

**Municipality of Chatham-Kent**

**Community Development**

**Planning Services**

**To:** Mayor and Members of Council

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

**Date:** October 26, 2022

**Subject:** Application for Removal of the “H” – Holding Symbol  
PL202200223 – 494112 Ontario Limited  
Mill Street West, Community of Tilbury (West Kent)

---

**Recommendation**

It is recommended that:

1. Zoning By-law Amendment application File D-14 TI/56/22/O, to remove the “H” – Holding Symbol from the subject lands, located at Mill Street West (PIN: 00793-0071), in Part of Lot 3, Plan 792, in the Community of Tilbury, be approved, and the implementing by-law be adopted.

**Background**

The subject lands are located on the north side of Mill Street West, between Lyon Avenue North and the municipal boundary with Essex County to the west, in the Community of Tilbury (Roll No. 3650 080 001 17900 & 18400). The lands are approximately 6.14 ha (15.18 ac.) in area and are vacant of buildings and structures. The property is designated Employment Area and Highway Commercial Area in the Chatham-Kent Official Plan and zoned Holding-General Industrial-850 (H-M1-850). A key map showing the location of the subject lands is attached as Appendix A.

The application requests to remove the “H” holding symbol from the zoning on 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 zoning currently restricts these lands from any new buildings or structures until such time that the Municipality has determined that either the land will be developed in conjunction with abutting land under the same ownership or, if not, that access and servicing can be made available to the land. The lands subject to this application have recently been consolidated under the same ownership as the abutting

lot fronting Mill Street West, known as 46 Mill Street West. As a result of the consolidation of property ownership, access and servicing to the subject lands is established.

The Zoning By-law Amendment application will remove the “H” holding symbol from the subject lands to facilitate future development in accordance with municipal standards.

## **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 meets these policies.

### **Zoning By-law**

The lands are currently zoned Holding–General Industrial-850 (H-M1-850). The holding symbol limits the permitted uses to the existing agricultural use until such time that *“the Corporation (Municipality) has determined that either the land will be developed in conjunction with abutting land under the same ownership or, if not, that access and servicing can be made available to the land.”* The applicant has submitted documentation confirming consolidation of the subject lands with an abutting lot fronting Mill Street West, known as 46 Mill Street West. As a result of the consolidation of property ownership, access and servicing to the subject lands is established. The requirements of the holding symbol are met.

Therefore, the requested zoning by-law amendment to remove the holding symbol from the lands and place the property into the General Industrial (M1) zone can proceed.

### **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 for this report.

### **Financial Implications**

There are no financial implications resulting from the recommendation.

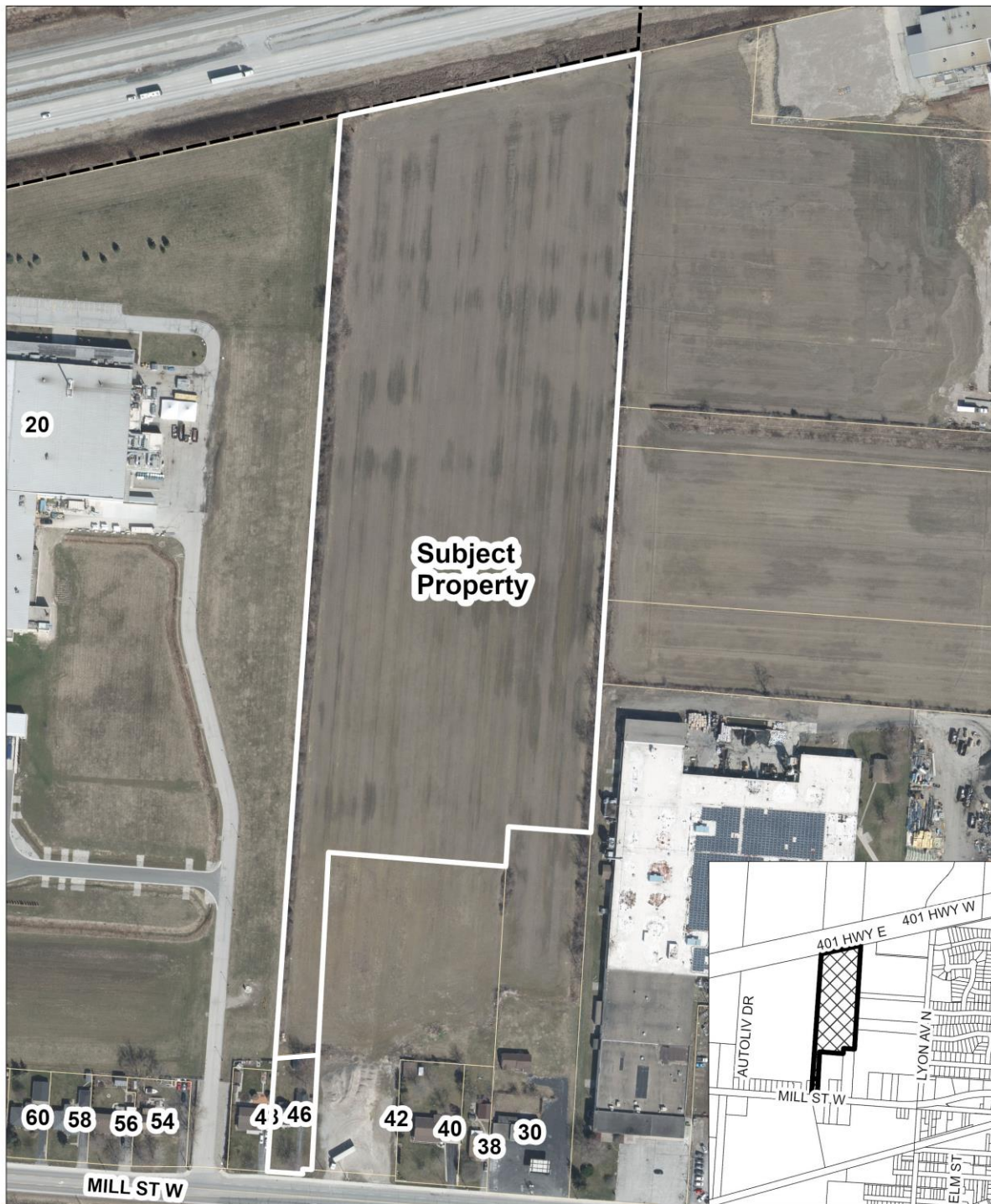
Prepared by: Greg Houston, Planner I, Planning Services

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

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

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

Appendix A – Key Map



This is not a plan of survey.  
INCLUDES MATERIAL © [2010] OF THE QUEEN'S PRINTER FOR ONTARIO. ALL RIGHTS RESERVED.

0 30 60 120 Meters