



2021 Division Road North  
Kingsville, Ontario N9Y 2Y9  
(519) 733-2305  
[www.kingsville.ca](http://www.kingsville.ca)  
[kingsvilleworks@kingsville.ca](mailto:kingsvilleworks@kingsville.ca)

**Date:** June 9, 2021

**To:** Mayor and Council

**Author:** Robert Brown, H. Ba, MCIP, RPP  
Manager, Planning Services

**RE:** ZBA/10/21 Application for Removal of the H – Holding Symbol &  
Redline Amendment of Draft Plan of Subdivision  
1552843 Ontario Ltd. (Sunvalley Estates Subdivision)  
Part of Lot 10, Co

**Report No.:** PS 2021-034

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## **RECOMMENDED ACTION**

That Council:

Approve the removal of the H-Holding symbol on the lands outlined in the amending by-law, in the Town of Kingsville and adopt the implementing by-law.

Pass a resolution in support of the proposed redline amendment to the Sunvalley Estates Draft Plan of Subdivision for the Mucci Drive extension including Lots 1 to 22 on the attached plan.

## **BACKGROUND**

In order to consider a redline amendment to a draft plan, the developer must make a written request to the County outlining the nature of, and reason for, the change along with copies of the proposed change. The developer must also contact the Town of Kingsville and request support for the redline amendment. The County requires correspondence from the Town acknowledging support of the amendment by way of a Council resolution. The developer will then provide signed copies of the plan to the County who will issue a "Notice of Changed Conditions", changing Condition #1 to reflect the new redlined plan. The County considers this to be a minor change under the Planning Act Section 51(47) and is therefore not required to give notice, and there will be no appeal period.

Located to the north of Road 2 E the subject lands were approved for development in 2012. The subdivision was proposed as a three phase development, however was adjusted to four phases due to changes in the housing market and customer demand. In 2016 and again in 2018 redline amendments were requested and approved to make

minor adjustments to lot configurations and provide smaller lots which were in higher demand. The overall layout of the subdivision has remained within the intended build out and the minor changes have not impacted on available services, traffic or storm water management.

## **DISCUSSION**

The subject lands fall within the Hamlet designation in the Town's Official Plan and within the boundaries of the Secondary Settlement Area of Ruthven. The portion of the subject lands that are part of this application are currently zoned 'Residential Zone 2 Rural/Urban, holding (R2.2h)' and Residential Zone 2 Rural/Urban Exception 8, holding (R2.2-8(h)) in the Town of Kingsville Comprehensive Zoning By-law.

The extension of Mucci Drive east from Branco Drive originally showed a total of 12 lots and one large Block for future development once the existing drain had been relocated and is shown on Appendix A. The redline amendment lot layout is attached as Appendix B. The requested redline amendment to the plan would increase the number of lots on the south side of Mucci Drive from 9 to 10 and create a total of 11 lots on the north side. This includes increasing the original 3 lots (north side) to 4 lots with the remaining new lots created within the Block. The drain relocation has been completed and the lands have been serviced based on the new lot configuration. The County planner has reviewed the revised submission by the developer and is now requesting a resolution from Council in support of the requested change.

The proposed reconfigured lots will continue to meet the minimum lot area and lot frontage requirements. No amendment to the regulations is being requested as part of either application. As part of this report the application for removal of the H- Holding is also being requested. Conditions for removal of the H-Holding were completion of a plan of subdivision and the developer entering into a development agreement with the Town. Both of these have been completed. The Town continues to hold securities on the subdivision.

## **LINK TO STRATEGIC PLAN**

Manage residential growth through sustainable planning.

### **Link to Council 2021-2022 Priorities**

- ☐ COVID-19 and the health and safety of the community
- ☐ Customer Service: Training, Technology, Staff, Review Standards/Level of service
- ☐ Housing: Affordability (lot sizes, developer incentives, second dwellings, density, etc.)
- ☐ Greenhouse: lights & dark sky, odours (site plan compliance, bylaws, other tools)
- ☐ Programming Increase: Youth and Seniors
- ☐ A development plan for Downtown Kingsville / Main Street
- ☐ Financial savings: Schools closings, Migration Hall

- ☐ Economic Development: strengthen tourism/hospitality
- ☐ COVID - economic recovery
- ☐ Communications: Strategy – Policy (social media), Website refresh and other tools, Public engagement
- ☐ Housing: Migrant Worker Housing – Inspections (Building/Fire), regulate, reduce, or increase
- ☐ Committees / Boards: Review and Report
- ☐ Policy Update: Procedural Bylaw
- ☐ Economic Development: diversify the economy, create local jobs, industrial, Cottam
- ☐ Infrastructure (non-Municipal): Union Water expansion & governance
- ☐ Infrastructure (Municipal): Asset Management Plan update, the infrastructure funding deficit
- ☒ No direct link to Council priorities

## **FINANCIAL CONSIDERATIONS**

The redline amendment and removal of the H-Holding will finalize the development of the subdivision and result in increased assessment, collection of development charges and building permit fees.

## **CONSULTATIONS**

The County has reviewed the requested redline amendment and considers it minor. As such no additional public consultation is required. The removal of the H-Holding symbol, in accordance to O. Reg 545/06 Subsection 8 of the *Planning Act*, does require that property owners within 120 m of the subject site boundaries receive a 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*.

### **1) Essex Region Conservation Authority (ERCA)**

ERCA requirements outlined in the original notice of decision and development agreement remain in place.

**2) Technical Advisory Committee**

TAC has no objection to the removal of the H-Holding symbol or the redline amendment. Building Services did ask if ERCA approval remains in place for the whole subdivision as has been past practice. This can be confirmed prior to any new permit submissions.

*Robert Brown*

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