



2021 Division Road North  
Kingsville, Ontario N9Y 2Y9  
(519) 733-2305  
www.kingsville.ca  
kingsvilleworks@kingsville.ca

**Date:** March 13, 2018

**To:** Mayor and Council

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

**RE:** Minor Development Agreement AGR/01/18  
140 Road 3 E  
Part of Lot 1, Concession 3, ED  
Jeremy Wood

**Report No.:** PDS 2018-014

---

## **AIM**

To provide the Mayor and Council with details regarding a proposed minor development agreement on lands known as 140 Road 3 E in the Town of Kingsville to permit a second dwelling temporarily.

## **BACKGROUND**

The subject property is a 32.7 ha (81 ac.) farm parcel and contains an existing dwelling and outbuildings. The owners are planning to construct a new single detached dwelling on the farm 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 farm 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 'A'.

### **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. However, it was collectively agreed that in order to provide a safeguard to the Town a security deposit does need to be collected. 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**

It is recommended that Council approve the proposed minor development agreement to permit a second single detached dwelling at 140 Road 3 E, 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*

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

*Peggy Van Mierlo-West*

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