



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

Monday, June 16, 2025, 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. Land Acknowledgement

We acknowledge the Three Fires Confederacy (Ojibwe, Potawatomie and Odawa) and the Traditional ancestral, unceded territory of Caldwell First Nation; the original people of Point Pelee, Pelee Island and its surrounding waters. We recognize and respect the First Nations who are stewards of the land and waters of Turtle Island and who have embraced this stewardship since time immemorial. We would also like to acknowledge all the moccasins who have walked lands of Turtle Island.

C. Moment of Silent Reflection and National Anthem

D. Mayor's Welcome and Remarks

E. Amendments to the Agenda

F. Disclosure of Pecuniary Interest

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

G. Report Out of Closed Session

Council entered into Closed Session pursuant to Section 239 of the Municipal Act, 2001, on June 2, 2025, at 6:00 p.m. and discussed the following items:

Item I - Appointments to Committees (Communities in Bloom and Migration Festival Committee Vacancies) heard under Section 239(2)(b), being personal matters about an identifiable individual, including municipal employees. There is nothing further to report.

Item II - Various Personnel Matters heard under Section 239(2)(b), being personal matters about an identifiable individual, including municipal employees; and Section 239(2)(d), being labour relations or employee negotiations. There is nothing further to report.

Item III - Update on Matters Before an Administrative Tribunal heard under Section 239(2)(e), being litigation or potential litigation, including matters before administrative tribunals, affecting the municipality. There is nothing further to report.

H. Delegations

- 1. Written Delegation Regarding Request for Enforcement and Planning Action for Pelee Island Winery 1

I. Presentations

J. Matters Subject to Notice

- 1. Application for Consent and Zoning By-Law Amendment (B-2025-09 and ZBA-2025-04 at 389 County Road 20 West 5

Recommended Action

- 1. That consent application B-2025-09, to sever an existing dwelling, deemed surplus to the needs of the applicants' farming operation with an area of 0.16 hectares (0.40 acres) shown as Part 1 on the applicants' sketch, known as 389 County Road 20 West, in the Town of Kingsville, **be approved**, subject to the following conditions:
 - a. Provide the following to the satisfaction of the Town:
 - i. proof of drainage to serve the lands being conveyed and the lands being retained, with the costs of such drainage being solely at the expense of the applicant;
 - ii. an executed agreement for drainage apportionment due to lands severance or sale approved by the Municipality for each parcel being severed;
 - iii. a mutual drain agreement executed due to lands severance or sale approved by the Municipality for each parcel being severed;
 - iv. a registered 12-R Plan;

- v. confirmation that there is a separate septic system on each property and that it meets Ontario Building Code requirements and setbacks;
 - b. Provide the necessary deed(s), transfer or changes electronically, signed and fully executed, prior to certification;
 - c. The conditions imposed above shall be fulfilled by June 13, 2027, or this application shall be deemed to be refused in accordance with Section 53(41) of the *Planning Act*.
 - 2. And that By-law 40-2025, being a By-law to amend the Comprehensive Zoning By-law 1-2014 for the Town of Kingsville, to amend the zoning on the severed residential parcel from 'General Agricultural (A1) to 'Rural Residential (RR)' **be approved**.
2. Application for Consent and Zoning By-Law Amendment (B-2025-08 and ZBA-2025-7) at 76 County Road 14 East 12

Recommended Action

- 1. That consent application B-2025-08, to sever an existing dwelling, deemed surplus to the needs of the applicants' farming operation, with an area of 0.83 hectares (2.05 acres) and shown as Part 1 on the applicants' sketch, known as 76 County Road 14 East, in the Town of Kingsville, **be approved**, subject to the following conditions:
 - a. Provide the following to the satisfaction of the Town:
 - i. proof of drainage to serve the lands being conveyed and the lands being retained, with the costs of such drainage being solely at the expense of the applicant;
 - ii. an agreement for drainage apportionment due to lands severance or sale approved by the Municipality for each lots;
 - iii. a lot grading plan, for the lands being conveyed and the lands being retained, with the costs of such grading being solely at the expense of the applicant;
 - iv. registered 12-R Plan for the severed parcel.
 - b. The owner must establish a new entrance for the retained farm parcel and provide the Town with a copy of the permit provided by the County of Essex Infrastructure Services.
 - c. The conditions imposed above shall be fulfilled by June 16, 2027, or this application shall be deemed to be refused in accordance with Section 53(41) of the *Planning Act*.
- 2. And that By-law 39-2025, being a By-law to amend the Comprehensive Zoning By-law 1-2014 for the Town of Kingsville, to amend the zoning on the retained farm parcel municipally known as VL County Road 14 East from 'General Agricultural

with Exception 37 (A1-37)' to 'Restricted Agricultural with Exception 4 (A2-4)' and the severed residential parcel from 'Agricultural Exception 37 (A1-37)' to 'Rural Residential (RR)' **be approved**.

3. Application for Consent and Zoning By-law Amendment (B-2025-7 & ZBA-2025-3) at 1529 Union Avenue (County Road 45)

19

Recommended Action

1. That consent application B-2025-07, to sever an existing greenhouse and dwelling, for the property known as 1529 Union Avenue (County Road 45), deemed surplus to the Union Water Facility expansion, and to add the remaining retained parcel to the property municipally known as 1615 Union Avenue (County Road 45), **be approved**, subject to the following conditions:
 - a. That the applicant provide, to the satisfaction of the Town:
 - i. proof of drainage to serve the lands being conveyed and the lands being retained, with the costs of such drainage being solely at the expense of the applicant including an amended section 65 Report
 - ii. registered 12-R Plan for the severed parcel;
 - iii. private locates are required to confirm no municipal services (water, storm and sanitary) cross the proposed property lines
 - b. The conditions imposed above shall be fulfilled by June 16, 2027, or this application shall be deemed to be refused in accordance with Section 53(41) of the *Planning Act*,
2. And that By-law 42-2025, being a By-law to amend the Comprehensive Zoning By-law 1-2014 for the Town of Kingsville, to amend the zoning on the retained parcel municipally known as 1615 Union Avenue (County Road 45) from 'General Agricultural' to 'Public Utilities/Facilities (MG)' and the severed residential parcel from 'General Agricultural (A1)' to 'General Agricultural Exception 90 (A1-90)', **be approved**.

K. Reports - Planning and Development Services

1. Kingsville Heritage Plaque Program

29

Recommended Action

That Council **approve** the creation of the Kingsville Heritage Plaque Program to recognize historically significant properties within the Town;

And that Council **direct** staff to develop the necessary procedures, application process, and funding arrangements for its implementation.

L. Consent Agenda

1.	Migration Festival Committee Minutes - April 22, 2025	32
2.	Heritage Advisory Committee Minutes - May 6, 2025	35
3.	Regular Council Meeting Minutes - May 26, 2025	38

M. Correspondence

1.	Windsor-Essex County Health Unit Board of Health Re: Lyme Disease Prevention	45
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N. Notices of Motion

O. Unfinished Business and Announcements

P. By-laws 48

Recommended Action

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

38-2025 – Being a by-law to provide for the collection of the costs incurred for drainage works completed for numerous drains all in the Town of Kingsville;

39-2025 - Being a By-law to amend By-law No. 1-2014, the comprehensive Zoning By-law for the Town of Kingsville;

40-2025 - Being a By-law to amend By-law No. 1-2014, the comprehensive Zoning By-law for the Town of Kingsville;

42-2025 - Being a By-law to amend By-law No. 1-2014, the comprehensive Zoning By-law for the Town of Kingsville;

43-2025 – Being a By-law to confirm the proceedings of the Council of the Corporation of the Town of Kingsville at its June 16, 2025, Regular Meeting of Council.

Q. Adjournment

Recommended Action

That Council adjourns this Regular Meeting at p.m.

Request for Enforcement and Planning Action

Pelee Island Winery, 455 Seacliff Drive

Purpose of Delegation

We, the undersigned residents of Gregory and Emily Avenues, submit this delegation to formally raise serious concerns about the Town of Kingsville’s ongoing failure to enforce its planning approvals and by-laws as they pertain to the Pelee Island Winery (PIW) at 455 Seacliff Drive. This issue is not merely administrative in nature—it is a legal and policy failure with real-world consequences for adjacent residents.

This matter now represents a critical test of the Town’s obligation to uphold the public interest, adhere to the *Planning Act*, and maintain the credibility of its land use planning regime. At stake is the enforceability of the Town’s site plan control system, the integrity of its Official Plan, and the confidence of residents in their municipality’s ability to ensure lawful, compatible development.

Land Use Designation and Policy Context

The lands at 455 Seacliff Drive are designated Highway Commercial under the Town of Kingsville’s 2023 Official Plan. This designation contemplates commercial development that is high-profile, well-designed, and integrated sensitively with its surroundings. The Plan specifically requires that:

“Loading spaces will be designed and located with separation from adjacent residential uses. Extra buffering and noise attenuation measures will be applied on site and in the site plan agreement to mitigate and reduce noise generated by the commercial use.”
(*Town of Kingsville Official Plan, 2023, Section 3.2.3.2*)

These provisions clearly recognize the need to protect residential uses from the adverse impacts of adjacent commercial development. Yet despite this, the current configuration and operations of the PIW site exhibit no meaningful compliance with these requirements.

1. Non-Compliance with Site Plan Control - Legal Breach

Section 41 of the *Planning Act* mandates that municipalities must ensure all development within a Site Plan Control Area conforms precisely to the site plan approved by Council. Where a municipality becomes aware of deviations, it has a statutory obligation to enforce compliance.

In this case, the Town has long been aware of significant deviations from the approved site plan at PIW, including:

- The unapproved construction of a banquet hall, balcony, and loading bays;
- The daily operation of industrial equipment and delivery vehicles adjacent to residential lots;

- An uncontrolled and unpaved parking area linking commercial and residential uses;
- A large commercial HVAC unit emitting continuous mechanical noise, facing residential backyards;
- Headlights, amplified music, and event-related noise spilling into private residential space;
- Recurring nuisance behaviour from event patrons, including trespass, disorderly conduct, and property damage.

These are not isolated incidents; they are persistent, documented, and acknowledged by the municipality. The Ontario Land Tribunal (OLT) has consistently held that municipalities may be found in breach of their planning obligations when they fail to act in the face of such evidence. Under Rule 26 of the *OLT Rules of Practice and Procedure*, the Tribunal may grant relief in cases of municipal inaction where it results in demonstrable harm to adjacent landowners.

This is a textbook case of municipal nonfeasance: a failure to enforce existing approvals, despite clear authority, legal obligation, and evidence of harm.

2. Systemic Deficiencies in the Regulatory Framework

Beyond enforcement, Kingsville's current zoning and by-law framework lacks the necessary safeguards to prevent land use conflict of this nature. The zoning by-law and related instruments fail to:

- Establish enforceable noise and vibration thresholds for mechanical systems;
- Impose lighting controls, including shielding and operational curfews;
- Regulate commercial event conduct, hours of operation, or capacity;
- Require vegetative buffers, setbacks, or transitional land use zones;
- Mandate proactive inspections or apply graduated penalties for violations.

Without these tools, Kingsville remains ill-equipped to manage growing commercial-residential interface conflicts. This is a policy failure that undermines public trust and exposes the municipality to ongoing risk.

3. Real and Actionable Harm - Legal Standing for Tribunal Relief

As a result of enforcement inaction and regulatory gaps, residents continue to suffer harms that are both measurable and actionable under Ontario law, including:

- Chronic sleep disruption, elevated stress, and negative health outcomes;
- Diminished enjoyment and use of private property;
- Encroachment on safety, privacy, and quiet enjoyment;
- Measurable devaluation of property values.

Each of these impacts meets the legal test for private nuisance and supports standing under the OLT's public interest mandate. Should Council continue to delay or decline enforcement, we are

prepared to pursue relief through the Tribunal, supported by photographic evidence, correspondence, site documentation, and legal precedent.

4. Requested Municipal Action

In the spirit of good governance and lawful resolution, we respectfully request the following actions:

Enforcement

- Immediate site inspection and compliance audit of the PIW property;
- Issuance of *Planning Act* enforcement orders to address all site plan violations;
- Enforcement of all applicable by-laws relating to nuisance, parking, lighting, and noise;
- A written compliance strategy and timeline provided to affected residents.

Policy Reform

- A comprehensive review of Kingsville's zoning and site plan control framework to:
 - Introduce enforceable noise and vibration standards;
 - Require lighting controls and curfews;
 - Regulate event capacity, hours, and conduct near residential uses;
 - Mandate transitional land use buffering and setbacks;
 - Apply proactive inspections and progressive penalties for non-compliance.

Public Accountability

- Annual public reporting on site plan enforcement and compliance activities;
- Creation of a centralized complaint registry with tracking and public access.

These actions are well within the Town's legal authority and align with planning best practices across Ontario.

5. Reservation of Rights - Notice of Tribunal Escalation

Should the Town fail to act within a reasonable timeframe, we will initiate proceedings under Rule 26 of the *Ontario Land Tribunal Rules of Practice and Procedure*. The Tribunal has clear jurisdiction to review and compel municipal enforcement where a failure to act results in demonstrable and ongoing harm to residents.

This is not a request for special treatment. It is a respectful assertion of the right to lawful, compatible, and planned development; rights that are enshrined in the *Planning Act*, supported by the 2023 Official Plan, and protected through recourse at the OLT.

We thank Council for its attention to this matter and request a formal written response outlining the Town's intended enforcement measures, timelines, and by-law review process.

Respectfully submitted,

The Pelee Island Winery Neighbours
(including but not limited to):

L.Myers

D. Le

P. Singh

E. Medici

C. Mastronardi

P.Najem

A.Galy

S.Nehme

Date: June 16, 2025

To: Mayor and Council

Author: Haris Wilkinson, Planning Student

RE: Application for Consent and Zoning By-Law Amendment (B-2025-09 and ZBA-2025-04 at 389 County Road 20 West

RECOMMENDED ACTION

1. That consent application B-2025-09, to sever an existing dwelling, deemed surplus to the needs of the applicants' farming operation with an area of 0.16 hectares (0.40 acres) shown as Part 1 on the applicants' sketch, known as 389 County Road 20 West, in the Town of Kingsville, **be approved**, subject to the following conditions:
 - a. Provide the following to the satisfaction of the Town:
 - i. proof of drainage to serve the lands being conveyed and the lands being retained, with the costs of such drainage being solely at the expense of the applicant;
 - ii. an executed agreement for drainage apportionment due to lands severance or sale approved by the Municipality for each parcel being severed;
 - iii. a mutual drain agreement executed due to lands severance or sale approved by the Municipality for each parcel being severed;
 - iv. a registered 12-R Plan;
 - v. confirmation that there is a separate septic system on each property and that it meets Ontario Building Code requirements and setbacks;
 - b. Provide the necessary deed(s), transfer or changes electronically, signed and fully executed, prior to certification;
 - c. The conditions imposed above shall be fulfilled by June 13, 2027, or this application shall be deemed to be refused in accordance with Section 53(41) of the *Planning Act*.

2. And that By-law 40-2025, being a By-law to amend the Comprehensive Zoning By-law 1-2014 for the Town of Kingsville, to amend the zoning on the severed residential parcel from 'General Agricultural (A1)' to 'Rural Residential (RR)' **be approved.**

BACKGROUND

The Town of Kingsville has received the above-noted applications for lands located on the south side of County Road 20 West, west of Heritage Road (see location map attached as Appendix A). The subject parcel is 5.67 hectares (14.00 acres) with a frontage of 239.95 metres (787.24 feet). The subject parcel is designated 'Agriculture' by the Official Plan and is zoned 'General Agricultural (A1)' under the Town of Kingsville Comprehensive Zoning By-law.

The property contains two dwelling units, and the smaller of the dwelling units on the parcel is deemed to be surplus by the applicant. As such, the applicant has submitted an application to sever this dwelling and existing outbuilding on a 0.16 hectare (0.40 acre) lot located in the northeast corner of the property. The retained parcel, containing the larger dwelling and barn, will remain as part of the farm parcel.

As a result of the consent, an application to rezone the severed parcel from 'General Agricultural (A1)' to 'Rural Residential (RR)' is submitted in conjunction to recognize the residential use.

The corresponding by-law (By-law 40-2025) is included in the By-law section of this council agenda.

DISCUSSION

1) Provincial Planning Statement (PPS), (2024)

Section 4.3.3.1. c) allows for "one new residential lot permit farm consolidation for a residence surplus to an agricultural operation, provided that:

- a) The new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services;

Comment: The parcel is being limited to the area currently occupied by the house, outbuilding and yard. The lot has access to municipal water and is serviced by a private, on-site, septic system.

- b) The planning authority ensures that new dwellings and additional residential units are prohibited on any remnant parcel of farmland created by the severance.

Comment: As a condition of consent, a zoning amendment is required that will re-zone the retained farm parcel. In this case, there is an existing dwelling on the

retained farm lot, therefore a second primary dwelling will not be permitted. Therefore, the intent of the Provincial Policy Statement is met.

2) County of Essex Official Plan, 2014

The Official Plan for the County of Essex designates the severed and retained lands outside of the settlement area as agriculture. Section 3.3.3.4 of the County of Essex Official Plan permits the creation of a new surplus farm dwelling provided the retained farm parcel is rezoned to prohibit future residential dwellings.

The retained agricultural parcel will continue to contain its existing residential dwelling. Under the County of Essex Official Plan, no new residential dwelling will be permitted on the retained parcel, as it will remain zoned as 'General Agricultural (A1)'. This ensures that the parcel remains dedicated to agricultural use and prevents future residential development on the land. No new primary dwelling will be permitted on the subject site other than the currently existing dwelling.

3) Town of Kingsville Official Plan, 2023

The Official Plan for the Town of Kingsville designates the severed and retained lands as 'Agriculture'.

The requested consent to sever the surplus dwelling conforms to the policies of Section 7.3.1.2, 'Residence Surplus to a Farm Operation', of the Official Plan. Therefore, the application is in compliance with Section 7.3.1 of the Town of Kingsville Official Plan.

4) Town of Kingsville Comprehensive Zoning By-law, 2014

The severed parcel, Part 1, has an area of 0.16 hectares (0.40 acres) and frontage of 30.48 metres (100.00 feet) and will have access and frontage on County Road 20 West.

The retained farm parcel has an area of 5.51 hectares (13.60 acres) and frontage of 209.47 metres (687.24 feet) and will have access and frontage on County Road 20 West.

There are no zoning issues created as a result of the creation of the surplus dwelling lot. The retained farm parcel will maintain its 'Agricultural (A1)' zoning and the severed parcel will be rezoned to 'Rural Residential (RR)' to recognize the residential use on the property.

FINANCIAL CONSIDERATIONS

The impact to assessment resulting from the severance of the dwelling from the farm parcel is anticipated to be minimal.

ENVIRONMENTAL CONSIDERATIONS

There are no anticipated environmental impacts resulting from the severance of the smaller dwelling from the farm parcel.

CONSULTATIONS

Public Consultations

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

Agency & Administrative Consultation

In accordance with O. Reg 545/06 of the *Planning Act*, Agencies and Town Administration received the Notice of Public Meeting by mail and/or email. At the time of writing, the following comments have been received from circulated agencies.

1) Town of Kingsville Technical Advisory Committee

- a. Ensure that the property has legal access to their assessed drain.
- b. Ensure a Proof of Drainage is provided, addressing the following:
 - i. The existing parcel and the severed parcel must drain independently;
 - ii. Both parcels must have the right to drain to a Municipal Drain, or a Mutual Drainage Agreement must be registered on the title of both properties;
 - iii. If the parcels do not have the right to drain to a Municipal Drain but wish to, or if they are already connected illegally, a Section 65(3) Report under the *Drainage Act* is required.
- c. Ensure drainage apportionment is completed for every drain that affects these parcels and is apportioned fairly.
- d. Ensure that each property must be independently serviced, and that services do not cross property boundaries.
- e. Ensure a lot grading plan is submitted, showing that both lots are drained separately and can manage their own storm water.

- f. Ensure a septic review is conducted to confirm that septic systems are present on each property and that they meet Ontario Building Code requirements and setbacks.
- g. Ensure that a permit from the County of Essex is obtained for driveway access to the proposed lot.

PREPARED BY:



Haris Wilkinson
Planning Student

REVIEWED BY:



Vitra Chodha
Planner

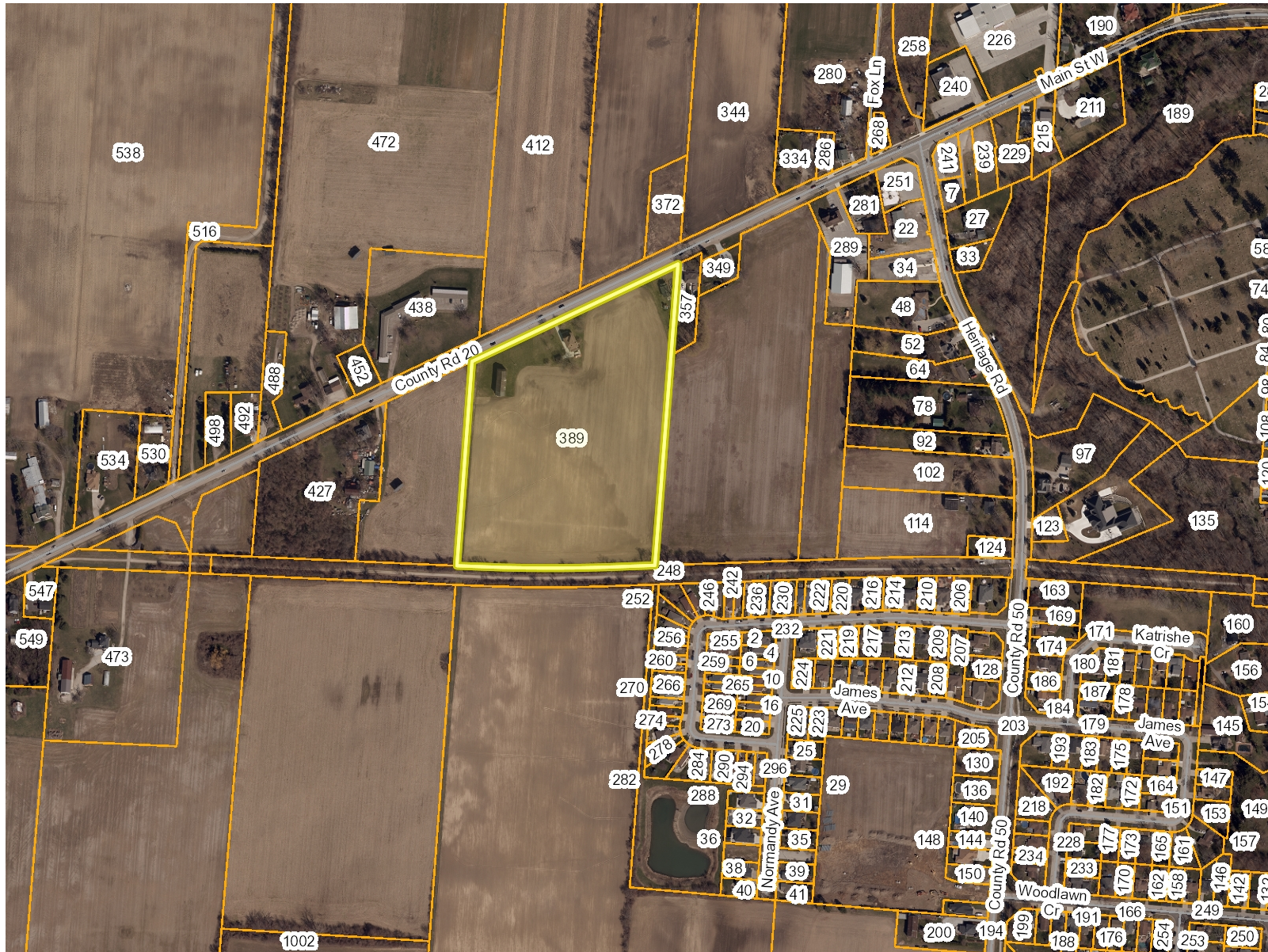


Richard J.H. Wyma
Director of Planning and Development



John Norton
Chief Administrative Officer

389 County Road 20



Legend

Essex Municipalities

<all other values>

Kingsville

Street

Kingsville Assessment

Notes

Location Map

Appendix A

THIS MAP IS NOT TO BE USED FOR NAVIGATION

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

0 104.99 210.0 Meters

1: 6,298



4/10/2025

COORDINATES ARE DERIVED FROM GRID OBSERVATIONS USING THE SMART-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	4655022.067	354363.681
ORP-B	4655230.325	354804.003

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

AREAS
AREAS SHOWN ON THIS PLAN ARE IN SQUARE METRES AND CAN BE CONVERTED TO SQUARE FEET BY MULTIPLYING BY 10.76391.

PARTS SCHEDULE				
PART	LOT	CONCESSION	P.I.N.	AREA
1	6	1	75184-0144(LT)	1,614.7 Sq.m.
WESTERN DIVISION				

PART 1 IS PART OF PIN. 75184-0144(LT).

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT

DATE: APRIL 30, 2025

BLOSS J. SUTHERLAND
ONTARIO LAND SURVEYOR

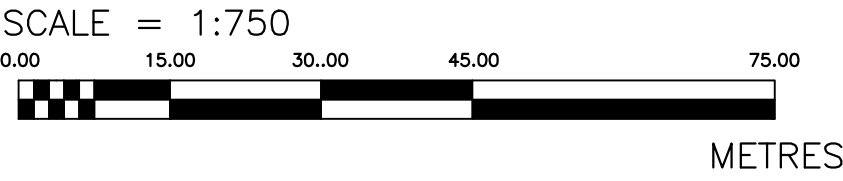
PLAN 12R -

RECEIVED AND DEPOSITED

DATE: _____

REPRESENTATIVE FOR THE LAND REGISTRAR FOR THE LAND TITLES ACT DIVISION OF ESSEX (12)

PLAN OF SURVEY
OF
PART OF LOT 6 CONCESSION 1 WESTERN DIVISION.
(IN THE GEOGRAPHIC TOWNSHIP OF GOSFIELD)
IN THE
MUNICIPALITY OF KINGSVILLE TOWN
COUNTY OF ESSEX, ONTARIO



BEARING REFERENCE
BEARINGS ARE UTM GRID DERIVED FROM THE OBSERVED REFERENCE POINTS A AND B ON THE SOUTH LIMIT OF ESSEX COUNTY ROAD No. 20, BY REAL TIME NETWORK (RTK) OBSERVATIONS, NAD83 UTM ZONE 17, (CSRS), (2010), HAVING N64°41'15"E AS SHOWN ON REGISTERED PLAN 12R-5076 AND 12R-22209.

A CLOCKWISE ROTATION OF 01°10'15" MUST BE APPLIED TO REGISTERED PLAN 12R-5076 AND 12R-22209 FOR COMPARISONS.

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

DISTANCES
DISTANCES HEREON ARE HORIZONTAL GROUND AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.99983783861

LEGEND

SIB DENOTES 25 mm X 25 mm X 1.22 m STANDARD IRON BAR
SSIB DENOTES 25 mm X 25 mm X 0.61 m SHORT STANDARD IRON BAR
IB DENOTES 16 mm X 16 mm X 0.61 m IRON BAR
IB# DENOTES 19 mm Diameter X 0.61 m ROUND IRON BAR
■ DENOTES SURVEY MONUMENT FOUND
□ DENOTES SURVEY MONUMENT SET AND MARKED 1858
WIT. DENOTES WITNESS
(S) DENOTES SET (M) DENOTES MEASURED
(PROP) DENOTES SET PROPORTIONALLY (C) DENOTES CALCULATED
(N.T.S.) DENOTES NOT TO SCALE -/- DENOTES NOT TO SCALE
(OU) DENOTES ORIGIN UNKNOWN (LT) DENOTES LAND TITLES
(S/W) DENOTES 3"x 3/8" SPIKE/WASHER
(NBF) DENOTES NO BAR FOUND + DENOTES SET BY INTERSECTION
(P1) DENOTES PLAN 12R-5076
(P2) DENOTES PLAN 12R-22209
(1528) DENOTES VERHAEGEN STUBBERFIELD HARTLEY BREWER BEZAIRE INC., O.L.S.
(MTO) DENOTES MINISTRY OF TRANSPORTATION ONTARIO.
(1172) DENOTES BREWER, WILLIAM A. O.L.S.

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

1. 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.

2. THE SURVEY WAS COMPLETED ON THE 25 DAY OF APRIL, 2025.

DATE: APRIL 30, 2025

BLOSS J. SUTHERLAND
ONTARIO LAND SURVEYOR
for TOTAL TECH SURVEYING INC.

**Total
Tech
Surveying Inc.**

341 Talbot St. N.
Units 2 & 3
Essex, ON N8M 2W3
(519) 776-9887

Date: June 16, 2025

To: Mayor and Council

Author: Haris Wilkinson, Planning Student

RE: Application for Consent and Zoning By-Law Amendment (B-2025-08 and ZBA-2025-7) at 76 County Road 14 East

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Agricultural with Exception 37 (A1-37)' to 'Restricted Agricultural with Exception 4 (A2-4)' and the severed residential parcel from 'Agricultural Exception 37 (A1-37)' to 'Rural Residential (RR)' **be approved**.

BACKGROUND

The Town of Kingsville has received the above-noted application for lands located on the south side of County Road 14 East (see location map attached as Appendix A). The subject parcel is 19.64 hectares (48.53 acres) with a frontage of 189.25 meters (620.90 feet) and contains a dwelling with accessory structures. It is designated 'Agricultural' by the Town of Kingsville Official Plan and is zoned 'Agricultural- Exception 37 (A1-37)' under the Kingsville Comprehensive Zoning By-law. The site specific agricultural exception 37 permits a trucking operation with limits on growth of the business and restrictions on outside storage.

The applicant is proposing that the dwelling along with the accessory structures deemed surplus to the owner's farming needs to be severed on a new lot. The proposed severed parcel is shown as Part 1 on the applicant's survey (attached as Appendix B), the severed parcel has an area of 0.83 hectares (2.05 acres) with a frontage of 81.50 meters (267.38 feet).

As a result of the consent, an application to rezone the retained farm parcel from 'General Agricultural with Exception 37 (A1-37)' to 'Restricted Agricultural with exception 4 (A2-4)' and the severed parcel from 'Agricultural Exception 37 (A1-37)' to 'Rural Residential (RR)' is submitted in conjunction to prohibit future dwellings on the retained parcel as per Provincial and Town policies and to recognize the residential use on the severed parcel.

The corresponding by-law (By-law 39-2025) is included in the By-law section of this council agenda.

DISCUSSION

1) Provincial Planning Statement (PPS), 2024

When reviewing a planning application to determine if it represents sound planning, it is imperative that the proposed development is consistent with the Provincial Planning Statement (PPS). Section 4.3.3 (c) permits, "a residence surplus to a farming operation as a result of farm consolidation," to be severed, "provided that the planning authority ensures that new residential dwellings are prohibited on any vacant remnant parcel of farmland created by the severance."

The application is consistent with the PPS definition of a residence surplus to a farming operation and future dwellings is being prohibited on the retained farm parcel as a part of this application.

2) County of Essex Official Plan, 2014

The Official Plan for the County of Essex designates the severed and retained land outside the settlement area as agriculture. Section 3.3.3.4 of the County of Essex Official Plan permits the creation of a new surplus farm dwelling provided the retained farm parcel is re-zoned to prohibit future residential dwellings. The consent application for surplus farm dwelling lot creation is brought forward with a zoning by-law application to prohibit future residential dwelling on the retained severed parcel. Therefore, the proposed application is in compliance with the County of Essex Official Plan.

3) Town of Kingsville Official Plan, 2023

The Official Plan for the Town of Kingsville designates the severed and retained lands as 'Agriculture'.

The requested consent to sever the surplus dwelling conforms to the policies of Section 7.3.1.2, *Agriculture Land Division*, of the Town of Kingsville Official Plan. The proposed severed parcel is slightly over 0.80 hectares (1.98 acres) outlined in the Official Plan. However, since the intent of the slight increase is to ensure the lots have adequate drainage the application is in compliance with the Town of Kingsville Official Plan.

4) Town of Kingsville Comprehensive Zoning By-law, 2014

The severed parcel, Part 1, has an area of 0.83 hectares (2.05 acres) and frontage of 81.497m, and will have access and frontage on 76 County Road 14 East.

The retained farm parcel has an area of 18.81 hectares (46.48 acres) and frontage of 107.76 meters (353.54 feet) on 76 County Road 14 East. The applicant is required to establish a new access on the retained farm lot as part of the conditions of this severance.

There are no zoning issues created as a result of the creation of the surplus dwelling lot. The retained farm parcel will be rezoned from 'General Agricultural with exception 37 (A1-37)' to 'Restricted Agricultural with exception 4 (A2-4)' to prohibit future dwellings as required by the surplus dwelling consent policies. The severed parcel will be rezoned from 'Agricultural Exception 37 (A1-37)' to 'Rural Residential (RR)' to recognize the residential use on the property.

FINANCIAL CONSIDERATIONS

The impact to assessment resulting from the severance of the dwelling from the farm parcel is anticipated to be minimal.

ENVIRONMENTAL CONSIDERATIONS

There are no anticipated environmental impacts resulting from the severance of the dwelling from the farm parcel.

CONSULTATIONS

Public Consultations

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

Agency & Administrative Consultation

In accordance with O. Reg 545/06 of the *Planning Act*, Agencies and Town Administration received the Notice of Public Meeting by mail and/or email. At the time of writing, the following comments have been received from circulated agencies.

1) Essex Region Conservation Authority (ERCA) (Appendix C)

ERCA has no objection to B-2025-8 and ZBA-2025-7, but notes that If any new construction is proposed, the property owner will be required to obtain an approval from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by Section 28 of the *Conservation Authorities Act*.

2) Town of Kingsville Technical Advisory Committee

- i. Ensure a lot grading plan shows that both lots are drained separately, and each lot can manage its own storm water.
- ii. Ensure each property is independently served, with no services crossing property boundaries.
- iii. Ensure a permit is obtained from the County of Essex for driveway access to the proposed lot. (Contact the County's Infrastructure Services department to obtain the permit).
- iv. Ensure drainage apportionment is provided.
- v. Ensure all building services are contained within existing property lines and do not cross into newly established property lines. The owner and/or consultant must provide verification that all services are maintained within the retained parcel and do not cross property lines.

PREPARED BY:



Haris Wilkinson
Planning Student

REVIEWED BY:



Vitra Chodha
Planner

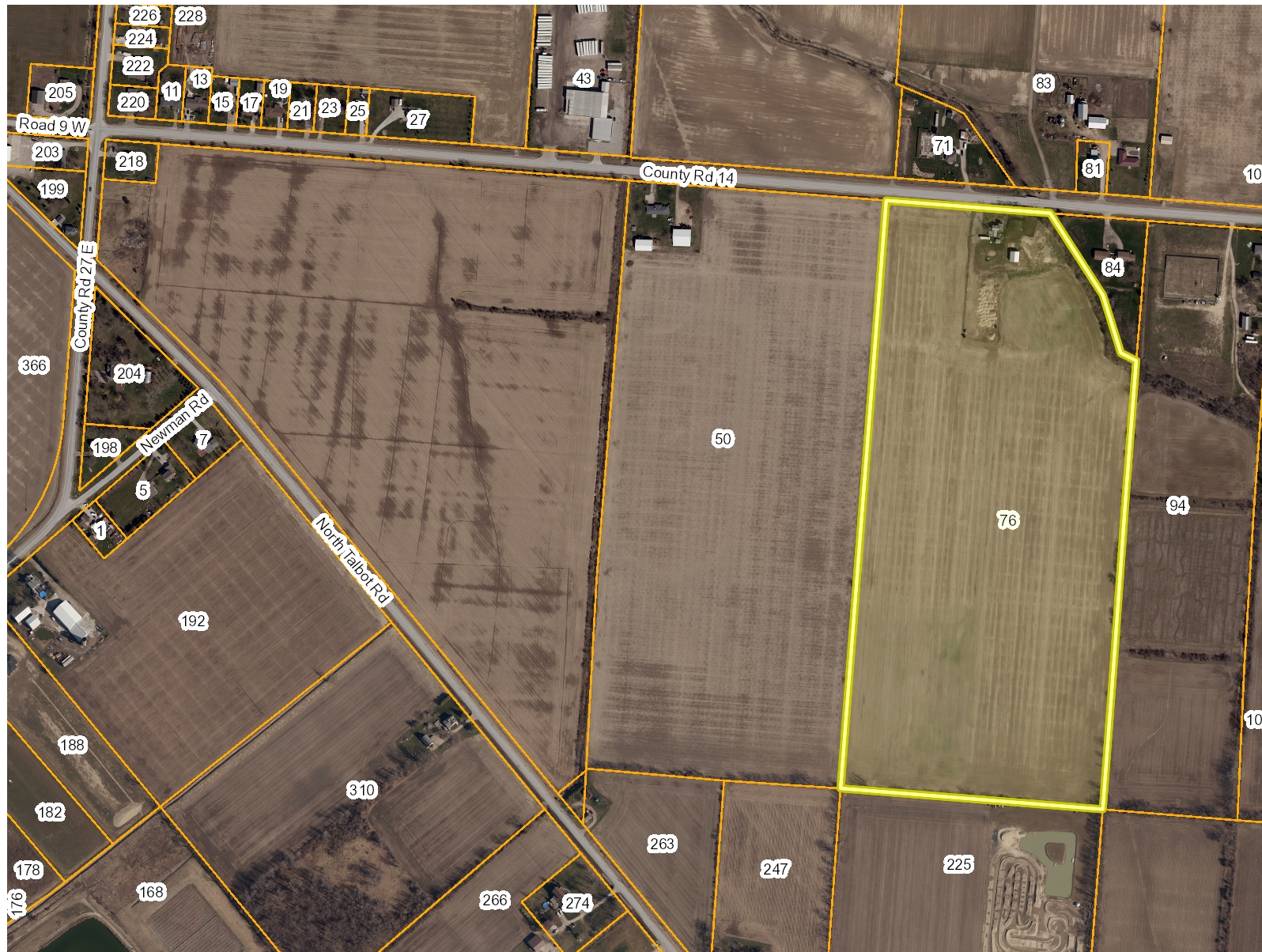


Richard J.H. Wyma
Director of Planning and Development



John Norton
Chief Administrative Officer

76 County Road 14 East



Legend

Essex Municipalities

<all other values>

Kingsville

Street

Kingsville Assessment

Notes

Location Map

Appendix A

THIS MAP IS NOT TO BE USED FOR NAVIGATION

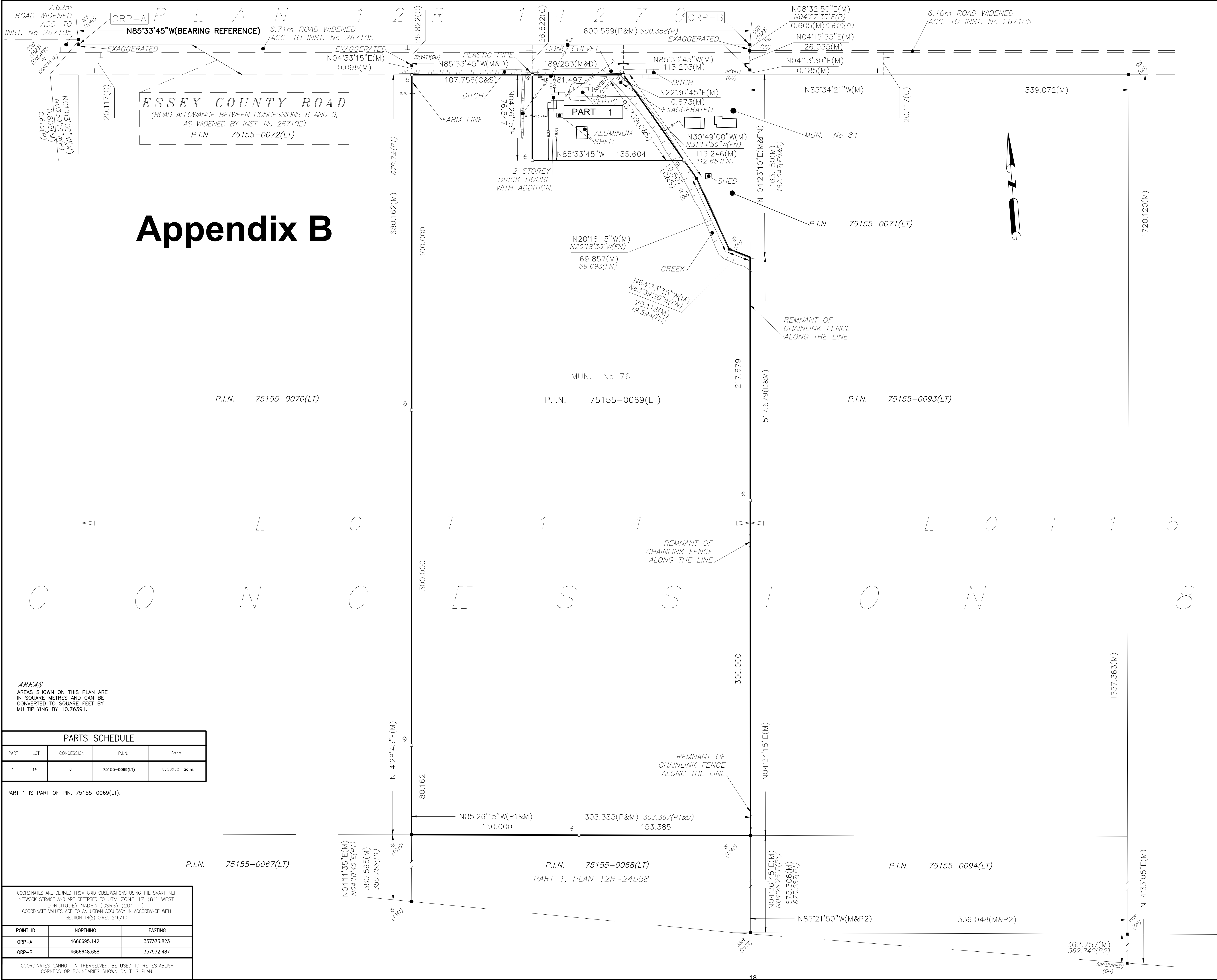
Copyright the Corporation of the County of Essex, 2012. Data herein is provided by the Corporation of the County of Essex on an 'as is' basis. Assessment parcel provided by Teranet Enterprises Inc. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

0 114.90 229.8 Meters

1: 6,893



1/16/2025



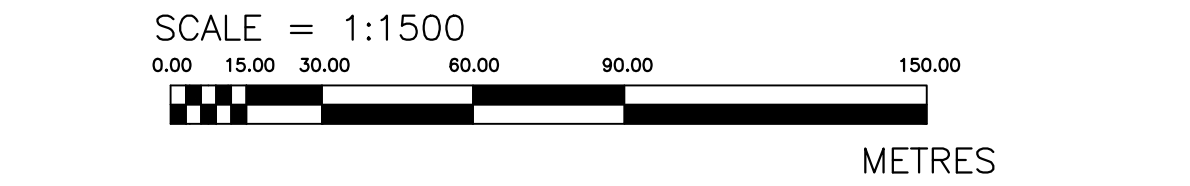
I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT
DATE: MARCH 14, 2025

BLOSS J. SUTHERLAND
ONTARIO LAND SURVEYOR

PLAN 12R –
RECEIVED AND DEPOSITED
DATE: _____

REPRESENTATIVE FOR THE LAND REGISTRAR FOR THE LAND TITLES ACT DIVISION OF ESSEX (12)

PLAN OF SURVEY
OF
PART LOT 14 CONCESSION 8
(IN THE GEOGRAPHIC TOWNSHIP OF GOSFIELD)
IN THE
MUNICIPALITY OF KINGSVILLE TOWN
COUNTY OF ESSEX, ONTARIO



BEARING REFERENCE
BEARINGS ARE UTM GRID DERIVED FROM THE NORT LIMIT OF ESSEX COUNTY ROAD No 14, HAVING N85°33'45"W AS SHOWN ON REGISTERED PLAN 12R-14279.
A CLOCKWISE ROTATION OF 01°10'15" MUST BE APPLIED TO REGISTERED PLAN 12R-14279 FOR COMPARISONS.
A COUNTERCLOCKWISE ROTATION OF 00°00'15" MUST BE APPLIED TO REGISTERED PLAN 12R-24558 FOR COMPARISONS.
A CLOCKWISE ROTATION OF 04°23'10" MUST BE APPLIED TO PLAN FILE NO: L-GOS. N-8-14 DATED NOV. 13, 1978 OF ROSS A. CLARKE LIMITED FOR COMPARISONS.

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

DISTANCES
DISTANCES HEREON ARE HORIZONTAL GROUND AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.9998235007

LEGEND
SIB DENOTES 25 mm X 25 mm X 1.22 m STANDARD IRON BAR
SSIB DENOTES 25 mm X 25 mm X 0.61 m SHORT STANDARD IRON BAR
IB DENOTES 16 mm X 16 mm X 0.61 m IRON BAR
IB# DENOTES 19 mm Diameter X 0.61 m ROUND IRON BAR
■ DENOTES SURVEY MONUMENT FOUND
□ DENOTES SURVEY MONUMENT SET AND MARKED 1858
WIT. DENOTES WITNESS
(S) DENOTES SET (M) DENOTES MEASURED
(PROP) DENOTES SET PROPORTIONALLY (C) DENOTES CALCULATED
(N.T.S.) DENOTES NOT TO SCALE -/- DENOTES NOT TO SCALE
(OU) DENOTES ORIGIN UNKNOWN (LT) DENOTES LAND TITLES
(S/W) DENOTES 3"x 3/8" SPIKE/WASHER
(NBF) DENOTES NO BAR FOUND
(D) DENOTES DEED No. CE290166
(P) DENOTES PLAN 12R-14279
(P1) DENOTES PLAN 12R-24558
(P2) DENOTES PLAN 12R-27658
(FN) DENOTES PLAN FILE NO: L-GOS. N-8-14 DATED NOV. 13, 1978 OF ROSS A. CLARKE LIMITED
(1528) DENOTES VERHAEGEN STUBBERFIELD HARTLEY BREWER BEZAIRE INC., O.L.S.
(OH) DENOTES ONTARIO HYDRO.
(1021) DENOTES ROSS A. CLARKE, O.L.S.
(1040) DENOTES WILLIAM J. SETTERINGTON, O.L.S.

SURVEYOR'S CERTIFICATE
I CERTIFY THAT:
1. 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.
2. THE SURVEY WAS COMPLETED ON THE 11 DAY OF MARCH, 2025.

DATE: MARCH 14, 2025
BLOSS J. SUTHERLAND
ONTARIO LAND SURVEYOR
for TOTAL TECH SURVEYING INC.

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

Total Tech Surveying Inc.
341 Talbot St. N.
Units 2 & 3
Essex, ON N8M 2W3
(519) 776-9887

Drawn by: L.A.L. Checked by: B.J.S. Job No: 2025-031 Plan File No: D-479

Date: June 16, 2025

To: Mayor and Council

Author: Vitra Chodha, Planner

RE: Application for Consent and Zoning By-law Amendment (B-2025-7 & ZBA-2025-3) at 1529 Union Avenue (County Road 45)

RECOMMENDED ACTION

1. That consent application B-2025-07, to sever an existing greenhouse and dwelling, for the property known as 1529 Union Avenue (County Road 45), deemed surplus to the Union Water Facility expansion, and to add the remaining retained parcel to the property municipally known as 1615 Union Avenue (County Road 45), **be approved**, subject to the following conditions:
 - a. That the applicant provide, to the satisfaction of the Town:
 - i. proof of drainage to serve the lands being conveyed and the lands being retained, with the costs of such drainage being solely at the expense of the applicant including an amended section 65 Report
 - ii. registered 12-R Plan for the severed parcel;
 - iii. private locates are required to confirm no municipal services (water, storm and sanitary) cross the proposed property lines
 - b. The conditions imposed above shall be fulfilled by June 16, 2027, or this application shall be deemed to be refused in accordance with Section 53(41) of the *Planning Act*;
2. And that By-law 42-2025, being a By-law to amend the Comprehensive Zoning By-law 1-2014 for the Town of Kingsville, to amend the zoning on the retained parcel municipally known as 1615 Union Avenue (County Road 45) from 'General Agricultural' to 'Public Utilities/Facilities (MG)' and the severed residential parcel from 'General Agricultural (A1)' to 'General Agricultural Exception 90 (A1-90)', **be approved**.

BACKGROUND

The Town of Kingsville has received the above-noted application for lands located on the west side of Union Avenue (County Road 45) (see location map attached as Appendix A). The subject parcel is approximately 25,454.73 m² (6.29 ac) with a frontage

of approximately 71.61 m (234.94 ft) and contains a greenhouse with a dwelling. The subject parcel is designated 'Hamlet' by the Town of Kingsville Official Plan and is zoned 'General Agricultural (A1)' under the Kingsville Comprehensive Zoning By-law.

It is proposed that the greenhouse along with the dwelling is severed onto a separate lot as shown on the applicant's survey (attached as Appendix B). The severed lot has an area of approximately 4,856 m² (52,269 ft²) with an approximate frontage of 71.61 m (234.94 ft). The retained lot has an approximate area of 20,598.5 m² (5.09 ac) and an approximate frontage of 0 m (0 ft). The retained lot is being added to the property municipally known as 1529 Union Avenue. As a result, the severance application does not result in the creation of any additional lots.

In conjunction with the severance application, a zoning application is received to rezone the retained parcel from 'General Agricultural (A1)' to "Public Utilities/Facilities (MG)" for the purpose of expanding the Union Water Facility and the severed parcel from 'General Agricultural (A1)' to "General Agricultural Exception 90 (A1-90)" recognizing a reduced rear yard setback from 15.00 m (49.21 ft) to 1.52 m (5.00 ft) and reduced lot size of approximately 4,856 m² (52,269 ft²).

The corresponding by-law (By-law 42-2025) is included in the By-law section of this council agenda.

DISCUSSION

1) Provincial Planning Statement (PPS), 2024

When reviewing a planning application to determine if it represents sound planning, it is imperative that the proposed development is consistent with the Provincial Planning Statement (PPS).

Section 2.3.1: Settlement areas shall be the focus of growth and development.

The expansion of the Union Water facility within the Secondary Settlement Area aligns with the directive to direct infrastructure and development into existing designated settlement areas.

Section 3.1.1: Planning for infrastructure and public service facilities shall be coordinated and integrated with land use planning to meet current and projected needs.

The proposal supports regional water service delivery, satisfying long-term needs consistent with this policy.

Section 3.6.2: Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety.

The expansion of the Union Water facility is consistent with the preferred servicing approach in settlement areas.

The proposed consent and rezoning applications are consistent with the Provincial Policy Statement.

2) County of Essex Official Plan, 2014

The subject site is within the secondary settlement area.

Section 2.10: The County of Essex does not fund or maintain sanitary sewers or water systems, and the provision of those services is the responsibility of the local municipalities. However, the County does promote efficient and environmentally responsible development which is supportable on the basis of appropriate types and levels of water supply and sewage disposal consistent with the Provincial Policy Statement.

Section 4.6.4: The County has delegated approval authority for consent applications to the local municipalities.

The application is consistent with the County of Essex Official Plan.

3) Town of Kingsville Official Plan, 2023

Section 3.6.2: The Hamlet designation permits limited non-residential uses that serve the surrounding rural population, including public service facilities. The expansion of existing uses must be evaluated for compatibility with the surrounding area and service capabilities.

The union water facility already exists right adjacent to the existing property, this is simply an adjustment to the existing lot line to expand the existing facility.

Section 7.3: consents for lot adjustments or minor boundary changes are permitted provided both parcels comply with the provisions of the implementing Zoning By-law and the consent is granted conditional to Section 50(3) or (5) of the Planning Act.

The proposed consent does not result in the creation of a new lot, it simply moves the lot lines to establish a smaller lot at 1529 Union Avenue containing the small greenhouse and residential dwelling. The remainder of the property is being added to the Union Water lands known as 1615 Union Avenue. The proposed consent and zoning by-law amendment is consistent with the Town of Kingsville Official Plan.

4) Town of Kingsville Comprehensive Zoning By-law, 2014

The subject site is currently zoned 'General Agricultural (A1)'. The proposed severed lot containing the greenhouse and the residential dwelling will be rezoned to "General Agricultural with exemption 90 (A1-90)" recognizing a reduced rear yard setback from 15.00 m (49.21 ft) to 1.52 m (5.00 ft) and reduced lot size of approximately 4,856 m² (52,269 ft²). The retained lot has an approximate area of 20,598.5 m² (5.09 ac) and an approximate frontage of 0 m (0 ft). The retained lot is being added to the property municipally known as 1529 Union Avenue. As a result, the severance application does not result in the creation of any additional lots.

The proposed consent and zoning by-law amendment is in compliance with the Town of Kingsville Comprehensive Zoning By-law.

FINANCIAL CONSIDERATIONS

The impact to assessment resulting from the severance and rezoning is anticipated to be minimal.

ENVIRONMENTAL CONSIDERATIONS

The subject property may lie wholly or partially within the Event Based Area (EBA) of the Essex Region Source Protection Plan.

There is an existing Risk Management Plan (RMP) for 1529 Union Ave issued to Totaro Farms on April 2, 2020. The RMP indicates that there is a 68,000L fuel tank onsite and there are outstanding Risk Management Measures that need to be addressed, specifically, proof of adherence to applicable regulations and provision of copies of regular tank inspections.

There is also an abandoned petroleum well located on site. In accordance with Section 5.1.1 of the Town of Kingsville Official Plan, the applicant will be required to confirm that the well has been properly decommissioned and a Record of Site Condition has been filed under O.Reg.153/04 as part of the Site Plan Control application process. The Site Plan Control process will also ensure any setbacks or restrictions will be maintained.

CONSULTATIONS

Public Consultations

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

Agency & Administrative Consultation

In accordance with O. Reg 545/06 of the *Planning Act*, Agencies and Town Administration received the Notice of Public Meeting by mail and/or email. At the time of writing, the following comments have been received from circulated agencies.

1) Essex Region Conservation Authority (Appendix C)

ERCA has no objection to ZBA-2025-3 and the associated Application for Consent. The property owner will be required to obtain an approval from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by Section 28 of the Conservation Authorities Act. ERCA also requests that a stormwater management plan be designed and implemented to the satisfaction of ERCA and the Municipality for the proposed development.

2) Town of Kingsville Technical Advisory Committee

- a. Albert Gunning Drain –a Section 65 Report will be required on this drain (this is the old greenhouse parcel – it is fully assessed into this drain however we need to also determine how much water is coming from the existing Union Water lands into the Albert Gunning.
- b. Union Water Drain – needs to be amended to reflect a new Section 65
- c. Building permit(s) are required for construction of proposed structures for the proposed development.
- d. Storm water management plan will be required as part of Site Plan to ensure that the new development does not adversely impact adjoining properties.

PREPARED BY:



Vitra Chodha
Planner

REVIEWED BY:



Richard J.H. Wyma
Director of Planning and Development



John Norton
Chief Administrative Officer



Legend

Essex Municipalities

	<all other values>
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Kingsville

Street

Kingsville Assessment

Notes

Location Map

THIS MAP IS NOT TO BE USED FOR NAVIGATION

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

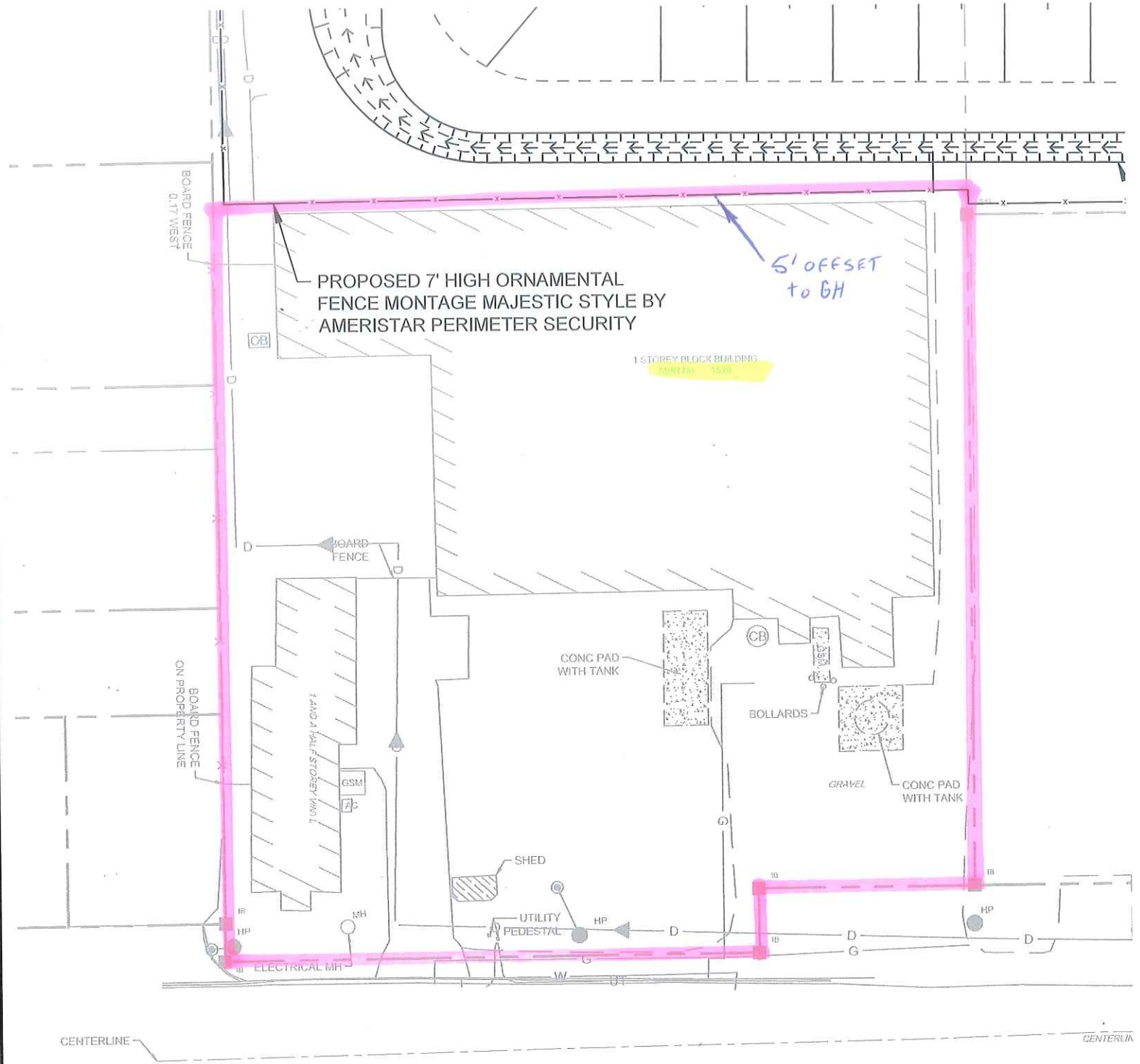
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1: 1,828



5/22/2025

PLOT DATE: 2025-04-15 6:02:24 PM
SAVE DATE: 2025-04-15 3:37:57 PM
DWG PATH: c:\users\carrieren\documents\associated engineering\luwss ruthven wtp reservoir no. 3 detailed design\project files\civil\ sheets\5844-00-c-c-





2025-05-22

File Number: 1155-25

Colin Kelly, Town of Kingsville
2021 Division Road North
Kingsville, ON
N9Y 2Y9

RE: Rezone to Industrial
1529 UNION AVE
Municipal File Number: ZBA-2025-3

The Town of Kingsville has received Application for Zoning By-law Amendment ZBA-2025-3 and an Application for Consent for the above noted subject property. Our office understands that the Applicant is proposing to rezone the property from A1 to MG to support the construction of a reservoir. The applicants propose to remove the existing greenhouse structure with the exception of the house and a small portion of the greenhouse, which are proposed to be severed off from the subject property. The subject property is proposed to merge with the Union lands to the north.

NATURAL HAZARDS AND REGULATORY RESPONSIBILITIES UNDER THE CONSERVATION AUTHORITIES ACT.
O. REG 686/21

The following comments reflect ERCA's role in protecting people and property from the threats of natural hazards and regulating development hazards lands under Section 28 of the Conservation Authorities Act.

The portion of the lands proposed to be severed off containing a house an existing greenhouse are not within the ERCA's Limit of Regulated Area. However, the portion of the subject lands proposed for development as a reservoir and proposed to merge with the existing Union lands to the north and west are subject to our Regulation under the Conservation Authorities Act (Ontario Regulation No. 41/24). The parcel falls within the regulated area of the Albert Gunning Drain. The property owner will be required to obtain an approval from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by Section 28 of the Conservation Authorities Act. Further, our office previously requested that a stormwater management plan be designed and implemented to the satisfaction of ERCA and the Municipality for the proposed development.

In addition, the subject property may lie wholly or partially within the Event Based Area (EBA) of the Essex Region Source Protection Plan, which came into effect October 1, 2015. The Source Protection Plan was developed to provide measures to protect Essex Region's municipal drinking water sources. As a result of these policies, new projects in these areas may require approval by the Essex Region Risk Management Official (RMO) to ensure that appropriate actions are taken to mitigate any potential drinking water threats. Should your proposal require the installation of fuel storage on the site, please contact the RMO to ensure the handling and storage of fuel will not pose a significant risk to local sources of municipal drinking water. The Essex Region's Risk Management Official can be reached by email at riskmanagement@erca.org. If a Risk Management Plan has previously been negotiated



on this property, it will be the responsibility of the new owner to contact the Essex Region Risk Management Official to establish an updated Risk Management Plan. For any questions regarding Source Water Protection and the applicable source protection plan policies that may apply to the site, please contact the Essex Region Risk Management Official.

We note that there is an existing Risk Management Plan (RMP) for 1529 Union Ave issued to Totaro Farms on April 2, 2020. The RMP indicates that there is a 68,000L fuel tank onsite and there are outstanding Risk Management Measures that need to be addressed, specifically, proof of adherence to applicable regulations and provision of copies of regular tank inspections. The proponent should be made aware of this RMP and that it will need to be amended to reflect current ownership and address the outstanding measures.

From a Source Water perspective, there are no policies specifically for gas wells. The petroleum well on this site is labelled as the Jaspersen-A.J. Gunning No. 1 well and listed as an abandoned natural gas well with records from 1921 to 1954. The proponent is aware of this gas well and should ensure that it remains properly capped to prevent contamination of groundwater. The property is not located within a Significant Groundwater Recharge Area nor a Highly Vulnerable Aquifer.

FINAL RECOMMENDATION

Our office has no objection to ZBA-2025-3 and the associated Application for Consent. As noted above, the property owner will be required to obtain an approval from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by Section 28 of the Conservation Authorities Act. Our office requests that a stormwater management plan be designed and implemented to the satisfaction of ERCA and the Municipality for the proposed development.

Sincerely,

Alicia Good

Alicia Good
Watershed Planner

Date: June 16, 2025

To: Mayor and Council

Author: Haris Wilkinson, Planning Student

RE: Kingsville Heritage Plaque Program

RECOMMENDED ACTION

That Council **approve** the creation of the Kingsville Heritage Plaque Program to recognize historically significant properties within the Town;
And that Council **direct** staff to develop the necessary procedures, application process, and funding arrangements for its implementation.

BACKGROUND

The Kingsville Heritage Plaque Program (KHPP) has been under discussion for the past eight months, with input from the Kingsville Municipal Heritage Advisory Committee (KMHAC). The program was first introduced during the October 7, 2024 Council meeting, and subsequent discussions have refined the proposal. The KMHAC is advocating for a collaborative approach to heritage recognition and preservation, focusing on voluntary participation by property owners as alternatives to the more formal designation processes under the *Ontario Heritage Act*.

DISCUSSION

The goal of the program is to recognize historically significant properties within the Town, whether for their architectural, historical, or cultural value (e.g. important individuals, or buildings in town). By formally acknowledging these properties, the program seeks to foster pride among property owners and the community while promoting local heritage. The Town will also benefit from increased visibility and potentially enhanced tourism, as seen with similar programs in other municipalities. Details of the policy and procedures for the program are outlined in **Appendix A**.

Program Purpose and Benefits

The KHPP is designed to recognize properties that have significant historical, cultural, or architectural value. By recognizing these properties, the program not only preserves the Town's heritage but also educates the public and fosters pride among residents. It also has the potential to enhance tourism, by attracting visitors and bolstered the local economy.

Program Procedure

Property owners or applicants can nominate properties for recognition through a formal application process. The KMHAC will review the nominations based on established criteria, and if approved, the Town will provide a plaque for the property. Property owners will be responsible for installing the plaque in a visible location. This program will also involve educating the public about the significance of these properties, including details such as architectural style, historical events, and notable figures.

FINANCIAL CONSIDERATIONS

The program's costs, including plaque production and installation, will be partially covered by a \$100 application fee. Any additional funding for program administration or promotion will be assessed as the program evolves.

ENVIRONMENTAL CONSIDERATIONS

There are no significant environmental concerns identified for the KHPP at this time.

CONSULTATIONS

- Kingsville Municipal Heritage Advisory Committee
- Kingsville Economic Development Officer

PREPARED BY:



Haris Wilkinson
Planning Student

REVIEWED BY:



Richard J.H. Wyma
Director of Planning and Development



John Norton
Chief Administrative Officer

PURPOSE

To recognize locally, regionally, and provincially historic properties within the Town of Kingsville.

PROCEDURE

Residents will submit application to the Kingsville Heritage Plaque Program (KHPP) (form to be developed). Each application must include the following information:

- Street address of the subject property;
- Rationale for the plaque request;
- Name and contact information of the current property owner;
- Name and contact information of the applicant (if different from the owner)
- Application Fee – intended to cover costs of plaque (approximately \$100, to be confirmed prior to Council). Should the application not go forward, the fee will be refunded.

If known, the applicant should also provide:

- Property information to be designated on the plaque;
- Relevant information about the property (e.g., year of construction, original purpose, occupants, notable events, community/regional impact, etc.);
- Evidence or source of the historical information provided

Applications will be submitted to the Town of Kingsville Planning Department. The Town will review the application based on established criteria (similar to the Provincial program, though less rigorous), including historical, architectural and culture significance in the Town of Kingsville. The town will provide any notes or property summaries the Town may have for the property. If the property information is complete and satisfies criteria, Administration will provide the application to the KMHAC for review.

The KMHAC will review the application and any additional information the Committee may be aware of. If the committee is satisfied with the historical evidence and approves the application by resolution, it will be recommended for approval. If the KMHAC is unable to adequately verify the historical significance of the property, the application may not be considered. The applicant will be notified of the committee's decision in writing.

RECOGNITION

Once approved by Committee, Planning will procure the plaque and coordinate its provision to the property owner. The property owner will install the plaque in a visible location on the house or in the yard. The presentation of the plaque may occur at the property, or at a KMHAC meeting.

The Town will maintain a record of all properties participating in the Kingsville Heritage Plaque Program and, where appropriate, update virtual walking tours and other information on website.



COMMITTEE MINUTES

MIGRATION FESTIVAL COMMITTEE

April 22, 2025

**Kingsville Arena – Board Room
1741 Jasperson Drive, Kingsville**

PRESENT: Chair Layne van Loo
Councillor Debby Jarvis-Chausse
Glenda Willemsma
Leslie Pittendreigh
Bailey Waldon
Karen Loney, Staff Liaison
Shelby Gault, Staff Liaison

REGRETS:

A. CALL TO ORDER

Chair Layne van Loo called the meeting to order at 5:34 PM

B. DISCLOSURE OF PECUNIARY INTEREST

The Chair reminded the Committee of their duty to disclose any pecuniary interests as they arise.

C. MINUTES OF THE PREVIOUS MEETING

1. Migration Festival Committee Meeting Minutes – March 25, 2025

**Moved by Glenda Willemsma
Seconded by Leslie Pittendreigh**

THAT the minutes of the Migration Festival Committee, with the revision, dated March 25, 2025 BE ADOPTED.

CARRIED

D. ORDER OF BUSINESS

- 1) Migration Festival Cornhole – Mayor's Youth Advisory Committee

E. STAFF REPORTS

- 1) K. Loney, Manager of Recreational Programs and Special Events

F. INFORMATION ITEMS

- 1) Migration Festival Kickoff

None

- 2) Migration Festival Parade

None

- 3) Migration Festival 'Walk to the Park' Children Activities

Bailey Waldon will lead the Children Activities' subcommittee.

- 4) Great Migration Paint Out

The committee will send out an email reminder to the past year's participants for Great Migration Paint Out Registration. Leslie Pittendreigh will assist in collecting items for the Artist Swag Bag.

**Moved by Debby Jarvis-Chausse
Seconded by Leslie Pittendreigh**

THAT administration and the committee investigate options for directional signage for Saturday's activities

CARRIED

- 5) GMPO Show and Sale

None

- 6) Migration Market

None



COMMITTEE MINUTES

G. NEXT MEETING DATE

Tuesday, May 27, 2025, 5:30 pm

H. ADJOURNMENT

Moved by Debby Jarvis-Chausse
Seconded by Glenda Willemsma

THAT the meeting adjourn at 6:33 p.m.

CARRIED

CHAIR, Layne van Loo

RECORDING SECRETARY, Shelby Gault



The Corporation of the Town of Kingsville

Minutes of the Kingsville Municipal Heritage Advisory Committee

Tuesday, May 6, 2025

6:00 p.m.

Unico Community Centre

37 Beech Street

Kingsville, ON N9Y 1A9

Members Present:

Jeffrey Robinson, Chair

Stacey Jones, Vice-Chair

Sheri Lowrie, Councillor

Carol Sitler

Administration Present:

Colin Kelly, Town Planner

Angelina Pannunzio, Office Support

Matthew Ducharme, Recording Secretary

Haris Wilkinson, Summer Student - Planning

A. Call to Order

The Chair called the meeting to order at 6:00 p.m.

Colin Kelly, Town Planner, introduced Haris Wilkinson, Summer Student - Planning, to the members.

B. Disclosures of Pecuniary Interest

The Chair asked members if there were any disclosures of pecuniary interest. None were noted.

C. Adoption of Minutes

MHAC-07-20250506

Moved By: Stacey Jones, Vice-Chair

Seconded By: Carol Sitler

That the Minutes of the Kingsville Municipal Heritage Advisory Committee meeting dated March 4, 2025, **be adopted** as presented.

Carried

D. Items for Consideration

D.1 Application for Fence Construction - 90 Main Street East

Colin Kelly, Town Planner, presented the report. The property owner was present and available for questions from the members.

Matthew Ducharme, Recording Secretary, explained the procedure for the application as prescribed in the Ontario Heritage Act.

MHAC-08-20250506

Moved By: Stacey Jones, Vice-Chair

Seconded By: Carol Sitler

That the Kingsville Municipal Heritage Advisory Committee has **no heritage objections** to the proposed fence construction at the property municipally known as 90 Main Street East, a designated heritage property on the Town of Kingsville Heritage Register (By-law 34-2008);

And that the Committee **recommends** that Council consent to the application.

Carried

D.2 Potential Designation - 1417 Road 3 East

The members discussed their scoring of this property. Colin Kelly, Town Planner, noted that the next step is for Administration to procure a research report on this property, which will be brought to a future meeting for the Committee's review.

MHAC-09-20250506

Moved By: Stacey Jones, Vice-Chair

Seconded By: Carol Sitler

That the Kingsville Municipal Heritage Advisory Committee **recommends** to Administration that the research report for 1417 Road 3 East be procured from Veronica Brown.

Carried

D.3 Made in Kingsville Project

The members discussed various aspects of this proposed program for Administration to consider. It was discussed that nominations of properties

should come from the public, with the properties evaluated by the members.

Colin Kelly, Town Planner, noted that Administration will prepare a report on the proposed program to be considered and recommended to Council by the Committee at the next meeting.

D.4 New Committee Member

Matthew Ducharme, Recording Secretary, noted that Jeff Battiston has been appointed by Council to the Kingsville Municipal Heritage Advisory Committee. Administration will contact the new member to complete the onboarding process before the next meeting.

E. **Next Meeting Date**

The next regularly scheduled meeting of the Kingsville Municipal Heritage Advisory Committee is June 2, 2025, at 6:00 p.m. at the Unico Community Centre.

F. **Adjournment**

MHAC-10-20250506

Moved By: Stacey Jones, Vice-Chair

Seconded By: Sheri Lowrie, Councillor

That the meeting **be adjourned** at 7:14 p.m.

Carried

Chair

Recording Secretary



Regular Meeting of Council

Minutes

Monday, May 26, 2025

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

A. Call to Order

Mayor Rogers called the Regular Meeting to order at 6:00 p.m.

B. Land Acknowledgement

C. Moment of Silent Reflection and National Anthem

D. Mayor's Welcome and Remarks

Mayor Rogers welcomed members of the public and those watching from home.

Mayor Rogers noted that he attended several events today. He attended flag raising ceremonies hosted by the County of Essex and the Town of Kingsville for the Regional Accessibility Flag in recognition of National AccessAbility Week. Mayor Rogers remarked that the flag is a reminder of how much progress has been made for people with disabilities, but should also serve as a reminder of how much more needs to be done. He further pointed out that he was wearing a red tie and reminded everyone that Wednesday, May 28th, is Red Shirt Day to recognize Canadians with disabilities. Mayor Rogers thanked Councillor Jarvis-Chausse and the Kingsville Accessibility Advisory Committee for all that they do for the community, as well as Ursa Major Learning Services and Centre, for participating in the Town's flag-raising.

Mayor Rogers noted that earlier that afternoon, the Town signed a Memorandum of Understanding with the University of Windsor. This collaborative endeavour will provide University of Windsor students with an opportunity to support and provide resources to Administration, where they will gain practical skills to become future leaders. Mayor Rogers thanked Councillor Lowrie for her efforts with the Memorandum.

Mayor Rogers explained that building community partnerships has been a priority for the current Council and Administration. He referenced securing funding and partnering with the Essex County Nurse Practitioner-Led Clinic ("NPLC") to establish a Nurse Practitioner Clinic which will enhance access to primary care for residents. Additionally, converting Lions Hall into a community hub through partnerships with great organizations such as the Lions Club, South Essex Community Council and the Kingsville Community Foodbank. Furthermore, the Town has entered into a Joint User Agreement with the Greater Essex County District School Board aimed at expanding recreational programming for the Community.

Mayor Rogers stated that Council will continue to find ways to work together to make Kingsville a healthy, sustainable and prosperous community.

E. Amendments to the Agenda

None.

F. 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 noted.

G. Report Out of Closed Session

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

Council entered into Closed Session pursuant to Section 239 of the Municipal Act, 2001, on May 5, 2025, at 5:01 p.m. to discuss the following item:

Item I - Ruthven Sewer Capacity Update heard under Section 239(2)(e) being litigation or potential litigation, including matters before administrative tribunals, affecting the municipality; and, Section 239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose. There is nothing further to report.

Council entered into Closed Session pursuant to Section 239 of the Municipal Act, 2001, on May 12, 2025, at 6:00 p.m. to discuss the following items:

Item I - Interim Control By-law Exemptions and Enforcement heard under 239(2)(e) being litigation or potential litigation, including matters before administrative tribunals, affecting the municipality; and, 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 - School Properties heard under Section 239(2)(c), being a proposed or pending acquisition or disposition of land by the municipality; and, 239(2)(k) being a position, plan, procedure, criteria, or instruction to be applied to negotiations. There is nothing further to report.

Item III - Model Franchise Agreement Renewal with Enbridge Gas Ltd. heard under Section 239(2)(k) being advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and, Section 239(2)(k) being a position, plan, procedure, criteria, or instruction to be applied to negotiations. There is nothing further to report.

H. Delegations

None.

I. Presentations

1. Kingsville Tennis Association Update

Mayor Dennis Rogers and Rick Stephenson, President of the Kingsville Tennis Association, participated in a symbolic signing of a new Long-Term Lease Agreement between the Town and the Kingsville Tennis Association.

Mayor Rogers presented Harry Roettele and Arleigh Fysh of the Kingsville Tennis Association with certificates acknowledging their receipt of the 2022 Tennis Canada Distinguished Service Awards.

J. Matters Subject to Notice

None.

K. Reports - Planning and Development Services

1. Kings Village at the Lake – Proposed Street Names

89-05262025

Moved By: Councillor Jarvis-Chausse

Seconded By: Councillor Lowrie

That Council **approve** the proposed street names within the Kings Village at the Lake Plan of Subdivision.

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

Carried (7 to 0)

2. Road 2 West Watermain Tender Award

John Norton, CAO, presented the report.

90-05262025

Moved By: Councillor Gaffan

Seconded By: Councillor Patterson

That the Road 2 West Watermain Tender (Contract #25-202) **be awarded** to Major Construction (2010) Ltd. in the amount of \$1,833,840.72 (excluding HST) and the Mayor and Clerk **be authorized** to execute the requisite agreement.

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

Carried (7 to 0)

3. Application for Fence Construction - 90 Main Street East

91-05262025

Moved By: Councillor Lowrie

Seconded By: Councillor Neufeld

As recommended by the Municipal Heritage Advisory Committee, that Council **consents** to the proposed fence construction at the property municipally known as 90 Main Street East, a designated heritage property

on the Town of Kingsville Heritage Register (By-law 34-2008), in accordance with Section 33(6) of the Ontario Heritage Act;

And that Council **directs** the Acting Manager of Municipal Governance and Clerk to serve notice of this decision on the owner of the property and on the Ontario Heritage Trust.

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

Carried (7 to 0)

4. Ruthven Pump Station – Continued Improvements and Funding

92-05262025

Moved By: Councillor Patterson

Seconded By: Councillor Neufeld

That Council **approve** up to \$1,300,000 to facilitate upsizing of the Ruthven Pump Station pumps and to be funded from Development Charges and Kingsville-Lakeshore West Wastewater Working Capital Reserves, with purchasing approval to be delegated to the Chief Administrative Officer;

And that Council **award** engineering and design for upsizing the Ruthven Pump Station pumps to Dillon Consulting Inc. via single sourcing, with costs to be approved by the Senior Manager of Capital Projects and Engineering.

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 - Finance and Corporate Services

1. Enbridge Gas Inc. Model Franchise Agreement

93-05262025

Moved By: Deputy Mayor DeYong

Seconded By: Councillor Lowrie

That Council **approve**, in principle, the form of the draft By-law attached hereto and authorizes the submission of the same to the Ontario Energy Board (“OEB”) for approval pursuant to Section 9 of the Municipal Franchises Act, 1990 (the “MFA”);

And that Council **requests** the OEB to make an Order declaring and directing the assent of the municipal electors to the attached draft By-law pertaining to the Corporation of the Town of Kingsville is not necessary, pursuant to Section 9(4) of the MFA.

For (6): Mayor Rogers, Deputy Mayor DeYong, Councillor Gaffan, Councillor Jarvis-Chausse, Councillor Lowrie, and Councillor Neufeld

Against (1): Councillor Patterson

Carried (6 to 1)

2. 2025 Final Tax Levy By-Law

94-05262025

Moved By: Councillor Gaffan

Seconded By: Deputy Mayor DeYong

That Council **recess** at 6:35 pm.

Carried

95-05262025

Moved By: Councillor Patterson

Seconded By: Councillor Neufeld

That By-law 36-2025, being a by-law to provide for the establishment of the 2025 final tax levy, **be adopted** during the By-law stage of this Council Agenda with the following amendment:

That the sentence in Section 11: "Any such waivers or reductions shall be applied consistently, to all property classes" **be deleted**;

And that any vacant lands which are prohibited from development due to Interim Control By-law 24-2025, shall be exempt from penalties and interest on outstanding property taxes, until the development restrictions associated with said Interim Control By-law are removed.

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

Carried (7 to 0)

96-05262025

Moved By: Councillor Gaffan

Seconded By: Deputy Mayor DeYong

That Council **resumes** at 6:41 p.m.

Carried

M. Reports - Public Operations

1. 2025 Fleet Procurement Report

97-05262025

Moved By: Councillor Gaffan

Seconded By: Councillor Patterson

That the purchase of one (1) 2026 International HV615 Tandem Axle Dump Truck/Snow Plow at the cost of \$415,948, plus HST **be approved**.

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

Carried (7 to 0)

N. Consent Agenda

1. Heritage Advisory Committee Minutes - March 4, 2025
2. Communities in Bloom Committee Minutes - April 1, 2025
3. BIA Board of Management Minutes - April 8, 2025
4. Committee of Adjustment & Appeals Minutes - April 15, 2025
5. Fantasy of Lights Committee Minutes - April 15, 2025
6. Regular Council Meeting Minutes - April 28, 2025
7. Regular Council Meeting Minutes - May 5, 2025

98-05262025

Moved By: Councillor Neufeld

Seconded By: Councillor Lowrie

That Items 1 through 7 on the Consent Agenda, **be received.**

Carried

O. Correspondence

None.

P. Notices of Motion

1. Deputy Mayor DeYong - Road Closure for the 2nd Annual Prince Adventures Exotic Car Show

99-05262025

Moved By: Deputy Mayor DeYong

Seconded By: Councillor Lowrie

Whereas Council and Administration are in receipt of correspondence from the organizers of the 2nd Annual Prince Adventure's Exotic Car Show (the "Exotic Car Show"), which is scheduled to take place on October 4, 2025;

And whereas the Exotic Car Show was held in the Migration Festival Hall parking lot in 2024 and was a tremendous success with over 50 exotic cars displayed and 3000 spectators in attendance;

And whereas the Exotic Car Show benefitted the community in that it collected a truckload of food and raised and donated \$5000 to the Kingsville Community Food Bank;

And whereas the event organizers have requested Council's support to relocate the 2nd Annual Prince Adventure's Exotic Car Show to Kingsville's downtown area in an effort to display 100 exotic cars and attract 5000 spectators;

Now therefore be it resolved that the Council of the Corporation of the Town of Kingsville approves the closure of King St to Chestnut (on the same footprint as the "Kingsville Block Party") from 9 am to 3 pm on October 4, 2025 for the 2nd Annual Prince Adventure's Exotic Car Show, subject to terms and conditions decided by the Special Events Review Team (SERT).

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

Carried (7 to 0)

Q. Unfinished Business and Announcements

R. By-laws

100-05262025

Moved By: Deputy Mayor DeYong

Seconded By: Councillor Jarvis-Chausse

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

36-2025 - Being a By-law to provide for the establishment of rates for the levy and collection of property taxes in the Town of Kingsville for the year 2025 pursuant to the provisions of the Municipal Act, as amended; and

37-2025 - Being a By-law to confirm the proceedings of the Council of the Corporation of the Town of Kingsville at its May 26, 2025 Regular Meeting of Council.

Carried

S. Adjournment

101-05262025

Moved By: Councillor Patterson

Seconded By: Councillor Lowrie

That Council adjourns this Regular Meeting at 6:51 p.m.

Carried

Mayor, Dennis Rogers

Acting Clerk, Angela Toole



Windsor-Essex County Health Unit Board of Health

BOH Resolution - Lyme Disease Prevention

2025-05-15

ISSUE

Lyme disease caused by the bacterium *Borrelia burgdorferi* is primarily transmitted to humans through the bite of infected blacklegged ticks (also known as deer ticks). There is no other known way for humans to contract Lyme disease besides being bitten by an infected tick. Over the last twenty-five years, Lyme disease cases has been rising in Canada, both in case numbers and in geographic distribution.¹ According to Public Health Ontario, all of Windsor and Essex County (WEC) is considered endemic for blacklegged ticks. An effective multi-level collaboration among public health, municipalities as well as health care providers is needed to implement tick bite and Lyme disease prevention and control strategies for minimizing the risk of infection and protecting the health of the community.

BACKGROUND

Lyme disease is a Disease of Public Health Significance and must be reported to public health in Ontario. The WECHU is required to investigate reported cases of Lyme disease in the region. In 2024, WEC saw the highest number (n= 17, incidence rate (per 100,000 population)= 3.8) of Lyme Disease cases in comparison to previous years (Table 1). Lyme disease cases in Ontario have also increased following a similar pattern.

Table 1: Confirmed Case Counts and Incidence Rates** for Lyme Disease in Windsor-Essex County and Ontario.

Year	WEC Count	WEC Rate	ON Count	ON Rate
2014	3	0.7	165	1.2
2015	6*	1.5	382	2.8
2016	3	0.7	339	2.4
2017	5*	1.2	940	6.7
2018	4	0.9	597	4.2
2019	4	0.9	1,135	7.8
2020	5	1.2	836	5.7
2021	8	1.9	1,671	11.3
2022	11	2.5	1,447	9.6
2023	9	2.1	1,836	11.9
2024	17	3.8	2,051	13.1
Total	75	1.6	11,399	7.1

*1 case in 2015 and 2 cases in 2017 were identified as species *Borrelia afzelii*

**Incidence rate is a calculation of the frequency of the occurrence of Lyme disease within the population

The WECHU conducts active tick surveillance (tick-dragging) twice per year, in the spring and fall, to track the migration of tick populations throughout our region and identify tick-borne diseases they are carrying.

Residents that find ticks on the body, on animals or in the environment can take a picture of the tick and submit it to etick.ca, which is a free online service that aids in the identification of the tick species. This data is utilized by Public health Ontario to create updated [Public Health Ontario blacklegged tick risk area map](#).

Factors contributing to the increased risk of tick bites and Lyme disease in WEC include expanding tick populations, habitat fragmentation (i.e. human activities like deforestation, road construction, or natural events like fires or floods etc.), climate change affecting tick lifecycles, increased awareness among residents leading to more diagnoses, and greater participation in outdoor activities during times when ticks are most actively seeking hosts. People can encounter Lyme infected ticks in many places, including their own yards, their neighbor's yard, and outdoor public areas.¹ According to Government of Canada, the high-risk groups for acquiring Lyme disease include children (5 -14 years), adults (55–79 year), pregnant women and people who work or spend lot of time outdoors.²

At an individual level, in order reduce the risk of Lyme disease, its important to focus on preventing tick bites by avoiding tick habitats, using insect repellent, wearing protective clothing, and performing regular tick checks. If bitten, properly remove the tick and monitor for symptoms. Early diagnosis and treatment with antibiotics can significantly reduce the risk of complications.

At the community level, public awareness campaigns that focus on risk awareness and personal protection measures can be effective strategies to reduce overall risk. Developing and maintaining comprehensive maps of tick habitats that are used as communication tools in risk-based areas (i.e. trail signs) can help residents remain vigilant and take appropriate precautions.

Evidence also shows that landscape management is effective in reducing tick populations in public spaces, such as parks, trails, and playgrounds. These strategies include modifying the vegetation to make the environment less desirable for ticks and animal hosts, reducing overgrown vegetation and leaf litter as well as clearing brush and weeds along trails and around recreational areas, and using wood chips or gravel paths to separate wooded areas from grassy areas to deter ticks from entering private or recreational spaces.

Healthcare providers play a crucial role in preventing, diagnosing, and treating Lyme disease, a tick-borne illness. They should be aware of the risk factors, clinical manifestations, and diagnostic approaches to effectively manage patients.

PROPOSED MOTION

WHEREAS, the incidence of Lyme disease has been steadily increasing in WEC and posing a significant health risk to residents; and

WHEREAS, Lyme disease affects vulnerable populations such as children, older adults, pregnant women and people who work or spend time outdoors disproportionately; and

WHEREAS, comprehensive tick bite and Lyme disease prevention strategies are crucial for minimizing the risk of infection and protecting the health of residents; and

WHEREAS, municipal governments play a significant role in promoting and protecting health, and environmental risk management; and

THEREFORE, BE IT RESOLVED THAT, that the Windsor-Essex County Board of Health recommends that all WEC municipalities support pro-active education and prevention related to tick bite and Lyme disease management activities.

AND FURTHER THAT, the Windsor-Essex County Board of Health encourages all local municipalities to review, strengthen and adopt municipal bylaws to regulate landscape and vegetation management on public and private properties to reduce tick habitats in the region.

References:

1. Beard C. B. (2014). Lyme disease prevention and control - the way forward. *Canada communicable disease report = Relevé des maladies transmissibles au Canada*, 40(5), 91–94.
<https://doi.org/10.14745/ccdr.v40i05a04>
2. Government of Canada (2023). *Lyme disease surveillance in Canada: Annual edition 2019*. Retrieved from <https://www.canada.ca/en/public-health/services/publications/diseases-conditions/lyme-disease-surveillance-report-2019.html>

THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 38-2025

Being a By-law to provide for the collection of the costs incurred for drainage works completed for numerous drains all in the Town of Kingsville.

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

And whereas the Council of the Town of Kingsville has incurred costs for the said works to date as follows:

- 3rd Concession – Clifford Drain
- 4th Concession Branch of Lane Drain
- Cameron Road Branch of Billings Drain
- Charles Grainger Drain
- East Branch of No. 47 Drain
- Henderson Drain East
- Kelch Drain
- Lane Drain
- Millbrook Drain
- Morley Wigle Drain
- Moroun Pump Scheme
- Newman Kay Drain
- Oxley Drain
- Palmer Drain
- Snyder Drain – Town of Essex
- Tinney Drain
- Union Avenue Drain
- West Front Road Drain Outlet

for a total cost of approximately \$425,469.53.

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

And whereas Council is of the opinion that the repair of the area was desirable;

Now therefore The Council of the Corporation of the Town of Kingsville enacts as follows:

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

5. **That** 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 16th day of June, 2025.

Mayor, Dennis Rogers

Acting Clerk, Angela Toole

THE CORPORATION OF THE TOWN OF KINGSVILLE
BY-LAW 39-2025

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

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

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

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

Now therefore The Council of the Corporation of the Town of Kingsville enacts as follows:

1. **That** Schedule “A”, Map 31 of By-law 1-2014 is hereby amended by changing the zone symbol on an approximately 46.48 acres portion of land, municipally known as V/L County Road 14 East shown in dotted pattern hatch from “General Agricultural with exception 37 (A1-37)” to “Rural Residential (RR)”.
2. **That** Schedule “A”, Map 60 of By-law 1-2014 is hereby amended by changing the zone symbol on an approximately 2.05 acres portion of land, municipally known as 76 County Road 14 East shown in diagonal hatch from “General Agricultural with exception 37 (A1-37)” to from “Agricultural-Restricted with exception 4 (A2-4)” with the following uses:
 - b. Permitted Uses
 - i. Uses permitted in Subsection 7.1.
 - ii. Trucking operation.
 - iii. Accessory uses.
 - c. Permitted Buildings and Structures
 - i. Buildings and structures for the permitted uses.
 - d. Zone Provisions

A lot and building requirements for the permitted buildings and structures shall be in accordance with Subsection 7.1 of this By-law with the exception of the following special provisions:

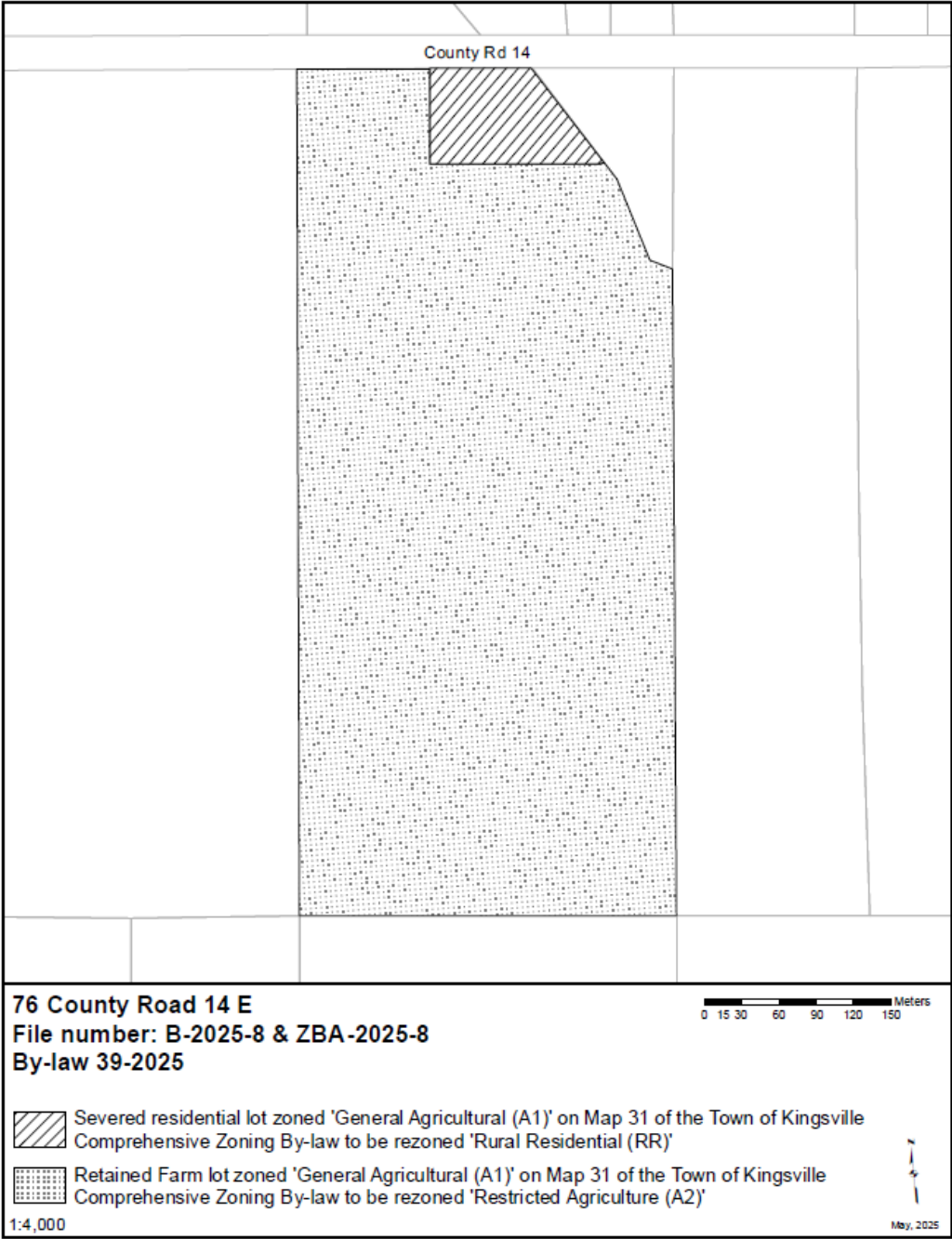
 - i. The trucking operation shall only be allowed to expand by a maximum of 20% of the total floor area of the building as it exists on April 28, 2014.
 - ii. Outside storage shall be limited to the area existing on April 28, 2014 and will be not allowed to expand.
 - e. **That** this By-Law comes into force and takes effect on the day of the final passing thereof.

Read a first, second and third time and finally passed this 16th day of June 2025.

Mayor, Dennis Rogers

Acting Clerk, Angela Toole

Schedule 'A'



THE CORPORATION OF THE TOWN OF KINGSVILLE
BY-LAW 40-2025

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

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

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

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

Now therefore The Council of the Corporation of the Town of Kingsville enacts as follows:

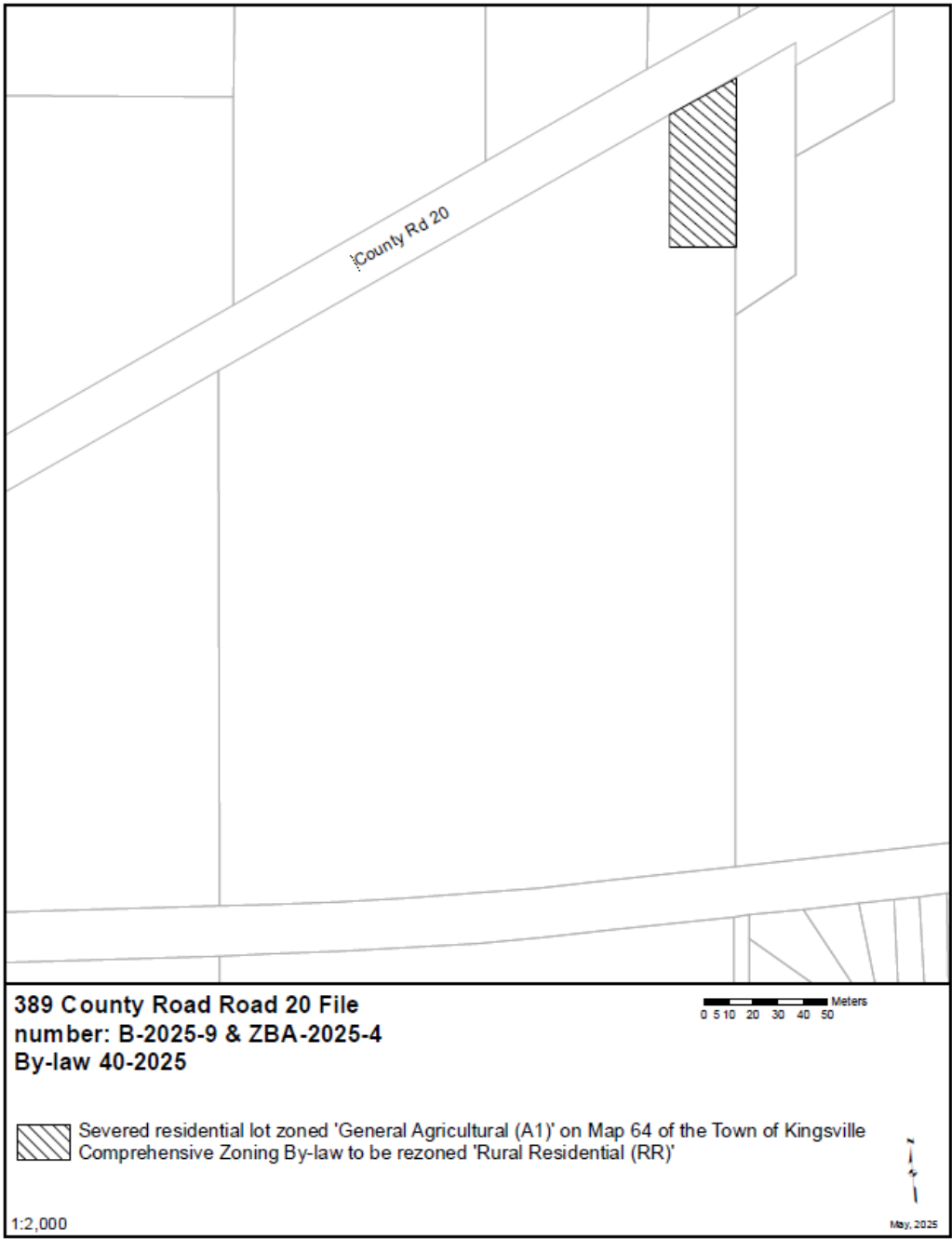
1. **That** Schedule “A”, Map 64 of By-law 1-2014 is hereby amended by changing the zone symbol on an approximately 0.40-acre portion of land, municipally known as 389 County Road 20 in diagonal pattern hatch from “General Agricultural (A1)” to “Rural Residential (RR)”.
2. **And that** this By-Law comes into force and takes effect on the day of the final passing thereof.

Read a first, second and third time and finally passed this 16th day of June 2025.

Mayor, Dennis Rogers

Acting Clerk, Angela Toole

Schedule 'A'



THE CORPORATION OF THE TOWN OF KINGSVILLE
BY-LAW 42-2025

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

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

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

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

Now therefore The Council of the Corporation of the Town of Kingsville enacts as follows:

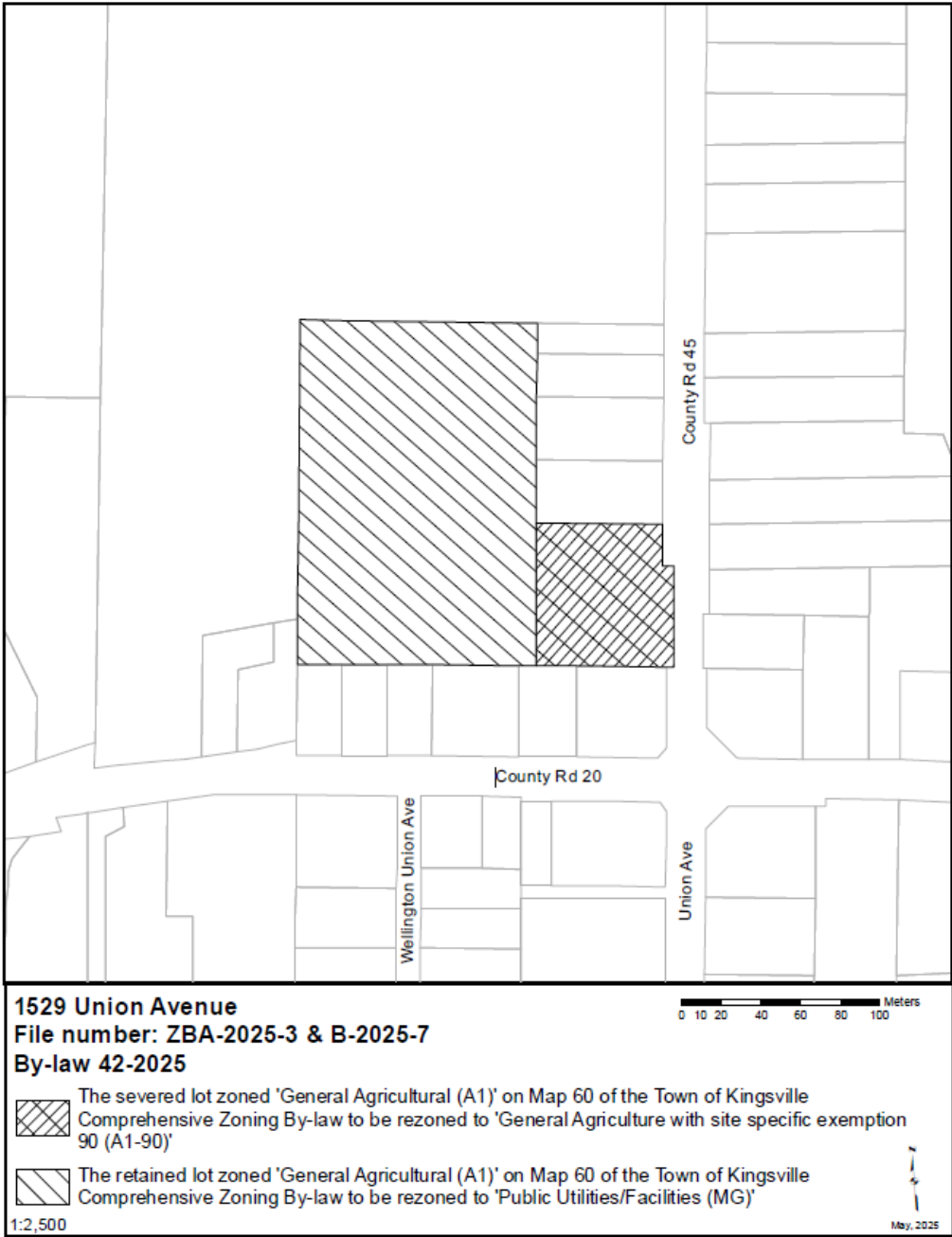
1. **That** Schedule “A”, Map 60 of By-law 1-2014 is hereby amended by changing the zone symbol on an approximately 20,598.5 m² portion of land, municipally known as V/L Union Avenue shown in diagonal hatch from “General Agricultural (A1)” to “Public Utilities/Facilities (MG)”.
2. **And that** Schedule “A”, Map 60 of By-law 1-2014 is hereby amended by changing the zone symbol on an approximately 4,856 m² portion of land, municipally known as 1529 Union Avenue shown in cross hatch from “General Agricultural (A1)” to from “General Agricultural with site specific exemption 90 (A1-90) with the following changes:
 - a. Zone Provisions
 - i. The minimum required rear yard set-back shall be 1.52 m (5 ft).
 - ii. The minimum required lot size shall be 4,856 m² (52,269 ft²).
3. **That** 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 16th day of June 2025.

Mayor, Dennis Rogers

Acting Clerk, Angela Toole

Schedule 'A'



THE CORPORATION OF THE TOWN OF KINGSVILLE

BY-LAW 43-2025

Being a By-law to confirm the proceedings of the Council of the Corporation of the Town of Kingsville at its June 16, 2025 Regular Meeting of Council

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

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

And whereas it is deemed expedient that the proceedings of the Council of The Corporation of the Town of Kingsville (the “Town”) be confirmed and adopted by by-law;

Now therefore the Council of The Corporation of the Town of Kingsville enacts as follows:

1. The actions of the Council at its June 16, 2025, Regular Meeting in respect of each report, motion, resolution or other action taken or direction given by the Council at its meeting, is hereby adopted, ratified and confirmed, as if each resolution or other action was adopted, ratified and confirmed by its separate by-law.
2. The Chief Administrative Officer and/or the appropriate officers of the Town are hereby authorized and directed to do all things necessary to give effect to the actions set out in paragraph 1, or obtain approvals, where required, and, except where otherwise provided, the Mayor and the Clerk are hereby directed to execute all documents necessary and to affix the corporate seal to all such documents.
3. This By-law comes into force and takes effect on the day of the final passing thereof.

Read a first, second, and third time and finally passed this 16th day of June, 2025.

Mayor, Dennis Rogers

Acting Clerk, Angela Toole