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**Date:** April 21, 2017

**To:** Mayor and Council

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Manager, Planning & Development Services

**RE:** 2126157 Ontario Ltd.  
Part of Blk 'A', Plan 424, Part 1 RP 12R 23854  
V/L southeast corner of the intersection of Main St. W & Wigle Ave.

Roll No: 3711 240 000 00711

**Report No.:** PDS-2017-016

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## **AIM**

To provide the Town of Kingsville Council with information regarding the requested Site Plan Approval and removal of the H- Holding symbol from lands located in the southeast corner of the intersection of Main St. West and Wigle Ave.

## **BACKGROUND**

The subject property started out as part of the original Shoppers Drug Mart (now IDA), TD Bank and medical clinic development which began around 2009/2010. Since that time the original property was subdivided into three parcels one of which is the subject lands. The property is 2,954 sq. m (31,800 sq. ft.) in area with an existing shared access off Main St. W. and an existing access off Wigle Ave. The property has been sold to a third party who is proposing to develop a 415 sq. m (4,470 sq. ft.) building which would house an automatic carwash, automotive lube shop and laundromat. At present the lot split zoned between General Commercial, '(C4)' and General Commercial – Holding, '(C4(h))'

In order to proceed with the proposed development site plan approval is required along with removal of the (h) Holding symbol from the westerly side of the lot. The zoning on the property has remained commercial since at least 1987 and been wholly or partially under a (h) Holding classification. Conditions for removal of the holding were generic in nature and laid out by the former Kingsville Official Plan. Servicing capacity and the approval of agreements and or necessary site plans are what is required to remove the (h) Holding symbol.

## **DISCUSSION**

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

There are not issues of Provincial significance raised by the requested site plan approval or removal of the (h) Holding symbol.

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

There are no issues of County significance raised by the subject applications.

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

The subject property is designated 'Highway Commercial'. Under Section 3.2.3, Policies item a) states, because of location development circumstances and ease of access, the lands designated 'Highway Commercial' are believed to be best suited for service commercial and retail commercial uses, personal service shops and other commercial uses that require good visibility and on-site parking. Accordingly, permitted uses include those that generate moderate to heavy traffic flows, require easy traffic access and nearby parking or include the sale of bulk materials or the servicing of large or otherwise awkward items such as establishments which furnish bulk and wholesale supplies such as fuel, building materials, hardware, etc. establishments which sell of service automobiles, trucks, recreational vehicles including boats and farm and garden vehicles and equipment, motels and related tourist facilities, restaurants and banquet halls, recreational uses, retail commercial uses, personal service shops, establishments requiring larger lot areas to accommodate sales and storage such as food stores, furniture stores and warehousing, printing establishments, business and professional offices. Item g) goes on to say that, "adequate buffering and setback distances shall be provided between any Highway Commercial uses and adjacent uses, Such buffering may include separation by distance, the provision of berms, fences, grass strips, appropriate shrub plantings and landscaping use of local native plantings or any combination thereof deemed necessary by Council."

Comment: The proposed use includes a number of uses that are consistent with the type anticipated by the Official Plan. The details of the layout are discussed in detail under the site plan section of this report.

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

The subject property is zoned 'General Commercial, '(C4)' similar to much of the area east of Wigle Ave. The (h) Holding symbol applies to the westerly side of the lot abutting Wigle Ave. Much of this area was subject to the Holding classification starting in the early 1980's due to a need to review development plans and ensure service capacity was in place prior to commercial development proceeding.

The site plan has been reviewed in relation to required setbacks, parking, landscaping and loading and is in full compliance with those requirements. All municipal services are available to the property and as such the conditions for removal of the (h) Holding provision have been completed.

## 5) Site Plan

The development of the site consists of the construction of a 24.68 m x 18.28 m (81 ft. x 60 ft.) 415.28 sq. m (4,470 sq. ft.) single storey commercial structure. The centre two bay areas will accommodate the lube shop while the south bay will be for the automatic car wash. The front portion of the building along Main St. W. will be the proposed laundromat area. The development is being proposed in such a way to facilitate entrance from Main St. W. from the existing shared access. Exit from the property will be from the existing access point on Wigle Ave. providing access back to a controlled intersection. The building has been located toward the west side of the lot to provide buffering between the parking and stacking lanes along with maintaining maximum separation from the vacuum area.

A landscaped planting strip, including tree plantings, will be provided along both Main St. E and Wigle Ave. Pictures of the subject parcel along with the site plan layout and elevations are attached as Appendix 'A'.

Development of the lands in the southeast corner of Main St. W. and Wigle Ave. have been ongoing for several years and did represent a significant change to the area as it was residential and agricultural less than 10 years ago. With the adjacent residential lands to the south and west there is obvious need to be aware of potential impacts from the ongoing commercial development. As part of the zoning amendment to remove the Holding classification there has been feedback from property owners to the west. The concerns expressed related to the following:

- 1) Proximity of the proposed exit on Wigle to the intersection of Main and Wigle;

Comment: Municipal Services was consulted at the initial stages of consideration for development of the subject site and the use of the existing access by the lot. There was no concern expressed about the proximity. As the current site plan under consideration was circulated it was noted that use of the access as an exit only would require clear signage on the property.

- 2) Impact of carwash exit on Wigle;

Comment: It is not uncommon for exiting vehicles from an automatic carwash to potentially track water onto the roadway which can, during the winter, increase the potential for ice build-up. However, with the north-south orientation of Wigle Ave and lack of shaded area this should not be problematic but can certainly be monitored moving forward.

- 3) Placement of the building on the site;

Comment: The neighbouring property owners to the west have suggested that placing the building further east on the lot would eliminate the need for the Wigle exit and could provide additional buffer area along Wigle. The applicant has indicated that the building placement itself helps to act as a buffer as all of the main activities on the lot, stacking to the carwash and lube shop, vacuum areas, entrances and parking are mostly screened from the view of the residential neighbour and provides better vehicle movements with less impact on the neighbours. The other item of concern is vehicle

lights impacting on the adjacent home as they exit the site. The exit does not align with the home so light impact would be limited to sweep from vehicles turning right and any movements during the evening hours would likely be very limited given the nature of the businesses.

4) Existing traffic flow on Main and Wigle and the impact of the proposed use;

Comment: The subject site was intended for commercial development and has been for some time, at least since 1987. The existing shared entrance from Main St. W. was intended to flow traffic in an efficient manner to and from the site and avoid multiple access points which have caused issues further to the east. A traffic impact study was not completed in part due to the proposed uses and based on previous experience with a number of carwash developments in equal or considerably higher traffic areas. The property utilizes a shared access off Main St. W. and an exit only to a controlled intersection which should be low impact traffic flow. As an additional measure of review I consulted with the Kingsville OPP would indicated that there have been a total of 6 minor accidents at this intersection since 2014 which is extremely low for an urban intersection.

5) Truck movements from Main St West to Wigle Ave.;

Comment: At present eastbound right turn movements onto Wigle Ave., by semi-trucks, is not ideal. The intersection design in the southwest corner is such that it is typical of a standard residential intersection radius and does force large trucks to make wide turns into the northbound lane of Wigle Ave. which can force vehicles in this lane to back up to accommodate a turning truck. This is an existing issue however it was suggested that semi-truck right turns be prohibited from Main St W. to Wigle Ave.

6) Increased activity and noise from the proposed use;

Comment: There will be some increase at the intersection and of course on the property as a result of the development. Again this was anticipated based on the commercial zoning and general intended uses on the site. Certainly with the introduction of an automatic carwash on the site noise generation is of particular concern to the neighbouring residential uses. Therefore the site plan agreement requires that the carwash (dryer) maintain a noise level of not greater than 60 dBs to the nearest residential property line. This noise level is standard for typical conversation in a room. Based on on-site testing, the current noise level at the intersection (tested in multiple locations) ranges from 60 to 80 dBs. This was based on general traffic noise including personal vehicles and a number of large trucks. The carwash building exit is located approximately 30.5 m (100 ft.) to the nearest residential lot line and 39.6 m (130 ft.) to the nearest existing dwelling. Based on a review of noise levels from carwash dryers this will provide approximately 12 m (40 ft.) more than the required distance needed to achieve the 60 dB limit outlined in the site plan agreement.

## **LINK TO STRATEGIC PLAN**

The Strategic Plan specifies under Objective, Priorities and Projects, Subsection III:

“To Develop an economic vision based on our strengths and opportunities that will retain existing and attract new businesses.”

The requested site plan agreement will achieve this Objective of the Strategic Plan by allowing the establishment of a new business.

## FINANCIAL CONSIDERATIONS

Building permit fees will be acquired at the time of the building permit issuance. There will also be an increase in assessment once the development builds out.

In accordance to O. Reg 545/06 Subsection 8 of the *Planning Act*, property owners within 120 m of the subject site boundaries received the Notice of Intention to Remove the Holding Zone symbol by mail. The request for lifting of the Holding symbol is subject to Town review and satisfactory completion of the conditions for removal but is not an appealable application under the *Act*.

Comment has been forthcoming from two neighbouring property owners to the west of the subject lands. The concerns relate the proposed development have been outlined under the site plan section of the report. Additional comment may be forthcoming at the time of the meeting from both the neighbours and applicant.

## CONSULTATIONS

Agency or Administrator	Comment
Essex Region Conservation Authority Watershed Planner	<ul style="list-style-type: none"><li>• Full comment is attached as Appendix 'B';</li><li>• ERCA has noted that no permit will be required</li><li>• They have indicated that storm water management is recommended and have no objection to the proposed site plan or zoning amendment</li></ul>
Town of Kingsville Management Team	<ul style="list-style-type: none"><li>• Sanitary service to the property is available but will require a controlled release as capacity in the sanitary line is limited during peak hours.</li><li>• The proposed building will need to comply with the requirements of the OBC.</li></ul>
County of Essex	<ul style="list-style-type: none"><li>• The County was circulated however no comment is anticipated.</li></ul>

## RECOMMENDATION

It is recommended that Council:

- 1) approve zoning amendment application ZBA/09/17 to rezone the subject property from 'General Commercial-Holding (C4(h))' to 'General Commercial, (C4)' removing the (H) Holding symbol and adopt the implementing by-law.
- 2) approve site plan application SPA/04/17, subject to the conditions outlined in the site plan agreement, for the construction of a 24.68 m x 18.28 m (81 ft. x 60 ft.) 415.28 sq. m (4,470 sq. ft.) single storey commercial structure and associated facilities and authorize the Mayor and Clerk to sign the site plan agreement and register said agreement on title.

*Robert Brown*

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Manager, Planning & Development Services

*Peggy Van Mierlo-West*

Peggy Van Mierlo-West, C.E.T.  
Chief Administrative Officer