

Municipality of Chatham-Kent
Community Development
Planning Services

To: Mayor and Members of Council

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

Date: February 2, 2022

Subject: Applications for Official Plan Amendment (OPA 68),
Consent & Minor Variance
PL202100264 – 2801920 Ontario Inc.
Base Line, Communities of Wallaceburg & Chatham (Township)
(Wallaceburg & North Kent)

Recommendations

It is recommended that:

1. Official Plan Amendment application D-09 WA/01/22/R, being OPA No. 68, in Part of Lot 3, Concession 18 (Chatham), to adjust the Wallaceburg Settlement Area boundary and amend the corresponding Residential Area and Agricultural Area land use designations, to facilitate new high density residential development, be approved, and the implementing by-law be adopted.
2. Consent application File B-07/22, to sever and convey a new parcel, approximately 2.2 ha (5.4 ac.) in area, shown as Part 2 on the applicant's sketch, in Part of Lot 3, Concession 18 (Chatham), in the Community of Wallaceburg, be approved, subject to the following conditions:
 - a) that Official Plan Amendment No. 68 be approved;
 - b) that the severed and retained parcels comply with the Zoning By-law;
 - c) that the severed parcel be assigned the civic address "7030 Base Line";
 - d) that a hard copy and AutoCAD.dwg version of the final reference plan projected to the NAD 83/UTM Zone 17N coordinate system be submitted to the Municipality; and,
 - e) that the necessary deed(s), transfer or charges be submitted in triplicate; signed

and fully executed (no photo copies), prior to certification. It will be necessary to allow up to three (3) working days after all conditions have been fulfilled and documentation filed for the issuance of the Certificate (stamping of deeds).

3. Minor Variance application File A-05/22, in Part of Lot 3, Concession 18 (Chatham), in the Communities of Wallaceburg and Chatham (Township), to provide relief from the Chatham-Kent Zoning By-law No. 216-2009, as amended, Section 5.21.2(b), Lot Area Minimum, to:
 - a) reduce the required minimum lot area of the retained agricultural parcel from 20 ha (49.4 ac.) to 17.4 ha (43 ac.); and,
 - b) reduce the required minimum lot area of the severed agricultural parcel from 20 ha (49.4 ac.) to 2.2 ha (5.4 ac.),

be approved, without conditions.

Background

The subject property is a farm parcel located on the south side of Base Line between Murray Street and Albert Street. The frontage of the farm to a depth of approximately 40 metres is within the Community of Wallaceburg and the balance of the farm is within the Community of Chatham (Township). The lands are approximately 19.6 ha (48.4 ac.) in total area. The lands are designated Residential Area and Agricultural Area in the Official Plan and are zoned Agricultural (A1). The lands are currently farmed and vacant of buildings and structures. A key map showing the subject property and surrounding area is attached as Appendix A. Site photos are attached as Appendix B.

The purpose of the applications is to create a new 2.2 ha (5.4 ac.) vacant property for future urban uses, capable of developing with up to three new multi-storey residential apartment buildings.

The following applications form the initial step in the planning process for the proposed residential use:

- 1) Official Plan Amendment – The Official Plan Amendment application proposes amendments to local land use policies to adjust the Wallaceburg urban settlement area boundary and corresponding Residential Area and Agricultural Area land use designations within the subject property. The easterly frontage of the property on Base Line currently within the Wallaceburg urban settlement area boundary is proposed to be amended to the Agricultural Area land use designation, and the westerly portion of the property abutting the built up urban area along Murray Street is proposed to be amended to the Residential Area land use designation. This proposed amendment will provide for the creation of a new property capable of developing into residential uses, including apartment buildings.

- 2) Consent – The proposed Consent application is to sever a new residential parcel approximately 2.2 ha (5.4 ac.) in area.
- 3) Minor Variance – To implement the proposed Consent, a Minor Variance is required to provide relief from the Chatham-Kent Zoning By-law to permit a new Agricultural zoned property 2.2 ha (5.4 ac.) in area, and a retained Agricultural zoned property 17.4 ha (43 ac.) in area.

If approved, development of the severed lands into new residential uses will require zoning amendments for which additional public notice will be provided, as well as site plan approval. Both the zoning by-law amendment and site plan require Council approval.

Comments

Provincial Policy Statement (PPS)

The primary purpose of the Official Plan Amendment application is to adjust the Wallaceburg Settlement Area boundary to facilitate a proposed urban residential apartment development. The PPS contemplates adjustments of settlement area boundaries outside of a comprehensive review, through the following policy:

- 1.1.3.9 Notwithstanding policy 1.1.3.8, municipalities may permit adjustments of settlement area boundaries outside a comprehensive review provided:*
- a) there would be no net increase in land within the settlement areas;*
 - b) the adjustment would support the municipality's ability to meet intensification and redevelopment targets established by the municipality;*
 - c) prime agricultural areas are addressed in accordance with 1.1.3.8 (c), (d) and (e); and*
 - d) the settlement area to which lands would be added is appropriately serviced and there is sufficient reserve infrastructure capacity to service the lands*

The proposal conforms with this policy for the following reasons:

- The boundary adjustment involves lands that roughly equal in area. There is a net increase in the urban settlement area of approximately 0.56 ha (1.38 ac.)
- This net increase in the urban settlement area represents an addition of approximately 0.47% to the approximately 119 ha (294 ac.) of greenfield lands for residential development currently within the settlement area.
- The 119 ha (294 ac.) of greenfield lands available for residential development remains unchanged since the 2013 Comprehensive Review Report, and most likely since the early 1990s.

- The proposed adjustment will bring lands into the settlement area that can be appropriately serviced for the intended residential use. These lands will have appropriate frontage and access to an improved public road where municipal sanitary sewer and water services are currently available.
- All portions of the subjects lands that exist outside of the settlement area boundary will be designated Agricultural Area and will retain the existing agricultural use. This is the most appropriate use for these lands at this time.

In terms of the proposed residential subdivision, the applications have been evaluated in terms of facilitating efficient land use and development patterns, and the promotion of long-term prosperity, environmental health and social well-being.

1.1.1 Healthy, 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;*
- 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), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs.*

In terms of efficient land use, the PPS encourages growth and development to be focused in settlement areas. The land use patterns in settlement areas shall be based on the efficient use of land and resources through promoting opportunities for intensification and redevelopment. Intensification, which is the development of land to a higher density, shall be directed towards locations with appropriate levels of infrastructure and public service facilities, to promote the efficient use and optimization of existing services.

Policies of Section 1.1.3, Settlement Areas, include:

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

1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

Policies of Section 1.4.3, Housing, is particularly relevant to the proposal. It reads:

1.4.3 *Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:*

b) permitting and facilitating:

- 1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and*
- 2. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;*

c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;

d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed; and

f) establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

Policies of Section 1.7, Long-Term Economic Prosperity, is also directly relevant to the proposal. It reads:

1.7.1 *Long-term economic prosperity should be supported by:*

b) encourage residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce;

c) optimizing the long-term availability and use of land, resources, infrastructure, and public service facilities;

The proposal implements the above noted PPS policies, as well as other similar PPS policies, in the following manner:

- The lands being proposed for new residential development will be located within the Wallaceburg Settlement Area, where growth and development is planned and directed.
- The lands to be developed will have sufficient frontage and access to an Urban Arterial Road (Base Line) where full municipal services can be accessed to appropriately service future residential development, demonstrating an efficient use of land and resources through intensification.
- The anticipated land use demonstrates how the subject lands will provide a housing type that is appropriate for the area and serves a segment of the market demand currently being experienced across Chatham-Kent.
- The location of the proposed development is the most efficient use of lands at this time and will be complimentary of any future consideration for the expansion of the Wallaceburg urban boundary in the future.

Overall, the proposal is consistent with the policies of the PPS.

Official Plan

A portion of the subject lands is currently within the Wallaceburg Settlement Area boundary. This portion of land is comprised of the frontage along Base Line and is based on the former corporate boundary of the Town of Wallaceburg. It is a portion of these lands, approximately 1.15 ha (2.84 ac.) along the easterly stretch of the frontage which is proposed to be shifted to the west side of the property. By consolidating the urban lands to the west side of the property along with an additional 0.56 ha (1.38 ac.), a new lot suitable for development can be configured.

The proposal prepares the severed lands for further development, including the rezoning of the lands in a manner to permit development of high density residential uses. This type of development is compatible with surrounding lands. In particular, abutting the subject lands to the west, along the east side of Murray Street, is a row of commercial lots consisting of a range of business types. The lands further south and to the east are farmed agricultural lands. To the north, across Base Line is an established low density residential subdivision.

The location is within proximity to a major shopping and commercial service area on McNaughton Avenue. Additionally it is well served by the existing road network. Base Line provides links to Dresden to the east, and employment areas within Wallaceburg to the west. Murray Street (and nearby McNaughton Avenue) provide links to north areas of Wallaceburg, and south to Chatham.

The Chatham-Kent Official Plan contains policies specific to the implementation of new residential uses. Specifically, these policies encourage a range of housing options to respond to dynamic market conditions, including low-density residential development as proposed for the planned subdivision. Section 2.3.4, Housing, includes the stated objective for Chatham-Kent is to:

2.3.4.1.1 *Plan for a diverse range of housing choices to ensure that the housing stock can accommodate an aging population, a variety of household types and sizes, a greater diversity of culture and a range of physical and mental disabilities, and that the housing stock can respond to fluctuations in these needs.”*

This objective is supported by the following policies which provide specific housing targets over the planned 20-year time horizon (2011-2031):

2.3.4.2.2 *The Municipality shall encourage a housing mix of 65% low-density dwellings (a maximum of 25 dwelling units per net residential hectare), 25% medium-density dwellings (a maximum of 75 dwellings units per net residential hectare) and 10% high-density dwellings (a maximum of 150 dwelling units per net residential hectare) over the 20-year time horizon (2011–2031).*

2.3.4.2.3 *The Municipality shall encourage the provision of a diverse range of housing choices to meet the projected demographic and market requirements of current and future residents of Chatham-Kent by:*

c) Encouraging housing types, densities and tenures that are affordable;

This proposal creates the opportunity to provide the first major residential development project in Wallaceburg in many years.

Overall, the proposal conforms to the Official Plan.

Zoning By-law

The subject property is entirely in the agricultural zone. It is proposed to remain in this zone at this time. It is anticipated a Zoning By-law Amendment application will be received in the near future, which will inform the necessary regulatory changes required to implement the intended apartment dwelling use. The proposed Minor Variances will ensure the severed and retained parcels comply with the Zoning By-law in the meantime.

Conclusion

The proposed development conforms to the Provincial Policy Statement and Official Plan. Therefore, the applications are being recommended for approval.

Areas of Strategic Focus and Critical Success Factors

The recommendations in this report support 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 recommendations in this report support 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

Internal

Technical Advisory Committee

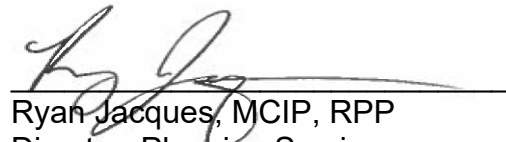
The Technical Advisory Committee supports the applications.

Financial Implications

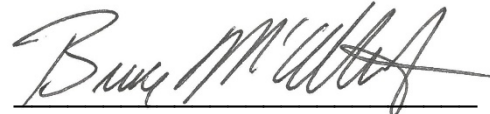
There are no financial implications resulting from the recommendations.

Prepared by:

Reviewed by:



Ryan Jacques, MCIP, RPP
Director, Planning Services

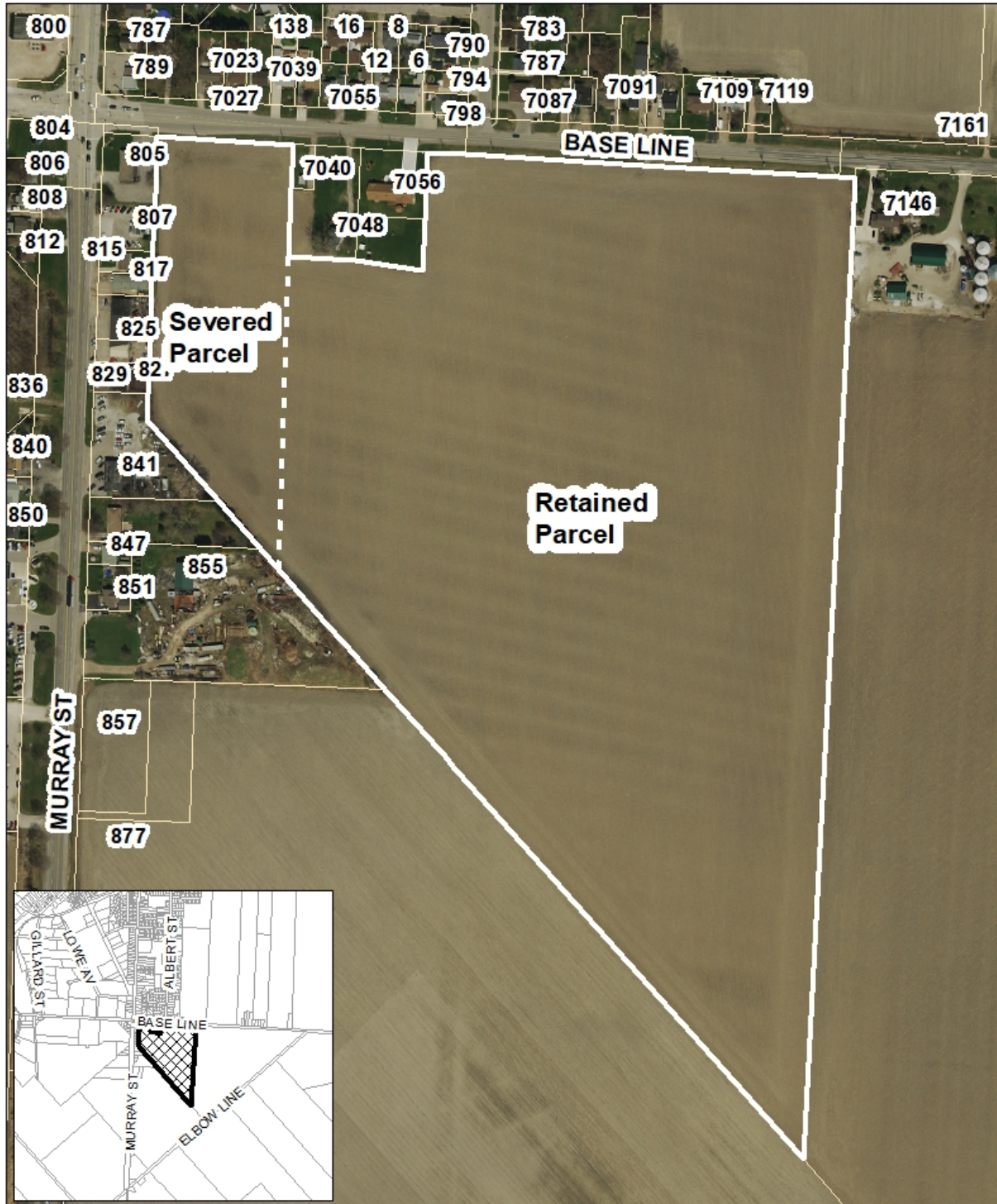


Bruce McAllister, MCIP, RPP
General Manager
Community Development

Attachments: Appendix A – Key Map
Appendix B – Site Photos
Appendix C – Applicant’s Sketch
By-law to adopt Official Plan Amendment No. 68

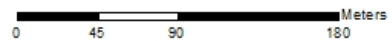
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Ontario Inc Report.docx

Appendix A – Key Map



This is not a plan of survey.

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Appendix B – Site Photos

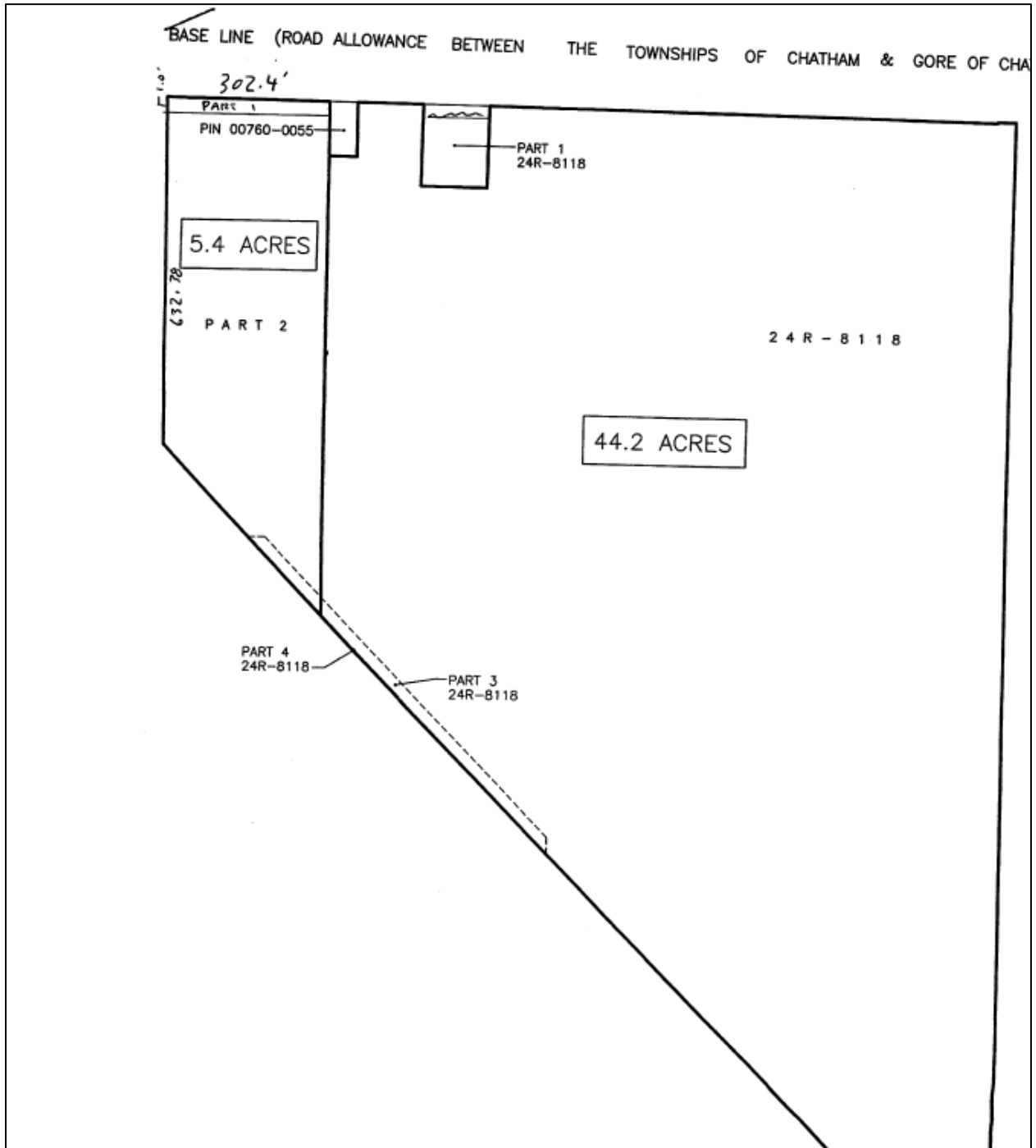


Looking southwest across the subject property from Base Line. The intersection with Murray Street in the left background.



Looking southeast from the intersection of Base Line and Murray Street. Severed parcel location denoted by red arrow. Existing commercial development in centre along Murray Street.

Appendix C – Applicant's Sketch



**AMENDMENT No. 68 TO THE
OFFICIAL PLAN FOR THE
MUNICIPALITY OF CHATHAM-KENT**

CORPORATION OF THE MUNICIPALITY OF CHATHAM-KENT

BY-LAW NO. -2022

A BY-LAW TO ADOPT AMENDMENT NO. 68 TO THE OFFICIAL PLAN FOR THE
MUNICIPALITY OF CHATHAM-KENT

2801920 Ontario Inc.
CityView No.: PL202100264

The Council of the Corporation of the Municipality of Chatham-Kent, in accordance with the provisions of Sections 17 and 21 of the Planning Act, hereby enacts as follows:

1. Amendment No. 68 to the Official Plan for the Communities of Wallaceburg & Chatham Township consisting of the attached Schedule “1” and explanatory text, is hereby approved.
2. This by-law shall come into force and take effect on the day of the final passing thereof.

Read a First, Second and Third Time and Finally Passed This 14th Day of February, 2022.

Mayor – Darrin Canniff

Clerk – Judy Smith

AMENDMENT No. 68 TO THE
OFFICIAL PLAN FOR THE
MUNICIPALITY OF CHATHAM-KENT

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AMENDMENT No. 68 TO THE
OFFICIAL PLAN FOR THE
MUNICIPALITY OF CHATHAM-KENT

STATEMENT OF COMPONENTS

PART "A" - PREAMBLE does not constitute part of this amendment.

PART "B" - THE AMENDMENT consisting of the following text and one (1) map (entitled Schedule "1") constitutes an amendment to the Official Plan for the Municipality of Chatham-Kent, namely Amendment No. 68 to the Official Plan for the Municipality of Chatham-Kent.

PART "C" - APPENDICES does not constitute part of this amendment. These appendices contain the background information and planning considerations associated with this amendment.

PART "A" - PREAMBLE

1. Purpose

The purpose of this amendment is to adjust the Wallaceburg Settlement Area boundary to facilitate the development of new urban residential development.

2. Location

The subject lands consist of a 19.6 ha (48.4 ac.) farm parcel located on the south side of Base Line between Murray Street and Albert Street, in Part of Lot 3, Concession 18 (Chatham).

3. Basis

The subject lands are designated Residential Area and Agricultural Area in the Official Plan and are zoned Agricultural (A1). The lands are currently farmed and vacant of buildings and structures.

The amendment is proposing to adjust a portion of the Wallaceburg Urban Centre boundary to a location more conducive to urban development. This will involve amending a portion of the Residential Area and Agricultural Area land use designations. These amendments will facilitate the creation of a new 2.2 ha (5.4 ac.) urban residential parcel capable of accommodating high density residential development.

PART "B" - THE AMENDMENT

All of this part of the document, entitled “Part B - The Amendment”, consisting of the following Item 1 and one (1) map (entitled Schedule “1”) together constitute Amendment No. 68 to the Chatham-Kent Official Plan.

Item 1:

Map Schedule “A9 “, Community of Chatham Township (Land Use Schedule) is amended by adding lands from the Wallaceburg Primary Urban Centre and re-designating the lands to Agricultural Area, and removing lands from the Agricultural Area for the purposes of adding said lands to the Wallaceburg Primary Urban Centre as depicted on the attached Map Schedule “1”; and

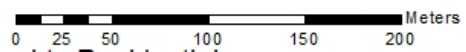
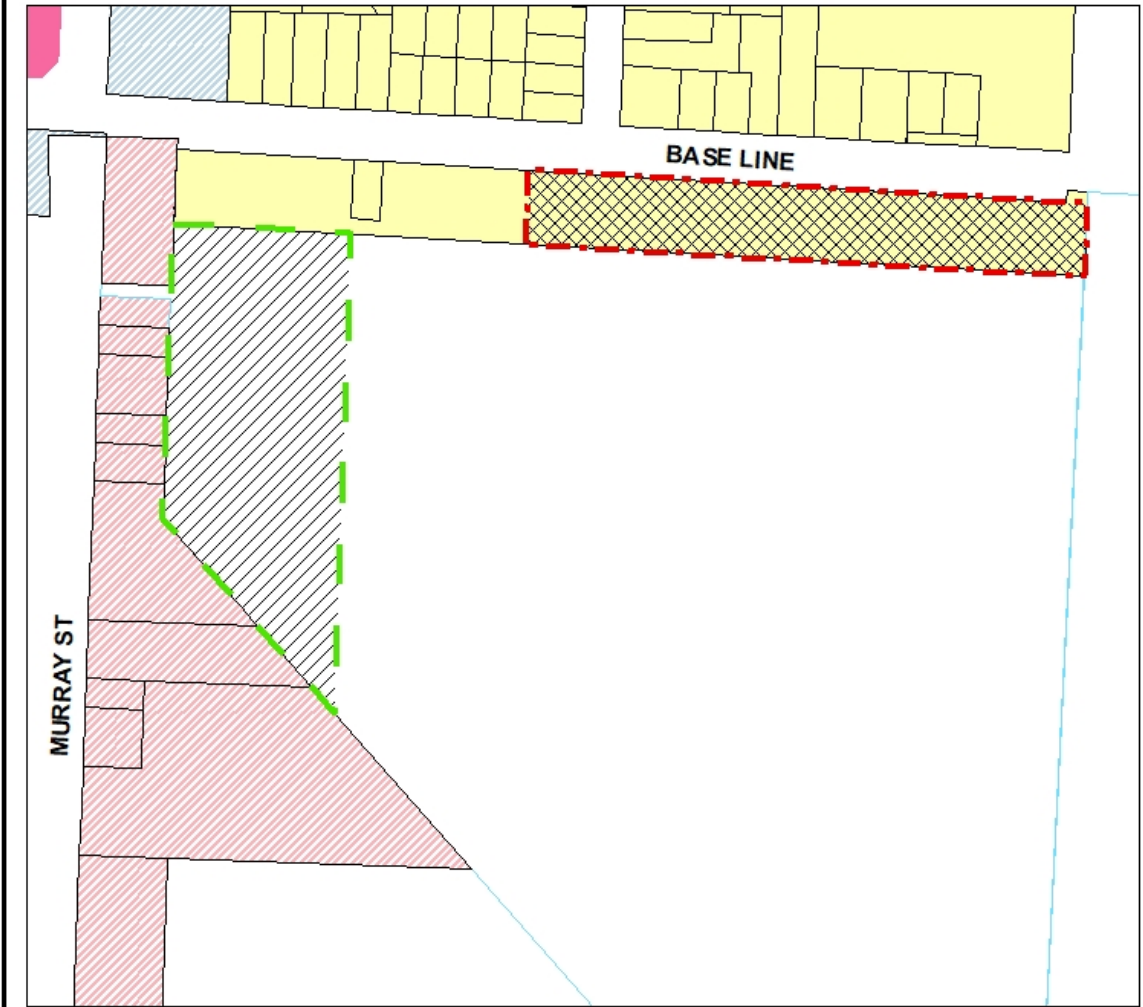
Map Schedule “E6”, Community of Wallaceburg (Land Use Schedule) is amended by removing lands from the Wallaceburg Primary Urban Centre and re-designating the lands to Agricultural Area, and adding lands to the Wallaceburg Primary Urban Centre and re-designating the lands to Residential Area as depicted on the attached Map Schedule “1”.





PART “C” - APPENDICES

The following appendices do not constitute part of Amendment No. 68 to the Chatham-Kent Official Plan, but are included for information supporting the amendment.



APPENDIX 1 – February 2, 2022, Planning Report (attached).

**SCHEDULE "1" - LAND USE DESIGNATIONS
CHATHAM-KENT OFFICIAL PLAN**



-  Lands to be re-designated from Agricultural to Residential
-  Lands to be re-designated from Residential to Agricultural
-  Lands to be removed from Primary Urban Centre
-  Lands to be added to Primary Urban Centre

Official Plan Land Use Designations

- | | | |
|--|--|---|
|  Agricultural |  Shopping Centre Commercial |  Employment Area |
|  Residential |  Highway Commercial | |

