



## Report to Council

Department: Development Services

Division: Planning

Date: January 13, 2025

Prepared by: Ian Rawlings, Junior planner

Report Number: Planning-2025-01

Subject: ZBA-10-24 (0 Maidstone Avenue West, Essex Centre)

Number of Pages: 4 plus attachments

### Recommendation(s)

**That** Planning Report Planning-2025-01 - entitled ZBA-10-24 (0 Maidstone Avenue West, Essex Centre) prepared by Ian Rawlings, Junior Planner, dated January 13<sup>th</sup>, 2025 be received, and

**That** By-Law Number 2400, being a By-law to amend By-law 1037, the Comprehensive Zoning By-Law for the Town of Essex, be read a third time and finally passed on January 13<sup>th</sup>, 2025.

### Purpose

To recommend the adoption of site-specific Zoning By-law amendments for the lands municipally known as 0 Maidstone Avenue West in the Essex Centre, Ward 1 designated as Parts 1, 5 through 8, on 12R-29980, to permit the following site-specific uses and regulations:

- A Bakeshop, defined as a retail store for the sale of bakery products;
- A Drive-through Restaurant, defined as a restaurant having a drive-through food outlet;
- A Drive-through Food Outlet, defined as a retail store for the sale of prepared foods to persons remaining in a motor vehicle;

- A Health Studio, defined as a building used for athletic or physical fitness instruction, exercise, or athletic training;
- A Micro-brewery, defined as a facility not exceeding 300 square metres used for the manufacture and retail sale of beer or wine, produced for consumption off-site except when in combination with a restaurant or entertainment lounge;
- A Veterinary Office, defined as the office of a veterinarian and may include the indoor temporary accommodation of animals for observation but does not include any outdoor facilities for accommodation or provisions for boarding;
- A Wholesale Store, defined as a building for the sale of goods exclusively for resale, manufacture or construction but does not include the processing, manufacturing or assembling of those goods; and
- Relief from Subsection 18.1 b) ii) of the Zoning By-law which limits the Maximum Gross Floor Area of a business, financial or medical office, light repair shop, personal service shop, professional studio, retail store, restaurant and takeout food outlet to 250 sqm (2,700 sqft).

## **Background and Discussion**

An application for a site-specific amendment to the Comprehensive Zoning By-law for the Town of Essex, By-Law 1037, has been received by the Town for the commercial lands located in the Primary Settlement Area of Essex Centre (Ward 1) at the southwest corner of the intersection between Maidstone Ave W, and Peters Street. The lands are municipally known as 0 Maidstone Avenue West, otherwise identified as Parts 1, 5 through 8, on 12R-29980. A copy of 12R-29980 is **attached to this report**.

A statutory public meeting was held on Monday, December 16, 2024, to hear public comments on the application prior to Council rendering a decision on the application. A copy of Planning Report 2024-35 and the Public Meeting Presentation are **attached to this report**.

No comments from Council or any public delegations were received at the statutory public meeting held on December 16, 2024.

One written comment was received from Cindy and Paul Kiessling of 276 Maidstone Avenue West, dated December 13, 2024. The comment expressed concerns regarding the orientation of structures, the location of access areas off of Peters Street, and the location and screening of refuse bins. The comment does not express concerns regarding the requested zoning amendments.

Site plan control will be required for the respective development which will require the applicants to finalize the development layout in accordance with Town standards. Items such as the location and orientation of structures, the location of accesses, and location and screening of refuse bins will be addressed during the Site Plan Control process.

#### By-Law Number 2400

By-Law Number 2400 was read a first and second time and provisionally adopted on December 16<sup>th</sup>, 2024.

By-Law Number 2400 has been amended to properly reference the subject lands as detailed on registered reference plan being 12R-29980.

A redlined version of the amended By-Law is **attached to this report**.

## **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 By-law 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-10-24 - 0 Maidstone Avenue West - Second Report - Planning-2025-01.docx
Attachments:	<ul style="list-style-type: none"><li>- (Redline Version) ZBA-10-24 - By-law 2400.pdf</li><li>- ZBA-10-24 - Cindy and Paul Kiessling.pdf</li><li>- ZBA-10-24 - 0 Maidstone Avenue West - Planning-2024-35.pdf</li><li>- ZBA-10-24 Public Meeting Presentation - Final.pdf</li><li>- 12R29980.pdf</li></ul>
Final Approval Date:	Jan 3, 2025

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



**Lori Chadwick, Director, Development Services - Jan 3, 2025 - 12:46 PM**



**Doug Sweet, Chief Administrative Officer - Jan 3, 2025 - 1:19 PM**