



2021 Division Road North  
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## NOTICE OF SITTING OF COURT OF REVISION

*Drainage Act*, R.S.O. 1990, c. D. 17, subs. 46(1) and (2)

To All Affected Property Owners

For the: **Schiller Drain – MTO Highway Widening Project**

Take notice that your property is assessed for the construction and/or improvement of the above-mentioned drainage works under section 78 of the *Drainage Act*. Attached is a provisional by-law exclusive of the engineer's report. Details of your assessment are contained in the engineer's report dated November 15, 2024, which has been previously sent to you or is available at the municipal office.

An owner of land assessed for the drainage works may appeal to the Court of Revision on any of the following grounds:

- Any land or road has been assessed an amount that is too high or too low;
- Any land or road that should have been assessed has not been assessed; and/or
- Due consideration has not been given to the use being made of the land.

Pursuant to section 52(1) of the *Drainage Act*, objections or appeals to the assessment must be forwarded in writing, to the **attention of the Clerk**, at least ten (10) days prior to the date of the Court of Revision.

The Court of Revision will take place:

**Date:** Tuesday, January 21, 2024

**Time:** 6:00 p.m.

**Location:** Unico Community Centre, 37 Beech Street, Kingsville

If you have any questions relating to this notice, please contact the Drainage Superintendent at [drainage@kingsville.ca](mailto:drainage@kingsville.ca) or 519-733-2305 ext. 267

DATED at the Town of Kingsville this 19<sup>th</sup> day of December, 2024.

Angela Toole  
Acting Clerk  
The Corporation of the Town of Kingsville

Lu-Ann Marentette  
Drainage Superintendent  
The Corporation of the Town of Kingsville

LM/cj

Enclosure      Provisional By-Law  
Schedule of Assessment

Right of Appeal – Any owner of land or public utility affected by the above mentioned drainage works may appeal to the Referee regarding legal issues or the Agriculture, Food and Rural Affairs Appeal Tribunal regarding technical issues within forty (40) days of the sending of this notice. *Drainage Act*, R.S.O. 1990, c. D. 17, subs. 47(1) and 48(1).

**THE CORPORATION OF THE TOWN OF KINGSVILLE**

**BY-LAW 98 - 2024**

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**Being a By-law to provide for the Realignment of the Lower Portion of the Schiller Branch Drain at a total estimated cost of \$423,800 in the Town of Kingsville, in the County of Essex**

**WHEREAS** the Council of the Town of Kingsville, in the County of Essex, has procured a report under section 78(1) of the *Drainage Act*;

**AND WHEREAS** the report has been authored by Oliver E.T. Moir, P. Eng, Dillon Consulting, dated November 15, 2024, and the attached report forms part of this by-law;

**AND WHEREAS** \$423,800 is the amount to be contributed by Ministry of Transportation for the drainage works;

**AND WHEREAS** Council is of the opinion that the report of the area is desirable;

**THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF KINGSVILLE, PURSUANT TO THE DRAINAGE ACT ENACTS AS FOLLOWS:**

**1. AUTHORIZATION**

The attached report is adopted and the drainage works is authorized and shall be completed as specified in the report.

**2. SCHEDULE OF ASSESSMENTS OF LAND AND ROADS**

One hundred percent (100%) of the cost for this report is to be assessed to the Ministry of Transportation.

**3. CITATION**

This by-law comes into force on the passing thereof and may be cited as the "Schiller Branch Drain – Realignment of the Lower Portion" by-law.

**READ A FIRST AND SECOND TIME AND PROVISIONALLY ADOPTED THIS 9<sup>TH</sup> DAY OF DECEMBER, 2024.**

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**MAYOR, Dennis Rogers**

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**ACTING CLERK, Angela Toole**

**READ A THIRD TIME AND FINALLY PASSED THIS 24<sup>TH</sup> DAY OF FEBRUARY, 2025.**

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**MAYOR, Dennis Rogers**

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**ACTING CLERK, Angela Toole**

**"SCHEDULE C"**  
**SCHEDULE OF ASSESSMENT**  
**REALIGNMENT OF SCHILLER BRANCH DRAIN**  
**TOWN OF KINGSVILLE**

**ONTARIO LANDS:**

Description	Area Affected		Owner	Special Benefit	Benefit	Outlet	Total Assessment
	(Acres)	(Ha.)					
King's Highway No. 3	0.00	0.00	Ministry of Transportation Ontario	\$423,800.00	\$0.00	\$0.00	\$423,800.00
<b>Total on Ontario Lands.....</b>				<b>\$423,800.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$423,800.00</b>
<b>TOTAL ASSESSMENT .....</b>				<b>\$423,800.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$423,800.00</b>

**SCHEDULE 'E-1'**  
**SCHEDULE OF ASSESSMENT FOR FUTURE MAINTENANCE OF THE**  
**LOWER OPEN PORTION OF THE SCHILLER BRANCH DRAIN (STA. 0+168 TO STA. 0+190)**  
**TOWN OF KINGSVILLE**

**MUNICIPAL LANDS:**

Description	Area Affected		Owner	Special Benefit	Benefit	Outlet	Total Assessment
	(Acres)	(Ha.)					
County Road No. 29	2.94	1.19	County of Essex	\$0.00	\$0.00	\$2,515.00	\$2,515.00
South Talbot Road	0.15	0.06	County of Essex	\$0.00	\$0.00	\$127.00	\$127.00
Total on Municipal Lands.....				\$0.00	\$0.00	\$2,642.00	\$2,642.00

**PRIVATELY-OWNED - NON-AGRICULTURAL LANDS:**

Roll No.	Con.	Description	Area Affected		Owner	Special Benefit	Benefit	Outlet	Total Assessment
			(Acres)	(Ha.)					
560-07800	STR	Pt. Lot 265	13.50	5.46 *	Jimmy Klassen	\$0.00	\$0.00	\$1,545.00	\$1,545.00
560-07700	STR	Pt. Lot 265	0.38	0.15	Gerald & Elizabeth Vanderwal	\$0.00	\$0.00	\$197.00	\$197.00
560-07600	STR	Pt. Lot 265	0.20	0.08	Daniel J. & Lorna G. Harangozo	\$0.00	\$0.00	\$105.00	\$105.00
560-07500	STR	Pt. Lot 265	4.50	1.82 *	David J. & Fern E. Walsh	\$0.00	\$0.00	\$559.00	\$559.00
560-07400	STR	Pt. Lot 265	3.16	1.28 *	Peggy J. & Thomas P. Hurst	\$0.00	\$0.00	\$393.00	\$393.00
560-07300	STR	Pt. Lot 265	4.04	1.63 *	Brian W. & Pamela R. Osborne	\$0.00	\$0.00	\$500.00	\$500.00
560-07200	STR	Pt. Lot 265	5.04	2.04 *	Michael P. & Ashley N. Caza	\$0.00	\$0.00	\$626.00	\$626.00
560-07100	STR	Pt. Lot 265	2.35	0.95 *	David A. & Judy L. Tiessen	\$0.00	\$0.00	\$292.00	\$292.00
560-07000	STR	Pt. Lot 265	10.50	4.25 *	Michael F. & Joan E. Slade	\$0.00	\$0.00	\$1,305.00	\$1,305.00
560-06900	STR	Pt. Lot 265	0.56	0.23	Shirley H. Hearn	\$0.00	\$0.00	\$287.00	\$287.00
560-06800	STR	Pt. Lot 265	2.37	0.96 *	Bradly J. & Virginia M. Nelson	\$0.00	\$0.00	\$295.00	\$295.00
560-06700	STR	Pt. Lot 265	0.33	0.13	Ronald K. & Donna P. Steinhoff	\$0.00	\$0.00	\$171.00	\$171.00
560-06600	STR	Pt. Lot 265	2.85	1.15 *	Rene G. & Virginia R. Paquin	\$0.00	\$0.00	\$353.00	\$353.00
560-06500	STR	Pt. Lot 265	4.95	2.00 *	Robert K. Lane	\$0.00	\$0.00	\$614.00	\$614.00
560-06400	STR	Pt. Lot 265	0.95	0.38 *	Kevin D. McKellar	\$0.00	\$0.00	\$116.00	\$116.00
Total on Privately-Owned - Non-Agricultural Lands.....				\$0.00	\$0.00	\$7,358.00	\$7,358.00		
<b>TOTAL ASSESSMENT .....</b>				<b>\$0.00</b>	<b>\$0.00</b>	<b>\$10,000.00</b>	<b>\$10,000.00</b>		

	(Acres)	(Ha.)
<b>Total Area:</b>	<b>58.77</b>	<b>23.76</b>