

NOTICE OF DECISION

Official Plan Amendment No.20 (By-law 46-2026); and, Zoning By-law Amendment (By-law 47-2026)

Local Settlement Area Review

Take notice that the Council of the Corporation of the Town of Kingsville has adopted an Official Plan Amendment and passed a Zoning By-law Amendment under Sections 17, 21 and 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended (the “*Planning Act*”).

And take notice that on July 27, 2026, the Council of the Corporation of the Town of Kingsville adopted By-law 46-2026, being a by-law to adopt Official Plan Amendment No. 20 (OPA 2026-1) to the Town of Kingsville Official Plan, in accordance with Section 21 of the *Planning Act*, and passed By-law 47-2026, being a by-law to amend Zoning By-law No. 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville, in accordance with Section 34 of the *Planning Act*.

Location

The Amendments apply to lands within the Town of Kingsville identified through the Local Settlement Area Review, totalling approximately 112.85 hectares in three areas; and minor adjustments to lands within the Cottam Secondary Settlement Area:

- Kingsville West – approximately 58.85 hectares, west of the existing Primary Settlement Area boundary and north of County Road 20 and south of Road 2;
- Kingsville Southwest – approximately 38 hectares, east of the Primary Settlement Area and south of County Road 20;
- Kingsville East – approximately 16 hectares, east of the existing Primary Settlement Area, west of Kratz Road and north of County Road 20; and
- Cottam – minor boundary adjustments within the Cottam Secondary Settlement Area.

PURPOSE AND EFFECT OF THE OFFICIAL PLAN AMENDMENT

The purpose and effect of the Official Plan Amendment (By-law 46-2026) is to:

- Adjust the Kingsville Primary Settlement Area and Cottam Secondary Settlement Area boundaries to reflect the County of Essex Official Plan and the Local Settlement Area Review;
- Introduce a new Section 3.10 Future Urban Development (FUD) designation and apply it to the adjusted lands to ensure that development within designated growth areas is orderly and aligns with the timely provision of the infrastructure and public service facilities and to allow the town to identify County or Municipal Official Plan policies that will need to be considered at the time of future development through Secondary Planning;
- Extend the Main Street Gateway West designation to the entirety of a property affected by a lot line adjustment to maintain designation and zoning on the entire property, the boundary adjustments now include a rear lot portion.

- Remove and replace Secondary Plan policies (Section 2.16) to account for legislative change, changes to the County Official Plan, and other priorities, and allow for greater flexibility in planning for future development.
- Remove and replace Oil and Natural Gas Well policies (Section 5.1.1) of the Official Plan confirming that no development can take place on any properties that contain active and suspended oil wells until they have been decommissioned through the appropriate Provincial Ministry and that decommissioned wells must be identified on proposed development plans, and cannot be located on private residential, commercial, institutional or industrial lands; or within dedicated or conveyed public lands or rights-of-way to protect public health and safety and, that the developer/landowner continue to cover all costs and obligations related to monitoring and maintenance of decommissioned wells in keeping with provincial regulations.

Official Plan Approval Authority Decision

The decision of the Council of the Town of Kingsville to adopt OPA 2026-1 is not subject to appeal. Under Section 17 of the *Planning Act*, the County of Essex is the approval authority for Official Plan Amendment No. 20 (OPA 2026-1).

The amendment is forwarded to the County of Essex for review and a final decision. Once the County of Essex has made its decision on OPA 2026-1, the County will issue its own notice of decision, and appeal rights, timelines and procedures under Section 17 of the *Planning Act*.

Any individual or public body wishing to receive notice of the County of Essex's decision on OPA 2026-1 must submit a written request to the Clerk of the County of Essex at clerks@countyofessex.ca.

PURPOSE AND EFFECT OF ZONING BY-LAW AMENDMENT

The purpose of the Zoning By-law Amendment (By-law 47-2026) is to:

- rezone lands within the adjusted boundary from Agriculture (A1) to a new Future Urban Development (FUD) Zone;
- establish Future Urban Development regulations; and
- modify zoning schedules within Kingsville's Primary and Cottam Secondary Settlement Areas as needed to implement the Official Plan Amendment.

The effect of the Amendment is to ensure the Town of Kingsville Zoning By-law is consistent with the Official Plan Amendment, the *Planning Act* and the County of Essex Official Plan.

Zoning By-law Amendment (By-law 47-2026) will not come into full force and effect until Official Plan Amendment No. 20 is final approved, by the County of Essex. Further amendments may be required as a part of the County of Essex Official Plan approval process.

Zoning by-law Amendment Right to Appeal

Only the applicant, a public body and a specified person (as defined under Section 1 of the *Planning Act*, R.S.O. 1990, c.P.13), the registered owner of any land to which the by-law would apply, if,

before the By-law was passed, the owner made oral submissions at a public meeting or written submissions to Council, and the Minister may appeal a decision of the Town to the OLT. Individuals are no longer permitted to do so.

If a Council decision is appealed to the OLT, you can request participant status and make a written submission to the OLT for consideration as part of the decision-making process. The OLT Citizen Liaison can help you better understand the rules, practices and procedures of the OLT and can be reached by email at OLT.CLO@ontario.ca

No person or public body shall be added as a party to the hearing of the appeal unless, before the by-law was passed, the person or public body made oral submissions at a public meeting or written submissions to the council or, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

If you intend to appeal the zoning by-law amendment, a Notice of Appeal must be filed with the Town of Kingsville Clerk, located at:

Clerk's Office
Town of Kingsville
2021 Division Road North
Kingsville, Ontario N9Y 2Y9
Email: Clerks@Kingsville.ca

1. The reasons for the appeal.

2. You have two options to file your appeal.

- a. A completed OLT A1 Appeal Form and submit the A1 Appeal Form to the Town of Kingsville Clerk; or
- b. Go to the OLT e-file service at <https://olt.gov.on.ca/e-file-service/>.
 - First-time users must create a My Ontario Account.
 - Select Town of Kingsville Clerk's as the approval authority.
 - Information related to submitting documents for filing an appeal to OLT is available on the Tribunal's website: <https://olt.gov.on.ca/submit-documents/>

3. Ontario Land Tribunal (OLT) Fee

- a. \$1,100.00 per application, payable to the Minister of Finance.
- b. If filing online, this fee can be paid through the OLT e-file service.
- c. If submitting by mail or in person, pay by certified cheque or money order

Note: You may request a reduction of the OLT fee to \$400.00 when filing the appeal. The request must be made at the time of filing. For more details, refer to the OLT Fee Schedule: <https://olt.gov.on.ca/fee-chart/>

4. Municipal Fee

- a. \$100.00 per application, payable to the Town of Kingsville by certified cheque.
- b. This fee must be paid separately from the OLT fee and submitted in person or by mail to the Town of Kingsville.

Dated at the Town of Kingsville on **August 5th, 2026**