



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/02/18
267 Road 3 E
Part of Lot 2, Concession 2, ED
Dean Bernardes

Report No.: PDS 2018-015

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 4 ha (9 ac.) farm and contains an existing dwelling and one accessory building currently under construction. The owner is 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 267 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