



6 Royal Cres  
PO Box 188  
Pain Court, Ontario N0P 1Z0  
(519) 809-4539  
rbrown@oakviewlup.com

**Date:** July 6, 2023

**To:** Town of Kingsville, Planning Services  
Attn: George Robinson, MCIP, RPP

**RE:** Planning Justification Report for  
Proposed Application for Official Plan Amendment  
1478 Road 2 E, Pt. of Lot 9, Concession 2 ED  
Parts 2 & 3, RP 12R 21660  
Roll # 3711 300 000 24300

**Author:** Robert Brown, H. Ba, MCIP, RPP

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## **Purpose**

To provide an overview of the related land use planning considerations in support of a reconfiguration of the existing land use designation (secondary settlement area boundary adjustment) on the subject lands.

## **Background**

The applicant, Nevan Developments, is proposing a residential subdivision on an irregular shaped 6.644 ha (16.4 acre) vacant parcel located on the north side of Road 2 E, just west of Union Road (County Road 45). (See Appendix A)

The development of the lands is proposed in phases and would include a mixture of single detached and semi-detached lots and one large block abutting Road 2 E for future multi residential, most likely in the form of townhouses. A total of 30 single detached lots are proposed along the easterly edge of the subject parcel abutting the existing single detached development along Woodfern Ave. The east side of the development would accommodate a total of 36 semi-detached dwellings or 72 individual dwelling units. There are no specific plans for the remaining 0.512 ha (1.265 ac.) multi-unit block at this stage. (See Appendix B – Block 103)

The westerly edge of the subject property serves as the settlement boundary for the Secondary Settlement Area of Ruthven. To efficiently utilize the subject property and maximize the number of dwellings the applicant is seeking two adjustments.

Part 1 is for the reconfiguration of the westerly edge of the property to remove 1.071 ac. (shown in orange on Appendix B) of land from the Secondary Settlement Area (Hamlet designation) and place it in the Agriculture designation.

Part 2 (A & B) of the applicant's request is to bring two areas of land into the settlement area as follows:

- i) Part 2 A is a 0.118 ac. portion (shown in pink on Appendix B) located at the proposed extension end of Peach Drive which would be used for construction of the new cul-du-sac and partially accommodate one additional semi-detached dwelling, and;
- ii) Part 2 B is a 0.953 ac. portion (shown in blue on Appendix B) located in the southwest corner of the abutting parcel to the west of the current town sanitary sewer pump station and Enbridge natural gas facility. These lands would be used for a stormwater management facility.

Both of these proposed adjustments would required amendment to both the Town of Kingsville and County of Essex Official Plans. Collectively this would result in no net increase in the lands currently designated Hamlet within the Ruthven secondary settlement area. The lands shown in grey on Appendix B are not within the secondary settlement area and are not proposed to be developed at this time. They are only shown as potential future development should policy change resulting in these lands being considered for expansion.

## **Planning Rationale**

### **1) Provincial Policy Statement (2020)**

The proposed subdivision, for the most part, is located within the Hamlet designation of the Kingsville Official Plan. In order to address both the reconfiguration in the northwest corner and the inclusion of the lands for the stormwater management facility we need to look at Section 1.1.3.8 and 1.1.3.9 of the PPS.

Section 1.1.3.8 outlines that, "a planning authority may identify a settlement area or allow the expansion of a settlement area boundary only at the time of a comprehensive review and only where it has been demonstrated that..." a number of criteria are met. However, PPS also acknowledges under Section 1.1.3.9 that, "Notwithstanding policy 1.1.3.8, municipalities may permit adjustments of settlement area boundaries outside a comprehensive review provided:

- a) There would be no net increase in land within the settlement areas:

Comment: As shown on Appendix B the proposed adjustments to the current settlement area boundary will result in no net increase in residentially designation lands.

- b) The adjustment would support the municipality's ability to meet intensification and redevelopment targets established by the municipality;

Comment: The proposed development is located along the easterly edge of the former hamlet of Ruthven and is one of the last significant residential parcels available for development in this area. The proposed settlement area adjustment results in an efficient use of the lands, maximizes the total number of units and will not impact on future expansion, if possible, in the future.

- c) Prime agricultural areas are addressed in accordance with 1.1.3.8 (c), (d) and (e); and

Comment: The lands in question are not speciality crop lands and generally support just regular field crops. (See Appendix C). Since most of southwestern Ontario is considered prime agricultural lands, it is generally not possible to avoid prime agricultural lands. There are no alternatives on lower priority lands that would efficiently service the development. There are no MDS consideration as there is no livestock located within close proximity to the subject parcel.

- d) The settlement area to which lands would be added is appropriately serviced and there is sufficient reserve infrastructure capacity to service the lands.

Comment: Both municipal water and sanitary sewer serving are available to the lands in question. The stormwater management facility is best located, as proposed, as this is the lowest point for the overall development with access to an outlet which is available along Peterson Road. Road 2 E was also recently reconstructed and will accommodate any potential increase in traffic resulting from the development of the subject lands.

## **2) Official Plan – County of Essex**

The bulk of the lands in question are located within a secondary settlement area designation. (See Schedule A-2) This permits development such as that being proposed. The settlement area adjustment as illustrated on Appendix B is in conformity with the County Official Plan as it results in no net increase to the secondary settlement area of Ruthven as outlined on Schedule A2 of the County of Essex Official Plan and can be considered a minor adjustment.

### **3) Official Plan – Town of Kingsville**

The subject property is shown on Schedule A Land Use Plan (see Subject Area) Section 8.11.2, Interpretation in the Kingsville Official Plan, is similar to the County Official Plan which allows for minor adjustments to the settlement area boundary as long as the adjustment does not go beyond the current settlement area boundary. The requested amendment would adjust the current settlement area boundary keeping the proposed development within the Secondary settlement area. As such the requested shift in the settlement area boundary will be in conformity with the Kingsville Official Plan.

Although not anticipated in the immediate future there is potential for additional residential development to the west should legislative changes remove the need for comprehensive review. The layout of the proposed development is being done in such a way that additional development can easily be incorporated in the future.

### **Conclusions**

The proposed adjustment to the location of the secondary settlement area boundary for Ruthven will result in no net increase to the lands designated residential. The adjustment also helps to facilitate a location for the stormwater management facility that is topographically ideal as this is the lowest point in the subject area and adjacent to the required outlet for the pond. This location is north of existing infrastructure that services Ruthven and the surrounding area and is easily accessed for future maintenance. The pond can also be expanded if future development beyond the current settlement area limits is permitted in the future.

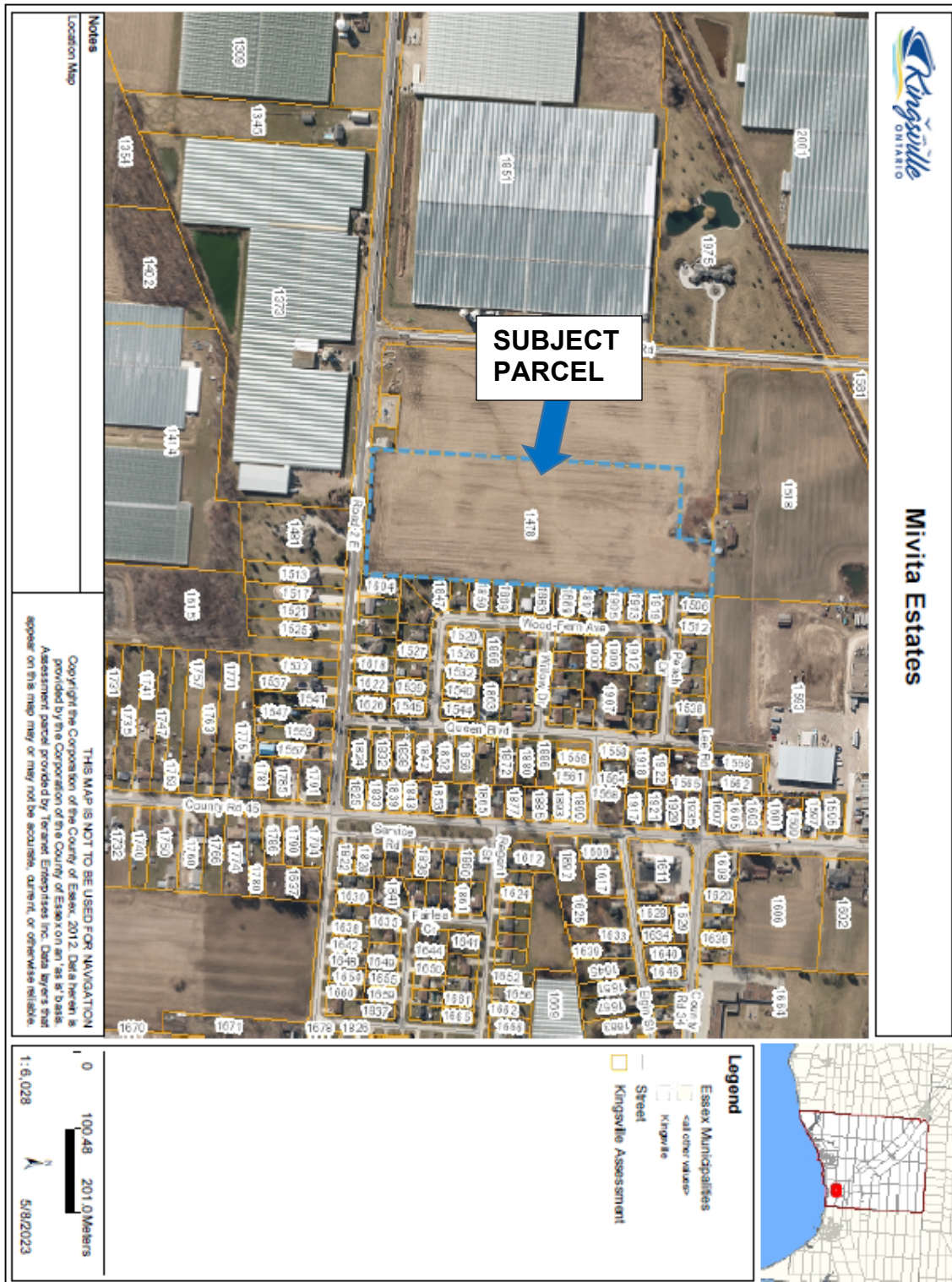
As such it is my professional opinion that the requested Official Plan amendments to the Town of Kingsville and County Essex Official Plans to adjust the location of the secondary settlement area boundary for the proposed development is consistent with PPS and conforms with the County and Town Official Plans.

Prepared by:

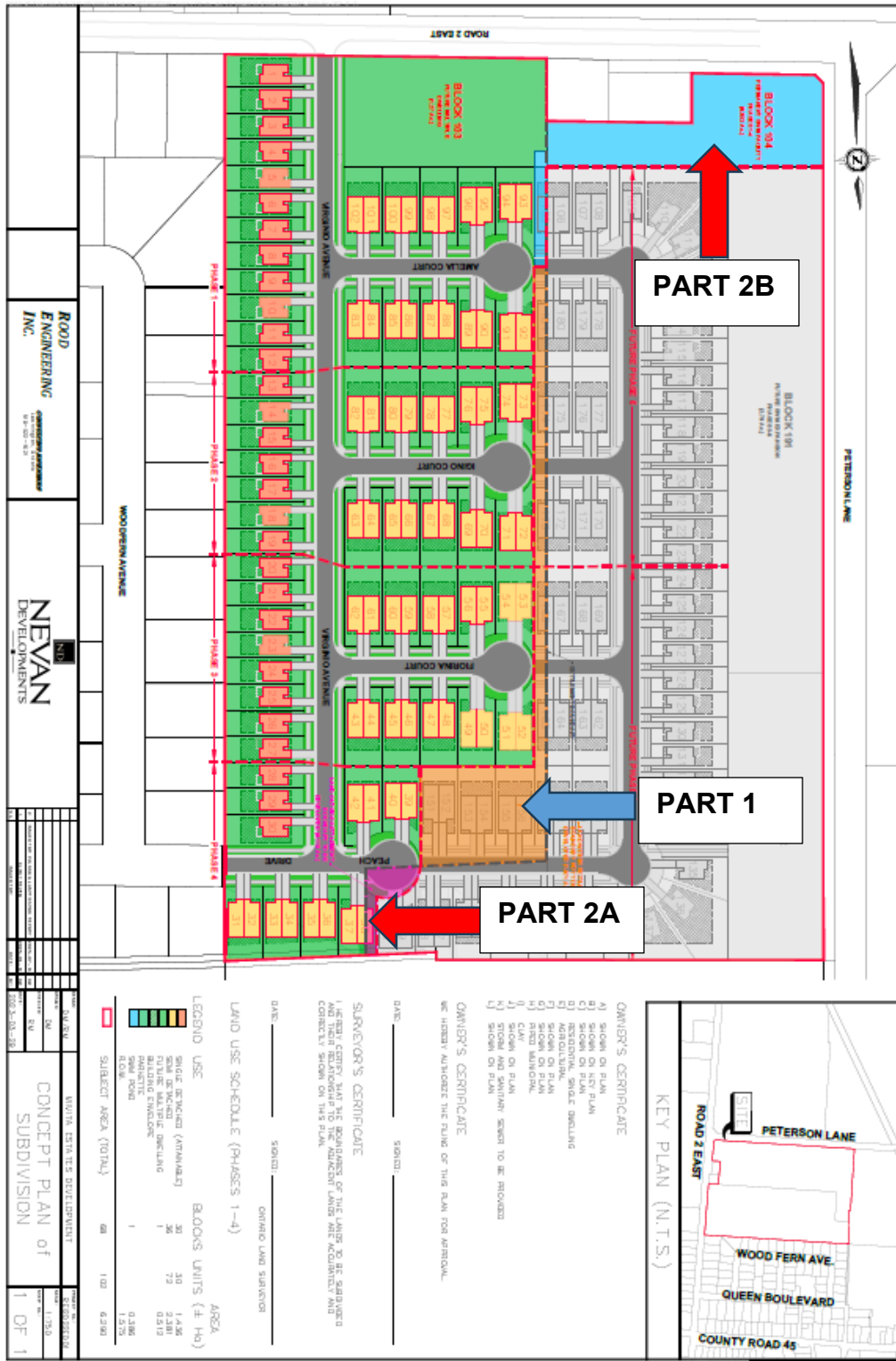
A handwritten signature in black ink, appearing to read 'Robert Brown', with a long horizontal line extending to the right.

Robert Brown, H, Ba, MCIP, RPP  
Principal Planner  
Oakview Land Use Planning

# Appendix A – Location Map



## Appendix B – Subdivision Detail

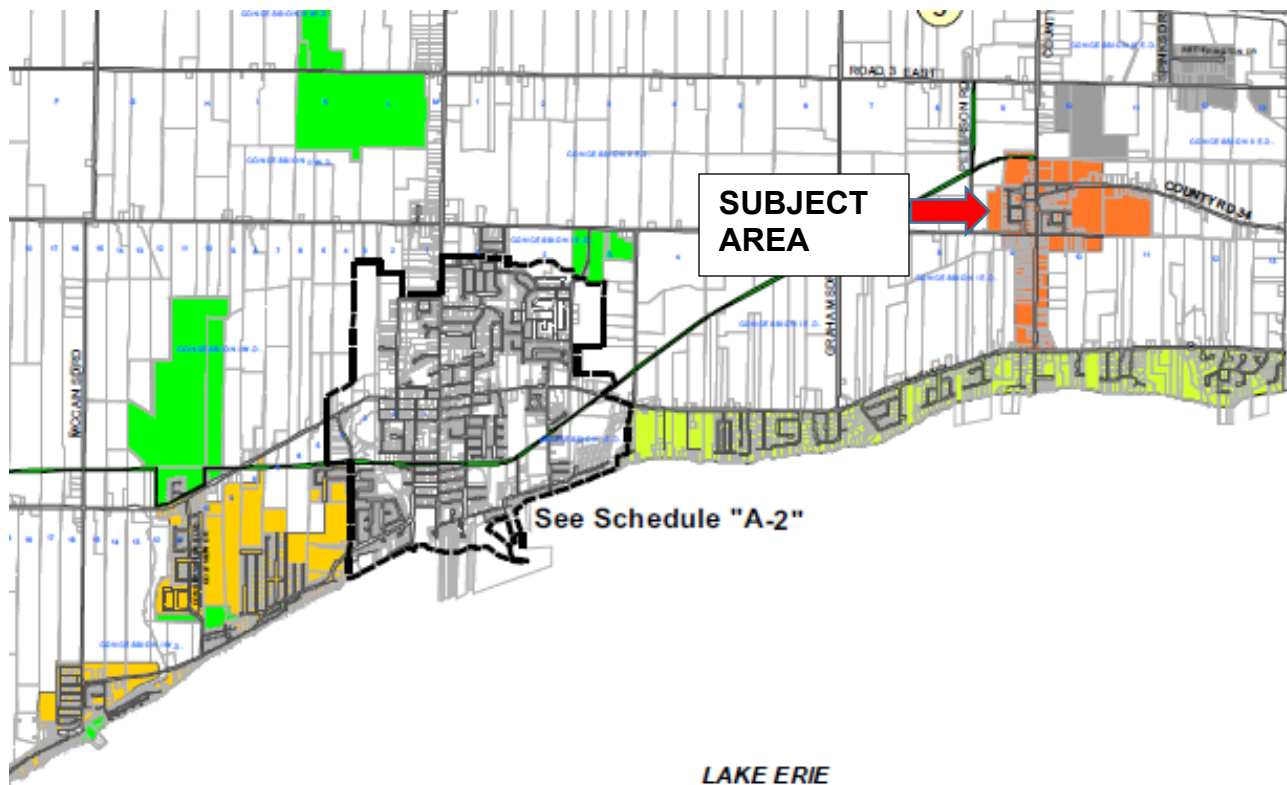




## County of Essex Official Plan Schedule A-2



## Town of Kingsville Official Plan Schedule A



### SCHEDULE "A" OFFICIAL PLAN TOWN OF KINGSVILLE LAND USE PLAN



- |                                                                                      |                            |
|--------------------------------------------------------------------------------------|----------------------------|
|  | Agricultural               |
|  | Rural Residential          |
|  | Lakeshore Residential East |
|  | Lakeshore Residential West |
|  | Special Residential        |
|  | Hamlet                     |
|  | Industrial                 |
|  | Parks and Open Space       |

August 20, 2010



# Appendix C – Soil Type

Farm & Field Name	Mivita Estates
911 Location	1478 Road 2 E
Upper Tier Municipality	COUNTY OF ESSEX
Lower Tier Municipality	TOWN OF KINGSVILLE
Geotownship	GS
Roll Number	
Lot	9
Concession	2
Notes	
Site Assessment Performed By	R Brown
Site Assessment Date	May 8, 2023
Is the field tile drained	Yes
Tile inlets	Yes
Tile outlets	Yes
Surface water	Yes
Drilled wells	No
Other wells	No
Municipal wells	No
Areas where soil depth is < 30cm	No
Rock outcrops	No
Areas subject to ponding	No
Location of non-agricultural land uses	No

Field Sketch - Soil Type



0

0.3 km

Map Created : 5/8/2023

Map Center: 42.0519 N, -82.67506 W

N

Ontario

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THIS IS NOT A PLAN OF SURVEY.