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**Date:** May 5, 2017

**To:** Mayor and Council

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Manager, Planning & Development Services

**RE:** Draft Plan of Subdivision – Valente Lands – 1646322 Ontario Ltd.  
Change of County Conditions & Acceptance of Ontario Municipal  
Board Ordered Concept Plan to Draft Plan Form

**Report No.:** PDS-2017-019

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## **AIM**

To request a Council resolution to the County of Essex, Manager of Planning Services to acknowledge that the amended draft plan for the Valente Subdivision accurately reflects the concept plan endorsed by Council and so order by the Ontario Municipal Board and endorse the proposed change to Item #1 of the County draft conditions.

## **BACKGROUND**

As Council is aware the application for draft plan of subdivision was appealed to the Ontario Municipal Board in 2014. The Town and developer, in advance of the Municipal Board hearing in August of 2015, agreed to a concept plan, now referred to as the amended draft plan that resulted in a significant reduction in the number of lots from 973 to a potential maximum of 750. The Board approved the concept plan (Appendix 'A') has now been formally prepared in draft form (Appendix 'B') and has been submitted to the County for draft approval.

## **DISCUSSION**

The concept plan that was reviewed and supported by Council showed the basic layout, phasing, road pattern and mix of housing types but was not the formal certified draft plan, prepared by an Ontario Land Surveyor that was submitted originally for the 973 lot proposal. The formal draft plan has now been prepared based on the conceptual plan and is consistent with what was approved. The formal draft plan does not outline the phases of development, this would be a separate document which would be a condition included at

the time the development agreement is prepared. That phasing plan would have to also be consistent with the Board order.

As noted in the May 3<sup>rd</sup> letter (see Appendix 'C') from the County Planner a 'Decision to Change the Conditions of Draft Approval' is also necessary to address what is more of a technical issue to revise the wording of Condition #1 to reflect the amended draft plan, essentially the 750 lot plan versus the original 973 lots which was noted in Condition #1 prior to the appeal.

#### Item#1 – Original Draft Plan

'That this approval applies to the draft plan of subdivision prepared by Andrew Mantha, O.L.S. dated October 11, 2012, that shows a total of one hundred forty nine (149) lots and/or blocks for **973** single detached, semi-detached, townhouse and multi-family residential uses, one block for parkland (Block 34) and two blocks for commercial use (Blocks 32 & 33)'

#### Item #1 – Board Order Concept/Draft Plan

"That this approval applies to the draft plan of subdivision prepared by Verhaegen, Stubberfield, Hartley, Brewer, Bezaire Inc. (Brian Coad, O.L.S.) dated April 25, 2017, that shows one hundred eighty-three (183) lots and/or blocks for **750** single detached, semi-detached and townhouse residential uses, two blocks for parkland (Blocks 178 & 179), three blocks for one foot reserves (Blocks 180, 181 & 182) and one block for commercial use (Block 183).

The Board also ordered the associated amending zoning by-law be approved by Council however at present the developer is reviewing the next steps of the development prior to moving forward. As such bringing the amendment forward at this time is considered premature by the developer and Administration. Any changes in the future to the Board ordered draft plan will require additional public notification and consultations.

#### **LINK TO STRATEGIC PLAN**

There is no link to the Strategic Plan as result of this request.

#### **FINANCIAL CONSIDERATIONS**

There is no direct financial impact at this stage.

#### **CONSULTATIONS**

Management staff was advised of the County request. Christine Riley, the solicitor who represented the Town during the Board hearing, was also advised by the County of the requested resolution from Council. Ms. Riley has provided comment on the consistency of the concept plan and formal draft plan submission, see Appendix 'D'.

## RECOMMENDATION

It is recommended that Council adopt a resolution to acknowledge that the amended draft plan attached as Appendix 'B' accurately reflects the concept plan, Appendix 'A', approved by the Ontario Municipal Board and endorse the proposed change of Item #1 of the County draft conditions.

*Robert Brown*

Robert Brown, H. Ba, MCIP, RPP  
Manager. Planning & Development Services

*Peggy Van Mierlo-West*

Peggy Van Mierlo-West, C.E.T.  
Chief Administrative Officer