



**Date:** June 27, 2022

**To:** Mayor and Council

**Author:** Richard Wyma, Director of Community and Development Services

**RE:** ZBA 11/22 - Removal of Holding-H Symbol from Property known as Branco Estates on Jasperson Drive

**Report No.:** CaDS 07-22

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## **RECOMMENDED ACTION**

1. That Zoning By-Law Amendment application ZBA 11/2022 to remove the H-Holding Symbol on lands located on the East side of Jasperson Drive, north of Main Street East (Part of Lot 3, Concession 1 ED and further described as Part 1, RP I 2R 28688) to permit the proposed development of SXS **BE APPROVED**; and,
2. That By-Law 35-2022 being a by-law to amend By-law 1-2014, the Comprehensive Zoning By-Law for the Town of Kingsville be taken as having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same.

## **BACKGROUND**

The subject lands, known as Branco Estates, are located to the east side of Jasperson Drive, north of Main Street East. The subdivision was approved for development in 2014. The original subdivision, which contemplated six phases of development, was amended in 2018 when lands that were included in the subdivision were sold to the Town for the new Kingsville High School. The remaining lands were sold to the applicant with the intention of developing the remaining lands as a smaller subdivision. The final layout, which was approved on January 10, 2022 by Council included 27 single detached dwellings and 24 blocks (48 units) for semi-detached dwellings for a total of 75 residential units.

A Development Agreement was completed and was approved for the entire development on February 15, 2022. The Development Agreement includes storm water management (both quantity and quality), installation of services, phasing, road construction, sidewalks including location and timing, street naming, sewage and water provision, conveyances, parkland, development charges, conservation authority requirement, signage, trees and performance securities.

## **DISCUSSION**

Section 8.17 of the Town of Kingsville Official Plan provides for the use of the 'Holding' zone approach as set out in Section 36 of the *Planning Act*. This allows certain areas zoned for their intended use, but delays final approval of development until such time as specific conditions are met, at which time the Municipality, through by-law, removes the 'h' symbol.

The subject lands are within the Residential designation in the Town's Official Plan. The subject lands are currently zoned 'Residential Zone 2 Rural/Urban Exception 13, holding (R2.1-13(h))' in the Town of Kingsville Comprehensive Zoning By-law. The holding symbol was placed on the initial Draft Plan of Subdivision in October 2031 (ZBA 12 13) to be removed once Council and the County has considered a draft plan of subdivision for the lands; and due to lack of servicing and required sanitary connections through proposed development and Jasperson Drive road improvements. The holding symbol was intended to remain in place until such time as the final development agreement is signed and registered on title and construction of the road and services scheduled to begin.

Council approved the Development Agreement in February 2022 (PS 2022-002).

## **FINANCIAL CONSIDERATIONS**

The removal of the Holding-H Symbol will permit the construction of homes which will generate building permit fees, development charges and an increase to assessment value.

## **ENVIRONMENTAL CONSIDERATIONS**

The approved subdivision is subject to stormwater management that considers both quantity discharge and quality to help safeguard stormwater discharge by the use of controls in the system to remove dirt and debris. The development is also located in close proximity to Kingsville's primary commercial area with access to a wide variety of daily services. This provides the opportunity for those that choose to walk or bike to nearby stores. This in turn helps to reduce the need for vehicle use. The development is also connected to the Town's Active Transportation Network through the multi-use pathway along Jasperson.

## **CONSULTATIONS**

A notice of intention was prepared and circulated to all abutting landowners to advise them of the proposed removal of the H-Holding symbol.

The Removal of the Holding-H symbol was also reviewed by the internal Technical Advisory Committee who is comfortable that servicing and other conditions have been met.

PREPARED BY:



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Richard Wyma, CSLA  
**Director of Community and Development Services**

REVIEWED BY:



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John Norton  
**Chief Administrative Officer**

## **LINK TO STRATEGIC PLAN**

Manage residential growth through sustainable planning.

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