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**Date:** November 24, 2017

**To:** Mayor and Council

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

**RE:** 1933892 Ontario Inc. (Lakeside Park Place Condominium)  
Part of Lot 1, Concession 1, ED  
6 Park St. (formerly 285-289 Division St. S.)  
County of Essex File No.: 37-CD-17002

**Report No.:** PDS 2017-052

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## **AIM**

To provide the Mayor and Council with details of the request for approval of a draft plan of condominium for the approved 6 storey, 39 unit residential building located at 6 Park St.

## **BACKGROUND**

The subject land is a 27,394.4 ft<sup>2</sup> (2,544.94 m<sup>2</sup>) residential lot on the corner of Park St and Division St S. The applicant was granted site plan approval in 2015 to develop a 6 storey condominium with a total of 31 units. In 2017, after some initial marketing, it was determined that the overall layout of the building needed some adjustment and the applicant returned to Council for the approval of changes that increased the number of permitted units to 39 along with some minor adjustment to the footprint of the building.

In mid-November the applicant broke ground on the development and construction of the project has now begun. In order to complete the full approval process the applicant has now submitted application to the County and Town for approval of a draft plan of condominium that will then permit the owners to sell and convey individual units in the building.

## **DISCUSSION**

### **1) Provincial Policy Statement (PPS), 2014:**

Section 1.1.3.3 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 and areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

Comment: The intended development of the property was for condominium development which both intensifies the use of the existing property and provides an additional form of housing not currently available in Kingsville.

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

Section 3.2 Settlement Areas, Subsection 3.2.2 Goals item e) states, "To require the efficient use of land, resources, water and sanitary sewage treatment facilities, other infrastructure and public service facilities including schools as provided for in the growth management policies contained with this Plan."

Comment: The proposed site will utilize existing services and land within the settlement area that is considered part of the County Growth Management Plan.

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

Section 3.6 of the Official Plan for the Town of Kingsville designates the subject property 'Residential'. The proposed development is considered high density residential. The proposed condo development/multiple storey building is permitted in the 'Residential' designation, and was subject to site plan control. The approved plan and agreement are currently registered on title of the property.

### **4) Comprehensive Zoning By-law**

The subject property is zoned 'Residential Zone 3 Urban Exception 13 (R3.1-13)' under the Kingsville Comprehensive Zoning By-law. The requested plan of condominium does not require any amendment and permits the development on the site.

### **5) Site Plan Control & Agreement**

Plan of condominium and plan of subdivision approvals share many of the same characteristics with one notable difference. Plan of condominium approvals are typically subject to site plan approval rather than a development agreement. The site plan agreement is then the guide used to direct and complete development on the property. The County of Essex will issue its notice of decision and associated conditions which will be added as an appendix to the current site plan agreement.

## 6) Plan of Condominium

Attached as Appendix 'A' is the proposed plan layout. There are a total of five residential floors. Level One has a total of seven units with the remaining four levels each having a total of eight units. Level A on the plan outlines the required parking (39 + 6 visitor space) and individual storage lockers. The remaining visitor parking is shown at ground level along with one accessible space.

### LINK TO STRATEGIC PLAN

Manage residential growth through sustainable planning.

### FINANCIAL CONSIDERATIONS

Building permit fees and development charges have been collected. Assessment on the property and individual units will be determined as the units are occupied.

### CONSULTATIONS

#### 1) Public Consultations

The approval of a plan of condominium in accordance to O. Reg 544/06 of the Planning Act, does not actually require public notice however property owners within 120m of the subject site boundaries were provided with a Notice of Public Meeting by mail for information purposes.

#### 2) Agency & Administrative Consultation

In accordance with O. Reg 544/06 of the *Planning Act*, Agencies and Town Administration received the Notice of Public Meeting by mail and/or email.

Agency or Administrator	Comment
Essex Region Conservation Authority Watershed Planner	<ul style="list-style-type: none"><li>No objections.</li></ul>
Town of Kingsville Management Team	<ul style="list-style-type: none"><li>All items of concern were addressed at the time of the site plan approval or have been incorporated into the site plan agreement as requirements</li><li>Financial Services has requested that provisions be made by the developer to insure that all tax payments are kept current and up-to-date until such time as individual roll nos. have been assigned by MPAC to each of the individual units.</li></ul>
County of Essex	<ul style="list-style-type: none"><li>The application for plan of condominium was undertaken at the request of the County Planner to hold a public meeting.</li></ul>

## RECOMMENDATION

It is recommended that Council:

receive the report prepared by the Manager of Planning Services dated November 24, 2017 in support of the proposed draft plan of condominium;

support the draft plan of condominium, County of Essex File No.: 37-CD-17002 for the Lakeside Park Place Condominium located at 6 Park St., Part of Lot 1, Concession 1 ED, in the Town of Kingsville;

direct administration to advise the approval authority, the Manager of Planning Services for the County of Essex, that Council supports the draft plan of condominium approval subject to the imposition of satisfactory conditions by the County including amendment of the existing site plan agreement to add said conditions as an Appendix to the agreement, subject to the following condition:

that the applicant provide an outline to the Director of Financial Services detailing the provisions being made to ensure that the payment of taxes is kept up-to-date until all units have been provided with individual assessment roll numbers.

*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