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**Date:** June 14, 2019

**To:** Mayor and Council

**Author:** George Robinson, BFA, BURPI, CPT  
Town Planner

**RE:** Application for Zoning By-law Amendment ZBA/32/18 by  
Sharkheat Holdings Ltd. (Jeff Shepley) (Owner)  
Edwin C. Hooker (Authorized Applicant)  
1021 Oak Avenue  
Lot 63 & 64, Plan 1378 Gosfield South, and Part 1, 12R10195, Part of  
Lot 16, Concession 1 WD Roll number 3711 280 000 35700

**Report No.:** PDS 2019-027

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## **AIM**

To provide the Town of Kingsville Council with information regarding a requested Zoning By-law Amendment for lands known as 1021 Oak Avenue.

## **BACKGROUND**

The subject land has an approximate lot area of 854 sq. m (9,200 sq. ft.) with 24.4 m (80 ft.) of frontage onto McCain Sideroad (see Appendix A). The applicant is proposing to build a semi-detached dwelling on the property, with frontage onto Oak Avenue. The current zoning of the property only permits single detached dwellings. A site-specific zoning amendment is proposed to permit semi-detached dwellings, and address other site-specific regulations based on the size of the existing parcel.

## **DISCUSSION**

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

PPS, Section 1.1.3.1 states that, "Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted." Section 1.1.3.3 further outlines that, "Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including

brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.”

Comment: Semi detached housing development, such as that proposed, has been very limited for quite some time in this neighbourhood making the availability of this particular type of housing in short supply. The subject lot has been vacant since 1999.

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

The County Official Plan is very similar to that of PPS in terms of applicable policies and encouragement of intensification of development within the Settlement Area boundaries. The proposed development would be consistent with the County Official Plan.

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

The subject property is designated ‘Lakeshore Residential West’ by the Official Plan and is within a Settlement Area. Goals and Policies for the ‘Lakeshore Residential West’ area are outlined in Section 3.6.4 (Page 48) of the Official Plan. Infilling of the existing development pattern where full municipal servicing exists is encouraged. The proposed development would be consistent with the Town of Kingsville Official Plan.

## **4) Comprehensive Zoning By-law**

The subject property is currently zoned ‘Lakeshore Residential (LR)’ under the Kingsville Comprehensive Zoning By-law. The lot size is consistent with the existing lot fabric in the surrounding area, which has a variety of different lot sizes. Current zoning only permits Single detached housing where the applicant has applied to allow Semi-detached dwellings. This application would change the zoning to ‘Lakeshore Residential Exception 33 (LR-33)’ with the following regulations:

6.7.31 ‘Lakeshore Residential Exception 33 (LR-33)’ For lands shown as LR-33 on Map 64 Schedule “A” of this By-law.

### **a) *Permitted Uses***

Those uses permitted under Section 6.7 Lakeshore Residential (LR).

### **b) *Permitted Buildings and Structures***

- i) Those buildings and structures permitted in Section 6.7
- ii) Semi-detached dwelling
- iii) Semi-detached dwelling unit

### **c) *Zone Provisions***

All lot and building requirements shall be in accordance with the following:

- i. Provisions of the (LR) Section 6.7 shall apply to the lands Zoned (LR-33);

- ii. Notwithstanding the Zone provisions of Section 6.7, the following additional provisions shall apply to lands Zoned (LR-33):

	Single Detached dwelling	Semi-detached dwelling	Semi-detached dwelling unit
Lot area (min)	850 sq. m	850 sq. m	365 sq. m
Lot frontage (min)	24 m	24 m	19 m for an interior lot, and 15 m for a lot with an exterior side yard
Lot coverage (max)	50%	50%	50%
Building height (max)	11 m	11 m	11 m
Front yard (min)	6 m	4.5 m	5.48 m
Interior Side yard (minimum)	1.5 m	3.66 m	3.66 m
Exterior Side yard (min)	4.5 m	5.48 m	5.48 m
Rear yard (min)	7.5 m	7.5 m	3.66 m

### **LINK TO STRATEGIC PLAN**

Manage residential growth through sustainable planning.

### **FINANCIAL CONSIDERATIONS**

There will be an increase in assessed value as a result of this zoning amendment.

### **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 Public Meeting by mail. To date, no written comments have been received by members of the public. One phone call was received from a resident who was seeking additional information after receiving the public notice, but did not object to the application.

## 1) 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 mail and/or email.

Agency or Administrator	Comment
Essex Region Conservation Authority	<ul style="list-style-type: none"><li>• No objections (See Appendix B).</li></ul>
Town of Kingsville Management Team	<ul style="list-style-type: none"><li>• No concerns with the requested rezoning.</li><li>• New service connections will be required to new buildings.</li><li>• Entrance permits required for new driveways.</li><li>• Lot grading plans required with any new Building Permit applications.</li></ul>
County of Essex	<ul style="list-style-type: none"><li>• No comments received and none expected.</li></ul>

### RECOMMENDATION

It is recommended that Council approve zoning by-law amendment application ZBA/32/18 to rezone the subject lands at 1026 Oak Avenue, Part of Lot 16, Concession 1 WD in the Town of Kingsville, from 'Lakeshore Residential (LR)' to 'Lakeshore Residential Exception 33 (LR-33)' and adopt the implementing by-law.

*George Robinson*

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Town Planner

*Robert Brown*

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

*Peggy Van Mierlo-West*

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Chief Administrative Officer