

Planning Services

**NOTICE OF APPLICATION FOR DRAFT PLAN OF SUBDIVISION
&
NOTICE OF PUBLIC MEETING FOR ZONING BY-LAW AMENDMENT
&
NOTICE OF PUBLIC MEETING FOR CONSENT APPLICATION**

**Changes are proposed for
1478 ROAD 2 EAST and part of 0 ROAD 2 EAST (Vacant lot) - See attached maps**

Location: Part of Lot 9, Concession 2 Eastern Division, in The Town of Kingsville

Applicant: 1552843 Ontario Ltd. & Mivita Holdings Inc. c/o Walter Branco

File No.: SUB-2022-02 – Residential Subdivision
(Approval Authority - County of Essex File No.: 37-T- 24002)

ZBA-2024-19 – Zoning change from General Agricultural Zone (A1) to a Site-Specific Residential Zone 2 Rural/Urban (R2.2-12) and Public Utilities/Facilities Zone (MG)

B-2024-27 – Consent application for land exchange (boundary adjustments) between 1478 ROAD 2 EAST and 0 ROAD 2 EAST, as well as granting a 3m wide easement in favour of the Town of Kingsville

Description of Proposed Plan of Subdivision (SUB-2022-02 / 37-T- 24002)

The County of Essex (Approval Authority) has received and deemed complete an application for a Draft Plan of Subdivision, File No. 37-T- 24002. The subject properties (municipally known as 1478 ROAD 2 EAST and 0 ROAD 2 EAST) are currently vacant (agricultural use) and are located to the north side of Road 2 East, between Peterson Lane and Woodfern Avenue in Ruthven, as shown in the attached map and the Draft Plan of Subdivision.

The portion of the lands which is being considered for the draft plan of Subdivision is designated Hamlet within the Kingsville Official Plan, and zoned General Agricultural Zone (A1) in the Comprehensive Zoning By-law 1-2014, for the Town of Kingsville. The applicant has applied for Draft Plan of Subdivision Approval for thirty (30) single detached dwelling lots, thirty-one (31) lots for sixty-two (62) semi-detached dwelling units, two (2) blocks for Townhouse Dwellings, containing total of ten (10) townhouse units, one (1) block for a multi-residential townhouse complex, containing total of twenty-four (24) units, one (1) block for a stormwater management facility, and one (1) block for stormwater access. The new lots and blocks will have access from the proposed Virginio Avenue, which will connect to Road 2 East and the future extension of Peach Drive, as well as three (3) proposed cul-de-sacs named Amelia Court, Igino Court and Fiorina Court, which will all be dedicated as public roads.

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It is part of the County of Essex process to request a resolution of support from the local municipal Council for a plan of subdivision approval. **The date this matter will be considered by the Town of Kingsville Council seeking a resolution of support is Monday, November 25, 2024.**

Based on recent changes to the *Planning Act*, **there is no requirement to hold a statutory public meeting and this notice is provided for information purposes to the public.** Further, based on Subsection 51(22) Notice of the application should also advise that “any person or public body may make written submissions to the approval authority (County of Essex) before the approval authority makes its decision under subsection (31) of the Act”.

For More Information about the proposed Draft Plan of Subdivision, including the information about preserving your appeal rights, contact Rebecca Belanger, Manager, Planning Services, County of Essex, 360 Fairview Avenue West, Essex, ON, N8M1Y6, or via email at rbelanger@countyofessex.ca, indicating the **County of Essex file number, No. 37-T- 24002 – Mivita Residential Subdivision**, in the subject of the email.

Any comments regarding this proposed subdivision should be submitted to the County of Essex for consideration no later than December 2, 2024.

Any owner of any land that contains seven (7) or more residential units is requested to post this notice in a location that is visible to all the residents.

Any Person or Public Body may make written submissions to the approval authority before the approval authority makes its decision under subsection (31) of the Act.

Description of the required Zoning By-law Amendments (ZBA-2024-19) and Consent Application (B-2024-27) for boundary adjustments as well as granting easement for the proposed Draft Plan of Subdivision

ZBA-2024-19:

The portion of the lands which is being considered for the draft plan of Subdivision is designated Hamlet within Kingsville Official Plan, and zoned General Agricultural Zone (A1) in the Comprehensive Zoning By-law 1-2014, for the Town of Kingsville. To allow the proposed subdivision for residential development it is required that the lands be properly zoned for Rural/Urban Residential use. The applicant is requesting a site-specific Residential Zone (R2.2-12), to allow for construction of Single Detached Dwellings, Semi-Detached Dwellings and units, as well as Townhouse Dwellings and units and Multi-Residential Townhome Complex, which will all have reduced lot area, lot frontage, setbacks and increased lot coverage, when compared to R2.2 zone.

Furthermore, that portion of the lands in the draft plan of subdivision which will be used for the stormwater management facility and stormwater access will be zoned from General Agricultural Zone (A1) to Public Utilities/Facilities Zone (MG).

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B-2024-27:

1. To sever part of the vacant lot, municipally known as 0 ROAD 2 East, at its south-west end, having the area of 3,759.3 m², and convey it to the property next east, municipally known as 1478 ROAD 2 East, to be used for stormwater management pond facilities for the proposed draft plan of subdivision, as shown on the attached map for Consent B-2024-27;
2. To sever part of the vacant lot, municipally known as 0 ROAD 2 East, at its north-east end, having the area of 494.6 m², and convey it to the property next east, municipally known as 1478 ROAD 2 East, to be used for part of the cul-de-sac bulb at west end of proposed extension of Peach Drive, as well as part of Lot 34 on the proposed draft plan of subdivision, as shown on the attached map for Consent B-2024-27;
3. To register a 3m wide easement, having the area of 692.3 m², along the west property line of the lands municipally known as 1478 ROAD 2 East, in favour of the Town of Kingsville, for placement of water services; and
4. To sever part of the land municipally known as 1478 ROAD 2 East, along its west property line and at its north-west end, having the area of 4,258 m², and convey it to the property next west, municipally known as 0 ROAD 2 East, in exchange of the 2 parts received above.

For More Information about the Zoning By-law Amendment and/or Consent Application or to provide your input on this matter, **please contact Town of Kingsville Planning Services**. Your comments can be submitted until 4:00 p.m. on November 25, 2024, by email planning@kingsville.ca, or by mail to:

Town of Kingsville, Planning Services
2021 Division Road North
Kingsville, ON N9Y 2Y9

If you wish to be notified of the decision of the Town of Kingsville on the proposed Zoning By-law Amendment and/or Consent Application, you must make a written request to planning@kingsville.ca, or mail to the attention of: **Town of Kingsville, Planning Services, 2021 Division Road North, Kingsville, ON N9Y 2Y9**. This will also entitle you to be advised of appeals, if any are submitted.

If a person or public body would otherwise have an ability to appeal the decision of the Town of Kingsville to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the Town of Kingsville before the by-law is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the Town of Kingsville before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

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If you would like to know more about this application or to tell us what you think you can attend the Council Meeting.

WHEN: November 25, 2024 - 6:00 p.m.

WHERE: Virtual meeting on Zoom – Please see the “Electronic Participation” document for instruction, attached to this notice

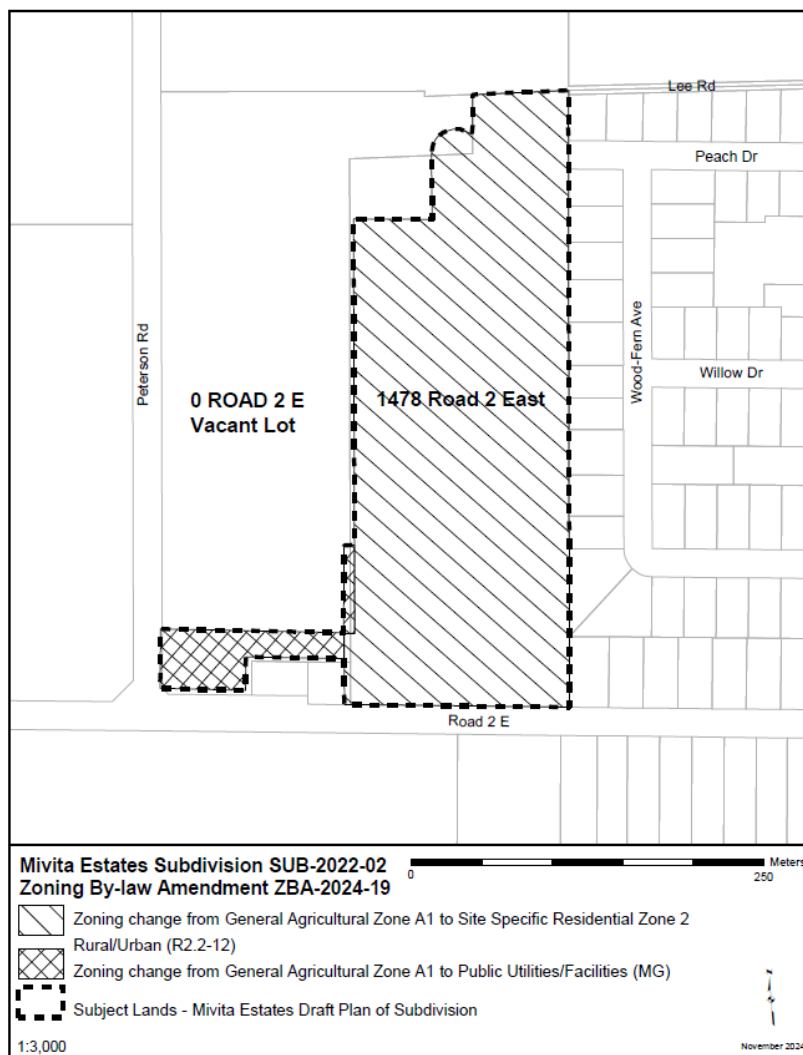
OR

In-person by attending the public meeting at:

Unico Hall Community Centre, 37 Beech Street, Kingsville, ON N9Y 1A9

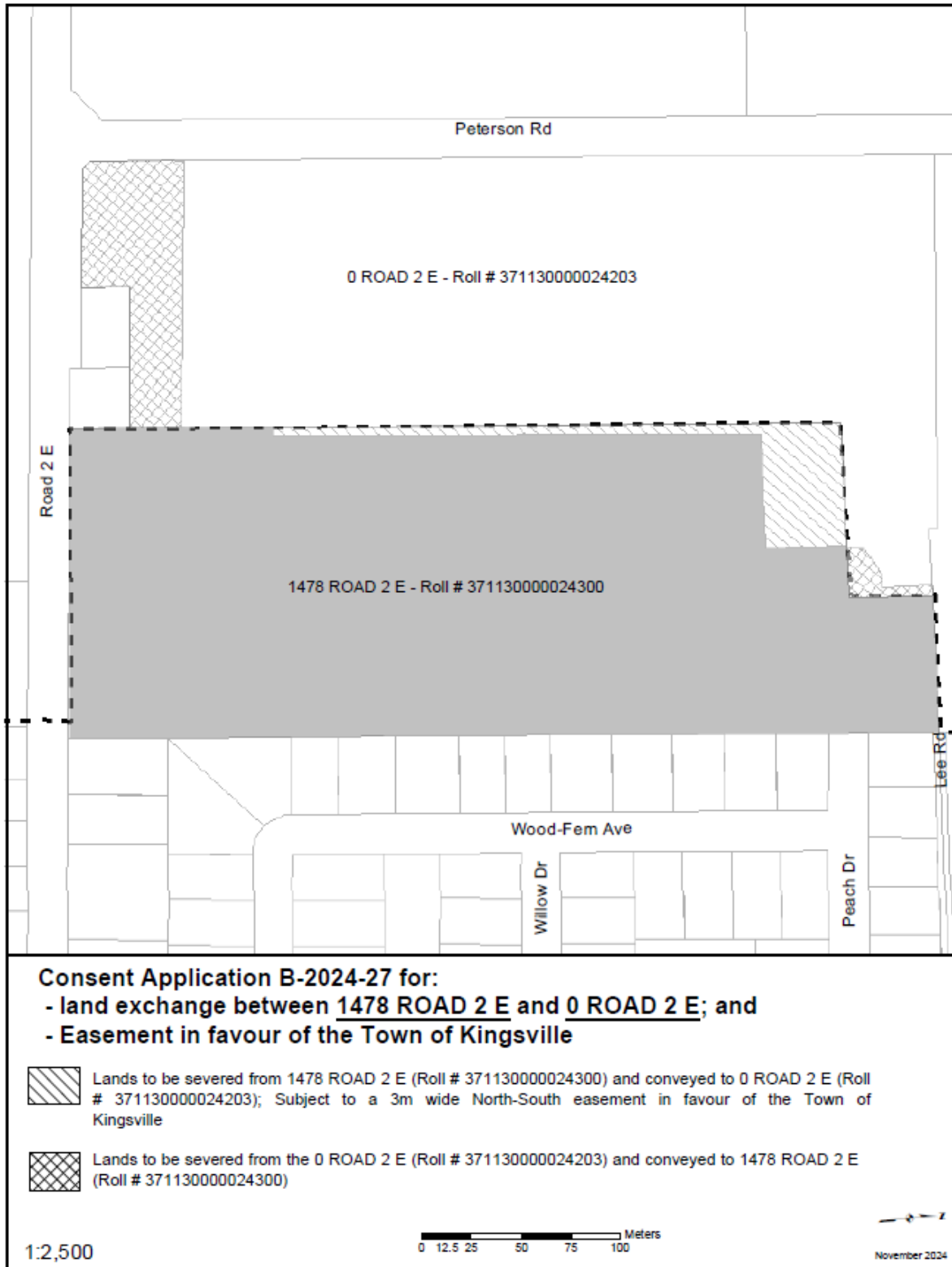
Dated at the Town of Kingsville this 5th day of November 2024.

Mivita Estates Subdivision and Rezoning Key Map

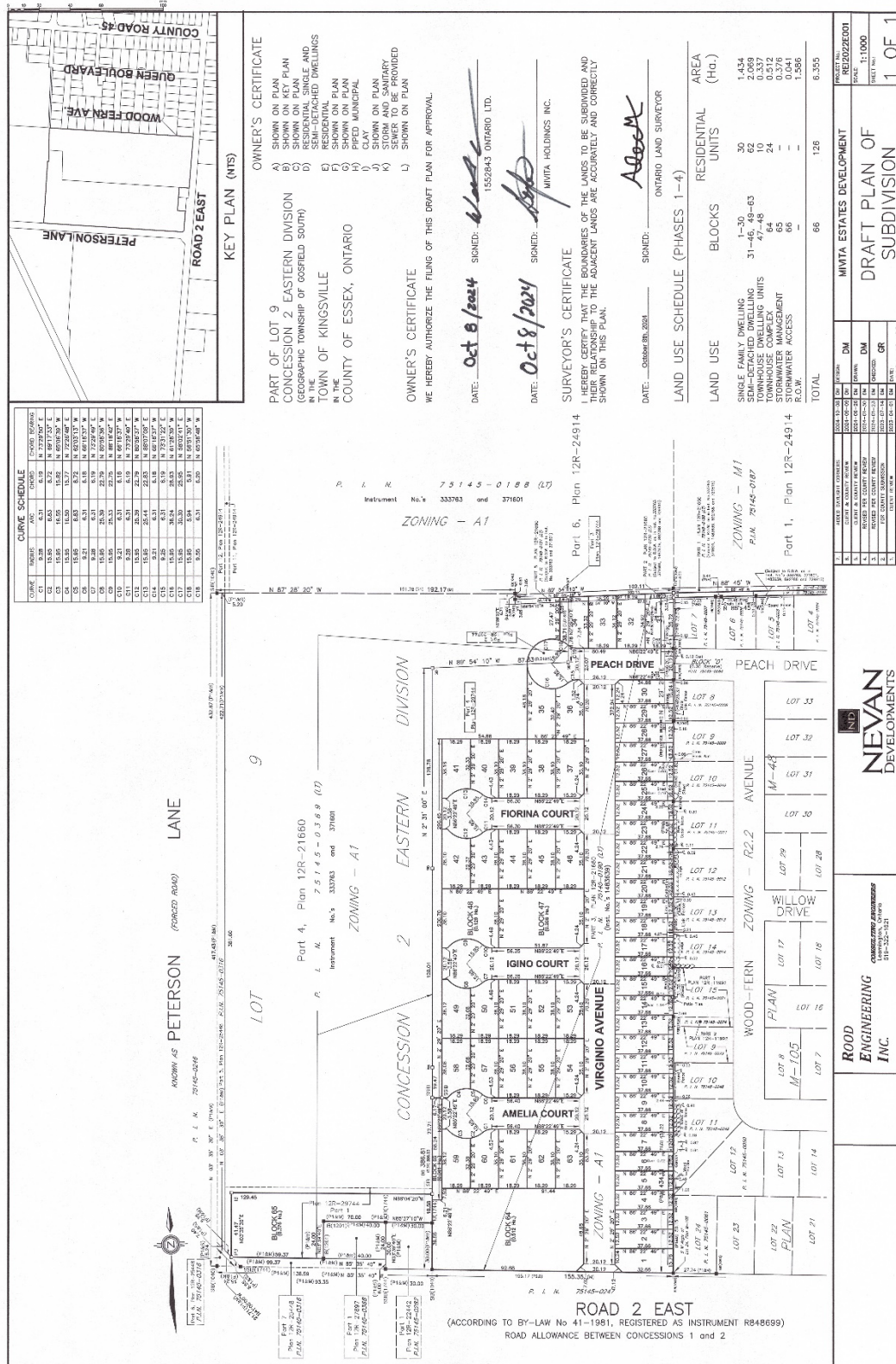


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Consent Application Key Map



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NEVAN DEVELOPMENTS

ROOD ENGINEERING INC.

CONCRETE DESIGN & CONSTRUCTION
 519-225-2321

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Electronic Participation

This meeting will be held in person, with an electronic element, in accordance with Procedural By-law 77-2021. Delegates and presenters will be provided with the option to attend in-person or electronically and spectators will be allowed into the building to watch or can continue to use the livestream option.

If you wish to participate via zoom, please read the instructions below:

Delegates, participants, and members of the public wishing to participate electronically **must request Zoom details by 11:00 am on the date of the public meeting**, as per By-Law 77-2021. Please refer to the contact information provided with this notice.

Please note that neither a computer, nor a video sharing device, is required to participate in the meeting via Zoom. You may also opt to call in from a cell or landline.

Persons who intend to participate electronically during the meeting may wish to register/sign up in Zoom, if they have not already done so. The following information is provided for your consideration and guidance during remote participation in the meeting:

- **Please join the meeting by 5:55 PM in order to avoid any delays.** If you have not joined the public meeting while your Agenda Item is up for public comment you will have forfeited your request.
- When you join the meeting, either by phone or online, you will be admitted in as an attendee. You will not be greeted upon joining the call. You will be able to hear the meeting and see the active speaker (if you have video capability), but your mic will be muted until it is your turn to speak.
- If you join the Zoom meeting through your phone, please **Do not put the phone on hold at any time**, as this will result in broadcasting “hold music” online once your mic function is unmuted.
- To optimize call quality when using a laptop, a headset with microphone is recommended. If you are using your laptop microphone or cell phone, please speak directly into the receiver and do not use speaker phone
- **Please do not forward the Zoom meeting details with anyone or post through social media.** Only registered participants will be admitted to the Zoom meeting.
- **Participants should keep comments directly related to the matter to which they are speaking to.** Questions are to be directed to the Chairperson. Council Members may choose to ask you follow-up questions following your remarks, comment, or ask staff to respond to your comments.
- After providing your comments and answering any questions that may be directed to you, the Meeting Coordinator will disconnect you from the Zoom meeting.

For more information, please contact:

Town of Kingsville, Planning Services
Phone: 519-733-2305 Ext. 244
Email: planning@kingsville.ca
The Corporation of the Town of Kingsville
2021 Division Road North
Kingsville, Ontario N9Y 2Y9

Planning Items for Review at the November 25, 2024 Committee of Adjustment and Appeals

Posted Thursday, November 14, 2024

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The Committee of Adjustment and Appeals will review the following application at its November 25, 2024 meeting:

Applications for a residential subdivision, consent for land exchange, and a zoning by-law amendment at 1478 Road 2 East and the adjacent vacant lot at 0 Road 2 East. Please note that a more updated version of the draft plan of subdivision is provided here, after the paper notices were mailed out to neighbouring property owners. The total number of lots, blocks and unit remain unchanged between the 2 plans. The layout of the subdivision also remains the same. [SUB-2022-02, B-2024-27, and ZBA-2024-19](/en/news/resources/Planning-Notices/SUB-2022-02-Notice-of-Application-Draft-Plan-ZBA-Consent---Accessible.pdf) (/en/news/resources/Planning-Notices/SUB-2022-02-Notice-of-Application-Draft-Plan-ZBA-Consent---Accessible.pdf).

In 2023, Council for the Town of Kingsville and the County of Essex approved an Official Plan Amendment, which allowed for a 1:1 swap of lands between the subject properties and a corresponding adjustment to the Secondary Settlement Area. The land swap conformed to the Official Plan for the County of Essex. The amendment was required to proceed with a draft plan of subdivision, which the applicant is proposing at this time. The County of Essex, being the approval authority for plans of subdivisions, has deemed their application complete and as a result, an amendment to the existing zoning and a consent for a land exchange to facilitate the approved Official Plan Amendment will be considered.

The proposed residential subdivision (County of Essex File 37-T-24002 and Town File SUB-2022-02) is thirty (30) single detached dwelling lots, thirty-one (31) lots for sixty-two (62) semi-detached dwelling units, two (2) blocks for Townhouse Dwellings, containing total of ten

(10) townhouse units, one (1) block for a multi-residential townhouse complex, containing total of twenty-four (24) units, one (1) block for a stormwater management facility, and one (1) block for stormwater access. The new lots and blocks will have access from the proposed Virginio Avenue, which will connect to Road 2 East and the future extension of Peach Drive, as well as three (3) proposed cul-de-sacs named Amelia Court, Igino Court and Fiorina Court, which will all be dedicated as public roads. To allow the proposed subdivision, a site-specific amendment to the zoning by-law is necessary to permit residential use (Town File ZBA-2024-19). The proposed consent will reflect the Official Plan Amendment that was approved in 2023 (Town File B-2024-27).

The decision to approve the subdivision is with the County of Essex and any comments relating to the subdivision should be sent to Rebecca Belanger, Manager of Planning Services for the County of Essex at rbelanger@countyofessex.ca (<mailto:rbelanger@countyofessex.ca>). The rezoning application and consent application will be considered by Council for the Town of Kingsville and any comments relating to these applications should be sent to Planning & Development for the Town of Kingsville at planning@kingsville.ca (<mailto:planning@kingsville.ca>).

The meeting starts at 6:00 pm. Please review the notice and follow the directions to submit your comments.

We are now holding Council and Committee meetings at the Unico Hall Community Centre, 37 Beech Street.

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