



Public Meeting

General Amendments to Zoning By-law 1037

December 15, 2025



Where you belong

Purpose of Meeting

To hear comments from the Public relating to the proposed amendments to the Zoning By-law.

Council does not decide on the amendments at this meeting.

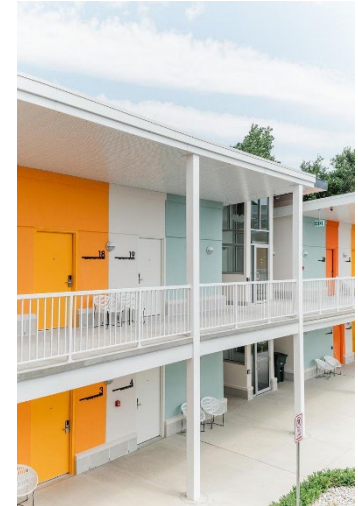
Purpose of Zoning By-law

- Town of Essex Zoning By-law 1037 (2010)
- Controls the use of land in a community by:
 - Regulating how land or buildings and structures may be used and the permitted building types
 - Regulating the size of a lot
 - Regulating where buildings or structures may be placed on a parcel of land and the regulations applicable to them (i.e. setbacks, building height and parking)

Proposed Amendments

Definitions, Section 7:

- ***“Hotel” and “Motel”***
 - “Self Contained Cooking Facilities” not permitted in guest room or suites, however, these facilities are not defined.
 - Definition to be revised to state that “self-contained cooking facilities” means any permanent appliance for the preparation of food that requires an exhaust system (ovens, stoves etc.)
 - This revision clarifies for staff and proponents that fridges, microwaves, hotplates would be permitted.
- ***“Gas Bar”***
 - Definition isn’t representative of the dispensing of other motor vehicle fuels
 - Definition revised to “Motor Vehicle Fuel Station” and to include a range of motor vehicle fuels (Gasoline, Deisel, Electricity, Hydrogen etc.)
 - Revision is representative of modern and alternative vehicle fuel stations (EV Charging Stations)



Proposed Amendments

Additional Dwelling Units, Section 8.15:

- New regulation under “General Provisions” which specifies that **main dwelling is the dwelling existing on the lot** prior to the construction of an ADU
 - Required because regulations refer to “main dwelling or building” for the purpose of determining floor area of ADU and number of ADUs permitted
 - Regulation currently in place for ADUs in residential areas but not for ADUs in agricultural areas
- Revised regulation under “General Provision” permitting a **maximum lot coverage of 45% for an ADU in a settlement area**
 - Regulation is required under Ontario Regulation 299/19
 - Some Residential zoning districts permit a maximum lot coverage of 40%
- **Remove regulation** under “General Provision” **requiring one (1) water and sanitary connection per lot** for main dwelling and ADU in settlement area and **prohibiting connection to private septic or water system**
 - The way buildings and structures are serviced cannot be regulated under a Zoning By-law
 - Servicing matter is already addressed under Water Supply By-Law



Detached



Attached



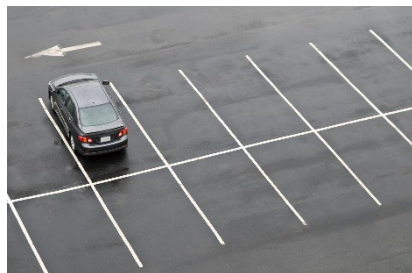
Interior Conversion



Accessory Structure Conversion

Proposed Amendments

Parking Space Regulations, Section 11:



- **Revise minimum parking regulations for Dwelling Units in Combined Use Buildings** (commercial/residential) to reflect minimum parking regulations for multi-residential building (apartments/condos)
 - Currently By-law only requires, for dwelling units in combined use building, 1.25 spaces per dwelling unit and 15% of those parking spaces for visitors
 - Multi-residential regulations prescribes parking regulations based on number of bedrooms (i.e. 1.25 for 1-bedroom, 1.5 for 2-bedroom, 2 for 3-bedroom) and visitor parking is in addition to tenant parking (i.e. 0.15 spaces for each unit for parking)
 - Regulation change is more reflective of parking needs of buildings with multiple dwellings.
- **Exempt new commercial buildings from minimum parking regulations** in parking exception areas (i.e. downtown Harrow and Essex)
 - Currently By-law requires new commercial development such as retail stores to provide on-site parking
 - Exemption currently only applies to existing buildings
 - Regulation change would promote more development in the downtown as commercial parcels are often too small to accommodate on-site parking and would not facilitate the vision of a main street front with commercial presence.



Proposed Amendments

Residential Regulations, Section 14:

- **Remove Semi-detached dwellings as permitted uses on County Road 50, east and west of the Colchester Hamlet**
 - Semis are not permitted in these areas under the Town of Essex Official Plan
 - Would continue to permit Semis within the Colchester Settlement Area
 - New regulation would ensure compliance with the Official Plan and maintain the character of County Road 50.
- **Permit a minimum interior side yard width of 1.2m for dwellings in R1.1, R1.2 and R2.2 Zone**
 - Side yard width is distance between main building wall and side lot line. Interior side yard is side lot line between two properties
 - Currently a dwelling must have a minimum side yard width of 3m on one side where there is no attached garage or carport to allow for side yard parking
 - Parking is permitted in the front yard therefore no impact on parking opportunities
 - New regulation would facilitate more efficient use of available residential land



Proposed Amendments

Miscellaneous Changes:

- **Change reference in By-law from “Day Nursery” to “Day Care Centre”**
 - Day Care Centre is the only defined term in by-law
- **Remove regulation for setbacks for accessory buildings on through lots**
 - currently required to be same setback as front yard
- **Remove subsection 9.3** permitting Single Unit Dwellings on existing lots with 12m frontage and existing lot area
 - Single Unit Dwellings permitted as of right on these lots
 - Regulation no longer required
- **Rename Section 10.2 to Front Yard Averaging for Dwellings and Accessory Buildings** and **adding regulating for minimum setback for vehicle entrance** from exterior lot line (6m)
 - Section applies to Accessory building too
 - 6m setback required for vehicle access to ensure safe in egress
- **Allow a roadside stand as an accessory use** to an agricultural operation in **Pleasant Valley**

Policy Analysis

The proposed amendments are consistent with the **Provincial Planning Statement** (PPS, 2024) and conform with **County and Town of Essex Official Plan**

- Promote more efficient use of residential land
- Promote intensification/promotion of commercial lands and employment opportunities

Public and Agency Comments

- Required internal and external agencies circulated directly (County of Essex, Conservation Authority)
- Notice advertised in Essex Free Press and Harrow News and on the Town of Essex website
- Two (2) comments citing no objection from Essex Region Conservation Authority (ERCA) and County of Essex received
- No comments received from the Public as of December 8

Next Steps

1. A Report to Council and an amending By-law will be presented for Council's decision at a future Council meeting in 2026.
2. At the future Council meeting, Council may:
 - Fully adopt the By-law for three (3) readings where a 20-day appeal period will take effect,
 - Provisionally adopt the By-law for one (1) or two (2) readings where final readings are reserved for another Council meeting,
 - Defer decision on the By-law if more information is required, or,
 - Deny the by-law where a 20-day appeal period will take effect.



Comments/Questions?