

**Municipality Of Chatham-Kent**

**Community Development**

**Planning Services**

**To:** Mayor and Members of Council

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

**Date:** June 8, 2020

**Subject:** Applications for Consent and Zoning By-law Amendment  
PL202000075 – Richard & Bonnie Laprise  
24877 Winter Line Road, Community of Dover (North Kent)

---

**Recommendations**

It is recommended that:

1. Consent application File B-34/20, to sever and convey a portion of land, approximately 1.62 ha (4.0 ac.) in area, shown as Part 1 on the applicant's sketch, in Part of Lot 13, Concession 6, in the Community of Dover, be approved, subject to the following conditions:
  - a) that the Chatham-Kent Zoning By-law be amended to rezone the severed lands from Agricultural (A1) to General Industrial (M1) to match the zoning on the receiving lot;
  - b) that the lot addition to severed, shown as Part 1 on the applicant's sketch, be conveyed to the owner of the abutting industrial property (24907 Winter Line Road / PIN: 00779-0074) and Section 50 (3 or 5) of the Planning Act applies to any subsequent conveyance of or transaction involving the parcel of land that is the subject of this consent;
  - c) 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,
  - d) 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 DO/22/20/L, be approved, and the implementing by-law be adopted.

## **Background**

The subject property is located on the east side of Winter Line Road, between Belle Rose Line and Heron Line, in the Community of Dover (Roll No. 3650 480 005 03100). The lands are approximately 32.1 ha (79.3 ac.) in area and contain a single detached dwelling and three (3) outbuildings. The lands are designated Agricultural Area in the Chatham-Kent Official Plan and zoned Agricultural (A1). A key map showing the location of the subject property is attached as Appendix A. Pictures showing the subject property and surrounding area are attached as Appendix B.

The application proposes to sever and convey a 1.62 ha (4.0 ac.) portion of land from the subject property, shown as Part 1 on the applicant's sketch attached as Appendix C, as a lot addition to an abutting industrial lot containing Pier-C Produce Inc. The severed lands are comprised of vacant farmland.

The lot addition will provide Pier-C Produce land area necessary to accommodate a future expansion to the vegetable processing facility. The proposed lot addition will increase the total area of the receiving lot to approximately 4 ha (10 ac.). The retained farm will be approximately 30.48 ha (75.3 ac.) in area.

To implement the proposed severance, a zoning by-law amendment is required to rezone the severed portion of the subject property to General Industrial (M1) to match the zoning of the receiving lot.

Future development on the Pier-C Produce parcel is subject to the provisions of the Site Plan Control By-law. Prior to constructing taking place on these lands, the appropriate applications must be made to the Municipality, and approvals obtained as required.

## **Comments**

### **Provincial Policy Statement (PPS)**

The application does not raise any issues of provincial interest.

### **Official Plan**

The proposal has been reviewed under Section 3.10, Agricultural Area Policies, and Section 6.3.3, Planning Tools (Consent), of the Chatham-Kent Official Plan and generally complies with these policies.

The Agricultural Area policies support consent to sever land for the purpose of an enlargement of an existing lot, as long as it meets the following criteria (Policy 3.10.2.18.2(d)).

- i) *The viability of the retained lot as a farm parcel is not threatened;*
- ii) *A need must be demonstrated in which the proposed enlargement is for non-farm use;*

- iii) *The proposed severance must merge with the lot being enlarged in accordance with Section 50 (3 and 5) of the Planning Act.*

The proposed consent to sever and convey lands as a lot addition to an abutting industrial property will facilitate the expansion required by the business on the receiving lot. The size of the retained parcel is appropriate for the existing agricultural use and will remain a viable economic enterprise for the long term.

### **Zoning By-law**

As mentioned above, a Zoning By-law Amendment application is required to implement the proposed consent. The zoning by-law amendment is to rezone the severed portion of the subject lands to a General Industrial (M1) zone to match the zoning on the receiving lot. This is the appropriate zone to facilitate the future expansion of the current use on the receiving lot.

### **Conclusion**

The proposal has been reviewed in the context of the Provincial Policy Statement, the Chatham-Kent Official Plan and Zoning By-law and will be in full conformity if approved. Therefore, the applications are being recommended for approval.

### **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**

There was no consultation required as part of these applications.

**Financial Implications**

There are no financial implications resulting from the recommendations.

Prepared by:

Reviewed by:

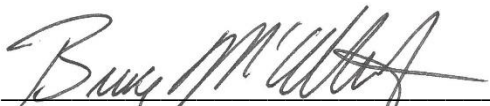


\_\_\_\_\_  
Greg Houston, CPT  
Planner II, Planning Services

\_\_\_\_\_  
Ryan Jacques, MCIP, RPP  
Manager, Planning Services

Reviewed by:

Reviewed by:



\_\_\_\_\_  
Bruce McAllister, MCIP, RPP  
Director, Planning Services

\_\_\_\_\_  
John Norton  
General Manager  
Community Development

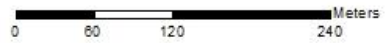
Attachments: Appendix A – Key Map  
Appendix B – Site Photos  
Appendix C – Applicant's Sketch  
By-law to amend By-law 216-2009

P:\RTC\Community Development\2020\Planning Services\July 20-20 Laprise  
Report.docx

Appendix A – Key Map



This is not a plan of survey.  
INCLUDES MATERIAL © (2019) OF THE QUEEN'S PRINTER FOR ONTARIO. ALL RIGHTS RESERVED.



Appendix B – Site Photos

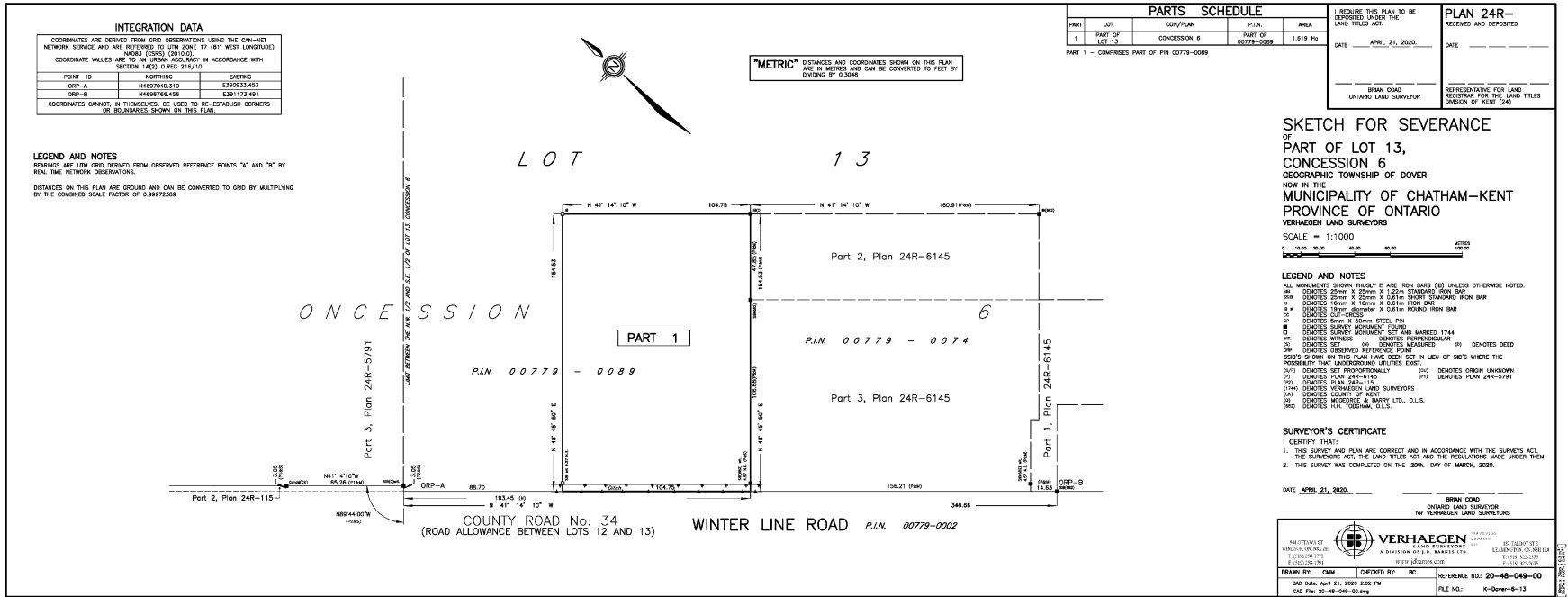


Looking north at the severed lands.



Looking east at the receiving lot (24907 Winter Line Road).

Appendix C – Applicant's Sketch



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

(Laprise)

CityView # PL202000075

Whereas an application has been received for an amendment to the zoning by-law for a certain parcel of land in the Community of Dover in order to rezone said lands to implement the consent by matching the zone of the receiving lot;

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 Agricultural (A1) to General Industrial (M1) 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 20th day of July, 2020.

---

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 20th day of July, 2020.

