



**Date:** April 15, 2025

**To:** Committee of Adjustment and Appeals

**Author:** Vitra Chodha, Town Planner

**RE:** Application for Consent (B-2025-3)  
1357 County Road 50 (Heritage Road)

---

## **RECOMMENDED ACTION**

That the Committee of Adjustment and Appeals **approve** consent application B-2025-3, to re-establish the boundaries of two previously existing lots of records shown as Parts 1 & 2 having an approximate area of 555.1 square metres and Part 3 having an approximate area of 607.9 square metres on the Applicant's Survey for the properties known as 1357 Heritage Road & V/L Heritage Road, in the Town of Kingsville, subject to the following conditions:

1. That the applicant confirm that all municipal services are contained within the property lines and do not cross over to the neighbouring properties;
2. That the necessary deed(s), transfer, or changes be submitted electronically, signed and fully executed, including a copy of the reference plan (R-Plan), prior to certification; and
3. The conditions imposed above shall be fulfilled by April 15, 2027, or this application shall be deemed to be refused in accordance with Section 53(41) of the *Planning Act*.

## **BACKGROUND**

The Town of Kingsville has received an application for lands located West of 1363 County Road 50 (Heritage Road) and South of Heritage Road, as shown on the attached location map (Appendix A). The subject application relates to two parcels that merged on title: 1357 Heritage Road having an area of 555.1 square metres and frontage of 15.2 metres; V/L East of 1357 Heritage Road having an area of 607.9 square metres and a frontage of 19.0 metres.

The properties were two separate residential lots that have merged on title under the same ownership. The applicant is proposing to sever the merged property to re-establish the previously existing lot configuration. There are no changes in land use or development proposed on either property at this time.

## **DISCUSSION**

### **1. Provincial Policy Statement (2024)**

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development in the province of Ontario. It supports the provincial goal to enhance the quality of life for all Ontarians.

The PPS defines development as the creation of a new lot, a change in land use, or the construction of buildings and structures requiring approval under the Planning Act with some exception. In this case, the applicant is only looking to re-establish a lot line that merged on title and the intention is not to create a new lot but re-establish a lot line that existed.

There are no issues of provincial concern raised by the proposed re-establishment of a previously existing lot line as such this application is consistent with the PPS 2024.

### **2. County of Essex Official Plan, 2014**

The County of Essex Official Plan provides direction on matters of County interest related to land use planning and development within the County of Essex.

The subject properties are located within the secondary settlement area on Schedule A2 of the County of Essex Official Plan.

Section 4.6.4 of the County Official Plan delegates the authority for Consent to the local municipality. Sections 3 and 4 of this report address the local municipal policies.

### **3. Town of Kingsville Official Plan, 2023**

The Town of Kingsville Official Plan sets out in general terms the future pattern of development for the Town of Kingsville with several purposes including enhancing the Town as a place for living, working and leisure.

The subject properties are designated as 'Lakeshore Residential West' on the Town of Kingsville Official Plan. The proposed application to re-established lot lines that merged on title and as outlined in Section 1 of this report is not defined as development and will not result in a new lot creation. Therefore, the proposed application complies with the Town of Kingsville Official Plan.

#### **4. Town of Kingsville Comprehensive Zoning By-law, 2014**

The Town's Comprehensive Zoning By-Law includes a set of guidelines and provisions for lands within the Town that must conform to the Official Plan.

The subject lands are both zoned "Lakeshore Residential (LR)", there are no proposed zone changes as part of this consent application. The intention of this application is to re-establish an existing lot line that has merged on title due to common ownership. At this time there are no development proposed on the subject sites.

#### **FINANCIAL CONSIDERATIONS**

The application is to re-establish existing lot lines that merged on title no other development is planned at this time.

#### **ENVIRONMENTAL CONSIDERATIONS**

The application is to re-establish existing lot lines that merged on title at this time there are no other development planned. Environmental considerations will be reviewed for any future development on the site.

#### **CONSULTATIONS**

##### **1. Technical Advisory Committee**

Ensure all building services are contained within existing property lines and do not cross over into newly established property lines. Owner and/or consultant is required to provide verification that all services are maintained on the retained parcels and do not cross property lines.

##### **2. Essex Region Conservation Authority (ERCA)**

No comments received.

##### **3. County of Essex Infrastructure Services**

No comments received.

PREPARED BY:



---

Vitra Chodha  
Town Planner

REVIEWED BY:

A handwritten signature in black ink, consisting of several fluid, overlapping loops and a trailing line that ends in a small dot.

---

Richard J.H. Wyma  
Director of Planning & Development