

Municipality Of Chatham-Kent

Community Development

Planning Services

To: Mayor and Members of Council

From: Ryan Jacques
Planner I, Planning Services

Date: September 6, 2018

Subject: Applications for Consent and Zoning By-law Amendment
PL201800128 – Maple City Baptist Church
494 & 500 Indian Creek Road West, Community of Chatham (City)

Recommendations

It is recommended that:

1. Consent application File B-67/18 to sever and convey one (1) new residential lot, approximately 0.21 ha (0.52 ac.) in area, shown as Part 1 on the applicant's sketch, in Part of Lot 22, Concession 3, Eastern Boundary (Raleigh), in the Community of Chatham (City), be approved, subject to the following conditions:
 - a) that the Chatham-Kent Zoning By-law be amended to rezone the severed parcel from Institutional (I) to Residential Low Density First (RL1);
 - b) that a hard copy and AutoCAD.dwg version of the final reference plan projected to the NAD 83/UTM Zone 17N coordinate system be submitted to the Municipality; and
 - c) that the necessary deed(s), transfer or charges be submitted in triplicate; signed and fully executed (no photo copies), prior to certification.
2. Zoning By-law Amendment application File D-14 C/36/18/M be approved and the implementing by-law be adopted.

Background

The subject property is located on the south side of Indian Creek Road West between Braemar Boulevard and St. Michael Avenue, in the Community of Chatham (City) (Roll No. 3650 420 022 43000). The lands are approximately 3.24 ha (8.0 ac.) in area and contain the Maple City Baptist Church (500 Indian Creek Road West) and one (1) dwelling (494 Indian Creek Road West). The subject property is zoned Institutional (I)

and designated Residential Area in the Chatham-Kent Official Plan.

The applicant is proposing to sever the existing dwelling from the subject property, shown as Part 1 on the applicant's sketch attached as Appendix A, to allow it to be conveyed separately as a residential lot. This dwelling previously served as the rectory for the Maple City Baptist Church. This use is no longer required by the Church.

A Key Map showing the location of the subject lands and photographs of the surrounding area are attached as Appendix B and C, respectively.

Comments

Provincial Policy Statement (PPS)

The application does not raise any issues of provincial interest.

Official Plan

The application has been reviewed under the policies of the Chatham-Kent Official Plan. It has been specifically reviewed under Section 2.3.4, Housing, Section 6.3.3, Planning Tools – Consent, and Section B.2.3, Residential Area Policies, and generally meets these policies.

Lands designated Residential Area are intended for a range of residential uses, and non-residential uses that are complementary to and serve the needs of the local community (Policy B.2.3.2; B.2.3.3). The proposal is to sever and convey the existing dwelling from the subject property on to a new residential lot. The existing church on the retained parcel will continue as an institutional use that serves the local community. Both the proposed severed and retained lots will contain appropriate uses in the Residential Area.

In considering a consent in a Primary Urban Centre, the Official Plan requires that both the severed and retained lands be fully serviced with municipal water and sanitary sewer connections, and have frontage on and access to an improved public road (Policy 6.3.3.40). Both the severed and retained parcels are individually serviced, and both maintain separate access to Indian Creek Road West. The proposal meets the requirements for lot creation in the Official Plan.

Zoning By-law

The existing dwelling on the subject property was constructed as the rectory to the Maple City Baptist Church. In this scenario the dwelling is an accessory use which is permitted as-of-right in the Institutional (I) zone. The proposal is to sever the dwelling on to a new residential lot where the dwelling becomes the primary use. An existing single detached dwelling is not permitted as-of-right within the Institutional (I) zone. Therefore, to implement the severance, it is required that the severed parcel be rezoned to a straight Residential Low Density (RL1) zone where the existing dwelling is permitted as-of-right.

The proposed severed and retained lots will meet all other applicable regulations of the Chatham-Kent Zoning By-law.

Conclusion

The proposed applications for consent and zoning by-law amendment have been reviewed in the context of the Provincial Policy Statement and the Chatham-Kent Official Plan, and comply with these documents. Therefore, the applications are being recommended for approval as noted in the Recommendations section of this report.

Areas of Strategic Focus and Critical Success Factors

The recommendations in this report support 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 recommendations in this report support 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 applications.

External

Lower Thames Valley Conservation Authority (LTVCA)

The LTVCA has reviewed the applications and has no objections to the proposal.

Financial Implications

There are no financial implications resulting from the recommendations.

Prepared by:



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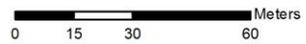
Attachments: Appendix A – Applicant's Sketch
Appendix B – Key Map
Appendix C – Site Context
By-law to amend By-law 216-2009

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Appendix B – Key Map



This is not a plan of survey.
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Appendix C – Site Context



Looking southeast across the subject property at the existing dwelling proposed to be severed.



Looking southeast across the subject property at the existing Maple City Baptist church.

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

(Maple City Baptist Church)

CityView # PL201800128

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 permit an existing single detached residential dwelling on a new lot;

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 Institutional (I) to Residential Low Density First (RL1) on the lands so depicted on Schedule "A" hereto annexed and also forming part of this by-law.

Read a First, Second and Third Time the 1st day of October, 2018.

Mayor – Randy R. Hope

Clerk - Judy Smith

This is Schedule "A" to By-law Number _____ of the Corporation of the Municipality of Chatham-Kent passed on the 1st day of October, 2018.

