



## Report to Council

Department: Development Services  
Division: Planning  
Date: October 7, 2024  
Prepared by: Ian Rawlings, Junior Planner  
Report Number: Planning-2024-29  
Subject: ZBA-05-24 (103 Centre Street, Essex centre)  
Number of Pages: 5 including attachments

### Recommendation(s)

**That** Planning Report Planning-2024-23- entitled ZBA-05-24 (103 Centre Street, Essex centre) prepared by Ian Rawlings, Junior Planner, dated October 7, 2024 be received, and

**That** By-Law Number 2364, being a Bylaw to amend Bylaw 1037, the Comprehensive Zoning By-Law for the Town of Essex, to permit the use of the existing Single Unit Dwelling located at 103 Centre Street as a Medical Office, be read a third time and finally passed on October 7, 2024.

### Purpose

To recommend approval of a site-specific zoning amendment for the property identified as 103 Centre Street, Essex Centre (Ward 1). The zoning amendment is required to permit the use of an existing Single Unit Dwelling as a Medical Office, and to provide an exemption from the minimum required number of parking spaces for a Medical Office.

## Background and Discussion

An application for a site-specific zoning amendment to the Comprehensive Zoning Bylaw, Bylaw 1037, was received by the Municipality for the lands located at 103 Centre Street in the Primary Settlement Area of Essex Centre (Ward 1), herein referred to as the **“Subject Lands”**. The owners, Ramrock Holdings Inc. (c/o Deanna Marchese – Cunningham & Steven Cunningham) herein referred to as the **“Applicants,”** own the subject property and intend to use the existing Single Unit dwelling as a medical office.

A statutory public meeting was held on Monday, September 23, 2024, to hear public comments on the application prior to Council rendering a decision on the application. A copy of Planning Report 2024-23 and the Public Meeting Presentation is attached to this report.

The comments received at the Public Meeting are summarized in the following Table:

Comment	Response
Can a fence be constructed separating the shared driveway?	<p><b>As per the Town’s Fence By-law</b>, a fence cannot be constructed between the two driveways due to the potential impact regarding sight lines.</p> <p>Instead, the applicants propose and will implement alternative measures be to delineate the driveway, such as the placement of planters and other decorative instruments.</p>

<p>Can the applicants approach the Essex Retirees Social Club asking to share available parking facilities?</p>	<p>The applicants have approached the Chief Executive officer (CEO), Tracey Bailey, of the Essex Retirees Social Club asking permission to use the premise for parking purposes. The CEO has expressed that the applicants are welcome to utilize the premises for the foreseeable future. However, a formal agreement has not been entered into at this time.</p>
<p>Can the driveway be expanded to support an additional parking space?</p>	<p>Currently, the subject property can support two (2) on-site parking spaces in accordance Zoning By-law. One (1) parking space located within the attached garage, and one (1) located in the front yard.</p> <p>A parking space in accordance with the Zoning By-law is detailed as 2.75 meters in width, and 5.5 meters in length. The current driveway measures 5.3 meters in width and meters in length, and is only able to support one (1) parking space. The applicant supports the expansion of the driveway by 0.2 meters resulting in a total width of 5.5 meters, allowing for an additional parking space, resulting in three (3) total on-site parking spaces.</p>

	Further expansion of the driveway to accommodate a fourth parking space would result in the removal of the existing mature tree and would require relief from the minimum landscaped area in a required front yard.
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#### By-Law Number 2364

By-Law Number 2364 was read a first and second time and provisionally adopted on September 23, 2024.

By-Law Number 2364 has been amended to include a provision requiring that the applicant provide three on site parking spaces in accordance with the By-Law 1037, the Town of Essex Zoning By-Law. A redlined version of the amended By-Law is attached to this report.

#### Next Steps

Council may:

- Approve the proposed By-Law where notice of approval will be sent to the applicant and all persons requesting to be notified of the decision, and a 20-day appeal period takes effect.
- Deny the proposed By-Law where notice of denial will be sent to the applicant and all persons requesting to be notified of the decision and a 20-day appeal period takes effect.
- Defer the decision to a later date if further information is required.

It is the recommendation of Administration that By-Law Number 2364 be approved.

#### **Financial Impact**

Notwithstanding an appeal, there is no financial impact associated with costs to undertake normal administrative operations for notifying the applicant and interested parties of the decision of Council and revising planning documents to reflect the amendments. Costs are recouped 100 percent through the application fee.

## Consultations

Notice of the application for zoning bylaw amendment was circulated to all persons and public bodies required to be notified under subsection 5(9) of Ontario Regulation 545/06, including staff members from each Town of Essex department.

## Link to Strategic Priorities

- ☐ Embrace asset management best practices to build, maintain, and continuously improve our municipally owned infrastructure.
- ☒ Leverage **our Town's competitive advantages to promote jobs and economic investment.**
- ☒ Take care of our natural environment and strengthen the sense of belonging to everyone **who makes Essex "home".**
- ☐ Deliver friendly customer service in an efficient, effective, and transparent manner while providing an exceptional working environment for our employees.
- ☐ Build corporate-level and community-level climate resilience through community engagement and partnership and corporate objectives.

## Report Approval Details

Document Title:	ZBA-05-24 (103 Centre Street, Essex Centre) - Planning-2024-29.docx
Attachments:	<ul style="list-style-type: none"><li>- ZBA-05-24 - Bylaw - Redlined.pdf</li><li>- ZBA-05-24 - Bylaw - Final.pdf</li><li>- ZBA-05-24 - 103 Centre Street - Planning-2024-23 - Planning-2024-23.pdf</li><li>- ZBA-05-24 Public Meeting Presentation - 103 Centre Street.pdf</li><li>- ZBA-05-24 - Business Plan_Town of Essex (2024)_Redacted.pdf</li><li>- ZBA-05-24 - Site Plan.pdf</li></ul>
Final Approval Date:	Oct 3, 2024

This report and all of its attachments were approved and signed as outlined below:

No Signature - Task assigned to Rita Jabbour, Manager, Planning Services was completed by workflow administrator Cassandra Lauzon, Legislative Clerk

Rita Jabbour, Manager, Planning Services - Oct 2, 2024 - 2:50 PM



Lori Chadwick, Director, Development Services - Oct 2, 2024 - 2:55 PM

No Signature - Task assigned to Doug Sweet, Chief Administrative Officer was completed by delegate Kate Glurissevich, Director, Corporate Services

Doug Sweet, Chief Administrative Officer - Oct 3, 2024 - 10:31 AM