



Date: February 5, 2024

To: Mayor and Council

Author: Vitra Chodha, Planner

RE: Application for Zoning By-law Amendment (ZBA-2023-19) by
Manuel Antonio Alberto and Davis Frias
297 Glass Avenue
PLAN 1013 LOTS 23 & 24
37112500002000

RECOMMENDED ACTION

1. That By-law 07-2024 being a By-law to amend the Comprehensive Zoning By-law for the Town of Kingsville, to amend the zoning on the subject parcel municipally known as 297 Glass Avenue, PLAN 1013 LOTS 23 & 24, in the Town of Kingsville, from 'Residential Zone 1 Urban (R1.1)' to 'Residential Zone 1 Urban Exception 31 (R1.1-31)' **BE APPROVED**; to permit:
 - i. A semi-detached dwelling and semi-detached dwelling unit, and;
 - ii. Reduction of the required interior side yard setback from 3 m (10 ft.) to 2.2 m (7.33 ft.).

BACKGROUND

The Town of Kingsville has received the above-noted application for lands located on the south side of Glass Ave and on the east side of Wigle Ave. The subject property is designated 'Residential' by the Official Plan and zoned 'Residential Zone 1 Urban (R1.1)' under the Kingsville Comprehensive Zoning By-law.

The subject land located at 297 Glass Avenue is 656.8 m (7,070 sq. ft.) in area. The applicant is proposing to demolish the single detached dwelling on the subject site, and build a new semi-detached dwelling in its place. The applicant is requesting a site specific zoning by-law amendment to permit a semi-detached dwelling on the subject site with a reduced side yard setback of 2.2m (7.33 ft.) on one side. Approval of the Zoning By-law Amendment would permit the applicant to begin construction on the semi-detached dwellings. Once constructed, the applicant may apply for Part Lot Control exception to create separately conveyable units.

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 for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built 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 and permitting such development is encouraged.

2) Town of Kingsville Official Plan

The Official Plan for the Town of Kingsville designates the subject properties as ‘Residential’. Section 3.6.1 Residential, states that “It is the intent of this Plan that a broad range of residential types be permitted on lands designated “Residential” in order to meet the needs of all households anticipated during the 20 year planning period of this Plan.” The Goals and Policies strongly encourage residential infilling and intensification where it is determined appropriate and where servicing is available. The Plan also encourages increasing the housing and rental supply by including a variety of housing types.

Comment: The applicant applied for the Zoning By-law Amendment in order to construct semi-detached dwellings within an existing residential neighbourhood. This neighbourhood has seen several residential redevelopment and infill projects in recent years. The area mainly consists of single family and semi-detached dwellings. Therefore, this application meets the Goals and Policies of the Official Plan.

3) Town of Kingsville Comprehensive Zoning By-law

The subject parcel is currently zoned ‘Residential Zone 1 Urban (R1.1)’ where currently single detached dwellings are permitted. The applicant wishes to build a semi-detached dwelling on the parcel of land. They are seeking relief from the 3 m (10 ft.) interior side

yard setback in order to construct a total of 2 semi-detached dwelling units. The applicant wishes to amend the zoning to permit a 2.2 m (7.33 ft.) interior side yard setback.

Comment: The surrounding neighbourhood has already seen a number of redevelopment lots which were built into semi-detached dwellings. Offering these types of residential buildings have been both desirable and successful in meeting the goals and policies of both the Official Plan and Provincial Policy Statement. Thus, permitting semi-detached dwellings would be appropriate for the lands. Furthermore, the proposed reduction of the interior side yard setback from the required 3m (10 ft) to 2.2m (7.33 ft) can be considered minor and does not negatively affect the existing ascetics of the neighbourhood.

FINANCIAL CONSIDERATIONS

With an increase in residential dwellings/ units, there will be an increase in the assessment once the semi-detached dwellings are built.

ENVIRONMENTAL CONSIDERATIONS

No environmental concerns

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. At the time of writing no comments had been received from members of the public.

Town of Kingsville Technical Advisory Committee Comments

- No objection to the application
- Confirmation that all building services are contained within existing property lines. Each unit will require separate services
- Building Permit requirements will include lot grading plans to ensure new development run-off does not adversely affect adjoining properties

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