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Date: June 19, 2017

To: Mayor and Council

Author: Robert Brown, H. Ba, MCIP, RPP
Manager, Planning & Development Services

RE: Application for Zoning By-law Amendment (ZBA/13/17)
Benjamin Friesen
567 Road 11, Part of Lot 21, Concession 11

Report No.: PDS-2017-029

AIM

To provide Council with information regarding a requesting zoning amendment from institutional to agricultural to permit the redevelopment of the property for rural residential purposes

BACKGROUND

The subject parcel is a 0.4 ha (1.01 ac.) lot with an existing church building. The applicant has purchased the property with the intention of converting the building into a single detached dwelling. In order to proceed with the conversion a zoning amendment is required to rezone the parcel to 'Agriculture (A1)' similar to the surrounding lands.

DISCUSSION

1) Provincial Policy Statement (PPS), 2014:

There are no issues of Provincial significance raised by this application.

2) County of Essex Official Plan

The County Official Plan includes the subject property within the Agricultural Area. The proposed development would conform with the County Official Plan.

3) Town of Kingsville Official Plan

The subject lands are designated Agriculture. The Official Plan does not speak to conversion of a non-agricultural use to another non-agricultural use. It is not uncommon for uses such as churches or schools in rural areas that have been closed to be repurposed as residential uses. The principal concern is on of impact to surrounding agricultural operations particularly livestock.

Comment: There are no livestock operations in the immediate area that would be impacted. Conversion of the building also helps to retain and maintain current building stock without requiring additional lands. As such the proposed zoning amendment is considered to conform with the Official Plan.

4) Comprehensive Zoning By-law (Appendix A)

The subject property is zoned Education '(EG)'. The most appropriate zoning for the property would be 'Agriculture (A1)' which would permit a rural residential use by way of the proposed conversion.

LINK TO STRATEGIC PLAN

There is no specific link to the Strategic Plan

FINANCIAL CONSIDERATIONS

There will be an increase in the assessment value of the subject property once the conversion is completed and the property reassessed.

CONSULTATIONS

In accordance to O. Reg 545/06 of the *Planning Act*, property owners within 120m of the subject site boundaries received the Notice of Public Meeting by mail.

Agency & Administrative Consultations

In accordance with O. Reg 545/06 of the *Planning Act*, Agencies and Town Administration received the Notice of Public Meeting by email.

Agency or Administrator	Comment
Essex Region Conservation Authority Watershed Planner	<ul style="list-style-type: none"> • ERCA expressed no objection to the proposed zoning amendment
Town of Kingsville Management Team	<ul style="list-style-type: none"> • A change of use permit will be required once the zoning is approved • A septic system review or replace will necessary • Municipal Services has requested that a formal access be established along the frontage
County of Essex	<ul style="list-style-type: none"> • No comments receives or expected

RECOMMENDATION

it is recommended that Council approve zoning amendment application ZBA/13/17 to rezone the subject property from Education Zone '(EG)' to Agriculture, '(A1)' and adopt the implementing by-law.

Robert Brown

Robert Brown, H. Ba, MCIP, RPP
 Manager, Planning & Development Services

Peggy Van Mierlo-West

Peggy Van Mierlo-West, C.E.T.
 Chief Administrative Officer