



## Report to Council

Department: Development Services  
Division: Planning  
Date: February 5, 2024  
Prepared by: Rita Jabbour, RPP, Manager, Planning Services  
Report Number: Planning-2024-03  
Subject: Removal of Holding Zone Provisions for Lands located on Given Road (Ward 4)  
Number of Pages: 4 including attachments

### Recommendation(s)

**That** Planning Report Planning-2024-03 entitled Removal of Holding Zone Provisions for the Lands located at 155 Given Road (Ward 4) prepared by Rita Jabbour, RPP, Manager, Planning Services dated February 5, 2024 be received, and

**That** By-Law Number 2307, being a By-Law to Remove the Holding Zone restrictions for Part 1 on 12R-26441 and Part 1 on 12R-27343 be read a first, a second, and a third time and finally passed on February 5, 2024.

### Purpose

Adoption of By-Law Number 2307 is required to authorize the removal of the Holding (H) restriction to permit the construction of future residential dwellings for the lands on Given Road legally described as Part 1 on 12R-26441 and Part 1 on 12R-27343.

## Background and Discussion

A request to remove the Holding (H) zone restriction for the lands located at 155 Given Road (Part 1 on 12R-26441) and the lands located to the East at 0 Given Road (Part 1 on 12R-27343) has been received at the Town of Essex. A map of the subject lands is provided below:



The lands are located within the Harrow Primary Settlement Area and are designated “Residential” under the Town of Essex Official Plan. The lands are zoned HR1.1 to permit single detached dwellings and any accessory use thereto under the Town of Essex Zoning Bylaw, Bylaw 1037.

Where the prefix ‘H’ precedes any zoning district symbol, no use, building or other structure shall be permitted. The “H” prefix may be removed when the following preconditions have been satisfied:

- i. the property is on a registered plan of subdivision; and,

ii. full municipal services (a paved road, a municipal sanitary sewer and an approved stormwater outlet) are available or an executed agreement to provide full municipal services is in effect.

Although located in the Harrow Primary Settlement Area, the lands are currently used for agricultural purposes. 155 Given has recently been recognized as a Heritage Farm in recognition of its continued agricultural use by the Meleg family since 1945. The present owners are dedicated to preserving the integrity and memory of the early settlers of this historic property. Thus, the Owners have no interest in developing the lands as a residential subdivision. They do, however, have intentions to demolish an existing dwelling on the lands and rebuild a new dwelling on the lands, which requires the removal of the Hold to allow for the issuance of a Building permit. Additions and renovations to existing dwellings on lands with a Hold provision are permitted without the need to remove the Hold provision.

The lands have access to full municipal services along Given Road (Water, Sanitary and Storm Sewers). The lands are identified on a Registered Reference Plan, **attached to this report**.

It is now appropriate to remove the Hold.

## Financial Impact

Removal of the Hold will facilitate the development of the lands for one (1) single detached dwelling and any use accessory thereto. Development Charges are applicable at the time of Building permit issuance. **As per Section 3.15 of the Town's DC By-law**, if a dwelling is demolished and redevelopment occurs within 48 months, a reduction of development charges could apply dependent on the type of redevelopment.

## Consultations

Joseph A. Malandrucolo, Director, Legal and Legislative Services/Clerk

Kate Giurrissevich, Director, Corporate Services/Treasurer

Kevin Girard, Director, Infrastructure Services

## Link to Strategic Priorities

- Embrace asset management best practices to build, maintain, and continuously improve our municipally owned infrastructure.
- Leverage our Town's competitive advantages to promote jobs and economic investment.**
- Take care of our natural environment and strengthen the sense of belonging to everyone **who makes Essex "home"**.
- Deliver friendly customer service in an efficient, effective, and transparent manner while providing an exceptional working environment for our employees.
- Build corporate-level and community-level climate resilience through community engagement and partnership and corporate objectives.

## Report Approval Details

Document Title:	Holding Zone Removal for 155 Given Road - Planning-2024-03.docx
Attachments:	- 12R27343 (002).jpg - Bylaw 2307.pdf
Final Approval Date:	Jan 30, 2024

This report and all of its attachments were approved and signed as outlined below:



Lori Chadwick, Director, Development Services - Jan 30, 2024 - 4:51 PM



Doug Sweet, Chief Administrative Officer - Jan 30, 2024 - 4:52 PM