



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

Date: July 25, 2019

To: Mayor and Council

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

RE: Application for Zoning By-law Amendment ZBA/12/19 by
Joe & Joseph Moavro
20, 24, 28, 34 & 40 Jasperson Drive
Parts 1 to 6 and 9 to 12, RP 12R 8589

Report No.: PS 2019-034

AIM

To provide information to the Mayor and Council on the proposed amendment of the zoning on five residential lots for the purpose of conversion to duplex dwellings.

BACKGROUND

The subject lands consist of five residential lots each with existing single detached dwellings. Four of the lots have 15.54 m (51 ft.) of frontage with lot areas of 824.76 sq. m (8,878 sq. ft.) and one lot has 33.53 m (110 ft.) of frontage with a lot area of 1,778.3 sq. m (19,142 sq. ft.). The applicant is seeking a rezone of the subject parcels to permit duplex dwellings in order to convert the existing dwellings. Confirmation of service capacity will be required along with change of use permits in order to undertake the necessary conversion works if the zoning amendment is approved.

DISCUSSION

1) Provincial Policy Statement (PPS), 2014:

The proposed development is consistent with a number of policies in PPS as follows:

Section 1.1.1, Healthy, livable and safe communities are sustained by:

b) accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons)...;

- e) promoting cost-effective development patterns and standards to minimize land consumption and servicing costs;

Section 1.1.3 Settlement Areas

- i) 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.' The Section 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.'
- ii) Section 1.1.3.5 states that, 'Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions...'
- iii) Section 1.1.3.6 state that, 'New development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

Comment: In review of the policies in the context of the proposed development type it is consistent with Provincial Policy Statement.

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. Specifically, under Section 3.2.7 Intensification & Redevelopment, 'The County requires that 15 percent of all new residential development within each local municipality occur by way of residential intensification and redevelopment.'

Comment: Since the implementation of the current Kingsville Official Plan the Town has generally been on target with Section 3.2.7 in terms of meeting the 15 percent goal under residential intensification and redevelopment. This has primarily been achieved through infilling of existing lots and intensification on existing parcels via semi-detached and townhouse development.

Therefore the proposed development would be consistent with the County Official Plan.

3) Town of Kingsville Official Plan

The subject lands are designated Residential by the Official Plan. The goals of the designation include to encourage infilling of the existing development pattern and to provide the opportunity for the provision of affordable housing in accordance with Provincial Policy. At present the subject lands would permit each of the lots to accommodate a second dwelling unit either within the existing dwelling or in a

detached accessory building. Conversion of the existing dwelling will make better use of the existing dwelling with minimal impact to the overall character of the area.

The overall density for the 5 existing single detached dwelling units is 9.8 units per hectare. With conversion to duplex the overall density would double to 19.6 units per hectare but still remain within the low density limit of 20 units in the Official Plan. Therefore the proposed development would conform with the Kingsville Official Plan.

Comment: The dwellings on the subject lands range in age from 29 to 65 years. The proposed development is located in an area of primarily single detached dwellings. Further west of the subject area are townhouses, while to the north are newer semi-detached dwellings in the Royal Oak subdivision. Higher density development in existing areas help to support the intensification in the Town which helps to avoid unnecessary expansion onto greenfield sites, costly expansion and extension of infrastructure and more compact walkable development. The five subject dwellings are well located on the fringe of the larger scale commercial area for Kingsville. More importantly the conversion help to increase a very low inventory of rental housing.

The applicants have also provided a justification report prepared by their own professional planner which is attached as Appendix 'A'.

4) Comprehensive Zoning By-law

The subject property is zoned Residential Urban Zone 1 (R1.1). The suggested zoning would be a site-specific 'Residential Zone 2 Urban Exception 17, R2.1-17' which would continue to permit single detached dwellings but would also allow for semi-detached, duplex and converted dwellings. The site-specific portion of the zoning would outline that a secondary dwelling unit would not be permitted in each of the duplex units. Each of the dwellings has an existing driveway which can accommodate the required parking spaces.

LINK TO STRATEGIC PLAN

Manage residential growth through sustainable planning.

FINANCIAL CONSIDERATIONS

If approved, the proposed change from single detached to duplex would increase the assessed value for each of the property with some increase in tax revenue resulting. Because there is no increase in gross floor area there would be no additional development charges as a result of the conversion.

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.

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.

Agency or Administrator	Comment
Essex Region Conservation Authority Watershed Planner	<ul style="list-style-type: none">• The subject lands are not located in a regulated area. ERCA has expressed no objection to application and the full comment is attached as Appendix 'B'
Town of Kingsville Management Team	<ul style="list-style-type: none">• Service capacity will need to be confirmed prior to conversion• A change of use permit will be necessary for each of the dwellings• Parking must be accommodated on site

RECOMMENDATION

It is recommended that:

Council approve zoning by-law amendment application ZBA/12/19 to rezone property located at 20, 24, 28, 34 and 40 Jasperson Drive from 'Residential Zone 1 Urban, R1.1' to a site-specific 'Residential Zone 2 Urban Exception 17, R2.1-17' and adopt the implementing by-law.

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