

Municipality of Chatham-Kent

Community Development

Planning Services

To: Mayor and Members of Council

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

Date: December 8, 2021

Subject: Application for Removal of the “H” – Holding Symbol
PL202100299 – 1815513 Ontario Inc.
25 Raleigh Street, Community of Chatham (City)

Recommendation

It is recommended that:

1. Zoning By-law Amendment application File D-14 C/77/21/O, to remove the “H” – Holding Symbol from the subject lands, known municipally as 25 Raleigh Street (PIN: 00505-0509), in Part of Lots 132 & 134, Lot 133, Old Survey in the Community of Chatham (City), be approved, and the implementing by-law be adopted.

Background

The subject property is located on the east side of Raleigh Street, between Wellington Street West and Cross Street, in the Community of Chatham (City) (Roll No. 3650 420 026 07300). The lands are approximately 0.72 ha (1.78 ac.) in area and contain the former St. Joseph’s Catholic School. The property is designated Downtown/Main Street Area in the Chatham-Kent Official Plan and zoned Holding-Urban Commercial (Central Business District)-1549 (UC(CBD)-1549). A key map showing the location of the subject lands is attached as Appendix A.

The application proposes to remove the “H” holding symbol from the zoning of the property. The holding symbol is a *Planning Act* tool that allows the Municipality to control development over certain lands until such time as specific pre-conditions are satisfied.

The subject property is zoned H-UC(CBD)-1549, which currently restricts these lands from any new buildings or structures. In April of 2021, a proposal to redevelop the existing school into a mixed-use Commercial and Residential building was approved by

Council. As part of the zoning by-law amendment, infrastructure upgrades related to the existing stormwater management were required to be completed. The holding symbol was applied to the property until such time that the existing storm flows entering the combined sewer were rerouted into the dedicated storm sewer to the satisfaction of the Corporation.

The Zoning By-law Amendment application will remove the “H” holding symbol from the subject lands and allow the applicant to obtain occupancy of the building upon completion of the redevelopment and all necessary building inspections.

Comments

Provincial Policy Statement

The application does not raise any items of provincial interest.

Official Plan

The application has been reviewed under policies of the Chatham-Kent Official Plan. Specifically Section 6.3.3, Planning Tools (Holding Provision), and generally meets these policies.

Zoning By-law

As stated above, the lands are currently zoned Holding–Urban Commercial (Central Business District)–1549 H-UC(CBD)-1549. The holding symbol limits the permitted uses to the existing use until such time that *“the existing storm flows entering the combined sewer are rerouted into the dedicated storm sewer to the satisfaction of the Corporation.”* The applicant’s consultant has provided a letter of compliance stating that the required rerouting has been completed. This letter has been accepted by the Municipality. This work was in accordance with the recommendations of the Infrastructure and Servicing Brief submitted at the time of the Zoning By-law Amendment application.

Therefore, the proposed zoning by-law amendment will remove the holding symbol and place the property into the Urban Commercial (Central Business District)-1549 (UC(CBD)-1549) zone, where all as-of-right uses of this zone are then permitted.

Conclusion

The proposed zoning by-law amendment to remove the holding symbol has been reviewed in the context of the Provincial Policy Statement, the Chatham-Kent Official Plan and Zoning By-law and complies with these documents. 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 as part of this application.

Financial Implications

There are no financial implications resulting from the recommendation.

Prepared by:


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Reviewed by:


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Reviewed By:


Ryan Jacques, MCIP, RPP
Director, Planning Services

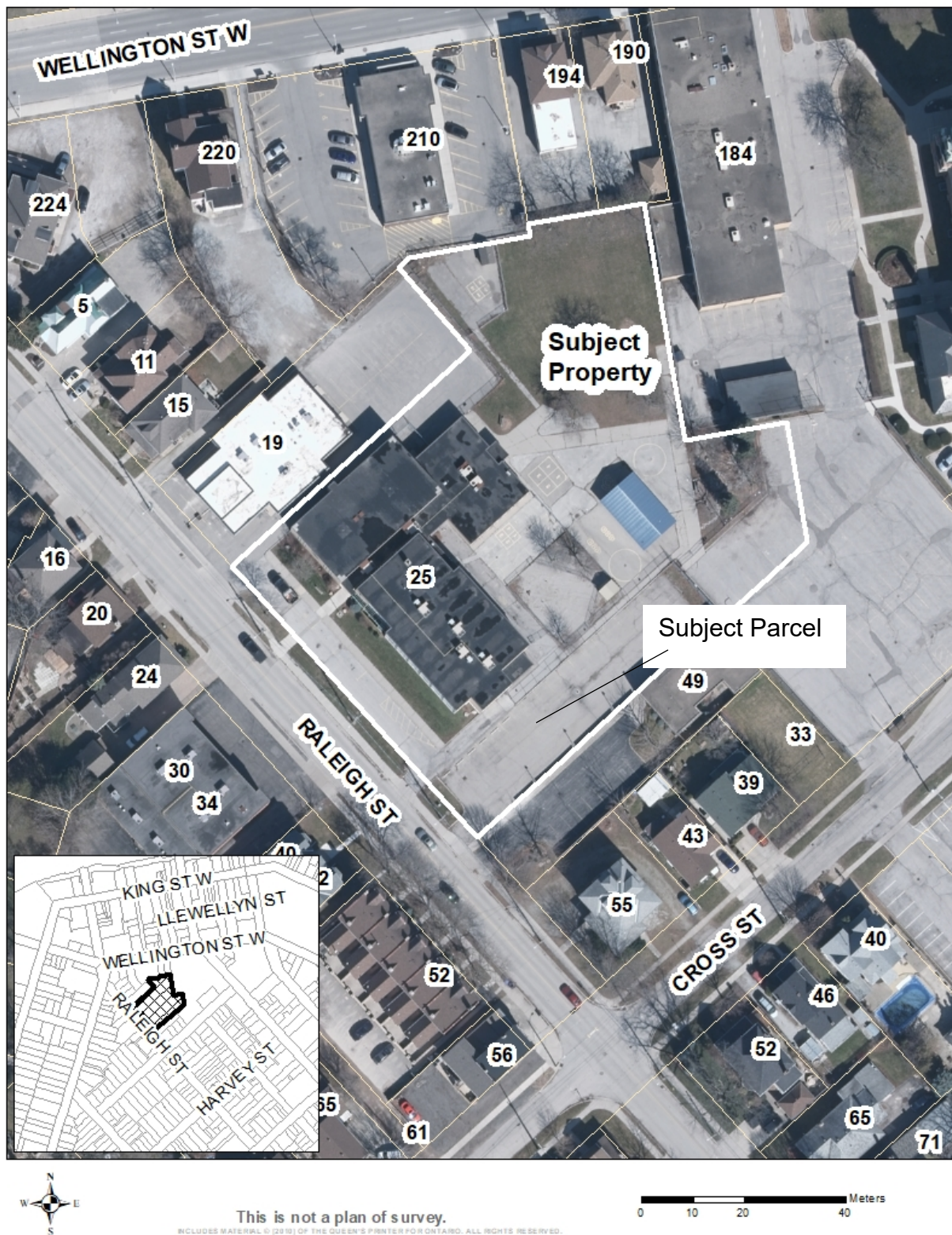
Reviewed By:


Bruce McAllister, MCIP, RPP
General Manager,
Community Development

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

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Appendix A – Key Map



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

(1815513 Ontario Inc.)

CityView # PL202100299

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) for removal of the holding classification on said lands as the necessary condition for removal has been satisfied to the satisfaction of the Corporation;

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 removing the holding symbol “H” from the zone classification of the lands so depicted on Schedule “A” hereto annexed and forming part of this by-law, so that the said lands shall be Urban Commercial (Central Business District)-1549 (UC(CBD)-1549).

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.

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 January, 2022.

