



Planning Report

To: Municipality of Kincardine Planning Committee

From: Daniel Kingsbury, Senior Planner

Date: March 8, 2021

Re: Zoning By-law Amendment - Z-2020-080 (Zukowski - Tiverton)

Recommendation:

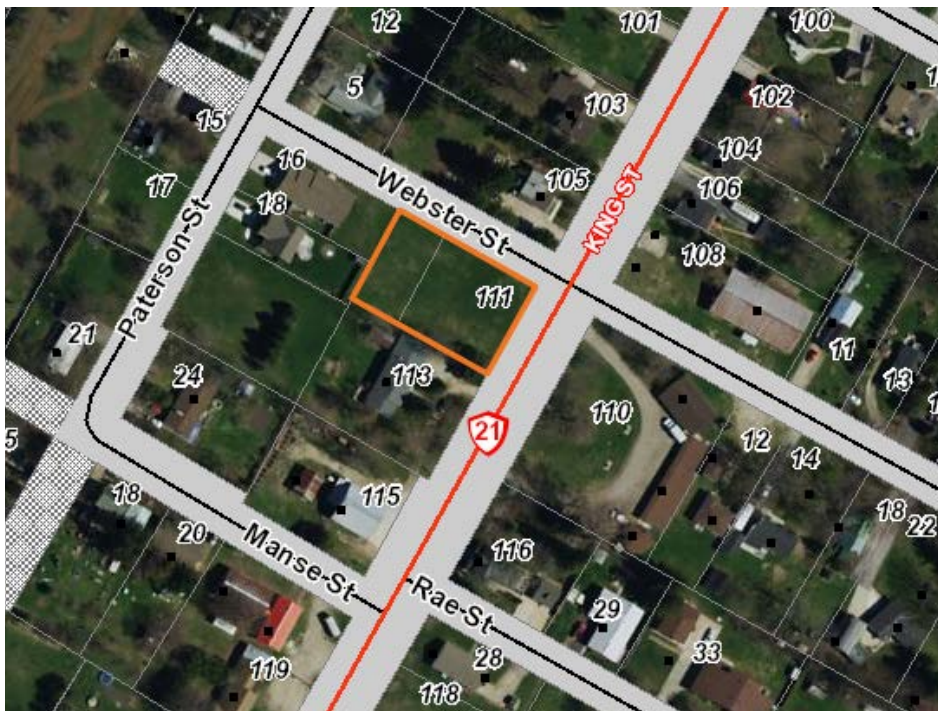
Subject to a review of submissions arising from the public meeting:

That Committee approve Zoning By-law Amendment Z-2020-080 as attached and the necessary by-law be forwarded to Council for adoption.

Summary:

The application proposes to rezone to the lands to the General Commercial Special (C1-o) zone to facilitate the construction of two five (5) unit apartment buildings. Each unit is proposed to have one bedroom. The lands are located at 111 King Street in Tiverton at the corner of King Street and Webster Street. The lands are comprised of two vacant parcels and are currently zoned the General Commercial Special Provision (C1-d) and Residential One (R1) zone.

Airphoto



Site Plan

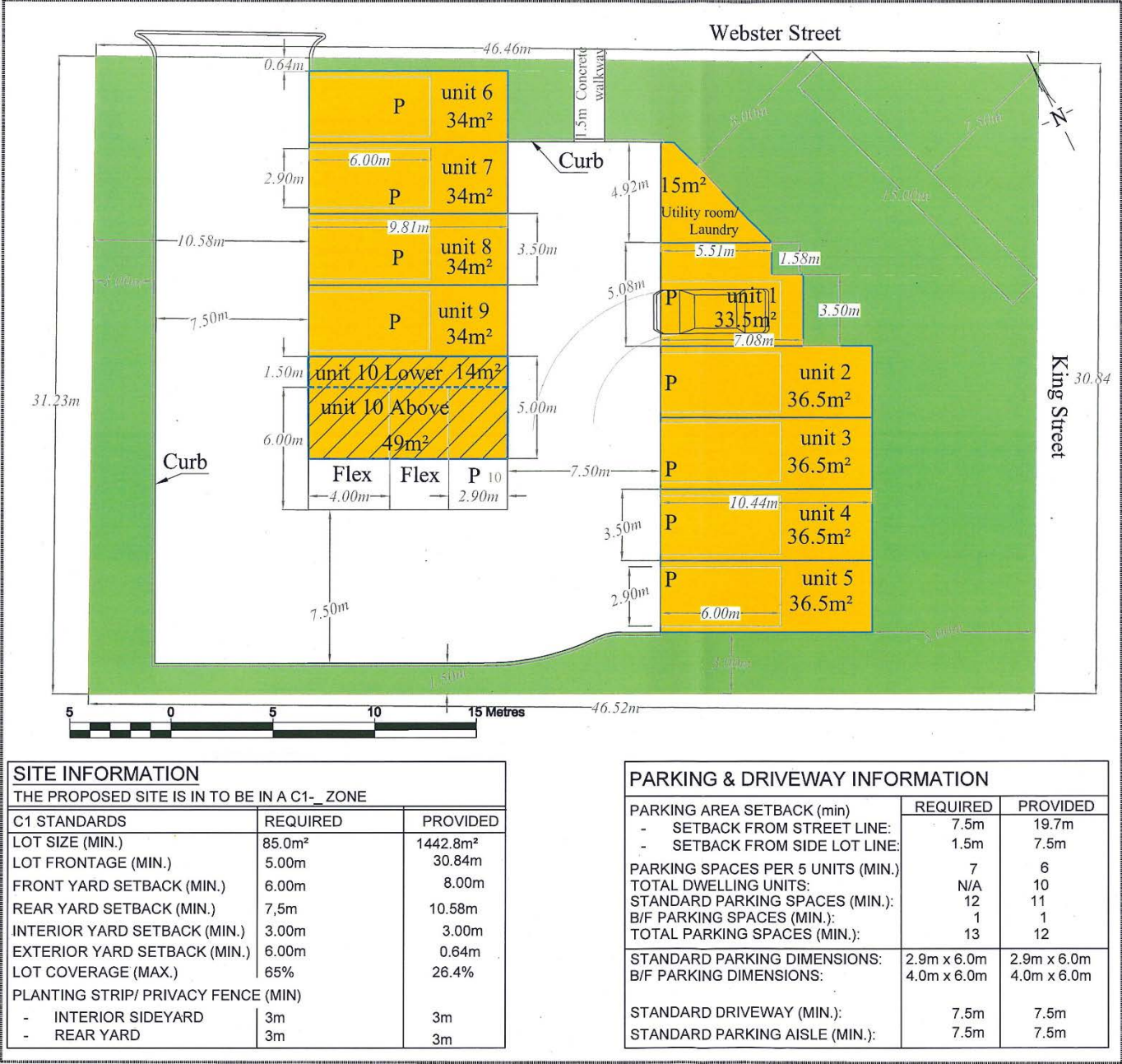


Image of Proposed Structure



Planning Analysis:

The following section provides an overview of the planning considerations that were factored into the staff recommendation for this application, including relevant agency comments (attached), and planning policy sections.

Description of Lands

The lands consist of two parcels which are to be consolidated into one parcel, being approximately 1,416 square metres (0.35 acres). The westerly parcel (with frontage on Webster Street) is approximately 485 square metres and is zoned Residential One (R1). The easterly parcel (with frontage on King Street) is approximately 931 square metres and is zoned General Commercial Special (C1-d). The special provision permits an automotive sales establishment on the lands as well as the other uses permitted within the C1 zone, including an apartment building like the one being proposed. Merging the two lots into one parcel under a uniform General Commercial zone will facilitate the efficient use of the lands for the proposed apartment buildings.

Site Layout and Compatibility with Neighbouring Properties

The lands are challenging to develop because of constraints related to Ministry of Transportation's 8 metre development setback from the day-light triangle for the intersection of King Street (Highway 21) and Webster Street. The MTO has also indicated that the entrance to the development be located on Webster Street as far west from Highway 21 as possible. Access to the site will be from a single entry point.

As noted, the proposal is for two five (5) unit apartment buildings, each being two storeys in height. The proposed site layout maintains the setback provisions of the General Commercial (C1) zone. The lands are considered to have frontage on King Street, with the exterior side yard setbacks being derived from the edge of the municipal right-of-way for Webster Street.

Each building is oriented in such a way to mitigate impacts to adjacent residential uses to the extent possible. Further mitigation measures, such as fencing and landscaping, can be implemented through Site Plan Control.

The proposed layout represents an efficient use of the lands and is compatible with the neighbourhood context.

Parking

Most of the parking on the site is contained within the structures, with each unit proposed to have dedicated a carport within the building's footprint. The Zoning Bylaw requires one 1 space per dwelling unit plus 1 space for every 4 dwelling units, or fraction thereof, to be set aside for and visually identified as visitor's parking. Based on this criteria, the proposal is required to have 13 parking spaces, as well as one barrier-free space.

The proposed development is seeking 12 parking spaces, including one barrier free space that would also function as a 'flex space' to accommodate visitor parking when not required

for barrier free parking. The flex parking arrangement requires appropriate signage to ensure those people requiring barrier free parking have preference over visitors. This parking approach has been used in multi-unit residential developments elsewhere in Ontario, recognizing that there is a low probability that both a barrier-free space and visitor space would be required at the same time.

The proposed parking configuration is logical for this site and is likely to function well once it has been constructed.

Efficient use of Lands and Resources

The proposal is located within a Primary-Urban Community, where the Municipality's Official Plan directs a majority of development is to be located. The lands are serviced by municipal water and sewer. The proposal is considered to be an infill development within urbanized area of Tiverton. The proposal represents an efficient use of lands and resources.

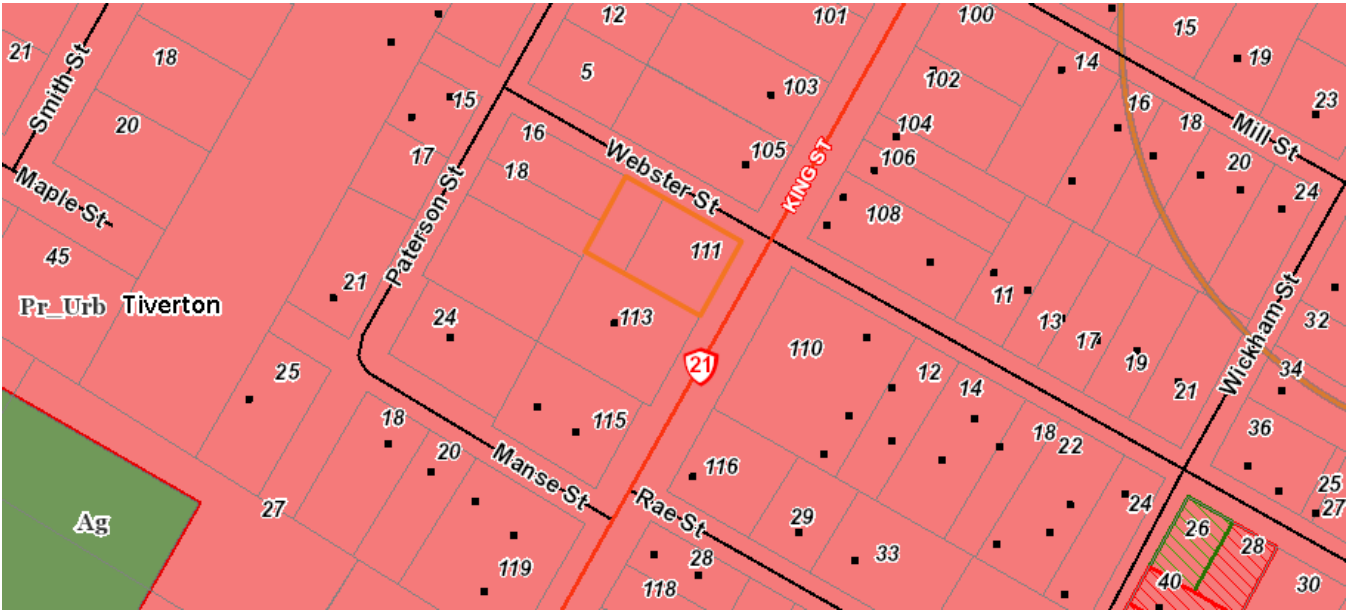
Cultural Heritage

Based on guidelines from the Ministry of Heritage, Sport, Tourism, and Culture Industries, an Archaeological Assessment was required in support of this application due to the proximity of the lands to a known archaeological site. The applicant undertook a Stage 1-2 Archaeological Assessment, which concluded that the site did not contain any significant archaeological artifacts.

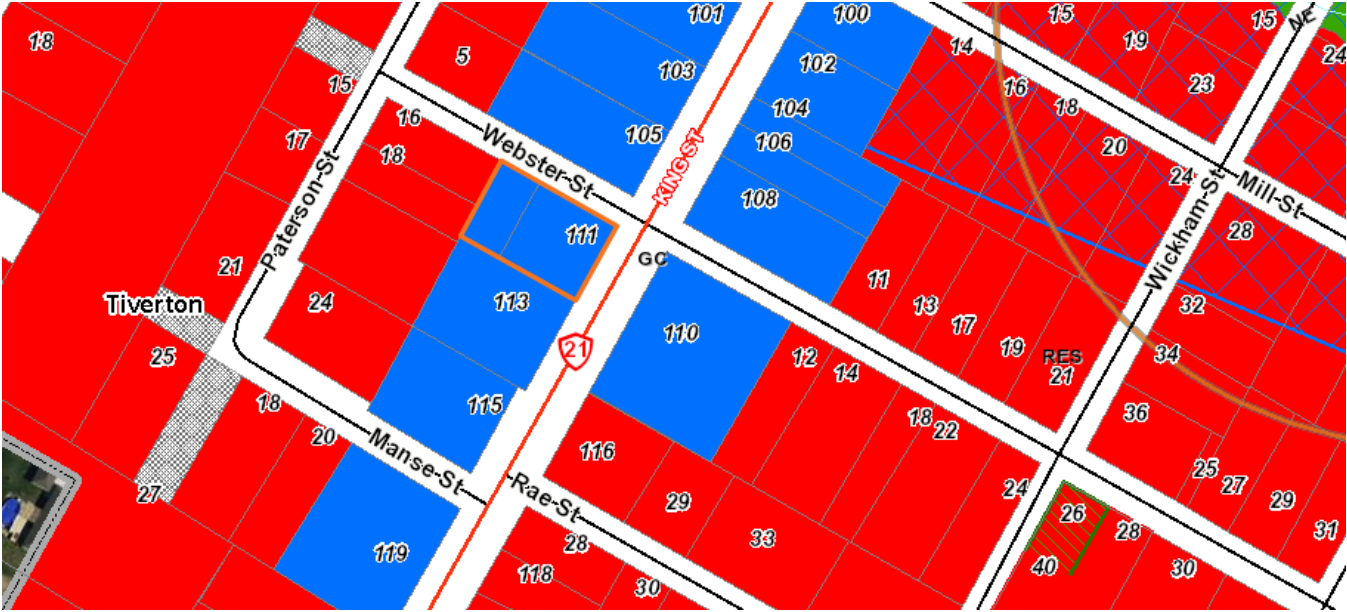
Appendices

- County Official Plan Map
- Local Official Plan Map
- Local Zoning Map
- List of Supporting Documents and Studies
- Agency Comments
- Public Comments

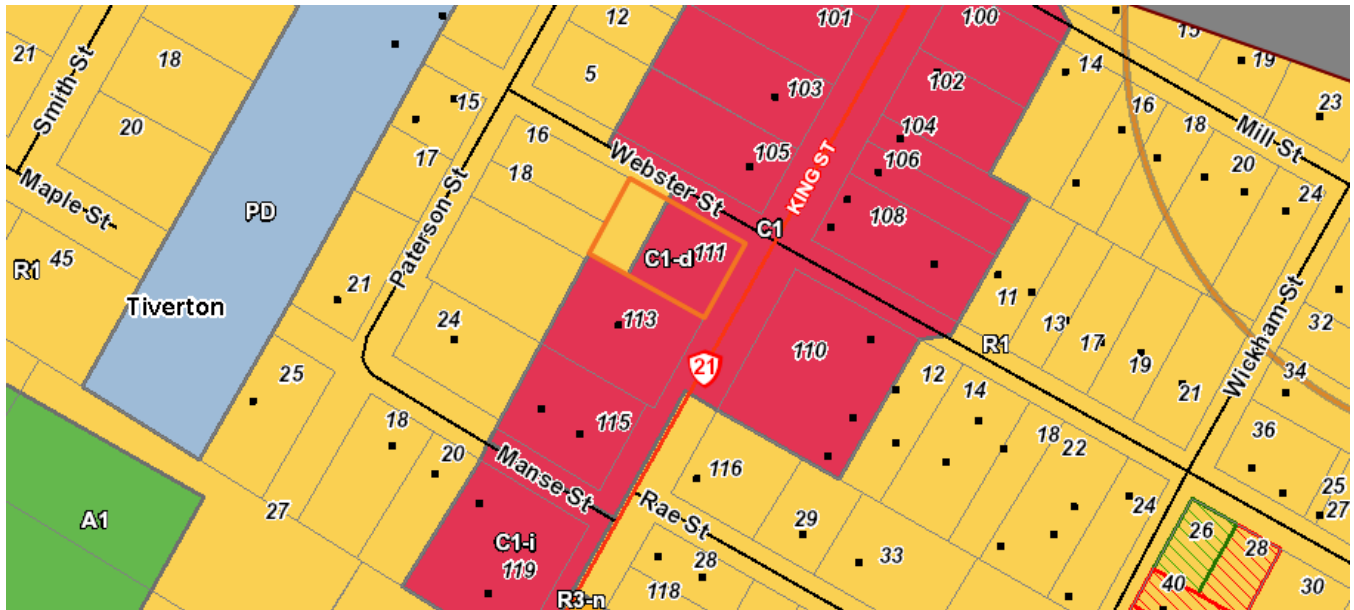
County Official Plan Map (Designated Primary Urban)



Local Official Plan Map (Designated General Commercial)



Local Zoning Map (Zoned Residential One 'R1' and General Commercial Special C1-d)



Agency Comments

Chief Building Official: Subject to Site Plan Control

Saugeen Valley Conservation Authority: Provided in full below

List of Supporting Documents and Studies

- Planning Justification Report (Goodried Planning Group - Dec. 2020)
- Archaeological Resource Assessment - Phase 1 & 2 (Scarlett Janusas Archaeology Inc. - Jan. 2021)

Public Comments

- None received as of the date of Planning Report submission.



1078 Bruce Road 12, P.O. Box 150, Formosa ON Canada N0G 1W0
Tel 519-367-3040, Fax 519-367-3041, publicinfo@svca.on.ca, www.svca.on.ca

SENT ELECTRONICALLY ONLY (bmugabe@brucecounty.on.ca)

February 5, 2021

Corporation of the County of Bruce Planning & Development
1243 MacKenzie Road
Port Elgin, Ontario
N0H 2C6

ATTENTION: Barbara Mugabe, Planner

Dear Ms. Mugabe,

RE: Proposed Zoning By-law Amendment Z-2020-080 (Zukowski)
111 King Street
Part Lots 30 and 31 Plan 121 Part 2 Plan 3R9095
Roll No.: 410826000606615
Geographic Village of Tiverton
Municipality of Kincardine

Saugeen Valley Conservation Authority (SVCA) staff has reviewed the above-noted application as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020) and as a regulatory authority under Ontario Regulation 169/06 (SVCA's Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Regulation). SVCA staff has also provided comments as per our Memorandum of Agreement (MOA), dated September 2019, with the County of Bruce representing natural hazards, natural heritage, and water resources; and the application has also been reviewed through our role as a public body under the *Planning Act* as per our Conservation Authority Member approved Environmental Planning and Regulations Policies Manual, amended October 16, 2018.

The purpose of the application is to amend the existing General Commercial Special Provision (C1-d) Zone and Residential One (R1) zones to establish a site specific General Commercial Special Provision (C1-xx) zone to permit the development of two five (5) unit apartment dwellings for the purpose of extended stay rental units.

Recommendation

SVCA staff find the application acceptable. The subject property does not contain any floodplains, watercourses, shorelines, wetlands, valley slopes or other environmental hazard features of interest to SVCA or as per our MOA with the County of Bruce. As such, it is the opinion of SVCA staff that the application is consistent with the Natural Hazard and Natural Heritage Policies of the PPS, 2020 and the Municipality of Kincardine Official Plan. Additionally, the property is not subject to Ontario Regulation 169/06, or to the policies of SVCA at this time, and as such, permission from the SVCA is not required for development on the property.



Watershed Member Municipalities

Municipality of Arran-Elderslie, Municipality of Brockton, Township of Chatsworth, Municipality of Grey Highlands, Town of Hanover, Township of Howick, Municipality of Morris-Turnberry, Municipality of South Bruce, Township of Huron-Kinloss, Municipality of Kincardine, Town of Minto, Township of Wellington North, Town of Saugeen Shores, Township of Southgate, Municipality of West Grey

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Please inform this office of any decision made by the Municipality of Kincardine and/or the County of Bruce with regard to the application. We respectfully request to receive a copy of the decisions and notices of any appeals filed. Should you have any questions, please contact the undersigned.

Sincerely,



Michael Oberle
Environmental Planning Technician
Saugeen Conservation
MO/

cc: Jennifer Lawrie, Clerk, Municipality of Kincardine (via email)
Maureen Couture, Authority Member, SVCA (via email)
Bill Stewart, Authority Member, SVCA (via email)