

January 22, 2020

Sent via email

Robert Brown, MCIP, RPP
Manager, Planning Services
Town of Kingsville
2021 Division Road North
Kingsville, ON N9Y 2Y9

**Re: Brotto Investments Inc.
 183 Main Street, E. Kingsville ON
 Municipal File # ZBA/18/19
 Second Submission**

Our File: BFH/KNV/19-01

Dear Mr. Brown:

Please find enclosed with this correspondence the following materials representing the applicant's second submission:

- Updated Conceptual Site Plan dated December 11, 2019 (updated Site Plan);
- Baird AE Correspondence re Traffic Impact Analysis, December 20, 2019: and,
- Updated Concept Renderings.

Updated Conceptual Site Plan, December 11, 2019

The updated Site Plan has been prepared in response to issues raised by the public at the November 19, 2019 Planning Advisory Committee (PAC). We have summarized the main issues raised and changes to the Site Plan into the following categories:

1. Maximum Building Height

The updated Site Plan proposes two four storey wood frame apartment buildings at 14 m in height as opposed to the original application which proposed a 6 storey concrete apartment building at 18 m in height. The R4.1 zone regulations require a maximum height of 11 m.

The Town has requested that the proposed four storey apartment buildings be designed in the Victoria architectural style, which requires a pitched roof. As such, an increase in building height is required to accommodate this request given the definition of height in Zoning By-law 1-2014.

2. Minimum Interior Side Yard Setback

The updated Site Plan proposes a minimum 4.5 m interior side yard setback consistent with the R4.1 zone regulation. This is an increase from the original application which proposed a minimum interior side yard setback of 2.2 m at the north-west corner due to the siting of rectangular townhouses on a parallelogram shaped property.

3. Minimum Front Yard Setback

The updated Site Plan proposes a minimum 8 m front yard setback consistent with the R4.1 zone regulations. This is an increase from the original application which proposed a minimum 7.6 m front yard setback.

4. Minimum Rear Yard Setback

The updated Site Plan proposes a minimum 7.5 m rear yard setback whereas the R4.1 zone regulations require a minimum 14 m setback (equal to building height). This is an increase from the original submission which proposed a minimum 3.5 m rear yard setback whereas the R4.1 zones requires an 18 m setback (equal to building height). We note the rear yard setback is more pronounced at the southeast corner of the southern building due to the siting of rectangular buildings on a parallelogram property. The rear yard setback at the southwest corner of the southern building is 10.3 m.

As noted previously, the 14 m building height is provided at the request of the Town to accommodate a Victorian pitched roof. Given this, the rear yard setback requirement has increased due to the definition in the by-law. A reduced rear yard setback is appropriate and consistent with the objectives and policies of the Official Plan and is not expected to adversely affect future development to the south. The lands to the south are vacant, no formal issues have been raised by the owners through the application process to date, and further site specific buffering issues can be more fully addressed when a future development application is made on these lands.

5. Loading Location

The loading has been moved away from the western lot line to the interior of the subject lands, between the two proposed apartment buildings. The updated location provides improved screening to the neighbouring Bon Jaspersen property to the west at 171 Main St. E.

6. Affordability and Tenure

Issues of affordability were raised by the public at the PAC meeting. The updated Site Plan proposed two wood frame four storey apartment buildings, which are typically less expensive to construct than the concrete building originally proposed.

The updated Site Plan proposes two buildings which provide options for the development of both ownership and rental tenure. The applicant is interested in proceeding with both an ownership and rental building.

7. Pedestrian Connection

The updated Site Plan provides a clear and direct pedestrian connection from the sidewalk along Main Street East to the entrance of the proposed buildings. The removal of the townhouse units fronting onto Main Street East will soften the site entrance and allow for a large landscape open space in the front yard.

Baird AE Correspondence re Traffic Impact Analysis, December 20, 2019

Baird AE has reviewed the updated Site Plan and has concluded the following:

It is our professional opinion that the addition of 7 units on the subject lands as depicted on the Conceptual Site Plan dated December 11, 2019 will have no material impact on the recommendations of the TIS.

As such, the recommendations of the October 15, 2019 Traffic Impact Analysis remain applicable to the updated Site Plan.

Heritage Analysis

Zelinka Priamo Ltd. has reviewed the updated Site Plan and in our professional opinion, the proposed changes do not alter the recommendations of the Heritage Impact Statement dated October 15, 2019.

The Town of Kingsville does not have municipal guidelines for guiding development adjacent to a identified heritage site. Mitigative measures such as buffer zones, or design guidelines do not exist. The proposed development as depicted on the Site Plan dated December 11, 2019 will conserve the significant built heritage resources of the adjacent Bon Jasperson Property.

Planning Analysis

The updated Site Plan has been prepared to address issues raised by the public at the November 19, 2019 PAC meeting. The Site Plan proposes two four storey, 20 unit residential apartment buildings and surface parking. The Site Plan has a single vehicular entrance to Main Street East and two loading spaces between the buildings. A total of 50 surface parking spaces are required under Zoning By-law 1-2014, whereas 51 parking spaces are provided.

The Zoning By-law Amendment (ZBA) application is to change the zoning on subject lands from Residential Zone 1 Urban (R1.1) Zone to Residential Zone 4 Urban (R4.1) Exception Zone under By-law 1-2014. The updated ZBA application proposes the following Special Provisions:

- **Maximum Main Building Height of 14 m whereas R4.1 Zone requires a maximum height of 11 m; and,**
- **Minimum Rear Yard Depth of 7.5 m whereas R4.1 Zone requires a minimum rear yard depth of 14m.**

The updated ZBA application is consistent with the relevant policies of the Provincial Policy Statement and conforms to the County of Essex Official Plan and Town of Kingsville Official Plan as demonstrated in our October 18, 2019 correspondence. The proposed development provides appropriate residential intensification in an area with available infrastructure and public services and the updated Site Plan addresses issues raised by the public at the PAC. The original recommendations from the Traffic Impact Analysis dated October 15, 2019 and the Heritage Impact Statement dated October 15, 2019 remain. The ZBA application represents good planning and is in the public interest.

If you have any questions regarding the contents of this correspondence, please contact the undersigned.

Yours very truly,

ZELINKA PRIAMO LTD.



Jared Dykstra, MCIP, RPP



Heather Garrett, BA, CPT

cc. Christian LeFave, Brotto Investments Inc.