



Report to Council

Department: Development Services
Division: Planning
Date: April 19, 2021
Prepared by: Corinne Chiasson, Assistant Planner
Report Number: Planning-2021-08
Subject: Site Plan Control Approval – 3900 North Malden Road
Number of Pages: 7 pages - with attachments

Recommendation(s)

That Planning Report PLANNING2021-08 entitled Site Plan Control Approval -3900 North Malden Road, Colchester North, Ward 2 prepared by Corinne Chiasson, Assistant Planner, Planning Services, dated April 19, 2021 be received, and

That Bylaw 2009, being a Bylaw to enter into a Site Plan Control Agreement between the Corporation of the Town of Essex and Lorne McKim for the conversion of the existing dwelling to accommodate the housing of farm help at 3900 North Malden Road, be executed and registered.

Purpose

To **obtain Council's authorization to execute** a Site Plan Control Agreement to allow for the use of the existing single detached dwelling to accommodate the housing of farm help at the property municipally known as 3900 North Malden Road in the former township of Colchester North (Ward 2).

Background and Discussion

An application for a site specific zoning amendment to the Comprehensive Zoning Bylaw, Bylaw 1037, was previously received and approved by Council on April 6, 2021 through Bylaw 2003. As a result of the Zoning Bylaw Amendment, an application for Site Plan Control approval is required. The Municipality received the Site Plan Control application on January 28, 2021 for the agricultural lands located at 3900 North Malden Road in the former township of Colchester North (Ward 2), herein referred to as the “Subject Lands”. Lorne McKim, herein referred to as the “Applicant”, is the owner of the Subject Lands. A location map of the Subject Lands is provided below:



In accordance with the site plan depicted in Figure 1, the Subject Lands are occupied by the following buildings and structures:

- One (1) existing single detached dwelling;
- Four (4) pole barn/agricultural outbuildings;
- one (1) tobacco barn;
- one (1) grain (storage) bin

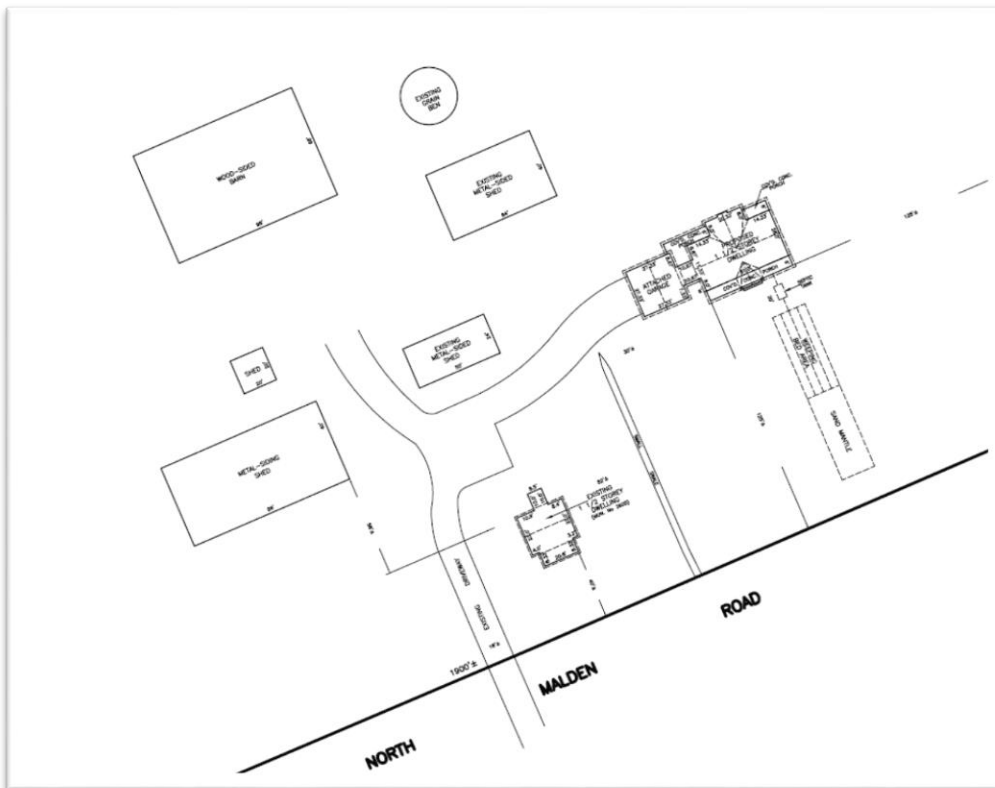


Figure 1. Site Plan depicting existing dwelling to be converted into housing for farm help

The Subject Lands are located in an Agricultural district and are predominately used for harvesting cash crops. A portion of the northwest corner of the Subject Lands is designated Natural Heritage Overlay in the Official Plan, however, no works will be conducted within 120 metres of this feature.

A new residence for the applicant is also proposed but is not the subject of Site Plan Control approval.

The Proposal

As a result of the approved site specific zoning amendment (Bylaw 2003) for the Subject Lands, and in accordance with section 5.4 (f) (ii) of the Town of Essex Official Plan, the Applicant is required to apply for Site Plan Control Approval when amending the zoning bylaw to permit an ancillary dwelling on an operating farm for the purposes of housing farm help to ensure the ancillary dwelling is located on the lot and accessed in such a way to prevent the creation of a severable residential lot in the future.

The existing dwelling will be serviced by the existing access area and will share a water service connection with the proposed dwelling. The zoning district map on which the Subject Lands are located will be amended to reference the site specific zoning amendment. This will assist in alerting administration of the status of the existing dwelling if approached with a severance inquiry in the future.

As a result of circulation of the Site Plan, comments were received from the following Departments and agencies:

- Essex Fire and Rescue – No objections
- Department of Infrastructure Services – Only one (1) water service is permitted per lot. Therefore, no additional water service will be provided from the Municipal water main. Only one (1) water meter is permitted on the site. Therefore, the water for the new dwelling will need to pass through the existing water meter.
- Building Division– No objections, permit for new dwelling required
- Essex Region Conservation Authority (ERCA)–No objections, a permit or clearance may be necessary prior to construction of the new dwelling.
- Accessibility Committee – No objections
- Hydro One – No objections

The Site Plan Control agreement (attached) includes general provisions respecting the servicing and maintenance of the ancillary dwelling and the obtainment of applicable permits.

Financial Impact

There is minimal financial impact associated with costs to undertake normal administrative operations for notifying the applicant and registering the agreement. All costs associated with registration are borne by the applicant. Administrative costs are recouped through the application fee which is presently at sixty percent (60%) cost recovery.

Consultations

Rita Jabbour, Manager, Planning Services

Kevin Girard, Director, Infrastructure Services

Kevin Carter, Chief Building Official, Development Services

Jeffrey Morrison, Director, Corporate Services

Jason Pillon, Assistant Deputy Fire Chief –Prevention/Public Education

Vitra Vimalananthan, Resource Planner, Essex Region Conservation Authority (ERCA)

Link to Strategic Priorities

- ☐ Manage, invest and plan for sustainable municipal infrastructure which meets current and future needs of the municipality and its citizens.
- ☐ Create a safe, friendly and inclusive community which encourages healthy, active living for people of all ages and abilities.
- ☐ Provide a fiscal stewardship and value for tax dollars to ensure long-term financial health to the municipality.
- ☒ Manage responsible and viable growth while preserving and enhancing the unique rural and small town character of the community.
- ☐ Improve the experiences of individuals, as both citizens and customers, in their interactions with the Town of Essex.
- ☐ **Improve the Town's capacity to meet the** ongoing and future service needs of its citizens while ensuring the corporation is resilient in the face of unanticipated changes or disruptions.

Report Approval Details

Document Title:	Site plan Control Approval and Bylaw- 3900 North Malden Rd.docx
Attachments:	<ul style="list-style-type: none">- By-law 2009 and Site Plan Control Agreement.pdf- Site Plan.pdf
Final Approval Date:	Apr 13, 2021

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

Rita Jabbour, Manager, Planning Services - Apr 13, 2021 - 9:45 AM



Lori Chadwick, Director, Development Services - Apr 13, 2021 - 9:55 AM



Chris Nepszy, Chief Administrative Officer - Apr 13, 2021 - 10:46 AM