post office.

It is my understanding that the Town of Kingsville does not have the jurisdiction to implement traffic controls at this intersection, as it is controlled by the county. This is certainly true as it applies to signaled crosswalks across county roads. It is short-sighted to allow the building of new residences without a traffic flow study. Allowing the rezoning should be delayed as well. Granting the rezoning to residential plans without an access plan is premature.

I am not against the addition of residential housing in that area, but primary vehicle access should be at Road 2 and Peterson Road. This will allow access for residents going toward Kingsville and north, including to highway 3, to avoid the busy intersection in Ruthven. Residents going north can then access County Road 34 at Road 3, which has an existing traffic light.

Again, my concern is access and the ability of the Town of Kingsville to control it. A proper long term vehicle and pedestrian plan should be shared before any permissions are granted. Without a proper study, this could result in a problematic intersection similar to the most eastern traffic light in Kingsville on County Road 20 -- a mess with no quick solution.

Regards,

Alan Fox
1605 County Road 34
Ruthven, ON

Sent from [Mail](#) for Windows

From: [Al Fox](#)
To: [Planning](#)
Subject: Lee road in the Hamlet of Ruthven
Date: November 12, 2024 2:26:41 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good day

I am writing this email to understand the future plans for Lee road. There is a new subdivision proposed for lot 1478 road 2 east that will only increase the usage of this road. Lee road is a narrow road that requires proper drainage and resurfacing at a minimum. This road flows into the CR 34 / CR 45 intersection which is extremely busy.

Based on the above I would like to promote Lee Road be made a one way street for east to west only allowing entrance to the existing and proposed subdivision. This would reduce future activity at the intersection and a road that would allow room for a sidewalk to the Post office, school, garage,... I believe this should be completed before the proposed subdivision.

Please let me know your thoughts and if there are any plans to repair/modify Lee road in the near future.

Regards

Al Fox

1605 County road 34
Ruthven
519-792-3966

From: [Al Fox](#)
To: [Planning](#)
Subject: Proposed subdivision in Ruthven
Date: November 13, 2024 9:54:43 AM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good day

I have been reviewing the drawing of the subdivision, it is hard to read so some of these items may be addressed.

1. Sidewalks, as there will be approximately 300 persons in the area. The town should address the existing subdivision as people may walk through it to go to the school, post office,.....
2. Potentially a cross walk to allow safe passage across road 2 and road 45.
3. Street lighting
4. Ample parking for cars on the built properties as not to rely on street parking

These are pretty standard items but it seems the proposal has high density housing.

Regards

Al Fox
1605 County road 34
519-792-3966



Date: November 25, 2024

To: Mayor and Council

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

RE: 1478 ROAD 2 EAST and part of 0 ROAD 2 EAST (Vacant lot) – Known as Mivita Estates Subdivision

Zoning By-law Amendment (ZBA-2024-19) and Consent Application (B-2024-27) for land exchange, and transfer of easement or right of way to the Town of Kingsville

RECOMMENDED ACTION

That Zoning By-law Amendment application ZBA 2024-19 to amend the current Residential Zone 2 Rural/Urban (R2.2) zoning on those parts of the lands, municipally known as 1478 Road 2 East and part of 0 Road 2 East (Vacant lot), having legal description Part of Lot 9, Concession 2 Eastern Division in the Town of Kingsville, as shown on Appendix A of this report, by changing the current zoning designation from 'General Agricultural (A1)' to a 'Site-Specific Residential Zone 2 Rural/Urban - Hold (R2.2-12[H])' and 'Public Utilities/Facilities Zone - Hold (MG [H])' **BE APPROVED** in the following manner:

1. Subsection 6.2.2 Residential Zone 2 Rural/Urban (R2.2) of Town of Kingsville Comprehensive Zoning By-law No. 1-2014 is amended by adding Exception 12 (R2.2-12) as shown in Appendix A of this report;
2. Town of Kingsville Comprehensive Zoning By-law No. 1-2014 is further amended by adding Site-specific Holding Provisions as shown in Table 1 of Appendix A of this report;

And that corresponding By-law 95-2024 being a by-law to amend the Comprehensive Zoning By-law 1-2014 for the Town of Kingsville, **BE ADOPTED** during the by-law section of this council agenda;

And that Consent Application (B-2024-27) for land exchange between 1478 ROAD 2 EAST and 0 ROAD 2 EAST (Vacant lot), and transfer of a 3-metre-wide easement or right of way to the Town of Kingsville, for placement of water services **BE APPROVED** subject to the following conditions:

1. Prior to the consent being endorsed on the deeds, the property owner shall provide a registered 12R-Plan to the Municipality;
2. Prior to consent being endorsed on the deeds, the applicant must provide confirmation that the transfer of easement or right of way to the Town of Kingsville has been registered;
3. 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; and
4. The conditions imposed above shall be fulfilled by **November 25, 2026**, or this application shall be deemed to be denied in accordance with Section 53(41) of the *Planning Act*.

BACKGROUND

The County of Essex, the approval authority under the *Planning Act* for plans of subdivision in Town of Kingsville, has received and deemed complete an application for a Draft Plan of Subdivision, County of Essex File No. 37-T-24002. The subject properties (municipally known as 1478 ROAD 2 EAST and 0 ROAD 2 EAST) are currently vacant (agricultural use) and are located to the north side of Road 2 East, between Peterson Lane and Woodfern Avenue in Ruthven as shown in the attached Key Map (see appendix A) and the Draft Plan of Subdivision (see appendix C).

The portion of the lands which is being considered for the draft plan of Subdivision is within Ruthven's secondary settlement area (through Kingsville's OPA 15 - By-law 56-2023 and County of Essex's OPA4 – By-law 2023-45). The lands are designated Hamlet in Kingsville Official Plan, and zoned General Agricultural Zone (A1) in the Comprehensive Zoning By-law 1-2014, for the Town of Kingsville.

The applicant has applied for Draft Plan of Subdivision Approval for:

- thirty (30) lots for Single Detached Dwellings,
- thirty-one (31) lots for sixty-two (62) Semi-Detached Dwelling units,
- two (2) blocks for Townhouse Dwellings, containing total of ten (10) Townhouse units,
- one (1) block for a Multi-Residential Townhouse Complex, containing total of twenty-four (24) units,
- one (1) block for a stormwater management facility, and
- one (1) block for stormwater access.

The new lots and blocks will have access from the proposed Virginio Avenue, which will connect to Road 2 East and the future extension of Peach Drive, as well as three (3) proposed cul-de-sacs named Amelia Court, Igino Court and Fiorina Court, which will all be dedicated as public roads.

To allow the proposed subdivision for residential development, it is required that the lands be properly zoned for Rural/Urban Residential use (R2.2). The applicant is requesting a site-specific Residential Zone (R2.2-12), to allow for construction of Single Detached Dwellings, Semi-Detached Dwellings and units, as well as Townhouse Dwellings and units and a Multi-Residential Townhome Complex, which will all have reduced lot area, lot frontage, setbacks and increased lot coverage, when compared to R2.2 zone. Likewise, that portion of the lands in the draft plan of subdivision which will be used for the stormwater management facility and stormwater access will be zoned from General Agricultural Zone (A1) to Public Utilities/Facilities Zone (MG).

Since the subject lands are not serviced for the proposed development, a site-specific holding provision will be placed on the entirety of the subject lands. The holding provision will still allow the servicing to commence, however no building permits can be issued until the Hold is removed from the lands by Council.

Furthermore, in 2023, Council for the Town of Kingsville and the County of Essex approved Official Plan Amendments to both the Kingsville OP and the County OP, which allowed for a 1:1 swap of lands between the subject properties and a corresponding adjustment to the Secondary Settlement Area. The land swap conformed to the Official Plan for the County of Essex. However, the ownership of the swapped lands were never transferred prior to the County's notice of complete Draft Plan of Subdivision. To that end, a consent application is required for land exchange (boundary adjustments) between 1478 ROAD 2 EAST and 0 ROAD 2 EAST, as well as transfer of 3-metre-wide easement or right of way to the Town of Kingsville, for placement of water services.

The Town of Kingsville is the approval authority for Zoning By-law Amendments as well as Consent Applications, as the lower-tier municipality. The required Zoning By-law Amendment, as well as the required Consent Application are both subject to statutory public meetings, therefore these two applications are brought to Council on November 25, 2024, prior to the report requesting endorsement of the draft plan of subdivision at the same Council meeting.

DISCUSSION

The Planning Act sets the ground rules for land use planning in Ontario. It gives upper-tier and lower-tier municipalities the authority to make local planning decisions which shall be consistent with the minimum standards set in the Provincial Planning Statement 2024 (PPS 2024), to ensure we are growing responsibly and sustainably.

The following provides the key pieces of information, to Kingsville municipal council, which corresponds to the required Zoning By-law Amendment and Consent applications for the proposed draft plan of subdivision being consistent with PPS 2024, as well as County of Essex Official Plan and Town of Kingsville Official Plan.

Provincial Planning Statement 2024, County of Essex Official Plan and Town of Kingsville Official Plan

The proposed residential draft plan of subdivision for 1478 ROAD 2 EAST and part of 0 ROAD 2 EAST is located on the western edge of Kingsville's secondary settlement area in Ruthven, designated Hamlet in schedule A-3 of Kingsville Official Plan. As indicated above, the subject lands are designated secondary settlement area in County of Essex current Official Plan 2014 (through OPA4 – By-law 2023-45) as shown in Schedule "A2" of the County OP.

The new County of Essex OP 2024, which was adopted by County Council on November 6, 2024, subject to approval from the Minister of Municipal Affairs and Housing, indicates (in Section 4) that Secondary Settlement Areas are generally smaller, villages, and communities than Primary Settlement Areas. Secondary Settlement Areas may or may not provide municipal piped sanitary sewer and water services. More importantly, Secondary Settlement Areas are generally planned to remain smaller in size, with less services available, and be primarily residential in nature. Historically, Secondary Settlement Areas have not been the focus for growth in the County of Essex; this trend is expected to remain consistent in the new Official Plan.

Section 3.6.2 of the Kingsville OP indicates that the purpose of the "Hamlet" designation is to identify those rural service areas where low density residential, amongst other uses, are permitted. The majority of Hamlet area is serviced by municipal water and sewer services. However, there are small areas which continue to be serviced by private septic facilities, therefore servicing will be a major consideration for any development proposals within this designation.

The Kingsville OP further indicates that one of the main goals for Hamlet areas of the Town is to ensure that new development occurs in a manner in keeping with the capacity of the services available and the financial capability of the Town, while encouraging the development of a greater variety of housing types provided the proposed housing can be adequately serviced, and to provide the opportunity to increase the housing supply through residential intensification.

Policies of the Hamlet designation in the Kingsville OP permit single detached, semi-detached, and townhouses and requires that the Zoning By-law shall zone all lands in the "Hamlet" designation according to their existing use. All undeveloped land parcels may be placed in a holding zone in the implementing Zoning By-law, and new development may be subject to a site-specific amendment to the Zoning By-law. The requested Zoning By-law amendment application (ZBA 2024-19) for the proposed development of the subject lands into a plan of subdivision meets many of the goals and policies of the Hamlet designation in Kingsville's OP.

The vacant parcels abut existing residential land uses to the east and the proposed draft plan of subdivision implements planned growth within the Ruthven secondary settlement area according to both County of Essex OP and Town of Kingsville OP. This development proposal will make efficient use of existing municipal services consistent with the policies of the PPS 2024. Although it can be stated that the proposal supports and implements many of PPS 2024 policies, the proposed draft plan of subdivision supports the following important policies which are specifically highlighted:

Housing

- Section 2.2.1 – Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents ... by
 - b) permitting and facilitating:
 - ...
 - 2. all types of residential intensification;
 - c) promoting densities for new housing which efficiently use land, resources, *infrastructure* and *public service facilities* ...

Settlement Area/Land Use Patterns

- Section 2.3.1.1 – Settlement Areas - Settlement areas shall be the focus of growth and development;
- Section 2.3.1.2 – Land use patterns within settlement areas should be based on densities and a mix of land uses which:
 - a) efficiently use land and resources;
 - b) optimize existing and planned infrastructure and public service facilities;
- Section 2.3.1.6 – Planning authorities should establish and implement phasing policies, where appropriate, to ensure that development within designated growth areas is orderly and aligns with the timely provision of the infrastructure and public service facilities.

Rural Areas in Municipalities

Section 2.5.1 – Healthy, integrated and viable rural areas should be supported by:

- c) accommodating an appropriate range and mix of housing in rural *settlement areas*;
- d) using rural *infrastructure* and *public service facilities* efficiently;

Section 2.5.2 – In *rural areas*, *rural settlement areas* shall be the focus of growth and development and their vitality and regeneration shall be promoted.

Section 2.5.3 – When directing development in *rural settlement areas* in accordance with policy 2.3, planning authorities shall give consideration to locally appropriate rural characteristics, the scale of development and the provision of appropriate service levels.

Natural Heritage

Section 4.1 of PPS 2024 requires that natural features and areas shall be protected for the long term. Kingsville Official Plan, as well as County of Essex Official Plan do not identify any natural features on or adjacent to the subject lands. MECP reviewed the information provided in the applicant's preliminary screening memo and provided confirmation that based on the findings of the preliminary screening memo an *Endangered Species Act (ESA) permit will not be required*.

Minerals and Petroleum

Section 4.4 of PPS 2024 requires that minerals and petroleum resources shall be protected for long-term use; and that any development (which would) hinder the establishment of new operations or access to the resources shall only be permitted if the proposed land use or development serves a greater long-term public interest.

Both the Kingsville Official Plan and the County of Essex Official Plan do not identify any natural resources within or near the proposed draft plan of subdivision.

Cultural Heritage and Archeology

Section 4.6 of PPS 2024 requires that planning authorities shall not permit development and site alteration on lands containing archaeological resources or areas of archaeological potential unless the significant archaeological resources have been conserved.

Before approving a development project regulated by legislation, an approval authority may require an archaeological assessment of all lands that are part of the project. A Stage 1-2 Archaeological Assessment report was submitted to the Ministry of Heritage, Sport, Tourism, and Culture Industries, and has been entered into the Ontario Public Register of Archaeological Reports without technical review. This satisfied the requirements for protecting provincial interest for the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest.

In conclusion, the proposed draft plan of subdivision meets the policy directions of PPS 2024, County of Essex Official Plan and Kingsville Official Plan.

Municipal Zoning By-law

The lands subject to the proposed draft plan of subdivision are currently zoned General Agricultural Zone (A1) in the Comprehensive Zoning By-law 1-2014, for the Town of Kingsville. To allow the proposed subdivision for residential development it is required that the lands be properly zoned for Rural/Urban Residential use. The applicant is requesting a site-specific Residential Zone based on the R2.2 zone (see Appendix E - Planning Justification Report by the Applicant), to allow for construction of Single Detached Dwellings, Semi-Detached Dwellings and units, Townhouse Dwellings and units and a Multi-Residential Townhome Complex, which will all have reduced lot area, lot frontage, setbacks and increased lot coverage, when compared to R2.2 zone. Likewise, the Town of Kingsville will require that the portion of the lands in the draft plan of subdivision which will be used for the stormwater management facility and stormwater access be zoned from General Agricultural Zone (A1) to Public Utilities/Facilities Zone (MG).

Kingsville administration has reviewed the details of the requested zoning amendment by the applicant and has considered the applicant's request against the policies of PPS 2024, County of Essex OP and Town of Kingsville OP, as well as Kingsville's Zoning By-law 1-2014.

It is recommended that Subsection 6.2.2 of Zoning By-law 1-2014, be amended by adding Exception 12 (R2.2-12), to match the proposed lots and blocks, and development goals of the proposed plan of subdivision, while allowing for appropriate intensification within the existing regulations of the low-density Residential Zone 2, and existing residential neighbourhood to the east of the proposed development.

As indicated above, the policies of the County OP as well as the Kingsville OP only permit low density residential developments in the Hamlet designation. the new County of Essex OP 2024 provides the following:

4.A.4 – Hamlets - Subsection 4.A.4.2:

Hamlets are characterized by the following:

...

- e) *Any new housing is planned to be limited infill housing, at a low density in keeping with the existing unit type and built form that already exists.*

4.A.5 – Intensification – Subsection 4.A.5.2:

...

Residential intensification is to be provided in Secondary Settlement Areas where full servicing is available.

4.A.6 – Greenfield Development

Subsection 4.A.6.1:

...

f) Supporting locally appropriate, logical, and orderly development.

Subsection 4.A.6.2.:

*Local municipal Official Plans, Zoning By-laws, and Secondary Plans shall plan to achieve the following **net residential densities**:*

<i>Low Density Residential</i>	<i>25 units per hectare</i>
<i>Medium Density Residential</i>	<i>50 units per hectare</i>
<i>High Density Residential</i>	<i>80 units per hectare</i>

Further, the Town of Kingsville Zoning By-law 1-2014, provides the following definitions:

Density (Gross): means the ratio of the number of dwelling units to the entire subject property and expressed in units per hectare.

Density (Net): means the ratio of the number of dwelling units to the property with the dedicated parkland, roadways, storm water management ponds and other non- developable detached components removed from the land area and expressed in units per hectare.

Based on the above definitions for Gross and Net Densities provided in the Town of Kingsville Zoning By-law 1-2014, the proposed draft plan of subdivision will have the **Gross Density of 19 units per hectare**. However, Subsection 4.A.6.2. of the new County of Essex OP mentioned above, refers to Net density and not Gross density.

The Net Density of the proposed draft plan of subdivision will be 28.95 units per hectare, which is actually Medium Density Residential as defined in Subsection 4.A.6.2. of the new County of Essex OP. Kingsville’s OP only refers to Gross Density while speaking to number of residential units per hectare, and as such, there is a mismatch between the County of Essex OP and the Town of Kingsville OP in how densities are calculated. This mismatch will be corrected when the Kingsville OP is brought into conformance with the County of Essex OP, as is required by the Planning Act. However, at this time, the proposed density pushes the upper limits of density within a Hamlet designation.

The applicant has requested more intensive use of residential lots (e.g. 70% lot coverage, 20% minimum landscape open space) as shown in the applicant's Planning Justification Report (Appendix E). The applicant's intention is to create more attainable housing (i.e. smaller lots, smaller homes), however Kingsville administration in their review and recommendation of appropriate intensification must also be sensitive to neighbouring lands and Hamlet policies.

For that reason, Administration does not recommend approval of the applicant's zoning request in full, and is only recommending the following zoning amendment, which is not an exact match to the applicant's request and recommends less intensive built form than what the applicant is requesting. Built form refers to the physical appearance of a building, its relationship to the surrounding area, and its function which include:

- **Appearance:** The height, shape, and volume/mass of a building, as well as its surface;
- **Relationship to surroundings:** How far a building is from the street and sidewalk, and how it relates to other buildings and open spaces; and
- **Function:** The purpose of the building.

Built form is a key factor in creating well-designed places and neighbourhoods. The tools which are used in the Zoning By-law to achieve proper built form are regulations such as maximum lot coverage, minimum landscape-open-space and required minimum setbacks. These tools are used to control the size, shape and mass of buildings so they fit into their surroundings without imposing on existing adjacent neighbourhood characteristics.

It is imperative to note that Kingsville Administration is putting forward a Zoning By-law Amendment which still pushes the upper limits of density within a Hamlet designation, and creates a much denser built form compared to existing residential neighbourhood to the east. Therefore, most likely Kingsville Administration will not be in a position to support any future minor variances to further intensify the built form in the proposed subdivision.

Kingsville Administration is recommending the following Zoning By-law Amendments:

a) Permitted Uses

- i) Those uses permitted under 6.2.2 Residential Zone 2 Rural/Urban (R2.2), EXCEPT Nursing or Rest home.

b) Permitted Buildings and Structures

- i) One Single Detached Dwelling;
- ii) One Semi-Detached Dwelling; One Semi-Detached Dwelling unit;

- iii) One Townhouse Dwelling; One Townhouse Dwelling unit;
- iv) One Multi-residential Townhouse Dwelling Complex containing no more than twenty-four (24) dwelling units, and no Additional Dwelling Units permitted;
- v) One Group home;
- vi) Buildings and structures accessory to the main use.

c) Regulations

	Single detached dwelling	Semi-detached dwelling/ Semi-detached dwelling unit	Townhouse dwelling (per unit)	Multi-residential Townhouse dwelling Complex (per unit)
Lot Area (Minimum)	470m ² (5,059.2 ft ²)	650m ² (6,996.8 ft ²)/ 325m ² (3,498.4ft ²)	320m ² (3,444.6ft ²)	213m ² (2,296.4ft ²)
Lot Frontage (Minimum)	12.5m (41ft)	18m (59.1ft)/9m (29.5ft)	9m (29.5ft)	53m (173.9ft)
Landscaped Open Space (Minimum)	30%	30%	30%	30%
Lot Coverage (Maximum)	Main building without ADU 50%, and 10% for accessory structures	Main building without ADU 50%, and 10% for accessory structures	Main building without ADU 50%, and 10% for accessory structures	Main building 50% Accessory structures 10%
	Main building with legal ADU 60%, and no accessory structures	Main building with legal ADU 60%, and no accessory structures	Main building with legal ADU 60%, and no accessory structures	Legal ADU 0%
Building Height (Maximum)	11 m (36.1 ft)	11 m (36.1 ft)	11 m (36.1 ft)	11 m (36.1 ft)
Front Yard Depth (minimum)	4m (13.12ft) for the main dwelling	4m (13.12ft) for the main dwelling	4m (13.12ft) for the main dwelling	3m (9.8ft)
	5.5m (18.04ft) for attached garage	5.5m (18.04ft) for attached garage	5.5m (18.04ft) for attached garage	
Rear Yard Depth (minimum)	6m (19.7ft)	6m (19.7ft)	6m (19.7ft)	6m (19.7ft)
Interior Side Yard Width (Minimum)	1.2m (3.9ft) with an attached garage/carport	1.2m (3.9ft) with an attached garage/carport,	1.2m (3.9ft) with an attached garage/carport,	6m (19.7ft)

		when there is no common wall	when there is no common wall	
	3m (9.8ft) without an attached garage/carport	3m (9.8ft) without an attached garage/carport, when there is no common wall	3m (9.8ft) without an attached garage/carport, when there is no common wall	
		0m (0ft) when there is a common wall for a semi-detached dwelling unit or townhouse dwelling unit	0m (0ft) when there is a common wall for a semi-detached dwelling unit or townhouse dwelling unit	
Exterior Side Yard Width (minimum)	1.5m (4.9ft) with an attached garage/carport	1.5m (4.9ft) with an attached garage/carport	1.5m (4.9ft) with an attached garage/carport	6m (19.7ft)
	5m (16.4ft) without an attached garage/carport	5m (16.4ft) without an attached garage/carport	5m (16.4ft) without an attached garage/carport	

Placement of Holding Provision

In keeping with the Town of Kingsville OP policies indicated above, since the subject lands are not serviced for the proposed development, a holding provision will be placed on the entirety of the subject lands indicating the following in the corresponding By-law:

“The Holding Provision applies to the entirety of the subject lands, and the holding provision shall not be removed from these lands, and no development shall occur, until the following has been completed to the satisfaction of the Town of Kingsville:

- a. Confirmation of availability and allocation of Municipal Water and Sanitary Sewage Treatment and conveyance capacity to the satisfaction of the Town of Kingsville;
- b. Execution of a Subdivision Agreement for specified phase(s), where the holding provisions will be removed only on those phase(s) included in the Subdivision Agreement; and
- c. Collection of all required securities by the Town of Kingsville according to the executed Subdivision Agreement.

The above holding provision will still allow the servicing to commence, however no building permits can be issued until the Hold is removed from the lands.

Subdivision Agreement

The applicant has been advised that additional connections into the Ruthven sanitary collection system are not recommended until the Town can complete a review of the Ruthven sanitary system and determine sanitary capacity. The results of that review will likely impact development phasing.

The Town also required the applicant to 'loop' water mains (in keeping with recommendations from the Safe Drinking Water Act) to avoid dead-ends or additional automatic flushing units at the end of each of the cul-de-sacs. As a result of the proposed development pattern, the water main loops require easement on neighbouring lands (owned also by the applicant). The associated easement requires consent, as described below.

A Subdivision Agreement is required to be in place prior to any development on site. The Agreement would include language to permit development, by phasing based on confirmed capacity, and appropriate performance securities. Development of the site is not permitted until such time as the Agreement is approved by Council, and securities are collected. Further, recent legislative changes require reallocation of services (e.g. water, sanitary) if development has not been completed within three years.

Consent Application for Land Exchange and Transfer of Easement or Right of Way

In 2023, Council for the Town of Kingsville and the County of Essex approved Official Plan Amendments to both the Kingsville OP and the County OP, which allowed for a 1:1 swap of lands between the subject properties and a corresponding adjustment to the Secondary Settlement Area. The land swap conformed to the Official Plan for the County of Essex. However, the ownership of the swapped lands were never transferred prior to the County's notice of complete Draft Plan of Subdivision.

To that end, a consent application is required for land exchange (boundary adjustments) between 1478 ROAD 2 EAST and 0 ROAD 2 EAST, as well as transfer of a 3-metre-wide easement or right of way to the Town of Kingsville, for placement of water services in the following manner:

1. To sever part of the vacant lot, municipally known as 0 ROAD 2 East, at its south-west end, having the area of 3,759.3 m², and convey it to the property next east, municipally known as 1478 ROAD 2 East, to be used for stormwater management pond facilities for the proposed draft plan of subdivision, as shown on Appendix B – Consent Map (B-2024-27);

2. To sever part of the vacant lot, municipally known as 0 ROAD 2 East, at its north-east end, having the area of 494.6 m², and convey it to the property next east, municipally known as 1478 ROAD 2 East, to be used for part of the cul-de-sac bulb at west end of proposed extension of Peach Drive, as well as part of Lot 34 on the proposed draft plan of subdivision, as shown on Appendix B – Consent Map (B-2024-27);
3. To register the transfer of a 3-metre-wide easement or right of way to the Town of Kingsville, for placement of water services, having the area of 692.3 m², along the west property line of the lands municipally known as 1478 ROAD 2 East; and
4. To sever part of the land municipally known as 1478 ROAD 2 East, along its west property line and at its north-west end, having the area of 4,258 m², and convey it to the property next west, municipally known as 0 ROAD 2 East, in exchange of the 2 parts received above.

The Town of Kingsville is the approval authority for Zoning By-law Amendments as well as Consent Applications, as the lower-tier municipality. It is worth noting that the required Zoning By-law Amendment, as well as the required Consent Application are both subject to statutory public meetings, therefore the two applications are brought forward in a separate report (ZBA-2024-19 and B-2024-27) to Council on November 25, 2024, prior to the report requesting endorsement of the draft plan of subdivision.

CONSULTATIONS

The Town of Kingsville, as the approval authority for Zoning By-law Amendments and Consent applications, has conferred with the persons or public bodies which must be notified of the proposed ZBA and Consent applications.

Furthermore, in accordance with requirements of Ontario Regulation 545/06, and Ontario Regulation 197/96, Town of Kingsville has given public notice of the ZBA and Consent applications (see appendix F) by:

- a. ordinary mail, to every owner of land within 120 metres of the subject land; and
- b. posting notice signs, clearly visible and legible from a public highway or other place to which the public has access, namely on Road 2 East frontage of the subject land, and at the end of Peach Drive.

In addition to the above required ordinary mail and sign posting notices, an additional notice has been placed on Kingsville's municipal webpage at the following link: <https://www.kingsville.ca/en/news/planning-items-for-review-at-the-november-25-2024-committee-of-adjustment-and-appeals.aspx>

Public comments received to date are attached (see appendix H.)

The application was also reviewed by the Town's Technical Advisory Committee, and additional consultation with:

- Director of Public Operations
- Senior Manager of Capital Projects and Engineering
- Development Engineer
- Manager of Legal Services

FINANCIAL CONSIDERATIONS

The Town of Kingsville will be collecting subdivision securities in accordance with requirements and conditions which will be stipulated in the subdivision agreement. At the appropriate time release of the collected securities will be managed by the Town of Kingsville.

Furthermore, in compliance with section 3.5 of the Kingsville OP (Parks and Open Spaces), subsection 3.5.2. e) which indicates the following:

“where land is to be developed or redeveloped for residential purposes, the Town shall require the conveyance of land for park purposes or the equivalent cash-in-lieu in accordance with the maximum of the following criteria or combination thereof:

- i. five percent (5%) dedication of the gross area of the land proposed for development; and/or*
- ii. dedication at a rate of one hectare per 300 units or cash-in-lieu at a rate of one hectare per 500 units or such lesser rate as may be specified in the by-law;”*

The appropriate equivalent cash-in-lieu of required Parkland will be collected at the time of executing the subdivision agreement.

Upon completion of servicing the subdivision, once building permits can be issued on each lot/block, development charges and building permit fees will be collected, which ultimately will contribute to additional taxation, water, and wastewater revenue for Town of Kingsville.

PREPARED BY:

Sahar Jamshidi

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

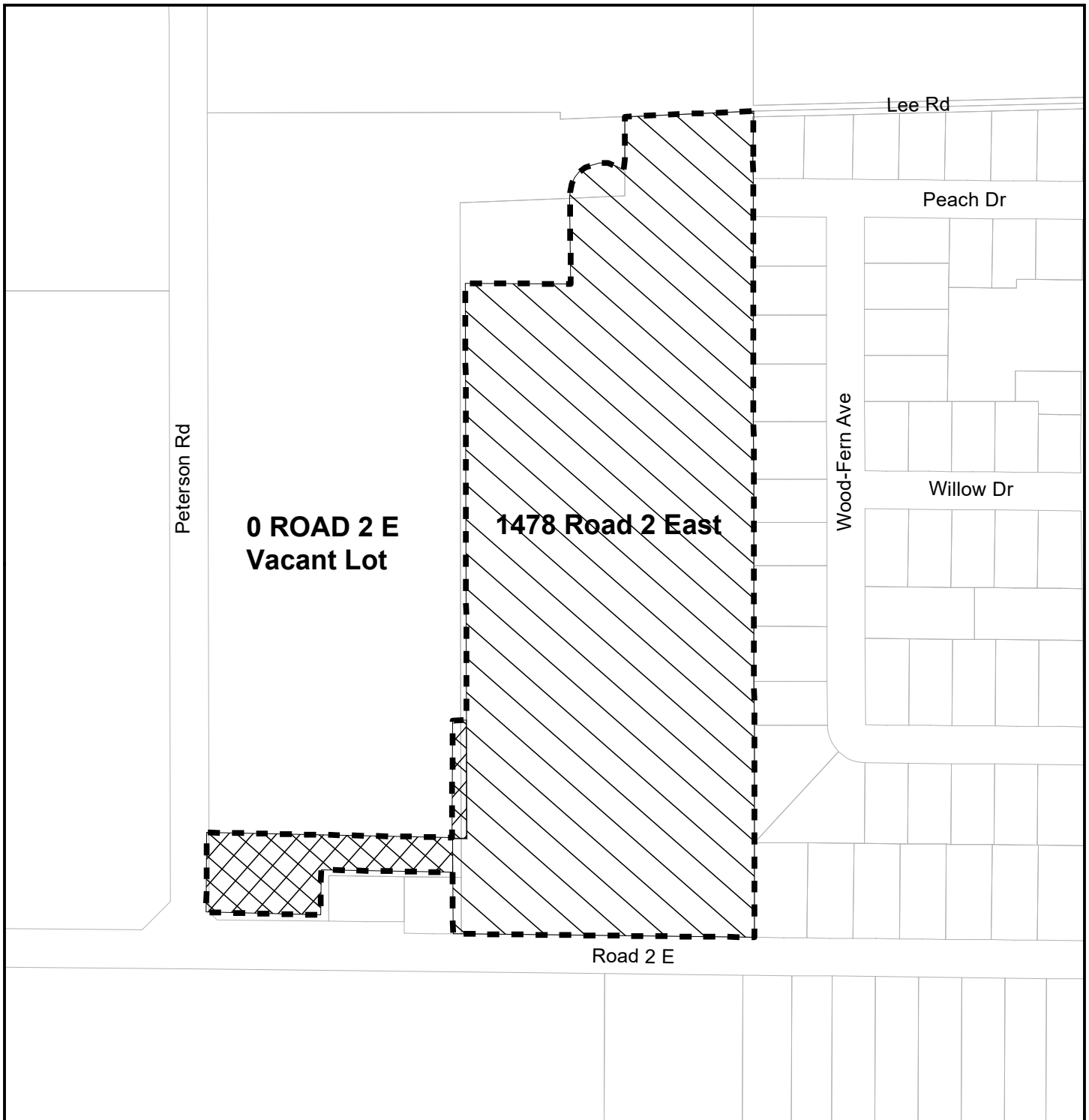
REVIEWED BY:



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




- Appendix A – Key Map and Proposed Zoning Amendment Details
- Appendix B – Consent Map & 12R-29939 Registered Easement
- Appendix C – Draft Plan of Subdivision Mivita Estate
- Appendix D – Subdivision Concept Plan & Typical Lot Layout – Applicant’s Proposal
- Appendix E – Planning Justification Report
- Appendix F – Public Notices
- Appendix G – Notice Signs Placed on Public Highways
- Appendix H – Public Comments

Appendix A - Rezoning for Mivita Estates Subdivision



Zoning By-law Amendment ZBA-2024-19
Mivita Estates Subdivision



-  Zoning change from General Agricultural Zone A1 to Site Specific Residential Zone 2 Rural/Urban - Hold (R2.2-12[H])
-  Zoning change from General Agricultural Zone A1 to Public Utilities/Facilities - Hold (MG [H])
-  Subject Lands - Mivita Estates Subdivision



1:3,000

November 2024

1. That Subsection 6.2.2 Residential Zone 2 Rural/Urban (R2.2) is amended by adding Exception 12 (R2.2-12) as follows:

a) Permitted Uses

- i) Those uses permitted under 6.2.2 Residential Zone 2 Rural/Urban (R2.2), EXCEPT Nursing or Rest home.

b) Permitted Buildings and Structures

- i) One single detached dwelling;
 ii) One semi-detached dwelling; One semi-detached dwelling unit;
 iii) One Townhouse dwelling; One Townhouse dwelling unit;
 iv) One Multi-residential Townhouse dwelling Complex containing no more than twenty-four (24) dwelling units, and no Additional Dwelling Units permitted;
 v) One Group home;
 vi) Buildings and structures accessory to the main use.

c) Regulations

	Single detached dwelling	Semi-detached dwelling/ Semi-detached dwelling unit	Townhouse dwelling (per unit)	Multi-residential Townhouse dwelling Complex (per unit)
Lot Area (Minimum)	470m ² (5,059.2 ft ²)	650m ² (6,996.8 ft ²)/ 325m ² (3,498.4ft ²)	320m ² (3,444.6ft ²)	213m ² (2,296.4ft ²)
Lot Frontage (Minimum)	12.5m (41ft)	18m (59.1ft)/9m (29.5ft)	9m (29.5ft)	53m (173.9ft)
Landscaped Open Space (Minimum)	30%	30%	30%	30%
Lot Coverage (Maximum)	Main building without ADU 50%, and 10% for accessory structures Main building with legal ADU 60%, and no accessory structures	Main building without ADU 50%, and 10% for accessory structures Main building with legal ADU 60%, and no accessory structures	Main building without ADU 50%, and 10% for accessory structures Main building with legal ADU 60%, and no accessory structures	Main building 50% Accessory structures 10% Legal ADU 0%

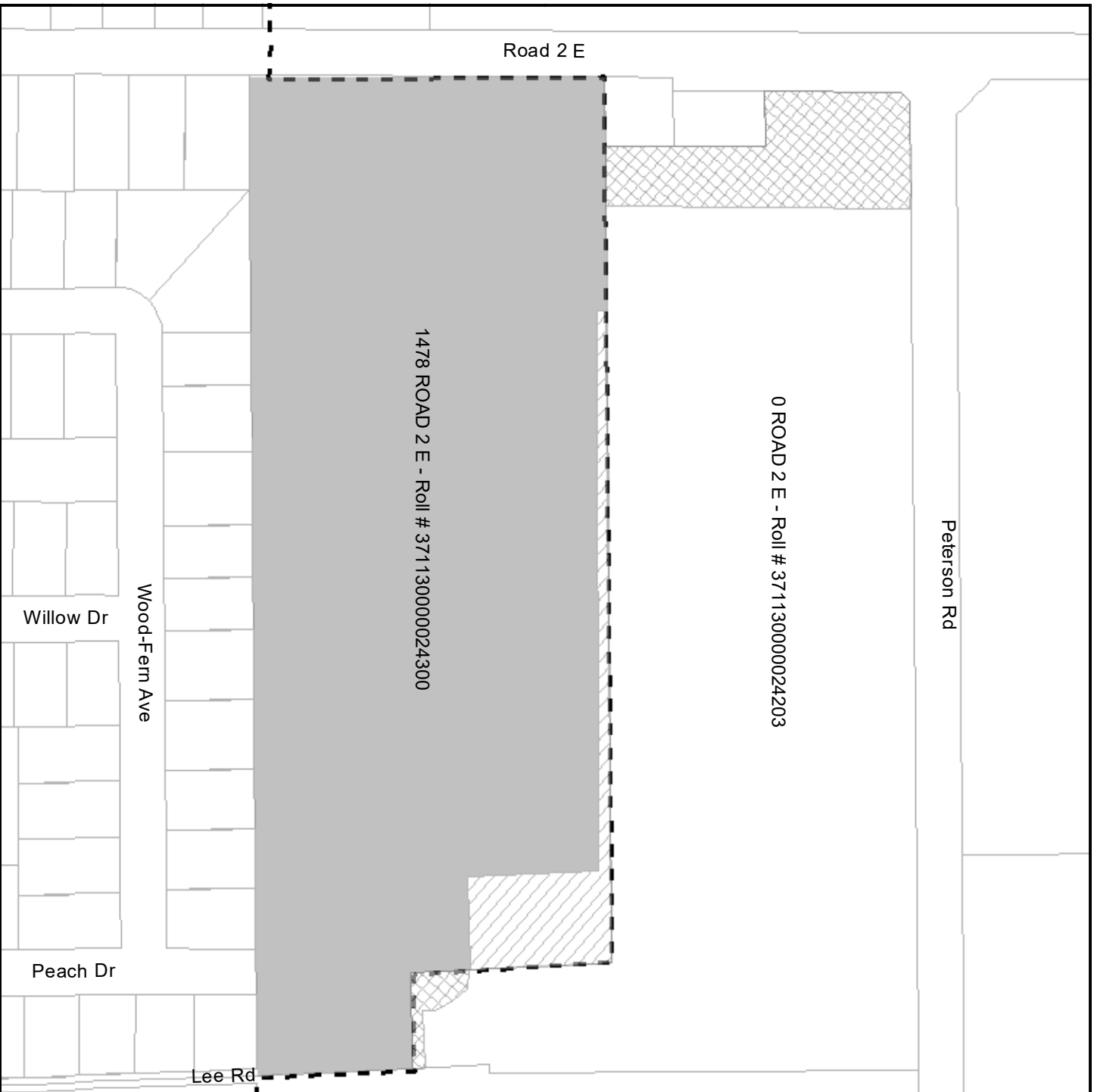
Building Height (Maximum)	11 m (36.1 ft)	11 m (36.1 ft)	11 m (36.1 ft)	11 m (36.1 ft)
Front Yard Depth (minimum)	4m (13.12ft) for the main dwelling 5.5m (18.04ft) for attached garage	4m (13.12ft) for the main dwelling 5.5m (18.04ft) for attached garage	4m (13.12ft) for the main dwelling 5.5m (18.04ft) for attached garage	3m (9.8ft)
Rear Yard Depth (minimum)	6m (19.7ft)	6m (19.7ft)	6m (19.7ft)	6m (19.7ft)
Interior Side Yard Width (Minimum)	1.2m (3.9ft) with an attached garage/carport 3m (9.8ft) without an attached garage/carport	1.2m (3.9ft) with an attached garage/carport, when there is no common wall 3m (9.8ft) without an attached garage/carport, when there is no common wall 0m (0ft) when there is a common wall for a semi-detached dwelling unit or townhouse dwelling unit	1.2m (3.9ft) with an attached garage/carport, when there is no common wall 3m (9.8ft) without an attached garage/carport, when there is no common wall 0m (0ft) when there is a common wall for a semi-detached dwelling unit or townhouse dwelling unit	6m (19.7ft)
Exterior Side Yard Width (minimum)	1.5m (4.9ft) with an attached garage/carport 5m (16.4ft) without an attached garage/carport	1.5m (4.9ft) with an attached garage/carport 5m (16.4ft) without an attached garage/carport	1.5m (4.9ft) with an attached garage/carport 5m (16.4ft) without an attached garage/carport	6m (19.7ft)

2. Schedule "A", Map 53 of By-law 1-2014 is hereby amended by changing the zoning designation on those parts of the lands, municipally known as 1478 ROAD 2 EAST and part of 0 ROAD 2 EAST (Vacant lot), having legal description Part of Lot 9, Concession 2 Eastern Division in the Town of Kingsville, as shown on Schedule 'A' attached hereto, from 'General Agricultural (A1)' to a 'Site-Specific Residential Zone 2 Rural/Urban - Hold (R2.2-12[H])' and 'Public Utilities/Facilities Zone - Hold (MG [H])'.

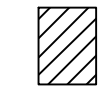
3. That Table 1 – Site-specific Holding Provisions is provided as follows:

Table 1	
Zone	Special Provisions
<p>R2.2-12[H] and MG [H]</p>	<p>The Holding Provision applies to the entirety of the subject lands forming Mivita Estate Draft Plan of Subdivision, municipally known as 1478 ROAD 2 EAST and part of 0 ROAD 2 EAST (Vacant lot), having legal description Part of Lot 9, Concession 2 Eastern Division in the Town of Kingsville; and</p> <p>The holding provision shall not be removed from these lands, and no development shall occur, until the following has been completed to the satisfaction of the Town of Kingsville:</p> <ul style="list-style-type: none"> a. Confirmation of availability and allocation of Municipal Water and Sanitary Sewage Treatment and conveyance capacity to the satisfaction of the Town of Kingsville; b. Execution of a Subdivision Agreement for specified phase(s), where the holding provisions will be removed only on those phase(s) included in the Subdivision Agreement; and c. Collection of all required securities by the Town of Kingsville according to the executed Subdivision Agreement.

Appendix B - Consent Application B-2024-27 Key Map



- Consent Application B-2024-27 for:**
- **land exchange between 1478 ROAD 2 E and 0 ROAD 2 E; and**
 - **Easement in favour of the Town of Kingsville**



Lands to be severed from 1478 ROAD 2 E (Roll # 371130000024300) and conveyed to 0 ROAD 2 E (Roll # 371130000024203); Subject to a 3m wide North-South easement in favour of the Town of Kingsville



Lands to be severed from the 0 ROAD 2 E (Roll # 371130000024203) and conveyed to 1478 ROAD 2 E (Roll # 371130000024300)

1:2,500



November 2024

KNOWN AS PETERSON (FORCED ROAD) LANE

PARTS SCHEDULE				
PART	LOT	CON/PLAN	P.I.N.	AREA
1				3759.3 sq m
2				478.0 sq m
3	PART OF LOT 9	CONCESSION 2 EASTERN DIVISION	PART OF 75145-0369	16.1 sq m
4				3565.7 sq m
5			PART OF 75145-0190	692.3 sq m

PART 3 - SUBJECT TO RIGHT-OF-WAY AS IN INST. No. R333757

PLAN 12R-29939

Received and deposited

November 13th, 2024

Diana Wong

Representative for the
Land Registrar for the
Land Titles Division of
Essex (No.12)

PLAN OF SURVEY
OF
PART OF LOT 9
CONCESSION 2 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 = 1:1000
0 10.00 20.00 40.00 60.00 100.00 METRES

THE INTENDED PLOT SIZE OF THIS PLAN IS 915mm IN WIDTH BY 609mm IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:1000

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

INTEGRATION DATA

COORDINATES ARE DERIVED FROM GRID OBSERVATIONS USING THE CAN-NET NETWORK SERVICE AND ARE REFERRED TO UTM ZONE 17 (81° WEST LONGITUDE) NAD83 (CSRS) (2010.0).
COORDINATE VALUES ARE TO AN URBAN ACCURACY IN ACCORDANCE WITH SECTION 14(2) O.REG. 216/10

POINT ID	NORTHING	EASTING
ORP-A	4656866.66	361026.49
ORP-B	4657118.39	361053.62

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

FOR BEARING COMPARISONS A ROTATION OF 1° 08' 00" CLOCKWISE ROTATION WAS APPLIED TO (P) TO CONVERT TO GRID BEARINGS.

LEGEND AND NOTES

BEARINGS ARE UTM GRID DERIVED FROM OBSERVED REFERENCE POINTS 'A' AND 'B' BY REAL TIME NETWORK OBSERVATIONS AND ARE REFERRED TO UTM ZONE 17 (81° WEST LONGITUDE) NAD83 (CSRS) (2010.0).

DISTANCES ON THIS PLAN ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999810

ALL SET SSIB AND PB 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.

ALL MONUMENTS SHOWN THUSLY □ ARE IRON BARS (IB) UNLESS OTHERWISE NOTED.

- SIB DENOTES 25mm X 25mm X 1.22m STANDARD IRON BAR
- SSIB DENOTES 25mm X 25mm X 0.61m SHORT STANDARD IRON BAR
- IB DENOTES 16mm X 16mm X 0.61m IRON BAR
- IB φ DENOTES 19mm diameter X 0.61m ROUND IRON BAR
- CC DENOTES CUT-CROSS
- CP DENOTES 5mm X 50mm STEEL PIN
- PB DENOTES PLASTIC BAR
- DENOTES SURVEY MONUMENT FOUND
- DENOTES SURVEY MONUMENT SET AND MARKED JDB
- WIT. DENOTES WITNESS
- ⊥ DENOTES PERPENDICULAR
- (S) DENOTES SET
- (M) DENOTES MEASURED
- (D) DENOTES INST. No.
- ORP DENOTES OBSERVED REFERENCE POINT
- (NI) DENOTES NOT IDENTIFIABLE
- (OU) DENOTES ORIGIN UNKNOWN
- (S/P) DENOTES SET PROPORTIONALLY
- (P1) DENOTES PLAN 12R-21660
- (P2) DENOTES PLAN 12R-25448
- (P3) DENOTES PLAN 12R-24914
- (1744) DENOTES VERHAEGEN SURVEYORS INC., O.L.S.
- (JDB) DENOTES J.D. BARNES LIMITED, O.L.S.
- (1040) DENOTES WILLIAM J. SETTERINGTON, O.L.S.
- (1201) DENOTES CLARKE SURVEYORS INC., O.L.S.
- ROW DENOTES RIGHT OF WAY

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
- THIS SURVEY WAS COMPLETED ON THE 1st DAY OF AUGUST, 2024.

DATE NOVEMBER 4th, 2024

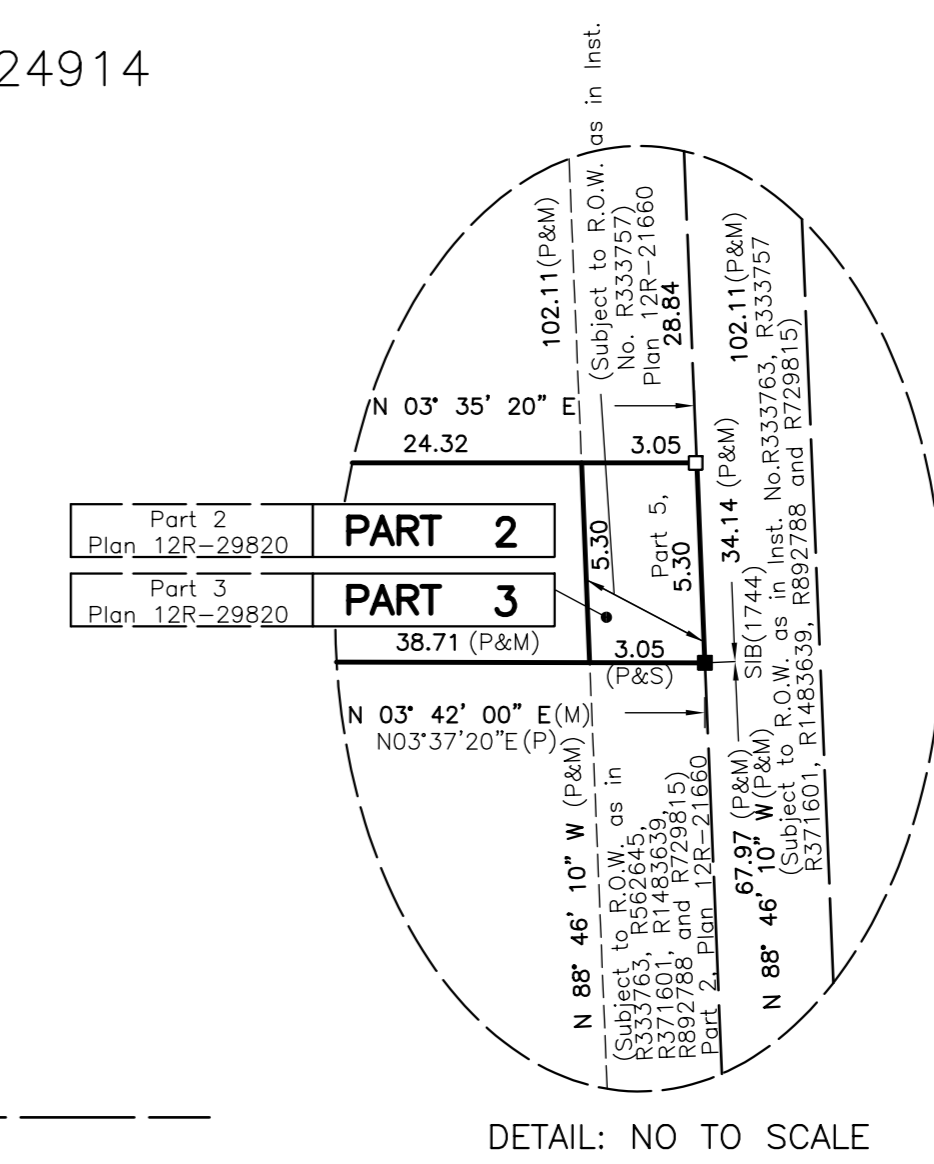
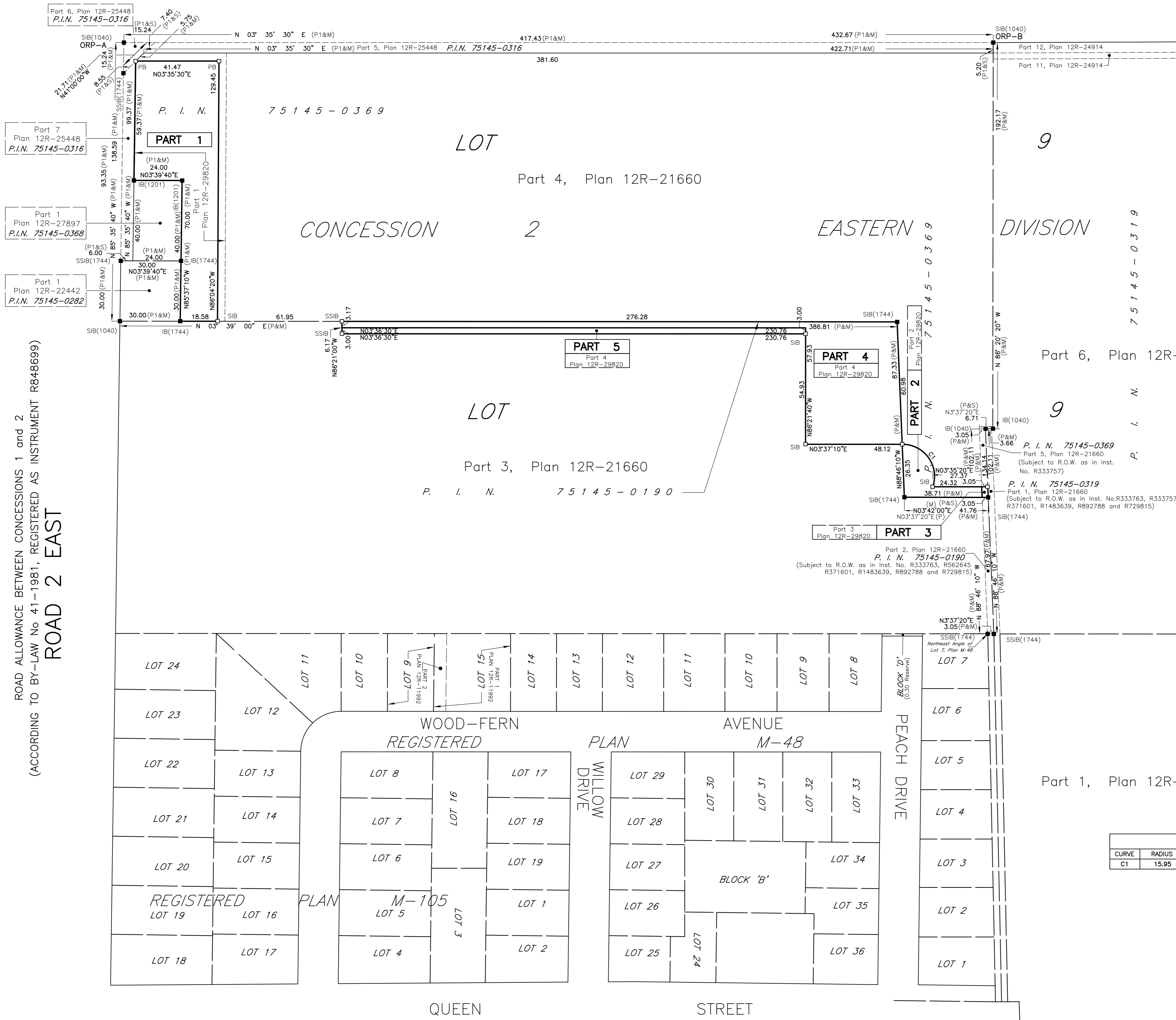
Alec S. Mantha
ONTARIO LAND SURVEYOR

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER 2217464

VERHAEGEN SURVEYING MAPPING GIS
LAND SURVEYORS
A DIVISION OF J.D. BARNES LTD.
844 OTTAWA STREET, WINDSOR, ON, N8X 2E1
T: (519) 258-1772 F: (519) 258-1791 www.jdbarnes.com

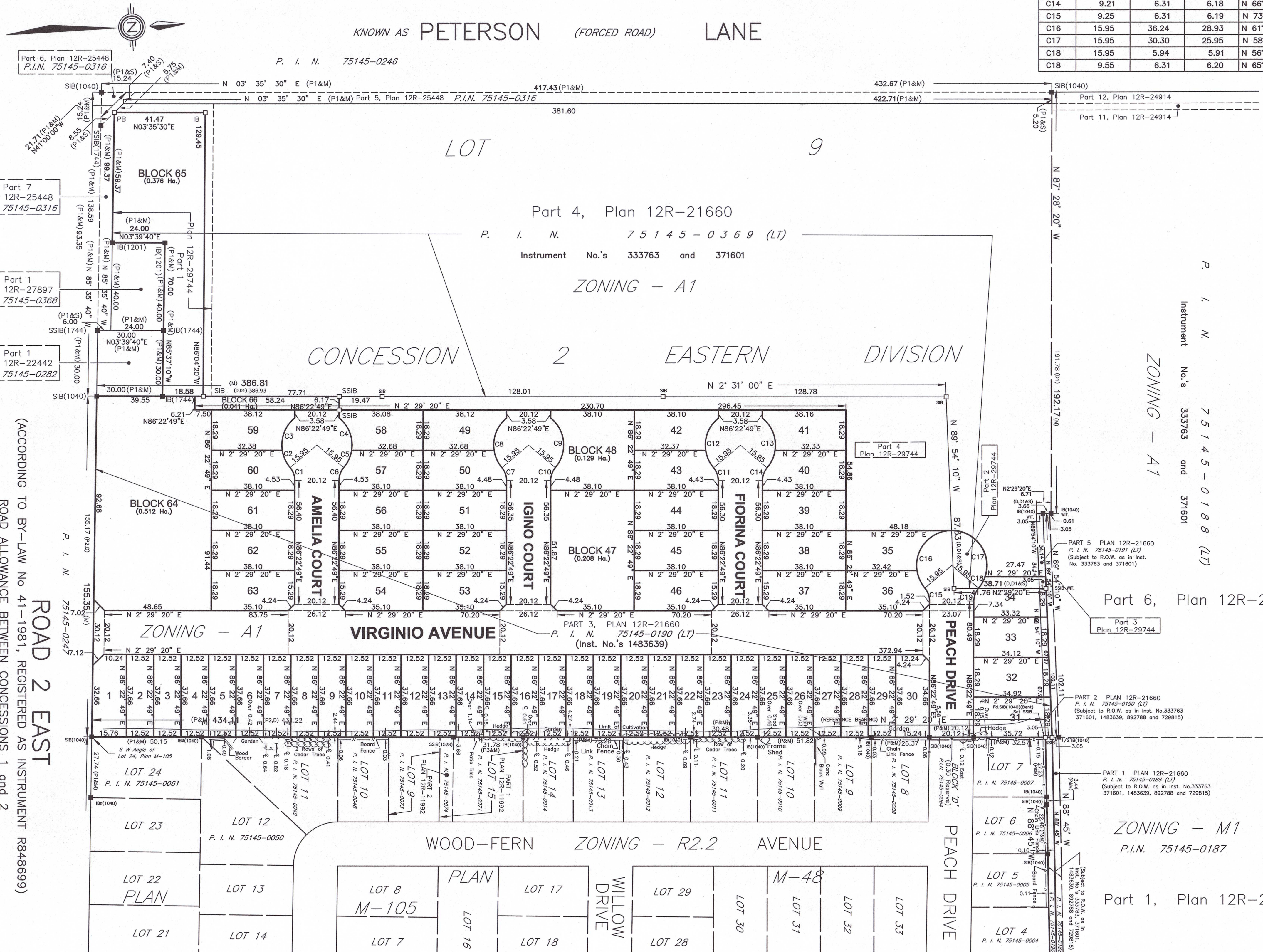
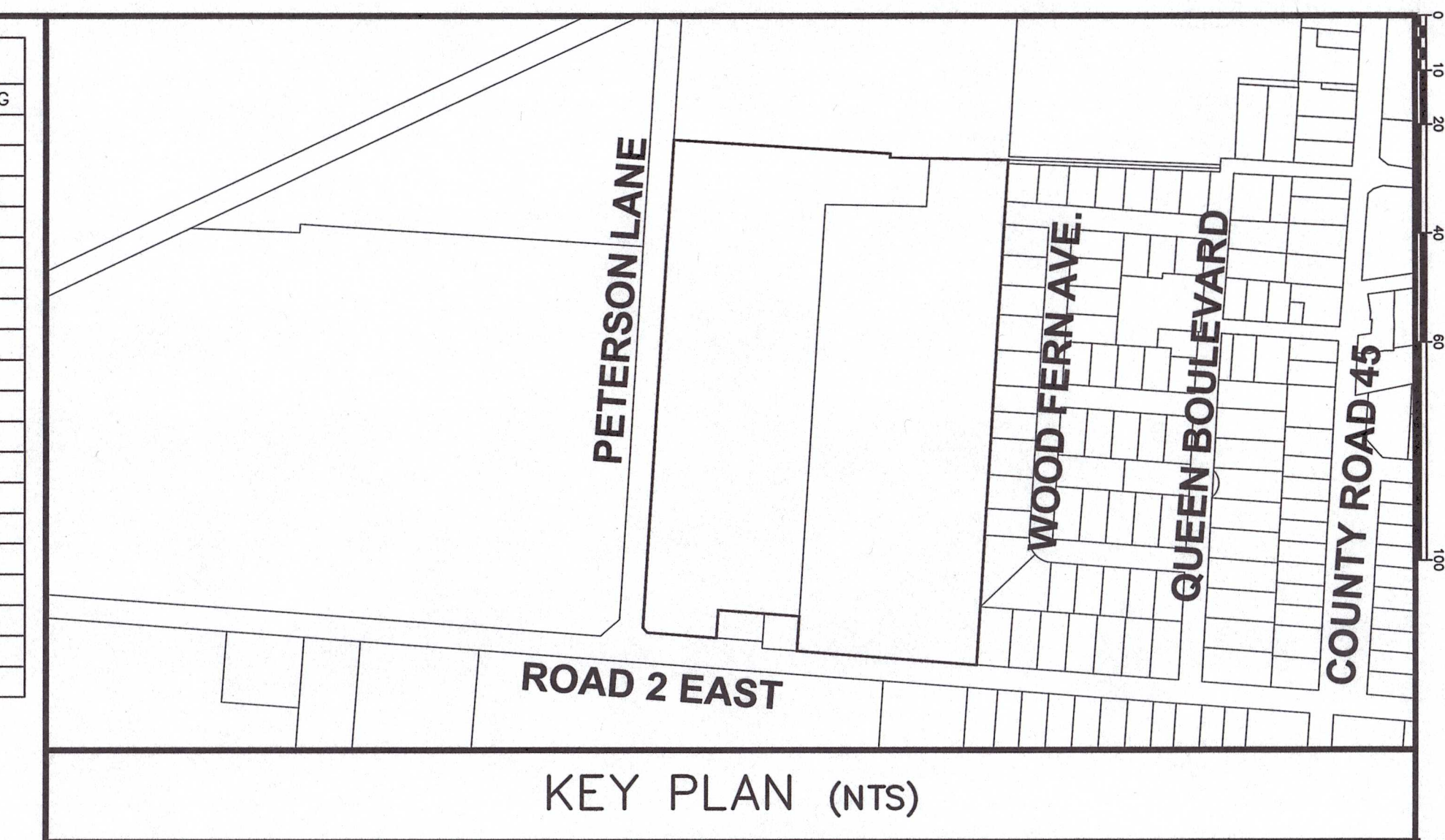
DRAWN BY: CMM	CHECKED BY: AM	REFERENCE NO.: 24-47-027-01
CAD File: 24-47-027-01A.dwg		File: E-GOS.S-2E.D.-9
CAD Date: November 4 th , 2024.		

ROAD ALLOWANCE BETWEEN CONCESSIONS 1 and 2
(ACCORDING TO BY-LAW No 41-1981, REGISTERED AS INSTRUMENT R848699)
ROAD 2 EAST



CURVE SCHEDULE				
CURVE	RADIUS	ARC	CHORD	CHORD BEARING
C1	15.95	30.47	26.05	N57°46'00"E

CURVE SCHEDULE				
CURVE	RADIUS	ARC	CHORD	CHORD BEARING
C1	9.28	6.31	6.19	N 73°29'50" E
C2	15.95	8.83	8.72	N 69°17'33" E
C3	15.95	16.55	15.82	N 65°06'39" W
C4	15.95	16.50	15.77	N 72°26'48" E
C5	15.95	8.83	8.72	N 62°03'13" W
C6	9.21	6.31	6.18	N 66°18'37" W
C7	9.28	6.31	6.19	N 73°29'49" E
C8	15.95	25.39	22.79	N 80°58'36" W
C9	15.95	25.33	22.75	N 88°18'42" E
C10	9.21	6.31	6.18	N 66°18'37" W
C11	9.28	6.31	6.19	N 73°29'49" E
C12	15.95	25.39	22.79	N 80°58'37" W
C13	15.95	25.44	22.83	N 88°07'08" E
C14	9.21	6.31	6.18	N 66°18'37" W
C15	9.25	6.31	6.19	N 73°31'22" E
C16	15.95	36.24	28.93	N 61°28'39" W
C17	15.95	30.30	25.95	N 58°02'41" E
C18	15.95	5.94	5.91	N 56°51'30" W
C18	9.55	6.31	6.20	N 65°58'48" W



OWNER'S CERTIFICATE

PART OF LOT 9
CONCESSION 2 EASTERN DIVISION
(GEOGRAPHIC TOWNSHIP OF GOSFIELD SOUTH)
IN THE
TOWN OF KINGSVILLE
IN THE
COUNTY OF ESSEX, ONTARIO

A) SHOWN ON PLAN
B) SHOWN ON KEY PLAN
C) SHOWN ON PLAN
D) RESIDENTIAL SINGLE AND SEMI-DETACHED DWELLINGS
E) RESIDENTIAL
F) SHOWN ON PLAN
G) SHOWN ON PLAN
H) PIPED MUNICIPAL
I) CLAY
J) SHOWN ON PLAN
K) STORM AND SANITARY SEWER TO BE PROVIDED
L) SHOWN ON PLAN

OWNER'S CERTIFICATE

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

DATE: Oct 8/2024 SIGNED: [Signature]
1552843 ONTARIO LTD.

DATE: Oct 8/2024 SIGNED: [Signature]
MIVITA HOLDINGS INC.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN ON THIS PLAN.

DATE: October 8th, 2024 SIGNED: [Signature]
ONTARIO LAND SURVEYOR

LAND USE SCHEDULE (PHASES 1-4)

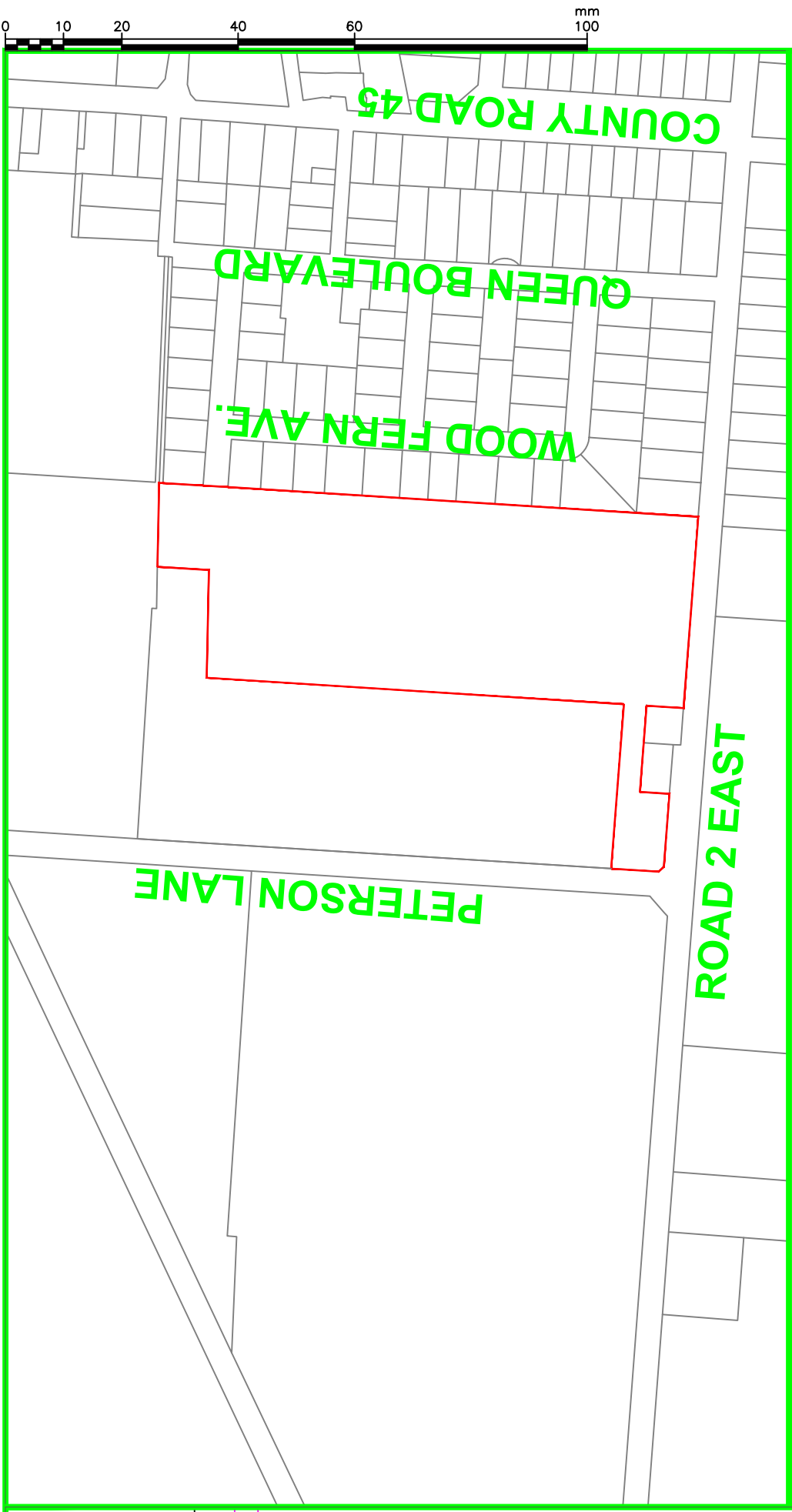
LAND USE	BLOCKS	RESIDENTIAL UNITS	AREA (Ha.)
SINGLE FAMILY DWELLING	1-30	30	1.434
SEMI-DETACHED DWELLING	31-46, 49-63	62	2.069
TOWNHOUSE DWELLING UNITS	47-48	10	0.337
TOWNHOUSE COMPLEX	64	24	0.512
STORMWATER MANAGEMENT	65	-	0.376
STORMWATER ACCESS	66	-	0.041
R.O.W.	-	-	1.586
TOTAL	66	126	6.355

ROAD 2 EAST
ROAD ALLOWANCE BETWEEN CONCESSIONS 1 and 2
ACCORDING TO BY-LAW No. 41-1981, REGISTERED AS INSTRUMENT R848699)

Appendix C

ROOD ENGINEERING INC. CONSULTING ENGINEERS Leamington, Ontario 519-322-1621		7. ADDED DAYLIGHT CORNERS 2024-10-08 DM DESIGN: DM 6. CLIENT & COUNTY REVIEW 2024-09-09 DM DRAWN: DM 5. CLIENT & COUNTY REVIEW 2024-06-26 DM CHECKED: GR 4. REVISED PER COUNTY REVIEW 2024-01-30 DM 3. REVISED PER COUNTY REVIEW 2024-01-23 DM 2. FOR COUNTY SUBMISSION 2023-07-14 DM 1. CLIENT REVIEW 2023-04-01 DM No. ISSUED FOR: DATE: BY: 2024-10-08	MIVITA ESTATES DEVELOPMENT DRAFT PLAN OF SUBDIVISION	PROJECT No.: REI2022E001 SCALE: 1:1000 SHEET No.: 1 OF 1
---	--	--	--	--

Appendix D



KEY PLAN (NTS)

OWNER'S CERTIFICATE

PART OF LOT 9
CONCESSION 2 EASTERN DIVISION
(GEOGRAPHIC TOWNSHIP OF GOSFIELD SOUTH)
IN THE
TOWN OF KINGSVILLE
IN THE
COUNTY OF ESSEX, ONTARIO

OWNER'S CERTIFICATE
WE HEREBY AUTHORIZE THE FILING OF THIS DRAFT PLAN FOR APPROVAL.

DATE: _____ SIGNED: _____
1552843 ONTARIO LTD.

DATE: _____ SIGNED: _____
MIVITA HOLDINGS INC.

OWNER'S CERTIFICATE
WE HEREBY AUTHORIZE THE FILING OF THIS DRAFT PLAN FOR APPROVAL.

DATE: _____ SIGNED: _____
1552843 ONTARIO LTD.

DATE: _____ SIGNED: _____
MIVITA HOLDINGS INC.

SURVEYOR'S CERTIFICATE

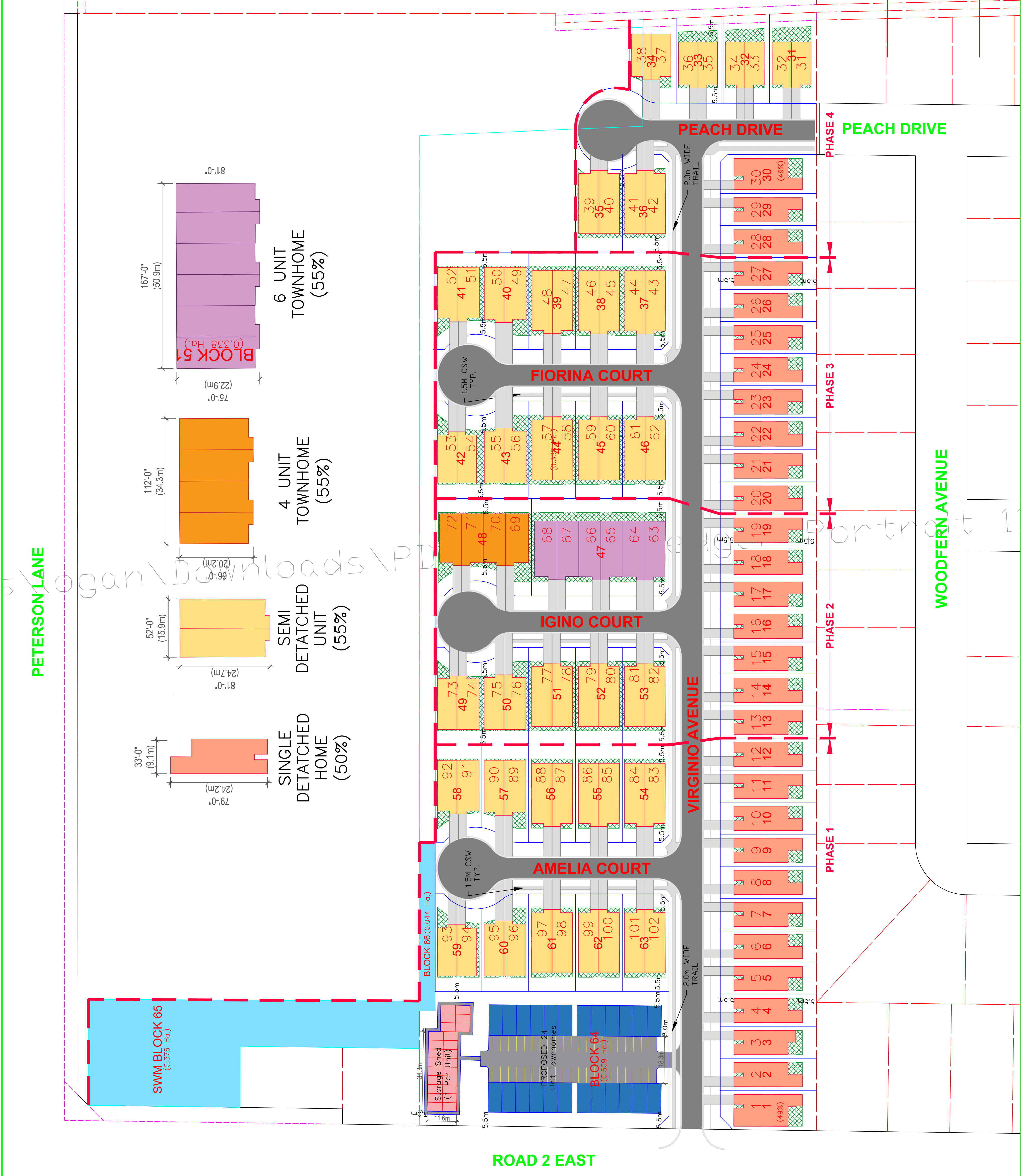
HEREBY CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN ON THIS PLAN.

DATE: _____ SIGNED: _____
ONTARIO LAND SURVEYOR

LAND USE SCHEDULE (PHASES 1-4)

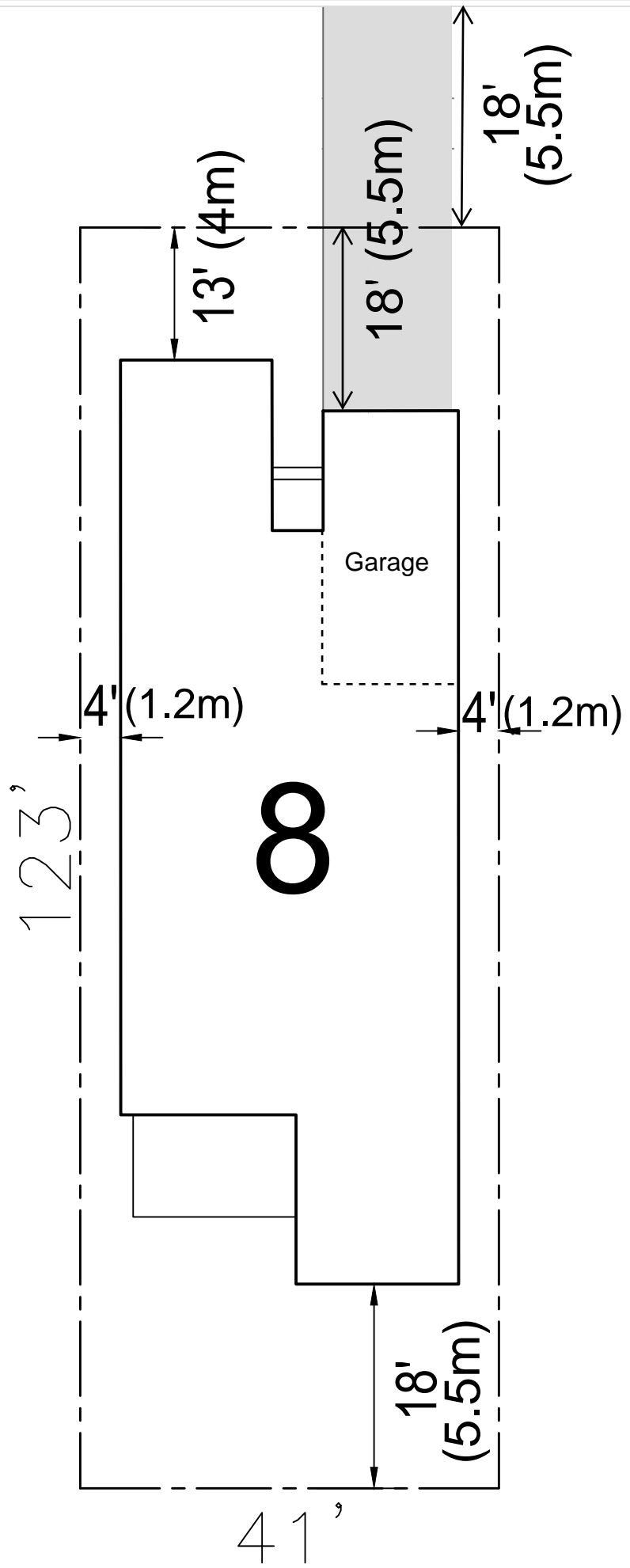
LAND USE	BLOCKS	RESIDENTIAL UNITS	AREA (Ha.)
SINGLE FAMILY DWELLING	1-30	30	1.436
SEMI-DETACHED DWELLING	31-46, 49-63	62	0.931
TOWNHOUSE DWELLING UNITS	47-46	10	0.338
TOWNHOUSE COMPLEX	64	24	0.513
STORMWATER MANAGEMENT	65	-	0.376
STORMWATER ACCESS	66	-	0.041
R.O.W.	-	-	1.576
TOTAL	69	126	6.355

DESIGN: DM	MIVITA ESTATES DEVELOPMENT	PROJECT NO.: REI2022E001
DRAWN: DM		SCALE: 1:1000
CHECKED: _____		SHEET NO.: 1 OF 1
DATE: 2024-07-29		
ISSUED FOR: REVISED BLOCKS 48-52		
DATE: 2024-07-29		
BY: _____		



NEVAN DEVELOPMENTS	
DESIGN: DM	MIVITA ESTATES DEVELOPMENT
DRAWN: DM	
CHECKED: _____	
DATE: 2024-07-29	
ISSUED FOR: REVISED BLOCKS 48-52	
DATE: 2024-07-29	
BY: _____	

Virginio Ave



Appendix E



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

Date: September 9, 2024

To: Town of Kingsville, Planning Services

RE: Planning Justification Report for
Proposed Application for Draft Plan of Subdivision &
Zoning By-law Amendment
Pt. of Lot 9, Concession 2 ED, Pts. 2 & 3, RP 12R 21660
Roll # 3711 300 000 24300

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

Purpose

To provide an overview of the related land use planning considerations in support of a new residential subdivision and associated zoning amendment on the subject lands.

Background

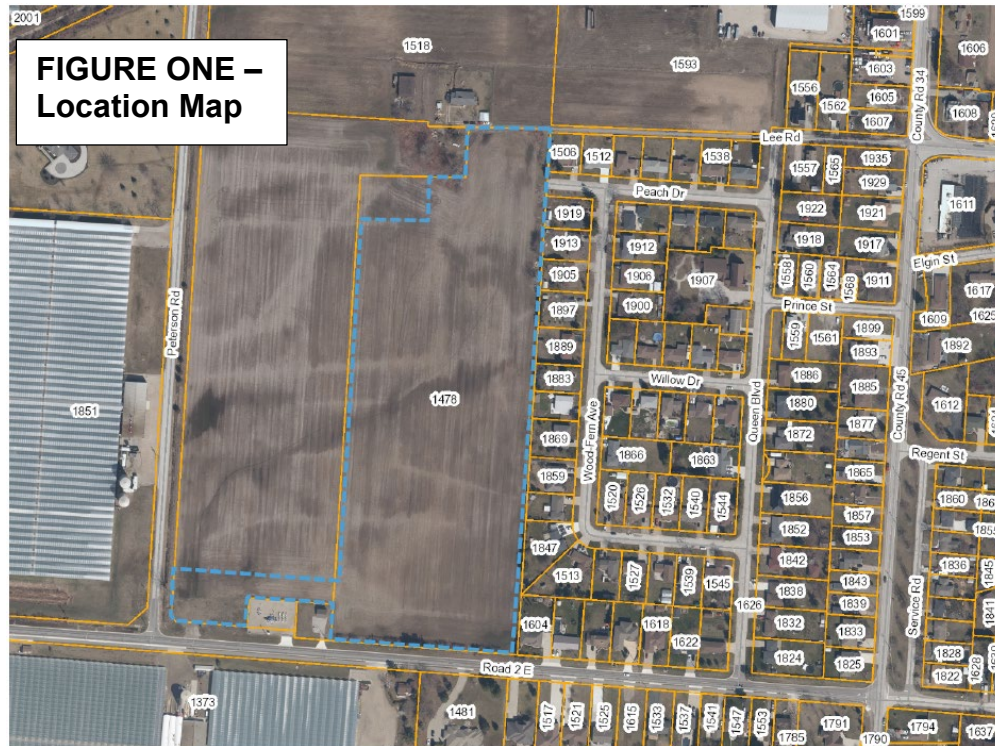
The applicant, Nevan Developments, is proposing a residential subdivision on an irregular shaped 6.354 ha (15.7 acre) vacant farm parcel located on the north side of Road 2 E, just west of Union Road (County Road 45). (Figure One – Location Map) In 2023 the owner made an application and received approval of an Official Plan amendment to reconfigure the lands within the secondary settlement area of Ruthven to better accommodate the proposed layout of the subdivision.

The development of the land is proposed in four phases (Figure Two – Concept Plan) starting from the south end of the property at Road 2 E and extending north till it connects with Peach Drive. The subdivision (Figure Three – Draft Plan) would include a mixture of the follow:

- 1) 30 single detached dwellings (Blocks 1 to 30);
- 2) 31 semi-detached dwellings or 62 semi-detached dwelling units (Blocks 31 to 46 and Blocks 49 to 63);
- 3) 10 townhouse dwelling units (Blocks 47 and 48), and

- 4) a townhouse complex (up to 24 units) in either a rental or condominium format (Block 64).

The proposed townhouse complex block may initially remain vacant within Phase one as a separate site plan approval will be required at a later date.



The 30 single detached lots are proposed along the easterly edge of the subject parcel abutting the existing single detached development along Woodfern Ave. The development west of Virginio Ave and north of the Peach Drive extension will accommodate the proposed mix of semi-detached or townhouse dwellings up to a maximum of 72 individual freehold dwelling units. The proposed townhouse development would permit either four or six-unit buildings. Height of the various housing types would be two-storey or consistent with the current maximum height of the residential zones in the Kingsville Zoning By-law. The overall gross density of the development will be 19.8 units per hectare, which remains within the low-density limits (20 units per hectare) of the Kingsville Official Plan.

Block 68 on the draft plan will provide space for the stormwater management facilities needed to support the development. The additional lands to the west are located outside the settlement area and will require additional consideration and approvals if development is proposed in the future.

To move forward with development on the subject property a number of planning approvals are required including draft plan of subdivision for the proposed lot layout and a zoning by-law amendment to permit the proposed mix of housing types and establish

the necessary development regulations. If these approvals are granted the developer and Town will need to enter into a subdivision agreement outlining the responsibility of both the property owner and Town. As a result of the proposed semi-detached and

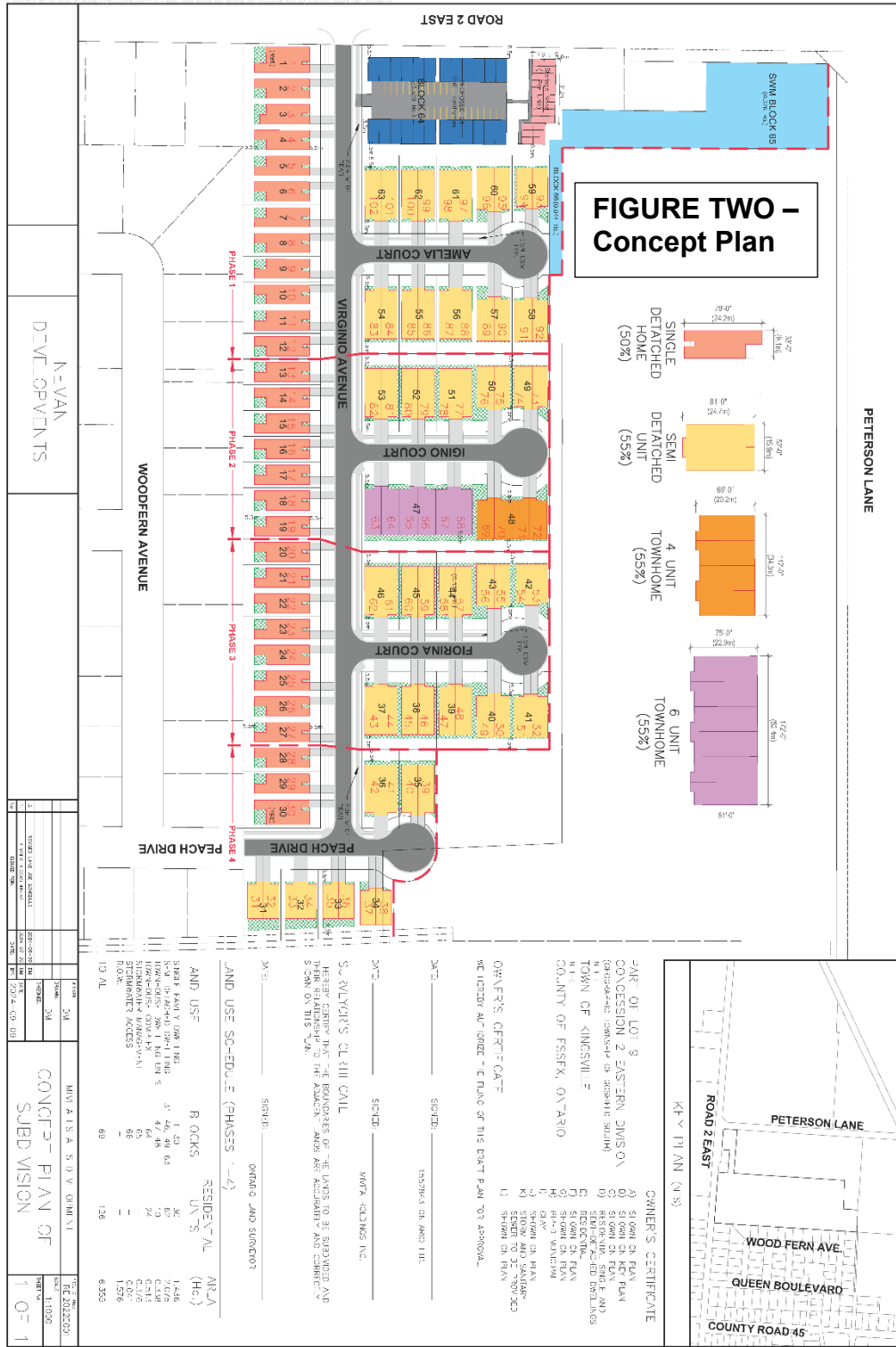
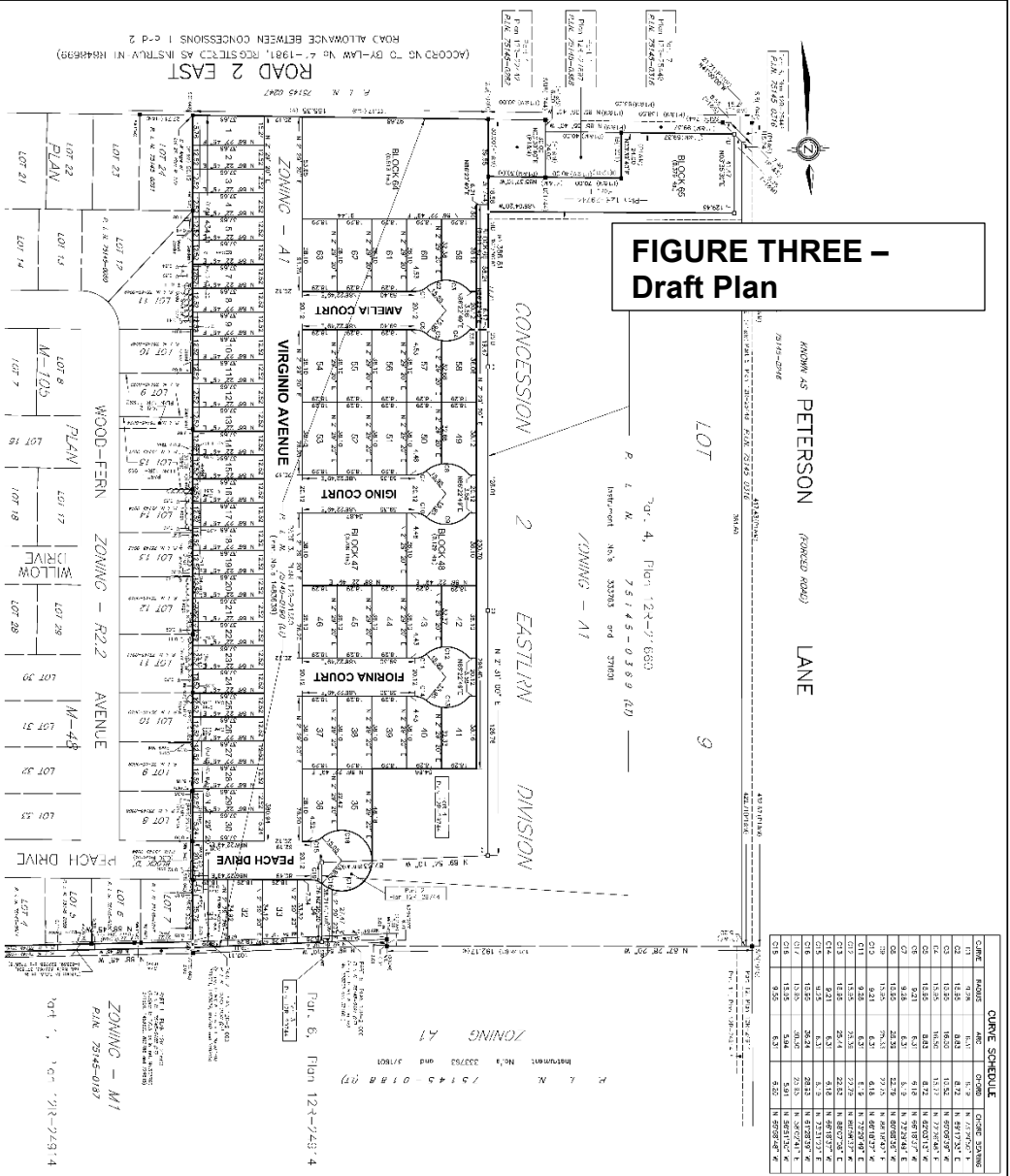
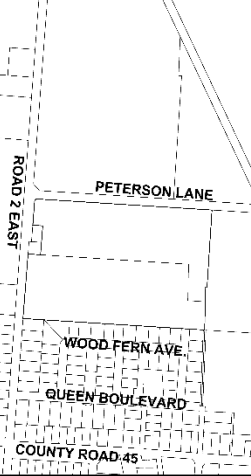


FIGURE THREE - Draft Plan



LOT	AREA	PERMITS	AREA	PERMITS
11	4.96	1.1	1.1	1.1
12	14.16	1.1	1.1	1.1
13	15.25	1.1	1.1	1.1
14	15.25	1.1	1.1	1.1
15	15.25	1.1	1.1	1.1
16	15.25	1.1	1.1	1.1
17	15.25	1.1	1.1	1.1
18	15.25	1.1	1.1	1.1
19	15.25	1.1	1.1	1.1
20	15.25	1.1	1.1	1.1
21	15.25	1.1	1.1	1.1
22	15.25	1.1	1.1	1.1
23	15.25	1.1	1.1	1.1
24	15.25	1.1	1.1	1.1
25	15.25	1.1	1.1	1.1
26	15.25	1.1	1.1	1.1
27	15.25	1.1	1.1	1.1
28	15.25	1.1	1.1	1.1
29	15.25	1.1	1.1	1.1
30	15.25	1.1	1.1	1.1
31	15.25	1.1	1.1	1.1
32	15.25	1.1	1.1	1.1
33	15.25	1.1	1.1	1.1
34	15.25	1.1	1.1	1.1
35	15.25	1.1	1.1	1.1
36	15.25	1.1	1.1	1.1
37	15.25	1.1	1.1	1.1
38	15.25	1.1	1.1	1.1
39	15.25	1.1	1.1	1.1
40	15.25	1.1	1.1	1.1
41	15.25	1.1	1.1	1.1
42	15.25	1.1	1.1	1.1
43	15.25	1.1	1.1	1.1
44	15.25	1.1	1.1	1.1
45	15.25	1.1	1.1	1.1
46	15.25	1.1	1.1	1.1
47	15.25	1.1	1.1	1.1
48	15.25	1.1	1.1	1.1
49	15.25	1.1	1.1	1.1
50	15.25	1.1	1.1	1.1
51	15.25	1.1	1.1	1.1
52	15.25	1.1	1.1	1.1
53	15.25	1.1	1.1	1.1
54	15.25	1.1	1.1	1.1
55	15.25	1.1	1.1	1.1
56	15.25	1.1	1.1	1.1
57	15.25	1.1	1.1	1.1
58	15.25	1.1	1.1	1.1
59	15.25	1.1	1.1	1.1
60	15.25	1.1	1.1	1.1
61	15.25	1.1	1.1	1.1
62	15.25	1.1	1.1	1.1
63	15.25	1.1	1.1	1.1
64	15.25	1.1	1.1	1.1
65	15.25	1.1	1.1	1.1
66	15.25	1.1	1.1	1.1
67	15.25	1.1	1.1	1.1
68	15.25	1.1	1.1	1.1
69	15.25	1.1	1.1	1.1
70	15.25	1.1	1.1	1.1
71	15.25	1.1	1.1	1.1
72	15.25	1.1	1.1	1.1
73	15.25	1.1	1.1	1.1
74	15.25	1.1	1.1	1.1
75	15.25	1.1	1.1	1.1
76	15.25	1.1	1.1	1.1
77	15.25	1.1	1.1	1.1
78	15.25	1.1	1.1	1.1
79	15.25	1.1	1.1	1.1
80	15.25	1.1	1.1	1.1
81	15.25	1.1	1.1	1.1
82	15.25	1.1	1.1	1.1
83	15.25	1.1	1.1	1.1
84	15.25	1.1	1.1	1.1
85	15.25	1.1	1.1	1.1
86	15.25	1.1	1.1	1.1
87	15.25	1.1	1.1	1.1
88	15.25	1.1	1.1	1.1
89	15.25	1.1	1.1	1.1
90	15.25	1.1	1.1	1.1
91	15.25	1.1	1.1	1.1
92	15.25	1.1	1.1	1.1
93	15.25	1.1	1.1	1.1
94	15.25	1.1	1.1	1.1
95	15.25	1.1	1.1	1.1
96	15.25	1.1	1.1	1.1
97	15.25	1.1	1.1	1.1
98	15.25	1.1	1.1	1.1
99	15.25	1.1	1.1	1.1
100	15.25	1.1	1.1	1.1



OWNERS CERTIFICATE

I, the undersigned, do hereby certify that the above described land is owned by me, my estate, or my assigns, and that I am the owner of the same.

SIGNATURE: _____

PRINT NAME: _____

DATE: _____

ADDRESS: _____

LAND USE SCHEDULE (PHASES 1-4)

LAND USE: _____

BLOCKS: _____

RESIDENTIAL UNITS: _____

AREA (±): _____

TOTAL: _____

CONVEYANCE: _____

DEVELOPER: _____

DATE: _____

OWNER'S CERTIFICATE

I, the undersigned, do hereby certify that the above described land is owned by me, my estate, or my assigns, and that I am the owner of the same.

SIGNATURE: _____

PRINT NAME: _____

DATE: _____

ADDRESS: _____

ROOD ENGINEERING INC.
ENGINEERING
CONSULTING ENGINEER
35 2021 101

NEVAN DEVELOPMENTS
NEWAN DEVELOPMENTS

1	OWNER'S CERTIFICATE	10/01/2021
2	CONVEYANCE	10/01/2021
3	LAND USE SCHEDULE	10/01/2021
4	KEY PLAN	10/01/2021
5	DEVELOPMENT PLAN	10/01/2021
6	CONVEYANCE	10/01/2021
7	LAND USE SCHEDULE	10/01/2021
8	KEY PLAN	10/01/2021
9	DEVELOPMENT PLAN	10/01/2021
10	CONVEYANCE	10/01/2021

DRAFT PLAN OF SUBDIVISION

1 OF 1

townhouse development an additional step is required to establish the semis or towns as individual freehold units. This is done in the form of part lot control which permits the developer to establish each individual unit, through the use of a reference plan, (survey). This step is done at a later stage once the draft plan of subdivision receives final approval and is registered.

Planning Rationale

1) Provincial Policy Statement (2020)

The proposed subdivision is located within what is classified as a secondary settlement area. The residential development on the subject lands is supportive of a number of policies in PPS as follows:

Section 1.1.3.1 states that, "Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted."

Section 1.1.3.2 Land use patterns within settlement areas shall be based on:

a) Densities and a mix of land uses which:

1. Efficiently use land and resources;

Comment: The subject lands are located in the hamlet of Ruthven. The primary form of development in secondary settlement areas is often guided by the availability of services. Despite having full services, the majority of development in Ruthven is single detached residential. Since secondary settlement areas are not intended to be the focus of future growth infilling, rounding out and increased density become more critical particularly since this property is the last large parcel of residential property in Ruthven.

2. Are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;

Comment: There is no extension of services required as a result of this development. The subject lands have allocated capacity to the Ruthven sanitary pump station located adjacent to the subdivision.

3. Minimize negative impacts to air quality and climate change, and promote energy efficiency;

Comment: Ruthven has always been a bedroom type community located between Kingsville and Leamington. It provides an alternative, but close by, source of housing. The increase in density and a mix of housing types will also allow existing residents to downsize and remain in the community but also provide support for the surrounding agricultural community. This in turn

reduces travel times to work and minimizes vehicle use. New construction is also considerably more energy efficient and requires more focus on updated storm water management systems that are able to withstand larger rainfall events and achieve better quality of storm water discharge.

4. Support active transportation;

Comment: The new subdivision has access to both the Chrysler Greenway to the north and the newly reconstructed Road 2 E both of which provide a direct link to Kingsville.

5. Are transit-supportive, where transit is planned, exists or may be developed; and

Comment: Ruthven does not have close access to transit at the present time.

2) Official Plan – County of Essex

The majority of Secondary Settlement Areas in the County are residential in nature. The County recognizes the diversity among the many different Secondary Settlements Areas and accordingly has established the following policy framework that recognizes this diversity:

- a) New development will be permitted to the boundaries of the Secondary Settlement Areas as shown on Schedule “A2” provided such development is consistent with the Provincial Policy Statement, the intent of this Plan, and the policies of the local Official Plan.

Comment: With the earlier approval of an Official Plan amendment the entirety of the lands in question are now located within the secondary settlement area designation. This permits the development of a residential subdivision.

- b) The local municipalities will be responsible for determining the hierarchy of Secondary Settlement Areas.

Comment: The Kingsville Official Plan classifies the lands as Hamlet.

- c) New development is encouraged on full municipal services unless there are interim servicing policies in the local Official Plan that are in effect at the time of approval of this Plan.

Comment: The subject lands have access to full municipal services.

- d) Expansions to the boundaries of a Secondary Settlement Area are not permitted. However, the County encourages local municipalities to undertake a Local Comprehensive Review in accordance with Section 3.2.3.1 that may

result in the reduction of the boundaries in conjunction with the corresponding expansion of a Primary Settlement Area boundary. An amendment to this Plan and the local Plan shall be required to alter the boundary of any “Settlement Area”.

Comment: As noted earlier the County Official Plan was amended to adjust the existing settlement area boundary however this was undertaken with no net increase to the lands available within the Secondary Settlement Area of Ruthven.

- e) All types of land uses are permitted within the Secondary Settlement Areas designation subject to the specific land use policies of the local Official Plans.

Comment: The Secondary Settlement Area designation is similar to the Hamlet designation as it permits all types of land uses relying on the zoning by-law to more specifically determine the specific land uses in a given area. In the case of the subject lands the current zoning is Agriculture (A1). A site-specific zoning amendment is proposed for the property to permit a mix of residential uses including single detached, semi-detached and townhouses.

3) Official Plan – Town of Kingsville

The subject property is shown on Schedule A – Land Use and Schedule A-3 Land Use Plan – Ruthven along with Schedule ‘A’ from OPA 15 (Figures Four, Five and Six respectively, that outlines the new adjusted settlement area boundary within the Hamlet designation.

3.6.2 Hamlet

The purpose of the “Hamlet” designation is to identify those rural service areas where low density residential, institutional, recreational, small scale commercial and dry, light industrial uses are permitted. The majority of this designation is serviced by municipal water and sewer services. However, there are small areas which continue to be serviced by private septic facilities and so servicing will be a major consideration for any development proposals within this designation.

3.6.2.1 Goals

The following goals are established for the areas designated “Hamlet” on Schedule “A” of this Plan:

- a) to allow the Hamlet to strengthen its identity as a Secondary Settlement Area and service centre to area residents;

Comment: The subject lands are the last large parcel of lands within the current extent of the Ruthven Secondary Settlement area that can be developed for significant residential.

- b) to ensure that new development occurs in a manner in keeping with the capacity of the services available and the financial capability of the Town;

Comment: Plan of subdivision development typically requires the completion of a functional servicing report to determine if adequate capacity is available. This has been completed and will undergo third party review. The subject lands have allocated capacity in the sanitary system to accommodate the proposal. Initial indication is that there is also adequate water service available for the proposed development.

- c) to continue to provide a location for future residential, institutional, recreational, small scale commercial and small-scale dry light industrial uses;

Comment: This new subdivision, in combination with lands on the east side of Ruthven, will continue to provide future residential lots for several years.

- d) to encourage the development of a greater variety of housing types provided the proposed housing can be adequately serviced;

Comment: The proposed mix of housing includes single and semi-detached dwellings along with townhouses. This is the first significant mix of residential types as most development to-date in Ruthven has been almost exclusively single detached.

- e) to provide the opportunity to increase the housing supply through residential intensification. Residential intensification includes infilling, conversions, including accessory apartments, and redevelopment, and will be encouraged in areas designated "Hamlet" as a means of increasing the supply of affordable rental landownership accommodations.

Comment: The proposal for these lands will have a density level of 19.8 units per hectare at full build-out which almost fully utilizes the low-density residential rate of 20 units per hectare. This level of development is very much in keeping with current policy direction from the Province to support an increase in the housing supply while not unnecessarily expanding into green field areas.

- f) Provide opportunity to increase the supply of affordable housing, in accordance with the policies of Section 2.13 of this Plan.

Comment: By providing a mix of housing types and tenure within the same subdivision the developer can offer a wider variety of price points and offer more affordable housing options. In addition, it is important to also highlight that the provision of additional housing types and tenure provides the opportunity for first time home buyers as well as seniors to downsize while

remaining in the community they have lived in for many years. What is often overlooked is the side effects of this downsizing. With the movement to smaller homes seniors are then selling their homes thus making them available for other purchasers looking for larger homes.

3.6.2.2 Policies

The following policies shall apply to those lands designated “Hamlet” on Schedule “A” of this Plan:

- a) the permitted uses shall include single detached, semi-detached, and townhouses, institutional, recreational, small scale commercial and dry, light industrial uses and their expansion in accordance with the policies outlined below. Existing agricultural uses are permitted to continue subject to the Existing Uses policies contained in Section 8.7.1 of this Plan;

Comment: The proposed residential mix complies with the policies of the Hamlet designation.

- b) the Zoning By-law shall zone all lands in the “Hamlet” designation according to their existing use. All undeveloped land parcels may be placed in a holding zone in the implementing Zoning By-law, and new development may be subject to a site-specific amendment to the Zoning By-law. New residential, commercial, industrial, recreational and institutional uses may be permitted without an amendment to this Plan provided the Zoning By-law is amended where necessary and the proposed use satisfies the following criteria:

Comment: A zoning amendment will be necessary to establish three appropriate residential classifications and set regulations for the mix of housing types. The specifics of the proposed zoning amendment are outlined in more detail under the zoning section of this report.

- c) the proposed use is generally compatible with existing uses in close proximity;

Comment: development to the east is residential, south is residential and agricultural. The remaining lands to the west and north are agricultural.

- d) the existing roads can adequately serve the proposed use;

Comment: Road 2 E has recently been reconstructed and provides access to Kingsville to the west and Union Rd to the east with access to Highway 3, County Rd 34 and Seacliff Drive.

- e) the existing services are adequate for the proposed use;

Comment: Initial indication is that there are no service capacity issues. This is being confirmed as part of the functional servicing review.

- f) the off-street parking is adequate for the proposed use; and

Comment: Each lot will have a private driveway in order to provide the required off-street parking.

- g) where required, the site plan provides adequate landscaping, buffering and building setbacks to protect the privacy of surrounding properties;

Comment: Single detached dwellings, semi-detached dwellings and townhouse dwellings (10 or fewer units) in a freehold format are exempt from site plan approval. Block 64, proposed as a 24-unit townhouse complex, will require site plan approval.

- h) home occupations carried out for remuneration as defined in the Zoning By-law are permitted in the “Hamlet” designation;

Comment: Noted

- i) bed and breakfast establishments are permitted subject to the requirements of the Zoning By-law;

Comment: Noted

- j) existing non-residential uses will be allowed to expand provided the expansion satisfies the criteria outlined in subparagraph b), subsections i) to v) above inclusive;

Comment: no applicable

- k) all lot creation in the “Hamlet” designation shall be in accordance with the land division policies contained in Section 7 of this Plan;

Comment: The development is being created via the plan of subdivision process.

- l) full municipal sewage (sanitary and storm) and municipal potable water services are wherever and whenever possible, the preferred means of servicing within the Hamlet designation. More specifically, for any Hamlet designated lands serviced by full municipal services, all new development must be fully municipally serviced.

Comment: The subdivision will be serviced by municipal water, sanitary sewers and storm sewers.

In considering applications for proposed plans of subdivision, Council shall have regard to the policies of this Plan as well as those matters outlined in Section 51 (24) of the *Planning Act*.

New plans of subdivision where four or more lots are proposed shall only be permitted if adequate potable water supply, sanitary sewage treatment and disposal, and stormwater management can be provided in accordance with this Plan, and to the satisfaction of the County, Town and the statutory approval authority having jurisdiction. The following policies will apply to plans of applications for approval of a draft plan of subdivision or condominium:

- a) The provisions of the *Planning Act* relating to subdivision control, including subdivision agreements and part-lot control, will be used by Council to ensure that the land use designations and policies of this Plan are complied with, and that a high standard of design is maintained in all development.

Comment: The subdivision will be developed consistent with the Kingsville Development Standards Manual. A subdivision agreement will be crafted to address both the standard and site-specific needs of the development. Part-lot control will be utilized to create individual freehold units for the semi and townhouse dwellings.

- b) Prior to approval of an application for plan of subdivision or plan of condominium, the proponent, in consultation with the Town, will confirm the availability of adequate servicing infrastructure and allocation, waste collection and disposal services, and roads, pedestrian pathways and public transit rights-of-way.

Comment: As part of the pre-consultation process there has been no indication of any service deficiencies except for a public transit right-of-way as there is no municipal wide transit system in Kingsville.

- c) Applications for plan of subdivision or plan of condominium approval will be considered premature if appropriate services and servicing capacity is not available. Additionally, Council may consider other criteria as reason to deem an application for plan of subdivision or plan of condominium approval to be premature.

Comment: As already noted there has been no indication from the Town that there are any service capacity issues.

- d) All lots within a plan of subdivision will have frontage on a public road maintained on a year-round basis, constructed to an acceptable Town standard. Plans of condominium will have access to a public road maintained on a year-round basis, however, it is recognized that development within the condominium plan may occur on private roads.

Comment: Noted

- e) Natural heritage features and functions will be protected and preserved in the design of any plan of subdivision or condominium. The Town will explore opportunities to implement the policies of Section 4.2 relating to the establishment of natural heritage linkages. The Town may require the dedication of lands that it determines to be part of the natural heritage system as part of the conditions of approval.

Comment: There are no natural heritage features on the property.

- f) All new plans of subdivision, as part of a planning justification report, must address the provision of affordable housing and how it is conforming to the target identified in Section 3.6.1.1 (g) of this Plan;

Comment: The applicant's goal for the proposed subdivision was to provide a wider variety of housing type through increased density but within the low-density limits, structure the zoning to allow for a mix of development while maintaining a transition between the existing lower density single detached development and the proposed increased density west of the new main access road.

- g) Plans of subdivision or condominium will be appropriately phased to ensure orderly and staged development.

Comment: The subdivision is proposed in four phases from south to north.

- h) All plans of subdivision will be subject to a subdivision agreement between the Town and the development proponent.

Comment: Noted

- i) All plans of condominium will be subject to a development agreement between the Town and the development proponent.

Comment: Not applicable for the proposed plan.

- j) Parkland dedication will be provided pursuant to Section 3.5.2 of this Plan. Land to be dedicated for park purposes must be acceptable to the Town. Under no circumstances will the Town be obligated to accept parklands being offered in a proposed plan of subdivision.

Comment: Cash-in-lieu of parkland is proposed.

- k) The Town will consult with the Essex Region Conservation Authority and the Province, as well as other relevant agencies, in considering an application for approval of a plan of subdivision or condominium.

Comment: This is a step generally undertaken by the County prior to deeming applications complete.

- l) In recommending approval to a draft plan of subdivision, the Town may request that the approval lapses at the expiration of a specified time period, being not more than 3 years. The County, in consultation with the Town may extend the approval time-period, prior to its expiration.

Comment: Noted

- m) The Town may request that the County, withdraw the approval of a draft plan of subdivision or change the conditions of such approval at any time before the final approval of the plan of subdivision.

Comment: Noted

- n) The Town may consider passing a By-law under the provisions of the *Planning Act* deeming old registered, undeveloped plans which are inadequate due to matters such as lot size, unsuitable access or undesirable location, not to be registered.

Comment: Not applicable

- o) The Town will consider the policies of this Plan in totality to determine the information required by an applicant to form a complete application for approval of a plan of subdivision.

Comment: Noted

FIGURE FOUR

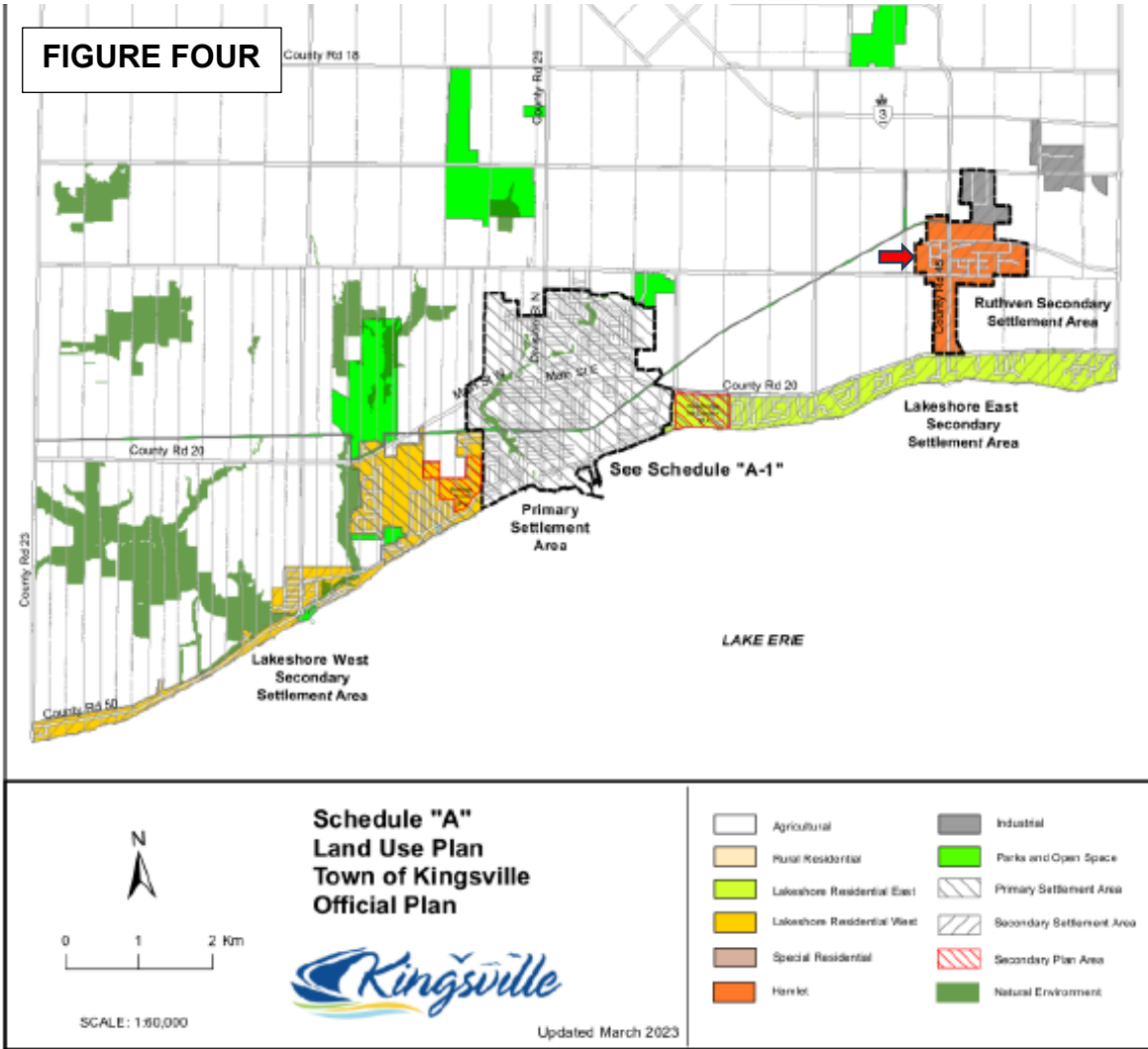
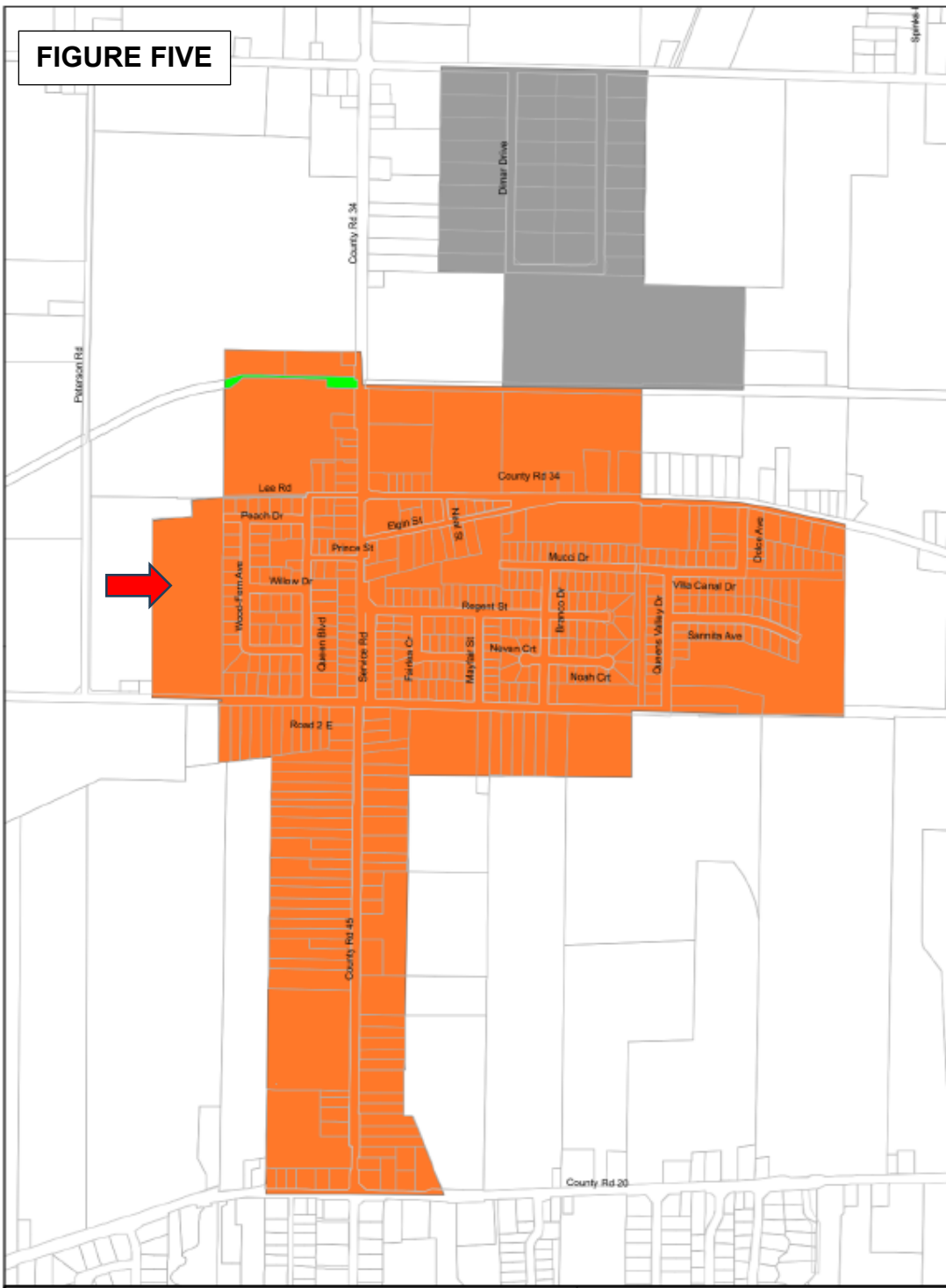


FIGURE FIVE



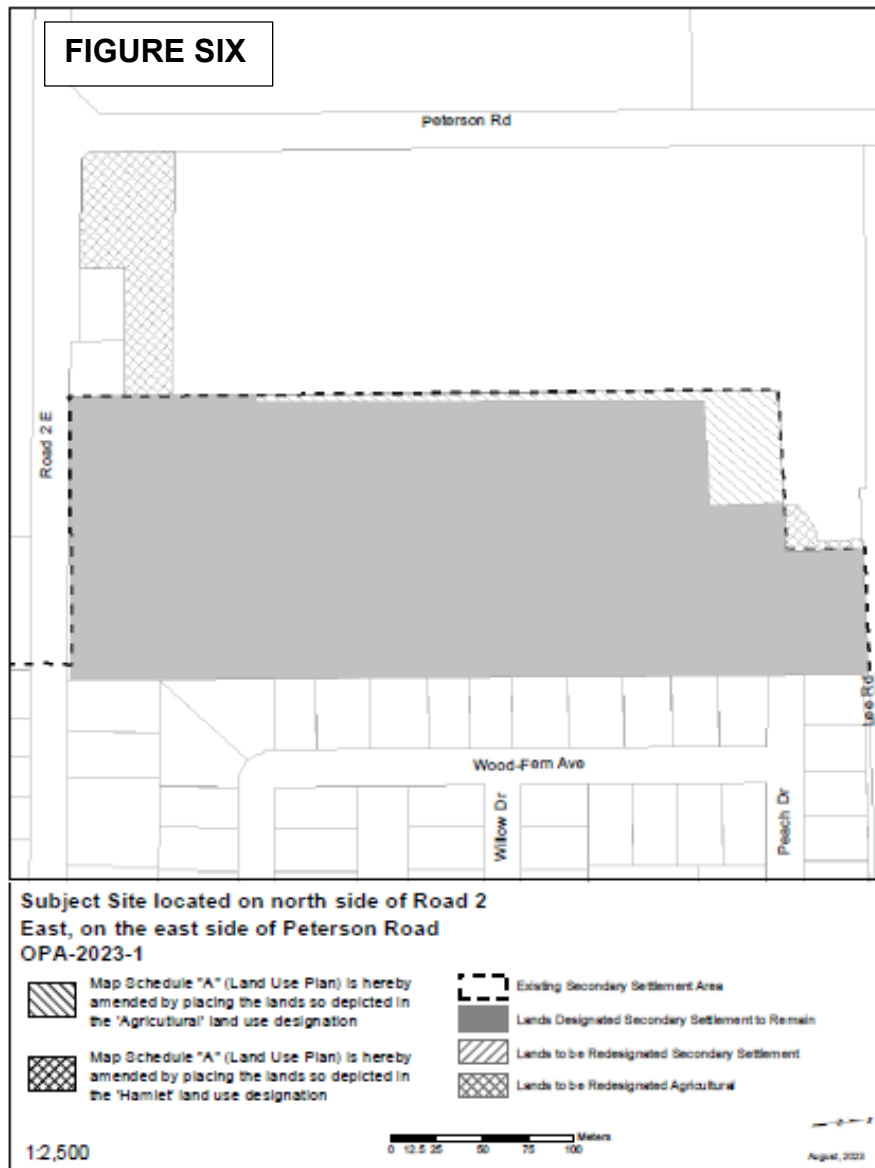
Schedule "A-3"
Land Use Plan - Ruthven
Town of Kingsville
Official Plan

0 400 Meters
SCALE: 1:5,000

Updated March 2023

- Hamlet
- Industrial
- Park and Open Space

Schedule 'A'



28

Zoning By-law Amendment

The zoning of the property is currently Agriculture (A1) Zone. Because of both the mix of residential types and increased density there are a number of amendments necessary within the existing R2.2 zone. Each of the zones will correspond to the type of development. Figure Seven, Eight and Nine outline the proposed zoning within three site-specific R2.2 zones.

Figure Seven will cover Blocks 1 to 30 for the single detached dwellings along the east side of Virginio Ave. The standard lot size for these Blocks will be 471 sq. m (5,070 sq. ft.) with a frontage of 12.5 m (41 ft.).

Figure Eight outlines the zoning provisions for Blocks 31 to 63. The housing type here will include semi-detached dwellings and either four unit or six-unit townhouse dwellings. The semi blocks have a frontage of 18.29 m (60 ft.) or 9.1 m (30 ft.) per dwelling unit) and lot area of 639 sq. m (6,878 sq. ft.) or 319.5 sq. m (3,439 sq. ft.) per dwelling unit to 696 sq. m (10,430.5 sq. ft.) or 348 sq. m (3,746 sq. ft.). The townhouse blocks have a frontage of 36.58 m (120 ft.) to 54.87 m (180 ft.) and lot area of 1,290 sq. m (13,885 sq. ft.) to 2,080 sq. m (22,388 sq. ft.)

Finally Figure Nine outlines the details of the townhouse complex (Block 64) with a frontage of 53.65 m (176 ft.) and lot area of 0.513 ha (1.25 ac.). This will accommodate up to 24 townhouse units in four buildings.

The overall zoning proposed for the property is consistent with the Hamlet designation permitting low density development in the form of single detached, semi-detached and townhouse development. The layout is such that there is a transition between the existing single detached development along Woodfern Ave and the increased density of the semi and townhouse development. The proposed amendments help to maximize the use of the lands while still remaining within the low-density limit. The adjusted regulations for the mix of residential uses is consistent with the more compact form of new subdivisions and will offer more attainable housing options.

FIGURE SEVEN	
Residential Zone 2 Rural/Urban (R2.2-??) (BLOCKS 1 TO 30)	
Permitted Uses	
Main Use	Residential use, or Boarding, lodging & rooming – house residential Group home
Accessory Use	One Home Occupation Accessory uses to the main use
Permitted Buildings & Structures	
Permitted Buildings & Structures	One single detached dwelling One group home Buildings & structures accessory to the main use
Regulations	
Lot Area (min) (on full municipal services)	450 sq. m (4,844 sq. ft.) – single detached dwelling
Lot Frontage (min)	12.1 m (40 ft.) – single detached dwelling

(on full municipal services)	
Open Space (min)	20%
Lot Coverage Main Permitted Use (max)	50% single detached dwelling
Lot Coverage Accessory (max)	10%
Front yard depth (min for the main dwelling only with an attached garage)	4 m (13ft.)
Front yard depth (min for an attached garage)	5.48 m (18 ft.)
Rear yard	5.48 m (18 ft.)
Interior Side Yard	1.2 m (4ft.)
Exterior Side Yard (min)	1.5 m (5ft.) but at no time shall any building or structure encroach on the applicable site visibility triangle
Main Building height (max) (all permitted used excluding apartment dwelling)	11 m (36 ft.)

FIGURE EIGHT

Residential Zone 2 Rural/Urban (R2.2-??) (BLOCKS 31 TO 63)

Permitted Uses

Main Use	Residential use, or Group home
Accessory Use	One Home Occupation Accessory uses to the main use

Permitted Buildings & Structures

Permitted Buildings & Structures	One single detached dwelling One semi-detached dwelling One semi-detached dwelling unit One townhouse dwelling (up to six units) One townhouse dwelling unit One group home Buildings & structures accessory to the main use
----------------------------------	--

Regulations

Lot Area (min) (on full municipal services)	450 sq. m (4,844 sq. ft.) – single detached dwelling
--	--

	<p>488 sq. m (5,252 sq. ft.) – semi-detached dwelling</p> <p>244 sq. m (2,630 sq. ft.) – semi-detached dwelling unit</p> <p>700 sq. m – (7,535 sq. ft.) – townhouse dwelling or group home</p> <p>240 sq. m – (2,583 sq. ft.) – townhouse dwelling unit</p>
Lot Frontage (min) (on full municipal services)	<p>12.1 m (40 ft.) – single detached dwelling</p> <p>15.24 m (50 ft.) - semi-detached dwelling</p> <p>7.62 m (25 ft.) – semi-detached dwelling unit</p> <p>27 m (88 ft.) townhouse dwelling or group home</p> <p>7.62 m (25 ft.) – townhouse dwelling unit</p>
Open Space (min)	20%
Lot Coverage Main Permitted Use (max)	<p>50% single detached dwelling</p> <p>55% semi-detached dwelling or semi-detached dwelling unit</p> <p>55% townhouse dwelling or townhouse dwelling unit</p> <p>60 % semi-detached or townhouse dwelling or semi-detached or townhouse dwelling unit in combination with an ADU</p>
Lot Coverage Accessory (max)	10%
Front yard depth (min for the main dwelling only with an attached garage)	4 m (13ft.)
Front yard depth (min for an attached garage)	5.48 m (18 ft.)
Rear yard	5.48 m (18 ft.) all permitted uses
Interior Side Yard (single detached, semi-detached, duplex, townhouse dwelling or triplex dwelling)	1.2 m (4ft.)

Interior Side Yard (common wall for a semi-detached dwelling unit or townhouse dwelling unit)	0 m
Exterior Side Yard (min) (for all permitted uses – excluding apartment dwelling)	1.5 m (5ft.) but at no time shall any building or structure encroach on the applicable site visibility triangle
Main Building height (max) (all permitted used excluding apartment dwelling)	11 m (36 ft.)

FIGURE NINE	
Residential Zone 2 Rural/Urban (R2.2-??) (BLOCK 64)	
Permitted Uses	
Main Use	Residential use, or Group home
Accessory Use	One Home Occupation Accessory uses to the main use
Permitted Buildings & Structures	
Permitted Buildings & Structures	Four townhouse dwellings (maximum six units per building, up to a maximum of 24 units total) Buildings & structures accessory to the main use
Regulations	
Lot Area (min) (on full municipal services)	5,000 sq. m – (53,820 sq. ft.) – townhouse dwelling or group home
Lot Frontage (min) (on full municipal services)	50 m (164 ft.) townhouse dwelling or group home
Open Space (min)	20%
Lot Coverage (max)	50%
Lot Coverage Accessory (max)	10%
Front yard depth (minimum)	3 m (10 ft.) and outside any required site visibility triangle
Rear yard	6 m (20 ft.)
Interior Side Yard (minimum)	5.5 m (18 ft.)
Exterior Side Yard (minimum)	5.5 m (18 ft.)

Main Building height (max) (all permitted used excluding apartment dwelling)	11 m (36 ft.)

Conclusions

The proposed plan of subdivision lays out a mixed residential development, in a compact form which is consistent with Provincial, County and Town policies related to the provision of residential needs. The requested zoning is structured in such a way to provide some flexibility in housing types to adapt to market demand and needs.

With any new development there are potential impacts to the existing community. In this case with a more compact and denser form there is a departure from the predominantly single detached residential common to a hamlet area. Additional development will add traffic volume to the area however the development is phased which will help to mitigate the impact and more gradually introduce the increased volume. Being located off a newly reconstructed east west road and near to both County Roads and a Provincial highway offers several routing choices.

Residential development in Ruthven in the last ten years has been exclusively single detached residential on larger lots with little to no attainable or affordable options for existing or new residents. Even Kingsville itself for many years saw very little higher density development and almost no attainable or affordable options. A mix of residential types and density is important in all built up, fully serviced areas to make the best use of existing designated lands. The subject lands do have two disadvantages, the lack of public transit access and limited day-to-day commercial services. However, this does not make them less necessary, it just reinforces that many small communities will continue to remain automobile dependent.

As such it is my professional opinion that the requested draft plan of subdivision and zoning by-law amendment to the Town of Kingsville Comprehensive Zoning By-law is consistent with PPS and conforms with the County and Town Official Plans representing positive land use planning approvals.

Prepared by:



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

Planning Services

**NOTICE OF APPLICATION FOR DRAFT PLAN OF SUBDIVISION
&
NOTICE OF PUBLIC MEETING FOR ZONING BY-LAW AMENDMENT
&
NOTICE OF PUBLIC MEETING FOR CONSENT APPLICATION**

**Changes are proposed for
1478 ROAD 2 EAST and part of 0 ROAD 2 EAST (Vacant lot) - See attached maps**

Location: Part of Lot 9, Concession 2 Eastern Division, in The Town of Kingsville

Applicant: 1552843 Ontario Ltd. & Mivita Holdings Inc. c/o Walter Branco

File No.: SUB-2022-02 – Residential Subdivision
(Approval Authority - County of Essex File No.: 37-T- 24002)

ZBA-2024-19 – Zoning change from General Agricultural Zone (A1) to a Site-Specific Residential Zone 2 Rural/Urban (R2.2-12) and Public Utilities/Facilities Zone (MG)

B-2024-27 – Consent application for land exchange (boundary adjustments) between 1478 ROAD 2 EAST and 0 ROAD 2 EAST, as well as granting a 3m wide easement in favour of the Town of Kingsville

Description of Proposed Plan of Subdivision (SUB-2022-02 / 37-T- 24002)

The County of Essex (Approval Authority) has received and deemed complete an application for a Draft Plan of Subdivision, File No. 37-T- 24002. The subject properties (municipally known as 1478 ROAD 2 EAST and 0 ROAD 2 EAST) are currently vacant (agricultural use) and are located to the north side of Road 2 East, between Peterson Lane and Woodfern Avenue in Ruthven, as shown in the attached map and the Draft Plan of Subdivision.

The portion of the lands which is being considered for the draft plan of Subdivision is designated Hamlet within the Kingsville Official Plan, and zoned General Agricultural Zone (A1) in the Comprehensive Zoning By-law 1-2014, for the Town of Kingsville. The applicant has applied for Draft Plan of Subdivision Approval for thirty (30) single detached dwelling lots, thirty-one (31) lots for sixty-two (62) semi-detached dwelling units, two (2) blocks for Townhouse Dwellings, containing total of ten (10) townhouse units, one (1) block for a multi-residential townhouse complex, containing total of twenty-four (24) units, one (1) block for a stormwater management facility, and one (1) block for stormwater access. The new lots and blocks will have access from the proposed Virginio Avenue, which will connect to Road 2 East and the future extension of Peach Drive, as well as three (3) proposed cul-de-sacs named Amelia Court, Igino Court and Fiorina Court, which will all be dedicated as public roads.

Planning Services

It is part of the County of Essex process to request a resolution of support from the local municipal Council for a plan of subdivision approval. **The date this matter will be considered by the Town of Kingsville Council seeking a resolution of support is Monday, November 25, 2024.**

Based on recent changes to the *Planning Act*, **there is no requirement to hold a statutory public meeting and this notice is provided for information purposes to the public.** Further, based on Subsection 51(22) Notice of the application should also advise that “any person or public body may make written submissions to the approval authority (County of Essex) before the approval authority makes its decision under subsection (31) of the Act”.

For More Information about the proposed Draft Plan of Subdivision, including the information about preserving your appeal rights, contact Rebecca Belanger, Manager, Planning Services, County of Essex, 360 Fairview Avenue West, Essex, ON, N8M1Y6, or via email at rbelanger@countyofessex.ca, indicating the **County of Essex file number, No. 37-T- 24002 – Mivita Residential Subdivision**, in the subject of the email.

Any comments regarding this proposed subdivision should be submitted to the County of Essex for consideration no later than December 2, 2024.

Any owner of any land that contains seven (7) or more residential units is requested to post this notice in a location that is visible to all the residents.

Any Person or Public Body may make written submissions to the approval authority before the approval authority makes its decision under subsection (31) of the Act.

Description of the required Zoning By-law Amendments (ZBA-2024-19) and Consent Application (B-2024-27) for boundary adjustments as well as granting easement for the proposed Draft Plan of Subdivision

ZBA-2024-19:

The portion of the lands which is being considered for the draft plan of Subdivision is designated Hamlet within Kingsville Official Plan, and zoned General Agricultural Zone (A1) in the Comprehensive Zoning By-law 1-2014, for the Town of Kingsville. To allow the proposed subdivision for residential development it is required that the lands be properly zoned for Rural/Urban Residential use. The applicant is requesting a site-specific Residential Zone (R2.2-12), to allow for construction of Single Detached Dwellings, Semi-Detached Dwellings and units, as well as Townhouse Dwellings and units and Multi-Residential Townhome Complex, which will all have reduced lot area, lot frontage, setbacks and increased lot coverage, when compared to R2.2 zone.

Furthermore, that portion of the lands in the draft plan of subdivision which will be used for the stormwater management facility and stormwater access will be zoned from General Agricultural Zone (A1) to Public Utilities/Facilities Zone (MG).

Planning Services

B-2024-27:

1. To sever part of the vacant lot, municipally known as 0 ROAD 2 East, at its south-west end, having the area of 3,759.3 m², and convey it to the property next east, municipally known as 1478 ROAD 2 East, to be used for stormwater management pond facilities for the proposed draft plan of subdivision, as shown on the attached map for Consent B-2024-27;
2. To sever part of the vacant lot, municipally known as 0 ROAD 2 East, at its north-east end, having the area of 494.6 m², and convey it to the property next east, municipally known as 1478 ROAD 2 East, to be used for part of the cul-de-sac bulb at west end of proposed extension of Peach Drive, as well as part of Lot 34 on the proposed draft plan of subdivision, as shown on the attached map for Consent B-2024-27;
3. To register a 3m wide easement, having the area of 692.3 m², along the west property line of the lands municipally known as 1478 ROAD 2 East, in favour of the Town of Kingsville, for placement of water services; and
4. To sever part of the land municipally known as 1478 ROAD 2 East, along its west property line and at its north-west end, having the area of 4,258 m², and convey it to the property next west, municipally known as 0 ROAD 2 East, in exchange of the 2 parts received above.

For More Information about the Zoning By-law Amendment and/or Consent Application or to provide your input on this matter, **please contact Town of Kingsville Planning Services**. Your comments can be submitted until 4:00 p.m. on November 25, 2024, by email planning@kingsville.ca, or by mail to:

Town of Kingsville, Planning Services
2021 Division Road North
Kingsville, ON N9Y 2Y9

If you wish to be notified of the decision of the Town of Kingsville on the proposed Zoning By-law Amendment and/or Consent Application, you must make a written request to planning@kingsville.ca, or mail to the attention of: **Town of Kingsville, Planning Services, 2021 Division Road North, Kingsville, ON N9Y 2Y9**. This will also entitle you to be advised of appeals, if any are submitted.

If a person or public body would otherwise have an ability to appeal the decision of the Town of Kingsville to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the Town of Kingsville before the by-law is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the Town of Kingsville before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Planning Services

If you would like to know more about this application or to tell us what you think you can attend the Council Meeting.

WHEN: November 25, 2024 - 6:00 p.m.

WHERE: Virtual meeting on Zoom – Please see the “Electronic Participation” document for instruction, attached to this notice

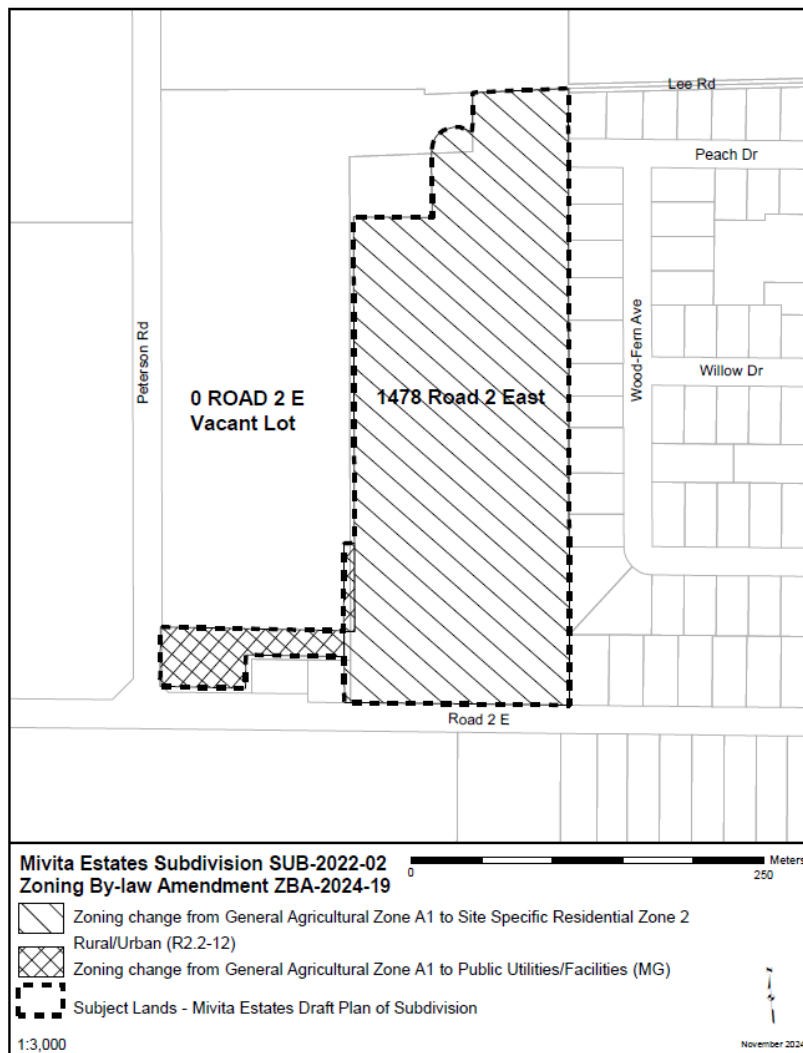
OR

In-person by attending the public meeting at:

Unico Hall Community Centre, 37 Beech Street, Kingsville, ON N9Y 1A9

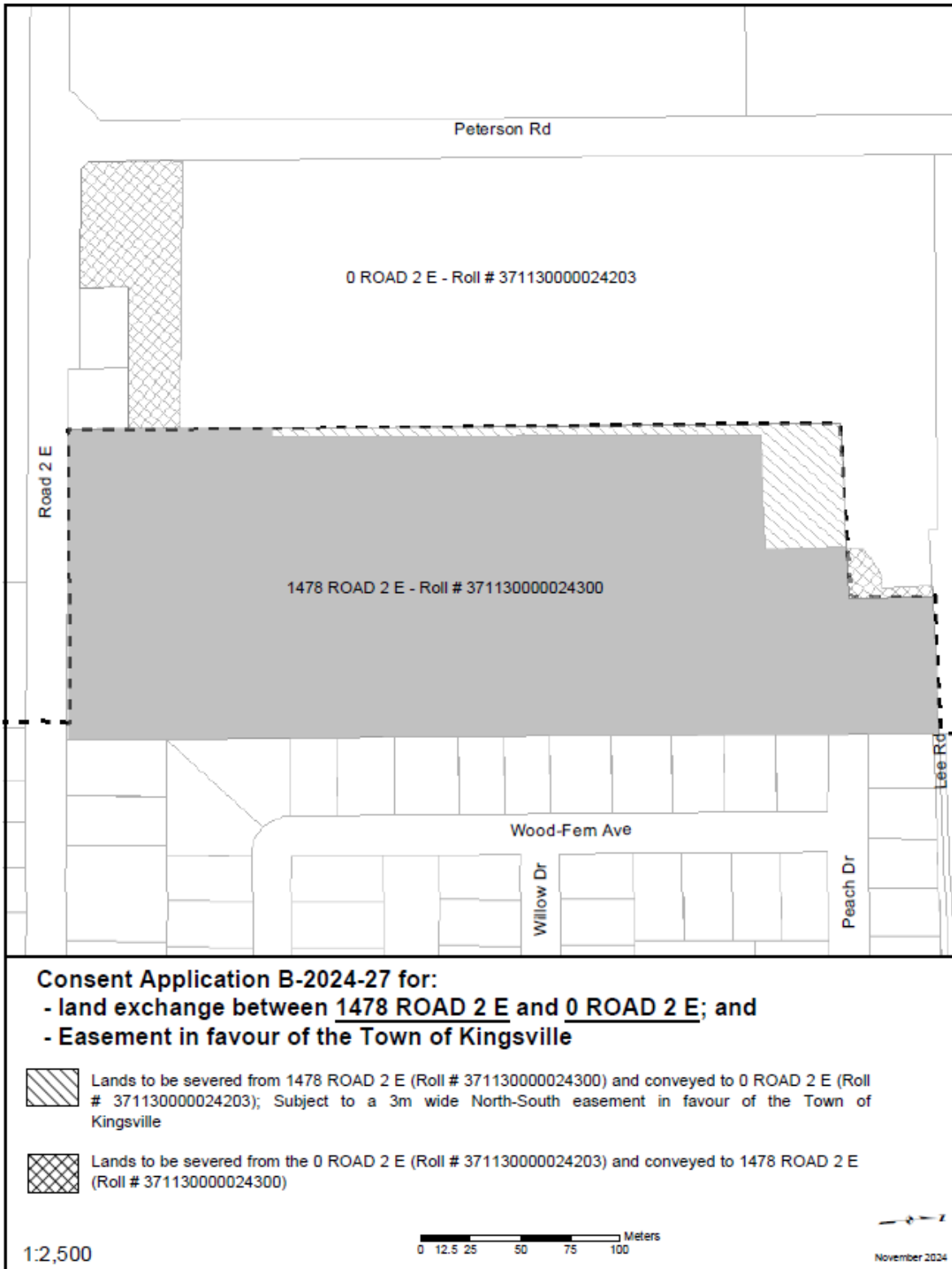
Dated at the Town of Kingsville this 5th day of November 2024.

Mivita Estates Subdivision and Rezoning Key Map



Planning Services

Consent Application Key Map



Planning Services

CURVE SCHEDULE

CURVE	STATION	ANGLE	CHORD	CHORD BEARING	ARC LENGTH	TANGENT	PIECEWISE CURVE
C1	5.81	6.31	6.18	N 127.00° 0' 0" E	6.18	6.18	
C2	6.31	6.31	6.32	N 89.17° 57' 1" E	6.32	6.32	
C3	6.32	6.32	6.32	N 127.00° 0' 0" E	6.32	6.32	
C4	6.32	6.32	6.32	N 89.17° 57' 1" E	6.32	6.32	
C5	6.32	6.32	6.32	N 127.00° 0' 0" E	6.32	6.32	
C6	6.32	6.32	6.32	N 89.17° 57' 1" E	6.32	6.32	
C7	6.32	6.32	6.32	N 127.00° 0' 0" E	6.32	6.32	
C8	6.32	6.32	6.32	N 89.17° 57' 1" E	6.32	6.32	
C9	6.32	6.32	6.32	N 127.00° 0' 0" E	6.32	6.32	
C10	6.32	6.32	6.32	N 89.17° 57' 1" E	6.32	6.32	
C11	6.32	6.32	6.32	N 127.00° 0' 0" E	6.32	6.32	
C12	6.32	6.32	6.32	N 89.17° 57' 1" E	6.32	6.32	
C13	6.32	6.32	6.32	N 127.00° 0' 0" E	6.32	6.32	
C14	6.32	6.32	6.32	N 89.17° 57' 1" E	6.32	6.32	
C15	6.32	6.32	6.32	N 127.00° 0' 0" E	6.32	6.32	
C16	6.32	6.32	6.32	N 89.17° 57' 1" E	6.32	6.32	
C17	6.32	6.32	6.32	N 127.00° 0' 0" E	6.32	6.32	
C18	6.32	6.32	6.32	N 89.17° 57' 1" E	6.32	6.32	
C19	6.32	6.32	6.32	N 127.00° 0' 0" E	6.32	6.32	
C20	6.32	6.32	6.32	N 89.17° 57' 1" E	6.32	6.32	

KEY PLAN (NTS)

OWNER'S CERTIFICATE

A) SHOWN ON PLAN
 B) SHOWN ON KEY PLAN
 C) SHOWN ON PLAN
 D) SEMI-DETACHED DWELLINGS
 E) RESIDENTIAL
 F) SHOWN ON PLAN
 G) SHOWN ON PLAN
 H) PIPED MUNICIPAL
 I) CLAY
 J) SHOWN ON PLAN
 K) STORM AND SANITARY
 L) SEWER TO BE PROVIDED
 M) SHOWN ON PLAN

OWNER'S CERTIFICATE
 WE HEREBY AUTHORIZE THE FILING OF THIS DRAFT PLAN FOR APPROVAL

DATE: Oct 8 / 2024 SIGNED: [Signature]
 152843 ONTARIO LTD.

DATE: Oct 8 / 2024 SIGNED: [Signature]
 MYVA HOLDINGS INC.

SURVEYOR'S CERTIFICATE
 I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED AND THE ADJACENT LOTS ARE ACCURATELY AND CORRECTLY SHOWN ON THIS PLAN.

DATE: October 8th, 2024 SIGNED: [Signature]
 ONTARIO LAND SURVEYOR

LAND USE SCHEDULE (PHASES 1-4)

LAND USE	BLOCKS	RESIDENTIAL UNITS	AREA (Ha.)
SINGLE FAMILY DWELLING	1-30	30	1.434
SEMI-DETACHED DWELLING	31-46, 49-63	62	2.069
TOWNHOUSE COMPLEX	47-64	24	0.512
STORMWATER MANAGEMENT	65	-	0.376
STORMWATER ACCESS	66	-	1.596
R.O.M.	-	-	-
TOTAL	66	126	6.395

PROJECT No.: RE2022E001
SCALE: 1:1000
SHEET No.: 1 OF 1

Planning Services

Electronic Participation

This meeting will be held in person, with an electronic element, in accordance with Procedural By-law 77-2021. Delegates and presenters will be provided with the option to attend in-person or electronically and spectators will be allowed into the building to watch or can continue to use the livestream option.

If you wish to participate via zoom, please read the instructions below:

Delegates, participants, and members of the public wishing to participate electronically **must request Zoom details by 11:00 am on the date of the public meeting**, as per By-Law 77-2021. Please refer to the contact information provided with this notice.

Please note that neither a computer, nor a video sharing device, is required to participate in the meeting via Zoom. You may also opt to call in from a cell or landline.

Persons who intend to participate electronically during the meeting may wish to register/sign up in Zoom, if they have not already done so. The following information is provided for your consideration and guidance during remote participation in the meeting:

- **Please join the meeting by 5:55 PM in order to avoid any delays.** If you have not joined the public meeting while your Agenda Item is up for public comment you will have forfeited your request.
- When you join the meeting, either by phone or online, you will be admitted in as an attendee. You will not be greeted upon joining the call. You will be able to hear the meeting and see the active speaker (if you have video capability), but your mic will be muted until it is your turn to speak.
- If you join the Zoom meeting through your phone, please **Do not put the phone on hold at any time**, as this will result in broadcasting “hold music” online once your mic function is unmuted.
- To optimize call quality when using a laptop, a headset with microphone is recommended. If you are using your laptop microphone or cell phone, please speak directly into the receiver and do not use speaker phone
- **Please do not forward the Zoom meeting details with anyone or post through social media.** Only registered participants will be admitted to the Zoom meeting.
- **Participants should keep comments directly related to the matter to which they are speaking to.** Questions are to be directed to the Chairperson. Council Members may choose to ask you follow-up questions following your remarks, comment, or ask staff to respond to your comments.
- After providing your comments and answering any questions that may be directed to you, the Meeting Coordinator will disconnect you from the Zoom meeting.

For more information, please contact:

Town of Kingsville, Planning Services
Phone: 519-733-2305 Ext. 244
Email: planning@kingsville.ca
The Corporation of the Town of Kingsville
2021 Division Road North
Kingsville, Ontario N9Y 2Y9

Planning Items for Review at the November 25, 2024 Committee of Adjustment and Appeals

Posted Thursday, November 14, 2024

[← Back to Search](#)



The Committee of Adjustment and Appeals will review the following application at its November 25, 2024 meeting:

Applications for a residential subdivision, consent for land exchange, and a zoning by-law amendment at 1478 Road 2 East and the adjacent vacant lot at 0 Road 2 East. Please note that a more updated version of the draft plan of subdivision is provided here, after the paper notices were mailed out to neighbouring property owners. The total number of lots, blocks and unit remain unchanged between the 2 plans. The layout of the subdivision also remains the same. [SUB-2022-02, B-2024-27, and ZBA-2024-19 \(/en/news/resources/Planning-Notices/SUB-2022-02-Notice-of-Application-Draft-Plan-ZBA-Consent---Accessible.pdf\)](/en/news/resources/Planning-Notices/SUB-2022-02-Notice-of-Application-Draft-Plan-ZBA-Consent---Accessible.pdf)

In 2023, Council for the Town of Kingsville and the County of Essex approved an Official Plan Amendment, which allowed for a 1:1 swap of lands between the subject properties and a corresponding adjustment to the Secondary Settlement Area. The land swap conformed to the Official Plan for the County of Essex. The amendment was required to proceed with a draft plan of subdivision, which the applicant is proposing at this time. The County of Essex, being the approval authority for plans of subdivisions, has deemed their application complete and as a result, an amendment to the existing zoning and a consent for a land exchange to facilitate the approved Official Plan Amendment will be considered.

The proposed residential subdivision (County of Essex File 37-T-24002 and Town File SUB-2022-02) is thirty (30) single detached dwelling lots, thirty-one (31) lots for sixty-two (62) semi-detached dwelling units, two (2) blocks for Townhouse Dwellings, containing total of ten

(10) townhouse units, one (1) block for a multi-residential townhouse complex, containing total of twenty-four (24) units, one (1) block for a stormwater management facility, and one (1) block for stormwater access. The new lots and blocks will have access from the proposed Virginio Avenue, which will connect to Road 2 East and the future extension of Peach Drive, as well as three (3) proposed cul-de-sacs named Amelia Court, Iginio Court and Fiorina Court, which will all be dedicated as public roads. To allow the proposed subdivision, a site-specific amendment to the zoning by-law is necessary to permit residential use (Town File ZBA-2024-19). The proposed consent will reflect the Official Plan Amendment that was approved in 2023 (Town File B-2024-27).

The decision to approve the subdivision is with the County of Essex and any comments relating to the subdivision should be sent to Rebecca Belanger, Manager of Planning Services for the County of Essex at rbelanger@countyofessex.ca (<mailto:rbelanger@countyofessex.ca>). The rezoning application and consent application will be considered by Council for the Town of Kingsville and any comments relating to these applications should be sent to Planning & Development for the Town of Kingsville at planning@kingsville.ca (<mailto:planning@kingsville.ca>).

The meeting starts at 6:00 pm. Please review the notice and follow the directions to submit your comments.

We are now holding Council and Committee meetings at the Unico Hall Community Centre, 37 Beech Street.

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By GHD Digital

Appendix G – Notice Signs Placed on Public Highways



Appendix H

From: outlook_F2119150763A4C2A@outlook.com <alefox1964@gmail.com>

Sent: August 24, 2023 1:04 PM

To: planning <planning@kingsville.ca>

Subject: RE: Application 1552843 Ontario Ltd (Noah Homes)

This email is in regards to the planned residential area, west of the existing subdivision off of Lee Road in Ruthven. My concern is traffic access to and from the future development. The main intersection in Ruthven at County road 34, County road 45 and Talbot Road is already a very busy intersection, and with additional traffic will become more dangerous. It is difficult to exit Lee road as the southbound traffic is not required to stop, and the visibility is limited due to shrubs and parked cars at Ruthven Towing. Lee road is also a narrow road with no room for pedestrians, and has driveways close to the intersection which could back traffic up into the intersection. The proposal of an all way stop at this intersection will only exacerbate the issues. An all way stop would back up traffic from the north, increase noise for the existing residents, and restrict access to businesses, homes and the post office.

It is my understanding that the Town of Kingsville does not have the jurisdiction to implement traffic controls at this intersection, as it is controlled by the county. This is certainly true as it applies to signaled crosswalks across county roads. It is short-sighted to allow the building of new residences without a traffic flow study. Allowing the rezoning should be delayed as well. Granting the rezoning to residential plans without an access plan is premature.

I am not against the addition of residential housing in that area, but primary vehicle access should be at Road 2 and Peterson Road. This will allow access for residents going toward Kingsville and north, including to highway 3, to avoid the busy intersection in Ruthven. Residents going north can then access County Road 34 at Road 3, which has an existing traffic light.

Again, my concern is access and the ability of the Town of Kingsville to control it. A proper long term vehicle and pedestrian plan should be shared before any permissions are granted. Without a proper study, this could result in a problematic intersection similar to the most eastern traffic light in Kingsville on County Road 20 -- a mess with no quick solution.

Regards,

Alan Fox
1605 County Road 34
Ruthven, ON

Sent from [Mail](#) for Windows

From: [Al Fox](#)
To: [Planning](#)
Subject: Lee road in the Hamlet of Ruthven
Date: November 12, 2024 2:26:41 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good day

I am writing this email to understand the future plans for Lee road. There is a new subdivision proposed for lot 1478 road 2 east that will only increase the usage of this road. Lee road is a narrow road that requires proper drainage and resurfacing at a minimum. This road flows into the CR 34 / CR 45 intersection which is extremely busy.

Based on the above I would like to promote Lee Road be made a one way street for east to west only allowing entrance to the existing and proposed subdivision. This would reduce future activity at the intersection and a road that would allow room for a sidewalk to the Post office, school, garage,... I believe this should be completed before the proposed subdivision.

Please let me know your thoughts and if there are any plans to repair/modify Lee road in the near future.

Regards

Al Fox

1605 County road 34
Ruthven
519-792-3966

From: [Al Fox](#)
To: [Planning](#)
Subject: Proposed subdivision in Ruthven
Date: November 13, 2024 9:54:43 AM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good day

I have been reviewing the drawing of the subdivision, it is hard to read so some of these items may be addressed.

1. Sidewalks, as there will be approximately 300 persons in the area. The town should address the existing subdivision as people may walk through it to go to the school, post office,.....
2. Potentially a cross walk to allow safe passage across road 2 and road 45.
3. Street lighting
4. Ample parking for cars on the built properties as not to rely on street parking

These are pretty standard items but it seems the proposal has high density housing.

Regards

Al Fox
1605 County road 34
519-792-3966

Date: November 25, 2024
To: Mayor and Council
Author: Margaret Schroeder, Manager of Finance
RE: 2025 Fees and Charges By-law

RECOMMENDED ACTION

That Council **APPROVE** the proposed 2025 Fees and Charges;

And that the corresponding By-law 89-2024, being a By-law to impose Fees and Charges by The Corporation of the Town of Kingsville **BE ADOPTED** during the By-law stage of this Council Agenda.

BACKGROUND

In accordance with section 391 of the *Municipal Act, 2001* (the "Act"), the municipality is authorized to pass by-laws imposing fees or charges on persons:

- (a) For services or activities provided or done by or on behalf of it;
- (b) For costs payable by it for services or activities provided or done by or on behalf of any other municipality or any local board; and,
- (c) For the use of its property including property under its control

Each year, Administration reviews the fees charged for various services and activities to ensure they remain appropriate.

DISCUSSION

The proposed changes to the existing Fees and Charges By-law 66-2023 are outlined in the attachments to this Report. Any changes to the wording of the By-law, fee amounts, or fee descriptions have been highlighted. Details on the more significant amendments are discussed below:

Administrative Services

Administration is recommending the introduction of a new fee to recover the cost of the time required to prepare a financing agreement at a property owner's request. Under Section D.7 of the Delegation of Authority By-law 54-2022, the Treasurer has the

authority to authorize a delay in payment for monies owed to the Municipality, local boards, commissions and corporations. In many cases, this requires administration to negotiate and draft a unique financing agreement based on the specific factors involved.

Municipal Clerk Services

The by-law has been updated to include the Short-Term Rental license fees approved by Council on November 4, 2024.

Short-Term Rental (“STR”) means the provision of a dwelling unit which is used for temporary lodging for a rental period not greater than twenty-eight (28) consecutive days or less in exchange for payment and includes a bed and breakfast, hotel, motel, and inn, but does not include short-term accommodations where there is no payment.

Fire Services

The by-law has been updated to include the Short-Term Rental Fire license fees approved by Council on November 4, 2024.

The proposed fees are based on the number of occupants within the property and is also reflective of the size of the property, and the number of bedrooms requiring inspection to ensure the property meets Ontario Fire Code guidelines.

Engineering Services

Administration is recommending the introduction of new fees to cover the cost of engineering reviews for Site Plan and Plan of Subdivision planning applications. The Planning and Development Department spends significant time either reviewing these applications internally or coordinating third-party review to confirm these applications are compliant with the Town’s Development Manual, relevant legislation, industry standards, etc. The addition of these fees will help ensure “growth pays for growth”.

Drainage

Administration is recommending the introduction of new fees for the Drainage Department. These new fees are comparable to neighbouring municipalities and are recommended to account for staff time spent reviewing and responding to such requests related to municipal drains. The majority of these services are development related and/or benefit specific property owners.

Developer or Severance Requests initiated for Drainage Reports under Section 78, 78(5) or Section 4

A development project may require a Section 4 or Section 78 under the Drainage Act which is to build a new access, new legal outlet or drain relocation. This requirement

requires the Drainage Superintendent to review the specifications and ensure it is compliant.

Requests for Section 65 Reports under the Drainage Act

Section 65 of the Drainage Act requires the Municipality to review all change of use applications, revisions to apportionments, etc. All reviews are performed and approved by the Drainage Superintendent.

Tile Inspector Fee

This fee is applicable when landowners apply for a tile loan. Staff spend significant time conducting the required review, which includes attending the property.

Mutual Drain Agreement review and Drainage Apportionment Agreement

Mutual Drain and Drainage Apportionment Agreements are typically required as part of lot creations.

Administrative Fees for Drainage

Administration is recommending this fee to cover the cost of providing basic administrative services for apportioning drainage costs.

Planning Services

Administration is recommending new fees in the Planning services department, along with recommended increases to current fees. Administration reviews and adjusts proposed fees to align with neighbouring municipalities. Similar to other municipalities, Kingsville Administration recognizes that 'one size fits all' does not always apply and is proposing the introduction of a new approach to fees based on 'minor' or 'major' works as described below. This recognizes that more complex projects generally require additional studies and reports, and take more time and staff capacity to review and coordinate than smaller applications which are less comprehensive to review. Proposed language is intended to make it clear what constitutes a 'minor' or 'major' application for developers and administration.

The introduction of these fees will generate more revenue for the Town of Kingsville and therefore, will reduce the cost of Planning and Development Services on the general tax levy.

Committee of Adjustment Fees

- **Minor Variance – (Standard and Complex)** - Administration is recommending the introduction of a new fee for 'complex' minor variances which require multiple

supporting documents or studies. This would also apply, similarly, to applications where a complex minor variance may be combined with a consent (i.e. lot creation).

- **Consent – Change of Conditions** – A new fee proposed to cover costs associated with an applicant requesting changes of conditions, which require recirculating an application and hosting an additional public meeting.

Official Plan Amendment (Minor and Major)

Administration is recommending splitting the current fee into two fees:

- A Minor Official Plan Amendment is considered to be a small-scale exception to the Official Plan and is a change to a specific policy that is limited in scope and typically limited to one property.
- A Major Official Plan Amendment is a re-designation or change in land use for a property or properties or requires many changes to the policies and schedules of the Official Plan or any application that due to the broader policy implications of the Municipality would require the need to provide, review or manage studies.

The determination of Minor and Major will be performed by the Director of Planning and Development and Manager of Planning based on the proposed works.

Zoning By-law Amendments (Minor and Major)

Administration is recommending splitting of the current fee into Minor and Major fee which is delineated based on if the amendment has an impact to abutting lands :

- A Minor Zoning By-law Amendment would apply to a small-scale amendment having no impact to abutting lands. This would include changes within current zone category, including site-specific re-zoning, etc,
- A Major Zoning By-law Amendment would be more significant in scope, which may have greater impact beyond the subject lands. For example, an application may involve multiple properties which would review of technical support documents or studies (ex. Environmental, impact assessment, transportation studies, compatibility studies, etc.).

The determination of Minor and Major will be performed by the Manager of Planning and Director of Planning and Development based on the proposed works.

Revisions to Approved Plan of Condominium/Plan of Subdivision (Minor and Major)

Administration is recommending splitting the current fee into two fees:

- A Minor revision is considered to be a small-scale amendments to zoning regulations (for example, front/side yard setback, lot coverage) but conform with approved technical support studies (for example, stormwater management, Functional Services, etc),
- A Major revision would include changes that require review of technical support documents or studies (for example, environmental impact assessment, stormwater management, compatibility studies, etc).

The determination of Minor and Major will be performed by the Director of Planning and Development and Manager of Planning based on the proposed works.

Site Plan Agreement and Site Plan Agreement Amendment (Minor and Major)

Administration is recommending splitting the current fee into two fees:

- A Minor Site Plan Agreement or Amendment would include requests on sites less than 2 acres (0.8 hectares) that require limited technical review, limited technical reports,
- A Major Site Plan Agreement would apply to sites larger than 2 acres (0.8 hectares) which require comprehensive review of changes to on-site service, drainage, stormwater, or parking where technical review of studies is required. A Major Site Plan Agreement Amendment is where amendments require significant changes involving amendments to technical reports.

The determination of Minor and Major will be performed by the Director of Planning and Development or delegate based on the proposed works.

Notice of Minor Site Plan Amendment

Administration is recommending the introduction of a new fee to account for staff time to review and prepare minor amendments to an approved Site Plan where proposed works conform with the overall plan and do not represent significant change as determined by the Director of Planning and Development and the Manager of Planning.

Other Services

- **Building Permit Zoning Review Fee** – Planning Staff review every building permit issued for conformity with the Official Plan. This typically takes up 1 – 1.5 days per week on average to review. Administration is recommending the introduction of a new fee to cover staff time associated with completing these tasks. The fee is able to be collected as part of the Building Permit.
- **Pre-Consultation Fee (OP, Zoning, Subdivision/Condo, Site Plan)** – Administration is recommending the introduction of a new fee to cover staff time associated with coordinating and reviewing an application for which pre-consultation

has already been completed, but the applicant has substantially changed the project. This also encourages applicants to be clearer on what they are proposing to do.

- **Administrative Review of External/Third Party Reviews** – On occasion, a developer is required to complete an external review as part of their planning application (e.g. Environmental Impact Assessment). Costs associated with the review are fully the responsibility of the applicant, though it does require administrative staff time to coordinate and review the report(s) and any report recommendations. The proposed fee is related to the staff time associated with that review.

Building Services

The Building Department is amending the majority of their current fees to keep pace with inflationary and other cost pressures. All fees have been compared against neighbouring municipalities to ensure the proposed rates remain competitive. Administration is recommending a 5 – 10 % increase on most current fees.

Water Sewer Services

Meter Transponder Replacement due to Damage

Administration is recommending the introduction of a new fee to cover the cost of the meter transponder if it was damaged, removed or lost. The fee is set to recover the cost of the transponder.

Missed Appointment Fee

Administration is recommending the introduction of a new fee to be used when a scheduled appointment that was agreed to by the owner was missed. The fee is set to cover the cost of staff physically going to the property and then not being able to complete their investigation or task assigned because access was not provided due to the owner not attending the appointment.

FINANCIAL CONSIDERATIONS

With the exception of the Building and Water Department revenue, any revenue generated from user fees will reduce the amount of revenue required from the general tax levy, and therefore reduce pressure on the property tax rate.

ENVIRONMENTAL CONSIDERATIONS

None.

CONSULTATIONS

All departments were consulted for input on revisions to the Town's Fees and Charges By-laws.

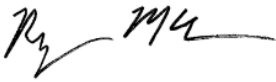
Notice that this by-law being considered by Council has been given to the public pursuant to the Town's Notice Policy and the proposed amendments were available for viewing on the Town website.

PREPARED BY:



Margaret Schroeder, CPA, CGA
Manager of Financial Services

REVIEWED BY:



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

John Norton
Chief Administrative Officer

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 89 - 2024

Being a by-law to impose fees and charges by The Corporation of the Town of Kingsville

WHEREAS section 391 of the *Municipal Act, 2001*, S.O. c. 25 (the “Act”) authorizes a municipality to pass by-laws imposing fees or charges on persons:

- (a) for services or activities provided or done by or on behalf of it;
- (b) for costs payable by it for services or activities provided or done by or on behalf of any other municipality or any local board; and
- (c) for the use of its property including property under its control;

and the costs included in a fee or charge may include costs incurred by a municipality related to administration, enforcement and the establishment, acquisition and replacement of capital assets.

AND WHEREAS subsection 398(1) of the Act provides that such fees and charges imposed by a municipality on a person constitute a debt of the person to the municipality.

AND WHEREAS subsection 398(2) of the Act provides that the treasurer of a municipality may add fees and charges imposed by the municipality to the tax roll for any property for which all of the owners are responsible for paying the fees and charges and collect them in the same manner as municipal taxes.

AND WHEREAS subsection 69(1) of the *Planning Act*, R.S.O. 1990 c. P.13 provides that the council of a municipality, by by-law may establish fees for the processing of applications made in respect of planning matters (the “Application”), which fees shall be designed to meet only the anticipated cost to the municipality in respect of the processing the Application.

AND WHEREAS the Town deems it advisable to repeal **By-law 66-2023** on the effective date of this by-law.

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

Definitions

1. In this By-law, the following words shall have the corresponding meaning:

“**Combined Consent and Minor Variance (Complex)**” shall mean an application for minor variance and consent that can be submitted to the Committee of Adjustment or Council and circulated together, and requires extensive staff review and/or multiple supporting documents or studies.

“**Combined Consent and Minor Variance (Standard)**” shall mean a standard application for minor variance and consent that can be submitted to the Committee of Adjustment or Council and circulated together.

“Damage Deposit” shall mean a fee or charge paid to the Town to meet all or a portion of the cost and expenses of remediating or repairing any damage to Town property or infrastructure, including, but not limited to roads, sidewalks, curbing or paved boulevards, water or sewage works, caused as a result of the use of such property or infrastructure or as a result of the carrying on of construction or demolition or other works on adjacent property.

“Minor Variance Fee (Complex)” shall mean a request for minor variance that requires extensive staff review and/or multiple supporting documents or studies.

“Minor Variance Fee (Standard)” shall mean a small change to a zoning by-law that allows a property owner to build or make changes to their property.

“Official Plan Amendment (Major)” shall mean a re-designation or change in land use for a property or properties that requires many changes to the policies and schedules of the Official Plan or any application that due to the broader policy implications of the Town would require the need to provide, review or manage studies.

“Official Plan Amendment (Minor)” shall mean a small-scale exception to the Official Plan and is a change to a specific policy that is limited in scope and typically limited to one property.

“Rental Deposit” shall mean the fee or charge paid to the Town as partial payment toward the rental of Town owned facilities.

“Revisions to Approved Plan of Condominium/Plan of Subdivision Fee (Major)” shall mean changes that require review of technical support documents or studies (for example, environmental impact assessments, stormwater management, and compatibility studies, etc).

“Revisions to Approved Plan of Condominium/Plan of Subdivision Fee (Minor)” shall mean small-scale amendments to zoning regulations (for example, front/side yard setback, lot coverage) and conform with approved technical support studies.

“Security Deposit” shall mean a fee or charge paid to the Town to guarantee the due performance of certain obligations owing to the Town that the Town may draw upon in the event that such obligations are not performed in order to complete all outstanding works or matters and pay the costs and expenses incurred.

“Site Plan Agreement Amendment Fee (Major)” shall mean a Site Plan Amendment which requires comprehensive review of changes to on-site service, drainage, stormwater, or parking where technical review of studies is required and where amendments require significant changes involving amendments to technical reports.

“Site Plan Agreement Amendment Fee (Minor)” shall mean a Site Plan Amendment that includes requests on sites less than 2 acres (0.8 hectares) that require limited technical review, limited technical reports.

“Site Plan Agreement Fee (Major)” shall mean a Site Plan Agreement which requires comprehensive review of changes to on-site service, drainage, stormwater, or parking where technical review of studies is required and where amendments require significant changes involving amendments to technical reports.

“Site Plan Agreement Fee (Minor)” shall mean a Site Plan Agreement that includes requests on sites less than 2 acres (0.8 hectares) that require limited technical review, limited technical reports.”

“Zoning By-law Amendments Fee (Major)” shall mean fees that apply to a significant amendment which may have greater impact beyond the subject lands.

“Zoning By-law Amendments Fee (Minor)” shall mean fees that apply to a small-scale amendment having no impact to abutting lands.

Fees and Charges

2. The fee or charges as provided for in Schedule “A” attached hereto and forming part of this By-law shall be imposed and charged for the services, activities and use of property as indicated in said Schedule “A”.

Facility Rentals

3. All facility rental fees are due at time of booking. Fees are refundable if cancelled more than 60 days in advance of the scheduled event. For clarity, the Town will honour the rental rates in effect when payment is received.

Damage Deposits

4. Damage Deposits as provided for in Schedule “B” attached hereto and forming part of this By-law shall be imposed and charged as indicated in said Schedule “B”.
5. Following the use of the property or infrastructure or the completion of the construction or demolition in respect of which an Damage Deposit has been paid and, upon request of the person who paid the Damage Deposit to the Town, the Damage Deposit, less any costs and expenses of remediating or repairing any damage to Town property or infrastructure, shall be refunded by the Town.

Cleaning/Damage Deposit

6. Cleaning and Damage Deposits as provided for in Schedule “B” attached hereto and forming part of this By-law shall be imposed and charged as indicated in said Schedule “B”.
7. The Applicant understands and agrees that the Cleaning/Damage Deposit shall be held and shall be returned to the payee within thirty (30) days after the expiration of the Permit if the Facility is in satisfactory condition and free from damage and excessive cleaning, normal wear and tear expected.

Security Deposits

8. Security Deposits as provided for in Schedule “C” attached hereto and forming part of this By-law shall be imposed and charged as indicated in said Schedule “C”.
9. Upon the performance of all obligations owing to the Town for which a Security Deposit has been paid and, upon request of the person who paid the Security Deposit to the Town, the Security Deposit, less any costs and expenses of completing any works or matters not performed, shall be refunded by the Town.

Unclaimed Deposits

10. Where an Damage Deposit and/or a Security Deposit has been paid to the Town and remains unclaimed for a period of seven years, the Treasurer of the Town may transfer to the general funds of the Town, any such Damage Deposit and/or Security Deposit against which no claim has been made, free of and from any and all claims whatsoever.

Reduced Fee or No Fee

11. Non-profit and Charitable organizations or groups are eligible for the “Non-profit / Charity” rates identified in Schedule A, where applicable.

Non-Profit / Charity rates will apply to;

- i. Registered Charities in good standing with CRA.

- ii. An organization or group operating for the purpose of poverty relief, social welfare, civic improvements, or to provide recreational or cultural opportunities to the general public.
- iii. Instructional programs or services.

The application of such rates is subject to managerial approval.

12. Historically, the following persons were identified to receive seasonal ramp passes at no charge. This will continue for the life of the individual originally identified. Each year the individual must present government issued identified to the Manager of Financial Services who will record the individual's name, address, and birth date.

- Baldwin, Neil
- Balkwill, Gary
- Branch, Jim
- Clemente, Manual
- Hodgkins, Leslie
- Lacy, Eugene
- Mallott, Jim
- Miinch, Craig
- Pretli, Andy
- Woodall, N

13. Organizations under contract for use of sports fields or ice time shall have access to meeting rooms at no cost, subject to availability and managerial approval. These groups will be expected to set up and take down tables and chairs as required.

Uncollectable Issued Fees or Charges

14. If a property owner who is charged a fee under this by-law fails to pay the fee within ninety (90) days of the invoice date, the Corporation may add the fee, including interest and administration fees to the tax roll for any real property in the Town of Kingsville, registered in the name of the owner and collect the fee, including interest, in like manner as municipal taxes.

Repeal

15. By-law 66-2023 is hereby repealed effective January 1, 2025.

16. This by-law shall come into force on January 1, 2025.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 25th DAY OF NOVEMBER, 2024.

MAYOR, Dennis Rogers

ACTING CLERK, Angela Toole

SCHEDULE A
FEES AND CHARGES

ADMINISTRATIVE SERVICES	JANUARY 1, 2024	JANUARY 1, 2025 PROPOSED
911 Sign and Post (with or without building)	\$80.00	\$80.00
Accounts Receivable (accounts outstanding after 60 days following invoice date)	1.25% per month	1.25% per month
Administration Fee <ul style="list-style-type: none"> • Misdirected payment • Adding or removing outstanding charges on tax roll 	\$25.00	\$30.00
Advertising Hosting Fee	\$50.00	\$50.00
Credit Card Convenience Fee	2% on transactions in excess of \$2,000	2% on transactions in excess of \$2,000
DVD/CD/USB (any copied document or documents)	\$10.00	\$10.00
Map (Town)	\$30.00	\$30.00
PLUS	\$3.00 per square foot	\$3.00 per square foot
Damage to Municipal Property	Cost	Cost
Merchandise and Apparel	N/A	N/A
MYKingsville website advertising space	N/A	N/A
NSF cheque	\$25.00	\$25.00
Noise Permit	\$50.00	\$50.00
Over the Road Banner	\$50.00	\$50.00
Photocopies (on-site)	\$0.50 per copy	\$0.50 per copy
Photocopies (off-site)	Cost	Cost
"NEW" Financing Agreement		\$250.00
Property Information Report (PIR) <ul style="list-style-type: none"> • Standard (10 business days) • Within 5 days, excluding holidays 	\$350.00 \$400.00	\$350.00 \$400.00
Property File Document Retrieval (picked up at Town office)	\$7.50	\$7.50
Property File Document Retrieval (delivered by mail or email)	\$10.00	\$10.00
Property Report (for information not included in the PIR)	\$50.00 per department	\$50.00 per department
Refund charge	\$25.00	\$25.00
Severance - property roll creation	\$100.00	\$100.00
Statement of Account (picked up at Town office)	\$7.50 (seniors exempt)	\$7.50 (seniors exempt)
Statement of Account (delivered by mail or email)	\$10.00	\$10.00
Tax Certificate (includes outstanding water)	\$75.00 per property	\$75.00 per property
Tax Certificate (within two business days)	\$150.00 per property	\$150.00 per property
Tax Notice (duplicate - picked up at Town office)	\$7.50 (seniors exempt)	\$7.50 (seniors exempt)
Tax Notice (duplicate - delivered by mail or email)	\$10.00	\$10.00
Tax Notice (duplicate – delivered by email if account is enrolled for paperless billing)	No fee	No fee
Tax Registration	Cost	Cost
Tax Sale Tender Package	\$10.00	\$10.00
Town flag	Cost	Cost
Utility Account Setup	\$25.00	\$25.00
Water notice (duplicate - picked up at Town office)	\$7.50 (seniors exempt)	\$7.50 (seniors exempt)
Water notice (duplicate - delivered by mail or email)	\$10.00	\$10.00
Water notice (duplicate – delivered by email if account is enrolled for paperless billing)	No fee	No fee

LEGAL SERVICES	JANUARY 1, 2024	JANUARY 1, 2025 PROPOSED
Signing of Document as a Commissioner for Taking Affidavits	\$15.00 up to 3 documents (seniors exempt)	\$20.00 up to 3 documents (seniors exempt)
Signing of Document as a Notary Public	\$50.00 up to 3 documents	\$50.00 up to 3 documents

MUNICIPAL CLERK SERVICES	JANUARY 1, 2024	JANUARY 1, 2025 PROPOSED
By-law Appeal - Filing Fee	\$100.00 per appeal	\$100.00 per appeal
Certified Copies of Municipal Documents	\$15.00 per document	\$15.00 per document
Code of Conduct Complaint (refundable on recommendations of Integrity Commissioner)	\$100.00	\$100.00
Council Meeting Recording (including USB)	\$20.00 per meeting	\$20.00 per meeting
Portable Signs		
• Permit	\$65.00	\$65.00
• Removal	\$75.00 per hour	\$75.00 per hour
• Storage	\$20.00 per day	\$20.00 per day
• Variance	\$65.00	\$65.00
Election Sign Removal	\$20.00 per sign	\$20.00 per sign
Freedom of Information (FOI) – Per Application	\$5.00	\$5.00
Freedom of Information (FOI) – Other Fees	Fees listed in O. REG 823	Fees listed in O. REG 823
Marriage Solemnization		
• During business hours	\$260.00	\$260.00
• After business hours	\$360.00	\$360.00
• PLUS - travel from and return to municipal office	Per kilometer per Canada Revenue Rates	Per kilometer per Canada Revenue Rates
• Cancellation (more than 24 hours notice)	\$65.00	\$65.00
• Cancellation (less than 24 hours notice)	\$130.00	\$130.00
• Rehearsal Rate (per Rehearsal)	\$52.00	\$52.00
• Civil Marriage Ceremony (per 2 witnesses)	\$32.00	\$32.00
Non-Objection Letter (AGCO)	\$25.00	\$25.00
“NEW” Death Registration (Burial Permits) (replaces Form 15 & 16 Fees)		\$25.00
Notice of Registration of Death (Form 15)	\$10.00	REMOVE
Statement of Death (Form 16)	\$15.00	REMOVE
Request for Fence Viewers	\$750.00	\$750.00
“NEW” Short- Term Rental Licence:		
• Residential (Up to 4 Occupants)		\$400.00
• Residential (Up to 6 Occupants)		\$750.00
• Residential (Up to 8 Occupants)		\$1,400.00
• Residential (Up to 10 Occupants)		\$1,750.00
• Owner-Occupied *		\$250.00
• Commercial		\$250.00

*Where the owner/operator resides full-time on the same property as the Short-Term Rental.

ANIMAL CONTROL	JANUARY 1, 2024	JANUARY 1, 2025 PROPOSED
Dog License		
• Lifetime Dog License*	\$75.00	\$75.00
Transfer/Replacement Tag	\$10.00	\$10.00
Kennel (includes one dog license)	\$110.00	\$110.00
Dog Impound Fee		
• First reclaiming fee	\$50.00	\$50.00
• Second reclaiming fee	\$75.00	\$75.00
• Third and subsequent reclaiming fee	\$125.00	\$125.00

*Lifetime tag is not transferable and must remain with the assigned dog and owner. A new lifetime tag is required if the dog becomes owned by a new owner. A new lifetime tag is required if an owner acquires a dog.

CEMETERY SERVICES	JANUARY 1, 2024	JANUARY 1, 2025 PROPOSED
Grave Plot	\$600.00 interment rights + \$400.00 care & maintenance = \$1,000	\$600.00 interment rights + \$400.00 care & maintenance = \$1,000
Cremation Plot	\$300.00 interment rights + \$200.00 care & maintenance = \$500.00	\$300.00 interment rights + \$200.00 care & maintenance = \$500.00
Interment (includes opening/closing grave, lowering/raising device, grass seeding)		
Full Body Interment		
o Weekdays (10:00 am to 3:30 pm)	\$885.00	\$885.00
o Saturdays (10:00 am to 2:00 pm)	\$1,200.00	\$1,200.00
Cremation Interment		
o Weekdays (10:00 am to 3:30 pm)	\$400.00	\$400.00
o Saturdays (10:00 am to 2:00 pm)	\$525.00	\$525.00
Assisted Services (in accordance with O.Reg. 184/12 made under the Funeral, Burial and Cremation Services Act, 2002)		
Interment Rights and Interment – Full body burials	\$1,300.00	\$1,300.00
Interment Rights and Interment - Cremated Remains	\$500.00	\$500.00
Interment Rights and Interment - Receipt from Irregular Burial Site	\$650.00	\$650.00
Disinterment (includes opening/closing grave, lowering/raising device, grass seeding)		
Full Body Disinterment		
o Weekdays (10:00 am to 3:30 pm)	\$1,500.00	\$1,500.00
o Saturdays (10:00 am to 2:00 pm)	\$1,870.00	\$1,870.00
Cremation Disinterment		
o Weekdays (10:00 am to 3:30 pm)	\$400.00	\$400.00
o Saturdays (10:00 am to 2:00 pm)	\$525.00	\$525.00
Marker/Monument Care and Maintenance		
• Flat (less than 173 square inches)	\$0.00	\$0.00
• Flat (173 square inches or larger)	\$100.00	\$100.00
• Upright (4 feet or less in height and 4 feet or less in length, including base)	\$200.00	\$200.00
• Upright (more than 4 feet in either height or length, including base)	\$400.00	\$400.00
Other Services		
• Transfer of Interment Rights	\$40.00	\$40.00
• Marker Locating	\$25.00	\$25.00
• Marker Inspection	\$25.00	\$25.00
• Tent Rental (March 16 - December 14 only)	\$100.00	\$100.00
• License (HST exempt)	as set by Ministry of Consumer Services	as set by Ministry of Consumer Services

Note: Interment services outside the above listed dates and times will be performed at cost.
Please contact the Public Works Manager for more information.

FIRE SERVICES	JANUARY 1, 2024	JANUARY 1, 2025 PROPOSED
AGCO Letters (for liquor related premises and events)(per request)	\$100.00	\$100.00
Commercial Fireworks Permit Review plus inspection	\$100.00	\$100.00
Special Event Inspection (Tents, Temporary Structures)	\$100.00 per hour	\$100.00 per hour
Fire Safety Request for Training Services (per Training Officer) (min 2 hour session)	\$100.00 per session (up to 2 hours)	\$250.00 per session (up to 2 hours)
Fire Training provided to other Fire Departments	Cost	Cost
Site Inspection from PIR report – includes site visit, emails, document review, phone call, etc) – 2 hr minimum	\$100.00 per hour	\$100.00 per hour
File Inspection (from PIR report)	\$100.00	\$100.00
File Search (not from PIR report)	\$100.00	\$100.00

FIRE SERVICES	JANUARY 1, 2024	JANUARY 1, 2025 PROPOSED
Non-Emergency Alarm Activation (following second false alarm within calendar year)	as set by MTO	as set by MTO
Fire Safety Plan/Sprinkler review (per review)	\$100.00	\$100.00
Occurrence Report - Standard (per report)	\$100.00	\$100.00
Occurrence Report with Full Investigation (per report)	\$175.00	\$175.00
Non-resident Motor Vehicle Accident or Fire Attendance	as set by MTO	as set by MTO
Prohibited Open Burn	as set by MTO	as set by MTO
• PLUS - heavy equipment	Cost	Cost
• PLUS – foam	Cost	Cost
Burn Permit		
• Burn Complaint with Fire Response (applicable if not meeting prescribed rules)	MTO rate	MTO rate
• Burn Complaint with Administrative Response (applicable if not meeting prescribed rules)	½ MTO rate	½ MTO rate
Propane Review/Documentation - Level 2 (per request)	\$100.00	\$100.00
Propane Review/Documentation - Level 1 (per request)	\$100.00	\$100.00
• PLUS - legal or engineering review (per request)	Cost	Cost
Fire response to un-located utility strike	MTO rate	MTO rate
Fire Rescue Standby Request	MTO rate	MTO rate
Fire Inspections* includes file search, travel, site visit, orders, re-inspection, safety plan review		
Assembly Inspection – per inspection		
• Churches	No charge	\$100.00
• Schools	\$400.00	\$400.00
• Nursery/Day Care	\$50.00	\$100.00
• Licensed Premises	\$200.00	\$200.00
• Unlicensed Premises (liquor license)	\$100.00	\$100.00
Institutional Inspection – per inspection		
• Nursing Homes / Assisted Living/ Retirement Homes	\$550.00	\$550.00
• Homes for Special Care	\$250.00	\$250.00
Industrial Inspection – per inspection		
• Factories/Complexes less than 500 m2	\$300.00	\$300.00
• Factories/Complexes between 500 - 1000 m2	\$500.00	\$500.00
• Factories/Complexes over 1000 m2	\$700.00	\$700.00
Commercial Inspection – per inspection		
• in service mercantile under 500 m2	\$100.00	\$100.00
• in service mercantile under 1000 m2	\$500.00	\$500.00
• in service mercantile over 1000 m2	\$700.00	\$700.00
• business/personal services	\$100.00	\$100.00
Residential Inspection – per inspection		
• Single Family & Duplexes	\$300.00	\$300.00
• Multi-unit residential up to 10 units	\$500.00	\$500.00
• Multi-unit residential 11 – 30 units	\$750.00	\$750.00
• Multi-unit residential greater than 31 units	\$1,000.00	\$1,000.00
• Boarding/Lodging houses/B&B's up to 4 beds	\$100.00	\$100.00
• Boarding/Lodging houses/B&B's 5-9 beds	\$300.00	\$300.00
• Boarding/Lodging houses/B&B's 10-19 beds	\$600.00	\$600.00
• Boarding/Lodging houses/B&B's 20-30 beds	\$700.00	\$700.00
• Boarding/Lodging houses/B&B's greater than 30 beds	\$1,000.00	\$1,000.00
• Hotel/Motel	\$500.00	REMOVE
“NEW” Residential Short Term Rentals/B&Bs		
• “NEW” STR/B&B's (up to 4 occupants)		\$150.00
• “NEW” STR/B&B's (up to 6 occupants)		\$200.00
• “NEW” STR/B&B's (up to 8 occupants)		\$250.00
• “NEW” STR/B&B's (up to 10 occupants)		\$300.00
“NEW” Commercial Short Term Rentals		\$500.00**
“NEW” Smoke Alarm/Carbon Monoxide Follow up		\$100.00

FIRE SERVICES	JANUARY 1, 2024	JANUARY 1, 2025 PROPOSED
Additional Follow up Inspection (following second re-inspection – includes site visit, emails, document review, phone call, etc)	\$100.00 per hour	\$100.00 per hour

*Minimum charge of 1 Hour per inspection unless deemed non-profit related site

**If 10 Occupants or less, the corresponding “residential” fire inspection rate will apply.

LICENSES	JANUARY 1, 2024	JANUARY 1, 2025 PROPOSED
Boarding, Lodging and Rooming Houses – Agricultural or Residential	\$100.00 per structure	\$100.00 per structure
Charitable Gaming		
• Bingo	3% of prize	3% of prize
• Media Bingo	3% of prize	3% of prize
• Break Open (Nevada) Tickets	3% of prize	3% of prize
• Raffle	3% of prize	3% of prize
• Bazaar - Raffle & Bingo	3% of prize	3% of prize
• Bazaar - Wheel of Fortune	\$10.00	\$10.00
Hunting		
• Pheasant (resident)	\$20.00	REMOVE
• Pheasant (non-resident)	\$25.00	REMOVE
Marriage	\$135.00	\$135.00
Refreshment Vehicle – Annual Permit		
• First vehicle	\$250.00	\$250.00
• Second vehicle	\$125.00	\$125.00
Refreshment Vehicle – Special Events	Fees established per event	Fees established per event
Taxi/Limousine/Vehicle for Hire		
• Vehicle (new)	\$300.00	\$300.00
• Vehicle (renewal) - per year payable on or before January 1	\$100.00	\$100.00
Taxi Driver License - per year payable on or before January 1	\$25.00	\$50.00

ENGINEERING SERVICES	JANUARY 1, 2024	JANUARY 1, 2025 PROPOSED
Encroachment Permit	\$250.00 + Damage Deposit	\$250.00 + Damage Deposit
Encroachment Agreement:		
• prepared/reviewed by Administration	\$500.00	\$500.00
• prepared/reviewed by external legal services	Cost	Cost
Road Crossing Agreement PLUS DAMAGE DEPOSIT	\$150.00	\$150.00
Road Use Agreement PLUS DAMAGE DEPOSIT	\$1,500.00	\$1,500.00
Temporary Culvert Installation Permit	\$100.00	\$100.00
Solar Signs - blank sign	\$40.00	\$40.00
Solar Signs - new post and hardware, if required	\$15.00	\$15.00
Solar Signs - installation by Public Works	\$25.00	\$25.00
Weed Cutting	\$ Cost + \$100.00 admin fee	\$ Cost + \$100.00 admin fee
External Engineering Review	At Cost	At Cost
Sidewalk Patio		
Initial application – Plus Damage Deposit PLUS USE OF PARKING SPACE PLUS DAMAGE DEPOSIT	\$600.00 \$100.00 per month/space	\$600.00 \$100.00 per month/space
Annual renewal - Plus Damage Deposit PLUS USE OF PARKING SPACE PLUS DAMAGE DEPOSIT	\$200.00 \$100.00 per month/space	\$200.00 \$100.00 per month/space
“NEW” Site Plan Engineering Review Fee (per application)		\$1,500.00
“NEW” Subdivision Engineering Review Fee (per application)		\$3,000.00

ENGINEERING SERVICES	JANUARY 1, 2024	JANUARY 1, 2025 PROPOSED
"NEW" Additional Review Fee (per submission on the 4 th and each additional submissions)		\$250.00
"NEW" External Engineering Review		At Cost

DRAINAGE	JANUARY 1, 2024	JANUARY 1, 2025 PROPOSED
"NEW" Developer or Severance Requests initiated for Drainage Reports under Section 78, 78(5) or Section 4		\$500.00
"NEW" Requests for Section 65 Reports under the Drainage Act		\$200.00
"NEW" Tile Inspector Fee		\$200.00
"NEW" Mutual Drain Agreement review		\$200.00
"NEW" Drainage Apportionment Agreement		\$200.00
"NEW" Drainage Admin Fee, per assessed parcel (Maintenance and Capital)		\$3.00

PARK AND RECREATION SERVICES	JANUARY 1, 2024	Non-Profit JANUARY 1, 2024	JANUARY 1, 2025 PROPOSED	Non-Profit JANUARY 1, 2025 PROPOSED
Note: All fees for Recreation Services include HST where applicable. *All Facility Rentals have an associated cleaning and damage deposit and require liability insurance				
FACILITIES RENTALS:				
Grovedale Arts & Culture Centre				
• Rental	\$3,500.00 per 12 hours, or \$1,200.00 per 4 hours	\$150.00 per 12 hours, or \$65.00 per 4 hours	\$3,500.00 per 12 hours, or \$1,200.00 per 4 hours	\$150.00 per 12 hours, or \$65.00 per 4 hours
• Weekend/Wedding Rate: (Friday 12 pm – Sunday 8 pm)	\$5,000.00 per weekend	\$300.00 per weekend	\$5,000.00 per weekend	\$300.00 per weekend
Lakeside Park Pavilion				
• Rental	\$700.00 per 12 hours, \$350.00 per 4 hours	\$100.00 per 12 hours, \$40 per 4 hours	\$700.00 per 12 hours, \$350.00 per 4 hours	\$100.00 per 12 hours, \$40 per 4 hours
• Weekend/Wedding Rate: Friday 12pm – Sunday 8pm	\$1,650.00 per weekend	\$250.00 per weekend	\$1,650.00 per weekend	\$250.00 per weekend
Kingsville Recreational Complex				
Auditorium A				
• Rental	\$450.00 per 12 hours, \$200.00 per 4 hours	\$85.00 per 12 hours, \$40.00 per 4 hours	\$450.00 per 12 hours, \$200.00 per 4 hours	\$85.00 per 12 hours, \$40.00 per 4 hours
• Weekend/Wedding Rate: Friday 12pm – Sunday 8pm	\$1,000.00 per weekend	\$200.00 per weekend	\$1,000.00 per weekend	\$200.00 per weekend
Auditorium B/C (Together)	\$250.00 per 8 hours, \$135.00 per 4 hours	\$50.00 per 8 hours, \$30.00 per 4 hours	\$250.00 per 8 hours, \$135.00 per 4 hours	\$50.00 per 8 hours, \$30.00 per 4 hours
Auditorium B or C	\$150.00 per 8 hrs, \$80.00 per 4 hrs	\$40.00 per 8 hrs, \$25.00 per 4 hrs	\$150.00 per 8 hrs, \$80.00 per 4 hrs	\$40.00 per 8 hrs, \$25.00 per 4 hrs

PARK AND RECREATION SERVICES	JANUARY 1, 2024	Non-Profit JANUARY 1, 2024	JANUARY 1, 2025 PROPOSED	Non-Profit JANUARY 1, 2025 PROPOSED
Note: All fees for Recreation Services include HST where applicable. *All Facility Rentals have an associated cleaning and damage deposit and require liability insurance				
Ridgeview Park				
• Hall and Pavilion	\$300.00 per 12 hours, \$160.00 per 4 hours	\$75.00 per 12 hours, \$30.00 per 4 hours	\$300.00 per 12 hours, \$160.00 per 4 hours	\$75.00 per 12 hours, \$30.00 per 4 hours
• Weekend/ Wedding Rate: Friday 12pm – Sunday 8 pm	\$700.00 per weekend	\$125.00 per weekend	\$700.00 per weekend	\$125.00 per weekend
Unico Community Centre				
• Rental	\$400.00 per 12 hours, \$150.00 per 4 hours	\$60.00 per 12 hours, \$25.00 per 4 hours	\$400.00 per 12 hours, \$150.00 per 4 hours	\$60.00 per 12 hours, \$25.00 per 4 hours
• Weekend/Wedding Rate: Friday 6pm – Sunday 8pm	\$675.00 per weekend	\$100.00 per weekend	\$675.00 per weekend	\$100.00 per weekend
Park Events				
• Pavilion/ Gazebo Fee	\$80.00 per 8 hrs, \$50.00 per 4 hrs	N/A	\$80.00 per 8 hrs, \$50.00 per 4 hrs	N/A
• Large Event – (150+ ppl)	\$400.00 per 8 hours	\$50.00 per 8 hours	\$400.00 per 12 hours	\$75.00 per 12 hours
• Medium Event - (50 - 150 ppl)	\$200.00 per 8 hours	\$40.00 per 8 hours	\$200.00 per 12 hours	\$65.00 per 12 hours
• Small Event – (1-50 ppl)	\$150.00 per 8 hours	\$30.00 per 8 hours	\$150.00 per 8 hours	\$50.00 per 8 hours
• Fencing / 100 ft	\$10.00 per 100 ft	\$10.00 per 100 ft	\$10.00 per 100 ft	\$10.00 per 100 ft

PARK AND RECREATION SERVICES	JANUARY 1, 2024	JANUARY 1, 2025 PROPOSED
Note: All fees for Recreation Services include HST where applicable. *All Facility Rentals have an associated cleaning and damage deposit *All Rentals require liability insurance		
Baseball		
○ Diamond - without lights	\$50.00 per game (up to 2 hours)	\$50.00 per game (up to 2 hours)
○ Diamond - with lights	\$75.00 per game (up to 2 hrs)	\$75.00 per game (up to 2 hrs)
○ Diamond - minor sports	\$15.00 / child per season	\$15.00 / child per season
○ Diamond - tournament	\$200.00/ 12 hrs per diamond	\$200.00/ 12 hrs per diamond
Weekend Tournament Rate (Friday 5 pm – Sunday 8 pm)	\$1,500.00 all 6 diamonds	\$1,500.00 all 6 diamonds
Soccer		
○ Field	\$50.00 per game (large field – up to 2 hours) \$30.00 per game (small field – up to 2 hours)	\$50.00 per game (large field – up to 2 hours) \$30.00 per game (small field – up to 2 hours)

○ Field - minor sports	\$15.00 per child per season	\$15.00 per child per season
○ Field - tournament	\$175.00/ 12 hrs/ large field \$105.00/ 12 hrs/ small field	\$175.00/ 12 hrs/ large field \$105.00/ 12 hrs/ small field
Weekend Tournament Rate (Friday 5 pm – Sunday 8 pm)	\$1,750.00 all 16 fields	\$1,750.00 all 16 fields
Kingsville Arena		
Ice Rental		
• Adult prime	\$198.00 per hour	\$203.00 per hour
• Adult non-prime (weekdays before 5:00 pm)	\$162.00 per hour	\$162.00 per hour
• Minor Sports Youth prime	\$183.00 per hour	\$188.00 per hour
• Minor Sports Youth non-prime (Weekdays before 5:00pm)	\$154.00 per hour	\$154.00 per hour
• Elementary or Secondary Schools recognized by the Ministry of Education*	\$77.00 per hour	\$77.00 per hour
Public Skating / Shinny Hockey		
• Public Skating – general	\$3.50 per person	\$3.50 per person
• Public Skating - general – 6 Punch Pass	\$15.00 per pass	\$15.00 per pass
• Parent & Tot/Home School Skate and Home School Shinny/Adult Skate	\$2.50 per person	\$2.50 per person
• Parent & Tot/ Home School Skate and Home School Shinny/Adult Skate – 6 Punch Pass	\$12.50/ pass	\$12.50/ pass
• Shinny Hockey / Figure Skating	\$5.50 per person	\$5.50 per person
• Shinny Hockey / Figure Skating – 5 Skate Pass	\$22.00/ pass	\$22.00/ pass
Advertising		
Arena Walls	\$150.00 per year	\$150.00 per year
Illuminated sign	\$400.00 per year	REMOVE
Ice surface boards	\$500.00 per year	\$500.00 per year
Ice surface	\$1,250.00 per year	REMOVE
Zamboni	\$2,500.00 per year	\$2,500.00 per year
Public Skate Sponsorship – 2 hour public skate includes tabling in lobby, plus naming for sponsored skate	\$400.00	\$400.00
Pickleball / Tennis – Public Access		
• Season Pass – Outdoor (May – September)	\$30.00 per season / per household	REMOVE
• Season Pass – Indoor pickleball/ badminton (October – April)	\$100.00/ pass	\$100.00/ pass
• Drop-in (outdoor)	\$4.00 per court	\$4.00/court – Pickleball \$6.00/court - Tennis
• Drop-in (indoor pickleball/badminton)	\$2.00 per court	\$2.00 per court
Tennis Court Rental (Kingsville)		
• 1 Court Rental	\$5.00/hr	\$5.00/hr
• 4 Courts Rental (All)	\$50.00/ 4 hrs \$60.00 / 8 hrs	\$50.00/ 4 hrs \$60.00 / 8 hrs
Tennis Court Rental (Ridgeview)		
• 1 Court Rental	\$5.00/hr	\$5.00/hr
• 2 Courts Rental (All)	\$35.00/ 4 hrs \$50.00 / 8 hrs	\$35.00/ 4 hrs \$50.00 / 8 hrs
Pickleball Court Rental (Kingsville)		
• 1 Court Rental	\$5.00/hr	\$5.00/hr

• 4 Court Rental	\$50.00/ 4 hrs \$60.00 / 8 hrs	\$50.00/ 4 hrs \$60.00 / 8 hrs
• 8 Courts (All)	\$100.00/ 4 hrs \$120.00 / 8 hrs	\$100.00/ 4 hrs \$120.00 / 8 hrs
Pickleball / Tennis Associations		
• Pickleball / Tennis Assoc. Access Card	\$15.00	\$15.00
Basketball Court Rental		
Court – Ridgeview or Lions	\$5.00/hr \$18.00/ 4 hrs \$25.00/ 8 hrs	\$5.00/hr \$18.00/ 4 hrs \$25.00/ 8 hrs
Marina		
• Seasonal Ramp Pass	\$130.00 per craft	\$130.00 per craft
• Seasonal Ramp Pass – Senior Rate	\$100.00 per craft	\$100.00 per craft
• Dockage - Cedar Island	\$48.00 per foot	\$48.00 per foot
• Dockage - Docks 63 and 64	\$56.00 per foot	\$56.00 per foot
• Transient Wells – Daily	\$2.00 per foot	\$2.00 per foot
• Transient Wells – Monthly	\$15.00 per foot	\$15.00 per foot
• Ramp Pass - Daily	\$12.00 per day	\$12.00 per day
• Ramp Pass – Daily – Senior Rate	\$6.00 per day	\$6.00 per day
• Ramp Pass - Monthly	\$50.00 per month	\$50.00 per month
• Fuel	Cost + \$0.30 per litre	Cost + \$0.30 per litre
Memorial Program		
• Tree (includes plaque)	\$1,000.00	\$1,000.00
• Bench (includes plaque)	\$2,600.00	\$2,600.00
Administration		
• Park Access Permit – property access deposit required	\$250.00 per permit	\$50.00 per day
• Staffing Fee	Cost	
• COVID Health Screener – if required by Health Unit, for private events	Cost	REMOVE
• Cancellation Fee (user programs)	\$5.00	\$5.00
• Printing/Copy	\$0.05 – Black Copies \$0.10 – Colour Copies	\$0.05 – Black Copies \$0.10 – Colour Copies

*In the absence of a joint use agreement.

PLANNING SERVICES	JANUARY 1, 2024	JANUARY 1, 2025 PROPOSED
Committee of Adjustment		
○ Consent		
○ Initial severance	\$1,300.00	\$1,500.00
○ Additional severance **	\$500.00	\$500.00
○ Minor Variance (Standard) **	\$1,000.00	\$1,250.00
○ Minor Variance (Complex) **		\$1,750.00
○ Combined consent and minor variance (Standard) **	\$2,000.00	\$2,500.00
○ “NEW” Combined consent and minor variance (Complex) **		\$3,000.00
○ “NEW” Consent – Change of Conditions		\$1,000.00
Development Agreements		
○ Development Agreement (Subdivision)**	\$2,000.00	\$5,000.00
○ Development Agreement (Subdivision) Amendment**	\$1,250.00	\$2,500.00
○ Agreement (all other developments)**	\$750.00	\$750.00
○ Development Agreement Amendment (all other developments)**	\$650.00	\$650.00
Official Plan		
○ Official Plan Amendment (Minor) **	\$4,500.00	\$4,500.00
○ “NEW” Official Plan Amendment (Major)		\$7,500.00
○ Joint Application (Official Plan Zoning By-law Amendments) **	\$6,000.00	\$6,000.00

PLANNING SERVICES	JANUARY 1, 2024	JANUARY 1, 2025 PROPOSED
Parkland Dedication or Fees in Lieu		
○ Commercial or Industrial Land	2% of appraised value of land	2% of appraised value of land
○ Residential & Other	5% of appraised value of land	5% of appraised value of land
○ Residential Land (4 or less lots created by consent)	\$1,500.00 per new lot	\$1,500.00 per new lot
Part Lot Control		
○ Part Lot Control	\$2,000.00	\$2,000.00
○ Part Lot Control Extension	\$1,250.00	\$1,250.00
Plan of Condo/Subdivision		
○ Plan of Condominium **	\$6,500.00	\$6,500.00
○ Plan of Subdivision **	\$6,500.00	\$7,000.00
○ Revisions to Approved Plan of Condominium/Plan of Subdivision (redline) (Minor) **	\$1,500.00	\$2,500.00
○ “NEW” Revisions to Approved Plan of Condominium/Subdivision (Major)		\$3,500.00
○ Subsequent Phases of Existing Plans of Subdivision	\$1,500.00	\$1,750.00
○ Request to Extend approved Draft Plan of Subdivision/Condominium	\$500.00	\$1,500.00
Site Plan Control		
○ Site Plan Agreement (Minor) **	\$3,000.00	\$4,500.00
○ “NEW” Site Plan Agreement (Major)		\$7,500.00
○ Site Plan Agreement Amendment (Minor)**	\$2,250.00	\$3,000.00
○ “NEW” Site Plan Agreement Amendment (Major)		\$5,000.00
○ “NEW” Notice of Minor Site Plan Amendment		\$750.00
Zoning By-law		
○ Zoning By-law Amendments (Minor) **	\$4,500.00	\$4,500.00
○ “NEW” Zoning By-law Amendments (Major)		\$7,500.00
○ Temporary Use **	\$1,750.00	\$1,750.00
○ Temporary Use Extension **	\$1,000.00	\$1,000.00
○ Removal of Holding (h) **	\$1,250.00	\$1,250.00
○ Surplus Dwelling **	\$2,500.00	\$2,500.00
Other Services		
○ Renewable Energy Review and Approval **	\$1,500.00	\$1,500.00
○ Compliance Letter (Subdivision/Site Plan, Development Agreement)	\$150.00	\$150.00
○ Documents - Comprehensive Zoning By-law (hard copy)	\$100.00	\$100.00
○ Documents - Official Plan Amendment (hard copy)	\$100.00	\$100.00
○ Planning Act Application Deferral (Applicant Request)	\$200.00	\$500.00
○ “NEW” Building Permit Zoning Review Fee (charged through Building)		\$100.00
○ “NEW” Pre-Consultation Fee (OP, Zoning, Subdivision/Condo, Site Plan)		\$250.00
○ “NEW” Subsequent Administrative Reviews of External/Third Party Reviews		\$200.00

** Fee may require a Security deposit, additional external costs (e.g. third party engineering review, signage, external natural heritage/EIA review) and/or ERCA costs (set by ERCA) in addition to the fee stated. Fees for external costs will be charged at cost + 15% administration.

BUILDING SERVICES	JANUARY 1, 2024	JANUARY 1, 2025 PROPOSED
CONSTRUCTION PERMITS		
Note: Permits reviewed and/or issued and not paid for or picked up will be charged a fee of \$330.00 for Part 9 residential properties and \$825.00 for Part 3 commercial, industrial and agricultural properties.		
Engineering Services requires a \$2,000.00 Damage Deposit upon the issuance of all Building Permits in accordance with Schedule B, save and except for permits issued for: pools, sheds or building structures under 225 square feet, signs, decks, septic systems, solar panels and minor interior renovations.		
Residential		
• New construction	\$1.35 per square foot	\$1.42 per square foot
• Renovations	\$1.35 per square foot	\$1.42 per square foot
• Accessory buildings	\$0.65 per square foot	\$0.68 per square foot
• Finished and unfinished basements	\$0.65 per square foot	\$0.68 per square foot
• Minimum fee	\$300.00	\$315.00
Swimming pools		
• In ground and above ground	\$300.00	\$315.00
Part 3-Assembly/Residential/Commercial/Institutional & Industrial/Part 9-other than Residential	\$15.10 per \$1,000.00 of value of construction	\$17.35 per \$1,000.00 of value of construction
• Minimum fee	\$600.00	\$700.00
Greenhouse	\$0.05 per square foot	\$0.05 per square foot
• Minimum fee	\$1,000.00	\$1,000.00
Other Farm Structures	\$0.60 per square foot	\$0.63 per square foot
• Minimum fee	\$230.00	\$240.00
Water Storage Tanks	\$600.00	\$700.00
Temporary Structures	\$235.00	\$250.00
Wind Turbine With an Output of 1.5 Megawatts or More Construction Commenced Prior to Permit Being Issued	\$10,000.00 Fee x 2	\$10,000.00 Fee x 2
Other Permits (not specifically listed)	\$15.10 per \$1,000.00 of value of construction	\$17.35 per \$1,000.00 of value of construction
• Minimum fee	\$250.00	\$325.00
Moving	\$350.00	\$375.00
Signs	\$250.00	\$325.00
Demolition Permits		
Demolition	\$0.60 per square foot	\$0.63 per square foot
• Minimum fee (residential accessory buildings)	\$300.00	\$315.00
• Minimum fee (all other buildings)	\$300.00	\$375.00
Change of Use Permit		
Change of Use permit where no proposed construction	\$300.00	\$315.00
Sewage System Permit		
On Site Sewage		
• Systems	\$875.00	\$1,000.00
• Repair	\$350.00	\$400.00
Other Building Services:		
Inspection re: AGCO Liquor License Application	\$350.00	\$400.00
Conditional Permit Agreement (Per By-16-2021)	\$1,100.00	\$1,300.00
• Registration of Agreement on title		
Change of Use Field Review	\$350.00	\$375.00

BUILDING SERVICES	JANUARY 1, 2024	JANUARY 1, 2025 PROPOSED
Defer/Revocation Letter	\$350.00	\$375.00
Post Review Amendment		
• Part 9/Residential	\$325.00	\$315.00
• Part 3/Commercial, Industrial, Greenhouse	\$875.00	\$1,000.00
Re-inspection (inspection booked, but work not ready or completed; or no one on site)	\$100.00	\$125.00
Sewer/Water Connection (additional costs apply to complete service):		
• Residential	\$300.00	\$315.00
• Commercial/Industrial/Greenhouse	\$425.00	\$500.00
Transfer Permit	\$300.00	\$315.00
Alternative Solution Application Fee	\$325.00 minimum for up to 4 hours of review time plus \$110.00 per hour beyond the first 4 hours	\$400.00 minimum for up to 4 hours of review time plus \$125.00 per hour beyond the first 4 hours
Special Research Request Fee	\$325.00 minimum for up to 4 hours of review time plus \$110.00 per hour beyond the first 4 hours	\$400.00 minimum for up to 4 hours of review time plus \$125.00 per hour beyond the first 4 hours
Copying/Scanning/Printing	\$9.35 per ¼ hour plus \$2.25 for first page and \$0.55 per subsequent page	\$9.80 per ¼ hour plus \$2.35 for first page and \$0.60 per subsequent page
Permit Finalization Letter (Building permit must have completed and passed final inspection)	\$100.00	\$150.00

BY-LAW SERVICES	JANUARY 1, 2024	JANUARY 1, 2025 PROPOSED
By-Law Non-Voluntary Compliance After Deadline Administrative Fee	\$250.00	\$250.00
By-Law On Site Supervision Fee	\$100.00 per site visit plus \$100.00 per hour after the first hour	\$100.00 per site visit plus \$100.00 per hour after the first hour

WATER SEWER SERVICES	JANUARY 1, 2024	JANUARY 1, 2025 PROPOSED
Hydrant Hook Up	\$80.00 + water consumption at current rate	\$80.00 + water consumption at current rate
Water Meter (5/8" x 3/4" residential meter and MXU radio)	\$500.00	\$500.00
Turn On or Turn Off	\$50.00	\$50.00
Turn On or Turn Off (after Town business hours)	\$200.00	\$200.00
Frozen Meter Replacement	\$200.00	\$200.00
Frozen Meter Replacement (after Town business hours)	\$400.00	\$400.00
Frost Plate Repair	\$60.00	\$60.00
Frost Plate Repair (after Town business hours)	\$260.00	\$260.00
"NEW" Meter Transponder Replacement due to Damage		\$250.00
"NEW" Missed Appointment Fee		\$65.00
Water Main Commissioning – "NEW" plus service connection	\$1,500.00	\$1,500.00 + \$50.00 per service connection
Water Main Tap Inspections	\$500.00	\$500.00
Water Flow Control Valve Program – Initial Inspection	\$1,500.00	\$1,500.00

WATER SEWER SERVICES	JANUARY 1, 2024	JANUARY 1, 2025 PROPOSED
Water Flow Control Valve Program – Re-Inspection	\$500.00	\$500.00
Lowering of Clean Out (result of owner grade change)	\$85.00	REMOVE
Replace Clean Out Cap	\$115.00	REMOVE
Minicam Investigation	\$75.00 first hour + \$50.00 each subsequent hour	\$75.00 first hour + \$50.00 each subsequent hour
Steaming Frozen Private Water Services	\$100.00 first hour + \$75.00 each subsequent hour	\$100.00 first hour + \$75.00 each subsequent hour
Steaming Frozen Private Water Services (after Town business hours)	\$500.00 first hour + \$175.00 each subsequent hour	\$500.00 first hour + \$175.00 each subsequent hour
Service Vehicle	\$40.00 per hour	\$40.00 per hour
Watermain and Appurtenance Application Review and Approval	\$1,200.00	\$1,200.00

Note: For the purposes of this Schedule:

1. Except where otherwise noted, fees are exclusive of HST;
2. “Cost” shall mean an amount equal to the cost to the Town of labour, vehicle(s), materials, supplies or services used or purchased for the purpose of the service or activity;
3. “Instructional” refers to a program or service that is delivered by a 3rd party, but is available to the general public
4. “Non-profit organizations” refers to:
 - i. Registered Charities in good standing with CRA (Canadian Revenue Agency),
 - ii. An organization or group operating for the purpose of poverty relief, social welfare, civic improvements, or to provide recreational or cultural opportunities to the general public,
 - iii. Instructional programs or services.
5. All “Programs” fees will be established based on the program offered and fees will be published through Town of Kingsville website.
6. “Minor Sports” refers to organizations that provide recreational opportunities to individuals under the age of 18.
7. “Prime” shall mean all day Saturday and Sunday, and 5 pm-close Monday to Friday
8. The determination of “Minor” and “Major” in the Planning Fees & Charges section will be performed by the Manager of Planning and Director of Planning and Development based on the complexity of the request (i.e. if the request requires multiple supporting documents or studies).
9. “Senior” shall mean a person 65 years of age or older; and
10. “Holidays” include the following days:

New Year’s Day	Labour Day
Family Day	Thanksgiving Day
Good Friday	Remembrance Day
Easter Monday	December 24
Victoria Day	Christmas Day
Canada Day	Boxing Day
Civic Holiday	December 31

SCHEDULE B
DEPOSITS AND PENALTIES

PARKS AND RECREATION SERVICES	JANUARY 1, 2024	JANUARY 1, 2025 PROPOSED
RENTALS – Cleaning & Damage Deposit		
Grovedale Arts & Culture Centre	\$1,000.00	\$1,000.00
Lakeside Park Pavilion	\$1,000.00	\$1,000.00
Kingsville Recreational Complex - Auditorium A or B/C (Together)	\$500.00	\$500.00
Kingsville Recreational Complex - Auditorium B, or C	\$250.00	\$250.00
Ridgeview Park	\$250.00	\$250.00
Unico Community Centre	\$250.00	\$250.00
“NEW” PARK RENTALS – Grounds Damage Penalty		Cost
“NEW” PARK ACCESS – Grounds Damage Penalty		Cost

ENGINEERING SERVICES	JANUARY 1, 2024	JANUARY 1, 2025 PROPOSED
Damage Deposit on Encroachment Permit – with Building Permit*	\$2,000.00	\$2,000.00
Damage Deposit on Encroachment Permit – without building permit	\$250.00	\$250.00
Road Crossing Agreement	10% of value of the works (\$500.00 minimum)	10% of value of the works (\$500.00 minimum)
Road Use Agreement	100% of value of the works	100% of value of the works
Standard Penalties for Damage to Municipal Infrastructure:		
• Curb box replacement/repair	\$285.00	\$285.00
• Meter pit bonnet replacement	\$200.00	\$200.00
• Full meter pit replacement	\$1,200.00	\$1,200.00
• Install cleanout cap	\$115.00	\$115.00
• Curb repair (patching only)	\$100.00 per hour	\$100.00 per hour
• Sidewalk replacement	\$120.00 per sq. metre	\$120.00 per sq. metre
• Curb replacement	\$175.00 per metre	\$175.00 per metre
• Asphalt replacement	Cost	Cost
• All other repairs	Cost	Cost
• Re-inspection fee (after failing initial inspection)	\$95.00	\$95.00
• Failure to hard surface driveway apron (per Town of Kingsville Development manual)	\$2,000.00	\$2,000.00

*Damage deposit not applicable to building permits issued for the following: pools, sheds or building structures under 225 square feet, signs, decks, septic systems, solar panels and minor interior renovations.

SCHEDULE C
SECURITY DEPOSITS

ADMINISTRATIVE SERVICES	JANUARY 1, 2024	JANUARY 1, 2025 PROPOSED
Election Signs		
Municipal/School Board Candidates	\$140.00	\$140.00
Provincial or Federal Candidates	\$300.00	\$300.00
Utility Account Set Up (Tenant Accounts):		
Residential (no sewage)	N/A	N/A
Residential (with sewage)	N/A	N/A
Business (no sewage)	\$150.00	\$150.00
Business (with sewage)	\$250.00	\$250.00

PLANNING SERVICES	JANUARY 1, 2024	JANUARY 1, 2025 PROPOSED
Development Agreements:		
Performance	50% value of the works	REMOVE
Maintenance	25% value of the works	REMOVE
Delayed Performance	100% value of the approved delayed works	REMOVE
o Plus Maintenance		REMOVE
Sidewalk Patio	\$500.00 minimum	REMOVE
Site Plan Agreements:		
Minimal (obligation value less than \$10,000.00)	\$1,000.00 minimum	REMOVE
Minor (new entrance, minor on-site construction, minor service connections)	\$5,000.00 minimum	REMOVE
Major (new entrance, major internal services and connections, landscaping, additional studies, hard surfacing, lighting)	\$10,000.00 minimum	REMOVE
Greenhouse Minor Addition (no new entrances, storm water facilities)	\$5,000.00	REMOVE
Greenhouse New or Major Addition (entrances, storm water facilities, buffering, internal facilities, parking areas, fire safety, outdoor large central storage locations installation of rate of flow control device)	\$30,000.00 minimum	REMOVE



Date: November 25, 2024
To: Mayor and Council
Author: Margaret Schroeder, Manager of Finance
RE: 2025 Water and Sewer Rates

RECOMMENDED ACTION

That Council **APPROVE** the proposed 2025 Water and Sewage Rates;

And that the corresponding By-law 90-2024, being a by-law to impose water and sewage rates **BE ADOPTED** during the By-law stage of this Council Agenda.

BACKGROUND

Water

Historically, the Town's water rate structure consisted of 3 components; a wholesale rate, a distribution rate, and a quarterly capital charge. The wholesale rate was intended to cover the cost of water supplied by the Union Water Supply System (UWSS). The distribution rate funds the municipal water department's operating expenses. The quarterly capital charge is intended to fund future capital projects such as water main replacements.

Wastewater

The residential wastewater rate structure is a combination of fixed and volume charges. The volume rate is based on the amount of water used by the property. This allows a resident to limit their wastewater charges based on their efforts to conserve water. The volume charge is also 'capped' at a set maximum amount per quarter to prevent residents from receiving excessive wastewater bills for filling swimming pools or watering lawns.

The wastewater rates for multi-residential, commercial and industrial customers are volume based.

Separate rates are established for each sewage service area based on the operating and capital costs associated with each area. As the Kingsville and Lakeshore West (KLW) facilities are integrated, these service areas share common rates.

The wastewater charge includes an allocation for future capital costs. Based on the proposed sewage rate by-law, 35% of all sewage revenue will be allocated to reserves for future capital expenditures. The balance of the rates are intended to fund operating expenditures.

DISCUSSION

Water

Administration is proposing the following amendments to the Town’s current water rates.

Type	Current	Proposed	Increase
Wholesale / Water Treatment Rate (UWSS)*	\$0.73 per m3	N/A	N/A
Distribution Rate	\$0.49 per m3	\$0.50 per m3	\$0.01 per m3
Total	\$1.22 per m3	\$0.50 per m3	
Quarterly Capital Charge	\$33.81 per Quarter	\$34.82 per Quarter	\$1.01 per Quarter

Wholesale / Water Treatment Rate

The removal of the wholesale or ‘water treatment’ rate is the result of the incorporation of the Union Water Supply System Inc. (UWSS Inc.) which was created on February 24, 2023 as a Municipal Services Corporation under Ontario Regulation 599/06 of the Municipal Act, 2001. The UWSS Board will communicate their per cubic meter rate when approved.

Even though the UWSS rate is no longer incorporated into the Town’s bylaw, UWSS Inc.’s charges will continue to be billed to residents by the Town of Kingsville. Through a Water Service Agreement, the Town tracks and remits revenue to UWSS Inc.

Distribution Rate

The increase to the distribution rate in 2025 is required to keep pace with inflationary and service pressures. The rate was determined through the 2024 Water Rate Study approved by Council in July 2024.

Quarterly Capital Charge

The increase to the quarterly capital charge is necessary to ensure sufficient funds are available to replace the Town's existing infrastructure as required. The rate was determined through the analysis and compilation of a 10 year capital plan requirement through the 2024 Water Rate Study.

Overall Impact

Based on a median household consumption of 15 m³ per month, the proposed rates would increase the average household's water bill by \$0.49 per month (\$0.15 volume + \$0.34 in capital charges). For clarity, this excludes the impact of any changes to the UWSS Inc. rate.

Wastewater

Administration is proposing the following changes to the Town's wastewater rates:

Sewage Area 1 Rates Cottam Facility	Effective January 1, 2024	PROPOSED January 1, 2025
Residential	<ul style="list-style-type: none"> Base Charge - \$77.79 per quarter per residential unit, plus Volume Charge - \$0.85 per m³ of water volume <p>Maximum sewage charges - \$155.58 per quarter per residential unit</p>	<ul style="list-style-type: none"> Base Charge - \$83.55 per quarter per residential unit, plus Volume Charge - \$0.92 per m³ of water volume <p>Maximum sewage charges - \$167.10 per quarter per residential unit</p>
Multi-Residential, Commercial, Industrial	\$1.96 per m ³ of water volume	\$2.11 per m ³ of water volume
Meter Discharge	\$1.96 per m ³ of sewage discharge	\$2.11 per m ³ of sewage discharge
Boarding, lodging and rooming houses	<p>If metered:</p> <ul style="list-style-type: none"> Base Charge - \$24.53 per quarter per occupant (based on maximum occupant load), plus Volume Charge - \$0.85 per m³ of water volume. <p>If not metered: \$34.15 per occupant</p>	<p>If metered:</p> <ul style="list-style-type: none"> Base Charge - \$26.35 per quarter per occupant (based on maximum occupant load), plus Volume Charge - \$0.92 per m³ of water volume. <p>If not metered: \$36.68 per occupant</p>

Sewage Area 2 Rates Kingsville/Lakeshore West Facility	Effective January 1, 2024	PROPOSED January 1, 2025
Residential	<ul style="list-style-type: none"> • Base Charge - \$73.59 per quarter per residential unit, plus • Volume Charge - \$0.74 per m3 of water volume <p>Maximum sewage charges - \$147.18 per quarter per residential unit</p>	<ul style="list-style-type: none"> • Base Charge - \$79.04 per quarter per residential unit, plus • Volume Charge - \$0.80 per m3 of water volume <p>Maximum sewage charges - \$158.08 per quarter per residential unit</p>
Multi-Residential, Commercial, Industrial	\$1.74 per m3 of water volume	\$1.87 per m3 of water volume
Meter Discharge	\$1.74 per m3 of sewage discharge	\$1.87 per m3 of sewage discharge
Boarding, lodging and rooming houses	<p>If metered:</p> <ul style="list-style-type: none"> • Base Charge - \$24.53 per quarter per occupant (based on maximum occupant load), plus • Volume Charge - \$0.73 per m3 of water volume. <p>If not metered: \$33.36 per occupant</p>	<p>If metered:</p> <ul style="list-style-type: none"> • Base Charge - \$26.35 per quarter per occupant (based on maximum occupant load), plus • Volume Charge - \$0.80 per m3 of water volume. <p>If not metered: \$35.83 per occupant</p>

The proposed fee increases for the average household, consuming 15 m3 of water per month, would equate to \$2.72 per month.

All significant changes to the Water and Sewage Rate By-law have been discussed above. Please refer to the Draft By-law 90-2024 attached to this report for full details on all proposed changes.

FINANCIAL CONSIDERATIONS

The proposed rate increases are necessary to ensure the long-term sustainability of the Town’s water and wastewater systems.

Appendix A illustrates a comparison of water and wastewater charges for a residential home using 15m3/mo in 2024. Even with the proposed increases, Kingsville will continue to have the lowest combined water and wastewater fees in Windsor & Essex County.

ENVIRONMENTAL CONSIDERATIONS

None.

CONSULTATIONS

Senior Management Team

PREPARED BY:



Margaret Schroeder, CPA, CGA
Manager of Financial Services

REVIEWED BY:



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



John Norton
CAO

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 90-2024

Being a by-law to impose Water and Sewage Rates

WHEREAS pursuant to section 391 of the *Municipal Act, 2001*, S.O. 2001, c.25 (the “Act”), a municipality may pass by-laws imposing fees or charges on persons:

- a) for services or activities provided or done by or on behalf of it;
- b) for costs payable by it for services or activities provided or done by or on behalf of any other municipality or any local board; and
- c) for the use of its property including property under its control,

and such fee or charge imposed for capital costs related to services or activities may be imposed on persons not receiving an immediate benefit from the services or activities but who will receive a benefit at some later point in time.

AND WHEREAS the costs included in a fee or charge may include costs incurred by the municipality related to administration, enforcement and the establishment, acquisition and replacement of capital assets.

AND WHEREAS section 394(2) of the Act provides that a fee or charge may be based on, be in respect of or be computed by reference to the location of the property, the physical characteristics of property, including buildings and structures on the property, or the zoning of property or other land use classification.

AND WHEREAS section 1 of the Act indicates that the definition of a “public utility” includes a system that is used to provide water and sewage for the public.

AND WHEREAS section 398 of the Act indicates that fees and charges for the supply of a public utility imposed by a municipality on a person constitute a debt of the person to the municipality and that such fees and charges may be added to the tax roll for the property in the municipality to which the public utility was supplied and be collected in the same manner as municipal taxes.

AND WHEREAS section 81 of the Act provides that, in addition to recovering all fees and charges payable, a municipality may, on reasonable notice, shut off the supply of a public utility to land if fees or charges payable by the owners or occupants of the land for the supply of the public utility to the land are overdue.

AND WHEREAS the Town deems it advisable to repeal By-law **67-2023** on the effective date of this by-law.

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

Definitions

1. “Capital Surcharge” refers to a fixed rate established to finance the replacement of water mains and other water system capital expenditures.
2. “Commercial” means property classified as such by the Municipal Property Assessment Corporation.

3. "Boarding, lodging, and rooming houses" or "BLRHs" represent dwelling units where bedrooms are rented or provided to individuals, rather than the entire unit. Residents of BLRHs share bathroom and/or kitchen facilities, and occupants may be unrelated. BLRHs are rented or provided to tenants for twenty-eight (28) days or more.
4. "Distribution Rate" refers to a volume based rate established to finance the operating and administrative costs associated with maintaining the Town's water distribution network.
5. "Greenhouse" means any building or portion of a building producing Greenhouse Sewage which is discharged into the Sewage Works, either directly or through a secondary treatment process.
6. "Greenhouse Sewage" means Sewage resulting directly from the process of growing plants, including, but not limited to watering, fertilizing, cultivating and/or exhibiting plants, in a building with transparent or semi-transparent walls and/or roof, under controlled conditions.
7. "Industrial" means property classified as such by the Municipal Property Assessment Corporation.
8. "Multi-residential" means property classified as such by the Municipal Property Assessment Corporation.
9. "Residential" means property classified as such by the Municipal Property Assessment Corporation.
10. "Residential Unit" means a self-contained set of rooms located in premises and contains kitchen and bathroom facilities that are intended for the use of the unit only.
11. "Sewage" means any liquid waste containing animal, vegetable or mineral or nutrient matter in solution or in suspension.
12. "Sewage Rate" means the fee and charge imposed for the purpose of raising funds to pay all or a portion of the capital costs of the Sewage Works or for the operation, repair and maintenance of the Sewage Works and any reserve fund for such purpose.
13. "Sewage Area 1 Rate" means the corresponding Sewage Rate for the identified property or building located in the area indicated in Schedule B attached to and forming part of this By-law and serviced by the "Cottam Facility".
14. "Sewage Area 2 Rate" means the corresponding Sewage Rate for the identified property or building located in the area indicated in Schedule B attached hereto and forming part of this By-law and serviced by the "Kingsville/Lakeshore West Facility".
15. "Sewage Works" means the collection, transmission, storage, treatment and disposal of Sewage and any systems or works required for the same.
16. "Water" means potable water.
17. "Water Rate" means the fee and charge imposed for the purpose of raising funds to pay for Water and all or a portion of the capital costs of the Water Works or for the operation, repair and maintenance of the Water Works and any reserve fund for such purpose.
18. "Water Treatment Rate" "Wholesale Rate" refers to a volume rate based on the rates established by Union Water Supply System Inc. for the supply of water.

19. "Water Works" means the provision and distribution of Water and any systems or works required for the same.

Water Rate

20. The Water Rates as set out in Schedule "A" attached hereto and forming part of this By-law is hereby imposed on those owners, occupants or tenants of property who benefit from or who may benefit from Water Works.
21. The Capital Surcharge as set out in Schedule "A" shall apply to every active water service connection located on a property. A water service connection is considered active if it is in use or expected to be in use at any point during the next 12 month period.
22. Municipally owned splash pads shall be exempt from the Distribution Rate outlined in Schedule A.

Sewage Rates

23. The Sewage Rates as set out in Schedule "C" attached hereto and forming part of this By-law are hereby imposed on those owners, occupants or tenants of the following:
- a) a property or building that is connected to the Sewage Works, or
 - b) a property that is not connected to the Sewage Works, but has the facilities to produce Sewage and has frontage adjacent to any part of the Sewage Works.
24. For greater certainty:
- a. In the Residential Area, in the event there are one or more Residential Units on the property or in the building, the Sewer Rate imposed shall be imposed for each Residential Unit;
 - b. The owner, occupant or tenant of the remainder of the property upon which a Greenhouse (or portion thereof) or Boarding, lodging and rooming house is located shall remain subject to the Sewage Rate applicable to that property.
25. The owners, occupants or tenants of property or that portion of a property as described in Schedule "D" are exempt from section 24 of this By-law.
26. The owners, occupants or tenants of properties described in Schedule "E" are exempt from section 24 of this By-law until such time as said property is connected to the Sewage Works.
27. Funds raised from Sewage Rates shall be allocated as follows:
- a. ~~30%~~ 35% Capital Reserve
 - b. ~~70%~~ 65% Operation of Sewage System

General

28. In the event that a property does not appear to be, in whole or in part, within a Sewage Area as indicated in Schedule B, such property shall be deemed to be within the Sewage Area if it has access to the sewage collection system.
29. If any court finds that any provision of this By-law is ultra vires or invalid, such provision shall be deemed to be severable and shall not invalidate

any other provisions of this By-law which shall remain in full force and effect.

30. By-law 67-2023 is hereby repealed on January 1, 2025.
31. This by-law, and all attached schedules shall come into effect on January 1, 2025.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 25th DAY OF NOVEMBER, 2024.

MAYOR, Dennis Rogers

CAO, John Norton

SCHEDULE "A"

WATER RATES

Volume Rates	Effective January 1, 2024	JANUARY 1, 2025 PROPOSED
Wholesale / Water Treatment*	N/A*	N/A*
Distribution	\$0.49 per m3	\$0.50 per m3
Total	\$0.49 per m3	\$0.50 per m3

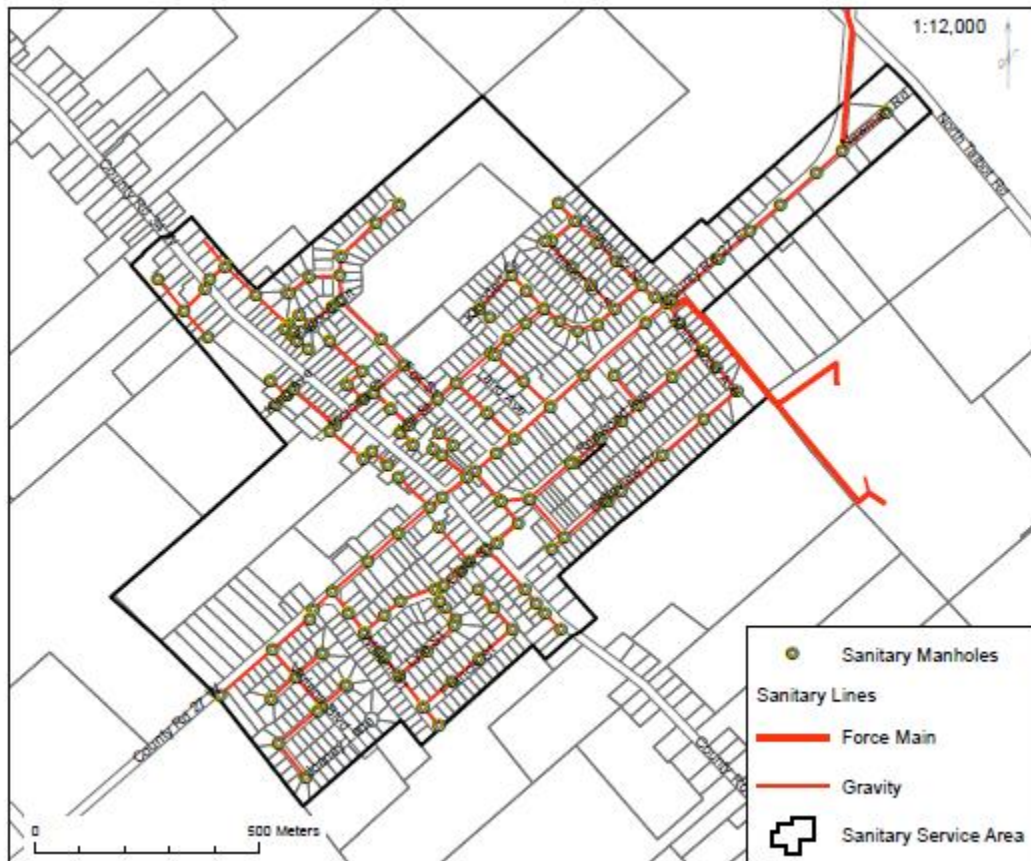
Fixed Rates	Effective January 1, 2024	JANUARY 1, 2025 PROPOSED
Capital Surcharge	\$33.81 per Quarter	\$34.82 per Quarter

*On February 24, 2023, the Union Water Supply System became separate legal entity, which is responsible for setting its own Water Treatment rates. The Town of Kingsville performs billing functions on behalf of Union Water Supply System Inc.

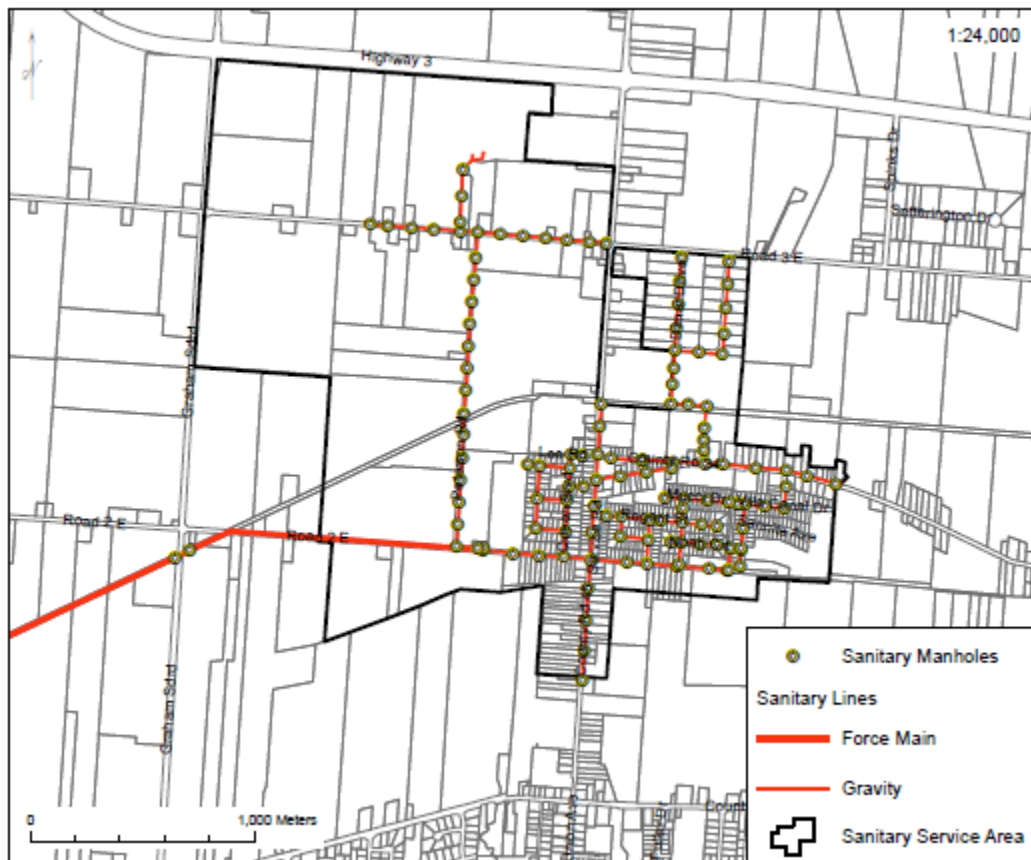
SCHEDULE "B"

SEWAGE SERVICE AREAS

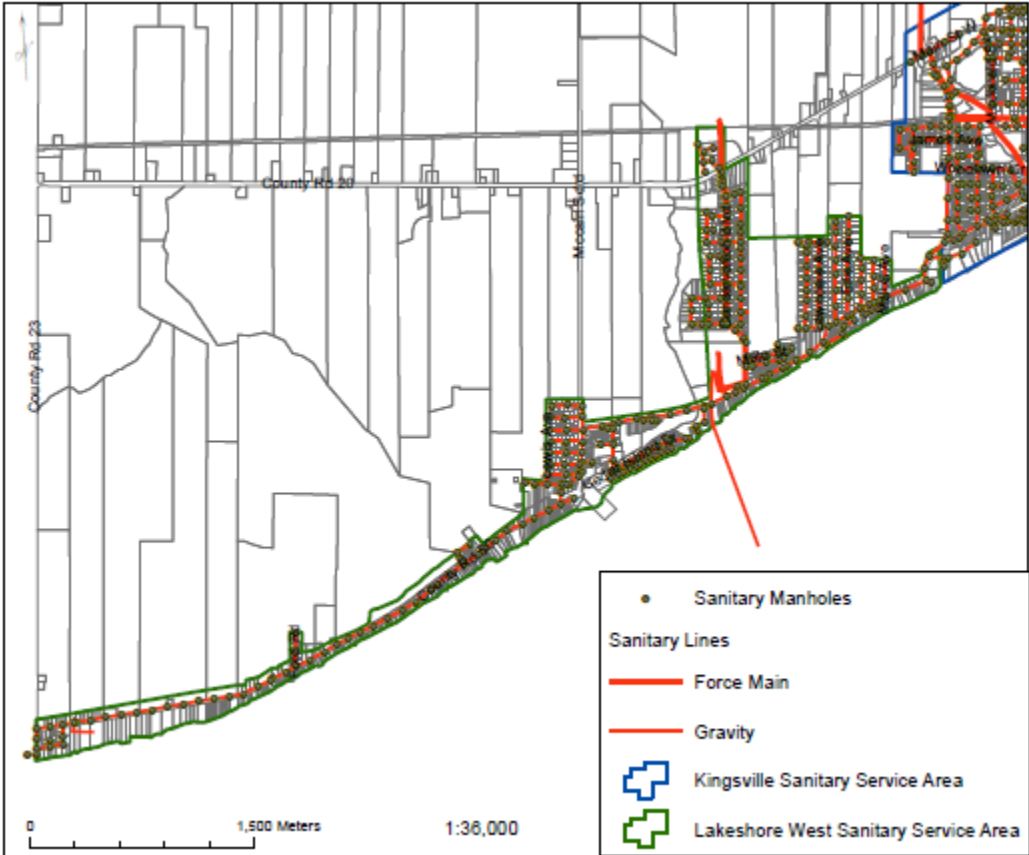
Sewage Area 1 – Cottam Facility



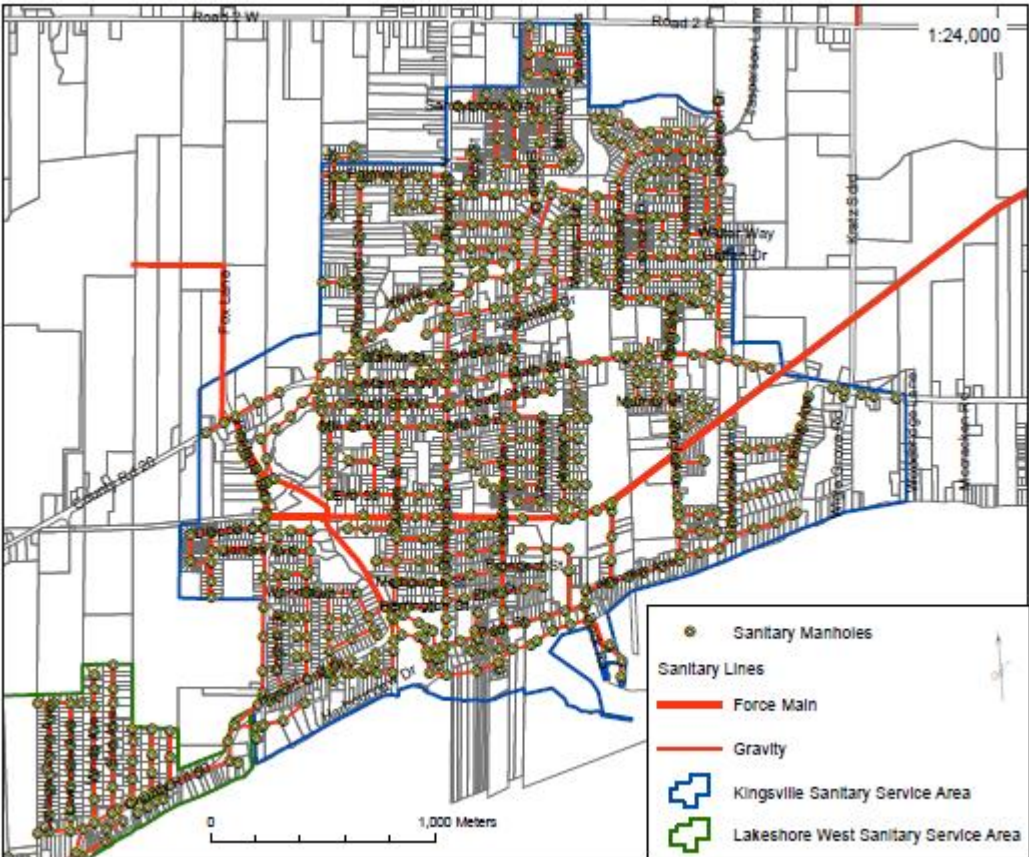
Sewage Area 2 – Kingsville / Lakeshore West Facility (Ruthven)



Sewage Area 2 – Kingsville / Lakeshore West Facility (Lakeshore West)



Sewage Area 2 – Kingsville / Lakeshore West Facility (Kingsville)



SCHEDULE "C"

RESIDENTIAL SEWAGE RATES

Facility	Effective January 1, 2024	JANUARY 1, 2025 PROPOSED
Sewage Area 1 Rates Cottam Facility	<ul style="list-style-type: none"> • Base Charge - \$77.79 per quarter per residential unit, plus • Volume Charge - \$0.85 per m3 of water volume Maximum sewage charges - \$155.58 per quarter per residential unit	<ul style="list-style-type: none"> • Base Charge - \$83.55 per quarter per residential unit, plus • Volume Charge - \$0.92 per m3 of water volume • Maximum sewage charges - \$167.10 per quarter per residential unit

Facility	Effective January 1, 2024	JANUARY 1, 2025 PROPOSED
Sewage Area 2 Rates – Kingsville/ Lakeshore West Facility	<ul style="list-style-type: none"> • Base Charge - \$73.59 per quarter per residential unit, plus • Volume Charge - \$0.74 per m3 of water volume Maximum sewage charges - \$147.18 per quarter per residential unit	<ul style="list-style-type: none"> • Base Charge - \$79.04 per quarter per residential unit, plus • Volume Charge - \$0.80 per m3 of water volume • Maximum sewage charges - \$158.08 per quarter per residential unit

**MULTI-RESIDENTIAL, COMMERCIAL, INDUSTRIAL AND METERED
SEWAGE RATES**

Sewage Area 1 Rates Cottam Facility	Effective January 1, 2024	JANUARY 1, 2025 PROPOSED
Multi-Residential, Commercial, Industrial	\$1.96 per m3 of water volume	\$2.11 per m3 of water volume
Metered Discharge	\$1.96 per m3 of sewage discharge	\$2.11 per m3 of water volume
Boarding, lodging, and rooming houses	If metered: <ul style="list-style-type: none"> • Base Charge - \$24.53 per quarter per occupant (based on maximum occupant load), plus • Volume Charge - \$0.85 per m3 of water volume If not metered: \$34.15 per occupant	If metered: <ul style="list-style-type: none"> • Base Charge - \$26.35 per quarter per occupant (based on maximum occupant load), plus • Volume Charge - \$0.92 per m3 of water volume If not metered: \$36.68 per occupant

Sewage Area 2 Rates Kingsville / Lakeshore West Facility	Effective January 1, 2024	JANUARY 1, 2025 PROPOSED
Multi-Residential, Commercial, Industrial	\$1.74 per m3 of water volume	\$1.87 per m3 of water volume
Metered Discharge	\$1.74 per m3 of sewage discharge	\$1.87 per m3 of water volume
Boarding, lodging, and rooming houses	If metered: <ul style="list-style-type: none"> • Base Charge - \$24.53 per quarter per occupant (based on maximum occupant load), plus • Volume Charge - \$0.74 per m3 of water volume If not metered: \$33.36 per occupant	If metered: <ul style="list-style-type: none"> • Base Charge - \$26.35 per quarter per occupant (based on maximum occupant load), plus • Volume Charge - \$0.80 per m3 of water volume If not metered: \$35.83 per occupant

SCHEDULE "D"

Irrigation Systems located on a Commercial property if such system is independently metered

Ice Making Systems located on the property owned by the Town of Kingsville and the Kingsville Port Users Association and existing as of the date of the passing of this By-law (includes the former Kingsville Fisherman's Co-Op Ice; 215 Industry Road, LaNassa Seafood Ice Water Meter and All Temp Foods Ltd. Ice Water Meter)

197 Pineway Park
137 County Road 34E
143 County Road 34E
1875 County Road 34 E
124 Fox Street (Cottam Splash Pad)
315 Queen Street (Kingsville Splash Pad)

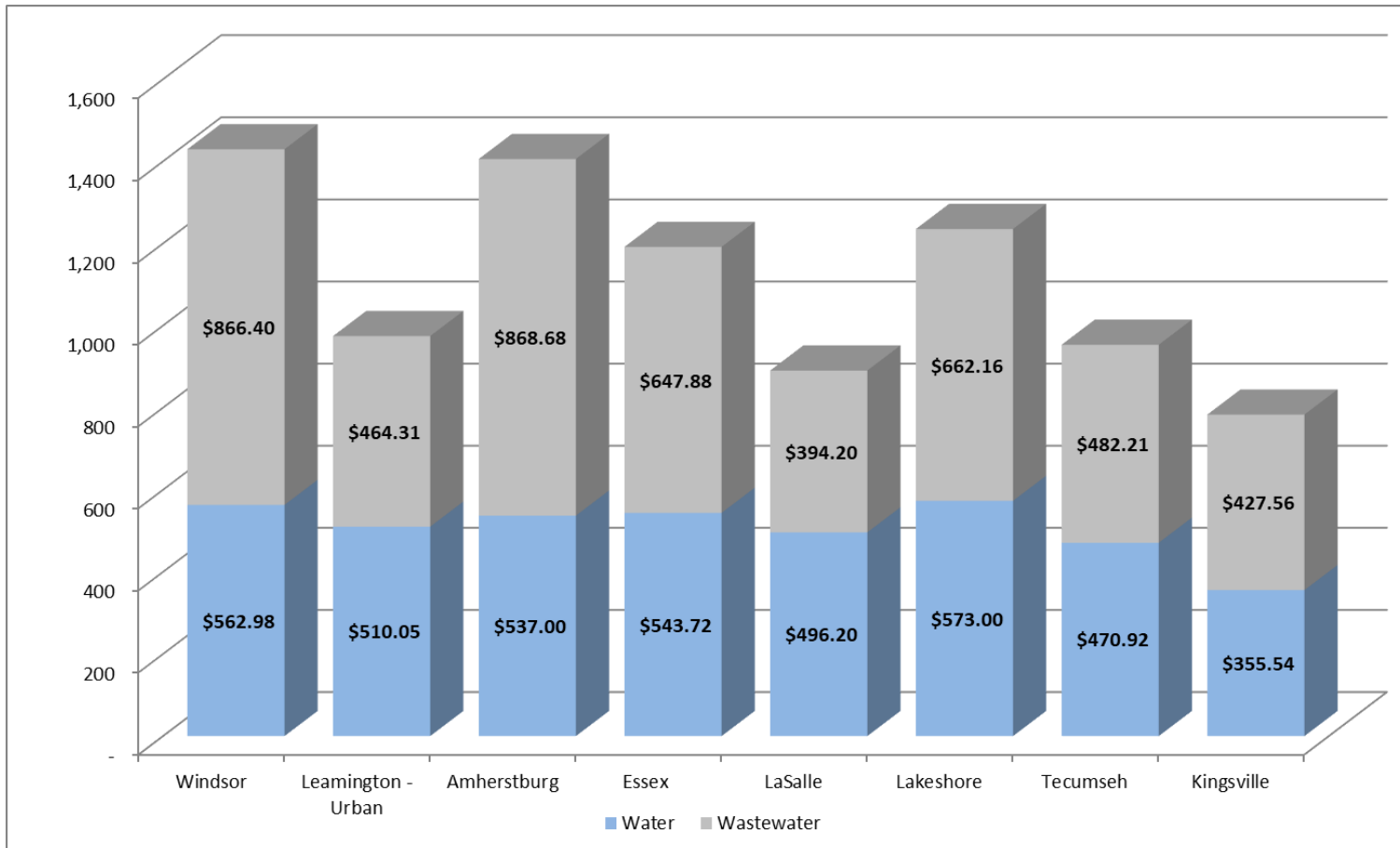
SCHEDULE "E"

203 County Road 34 W
198 County Road 27E
204 County Road 27E
46 County Road 27 W
48 County Road 27 W
50 County Road 27 W
54 County Road 27 W
56 County Road 27 W
58 County Road 27 W
60 County Road 27 W
62 County Road 27 W
68 County Road 27 W

Appendix A

2024 Windsor Essex Region Water and Wastewater Comparison

Residential home using 15 m³/mo of water



Municipality (Urban)	Windsor	Leamington (Urban)	Amherstburg	Essex	LaSalle	Lakeshore	Tecumseh	Kingsville
Water	\$562.98	\$510.05	\$537.00	\$543.72	\$496.20	\$573.00	\$470.92	\$335.54
Wastewater	\$866.40	\$464.31	\$868.68	\$647.88	\$394.20	\$662.16	\$482.21	\$427.56
Total	\$1,429.38	\$974.36	\$1,405.68	\$1,191.60	\$890.40	\$1,235.16	\$953.13	\$783.10



Date: November 4, 2024
To: Mayor and Council
Author: Angela Toole, Acting Manager of Municipal Governance & Clerk
RE: Power of Entry By-law

RECOMMENDED ACTION

That Council **APPROVE** the proposed Power of Entry By-law, being a By-law to provide for Powers of Entry on Land for the Purpose of Carrying Out Inspections;

And that the corresponding By-law 92-2024 **BE ADOPTED** during the By-law stage of this Council Agenda.

BACKGROUND

As a matter of housekeeping, an internal review was recently undertaken to ensure that all By-laws maintained and administered by Municipal Governance (the Clerk's Department) and By-law Enforcement reflect current legislation; and are relevant, practicable and enforceable. The proposed Power of Entry By-law is intended to supplement existing Town By-laws to provide for "power of entry" where it has otherwise not been provided for.

Sections 435, 436, 437 and 438 of the *Municipal Act, 2001*, (hereafter, the "Act") provide municipalities with the power to enter on lands at a reasonable time for the purpose of carrying out an inspection. These powers are commonly referred to as "power of entry". It is important that municipal by-laws include provisions relating to power of entry as provided for in the Act, so that certain municipal officials may enter onto lands in a timely manner to ensure that its by-laws, directions, orders and conditions of a licence are being complied with and that ultimately, potential health and safety matters are dealt with expeditiously.

DISCUSSION

Certain pieces of legislation including the *Building Code Act, 1992*; the *Fire Protection and Prevention Act, 1997*; and the *Planning Act, 1990* provide municipal officials with legislated authority to enter onto land for the purpose of conducting inspections without the need for such powers to be provided for by municipal by-law. In contrast, By-laws passed under the authority of the *Municipal Act, 2001*, must contain provisions referencing the specific sections of the Act that provide for discretionary power of entry.

The proposed Power of Entry By-law only provides for power of entry onto exterior lands and does not provide municipal officials with the authority to enter into a dwelling. An Officer may only conduct an interior inspection with the permission of an owner/occupant or by warrant/court order.

FINANCIAL CONSIDERATIONS

None.

ENVIRONMENTAL CONSIDERATIONS

None.

CONSULTATIONS

Ryan McLeod, Director of Finance and Corporate Services/Treasurer
William Good, Manager of Legal Services
Daryl Flacks, Supervisor of By-law Enforcement

PREPARED BY:



Angela Toole
Acting Manager of Municipal Governance & Clerk

REVIEWED BY:



Ryan McLeod
Director of Finance and Corporate Services/Treasurer



John Norton
CAO

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 92 - 2024

Being a By-law to Provide for Powers of Entry on Land for the Purpose of Carrying Out Inspections

WHEREAS Section 436 of the *Municipal Act, 2001*, SO. 2001, c. 25, as amended ("*Municipal Act*") provides that a municipality has the power to pass by-laws providing that the municipality may enter on land at any reasonable time for the purpose of carrying out an inspection;

AND WHEREAS Sections 435, 437 and 438 of the *Municipal Act* set out additional powers and restrictions in regard to the power of entry;

AND WHEREAS Section 426 of the *Municipal Act* prohibits any person from hindering or obstructing, or attempting to hinder or obstruct, any person exercising a power or performing a duty under the *Municipal Act* or under a by-law passed under the *Municipal Act*;

AND WHEREAS The Corporation of the Town of Kingsville wishes to pass a by-law allowing for entry on land for the purpose of carrying out an inspection to ensure that its by-laws, directions, orders and conditions of a licence are being complied with;

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

1. Definitions

1.1. In this By-law:

"**Authorized Official**" means:

- a) any employee, officer or agent of the Town who is appointed and/or retained to enforce the by-laws of the Town in accordance with the *Community Safety and Policing Act, 2019*, R.S.O. 2019, c. 1, Sched. 1, or the *Municipal Act*;
- b) any employee, officer or agent of the Town who is appointed and/or retained to enforce the provisions of any By-law, or any other by-law related to fire prevention, in accordance with the *Fire Protection and Prevention Act, 1997*, S.O. 1997, c. 4;
- c) any employee, officer or agent of the Town who is appointed and/or retained to enforce the provisions of any By-law, or any other by-law related to building construction standards, in accordance with the *Building Code Act, 1992*, S.O. 1992, c. 23;
- d) the Clerk of the Town of Kingsville; and
- e) any designate appointed by the foregoing.

"**Clerk**" means the Clerk of the Town or their designate.

"**Land**" includes buildings, structures and dwellings.

"**Obstruct**" includes but is not limited to:

- a) to hinder or mislead;
- b) to knowingly provide false information or make a false claim or statement;

- c) to prevent, bar or delay or attempt to prevent, bar or delay entry or inspection by an Authorized Official, or any person under his or her direction;
- d) to prevent, bar or delay or attempt to prevent, bar or delay any person, including an Authorized Official, from carrying out his or her duties or exercising his or her powers, including but not limited to the removal of documents or things relevant to the inspection, or the taking of any tests, samples or photographs necessary for the purposes of the inspection;
- e) to prevent, bar or delay or attempt to prevent, bar or delay any person, including an Authorized Official, from exercising his or her authority pursuant to an order issued under Section 438 of the Municipal Act; and
- f) to fail to provide, upon request by an Authorized Official, any information, documents or things relevant to an inspection.

“**Occupier**” means any person, firm or corporation having control over any portion of the building or property under consideration and includes the persons in the building or property.

“**Town**” means The Corporation of the Town of Kingsville.

2. Interpretation

- 2.1. This By-law shall be known as the “Power of Entry By-law.”
- 2.2. If any section, subsection, schedule, appendix or part, or parts of this By-law are declared by any Court of Law to be invalid, illegal or ultra vires, such section, subsection, schedule, appendix or part, or parts shall be deemed to be severable and all parts hereof are declared to be separate and independent and enacted as such.
- 2.3. This By-law applies to any by-laws of the Town without power of entry provisions passed pursuant to the Municipal Act or its predecessors.
- 2.4. This By-law shall apply in addition to the provisions of any other by-law of the Town and the Municipal Act, provided that in the event of conflict, the provisions of any other by-law of the Town or the Municipal Act shall be paramount over this By-law, provided such provisions are not contrary to law.
- 2.5. Nothing in this By-law shall limit any statutory or common law rights or powers of the Town or any Authorized Official to enter on Land.
- 2.6. Headings are inserted for ease of reference only, form no part of this By-law, and shall have no affect in any way the meaning or interpretation of the provisions of this By-law.

3. Entry and Inspection

- 3.1. An Authorized Official may at any reasonable time enter on Land for the purpose of carrying out an inspection to determine whether or not the following are being complied with:
 - a) a by-law of the Town passed under the Municipal Act or its predecessor;
 - b) a direction or order of the Town under the Municipal Act or made under a by-law of the Town passed pursuant to the Municipal Act or its predecessor;
 - c) a condition of a licence issued under a by-law of the Town passed under the Municipal Act or its predecessor; or

- d) an order made under Section 431 of the Municipal Act.

4. Restrictions

- 4.1. Every Occupier shall permit an Authorized Official to inspect any Land for the purposes as set out in Section 3.1 of this By-law.
- 4.2. Notwithstanding any provision of this By-law, an Authorized Official shall not enter or remain in any room or place actually being used as a dwelling, unless:
 - a) the consent of the Occupier is obtained, with the Occupier first having been informed that the right of entry may be refused and, if refused, may only be made under the authority of an order issued under Section 438 of the Municipal Act or a warrant issued under Section 439 or Section 386.3 of the Municipal Act;
 - b) an order under Section 438 of the Municipal Act is obtained;
 - c) a warrant issued under Section 439 or Section 386.3 of the Municipal Act is obtained;
 - d) the delay necessary to obtain an order under Section 438 of the Municipal Act, to obtain a warrant under Section 439 or Section 386.3 of the Municipal Act, or to obtain the consent of the occupier would result in an immediate danger to the health or safety of any person; or
 - e) the Town has given the Occupier of Land notice of its intention to enter as required under Section 435(2) of the Municipal Act and the entry is authorized under Section 79, 80 or 446 of the Municipal Act.

5. Inspection Powers

- 5.1. For the purposes of an inspection, an Officer may:
 - a) require the production for inspection of documents or things relevant to the inspection;
 - b) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
 - c) require information from any person concerning a matter related to the inspection; and
 - d) alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.
- 5.2. A sample taken under Section 5.1 d) shall be divided into two parts, and one part shall be delivered to the person from whom the sample is taken, if the person so requests at the time the sample is taken and provides the necessary facilities.
- 5.3. If a sample is taken under Section 5.1 d) and the sample has not been divided into two parts, a copy of any report on the sample shall be given to the person from whom the sample was taken.
- 5.4. A receipt shall be provided for any document or thing removed under Section 5.1 b) and the document or thing shall be promptly returned after the copies or extracts are made.
- 5.5. Copies of or extracts from documents or things removed under Section 5 and certified as being true copies of or extracts from the originals by the person who made them are admissible in evidence to the same extent as, and have the same evidentiary value as, the originals.

6. Obstruction

- 6.1. No person shall Obstruct or attempt to Obstruct any Authorized Official or other person who is exercising a power or performing a duty under any by-law of the Town or the Municipal Act or its predecessor.
- 6.2. Without limiting Section 6.1, every person who is alleged to have contravened any of the provisions of any by-law of the Town shall identify themselves to an Authorized Official upon request and failure to do so shall be deemed to have Obstructed the Officer in the execution of his or her duties contrary to Section 6.1 of this By-law.

7. Orders and Remedial Actions

- 7.1. In addition to any other provision of this By-law, and subject to the provisions of the Municipal Act, a provincial judge or justice of the peace may issue an order authorizing an Authorized Official and any person under his or her direction to enter onto or into any premises, including a room or place actually being used as a dwelling, for the purpose of carrying out an inspection to determine whether or not the following are being complied with:
 - a) any provision of any By-law;
 - b) a direction or order of an Authorized Official or of the Town made under this By-law or made under the Municipal Act in relation to the subject-matter of any by-law;
 - c) a condition of a Licence issued under any by-law; and
 - d) an order made under Section 431 of the Municipal Act in relation to the subject-matter of any by-law, and to exercise powers described in Section 5 of this By-law, where the provincial judge or justice of the peace is satisfied by evidence under oath that the inspection is reasonably necessary and the Authorized Official has been prevented or is likely to be prevented from doing anything set out in Section 3.1 or Section 5.1 of this By-law.
- 7.2. An Authorized Official named in an order described in Section 7.1, and any person under his or her direction named therein, may, in accordance with the order, enter onto or into the Land described therein including any room or place actually being used as a dwelling, which is described therein, to undertake the said inspection, and may, for that purpose, exercise any power set out in the order.
- 7.3. If an Authorized Official is satisfied that a contravention of any Town of Kingsville By-law has occurred, the Authorized Official may make an order requiring any person who contravened the By-law, or who caused or permitted the contravention, or the owner or occupier of the Land on which the contravention has occurred, to discontinue the contravening activity.
- 7.4. An order under Section 7.3 of this By-law shall set out:
 - a) reasonable particulars of the contravention adequate to identify the contravention and the municipal address on which the contravention occurred;
 - b) the date by which there must be compliance with the order; and
 - c) the date on which the order expires.
- 7.5. No person shall fail to comply, in whole or in part, with an order issued under Section 7.3 of this By-law.

- 7.6. If an Authorized Official is satisfied that a contravention of any Town of Kingsville By-law has occurred, the Authorized Official may make an order requiring any person who contravened the By-law, or who caused or permitted the contravention, or the owner or occupied of the Land on which the contravention has occurred, to do work to correct the contravention.
- 7.7. An order under Section 7.6 of this By-law shall set out:
- a) reasonable particulars of the contravention adequate to identify the contravention and the municipal address of the property on which the contravention occurred;
 - b) the work to be done and the date by which the work must be done; and
 - c) the date on which the order expires.
- 7.8. An order under Section 7.6 of this By-law may require work to be done even though the facts which constitute the contravention of the By-law were present before this By-law making them a contravention came into force.
- 7.9. No person shall fail to comply, in whole or in part, with an order issued under Section 7.6 of this By-law.

8. Penalty

- 8.1. Every person who contravenes any provision of this By-law is guilty of an offence and upon conviction is liable to a fine as provided for by the *Provincial Offences Act*, R.S.O. 1990, c. P. 33.
- 8.2. Any person who contravenes any of the provisions of this bylaw is guilty of an offence and upon conviction is liable to a maximum fine of \$100,000.00.
- 8.3. Upon conviction, in addition to any other remedy and to any penalty imposed by this By-law, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may make an order prohibiting the continuation or repetition of the offence by the person convicted.
- 8.4. Where a person fails to do a matter or thing as directed or required by an Authorized Official or other person pursuant to this By-law or other by-law of the Town or the Municipal Act, the matter or thing may be done by the Town at that person's expense which associated costs may be added to the tax roll of the person to be collected in the same manner as property taxes.

9. Enactment

- 9.1. This By-law shall come into force and effect upon its final passage.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED this 25TH day of NOVEMBER 2024.

MAYOR, Dennis Rogers

ACTING CLERK, Angela Toole



Date: November 25, 2024
To: Mayor and Council
Author: Ryan McLeod, Director of Finance and Corporate Services
RE: Development Charges By-law Update – Amendments as per Bill 185

RECOMMENDED ACTION

That By-law 4-2023, being a by-law to establish Development Charges for the Town of Kingsville **BE AMENDED** to:

1. Include the cost of growth-related studies identified in section 3.1.2 of the attached memorandum dated October 21, 2024; and,
2. Repeal the phase-in requirements that are no longer mandatory;

And that corresponding By-law 91-2024, being a by-law to amend By-law 4-2023 **BE ADOPTED** during the By-law stage of this Council Agenda.

BACKGROUND

The Town of Kingsville currently imposes Development Charges (DC) via By-law 4-2023, which was passed on January 25, 2023, in accordance with all relevant legislation in effect at that time.

On June 6, 2024, the Province made amendments to the Development Charges Act via Bill 185: *Cutting Red Tape to Build More Homes Act, 2024*. This Bill reversed many of the key changes that were implemented in 2022 through Bill 23: *More Homes Built Faster Act*.

In response to these legislative changes, Administration engaged Watson & Associates Economists Ltd, to analyze the implications of Bill 185 for the Town of Kingsville and to prepare the attached Memorandum.

DISCUSSION

As discussed in the Memorandum, two of the more significant opportunities provided by Bill 185 include;

- i) A revised definition of capital costs to reinstate 'studies' as an eligible capital cost; and
- ii) Removal of the mandatory phase-in requirement for changes to DC rates.

Administration has identified a number of growth-related studies which prior to Bill 23, would have been captured in the Town's DC rates. Please refer to Table 3-1 of the Memorandum for details. Incorporating these expenses into the DC calculations would increase DCs by \$389 per single-family home and \$0.174 per sq. ft. for Industrial, Commercial & Institutional developments. This represents a 2.25% increase over the previously adopted rates.

When the Town's DC by-law was approved, Bill 23 required the Town to phase-in the new DC rates over the first five years that the by-law was in force, as follows:

- Year 1 – 80%;
- Year 2 – 85%;
- Year 3 – 90%;
- Year 4 – 95%; and
- Year 5 to expiry – 100%

As we are about to enter Year 3 of the Town's DC By-law, repealing the phase-in provisions would allow the Town to increase DC rates by approx. 10% in 2025.

Bill 185 provided municipalities with a 6-month window to pass an amending by-law to adopt these changes. This window closes on December 6, 2024.

FINANCIAL CONSIDERATIONS

Town Council has confirmed a 'growth shall pay for growth' philosophy in its recently adopted Strategic Plan. Further, strategy 1A specifically identifies the need to adopt capital infrastructure funding strategies required to support growth.

Over the past 4 years, the Town has collected an average of \$2 million per year in Development Charges. The addition of growth-related studies and the removal of the phase-in provisions will effectively increase the amount of DCs the Town will collect by 12.25% in 2025 and 7.25% in 2026. In total, this development charge by-law amendment should result in approximately \$400,000 of additional DC revenue over the next 2 years.

The additional DC revenue will help the Town construct the infrastructure required to support growth faster and reduce pressure on existing taxpayers.

Administration is proposing to make the amending by-law effective January 30, 2025 which aligns with the anniversary of the original by-law. As DCs are indexed annually, this will stream-line communication efforts to inform the development community of the pending changes. Further, the existing DC by-law includes a provision to "freeze" DC rates at the time a site plan and/or zoning by-law amendment application was submitted, for a period of up to 2 years. With these provisions in place, Builders and Developers will have the opportunity to avoid unexpected increases to their

Development Charges, if they proceed with obtaining their building permits in a timely fashion.

ENVIRONMENTAL CONSIDERATIONS

There are no direct environmental considerations associated with this Report.

CONSULTATIONS

Watson & Associates Economists Ltd.

PREPARED BY:

Handwritten signature of Ryan McLeod in black ink, consisting of a stylized 'R' followed by 'McLeod'.

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

REVIEWED BY:

Handwritten signature of John Norton in black ink, featuring a large, stylized 'J' and 'N'.

John Norton
CAO

Memorandum

To	Ryan McLeod, Director of Finance and Corporate Services/Treasurer
From	Daryl Abbs, Managing Partner, Watson & Associates Economists Ltd.
Date	October 21, 2024
Re:	Development Charges Background Study Update – Amendments as per Bill 185

Fax

Courier

Mail

Email

1. Introduction

The Town of Kingsville currently imposes Development Charges (D.C.) via by-law 4-2023.

The D.C. by-law was passed on January 25, 2023 to update capital costs and to implement recent amendments to the *Development Charges Act (D.C.A.)* (prior to Bill 185).

On April 10, 2024, the Province released proposed changes to the D.C.A. via Bill 185: *Cutting Red Tape to Build More Homes Act, 2024*. The Bill received Royal Assent on June 6, 2024. This Bill reversed many of the key changes that were implemented through Bill 23: *More Homes Built Faster Act*. As such, the purpose of this memo is to provide for updates to the D.C. by-law to align with the D.C.A. as amended by Bill 185.

2. Legislative Background

The following section provides details on the revisions to the D.C.A. as a result of Bill 185.

Revised Definition of Capital Costs

Bill 185 reversed the capital cost amendments of Bill 23 by reinstating studies as an eligible capital cost. The following paragraphs were added to subsection 5(3) of the D.C.A.:

5. Costs to undertake studies in connection with any of the matters referred to in paragraphs 1 to 4.



6. *Costs of the development charge background study required under section 10.*

The amendment allows municipalities to fund studies, consistent with by-laws passed prior to Bill 23.

Removal of Mandatory Phase-in

Bill 23 required the phase-in of charges imposed in a D.C. by-law over a five-year term for any by-laws passed after January 1, 2022. Bill 185 removed this mandatory phase-in.

For site plan and zoning by-law amendment applications that were made prior to Bill 185 receiving Royal Assent, the charges payable will be the charges that were in place on the day the planning application was made (i.e., including the mandatory phase-in).

Process for Minor Amendments to D.C. By-laws

Section 19 of the D.C.A. requires that a municipality must follow sections 10 through 18 of the D.C.A. (with necessary modifications) when amending D.C. by-laws. Sections 10 through 18 of the D.C.A. generally requires the following:

- Completion of a D.C. background study, including the requirement to post the background study 60 days prior to passage of the D.C. by-law;
- Passage of a D.C. by-law within one year of the completion of the D.C. background study;
- A public meeting, including notice requirements; and
- The ability to appeal the by-law to the Ontario Land Tribunal.

Bill 185 allows municipalities to undertake minor amendments to D.C. by-laws for the following purposes without adherence to the requirements noted above (with the exception of the notice requirements):

1. To repeal a provision of the D.C. by-law specifying the date the by-law expires or to amend the provision to extend the expiry date (subject to the 10-year limitations provided in the D.C.A.);
2. To impose D.C.s for studies, including the D.C. background study; and
3. To remove the provisions related to the mandatory phase-in of D.C.s.

Minor amendments related to items 2 and 3 noted above may be undertaken only if the D.C. by-law being amended was passed after November 28, 2022, and before Bill 185 came into effect. Moreover, the amending by-law must be passed within six months of Bill 185 taking effect.



Notice requirements for these minor amending by-laws are similar to the typical notice requirements, with the exception of the requirement to identify the last day for appealing the by-law (as these provisions do not apply).

Reduction of D.C. Rate Freeze Timeframe

Changes to the D.C.A. in 2020 provided for the requirement to freeze D.C.s imposed on developments subject to a site plan and/or a zoning by-law amendment application. The D.C. rate for these developments is “frozen” at the rates that were in effect at the time the site plan and/or zoning by-law amendment application was submitted (subject to applicable interest). Once the application is approved by the municipality, if the date the D.C. is payable is more than two years from the approval date, the D.C. rate freeze would no longer apply. Bill 185 reduced the two-year timeframe to 18 months. Note, this change is not subject to the minor amendment provisions introduced and must follow the full D.C. by-law amendment process.

Modernizing Public Notice Requirements

The D.C.A. sets out the requirements for municipalities to give notice of public meetings and of by-law passage. These requirements are prescribed in sections 9 and 10 of O. Reg. 82/98 and include giving notice in a newspaper of sufficiently general circulation in the area to which the by-law would apply. The regulatory changes modernize the public notice requirements by allowing municipalities to provide notice on a municipal website if a local newspaper is not available. Note, this change is in effect as of July 1, 2024.

3. Changes to the Current D.C. By-laws

The Town is undertaking a Minor Amendment process (which does not require the detailed public process) in amending the existing D.C. by-law.

3.1 Minor Amendments

The minor amendments to the existing D.C. by-law being undertaken by the Town include removing the phase-in section and the addition of growth studies into the D.C. calculations and by-law. The calculated rates in this study may take immediate effect upon passage of the amending by-law, unless Council chooses to impose the charges at a later date. The new calculated rates and a comparison to existing rates are presented in Tables 3-4 to 3-6 below.

3.1.1 Removal of Phase-in

The phase-in as per Bill 23 required that all D.C. by-laws passed after January 1, 2022 must be phased-in annually over the first five years the by-law was in force, as follows:

- Year 1 – 80% of the minimum charge;
- Year 2 – 85% of the minimum charge;



- Year 3 – 90% of the minimum charge;
- Year 4 – 95% of the minimum charge; and
- Year 5 to expiry – 100% of the minimum charge.

As noted above, Bill 185 removed this mandatory phase-in. As a result, the Town is removing the phase-in from the D.C. by-law.

3.1.2 Addition of Growth Studies

The D.C.A. permits the inclusion of studies undertaken to facilitate the completion of the Town's capital works program. These studies have been included as a class of service referred to as Growth Studies, based on the eligible D.C. services to which the studies relate.

The Town has identified \$801,000 of growth-related studies. These studies include a D.C. Background Study, an official plan update, a traffic master plan, a secondary plan, parks and recreation master plan, etc. Deductions to recognize benefit to non-D.C. eligible services have been made in the amount of \$32,500. In addition, deductions for the share of the various studies that are anticipated to benefit the existing community have been made in the amount of \$125,600. As a result, the net D.C. recoverable cost for growth studies is \$642,900.

The capital costs have been allocated 68% to residential development, and 32% to non-residential development based on the incremental growth in population to employment for the 10-year forecast period (2022 to 2031, consistent with the 2022 D.C. background study and by-law).

Based on the calculations provided herein, the capital needs for growth studies result in a D.C. of \$389 per residential single detached dwelling unit. With respect to non-residential development, the calculation results in a D.C. of \$0.007 per sq.ft of gross floor area for greenhouses and \$0.174 per sq.ft of gross floor area for industrial, commercial, and institutional development.

The growth studies capital sheet is presented in Table 3-1 and the D.C. calculations are provided in Tables 3-2 and 3-3.



**Table 3-1
Town of Kingsville
Growth Studies Capital Costs**

Prj.No	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Service to Which Project Relates	Gross Capital Cost Estimate (2022\$)	Post Period Benefit	Other Deductions (to recognize benefit to non-D.C. services)	Net Capital Cost	Less:		Potential D.C. Recoverable Cost		
								Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share	Non-Residential Share
2022-2031										68%	32%	
1	Official Plan Update	2026	All Services	150,000	-	15,000	135,000	20,300		114,700	77,996	36,704
2	Industrial Land Development/Employment Lands Study	2026-2027	All Services	20,000	-	5,000	15,000	-		15,000	10,200	4,800
3	Development Manual Update	2027	Water, Wastewater and Services Related to a Highway	150,000	-		150,000	-		150,000	102,000	48,000
4	Asset Management Plan Update	2029	All Services	100,000	-	5,000	95,000	82,800		12,200	8,296	3,904
5	Traffic Master Plan	2030	Services Related to a Highway	150,000	-		150,000	22,500		127,500	86,700	40,800
6	Development Charge Update Study	2024	All DC Eligible Services	6,000	-		6,000	-		6,000	4,080	1,920
7	Development Charge Study	2028	All DC Eligible Services	50,000	-		50,000	-		50,000	34,000	16,000
8	Parks and Recreation Master Plan	2026	Parks and Recreation Services	100,000	-		100,000	-		100,000	68,000	32,000
9	Secondary Plan - West Side	2025	All Services	75,000	-	7,500	67,500	-		67,500	45,900	21,600
	Total			801,000	-	32,500	768,500	125,600	-	642,900	437,172	205,728



Table 3-2
Town of Kingsville
Growth Studies D.C. Calculation

Service/ Class of Service D.C. Calculations	Residential	Industrial, Commercial & Institutional	Greenhouses
Growth Studies D.C. Eligible Costs	\$437,172	\$85,922	\$119,806
Population/G.F.A. Growth (sq.ft.)	3,256	495,000	17,818,200
Cost Per Capita/Non-Residential GFA (sq.ft.)	\$134.27	\$0.174	\$0.007

Table 3-3
Town of Kingsville
Growth Studies D.C. Calculation – by Residential Unit Type

Residential Unit Type	Persons Per Unit	D.C. per Residential Unit
Single and Semi-Detached Dwelling	2.895	\$389
Other Multiples	2.074	\$278
Apartments - 2 Bedrooms or more	1.968	\$264
Apartments - Bachelor and 1 Bedroom	1.385	\$186
Special Care/Special Dwelling Units	1.100	\$148



Based on the changes noted above, the D.C. calculations have been revised to include growth studies. As a result, the total calculated Town-wide development charge (single/semi-detached unit) for full services has increased from \$17,282 to \$17,671 (2022 \$). In regard to the non-residential charges, the total Town-wide calculated development charge (per sq.ft.) for full-services has increased from \$6.791 to \$6.965 (2022 \$) for commercial, industrial and institutional development and from \$0.264 to \$0.271 (2022 \$) for greenhouses.

The summary below outlines the charges as calculated in the January 20, 2023 D.C. background study and the charges as amended.

Table 3-4
Town of Kingsville
Rate Comparison – Residential (Single/Semi-Detached)

Residential (Single Detached) Comparison (2022 \$)		
Service/Class of Service	Calculated as per By-law 4-2023	Calculated as per By-law 4-2023 with Growth Studies
Town-wide Services/Classes:		
Services Related to a Highway	6,036	6,036
Policing Services	213	213
Parks and Recreation Services	2,341	2,341
Library Services	412	412
Growth Studies	-	389
Total Town-wide Services/Classes	9,002	9,391
Urban Area Services:		
Wastewater Services	5,202	5,202
Water Services	3,078	3,078
Total Urban Area Services	8,280	8,280
Grand Total - Urban Area	17,282	17,671



Table 3-5
Town of Kingsville
Rate Comparison – Non-residential – Industrial, Commercial & Institutional (per sq.ft.)

Non-Residential - Industrial, Commercial, & Institutional(per sq.ft.) Comparison (2022 \$)

Service/Class of Service	Calculated as per By-law 4-2023	Calculated as per By-law 4-2023 with Growth Studies
Town-wide Services/Classes:		
Services Related to a Highway	2.777	2.777
Policing Services	0.098	0.098
Parks and Recreation Services	0.117	0.117
Library Services	0.020	0.020
Growth Studies	-	0.174
Total Town-wide Services/Classes	3.012	3.186
Urban Area Services:		
Wastewater Services	2.355	2.355
Water Services	1.424	1.424
Total Urban Area Services	3.779	3.779
Grand Total - Urban Area	6.791	6.965



Table 3-6
Town of Kingsville
Rate Comparison – Non-residential - Greenhouses (per sq.ft.)

Non-Residential - Greenhouses Comparison (2022 \$)		
Rate/Class of Service	Calculated as per By-law 4-2023	Calculated as per By-law 4-2023 with Growth Studies
Town-wide Services/Classes:		
Services Related to a Highway	0.108	0.108
Policing Services	0.004	0.004
Parks and Recreation Services	0.004	0.004
Library Services	0.001	0.001
Growth Studies	-	0.007
Total Town-wide Services/Classes	0.117	0.124
Urban Area Services:		
Wastewater Services	0.092	0.092
Water Services	0.055	0.055
Total Urban Area Services	0.147	0.147
Grand Total - Urban Area	0.264	0.271

3.1.3 2024 Development Charge Rate Comparison

The current phased-in residential development charge (in 2024\$) for full services is \$15,659 per single/semi-detached unit (subject to indexing). With the removal of the phase-in and addition of growth-related studies (subject to indexing), the new charge will be \$18,837 per single/semi-detached unit.

With respect to non-residential charge, the current phased-in development charge (in 2024\$) for full services is \$6.153 per sq.ft. (subject to indexing) for commercial, industrial and institutional development. With the removal of the phase-in and addition of the growth-related studies (subject to indexing), the new charge will be \$7.425 per sq.ft. For greenhouses, the current phased-in development charge (in 2024\$) for full services is \$0.239 per sq.ft (subject to indexing). With the removal of the phase-in and addition of the growth-related studies (subject to indexing), the new charge for greenhouses will be \$0.289 per sq.ft.

3.1.4 Amendments to the D.C. By-law

The By-law 4-2023 will be amended as follows:

- Revise the definition of capital cost to include studies as per the D.C.A.;
- Repeal the mandatory phase-in section;



- Add growth studies as a class of service; and
- Revise Schedule A and B to include growth studies.

The draft amending by-law is included in Appendix A to this memo.

4. Recommendations

It is recommended that Council:

“Approve the capital project listing set out in Section 3.1.2 of the Development Charges Background Study Update – Amendments as per Bill 185 memo dated October 21, 2024, subject to further annual review during the capital budget process”;

“Approve the memo dated October 21, 2024 Re: Development Charges Background Study Update – Amendments as per Bill 185”;

“Determine that no further public meeting is required”; and

“Approve the amending D.C. by-law as set out in Appendix A”.



Appendices



Appendix A

Amending By-law for Minor Amendments



Town of Kingsville

By-law Number **XX**

Being a By-Law To Amend By-Law 4-2023, Respecting Town-wide Development Charges for the Town of Kingsville

Whereas Section 2 of the Development Charges Act, 1997, S.O. 1997, c. 27 ("the Act") provides that the council of a municipality may pass a by-law for the imposition of development charges against land if the development of the land would increase the need for services arising from development of the area to which the by-law applies;

And Whereas Section 19 of the Act provides for amendments to be made to development charges by-laws;

And Whereas subsection 19(1.3) of the Act permits a municipality to amend a development charges by-law, subject to conditions being met, that do not require the process for by-law amendments under subsection 19(1) of the Act to be followed;

And Whereas the Council of the Corporation of the Town of Kingsville (the "Council") enacted and passed By-law 4-2023 on January 25, 2023;

Now therefore the Council of the Corporation of the Town of Kingsville hereby enacts as follows:

1. By-law 4-2023 is hereby amended as follows:
 - A. The Capital Cost definition in Section 1 is deleted, and the following definition is substituted, therefore:

"capital cost" means costs incurred or proposed to be incurred by the Town or a local board thereof directly or by others on behalf of and as authorized by the municipality or local board;

 - i. To acquire land or an interest in land, including a leasehold interest;
 - ii. To improve land;
 - iii. To acquire, lease, construct, or improve buildings and structures;
 - iv. To acquire, construct or improve facilities including:
 - a. Furniture and equipment other than computer equipment;
 - b. Materials acquired for circulation, reference or information purposes by a library board as defined in the *Public Libraries Act, r.s.o. 1990, c. P.44*; and
 - c. Rolling stock with an estimated useful life of seven years or more, and;
 - v. To undertake studies in connection with any of the matters referred to under clauses (i) to (iv);
 - vi. To undertake the development charges background study; and



vii. Interest on money borrowed for those expenditures under clauses (i) to (iv)

B. By adding the words “growth studies;” to Clause 2.1 such that the revised clause will read as follows:

2.1. The categories of services/classes of services for which development charges are imposed under this by-law are as follows:

- (a) Services Related to a Highway;
- (b) Policing Services;
- (c) Parks and Recreation Services;
- (d) Library Services;
- (e) Growth Studies;
- (f) Wastewater Services; and
- (g) Water Services.

C. Repeal Section 3.17

D. Replace Schedule “A” to By-law No. 4-2023 with Schedule “A” to this amending by-law XX-24;

E. Replace Schedule “B” to By-law No. 4-2023 with Schedule “B” to this amending by-law XX-24;

By-law read a first and second time this XX day of XX, 2024.

By-law read a third time and finally passed this XX day of XX, 2024.

Mayor: _____

Clerk: _____



SCHEDULE "A" TO BY-LAW NO. 4-2023
Components of Services and Classes of Services Designated in Subsection 2.1

Development Charge Eligible Services and Classes of Services

Wastewater Services

Water Services

Services Related to a Highway

Roads, Bridges and Culverts

Traffic Signals

Sidewalks

Streetlights

Public Works Facilities

Public Works Fleet

Policing Services

Police Stations

Fire Protection

Fire Stations

Fire Pumpers, Aerials, Tankers and Rescue Vehicles

Fire Small Equipment and Gear

Parks and Recreation Services

Parkland Development, Amenities, and Trails

Recreation Facilities

Vehicles and Equipment

Library Services

Public Library Space

Growth Studies

Growth Studies



Schedule "B"
To By-law 4-2023
Schedule of Development Charges

Service/Class of Service	RESIDENTIAL						NON-RESIDENTIAL		
	Single and Semi-Detached Dwelling	Other Multiples	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Special Care/Special Dwelling Units	Boarding, Lodging, and Rooming House* (per capita)	Industrial, Commercial & Institutional (per sq.ft.)	Greenhouses (per sq.ft.)	Wind Turbine (per unit)
Municipal Wide Services/Class of Service:									
Services Related to a Highway	6,036	4,324	4,103	2,888	2,293	2,085	2.777	0.108	6,036
Policing Services	213	153	145	102	81	74	0.098	0.004	213
Parks and Recreation Services	2,341	1,677	1,591	1,120	889	809	0.117	0.004	-
Library Services	412	295	280	197	157	142	0.020	0.001	-
Growth Studies	389	279	264	186	148	134	0.174	0.007	389
Total Municipal Wide Services/Class of Services	9,391	6,728	6,383	4,493	3,568	3,244	3.186	0.124	6,638
Urban Services									
Wastewater Services	5,202	3,727	3,536	2,489	1,977	1,797	2.355	0.092	-
Water Services	3,078	2,205	2,092	1,473	1,170	1,063	1.424	0.055	-
Total Urban Services	8,280	5,932	5,628	3,962	3,147	2,860	3.779	0.147	-
GRAND TOTAL RURAL AREA	9,391	6,728	6,383	4,493	3,568	3,244	3.186	0.124	6,638
GRAND TOTAL URBAN AREA	17,671	12,660	12,011	8,455	6,715	6,104	6.965	0.271	6,638

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 91 - 2024

Being a By-law to amend By-law 4-2023, being a By-law to establish development charges for the Town of Kingsville

WHEREAS Section 2 of the *Development Charges Act, 1997*, S.O. 1997, c. 27 ("the Act") provides that the council of a municipality may pass a by-law for the imposition of development charges against land if the development of the land would increase the need for services arising from development of the area to which the by-law applies;

AND WHEREAS Section 19 of the Act provides for amendments to be made to development charges by-laws;

AND WHEREAS Subsection 19(1.3) of the Act permits a municipality to amend a development charges by-law, subject to conditions being met, that do not require the process for by-law amendments under subsection 19(1) of the Act to be followed;

AND WHEREAS the Council of The Corporation of the Town of Kingsville enacted and passed By-law 4-2023 on January 25, 2023;

AND WHEREAS the Council of The Corporation of the Town of Kingsville deems it expedient and necessary to amend By-law 4-2023;

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

1. That By-law 4-2024 be hereby amended as follows:

1.1 That the "capital cost" definition in Section 1 be deleted, and the following definition is substituted, therefore:

"capital cost" means costs incurred or proposed to be incurred by the Town or a local board thereof directly or by others on behalf of and as authorized by the municipality or local board;

- i. To acquire land or an interest in land, including a leasehold interest;
- ii. To improve land;
- iii. To acquire, lease, construct, or improve buildings and structures;
- iv. To acquire, construct or improve facilities including:
 - a. Furniture and equipment other than computer equipment;
 - b. Materials acquired for circulation, reference or information purposes by a library board as defined in the *Public Libraries Act, R.S.O. 1990, c. P.44*; and
 - c. Rolling stock with an estimated useful life of seven years or more, and;
- v. To undertake studies in connection with any of the matters referred to under clauses (i) to (iv);
- vi. To undertake the development charges background study; and

vii. Interest on money borrowed for those expenditures under clauses (i) to (iv)

1.2 That the words “growth studies” be added to Section 2.1 such that the revised section will read as follows:

“The categories of services/classes of services for which development charges are imposed under this By-law are as follows:

- (a) Services Related to a Highway;
- (b) Policing Services;
- (c) Parks and Recreation Services;
- (d) Library Services;
- (e) Growth Studies;
- (f) Wastewater Services; and
- (g) Water Services.”

1.3 That Section 3.17 be hereby repealed.

1.4 That Schedule “A” of By-law 4-2023 be deleted and replaced with Schedule “A” as appended hereto.

1.5 That Schedule “B” of By-law 4-2023 be deleted and replaced with Schedule “B” as appended hereto.

2. This By-law comes into force and takes effect on January 30, 2025.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 25th DAY OF NOVEMBER, 2024.

MAYOR, Dennis Rogers

ACTING CLERK, Angela Toole

Schedule "A" to By-law 4-2023

Components of Services and Classes of Services
Designated in Subsection 2.1

Development Charge Eligible Services and Classes of Services

Wastewater Services

Water Services

Services Related to a Highway

Roads, Bridges and Culverts

Traffic Signals

Sidewalks

Streetlights

Public Works Facilities

Public Works Fleet

Policing Services

Police Stations

Fire Protection

Fire Stations

Fire Pumpers, Aerials, Tankers and Rescue Vehicles

Fire Small Equipment and Gear

Parks and Recreation Services

Parkland Development, Amenities, and Trails

Recreation Facilities

Vehicles and Equipment

Library Services

Public Library Space

Growth Studies

Growth Studies

Schedule "B" to By-law 4-2023

Schedule of Development Charges

Service/Class of Service	RESIDENTIAL						NON-RESIDENTIAL		
	Single and Semi-Detached Dwelling	Other Multiples	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Special Care/Special Dwelling Units	Boarding, Lodging, and Rooming House*(per capita)	Industrial, Commercial & Institutional (per sq.ft.)	Greenhouses (per sq.ft.)	Wind Turbine (per unit)
Municipal Wide Services/Class of Service:									
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Total Municipal Wide Services/Class of Services	9,391	6,728	6,383	4,493	3,568	3,244	3.186	0.124	6,638
Urban Services									
Wastewater Services	5,202	3,727	3,536	2,489	1,977	1,797	2.355	0.092	-
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Total Urban Services	8,280	5,932	5,628	3,962	3,147	2,860	3.779	0.147	-
GRAND TOTAL RURAL AREA	9,391	6,728	6,383	4,493	3,568	3,244	3.186	0.124	6,638
GRAND TOTAL URBAN AREA	17,671	12,660	12,011	8,455	6,715	6,104	6.965	0.271	6,638



Date: November 25, 2024

To: Mayor and Council

Author: Angela Toole, Acting Manager of Municipal Governance & Clerk

RE: Management Agreement with Fisheries and Oceans Canada for the Small Craft Harbours' Facility at Cedar Beach

RECOMMENDED ACTION

1. That the Mayor and Clerk **BE AUTHORIZED** to enter into Management Agreement OP-4555-H-2401 with His Majesty the King, in right of Canada, represented by the Minister of Fisheries and Oceans; and,
2. That By-law 96-2024 being a By-law to repeal By-law 122-2017 which is a By-law authorizing the entering into of a Management Agreement CA-4555-H-1710 with Her Majesty the Queen, in right of Canada, represented by the Minister of Fisheries and Oceans (the Small Craft Harbours' Facility at Cedar Beach, Ontario, **BE APPROVED** during the By-law stage of this Council Agenda.

BACKGROUND

In November 2017, the Town of Kingsville ("Town") entered into Management Agreement CA-4555-H-1710 (the "Agreement") with the Department of Fisheries and Oceans Canada ("DFO") for the Small Craft Harbours' Facility on certain subject lands including a water lot at Cedar Beach. The purpose of the Agreement was to provide the Town with the right to use and occupy the subject lands and carry out the management and operation of the premises in accordance with the Fishing and Recreational Harbours Act (the "Act") and its regulations.

DISCUSSION

The Agreement expired in December 2023 but contained a "Hold Over" clause providing that if both parties agreed to the tenancy after the expiration of the Agreement, and rent is exchanged in respect of the tenancy, the tenancy shall continue. As a result of this clause, the Town has continued to remit rent to the DFO and has maintained its tenancy. Administration recommends formally continuing the tenancy by entering into a new Management Agreement (#OP-4555-H-2401) with the DFO as identified in strategic planning discussions. The Term of the new Agreement is five (5) years and is set to expire on December 31, 2028. The new Agreement also contains a Hold Over

clause so that upon expiry in 2028, the Town can continue to maintain its tenancy, if desirable, until such time that a new Agreement is executed.

Further to the recommendation into the new Agreement, Administration is recommending that By-law 122-2017, which authorized the entering into of the original Agreement, be repealed as a matter of housekeeping.

FINANCIAL CONSIDERATIONS

The rent for the facility and lands subject to the Agreement is \$500.00 (per annum) or 20% (plus taxes) of the gross revenue derived by the Town (as the lessee) from the management and operation of the facility.

ENVIRONMENTAL CONSIDERATIONS

None.

CONSULTATIONS

Ryan McLeod, Director of Finance and Corporate Services/Treasurer
Richard Wyma, Director of Planning and Development

PREPARED BY:



Angela Toole
Acting Manager of Municipal Governance & Clerk

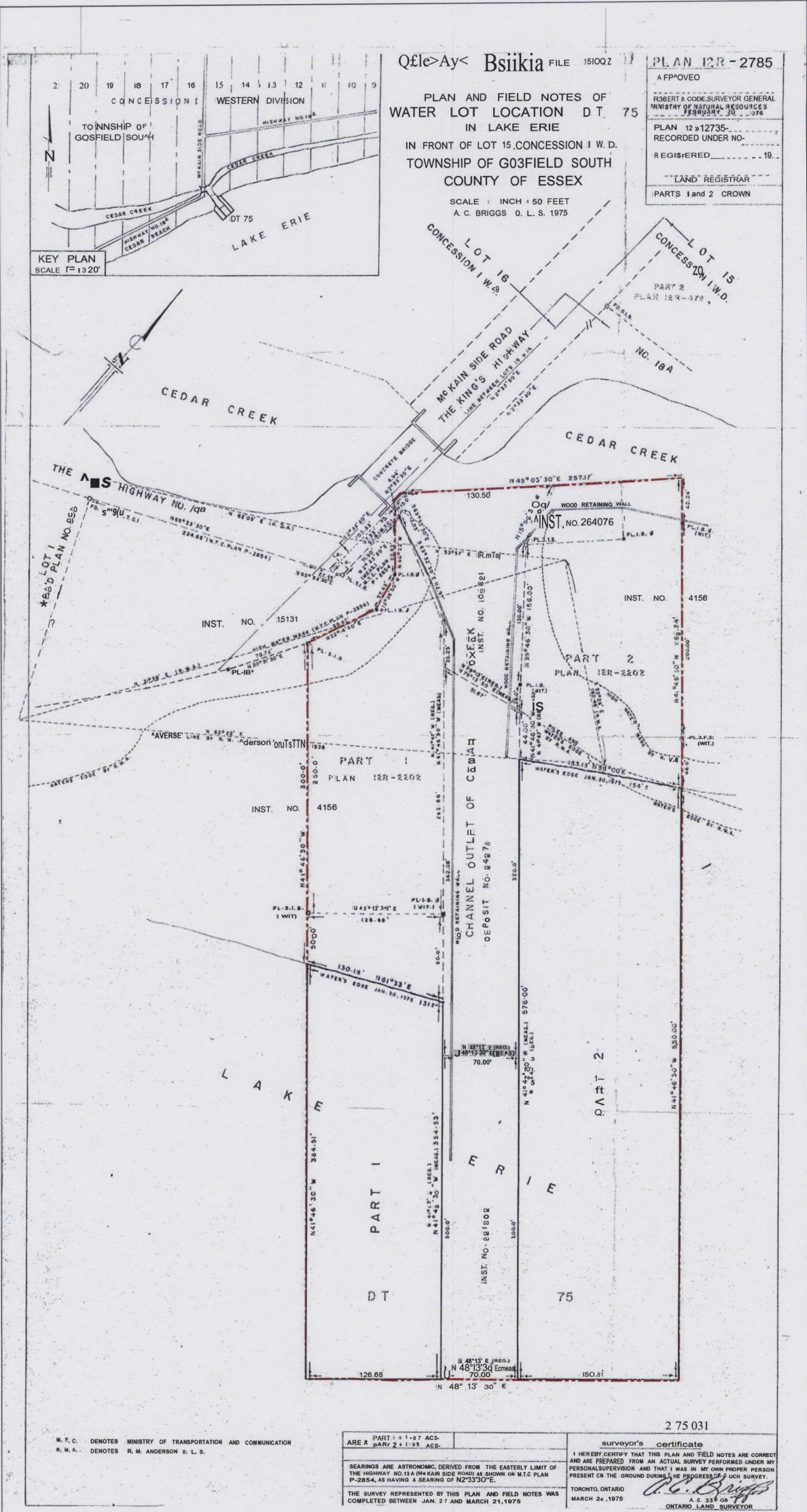
REVIEWED BY:



Ryan McLeod
Director of Finance and Corporate Services/Treasurer



John Norton
CAO



Schedule A

Date: November 7, 2024
To: Mayor and Council
Author: Scott Moore, Fire Chief
RE: Community Risk Assessment

RECOMMENDED ACTION

That the Community Risk Assessment **BE ENDORSED**, as presented;

And that Council **DIRECT** the Fire Chief to submit the Kingsville Fire & Rescue's 2024 Community Risk Assessment to the Office of the Fire Marshal in accordance with Ontario Regulation 378/18 of the Fire Protection and Prevention Act, 1997.

BACKGROUND

In July 2019, amendments were made to the Fire Prevention and Prevention Act 1997 ("FPPA") identifying that each municipality complete and review a Community Risk Assessment ("CRA"). This change was introduced by Ontario Regulation 378/18: Community Risk Assessments.

This regulation requires municipalities to develop their CRA and use it to "inform decisions about the provision of fire protection services". The findings of this CRA will directly link to the Town of Kingsville Master Fire Plan, with connections to fire prevention, training, and emergency response.

DISCUSSION

The Regulation requires that the CRA captures the analysis of the nine mandatory profiles and these include:

1. **Geographic profile:** review of physical features of the community including the nature and placement of features such as highways, waterways, bridges and urban-rural interfaces.
2. **Building stock profile:** this includes understanding the types of buildings in the community, their uses and their ages, It also reviews the number of buildings of each use and any building-related risks known to the fire department.
3. **Critical infrastructure profile:** this identified the availability and stability of

infrastructure that meet vital human needs, sustain the economy and protect public safety (i.e. electrical distribution, water distribution systems as well as communications).

4. **Demographic profile:** is the composition of the community's population relevant to population size, age, gender, socioeconomic makeup and cultured background.
5. **Hazard profile:** these are hazards in the community including natural hazards, technological hazards and hazards caused by humans.
6. **Public safety response profiles:** types of incidents responded to by other in the community and the response capabilities they are able to provide.
7. **Community service profile:** refers to types of services provided by other entities and the capabilities they are able to provide.
8. **Economic profile:** are the sectors of the community that are critical to its financial sustainability.
9. **Past loss and event history profile:** is the past emergency responses including the review of the following:
 - a. Number and types of emergency responses, injuries, deaths and dollar losses.
 - b. Comparison of the community's loss statistics with provincial loss statistics.

The Fire Master Plan is a companion document to the CRA, and it will aid Council in addressing the "Level of Service" for the protection of the community. The last Fire Master Plan update was completed in 2016. The next step in this process will be to have a full review and update the Fire Master Plan and complete it to address the findings from the CRA.

FINANCIAL CONSIDERATIONS

None currently.

ENVIRONMENTAL CONSIDERATIONS

None.

CONSULTATIONS

Office of the Ontario Fire Marshall
Jason Suchiu, former Fire Chief
Jeromy Garant, Deputy Fire Chief
Vicky Sawatzky, Supervisor of Customer Service and Tax Revenue



Scott Moore
Fire Chief

REVIEWED BY:



John Norton
CAO

COMMUNITY RISK ASSESSMENT



May 10, 2024



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INTRODUCTION

The Fire Protection and Prevention Act, 1997 and subsequent Regulation 378/18 requires each Ontario municipality complete and review a Community Risk Assessment (CRA).

O. Reg 378/18 states that,

Every municipality, and every fire department in a territory without municipal organization, must,

- a. complete and review a community risk assessment as provided by this Regulation; and
- b. use its community risk assessment to inform decisions about the provision of fire protection services.

The Office of the Fire Marshal is responsible for monitoring and reviewing all municipal community risk assessment to ensure municipal compliance with *O. Reg 378/18*. The risk assessment must be submitted to the Office of the OFMEM for approval no later than July 1, 2024. Ontario Regulation 378/18 views this assessment as a living document which should be updated as the needs and circumstances of the Town of Kingsville change. It must be reviewed annually by the municipality and a full risk assessment shall be completed every five years.

The community risk assessment has been completed following the format identified in *OFM-TG-02-2019* capturing the mandatory profiles listed. This process identifies, analyzes, and evaluates risks to public safety.

The purpose of a completed and approved assessment is to permit the municipality, through municipal legislation passed by Council, to make informed decisions as to the type and level of fire protection services (core services) they will provide, through the efforts of the Kingsville Fire Rescue Services (KFRS) based on the identified risks.

The completion of the risk assessment is not only to meet the regulatory requirements but will also be a resource to assist in the development of a Fire Master Plan.

CONDUCTING A COMMUNITY RISK ASSESSMENT

Identifying Risks – Mandatory Profiles

Risk is defined as a measure of the probability and consequence of an adverse effect to health, property, organization, environment, or community as the result of an event, activity, or operation. The first step in conducting a community risk assessment is to identify the various fire and life safety risks in the community. This is done by gathering data about the make-up of the community.

The Regulation identifies nine mandatory profiles to be assessed by the municipality during the completion of the assessment, including:

- 1) Geographic

- 2) Building Stock
- 3) Critical Infrastructure
- 4) Demographics
- 5) Hazards
- 6) Public Safety Response
- 7) Community Services
- 8) Economic
- 9) Past Fire Loss and Event History

The data worksheets for each profile are included in this document, and these worksheets will assist in identifying the fire and life safety risks that could affect the community.

PRIORITIZING RISKS

Once risks have been identified they should be prioritized. This section discusses how risks can be prioritized based on the probability of the risk happening and the consequence if the risk occurs. **Table 1: Probability Levels** and **Table 2: Consequence Levels** is used to help determine the probability and consequence of each risk identified on the worksheets.

Probability

The probability or likelihood of a fire or emergency within a community is often estimated based on the frequency of previous experiences. A review of past events involves considering relevant historical fire loss data, learning from the experiences of other communities, and consulting members of the community with extensive historical knowledge. Professional judgment based on experience should also be exercised in combination with historical information to estimate probability levels. The probability of an event can be categorized into five levels of likelihood:

Table 1: Probability Levels

Description	Specifics
Rare	<ul style="list-style-type: none"> • may occur in exceptional circumstances • no incidents in the past 15 years
Unlikely	<ul style="list-style-type: none"> • could occur at some time, especially if circumstances change • 5 to 15 years since the last incident
Possible	<ul style="list-style-type: none"> • might occur under current circumstances • 1 incident in the past 5 years
Likely	<ul style="list-style-type: none"> • will probably occur at some time under current circumstances • multiple or recurring incidents in the past 5 years
Almost Certain	<ul style="list-style-type: none"> • expected to occur in most circumstances unless circumstances change • multiple or recurring incidents in the past year

Consequence

The consequence of a fire or emergency is the potential losses or negative outcomes associated with the event. The application of professional judgment and reviews of past occurrences are important methods used for determining consequence levels.

Estimating the consequence level of an incident or event should involve an evaluation of four components:

- a. **Life Safety:** Injuries or loss of life due to occupant and firefighter exposure to life threatening fire or other situations.
- b. **Property Loss:** Monetary losses relating to private and public buildings, property content, irreplaceable assets, significant historic/symbolic landmarks and critical infrastructure.
- c. **Economic Impact:** Monetary losses associated with property income, business closures, a downturn in tourism and/or tax assessment value, and employment layoffs.
- d. **Environmental Impact:** Harm to human and non-human (i.e., wildlife, fish and vegetation) species of life and a general decline in quality of life within the community due to air/water/soil contamination as a result of the incident and response activities.

The consequence of an event can be categorized into five levels based on severity:

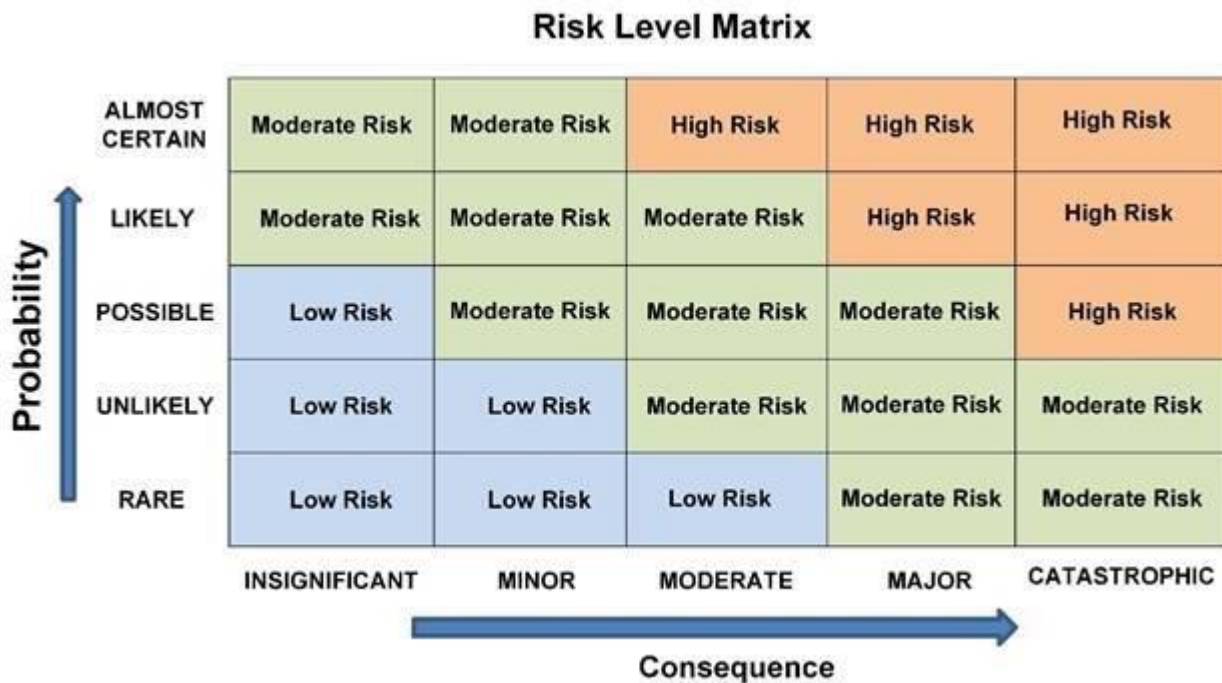
Table 2: Consequence Levels

Description	Specifics
Insignificant	<ul style="list-style-type: none"> • no life safety issue • limited valued or no property loss • no impact to local economy, and/or • no effect on general living conditions
Minor	<ul style="list-style-type: none"> • potential risk to life safety of occupants • minor property loss • minimal disruption to business activity, and/or • minimal impact on general living conditions
Moderate	<ul style="list-style-type: none"> • threat to life safety of occupants • moderate property loss • poses threat to small local businesses, and/or • could pose a threat to the quality of the environment

Major	<ul style="list-style-type: none"> • potential for a large loss of life • would result in significant property damage • significant threat to large businesses, local economy and tourism, and/or • impact to the environment would result in a short term, partial evacuation of local residents and businesses
Catastrophic	<ul style="list-style-type: none"> • significant loss of life • multiple property damage to a significant portion of the municipality • long-term disruption of businesses, local employment, and tourism, and/or • environmental damage that would result in long-term evacuation of local residents and businesses

Assigning a Risk Level

Assigning a risk level using the Risk Level Matrix, helps to determine how to address or treat each of them. The Risk Level Matrix can assist fire departments to determine risk levels based on the probability and consequence levels of each identified risk. Risks can be assigned as low risk, moderate risk or high risk. The matrix below can be used to determine the assigned risk level.



Risk Treatment Options

The different levels of treatment of the risks are categorized as the following:

- **Avoid the Risk** – *implementation of programs to prevent fires or emergencies from occurring.*
- **Mitigate the Risk** - *programs and initiatives implemented to reduce the probability and/or consequences of a fire or emergency.*
- **Accept the Risk** – *after identifying and prioritizing a risk, it is determined that there are no specific programs or initiatives to be implemented to address this risk.*
- **Transfer the Risk** – *the fire department has chosen to transfer the impact and/or management of the risk to another organization or body or outside agency.*

Once risk levels have been assigned, it can be determined how best to treat each of them and the resources required to do so.

SETTING THE TYPE AND LEVEL OF FIRE PROTECTION SERVICES

When setting the type and level of fire protection services, the Fire Protection and Prevention Act and the OFM Fire Safety Effectiveness Model, known as the “Three Lines of Defence,” should be considered in terms of the impact each will have on the probability or consequence of identified risks. The three lines of defence are:

1. Public education and prevention
2. Fire safety standards and enforcement
3. Emergency response

Once fire departments have determined the preferred treatment option for each risk, they can plan and implement activities that address those risks. Things to consider include the fire department’s current resources, staffing levels, training, equipment and authority versus those that may be required to implement the preferred treatment options.

Fire services should also ensure that operational policies and standard operating guidelines address the levels of service and activities required to address each risk. This includes setting goals and objectives, and determining resources, training, equipment, activities, and programs required across each of the “Three Lines of Defence”.

The process of making informed decisions about the provision of fire protection services should include careful consideration of the following:

- Implementation of public fire safety education, Fire Code inspections and enforcement, and emergency response activities that are appropriate to address the causes, behaviours or issues associated with identified risks.
- Capabilities and capacity of the fire department (e.g., financial and staffing resources, training, equipment, authority, etc.) that may be required to implement preferred treatment options.

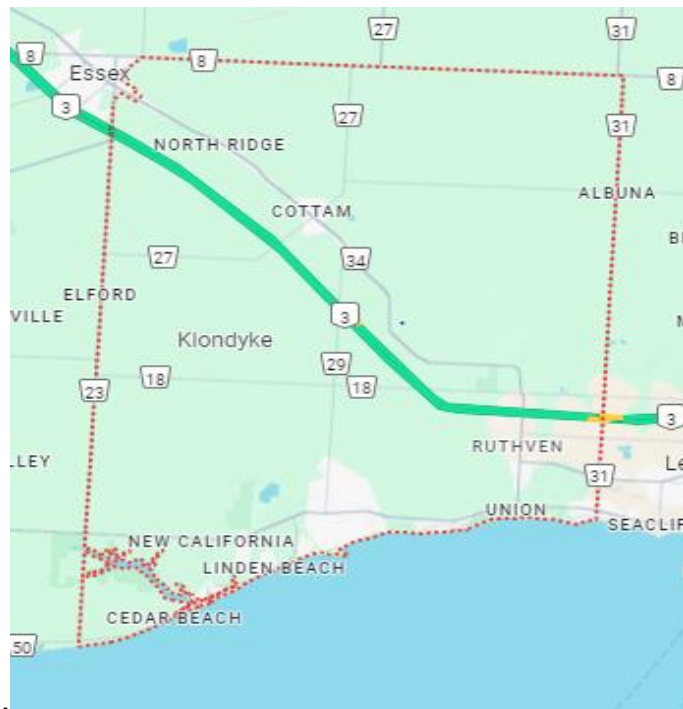
- Strategic partners with common interests, available resources, or skill sets that could assist in addressing risks using the applicable risk assessment profiles.
- Establishing and Regulating By-laws, operational policies and standard operating guidelines that reflect the fire protection services to be provided to address the identified risks.
- Establishment of goals and objectives, strategies, timelines, and evaluation for the proposed fire protection services to be provided.
- Communication with municipal council and the public to outline the types and levels of fire protection services that will be provided.

COMMUNITY CHARACTERISTICS PROFILES

1. Geographic Profile

A geographic profile describes the physical features of the community, including the nature and placement of highways, waterways, railways, canyons, bridges, landforms, and wildland-urban interfaces. Physical characteristics may also have risk concerns that could have a potential impact on fire service access or response time.

Town of Kingsville is located within Essex County siting along the north shore of Lake Erie and is located as the most southern Town in Canada. With 247 square kilometers and a population of 22,120, Kingsville neighbours the Municipality of Leamington and has one of the largest concentrations of vegetable greenhouses in North America.



There are many tourism and recreational opportunities in Kingsville. Jack Miner Bird Sanctuary is a popular spot for bird-watching, and our Chrysler Canada Greenway interconnects with the National Waterfront Trail. Our marine facilities include the Cedar Island Marina and Yacht Club and we host an international working harbour at the Port of Kingsville.

Geographic Profile Risk	
Geographic Feature	Potential Impact on the Delivery of Fire Protection Services
Creeks, Rivers and Streams Lake Erie	<ul style="list-style-type: none"> • Impacts training and equipment for response service delivery. • Impacts response/travel timelines to emergency calls. • Recreational/tourist activities impact the delivery of public fire safety messaging. • The river and streams may flood in the spring impacting property, infrastructure, and response times. • KFRS has limited training and equipment to aid in performing ice and water rescues. • KFRS does not have the capabilities of fighting marine vessel fires, offshore. • Impacts training, equipment for response service delivery. Requirement of specialised training and equipment • Response capabilities are hampered due to lack of access points • Both permanent and influx of warm seasonal residents reside on lake
Wetlands/Watersheds	<p>During summer months, increased risk of drownings. In the winter, snowmobiles/ice fisherman may fall through the ice as they are not familiar with the thickness of the ice or water currents under the ice.</p> <ul style="list-style-type: none"> • Response capabilities may be hampered due to lack of access points. • Response capabilities are hampered where the parties involved are not familiar with their exact location.

<p>Provincial Highways/County Roads/Municipal Roads</p>	<ul style="list-style-type: none"> • There are numerous thoroughfares and streets within the Town. • Highway #3 along with County Rd. 20, 23, 31 and 34 are the main route used by those traveling between Leamington, Harrow and Essex • Volumes of traffic flow across the highways and county roads each day. • High number of MVCs along the roadways. • Lack of fire hydrants close to highways will result in delays in setting up water supply for fighting fires that may occur. • Traffic congestion created by an incident on the highways can impede responding apparatus. • High risk of significant motor vehicle collisions (MVCs) occurring with the potential of injuries. • Long duration closures of highways/roads/streets will impact traffic within the municipality as detour routes are established resulting in increased traffic gridlock. • There is a high volume of large trucks transporting goods into and out of the area. • Unknown number of loads that may contain hazardous materials. • The municipality is proactive in maintaining its road infrastructure with numerous construction projects initiated each year to improve the condition of existing streets and plan for future streets. • The use of traffic pre-emption emitters at strategic intersections to change traffic lights in the favour of fire vehicles can aid in reducing response times. • Any future proposed installation of traffic circles in the town must be of adequate size, not to impede the response of fire apparatus.
--	--

2. Building Stock Profile

Building Stock profile refers to the types, numbers, uses, and ages of the various buildings within the community.

Consideration should be given for the potential fire risks associated with different types/classifications or uses of buildings given their prevalence in the community and the presence of fire safety systems and equipment at the time of construction.

Older buildings typically do not contain the same fire safety and fire protection systems required in newer buildings. This may impact the fire risk in older buildings. Also, how buildings are used can influence the fire risks in each building. For example, industrial

chemical storage facilities are likely to present higher fire risks than buildings containing commercial retail activities. The age and type of residential buildings (e.g., high-rise vs. single family dwelling vs. town/row houses) can influence the probability and consequence of fire in those buildings.

Table 3: Buildings in Kingsville

OBC Occupancy Classification	Major Building Classifications	Number of Occupancies	Percentage of Occupancies
Group A	Assembly Occupancies	44	< 0.5%
Group B	Care or Detention Occupancies	14	< 0.5%
Group C	Residential Occupancies	8,285	86.15%
Group D/E (Combined)	Business/Mercantile	175	1.78%
Group F (all Divisions combined)	Industrial Occupancies	170	1.77%
Other	Farm / Greenhouses	929	9.65%
Total	Total Building Classifications	9,617	100.0%

Source: Town of Kingsville

Table 4: Residential Occupancies in Kingsville

Occupancies	Total
Single-detached house	6,880
Semi-detached house	325
Row house	525
Apartment or flat in duplex	75
Apartment in a building that has less than 5 stories	430
Apartment in building that has 5 or more stories	3
Other single-attached house	5
Movable dwelling	50
TOTAL Occupied private dwellings	8,285

Source: Statistics Canada – 2021 Census

Building Stock Profile Risks

Building stock/occupancy types in our community and the fire and other emergency issues/concerns for each.

Building Stock Profile Risks					
Occupancy Classification		Issues/Concerns	Probability	Consequence	Assigned Risk Level
Group A	Assembly	<ul style="list-style-type: none"> • Heavy timber construction • High fire load • High occupancy • Historical significance • Large open spaces • May lack fire stops and sprinklers. • May lack monitored fire alarm systems. • May, have poor housekeeping practices. 	Possible	Moderate	Moderate risk
Group B	Detention Occupancies	<ul style="list-style-type: none"> • Restricted access • Potential for violent interaction • Potential for civil disobedience • May have a maze of hallways, difficult to navigate in smoke conditions 	Possible	Major	Moderate risk

Building Stock Profile Risks					
Occupancy Classification		Issues/Concerns	Probability	Consequence	Assigned Risk Level
Group B	Care and Treatment/ Care	<ul style="list-style-type: none"> Elderly residents with mobility and cognitive behavioral issues High occupancy May be lacking facility staff during evening and night shifts. Increased building construction for seniors indicates an increase in the aged demographic. Staff may not be familiar with emergency evacuation procedures or lack practice. Significant turnover of staff may mean some may be delayed in receiving emergency protocol training. Kingsville has 13 vulnerable occupancies in the Town. 	Possible	Major	Moderate risk

Building Stock Profile Risks					
Occupancy Classification		Issues/Concerns	Probability	Consequence	Assigned Risk Level
Group C	Single Family	<ul style="list-style-type: none"> • May be a lack of working smoke and carbon monoxide (CO) alarms. • May have smoke and CO alarms that are past their recommended life span. • May lack a home escape plan. • Many aged structures. • Some older buildings may be made using balloon construction practices. • Hoarding or poor housekeeping practices. • High fire load • Lack of distance between structures – exposure risks • BRLH – farm workers – approx. 253 that are known • This occupancy experiences most of the fires in the Town. • Unidentified number of second units. 	Almost certain	Major	High risk

Building Stock Profile Risks					
Occupancy Classification		Issues/Concerns	Probability	Consequence	Assigned Risk Level
		<ul style="list-style-type: none"> • Increase in housing within the municipality increases demands on the fire service as a whole. • Property owners may not understand their responsibilities regarding fire safety and fire code. • KFRS should assess its Fire Prevention and Enforcement resources with regards to having adequate staffing to inspect secondary dwelling units in the municipality. • May see the addition of approx. 1300 residential living units in Kingsville over the next 10 years to meet the <i>More Homes Built Faster Act, 2022</i> • Building stock growth may result in an additional 4,000 residents. 			

Building Stock Profile Risks					
Occupancy Classification		Issues/Concerns	Probability	Consequence	Assigned Risk Level
Group C	Multi-unit Residential	<ul style="list-style-type: none"> • High occupancy • May lack an escape plan. • May be a lack of working fire extinguishers and knowledge on their operation. • Hose cabinets may be vandalized. • May be a lack of knowledge on where the emergency exits are located. • May be a lack of knowledge on shelter in place procedures. • Building 6-storey residential buildings in the town, which are permitted to be built out of ordinary construction materials, may lack fire stops. • Tenants may not respond appropriately to fire alarms due to the number of malicious false alarms. 	Almost certain	Major	High risk

Building Stock Profile Risks					
Occupancy Classification		Issues/Concerns	Probability	Consequence	Assigned Risk Level
		<ul style="list-style-type: none"> • High-rise fires in structures will be challenging on fire service resources. • Fires in higher structures may necessitate specialized training for firefighters on elevator operation, ventilation systems, smoke travel, firefighter deployment, thermal/smoke column in stairways, sprinkler, and hose connections. • May require specialized training and additional equipment for fighting fires. • Fires can occur above and below ground level. 			
Group C	Hotel/Motel	<ul style="list-style-type: none"> • Transient population • Not familiar with the building's safety features (e.g., emergency exits, location of pull station). • Not familiar with location of fire extinguishers or hose cabinets. 	Unlikely	Moderate	Moderate risk

Building Stock Profile Risks					
Occupancy Classification		Issues/Concerns	Probability	Consequence	Assigned Risk Level
		<ul style="list-style-type: none"> Numerous floors to travel up with no dedicated firefighter's elevator. Include bed and breakfast facilities in this category. If from out of the country, may not be aware of what the fire alarm sounds like or the procedures to follow (i.e., language barriers possible). KFRS is not trained in conducting elevator rescues, with more being installed in newer buildings 			
Group C	Mobile Homes & Trailers	<ul style="list-style-type: none"> High combustibility due to construction materials. High fire loads and, in some cases, hoarding. Seasonal usage or potentially year round May lack smoke and CO alarms. Limited access routes. Lack of fire separation between trailers. 	Unlikely	Moderate	Moderate risk

Building Stock Profile Risks					
Occupancy Classification		Issues/Concerns	Probability	Consequence	Assigned Risk Level
		<ul style="list-style-type: none"> Use of propane cylinders for heat and cooking may be a possible explosive hazard. 			
Groups D & E	Business & Personal Service	<ul style="list-style-type: none"> Small local business Possibly heavy timber construction or common basements or attic spaces Have not had any fires in this occupancy classification between 2019 and 2023 	Possible	Major	Moderate Risk
	Service/Mercantile	<ul style="list-style-type: none"> High fire loads Structures that are continually against each other (e.g., main street) May lack sprinklers. May lack pre-incidents plans Staff may not be familiar with building's services or layout. May, lack monitored fire alarms. May be missing or vandalized fire extinguishers. 	Possible	Major	Moderate risk

Building Stock Profile Risks					
Occupancy Classification		Issues/Concerns	Probability	Consequence	Assigned Risk Level
Group F	Industrial	<ul style="list-style-type: none"> • May lack current emergency plan for the occupancy. • May lack pre-incident plans • High fire loads • Lack of sprinklers and fire alarm systems (may not have been required by code at time of build). • Lack structural fire breaks with multiple lines of manufacturing or add on to buildings • May lack access around entire building on the outside. • Unknown quantities of chemicals could be on-site as part of the manufacturing/refurbishing processes. 	Possible	Major	Moderate risk

Building Stock Profile Risks					
Occupancy Classification		Issues/Concerns	Probability	Consequence	Assigned Risk Level
Other	Occupancies not classified in OBC such as farm buildings	<ul style="list-style-type: none"> • High fire loads (e.g., combustibles, farm equipment). • The lack of fire separations in driving sheds and barns allows for fires to easily spread throughout the structure. • Extremely large in size can impact time to find incident on site • Lack of fire stops • Structures in proximity to each other become exposure risks. • Poor housekeeping practices • Many vacant abandoned structures • Farm structures being used for non-intended purposes (e.g., illegal drug activity). • Most farms lack fire safety plans. • Lack of water supply close by for fire suppression operations. 	Possible	Major	Moderate risk

3. Critical Infrastructure Profile

Consider the community’s critical infrastructure including electricity distribution, water distribution, telecommunications, hospitals, and airports and how they relate to fire and other emergency risks in the community.

Critical Infrastructure Profile Risks

List the critical infrastructure in your community and the fire and other emergency issues/concerns relating to each.

Critical Infrastructure Profile Risks	
Identified Critical Infrastructure	Issues/Concerns/Operations
Food Distribution	<ul style="list-style-type: none"> • Essential food supply • Supply broken due to power outages which could equate to commerce disrupted. • Should promote the installation of generators to limit food spoilage in the event of the loss of power.
Food and Water Inspection & Monitoring	<ul style="list-style-type: none"> • Health inspectors • Inspection systems • Mass notification, testing, and instructions to the public
Water	<ul style="list-style-type: none"> • Municipal water supply breakdown/ disruption • Water contamination • Water is obtained from Lake Erie. • Large diameter water transmission mains.
Water Distribution within the Municipality	<ul style="list-style-type: none"> • Supply pipeline failure • Distribution systems failure • Pumping/booster station failure • Monitoring systems failure • Hydrants out of service • Sabotage or terrorism to the pumping stations • Above and below ground reservoirs. • Greenhouse operators that require copious amounts of water.

Critical Infrastructure Profile Risks	
Identified Critical Infrastructure	Issues/Concerns/Operations
	<ul style="list-style-type: none"> • Water pipe failure due to age of pipes used in the rural area. • Infrastructure growth required to sustain continued growth to the west for many years to come.
Water Treatment	<ul style="list-style-type: none"> • Chemical identification (i.e., chlorination systems) • Chemical storage and quantities • Distribution systems • Security of treatment plants and pumping station • Sabotage or terrorism
Wastewater and Storm Sewer Systems	<ul style="list-style-type: none"> • Collection systems, storm sewer management • Wastewater treatment facilities • Chemicals stored and used in process • Sewage lagoons • Numerous pumping stations for both wastewater and sewage.
Water Distribution	<ul style="list-style-type: none"> • Bottled water in bulk supply if required due to system failure. • Ensure the availability of large quantities on short notice, in case of an emergency.
Garbage	<ul style="list-style-type: none"> • Debris removal and collection after severe weather event
Pharmacies	<ul style="list-style-type: none"> • Several pharmacies located in Town • Significant quantities of medications on location • May have restricted access to some areas of the building
Hydro One and ELK Hydro Utilities	<ul style="list-style-type: none"> • Distribution lines • Distribution system • Transformer stations

Critical Infrastructure Profile Risks	
Identified Critical Infrastructure	Issues/Concerns/Operations
911 Communications (i.e., Public-Safety Answering Point (PSAP) operated by: Northern 911, located in North Bay)	<ul style="list-style-type: none"> • Centre's location • Main operating equipment • Back up equipment and location • Security, public safety answering point for the municipality. • Next-generation 9-1-1 requirements
Kingsville Fire Rescue Service Radio System	<ul style="list-style-type: none"> • Dispatching services provided by LaSalle Police Department, who also dispatches their own fire and police services • Operational equipment • Repeaters • Control equipment • Antenna • Cabling • Connections to communications Centre • Redundancy of antenna and repeater for Radio system. • Emergency back-up power • There is a lack of radio inter-operability communications between the emergency services in Essex County. • Due to the high risk of significant weather events, fires, or other emergencies, this means of communication should be reviewed at the earliest opportunity by the emergency services involved.
Central Ambulance Communications Centre (CACC), located in Windsor	<ul style="list-style-type: none"> • Control equipment • Repeaters • Antenna • Cabling • Interagency Communications • Provincial Common Radio Frequency
Essex Windsor EMS Services	<ul style="list-style-type: none"> • One base in Kingsville. • Several other bases throughout Essex County • May have limited supply of medications stored in facilities • May have limited available units which would require assistance from KFRS.

Critical Infrastructure Profile Risks	
Identified Critical Infrastructure	Issues/Concerns/Operations
Town of Kingsville – Information Technology Services	<ul style="list-style-type: none"> Information technology includes servers, applications, web hosting, phone systems (cell and landline), data communications, document storage, databases
Telephones – Landline	<ul style="list-style-type: none"> Wires, towers, repeaters, sub-stations, data lines, internet, Emergency Operations Centre (EOC), and police phone systems Town of Kingsville phone and data lines Fiberoptics
Telephones – Wireless	<ul style="list-style-type: none"> Towers, repeaters, wireless data Numerous providers
Internet Providers	<ul style="list-style-type: none"> Numerous internet service providers through Kingsville. Towers and infrastructure
Banks and Financial Institutions	<ul style="list-style-type: none"> Access to cash withdrawals Phone line breakdowns impeding commerce and financial transactions Located primarily in Kingsville town limits
Chamber of Commerce	<ul style="list-style-type: none"> Hub for local businesses
Natural Gas Transmission Systems	<ul style="list-style-type: none"> Residential, commercial, and industrial supply Main supply pipeline location Gas main infrastructure of numerous pipe sizes Enbridge is the main supplier
Liquefied Petroleum Gases <i>Propane</i>	<ul style="list-style-type: none"> Propane storage facilities could have large quantities of product on site. Tank refill depots locations. Large tanker trucks on roads system that bring product to refill depot tanks. Homes and businesses may have on-site propane tanks for heating. If leak occurs and does not dissipate easily, stays close to the ground Fuel for forklifts, automobiles, and BBQs. Many applications of use in residential and industrial settings. May be incidents of improper transportation and storage of smaller 10 and 20 lb tanks. BBQ fires involving tanks that may not have been installed properly.

Critical Infrastructure Profile Risks	
Identified Critical Infrastructure	Issues/Concerns/Operations
Abandoned Oil and Gas Wells	<ul style="list-style-type: none"> • Land Information Ontario, there are over 250 abandoned wells located in the Town of Kingsville. • Pre-incident planning and public education is needed • Establish partnerships and procedures before an incident occurs
Municipality's Road Infrastructure	<ul style="list-style-type: none"> • Thoroughfares, bridges, side streets • High volumes of traffic during summer months • Long duration closures due to MVCs • Traffic gridlock at times during holiday weekends in the summer months. • As population increases so does the traffic on the network of roads. • There are currently no plans for the use of roundabouts / traffic circles, in any new residential developments.
Federal Government Buildings (e.g., Canada Post)	<ul style="list-style-type: none"> • Multiple locations • Services provided at that location • On-site security
Provincial Resources	<ul style="list-style-type: none"> • Identification equipment • Facilities • Staffing • Capabilities • Locations • Hazard specific emergency plans/protocols • Activation protocols
Ontario Provincial Police (OPP)	<ul style="list-style-type: none"> • Equipment • Staffing • Vehicles • Security • Capabilities of normal staffing 24/7. • Integration capabilities • Back-up capacities • Support systems • Back-up communications centre • Transmission equipment • Radio transmission towers • Crisis communications plan

Critical Infrastructure Profile Risks	
Identified Critical Infrastructure	Issues/Concerns/Operations
Kingsville Fire Rescue Services	<ul style="list-style-type: none"> • Multiple locations (2 fire stations) • Equipment • Staffing • Vehicles and fleet maintenance • Security • Facilities • Capabilities • Integration capabilities • Back-up capacities • Support systems

4. Demographic Profile

Municipal services, including fire protection, should be tailored to the community with the understanding that a town has multiple communities within its borders (Kingsville, Cottam, Ruthven). There is a need to examine and understand the demographics of the community to provide appropriate services.

Demographic profile refers to the composition of the community considering such factors as population size and dispersion, age, gender, cultural background, level of education, socio-economic make-up, and transient population.

Awareness and understanding of unique needs and circumstances gained from the various demographics in Kingsville helps ensure fire protection, in accordance with the “*Three Lines of Defence*”, is delivered in the most relevant and meaningful ways with the greatest positive impact.

The following population distribution charts can assist with identifying high-risk or vulnerable demographic groups in the community.

The data found in this profile has been sourced and collected from the Government of Canada’s 2021 Census

Table 5: Demographic Numbers by Age

Ages of population	# of People	% of Total Population
0-4	1,055	4.77%
5-9	1,190	5.38%
10-14	1,325	5.99%
15-19	1,280	5.79%
20-24	1,145	5.18%
25-29	1,195	5.40%
30-34	1,230	5.56%
35-39	1,275	5.76%
40-44	1,340	6.06%
45-49	1,345	6.08%
50-54	1,375	6.22%
55-59	1,610	7.28%
60-64	1,675	7.57%
65-69	1,560	7.05%
70-74	1,425	6.44%
75-79	900	4.07%
80-84	565	2.55%
85 and over	625	2.83%
Total Population	22,120	100%

Table 6: Population Distribution

Total – Distribution (%) of the population by broad age groups	100 %	Male	Female
	22,120	11,115	11,005
0 to 14 years	3,575	1,835	1,740
15 to 64 years	13,465	6,915	6,550
65 years and over	5,080	2,370	2,710
85 years and over	625	250	380
Average age of the population	43.8	42.7	44.9
Median age of the population	45.2	42.8	47.2

Table 7: Education

Total – Highest certificate, diploma or degree for the population aged 15 years and over in private households	Total 17,620	Male 8,750	Female 8,875
No certificate diploma or degree	3,805	2,130	1,685
Secondary (high) school diploma or equivalent certificate	5,390	2,665	2,730
Postsecondary certificate, diploma, or degree	8,730	4,170	4,570
Apprenticeship trades certificate or diploma	1,230	895	335
Trade’s certificate or diploma other than Certificate of Apprenticeship or Certificate of Qualification	530	305	220
Certificate of Apprenticeship or Certificate of Qualification	700	585	110
College, CEGEP or other non-university certificate or diploma	4,280	1,910	2,375

Table 8: Employed Labour Force by Industry Sectors

Industry Sectors	Number Employed	Percentage
Total - Labour force aged 15 years and over by occupation - Broad category - National Occupational Classification (NOC) 2021 - 25% sample data	10,680	100.0%
Occupation non-applicable	110	1.02%
All occupations	10,570	98.9%
Management occupations	115	1.07%
Business, finance, and administration occupations	1,470	13.76%
Natural and applied sciences and related occupations	550	5.15%
Health occupations	720	6.74%
Occupations in education, law and social, community and government services	1,120	10.49%
Occupations in arts, culture, recreation, and sport	170	1.59%
Sales and service occupations	2,470	23.13%
Trades, transport and equipment operators and related occupations	2,365	22.14%
Natural resources, agriculture, and related production occupations	685	6.41%
Occupations in manufacturing and utilities	905	8.47%

Understanding the characteristics of the community assists the fire department to determine if specific segments of the population are at high-risk of fire instances or higher risk of fire related injury and to tailor public education and prevention/enforcement activities accordingly.

The groups in Kingsville that potentially are of concern related to fires and other emergencies can be found listed below.

NOTE: The following features are not identified in the order of their risk

Demographic Profile Risks	
Identified Demographic Group	Issues/Concern
Seasonal Agricultural Worker Population	<ul style="list-style-type: none"> • Language barriers • May lack, knowledge on fire safety matters. • May lack fire escape plan. • Require multi-language-cultural fire safety brochures and signage. • Between 3600 – 4000 seasonal workers come to the community each year. • May not be familiar with building fire safety systems. • Require public education on safe cooking practises.
General Population	<ul style="list-style-type: none"> • Population continues to grow as more development occurs • Population growth estimation of approximately 3000 - 3250 new residents between 2022 and 2031 • Increased population will result in an increase in fire call volume. • Increased drug related medical events Province wide, thus may see an increase in the number of medical calls. Increase in pedestrians, cyclists, distracting drivers, and disregard for the movement of emergency vehicles. • With the increase of residents, there is also an increase in the number of those that may suffer from mental illness. It is noted that malicious false alarms have originated by these individuals for unknown reasons.
Senior's population	<ul style="list-style-type: none"> • There is 6755 seniors living in the community (above age 60). • There are five large vulnerable sector occupancies in Kingsville • Some of the seniors will have mobility and cognitive/behavioral issues that may require constant care. • Lack of personal care workers during evenings and nights. • May lack, knowledge of escape routes due to mental confusion.

5. Hazard Profile

Potential hazards in the community include but are not limited to hazardous materials spills, floods, freezing rain/ice storms, forest fires, hurricanes, tornadoes, transportation emergencies (e.g., air, road), snowstorms, windstorms, extreme temperature, cyber-attacks, human health emergencies, and energy supply (e.g., pipelines, storage and terminal facilities, electricity, natural gas, and oil facilities).

Hazard Profile Risks

The list of potential hazards are assigned a probability, consequence and level for each specific risk.

Hazard Profile Risks			
Identified Hazard	Probability	Consequence	Assigned Risk Level
Ice storm (power interruptions/ disruptions in communications/ delayed access)	Possible	Catastrophic	Moderate
Flood (obstructed access/increased calls for rescue/assistance)	Almost Certain	Major	High
Extreme Temperatures	Likely	Minor	Low
Wildland Urban-Interface Fires	Rare	Minor	Low
Utility Disruption	Likely	Minor	Moderate
Communications Disruption	Possible	Major	Moderate
Snowstorm/Blizzard/Hail	Almost Certain	Minor	Moderate
Severe Wind Event – Tornado	Likely	Major	High
Extreme Downburst	Possible	Major	Moderate

Hazard Profile Risks			
Identified Hazard	Probability	Consequence	Assigned Risk Level
Drought – Low Water	Rare	Minor	Low
Potable Water Emergency – Wells	Rare	Minor	Low
Potable Water – Municipal Water System- Failure/Haz-Mat/Sabotage/Terrorism	Rare	Major	Moderate
Waste-Water Treatment Plant – Failure/Haz-Mat/Sabotage/Terrorism	Rare	Major	Moderate
Emergency Water Supply – Bottled Water Required	Rare	Moderate	Low
Critical Infrastructure Failure – Continuity of Government	Possible	Moderate	Moderate
Influenza Outbreak	Possible	Major	High
Road Incident – Mass Casualty	Likely	Minor	Moderate
Cyber Attack on Municipal Servers	Possible	Major	Moderate
Earthquake	Rare	Minor	Low
Severe Thunderstorm	Almost Certain	Moderate	High
Erosion	Rare	Minor	Low
Large Fire	Likely	Major	High
High Angle Rescue	Unlikely	Minor	Low
Trench Rescue	Unlikely	Major	Moderate

Hazard Profile Risks			
Identified Hazard	Probability	Consequence	Assigned Risk Level
Special Events (e.g., Fire Scene Crowd Control, Stage/Viewing Stands Collapse)	Rare	Moderate	Low
Mail Delivery	Rare	Minor	Low
Civil Disorder – Riots, labour disputes, sports team win/losses, etc.	Unlikely	Minor	Low
Active Threat	Rare	Major	Moderate
Motor Vehicle Collisions	Almost Certain	Moderate	High
Aircraft Crash	Possible	Major	Moderate
Terrorism & Sabotage – Hostage taking, chemical attack, critical infrastructure attack,	Unlikely	Major	Moderate
Hazardous Materials Incident – Fixed Location	Possible	Moderate	Moderate
Hazardous Materials Incident - Transportation	Likely	Moderate	Moderate
Structural Collapse	Possible	Major	Moderate
War/International Emergency	Unlikely	Insignificant	Low
Fog – Poor Visibility	Almost Certain	Minor	Moderate
Radioactive Emergency	Unlikely	Minor	Low

Hazard Profile Risks			
Identified Hazard	Probability	Consequence	Assigned Risk Level
Human Health – Epidemic	Likely	Catastrophic	High
Human Health – Pandemic	Possible	Catastrophic	High
Substance Abuse/Overdose	Almost Certain	Insignificant	Moderate
Plant Disease and Pest Infestation	Unlikely	Minor	Low
Farm Animal Disease	Unlikely	Minor	Low
Geometric Storm/Solar Flares	Rare	Major	Moderate
Landslide	Rare	Insignificant	Low
Natural Space Object Crash	Rare	Insignificant	Low
Human Made Space Object Crash	Rare	Insignificant	Low
Transportation Emergency – Marine	Rare	Insignificant	Low
Large Explosion and Resulting Fire (e.g., natural gas line rupture, fuel storage depot failure, training derailment)	Possible	Major	Moderate
Worksite Strike/Labour Disruption	Likely	Minor	Moderate
Vandalism/Security Breach/ Criminal Activity	Possible	Moderate	Moderate
Workplace Violence	Likely	Moderate	Moderate
Health & Safety Incidents	Likely	Minor	Moderate

6. Public Safety Response Profile

Considers other public safety response agencies (e.g., police, EMS, rescue) that might be tasked to assist in the response to emergencies or in mitigating the impact of emergencies. This also identifies the types of incidents each can respond to and any issues or concerns that may impact fire department response.

Public Safety Response Profile Risks

This lists other public safety response agencies in your community and the incidents they respond to.

Public Safety Response Profile Risks			
Identified Public Safety Response Agency	Types of Incidents They Respond To	What is their Role at the Incident	Issues/Concerns
Ontario Provincial Police	<ul style="list-style-type: none"> • MVCs on network of roads/streets. • Fire scenes • Acts of crime • Acts of violence • Acts of terrorism • Any time the Emergency Response Plan is initiated • Security of dignitaries • Medium Urban Search & Rescue (MUSAR) <ul style="list-style-type: none"> - Major structural collapse - Tornadoes - Severe weather 	<ul style="list-style-type: none"> • Scene control, traffic control, investigations • Establish perimeters. • Provide marine support. • Protective services • Canine services • Search & rescue <p>CBRNE support team</p>	<ul style="list-style-type: none"> • Low Staffing • Limited availability for non emergency after hours • Shared resource with other Municipalities • Low level of community connection

Public Safety Response Profile Risks			
Identified Public Safety Response Agency	Types of Incidents They Respond To	What is their Role at the Incident	Issues/Concerns
Essex Windsor EMS Services	<ul style="list-style-type: none"> • Medical calls • Fire stand-by • Acts of violence • Acts of terrorism • Mass casualty • Any time the Emergency Response Plan is initiated 	<ul style="list-style-type: none"> • Take control and provide direction, upon arrival, in the treatment of the sick and injured. • Triage patients at mass casualty incidents • Transport sick and injured to medical facilities • Liaise with local hospitals on patient condition 	<ul style="list-style-type: none"> • Formal response agreement in place. <p>The current medical tiered response agreement has been in place since 2015 and should be updated.</p>
Outside Fire Services (Neighboring municipalities)	<ul style="list-style-type: none"> • Mutual Aid Incidents • Respond to structure fires with tanker support if lack of hydrants 	<ul style="list-style-type: none"> • Fire Suppression • Provide staffing and equipment as requested. • Perform all duties that may be requested of them by the KFRS Incident Commander (IC). • May provide emergency coverage until KFRS is able to back fill stations while crews recalled. • KFRS has mutual aid agreements in place. 	<ul style="list-style-type: none"> • Evaluate option for Automatic Aid agreements • Any agreement should meet the needs and circumstances of the residents living in the response area, of that agreement.

Public Safety Response Profile Risks			
Identified Public Safety Response Agency	Types of Incidents They Respond To	What is their Role at the Incident	Issues/Concerns
Canadian Red Cross	<ul style="list-style-type: none"> • Public events in which large number of people in attendance • Major incidents where people are displaced from their homes 	<ul style="list-style-type: none"> • Supporting KFRS at public events and extreme disasters • Sheltering and connecting family members • Provide emergency and disaster services (e.g., temporary shelter, food, clothing) 	<ul style="list-style-type: none"> • None known
Ontario Fire Marshal Office (OFM)	<ul style="list-style-type: none"> • Suspicious fires • Any fire in which there is either a civilian or firefighter fatality. • High dollar loss fires • Fires at vulnerable occupancies • Incidents that require a provincial specialty team such as HAZMAT (hazardous materials), CBRNE (chemical, biological, radiological, nuclear, explosives), HUSAR (heavy urban search and rescue) 	<ul style="list-style-type: none"> • Investigation – Lead agency working in conjunction with the police. • Provide technical support 	<ul style="list-style-type: none"> • None known

Public Safety Response Profile Risks			
Identified Public Safety Response Agency	Types of Incidents They Respond To	What is their Role at the Incident	Issues/Concerns
Transport Canada	<ul style="list-style-type: none"> Respond to transportation accidents involving some road vehicles, along with all rail, marine and aviation incidents 	<ul style="list-style-type: none"> Take the lead investigation role in many transportation accidents with support of other agencies. Many transportation regulations are the department's responsibilities to develop and monitor. The findings of these investigations may lead to changes in some of the transportation regulations. Canadian Transport Emergency Centre aids the emergency response and 	<ul style="list-style-type: none"> None known
Trenton Search and Rescue – Joint Rescue Co-Ordination Centre Trenton / Canadian Coast Guard	<ul style="list-style-type: none"> Marine search and rescue Navigational or transportation emergencies in Canadian waters Ice breaking to free vessels 	<ul style="list-style-type: none"> Respond to support local emergency services in the stabilization of the scene Work collaboratively with other government agencies both Canadian and American 	<ul style="list-style-type: none"> Distance for Response Coast Guard Cutter in Amherstburg Auxillary Boat in Colchester Air Support in Trenton

Public Safety Response Profile Risks			
Identified Public Safety Response Agency	Types of Incidents They Respond To	What is their Role at the Incident	Issues/Concerns
Kingsville Fire Rescue Service	<ul style="list-style-type: none"> • Fires • MVCs • Technical rescues <ul style="list-style-type: none"> ○ Surface Water –Technician Level in accordance with NFPA 1670 ○ Ice Rescue – Technician Level in accordance with NFPA 1670 ○ High angle rope – Not provided ○ Low angle rope – Awareness Level in accordance with NFPA 1670 ○ Confined space – Awareness Level in accordance with NFPA 1670 ○ Trench Rescue – Awareness Level in accordance with NFPA 1670 • Tiered medical – VSA and unconscious patients only • Hazardous materials incidents – Awareness level • Public Education • Flooding 	<ul style="list-style-type: none"> • Suppress and extinguish fires. • Fire cause determination • Perform rescues. • Property conservation • Vehicle extrication, including farm equipment. • Assist other, emergency response agencies. • Assist with evacuations. 	<ul style="list-style-type: none"> • KFRS Firefighters are required to be trained and certified to the NFPA standards specific to each discipline. This is not only time consuming but costly due to turn over • KFRS has a volunteer staff complement of 55 firefighters. Turnover rate of volunteer firefighters is approximately 10 staff per year • KFRS is a member of the Essex County Mutual Fire Aid Agreement adopted by By-Law permitting their participation

Public Safety Response Profile Risks			
Identified Public Safety Response Agency	Types of Incidents They Respond To	What is their Role at the Incident	Issues/Concerns
Technical Standards & Safety Authority (TSSA)	<ul style="list-style-type: none"> • Fires and explosions that involve fuel fired appliances such as gas kitchen appliances, furnaces, hot water heaters, barbeques, gas fireplaces, etc. • Gas leaks that involve pressurized vessels and pipelines • Carbon monoxide leaks • Boilers and pressurized vessel failures • Elevator and amusement park ride failures 	<ul style="list-style-type: none"> • Investigations relating to cause and origin. • Investigations that involve the failure of a pressurized vessel (e.g., boilers, LPG tanks) • Assist other agencies during investigations. • Assist with enforcement. • Technical support 	<ul style="list-style-type: none"> • None known
Electrical Safety Authority	<ul style="list-style-type: none"> • Fires that involve electrical equipment 	<ul style="list-style-type: none"> • Assist with fire investigations • Electrical code enforcement 	<ul style="list-style-type: none"> • None known
Hydro One and ELK Utilities	<ul style="list-style-type: none"> • Downed power lines • Severe weather events • Structure fires • Industrial accidents for disconnecting the power 	<ul style="list-style-type: none"> • Terminate power supply on transmission systems as required. • Reinstate power supply as required 	<ul style="list-style-type: none"> • Aging Infrastructure • Limited local resources

Public Safety Response Profile Risks			
Identified Public Safety Response Agency	Types of Incidents They Respond To	What is their Role at the Incident	Issues/Concerns
Union Gas	<ul style="list-style-type: none"> Respond to gas leaks involving their transmission equipment. Carbon monoxide detection Severe weather events 	<ul style="list-style-type: none"> Mitigation of a gas leak Investigation of incidents that involve the Union Gas infrastructure. Investigate the source of CO. Assist other agencies as required, during fire investigations 	<ul style="list-style-type: none"> Aging Infrastructure Outsourcing emergency response to Lakeside Gas

7. Community Service Profile

Considers community service agencies, organizations or associations that provide services that support the fire department in the delivery of public fire safety education, Fire Code inspection and enforcement, and emergency response. This may include services in-kind, financial support, provisions of venues for training, increased access to high-risk groups in the community, and temporary shelter for displaced residents following an incident.

Community Service Profile Risks		
Community Service Agencies	Types of Assistance They Can Provide	Issues/Concerns
Canadian Red Cross	<ul style="list-style-type: none"> • Emergency Housing • Food • Emergency purchases (e.g., clothing, toiletries, food, etc.) 	None known
County of Essex – Community Emergency Management Coordinator (CEMC)	<ul style="list-style-type: none"> • Assist with those residents during emergency evacuations. • Arrange for buses for temporary shelter or transportation • Assist with coordinating mass reception centers. 	None known
Kingsville Food Bank	<ul style="list-style-type: none"> • Emergency supply of food 	None known
City of Windsor’s Human and Health Service Dept.	<ul style="list-style-type: none"> • Housing • Registration of evacuees • Clothing • Personal services (counselling, language interpretation) • Financial support 	None known
Windsor Essex County Health Unit	<ul style="list-style-type: none"> • General well being support. • Continuous improvement in the quality of services and programs with all efforts oriented to meet the specific needs of the people and communities being served. • Design services and programs to reduce health disparities and inequities. 	None known
Enbridge Gas	<ul style="list-style-type: none"> • Provide donations of smoke and carbon monoxide alarms for residential dwelling units 	None. Requires program application for consideration of donation

8. Economic Profile

Economic profile refers to the economic sectors affecting the community that are critical to its financial sustainability.

When prioritizing risk in the community, the fire department considers the impact of fire and other emergencies on the industrial or commercial sectors that provide significant economic production and jobs to the local economy. This will assist in determining the type and level of fire protection services provided in these sectors in the community.

The following are the industrial or commercial occupancies that provide significant economic value in the community. The following lists the fire or other emergency risks in each occupancy. These are assigned a probability, consequence, and risk levels for each sector identified.

NOTE: The following features are not identified in the order of their level of risk.

Economic Profile Risks				
Identified Occupancy	Key Risks	Probability	Consequence	Assigned Risk Level
Vulnerable Occupancies	Fire	Possible	Minor	Moderate
	Weather Event	Possible	Moderate	Moderate
	Power Failure	Possible	Minor	Moderate
	Pandemic	Possible	Catastrophic	High
Grocery Stores	Fire	Possible	Major	Moderate
	Weather Event	Possible	Minor	Moderate
	Domestic Terrorism	Rare	Catastrophic	Moderate
	Pandemic	Possible	Moderate	Moderate
	Power Outage	Likely	Major	High
	Telecommunications Disruption	Possible	Moderate	Moderate
	Natural Gas Disruption	Unlikely	Minor	Low
Trucking Firms	Fire	Possible	Minor	Moderate
	Weather Event	Possible	Moderate	Moderate
	Pandemic	Possible	Moderate	Moderate
Restaurants/ Fast Food Outlets	Weather Event	Possible	Minor	Moderate
	Telecommunications Disruption	Possible	Moderate	Moderate

Economic Profile Risks				
Identified Occupancy	Key Risks	Probability	Consequence	Assigned Risk Level
	Domestic Terrorism	Rare	Catastrophic	Moderate
	Pandemic	Possible	Catastrophic	High
	Power Outage	Likely	Moderate	Moderate
	Fire	Possible	Major	Moderate
Small Business	Fire	Possible	Major	Moderate
	Pandemic	Possible	Catastrophic	High
	Domestic Terrorism	Rare	Catastrophic	Moderate
	Weather Event	Possible	Minor	Moderate
	Power Outage	Likely	Moderate	Moderate
	Telecommunications Disruption	Unlikely	Minor	Low
Municipal Operations	Weather Event	Possible	Major	Moderate
	Flooding	Likely	Major	High
	Pandemic	Possible	Major	Moderate
	Power Outage	Likely	Major	High
	Cyber Attack	Possible	Catastrophic	High
	Fire	Possible	Major	Moderate
	Road Closure of Long Duration	Possible	Insignificant	Low
	Domestic Terrorism	Rare	Catastrophic	Moderate
	Water Treatment Facility Mechanical Failure	Unlikely	Major	Moderate
	Terrorism or Sabotage	Unlikely	Major	Moderate
	Waste-Water Treatment Facility Mechanical Failure	Unlikely	Major	Moderate
Municipal Arenas	Power Outage	Possible	Insignificant	Low
	Weather Event	Possible	Moderate	Moderate
	Pandemic	Possible	Minor	Moderate
	Natural Gas Disruption	Unlikely	Minor	Low

Economic Profile Risks				
Identified Occupancy	Key Risks	Probability	Consequence	Assigned Risk Level
Schools	Fire	Possible	Major	Moderate
	Domestic Terrorism	Rare	Catastrophic	Moderate
	Weather Event	Possible	Moderate	Moderate
	Natural Gas Disruption	Unlikely	Moderate	Moderate
	Power Outage	Likely	Moderate	Moderate
	Pandemic	Possible	Catastrophic	High
	Potable Water Emergency	Unlikely	Moderate	Moderate
	Influenza Outbreak	Possible	Moderate	Moderate
	Pandemic	Possible	Catastrophic	High
Campgrounds/ Seasonal Lodging	Fire	Possible	Moderate	Moderate
	Weather Event	Possible	Moderate	Moderate
	Pandemic	Possible	Moderate	Moderate
Financial Institutions	Telecommunications Disruption	Possible	Moderate	Moderate
	Fire	Possible	Moderate	Moderate
	Domestic Terrorism	Rare	Catastrophic	Moderate
	Pandemic	Possible	Catastrophic	High
	Cyber Attack	Rare	Insignificant	Low
Industrial/ Manufacturing	Fire	Possible	Major	Moderate
	Power Disruption	Possible	Minor	Moderate
	Domestic Terrorism	Rare	Catastrophic	Moderate
	Pandemic	Possible	Major	High

9. Past Loss and Event History Profile

Past Loss and Event History profile refers to the community's past emergency response experience, including analyzing the following:

- a) The number and types of emergency responses, injuries, deaths, and dollar losses.
- b) A comparison of the community's fire loss statistics with provincial fire loss statistics.

The details provided evaluates previous response data to identify trends regarding the circumstances, behaviours, locations, and occupancy types of previous fires. This assists in determining the leading causes or behaviours resulting in fires, and high- risk locations and

occupancies. Public fire safety education and Fire Code inspection and enforcement programs can then be designed to specifically target high-risk behaviours among various population groups and to focus prevention activities on high-risk neighbourhoods or locations. This targeted approach allows public fire safety education and Fire Code inspection and enforcement programs to directly address fire risks, thereby increasing their fire prevention effectiveness.

Table 9: Fire by Property Category

		2019	2020	2021	2022	2023
Total	Loss Fires	18	13	26	20	13
	Injuries	0	0	1	0	0
	Fatalities	0	0	0	0	0
	Est \$ Loss	577,375	534,000	4,126,999	2,073,501	824,200
	No Loss Fires	21	32	20	34	27
Structure	Loss Fires	7	7	18	14	6
	Injuries	0	0	1	8	0
	Fatalities	0	0	0	8	0
	Est \$ Loss	325,875	514,000	3,548,000	1,731,500	785,000
	No Loss Fires	2	6	3	1	4
Outdoor	Loss Fires	6	6	3	3	4
	Injuries	0	0	0	0	0
	Fatalities	0	0	0	0	0
	Est \$ Loss	190,500	10,000	100,000	226,000	10,200
	No Loss Fires	5	2	3	10	4
Vehicle	Loss Fires	5	1	5	3	3
	Injuries	0	0	0	0	0
	Fatalities	0	0	0	0	0
	Est \$ Loss	61,000	10,000	478,999	116,001	29,000
	No Loss Fires	0	0	2	3	5
No Loss – Unauthorized Open Burns	Loss Fires	0	0	0	0	0
	Injuries	0	0	0	0	0
	Fatalities	0	0	0	0	0
	Est \$ Loss	0	0	0	0	0
	No Loss Fires	14	24	12	20	14

Table 10: Municipal Fire Losses, Deaths, Injuries and Causes

		YEAR: 2021					YEAR: : 2022					YEAR: 2023				
		# of Fires	\$ Loss	# of Injuries	# of Deaths	Causes	# of Fires	\$ Loss	# of Injuries	# of Deaths	Causes	# of Fires	\$ Loss	# of Injuries	# of Deaths	Causes
Group A	Assembly	1	450,000	0	0	Undetermined	0	0	0	0	N/A	0	0	0	0	N/A
Group B	Detention/ Care & Treatment/ Care	0	0	0	0	N/A	0	0	0	0	N/A	0	0	0	0	N/A
Group C	Residential	2	20,000	1	0	Electrical	1	75,000	0	0	Electrical	1	600,000	0	0	Electrical
		5	793,000	0	0	Cooking	3	495,500	0	0	Cooking	2	185,000	0	0	Undetermined
		1	650,000	0	0	Undetermined	7	1,263,000	0	0	Undetermined					
	Mobile Homes & Trailers	0	0	0	0	N/A	0	0	0	0	N/A	0	0	0	0	N/A
Group D	Business & Personal Service	0	0	0	0	N/A	0	0	0	0	N/A	0	0	0	0	N/A
Group E	Mercantile	0	0	0	0	N/A	0	0	0	0	N/A	0	0	0	0	N/A
Group F	Industrial	2	1,510,000	0	0	Undetermined	0	0	0	0	N/A	0	0	0	0	N/A
Other –Structures/ Properties not classified by OBC		0	0	0	0	N/A	0	0	0	0	N/A	0	0	0	0	N/A
Properties classified under National Farm Building Code		1	35,000	0	0	Arson	2	171,000	0	0	Undetermined	2	10,200	0	0	Undetermined
		1	65,000	0	0	Handling										
		2	125,000	0	0	Undetermined										
TOTALS		13	3,648,000	1	0		13	2,004,500	0	0		5	795,200	0	0	

Table 11: Past Loss and Event History Profile – Non Fire Emergency Calls

Call Type	2021		2022		2023	
	# of Calls	%of the Total Calls	# of Calls	% of the Total Calls	# of Calls	% of the Total Calls
FIRE RESPONSE	47	13%	54	14%	40	10%
Loss Fire – Structures	20	6%	16	4%	5	1%
Loss Fire – Vehicles	7	2%	4	1%	8	2%
Outdoor Burning – Controlled	12	3%	20	5%	14	3%
No Loss (Outdoor) Fire	8	2%	14	4%	13	3%
NON FIRE RESPONSE	312	87%	310	86%	373	90%
CO False Alarms	30	8%	24	7%	21	5%
False Fire Calls	86	24%	110	30%	105	25%
Medical/Resuscitator Calls	42	12%	43	12%	35	8%
Other Response	49	14%	33	9%	36	9%
Pre-Fire Conditions	15	4%	26	7%	26	6%
Public Hazard	35	10%	23	6%	73	18%
Rescue	55	15%	51	14%	77	19%
Total	359		366		413	

Past Loss and Event History Profile Risks

This lists the risks/ causes for each occupancy type as well as non-fire emergency risk and assigns the probability, consequence and risk level to each identified.				
Occupancy Type/ Location/ Risk	Causes	Probability	Consequence	Assigned Risk Level
Group A – Restaurant	Fire	Possible	Major	Moderate
Group B – Vulnerable Occupancy	Fire	Possible	Major	Moderate
Group C – Residential high density (mid-rise)	Fire	Possible	Major	Moderate
Group C – Residential low density (single family dwellings)	Fire	Almost Certain	Minor	Moderate
Group F – Industrial	Fire	Likely	Major	Moderate
Group F – Industrial	Hazardous Materials Spills	Possible	Major	Moderate
Natural Gas / H2S Leak		Possible	Major	Moderate
Motor Vehicle Collisions		Almost Certain	Minor	Moderate
Medical Calls		Almost Certain	Minor	Moderate

Identifying Treatment Options for the Top Risks in the Community

The fire service should also ensure that operational policies and SOGs address the levels of service and activities required to address each risk. This includes setting goals and objectives and determining resources, training, equipment, activities, and programs required across each of the “*Three Lines of Defence*”.

The process of making informed decisions about the provision of fire protection services should include careful consideration of the following:

- Implementation of public fire safety education, Fire Code inspections and enforcement, and emergency response activities that are appropriate to address the causes, behaviours, or issues associated with identified risks.
- Capabilities and capacity of the fire department (e.g., financial and staffing resources, training, equipment, authority, etc.) that may be required to implement preferred treatment options.
- Strategic partners with common interests, available resources, or skill sets that could assist in addressing risks using the applicable risk assessment profiles.
- Establishing & Regulating By-laws, operational policies, and standard operating guidelines that reflect the fire protection services to be provided to address the identified risks.
- Establishment of goals and objectives, strategies, timelines, and evaluation for the proposed fire protection services to be provided.

NOTE: The following features are not identified in the order of their level of risk

Mandatory Profile	Top Risk or Issues/Concerns	Preferred Treatment Option	Risk Level
Geographic Profile	Creeks, Rivers, Streams, Retention Ponds and Wetlands	<p><i>Avoid and Mitigate Risk</i> – Maintain and update ice/water rescue training protocols, SOGs, policies and activities on an ongoing basis.</p> <p>Evaluate the need of updating equipment specific to shore based ice/water rescues</p>	Moderate

Mandatory Profile	Top Risk or Issues/Concerns	Preferred Treatment Option	Risk Level
Geographic Profile	Body of water (Lake Erie) Recreational / tourist activities	<p>Avoid and Mitigate Risk –Install signage at key locations of bodies of water identifying the risks of water bodies and thin ice.</p> <p>Use of social media networks to assist in educating the public on the dangers of being near/on water in both the summer and winter months.</p> <p>Educate seasonal residents on the importance of knowing their exact address so as not to delay fire service response.</p>	Moderate
Geographic Profile	Grass/ Wildland	Avoid and Mitigate Risk – Promote fire bans during drought events	Low
Geographic Profile	Agricultural Field Fires	Accept the Risk – Specialized fire response vehicles equipped for field fires.	Moderate
Geographic Profile	Provincial Highway/ County and Municipal Roads	<p>Accept the Risk– Specialty training for MVCs & HAZMAT Awareness level training</p> <p>Transfer Risk of HAZMAT response to specialized response organizations (ie. Windsor Fire)</p>	Moderate
Geographic Profile	Recreational Marine use/accidents	Transfer the Risk – nonlife/ major incidents to Coast Guard and/or O.P.P.	Low
Geographic Profile	Beach Area - Swimming	<p>Accept the Risk – Limited capabilities with specialized fire response watercraft. Specialized training required.</p> <p>Transfer Risk to O.P.P. or Canadian Coast Guard</p>	High

Mandatory Profile	Top Risk or Issues/Concerns	Preferred Treatment Option	Risk Level
Building Stock Profile	Downtown Core – Single & double story	<p>Accept the Risk – Develop protocols, aerial apparatus to deliver master streams and/or rescue to multi -story buildings</p> <p>Mitigate the Risk – preplanning and Routine Fire Inspections</p>	Moderate
Building Stock Profile	Farm Structures – Not Classified in the Ontario Building Code <ul style="list-style-type: none"> • Barns, sheds • Large operations (Greenhouses) • Buildings used for Commercial storage (Boats etc.) 	<p>Accept and Mitigate the Risk – Provide tanker shuttle for large water transportation using mutual aid etc.</p>	Moderate
Building Stock Profile	Larger Buildings – larger fire load <ul style="list-style-type: none"> • Assemble Occupancies (Churches) • Strip malls • Zehrs, Food Basic, IDA, Shoppers Drug Mart 	<p>Accept and Mitigate the Risk – Preplanning & Routine Fire inspections, multi- station response, utilize Mutual Aid, aerial apparatus to deliver elevated firefighting streams.</p>	Moderate
Building Stock Profile	Vulnerable Occupancies (14 Total)	<p>Mitigate the Risk – Annual VO inspections – Public education, preplanning for response and fire drills</p>	Moderate

Mandatory Profile	Top Risk or Issues/Concerns	Preferred Treatment Option	Risk Level
Building Stock Profile	Single Family Residential Dwellings - primarily light weight wood frame	Accept the Risk - Public Education Programs – By-law enforcement, open burning complaint firefighter response cost-recovery, Smoke / CO alarm inspections	High
Building Stock Profile	Seasonal Dwellings (BRLH) for offshore workers Seasonal Cottages/ rentals/ Air B&Bs	Accept the Risk – through routine fire inspections Avoid the Risk by focused public education activities Mitigate the Risk – though established annual business licensing	High
Building Stock Profile	Buildings greater than two story (Multi-unit Residential)	Accept the Risk – Routine Fire inspections, multi- station response, utilize Mutual Aid, aerial apparatus to deliver elevated firefighting streams.	Moderate
Building Stock Profile	Hotels/ Motels/Rentals	Accept the Risk – Develop protocols / aerial apparatus to deliver master streams and/or rescue to multi -story buildings, conduct Routine Fire Inspections Mitigate the Risk – Consider Developing business licensing and routine fire inspections	High
Critical Infrastructure Profile	Water - Hydrants	Avoid and Mitigate the Risk - All hydrants should be inspected and tested as required in Articles 6.6.5.2. through 6.6.5.7. of the Ontario Fire Code, and NFPA 24, Standard for the Installation of Private Fire Service Mains Out of service hydrants should be repaired and placed in service in a timely manner. KFRS should be notified of hydrants that are out of service and a time when they will be back in service.	Low

Mandatory Profile	Top Risk or Issues/Concerns	Preferred Treatment Option	Risk Level
Critical Infrastructure Profile	Natural Gas Disruptions	<p>Transfer the Risk - Loss of supply of natural gas in the event of transmission line breakages. Work with local service authorities to provide public education initiatives in such events.</p> <p>Ongoing risk of leaks/accidents involving distribution and use of natural gas.</p>	Low
Critical Infrastructure Profile	Propane Gas	<p>Transfer the Risk - Risk of leaks/accidents involving propane. Involve local suppliers in providing public education on proper means of transporting, storing, and connecting of hose lines.</p> <p>Promote safe BBQ and portable stove usage to prevent leaks and fires involving propane tanks.</p>	Low
Demographic Profile	Average age of residence continue to increase	Accept the Risk – Through targeted public education	Low
Demographic Profile	<p>Approx 539 Vulnerable Individuals in 14 care facilities</p> <p>Unknown number of vulnerable individuals living at home – Live at home seniors</p>	<p>Accept the Risk– Through targeted public education</p> <p>Mitigate the Risk – through mandated vulnerable occupancy inspections and annual fire drills</p>	Moderate
Demographic Profile	Influx of Cottagers/ Day trippers during summer	Mitigate the Risk – Public education programs and signage	Moderate

Mandatory Profile	Top Risk or Issues/Concerns	Preferred Treatment Option	Risk Level
Demographic Profile	Increase in seasonal agricultural worker population	Mitigate the Risk – Through targeted public education, preplanning and routine fire inspections	Moderate
Demographic Profile	High Density Condominiums – Many high-risk seniors	Accept the Risk – Through targeted public education, preplanning	Moderate
Hazard Profile	Mass casualty Event <ul style="list-style-type: none"> • Air / Marine Accident • Natural Disaster • Public Shooting/violence • Explosion 	Accept the Risk – provide training for mass casualty incidents Mitigate the Risk – Work with public safety partners to develop procedure and practices/ conduct simulated exercises	Moderate
Hazard Profile	Abandoned wells throughout the Town, including oil and gas wells which can pose a threat to life, property, local economy and environment if an explosion were to occur	Accept the Risk – Develop response protocols including multi-station response and utilizing Mutual Aid Develop targeted public education and preplanning	High
Hazard Profile	Building Collapse	Transfer the Risk – HUSAR	Moderate
Hazard Profile	Weather Event (tornado, ice and snowstorms, intense rainstorms, flooding)	Accept the Risk – Although these cannot be completely avoided, they can, in most cases, be predicted which will allow for public awareness through media releases. Promote the need for families to maintain 72-hours worth of food, drinking water, and cash in the event of losing power for long duration.	High

Mandatory Profile	Top Risk or Issues/Concerns	Preferred Treatment Option	Risk Level
Hazard Profile	Fire <ul style="list-style-type: none"> • Major Fire – Industrial/Assembly • Marine – Recreational Vessel/Marina 	Major Fire - Accept the Risk – Preplanning & aerial apparatus and utilize Mutual Aid Marine- Transfer the Risk – Specialty training and equipment required which KFRS does not have	Moderate
Public Safety Response Profile	OPP – Availability and Coordination at violent scene	Accept the Risk – Provide training for mass casualty incidents. Work with public safety partners to develop procedure and practices, simulated exercises	Low
Public Safety Response Profile	OPP Marine Vessel not readily available unless on patrol on Lake Erie	Accept the risk – Specialty watercraft required	High
Public Safety Response Profile	EMS –Capabilities at a Multi casualty major event	Accept the Risk – Provide training to KFRS staff on mass casualty incidents. Work with public safety partners to develop procedure and practices and simulated exercises	Low
Public Safety Response Profile	Public Utilities – Hydro/gas – Response time during evening and weeks are typically 1 hour plus	Accept the Risk – Work with partners for solution, and provide KFRS with awareness level training	Low
Public Safety Response Profile	Marine Response from Coast Guard from Harrow typically 1 hour response	Accept the risk – Specialized watercraft required for searches on Lake Erie. KFRS resources are limited	High
Public Safety Response Profile	Helicopter support for ice/water ops from USCG – 1 plus hours away.	Accept the Risk – maintain ice rescue training, equipment, and procedures	Moderate

Mandatory Profile	Top Risk or Issues/Concerns	Preferred Treatment Option	Risk Level
Public Safety Response Profile	Kingsville Fire Rescue Service – Daytime firefighter availability	<p><i>Avoid and Mitigate the Risk</i> – KFRS has limited availability of personnel to respond to emergencies Monday to Friday from 8 a.m. to 5 p.m. not unlike many fire services in Ontario. Between 2021 and 2023 48% of the total call volume each of these years have been during this timeframe.</p> <p>With the prevalence of low attendance during the daytime hours, full time administration play a key role in covering off the shortfall of responders.</p> <p>KFRS focuses firefighter recruitment and retention program on attracting new volunteer firefighters who are available during daytime hours yet staffing turnout remains low.</p> <p>Long term staffing plans should focus on establishing consistency with reliable daytime staff to supplement our volunteer firefighters.</p>	High
Public Safety Response Profile	Kingsville Fire Rescue Service – Radio Communication	<p><i>Mitigate the Risk</i> – KFRS current radio system is a stand alone system with no operability with other county / city fire services.</p> <p>Focus should be on transitioning to the radio system that is used by most/ all other fire service partners</p>	Moderate
Past Loss and Event History Profile	Fireworks Bylaw 49-2013	<p><i>Avoid and Mitigate the Risk</i> – The fireworks bylaw was last updated in 2013. This bylaw should be reviewed and updated to current Provincial and Federal standards.</p>	Low

Mandatory Profile	Top Risk or Issues/Concerns	Preferred Treatment Option	Risk Level
Past Loss and Event History Profile	Open Air Burning Bylaw 57-2019	<i>Avoid and Mitigate the Risk –</i> The open air bylaw was developed in 2019. This bylaw should be reviewed and updated.	Moderate
Past Loss and Event History Profile	Fire Origin and Cause Determination	<i>Avoid and Mitigate the Risk –</i> Three of our Chief officers and Prevention staff are trained to NFPA 1033, <i>Standard for Professional Qualifications for Fire Investigator</i> , on fire cause and origin determination. With arson and undetermined fires being noted causes over the last three years, it would be in the Department’s interest to ensure some of the Operations Officers and Captains are also trained. Between 2021 and 2023, 67% of the fires were deemed undetermined in cause. Having additional members on scene that are trained to assist with investigations could help with future education efforts in mitigating fires.	Moderate

Conclusion

All of the ‘Risks’ identified above have identified suggested options for Kingsville to consider when setting the type and level of fire protection services for the community. After considering the risks, a preferred treatment option (e.g., avoid the risk, mitigate the risk, accept the risk, or transfer the risk) must be identified. Once the municipality has determined the preferred treatment option for each risk, they can plan and implement activities that address these risks. The “*Three Lines of Defence*” must be considered in terms of addressing each risk identified above. Currently the fire department’s resources, staffing levels, training, equipment, and authority allows for certain risks to be immediately addressed. A properly resourced fire service that addresses the risk and plans for the appropriate mitigation strategy will greatly reduce the danger to the community and firefighters.

The Fire Master Plan is a companion document to this CRA, and it will aid Kingsville as the council focuses on the ‘Level of Service’ for fire protection in the community. The next steps would be to complete the Fire Master Plan process to identify the best way to address each risk.



MINUTES

COMMUNITIES IN BLOOM COMMITTEE

Tuesday, September 3, 2024 - 6:00 PM

Kingsville Arena – Room C - 1741 Jasperson Drive, Kingsville

PRESENT:

- Carol Dunn, Chair
- Deputy Mayor DeYong
- Alan Batke
- Jessica Towle
- Janet Willoughby
- Karen Loney, Staff Liaison

REGRETS:

- Karin Sonnenberg
- Sue Novotny

A. CALL TO ORDER

C. Dunn called the meeting to order at 6:04 PM

B. DISCLOSURE OF PECUNIARY INTEREST

The Chair reminded the Committee of their duty to disclose any pecuniary interest, direct or indirect, as it arises.

C. ORDER OF BUSINESS

1. 2025 Workplan / Project Templates
 - A. Reviewed the following items for decision in October
 - I. Storybook Trail
 - II. Adopt a Trail via ERCA
 - III. Get In Touch with Nature Event
 - IV. Cross Promotion – Seedy Saturday, KCC Senior's Fair
 - V. Pollinator Week – Kingsville Block Party
 - VI. Other: Garden Contest, CIB Education Campaign
2. Cemetery Pollinator Garden Sign & Ribbon Cutting
 - a. Concerns expressed on placement of sign

- b. To have the ribbon cutting when the judges come
3. Get in Touch with Nature name
 - a. Reviewed the name of “Kingsville Garden Show” and could add in subtext, market – speakers – children’s activities
4. Fundraising
 - a. To sell native plants at the May event
5. Judging
 - a. Reviewed options and will continue discussion in October
6. Pumpkin Parade - November 1, 2024
 - a. Karen will request if there is an extra truck available to deliver pumpkins
 - b. Karen will send out calendar invites to work event

D. MINUTES OF THE PREVIOUS MEETINGS

1. Communities in Bloom Committee Meeting Minutes – June 12, 2024

Moved by ~~J. Towle~~
Seconded by A. Batke

THAT the minutes of the Communities in Bloom Committee dated June 12, 2024, be approved.

CARRIED

E. STAFF REPORTS

1. K. Loney, Manager of Recreation Programs and Special Events
 - a. Meditation Trail - deferred
 - b. Shirts
 - i. To order T-shirts that have the Kingsville logo on the front small and the CIB logo on the sleeve

F. INFORMATION ITEMS

1. Review of Pollinator Week
Concerns were expressed about the timing of the week. The group wants to support this as it aligns with Bee City. Recommend looking for an event and CIB integrating versus having a stand-alone event.

G. NEXT MEETING DATES

- November 5, December 3



MINUTES

H. ADJOURNMENT

Moved by J. Willoughby
Seconded by K. Sonnenberg

THAT the meeting be adjourned at 8:34 PM

CARRIED



The Corporation of the Town of Kingsville

Minutes of the Kingsville Municipal Heritage Advisory Committee

Tuesday, October 1, 2024

6:00 p.m.

Kingsville Arena Complex - Room B

1741 Jasperson Lane

Kingsville, ON N9Y 2E4

Members Present:

Jeffrey Robinson, Chair

Stacey Jones, Vice-Chair

Sheri Lowrie, Councillor

Carol Sitler

Administration Present:

Richard Wyma, Director of Planning and Development

Colin Kelly, Town Planner

Angelina Pannunzio, Office Support

Matthew Ducharme, Recording Secretary

A. Call to Order

The Chair called the meeting to order at 6:04 p.m.

B. Disclosures of Pecuniary Interest

The Chair asked members if there were any disclosures of pecuniary interest. None were noted.

C. Adoption of Minutes

MHC-33-2024

Moved By: Stacey Jones, Vice-Chair

Seconded By: Sheri Lowrie, Councillor

That the Minutes of the Kingsville Municipal Heritage Advisory Committee meeting dated September 3, 2024, **BE ADOPTED** as presented.

Carried

D. Information Items

D.1 Property Owners Interested in Designation

D.1.1 764 Seacliff Drive

The property owners were present and inquired as to the process for designating a property under the Ontario Heritage Act.

The members discussed the process and Administration was available for questions from the property owners.

D.1.2 1417 Road 3 East

Richard Wyma, Director of Planning and Development, presented the history of the past research conducted for this property. He noted that the property owner may be interested in designation.

The members will review the research and past evaluations to determine next steps.

E. Staff Reports

E.1 Draft Report to Council

The members discussed the draft report. No changes were noted.

The Chair and Vice-Chair will attend the October 7, 2024, Regular Council Meeting, to present the report.

MHC-34-2024

Moved By: Sheri Lowrie, Councillor

Seconded By: Stacey Jones, Vice-Chair

That the Kingsville Municipal Heritage Advisory Committee **RECOMMEND** that the report entitled "Main Street Properties: Assessment and Recommendations" be presented at a Regular Council Meeting.

Carried

F. Next Meeting Date

The next regularly scheduled meeting of the Kingsville Municipal Heritage Advisory Committee is November 5, 2024 at 6:00 p.m. at the Kingsville Arena Complex, Room B.

G. Adjournment

MHC-35-2024

Moved By: Jeffrey Robinson, Chair
Seconded By: Stacey Jones, Vice-Chair

That the meeting be adjourned at 6:54 p.m.

Carried

Chair

Recording Secretary



COMMITTEE MINUTES

OCTOBER 8, 2024, 6:15 PM
CARNEGIE ARTS & VISITORS CENTER

A. CALL TO ORDER

Jason Martin called the Meeting to order at 6:15p.m. with the following Members in attendance:

MEMBERS OF BIA BOARD:

Jason Martin - Chair
Tony Gaffan – Vice-Chair
Councillor Sheri Lowrie
Heather Brown
Amanda Everaert - Late
Abby Jakob - Late
Maria Edwards
Roberta Weston

MEMBERS OF ADMINISTRATION:

Jodie McIntyre

MEMBER(S) OF TOWN:

Sue Rice – Town Liaison

ABSENT:

Delilah Carreira

GUESTS:

1. NONE

B. LAND ACKNOWLEDGEMENT

Jason Martin read the Land Acknowledgement.

C. DISCLOSURE OF PECUNIARY INTEREST

Jason Martin reminded the Committee 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.

- Jason Martin declared a pecuniary interest under section J. NEW AND UNFINISHED BUSINESS, #1. Flower RFP Approval, due to being a bidding vendor for our flower program.

D. PRESENTATIONS/DELEGATIONS

1. NONE

E. AMENDMENTS TO THE AGENDA

1. NONE

F. ADOPTION OF ACCOUNTS

BIA-531-2024 Moved to receive the accounts ending AUGUST 2024 by Roberta Weston and seconded by Tony Gaffan.

CARRIED

G. STAFF REPORTS

BIA Coordinator presented highlights from her report, incorporating the key elements of the KBIA Strategic Plan including:

1. Engagement/Support

#1: ENGAGEMENT/SUPPORT:

- A. Engage with Members:
 - Distributed posters to business with Ursa Major & Town of Kingsville.
 - Seminar – Ian Murray – October 22nd – 5pm – 7:30pm
 - Created newsletter & social media ad.
 - Have 19 people registered
 - Need a white board for Ian if possible
 - Venue is booked
 - BIA will provide \$100 towards food for the event from the Advertising & Promo GL.
- B. Improve relationship with the Town.
 - Walked with Councillor Lowrie.
 - Meet with Shaun from the Town to discuss parking/loafing zones and the flower program.
 - Sent parking/loading zone recommendations to Shaun.
- C. MMM – Thursday, November 7th– 5:30pm – 8pm
 - Location – Legion

- Legion to provide the venue and appetizers.
- Military Museum will be open for tours.
- They will also have a scavenger hunt as well in the museum.
- Had a great meeting on October 4th. They are very excited to host our MMM.
- E. Other
 - Leamington District Chamber of Commerce
 - Attended their Business Excellence awards with Roberta – show certificate
 - Karen from Dressed by an Olive was up for Small Business Excellence 1 -9 employees and was ecstatic and honoured.

2. Promotion

A. Mayor's Golf Tournament

- The BIA sponsored the Hole in One and the Silent Auction with over 10 businesses donating prizes for the event. Our winner for the putting contest, Al from Twist, won in sudden death for the win.

COMING UP:

- SMALL BUSINESS WEEK – October 21st – 24th
 - Essex, Tecumseh & Essex are collaborating.
 - Social Media giveaway with posting & sharing between all 3 BIAs.
 - Some Board members donated.
- Kingsville Trick or Treat – October 26th – 11am – 1pm
 - A collaboration with ASK, DelFrescoPure & ACCESS EarlyON.
 - ASK & DelFrescoPure will be decorating the BIA office and have a photo op. set up.
 - ASK is providing a ghost storyteller.
 - Town will provide sidewalk chalk drawers 9am – 11am.
 - Businesses outside the core district and Associate Members can set up a table at the Carnegie.
 - We have 19 responses so far.
- Christmas at the Carnegie – November 16th – 3pm – 5:30pm
 - A collaboration with ASK, DelFrescoPure & WFCU & the Town.
 - Town will provide music for the event and lend us their lawn games and their ballot box.
 - DelFrescoPure will be sponsoring the 360-degree photo op from 3:30pm to 5:30pm.
 - BIA is renting the inflatable hockey game again from Top Shots, with sponsorship opportunity.

- WFCU is reviewing if they can provide a tent again.
- The Sweet Adelines, are unable to perform. The Kingsville School of Music may possibly perform. and they will let us know if they feel they are good enough
- The Grinch will return, and possibly Cindy Lou Who.
- BIA will purchase popcorn, and Ask will hand it out along with sponsoring the hot chocolate.

BIA-532-2024

Motion to raise the Christmas at the Carnegie from \$2,500 to \$3,000 by Abby Jakob and seconded by Amanda Everaert.

CARRIED

- Ballots – Christmas at the Carnegie – November 9th – 16th
 - Businesses wishing to participate will be given ballots to give to customers who spend \$15 or more.
 - Customers will need to drop the ballot with attached receipt to the Carnegie on November 16th.
 - Giving away \$500 in BIA dollars. \$400 to the winner and \$100 to the business they shopped at – sponsored by the Town.
 -

3. Policies & Procedures

- Nothing new to report.

4. Beautification

- Flowers
 - Prepared and distributed the RFP.
 - Reviewed bids for the RFP in prep for the Board meeting.
 - Mums went in – look huge and will look great once they open.

- Migration Fest – October 17 – 19, 2024

- Decorated the 4-corners with bows and corn stalk again.
- Decorate on October 1st and will be removed after October 31st.
- Utilized last year's bows as a cost savings.

5. Maintenance

- Red Truck
 - Delivered red truck to Ivan
 - Met with Ivan regarding additional rusting of the truck.
 - Truck has been repaired and ready for the display in November.

BIA-533-2024 Motion to pay the full amount of \$874 +tax for the repair of the bed liner of the red truck to Southern Collision by Maria Edwards and seconded by Roberta Weston.

CARRIED

BIA-534-2024 Motion to receive the Coordinator report by Tony Gaffan and seconded by Roberta Weston.

CARRIED

H. BUSINESS/CORRESPONDENCE – ACTION REQUIRED

1. NONE

I. MINUTES OF THE PREVIOUS MEETING

BIA-535-2024 Motion to receive the minutes by Roberta Weston, seconded by Abby Jakob.

CARRIED

J. NEW AND UNFINISHED BUSINESS

1. Flower RFP Approval

BIA-536-2024 Motion to award Cindy's Home & Garden the Summer Flowers and the Fall Mums with an amendment from 44 hanging baskets to 25 and award Anna's Flowers the Winter Greens portion of the flower program for 2025, by Heather Brown & seconded by Roberta Weston.

CARRIED

2. Flower Program – Town Involvement

- The Board reviewed the possible options regarding the flower program due to the significant increase of flowers.
- This is open for discussion and any changes would need to be considered prior to the 2026 budget submission to the Town of Kingsville.
- Shaun Martinho will be invited to the January board meeting to field any potential questions the board may have.
- The BIA Coordinator will speak with other local BIAs to see how their flower programs work within their municipalities.

3. BIA Dollar Program

- Coordinator to send a couple of new designs of the BIA dollars for the Board to choose what design they like best.
- Confirmed only putting out \$100,000 (\$15,000 cost to BIA).

BIA-537-2024 Motion to extend the expiry date on the BIA dollars from January 31st to February 28th by Tony Gaffan and seconded by Maria Edwards

CARRIED

BIA-538-2024 Motion to extend the meeting until 8:30pm by Sheri Lowrie and seconded by Tony Gaffan.

CARRIED

4. Holiday Window Décor Program - 2024

BIA-539-2024 Motion to provide the Holiday Window Decor program to the membership by providing a maximum coverage of \$250 for up to a maximum of 20 members and utilizing the same criteria as the 2023 program, by Abby Jakob and seconded by Heather Brown.

CARRIED

5. My Main Street Grant Update

- Sue Rice updated the Board on the progress of the grant including:
 - Example toppers for the 41 decorative poles.
 - Light pole décor lighting to run down Main Street approximately from Heritage until Pelee Island Winery.
 - The Carnegie update regarding the sails, lighting and picnic tables.
 - Details on the digital and print mapping.
 - Signage at the Carnegie.
 - Large planters at the four corners.

K. OTHER REPORTS

- 1. FINANCIAL COMMITTEE – Delilah & Tony**
 - No new report
- 2. BEAUTIFICATION COMMITTEE – Maria & Amanda**
 - No new report

3. **PROMOTIONS COMMITTEE** – Jason & Abby

- No new report

4. **PERSONNEL COMMITTEE** – Roberta & Heather

BIA-540-2024 Motion to change the title of the BIA employee's title from BIA Coordinator to BIA General Manager, by Roberta Weston and seconded by Amanda Everaert.

CARRIED

5. **COUNCIL REPRESENTATIVE** – Sheri Lowrie

- STRU Bylaw – Public information session was held. It was well attended & received.
- Heritage committee made recommendations to council, which included a recommendation to work with the BIA facelift grant.
- Military Museum made a presentation to discuss their expansion project.
- Communication about province taking back OPP costs, lead by municipality of Tweed.

6. **TOWN LIASON**– Sue Rice

- There is no by-law regarding the parking of bicycles on sidewalks.
- Sue suggests seeing if the owner of the lot located between the Super 7 & Pinstripes would accommodate bike racks.

NEXT MEETING DATE

- Tuesday, November 12th, at 6:15pm.

L. ADJOURNMENT

- Meeting adjourned at 8:38pm

BIA-541-2024 Motioned to adjourn by Tony Gaffan, seconded by Amanda Everaert.

Jason Martin

CHAIR, Jason Martin

Jodie McIntyre

**RECORDING SECRETARY,
Jodie McIntyre**



The Corporation of the Town of Kingsville

Minutes of the Committee of Adjustment and Appeals of the Town of Kingsville

Tuesday, October 15, 2024

6:00 p.m.

Unico Community Centre

37 Beech Street

Kingsville, ON N9Y 1A9

Members Present:

Councillor Thomas Neufeld, Acting Chair

Russell Horrocks

Nicole Hackett-Winkels

Phil Caruana

Administration Present:

Vitra Chodha, Town Planner

Colin Kelly, Town Planner

Angelina Pannunzio, Office Support

Matthew Ducharme, Recording Secretary

A. Call to Order

The Acting Chair called the meeting to order at 6:00 p.m.

Colin Kelly, Town Planner, was introduced to the members.

B. Disclosures of Pecuniary Interest

The Acting Chair asked members if there were any disclosures of pecuniary interest. None were noted.

C. Adoption of Minutes

1. August 20, 2024

Matthew Ducharme, Recording Secretary, provided procedural comments regarding the adoption of the August 20, 2024, Committee of Adjustment and Appeals Minutes. A motion was not put on the floor and as such, the Minutes were not adopted.

2. September 17, 2024

CA-48-2024

Moved By: Russell Horrocks

Seconded By: Phil Caruana

That the Minutes of the Committee of Adjustment and Appeals meeting dated September 17, 2024, **BE ADOPTED** as presented.

Carried

D. Committee of Adjustment Hearings

1. Requests for Withdrawal or Deferral

None.

2. Current Applications

1. A-2024-8 - Application for Minor Variance

Vitra Chodha, Town Planner, presented the application.

Russell Horrocks noted to the Planning Department that many minor variance applications have been heard regarding height and this may be considered in a future amendment to the Comprehensive Zoning By-law.

CA-49-2024

Moved By: Phil Caruana

Seconded By: Nicole Hackett-Winkels

That the Committee of Adjustment and Appeals **APPROVE** minor variance application A-2024-8, to allow relief from the maximum height limit for an accessory structure at 177 County Road 14 East, allowing for a 5.9 m (19.5 ft) height, exceeding the 5 m (16.4 ft) maximum accessory height as per the Kingsville Comprehensive Zoning By-law (1-2014).

Carried

2. B-2024-24 - Application for Consent

Vitra Chodha, Town Planner, presented the application.

The applicant, Cal Everett, was present electronically.

CA-50-2024

Moved By: Russell Horrocks

Seconded By: Phil Caruana

That the Committee of Adjustment and Appeals **APPROVE** consent application B-2024-24 for the purpose of a lot-line adjustment, shown on the Applicant's Sketch, for the lands known as 339 County Road 50 (Heritage Road) & 347 County Road 50 (Heritage Road), in the Town of Kingsville, subject to the following conditions:

1. Prior to the consent being endorsed on the deeds, the property owner shall provide a registered 12R-Plan to the Municipality.
2. That, prior to consent being endorsed on the deeds, the house on 347 County Road 50 must be demolished and confirmation from building department that the demolition permit is closed.
3. 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.
4. The conditions imposed above shall be fulfilled by **October 15, 2026**, or this application shall be deemed to be denied in accordance with Section 53(41) of the Planning Act.

Carried

3. B-2024-25 - Application for Consent

Vitra Chodha, Town Planner, presented the application.

CA-51-2024

Moved By: Phil Caruana

Seconded By: Nicole Hackett-Winkels

That the Committee of Adjustment and Appeals **APPROVE** consent application B-2024-25 for the purpose of a lot-line adjustment, shown on the Applicant's Sketch, for the lands known as 3066 Graham Side Road & V/L Graham Side Road, in the Town of Kingsville, subject to the following conditions:

1. Prior to the consent being endorsed on the deeds the property owners are to execute an agreement for drainage apportionment due to lands severance approved by the Municipality for each parcel being severed. Drainage Apportionment Agreement Request and the 12R plan shall be submitted to the Municipality a minimum of one month prior to the stamping of the deeds.
2. Prior to the consent being endorsed on the deeds, the property owner shall provide a registered 12R-Plan to the Municipality.
3. 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.
4. The conditions imposed above shall be fulfilled by **October 15, 2026**, or this application shall be deemed to be denied in accordance with Section 53(41) of the Planning Act.

Carried

E. Court of Revision

None at this time.

F. Property Standards Appeal Hearings

None at this time.

G. By-law Appeal Hearings

None at this time.

H. Next Meeting Date

The next regularly scheduled meeting of the Committee of Adjustment and Appeals is November 19, 2024, at 6:00 p.m. at the Unico Community Centre.

I. Adjournment

CA-52-2024

Moved By: Russell Horrocks

Seconded By: Phil Caruana

That the meeting **BE ADJOURNED** at 6:19 p.m.

Carried

Acting Chair

Recording Secretary



Regular Meeting of Council

Minutes

Monday, October 28, 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

Staff Present
CAO, John Norton
Acting Clerk, Angela Toole
Deputy Clerk, Natalie Sharp

A. Call to Order

Mayor Rogers called the Regular Meeting to order at 5:30 p.m. and Council immediately moved in Closed Session.

B. Closed Session

203-10282024

Moved By: Councillor Patterson

Seconded By: Councillor Gaffan

That Council **ENTER** into Closed Session at 5:31 p.m. pursuant to Section 239 of the Municipal Act, 2001, to discuss the following item:

Item I - Appointment to Committee of Adjustment and Appeals to be heard under Section 239(2)(b) being personal matters about an identifiable individual, including municipal employees.

Carried

C. Land Acknowledgement

Mayor Rogers acknowledged the Three Fires Confederacy (Ojibwe, Potawatomie and Odawa) and the Traditional ancestral, unceded territory of Caldwell First Nation; the original people of Point Pelee, Pelee Island and its surrounding waters. We recognize and respect the First Nations who are stewards of the land and waters of Turtle Island and who have embraced this stewardship since time immemorial. We would also like to acknowledge all the moccasins who have walked lands of Turtle Island.

D. Moment of Silent Reflection and National Anthem

E. Mayor's Welcome and Remarks

Mayor Rogers noted that the Migration Festival, held over the past weekend, was a tremendous success for the community. Appreciation was extended to all those involved.

Mayor Rogers stated that October was also Apple Days for the 2nd Cottam Scouts and 2nd Kingsville Scouts. He commended their efforts and thanked residents who offered support.

Mayor Rogers highlighted that November is Woman Abuse Prevention Month, and Hiatus House is again hosting the Shine the Light Campaign. A tree lighting ceremony is scheduled for November 1 at Charles Clark Square at 6 p.m., all are invited. He noted that November 15 is Wear Purple Day and encouraged everyone to wear purple to spread awareness and show their support for abused women and girls.

F. Amendments to the Agenda

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.

None disclosed.

H. Report Out of Closed Session

Pursuant to Section 239 of the *Municipal Act, 2001*, Council entered into Closed Session at 5:00 p.m. on October 7, 2024, to discuss the following items:

Item I - Subdivision Application 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 - Disposition of Lions Hall heard under Section 239(2)(k) being a position, plan, procedure, criteria, or instruction to be applied to negotiations. There is nothing further to report.

Pursuant to Section 239 of the *Municipal Act, 2001*, Council entered into Closed Session at 8:12 p.m. on October 7, 2024, to discuss the following items:

Item I - Information Supplied to the Town by Another Level of Government heard under Section 239(2)(h) being information supplied in confidence to the municipality by another level of government; and, Section 239(2)(b) being personal matters about an identifiable individual, including municipal employees. There is nothing further to report.

Item II - Update on Legal Agreement with the Port Authority 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.

I. Delegations

None.

J. Presentations

None.

K. Matters Subject to Notice

1. Application for Consent and Zoning By-Law Amendment (B 2024-23 and ZBA 2024-18): Surplus Dwelling Severance at 27 Road 8 East

204-10282024

Moved By: Councillor Patterson

Seconded By: Councillor Gaffan

That consent application B-2024-23, to sever an existing dwelling, deemed surplus to the needs of the applicants' farming operation with an area of 1.4 ac (0.57 ha) lot shown as Part 1 on the applicants' sketch, known as 27 Road 8 East, in the Town of Kingsville, **BE APPROVED**, subject to the following conditions:

- a. Execute an agreement for drainage apportionment due to lands severance or sale approved by the Municipality for each parcel being severed. Drainage Apportionment Request, 12R plan shall be submitted to the Municipality a minimum of one month 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 October 28th, 2026, or this application shall be deemed to be refused in accordance with Section 53(41) of the Planning Act.

And that corresponding By-law 79-2024 being a by-law to amend the Comprehensive Zoning By-law 1-2014 for the Town of Kingsville, **BE ADOPTED** during the by-law section of this council agenda.

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

Carried (7 to 0)

L. Reports - Planning and Development Services

1. Millbrook Estates Stage 2 Phase – Final Acceptance

205-10282024

Moved By: Councillor Lowrie

Seconded By: Councillor Patterson

That Council **APPROVE** the final acceptance and assumption of the roadway and infrastructure for the Millbrook Estates Subdivision Stage 2 Phase 2.

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

Carried (7 to 0)

2. Subdivision Agreement (AGR 2024-1) for King's Valley at the Lake (Valente)

206-10282024

Moved By: Deputy Mayor DeYong

Seconded By: Councillor Lowrie

That the Subdivision Agreement for Kings Valley at the Lake (Valente) Subdivision in the Town of Kingsville for 149 single detached dwelling lots, 28.5 blocks for a total of 434 semi-detached dwelling units, 4.5 blocks for a total of 59 townhouse dwelling units, 1 commercial block, and 2 blocks for parkland **BE APPROVED**;

And that the Mayor and Clerk **BE AUTHORIZED** to execute the agreement;

And that Administration **BE DIRECTED** to register the agreement on title;

And that corresponding By-law 80-2024 to amend the zoning on Phase 1 of the Draft Plan of Subdivision in the Town of Kingsville from Lakeshore Residential Exception 31 (holding) (LR-31(h))' to 'Lakeshore Residential Exception 31 (LR-31)'; and from Lakeshore Residential Exception 32 (holding) (LR-32(h))' to 'Lakeshore Residential Exception 32 (LR-32)' **BE ADOPTED** during the by-law section of this council agenda;

And that the vegetation buffer associated with the drain within Block 184, to be conveyed to the Town, **BE PRESERVED** and not impacted by the development, except that area where Drainage Act drain improvements are required.

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

Carried (7 to 0)

M. Reports - Finance and Corporate Services

1. Appointment to the Committee of Adjustment & Appeals

207-10282024

Moved By: Councillor Lowrie

Seconded By: Councillor Neufeld

That Ed Cornies **BE APPOINTED** to the Committee of Adjustment & Appeals for a term set to expire with the expiration of the current Term of Council;

And that the Clerk **BE DIRECTED** to prepare the requisite appointment By-law for inclusion on the November 4, 2024, Regular Meeting Agenda.

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 - Public Operations

1. Grant Application to Community Sport and Recreation Infrastructure Fund

208-10282024

Moved By: Councillor Patterson

Seconded By: Councillor Lowrie

That Council **DIRECTS** Administration to apply for the Community Sport and Recreation Infrastructure Fund; Stream 1: Repair and Rehabilitation to restore and revitalize various sections of the Kingsville Recreation Sports Complex.

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

Carried (7 to 0)

O. Consent Agenda

209/10/28

Moved By: Councillor Jarvis-Chausse

Seconded By: Councillor Gaffan

That Items 1 through 4 on the Consent Agenda, **BE RECEIVED.**

Carried

1. Committee of Adjustment & Appeals Minutes - August 20, 2024
2. BIA Minutes - September 10, 2024
3. Committee of Adjustment & Appeals Minutes - September 17, 2024
4. Regular Council Meeting Minutes - October 7, 2024

P. Correspondence

1. Woman Abuse Prevention Month/Shine the Light Campaign

Q. Notices of Motion

R. Unfinished Business and Announcements

Councillor Patterson noted that he has received positive feedback since the initiation of the westbound right-hand turn lane project at Main and Jasperson. He expressed his gratitude to Administration for working together with Council and other groups to improve traffic in that area.

Councillor Gaffan thanked the BIA and Art Society for organizing a successful trick-or-treat event downtown this past weekend.

S. By-laws

210-10282024

Moved By: Deputy Mayor DeYong

Seconded By: Councillor Jarvis-Chausse

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

59-2024 – being a By-law to provide for MTO Improvements to the Upper Portion of the 4th Concession Drain at a total estimated cost of \$570,800 in the Town of Kingsville, in the County of Essex

60-2024 – being a By-law to provide for MTO Improvements to the Upper Portion of the No. 5 Drain at a total estimated cost of \$1,094,000 in the Town of Kingsville, in the County of Essex

Carried

211-10282024

Moved By: Deputy Mayor DeYong

Seconded By: Councillor Lowrie

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

79-2024 – Being a By-law to amend By-law No. 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville

80-2024 - Being a By-law to amend By-law No. 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville

81-2024 - Being a By-law to confirm the proceedings of the Council of the Corporation of the Town of Kingsville at its October 28, 2024, Regular Meeting of Council

Carried

T. Adjournment

212-10282024

Moved By: Councillor Neufeld

Seconded By: Councillor Jarvis-Chausse

That Council adjourns this Regular Meeting at 6:48 p.m.

Carried

Mayor, Dennis Rogers

Acting Clerk, Angela Toole



Regular Meeting of Council

Minutes

Monday, November 4, 2024

6:00 PM

Unico Community Centre

37 Beech Street

Kingsville, ON N9Y 1A9

Present Deputy Mayor Kimberly DeYong
Councillor Tony Gaffan
Councillor Debby Jarvis-Chausse
Councillor Sheri Lowrie
Councillor Thomas Neufeld
Councillor Larry Patterson

Members Absent Mayor Dennis Rogers

Staff Present CAO, John Norton
Acting Clerk, Angela Toole
Deputy Clerk, Natalie Sharp

A. Call to Order

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

B. Land Acknowledgement

Councillor Lowrie 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.

C. Moment of Silent Reflection and National Anthem

D. Mayor's Welcome and Remarks

None.

E. Amendments to the Agenda

None.

F. Report Out of Closed Session

Pursuant to Section 239 of the *Municipal Act, 2001*, Council entered into Closed Session at 5:00 p.m. on October 28, 2024, to discuss the following item:

Item I - Appointment to Committee of Adjustment and Appeals heard under Section 239(2)(b) being personal matters about an identifiable individual,

including municipal employees. During the Open Session of the October 28, 2024 Regular Meeting, Council appointed Ed Cornies to the Committee of Adjustment & Appeals. The requisite appointment By-law can be found under the By-laws section of this Agenda.

G. Disclosure of Pecuniary Interest

Deputy Mayor DeYong reminded Council that any declaration is to be made prior to each item being discussed and to identify the nature of the conflict, if any, as the agenda items come forward.

Councillor Gaffan declared a conflict on Item K.3. because he is a business owner in the Town.

H. Delegations

Tamara Stomp, resident, appeared before Council and expressed her concerns about the Short-Term Rental By-law. She spoke to the 300 hundred metre rule, licensing fees, and the number of Short-Term Rentals in the area.

Lorrie Mensch, resident, appeared before Council and thanked staff for their efforts in creating the Short-Term Rental By-law. She inquired about where the public could find information or guidelines on Fire inspection regulations and the timelines for applications.

I. Presentations

None.

J. Matters Subject to Notice

None.

K. Reports - Finance and Corporate Services

1. Short-Term Rental By-law

Matthew Ducharme, Licensing Coordinator and Sue Rice, Economic Development and Tourism Officer, appeared before Council to present an overview of the Short-Term Rental By-law.

213-11042024

Moved By: Councillor Gaffan

Seconded By: Councillor Lowrie

That the licensing fee for owner-occupied Short-Term Rentals where the owner/operator resides on the same property as the Short-Term Rental be set at \$250.00 and **BE INCLUDED** in the Town's 2025 Fees and Charges By-law.

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

Against (1): Councillor Neufeld

Carried (5 to 1)

214-11042024

Moved By: Councillor Gaffan
Seconded By: Councillor Jarvis-Chausse

That the Short-Term Rental Licensing fees **BE INCLUDED** in the 2025 Fees and Charges By-law and be set as follows: \$400 for up to 4 occupants, \$750 for up to 6 occupants, \$1400 for up to 8 occupants and \$1750 for up to 10 occupants and that the fees **BE REVIEWED** in 1 year.

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

Against (2): Councillor Neufeld, and Councillor Patterson

Carried (4 to 2)

215-11042024

Moved By: Councillor Gaffan
Seconded By: Councillor Patterson

That the Short-Term Rental By-law **BE REVIEWED** in 1 year.

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

Carried (6 to 0)

216-11042024

Moved By: Councillor Neufeld
Seconded By: Councillor Patterson

That the Short-Term Rental Licensing period **BE AMENDED** to 5 years as opposed to annually.

For (1): Councillor Neufeld

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

LOST (1 to 5)

217-11042024

Moved By: Councillor Patterson
Seconded By: Councillor Gaffan

That Council **APPROVE** By-law 82-2024, as amended, being a By-law to License, Regulate and Govern Short-Term Rentals in the Town of Kingsville;

And that the fees noted in this report **BE INCLUDED** in the Town's 2025 Fees and Charges By-law, subject to Council's amendments;

And that Administration **BE AUTHORIZED** to submit the set fines appended to By-law 82-2024 to the Ministry of the Attorney General for approval;

And that the corresponding By-law 82-2024, as amended, **BE ADOPTED** during the By-law stage of this Council Agenda.

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

Against (1): Councillor Neufeld

Carried (5 to 1)

2. Repeal of Hunting Licensing By-law

218-11042024

Moved By: Councillor Patterson

Seconded By: Councillor Neufeld

That Council **REPEAL** By-law 68-1999, being a By-law to issue and charge fees for licences to hunt during the open season Pheasants and Rabbits;

And that the fees for a municipal hunting licence for residents and non-residents **BE REMOVED** from the Town's 2025 Fees and Charges By-law;

And that corresponding By-law 81-2024 **BE ADOPTED** during the By-law stage of this Council Agenda.

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

Carried (6 to 0)

3. Repeal of Business Registration By-law

Councillor Gaffan declared a conflict on this item and abstained from voting.

219-11042024

Moved By: Councillor Patterson

Seconded By: Councillor Jarvis-Chausse

That Council **REPEAL** By-law 129-2004 being a By-law to establish and maintain a registry of businesses in the Town of Kingsville and require businesses to register and maintain their registration in the registry;

And that the corresponding By-law 83-2024 **BE ADOPTED** during the By-law stage of this Council Agenda.

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

Conflict (1): Councillor Gaffan

Carried (5 to 0)

4. Large Holiday Displays Nuisance By-law

221-11042024

Moved By: Councillor Gaffan

Seconded By: Councillor Lowrie

That Draft By-law 85-2024 **BE AMENDED** to extend the hours to 9 p.m. on Fridays and Saturdays, excluding the holidays listed;

And that the Draft Bylaw **BE FURTHER AMENDED** to extend the hours on October 31 from 6 p.m. until 8 p.m. to 5 p.m. until 9 p.m.

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

Against (1): Councillor Patterson

Carried (5 to 1)

222-11042024

Moved By: Councillor Neufeld

Seconded By: Councillor Gaffan

That the Draft By-law **BE AMENDED** to reduce the permitting period from 45 days to 30 days.

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

Carried (6 to 0)

220-11042024

Moved By: Councillor Patterson

Seconded By: Councillor Jarvis-Chausse

That Council **APPROVE** By-law 85-2024, as amended being a By-law to Prohibit and Regulate Public Nuisances related to Large Holiday Displays in the Town of Kingsville;

And that Administration **BE AUTHORIZED** to submit the set fines appended to By-law 85-2024 to the Ministry of the Attorney General for approval;

And that corresponding By-law 85-2024 **BE ADOPTED** during the By-law stage of this Council Agenda.

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

Carried (6 to 0)

5. 2025 Regular Meeting of Council Schedule

223-11042024

Moved By: Councillor Patterson

Seconded By: Councillor Neufeld

That Council **APPROVE** the 2025 Regular Council Meeting Schedule as outlined in Appendix A, attached hereto and forming part of this report.

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

Carried (6 to 0)

L. Reports - Public Operations

1. Kingsville Operational Plan

Erica Allen, Manager of Public Works and Environmental Services, presented the report.

224-11042024

Moved By: Councillor Gaffan

Seconded By: Councillor Patterson

That Council **ENDORSE** the Kingsville Operational Plan, Revision 11, dated August 8, 2024.

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

Carried (6 to 0)

M. Consent Agenda

225-11042024

Moved By: Councillor Lowrie

Seconded By: Councillor Neufeld

That Item 1 on the Consent Agenda, **BE RECEIVED.**

Carried

1. Fantasy of Lights Minutes - August 20, 2024

N. Correspondence

None.

O. Notices of Motion

None.

P. Unfinished Business and Announcements

None.

Q. By-laws

226-11042024

Moved By: Councillor Gaffan

Seconded By: Councillor Patterson

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

82-2024 – Being a By-law to License, Regulate and Govern Short-Term Rentals in the Town of Kingsville

83-2024 – Being a By-law to Repeal By-law 129-2004, a By-law to Establish and Maintain a Registry of Businesses in the Town of Kingsville

84-2024 – Being a By-law to Repeal By-law 68-1999, a By-law to Issue and Charge Fees for Licences to Hunt during the Open Season Pheasants and Rabbits

85-2024 – Being a By-law to Prohibit and Regulate Public Nuisances related to Large Holiday Displays in the Town of Kingsville

86-2024 – Being a By-law to Appoint a Member to the Committee of Adjustment & Appeals

87-2024 - Being a By-law to confirm the proceedings of the Council of the Corporation of the Town of Kingsville at its November 4, 2024 Regular Meeting of Council

Carried

R. Closed Session

Deputy Mayor DeYong noted that tonight's closed session is cancelled.

S. Adjournment

228-11042024

Moved By: Councillor Jarvis-Chausse

Seconded By: Councillor Neufeld

That Council adjourns this Regular Meeting at 8:17 p.m.

Carried

Mayor, Dennis Rogers

Acting Clerk, Angela Toole



Committee of The Whole

Minutes

Monday, November 18, 2024

6:00 P.M.

Unico Community Centre

37 Beech Street

Kingsville, ON N9Y 1A9

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

Staff Present CAO, John Norton
 Acting Clerk, Angela Toole
 Deputy Clerk, Natalie Sharp

A. Call to Order

Councillor Gaffan called the Meeting to order at 6:00 p.m.

B. Disclosure of Pecuniary Interest

Councillor Gaffan reminded the Committee 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 matter comes forward.

None disclosed.

C. Delegations

Ken Schmidt, resident, and Ed Cornies, resident, appeared before the Committee to speak to the Town's Strategic Plan and requested that the Committee recommend to the Council the addition of a Waterfront Master Plan to the Strategic Plan.

Tamara Stomp, resident, appeared before Committee to speak to the Town's Strategic Plan regarding the Kingsville Port Authority, protection of natural land and water features, climate change, and alternate modes of transportation.

D. Presentations

1. Strategic Plan Update
 - a. Strategic Plan Update - Year in Review
 - b. Strategic Priorities for 2025
 - c. Amendments to the 2040 Strategic Plan

Moved by Mayor Rogers
Seconded by Councillor Patterson

That Committee of the Whole **RECOMMENDS** to Council that Strategic Priority 3E.3. which reads "develop and implement a plan for Mettawas Park and Grovedale Arts & Culture Centre", **BE REPLACED** with "develop and implement a Waterfront Master Plan encompassing Lakeside Park to the docks" with a target start date of 2026.

CARRIED

E. Committee Questions for Staff

None.

F. Committee Member Updates

None.

G. Unfinished Business

None.

H. Adjournment

Moved by Councillor Patterson
Seconded by Councillor Jarvis-Chausse

That the Committee of the Whole meeting be adjourned at 8:37 p.m.

CARRIED

Councillor Gaffan

Acting Clerk, Angela Toole

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 88 - 2024

A By-law to amend By-law 2-2021 being a By-law to establish and regulate a Fire Department for the Town of Kingsville

Whereas Council passed By-law 2-2021 being a By-law to establish and regulate a Fire Department for the Town of Kingsville, on February 8, 2021;

And Whereas the Council of the Town of Kingsville is desirous of amending its By-law to establish and regulate a Fire Department for the Town;

Now Therefore The Council Of The Corporation Of The Town Of Kingsville Enacts As Follows:

1. That Section 5 of By-law 2-2021 is deleted and replaced with:

“In consultation with the Chief Administrative Officer, the Fire Chief may appoint any eligible person as an Officer or Employee (full-time or part-time) if an existing position is vacant or a new position has been approved by Council. Officer ranks shall include Deputy Chief, Assistant Deputy Chief of Prevention, Assistant Deputy Chief of Training, Operations Chief, Captain, Fire Prevention Officer, Education Officer/Firefighter, and any other position approved by the Chief Administrative Officer.”

2. That this By-law shall come into force on the date of its passing.

Read a first, second and third time and finally passed this 25th day of November, 2024.

Mayor, Dennis Rogers

Acting Clerk, Angela Toole

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 89 - 2024

Being a by-law to impose fees and charges by The Corporation of the Town of Kingsville

WHEREAS section 391 of the *Municipal Act, 2001*, S.O. c. 25 (the “Act”) authorizes a municipality to pass by-laws imposing fees or charges on persons:

- (a) for services or activities provided or done by or on behalf of it;
- (b) for costs payable by it for services or activities provided or done by or on behalf of any other municipality or any local board; and
- (c) for the use of its property including property under its control;

and the costs included in a fee or charge may include costs incurred by a municipality related to administration, enforcement and the establishment, acquisition and replacement of capital assets.

AND WHEREAS subsection 398(1) of the Act provides that such fees and charges imposed by a municipality on a person constitute a debt of the person to the municipality.

AND WHEREAS subsection 398(2) of the Act provides that the treasurer of a municipality may add fees and charges imposed by the municipality to the tax roll for any property for which all of the owners are responsible for paying the fees and charges and collect them in the same manner as municipal taxes.

AND WHEREAS subsection 69(1) of the *Planning Act*, R.S.O. 1990 c. P.13 provides that the council of a municipality, by by-law may establish fees for the processing of applications made in respect of planning matters (the “Application”), which fees shall be designed to meet only the anticipated cost to the municipality in respect of the processing the Application.

AND WHEREAS the Town deems it advisable to repeal By-law 66-2023 on the effective date of this by-law.

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

Definitions

1. In this By-law, the following words shall have the corresponding meaning:

“Combined Consent and Minor Variance (Complex)” shall mean an application for minor variance and consent that can be submitted to the Committee of Adjustment or Council and circulated together, and requires extensive staff review and/or multiple supporting documents or studies.

“Combined Consent and Minor Variance (Standard)” shall mean a standard application for minor variance and consent that can be submitted to the Committee of Adjustment or Council and circulated together.

“Damage Deposit” shall mean a fee or charge paid to the Town to meet all or a portion of the cost and expenses of remediating or repairing any damage to Town property or infrastructure, including, but not limited to roads, sidewalks, curbing or paved boulevards, water or sewage works, caused as a result of the use of such property or infrastructure or as a result of the carrying on of construction or demolition or other works on adjacent property.

“Minor Variance Fee (Complex)” shall mean a request for minor variance that requires extensive staff review and/or multiple supporting documents or studies.

“Minor Variance Fee (Standard)” shall mean a small change to a zoning by-law that allows a property owner to build or make changes to their property.

“Official Plan Amendment (Major)” shall mean a re-designation or change in land use for a property or properties that requires many changes to the policies and schedules of the Official Plan or any application that due to the broader policy implications of the Town would require the need to provide, review or manage studies.

“Official Plan Amendment (Minor)” shall mean a small-scale exception to the Official Plan and is a change to a specific policy that is limited in scope and typically limited to one property.

“Rental Deposit” shall mean the fee or charge paid to the Town as partial payment toward the rental of Town owned facilities.

“Revisions to Approved Plan of Condominium/Plan of Subdivision Fee (Major)” shall mean changes that require review of technical support documents or studies (for example, environmental impact assessments, stormwater management, and compatibility studies, etc).

“Revisions to Approved Plan of Condominium/Plan of Subdivision Fee (Minor)” shall mean small-scale amendments to zoning regulations (for example, front/side yard setback, lot coverage) and conform with approved technical support studies.

“Security Deposit” shall mean a fee or charge paid to the Town to guarantee the due performance of certain obligations owing to the Town that the Town may draw upon in the event that such obligations are not performed in order to complete all outstanding works or matters and pay the costs and expenses incurred.

“Site Plan Agreement Amendment Fee (Major)” shall mean a Site Plan Amendment which requires comprehensive review of changes to on-site service, drainage, stormwater, or parking where technical review of studies is required and where amendments require significant changes involving amendments to technical reports.

“Site Plan Agreement Amendment Fee (Minor)” shall mean a Site Plan Amendment that includes requests on sites less than 2 acres (0.8 hectares) that require limited technical review, limited technical reports.

“Site Plan Agreement Fee (Major)” shall mean a Site Plan Agreement which requires comprehensive review of changes to on-site service, drainage, stormwater, or parking where technical review of studies is required and where amendments require significant changes involving amendments to technical reports.

“Site Plan Agreement Fee (Minor)” shall mean a Site Plan Agreement that includes requests on sites less than 2 acres (0.8 hectares) that require limited technical review, limited technical reports.”

“Zoning By-law Amendments Fee (Major)” shall mean fees that apply to a significant amendment which may have greater impact beyond the subject lands.

“Zoning By-law Amendments Fee (Minor)” shall mean fees that apply to a small-scale amendment having no impact to abutting lands.

Fees and Charges

2. The fee or charges as provided for in Schedule “A” attached hereto and forming part of this By-law shall be imposed and charged for the services, activities and use of property as indicated in said Schedule “A”.

Facility Rentals

3. All facility rental fees are due at time of booking. Fees are refundable if cancelled more than 60 days in advance of the scheduled event. For clarity, the Town will honour the rental rates in effect when payment is received.

Damage Deposits

4. Damage Deposits as provided for in Schedule “B” attached hereto and forming part of this By-law shall be imposed and charged as indicated in said Schedule “B”.
5. Following the use of the property or infrastructure or the completion of the construction or demolition in respect of which an Damage Deposit has been paid and, upon request of the person who paid the Damage Deposit to the Town, the Damage Deposit, less any costs and expenses of remediating or repairing any damage to Town property or infrastructure, shall be refunded by the Town.

Cleaning/Damage Deposit

6. Cleaning and Damage Deposits as provided for in Schedule “B” attached hereto and forming part of this By-law shall be imposed and charged as indicated in said Schedule “B”.
7. The Applicant understands and agrees that the Cleaning/Damage Deposit shall be held and shall be returned to the payee within thirty (30) days after the expiration of the Permit if the Facility is in satisfactory condition and free from damage and excessive cleaning, normal wear and tear expected.

Security Deposits

8. Security Deposits as provided for in Schedule “C” attached hereto and forming part of this By-law shall be imposed and charged as indicated in said Schedule “C”.
9. Upon the performance of all obligations owing to the Town for which a Security Deposit has been paid and, upon request of the person who paid the Security Deposit to the Town, the Security Deposit, less any costs and expenses of completing any works or matters not performed, shall be refunded by the Town.

Unclaimed Deposits

10. Where an Damage Deposit and/or a Security Deposit has been paid to the Town and remains unclaimed for a period of seven years, the Treasurer of the Town may transfer to the general funds of the Town, any such Damage Deposit and/or Security Deposit against which no claim has been made, free of and from any and all claims whatsoever.

Reduced Fee or No Fee

11. Non-profit and Charitable organizations or groups are eligible for the “Non-profit / Charity” rates identified in Schedule A, where applicable.

Non-Profit / Charity rates will apply to;

- i. Registered Charities in good standing with CRA.

- ii. An organization or group operating for the purpose of poverty relief, social welfare, civic improvements, or to provide recreational or cultural opportunities to the general public.
- iii. Instructional programs or services.

The application of such rates is subject to managerial approval.

12. Historically, the following persons were identified to receive seasonal ramp passes at no charge. This will continue for the life of the individual originally identified. Each year the individual must present government issued identified to the Manager of Financial Services who will record the individual's name, address, and birth date.

- Baldwin, Neil
- Balkwill, Gary
- Branch, Jim
- Clemente, Manual
- Hodgkins, Leslie
- Lacy, Eugene
- Mallott, Jim
- Miinch, Craig
- Pretli, Andy
- Woodall, N

13. Organizations under contract for use of sports fields or ice time shall have access to meeting rooms at no cost, subject to availability and managerial approval. These groups will be expected to set up and take down tables and chairs as required.

Uncollectable Issued Fees or Charges

14. If a property owner who is charged a fee under this by-law fails to pay the fee within ninety (90) days of the invoice date, the Corporation may add the fee, including interest and administration fees to the tax roll for any real property in the Town of Kingsville, registered in the name of the owner and collect the fee, including interest, in like manner as municipal taxes.

Repeal

15. By-law 66-2023 is hereby repealed effective January 1, 2025.

16. This by-law shall come into force on January 1, 2025.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 25th DAY OF NOVEMBER, 2024.

MAYOR, Dennis Rogers

ACTING CLERK, Angela Toole

SCHEDULE A
FEES AND CHARGES

ADMINISTRATIVE SERVICES	Effective JANUARY 1, 2025
911 Sign and Post (with or without building)	\$80.00
Accounts Receivable (accounts outstanding after 60 days following invoice date)	1.25% per month
Administration Fee <ul style="list-style-type: none"> • Misdirected payment • Adding or removing outstanding charges on tax roll 	\$30.00
Advertising Hosting Fee	\$50.00
Credit Card Convenience Fee	2% on transactions in excess of \$2,000
DVD/CD/USB (any copied document or documents)	\$10.00
Map (Town)	\$30.00
PLUS	\$3.00 per square foot
Damage to Municipal Property	Cost
Merchandise and Apparel	N/A
MYKingsville website advertising space	N/A
NSF cheque	\$25.00
Noise Permit	\$50.00
Over the Road Banner	\$50.00
Photocopies (on-site)	\$0.50 per copy
Photocopies (off-site)	Cost
Financing Agreement	\$250.00
Property Information Report (PIR) <ul style="list-style-type: none"> • Standard (10 business days) • Within 5 days, excluding holidays 	\$350.00 \$400.00
Property File Document Retrieval (picked up at Town office)	\$7.50
Property File Document Retrieval (delivered by mail or email)	\$10.00
Property Report (for information not included in the PIR)	\$50.00 per department
Refund charge	\$25.00
Severance - property roll creation	\$100.00
Statement of Account (picked up at Town office)	\$7.50 (seniors exempt)
Statement of Account (delivered by mail or email)	\$10.00
Tax Certificate (includes outstanding water)	\$75.00 per property
Tax Certificate (within two business days)	\$150.00 per property
Tax Notice (duplicate - picked up at Town office)	\$7.50 (seniors exempt)
Tax Notice (duplicate - delivered by mail or email)	\$10.00
Tax Notice (duplicate – delivered by email if account is enrolled for paperless billing)	No fee
Tax Registration	Cost
Tax Sale Tender Package	\$10.00
Town flag	Cost
Utility Account Setup	\$25.00
Water notice (duplicate - picked up at Town office)	\$7.50 (seniors exempt)
Water notice (duplicate - delivered by mail or email)	\$10.00
Water notice (duplicate – delivered by email if account is enrolled for paperless billing)	No fee

LEGAL SERVICES	Effective JANUARY 1, 2025
Signing of Document as a Commissioner for Taking Affidavits	\$20.00 up to 3 documents (seniors exempt)
Signing of Document as a Notary Public	\$50.00 up to 3 documents

MUNICIPAL CLERK SERVICES	Effective JANUARY 1, 2025
By-law Appeal - Filing Fee	\$100.00 per appeal
Certified Copies of Municipal Documents	\$15.00 per document
Code of Conduct Complaint (refundable on recommendations of Integrity Commissioner)	\$100.00
Council Meeting Recording (including USB)	\$20.00 per meeting
Portable Signs	
• Permit	\$65.00
• Removal	\$75.00 per hour
• Storage	\$20.00 per day
• Variance	\$65.00
Election Sign Removal	\$20.00 per sign
Freedom of Information (FOI) – Per Application	\$5.00
Freedom of Information (FOI) – Other Fees	Fees listed in O. REG 823
Marriage Solemnization	
• During business hours	\$260.00
• After business hours	\$360.00
• PLUS - travel from and return to municipal office	Per kilometer per Canada Revenue Rates
• Cancellation (more than 24 hours notice)	\$65.00
• Cancellation (less than 24 hours notice)	\$130.00
• Rehearsal Rate (per Rehearsal)	\$52.00
• Civil Marriage Ceremony (per 2 witnesses)	\$32.00
Non-Objection Letter (AGCO)	\$25.00
Death Registration (Burial Permits) (replaces Form 15 & 16 Fees)	\$25.00
Request for Fence Viewers	\$750.00
Short- Term Rental Licence:	
• Residential (Up to 4 Occupants)	\$400.00
• Residential (Up to 6 Occupants)	\$750.00
• Residential (Up to 8 Occupants)	\$1,400.00
• Residential (Up to 10 Occupants)	\$1,750.00
• Owner-Occupied *	\$250.00
• Commercial	\$250.00

*Where the owner/operator resides full-time on the same property as the Short-Term Rental.

ANIMAL CONTROL	Effective JANUARY 1, 2025
Dog License	
• Lifetime Dog License*	\$75.00
Transfer/Replacement Tag	\$10.00
Kennel (includes one dog license)	\$110.00
Dog Impound Fee	
• First reclaiming fee	\$50.00
• Second reclaiming fee	\$75.00
• Third and subsequent reclaiming fee	\$125.00

*Lifetime tag is not transferable and must remain with the assigned dog and owner. A new lifetime tag is required if the dog becomes owned by a new owner. A new lifetime tag is required if an owner acquires a dog.

CEMETERY SERVICES	Effective JANUARY 1, 2025
Grave Plot	\$600.00 interment rights + \$400.00 care & maintenance = \$1,000
Cremation Plot	\$300.00 interment rights + \$200.00 care & maintenance = \$500.00

CEMETERY SERVICES	Effective JANUARY 1, 2025
Interment (includes opening/closing grave, lowering/raising device, grass seeding)	
Full Body Interment	
o Weekdays (10:00 am to 3:30 pm)	\$885.00
o Saturdays (10:00 am to 2:00 pm)	\$1,200.00
Cremation Interment	
o Weekdays (10:00 am to 3:30 pm)	\$400.00
o Saturdays (10:00 am to 2:00 pm)	\$525.00
Assisted Services (in accordance with O.Reg. 184/12 made under the Funeral, Burial and Cremation Services Act, 2002)	
Interment Rights and Interment – Full body burials	\$1,300.00
Interment Rights and Interment - Cremated Remains	\$500.00
Interment Rights and Interment - Receipt from Irregular Burial Site	\$650.00
Disinterment (includes opening/closing grave, lowering/raising device, grass seeding)	
Full Body Disinterment	
o Weekdays (10:00 am to 3:30 pm)	\$1,500.00
o Saturdays (10:00 am to 2:00 pm)	\$1,870.00
Cremation Disinterment	
o Weekdays (10:00 am to 3:30 pm)	\$400.00
o Saturdays (10:00 am to 2:00 pm)	\$525.00
Marker/Monument Care and Maintenance	
• Flat (less than 173 square inches)	\$0.00
• Flat (173 square inches or larger)	\$100.00
• Upright (4 feet or less in height and 4 feet or less in length, including base)	\$200.00
• Upright (more than 4 feet in either height or length, including base)	\$400.00
Other Services	
• Transfer of Interment Rights	\$40.00
• Marker Locating	\$25.00
• Marker Inspection	\$25.00
• Tent Rental (March 16 - December 14 only)	\$100.00
• License (HST exempt)	as set by Ministry of Consumer Services

Note: Interment services outside the above listed dates and times will be performed at cost. Please contact the Public Works Manager for more information.

FIRE SERVICES	Effective JANUARY 1, 2025
AGCO Letters (for liquor related premises and events)(per request)	\$100.00
Commercial Fireworks Permit Review plus inspection	\$100.00
Special Event Inspection (Tents, Temporary Structures)	\$100.00 per hour
Fire Safety Request for Training Services (per Training Officer) (min 2 hour session)	\$250.00 per session (up to 2 hours)
Fire Training provided to other Fire Departments	Cost
Site Inspection from PIR report – includes site visit, emails, document review, phone call, etc) – 2 hr minimum	\$100.00 per hour
File Inspection (from PIR report)	\$100.00
File Search (not from PIR report)	\$100.00
Non-Emergency Alarm Activation (following second false alarm within calendar year)	as set by MTO
Fire Safety Plan/Sprinkler review (per review)	\$100.00
Occurrence Report - Standard (per report)	\$100.00
Occurrence Report with Full Investigation (per report)	\$175.00
Non-resident Motor Vehicle Accident or Fire Attendance	as set by MTO
Prohibited Open Burn	as set by MTO
• PLUS - heavy equipment	Cost
• PLUS – foam	Cost

FIRE SERVICES	Effective JANUARY 1, 2025
Burn Permit	
• Burn Complaint with Fire Response (applicable if not meeting prescribed rules)	MTO rate
• Burn Complaint with Administrative Response (applicable if not meeting prescribed rules)	½ MTO rate
Propane Review/Documentation - Level 2 (per request)	\$100.00
Propane Review/Documentation - Level 1 (per request)	\$100.00
• PLUS - legal or engineering review (per request)	Cost
Fire response to un-located utility strike	MTO rate
Fire Rescue Standby Request	MTO rate
Fire Inspections* includes file search, travel, site visit, orders, re-inspection, safety plan review	
Assembly Inspection – per inspection	
• Churches	\$100.00
• Schools	\$400.00
• Nursery/Day Care	\$100.00
• Licensed Premises	\$200.00
• Unlicensed Premises (liquor license)	\$100.00
Institutional Inspection – per inspection	
• Nursing Homes / Assisted Living/ Retirement Homes	\$550.00
• Homes for Special Care	\$250.00
Industrial Inspection – per inspection	
• Factories/Complexes less than 500 m2	\$300.00
• Factories/Complexes between 500 - 1000 m2	\$500.00
• Factories/Complexes over 1000 m2	\$700.00
Commercial Inspection – per inspection	
• in service mercantile under 500 m2	\$100.00
• in service mercantile under 1000 m2	\$500.00
• in service mercantile over 1000 m2	\$700.00
• business/personal services	\$100.00
Residential Inspection – per inspection	
• Single Family & Duplexes	\$300.00
• Multi-unit residential up to 10 units	\$500.00
• Multi-unit residential 11 – 30 units	\$750.00
• Multi-unit residential greater than 31 units	\$1,000.00
• Boarding/Lodging houses up to 4 beds	\$100.00
• Boarding/Lodging houses 5-9 beds	\$300.00
• Boarding/Lodging houses 10-19 beds	\$600.00
• Boarding/Lodging houses 20-30 beds	\$700.00
• Boarding/Lodging houses greater than 30 beds	\$1,000.00
Residential Short Term Rentals/B&Bs	
• STR/B&B's (up to 4 occupants)	\$150.00
• STR/B&B's (up to 6 occupants)	\$200.00
• STR/B&B's (up to 8 occupants)	\$250.00
• STR/B&B's (up to 10 occupants)	\$300.00
Commercial Short Term Rentals	\$500.00**
Smoke Alarm/Carbon Monoxide Follow up	\$100.00
Additional Follow up Inspection (following second re-inspection – includes site visit, emails, document review, phone call, etc)	\$100.00 per hour

*Minimum charge of 1 Hour per inspection unless deemed non-profit related site

**If 10 Occupants or less, the corresponding “residential” fire inspection rate will apply.

LICENSES	Effective JANUARY 1, 2025
Boarding, Lodging and Rooming Houses – Agricultural or Residential	\$100.00 per structure
Charitable Gaming	
• Bingo	3% of prize
• Media Bingo	3% of prize
• Break Open (Nevada) Tickets	3% of prize

LICENSES	Effective JANUARY 1, 2025
• Raffle	3% of prize
• Bazaar - Raffle & Bingo	3% of prize
• Bazaar - Wheel of Fortune	\$10.00
Marriage	\$135.00
Refreshment Vehicle – Annual Permit	
• First vehicle	\$250.00
• Second vehicle	\$125.00
Refreshment Vehicle – Special Events	Fees established per event
Taxi/Limousine/Vehicle for Hire	
• Vehicle (new)	\$300.00
• Vehicle (renewal) - per year payable on or before January 1	\$100.00
Taxi Driver License - per year payable on or before January 1	\$50.00

ENGINEERING SERVICES	Effective JANUARY 1, 2025
Encroachment Permit	\$250.00 + Damage Deposit
Encroachment Agreement:	
• prepared/reviewed by Administration	\$500.00
• prepared/reviewed by external legal services	Cost
Road Crossing Agreement PLUS DAMAGE DEPOSIT	\$150.00
Road Use Agreement PLUS DAMAGE DEPOSIT	\$1,500.00
Temporary Culvert Installation Permit	\$100.00
Solar Signs - blank sign	\$40.00
Solar Signs - new post and hardware, if required	\$15.00
Solar Signs - installation by Public Works	\$25.00
Weed Cutting	\$ Cost + \$100.00 admin fee
External Engineering Review	At Cost
Sidewalk Patio	
Initial application – Plus Damage Deposit PLUS USE OF PARKING SPACE PLUS DAMAGE DEPOSIT	\$600.00 \$100.00 per month/space
Annual renewal - Plus Damage Deposit PLUS USE OF PARKING SPACE PLUS DAMAGE DEPOSIT	\$200.00 \$100.00 per month/space
Site Plan Engineering Review Fee (per application)	\$1,500.00
Subdivision Engineering Review Fee (per application)	\$3,000.00
Additional Review Fee (per submission on the 4 th and each additional submissions)	\$250.00
External Engineering Review	At Cost

DRAINAGE	Effective JANUARY 1, 2025
Developer or Severance Requests initiated for Drainage Reports under Section 78, 78(5) or Section 4	\$500.00
Requests for Section 65 Reports under the Drainage Act	\$200.00
Tile Inspector Fee	\$200.00
Mutual Drain Agreement review	\$200.00
Drainage Apportionment Agreement	\$200.00
Drainage Admin Fee, per assessed parcel (Maintenance and Capital)	\$3.00

PARK AND RECREATION SERVICES	Effective JANUARY 1, 2025	Effective Non-Profit JANUARY 1, 2025
Note: All fees for Recreation Services include HST where applicable. *All Facility Rentals have an associated cleaning and damage deposit and require liability insurance		
FACILITIES RENTALS:		
Grovedale Arts & Culture Centre		
• Rental	\$3,500.00 per 12 hours, or \$1,200.00 per 4 hours	\$150.00 per 12 hours, or \$65.00 per 4 hours
• Weekend/Wedding Rate: (Friday 12 pm – Sunday 8 pm)	\$5,000.00 per weekend	\$300.00 per weekend
Lakeside Park Pavilion		
• Rental	\$700.00 per 12 hours, \$350.00 per 4 hours	\$100.00 per 12 hours, \$40 per 4 hours
• Weekend/Wedding Rate: Friday 12pm – Sunday 8pm	\$1,650.00 per weekend	\$250.00 per weekend
Kingsville Recreational Complex		
Auditorium A		
• Rental	\$450.00 per 12 hours, \$200.00 per 4 hours	\$85.00 per 12 hours, \$40.00 per 4 hours
• Weekend/Wedding Rate: Friday 12pm – Sunday 8pm	\$1,000.00 per weekend	\$200.00 per weekend
Auditorium B/C (Together)	\$250.00 per 8 hours, \$135.00 per 4 hours	\$50.00 per 8 hours, \$30.00 per 4 hours
Auditorium B or C	\$150.00 per 8 hrs, \$80.00 per 4 hrs	\$40.00 per 8 hrs, \$25.00 per 4 hrs
Ridgeview Park		
• Hall and Pavilion	\$300.00 per 12 hours, \$160.00 per 4 hours	\$75.00 per 12 hours, \$30.00 per 4 hours
• Weekend/ Wedding Rate: Friday 12pm – Sunday 8 pm	\$700.00 per weekend	\$125.00 per weekend
Unico Community Centre		
• Rental	\$400.00 per 12 hours, \$150.00 per 4 hours	\$60.00 per 12 hours, \$25.00 per 4 hours
• Weekend/Wedding Rate: Friday 6pm – Sunday 8pm	\$675.00 per weekend	\$100.00 per weekend
Park Events		
• Pavilion/ Gazebo Fee	\$80.00 per 8 hrs, \$50.00 per 4 hrs	N/A
• Large Event – (150+ ppl)	\$400.00 per 12 hours	\$75.00 per 12 hours
• Medium Event - (50 - 150 ppl)	\$200.00 per 12 hours	\$65.00 per 12 hours
• Small Event – (1-50 ppl)	\$150.00 per 8 hours	\$50.00 per 8 hours
• Fencing / 100 ft	\$10.00 per 100 ft	\$10.00 per 100 ft

PARK AND RECREATION SERVICES	Effective JANUARY 1, 2025
Note: All fees for Recreation Services include HST where applicable. *All Facility Rentals have an associated cleaning and damage deposit *All Rentals require liability insurance	
Baseball	
○ Diamond - without lights	\$50.00 per game (up to 2 hours)
○ Diamond - with lights	\$75.00 per game (up to 2 hrs)
○ Diamond - minor sports	\$15.00 / child per season
○ Diamond - tournament	\$200.00/ 12 hrs per diamond
Weekend Tournament Rate (Friday 5 pm – Sunday 8 pm)	\$1,500.00 all 6 diamonds
Soccer	
○ Field	\$50.00 per game (large field – up to 2 hours) \$30.00 per game (small field – up to 2 hours)
○ Field - minor sports	\$15.00 per child per season
○ Field - tournament	\$175.00/ 12 hrs/ large field \$105.00/ 12 hrs/ small field
Weekend Tournament Rate (Friday 5 pm – Sunday 8 pm)	\$1,750.00 all 16 fields
Kingsville Arena	
Ice Rental	
● Adult prime	\$203.00 per hour
● Adult non-prime (weekdays before 5:00 pm)	\$162.00 per hour
● Youth prime	\$188.00 per hour
● Youth non-prime)(Weekdays before 5:00pm)	\$154.00 per hour
● Elementary or Secondary Schools recognized by the Ministry of Education*	\$77.00 per hour
Public Skating / Shinny Hockey	
● Public Skating – general	\$3.50 per person
● Public Skating - general – 6 Punch Pass	\$15.00 per pass
● Parent & Tot/Home School Skate and Home School Shinny/Adult Skate	\$2.50 per person
● Parent & Tot/ Home School Skate and Home School Shinny/Adult Skate – 6 Punch Pass	\$12.50/ pass
● Shinny Hockey / Figure Skating	\$5.50 per person
● Shinny Hockey / Figure Skating – 5 Skate Pass	\$22.00/ pass
Advertising	
Arena Walls	\$150.00 per year
Ice surface boards	\$500.00 per year
Zamboni	\$2,500.00 per year
Public Skate Sponsorship – 2 hour public skate includes tabling in lobby, plus naming for sponsored skate	\$400.00
Pickleball / Tennis – Public Access	
● Season Pass – Indoor pickleball/ badminton (October – April)	\$100.00/ pass
● Drop-in (outdoor)	\$4.00/court – Pickleball \$6.00/court - Tennis

• Drop-in (indoor pickleball/badminton)	\$2.00 per court
Tennis Court Rental (Kingsville)	
• 1 Court Rental	\$5.00/hr
• 4 Courts Rental (All)	\$50.00/ 4 hrs \$60.00 / 8 hrs
Tennis Court Rental (Ridgeview)	
• 1 Court Rental	\$5.00/hr
• 2 Courts Rental (All)	\$35.00/ 4 hrs \$50.00 / 8 hrs
Pickleball Court Rental (Kingsville)	
• 1 Court Rental	\$5.00/hr
• 4 Court Rental	\$50.00/ 4 hrs \$60.00 / 8 hrs
• 8 Courts (All)	\$100.00/ 4 hrs \$120.00 / 8 hrs
Pickleball / Tennis Associations	
• Pickleball / Tennis Assoc. Access Card	\$15.00
Basketball Court Rental	
Court – Ridgeview or Lions	\$5.00/hr \$18.00/ 4 hrs \$25.00/ 8 hrs
Marina	
• Seasonal Ramp Pass	\$130.00 per craft
• Seasonal Ramp Pass – Senior Rate	\$100.00 per craft
• Dockage - Cedar Island	\$48.00 per foot
• Dockage - Docks 63 and 64	\$56.00 per foot
• Transient Wells – Daily	\$2.00 per foot
• Transient Wells – Monthly	\$15.00 per foot
• Ramp Pass - Daily	\$12.00 per day
• Ramp Pass – Daily – Senior Rate	\$6.00 per day
• Ramp Pass - Monthly	\$50.00 per month
• Fuel	Cost + \$0.30 per litre
Memorial Program	
• Tree (includes plaque)	\$1,000.00
• Bench (includes plaque)	\$2,600.00
Administration	
• Park Access Permit – property access	\$50.00 per day
• Staffing Fee	
• Cancellation Fee (user programs)	\$5.00
• Printing/Copy	\$0.05 – Black Copies \$0.10 – Colour Copies

*In the absence of a joint use agreement.

PLANNING SERVICES	Effective JANUARY 1, 2025
Committee of Adjustment	
○ Consent	
○ Initial severance	\$1,500.00
○ Additional severance **	\$500.00
○ Minor Variance (Standard) **	\$1,250.00
○ Minor Variance (Complex) **	\$1,750.00
○ Combined consent and minor variance (Standard) **	\$2,500.00
○ Combined consent and minor variance (Complex)	\$3,000.00
○ Consent – Change of Conditions	\$1,000.00
Development Agreements	
○ Development Agreement (Subdivision)**	\$5,000.00
○ Development Agreement (Subdivision) Amendment**	\$2,500.00
○ Agreement (all other developments)**	\$750.00
○ Development Agreement Amendment (all other developments)**	\$650.00
Official Plan	
○ Official Plan Amendment (Minor) **	\$4,500.00
○ Official Plan Amendment (Major)	\$7,500.00

PLANNING SERVICES	Effective JANUARY 1, 2025
○ Joint Application (Official Plan Zoning By-law Amendments) **	\$6,000.00
Parkland Dedication or Fees in Lieu	
○ Commercial or Industrial Land	2% of appraised value of land
○ Residential & Other	5% of appraised value of land
○ Residential Land (4 or less lots created by consent)	\$1,500.00 per new lot
Part Lot Control	
○ Part Lot Control	\$2,000.00
○ Part Lot Control Extension	\$1,250.00
Plan of Condo/Subdivision	
○ Plan of Condominium **	\$6,500.00
○ Plan of Subdivision **	\$7,000.00
○ Revisions to Approved Plan of Condominium/Plan of Subdivision (redline) (Minor) **	\$2,500.00
○ Revisions to Approved Plan of Condo/Subdivision (Major)	\$3,500.00
○ Subsequent Phases of Existing Plans of Subdivision	\$1,750.00
○ Request to Extend approved Draft Plan of Subdivision/Condominium	\$1,500.00
Site Plan Control	
○ Site Plan Agreement (Minor) **	\$4,500.00
○ Site Plan Agreement (Major)	\$7,500.00
○ Site Plan Agreement Amendment (Minor)**	\$3,000.00
○ Site Plan Agreement Amendment (Major)	\$5,000.00
○ Notice of Minor Site Plan Amendment	\$750.00
Zoning By-law	
○ Zoning By-law Amendments (Minor) **	\$4,500.00
○ Zoning By-law Amendments (Major)	\$7,500.00
○ Temporary Use **	\$1,750.00
○ Temporary Use Extension **	\$1,000.00
○ Removal of Holding (h) **	\$1,250.00
○ Surplus Dwelling **	\$2,500.00
Other Services	
○ Renewable Energy Review and Approval **	\$1,500.00
○ Compliance Letter (Subdivision/Site Plan, Development Agreement)	\$150.00
○ Documents - Comprehensive Zoning By-law (hard copy)	\$100.00
○ Documents - Official Plan Amendment (hard copy)	\$100.00
○ Planning Act Application Deferral (Applicant Request)	\$500.00
○ Building Permit Zoning Review Fee (charged through Building)	\$100.00
○ Pre-Consultation Fee (OP, Zoning, Subdivision/Condo, Site Plan)	\$250.00
○ Subsequent Administrative Reviews of External/Third Party Reviews	\$200.00

** Fee may require a Security deposit, additional external costs (e.g. third party engineering review, signage, external natural heritage/EIA review) and/or ERCA costs (set by ERCA) in addition to the fee stated. Fees for external costs will be charged at cost + 15% administration.

BUILDING SERVICES	Effective JANUARY 1, 2025
CONSTRUCTION PERMITS	
Note: Permits reviewed and/or issued and not paid for or picked up will be charged a fee of \$330.00 for Part 9 residential properties and \$825.00 for Part 3 commercial, industrial and agricultural properties.	
Engineering Services requires a \$2,000.00 Damage Deposit upon the issuance of all Building Permits in accordance with Schedule B, save and except for permits issued for: pools, sheds or building structures under 225 square feet, signs, decks, septic systems, solar panels and minor interior renovations.	
Residential	
• New construction	\$1.42 per square foot
• Renovations	\$1.42 per square foot
• Accessory buildings	\$0.68 per square foot
• Finished and unfinished basements	\$0.68 per square foot
• Minimum fee	\$315.00
Swimming pools	
• In ground and above ground	\$315.00
Part 3-Assembly/Residential/Commercial/Institutional & Industrial/Part 9-other than Residential	\$17.35 per \$1,000.00 of value of construction
• Minimum fee	\$700.00
Greenhouse	\$0.05 per square foot
• Minimum fee	\$1,000.00
Other Farm Structures	\$0.63 per square foot
• Minimum fee	\$240.00
Water Storage Tanks	\$700.00
Temporary Structures	\$250.00
Wind Turbine With an Output of 1.5 Megawatts or More	\$10,000.00
Construction Commenced Prior to Permit Being Issued	Fee x 2
Other Permits (not specifically listed)	\$17.35 per \$1,000.00 of value of construction
• Minimum fee	\$325.00
Moving	\$375.00
Signs	\$325.00
Demolition Permits	
Demolition	\$0.63 per square foot
• Minimum fee (residential accessory buildings)	\$315.00
• Minimum fee (all other buildings)	\$375.00
Change of Use Permit	
Change of Use permit where no proposed construction	\$315.00
Sewage System Permit	
On Site Sewage	
• Systems	\$1,000.00
• Repair	\$400.00
Other Building Services:	
Inspection re: AGCO Liquor License Application	\$400.00
Conditional Permit Agreement (Per By-16-2021)	\$1,300.00
• Registration of Agreement on title	
Change of Use Field Review	\$375.00
Defer/Revocation Letter	\$375.00
Post Review Amendment	
• Part 9/Residential	\$315.00
• Part 3/Commercial, Industrial, Greenhouse	\$1,000.00
Re-inspection (inspection booked, but work not ready or completed; or no one on site)	\$125.00

BUILDING SERVICES	Effective JANUARY 1, 2025
Sewer/Water Connection (additional costs apply to complete service):	
• Residential	\$315.00
• Commercial/Industrial/Greenhouse	\$500.00
Transfer Permit	\$315.00
Alternative Solution Application Fee	\$400.00 minimum for up to 4 hours of review time plus \$125.00 per hour beyond the first 4 hours
Special Research Request Fee	\$400.00 minimum for up to 4 hours of review time plus \$125.00 per hour beyond the first 4 hours
Copying/Scanning/Printing	\$9.80 per ¼ hour plus \$2.35 for first page and \$0.60 per subsequent page
Permit Finalization Letter (Building permit must have completed and passed final inspection)	\$150.00

BY-LAW SERVICES	Effective JANUARY 1, 2025
By-Law Non-Voluntary Compliance After Deadline Administrative Fee	\$250.00
By-Law On Site Supervision Fee	\$100.00 per site visit plus \$100.00 per hour after the first hour

WATER SEWER SERVICES	Effective JANUARY 1, 2025
Hydrant Hook Up	\$80.00 + water consumption at current rate
Water Meter (5/8" x 3/4" residential meter and MXU radio)	\$500.00
Turn On or Turn Off	\$50.00
Turn On or Turn Off (after Town business hours)	\$200.00
Frozen Meter Replacement	\$200.00
Frozen Meter Replacement (after Town business hours)	\$400.00
Frost Plate Repair	\$60.00
Frost Plate Repair (after Town business hours)	\$260.00
Meter Transponder Replacement due to Damage	\$250.00
Missed Appointment Fee	\$65.00
Water Main Commissioning – plus service connection	\$1,500.00 + \$50.00 per service connection
Water Main Tap Inspections	\$500.00
Water Flow Control Valve Program – Initial Inspection	\$1,500.00
Water Flow Control Valve Program – Re-Inspection	\$500.00
Minicam Investigation	\$75.00 first hour + \$50.00 each subsequent hour
Steaming Frozen Private Water Services	\$100.00 first hour + \$75.00 each subsequent hour

WATER SEWER SERVICES	Effective JANUARY 1, 2025
Steaming Frozen Private Water Services (after Town business hours)	\$500.00 first hour + \$175.00 each subsequent hour
Service Vehicle	\$40.00 per hour
Watermain and Appurtenance Application Review and Approval	\$1,200.00

Note: For the purposes of this Schedule:

1. Except where otherwise noted, fees are exclusive of HST;
2. "Cost" shall mean an amount equal to the cost to the Town of labour, vehicle(s), materials, supplies or services used or purchased for the purpose of the service or activity;
3. "Instructional" refers to a program or service that is delivered by a 3rd party, but is available to the general public
4. "Non-profit organizations" refers to:
 - i. Registered Charities in good standing with CRA (Canadian Revenue Agency),
 - ii. An organization or group operating for the purpose of poverty relief, social welfare, civic improvements, or to provide recreational or cultural opportunities to the general public,
 - iii. Instructional programs or services.
5. All "Programs" fees will be established based on the program offered and fess will be published through Town of Kingsville website.
6. "Minor Sports" refers to organizations that provide recreational opportunities to individuals under the age of 18.
7. "Prime" shall mean all day Saturday and Sunday, and 5 pm-close Monday to Friday
8. The determination of "Minor" and "Major" in the Planning Fees & Charges section will be performed by the Manager of Planning and Director of Planning and Development based on the complexity of the request (i.e. if the request requires multiple supporting documents or studies).
9. "Senior" shall mean a person 65 years of age or older; and
10. "Holidays" include the following days:

New Year's Day	Labour Day
Family Day	Thanksgiving Day
Good Friday	Remembrance Day
Easter Monday	December 24
Victoria Day	Christmas Day
Canada Day	Boxing Day
Civic Holiday	December 31

SCHEDULE B
DEPOSITS AND PENALTIES

PARKS AND RECREATION SERVICES	Effective JANUARY 1, 2025
RENTALS – Cleaning & Damage Deposit	
Grovedale Arts & Culture Centre	\$1,000.00
Lakeside Park Pavilion	\$1,000.00
Kingsville Recreational Complex - Auditorium A or B/C (Together)	\$500.00
Kingsville Recreational Complex - Auditorium B, or C	\$250.00
Ridgeview Park	\$250.00
Unico Community Centre	\$250.00
PARK RENTALS – Grounds Damage Penalty	Cost
PARK ACCESS – Grounds Damage Penalty	Cost

ENGINEERING SERVICES	Effective JANUARY 1, 2025
Damage Deposit on Encroachment Permit – with Building Permit*	\$2,000.00
Damage Deposit on Encroachment Permit – without building permit	\$250.00
Road Crossing Agreement	10% of value of the works (\$500.00 minimum)
Road Use Agreement	100% of value of the works
Standard Penalties for Damage to Municipal Infrastructure:	
• Curb box replacement/repair	\$285.00
• Meter pit bonnet replacement	\$200.00
• Full meter pit replacement	\$1,200.00
• Install cleanout cap	\$115.00
• Curb repair (patching only)	\$100.00 per hour
• Sidewalk replacement	\$120.00 per sq. metre
• Curb replacement	\$175.00 per metre
• Asphalt replacement	Cost
• All other repairs	Cost
• Re-inspection fee (after failing initial inspection)	\$95.00
• Failure to hard surface driveway apron (per Town of Kingsville Development manual)	\$2,000.00

*Damage deposit not applicable to building permits issued for the following: pools, sheds or building structures under 225 square feet, signs, decks, septic systems, solar panels and minor interior renovations.

SCHEDULE C
SECURITY DEPOSITS

ADMINISTRATIVE SERVICES	Effective JANUARY 1, 2025
Election Signs	
Municipal/School Board Candidates	\$140.00
Provincial or Federal Candidates	\$300.00
Utility Account Set Up (Tenant Accounts):	
Residential (no sewage)	N/A
Residential (with sewage)	N/A
Business (no sewage)	\$150.00
Business (with sewage)	\$250.00

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 90-2024

Being a by-law to impose Water and Sewage Rates

WHEREAS pursuant to section 391 of the *Municipal Act, 2001*, S.O. 2001, c.25 (the “Act”), a municipality may pass by-laws imposing fees or charges on persons:

- a) for services or activities provided or done by or on behalf of it;
- b) for costs payable by it for services or activities provided or done by or on behalf of any other municipality or any local board; and
- c) for the use of its property including property under its control,

and such fee or charge imposed for capital costs related to services or activities may be imposed on persons not receiving an immediate benefit from the services or activities but who will receive a benefit at some later point in time.

AND WHEREAS the costs included in a fee or charge may include costs incurred by the municipality related to administration, enforcement and the establishment, acquisition and replacement of capital assets.

AND WHEREAS section 394(2) of the Act provides that a fee or charge may be based on, be in respect of or be computed by reference to the location of the property, the physical characteristics of property, including buildings and structures on the property, or the zoning of property or other land use classification.

AND WHEREAS section 1 of the Act indicates that the definition of a “public utility” includes a system that is used to provide water and sewage for the public.

AND WHEREAS section 398 of the Act indicates that fees and charges for the supply of a public utility imposed by a municipality on a person constitute a debt of the person to the municipality and that such fees and charges may be added to the tax roll for the property in the municipality to which the public utility was supplied and be collected in the same manner as municipal taxes.

AND WHEREAS section 81 of the Act provides that, in addition to recovering all fees and charges payable, a municipality may, on reasonable notice, shut off the supply of a public utility to land if fees or charges payable by the owners or occupants of the land for the supply of the public utility to the land are overdue.

AND WHEREAS the Town deems it advisable to repeal By-law 67-2023 on the effective date of this by-law.

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

Definitions

1. “Capital Surcharge” refers to a fixed rate established to finance the replacement of water mains and other water system capital expenditures.
2. “Commercial” means property classified as such by the Municipal Property Assessment Corporation.

3. "Boarding, lodging, and rooming houses" or "BLRHs" represent dwelling units where bedrooms are rented or provided to individuals, rather than the entire unit. Residents of BLRHs share bathroom and/or kitchen facilities, and occupants may be unrelated. BLRHs are rented or provided to tenants for twenty-eight (28) days or more.
4. "Distribution Rate" refers to a volume based rate established to finance the operating and administrative costs associated with maintaining the Town's water distribution network.
5. "Greenhouse" means any building or portion of a building producing Greenhouse Sewage which is discharged into the Sewage Works, either directly or through a secondary treatment process.
6. "Greenhouse Sewage" means Sewage resulting directly from the process of growing plants, including, but not limited to watering, fertilizing, cultivating and/or exhibiting plants, in a building with transparent or semi-transparent walls and/or roof, under controlled conditions.
7. "Industrial" means property classified as such by the Municipal Property Assessment Corporation.
8. "Multi-residential" means property classified as such by the Municipal Property Assessment Corporation.
9. "Residential" means property classified as such by the Municipal Property Assessment Corporation.
10. "Residential Unit" means a self-contained set of rooms located in premises and contains kitchen and bathroom facilities that are intended for the use of the unit only.
11. "Sewage" means any liquid waste containing animal, vegetable or mineral or nutrient matter in solution or in suspension.
12. "Sewage Rate" means the fee and charge imposed for the purpose of raising funds to pay all or a portion of the capital costs of the Sewage Works or for the operation, repair and maintenance of the Sewage Works and any reserve fund for such purpose.
13. "Sewage Area 1 Rate" means the corresponding Sewage Rate for the identified property or building located in the area indicated in Schedule B attached to and forming part of this By-law and serviced by the "Cottam Facility".
14. "Sewage Area 2 Rate" means the corresponding Sewage Rate for the identified property or building located in the area indicated in Schedule B attached hereto and forming part of this By-law and serviced by the "Kingsville/Lakeshore West Facility".
15. "Sewage Works" means the collection, transmission, storage, treatment and disposal of Sewage and any systems or works required for the same.
16. "Water" means potable water.
17. "Water Rate" means the fee and charge imposed for the purpose of raising funds to pay for Water and all or a portion of the capital costs of the Water Works or for the operation, repair and maintenance of the Water Works and any reserve fund for such purpose.
18. "Water Treatment Rate" refers to the rates established by Union Water Supply System Inc. for the supply of water.

19. "Water Works" means the provision and distribution of Water and any systems or works required for the same.

Water Rate

20. The Water Rates as set out in Schedule "A" attached hereto and forming part of this By-law is hereby imposed on those owners, occupants or tenants of property who benefit from or who may benefit from Water Works.
21. The Capital Surcharge as set out in Schedule "A" shall apply to every active water service connection located on a property. A water service connection is considered active if it is in use or expected to be in use at any point during the next 12 month period.
22. Municipally owned splash pads shall be exempt from the Distribution Rate outlined in Schedule A.

Sewage Rates

23. The Sewage Rates as set out in Schedule "C" attached hereto and forming part of this By-law are hereby imposed on those owners, occupants or tenants of the following:
 - a) a property or building that is connected to the Sewage Works, or
 - b) a property that is not connected to the Sewage Works, but has the facilities to produce Sewage and has frontage adjacent to any part of the Sewage Works.
24. For greater certainty:
 - a. In the Residential Area, in the event there are one or more Residential Units on the property or in the building, the Sewer Rate imposed shall be imposed for each Residential Unit;
 - b. The owner, occupant or tenant of the remainder of the property upon which a Greenhouse (or portion thereof) or Boarding, lodging and rooming house is located shall remain subject to the Sewage Rate applicable to that property.
25. The owners, occupants or tenants of property or that portion of a property as described in Schedule "D" are exempt from section 24 of this By-law.
26. The owners, occupants or tenants of properties described in Schedule "E" are exempt from section 24 of this By-law until such time as said property is connected to the Sewage Works.
27. Funds raised from Sewage Rates shall be allocated as follows:
 - a. 35% Capital Reserve
 - b. 65% Operation of Sewage System

General

28. In the event that a property does not appear to be, in whole or in part, within a Sewage Area as indicated in Schedule B, such property shall be deemed to be within the Sewage Area if it has access to the sewage collection system.
29. If any court finds that any provision of this By-law is ultra vires or invalid, such provision shall be deemed to be severable and shall not invalidate

any other provisions of this By-law which shall remain in full force and effect.

30. By-law 67-2023 is hereby repealed on January 1, 2025.
31. This by-law, and all attached schedules shall come into effect on January 1, 2025.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 25th DAY OF NOVEMBER, 2024.

MAYOR, Dennis Rogers

CAO, John Norton

SCHEDULE "A"

WATER RATES

Volume Rates	Effective JANUARY 1, 2025
Water Treatment*	N/A*
Distribution	\$0.50 per m3
Total	\$0.50 per m3

Fixed Rates	Effective JANUARY 1, 2025
Capital Surcharge	\$34.82 per Quarter

*On February 24, 2023, the Union Water Supply System became separate legal entity, which is responsible for setting its own Water Treatment rates. The Town of Kingsville performs billing functions on behalf of Union Water Supply System Inc.

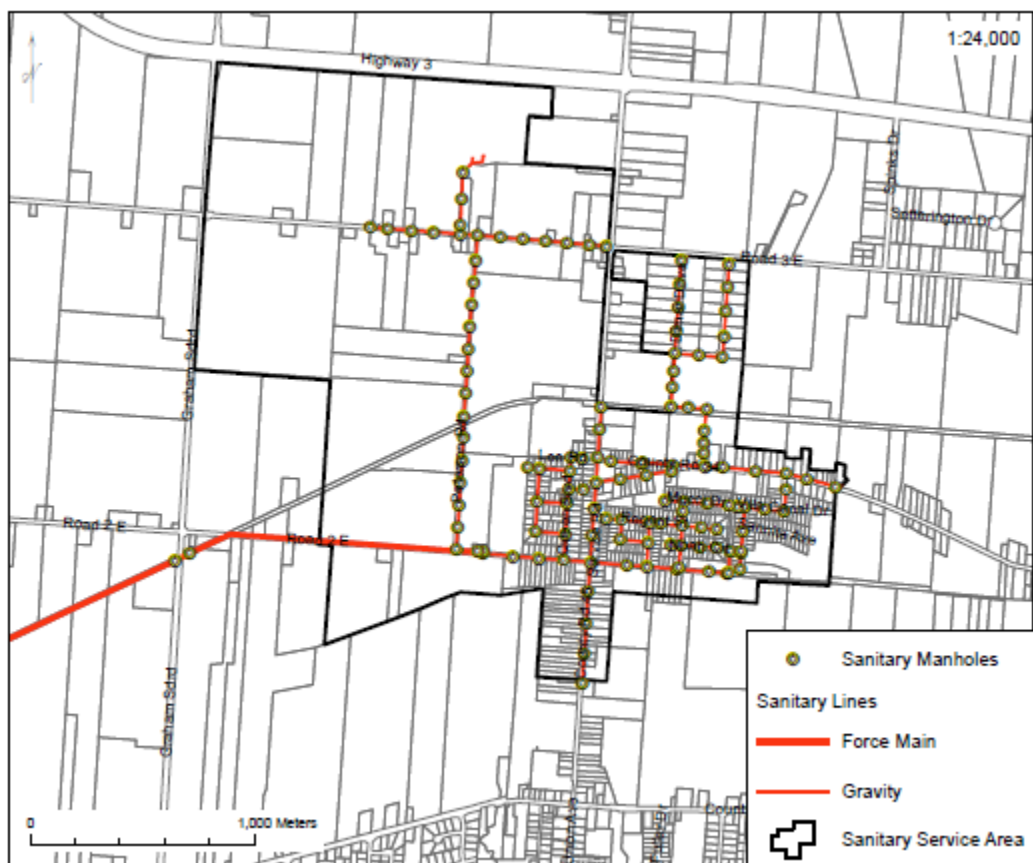
SCHEDULE "B"

SEWAGE SERVICE AREAS

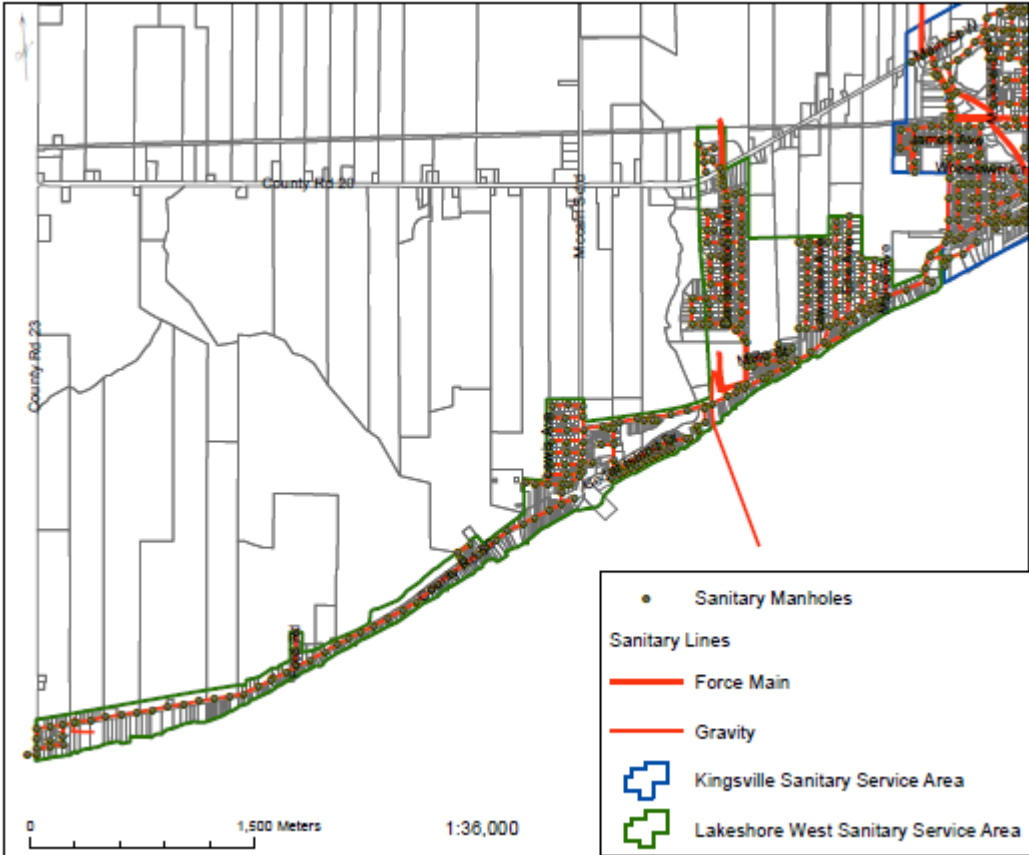
Sewage Area 1 – Cottam Facility



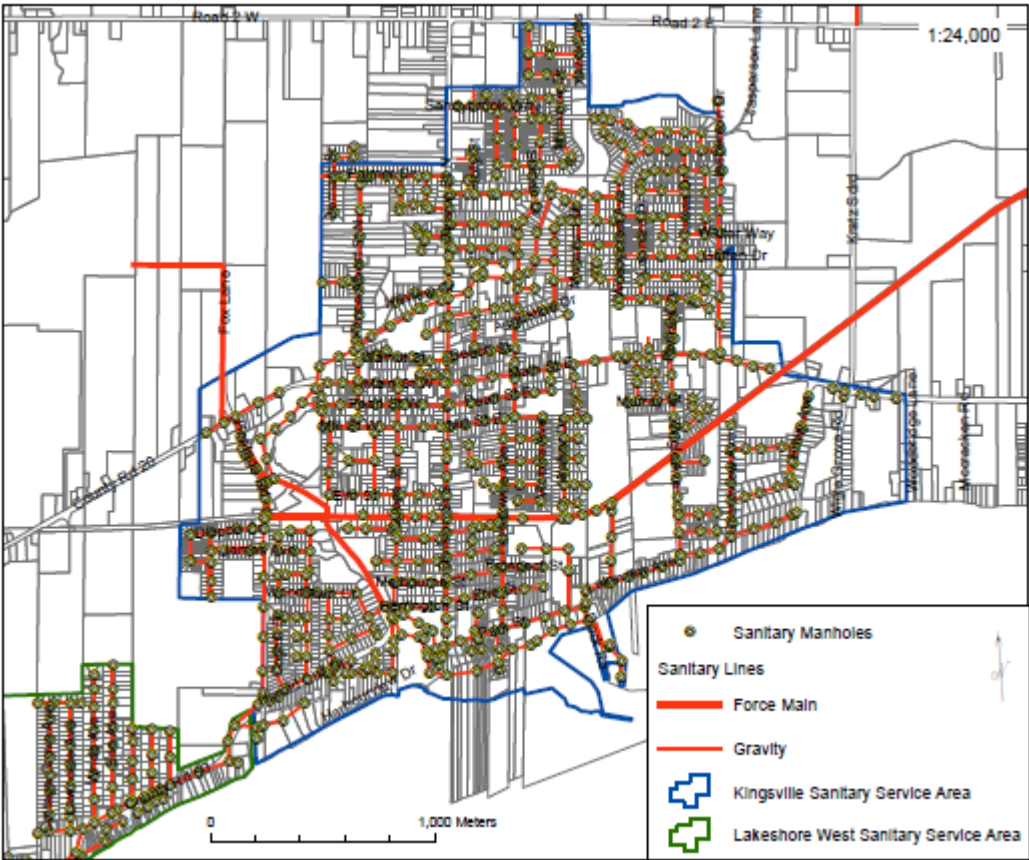
Sewage Area 2 – Kingsville / Lakeshore West Facility (Ruthven)



Sewage Area 2 – Kingsville / Lakeshore West Facility (Lakeshore West)



Sewage Area 2 – Kingsville / Lakeshore West Facility (Kingsville)



SCHEDULE "C"

RESIDENTIAL SEWAGE RATES

Facility	Effective JANUARY 1, 2025
Sewage Area 1 Rates Cottam Facility	<ul style="list-style-type: none">• Base Charge - \$83.55 per quarter per residential unit, plus• Volume Charge - \$0.92 per m³ of water volume• Maximum sewage charges - \$167.10 per quarter per residential unit

Facility	Effective JANUARY 1, 2025
Sewage Area 2 Rates – Kingsville/ Lakeshore West Facility	<ul style="list-style-type: none">• Base Charge - \$79.04 per quarter per residential unit, plus• Volume Charge - \$0.80 per m³ of water volume• Maximum sewage charges - \$158.08 per quarter per residential unit

**MULTI-RESIDENTIAL, COMMERCIAL, INDUSTRIAL AND METERED
SEWAGE RATES**

Sewage Area 1 Rates Cottam Facility	Effective JANUARY 1, 2025
Multi-Residential, Commercial, Industrial	\$2.11 per m3 of water volume
Metered Discharge	\$2.11 per m3 of water volume
Boarding, lodging, and rooming houses	If metered: <ul style="list-style-type: none"> • Base Charge - \$26.35 per quarter per occupant (based on maximum occupant load), plus • Volume Charge - \$0.92 per m3 of water volume If not metered: \$36.68 per occupant

Sewage Area 2 Rates Kingsville / Lakeshore West Facility	Effective JANUARY 1, 2025
Multi-Residential, Commercial, Industrial	\$1.87 per m3 of water volume
Metered Discharge	\$1.87 per m3 of water volume
Boarding, lodging, and rooming houses	If metered: <ul style="list-style-type: none"> • Base Charge - \$26.35 per quarter per occupant (based on maximum occupant load), plus • Volume Charge - \$0.80 per m3 of water volume If not metered: \$35.83 per occupant

SCHEDULE “D”

Irrigation Systems located on a Commercial property if such system is independently metered

Ice Making Systems located on the property owned by the Town of Kingsville and the Kingsville Port Users Association and existing as of the date of the passing of this By-law (includes the former Kingsville Fisherman’s Co-Op Ice; 215 Industry Road, LaNassa Seafood Ice Water Meter and All Temp Foods Ltd. Ice Water Meter)

197 Pineway Park
137 County Road 34E
143 County Road 34E
1875 County Road 34 E
124 Fox Street (Cottam Splash Pad)
315 Queen Street (Kingsville Splash Pad)

SCHEDULE "E"

203 County Road 34 W
198 County Road 27E
204 County Road 27E
46 County Road 27 W
48 County Road 27 W
50 County Road 27 W
54 County Road 27 W
56 County Road 27 W
58 County Road 27 W
60 County Road 27 W
62 County Road 27 W
68 County Road 27 W

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 91 - 2024

Being a By-law to amend By-law 4-2023 being a By-law to establish development charges for the Town of Kingsville

WHEREAS Section 2 of the *Development Charges Act, 1997*, S.O. 1997, c. 27 ("the Act") provides that the council of a municipality may pass a by-law for the imposition of development charges against land if the development of the land would increase the need for services arising from development of the area to which the by-law applies;

AND WHEREAS Section 19 of the Act provides for amendments to be made to development charges by-laws;

AND WHEREAS Subsection 19(1.3) of the Act permits a municipality to amend a development charges by-law, subject to conditions being met, that do not require the process for by-law amendments under subsection 19(1) of the Act to be followed;

AND WHEREAS the Council of The Corporation of the Town of Kingsville enacted and passed By-law 4-2023 on January 25, 2023;

AND WHEREAS the Council of The Corporation of the Town of Kingsville deems it expedient and necessary to amend By-law 4-2023;

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

1. That By-law 4-2024 be hereby amended as follows:

1.1 That the "capital cost" definition in Section 1 be deleted, and the following definition is substituted, therefore:

"capital cost" means costs incurred or proposed to be incurred by the Town or a local board thereof directly or by others on behalf of and as authorized by the municipality or local board;

- i. To acquire land or an interest in land, including a leasehold interest;
- ii. To improve land;
- iii. To acquire, lease, construct, or improve buildings and structures;
- iv. To acquire, construct or improve facilities including:
 - a. Furniture and equipment other than computer equipment;
 - b. Materials acquired for circulation, reference or information purposes by a library board as defined in the *Public Libraries Act, R.S.O. 1990, c. P.44*; and
 - c. Rolling stock with an estimated useful life of seven years or more, and;
- v. To undertake studies in connection with any of the matters referred to under clauses (i) to (iv);
- vi. To undertake the development charges background study; and

vii. Interest on money borrowed for those expenditures under clauses (i) to (iv)

1.2 That the words “growth studies” be added to Section 2.1 such that the revised section will read as follows:

“The categories of services/classes of services for which development charges are imposed under this By-law are as follows:

- (a) Services Related to a Highway;
- (b) Policing Services;
- (c) Parks and Recreation Services;
- (d) Library Services;
- (e) Growth Studies;
- (f) Wastewater Services; and
- (g) Water Services.”

1.3 That Section 3.17 of By-law 4-2023 is hereby repealed.

1.4 That Schedule “A” of By-law 4-2023 be deleted and replaced with Schedule “A” as appended hereto.

1.5 That Schedule “B” of By-law 4-2023 be deleted and replaced with Schedule “B” as appended hereto.

2. This By-law comes into force and takes effect on January 30, 2025.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS
25th DAY OF NOVEMBER, 2024.**

MAYOR, Dennis Rogers

ACTING CLERK, Angela Toole

Schedule “A” to By-law 4-2023

Components of Services and Classes of Services
Designated in Subsection 2.1

Development Charge Eligible Services and Classes of Services

Wastewater Services

Water Services

Services Related to a Highway

Roads, Bridges and Culverts

Traffic Signals

Sidewalks

Streetlights

Public Works Facilities

Public Works Fleet

Policing Services

Police Stations

Fire Protection

Fire Stations

Fire Pumpers, Aerials, Tankers and Rescue Vehicles

Fire Small Equipment and Gear

Parks and Recreation Services

Parkland Development, Amenities, and Trails

Recreation Facilities

Vehicles and Equipment

Library Services

Public Library Space

Growth Studies

Growth Studies

Schedule “B” to By-law 4-2023

Schedule of Development Charges

Service/Class of Service	RESIDENTIAL						NON-RESIDENTIAL		
	Single and Semi-Detached Dwelling	Other Multiples	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Special Care/Special Dwelling Units	Boarding, Lodging, and Rooming House*(per capita)	Industrial, Commercial & Institutional (per sq.ft.)	Greenhouses (per sq.ft.)	Wind Turbine (per unit)
Municipal Wide Services/Class of Service:									
Services Related to a Highway	6,036	4,324	4,103	2,888	2,293	2,085	2.777	0.108	6,036
Policing Services	213	153	145	102	81	74	0.098	0.004	213
Parks and Recreation Services	2,341	1,677	1,591	1,120	889	809	0.117	0.004	-
Library Services	412	295	280	197	157	142	0.020	0.001	-
Growth Studies	389	279	264	186	148	134	0.174	0.007	389
Total Municipal Wide Services/Class of Services	9,391	6,728	6,383	4,493	3,568	3,244	3.186	0.124	6,638
Urban Services									
Wastewater Services	5,202	3,727	3,536	2,489	1,977	1,797	2.355	0.092	-
Water Services	3,078	2,205	2,092	1,473	1,170	1,063	1.424	0.055	-
Total Urban Services	8,280	5,932	5,628	3,962	3,147	2,860	3.779	0.147	-
GRAND TOTAL RURAL AREA	9,391	6,728	6,383	4,493	3,568	3,244	3.186	0.124	6,638
GRAND TOTAL URBAN AREA	17,671	12,660	12,011	8,455	6,715	6,104	6.965	0.271	6,638

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 92 - 2024

Being a By-law to Provide for Powers of Entry on Land for the Purpose of Carrying Out Inspections

WHEREAS Section 436 of the *Municipal Act, 2001*, SO. 2001, c. 25, as amended ("*Municipal Act*") provides that a municipality has the power to pass by-laws providing that the municipality may enter on land at any reasonable time for the purpose of carrying out an inspection;

AND WHEREAS Sections 435, 437 and 438 of the *Municipal Act* set out additional powers and restrictions in regard to the power of entry;

AND WHEREAS Section 426 of the *Municipal Act* prohibits any person from hindering or obstructing, or attempting to hinder or obstruct, any person exercising a power or performing a duty under the *Municipal Act* or under a by-law passed under the *Municipal Act*;

AND WHEREAS The Corporation of the Town of Kingsville wishes to pass a by-law allowing for entry on land for the purpose of carrying out an inspection to ensure that its by-laws, directions, orders and conditions of a licence are being complied with;

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

1. Definitions

1.1. In this By-law:

"Authorized Official" means:

- a) any employee, officer or agent of the Town who is appointed and/or retained to enforce the by-laws of the Town in accordance with the *Community Safety and Policing Act, 2019*, R.S.O. 2019, c. 1, Sched. 1, or the *Municipal Act*;
- b) any employee, officer or agent of the Town who is appointed and/or retained to enforce the provisions of any By-law, or any other by-law related to fire prevention, in accordance with the *Fire Protection and Prevention Act, 1997*, S.O. 1997, c. 4;
- c) any employee, officer or agent of the Town who is appointed and/or retained to enforce the provisions of any By-law, or any other by-law related to building construction standards, in accordance with the *Building Code Act, 1992*, S.O. 1992, c. 23;
- d) the Clerk of the Town of Kingsville; and
- e) any designate appointed by the foregoing.

"Clerk" means the Clerk of the Town or their designate.

"Land" includes buildings, structures and dwellings.

"Obstruct" includes but is not limited to:

- a) to hinder or mislead;
- b) to knowingly provide false information or make a false claim or statement;

- c) to prevent, bar or delay or attempt to prevent, bar or delay entry or inspection by an Authorized Official, or any person under his or her direction;
- d) to prevent, bar or delay or attempt to prevent, bar or delay any person, including an Authorized Official, from carrying out his or her duties or exercising his or her powers, including but not limited to the removal of documents or things relevant to the inspection, or the taking of any tests, samples or photographs necessary for the purposes of the inspection;
- e) to prevent, bar or delay or attempt to prevent, bar or delay any person, including an Authorized Official, from exercising his or her authority pursuant to an order issued under Section 438 of the Municipal Act; and
- f) to fail to provide, upon request by an Authorized Official, any information, documents or things relevant to an inspection.

“**Occupier**” means any person, firm or corporation having control over any portion of the building or property under consideration and includes the persons in the building or property.

“**Town**” means The Corporation of the Town of Kingsville.

2. Interpretation

- 2.1. This By-law shall be known as the “Power of Entry By-law.”
- 2.2. If any section, subsection, schedule, appendix or part, or parts of this By-law are declared by any Court of Law to be invalid, illegal or ultra vires, such section, subsection, schedule, appendix or part, or parts shall be deemed to be severable and all parts hereof are declared to be separate and independent and enacted as such.
- 2.3. This By-law applies to any by-laws of the Town without power of entry provisions passed pursuant to the Municipal Act or its predecessors.
- 2.4. This By-law shall apply in addition to the provisions of any other by-law of the Town and the Municipal Act, provided that in the event of conflict, the provisions of any other by-law of the Town or the Municipal Act shall be paramount over this By-law, provided such provisions are not contrary to law.
- 2.5. Nothing in this By-law shall limit any statutory or common law rights or powers of the Town or any Authorized Official to enter on Land.
- 2.6. Headings are inserted for ease of reference only, form no part of this By-law, and shall have no affect in any way the meaning or interpretation of the provisions of this By-law.

3. Entry and Inspection

- 3.1. An Authorized Official may at any reasonable time enter on Land for the purpose of carrying out an inspection to determine whether or not the following are being complied with:
 - a) a by-law of the Town passed under the Municipal Act or its predecessor;
 - b) a direction or order of the Town under the Municipal Act or made under a by-law of the Town passed pursuant to the Municipal Act or its predecessor;
 - c) a condition of a licence issued under a by-law of the Town passed under the Municipal Act or its predecessor; or

- d) an order made under Section 431 of the Municipal Act.

4. Restrictions

- 4.1. Every Occupier shall permit an Authorized Official to inspect any Land for the purposes as set out in Section 3.1 of this By-law.
- 4.2. Notwithstanding any provision of this By-law, an Authorized Official shall not enter or remain in any room or place actually being used as a dwelling, unless:
 - a) the consent of the Occupier is obtained, with the Occupier first having been informed that the right of entry may be refused and, if refused, may only be made under the authority of an order issued under Section 438 of the Municipal Act or a warrant issued under Section 439 or Section 386.3 of the Municipal Act;
 - b) an order under Section 438 of the Municipal Act is obtained;
 - c) a warrant issued under Section 439 or Section 386.3 of the Municipal Act is obtained;
 - d) the delay necessary to obtain an order under Section 438 of the Municipal Act, to obtain a warrant under Section 439 or Section 386.3 of the Municipal Act, or to obtain the consent of the occupier would result in an immediate danger to the health or safety of any person; or
 - e) the Town has given the Occupier of Land notice of its intention to enter as required under Section 435(2) of the Municipal Act and the entry is authorized under Section 79, 80 or 446 of the Municipal Act.

5. Inspection Powers

- 5.1. For the purposes of an inspection, an Officer may:
 - a) require the production for inspection of documents or things relevant to the inspection;
 - b) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
 - c) require information from any person concerning a matter related to the inspection; and
 - d) alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.
- 5.2. A sample taken under Section 5.1 d) shall be divided into two parts, and one part shall be delivered to the person from whom the sample is taken, if the person so requests at the time the sample is taken and provides the necessary facilities.
- 5.3. If a sample is taken under Section 5.1 d) and the sample has not been divided into two parts, a copy of any report on the sample shall be given to the person from whom the sample was taken.
- 5.4. A receipt shall be provided for any document or thing removed under Section 5.1 b) and the document or thing shall be promptly returned after the copies or extracts are made.
- 5.5. Copies of or extracts from documents or things removed under Section 5 and certified as being true copies of or extracts from the originals by the person who made them are admissible in evidence to the same extent as, and have the same evidentiary value as, the originals.

6. Obstruction

- 6.1. No person shall Obstruct or attempt to Obstruct any Authorized Official or other person who is exercising a power or performing a duty under any by-law of the Town or the Municipal Act or its predecessor.
- 6.2. Without limiting Section 6.1, every person who is alleged to have contravened any of the provisions of any by-law of the Town shall identify themselves to an Authorized Official upon request and failure to do so shall be deemed to have Obstructed the Officer in the execution of his or her duties contrary to Section 6.1 of this By-law.

7. Orders and Remedial Actions

- 7.1. In addition to any other provision of this By-law, and subject to the provisions of the Municipal Act, a provincial judge or justice of the peace may issue an order authorizing an Authorized Official and any person under his or her direction to enter onto or into any premises, including a room or place actually being used as a dwelling, for the purpose of carrying out an inspection to determine whether or not the following are being complied with:
 - a) any provision of any By-law;
 - b) a direction or order of an Authorized Official or of the Town made under this By-law or made under the Municipal Act in relation to the subject-matter of any by-law;
 - c) a condition of a Licence issued under any by-law; and
 - d) an order made under Section 431 of the Municipal Act in relation to the subject-matter of any by-law, and to exercise powers described in Section 5 of this By-law, where the provincial judge or justice of the peace is satisfied by evidence under oath that the inspection is reasonably necessary and the Authorized Official has been prevented or is likely to be prevented from doing anything set out in Section 3.1 or Section 5.1 of this By-law.
- 7.2. An Authorized Official named in an order described in Section 7.1, and any person under his or her direction named therein, may, in accordance with the order, enter onto or into the Land described therein including any room or place actually being used as a dwelling, which is described therein, to undertake the said inspection, and may, for that purpose, exercise any power set out in the order.
- 7.3. If an Authorized Official is satisfied that a contravention of any Town of Kingsville By-law has occurred, the Authorized Official may make an order requiring any person who contravened the By-law, or who caused or permitted the contravention, or the owner or occupier of the Land on which the contravention has occurred, to discontinue the contravening activity.
- 7.4. An order under Section 7.3 of this By-law shall set out:
 - a) reasonable particulars of the contravention adequate to identify the contravention and the municipal address on which the contravention occurred;
 - b) the date by which there must be compliance with the order; and
 - c) the date on which the order expires.
- 7.5. No person shall fail to comply, in whole or in part, with an order issued under Section 7.3 of this By-law.

- 7.6. If an Authorized Official is satisfied that a contravention of any Town of Kingsville By-law has occurred, the Authorized Official may make an order requiring any person who contravened the By-law, or who caused or permitted the contravention, or the owner or occupied of the Land on which the contravention has occurred, to do work to correct the contravention.
- 7.7. An order under Section 7.6 of this By-law shall set out:
- a) reasonable particulars of the contravention adequate to identify the contravention and the municipal address of the property on which the contravention occurred;
 - b) the work to be done and the date by which the work must be done; and
 - c) the date on which the order expires.
- 7.8. An order under Section 7.6 of this By-law may require work to be done even though the facts which constitute the contravention of the By-law were present before this By-law making them a contravention came into force.
- 7.9. No person shall fail to comply, in whole or in part, with an order issued under Section 7.6 of this By-law.

8. Penalty

- 8.1. Every person who contravenes any provision of this By-law is guilty of an offence and upon conviction is liable to a fine as provided for by the *Provincial Offences Act*, R.S.O. 1990, c. P. 33.
- 8.2. Any person who contravenes any of the provisions of this bylaw is guilty of an offence and upon conviction is liable to a maximum fine of \$100,000.00.
- 8.3. Upon conviction, in addition to any other remedy and to any penalty imposed by this By-law, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may make an order prohibiting the continuation or repetition of the offence by the person convicted.
- 8.4. Where a person fails to do a matter or thing as directed or required by an Authorized Official or other person pursuant to this By-law or other by-law of the Town or the Municipal Act, the matter or thing may be done by the Town at that person's expense which associated costs may be added to the tax roll of the person to be collected in the same manner as property taxes.

9. Enactment

- 9.1. This By-law shall come into force and effect upon its final passage.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED this 25TH day of NOVEMBER 2024.

MAYOR, Dennis Rogers

ACTING CLERK, Angela Toole

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 93 - 2024

Being a By-law to amend By-law 72-2024, being a by-law to establish procedures governing the standards for the maintenance and occupancy of property within the municipality

Whereas Council passed By-law 72-2024, being a by-law to establish procedures governing the standards for the maintenance and occupancy of property within the municipality, on September 23, 2024;

And whereas Council passed By-law 85-2024, being a By-law to Prohibit and Regulate Public Nuisances related to Large Holiday Displays in the Town of Kingsville, on November 4, 2024;

And whereas Council of The Corporation of the Town of Kingsville deems it expedient to repeal various provisions of By-law 72-2024 that conflict with By-law 85-2024 as herein provided.

Now therefore the Council of The Corporation of the Town of Kingsville enacts as follows:

1. That the following Section 1.26 of By-law 72-2024 be hereby deleted and repealed:

“Holiday Lighting means displays of light and decorations temporarily installed to celebrate the holiday season.”

2. That the following Section 2.17 of By-law 72-2024 be hereby deleted and repealed:

“Notwithstanding 2.16, Holiday Lighting is permitted during the period of November 15 to January 15.”

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 25th Day of November, 2024.

Mayor, Dennis Rogers

Acting Clerk, Angela Toole

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 94-2024

Being a By-law to adopt an Emergency Management Program and Emergency Response Plan and to meet other Requirements under the Emergency Management and Civil Protection Act

WHEREAS under the *Emergency Management and Civil Protection Act*, R.S.O. 1990, c. E.9 and Ontario Regulation 380/04 (the “Act”) every municipality in the province is required to:

- Develop and implement an emergency management program, which shall consist of:
 - an emergency plan;
 - training programs and exercises for employees of the municipality and other persons with respect to the provision of necessary services and the procedures to be followed in emergency response and recovery activities;
 - public education on risks to public safety and on public preparedness for emergencies; and
 - any other elements required by the standards for emergency management set under the Act or by Emergency Management Ontario;
- Designate an employee of the municipality as its emergency management program coordinator;
- Establish an emergency management program committee;
- Establish a municipal emergency control group;
- Establish an emergency operations centre to be used by the municipal emergency control group in an emergency; and
- Designate an employee of the municipality as its emergency information officer;

AND WHEREAS it is prudent that the emergency management program developed under the Act be in accordance with best practices, including the five core components of emergency management; prevention, mitigation, preparedness, response and recovery;

AND WHEREAS the purpose of such a program is to help protect public safety, public health, the environment, critical infrastructure and property during an emergency and to promote economic stability and a disaster-resilient community;

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

Emergency Management Program

1. An Emergency Management Program (“EMP”) for the Town will be developed and reviewed annually by the Emergency Management Program Committee consistent with and in accordance with the Act and best practices, including the four core components of emergency management, namely: mitigation/prevention, preparedness, response and recovery, and such program shall include:
 - a. training programs and exercises for employees of the town and other persons with respect to the provision of necessary services and the procedures to be followed in emergency response and recovery activities;
 - b. public education on risks to public safety and public preparedness for emergencies; and
 - c. any other elements required by the standards for emergency management set under the Act or by Emergency Management Ontario.

2. The Emergency Management Program shall be consistent with the objectives of protecting public safety, public health, the environment, critical infrastructure and property, and to promote economic stability and a disaster-resilient community.

Emergency Response Plan

3. The Emergency Response Plan, which has been developed in accordance with the requirements of the Act and best practices, and which is attached hereto as Schedule "A" is hereby adopted (the "Plan").
4. The Plan shall be reviewed annually by the Community Emergency Management Coordinator (the "CEMC") and the Town's Emergency Management Program Committee (the "EMPC"). The CEMC is authorized to make such administrative changes to the Plan as appropriate to keep the Plan current, such as personnel changes, and organizational and contact information updates. Any significant revision to the body of the Plan shall be presented to Council for approval.
5. When an emergency exists but has not yet been declared to exist, Town employees and the Municipal Emergency Control Group (the "MECG") may take such action under the Plan as may be required to protect property and the health, safety and welfare of the residents of the Town.

Emergency Management Program Coordinator (known as CEMC)

6. The Assistant Deputy Chief, is hereby appointed as the primary Emergency Management Program Coordinator also known as the Community Emergency Management Coordinator (the "CEMC") responsible for the emergency management program for the Town including maintenance of the Plan, training, exercises, public education and such other duties and responsibilities as outlined in the Act.
7. The Manager of Municipal Governance/Town Clerk and Fire Chief are hereby appointed as alternate CEMCs to act in place of the primary CEMC in his/her absence.

Emergency Management Program Committee

8. The mission of the Emergency Management Program Committee is to oversee the development, implementation and continuous improvement of the Town's EMP

Meetings

The Committee shall hold a minimum of 1 (one) meeting per calendar year.

Composition

The persons holding the following positions in the town shall be members of the Emergency Management Program Committee:

Voting Members

- The Chief Administrative Officer;
- The Fire Chief;
- The Assistant Deputy Chief (also the CEMC);
- The Manager of Municipal Governance/Town Clerk or their designate;
- The Director of Public Operations or their designate;
- The Director of Planning and Development or their designate;
- The Director of Finance and Corporate Services/Treasurer or their designate;
- The Manager of Human Resources or their designate;

- The Chief Building Official or their designate; and;
 - The Communications and Public Relations Coordinator.
9. The Assistant Deputy Chief is hereby appointed as chair of the Emergency Management Program Committee.
 10. The Emergency Management Program Committee shall advise Council on the development and implementation of the Town's Emergency Management Program and shall review the program annually.

Municipal Emergency Control Group (MECG)

11. The persons shall be members of the Municipal Emergency Control Group (MECG):

The emergency response will be directed by members of the Municipal Emergency Control Group (MECG). The MECG is responsible for coordinating the provision of management, and resources necessary to minimize the effects of an emergency on the community and monitoring and control of the emergency response/and or possibilities. The members of the MECG are:

- The Mayor;
- The Chief Administrative Officer;
- The Fire Chief;
- The Assistant Deputy Chief (also the CEMC);
- The Manager of Municipal Governance/Town Clerk;
- The Director of Public Operations;
- The Director of Planning and Development;
- The Director of Finance and Corporate Services/Treasurer;
- The Manager of Legal Services;
- The Manager of Human Resources;
- The Chief Building Official;
- The Communications and Public Relations Coordinator; and,
- The Executive Assistant to the Mayor & CAO.

The MECG will fill roles according to the functions of IMS, as noted below. The IMS functions will be filled based on the needs of the emergency. The Section Chiefs may activate various functions under their Section as deemed necessary by the emergency. Not all functions will be activated for all emergencies.

- Emergency Operations Centre Commander
- Liaison Officer
- Emergency Information Officer
- Safety Officer
- Operations
- Planning
- Logistics
- Finance

Emergency Operations Centre

12. A primary and an alternate Emergency Operations Centre ("EOC") have been established for use by the MECG in an emergency and with the appropriate technological and telecommunications systems to ensure effective communication in an emergency. The locations of the EOCs are identified in an annex to the Plan.

Emergency Information Officer (EIO)

13. The Town's Communications and Public Relations Coordinator is hereby appointed as the Emergency Information Officer for the town to act as the primary media and public contact for the municipality in an emergency.

Administration

14. The Plan shall be made available to the public for inspection and copying through requests made to the CEMC during regular business hours.
15. The Plan, or any amendments to the Plan, shall be submitted to the Chief, Emergency Management Ontario identified in the Act.
16. By-law 74-2023, is hereby repealed in its entirety.
17. 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
25th DAY OF NOVEMBER, 2024.**

MAYOR, Dennis Rogers

ACTING CLERK, Angela Toole

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 95 - 2024

Being a By-law to Repeal By-law 122-2017, a By-law authorizing the entering into of a Management Agreement CA-4555-H-1710 with Her Majesty the Queen, in right of Canada, represented by the Minister of Fisheries and Oceans (the Small Craft Harbours' Facility at Cedar Beach, Ontario)

WHEREAS Council passed By-law 122-2017, a By-law authorizing the entering into of a Management Agreement CA-4555-H-1710 with Her Majesty the Queen, in right of Canada, represented by the Minister of Fisheries and Oceans (the Small Craft Harbours' Facility at Cedar Beach, Ontario) which expired on December 31, 2023;

AND WHEREAS The Corporation of the Town of Kingsville (the "Town") deems it expedient for the Town to enter into a new Management Agreement with His Majesty the King, in right of Canada, represented by the Minister of Fisheries and Oceans (the Small Craft Harbours' Facility at Cedar Beach, Ontario).

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

1. That By-law 122-2017 being a By-law authorizing the entering into of a Management Agreement CA-4555-H-1710 with Her Majesty the Queen, in right of Canada, represented by the Minister of Fisheries and Oceans (the Small Craft Harbours' Facility at Cedar Beach, Ontario) is hereby repealed.
2. This By-law comes into full force and takes effect on the day of the final passing thereof.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 25th DAY OF NOVEMBER, 2024.

MAYOR, Dennis Rogers

ACTING CLERK, Angela Toole