



2021 Division Road North
Kingsville, Ontario N9Y 2Y9
Phone: (519) 733-2305
www.kingsville.ca
requests@kingsville.ca

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: **Road 29 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 or 519-733-2305 ext. 267

DATED at the Town of Kingsville this 19th 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 101 - 2024

Being a By-law to provide for MTO Improvements to the Road 29 Drain at a total estimated cost of \$173,700 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 4 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 \$173,700 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 "Road 29 Drain – MTO Improvements" by-law.

READ A FIRST AND SECOND TIME AND PROVISIONALLY ADOPTED THIS 9TH DAY OF DECEMBER, 2024.

MAYOR, Dennis Rogers

ACTING CLERK, Angela Toole

READ A THIRD TIME AND FINALLY PASSED THIS 24TH DAY OF FEBRUARY, 2025.

MAYOR, Dennis Rogers

ACTING CLERK, Angela Toole

"SCHEDULE C"
SCHEDULE OF ASSESSMENT
ROAD 29 DRAIN
TOWN OF KINGSVILLE

ONTARIO LANDS:

Roll No.	Lot	Conc.	Area Affected (Acres) (Ha.)		Owner	Special Benefit	Benefit	Outlet	Total Assessment
King's Highway No. 3			2.47	1.00	Ministry of Transportation	\$139,236.00	\$0.00	\$0.00	\$139,236.00
Total on Ontario Lands.....						\$139,236.00	\$0.00	\$0.00	\$139,236.00

NON AGRICULTURAL LANDS

Roll No.	Lot	Conc.	Area Affected (Acres) (Ha.)		Owner	Special Benefit	Benefit	Outlet	Total Assessment
560-05405	265	STR	0.74	0.30	Neumar Corp. & 1118524 Ontario Inc.	\$5,744.00	\$0.00	\$0.00	\$5,744.00
Total on Non Agricultural Lands						\$5,744.00	\$0.00	\$0.00	\$5,744.00

AGRICULTURAL LANDS

Roll No.	Lot	Conc.	Area Affected (Acres) (Ha.)		Owner	Special Benefit	Benefit	Outlet	Total Assessment
560-00300	265	STR	3.58	1.45	Domric Enterprises Inc.	\$28,720.00	\$0.00	\$0.00	\$28,720.00
Total on Agricultural Lands.....						\$28,720.00	\$0.00	\$0.00	\$28,720.00

TOTAL ASSESSMENT						\$173,700.00	\$0.00	\$0.00	\$173,700.00	
			(Acres)	(Ha.)						
			Total A	6.79	2.75					

"SCHEDULE D"
DETAILS OF SPECIAL BENEFIT
ROAD 29 DRAIN
TOWN OF KINGSVILLE

SPECIAL BENEFIT ASSESSMENT
(ONTARIO LANDS)

Roll No.	Owner	Item Description	Estimated Cost	Cost of Report	Special Benefit
	Ministry of Transportation Ontario	Culverts No. 1 & 2 (80%)	\$120,000.00	\$17,857.00	\$137,857.00
		ERCA review and permit fee (100%)	\$800.00	\$119.00	\$919.00
		Allowances (100%)	\$400.00	\$60.00	\$460.00
Total Special Benefit Assessment (Ontario Lands).....			\$121,200.00	\$18,036.00	\$139,236.00

SPECIAL BENEFIT ASSESSMENT
(NON - AGRICULTURAL LANDS)

Roll No.	Owner	Item Description	Estimated Cost	Cost of Report	Special Benefit
560-05405	Neumar Corp. & 1118524 Ontario Inc.	Culverts No. 1 & 2 (3.33%)	\$5,000.00	\$744.00	\$5,744.00
Total Special Benefit Assessment (Non - Agricultural Lands).....			\$5,000.00	\$744.00	\$5,744.00

SPECIAL BENEFIT ASSESSMENT
(AGRICULTURAL LANDS)

Roll No.	Owner	Item Description	Estimated Cost	Cost of Report	Special Benefit
560-00300	Domric Enterprises Inc.	Culverts No. 1 & 2 (16.67%)	\$25,000.00	\$3,720.00	\$28,720.00
Total Special Benefit Assessment (Agricultural Lands Grantable).....			\$25,000.00	\$3,720.00	\$28,720.00

OVERALL TOTAL SPECIAL BENEFIT ASSESSMENT \$173,700.00

SCHEDULE 'E'
SCHEDULE OF ASSESSMENT FOR FUTURE MAINTENANCE
ROAD 29 DRAIN (CULVERT No. 2)
TOWN OF KINGSVILLE

MUNICIPAL LANDS:

Description	Area Affected (Acres) (Ha.)		Owner	Special Benefit	Benefit	Outlet	Total Assessment
County Road No. 29	2.94	1.19	County of Essex	\$0.00	\$0.00	\$7,805.00	\$7,805.00
Total on Municipal Lands.....				\$0.00	\$0.00	\$7,805.00	\$7,805.00

PRIVATELY-OWNED - NON-AGRICULTURAL LANDS:

Roll No.	Con.	Description	Area Affected (Acres) (Ha.)		Owner	Special Benefit	Benefit	Outlet	Total Assessment
560-05405	265	STR	0.74	0.30	Neumar Corp. & 1118524 Ontario Inc.	\$0.00	\$0.00	\$376.00	\$376.00
Total on Privately-Owned - Non-Agricultural Lands.....						\$0.00	\$0.00	\$376.00	\$376.00

PRIVATELY-OWNED - AGRICULTURAL LANDS:

Roll No.	Con.	Description	Area Affected (Acres) (Ha.)		Owner	Special Benefit	Benefit	Outlet	Total Assessment
560-00300	265	STR	3.58	1.45	Domric Enterprises Inc.	\$0.00	\$0.00	\$1,819.00	\$1,819.00
Total on Privately-Owned - Non-Agricultural Lands.....						\$0.00	\$0.00	\$1,819.00	\$1,819.00

TOTAL ASSESSMENT				\$0.00	\$0.00	\$10,000.00	\$10,000.00
		(Acres) (Ha.)					
		Total Area:	7.26	2.94			