



# Committee Report

To: Warden Janice Jackson  
Members of the Planning and Development Committee

From: Mark Paoli  
Director of Planning and Development

Date: August 12, 2021

Re: Kincardine Official Plan Amendment L-2021-007 (Marshall)

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## Staff Recommendation:

That Kincardine Official Plan Amendment L-2021-007 (Marshall) be approved; and,

That the Director or Manager of Land Use Planning be authorized to sign the decision sheet.

## Summary:

The application is to redesignate the lands from the Mixed-use designation to the Residential designation in Kincardine's Official Plan to facilitate the construction of an eight-unit apartment building at the northwest corner of Kincardine Avenue and Queen Street. The building is proposed to be a 3-storey stacked townhome. An associated Zoning Bylaw Amendment is also proposed to implement the Official Plan Amendment by rezoning the lands from Highway Service Commercial 'C2' to Residential Four Special Holding 'R4-s-Holding'.

## Alignment with Guiding Principles:



### GOOD GROWTH

To put growth in the right locations with the right services



### AGRICULTURE

To support our key economies, including supporting a thriving agriculture community



### CONNECTING

To improve our ability to move people, goods, and information between communities



### HOMES

To increase the supply and mix of homes



### BUSINESS

To create opportunities for a diversity of businesses, jobs, and employers



### COMMUNITIES

To create wellbeing through access to healthy complete communities



### HERITAGE

To identify and manage our cultural heritage resources



### NATURAL LEGACY

To manage natural resources wisely for future generations

-  Not applicable
-  Not aligned
-  Aligned
-  Strongly aligned

The proposed amendment is strongly aligned with the Good Growth Guiding Principle. The proposal for 8 residential units within a stacked townhome structure represents an intensification opportunity by developing on an under-utilized parcel within an established mixed-use neighbourhood in Kincardine. The proposed apartment building will not require additional municipal water and sewer infrastructure to be constructed to service the lands.

The proposed amendment is strongly aligned the Homes Guiding Principle by providing additional rental units to Kincardine's to existing limited rental supply. Likewise, the proposal is aligned with the Heritage Guiding Principle by preserving an existing older home on the lands. The proposal is also aligned with Communities Guiding Principle because of its proximity to nearby community services, including an elementary school and commercial uses.

On balance, this proposal is aligned with the Guiding Principles and the Vision of a healthy, diverse and thriving future.

### Airphoto



# Site Plan

KINCARDINE AVENUE

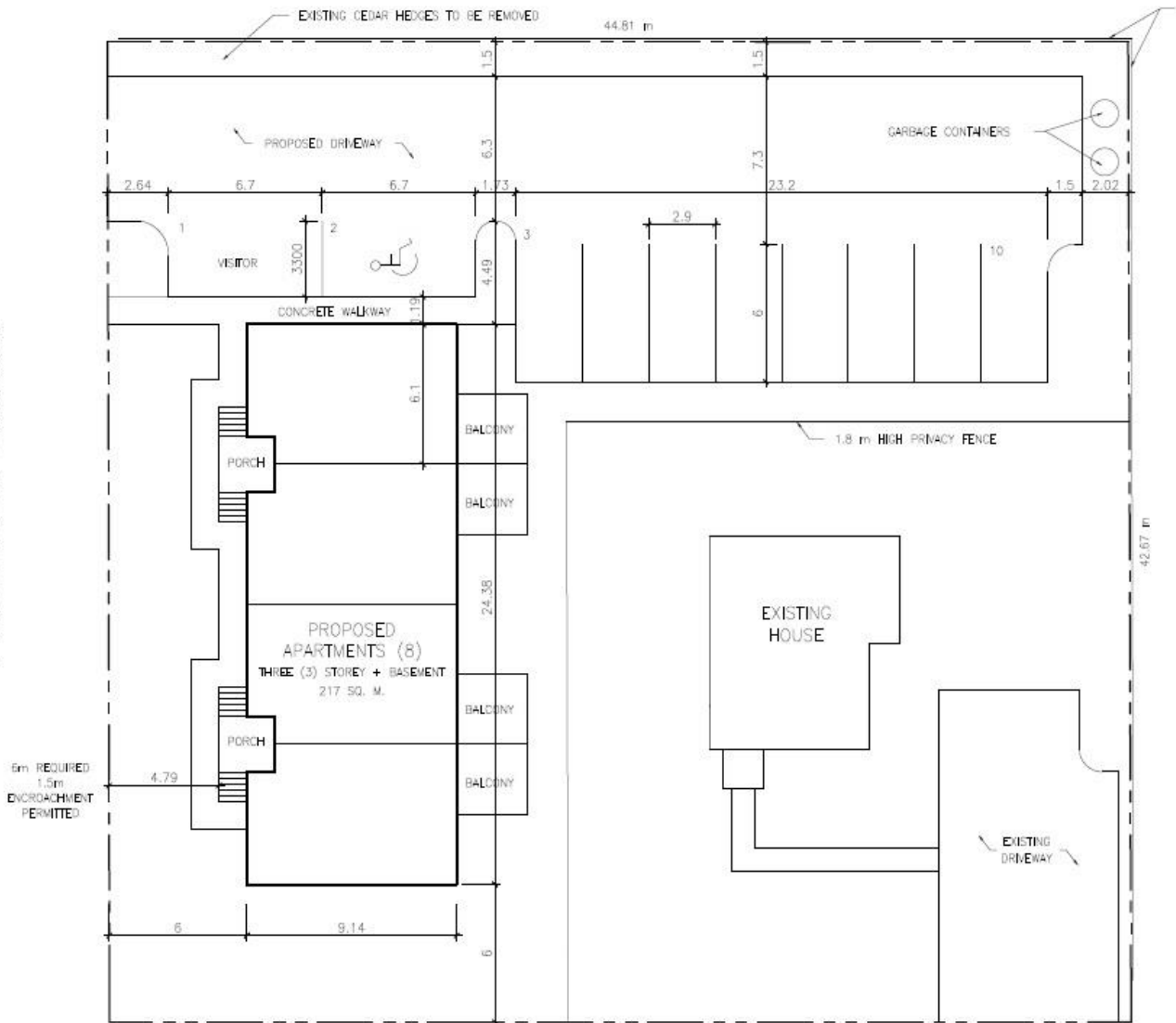


Image of Vacant Site (From Queen Street Facing West)



**Image of Existing Dwelling (From Queen Street Facing South-West)**



**Conceptual Image of Proposed Structure\***



\*For representation purposes only. Site-specific architectural drawings to be produced through site plan control process and may differ to the conceptual image above.

## 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), public comments (attached) and planning policy sections.

### Description of Proposal

The lands are comprised of two relatively large urban lots which are intended to be merged should the proposed zoning bylaw amendment be approved, to form a single parcel of approximately 1,912 square metres.

The proposal is for a 3-storey stacked townhome to be developed on the vacant parcel, with the majority of the parking to be located behind the existing dwelling. All units on the land, including the existing dwelling, are intended to be rental units. The proposed development represents a density of approximately 47 units per hectare.

### Housing

Kincardine is designated by the County Official Plan as a primary Urban Community, where a majority of the Municipality's anticipated growth is expected to occur. Kincardine requires a range of housing types and tenures to accommodate residents of all ages and socio-economic backgrounds.

Kincardine's new Official Plan outlines further goals and objectives to support a wide range of housing types, including establishing a 25% target for all new residential development to be in the form of medium density. A 30% target for all new residential development is to be rental.

The proposed structure, consisting of 8 stacked townhouse units, is not typical in Kincardine and will diversify the type of housing available in the municipality. The development is medium density, thereby contributing to the municipality's 25% density target for this form of housing. Likewise, the units are intended to be rental units, contributing to the municipality's 30% target for this form of tenure.

While the rental units are unlikely to meet the threshold to be considered affordable, the developer has indicated an intent to offer the units at a reasonable rate. It should be noted that the proposed units will add to Kincardine's overall rental supply, which should help alleviate the average rental rate to some extent. It is also noted that it is challenging for new apartment developments to offer affordable rental rates without subsidies due to the cost of construction, particularly with recent increases in material and labour costs.

### Compatibility

The applicant is proposing to re-develop an underutilized site within an already established area of Kincardine. This form of development is considered to be intensification. Kincardine's new Official Plan encourages intensification and provides a number of factors to consider for medium density housing proposals, including;

- Compatibility with land uses in the immediate areas
- Building height relative to adjacent low-rise residential areas
- Parking
- Buffering
- Landscaping and amenity space
- Proximity to community facilities and commercial services
- Adequacy of municipal services
- Impacts to future development of surrounding lands

Comments received by neighbours to the proposed development cited a number of concerns regarding compatibility with the existing neighbourhood, including issues related to neighbourhood character, building height and parking.

The area surrounding the lands contains a mix of different land uses, including a hotel to the north, vacant commercial to the east, a school and townhomes to the south and a detached dwelling to the west. The abutting lands, including the parcel immediately to the west, are designated Mixed-Use in Kincardine's Official Plan.

The Mixed-Use designation recognizes such lands as, "...having ability to accommodate both density and the intensification of uses." The Official Plan acknowledges that residential uses within the Mixed-Use designation will be of medium-high density. The Official Plan generally supports a development of this density on these lands, albeit with a commercial use integrated into the overall development. The proposed development is strictly residential in nature with no associated commercial. The applicant has indicated that would be challenging to include a viable commercial use on the lands given its size.

With respect to compatibility with immediate land uses, it is noted that lands are currently zoned Highway Service Commercial 'C2', which permits a range of uses including a hotel, motel, parking lot, assembly hall, automotive gas bar and restaurant. The proposed apartment building is arguably less impactful and more compatible to the neighbourhood than the uses that are currently permitted on the lands.

Parking for the proposed development is on the western portion of the property. Eight parking spaces are proposed to be located behind the existing dwelling on the lands, while one visitor space and one barrier-free space is to be located on the western side of the proposed apartment building. The proposed parking area meets the provisions of the Zoning Bylaw, except for the setback from the street. A special provision is included within the proposed zoning bylaw amendment to permit the parking area to be located 2.6 metres from the street, whereas the zoning bylaw requires a setback of 7.5 metres.

The height of the proposed 3-storey stacked townhomes will not be greater than 12 metres, which is the maximum permitted height in both the existing zone as well as the proposed Residential Four 'R4'. The building height is reasonable and will not dominate the surrounding area. Likewise, this style of building is compatible with the low-rise residential uses surrounding the area. The proposed structure has a north-south orientation, which mitigates direct sightlines into the yard of the lot to the west.

The proposed development would be subject to site plan control, which provides the municipality the ability to implement landscaping and buffering measures. The nearest residential use is a single-detached dwelling immediately to the west. The proposed apartment building is approximately 11 metres east of the mutual property line, which provides a sufficient spatial buffer. The lands are separated by an existing 8 foot high wood privacy fence; however, there may be opportunity to improve existing buffering through additional landscaping measures to be implemented through site plan control.

### Site Function

Proper functioning of the site is an important consideration to ensure key requirements, notably snow and garbage storage, can be accommodated on the lands. Public comments received on this application expressed concern regarding the capacity of the lands to accommodate snow storage and garbage storage. There is adequate space between the proposed structure and the existing dwelling for snow storage on the property. Garbage is proposed to be collected by curbside collection. Through site plan control, the municipality can formalize locations for both snow storage and onsite garbage storage.

### Efficient use of Lands and Resources

A primary objective of Kincardine's Official Plan is to ensure the wise use of land, promote efficient development patterns and minimize impacts to natural resources. Likewise, it is important to consider the sustainability of infrastructure to minimize impacts to future generations who will have to maintain and replace what is built today.

Kincardine's Official Plan establishes a minimum infill and intensification target of 20% to help facilitate the efficient use of land and infrastructure. The proposed development contributes to this target by utilizing existing water and sewer infrastructure, thereby permitting additional residential units to be used without the need for new infrastructure to be constructed.

### Financial/Staffing/Legal/IT Considerations:

Potential Appeal to the Ontario Land Tribunal

#### Report Author:

Daniel Kingsbury, RPP  
Senior Policy Planner

#### Departmental Approval:

Mark Paoli,  
Director of Planning & Development

#### Approved for Submission:

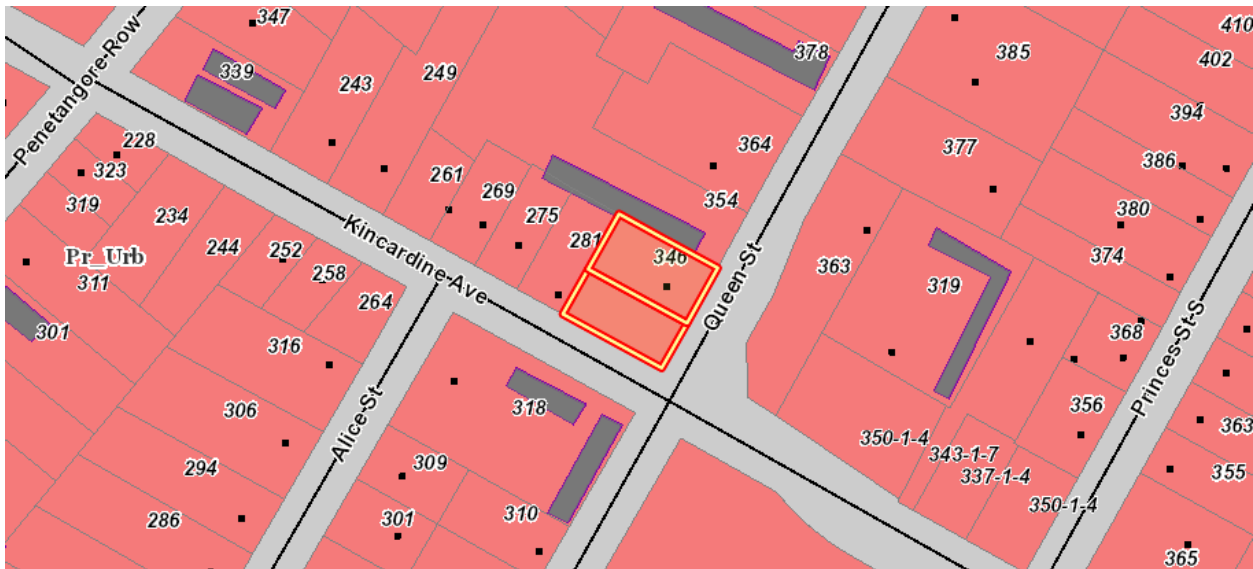
Sandra Datars Bere  
Chief Administrative Officer



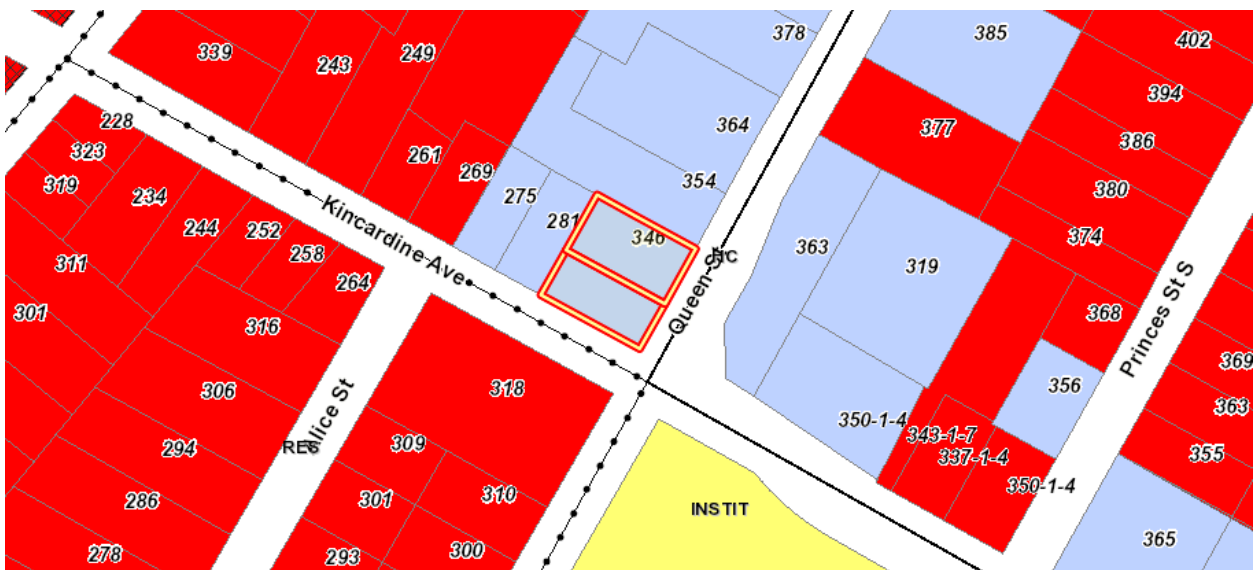
## Appendices

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

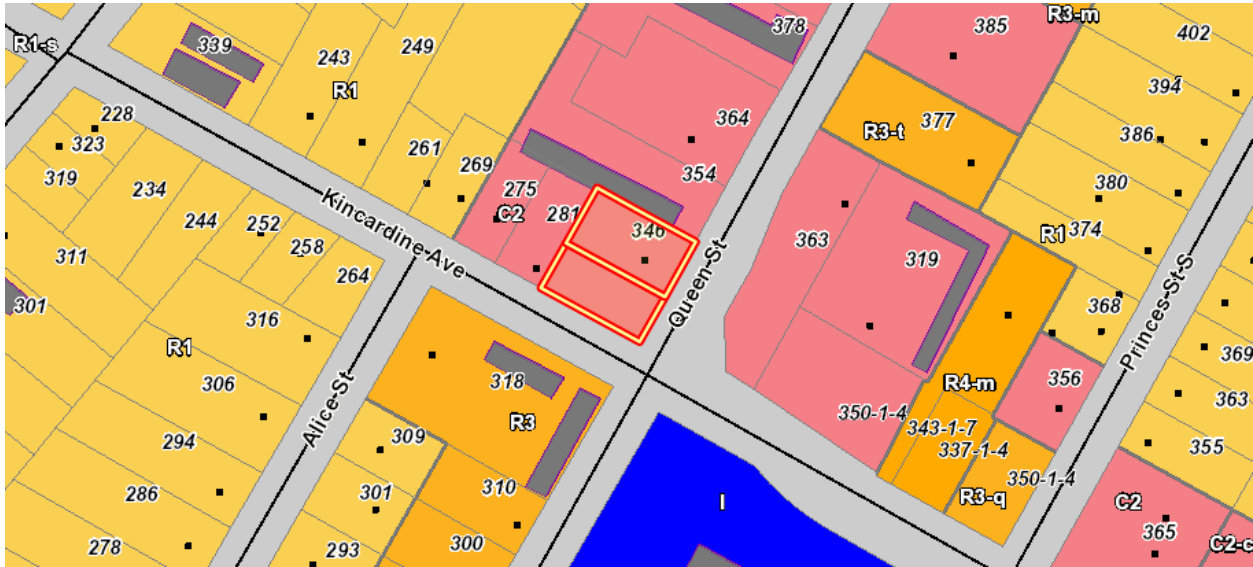
### County Official Plan Map (Designated Primary Urban)



### Local Official Plan Map (Designated Mixed Use)



## Local Zoning Map (Zoned Highway Service Commercial 'C2')



### List of Supporting Documents and Studies

Planning Justification Report (Ron Davidson Land Use Planning Consultant Inc.)

### Agency Comments

**Saugeen Valley Conservation Authority:** Outside Regulated Area. The application is acceptable.

**Historic Saugeen Métis:** No objection

**Director of Infrastructure and Development:** Items will be addressed at site plan; upfront we have no immediate concerns related to the planning application.

### Public Comments

**Ron Phair (comments attached):** Comments received raising concerns regarding impacts to pedestrian safety, traffic, neighbourhood character and conflict with neighbouring lands directly to the west.

**Alexander (Sandy) Donald (comments attached):** Comments received noting several issues for consideration as well as concerns related to snow storage and removal, garbage collection, view, site & shadow considerations, persons with disabilities, rental rates and construction impacts.

**Jeremy Beaty (comments attached):** Comments received raising concerns regarding the adequacy of parking, conflicts with his driveway relative to the site entrance, potential drainage issues, tree removal, traffic congestions, setbacks, lack of sidewalks on the northside of Kincardine Ave, loss of privacy, safety impacts to the intersection of Queen Street and Kincardine Ave, height of building, neighbourhood character impacts, noise impacts and loss of property value.