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Date: June 18, 2021

To: Mayor and Council

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Manager, Planning Services

RE: Application for Zoning By-law Amendment ZBA/12/2021 by
Yudihisthir Persaud
1959 Road 3 E
Pt. Lot 12, Concession 2 ED, Pt. 1, RP 12R 12818

Report No.: PS 2021-036

RECOMMENDED ACTION

That Council:

Approve zoning by-law amendment application ZBA/12/21 to change the zoning on the subject parcel, Part of Lot 12, Concession 2, ED, Part 1, RP 12R 128181 and known as 1959 Road 3 E, from 'Agriculture, (A1)' to 'Light Industrial, (M1)' consistent with the underlying Official Plan designation and adopt the implementing by-law.

BACKGROUND

The subject parcel is a 1.2 ha (2.98 ac.) parcel with an existing office and cross-dock building used in the shipping of food products. When the existing owner purchased the property they were advised that the parcel was zoned industrial. Earlier in 2020 after contacting the Town, they were advised the zoning was not industrial and had never been industrial. As such they have since submitted an application for a zoning amendment to update the property zoning to industrial which would be consistent with the Official Plan designation of General Industrial and continue to permit the existing use and others similar to abut lands to the east.

DISCUSSION

1) Provincial Policy Statement

There are no issues of Provincial significance raised by the proposed zoning amendment as it is consistent with the industrial land use designation.

2) Town of Kingsville Official Plan

The subject parcel is designated Industrial in the Official Plan for the Town of Kingsville.

Comment: The use on the property continues to be very similar to that which was originally approved. The zoning change clarifies the permitted uses and will now be consistent with the underlying industrial designation in the Official Plan.

3) Town of Kingsville Comprehensive Zoning By-law

The subject parcel is currently zoned 'Agriculture, (A1)' and does permit agriculture-related uses such as distribution and shipping but limited to agricultural products only.

Comment: The lands were zoned a site-specific agricultural under the former Gosfield South Zoning By-law which permitted agricultural warehousing and distribution. That particular permitted use was carried forward in the standard A1 classification of the current Comprehensive Zoning By-law. While the applicant does continue to ship food products they would prefer that the zoning of the property be consistent with what they originally thought it was and match the industrial land use designation in the Official Plan. The current use has operated in this location for many years with no compatibility issues with the surrounding uses which are predominantly commercial or industrial in nature. The one residential use to the west is part of the neighbouring greenhouse operation.

LINK TO STRATEGIC PLAN

Support growth of the business community.

Link to Council 2021-2022 Priorities

- COVID-19 and the health and safety of the community
- Customer Service: Training, Technology, Staff, Review Standards/Level of service
- Housing: Affordability (lot sizes, developer incentives, second dwellings, density, etc.)
- Greenhouse: lights & dark sky, odours (site plan compliance, bylaws, other tools)
- Programming Increase: Youth and Seniors
- A development plan for Downtown Kingsville / Main Street
- Financial savings: Schools closings, Migration Hall
- Economic Development: strengthen tourism/hospitality
- COVID - economic recovery
- Communications: Strategy – Policy (social media), Website refresh and other tools, Public engagement
- Housing: Migrant Worker Housing – Inspections (Building/Fire), regulate, reduce, or increase
- Committees / Boards: Review and Report

- Policy Update: Procedural Bylaw
- Economic Development: diversify the economy, create local jobs, industrial, Cottam
- Infrastructure (non-Municipal): Union Water expansion & governance
- Infrastructure (Municipal): Asset Management Plan update, the infrastructure funding deficit
- No direct link to Council priorities

FINANCIAL CONSIDERATIONS

There is no financial implications from the proposed zoning amendment as assessment is based on the use of the property which has been commercial/industrial.

CONSULTATIONS

In accordance with standard practice for review of site plan approval applications applicable external agencies and internal departments have been circulated. The following comment has been provided.

1) Essex Region Conservation Authority (ERCA)

ERCA has no objection to the proposed zoning amendment. See Appendix A for full comment.

2) Technical Advisory Committee

The Technical Advisory Committee has no objection to the proposed zoning amendment.

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