

Municipality Of Chatham-Kent
Community Development
Planning Services

To: Mayor and Members of Council

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

Date: December 23, 2020

Subject: Application for Zoning By-law Amendment
PL202000238 – 2039395 Ontario Ltd.
902 St. Clair Street, Community of Chatham (City) (North Kent)

Recommendation

It is recommended that:

1. Zoning By-law Amendment application File D-14 C/54/20/O, to rezone the subject lands, in Part of Lot 24, Concession 3 (Dover), in the Community of Chatham (City), to a site-specific Urban Commercial (Highway Commercial Second Density) (UC(HC2)) zone, to permit commercial development and establish appropriate regulations, be approved, and the implementing by-law be adopted.

Background

The subject lands are located on the southwest corner of the intersection of St. Clair Street and Pioneer Line, in the Community of Chatham (City). The property is currently vacant. The property is designated Highway Commercial Area in the Chatham-Kent Official plan and zoned Rural Industrial (MR). A key map showing the location of the subject lands is attached as Appendix A. A site photo is attached as Appendix B.

The application proposes to implement commercial uses on the lands consistent with the Official Plan. The proposed zoning is discussed in more detail in the Comments section, below.

Comments

Provincial Policy Statement

The application does not raise any issues of provincial interest.

Official Plan

The property is designated Highway Commercial Area in the Official Plan. Highway commercial uses are located along major arterial roads within Chatham-Kent. These uses contribute to the economic base of the community. Surrounding this location to the south and east are existing Power Centre Commercial uses. To the north are a mix of Agricultural, Industrial, and Commercial uses. The current Rural Industrial (MR) Zone of the property does not implement the vision for this property – it is mainly a legacy zone from a previous fuel depot use. The proposed Highway Commercial zone will implement the policies of the Official Plan and facilitate new development at the property.

Zoning By-law

To facilitate future commercial development at the property, the application proposes to change the zone of the property to Urban Commercial (Highway Commercial Second Density) (UC(HC2)). This zone allows for a range of uses such as financial institution, clinic, restaurant, furniture store, office, and retail store, and other uses more specifically defined in the Zoning By-law.

Based on the proximity of the property to an open municipal drain along its north side, and a Power Centre Commercial zone at its rear, proposed site-specific regulations include an 11 m (36.1 ft.) setback from the top of bank of the Ouellette / 4th Concession Drain, and a 3.05 m (10 ft.) rear yard setback (otherwise 7.62 m (25 ft.)). These regulations, along with the standard regulations of the UC(HC2) zone allow for equitable development opportunities at the property given its context.

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

Drainage Services and the Lower Thames Valley Conservation Authority were consulted regarding the proposed setback from the top of bank of the Ouellette / 4th Concession Drain and are in support of the recommendation.

Financial Implications

There are no financial implications resulting from the recommendation.

Prepared by:

Reviewed by:



Ryan Jacques, MCIP, RPP
Director
Planning Services

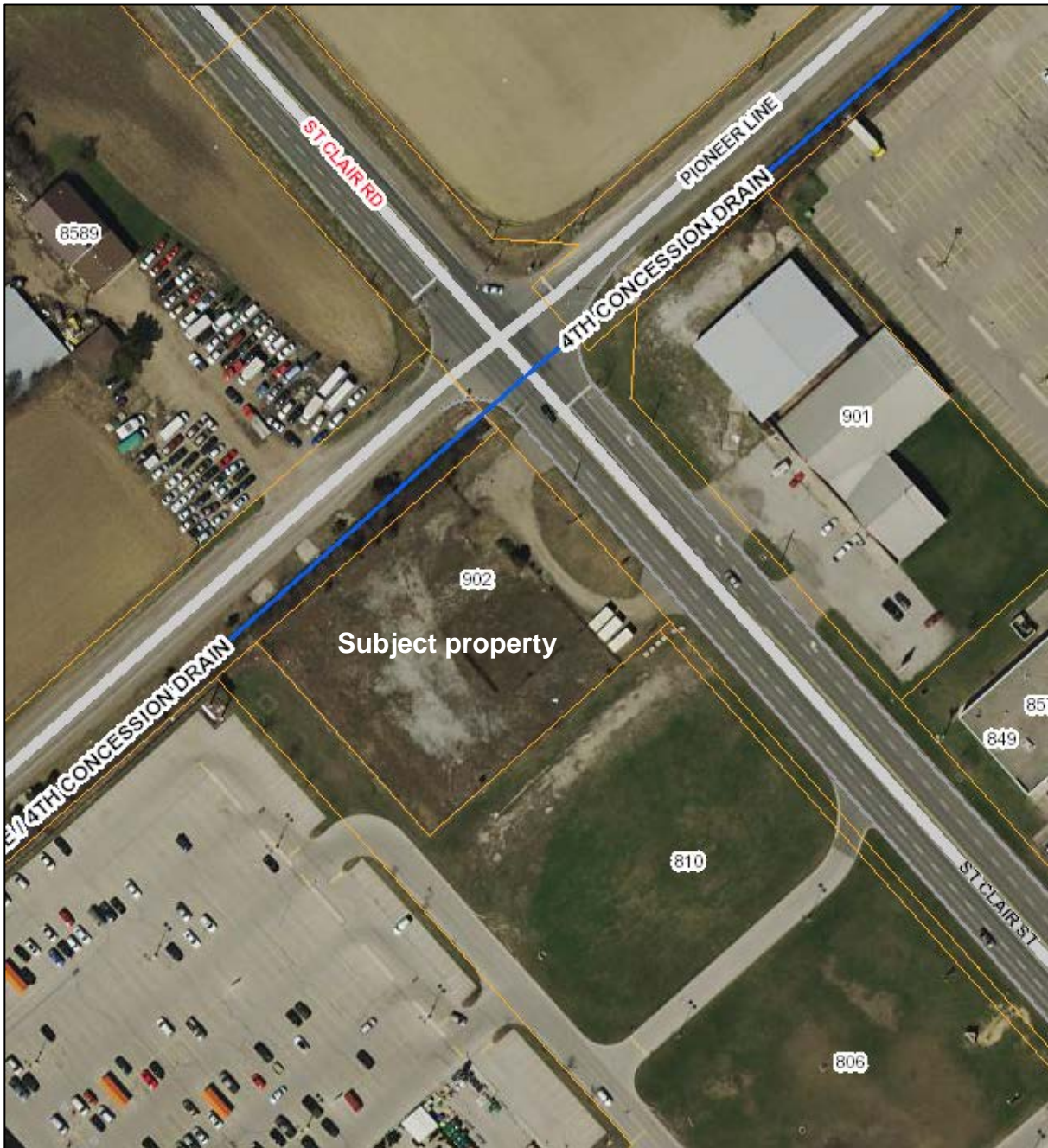


Bruce McAllister, MCIP, RPP
General Manager
Community Development

Attachments: Appendix A – Key Map
Appendix B – Site Photo
By-law to amend By-law 216-2009

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Appendix A – Key Map



Appendix B – Site Photo



Looking south at the subject property (902 St. Clair Street).

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

(2039395 Ontario Ltd.)

CityView # PL202000238

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 implement a highway commercial zone;

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

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

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 Rural Industrial (MR) to Urban Commercial (Highway Commercial Second Density-1539 (UC(HC2)-1539) on the lands so depicted on Schedule "A" hereto annexed and also forming part of this by-law.

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 18th day of January, 2021.

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 18th day of January, 2021.

