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Date: February 27, 2019

To: Mayor and Council

Author: George Robinson, BFA, BURPL, CPT
Town Planner

RE: Application for Zoning By-law Amendment ZBA/02/19 by
2616856 Ontario Limited
1288-1290 Road 2 W
Part of Lot D, E, Con 2 WD, Part 5 RP 12R15120
Roll No. 3711 380 000 02200

Report No.: PDS 2019-008

AIM

To provide the Town of Kingsville Council with information regarding the requested Zoning By-law Amendment for lands known as 1288 Road 2 W, as a condition of consent under file B/11/18.

BACKGROUND

At the November 20, 2018 Committee of Adjustment meeting, provisional consent was given to sever two existing dwellings and four outbuildings (File B/11/18), deemed surplus to the farming operation of the owners, from the parcel known as 1288 Road 2 West.

As a condition of that consent, it was required that the retained parcel, being approximately 23.6 ha (58.11 ac.), be rezoned to prohibit the construction of future dwellings. Please refer to the location map attached as Appendix A. This condition is required by both Provincial and Town policy.

DISCUSSION

The subject parcel is designated 'Agriculture' by the Official Plan and is zoned 'Agriculture (A1)' under the Kingsville Comprehensive Zoning By-law. A change in zoning to 'Agriculture – Restricted (A2)' would prohibit the construction of future dwellings but continue to permit all other uses permitted under the existing A1 zoning and maintain compliance with the Provincial Policy Statement (PPS) Section 2.3.4.1(c).

LINK TO STRATEGIC PLAN

Manage growth through sustainable planning.

FINANCIAL CONSIDERATIONS

There is no financial impact as a result of this zoning amendment.

CONSULTATIONS

1) 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. To date, no comments have been received by members of the public.

2) 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.

Agency or Administrator	Comment
Essex Region Conservation Authority	<ul style="list-style-type: none">No objections. (See Appendix B).
Town of Kingsville Management Team	<ul style="list-style-type: none">No concerns with the requested rezoning.
County of Essex	<ul style="list-style-type: none">No comments expected.

RECOMMENDATION

It is recommended that Council approve zoning by-law amendment application ZBA/02/19 to rezone the subject lands at 1288 Road 2 West, Part of Lots D and E, Concession 2 WD, Town of Kingsville, as a condition of consent File B/11/18 from 'Agriculture (A1)' to 'Agriculture – Restricted (A2)' and adopt the implementing by-law.

George Robinson

George Robinson, BFA, BURPI, CPT
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