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**Date:** June 30, 2021

**To:** Mayor and Council

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Town Planner

**RE:** Application for Zoning By-law Amendment ZBA/03/21 by  
Matthew & Nicole Hind  
20 Cameron Side Road West  
Pt Lot 275 CON STR, Pt 3, RP 12R 10923  
Roll # 3711 510 000 00820

**Report No.:** PS 2021-042

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## RECOMMENDED ACTION

That Council:

Approve Zoning By-law Amendment application ZBA/03/21 to rezone the subject lands at 20 Cameron Sd Rd W, Part Lot 275, Con STR, Part 3, 12R 10923, from 'Rural Residential (RR)' to 'Rural Residential Exception 14 (RR-14)' and adopt the implementing by-law.

## BACKGROUND

The Town of Kingsville has received the above-noted application for lands located on the east side of Cameron Side Road West, and south of County Rd 34 W, see location map in Appendix A. The subject property is designated 'Agriculture' by the Official Plan and zoned 'Rural Residential (RR)' under the Kingsville Comprehensive Zoning By-law.

The parcel is a 0.45 ha (1.11 ac.) residential lot with 6.9 m (100 ft.) frontage on Cameron SdRd. The property currently contains a single detached house and two small sheds. The applicants are looking to construct an addition in front of the attached garage and convert the addition and existing garage into a secondary dwelling unit for their elderly parents, see applicants sketch in Appendix B. The current zoning of the property permits a single detached dwelling and accessory structures. A site-specific zoning amendment is proposed to permit the second dwelling unit, as per Section 2.10 of the Official Plan for a property not on full servicing, where the subject property is on

private septic. The applicants have provided an approved septic analysis for the proposed secondary dwelling unit. All other applicable provisions of the by-law will be met.

## **DISCUSSION**

### **1) Provincial Policy Statement**

When reviewing a planning application to determine if it represents sound planning, it is imperative that the proposed development is consistent with the Provincial Policy Statement (PPS): “The Provincial Policy Statement provides policy direction for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment.”

Section 1.4.3 states that " Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market area by:

b) permitting and facilitating:

1. all forms of housing required to meet the social, health and well-being requirements of current and future residents, including special needs requirements; and
2. all forms of residential intensification, including second units, and redevelopment in accordance with policy 1.1.3.3;”

Comment: There are no issues of Provincial significance raised as a result of the proposed zoning-by law amendment.

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

The Official Plan for Essex County Section 3.2.8 Affordable Housing f) indicates that “The County generally permits *second dwelling units* [within]... an accessory structure...” Further, it is indicated that local municipal Official Plans and implementing Zoning By-law will further detail policies and provisions of second dwelling units.

Comment: There are no issues raised as a result of the proposed zoning by-law amendment.

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

The Official Plan for the Town of Kingsville designates the subject properties as ‘Agriculture’. The Policies of Section 2.10 Secondary Dwelling Units, provides a definition for the use and further outlines the requirement for a zoning by-law amendment since the subject property is not on full servicing. The applicant will need to demonstrate the ability to adequately serve the secondary dwelling unit to the satisfaction of the Town.

Comment: The applicants have applied for the Zoning By-law Amendment as a result of the requirement outlined in the Official Plan. Due to the large size of the property the owners have ample space to provide for septic improvements if needed, to accommodate the additional living quarters of the proposed secondary dwelling unit. This application meets the Goals and Policies of the Official Plan.

#### **4) Town of Kingsville Comprehensive Zoning By-law**

The subject parcel is currently zoned 'Rural Residential (RR)'. The Comprehensive Zoning By-law Section 4.35.1 provides that secondary dwelling units are permitted in residential zones on full municipal servicing.

The owners wish to add an addition to their main dwelling in the form of a secondary dwelling unit.

Comment: The proposed zoning by-law amendment in relation to the secondary dwelling unit is a requirement of the Official Plan policies due to the lack of municipal sanitary servicing on the property. The applicants' lot area can adequately accommodate the size of the proposed addition and well within the setback requirements. All other provisions of the zoning by-law will be met.

#### **LINK TO STRATEGIC PLAN**

Manage residential growth through sustainable planning.

#### **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 will be an increase in assessment as a result of the application once the proposed development is completed.

## **CONSULTATIONS**

In accordance to O. Reg 545/06 of the *Planning Act*, property owners within 120m of the subject site boundaries are required to receive the Notice of Open House/ Public Meeting by mail. At the time of writing, no public comment has been received.

### **Agency & Administrative Consultation**

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. At the time of writing, the following comments have been received.

#### **1) Essex Region Conservation Authority (ERCA)**

- ERCA has no objection to the Application for a Zoning By-Law Amendment.
- See full comment in Appendix C.

#### **2) Town of Kingsville Management Staff**

- Ontario Building Code to be met for any new build
- Septic Analysis was reviewed and approved to proceed with the Zoning By-law application

#### **3) Essex County**

- No comments received

*Kristina Brcic*

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*Robert Brown*

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Manager, Planning & Development Services