

Municipality Of Chatham-Kent

Community Development

Planning Services

To: Mayor and Members of Council

From: Ryan Jacques, MCIP, RPP
Manager, Planning Services

Date: December 10, 2018

Subject: Application for Zoning By-law Amendment
PL201800172 – Tru-Lin Construction Ltd.
12 James Street, Community of Chatham (City)

Recommendation

It is recommended that:

1. Zoning By-law Amendment application File D-14 C/48/18/T to rezone the subject lands, known as 12 James Street, in Lot 13, Block J, Plan 2, in the Community of Chatham (City), to a site-specific Urban Commercial (Office and Service) (UC(OS)-1463) Zone, to add Semi-Detached Dwelling and Semi-Detached Dwelling Unit as additional permitted uses and establish appropriate regulations, be approved, and the implementing by-law be adopted.

Background

The subject property is located on the south side of James Street, between Grand Avenue East and Victoria Avenue, in the Community of Chatham (City). The lands are approximately 495 sq. m (5,330 sq. ft.) in area and currently contains a parking lot. The property is designated Highway Commercial Area in the Chatham-Kent Official Plan and zoned Urban Commercial (Office and Service) (UC(OS)). A key map showing the location of the subject property is attached as Appendix A. Photographs of the subject property are attached as Appendix B.

The property provided parking for a former church at 88 Grand Avenue East. The property was vested into the name of the Municipality on July 6, 2015 as a result of failed tax sale on April 9, 2015. The property was offered for sale as per the requirements of the Disposition of Surplus Property By-law Number 100-2012. A Purchase of Sale Agreement was received and accepted by Council on June 26, 2017.

The subject property is no longer used in conjunction with the former church property to provide parking as the former church is now under separate ownership, and is being redeveloped into a three-unit residential building with on-site parking.

The applicant is proposing to rezone the property to allow a semi-detached dwelling to be constructed. If approved, following construction, the property could be subdivided along the common party wall so that each Semi-Detached Dwelling Unit can be owned and sold independently. A site layout and floorplan demonstrating the proposed development is attached as Appendix C.

Comments

Provincial Policy Statement (PPS)

The proposed zoning by-law amendment is consistent with the PPS. Specifically, it is consistent with Sections 1.1.3, Settlement Areas, and Section 1.4, Housing. These policies encourage growth and development to focus in settlement areas such as Chatham. Further, they require that land use patterns in settlement areas use land and resources efficiently through intensification and redevelopment.

Official Plan

The neighbourhood north of the Thames River and bounded by Thames Street in the south and Grand Avenue East in the north contains a mix of commercial, office/service, residential and institutional land uses. Given the existing range of uses and proximity to Chatham's downtown core, the area is designated as Highway Commercial Area in the Official Plan, and is predominantly zoned Urban Commercial (Office and Service) UC(OS). The UC(OS) zoning permits a limited range of office-type commercial uses, mixed-use commercial/residential buildings, converted dwellings and single detached dwellings. Therefore, the proposal to develop a semi-detached dwelling on the property would conform to the Official Plan in this neighbourhood.

Zoning By-law

The subject property is zoned Urban Commercial (Office and Service). The permitted uses in this zone include an Apartment Dwelling, Single-Detached Dwelling, and Mixed-Use Commercial/Residential Building in addition to a range of office/service uses. The proposed zoning will add Semi-Detached Dwelling and Semi-Detached Dwelling Unit as permitted uses. The proposed zoning by-law amendment will also implement appropriate regulations for the property, as follows:

Semi-Detached Dwelling

- a) Lot Area Minimum – 495 sq. m
- b) Lot Frontage Minimum – 15.5 m
- c) Front Yard Depth Minimum – 3 m
- d) Interior Side Yard Depth Minimum – 1.22 m

- e) Rear Yard Depth Minimum – 7.62 m
- f) Lot Coverage Maximum – 52%
- g) Maximum Building Height – 9.75 m

Semi-Detached Dwelling Unit

- a) Lot Area Minimum – 227 sq. m
- b) Lot Frontage Minimum – 7.3 m
- c) Front Yard Depth Minimum – 3 m
- d) Interior Side Yard Depth Minimum – 0 m and 1.22 m
- e) Rear Yard Depth Minimum – 7.62 m
- f) Lot Coverage Maximum – 54%
- g) Maximum Building Height – 9.75 m

Conclusion

The proposed zoning by-law amendment has been reviewed in the context of the Provincial Policy Statement, Chatham-Kent Official Plan, and Chatham-Kent Zoning By-law, and generally complies with these documents. Therefore, the application is being recommended for approval as noted in the Recommendation section of this report.

Areas of Strategic Focus and Critical Success Factors

The recommendation in this report supports the following areas of strategic focus:

Economic Prosperity:

Chatham-Kent is an innovative and thriving community with a diversified economy

A Healthy and Safe Community:

Chatham-Kent is a healthy and safe community with sustainable population growth

People and Culture:

Chatham-Kent is recognized as a culturally vibrant, dynamic, and creative community

Environmental Sustainability:

Chatham-Kent is a community that is environmentally sustainable and promotes stewardship of our natural resources

The recommendation in this report supports the following critical success factors:

Financial Sustainability:

The Corporation of the Municipality of Chatham-Kent is financially sustainable

Open, Transparent and Effective Governance:

The Corporation of the Municipality of Chatham-Kent is open, transparent and effectively governed with efficient and bold, visionary leadership

Has the potential to support all areas of strategic focus & critical success factors

Neutral issues (does not support negatively or positively)

Consultation

Internal

Technical Advisory Committee

The Technical Advisory Committee supports the application.

Financial Implications

There are no financial implications resulting from the recommendation.

Prepared by:



Greg Houston, CPT
Planner II, Planning Services

Reviewed by:



Ryan Jacques, MCIP, RPP
Manager, Planning Services

Reviewed by:



Bruce McAllister, MCIP, RPP
Director, Planning Services

Reviewed by:

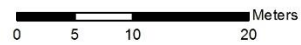
John Norton
General Manager
Community Development

Attachments: Appendix A – Key Map
Appendix B – Site Photos
Appendix C – Applicant's Sketch
By-law to Amend By-law No. 216-2009

Appendix A – Key Map



This is not a plan of survey.
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Appendix B – Site Photos

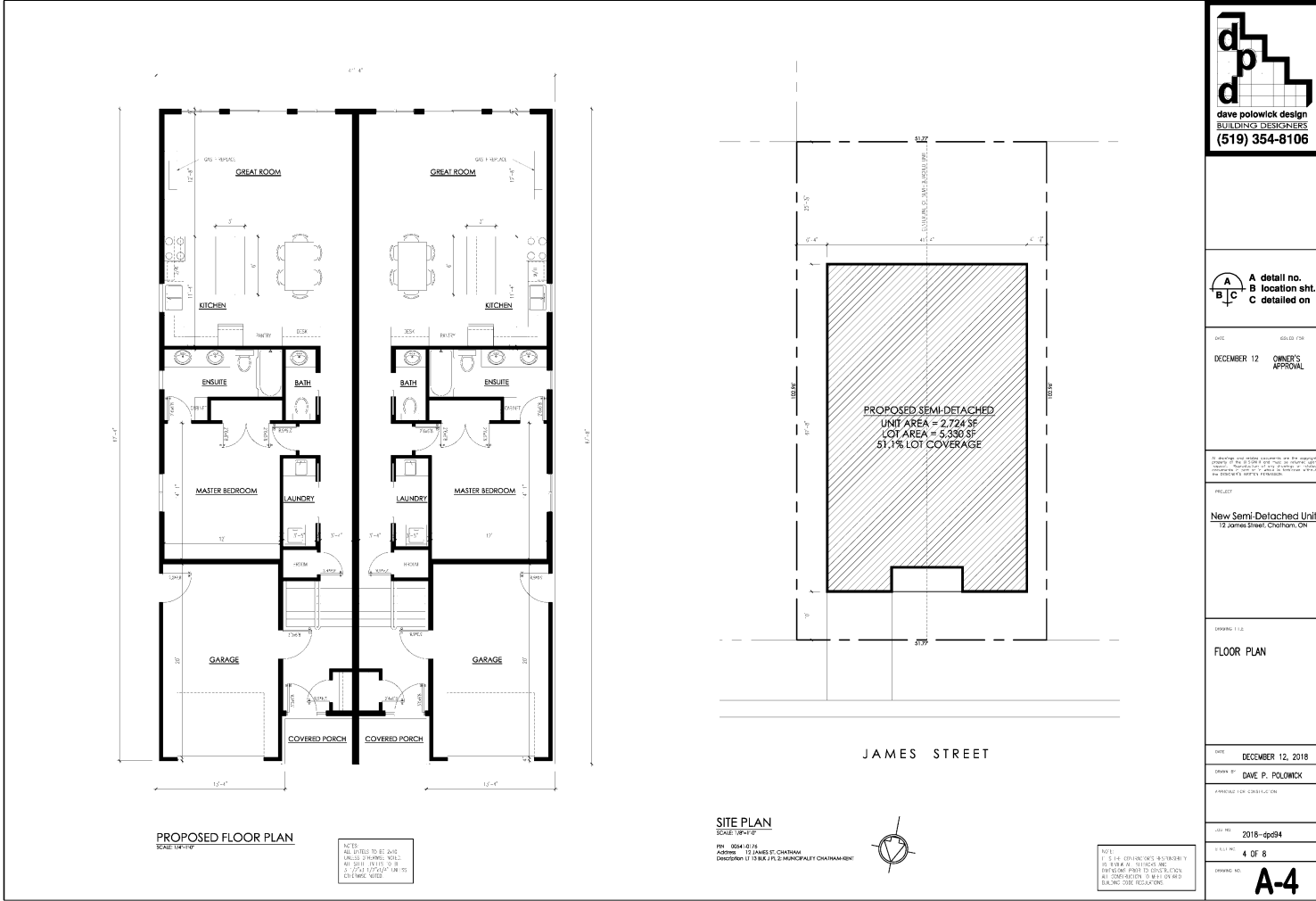


Looking south at the subject property.



Looking southeast at the subject property.

Appendix C – Applicant's Sketch



A detail no.
 B location sht.
 C detailed on

DATE: DECEMBER 12, 2018
 OWNER'S APPROVAL

PROJECT: New Semi-Detached Unit
 12 James Street, Chatham, ON

DRAWING TITLE: FLOOR PLAN

DATE: DECEMBER 12, 2018
 DRAWN BY: DAVE P. POLOWICK

DATE: 2018-gpsH
 SHEET NO: 4 OF 8

A-4

By-law Number _____

of The Corporation of the Municipality of Chatham-Kent

A By-law to Amend Zoning By-law 216-2009 of the Municipality of Chatham-Kent

(Tru-Lin Construction Ltd.)

CityView # PL201800172

Whereas an application has been received for an amendment to the zoning by-law for a certain parcel of land in the Community of Chatham (City) in order to rezone the lands to allow a semi-detached dwelling and semi-detached dwelling unit as additional permitted uses and establish appropriate regulations;

And Whereas the proposed use would conform to the Official Plan;

And Whereas Council, after due investigation and consideration, concurs in the proposed amendments;

Now therefore be it and it is hereby enacted as By-law Number _____ of the Corporation of the Municipality of Chatham-Kent:

1. That Schedule "A" of the By-law 216-2009, as amended, of the Municipality of Chatham-Kent, be amended by changing the zoning classification from Urban Commercial (Office and Service) to Urban Commercial (Office and Service) - 1463 on the lands so depicted on Schedule "A" hereto annexed and also forming part of this by-law.
2. That Schedule "B" Zone Exceptions of the said By-law 216-2009, be amended by adding to the list of Exception No., the following:

Exception No. 1463

3. That Schedule “B” Zone Exceptions of the said By-law 216-2009, be amended by adding to the list of Special Zone Symbols, the following:

UC(OS) - 1463

4. That Schedule “B”, Zone Exceptions, of the said By-law 216-2009, be amended by adding the following Exception Areas:

Exception No.	Special Zone Symbol	Special Zone Provisions
1463	UC(OS)-1463	<p>Notwithstanding any other provisions of the by-law to the contrary, the permitted uses also include:</p> <ul style="list-style-type: none"> a) Semi-Detached Dwelling b) Semi-Detached Dwelling Unit <p>For a Semi-Detached Dwelling, the following apply:</p> <ul style="list-style-type: none"> a) Lot Area Minimum – 495 sq. m b) Lot Frontage Minimum – 15.5 m c) Front Yard Depth Minimum – 3 m d) Interior Side Yard Depth Minimum – 1.22 m e) Rear Yard Depth Minimum – 7.62 m f) Lot Coverage Maximum – 52% g) Maximum Building Height – 9.75 m <p>For a Semi-Detached Dwelling Unit, the following apply:</p> <ul style="list-style-type: none"> a) Lot Area Minimum – 227 sq. m b) Lot Frontage Minimum – 7.3 m c) Front Yard Depth Minimum – 3 m d) Interior Side Yard Depth Minimum – 0 m and 1.22 m e) Rear Yard Depth Minimum – 7.62 m f) Lot Coverage Maximum – 54% g) Maximum Building Height – 9.75 m

This By-law shall come into force and effect upon the final passing thereof, subject to

the provisions of the Planning Act, R.S.O. 1990 Chapter. P.13, as amended.

Read a First, Second and Third Time the 21st day of January, 2019.

Mayor – Darrin Canniff

Clerk - Judy Smith

This is Schedule "A" to By-law Number _____ of the Corporation of the Municipality of Chatham-Kent passed on the 21st day of January, 2019.

