



2021 Division Road North
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Date: August 11, 2021

To: Mayor and Council

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Town Planner

RE: Application for Zoning By-law Amendment File ZBA/13/21 by
Giuseppe Quadrini
V/L County Rd 14
Part of Lot 13, Concession 9
Part 1, RP 12R-5422
Roll No. 3711 550 000 00101

Report No.: PS 2021-056

RECOMMENDED ACTION

That Council:

Approve zoning by-law amendment application ZBA/13/21 to rezone the severed portions (Parts 1-11 on the applicant's sketch), in Part of Lot 13, Concession 9, Part 1, RP 12R-5422, in the Town of Kingsville, from 'Agriculture (A1)' to 'Rural Residential (RR)', and adopt the implementing by-law.

BACKGROUND

The Town of Kingsville has received the above-noted application for lands located on the north side of County Road 14, just east of County Rd 27 E (as shown on Appendix A). The subject parcel is designated 'Agricultural' by the Official Plan and is zoned 'Agricultural (A1)' under the Kingsville Comprehensive Zoning By-law.

The subject parcel is approximately 11.5 ha (28.36 ac.) of vacant farm land. On October 20, 2020 the Committee of Adjustment approved Consent Application File B/08/20 for a portion of land (0.26 ha / 0.634 ac.) to be severed from the farm and conveyed as lot additions to eleven (11) abutting rural residential lots (222, 224, 226, 228, 232, 234, 236, 238, 240 County Rd 27 E & 11 and 13 County Rd 14) for the purpose of adding land area for amenity and other uses as may be required. The proposed lot additions are shown as Parts 1-11 on the applicant's sketch, Appendix B. As a condition of the

consent, the current application is to rezone the lot addition lands from 'Agriculture (A1)' to 'Rural Residential (RR)' to match the zoning of the receiving lots.

DISCUSSION

1.0 Provincial Policy Statement

When reviewing a planning application to determine if it represents sound planning, it is imperative that the proposed development is consistent with the Provincial Policy Statement (PPS): "The Provincial Policy Statement provides policy direction for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment." Section 2.3.4.2 states that "Lot adjustments in prime agricultural areas may be permitted for legal or technical reasons."

Comment: The proposed Zoning By-law Amendment is a result of an application for consent for lot additions which was approved earlier this year. Lot additions are consistent with Provincial Policy Statement as it is a minor boundary adjustment and does not result in the creation of a new lot or lots.

2.0 Official Plan

The Official Plan for the Town of Kingsville designates the severed lot addition lands as 'Agriculture'. There are no issues of municipal significance created as a result of the proposal.

3.0 Comprehensive Zoning By-law

Presently, the lot addition lands are zone 'Agriculture (A1)' while the receiving lands are zoned 'Rural Residential (RR)'. It is best practice to rezone the lot addition lands to match the zoning of the receiving lands as to not create incompatibilities between potential permitted uses and other zone regulations within a split-zoned parcel. As a condition of Consent under File B/08/20, the lots addition lands must be rezoned to 'Rural Residential (RR)' to recognize the non-farm, residential use.

LINK TO STRATEGIC PLAN

Manage 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

There are no direct financial implications as a result of the zoning by-law amendment.

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. At the time of writing no comments had been received by members of the public.

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.

1) Essex Region Conservation Authority (ERCA)

- ERCA has no objection to the application, full comments in Appendix C

2) Town of Kingsville – Technical Advisory Committee

- No objections, to be completed as a condition of consent B/08/20

3) Essex County

- The County has no objections. Comments provided are engineering related only. Full comments in appendix D.

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