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Date: April 25, 2017

To: Mayor and Council

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Manager, Planning & Development Services

RE: Minor Development Agreement AGR/01/17
4191 Graham Side Road
Scott & Michelle McElwain

Report No.: PDS-2017-018

AIM

To provide the Mayor and Council with details regarding a proposed minor development agreement on lands known as 4191 Graham Side Road in the Town of Kingsville to permit a second dwelling temporarily.

BACKGROUND

The owners of the subject property recently acquired the lot which was severed from the surrounding farm as surplus to the farm operation of the farm owner. The property is 0.6 ha (1.5 ac.) and contains an existing dwelling and outbuilding. (See Appendix 'A') They are planning to construct a new single detached dwelling on the lot 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, typically not more than one year from the approval and signing of the minor development agreement.

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 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

The Kingsville Management Team was circulated for comment. There were no issues expressed with the proposed minor development agreement.

RECOMMENDATION

It is recommended that Council approve the proposed minor development agreement to permit a second single detached dwelling at 4191 Graham Side Road, temporarily during the construction of a new dwelling on the property, and authorize the Mayor and Clerk to sign the minor development agreement.

Robert Brown

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Manager, Planning & Development Services

Peggy Van Mierlo-West

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