



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: **Gibbs 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 100 - 2024

Being a By-law to provide for MTO Improvements to the Gibbs Drain at a total estimated cost of \$206,800 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 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 \$206,800 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 "Gibbs 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
GIBBS 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	\$206,800.00	\$0.00	\$0.00	\$206,800.00
Total on Ontario Lands.....				\$206,800.00	\$0.00	\$0.00	\$206,800.00
TOTAL ASSESSMENT				\$206,800.00	\$0.00	\$0.00	\$206,800.00
	(Acres)	(Ha.)					
Total Area	0.00	0.00					

"SCHEDULE E"
SCHEDULE OF ASSESSMENT FOR FUTURE MAINTENANCE (OPEN DRAIN STA. 0+000 TO STA. 0+149)
GIBBS DRAIN
TOWN OF KINGSVILLE

MUNICIPAL LANDS:

Description	Area Affected		Owner	Special Benefit	Benefit	Outlet	Total Assessment
	(Acres)	(Ha.)					
Unnamed Road	2.00	0.81	Town of Kingsville	\$0.00	\$316.00	\$1,574.00	\$1,890.00
Total on Municipal Lands.....				\$0.00	\$316.00	\$1,574.00	\$1,890.00

PRIVATELY-OWNED - NON-AGRICULTURAL LANDS

Roll No.	Con.	Description	Area Affected		Owner	Special Benefit	Benefit	Outlet	Total Assessment
			(Acres)	(Ha.)					
560-00200	STR	Pt. Lots 264 & 265	4.73	1.91	Domric Enterprises Inc.	\$0.00	\$107.00	\$742.00	\$849.00
560-00220	STR	Pt. Lot 264	1.33	0.54	2845881 Ontario Inc.	\$0.00	\$507.00	\$351.00	\$858.00
560-00100	STR	Pt. Lot 264	1.00	0.40	Jacob & Agatha Neufeld	\$0.00	\$501.00	\$311.00	\$812.00
660-00502	-	-	2.37	0.96 *	Hydro One Networks Inc.	\$0.00	\$0.00	\$216.00	\$216.00
Total on Privately-Owned - Non-Agricultural Lands				\$0.00	\$1,115.00	\$1,620.00	\$2,735.00		

PRIVATELY-OWNED - AGRICULTURAL LANDS

Roll No.	Con.	Description	Area Affected		Owner	Special Benefit	Benefit	Outlet	Total Assessment
			(Acres)	(Ha.)					
560-10501	STR	Pt. Lot 264	49.97	20.22 *	Edwin H. & Rachel A Gibbs	\$0.00	\$569.00	\$3,928.00	\$4,497.00
560-10000	STR	Pt. Lots 264 & 265	5.58	2.26	Roger J. Meleg	\$0.00	\$0.00	\$878.00	\$878.00
Total on Privately-Owned - Agricultural Lands				\$0.00	\$569.00	\$4,806.00	\$5,375.00		

TOTAL ASSESSMENT				\$0.00	\$2,000.00	\$8,000.00	\$10,000.00	
			(Acres)	(Ha.)				
Total Area:			66.98	27.10				

*denotes reduced assessment for lands where tile drainage flows are not directed to Gibbs Drain