



Date: January 29, 2024

To: Mayor and Council

Author: Vitra Chodha, Planner

RE: Application for Zoning By-law Amendment (ZBA-2023-17)
by Anne Dick, James Malott & Scott Malott
200 Heritage Road & 230 Heritage Rd
Gosfield South Concession 1 WD Pt Lots

RECOMMENDED ACTION

1. That By-law 06-2024, being a By-law to amend the Comprehensive Zoning By-law for the Town of Kingsville **BE APPROVED** to amend the zoning on the subject parcels from Lakeshore Residential - Holding, LR(h) to Lakeshore Residential (LR), as a result of a lot creation and lot addition that was obtained on the subject parcels through consent applications B-2023-16 & B-2023-17

BACKGROUND

The Town of Kingsville has received the above noted application for lands located west of County Road 50 and south of James Avenue as seen on the attached location map (Appendix A). 200 Heritage is designated 'Lakeshore Residential West' and 'Agricultural' by the Official Plan and zoned 'Lakeshore Residential-h (LR-h)' and Agricultural A-1. 230 Heritage Road is designated Lakeshore 'Residential West' and zoned 'Lakeshore Residential (LR)' under the Kingsville Comprehensive Zoning By-law.

The subject property obtained consent (B-2023-16) to convey 0.2 ac (826.93 sq. m) of vacant lands shown as Part 2 on the applicant's survey (Appendix B) to 230 Heritage Rd. As a result of the Consent, an amendment to the zoning is required to remove the holding provision on the 0.2 ac land that was conveyed.

In addition, the subject property obtained consent (B-2023-17) to create a new residential lot shown as Part 1 on the applicant's Survey (Appendix B). The newly created lot contains a single detached dwelling and 3 accessory structures; it has an area of 0.9 ac (3,611.5 sq. m) and a frontage of 38.10 m (125 ft). The newly created lot contains a holding symbol pertaining to servicing constraints that was associated with the large retained parcel at 200 Heritage Road. An amendment to the zoning is required to remove the holding provision on the newly created lot.

DISCUSSION

1) Provincial Policy Statement (PPS), 2020:

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. It (PPS) recognizes that the wise management of development may involve directing, promoting or sustaining growth. Land use must be carefully managed to accommodate appropriate development to meet the full range of current and future needs, while achieving efficient development patterns."

Section 1.1.3.1 indicates, "*Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.*"

Comment: The application is consistent with the PPS, the lots that were created were within the settlement area and the removal of the holding symbol promotes future development on the newly created lot and the lot addition to 230 Heritage Rd.

2) Town of Kingsville Official Plan

The Official Plan for the Town of Kingsville designates the subject property 'Lakeshore Residential West'. The requested removal of the holding symbols does not impact the uses outlined by the Official Plan designation. Therefore, the removal of the holding symbols is in compliance with the Town of Kingsville's Official Plan.

3) Comprehensive Zoning By-law

The subject property is zoned 'Lakeshore Residential- holding (LR-h)' in the Comprehensive Zoning By-law. The proposed removal of the holding symbol will apply to Part 1 & Part 2 of the applicant's sketch found in Appendix B, upon removal of the holding symbol the lands shown as Part 1 & Part 2 in Appendix B will be rezoned 'Lakeshore Residential (LR)'. The proposed rezoning does not result in any zoning compliance issues.

FINANCIAL CONSIDERATIONS

No financial concerns

ENVIRONMENTAL CONSIDERATIONS

No environmental concerns

CONSULTATIONS

Public 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.

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 from circulated agencies.

Town of Kingsville Technical Advisory Committee

There was no technical objection to the proposed zoning amendment.

PREPARED BY:

Vitra Chodha

Vitra Chodha
Planner

REVIEWED BY:



Richard Wyma, CSLA
Director of Planning and Development