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Date: August 19, 2020

To: Mayor and Council

Author: Robert Brown, H. Ba., MCIP, RPP
Manager, Planning Services

RE: Application for Minor Development Agreement AGR/02/2020 by
Benjamin & Sara Epp
3621 County Road 31
Part of Lot 25, Concession 7

Report No.: PS 2020-044

AIM

To provide the Mayor and Council with details regarding a proposed minor development agreement on lands known as 3621 County Road 31 in the Town of Kingsville, to permit a second dwelling temporarily.

BACKGROUND

The subject property is a 2.32 ha (5.75 ac.) rural residential parcel and contains an existing dwelling and outbuildings. The owners are planning to construct a new single detached dwelling on the parcel (shown in Appendix A) but would like to be able to live in the existing dwelling during construction. Once the new dwelling is in place the existing dwelling on the property would be removed. Since the zoning by-law does not permit two dwellings on one lot a minor development agreement is required. The agreement outlines that the existing dwelling is temporarily permitted during construction but must be removed within a set time frame. This can be within one year of entering into the agreement or once the owner is ready for occupancy they must apply for a demolition permit and remove the existing dwelling within 90 days. These options provide a degree of flexibility to a property owner depending on the scale of the new build.

DISCUSSION

The subject property is designated 'Agriculture' by the Kingsville Official Plan and zoned Agriculture (A1) in the Kingsville Comprehensive Zoning By-law. Both the Official and Zoning By-law limit all lots to one dwelling. Since the proposed development on the lot is a

temporary circumstance and not uncommon, particularly in rural areas, past practice has been to permit a new home to be constructed while the owners are still living in the existing dwelling. The condition for issuing a permit is entering into a minor development agreement with the Town to outline the terms and conditions. The property specific agreement is attached as Appendix 'B'.

LINK TO STRATEGIC PLAN

There is no specific link to the strategic plan.

FINANCIAL CONSIDERATIONS

There will be a net increase in property assessment with the construction of the new dwelling. Since there is an existing dwelling on the lot development charges would not be applicable.

CONSULTATIONS

In order to provide a safeguard to the Town past practice has been the collection of a security deposit. The securities would be in place to insure that removal of the existing dwelling does occur and in a timely manner. Alternatively, in the event the dwelling is not removed it would provide the Town with the financial resources to cover the cost of removal.

RECOMMENDATION

That Council:

Approve the proposed minor development agreement to permit a second single detached dwelling at 3621 County Road 31, temporarily during the construction of a new dwelling on the property, and authorize the Mayor and Clerk to sign the minor development agreement and register said agreement on title.

Robert Brown

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

John Norton

John Norton, B.A., M.A., LL.B.
Chief Administrative Officer