



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

Date: July 2, 2019

To: Mayor and Council

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

RE: Application for Official Plan Amendment – OPA/03/18 &
Zoning By-law Amendment ZBA/27/18 by
1933892 Ontario Inc.
700 County Road 20
Part of Lots 10 & 11, Co

Report No.: PDS 2019-021

AIM

To provide the Mayor and Council with information regarding application for an Official Plan Amendment (OPA 9) and Zoning By-law Amendment (ZBA) for lands owned by 1933892 Ontario Inc., located at 700 County Road 20, in the Town of Kingsville.

BACKGROUND

The subject land is a 1.82 ha (4.5 acre) parcel containing the former Kingsville Curling Club building. The lot was created by consent in 2016 with plans for some form of possible development. Various development for the subject parcel started back in 2010 with the approval of a 50-unit hotel. This plan was later abandoned in favour of a residential development in the form of semi-detached dwellings in a condo style ownership in 2014 similar to the Crosswinds development to the immediate west. The new owner of the property is now proposing a combination of residential and commercial (Appendix A) that would consist of two, six storey, 48 unit condominium buildings and a separate 16 room, low-rise stay-and-play hotel.

In order to proceed with the development the following approvals would be required:

- i) An Official Plan amendment to revise the permitted uses on the subject lands.
- ii) A zoning amendment to:

- a. permit the mix of residential (condo) and commercial development (stay-and-play hotel);
 - b. establish site-specific zoning regulations for the proposed uses.
- iii) Site Plan approval developed in consultation with the effected neighbours to the west.

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: The location of the proposed development offers an alternative location within Kingsville outside the traditional urban area with the advantage of proximity to the existing golf course. The development is also proposed at a higher density than normally found in a suburban location which promotes more efficient use of the unique location and environment. The development does require improvement of existing servicing in the form of municipal water however this issue is being addressed as part of the larger Lakeshore West area and not specifically to service this property.

2) County of Essex Official Plan

The County OP 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 lands are designated a site-specific Lakeshore Residential West which currently limits residential development to no more than 40 semi-detached dwelling units total. The proposed amendment would add policies that permit multi unit residential to accommodate the proposed condo development and permit limited commercial in the form of the stay-and-play. To insure ongoing consultation with the surrounding neighbours the policy amendment will include the necessity to undertake consultation with the neighbours as part of the final site plan development.

4) Comprehensive Zoning By-law

The subject property is zoned Lakeshore Residential Exception 29, holding (LR-29(h)). The intended amendment would revise the site-specific zoning to permit the following:

- i) Apartment building (maximum 2 buildings, 6 storeys each and one two-storey stay-and-play (hotel/motel)
- ii) Establish appropriate setbacks to neighbouring uses particularly the existing Crosswinds condo to the west.

Comment: At the May 21, 2019 PAC meeting the specific form of the development was questioned i.e. condo versus apartment. As Council may recall in the past zoning amendments for condo development rezone the subject lands to permit multiple unit development either apartment, townhouse or semi-detached. Zoning does not control the form of tenure i.e. ownership versus rental.

5) Proposed Site Layout

A detailed conceptual plan has been submitted with the applications that outlines the location of the proposed development on the lot and provides elevations and perspectives to give the overall context of the building on the site. (Appendix B) The full build out may be completed in phases depending on the market demand.

Actual site plan approval will still be a requirement prior to moving forward with the development and as per feedback from the neighbouring Crosswinds condo owners they are looking forward to working with the developer to formalize a final plan that will seek to address many of the items that were raised during the May 21st PAC meeting.

6) Site Servicing

As with all new development it is necessary for the developer to confirm with the Town as to the availability of service capacity to the site. The site has access to sanitary serving and there is adequate capacity in the system to support the proposal.

Municipal water service, while available at the property line, currently has no unreserved capacity to accommodate the uses on the site. The property is located within the Lakeshore West area which was reviewed for future development and a detailed report prepared by Stantec Consulting outlining a number of steps that will be required to provide additional water capacity to both the existing area and future development. Until upgrading of the system in the area is completed the zoning on the subject site would remain subject to the H-Holding symbol.

As with all new development storm water management on the site will be required. The advantage to the proposed development is it higher density with a more compact footprint creating a large amount of green space on the site to help offset the need for full retention. Ground level parking is limited to the stay-and-play and condo visitor parking. All resident parking will be accommodated underground.

The County of Essex required that the developer complete a traffic impact assessment (Appendix C) for the proposed use. It is currently under review. The existing intersection at Conservation Blvd. and County Road 20 was designed with left and right turn lanes which accommodate the existing residential development on both sides of the road. It was anticipated that as development continued in this area that traffic

signals may be warranted at some point. In initial consultation with the County Engineer signalization is not required at this time.

Pedestrian crossing consideration, although not part of the study, is a future consideration because of the eventual development of the regional park on the soon to be developed Valente lands. This is likely to be a draw to the existing and future residents (Crosswinds and the subject parcel). How to address this becomes an issue of primarily timing and future costs. The County has indicated that this intersection, and others along County Road 20 may require signalization at some point in the future. This will be dependent on future traffic volumes. While this and future development will contribute to the volume of traffic on the road this particular development is not directly generating a need for signalization now.

LINK TO STRATEGIC PLAN

Manage growth through sustainable planning.

FINANCIAL CONSIDERATIONS

The development of this parcel will result in a considerable increase in assessment along with the collection of development charges and building permit fees.

CONSULTATIONS

Public Consultations

Property owners within 200m of the subject site boundaries received the Notice of Public Meeting by mail. The notice was also posted again to the Town website along with the plans and elevations.

A Planning Advisory Committee meeting was held on May 21, 2019 with the following motion:

PAC Motion 07-2019:

Moved by Wayne Latam, seconded by Deputy Mayor Gord Queen, that the Planning Advisory Committee endorse the construction of two, six storey, 48 unit condominium buildings and a separate 16 room, low-rise stay-and-play hotel, on lands known at 700 County Rd 20 E, and recommends moving forward to Council for consideration of the requested Official Plan and Zoning By-law amendment subject to continued consultation with the neighbouring property owners on development of the final site plan.

The residents in the Crosswinds development indicated general support for the new proposal but did have a number of questions on certain details including:

- Traffic impact at full build out and during construction

Comment: The County of Essex requested that the developer undertake a traffic study (TIS) to determine impact on the roadway and the intersection of County Road 20,

Crosswinds Blvd. and Conservation Blvd. The general outcome was that the intersection would continue to function at a good level and within its designed capacity.

Construction traffic will need to be directed toward the existing intersection on County Road 20 because it is designed to safely allow for entrance and exit. Use of the golf course entrance is subject to the terms of a right-of-way but is not designed for that type of use. One option that could be explored would be a temporary right turn lane along County Road 20 to accommodate construction.

The Town owns the lands at the intersection between Crosswinds Blvd and County Road 20 and to the subject lands. This area will need to be redesigned to the Town and County's satisfaction which will require partial to full reconstruction at the developer's expense.

- Fencing along the shared westerly lot line

Comment: The existing fencing along the westerly lot line needs to be replaced and there would be a requirement to provide screening along this side of the property. Consultation with the affected neighbours will determine the type and extent of fencing to be constructed as part of the final site plan development process.

- Details of Landscaping

Comment: A full landscaping plan will be required as part of the site plan approval process and will include discussion with the westerly neighbours.

- Impacts from the proposed stay-and-play

Comment: The proposed stay-and-play is a recreational supportive use and there is the potential, like any hotel, to have good and bad guests. The developer did remind the neighbouring residents that anything that would potentially impact the existing residents would also have impact on the condo residents making it in everyone's best interest for the management of the stay-and-play to maintain adequate control. It was also a suggestion by the neighbouring residents to consider possibly rotating the building's placement to reduce exposure. This can be explored as an option in the site plan submission.

- Intersection details including traffic lighting and general illumination

Comment: The TIS concluded that a control intersection was not warranted by the current traffic volume. In discussion with the County Engineering Dept. this was agreed on however it was noted that as growth in the area continues that the signalization of this intersection and others along County Road 20 may become necessary.

General illumination of the intersection with added street lighting is viewed as a positive step for now however will still require consultation with the County. Improvements on the Town owned portion will be outlined in detail as part of the final site plan discussion and development.

- Details of the proposed zoning

Comment: The zoning amendment will be site-specific. It will continue to permit semi-detached dwellings, add multiple unit dwelling (apartment with the upset limit of 96 units) and add the commercial use (stay-and-play) hotel. The developer has not requested any additional uses and since the TIS was limited to the proposed development revision would be necessary if other uses were to be proposed.

- General impact and timeframe of construction

Comment: The development on the property represents a significant undertaking. The timeline will depend on the phasing of the project but it is expected that it will be 18 to 24 months. The developer has indicated that a construction management plan will be implemented that will hopefully provide some guidance to the neighbouring property owners. As with most large construction projects there will be temporary fencing in place around the site. It will provide some screening however dust, mud and noise are an inevitable side effect of the construction.

The applicant held a meeting with the residents on June 27, 2019 to further explore potential items of concern moving forward. The residents have provided some additional feedback after the meeting attached as Appendix E.

Agency & Administrative Consultations

Municipal Staff and outside agencies have been provided with information on the proposal and their comment is outlined as follows:

Agency or Administrator	Comment
Essex Region Conservation Authority Watershed Planner	<ul style="list-style-type: none"> • ERCA comment is attached as Appendix 'C'.
Town of Kingsville Management Team	<ul style="list-style-type: none"> • The property will require new service connections, at the applicant's expense sized appropriately to the proposed use • The development will not be able to proceed until additional water capacity is installed along County Road 20 • Storm water management is required • The final building design will be subject review under the Building Code Act • A fire safety plan and lock box will be required for the building • Municipal Services will continue to review the final site plan details, storm water management and access design prior to presentation to Council for final approval

County of Essex	<ul style="list-style-type: none"> • A TIS was completed by Dillon consulting for the applicant and reviewed by County Infrastructure • The county reserves the right to revisit and re-evaluate the situation should the operation of the site advance in such a way where more traffic and/or conflicts are generated than outlined in the report. Should these conditions develop, mitigation measures will be required to be undertaken at the Proponent's expense. This includes not only road/intersection and safety improvement for vehicular traffic but also active transportation facility and pedestrian road crossing treatment following MTO book 15. • The study concluded that traffic generated by the development would not negatively impact on the existing function of the intersection • While no signalization of the intersection was warranted at this time the Town does agree with comment made at PAC that general lighting improvement is needed and the County has been asked to review this point moving forward • Since the subject property has frontage on CR 20, the developer needs to apply for the permits, submits required design drawings, detailed geometric plan and site plan, and provides different reports including SWM. Please consider that the County typically is unable to allow external water drainage to its facilities and networks.
-----------------	--

RECOMMENDATION

It is recommended that Council:

Adopt Official Plan Amendment No. 9 (OPA 9) to add site-specific policies with the existing Lakeshore Residential West designation on the subject parcel, known as 700 County Road 20, Part of Lots 10 and 11, Concession 1 WD, Parts 1, 2, 3, 7, 8, 9 and 13, RP 12R 26991 to permit a multi-unit dwelling, maximum of 96 units together with an accessory commercial use (stay-and-play) and direct administration to forward the amendment to the County of Essex for final approval.

Approve Zoning By-law amendment application ZBA/27/18, to implement OPA 9 and amended the existing Lakeshore Residential Exception 29 (holding), LR-29(h) to add multi-unit dwelling, 96 units, maximum as an additional permitted use and an accessory stay-and-play (hotel), and adopt the implementing by-law subject to final approval of OPA 9 by the County of Essex.

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