

Municipality Of Chatham-Kent

Community Development

Planning Services

To: Mayor and Members of Council

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

Date: November 7, 2019

Subject: Application for Zoning By-law Amendment
PL201900157 – Ridgetown and Area Adult Activity Centre
40 Erie Street South, Community of Ridgetown (East Kent)

Recommendation

It is recommended that:

1. Zoning By-law Amendment application File D-14 RI/30/19/R, in Lots 7-10 and Part of Lots 11 & 12, Block Y, Plan 71, in the Community of Ridgetown, to change the zone classification from Residential Low Density Second (RL2) to a site specific Institutional-1494 (I-1494) zone, to permit the development of a new 697.23 sq. m (7,500 sq. ft.) Assembly Hall, be approved, and the implementing by-law be adopted.

Background

The subject property is a 0.4 ha (1.0 ac.) vacant parcel located on the east side of Erie Street South between Jane Street and John Street in the Community of Ridgetown (Roll No. 3650 240 003 44500). The property is designated Residential Area in the Chatham-Kent Official Plan and zoned Residential Low Density Second (RL2). A Key Map showing the location of the subject property and photographs of the subject property and surrounding area are attached as Appendix A and B, respectively.

From 1875, the Erie Street United Church occupied the subject property. In 2008, the United Church of Canada applied for a demolition permit to remove the church structure after it was deemed to be unsafe and too costly for restoration. The property was formerly designated under the *Ontario Heritage Act* for the architectural and historical significance of the church property. Following the demolition of the church structure, the designation by-law that was Registered on Title of the property was repealed and the site was left vacant. In 2014, the property was donated to the current owner, the Ridgetown and Area Adult Activity Centre.

The applicant, being the Ridgetown and Area Adult Activity Centre (RAAAC) is a not-for-profit corporation, facilitating affordable accessible activities, programs and services, to enhance the quality of life of its members and community. RAAAC is partially funded by the Municipality of Chatham-Kent and the Seniors Active Living Centre, and through donations and fundraising efforts.

In September 2019, the Members of The Board of Directors of the RAAAC approved plans to redevelop the subject lands with a new 698 sq. m (7,500 sq. ft.) Centre. The new Centre will contain five activity rooms, a games room, a café and a catering kitchen. A conceptual site plan demonstrating how the new Centre can be accommodated on the subject site is attached as Appendix C.

The redevelopment of the subject lands, as described above, requires the following Planning Act applications:

1. a Zoning By-law Amendment application to rezone the subject lands to a site-specific Institutional (I-1494) zone that limits permitted uses to an Assembly Hall; and
2. a Site Plan Control application to control the redevelopment of the lands through a site plan agreement which will set out the design and servicing details of the site.

At this time, only the Zoning By-law Amendment application is being considered, and is discussed in more detail in the Comments section below.

Once the subject lands are appropriately zoned for the new Assembly Hall use, RAAAC will be required to initiate the Site Plan Control application process which will include submission of site plan drawings and supporting documentation. Further evaluation of the proposed redevelopment will occur at the initiation of the Site Plan Control application process.

Comments

Provincial Policy Statement

The proposal does not raise any issues of provincial interest.

Official Plan

The proposal has been reviewed under the policies of the Chatham-Kent Official Plan and generally meets these policies, specifically:

- Section 2.2.1 – Community Health and Well-Being
- Section 2.3.6 – Primary Urban Centres
- Section 6.3.3 – Planning Tools (Zoning By-Law)
- Section B.2.3 – Residential Area Policies

The subject property is located within the Primary Urban Centre of Ridgetown, a focal point for residential growth and intensification in Chatham-Kent, and is designated Residential Area by the Official Plan. The Residential Area designation permits non-residential uses that are complementary to and serve the everyday needs of residential neighbourhoods (Policy B.2.3.3). This would include such uses as churches, elementary schools, neighbourhood parks, day care centres and neighbourhood commercial uses. Implementation of such uses require amendments to the Zoning By-law.

The proposed adult activity centre falls within the scope of those non-residential uses permitted in the Residential Area as it will contribute positively to servicing the local community. The Official Plan provides the following policy direction for which the implementation of such non-residential use should have regard (Policy B.2.3.12):

- B.2.3.12.1 Have frontage on a collector or arterial road;*
- B.2.3.12.2 Where practical, have parking areas located to the side or rear of the building;*
- B.2.3.12.3 Incorporate landscaping features to screen parking areas; and*
- B.2.3.12.4 Be restricted in size, as specified in the Zoning By-law.*

As demonstrated on the conceptual site plan, the subject site is of an adequate size to accommodate the proposed adult activity centre, including required parking, amenity area, and setbacks and landscaping. Those factors dealing with impact to surrounding land uses and mitigation efforts will be addressed through the site plan control application process that is required to be undertaken prior to any redevelopment occurring on these lands.

In terms of frontage, the subject site has direct access to Erie Street South, an Urban Arterial Road. The closest major intersection is approximately 290 m (950 ft.) north where Erie Street South intersects with Main Street, another Urban Arterial Road. There are also a number of local roads that connect to Erie Street South that contribute to the accessibility of the subject parcel by residents of the local community. It should also be noted that there is a CKtransit stop (Inter-Urban Route C) across Erie Street South from the subject lands.

Additionally, the Official Plan provides strong support for land-use and development patterns that promote healthy lifestyles and improved access to health and community services across the Municipality. Considering the Primary Urban Centres have the highest concentration and intensity of uses in the Municipality, redevelopment of underutilized sites to provide services that promotes health and well-being are encouraged for the benefit of the residents of these communities. Supporting policies include:

2.2.1.1.1 Provide options to facilitate healthy choices and healthy lifestyles.

2.2.1.1.5 Promote equity and provide access to affordable indoor and outdoor recreation facilities, programs, and opportunities.

2.3.6.2.3 Primary Urban Centres shall have the highest concentration and intensity of uses in the Municipality, and shall be the focus of residential, commercial, industrial, government, institutional, business/professional office, entertainment, cultural heritage and health/social service activities.

2.3.6.2.4 Intensification, infill and/or development/redevelopment of vacant designated, brownfield, former institutional or underutilized sites and areas in transition in the Primary Urban Centres will be encouraged.

The proposal to redevelop the subject property for an adult activity centre will provide additional health services to the community and serve to improve the well-being of local residents. Overall, the proposal meets the intent of the Official plan.

Zoning By-law

The proposed use is not permitted under the current Residential Low Density Second (RL2) zoning. The Chatham-Kent Zoning By-law carried forward many of the zoning provisions of the now-repealed Town of Ridgetown Zoning-By-law. Under the Ridgetown Zoning By-law, the subject property was zoned R3 – Residential. The R3 – Residential zone did not permit a church or any other non-residential use. Construction of former Erie Street United Church started in 1875, so a church was permitted as a legal non-conforming use until its demolition in 2008. This legal non-conforming status does not legally permit other institutional uses as-of right. Therefore, a Zoning By-law Amendment is required to implement an appropriate use, as defined in the Zoning By-law, to support the application of the Ridgetown and Area Adult Activity Centre.

The Chatham-Kent Zoning By-law defines an Assembly Hall use as:

“ASSEMBLY HALL” means a building or part of a building, in which facilities are provided for such purposes as meetings for civic, educational, political, religious, or social purposes and may include a banquet hall or the meeting hall of a private club.

The proposed adult activity centre falls within the scope of the definition for Assembly Hall as defined above. Therefore, to facilitate the redevelopment as proposed, it is appropriate to rezone the subject lands from RL2 to a site specific Institutional-1494 (I-1494) zone that will limit permitted uses to an Assembly Hall.

The proposed site plan meets all applicable provisions of the proposed zoning By-law amendment.

Conclusion

The proposed zoning by-law amendment has been reviewed in the context of the Provincial Policy Statement and Chatham-Kent Official Plan, and will be in full conformity, if approved. Therefore, the application is being recommended for approval.

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

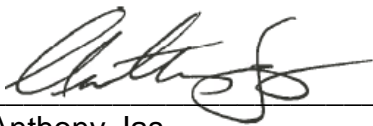
Technical Advisory Committee

The Technical Advisory Committee supports the application.

Financial Implications

There are no financial implications resulting from the recommendation.

Prepared by:



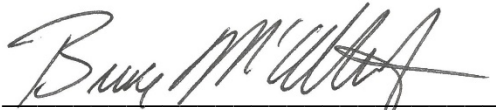
Anthony Jas
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Reviewed by:



Ryan Jacques, MCIP, RPP
Manager, Planning Services

Reviewed by:



Bruce McAllister, MCIP, RPP
Director, Planning Services

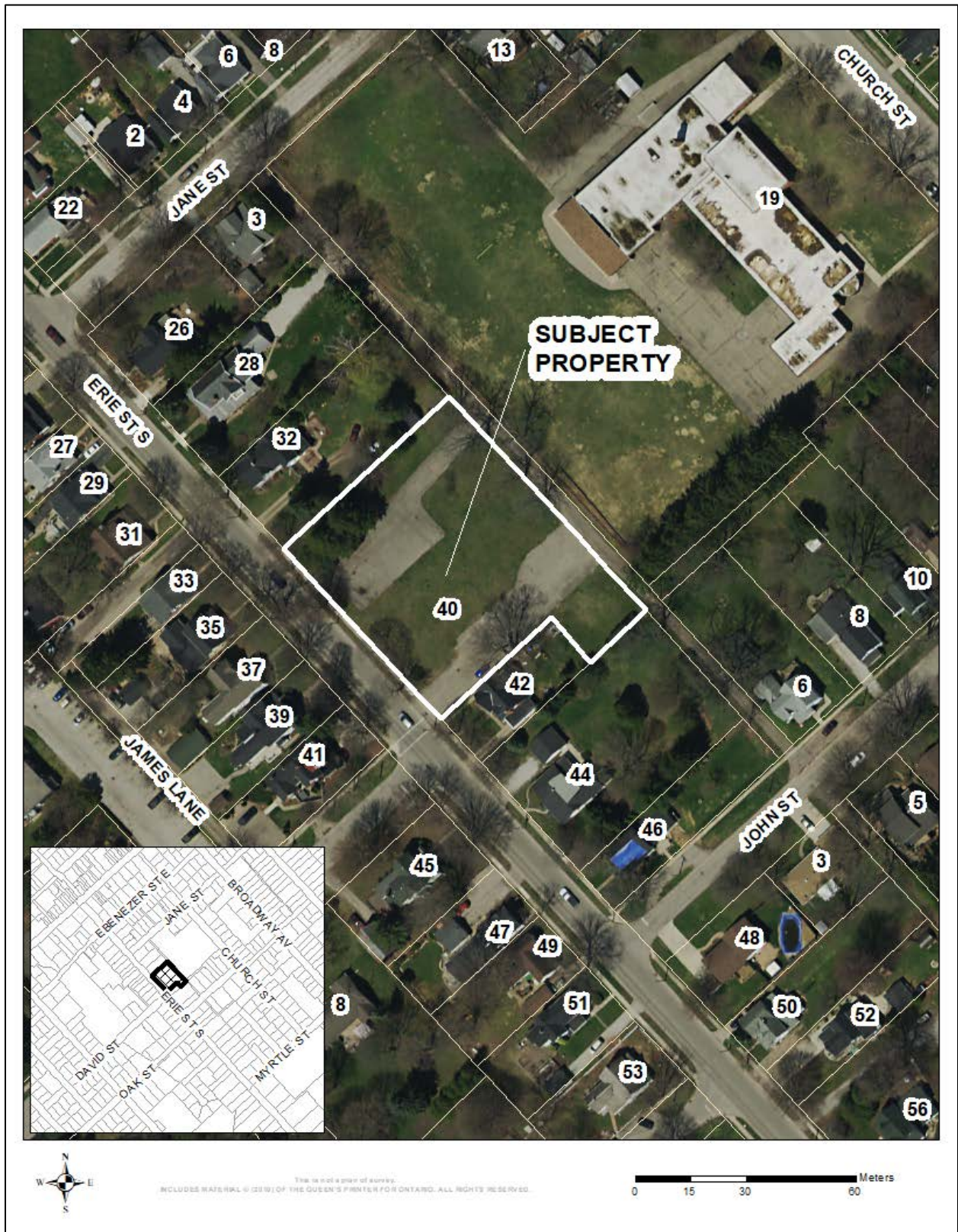
Reviewed by:

John Norton
General Manager
Community Development

Attachments: Appendix A – Key Map
Appendix C – Site Photos
Appendix B – Conceptual Site Plan
By-law to amend By-law 216-2009

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Appendix A – Key Map



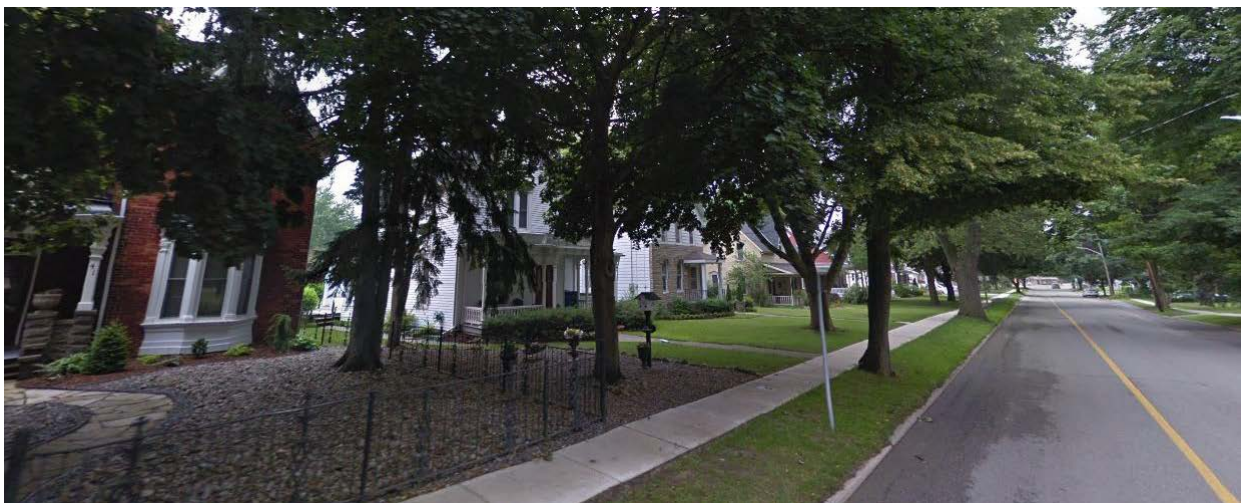
Appendix B – Site Photos



Looking east towards the subject property from Erie Street South. The dwelling is on the abutting lot south of the subject lands.

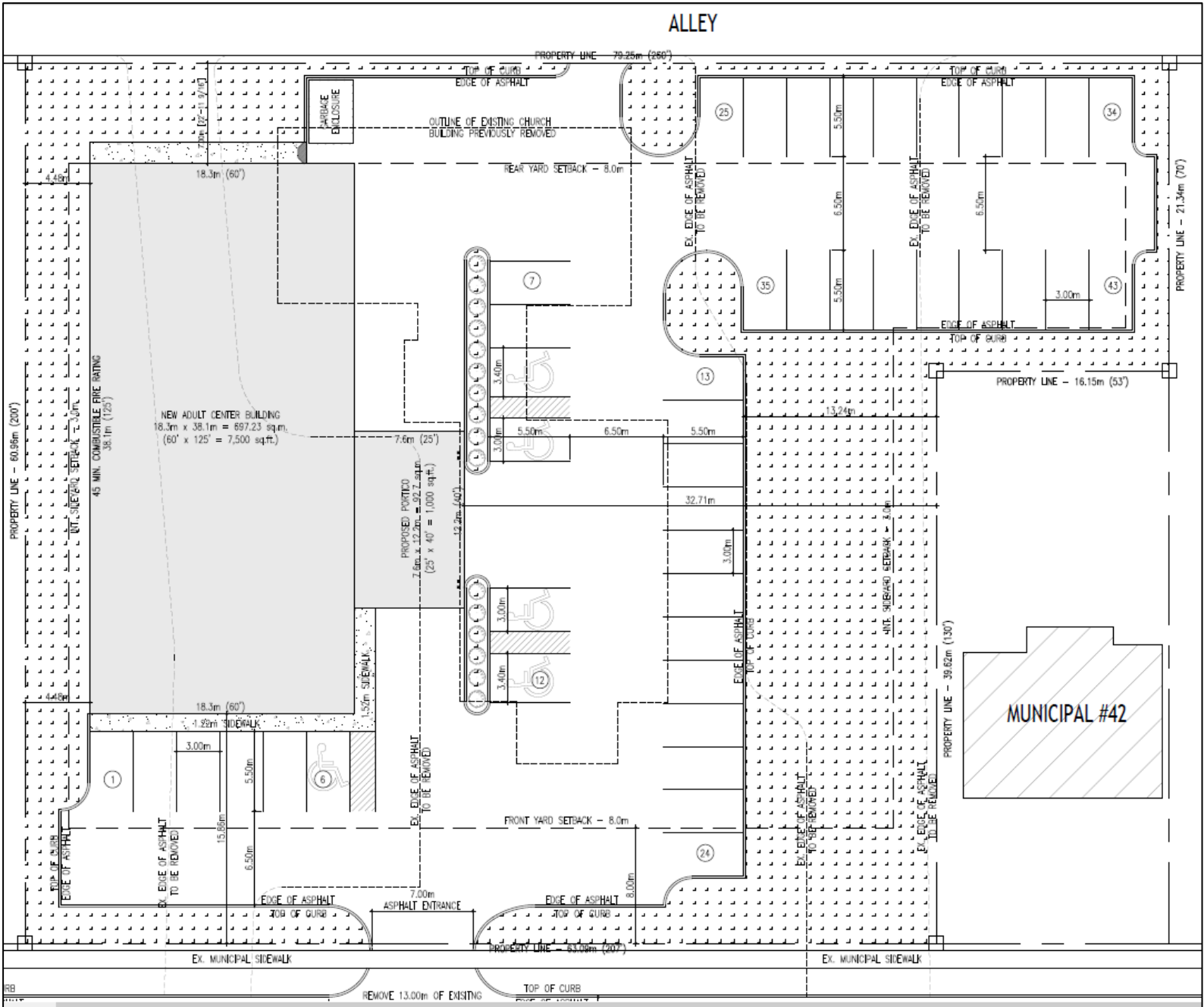


Looking northeast across the subject property from Erie Street South.



Development on the west side of Erie Street South across from the subject property.

Appendix C – Conceptual Site Plan



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

(Ridgetown and Area Adult Activity Centre)

CityView # PL201900157

Whereas an application has been received for an amendment to the zoning by-law for certain parcels of land in the Ridgetown in order to rezone the lands to permit a new adult activity centre;

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 Residential Low Density Second (RL2) to Institutional-1494 (I-1494) 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:

1494

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:

I-1494

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
1494	I-1494	Notwithstanding any other provisions of the by-law to the contrary, the permitted uses include, and are limited to, the following: 1. Assembly Hall

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 9th day of December, 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 9th day of December, 2019.

