

Municipality Of Chatham-Kent

Community Development

Planning Services

To: Mayor and Members of Council

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

Date: May 26, 2021

Subject: Application for Zoning By-law Amendment
PL202100093 – 1934446 Ontario Inc.
510 Wallace Street, Community of Wallaceburg

Recommendation

It is recommended that:

1. Zoning By-law Amendment application File D-14 WA/23/21/O, to rezone the subject lands, in Part of Lots 13 & 14, McCallum's Survey, Plan 118, in the Community of Wallaceburg to a site-specific Urban Commercial (Community Commercial)-1561 (UC(CC)-1561) Zone, to permit an Apartment Dwelling as an additional permitted use, be approved, and the implementing by-law be adopted.

Background

The subject lands are located east of the intersection of Wallace Street and McDougall Street, in the Community of Wallaceburg (Roll No. 3650 443 003 06800). The property currently contains a mixed use building, with offices on the main floor and three (3) residential units on the second floor. The property is designated Downtown/Main Street Area in the Chatham-Kent Official Plan and zoned Urban Commercial (Community Commercial) (UC(CC)). 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 an apartment dwelling as an additional permitted use. The applicant has indicated that the first floor of the building, currently containing an office space, is proposed to be converted into two (2) additional residential units as seen on the applicant's sketch attached as Appendix C. The proposal will result in a total of five (5) residential units on the subject property. 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. 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.2.2, Downtown/Main Street 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.*

Downtown/Main Street Area Policies

The policies of the Downtown/Main Street Area permit stand-alone residential uses (Section B.2.2.3.3). The proposal is to permit a residential use – an Apartment Dwelling– on the property. The applicant has indicated that the first floor of the building, previously used as an office space, will be converted into two (2) residential units.

The portion of the Wallaceburg downtown lying south of the Sydenham River where the subject property is located is no longer the commercial centre it once was. Over time as Wallaceburg grew, commerce in the area dispersed to other parts of the town, including the downtown core on the north side of the Sydenham River, and corridors on Dufferin Avenue and McNaughton Avenue. The subject property is one of few remaining properties containing commercial space. Given the transition of this neighbourhood over time, it is appropriate to consider reuse of buildings for residential purposes.

Chatham-Kent has begun a Secondary Plan process focused on the south side neighbourhood in Wallaceburg, where this property is located. The Secondary Plan will consider existing land uses and buildings in the area as a new plan forms, including the

subject property. The proposal does not limit the future development alternatives of the neighbourhood.

The property is fully serviced by municipal services and 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 (Community Commercial) to a site-specific Urban Commercial (Community Commercial)-1561 Zone.

The proposed use is defined as:

"DWELLING, APARTMENT" means a building containing five or more dwelling units each of which has its chief access to and from the outside by way of common hallways, stairways or elevators. However, it does not include a row house dwelling, boarding house, rooming house, tourist establishment, hotel or motel.

The proposed use is not permitted under the current Urban Commercial (Community Commercial) Zone. The proposed zoning amendment will rezone the subject property to a site-specific Urban Commercial (Community Commercial)-1561 Zone to permit an apartment dwelling as an additional permitted use, in addition to all existing permitted uses in the UC(CC) 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)

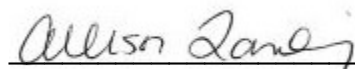
Consultation

There was no consultation required for this report.

Financial Implications

There are no financial implications resulting from the recommendation.

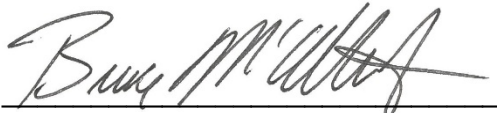
Prepared by:


Allison Lambing
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Reviewed by:


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Director, Planning Services

Reviewed by:

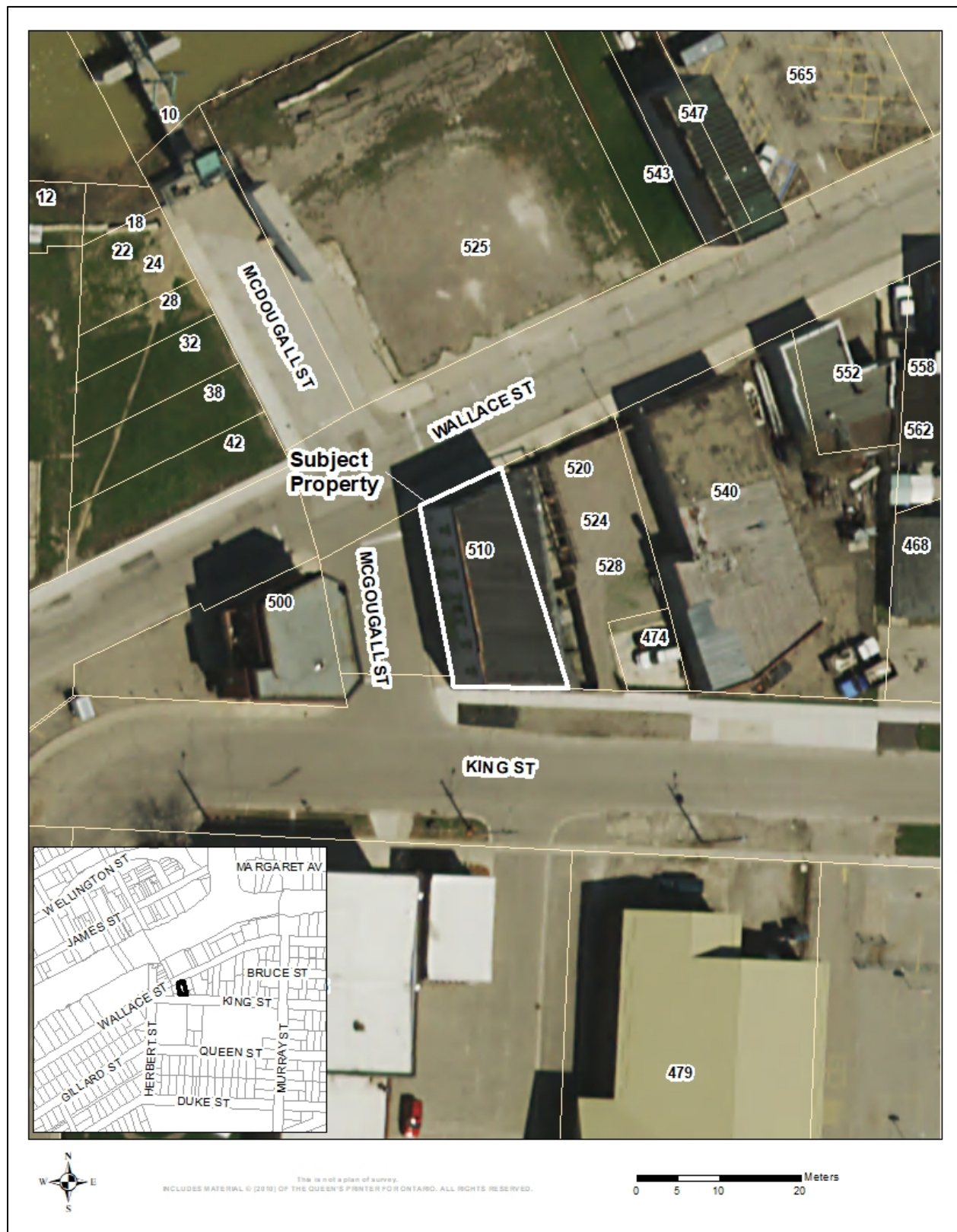
A handwritten signature in black ink, appearing to read "Bruce McAllister", written over a horizontal line.

Bruce McAllister, MCIP, RPP
General Manager
Community Development

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

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Inc Report.docx

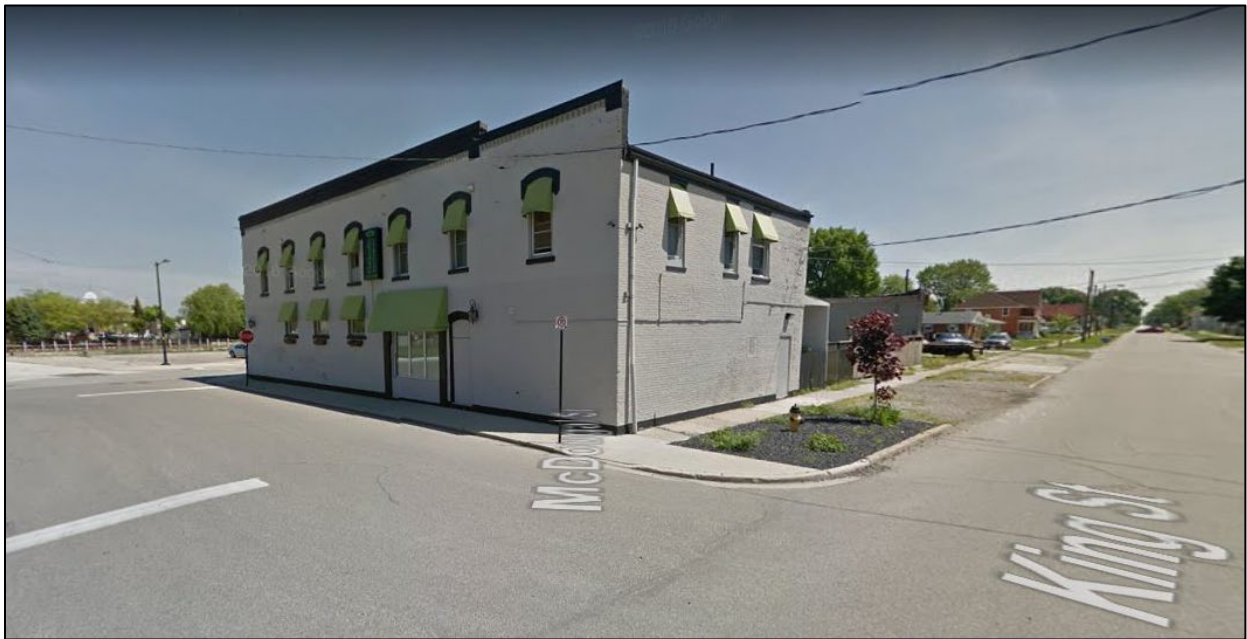
Appendix A – Key Map



Appendix B – Site Photos

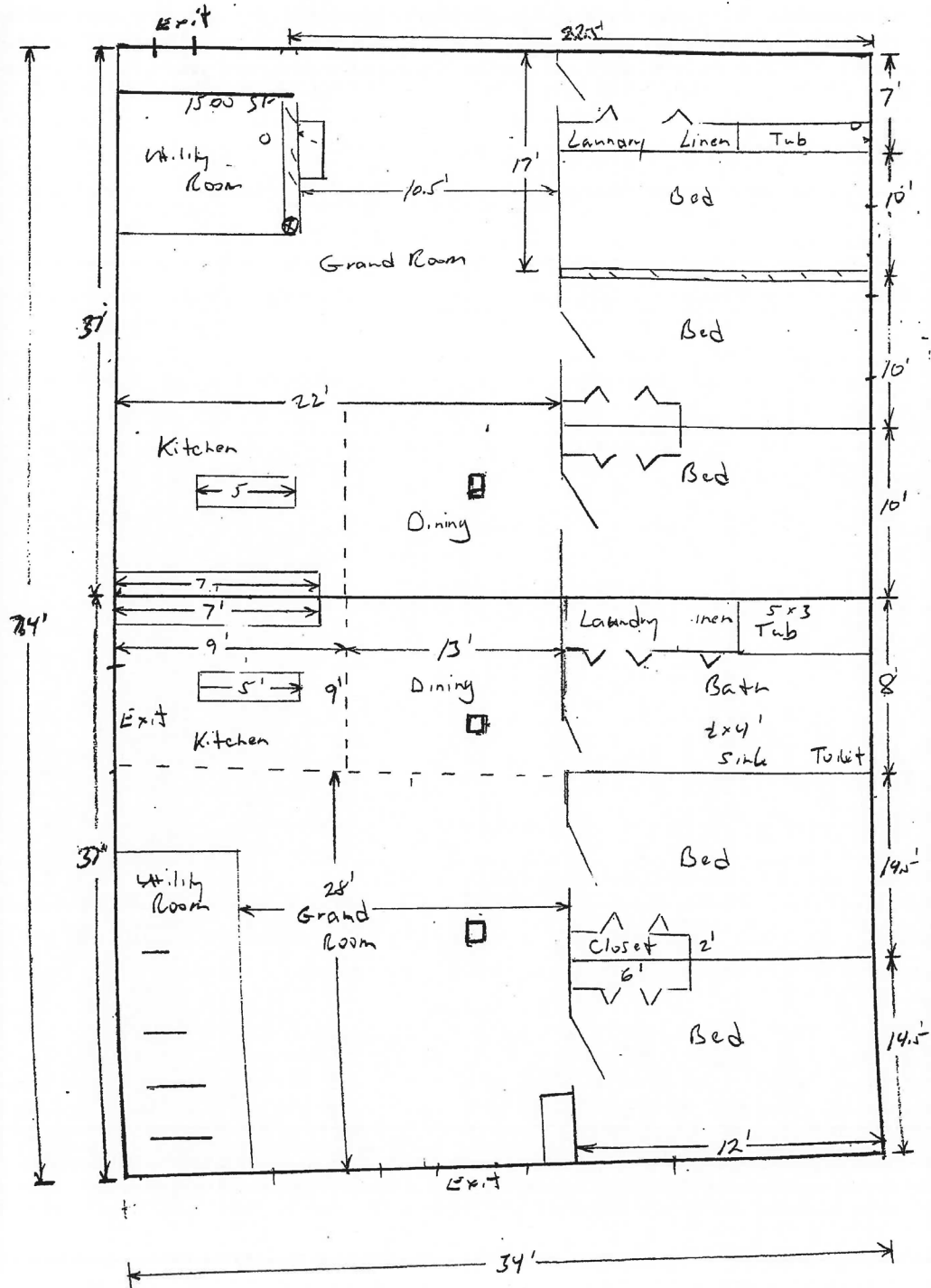


Looking south from Wallace Street towards the subject property.



Looking northeast from King Street towards the rear of the building.

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
(1934446 Ontario Inc.)

CityView # PL202100093

Whereas an application has been received for an amendment to the zoning by-law for a certain parcel of land in the Community of Wallaceburg in order to implement a site specific Urban Commercial (Community 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 Urban Commercial (Community Commercial) (UC(CC) to Urban Commercial (Community Commercial)-1561 (UC(CC)-1561) 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:

1561
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(CC)-1561
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
1561	UC(CC)-1561	Notwithstanding any other provision of the by-law to the contrary, the permitted uses also include: 1. Apartment 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 21st day of June, 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 21st day of June, 2021.

