



Report to Council

Department: Development Services

Division: Planning

Date: June 21, 2021

Prepared by: Rita Jabbour, RPP, Manager, Planning Services

Report Number: PLANNING2021-11

Subject: Site Specific Zoning Amendment (96 County Road 50 West, Colchester Centre, Ward 3)

Number of Pages: 8 including attachments

Recommendation(s)

That Planning report PLANNING2021-11 entitled Site Specific Zoning Amendment (96 County Road 50 West, Colchester Centre, Ward 3) prepared by Rita Jabbour, RPP, Manager, Planning Services dated June 21, 2021 be received, and

That Bylaw 2034, being a Bylaw to Amend Bylaw Number 1037 for the property located at 96 County Road 50 West, be adopted.

Purpose

To recommend adoption of a site specific zoning amendment for the lands located at 96 County Road 50 West in the Hamlet of Colchester Centre, Ward 3. The zoning amendment is required to permit a Motel development at the subject lands. The Motel will be subject to site specific building regulations described in Bylaw 2034. Although not part of this report, the proposed development will also be subject to Site Plan Control approval prior to purchase and sale of the subject site and prior to any construction.

An application for a site specific zoning amendment to the Comprehensive Zoning Bylaw, Bylaw 1037 was received at the Town of Essex for the lands located on the eastern corner of Dunn Road and County Road 50 West, just North of Colchester Park, in the Hamlet of Colchester Centre (Ward 3). A location map is provided below:



The subject lands measure +3749 square metres in total land area. They are designated “Main Street Area ” on Schedule “A” of the Colchester Hamlet and Lakeshore Area Secondary Plan and are zoned Residential District 3.1 (R3.1) for High Density residential uses such as a multiple dwelling, semi-detached dwelling or townhome dwelling, on Map 17 of Bylaw 1037.

The subject lands are currently vacant. The lands are owned by the Municipality and are currently utilized as overflow parking accommodation for those visiting the Hamlet, specifically, the beach and harbour. The subject lands abut County and Municipal multi-use trail systems that encourage active transportation such as walking and cycling. The subject lands are also located **at a corner identified as a “Proposed Gateway”** under the Colchester Secondary Plan. A proposed gateway is an area intended to provide identity focal points through appropriate plantings, signage, lighting and building forms for those entering the Hamlet and main street area.

Neighbouring land uses in proximity to the subject lands include low density residential development (single detached dwellings) and Colchester Park, beach and harbour. Commercial uses such as restaurants, a cottage compound and a bicycle rental establishment are also located along County Road 50 and Jackson Street, in proximity to the subject lands. The lands are not located within an area regulated by the Essex Region Conservation Authority (ERCA) or within or adjacent to any natural heritage feature that may meet the criteria for significance as defined by the Provincial Policy Statement (PPS, 2020).

The Proposal

The Applicants are requesting a site specific zoning amendment to Bylaw 1037 for the Subject Lands to permit the following:

- A two-storey Motel development

The proposed development will also be subject to the following site-specific building regulations:

- A minimum front yard depth of 15 metres (50 feet)
- A minimum rear yard depth of 3 metres (10 feet)
- A minimum exterior side yard width of 8 metres (26 feet)
- A minimum interior side yard width of 3 metres (10 feet)

- A maximum building height of 10 metres (32 feet)

The development will also include an accompanying parking area for Motel patrons and a 58 square metre café with outdoor patio area.

A **Motel** is defined under Bylaw 1037 as a building or part thereof, used primarily for the sleeping accommodations of the travelling public, in which

- a) A minimum of five (5) guest rooms or suites of rooms are provided for sleeping accommodation;
- b) All guest rooms or suites of rooms are accessible from the exterior of the building and may also be accessible for the interior of the building;
- c) No guest rooms or suites of rooms has self-contained cooking facilities;

In combination with a Motel, Bylaw 1037 also permits a restaurant; meeting room and newsstand. A Motel may also include one (1) personal service shop such as a beauty salon or dry cleaning operation, and one (1) dwelling unit.

Proposal Conformity with Colchester Secondary Plan

Any Bylaw passed under Section 34 of the *Planning Act* such as Bylaw 1037, may be amended to allow for uses that are not permitted in the respective zoning district so long as the new use is permitted under the Official Plan for the area in which the subject property is designated.

The Hamlet of Colchester Centre is the Town's premier settlement area along the Lake Erie shoreline. Identified as a "secondary settlement area" in the Official Plans for the County and Town of Essex, the Colchester Centre functions as a service centre for the surrounding lakeshore residential district and agricultural areas.

The Colchester Secondary Plan establishes a cohesive vision and planning framework for the Hamlet to ensure balanced and sustained growth, recognizing the unique attributes of the area's natural features and surrounding agricultural community. The Secondary Plan forms an

Appendix to the Town of Essex Official Plan and is intended to be read and interpreted within the context of the Official Plan.

The Secondary Plan creates a discernable Main Street Area within Colchester, centred along Murdock and extending south along Jackson Street to strengthen connections to the Waterfront area which includes the harbour marina, park and beach area. **The Main Street Area is the central commercial core that will provide opportunities for commercial and entertainment uses which cater to residents and tourists alike.**

Roofed accommodations such as motels, hotels and small inns in accordance with the policies of Section 4.1 (Tourism and Recreation), are permitted uses within the Main Street Area. Section 4.1 supports commercial businesses which cater to tourism activities and encourages the provision, maintenance and improvement of roofed accommodations in appropriate locations in Colchester Centre in accordance with the policies of the Secondary Plan. Large-scaled roofed accommodations such as motels, will be directed to the Main Street Area with the Colchester Centre where the services, facilities and infrastructure exist to accommodate the use.

June 7, 2021 Statutory Public Meeting

A statutory public meeting was held on Monday June 7, 2021 through virtual means to hear public comments on the application prior to Council rendering a decision on the application on June 21. In order to further encourage public input into the planning process, Council also heard representation from the public concerning the site plan and design of the proposed Motel.

A copy of the public presentation is attached to this report. Written comments and a petition in opposition of the proposed Motel were received in advance of the meeting from members of the public. Delegations other than the applicants presented oral comments at the public meeting.

The concerns of the public is summarized in the following table:

| Main Concerns |
|------------------------------------|
| Traffic Increases and Concerns |
| Lack of public parking |
| Loss of Green Space |
| Loss of Residential Opportunity |
| Strain on Municipal Infrastructure |
| Loss of Lake Views |
| Noise Generation |
| Architectural Style |

In response, administration noted the following:

- Studies respecting traffic, landscaping and servicing were submitted and are in various stages of review. The County of Essex has reviewed the traffic study and are in agreement with the conclusions with the exception of the removal of the existing guardrail. The landscape plan has been reviewed by staff and is satisfactory. No Site Plan Control approval or Building permit will be issued until the studies are deemed satisfactory
- Six (6) additional municipal parking areas in the vicinity of the Park and Harbour are available for use by the general public.
- The lands are not designated for residential development in the Secondary Plan and therefore, an amendment to permit a commercial use will have no impact on the residential land inventory required for the 20 year Planning horizon.

- The Secondary Plan only states that municipal owned land and public rights of way abutting the lakeshore should be maintained in order to protect important views and accommodate potential opportunities for lakeshore access
- The Building design generally complies with the Main Street Guidelines respecting building orientation, height and enhancement of the gateway, but not architectural style. The Guidelines suggest architectural styles within the Main Street Area that reflect old English Tudor themes such as low profile roofs with features such as gables and dormers and the use of materials characteristic of the area, including clapboard siding, stone and old brick and wood and wooden windows.

Proposed Bylaw

Bylaw 2034 adds the following uses and regulations to the Subject Property:

For the lands identified municipally as 96 County Road 50 West, a Motel subject to the following building regulations, shall be an additional permitted use:

- A minimum front yard depth of 15 metres
- A minimum rear yard depth of 3 metres
- A minimum exterior side yard width of 8 metres
- A minimum interior side yard width of 3 metres
- A maximum building height of 10 metres

Financial Impact

Notwithstanding an appeal, there is minimal financial impact associated with costs to undertake normal administrative operations for notifying the applicant and interested parties of the decision, and revising planning documents to reflect the amendments. Costs recouped through the application fee are at sixty-percent (60%) cost recovery.

Consultations

Notice of the applications for zoning bylaw amendment were 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

- ☐ 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

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| Document Title: | Site Specific Zoning Amendment (96 County Road 50 West) .docx |
| Attachments: | - 96 County Road 50 West.pdf - Bylaw 2034.docx |
| Final Approval Date: | Jun 15, 2021 |

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



Lori Chadwick, Director, Development Services - Jun 10, 2021 - 1:26 PM



Chris Nepszy, Chief Administrative Officer - Jun 15, 2021 - 1:45 PM