



Sent via email

February 9, 2021

Robert Brown, MCIP, RPP
Manager, Planning Services
Town of Kingsville
2021 Division Road North
Kingsville, ON N9Y 2Y9

Dear Mr. Brown:

**Re: Brotto Investments Inc.
 183 Main Street, E. Kingsville ON
 Municipal File # ZBA/18/19
 Second Submission**

Our File: BFH/KNV/19-01

Further to our correspondence of January 22, 2020 and your recent discussions with Christian LeFave of Brotto Investments Inc., please see below information regarding the latest site plan submission:

Updated Conceptual Site Plan, February 9, 2021

The third submission proposes to retain the existing single detached dwelling and construct a three storey apartment building to the south of the existing dwelling. The proposed apartment building would contain a total of 22 units and 30 surface parking spaces. The attached plan represents a significant reduction in the intensification of the proposed development, which previously proposed two, four storey apartment buildings containing an overall total of 40 units and included the demolition of the existing dwelling.

It is proposed that the existing dwelling be conveyed as a separate parcel of land from the proposed apartment development. The proposed lot boundaries are shown on the attached site plan.

We have summarized the changes to the Site Plan into the following categories:

a) Proposed Apartment Building

1. Maximum Building Height

The updated Site Plan proposes a three storey apartment building at 12.2 m in height as opposed to the original application which proposed a 6 storey apartment building at 18 m in height, and the second submission which proposed two, four storey buildings at a height of 14 m. The R4.1 zone regulations require a maximum height of 11 m.

The requested height increase is necessary to allow flexibility for certain design considerations to be discussed in greater detail through the Site Plan Approval process.

The requested height increase of 1.2 m is minor and is not expected to create any adverse impacts on adjoining properties.

2. Minimum Lot Frontage

The proposed severance will result in a reduced lot frontage for the apartment lands of 16.2 m, whereas a minimum lot frontage of 25 m is required in the R4.1 Zone. The proposed lot frontage is sufficient for the purposes of accommodating the main entrance for both uses, as well as landscaped space on either side of the driveway. It should also be noted that the remaining lot frontage of 26.3 m will be provided for the existing single detached dwelling. The combined lot frontage will continue to provide a streetscape that is dominated by landscaped open space and preserves the view of the existing single detached dwelling.

3. Minimum Interior Side Yard Setback

The updated Site Plan proposes to maintain a minimum 4.5 m interior side yard setback consistent with the R4.1 zone regulation. This is an increase from the original application which proposed a minimum interior side yard setback of 2.2 m at the north-west corner due to the siting of rectangular townhouses on a parallelogram shaped property.

4. Minimum Front Yard Setback

The updated Site Plan proposes a minimum 43 m front yard setback which far exceeds the R4.1 zone requirement of 8.0 m. This is a significant increase from the original application which proposed a minimum 7.6 m front yard setback, and the previous submission which requested an 8 m front yard setback. The significant increase in the front yard setback is due to the retention of the existing dwelling and subsequent development of the proposed apartment building to the rear of the subject lands.

5. Minimum Rear Yard Setback

The updated Site Plan continues to propose a minimum 7.5 m rear yard setback whereas the R4.1 zone regulations require a minimum 12.2 m setback (equal to building height). This represents an increase in the rear yard setback from the original submission which proposed a minimum 3.5 m rear yard setback whereas the R4.1 zone requires an 18 m setback (equal to building height); and is consistent with the most recent submission that requested a 7.5 m rear yard whereas a minimum of 14 m was required. We note the requested rear yard setback is required only at the southeast corner of the building; the setback gradually increases to 11.3 m at the southwest corner of the building.

As noted previously, the 12.2 m building height is requested to allow for design considerations that may require a taller building than permitted. Given this, the rear yard setback requirement has increased due to the definition in the by-law. A reduced rear yard setback in this instance is appropriate and consistent with the objectives and policies of the Official Plan and is not expected to adversely affect future development to the south.

6. Loading Location

The loading area from the original proposal has been moved away from the western lot line to the interior of the subject lands, near the southeast corner of the apartment buildings. The proposed loading location provides improved screening to the neighbouring Bon Jasperson property to the west at 171 Main St. E.

7. Outdoor Amenity Space

The updated Site Plan provides screened outdoor amenity areas along the west property line and at the southeast corner of the building. These outdoor amenity areas will be partially enclosed on all sides by 2 m (6 ft) high brick walls to allow for enhanced privacy between residents and adjacent properties.

b) Existing Single Detached Dwelling

As noted above, the existing single detached dwelling will be retained on the subject lands. The existing driveway entrance from Main Street East will be modified and shifted slightly to the east to allow for more efficient access to the apartment building. The modified driveway will form part of the future apartment lands, and an easement will be granted in favour of the existing dwelling for access purposes. Two parking spaces will be constructed to the southeast of the existing dwelling with direct access to the main driveway, to satisfy the minimum parking requirement for the existing dwelling.

The proposed lot configuration for the existing single detached dwelling will ensure that the minimum regulations within the R1.1 Zone are maintained. As such, the portion of the subject lands to be occupied by the existing dwelling will remain under the R1.1 Zone category.

Baird AE Correspondence re Traffic Impact Analysis, February 9, 2021

Baird AE has reviewed the updated Site Plan and has concluded the following:

It is our professional opinion that the proposed 22 units on the subject lands will have no material impact on the recommendations of the TIS.

As such, the recommendations of the October 15, 2019 Traffic Impact Analysis remain applicable to the updated Site Plan.

Heritage Analysis

Zelinka Priamo Ltd. is in the process of reviewing the revised site plan and subsequent retention of the existing single detached dwelling and will provide a revised Heritage Impact Assessment in the very near future.

Planning Analysis

The updated Site Plan has been prepared to further address issues raised at the November 19, 2019 PAC meeting. The latest Site Plan proposes a three storey, 22 unit residential apartment building and surface parking. The Site Plan has a single vehicular entrance to Main Street East serving both the existing dwelling (via future easement) and the proposed apartment building. A total of 28 surface parking spaces are required under Zoning By-law 1-2014, whereas 30 parking spaces are provided.

The Zoning By-law Amendment (ZBA) application is to change the zoning on a portion of the subject lands from Residential Zone 1 Urban (R1.1) Zone to Residential Zone 4 Urban (R4.1) Exception Zone under By-law 1-2014. The updated ZBA application proposes the following Special Provisions:

- **Minimum Lot Frontage of 16.2 m whereas the R4.1 Zone requires a minimum lot frontage of 25 m;**
- **Maximum Main Building Height of 12.2 m whereas R4.1 Zone requires a maximum height of 11 m;**

- **Minimum Rear Yard Depth of 7.5 m whereas R4.1 Zone requires a minimum rear yard depth of 12.2 m.**

The updated ZBA application is consistent with the relevant policies of the Provincial Policy Statement and conforms to the County of Essex Official Plan and Town of Kingsville Official Plan as demonstrated in our original October 18, 2019 correspondence. The proposed development provides appropriate residential intensification in an area with available infrastructure and public services and the updated Site Plan addresses issues raised at the PAC. The original recommendations from the Traffic Impact Analysis dated October 15, 2019 remains, and it is anticipated that the recommendations of the Heritage Impact Statement dated October 15, 2019 will remain as well. The ZBA application represents good planning and is in the public interest.

If you have any questions regarding the contents of this correspondence, please contact the undersigned.

Yours very truly,

ZELINKA PRIAMO LTD.

A handwritten signature in blue ink, appearing to read 'H. Froussios'.

Harry Froussios, BA, MCIP, RPP
Senior Associate

cc. Christian LeFave, Brotto Investments Inc.