



6 Royal Cres
PO Box 188
Pain Court, Ontario N0P 1Z0
(519) 809-4539
rbrown@oakviewlup.ca

Date: April 24, 2024

To: Municipality of Chatham-Kent, Planning Services
Attn: Anthony Jas
Manager of Planning Services

RE: Planning Brief for
Proposed Application for Zoning By-law Amendment
430 Indian Creek Road W, Lot 6, Plan 476, Pt. Lot 22, Concession 3
Roll # 3650 110 001 06900

Author: Robert Brown, H. Ba, MCIP, RPP

Purpose

To provide an overview of the related land use planning considerations in support of a zoning by-law amendment to permit the development of a two building, six unit row house on the subject lands.

Background

The applicant, 1268236 Ontario Inc., is proposing the redevelopment of a residential lot located on the south side of Indian Creek Road, west of Lacroix Street. The property contains an existing single detached dwelling with a lot area of approximately 2,388 sq. m (25,704 sq. ft.) and frontage of 32.9 m (108 ft.+/-) (See Location Map). The property abuts single detached dwelling lots to the east and west. To the south is the Links of Kent Golf Course, to the north is additional single detached dwelling lots.

The owner is proposing to construct two, three-unit row houses, 1 ½ storeys in height with a parking area located between the two buildings (See attached plan) the rear building units would face toward the golf course and would cater to potential tenants with an interest in living close to a golf course. The existing dwelling on the property would be removed. The property is zoned Residential Low Density (RL1) Zone which is limited to single detached dwelling use. Application for a zoning by-law amendment has been submitted to change the zoning to Residential Medium Density (RM2) Zone to permit the proposed row house development and establish any site-specific regulations.

Planning Rationale

1) Provincial Policy Statement (2020)

There are a number of Sections within Provincial Policy Statement which are applicable to the proposed zoning amendment including:

Section 1.1.1 Heathy, liveable and safe communities are sustained by:

- a) Promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;

Comment: One of the most cost-effective methods of development is the use or reuse of underutilized properties which have existing access to full services. The lot in question contains a single detached dwelling but is also a much larger parcel than most of the surrounding lots. The surrounding area is made up of more urban sized residential lots and most contain single storey bungalow type dwellings which are likely 40 to 50 years plus in age.

- b) Accommodating an appropriate affordable and market-based range and mix of residential types (including single detached, additional residential units, multi-unit housing, affordable housing and housing for older persons:

Comment: Many older areas in municipalities offer infilling or intensification opportunities. The introduction of two row houses on a deep lot can provide intensification that still maintains a lower density feel to the area while providing an additional housing option.

Providing housing options is not solely about constructing new homes. Often the construction of new dwellings or upgraded dwellings in turn provides opportunities for one household to downsize freeing up existing housing for another resident.

Section 1.1.3.1 notes that Settlement areas shall be the focus of growth and development.

Comment: The property is located within the Chatham urban area.

Section 1.1.3.2 notes that Land use Patterns within the settlement areas shall be based on densities and a mix of lands uses which:

- a) Efficiently use land and resources;

Comment: Redevelopment of the site for the proposed row house dwellings would increase the density from low to a low-medium density development better utilizing the property without proportionally overusing the property.

- b) Are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;

Comment: No service extension will be necessary to accommodate the development. It is expected that the Municipality will review and possibly request confirmation of capacity. Upgraded service connections will be required to service the development on the site.

- c) Minimize negative impacts to air quality and climate change, and promote energy efficiency;

Comment: New light weight construction is much more focused on energy efficiency through added insulation requirements and far more efficient HVAC systems, hot water and lighting. Development of the site with six new dwelling units will result in much more efficient development. The development is also well located to access daily services and is located along a transit route offering access to most areas in Chatham.

- d) Prepare for the impacts of a changing climate

Comment: Efficient, compact use of existing lands within a settlement area reduces the need for new lands to be developed and increases housing supply. The surrounding area is also well serviced so this has the potential to reduce the use of individual vehicles with many recreational and daily services in walking or biking distance. Indian Creek Road West also has bike lanes incorporated within the road allowance.

Support active transportation;

Comment: The subject property is well located near trail and park areas to the east and west.

- e) Are transit-supportive, where transit is planned, exists or may be developed. housing.

Comment: The property, as noted, is located on a transit route (#3)

2) Chatham-Kent Official Plan

The lands in question are within a primary urban centre identified on Schedule E2 (attached) of the Official Plan and more specifically within the residential land use designation. The Official Plan, under Section 2.3.4 Housing, outlines that, “a portion of Chatham-Kents’ housing supply will be accommodated through residential intensification. The Municipality has established a residential intensification target of 10% within the built-up portions of the Primary and Secondary Urban Centres, Residential intensification may include any of the following:

- a) Small-scale intensification by modifying an existing dwelling to include a second residential dwelling unit;
- b) Residential infill development of vacant or underutilized land in existing neighbourhoods; and
- c) Redevelopment through the replacement of existing residential uses with compatible new residential developments at a higher density or the replacement of non-residential uses with compatible residential or a residential mixed-use development.

Comment: The subject proposal would be considered under item b) as infill development on underutilized lands. The subject lot is approximately 3 times larger than the majority of lots in the immediate area and contains a very small dwelling. The proposed development would accommodate six dwelling units (32% lot coverage) which is within the 33% limit for the RM2 zone. The proposed development would require consideration of a reduced side yard setback along the east side but would still maintain a setback consistent with the requirements on the abutting lots.

Section 2.3.4.2.5 continues by stating that, “The municipality will consider applications for infill development, intensification and redevelopment of sites and buildings, including brownfield or former institutional sites, through intensification based on the following considerations:

- a) The proposed development is within an urban area and is appropriately suited for intensification in the context of the specific community;

Comment: The subject property is within the Chatham Urban area. While the area is predominantly single detached residential the proposed development is in keeping with the overall scale of development relative to the larger lot.

- b) Intensification will be permitted in all areas designated for urban residential use or residential mixed-use, provided that the development is consistent with the policies of the appropriate land-use designation associated with the land and in compliance with the general intent and purpose of the Zoning By-law;

Comment: The proposed use is residential in a residential area and seeks to limit the scale to something appropriate for the larger lot. A zoning amendment would be necessary to permit the use and would be specific to the site and incorporate any necessary limitations to provide buffering and separation from the abutting single detached dwelling lots to the east and west.

- c) The existing water and sanitary sewage services can accommodate the additional development;

Comment: A Functional Servicing brief can be provided to demonstrate no servicing capacity issues for the proposed development. However, the Municipality has not indicated any issues with the provision of services to the lot or any capacity limitations.

- d) The road network can accommodate the additional traffic;

Comment: Indian Creek Road is a collector road with connections to nearby collectors (Lacroix & St. Michaels) and arterials (Queen St. and Keil Drive). Total traffic generated from the building would be based on 6 units, potentially with up to 12 cars. This would not generate a significant increase in traffic for a collector road and should not impact on the roads functions or impact negatively on the intersections along Indian Creek Rd.

- e) The required parking can be accommodated; and

Comment: Because of the size of the property and the inclusion of garages and driveways for each unit there is ample room to accommodate parking for the proposed use.

- f) The proposed development is compatible with the existing development standards and physical character of the adjacent properties and the surrounding area, Specifically, intensification proposals should;
 - i) Respect and reinforce the existing physical characteristics of buildings, streetscapes and open space areas within an existing neighbourhood, including heights, massing and scale of proposed buildings;

Comment: The goal of the development is to maintain the scale in relation to the size of the lot, keep development in line with that to the east and west, and keep the height limited to 1 ½ storey to maintain a scale and mass relative to the lot and the surrounding area.

- ii) Provide adequate privacy, sunlight and sky views for existing and new residents;

Comment: One of the main concerns with the original proposal presented to Council and the neighbours was height and its impact on shadow and privacy. The applicant has reworked the plans on the site to reduce the number of units and limit the height to 1 ½ storey. This considerably reduces potential for shadow impact and will maintain privacy to both the existing neighbours and tenants in the buildings. AS an added measure along the parking area privacy fencing or landscaping can be included to further mitigate impacts.

- iii) Screen any loading or service areas from adjacent properties for proposed developments that require such aspects.

Comment: There are now no loading or service areas on the property. As noted above some form of screening can be incorporated into the development along the parking area to reduce any light or visual impact on the neighbours.

3) **Comprehensive Zoning By-law – Municipality of Chatham-Kent**

The subject lands are zoned Residential Low Density (RL1) Zone which limits development to single detached dwellings.

The proposed development would require an amendment to the zoning to:

- 1) Amend the zoning from Residential Low Density (RL1) to a site specific Residential Medium Density (RM2) which would permit the two, three-unit row house dwellings.

Site-specific regulations are also necessary as follows:

- 1) to establish a limit on the number of units at six (6), and
- 2) set a side yard setback of 1.35 m on the east side and 6 m on the west side.

Public Feedback

Residents were circulated as part of the original 9 unit apartment building proposed for the site and that comment was provided to Council at the March 18, 2024 meeting. There were two neighbours which attended the meeting in person. Planning staff recommended that the revised plan be circulated to both of those individuals for comment. The revised plan was circulated via e-mail on April 18th. The following is a summary of the feedback.

Will there be screening along the lot lines?

Comment: Fencing on the parking lot area on both sides can be provided.

Is there overflow parking?

Comment: Over flow parking is not a requirement for development however double the amount of required parking is being proposed along with garages.

What is happening with the existing dwelling on the property?

This is being removed.

Either a single dwelling or duplex would be preferred however the revised plan is better.

Comment: Noted

Concerns still remain regarding sewage capacity, noise, traffic, parking and overall privacy.

Comment: The property will be connected to all three municipal services. Engineering has not expressed any capacity issues with the addition of the proposed development. Double the required parking is being included and privacy fencing is being suggested along the edge of the parking area to minimize privacy concerns.

Conclusions

The introduction of new uses or the intensification of an existing use can be of concern to the residents in the area that may be impacted. The challenge with residential intensification is to do it in such a way that respects the existing area but also makes better use of a given property, increases the housing options, regardless of the location, and encourages reinvestment in existing neighbourhoods. The proposal is also not particularly unique in terms of mixing increased densities. Often development such as this is proposed in established areas as a common form of infilling. Many newer subdivisions also include mixed zoning that allows for singles, semis, townhouses and even apartments.

The subject property, despite its location in a single detached dwelling area, is well suited to the proposed development as it is not seeking to proportionally over develop the lot. This factor on its own is very critical to any type of intensification or redevelopment. Space is maintained for separation, green space and amenity area. The

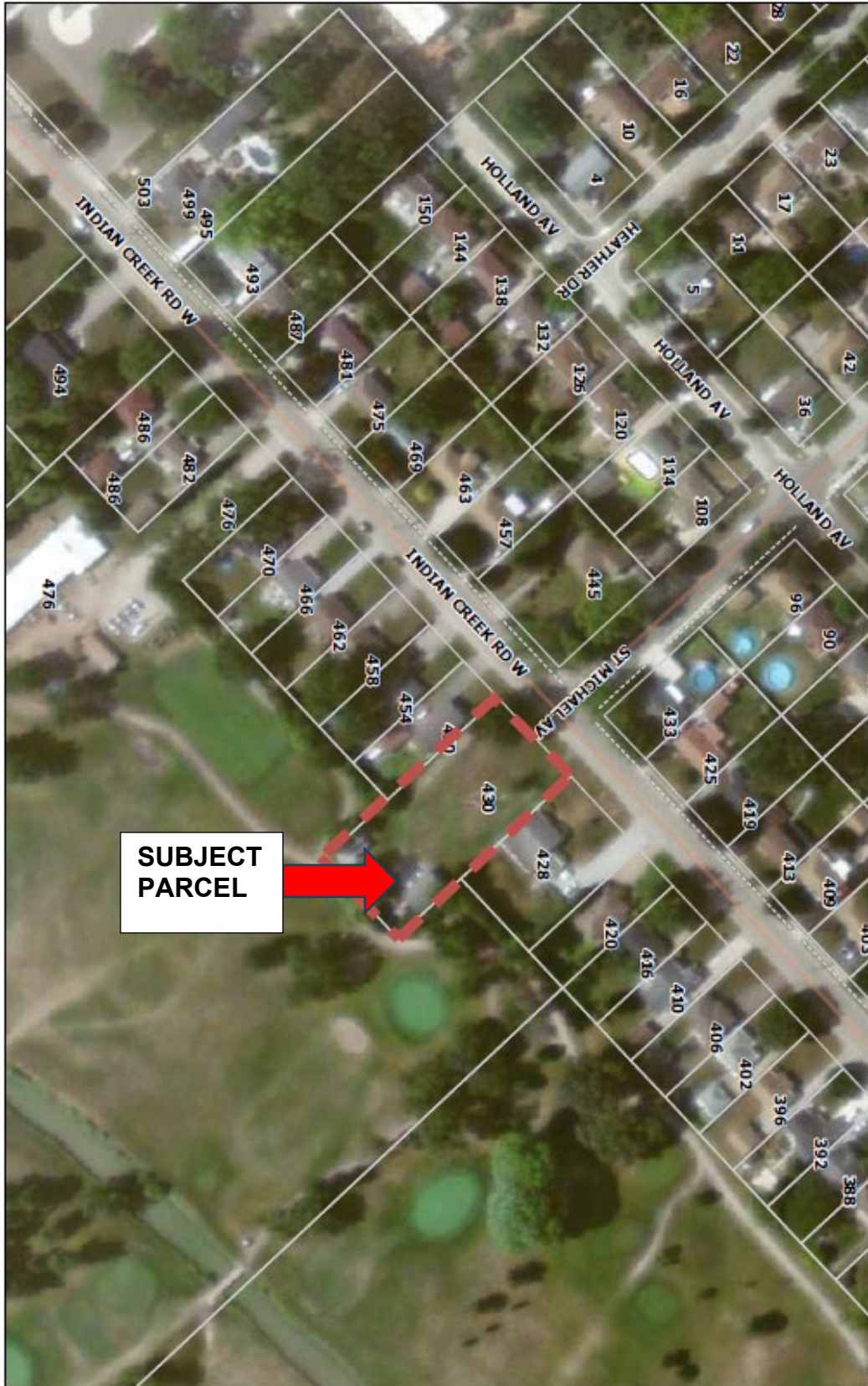
lot also takes advantage of the location next to the Links of Kent providing a housing option not currently available in Chatham-Kent.

Prepared by:

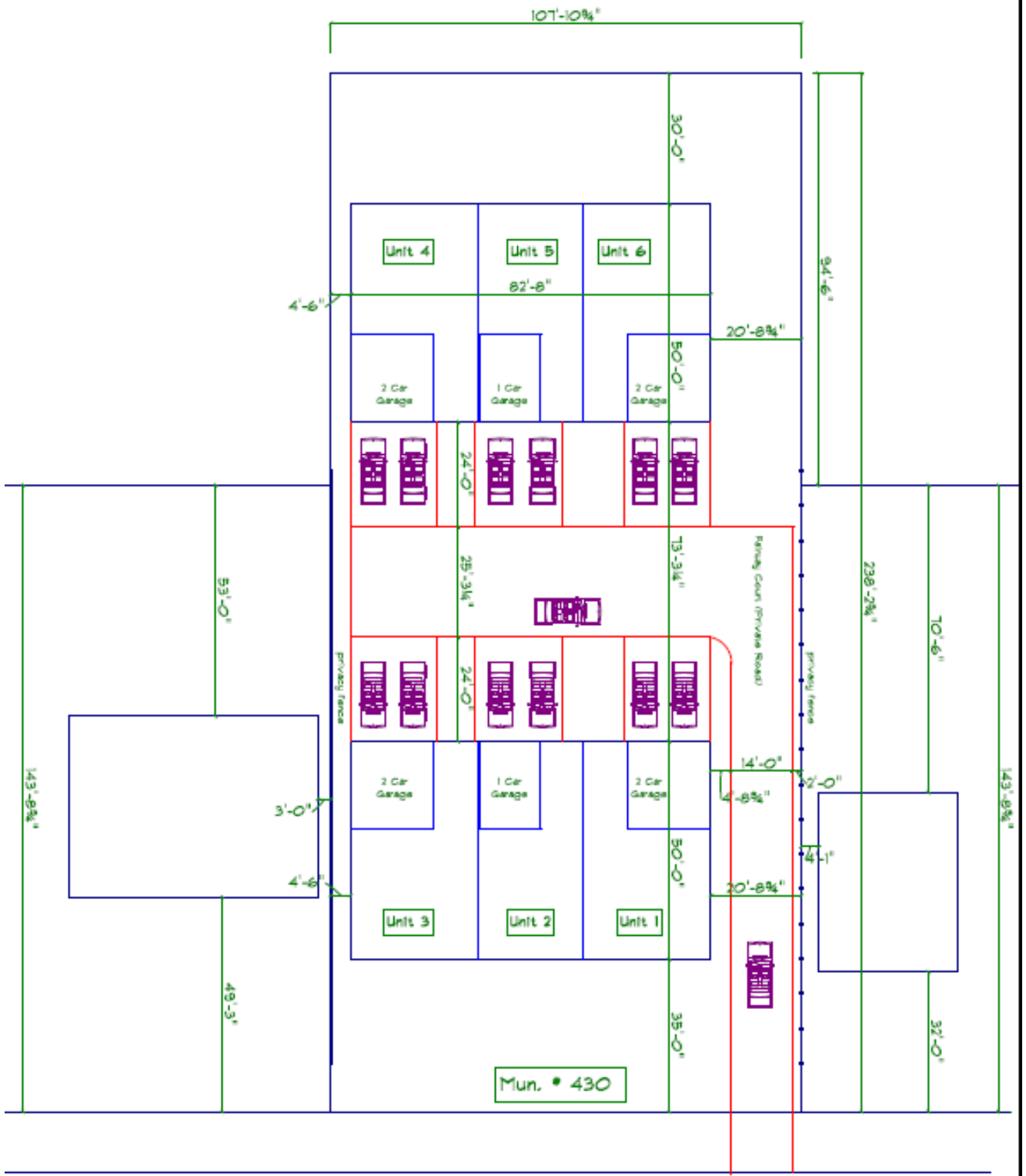
A handwritten signature in black ink, appearing to read 'Robert Brown', with a long horizontal flourish extending to the right.

Robert Brown, H, Ba, MCIP, RPP
Principal Planner
Oakview Land Use Planning

Appendix A – Location Map

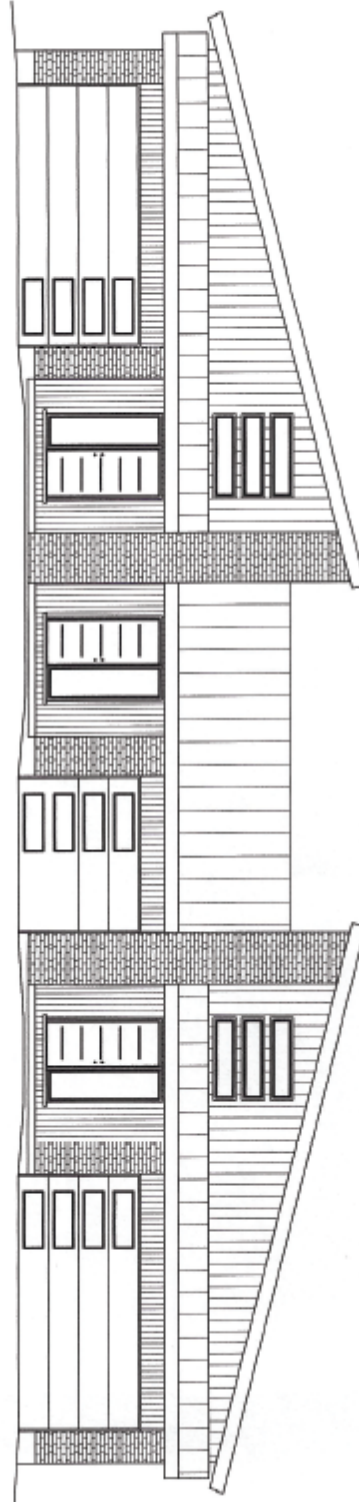


430 Indian Creek Rd

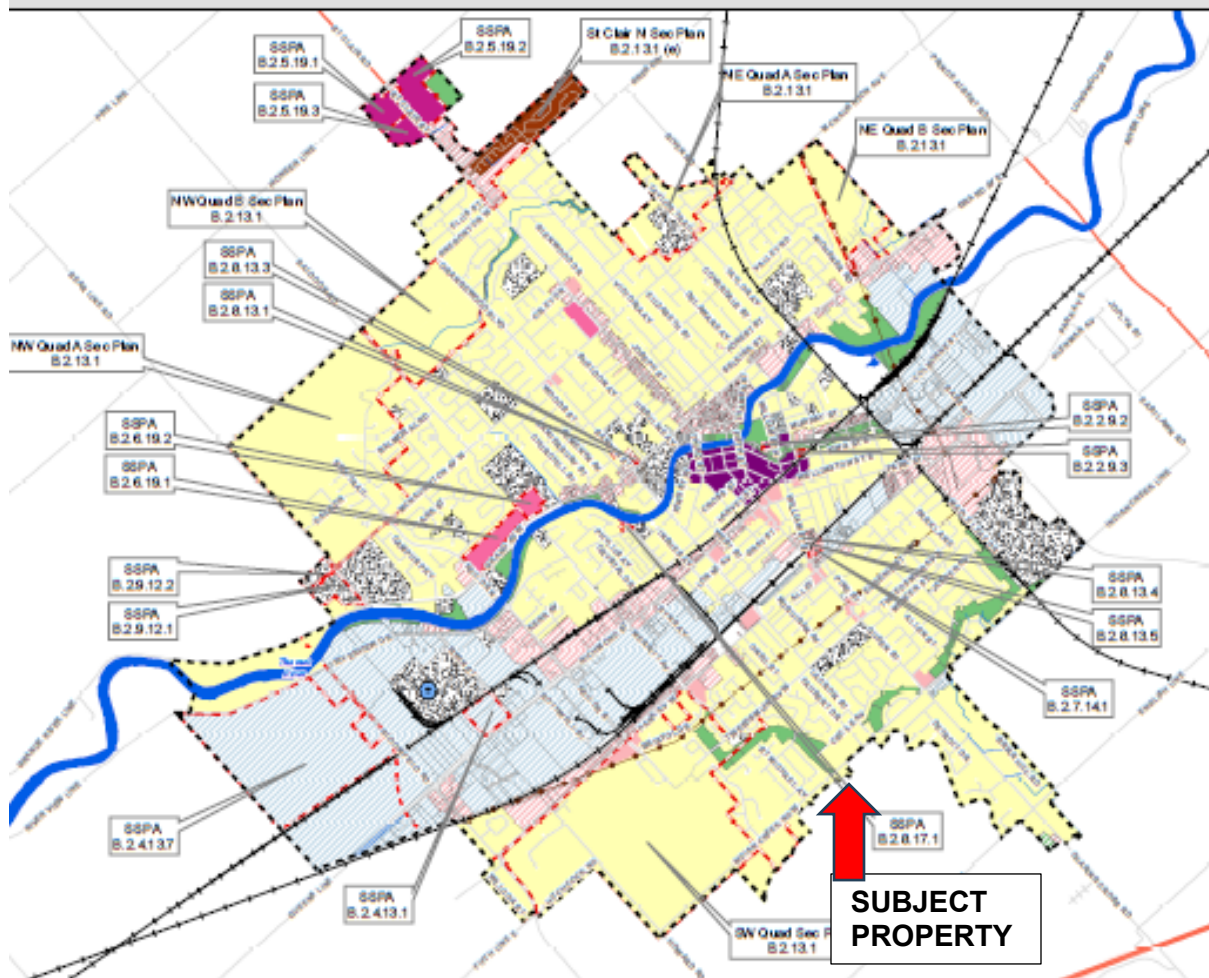


Indian Creek Road West

Front Elevation



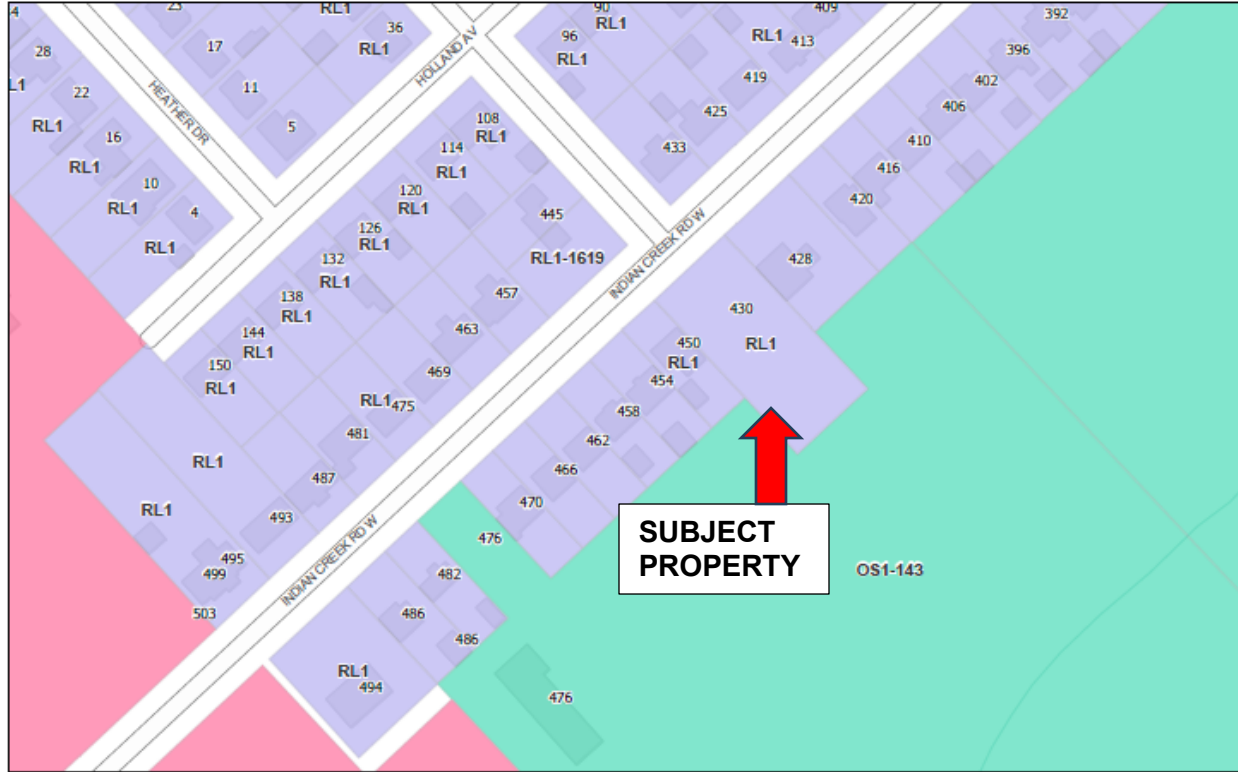
Chatham-Kent Official Plan Schedule E2



Legend			
	Municipal Boundary		Future CWTL
	Schedule Boundary		Railway
	Secondary Urban Centre		Hydro Electric Power Commission
	Hamlet		Water Course
	Rural Settlement Area		Property Not Included in Official Plan
	Local Road		Site Specific Policy Area
	Provincial Highway		
Land Use Designations		Commercial / Industrial	
	Agriculture		Employment Area
	Agricultural Buffer		Industrial Rural
	Residential		Business Park
	Suburban Residential		Future Development
	Recreational Residential		Downtown/ Main St
	Estate Residential		Power Centre
	Mobile Home Park		Shopping Centre Commercial
			Community Commercial Centre
			Highway Commercial
			Other
			Public Facility
			Sanitary Sewage Treatment Works
			Urban Reserve
			Open Space / Conservation Lands
			Recreational Area
			Waste Management Site
			Airport
			Provincially Significant Wetland

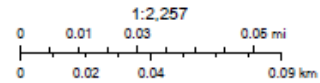
Chatham-Kent Zoning By-law

430 Indian Creek Rd W



9/8/2023, 4:35:46 PM

Zoning Bylaw
Residential Low Density
Institutional
Open Space Recreational



Earl Community Maps Contributors, Municipality of Chatham-Kent, Province of Ontario, County of Lambton, © OpenStreetMap, Microsoft, Esri Canada.



Looking south across the subject property



Looking south at the existing single detached dwelling



Looking southwest at the existing dwellings to the west



Looking southeast toward the dwellings to the east