

Municipality Of Chatham-Kent

Community Development

Planning Services

To: Mayor and Members of Council

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

Date: April 27, 2021

Subject: Application for Zoning By-law Amendment
PL202000079 – Brenda and Daniel Smolders
5210 Finn Line, Community of Tilbury-East (West Kent)

Recommendation

It is recommended that:

1. Zoning By-law Amendment application File D-14 TE/17/21/S to rezone the subject lands, known as 5210 Finn Line, in Part of Lot 3, Concession 9, in the Community of Tilbury-East, to a site-specific Agricultural-1557, Temporary Use (A1-1557-T) Zone, to permit a competitive go-kart racing facility to operate from the premises for a period of three (3) years from the passing of this amendment, be approved, and the implementing by-law be adopted.

Background

The subject property is a 3.48 ha (8.61 ac.) lot located on the south side of Finn Line between Cooper Road and Merlin Road, in the Community of Tilbury-East (Roll No. 3650 060 002 18610). This is a triangular shaped lot bound by a Hydro One corridor to the south and bisected by an open drain (Government Drain Number 1) on the eastern half of the lot. Approximately 1.5 ha (3.7 ac.) of the parcel is situated on the east side of the drain and is farmed with the abutting agricultural parcel. The remaining 1.98 ha (4.91 ac.) is situated on the west side of the drain and consists of a dwelling (5210 Finn Line), outbuildings, grassed amenity area and a dirt go-kart track. It has been approximated that the lands to the west of the drain have not been part of any farming operation for at least 27 years.

The property is 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. Photographs of the subject property and surrounding area are attached as Appendix B.

The subject property is surrounded primarily by agricultural lands and a Hydro One transmission corridor. Within 300 m (984 ft.) of the subject property are three (3) rural residential lots. These lots include:

- 22405 Cooper Road - dwelling is approximately 400 m (1,312 ft.) from track
- 22483 Cooper Road - dwelling is approximately 357 m (1,171 ft.) from track
- 22491 Cooper Road - dwelling is approximately 365 m (1,197 ft.) from track

The existing go-kart track on the subject lands was initially intended for private use of the landowners. The track provided opportunity for the family to train and prepare for competitive races typically held in the United States. In 2020, with the closure of the Canada-US border due to the Covid-19 emergency measures, the landowners and other families in the Chatham-Kent community who engage in go-kart racing experienced limited options for venues holding competitive races. In response, Route 1 Raceway opened at the subject property, holding eight (8) competitive race events in the 2020 season.

A go-kart racing facility is not a use permitted as-of-right in any zone in Chatham-Kent. As such, any new facility would first require Planning Act approval in order to operate from any property. Following the 2020 season, the landowners were notified of this requirement and an application has now been submitted for the rezoning of this property to allow for a go-kart racing facility to operate from the subject lands for a period of three (3) years. The temporary nature of the zoning request will allow the public and Council to observe the operation prior to any future application to either extend the time this use is permitted or to permit the use permanently. If no further application is pursued following the three (3) year term, the racing facility is no longer permitted to operate from the lands. A conceptual site plan demonstrating how this use is accommodated on the lands is attached as Appendix C.

A Planning Justification Report (PJR), prepared by Storey Samways Planning Ltd., accompanied the application submission. The PJR outlines land use planning policy and context that supports the intended use for these lands and is attached as Appendix D for review. The PJR provides the following details regarding the proposed go-kart racing facility:

- Race events are intended to be limited to Friday nights between the months of April and October.
- To date, 14 race nights have been scheduled for 2021.
- Expectation of approximately 100 attendees to each event, inclusive of competitors and spectators.
- This is a family oriented venue/sport where people of all ages participate - past competitions included participants ranging from 5 years to 75 years of age.
- The venue and events are insured by the National Kart Racing Association.

The zoning by-law amendment application is discussed in more detail in the Comments section below.

Community Context

In 2015, 5150 Speedway/Letkebridge Motorsports Park was granted approvals by Chatham-Kent Council to operate a go-kart racing facility from the agricultural parcel at 4002 Bonneau Line, Community of Tilbury-East, which is approximately 6.5 km west of the subject property. Although this venue is now closed, approvals were granted on the basis that there was a need in the community for such use. At that time, only one (1) race track facility was operational (South Buxton Raceway) in Chatham-Kent and the closest facilities in neighbouring communities included Delaware Speedway outside the town of Delaware in an agricultural area and Swiona MX Motocross track in Elgin County also in an agricultural area.

Regarding 5150 Speedway/Letkebridge Motorsports Park, further justification was given prior to its zoning approval that this was a 6.5 ha (16.0 ac.) undersized agricultural parcel primarily surrounded by agricultural lands. Three (3) dwellings were located within 200 m (656 ft.) of the property. It was determined at that time that a racing facility is a land use better suited for the agricultural area where land use incompatibility is lower than within a settlement area. Moreover, that locations in a settlement area where this use may be considered appropriate (i.e. employment lands) would be more efficiently utilized for commercial/industrial uses that provide greater overall benefit to the community. The current application demonstrates similar characteristics to this previous approval.

Comments

Provincial Policy Statement (PPS)

All agricultural lands in Chatham-Kent are classified prime agricultural area. The PPS includes policies intended to protect these areas for long-term use for agriculture. However, the PPS does contemplate non-agricultural uses in prime agricultural areas under Section 2.3.6:

2.3.6.1 Planning authorities may only permit non-agricultural uses in prime agricultural areas for:

- a) extraction of minerals, petroleum resources and mineral aggregate resources; or
- b) limited non-residential uses, provided that all of the following are demonstrated:

- 1. the land does not comprise a specialty crop area;

2. the proposed use complies with the minimum distance separation formulae;
3. there is an identified need within the planning horizon provided for in policy 1.1.2 for additional land to accommodate the proposed use; and
4. alternative locations have been evaluated, and
 - i. there are no reasonable alternative locations which avoid prime agricultural areas; and
 - ii. there are no reasonable alternative locations in prime agricultural areas with lower priority agricultural lands

The Province has also established guiding principles for the implementation of PPS policies concerning prime agricultural areas. Specifically, the *Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas* document provides principles under Section 3.2 that are specific to PPS Policy 2.3.6.1 b) (noted above), which is most relevant to the proposal for permitting a go-kart racing facility to operate from the subject lands. This section includes the following definition:

Limited Non-Residential Uses

In prime agricultural areas, limited non-residential uses are uses that include commercial, industrial, institutional or recreational uses but exclude residential uses. These uses may only be considered in prime agricultural areas if other locations are unavailable and if they meet the tests of PPS Policy 2.3.6.1 b).

Limited non-residential uses must be limited in area based on the land area that would no longer be available to agriculture. The term "limited" also suggests that the use may be a single use rather than an assembly of uses. For example, a proposed single industrial use occupying a small footprint that meets all other requirements under PPS Policy 2.3.6.1 b) may be acceptable, while an industrial park would not be.

Section 3.2 also provides direction to ensure a rigorous assessment is undertaken in considering if a proposal meets the tests of PPS Policy 2.3.6.1 b), including:

1. **Demonstration of Need:**
Identify the specific geographic market or service area for the proposed use to assess current and future market demand/supply, economic impact, and potential impact on agricultural operations in the area.
2. **Alternative Locations:**
Consider alternative sites within the entire market area/service area for the use, and adequate justification must be made for chosen location.

3. Impact Mitigation:

The impact of new or expanding non-agricultural uses in prime agricultural areas on surrounding agricultural operations and lands to be mitigated to the extent feasible.

Based on the above noted policy and guidelines, the proposal to permit a go-kart racing facility on the subject lands is considered an appropriate non-agricultural use for these lands for the following reasons:

- The subject property is significantly undersized and constrained in terms of being a viable farm parcel and the long established primary use of the site has been non-agricultural. For these reasons, the lands are considered among the lowest priority agricultural lands in Chatham-Kent.
- Surrounding land uses are predominantly agricultural. The proposed use does not represent compatibility issues with these surrounding lands.
- With the closure of 5150 Speedway/Letkebridge Motorsports Park at 4002 Bonneau Line, Community of Tilbury-East, Chatham-Kent lacks adequate racing facilities to accommodate present and potential future needs within the community.

It should be noted that there are (3) rural residential lots within 300 m (984 ft.) of the subject property and the primary use of the subject lands is residential with one (1) dwelling. The proposed racing facility has the potential of some level of impact to these lots, which would be expected of this type of venue in any location across Chatham-Kent. In considering the impact on these surrounding land uses, it is relevant to note that this is traditionally a family oriented use with limited operating days throughout the racing season (April to October). Overall, the proposal represents a balancing of interests where the location is appropriate based on land use policy and the impact on surrounding lands is minimal when considering a location with a larger presence of residential uses, such as a settlement area. It should also be noted that the following by-laws provide some measure of control of the proposed racing facility:

- Property Standards By-law
Is a by-law prescribing standards for the maintenance and occupancy of property within the municipality and requires that any property not in conformity can be maintained to conform. This would include filtering or re-directing any lighting that may be positioned in a manner that impairs the use of a neighboring property.
- Noise By-law
Is a by-law to control excessive sound or noise. Although this by-law does not restrict the timing of any racing activity, it does provide prohibitions by time over auditory signaling devices and electronic devices (i.e. loudspeakers) from 11:00 p.m. and 7:00 a.m., Monday – Saturday, and at all times on Sunday and Statutory Holidays.

Overall, the proposal is consistent with the policy direction of the PPS and the provincial Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas.

Official Plan

The Chatham-Kent Official Plan (OP) does not specifically contemplate non-agricultural uses in the Agricultural Area – as does the PPS. Rather, for the Agricultural Area, the OP focuses on supporting agricultural uses, farm-related industrial and farm-related commercial uses and accessory uses. In this circumstance, it is appropriate to assess the merits of the proposal under provincial policy and guidance as was addressed in the previous section.

The proposal does, however, meet the general intent and purpose of the OP in areas of health and the economy. The proposal meets the objectives of Section 2.2.1, Community Health and Well-Being, by providing additional access to local outdoor recreation opportunities that largely targets Chatham-Kent youth. From an economic perspective, the proposal supports local entrepreneurship while providing opportunity in Chatham-Kent to expand its regional reputation as a proactive community supportive of different initiatives. It also provides opportunity for community benefits from those travelling outside of Chatham-Kent to utilize the racing facility.

Temporary Use

The proposal has also been reviewed under Section 6.3.3, Planning Tools (Zoning By-law Amendment and Temporary Uses), and meets these policies. The temporary use policies of the OP read as follows:

- 6.3.3.21 *Applications to amend the Zoning By-law to permit a temporary use must comply with 6.4.4.*
- 6.3.3.22 *Temporary Use By-laws may be enacted to allow the short-term use of lands, buildings, or structures that may not be in conformity with this Official Plan and Zoning By-law.*
- 6.3.3.23 *Where appropriate, temporary uses shall be subject to the Site Plan Control provisions of this Official Plan.*
- 6.3.3.24 *The Temporary Use By-law shall describe the specific area affected and identify the period of time for which the use is authorized, not to exceed three years or a period not to exceed 20 years when considering a garden suite. Council may pass subsequent by-laws granting extensions of up to three years.*
- 6.3.3.25 *Upon the expiration of the Temporary Use By-law, the use shall cease to exist and shall not be considered an existing use.*

The proposal is to rezone the lands to permit a go-kart track facility for three (3) years by way of a temporary use by-law. The by-law will include the date in which the

temporary use will expire and the lands be required to revert back to only those uses permitted by the Agricultural (A1) zone. No site plan control is required in support of this proposal as there are no buildings or structures being contemplated to facilitate the proposed use. The site has sufficient open space to accommodate the needs of participants and spectators of the events.

Zoning By-law

A go-kart track facility is not permitted as-of-right in any zone by the Chatham-Kent Zoning By-law. The proposal is to rezone the subject lands to the site-specific Agricultural, Temporary Use (A1-1557-T) zone, where a go-kart track facility will be permitted for a period of three (3) years. Once the three (3) year limit has expired, the go-kart racing facility use will no longer be permitted to operate from the property. In the case that the use is proposed to continue beyond the stated time period, an application to extend the use by no more than three (3) years at a time, can be considered by Council through an additional Planning Act application.

Conclusion

The proposed zoning by-law amendment has been reviewed in the context of the Provincial Policy Statement and the Chatham-Kent Official Plan, and generally complies with these documents. Therefore, the application is being recommended for approval as noted in the Recommendation section of this report.

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

Internal

Technical Advisory Committee

The Technical Advisory Committee supports the application.

Financial Implications

There are no financial implications resulting from the recommendation.

Prepared by:



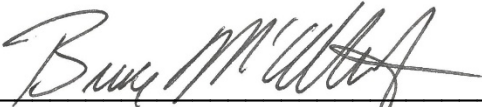
Anthony Jas
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Reviewed by:



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 Photos
Appendix C – Conceptual Site Plan
Appendix D – Planning Justification Report (excerpt)
By-law to Amend By-law No. 216-2009

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Report.docx

Appendix A – Key Map



Appendix B – Site Photos



Looking south across the subject property from Finn Line. In view is the location of the track (left) and the dwelling and outbuildings (right).

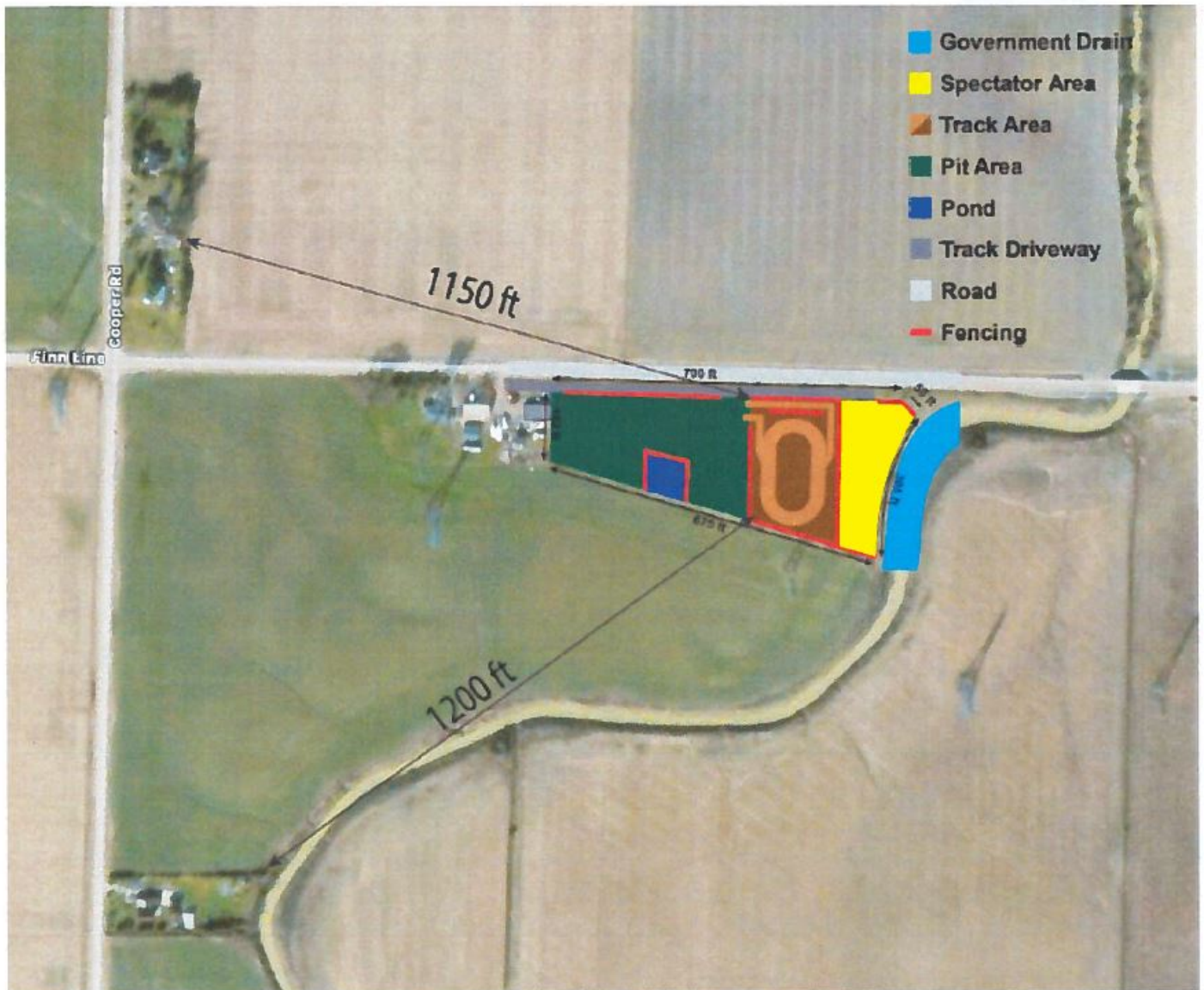


Looking west from Finn Line. In view is subject property (left) and surrounding agricultural lands.



Looking north from Cooper Road, south of the Finn Line intersection. Subject property is to the far right and two (2) nearest rural residential lots (left).

Appendix C – Conceptual Site Plan



Note: Spectator Area = Spectator Parking Area

Appendix D – Planning Justification Report (excerpt)

Planning Justification Report Proposed Go-Kart Racing Track for Dan Smolders 5210 Finn Line, Community of Tilbury East Municipality of Chatham-Kent

1.0 PURPOSE

The purpose of this report is to support a zoning by-law amendment application to permit a go-kart racing track, known as Route 1 Raceway, on a temporary basis, at 5210 Finn Line, Community of Tilbury East.

2.0 SITE DESCRIPTION

The subject site, located on the south side of Finn Line, just east of Cooper Road, is triangular in shape and is approximately 3.48 ha (8.61 ac.) in area. The property contains a single detached dwelling and two outbuildings. The parcel is split, approximately two-thirds along the frontage to the east by the Government Drain Number One municipal drain. The area of land on the western side of the drain contains the buildings, grassed amenity area and the go-kart track. The area on the east side of the drain is cultivated land. Abutting the rear property line is a Hydro One right-of-way (transmission line corridor) and the George Morris Drain (municipal). **Please refer to the Key Map attached as Appendix "A".**

The subject parcel is designated Agricultural Area by Map Schedule A7 of the Chatham-Kent Official Plan (**please refer to Appendix "B"**). The parcel is zoned Agricultural, A1 (**please refer to Appendix "C"**).

Neighbouring Land Uses

Directly to the south and west is the George Morris Drain and a Hydro One transmission corridor, and beyond that is a mixture of farmland and rural residential uses; to the east is farmland; and to the north is Finn Line and farmland beyond that. It is noted that there are no dwellings located on any of the abutting parcels, however, based on aerial photography, there appears to be four dwellings located within 350-600 metres of the race track. Merlin, the nearest secondary settlement area, is located approximately 7 kilometres to the south-east. Please refer to Appendix "A".

3.0 BACKGROUND & DESCRIPTION OF THE PROPOSED GO-KART RACING OPERATION

The following (in italics) was provided by Dan Smolders (the proponent) and best describes the current operation and the reasoning behind its existence in this location:

"Our family started Route 1 Raceway in the spring of 2020. The track is 1/10th mile built for the racing of dirt go karts. We initially wanted to build a test track for our boys Spencer and Alex to

practice on and learn new things. Spencer and Alex have run karts competitively in the U.S. for the last 14 years. When COVID hit, we couldn't cross the border so they needed something to do and wanted to keep their racing skills in tack. Hence the building of the track. After the closure of 5150 Speedway (another local kart track) other local families came to us and wanted to race.

We held 8 shows in 2020. Route 1 Raceway follows the rules of and is insured by the National Kart Racing Association. There are 10 classes and racers must be pre-registered in order to race. We are planning on racing Friday nights in 2021 between the months of April and Oct. So far we have 14 race nights scheduled for 2021. We expect to get around 100 people to each event (About 30 competitors and 70 spectators).

The race track is located at 5210 Finn line, Merlin, Ontario. The entire parcel of land is designated agricultural. The property consists of 9 acres, 3 acres are on the east side of the government drain and is currently used for agricultural purposes. That leaves a 6-acre parcel which hasn't been farmed for at least 27 years. There is a residential building and 3 other buildings at the west end of the property. The racetrack is at the east end of the property. There is currently an 80ft x 80ft man-made pond situated on the south east part of the property constructed around the same time as the track.

Our family crossed the border for many years to race because there are not a lot of dirt kart tracks in this area for them to race at. There are lots of other sports in the area like soccer, baseball etc., but you cannot find a race track on every street corner. It is a sport that our family loves and we realized once we built the track that there are many others that love it also. Many people that visited our track expressed how grateful they were that we were giving their kids or family something to do. Many of the kids work on their own karts and are learning valuable mechanical skills. It's not just a sport for kids. The racers that came out ages range from 5 to 75. Kart racing is a family-oriented sport. It's not just parents going to watch their kids kick a ball around. It's the entire family working on the kart together. It's a family team sport. Route 1 raceway is all about family and friends."

It should be noted that the Smolders family have been running go karts on this site, on a personal training and practice basis, for many years, as is evidenced by a review of historical aerial photographs.

It should also be noted that following the opening of Route 1 Raceway in its current form in 2020, sometime during their operating season a complaint was lodged to Chatham-Kent Building Services – the complaint being the use did not comply with the zoning in place at this location. Consequently, Chatham-Kent By-law Enforcement issued an order to comply, hence the reason for this rezoning application being submitted. It is important to note that the complaint did not detail the use's incompatibility with the neighbouring properties, whether being agricultural or rural residential in nature. Further to this, although it wasn't provided to

Mr. Smolders, it is understood that the complaint did not come from one of the nearby property owners or residents.

4.0 ANALYSIS

Planning Act

Under Section 39 of the Planning Act a municipal council may pass a by-law authorizing the temporary use of land or buildings “for any purpose...otherwise prohibited by the by-law.” The by-law may be for a period of up to three years with further extension of up to three years for each increment.

Provincial Policy Statement (PPS)

The PPS is silent on the matter of temporary use.

Section 2.3.1, Agriculture, of the PPS states: *Prime agricultural areas shall be protected for long-term use for agriculture...*

Comment: it is recognized that the go-kart racing facility is not an agricultural use. However, the use, in its entirety, is located on the approximately six-acre portion of the property that has historically **not** been farmed. As described above, the physical constraints imposed by the irregular shape of the lot, being divided by one municipal drain, and being bounded by a second municipal drain, a road and a hydro transmission corridor, all lend to an area of land that is not feasible to be farmed. The roughly three-acre portion of the property, on the east side of the dividing drain, is, and will continue to be, farmed as part of the abutting neighbour’s farming operation.

Further to the above, it can be stated that the proposed go-kart racing use will not have an impact on the agricultural function of the property, or area in general.

Additionally, by nature of the proposed temporary zoning by-law, the area is protected for long-term use for agriculture, as once the temporary use by-law expires, the normally-permitted agricultural uses remain intact.

Chatham-Kent Official Plan (OP)

The subject parcel is designated Agricultural Area by Map Schedule A7 of the Chatham-Kent Official Plan. Similar to the discussion and comments provided immediately above under PPS, it is recognized that the go-kart racing use is not agricultural in nature and therefore does not conform to the OP policies currently applied to the subject property. And similarly, it is noted that the proposed racetrack use does not remove any existing agricultural land from

agricultural use, nor does it impact on the ability of the surrounding lands to function from an agricultural perspective.

Specifically relating to concept of the temporary use by-law, the following OP policies are regarded:

Temporary Uses

6.3.3.21 Applications to amend the Zoning By-law to permit a temporary use must comply with 6.4.4.

Comment: Section 6.4.4 of the OP details the requirements for a complete application. In-depth pre-consultation with the Municipality has taken place, and as a result, a Direction for a Complete Application was provided. The submission of the rezoning application will comply with Section 6.4.4.

6.3.3.22 Temporary Use By-laws may be enacted to allow the short-term use of lands, buildings, or structures that may not be in conformity with this Official Plan and Zoning By-law.

Comment: the proposed go-kart racing use is not in conformity with the OP or zoning by-law, and therefore its application is deemed appropriate.

6.3.3.23 Where appropriate, temporary uses shall be subject to the Site Plan Control provisions of this Official Plan.

Comment: a conceptual site plan is provided for the information of the reader, and is attached as **Appendix "D"**. It is noted that site plan control is not a requirement of the Municipality as part of this planning process.

6.3.3.24 The Temporary Use By-law shall describe the specific area affected and identify the period of time for which the use is authorized, not to exceed three years or a period not to exceed 20 years when considering a garden suite. Council may pass subsequent by-laws granting extensions of up to three years.

Comment: noted.

6.3.3.25 Upon the expiration of the Temporary Use By-law, the use shall cease to exist and shall not be considered an existing use.

Comment: noted.

The OP policies concerning temporary uses, detailed above, effectively echo the Planning Act policies which provide direction to approval authorities in their consideration, and the ability to approve them.

Although not delineated in the above policies, it is important to highlight the following facts which support the temporary use zoning:

- This facility was created as a response to the Federal and Provincial COVID restrictions, and the inability to travel to other racing venues.
- The proposed use will be of a temporary nature, and will not entail major construction or investment on the part of the owner so that the owner will not experience undue hardship in reverting to the original uses upon the termination of temporary use provisions (no new buildings/structures dedicated to the temporary use are either required or proposed).
- Following many years of use as a personal go-kart training facility, and one season of operation at a commercial level, there is no evidence of any incompatibility with the neighbouring agricultural and rural residential uses. Further, the agricultural character of the area will remain unaffected.
- There is no requirement for extension of, or upgrades to, any available municipal services.
- There is no evidence of the use creating any traffic problems within the surrounding area, and all required parking for the facility is provided onsite.
- An organized recreation opportunity is provided to local, and out-of-town, families.
- Those travelling from outside of Chatham-Kent to this venue will provide economic inputs perhaps not otherwise realized.
- Both the public, and Council, will have an opportunity to observe the operation over the period of the temporary permissions. Should an extension to the by-law, or a permanent zoning, be requested, then the public and Council will have a history of the facility, and overall compatibility of the use, to consider at that time.

5.0 CONCLUSION

The proposed temporary use of a go-kart racing track at 5120 Finn Line meets the policy requirements of the Chatham-Kent Official Plan. Council will retain final approval authority, should the temporary use prove to be a successful enterprise, in the conversion of this site, or any other, to a permanent use.

Prepared by:



David French, BA, CPT
Storey Samways Planning Ltd.

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
(Brenda and Daniel Smolders)
CityView # PL202100079

Whereas an application has been received for an amendment to the zoning by-law for a certain parcel of land in the Community of Tilbury-East in order to rezone the lands to permit a go-kart racing facility for a period of up to three (3) years;

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

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

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 Agricultural-1557, Temporary Use (A1-1557-T) 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:

1557
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:

A1-1557-T
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
1557	A1-1557-T	<div>Notwithstanding any other provision of the by-law to the contrary, the following shall also apply:<div><div>a) <u>Permitted Uses</u><div>A go-kart racing facility</div></div><div>b) <u>Expiry Date</u><div>May 17, 2024</div></div></div></div>

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 17th day of May, 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 17th day of May, 2021.

