

Municipality of Chatham-Kent

Community Development

Planning Services

To: Mayor and Members of Council

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

Date: October 31, 2022

Subject: Application for Removal of the “H” – Holding Symbol
PL202200229 – Moccia Concrete & Concrete Products Ltd.
246 Park Avenue West, Community of Chatham (City)

Recommendation

It is recommended that:

1. Zoning By-law Amendment application File D-14 C/58/22/M, to remove the “H” – Holding Symbol from the subject lands, located at 246 Park Avenue West (PIN: 00520-0111), in Part of Lots 90 & 91, Plan 34, in the Community of Chatham (City), be approved, and the implementing by-law be adopted.

Background

The subject property is located at the southerly corner of the Park Ave West and Houston Street intersection in the community of Chatham (City) (Roll No. 3650 420 014 18100). The lands are approximately 311.6 sq. m (3,354 sq. ft.) in area and contain a mixed-use commercial/residential building. The lands are designated Residential Area in the Chatham-Kent Official Plan and zoned Holding-Residential Low Density Second-1529 (H-RL2-1529). A key map showing the location of the subject property 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 is zoned H-RL2-1529, which currently limits the uses to those existing prior to October 2020. At that time, a proposal to renovate the building located on the property was received. The renovation sought to attract a range of commercial businesses on the ground floor of the building. Council then approved a Zoning By-law

Amendment application to add Personal Service Establishment, Office, Convenience Retail Store, and Ice Cream Store, as permitted uses.

As part of the Zoning By-law changes, the “H” holding symbol was applied to the property to prevent the newly approved uses from starting at the property until the owner undertook certain renovations to the building and completed alterations to the parking area and municipal boulevard adjacent to the property. These works were completed by the Owner in 2022.

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

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-Residential Low Density Second-1529 (H-RL2-1529). The holding symbol limits the permitted uses to the existing uses until such time that:

“i) The applicant restores the Municipal boulevard adjacent to the front and exterior side yard on Park Avenue West and Houston Street to the satisfaction of the Municipality; and,

ii) the applicant installs Landscaping and Parking as shown on the site plan filed with the Municipality and dated June 8, 2020;”

The Owner has completed these improvements at the subject lands to the satisfaction of the Municipality. Therefore, the requirements of the holding symbol are met and the requested zoning by-law amendment to remove the holding symbol from the lands can proceed. The property will revert to the Residential Low Density Second-1529 (RL2-1529) zone that was approved in October 2020.

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.

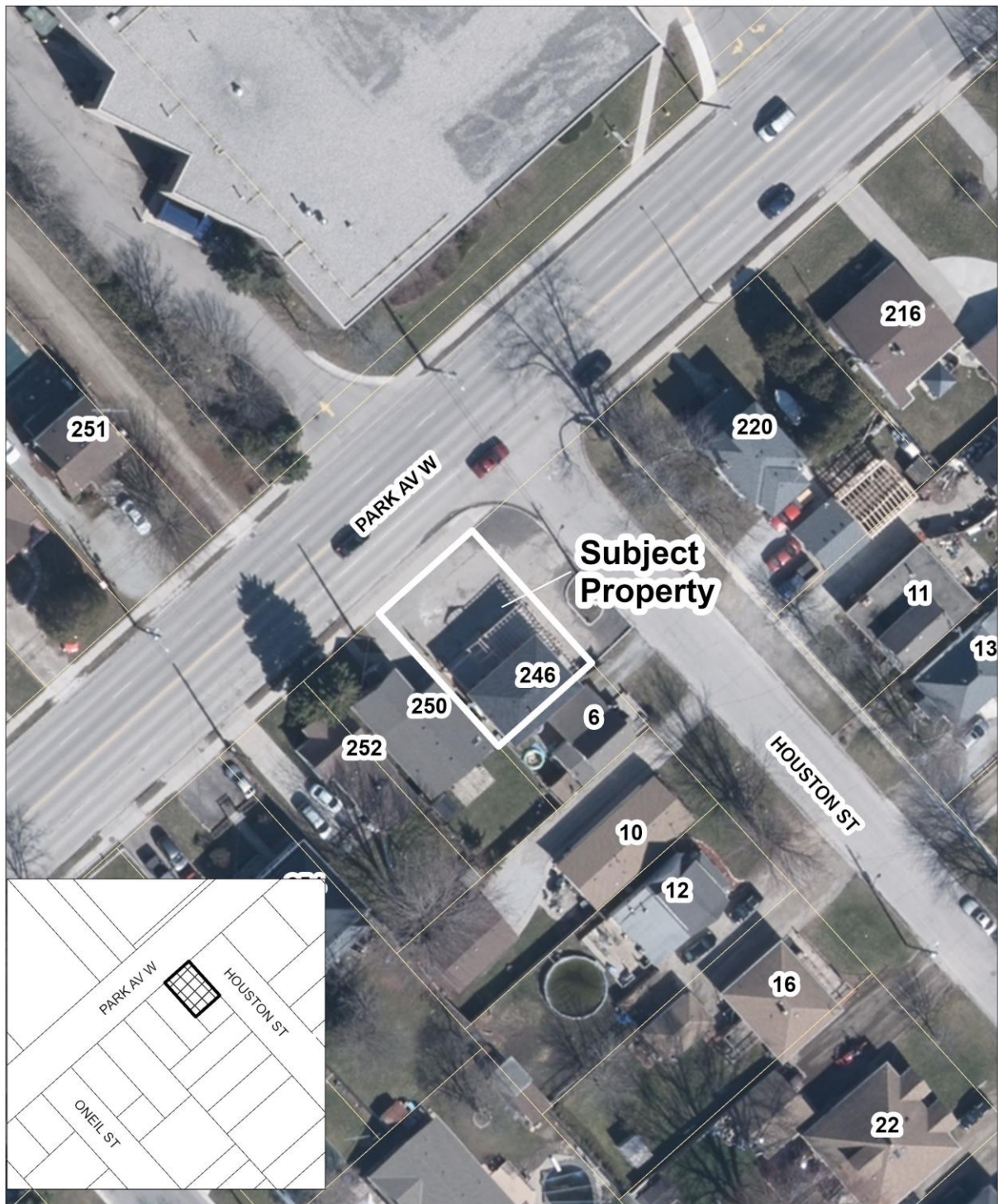
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Reviewed by: Bruce McAllister, MCIP, RPP, General Manager, Community
Development

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

Appendix A – Key Map



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