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**Date:** January 19, 2018

**To:** Mayor and Council

**Author:** David French, BA, CPT  
Interim Town Planner

**RE:** Zoning By-law Amendment ZBA/22/17  
Mastron Enterprises Ltd.  
2100 Road 4 E, Part of Lot 24, Concession 4

**Report No.:** PDS 2018-005

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## **AIM**

To provide the Mayor and Council with information on a requested zoning by-law amendment to consider the two subject parcels to be one existing parcel for the purposes of the Zoning By-law.

## **BACKGROUND**

The Town of Kingsville has received the above-noted application for lands located in the northwest corner of County Road 31 (Albuna Town Line) and County Road 18 (Road 4 East). The subject parcel is designated 'Agriculture' by the Official Plan and is zoned 'Agricultural (A1)' under the Kingsville Comprehensive Zoning By-law. The parcel is 37.87 ha (93.587 ac.) in area and contains an existing greenhouse growing operation and a packaging and distribution plant.

At the December 19, 2017 Committee of Adjustment meeting, provisional consent was given to sever a 32.85 ha (81.18 ac.) lot containing an existing greenhouse growing facility, bunkhouse, storage shed and parking lot; establish an access easement; establish a permanent easement for future installation and access to a sanitary sewer force main; and, establish a permanent easement for access to an existing sign, all subject to certain conditions.

One of the conditions of that consent, in order to recognize the reduced lot area of the retained parcel, and to recognize the reduced interior side yard setback of the greenhouse structures on the severed parcel, a rezoning of the subject lands is required. Therefore, in order to properly, and efficiently, address any and all newly created zone deficiencies it is

recommended that for the purposes of the Kingsville Comprehensive Zoning By-law, the severed and retained parcel be treated as a single lot. To effect this, it will be proposed that both the severed and retained parcel be rezoned to, and share in, a unique site-specific Agricultural zone classification.

## **DISCUSSION**

### **1) Provincial Policy Statement (PPS), 2014:**

There are no issues of Provincial significance raised by the proposed zoning by-law amendment.

### **2) County of Essex Official Plan**

There are no issues of County significance raised by the application.

### **3) Town of Kingsville Official Plan**

The subject property is designated 'Agricultural'. The proposed application to rezone the parcel does not offend the intent of the Kingsville Official Plan policies and goals.

### **4) Comprehensive Zoning By-law – Town of Kingsville**

The subject parcel is zoned 'Agricultural, (A1)' by the Kingsville Zoning By-law, which permits the existing greenhouse growing and packaging operation, as well as the other standard permitted uses within the zone. As a result of the provisionally approved consent (File B/16/17), the lot area of the retained parcel was reduced, and the westerly interior side yard setback of the severed parcel was reduced. As a result, an amendment to the zoning by-law was required.

Comment: It is proposed that the subject lands be rezoned to a site-specific 'Agricultural Zone 1 Exception 61 (A1-61)' classification which will deem the two subject parcels to be a single existing lot or parcel of land for zoning purposes. Doing helps to facilitate the business plan for the company will also insuring the new lot configuration complies with the applicable zoning requirements.

## **LINK TO STRATEGIC PLAN**

Support growth of the business community.

## **FINANCIAL CONSIDERATIONS**

There will be a minimal change in the total tax assessment on the two parcels.

## **CONSULTATIONS**

### **Public Consultations**

In accordance to O. Reg 545/06 of the *Planning Act*, property owners within 120m of the subject site boundaries received the Notice of Open House/ Public Meeting by mail.

At the time of writing, no public comments had been received.

### **Agency & Administrative Consultations**

In accordance with O. Reg 545/06 of the *Planning Act*, Agencies and Town Administration received the Notice of Public Meeting by email.

<b>Agency or Administrator</b>	<b>Comment</b>
Essex Region Conservation Authority Watershed Planner	<ul style="list-style-type: none"><li>• Original comment was received through the consent application process (File B/16/17)</li><li>• No additional comment has been received or is expected</li></ul>
Town of Kingsville Management Team	<ul style="list-style-type: none"><li>• Original comment was received through the consent application process (File B/16/17)</li></ul> No additional comment has been received or is expected

### **RECOMMENDATION**

It is recommended that Council approve zoning amendment application ZBA/22/17 to amend the zoning of the subject lands to a site-specific 'Agriculture Zone 1 Exception 61 (A1-61)' classification which will deem the two subject parcels to be a single lot or parcel of land for zoning purposes, and adopt the implementing by-law.

David French

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Interim Town Planner

Robert Brown

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

Peggy Van Mierlo-West

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