

**Municipality Of Chatham-Kent**  
**Community Development**  
**Planning Services**

**To:** Mayor and Members of Council

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

**Date:** March 17, 2021

**Subject:** Application for Zoning By-law Amendment  
PL202100027 – 1815513 Ontario Inc.  
25 Raleigh Street, Community of Chatham (City)

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**Recommendation**

It is recommended that:

1. Zoning By-law Amendment application File D-14 C/07/21/O, to rezone the subject lands, in Part of Lots 132 & 134, Lot 133, Old Survey, in the Community of Chatham (City), to a Holding-Urban Commercial (Central District Business)-1549 (H-UC(CBD)-1549) zone, to permit the redevelopment of the former School into a mixed-use Commercial and Residential building, subject to the removal of the H-Holding Symbol, once existing storm outlets from the property are disconnected from the combined sanitary and storm sewer, to the satisfaction of the Municipality, be approved, and the implementing by-law be adopted.

**Background**

The subject property is located on the east side of Raleigh Street, between Wellington Street West and Cross Street, in the Community of Chatham (City) (Roll No. 3650 420 026 07300). The lands are approximately 0.72 ha (1.78 ac.) in area and contain the former St. Joseph's Catholic School. The property is designated Downtown/Main Street Area in the Chatham-Kent Official Plan and zoned Institutional (I). A key map showing the location of the subject lands is attached as Appendix A. Site photos are attached as Appendix B.

The Municipality was provided notice on November 13, 2019 by the St. Clair Catholic District School Board of its intention to dispose of the subject property. In August 2020, Chatham-Kent purchased the property and subsequently sold it to the applicant.

The applicant is proceeding with the redevelopment of the property. The redevelopment

proposal includes eighteen (18) apartment units and a commercial space as shown on the proposed floorplans for the building is attached as Appendix C. The applicant has indicated that the intended use of the commercial space is a Child Care Centre. To provide for a range of opportunities for the commercial space over time, the proposed zoning will permit the full range of commercial uses set out in the UC(CBD) zone.

## **Comments**

### **Provincial Policy Statement**

The proposed zoning by-law amendment is consistent with the policies of the PPS. In particular, Section 1.1.3 Settlement Areas, contains policies that direct growth and development to existing settlement areas where land use patterns are based on a range of uses and opportunities for intensification and redevelopment, and where there is the availability of suitable existing infrastructure (Policy 1.1.3.1; Policy 1.1.3.2; Policy 1.1.3.3).

The proposed zoning by-law amendment is consistent with the policies and intent of the PPS as it focuses new development and growth within an existing settlement area of Chatham-Kent.

### *Infrastructure Servicing*

Section 1.6.6 (Sewage, Water and Stormwater) of the PPS contains several policies outlining the provincial interest in directing and accommodating growth in a way that promotes the efficient use and optimization of existing sanitary sewers, water services & stormwater management.

As part of the application submission, the applicant was required to submit an Infrastructure and Servicing Brief to review the existing sanitary and storm sewer conditions. The submission identified that some storm water from the property outlets into the combined sanitary and storm sewer on Raleigh Street. This sewer should be dedicated for sanitary flows from the subject property only. As a condition of final zoning approval, through the use of an "H" Holding Symbol, the existing storm flows entering the combined sewer must be rerouted to the dedicated storm sewer on Cross Street, which can be accommodated by an existing storm sewer outlet from the property.

The proposed application is consistent with the policies of the PPS.

### **Official Plan**

The application has been reviewed under the policies of the Chatham-Kent Official Plan. It has been specifically reviewed under the following sections:

- Section 2.3.6, Primary Urban Centres
- Section B.2.2, Downtown/Main Street Area Policies

- Section 6.3.3, Planning Tools (Zoning By-law)

### Primary Urban Centres

The Official Plan states that Primary Urban Centres, such as Chatham, shall be the focal point for growth and development, and have the highest concentration and intensity of uses in the Municipality. This includes the intensification and redevelopment of former institutional sites that are currently underutilized, such as the subject site.

*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.*

### Downtown/Main Street Area Policies

The Official Plan contains policies regarding the development of lands in the Downtown/Main Street Area, including:

*B.2.2.2 The following policies shall apply to the Downtown/Main Street Area in the Chatham Urban Centre:*

*B.2.2.2.1 The Chatham Downtown/Main Street Area shall be recognized and reinforced as the historic core area of Chatham and the community focal point of Chatham-Kent. It shall contain a concentration of pedestrian-oriented retail, business, financial, office, residential, dining, cultural, entertainment, tourist and institutional uses. A mix of uses including retail commercial, multiple density residential, business and professional offices, restaurants, cultural, recreational and entertainment uses shall be encouraged to locate in the Chatham Downtown/Main Street Area...*

*B.2.2.2.2 Mixed-use commercial or residential intensification, free-standing residential intensification, infill and development or redevelopment projects shall be encouraged in the Chatham Downtown/Main Street Area...*

*B.2.2.2.4 Permitted uses in the Chatham Downtown/Main Street Area shall be pedestrian-oriented retail and service commercial, offices, restaurants, cultural, tourism, recreation, entertainment, accommodation, personal services and residential uses. Major office buildings, hotels, cultural and performing arts facilities and institutional facilities that will enhance the downtown as the community focal point for Chatham-Kent shall be encouraged to locate in the Chatham Downtown/Main Street Area.*

The proposal is consistent with the Downtown/Main Street Area policies of the Official Plan in that commercial and residential uses are intended uses in the neighbourhood, and that redevelopment of underutilized sites is encouraged. The proposal also provided a much needed supply of additional rental housing to the neighbourhood.

Overall, the proposed change of use being contemplated for the subject lands can be appropriately accommodated by the site, including by municipal water, sanitary sewer services and storm sewer services. Therefore, the proposal meets the intent of the Official Plan.

### **Zoning By-law**

The subject lands are currently zoned Institutional (I). The zoning by-law amendment application is proposing residential and commercial uses for the subject lands that fall outside the scope of uses permitted under this zone (with the exception of a Child Care Centre, which is currently permitted). As such, based on the land use policies summarized above, it is recommended that the subject lands be rezoned to a site-specific Holding-Urban Commercial (Central Business District)-1549 zone that will permit a range of commercial and residential uses consistent with permitted uses in the neighbourhood.

The application proposes to permit a 50 sq. m minimum for all dwelling unit types. Currently, the minimum dwelling unit size set out in the Zoning By-law is 55 sq. m for the proposed apartment units (Section 4.7, Dwelling Units).

As mentioned above, the holding provision will restrict occupancy of the building until such time that the applicant has rerouted the existing storm water outlet entering the combined sewer on Raleigh Street into the dedicated storm sewer on Cross Street. This will allow the applicant to begin internal renovations and site improvements. An application to remove the "H" Holding Symbol can be made after these infrastructure upgrades are complete.

The proposed zoning by-law amendment maintains the general intent and purpose of the Official Plan.

### **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**

#### Technical Advisory Committee

The Technical Advisory Committee supports the recommendation.


#### Infrastructure and Engineering Services (IES)

IES has reviewed the Infrastructure and Servicing Brief and agrees with the Consultant's recommendation to reroute the existing storm water flows into the dedicated storm sewer on Cross Street.


### **Financial Implications**

There are no financial implications resulting from the recommendation.

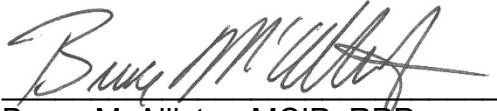
Prepared by:

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

Reviewed by:

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

Reviewed by:

A handwritten signature in black ink, appearing to read "Bruce McAllister", written over a horizontal line.

Bruce McAllister, MCIP, RPP  
General Manager, Community Development

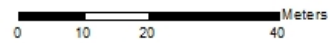
Attachments: Appendix A – Key Map  
Appendix B – Site Photos  
Appendix C – Proposed Floorplans  
By-law to amend By-law 216-2009

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Appendix A – Key Map



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



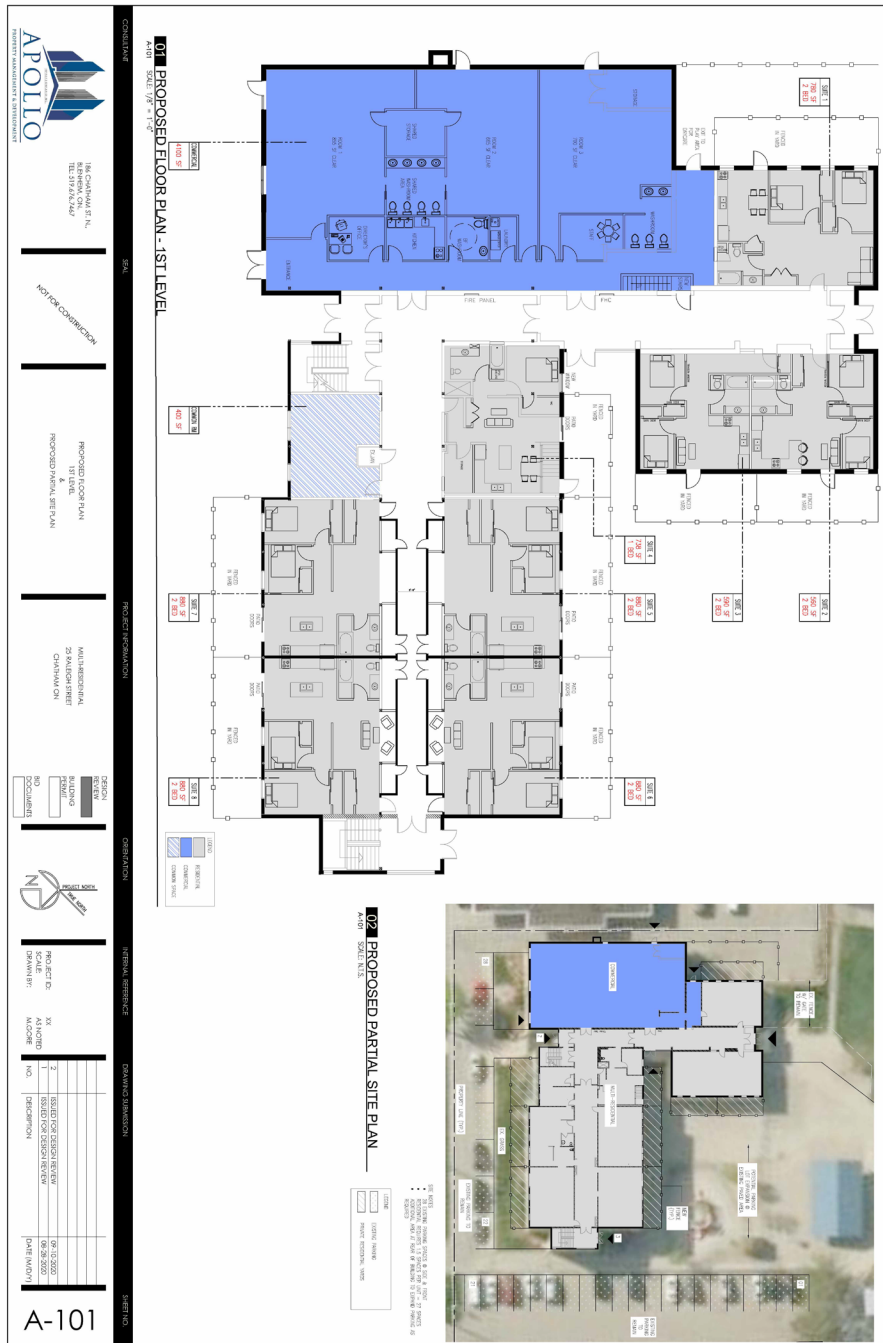
Looking northeast at the existing building on the property.



Looking north at the existing parking area.



### Appendix C – Proposed Floorplans





**01 PROPOSED FLOOR PLAN - 2ND LEVEL**

**02 PROPOSED FLOOR PLAN - BASEMENT**

**CONSULTANT**  
 APOLLO  
 PROJECT MANAGEMENT & DEVELOPMENT  
 188 CHATHAM ST. N.  
 2ND FLOOR  
 TEL: 519.424.7447

**NOT FOR CONSTRUCTION**

**PROJECT INFORMATION**  
 PROPOSED FLOOR PLAN  
 BAYVIEW & 2ND LEVEL  
 MILLISBERG PLACE  
 25 BAYVIEW STREET  
 CHATHAM ON

**SECTION**  
 BUILDING  
 FORM  
 NO. 180  
 DOCUMENT

**ORIENTATION**  
 NORTH  
 EAST  
 WEST  
 SOUTH

**REVISIONS**

| NO. | DESCRIPTION              | DATE (M/D/Y) |
|-----|--------------------------|--------------|
| 1   | ISSUED FOR DESIGN REVIEW | 06.15.2020   |
| 2   | ISSUED FOR DESIGN REVIEW | 06.25.2020   |

**PROJECT ID:** XX  
**NO.:** 180  
**DATE:** 06/15/2020

**PROJECT INFORMATION**  
 PROJECT: BAYVIEW & 2ND LEVEL  
 DRAWING NO.: 180  
 DATE: 06/15/2020

**SHEET NO.**  
 A-102

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

(1815513 Ontario Inc.)

CityView # PL202100027

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 UC(CBD) uses and a reduction in the dwelling unit area size upon removing the holding symbol;

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 Institutional (I) to Holding-Urban Commercial (Central Business District)-1549 (H-UC(CBD)-1549) 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. 1549

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:

H-UC(CBD)-1549

4. That Schedule "B", Zone Exceptions, of the said By-law 216-2009, be amended by adding the following Special Zone Provisions:

| Exception No. | Special Zone Symbol | Special Zone Provisions   |
|---------------|---------------------|---|
| 1549          | H-UC(CBD)-1549      | a) Despite Clause b) of Subsection 4.14, until the Holding "H" Symbol is removed, the permitted uses are limited to uses existing on April 19, 2021, and no new building or |

| Exception No. | Special Zone Symbol | Special Zone Provisions  |
|---------------|---------------------|--|
|               |                     | <p>structure shall be erected or located on the lands.</p> <p>b) The Holding “H” Symbol may be removed by bylaw passed under Section 36 of the Planning Act, once the existing storm flows entering the combined sewer are rerouted into the dedicated storm sewer to the satisfaction of the Corporation.</p> <p>c) Upon removal of the Holding “H” Symbol, the provisions for Urban Commercial (Central Business District)-1549 apply</p> <p>Notwithstanding any other provisions of the by-law to the contrary, the following shall also apply:</p> <p>Minimum Dwelling Unit Area – 50 sq. m for all dwelling types</p> |

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 19th day of April, 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 19th day of April, 2021.

