



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

Date: January 2, 2019

To: Mayor and Council

Author: Kristina Brcic, Town Planner

RE: ZBA/38/18 Application for Removal of the H – Holding Symbol
Donna Mastronardi 1651 Seacliff Dr (County Rd 20)
PL 265 Pt. Lot 13 RP, 12R11748 Part 3

Report No.: PDS 2019-001

AIM

To provide Council with information regarding the request to remove the Holding (h) symbol from the property known as 1651 Seacliff Drive (Country Road 20) in the Town of Kingsville.

BACKGROUND

The Town of Kingsville has received the above-noted applications for lands located on south side of Seacliff Drive. The subject property is designated 'Lakeshore Residential East' by the Official Plan and zoned 'Lakeshore Residential - holding (LR(h))' under the Kingsville Comprehensive Zoning By-law.

The subject property contains a single residential dwelling built in 2013, at which time the holding (H) symbol should have already been removed via Zoning By-law Amendment Application. The owner has since applied for a pool permit which brought the zoning issue to the attention of the current staff in the Planning Department. As a result, the owner was asked to make application to correct the zoning issue and remove the holding symbol on the subject property.

DISCUSSION

The Holding symbol on the subject lands was implemented to address the lack of servicing available for the lands designated Lakeshore Residential East in the Town's Official Plan. The Policies of Section 3.6.3 Lakeshore Residential East state that:

f) full municipal sewage (sanitary and storm) and municipal potable water services are wherever and whenever possible, the preferred means of servicing within the Lakeshore Residential East designation. More specifically, for any Lakeshore Residential East designated lands serviced by full municipal services, all new development must be fully municipally serviced. For designated lands where partial municipal services (i.e. municipal piped water in the absence of municipal sanitary sewers or municipal sanitary sewers in the absence of municipal piped water) exists, development will only be permitted on partial municipal services within the existing designated lands to:

- i. address failed individual on-site sewage and individual on-site water services;
- ii. to allow for infilling and rounding out of existing development between residential lots on the same side of the road provided that the development is within the reserve sewage system and/or reserve water system capacity and
- iii. site conditions are suitable for the long term provision of such services.

In terms of the subject property, the home built in 2013 can be considered a case of infilling between two lots of similar nature. The property is connected to municipal water however is on private septic. The Holding symbol should have been removed prior to the initial building permit release for the house. It is likely that the removal of the holding symbol would have been supported at that time and there are no new planning issues to prevent the removal of the Holding symbol today.

LINK TO STRATEGIC PLAN

Manage residential growth through sustainable planning.

FINANCIAL CONSIDERATIONS

The application fee was waived in this case given this appears to have been an oversight from 2013. The only hard cost incurred by the Town is the circulation of the Notice of Intention that was covered by the Planning Services advertising budget for 2018.

CONSULTATIONS

In accordance to O. Reg 545/06 Subsection 8 of the *Planning Act*, property owners within 120 m of the subject site boundaries received the Notice of Intention to Remove the Holding Zone symbol by mail. The request for lifting of the Holding symbol is subject to Town review and satisfactory completion of the conditions for removal but is not an appealable application under the *Act*.

RECOMMENDATION

It is recommended that Council approve the removal of the Holding (h) symbol on the lands outlined in the amending by-law, in the Town of Kingsville and adopt the implementing by-law.

Kristina Brcic

Kristina Brcic, MSc, BURPI
Town Planner

Robert Brown

Robert Brown, H, Ba, MCIP, RPP
Manager, Planning Services

Peggy Van Mierlo-West

Peggy Van Mierlo-West, C.E.T.
Chief Administrative Officer