



Date: July 15, 2025

To: Committee of Adjustment and Appeals

Author: Haris Wilkinson, Planning Student

RE: Application for Consent (B-2025-11)
174 Main Street West and 11 O'Halloran Street

RECOMMENDED ACTION

That the Committee of Adjustment and Appeals **approve** consent application B-2025-11 for the purpose of a lot line adjustment, shown on the Applicant's Sketch, for the lands known as 174 Main Street West and 11 O'Halloran Street, in the Town of Kingsville, subject to the following conditions:

1. Prior to the consent being endorsed on the deeds, the property owner shall provide the Town with a registered 12R-Plan.
2. That the applicant demonstrate to the satisfaction of the Town that the proposed development will not adversely affect drainage on adjacent properties, that each parcel can manage its own storm water, and that legal access to the assessed municipal drain is confirmed with the Drainage Superintendent.
3. That the necessary deed(s), transfer documents, or applicable changes be submitted electronically, fully signed and executed, along with a copy of the reference plan, prior to final certification.
4. The conditions imposed above shall be fulfilled by July 15, 2027, or this application shall be deemed to be denied in accordance with Section 53(41) of the *Planning Act*.

BACKGROUND

The Town of Kingsville has received the above noted application for lands located on the north side of Main Street West and southwest of O'Halloran Street (see location map attached as Appendix A). 174 Main Street West has a total approximate area of 32.23 hectares (79.64 acres) with approximately 79.72 metres (261.55 feet) of frontage on Main Street West, and is the site for a proposed future plan of subdivision, yet to be approved by the County of Essex. 11 O'Halloran Street has a total area of 1,237.05 square metres (13,702.97 square feet) with approximately 23.06 metres (75.65 feet) of frontage on O'Halloran Street.

Both parcels are designated 'Residential' under the Town of Kingsville's Official Plan. 174 Main Street West is currently zoned both 'Residential Zone 1 Urban (R1.1)' and 'Residential Zone 2 Urban – Exception 14 (Holding) [R2.1-14(h)]', under the Town of Kingsville's Comprehensive Zoning By-law. 11 O'Halloran Street is currently zoned 'Residential Zone 1 Urban (R1.1)' under the Town of Kingsville's Comprehensive Zoning By-law.

The applicant is requesting to sever an approximately 260.00 square metre (2,798.62 square foot) parcel with a proposed 6.06 metre (19.88 metre) frontage along a proposed extension of O'Halloran Street (see draft survey attached as Appendix B). Both lots will meet the requirements outlined within their respective zones.

DISCUSSION

When considering a severance request, it is necessary to review the application in context of the following documents to determine the appropriateness of the request:

1. Provincial Planning Statement (2024)

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

The PPS does not define a lot line adjustment as development. As such, the proposed severance does not raise any issues of provincial policy. The application is consistent with the PPS.

2. County of Essex Official Plan (2013)

The County of Essex Official Plan sets out policy direction on matters of County interest pertaining to land-use planning and development within Essex County.

The subject properties are located within the settlement area boundary of the County of Essex. The County has delegated authority for consent applications, including lot line adjustments, to the local municipalities under Section 4.6.4 of the County Official Plan.

3. Town of Kingsville Official Plan (2023)

The Town of Kingsville's Official Plan outlines the general framework for future development, with goals that include enhancing the Town as a place to live, work, and enjoy leisure activities.

The subject lands are both designated 'Residential', and the applicant is proposing a lot line adjustment only.

The proposed boundary adjustment will not create a new lot or result in any non-conformity with the Official Plan. As such, the application complies with the policies of the Town of Kingsville's Official Plan.

4. Town of Kingsville Comprehensive Zoning By-law (2014)

The Town of Kingsville's Comprehensive Zoning By-law establishes detailed regulations for land use that must conform to the policies of the Official Plan.

The subject lands are zoned Residential Zone 2 Urban – Exception 14 (R2.1-14) and Residential Zone 1 Urban (R1.1), respectively. No zoning changes are proposed as part of this consent application, and all other applicable zoning requirements are met.

FINANCIAL CONSIDERATIONS

There are no financial considerations resulting from the requested consent.

ENVIRONMENTAL CONSIDERATIONS

There are no environmental considerations resulting from the requested consent.

CONSULTATIONS

Notice of the Public Meeting and information regarding the requested consent application have been circulated to all property owners within 60 metres of the subject lands. A notice sign was provided to the applicant and has been posted on the property in accordance with notification requirements.

As per standard procedure for planning applications, the proposal has been circulated to relevant external agencies and internal departments. The following comments have been received:

1. Technical Advisory Committee

- a. The applicant's site plan designer shall assess surrounding lands to ensure that the proposed development will not negatively impact surface drainage or storm water management on adjacent properties.
- b. Both the retained and newly created parcels must be capable of independently managing their own storm water on-site.
- c. The applicant must ensure the conveyed parcel maintains proper storm water management in coordination with Lot 12, which contains the existing residential dwelling on O'Halloran Street.

- d. Legal access to the assessed municipal drain must be confirmed. The applicant is advised to contact the Town of Kingsville's Drainage Superintendent to verify requirements.

2. Essex Region Conservation Authority (ERCA)

- a. ERCA has not provided any comments at the time of writing.

PREPARED BY:



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Planning Student

REVIEWED BY:



Richard J.H. Wyma
Director of Planning & Development