

Municipality of Chatham-Kent

Community Development

Planning Services

To: Mayor and Members of Council

From: Anthony Jas
Manager, Development, Planning Services

Date: March 21, 2023

Subject: Application for Zoning By-law Amendment
PL202300006 – Gregory Dennis and Steve Van Eldik
38 Talbot Street West, Community of Blenheim (South Kent)

Recommendation

It is recommended that:

1. Zoning By-law Amendment application File D-14 BL/03/23/D, to rezone the subject lands known as 38 Talbot Street West, in Part of Lot 28, Plan 91, to a site-specific Urban Commercial (Central Business District)-1664 (UC(CBD)-1664) Zone, to add Hotel Unit and Laundromat as site-specific permitted uses, be approved, and the implementing by-law be adopted.

Background

The subject lands are a through lot with frontage on Talbot Street West and Catherine Street, in the Community of Blenheim (Roll No. 3650 160 001 01300). The lands are approximately 44.2 sq. m (476 sq. ft.) in area and developed with a commercial building which has contained various commercial and office uses over the years. The property is designated Downtown/Main Street 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. Photographs are attached as Appendix B.

The applicant has experienced difficulty renting the commercial space in the building due to its relatively small size. The intent of the Zoning By-law Amendment application is to add viability to this commercial space by permitting additional uses, including a hotel unit and laundromat.

The proposed Zoning By-law Amendment is discussed in more detail in the Comments section below.

Comments

Provincial Policy Statement

The proposed zoning by-law amendment does not raise any items of Provincial interest.

Official Plan

The proposed Zoning By-law Amendment application has been reviewed under the policies of the Chatham-Kent Official Plan. It has specifically been reviewed under Section B.2.2.3, Downtown/Main Street Area, and Section 6.3.3 – Planning Tools (Zoning By-law), and generally meets these policies.

The following policies specifically apply to the Blenheim Downtown/Main Street Area:

B.2.2.3.2 The predominant use of land within the Downtown/Main Street Area shall be mixed use, predominantly comprising retail and service commercial and residential uses.

B.2.2.3.3 Permitted uses shall include retail, service, recreational and tourism-related commercial uses, entertainment, cultural, community, business and professional offices, institutional and residential uses, as more specifically defined in the Zoning By-law.

B.2.2.4 To provide interest and activity at ground level on the major streets, retail commercial uses are encouraged on the main floor of buildings, and office and residential uses are encouraged on upper floors.

To summarize, the predominant use of land intended within the Blenheim Downtown/Main Street Area mixed-use. Along major streets such as Talbot Street West, mixed-use is comprised of retail and service commercial uses on the main floors of buildings and office and residential uses on the upper floors. This type of development is to promote interest and activity along major streets and is a form of community design that positively serves the local economy, community public health and environment.

The proposal to add one hotel unit can contribute to the local economy by providing short-term stay options for people in proximity to local businesses. The proposal to add a laundromat as a service commercial use can provide nearby residents or visitors to the downtown core added convenience to support their daily needs.

Zoning By-law

The subject lands are currently zoned Urban Commercial (Central Business District). A Hotel is a permitted use in the UC(CBD) Zone, however the proposal does not meet the definition of Hotel as noted in the Zoning By-law:

“HOTEL” means a commercial establishment offering accommodation to the traveling public on a short-term basis and may include such accessory facilities as a restaurant, banquet facilities, meeting rooms, swimming pool and a fitness establishment, but does not include a bed and breakfast or small or large rental dwelling unit.

The interpretation the definition of Hotel is more traditional, in which the hotel shall provide concierge and housekeeping services. The applicant intends on utilizing the building as a single housekeeping unit, which would not meet this definition. Therefore, it is proposed that a new definition for a Hotel Unit be added within the Special Zone Provision for the property. The definition is as follows:

“HOTEL UNIT” means one or more habitable rooms used, designed or intended to be used as a sleeping accommodation unit by one or more persons, and may be used by the travelling or vacationing public or for recreational purposes, but not containing its own culinary facilities (stove, oven, cooktop).

This definition will allow for the building to be used as a short-term rental and also preventing transition to a permanent residential use, such as a Single Detached Dwelling.

The proposal is also to add Laundromat as an additional permitted use. The Chatham-Kent Zoning By-law defines a Laundromat as *“a self-serve clothes washing establishment and may include dry-cleaning as an ancillary part of the business.”* By adding an additional use in this manner, the subject property will have a wider range of permitted uses, which can support the neighbourhood over the long term.

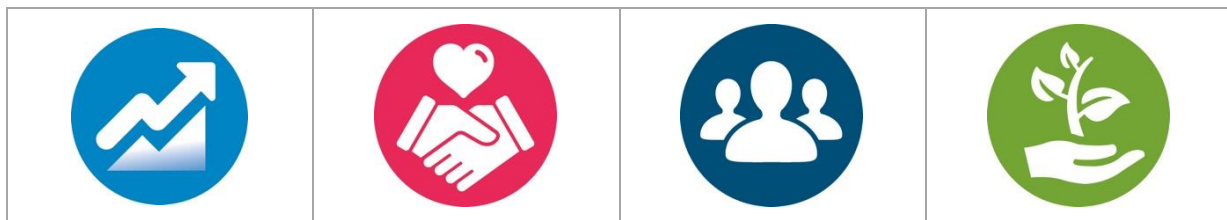
There are no other changes proposed by this application, therefore, all other current zoning regulations will continue to apply to the subject lands.

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

This report supports the following areas of strategic focus:



Economic Prosperity	Healthy & Safe Community	People & Culture	Environmental Sustainability
1.3	2.3		

Consultation

The Chief Building Official was consulted regarding the recommendation and provided advice on, and interpretation of, the Zoning By-law.

Communication

Information on Council's action will be posted to the municipal website. All persons who have made a submission regarding this application will receive a notice of Council's decision. Any other person who wishes to receive notice must submit a written request to the Clerk.

Diversity, Equity, Inclusion and Justice (DEIJ)

This report does not have implications related to diversity, equity, inclusion or justice.

Financial Implications

There are no financial implications resulting from the recommendation.

Prepared by: Greg Houston, Planner I, Planning Services

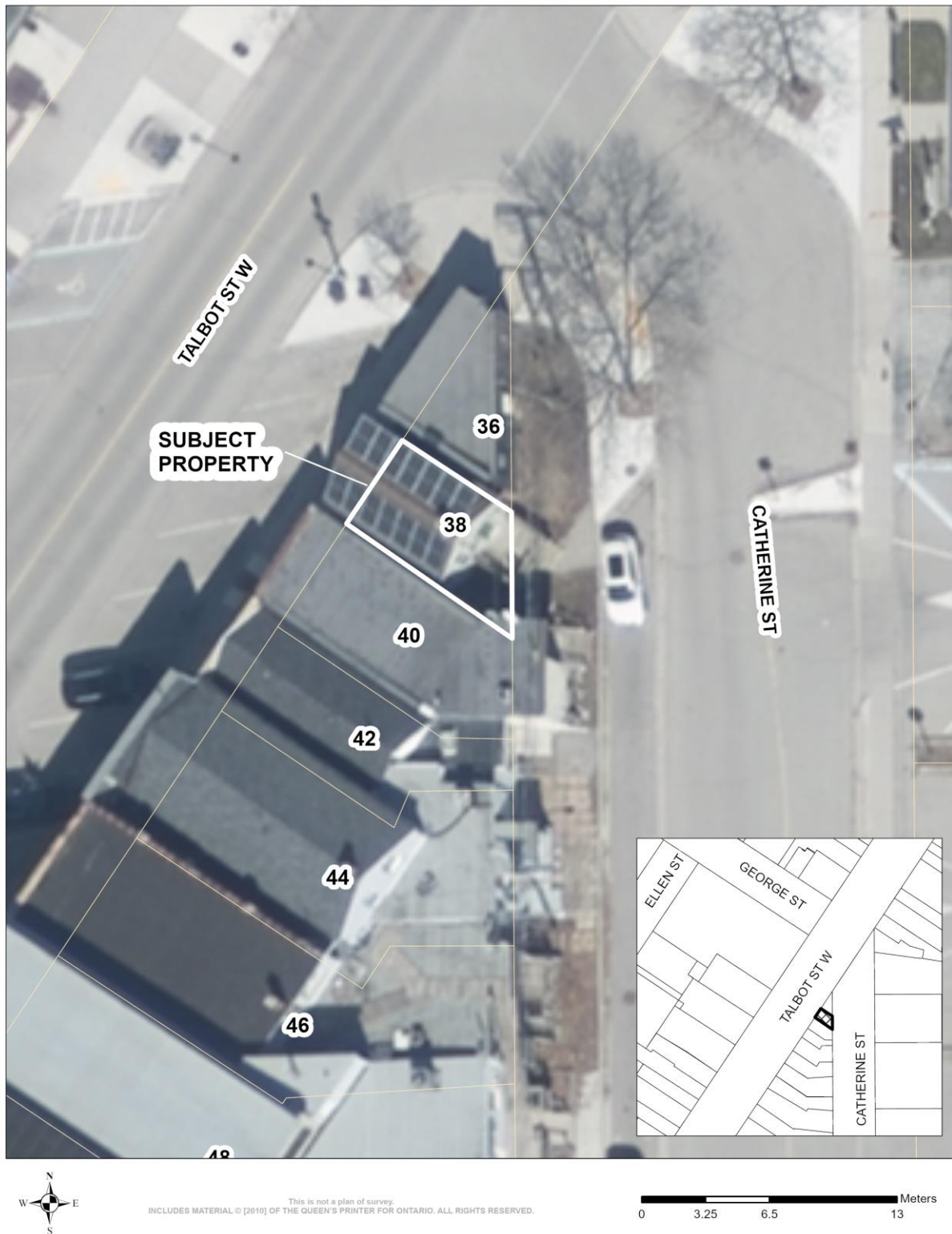
Reviewed by: Anthony Jas, Manager, Planning Services

Reviewed by: Ryan Jacques, MCIP, RPP, Director, Planning Services

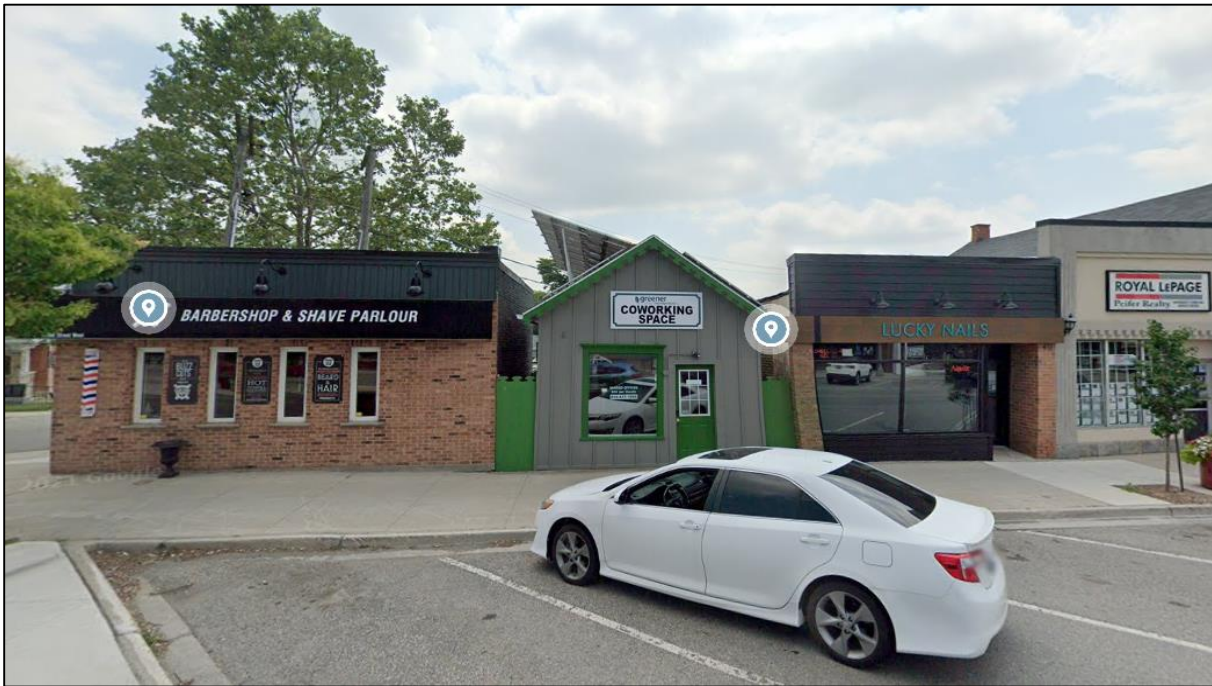
Reviewed by: Bruce McAllister, MCIP, RPP, General Manager, Community Development

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

Appendix A – Key Map



Appendix B – Site Photos



Looking southeast at the front of the building.



Looking northwest at the rear of the building.