

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

**To:** Mayor and Members of Council

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

**Date:** March 24, 2021

**Subject:** Application for Zoning By-law Amendment  
PL202100032 – 1934446 Ontario Inc.  
252 Wellington Street West, Community of Chatham (City)

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**Recommendation**

It is recommended that:

1. Zoning By-law Amendment application File D-14 C/08/21/O, to rezone the subject lands, in Block 'A', Part of Lot 127, Old Survey, in the Community of Chatham (City), to a site-specific Urban Commercial (Central Business District)-1548 -UC(CBD)-1548 Zone, to permit a single detached dwelling as an additional permitted use, be approved, and the implementing by-law be adopted.

**Background**

The subject lands are located on the south side of the Wellington Street West and Raleigh Street intersection, in the Community of Chatham (City) (Roll No. 3650 420 026 13300). The property currently contains an office building which was previously occupied by the Chatham-Kent Association of Realtors. The property is designated Residential Area in the Chatham-Kent Official plan and zoned Urban Commercial (Central Business District) – UC(CBD). A key map showing the location of the subject lands is attached as Appendix A. Site photos are attached as Appendix B.

The application proposes to rezone the subject lands to permit a single detached dwelling as an additional permitted use. Historically, the subject property was developed with a single detached dwelling. Over the course of time, the dwelling was converted to an office, as planned through the Zoning By-law. At this time, there is demand to convert the building from an office back to a single detached dwelling use. A Zoning By-Law amendment is required to facilitate this land use change, due to the provisions of the Zoning By-law which permit mainly commercial uses, and do not permit single detached dwellings. The proposed Zoning By-law Amendment 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 application has been reviewed under the policies of the Chatham-Kent Official Plan. It has been specifically reviewed under Section 2.3.6, Primary Urban Centres, Section B.2.3, Residential Area Policies, and Section 6.3.3, Planning Tools (Zoning By-law Amendment), and generally complies with these policies.

#### **Primary Urban Centres**

The proposal is consistent with the policies of Section 2.3.6, Primary Urban Centres, which encourage intensification and infill development. Specifically, the policy reads as follows:

- 2.3.6.1 *Promote Primary Urban Centres as the major focal points for growth and public and private sector investment in the Municipality.*
  
- 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.*

#### **Residential Area Policies**

The policies of the Residential Area designation require that the primary use of lands be residential and on full municipal services (Policy B.2.3.2). The proposal is to permit a residential use – a single detached dwelling – on the property. The applicant has indicated that the existing building, previously used as an office, will be converted to a single detached dwelling. The property is fully serviced by municipal services.

The proposal conforms to the policies of the Official Plan.

### **Zoning By-law**

A Zoning By-law Amendment is required to rezone the subject property from Urban Commercial (Central Business District) to a site-specific Urban Commercial (Central Business District-1548 Zone).

The proposed use is defined as:

*"DWELLING, SINGLE DETACHED" means a dwelling containing one dwelling unit only and does not include a mobile home.*

The proposed use is not permitted under the current Urban Commercial (Central Business District) Zone. The proposed zoning amendment will rezone the subject property to a site-specific Urban Commercial (Central Business District-1548 Zone to permit a single detached dwelling as an additional permitted use, in addition to all existing permitted uses in the UC(CBD) Zone.

### **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**

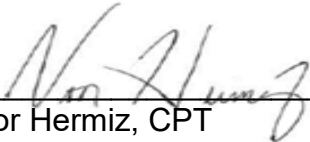
There was no consultation required for this report.

**Financial Implications**

There are no financial implications resulting from the recommendation.

Prepared by:

Reviewed by:

  
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Noor Hermiz, CPT  
Planner II, Planning Services

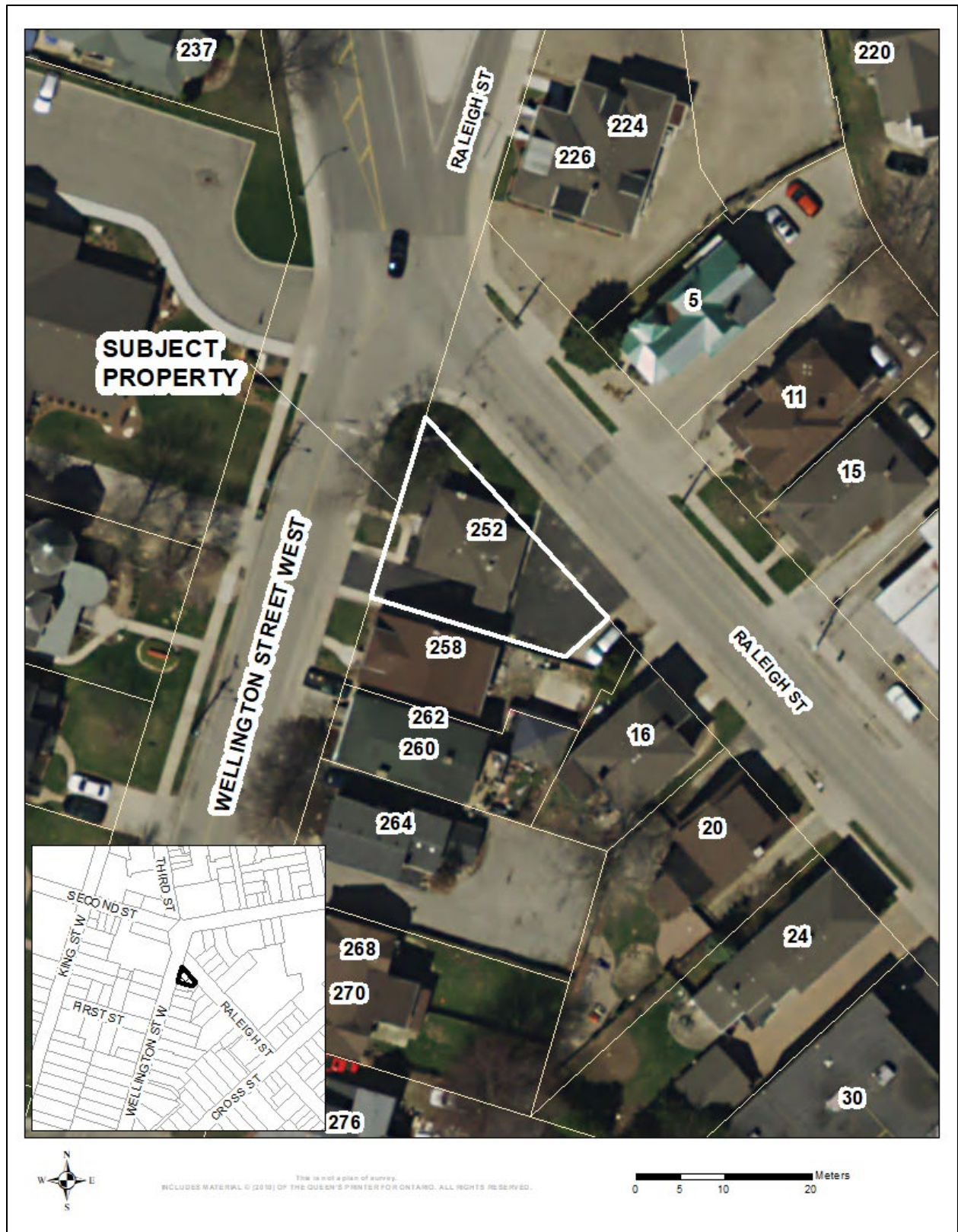
  
\_\_\_\_\_  
Ryan Jacques, MCIP, RPP  
Director, Planning Services

Reviewed by:

  
\_\_\_\_\_  
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

Appendix A – Key Map



Appendix B – Site Photos



Looking east towards the existing dwelling on the subject property from Wellington Street West.



Looking south towards the existing dwelling on the subject property from Raleigh 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

(1934446 Ontario Inc.)

CityView # PL202100032

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 site specific Urban Commercial (Central Business District) 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 Urban Commercial (Central Business District) to Urban Commercial (Central Business District)-1548 (UC(CBD)-1548) 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:  
  
1548
  
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:  
  
UC(CBD)-1548
  
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
1548	UC(CBD)-1548	Notwithstanding any other provision of the by-law to the contrary, the permitted uses also include:  1. Single detached dwelling.

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 19<sup>th</sup> day of April, 2021.

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Mayor – Darrin Canniff

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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.

