

# Municipality of Lakeshore – Report to Council

## Growth & Sustainability

### Community Planning



**To:** Mayor & Members of Council

**From:** Kristina Brcic, Team Leader – Development Approvals

**Date:** May 8, 2023

**Subject:** Zoning By-law Amendment file ZBA-06-2023 at 6804 County Road 8 by 1000048386 Ontario Inc. - Lisa Aronne

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### Recommendation

Approve Zoning By-law Amendment Application ZBA-06-2023 to amend Zoning By-law 2-2012 for the lands known municipally as 6804 County Road 8, to permit a Group Home on the property and provide relief from the rear yard setback in accordance with the site plan provided; and

Direct the Clerk to read By-law 48-2023 during the Consideration of By-laws, all as presented at the May 30, 2023 Council meeting.

### Background

The applicants of 6804 County Road 8 wish to develop the site into a Group Home and intend to construct an addition to the main building and parking lot in the front yard. The existing building was previously utilized as a place of worship. A small shed in the rear yard will be demolished. The current Minor Institutional (I2) zoning of the property does not permit the proposed Group Home use therefore, the applicants are applying for a site specific zoning by-law amendment. The proposed addition to the main building will require relief from the rear yard setback where the minimum setback is 7.5 m and the proposed is 5.7 m. However, the existing building has a rear yard setback of 4.4 m that is not currently recognized in the zoning by-law and both reduced setbacks will be established in the site-specific amendment. Per the applicants site plan drawing in Appendix B, all other aspects of the zoning by-law appear to be met. Following approval from Council for the zoning by-law amendment, the applicant will file an application for Site Plan Control.

Subject Land: 1,819.8m<sup>2</sup>  
Existing Use – Institutional, former church site  
Proposed Use – Group Home  
Access — County Road 8  
Services — municipal water, septic, storm drainage:  
municipally owned and operated piped water supply

Surrounding Uses: North: Agricultural Lands  
South: Agricultural Lands  
East: Agricultural lands  
West: Agricultural lands

Official Plan: Agricultural

Existing Zoning: Minor Institutional (I2)

## Comments

### ***Provincial Policy Statement (PPS)***

The proposed zoning by-law amendment is consistent with the PPS in that the redevelopment and repurpose of the site and existing building will provide the group home residential services needed in the community.

### ***Municipality of Lakeshore Official Plan***

The subject property is designated Agricultural in the Lakeshore Official Plan and lies within the Limit of Regulated area. The application was circulated to the Lower Thames Valley Conservation Authority, which manages the lower reaches of the Thames River and its tributaries. The Group Home falls under Residential uses which are permitted within the Agriculture designation. Therefore, the application conforms to the land use policies of the Lakeshore Official Plan.

### ***Zoning By-law***

The subject property is currently zoned Minor Institutional (I2) in the Lakeshore Zoning By-law 2-2012, as amended. The existing main building on the site was previously used as a church however, the new owners, propose to redevelop the site and repurpose the existing building into a Group Home.

The Lakeshore Zoning By-law 2-2012, as amended, details the provisions that apply to a group home dwelling:

#### 6.24 Group Home Dwelling

- a) The *group home dwelling* shall be permitted in a *dwelling*, where it is permitted by this By-law, and provided that it complies with the regulations of the zone within which the *group home dwelling* is located
- b) A *group home dwelling* shall comprise the sole *use* of the *dwelling*.
- c) Approval of a site-specific zone amendment shall be required to accommodate a *group home dwelling* for more than 6 persons, to a maximum of 10 persons (exclusive of supervisory or attendant staff).
- d) Any existing *group home dwelling* which satisfies Provincial standards of operation but which fails to comply with the requirements of this By-law in the date that this By-law comes into effect, will be allowed to continue in operation, but will not be permitted to increase its number of occupants (exclusive of

supervisory or attendant staff). Physical *building* expansion that otherwise complies with the provisions of this By-law shall be permitted.

The proposed building addition will allow for more bedrooms and increased amenity space. As the proposal is to accommodate between 6 to 10 persons, a rezoning is required, as per Section 6.24 c) of the Zoning By-law. It was determined that the existing building does not currently comply with 7.5 m minimum rear yard setback minimum for the existing building and the proposed building addition will also require rear yard setback relief. The site specific zoning amendment will reflect the 4.4 m rear yard setback of the existing building and the 5.7 m rear yard setback of the proposed building addition. All other aspects of the proposed site plan are in compliance with the zoning by-law.

The adequacy of the septic system will be reviewed at the site plan approval and building permit stage.

### **Others Consulted**

The application was circulated to external and internal agencies and comments are included below:

The Lower Thames Valley Conservation Authority (LTVCA) does not have any objections to the application. Full comments are provided in Appendix C.

The County of Essex Engineering Division provided that the change of use requires the County to review a Traffic Brief and circulation to MTO since the property also fronts Highway 77, which will be completed during the site plan control process. The minimum setback from the centre of the County Road 8 to any buildings or structures is 85 feet. The County has requested a copy of the decision. Full comments are provided in Appendix D.

Notice was given to owners of the neighbouring properties within 120 m of the subject property as required under the provisions of the *Planning Act*. At the time of writing this report, no comments were received.

### **Financial Impacts**

There are no adverse financial budget impacts resulting from the recommendation. New development will result in additional building permit revenue as well a potential increase in tax assessment.

### **Conclusion**

Based on the foregoing, Administration recommends that Council approve ZBA-06-2023 (By-law 48-2023) as per the Recommendation section of this report.

## **Attachments**

Appendix A – Location Map

Appendix B – Site Plan Drawing

Appendix C – LTVCA Comments

Appendix D – County Engineering Comments

## **Report Approval Details**

Document Title:	ZBA-06-2023 - 6804 Cty Rd. 8 - 1000048386 Ontario Inc. - Lisa Aronne.docx
Attachments:	<ul style="list-style-type: none"><li>- Appendix A - Location Map.pdf</li><li>- Appendix B - Site Plan Drawing.pdf</li><li>- Appendix C - LTVCA Comments.pdf</li><li>- Appendix D - County Engineering Comments.pdf</li></ul>
Final Approval Date:	May 24, 2023

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

Prepared by Kristina Brcic

Submitted by Ryan Donally and Tammie Ryall

Approved by Krystal Kalbol, Justin Rousseau and Truper McBride