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To: Mayor and Council

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Manager, Planning Services

RE: Zoning Amendment Application ZBA/02/16
HVM Holdings Inc.
200 Main St. E., Part of Lot 2, Concession 1 ED

Report No.: PDS 2017-046

AIM

To provide the Mayor and Council with information regarding a proposed Zoning By-law Amendment (ZBA) for lands owned by HVM Holdings Inc., located at 200 Main St. E, in the Town of Kingsville.

BACKGROUND

The subject lands consist of two parcels totaling 2.24 ha (5.55 acre). Parcel B fronting on Main St. E. is a 0.58 ha (1.43 ac.) L-shaped lot created by consent in 2016 while Parcel A with access and frontage to Woodycrest Ave. is 1.66 ha (4.12 ac.). The intended development at that time was to locate a medical clinic building on Parcel B and develop Parcel A for multiple residential consisting of two 6 storey, 60 unit condos. The owner is now prepared to move forward with this development in a phased approach. Phase 1 would be the development of the medical clinic, Phase 2 and 3 would see the construction of the condo buildings.

In order to proceed with the development the following approvals would be required:

- 2) A zoning amendment to permit a limited mix use including the medical clinic, professional offices and accessory pharmacy and two, six-storey condominiums with a maximum of 120 units, and
- 3) Site Plan approval of each of the proposed phases.

DISCUSSION

1) Provincial Policy Statement (PPS), 2014:

PPS, Section 1.1.3.1 states that, "Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted." Section 1.1.3.3 further 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 or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

Comment: Multiple unit development, such as that proposed, has been very limited for quite some time making the availability of this particular type of housing in short supply. The subject lot has been vacant for some time. Proposed high density residential is generally common and best suited to locations along arterial roads such as Main St. E. The lot will not require extension of services and takes advantage of existing lands within the Kingsville settlement area.

2) County of Essex Official Plan

The County OP is very similar to that of PPS in terms of applicable policies and encouragement of intensification of development within the Settlement Area boundaries. The proposed development would be consistent with the County Official Plan.

3) Town of Kingsville Official Plan

The subject lands are designated Residential and permit all forms of residential development along with commercial development which is supportive of the residential area.

Comment: There are several examples of commercial develops along Main St. E. now including doctor, dentist and professional offices. Much of the higher density residential development in Kingsville is also located along the main corridors either Division St. or Main St. E.

The density based on the proposed 120 residential units would be approximately 72 units per hectare which is at the lower end of the 124 unit maximum per hectare considered high density residential.

Section 3.6.1 Residential – Goals item d) states "encourage the development of a greater variety of housing types.

Comment: This is one of the more important points in the assessment of this proposal as much of the development in Kingsville in the last ten years has been generally low density single detached, semi-detached and townhouse development. Although Kingsville does have a good stock of designated residential lands, the inventory of serviced, shovel ready property is limited to approximately a 4 to 5 year supply, based on the current growth rate and development of only low density residential. The

addition of up to 120 residential units in a mixed commercial/residential setting expands the variety of housing and does not impact on the current supply of serviced residential lands.

Section 3.6.1 Policies item i) outlines the following, “when considering applications to amend the Zoning By-law to permit a medium or high density residential development, the Town shall have regard to the following:

- i) the need for the proposed development as identified through an analysis of housing supply and demand;

Comment: There is very little rental/condominium type development available in Kingsville as a result of little to no development of these forms of housing in the last 20 years. This has resulted in a very low vacancy rate and generating a significant demand. This form of housing has been a growing type of development in smaller communities as our population ages. The primary form of housing in Kingsville has been singles, semis and limited townhouses with the majority being individual freehold ownership. With condo development, while the initial intent is ownership, it can also offer investment opportunity which can generate rental units.

- ii) the density and form of adjacent development;

Comment: The subject parcels is surrounded by a mix of uses, vacant residential and low density residential to the south, institutional (KDHS) to the west and a retirement home to the east. To the north is newer single detached development. Higher density development in Kingsville is not exclusively centred in one area and is most often found along or very close to main arterial roads.

- iii) the adequacy of, and extent of uncommitted reserve capacity in the municipal potable treatment and supply system, the municipal sanitary sewage treatment and collection system, storm drainage and roads to service the proposed development;

Comment: Water capacity has been reviewed and confirmed. Sanitary sewer capacity in the area is limited. Development of Phase 1, the medical clinic, can proceed immediately without a capacity issue. Development of the residential portion, Phases 2 and 3 will require the applicant to have storage capacity on site to allow for non-peak discharge into the sewer system. However, the applicant has indicated as have other developers that the preferred option would be to see the Town proceed with the necessary downstream collection upgrades prior to moving forward with that portion of the development. There has, and administration is in agreement, a willingness by the development community to assist financially in moving those upgrades forward in the near future. i.e. contribution toward the upgrade rather than investment in more costly collection and timed discharge system. This is easily addressed at the site plan phase.

- iv) the adequacy of school, park and community facilities to serve the proposed development;

Comment: Although condo development is generally geared toward the non-family or retired population there is no lack of schools in the area. Parks and community facilities are also within walking or short driving distance.

- v) the adequacy of off-street parking facilities to serve the proposed development;

Comment: All required parking for the new development will be provided on-site in the form of at grade and underground spaces in compliance with the applicable zoning requirements for the proposed mix of uses.

- vi) the provision of adequate buffering measures deemed necessary to protect and provide general compatibility with the adjacent lands uses; and

Comment: The development has been laid out in such a way to either maintain separation from abutting sensitive uses or provide buffering by way of landscaping and fencing.

- vii) accessibility in relation to the location of arterial and collector roads;

Comment: The property is located on Main Street E. which is the Town's main arterial road. A traffic study (Appendix B) was completed and noted that the proposed development at full build out would generate 109 vehicle trips in the morning peak (7:30 am to 9 am) and 153 vehicle trips in the afternoon peak (4 pm to 6 pm). The study concluded that the entrances will continue to function at a good level of service, however did note that the existing two way turn lane on Main St. E. in front of the proposed entrance would need to be modified to a left turn lane only for 15 m (50 ft.) to provide stacking space for left turns into the site.

The medical clinic itself will certainly add traffic movement to this area however there are two aspects to keep in mind; 1) the high school to the west will be closing in the short term moving that traffic, at least in the short-term elsewhere, and 2) there is existing traffic volumes in Kingsville already travelling to a doctor's office be it on Main St. or elsewhere so any increase is more so the result of a relocation than an addition.

The addition of the residential units will add traffic to both Main St. E. and the existing subdivision to the north. This will be done on a phased basis and is not something that will happen immediately. The other factor to consider is the location of the buildings is very supportive of walkability being centrally located between the downtown to the west and large format commercial to the east. Kingsville is a small community and very walkable. This is something that planning policy strongly supports and encourages and I believe helps to maintain that small community feeling that is so dear to the existing residents and the principle reason for continuing to attract residents to Kingsville.

The main factor which has impacted all recent development proposals along or near Main St. has been less about traffic impact i.e. traffic study conclusions and more about traffic volume. Each road or street in the Town is designed to handle a certain level of traffic not unlike a storm sewer is designed to handle a certain volume of water. While the volume of traffic does continue to increase on Main St. and intersections experience peak time delays and access points to private property may experience peak delays or slower movements, traffic does continue to flow on Main St. However, it is recognized by staff that both short-term and longer-term solutions must be considered to improve the traffic flow. As with any infrastructure

improvement there is a cost associated with it. In order to generate the funds necessary while minimizing ratepayer impact development is required. What this means is that the Town and Council have different options in moving forward with development particularly along Main St.

- 1) Do nothing – freeze any and all development in the Town since even existing approved areas are contributing to the volume of traffic on Main St.
- 2) Not approve any new development – recognize that existing approvals have to be honoured including that they will add traffic volume but have to be permitted to proceed.
- 3) Guarded approvals – address existing approval requests based on supporting traffic studies and continue to monitor the area and look for short-term solutions for improvement.
- 4) Continue forward but develop an action plan for what improvements are required, when they are required and how they are funded.

Item j) further states that all medium and high density residential development will be subject to site plan control pursuant to the Planning Act;

Comment: Because of the phased development of these lands there are potentially three additional approvals required including, site plan approval for Phase 1, site plan approval for Phases 2 and 3 and plan of condominium for Phase 2 and 3. This will afford continued opportunity to review, refine and establish a high level of quality for the proposed development in the coming years.

4) Comprehensive Zoning By-law

The subject property is zoned Residential Zone 1 Urban, holding (R1.1(h)). The intended amendment would be to rezone Parcel A and B to Residential Zone 4 Urban, Exception 2 to permit the following:

- i) Apartment building (maximum 2 buildings, 6 stories each, 120 units)
- ii) A Medical Clinic
- iii) Office
- iv) Personal Service Shop
- v) Accessory Retail or Pharmacy

Site-specific regulations will also be established, if necessary, for setbacks, height and buffering. The zoning will apply to the entire site and will consider Parcel A and Parcel B as one lot for the purpose of zoning. This is done in order to allow for ongoing connectivity, joint use of parking as well as servicing access and storm water management.

5) Proposed Site Layout

The attached plan (Appendix A) shows the proposed location of the buildings, parking, landscaping and access points. As noted this detail and layout will be incorporated as shown in the site plan approval process for each stage of the development. As part of

the site plan approval it has been suggested that a pedestrian linkage be established to the neighbouring retirement home.

LINK TO STRATEGIC PLAN

Manage residential growth through sustainable planning.

FINANCIAL CONSIDERATIONS

There will be an increase in the assessment of the property as a result of the application once the proposed development proceeds.

CONSULTATIONS

Public 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 Open House/ Public Meeting by mail. The notice was also posted in the Kingsville Reporter. The applicant also held a public open house on December 8, 2016 at the Unico Centre that was attended by approx. 20 to 25 residents. The feedback related to the medical clinic was supportive. The residential development portion raised a number of questions from abutting neighbours as well as concerns related to traffic, and service capacity for the development. Specifically the following were questions asked:

- What will the traffic impact be?
- Height of the building
- Impact to view
- Shading from the buildings
- Service capacity
- Details of uses in the medical clinic
- Timing
- Ownership of the units
- Lighting
- Target Market
- Type of landscaping
- Size of condo units
- Population of the development

Since the official notice of public meeting was circulated there has been some limited feedback both positive and guarded. Many of the same concerns have been put forwarded as noted above.

Planning Advisory Committee (PAC)

A PAC meeting was held September 19, 2017. Public comment again echoed many of the same issues that were raised at the initial open house including traffic impact, effect on abutting residential properties and service capacity.

Moved by, Gord Queen seconded by Ted Mastronardi that the Planning Advisory Committee receives the report and refer the matter to Town Council with the request that further information regarding timeline for infrastructure improvements that may be required.

The general timing of infrastructure improvements, in particular sanitary sewers, would be approximately two years in order to undertake the necessary background work, get Council approval from a budget standpoint and then tender for construction. The only Main St. E. improvements currently pending would be improvements at the Main St. E and Jasperson Drive intersection and the improvement of Mains St. W. from Queen St. toward the west. Both of these road projects are anticipated for completion in the next year and would be in place prior to or concurrent with the medical clinic.

As noted above the medical clinic portion of the development can move forward without these works. The developer has indicated that they would not move forward with the residential portion of the development until such time and the sanitary sewer works have been completed as this is the best long-term and sustainable method to service the property.

Agency & Administrative Consultations

In accordance with O. Reg 545/06 of the *Planning Act*, Agencies and Town Administration received the Notice of Public Meeting by email.

Agency or Administrator	Comment
Essex Region Conservation Authority Watershed Planner	<ul style="list-style-type: none">• ERCA expressed no objection to the proposed planning approvals but has recommended that storm water management be part of the final approval requirement
Town of Kingsville Management Team	<ul style="list-style-type: none">• The property will require new service connections, at the applicant's expense sized appropriately to the proposed use• Storm water management is required• The final building design will be subject review under the Building Code Act• A fire safety plan and lock box will be required for the building• Municipal Services will continue to review final access designs. It has also been noted that the Town will require that infrastructure be installed for future signalization of the entrance
County of Essex	<ul style="list-style-type: none">• There has been no comment to date on the proposed development

RECOMMENDATION

It is recommended that Council approve zoning amendment application ZBA/02/16 to rezone the subject property from 'Residential Zone 1 Urban – holding (R1.1(h))' to 'Residential Zone 4 Urban Exception 2 (R4.1-2)' and adopt the implementing by-law.

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