

## **Municipality Of Chatham-Kent**

### **Community Development**

#### **Planning Services**

**To:** Mayor and Members of Council

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

**Date:** July 6, 2021

**Subject:** Application for Zoning By-law Amendment  
PL202100058 – Opportunity Villages Community Land Trust  
10 Taylor Avenue, Community of Chatham (City)

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#### **Recommendation**

It is recommended that:

1. Zoning By-law Amendment application File D-14 C/47/21/O, to rezone the subject lands, in Part of Lot 5 & Lots 6-9, Plan 26; and Part of Lot 10, Plan 32, in the Community of Chatham (City), to a site-specific Residential Medium Density Second-1570 (RM2-1570) zone, to add Single Detached, Duplex, Semi-Detached & Triplex Dwellings as additional permitted uses, be approved, and the implementing by-law be adopted.

#### **Background**

The subject property is located on the west side of Taylor Avenue through to the east side of Memory Lane, between Grand Avenue East and Forest Street, in the Community of Chatham (City). The lands are approximately 1.06 ha (2.62 ac.) in area and is currently vacant. The property is designated Residential Area in the Chatham-Kent Official Plan and zoned Residential Medium Density Second (RM2). A key map showing the location of the subject lands is attached as Appendix A. Site photos are attached as Appendix B.

The RM2 zone permits the following housing types to be developed at the property:

- Double Duplex
- Fourplex
- Row House
- Apartment
- Senior Citizen Dwelling

The applicant is proceeding with the redevelopment of the property with new residential uses. The development is planned as a single site with no subdivision of land. Proposed housing types include 18 single detached dwellings, 6 semi-detached dwelling or duplex units, and 6 row house or triplex units, totaling 30 units. Units are proposed to range in area from 55 sq. m to 84 sq. m (600 to 900 sq. ft.). Each unit will be provided with one dedicated off-street parking space. One non-residential building is proposed as a common area to provide additional indoor amenities to residents of the development, and the broader community. A conceptual site plan of the proposed development is attached as Appendix C.

To implement the proposal, a Zoning By-law Amendment is required to add:

- A building ancillary to permitted residential uses; and,

The following dwelling types as permitted uses at the property:

- Single Detached
- Duplex
- Semi-Detached
- Triplex

The proposed dwelling types represent lower density uses than what is currently permitted at the property: The proposed development is also subject to the provisions of the Site Plan Control By-law. It is anticipated that the applicant will submit a complete Site Plan Control application in the future. Site Plan approval is required prior to construction occurring on the lands.

## **Comments**

### **Provincial Policy Statement**

The proposed application is consistent with the policies of the PPS.

### **Official Plan**

The application has been reviewed under the policies of the Chatham-Kent Official Plan. It has been specifically reviewed under the following sections:

- Section 2.3.6, Primary Urban Centres
- Section 2.6, Potentially Contaminated Properties
- Section B.2.3, Residential Area Policies
- Section 6.3.3, Planning Tools (Zoning By-law)

### **Primary Urban Centres**

The Official Plan states that Primary Urban Centres, such as Chatham, shall be the focal point for growth and development, and have the highest concentration and

intensity of uses in the Municipality. This includes infill development of sites that are currently underutilized, such as the subject property.

*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.*

#### Potentially Contaminated Properties

It is the objective of Chatham-Kent to use available information in the development review process to help ensure that development occurs only on sites where the environmental conditions are suitable for the proposed use. Preliminary investigations of site conditions were provided as part of the application. These documents reveal the site was historically developed as a freight transfer operation for dry goods, and more recently as a contractor's yard.

The applicant has retained a qualified professional firm, RWDI Consulting Engineers and Scientists, to prepare a Phase 1 Environmental Site Assessment. Based on provincial regulations, the Phase 1 Environmental Site Assessment will inform the Municipality of processes required to establish a residential use at the property. Final site plan approval and issuance of building permits will consider the findings of the Phase 1 Environmental Site Assessment and any further assessments that may be required.

#### Residential Area Policies

The subject property is located within the Chatham Primary Urban Centre and is designated Residential Area. This designation is intended for a range of low-density and medium-density residential development on full municipal services (Policy B.2.3.2). The proposed low-density residential use will facilitate new residential infill development in the neighbourhood, which is primarily low and medium density residential. The proposed uses represent an overall "down-zoning" of the property where the proposed development will be built to a lower density than what is currently allowed.

Overall, the proposal meets the intent of the Official Plan.

#### **Zoning By-law**

A zoning by-law amendment is being recommended to implement the proposed development. The RM2 zone currently permits the following housing types at the property:

- Double Duplex
- Fourplex
- Row House
- Apartment
- Senior Citizen Dwelling

The proposed Zoning By-law Amendment will add a building ancillary to permitted residential uses, and the following dwelling types, as permitted uses at the property:

- Single Detached
- Duplex
- Semi-Detached
- Triplex

New site regulations to implement the proposed uses include the following for all uses except Apartment Dwelling and Senior Citizen Dwelling:

- Maximum Density – 30 Dwelling Units
- Front Yard – Taylor Avenue
- Exterior Side Yard – Memory Lane
- Off-street Parking – 1 space per unit
- Minimum Dwelling Unit Area – N/A
- Front Yard Depth – 7.62 m
- Exterior Side Yard Width – 3.04 m
- Interior Side and Rear Yard Width – 4.57 m; except where within 23 m of Taylor Avenue – 1.22 m

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**

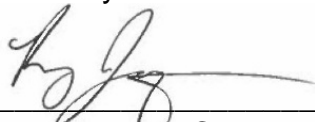
#### **Technical Advisory Committee**

The Technical Advisory Committee supports the recommendation.

### **Financial Implications**

There are no financial implications resulting from the recommendation.

Prepared by:



Ryan Jacques, MCIP, RPP  
Director, Planning Services

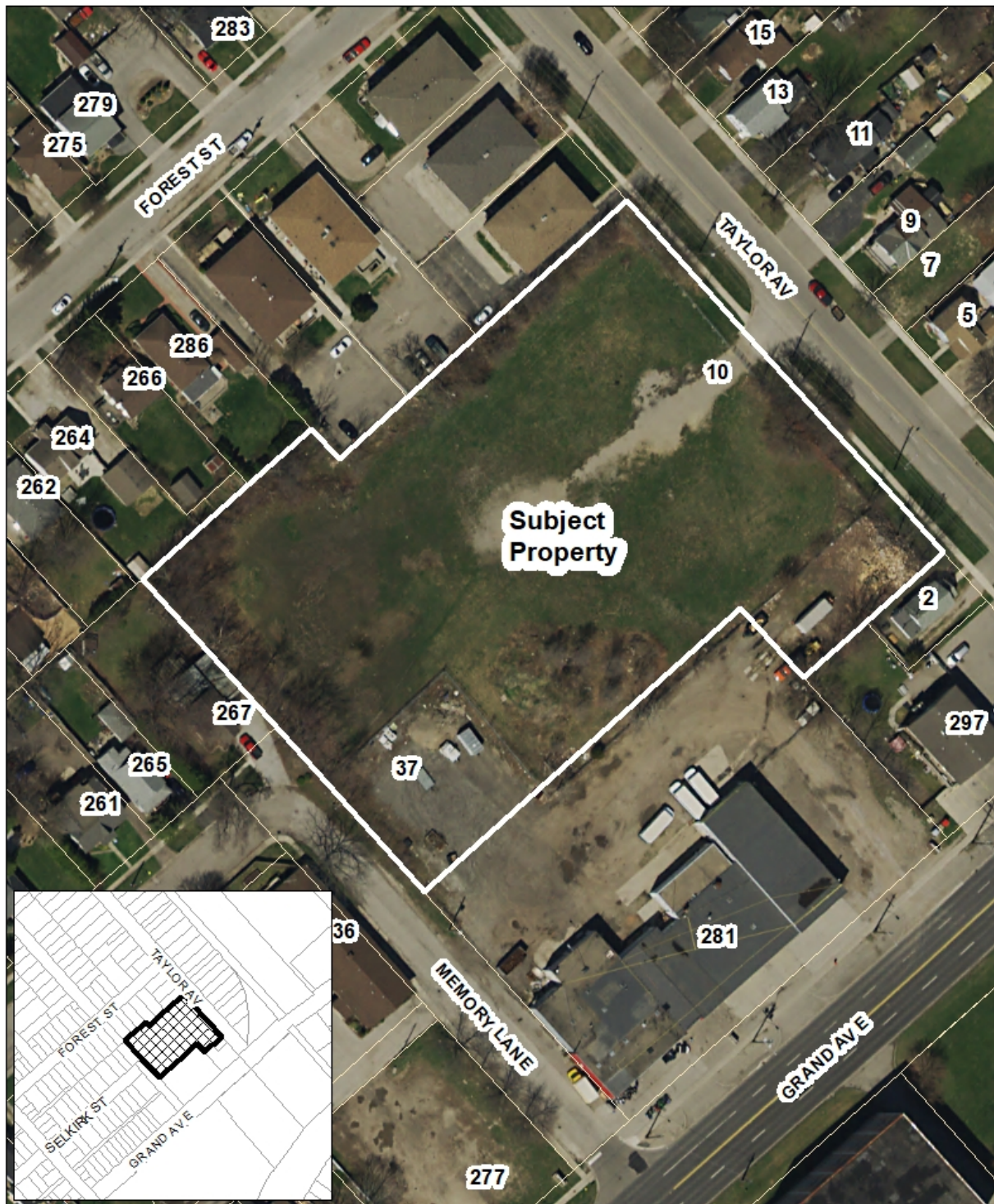
Reviewed by:



Bruce McAllister, MCIP, RPP  
General Manager  
Community Development

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

Appendix A – Key Map



This is not a plan of survey.

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Appendix B – Site Photos

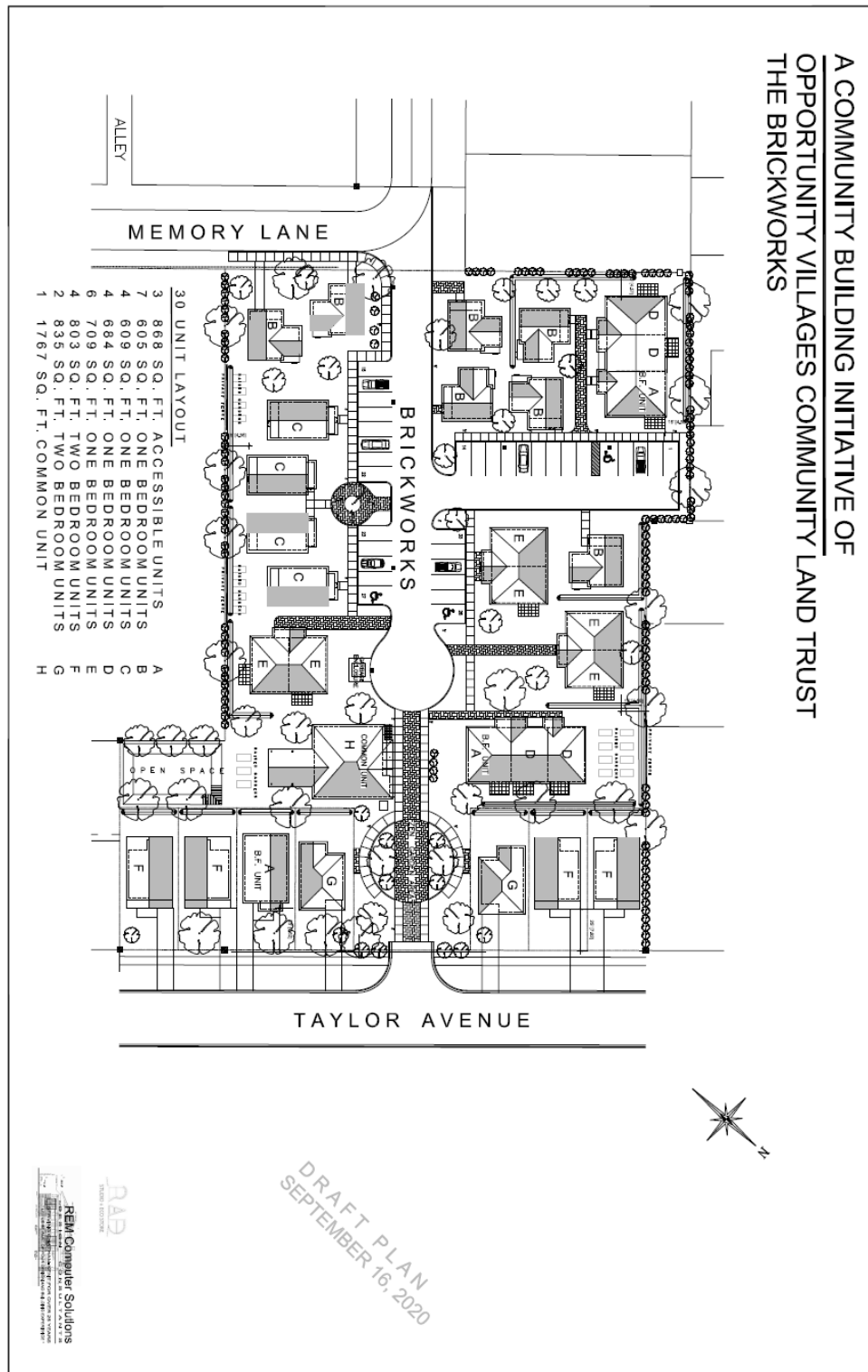


Looking west toward the property from Taylor Avenue



Looking east from Selkirk Street across Memory Lane toward the property.

Appendix C – Conceptual Site Plan





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  
(Opportunity Villages Community Land Trust)

CityView # PL202100058

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 add additional dwelling types in a residential medium density 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 Residential Medium Density Second (RM2) to Residential Medium Density Second -1570 (RM2-1570) 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. 1570

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:

RM2-1570

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
1570	RM2-1570	The following dwelling types are additional permitted uses: a) Single Detached Dwelling b) Semi-Detached Dwelling c) Duplex d) Triplex

Exception No.	Special Zone Symbol	Special Zone Provisions
		<p>The following regulations apply for all uses except Apartment Dwelling and Senior Citizen Dwelling:</p> <ul style="list-style-type: none"><li>a) Maximum Density – 30 Dwelling Units</li><li>b) Front Yard – Taylor Avenue</li><li>c) Exterior Side Yard – Memory Lane</li><li>d) Off-street Parking – 1 space per unit</li><li>e) Minimum Dwelling Unit Area – N/A</li><li>f) Front Yard Depth – 7.62 m</li><li>g) Exterior Side Yard Width – 3.04 m</li><li>h) Interior Side and Rear Yard Width – 4.57 m; except where within 23 m of Taylor Avenue – 1.22 m</li></ul>

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 19th day of July, 2021.

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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 19th day of July, 2021.

