

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

**To:** Mayor and Members of Council

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

**Date:** December 15, 2021

**Subject:** Application for Zoning By-law Amendment  
PL202100304 – Tatro Properties Ltd.  
750 Richmond Street, Community of Chatham (City)

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**Recommendation**

It is recommended that:

1. Zoning By-law Amendment application File D-14 C/81/21/T, to rezone the subject lands, in Part of Lot 20, Concession 1 (Raleigh), in the Community of Chatham (City), to a site-specific General Industrial (M1-1576) zone, to add Retail Store, Print Shop, Personal Service Establishment, Bank/Financial Institution, Adult Secondary School & Child Care Centre as additional permitted uses, be approved, and the implementing by-law be adopted.

**Background**

The subject property is located on the south side of Richmond Street, between Borrowman Street and Bothwell Street, in the Community of Chatham (City) (Roll No. 3650 420 022 21500). The lands are approximately 6.84 ha (16.9 ac.) in area and contain an existing building, approximately 18,580 sq. m (200,000 sq. ft.) in area. The lands are designated Employment Area in the Chatham-Kent Official Plan and zoned General Industrial (M1). A key map showing the location of the subject lands is attached as Appendix A. Site photos are attached as Appendix B.

The existing building contains a mix of commercial and office tenants including TekSavvy, Performance 360 Health and Fitness Club, and Transform Shared Service Organization. The building also contains some light industrial uses including warehousing and storage space.

The application is proposing to expand the uses permitted at the subject property to include a range of personal service and commercial type uses. Implementation of these

uses is intended for the units located at the eastern side of the existing building. However, the proposed zoning will permit these uses at any location within the existing building. There is sufficient area for parking to service these uses.

The intent of the application is to increase viability of the property by permitting uses that are complementary to existing uses at the site and in the subject area. These uses include:

- Personal Service Establishment
- Retail Store
- Print Shop
- Child Care Centre
- Adult Secondary School. and
- Bank/Financial Institute.

### **Comments**

#### **Provincial Policy Statement**

The proposal does not raise any issues of Provincial interest.

#### **Official Plan**

The subject property is designated Employment Area in the Chatham-Kent Official Plan. The uses intended for this designation are set out in the following policies:

*B.2.4.2 The Employment Area is intended for a range of industrial and secondary commercial land uses which shall be developed on full municipal services.*

*B.2.4.3 Permitted industrial uses in the Employment Area shall include office, research facilities, printing, processing, manufacturing, assembling, warehousing, and shipping uses, as more specifically defined in the Zoning By-law. A limited amount of ancillary retail to the main permitted industrial use shall also be permitted.*

*B.2.4.4 Permitted secondary commercial uses in the Employment Area shall include restaurants, financial institutions, service commercial uses, automobile-oriented uses such as vehicle sales and repair, service and gas bars with convenience retail, commercial recreational facilities, hotels, motels, conference facilities, meeting/banquet facilities, entertainment uses, public and private clubs, and police, fire or ambulance facilities, as more specifically defined in the Zoning By-law.*

In assessing this proposal, consideration was given to existing uses in the subject area, which includes office/commercial, assembly and industrial type uses. Taking land use compatibility into consideration, the proposed uses are deemed appropriate as they present no negative impact to any established land use in the subject area and can be

complimentary. Furthermore, it can be concluded that the proposed uses are similar in nature to uses currently permitted in the General Industrial (M1) zoning of the subject property such as animal grooming, eating establishment and office.

When retail commercial uses are proposed, the following policies are considered:

*B.2.4.5 Proposals for retail commercial uses shall require a site-specific amendment to the Official Plan to redesignate the subject lands from Employment Area to the appropriate land-use category.*

*B.2.4.7 A Market Demand and Directional Impact Analysis shall not be required for applications for development approval of retail commercial uses totalling less than 20,000 sq. ft. of gross leasable area.*

The Employment Area designation remains appropriate for the subject lands and surrounding neighbourhood. Richmond Street functions as a mix of commercial and industrial uses which are complimentary to each other. To maintain the employment use nature of the existing building, it is recommended that the maximum gross leasable area for a retail commercial use is 20,000 sq. ft.

Additionally, the following policies apply to commercial uses in an Employment Area designation.

*B.2.4.8 Permitted commercial uses shall be subject to the following criteria:*

*B.2.4.8.1 They shall be located either directly on or have access to an arterial road;*

*B.2.4.8.2 The proposed uses shall be compatible with existing and planned industrial uses in the Employment Area;*

*B.2.4.8.3 Adequate off-street parking shall be provided;*

*B.2.4.8.4 The depth and frontage of the lots shall be sufficient to allow for parking and turning movements;*

*B.2.4.8.5 Traffic access shall be properly designed and controlled to maintain public safety and convenience;*

*B.2.4.8.6 Vehicular access points shall be limited, and those that are continuous across the lot frontage shall not be permitted;*

*B.2.4.8.7 Access points shall be coordinated and common access points among uses shall be encouraged;*

*B.2.4.8.8 Access will be either to an arterial road or a collector road that intersects that road;*

*B.2.4.8.9 Adequate buffer planting, landscaping, screening and separation distances shall be provided between uses and throughout the site;*

*B.2.4.8.10 The landscaping and buffering may include separation distances, trees and shrub plantings and the use of earthen berms.*

The proposal is consistent with the above-noted policies in the following manner:

- Richmond Street is an Urban Arterial Road.
- The proposed uses are compatible with the existing commercial uses and light industrial uses on the subject lands and surrounding area.
- To the north and west are existing restaurants, car dealerships and a former manufacturing building, to the east is a truck repair shop, and to the south is Tatro Truck Parts.
- The property contains approximately 700 parking spaces which is adequate for the range of uses permitted in the General Industrial (M1) zone.
- There are no changes to the existing building or access points and therefore no new vehicular traffic issues.
- There is currently privacy fencing between the subject lands and industrial operations to the south.

In sum, the proposal supports uses that are similar in nature to those secondary commercial uses intended for the Employment Area and are complimentary to the existing characteristics of the surrounding area. Based on this analysis, the proposal meets the general intent of the Official Plan.

### **Zoning By-law**

The subject lands are currently zoned General Industrial (M1). The zoning by-law amendment proposes to add additional uses for the subject lands that fall outside the scope of uses permitted under this zone. As such, based on the land use policies summarized above, it being recommended that the subject lands be rezoned to a site-specific General Industrial (M1-1576) zone that will permit the following uses in addition to those currently permitted:

- Retail Store – Maximum Gross Floor Area 1,858 sq. m (20,000 sq. ft.)
- Print Shop
- Personal Service Establishment
- Financial Institution
- Adult Secondary School
- Child Care Centre

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.

**Financial Implications**

There are no financial implications resulting from the recommendation.

Prepared by:



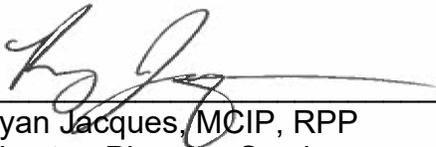
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Greg Houston  
Planner I, Planning Services

Reviewed by:



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Anthony Jas  
Manager, Development,  
Planning Services

Reviewed by:



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Ryan Jacques, MCIP, RPP  
Director, Planning Services

Reviewed by:



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Bruce McAllister, MCIP, RPP  
General Manager,  
Community Development

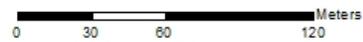
Attachments: Appendix A – Key Map  
Appendix B – Site Photos  
By-law to amend By-law 216-2009

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Properties Ltd Report.docx

Appendix A – Key Map



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



Looking southeast at the existing building on the property from Richmond Street.



Looking southwest at the existing building from Bothwell 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

(Tatro Properties Ltd.)

CityView # PL202100304

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 additional uses in the General Industrial (M1) 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 General Industrial (M1) to General Industrial-1576 (M1-1576) 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. 1576

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:

M1-1576

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
1576	M1-1576	Notwithstanding any other provision of the by-law to the contrary, the following shall also apply:  i) Permitted Uses include: a. Personal Service Establishment b. Retail Store c. Print Shop d. Child Care Centre

Exception No.	Special Zone Symbol	Special Zone Provisions
		e. Adult Secondary School f. Bank/Financial Institute  ii) For a Retail Store – Maximum Gross Leasable Floor Area – 1,858 sq. m

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 January, 2022.

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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 17th day of January, 2022.

