

## **Municipality Of Chatham-Kent**

### **Community Development**

#### **Planning Services**

**To:** Mayor and Members of Council

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

**Date:** April 6, 2022

**Subject:** Application for Official Plan Amendment (OPA No. 69)  
PL202200025 – Clarke and Nelson Developments Inc.  
Marlborough Street North & Nazarene Road, Community of Blenheim

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#### **Recommendation**

It is recommended that:

1. Official Plan Amendment application D-09 BL/02/22/C, being OPA No. 69, in the Community of Blenheim, for lands located on Marlborough Street North and Nazarene Road, in Part of Lot 11, Concession 1, WCR, to re-designate lands from the Urban Reserve and Employment Lands designation to the Residential Area designation; and implement a new Site Specific Policy Area to establish policies for high-density residential development on a Local Road, be approved, and the implementing by-law be adopted.

#### **Background**

The subject lands are comprised of three (3) vacant parcels on the south side of Marlborough Street North with frontage on Nazarene Road, in the Community of Blenheim. The subject lands are comprised of the following parcels:

PIN: 00912-0560: Approximately 15.23 ha (37.63 ac.) of vacant land, designated Employment Area, Residential Area and Urban Reserve and zoned Deferred Development (D);

PIN: 00912-0369: Approximately 1.52 ha (3.75 ac.) of vacant land, designated Employment Area and Residential Area and zoned Deferred Development (D); and,

PIN: 00912-0371: Approximately 1.3 ha (3.21 ac.) of vacant land, designated Residential Area and zoned Residential Medium Density Second-462 (RM2-462).

The subject lands are bound by agricultural land to the south and west, industrial development to the north across Marlborough Street North, and a residential neighbourhood to the east. A CN Rail corridor bound the lands to the east and the south. A key map showing the location of the subject property is attached as Appendix A. Pictures showing the subject property and surrounding area are attached as Appendix B.

A residential development proposal has been initiated for the subject lands. The proposed development concept includes single detached, rowhouse (townhouse) and apartment dwelling types. A preliminary concept plan supplied by the applicant is attached as Appendix C for reference.

This application proposes to re-designate a portion of the lands currently designated Urban Reserve and Employment Area to Residential Area. This will implement policies for residential development over the entire subject lands. These policies will allow for zoning regulations and a draft plan of subdivision to be refined and proposed through future applications. Generally, these future applications would:

- Zoning By-law Amendment – rezone the lands to a appropriate residential zones that are specific to the final development plan.
- Draft Plan of Subdivision – to establish the final development plan in accordance with Official Plan policy, Zoning By-law regulations, and Development Standards. This plan includes servicing, roads, lot layout, parkland, etc.

This application also proposes to allow locations for high-density residential dwellings, such as apartment buildings on the east side of the property along Nazarene Road, abutting the rail corridor opposite Chittim Road.

The focus of the analysis provided in the Comments Section below is based on the merits and appropriateness of residential development over the entirety of the subject lands.

## **Comments**

### **Provincial Policy Statement**

The Provincial Policy Statement (PPS) supports efficient land use and development patterns to promote long-term prosperity, environmental health and social well-being. Accordingly:

#### **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:

- Subject lands are located within the Primary Urban Centre of Blenheim, where the focus of new growth and development is planned.
- The lands front and are accessed from an Urban Arterial Road (Marlborough Street North) where full municipal services can be accessed to appropriately service future residential development – an efficient use of land and resources through the promotion of intensification.
- The development concept plan demonstrates how the subject lands can provide an appropriate range and mix of housing types/tenures, options and densities – in response to the changing dynamics of the residential market in Chatham-Kent.

Policies of Section 1.3.2, Employment Area are also relevant to the proposal. It reads:

1.3.2.4 Planning authorities may permit conversion of lands within employment areas to non-employment uses through a comprehensive review, only where it has been demonstrated that the land is not required for employment purposes over the long term and that there is a need for the conversion.

1.3.2.5 Notwithstanding policy 1.3.2.4, and until the official plan review or update in policy 1.3.2.4 is undertaken and completed, lands within existing employment areas may be converted to a designation that permits non-employment uses provided the area has not been identified as provincially significant through a provincial plan exercise or as regionally significant by a regional economic development corporation working together with affected upper and single-tier municipalities and subject to the following:

- a) there is an identified need for the conversion and the land is not required for employment purposes over the long term;
- b) the proposed uses would not adversely affect the overall viability of the employment area; and
- c) existing or planned infrastructure and public service facilities are available to accommodate the proposed uses.

The proposal is consistent with the PPS in that:

- The land is not required for employment purposes over the long term.
- The employment land conversion will have a minor impact on the overall vacant land inventory.
- The area is not desirable for industrial uses as it is not contiguous with the main employment areas of Blenheim.
- There are alternative locations for employment in the settlement area which are more desirable. Employment growth areas are located generally in the north and west areas of Blenheim.

Overall, the proposal is consistent with the PPS.

### **Official Plan**

The Chatham-Kent Official Plan policies contemplate changes in the residential land and housing supply over time. This is in support of Section 2.3.4, Housing, where the 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;

The Official Plan policies also encourage the majority of growth and development be directed to the Primary Urban Centres (Policy 2.3.5.2.1). Further, that urban development and intensification be guided by the following policies:

2.3.5.2.6 Urban development within Chatham-Kent, including intensification opportunities, will be encouraged to locate in fully serviced areas such as within the Primary and Secondary Urban Centre boundaries, and:

- a) Will occur in a planned, orderly, efficient and sustainable manner;
- b) Will be in keeping with the available capacity of the infrastructure and public service facilities present to serve the development.

The proposal implements the above-noted policies for urban development and intensification in the following manner:

- The site is within an urban area and appropriately suited for development in its current context.
- A preliminary servicing assessment is completed, which determined the existing municipal water and sanitary sewer infrastructure is sufficient in servicing the development concept plan. An appropriately sized sanitary sewer will be routed under the CSX railway corridor and will connect to an existing pump station on Chittim Road. The McGregor Drain, located at the southwest end of the subject lands will be utilized as an outlet for stormwater management facilities for the planned development.
- A Traffic Impact Study (TIS) prepared using the development concept plan determined little or no impact on nearby Marlborough Street North intersections. The final report will be completed once a final development plan is finalized.
- The residential development to the east of the subject land primarily consists of low-density residential development with some medium density uses near the intersection of Chittim Road and Fargo Road, and on Flemingo Street. The proposed development concept anticipates a net density of approximately 15 dwelling units per net residential hectare. This is within the maximum 25 dwelling

units per net residential hectare for low density residential development as set out in the Official Plan (Policy B.2.3.4). The proposed high-density uses within the development concept are discussed below.

### High-Density Residential Uses

The development proposal includes areas for high-density residential development, which may include apartment buildings, for which the following Official Plan policies apply:

*B.2.3.6 High-density residential development shall:*

*B.2.3.6.1 Be developed to a density up to a maximum of 150 units per net residential hectare on full municipal services;*

*B.2.3.6.2 Be located on a collector or arterial road, or within the Downtown/Main Street Area;*

*B.2.3.6.3 Be located in reasonable proximity to community services, such as schools or churches and shopping;*

*B.2.3.6.4 Be designed to minimize the impact of shadows on adjacent low and medium-density development;*

*B.2.3.6.5 Be permitted to contain a small-scale convenience-retail commercial use on the first floor that fronts onto the street;*

*B.2.3.6.6 Have parking areas that are adequately screened;*

*B.2.3.6.7 Contain a high level of landscaping including, but not limited to, shrubs, trees, paving stones and decorative fencing;*

*B.2.3.6.8 Have driveway accesses, which are located on a collector or local road;*

*B.2.3.6.9 Incorporate amenities, such as onsite recreation facilities, for residents;*

The proposed high-density sites are located along Nazarene Road, which is classified as a Local Street. The intent of locating apartment dwellings on Collector or Arterial roads, or Downtown Areas, is to mitigate impacts of locating new high-density uses in developed areas where municipal services and land use compatibility factors would require further planning investigation. In this instance, the neighbourhood is being planned with these things in mind.

### Urban Reserve

The southerly portion of the lands, furthest from Marlborough Street North are planned in the Urban Reserve land use designation in the Official Plan, as identified on Schedule E1, Community of Blenheim, Land Use Schedule. Section B.2.12, Urban Reserve Policies, states:

*B.2.12.2 The Urban Reserve Area is intended to be a land reserve for future development of the Urban Centre and shall not require further justification to change lands from agricultural to urban land uses.*

*B.2.12.3 Any application for the development of lands in the Urban Reserve Area shall be considered premature until the following conditions have been satisfied:*

*B.2.12.3.1 A Secondary Plan has been approved for the Urban Reserve Area.*

*B.2.12.3.2 Adequate capacity exists in the area roads, municipal water and sanitary sewerage services, stormwater management system and community facilities to accommodate the proposed development; and*

*B.2.12.3.3 The proposed development can be phased-in in an orderly and logical fashion in relation to the existing built-up area.*

A development plan for has been submitted for the entire subject lands and therefore a secondary plan is not required.

The re-designation from Urban Reserve to Residential will facilitate a needed residential development in Blenheim.

### Employment Area

The frontage of the lands along Marlborough Street North is designated Employment Area in the Official Plan, as identified on Schedule E1, Community of Blenheim, Land Use Schedule. The Employment Area designation is generally reserved for employment uses, and therefore the property is not currently planned for residential uses.

To encourage future residential development, an amendment to the land use designation is requested for the frontage along Marlborough Street North. The amendment proposes to change the land use designation from Employment Area to Residential Area.

The subject property is well suited to residential development. In support of the proposed designation change, the subject property displays the following characteristics:



- The property is not located within the main Employment Areas in Blenheim, which are generally between Marlborough Street North and Chatham Street North, and north of Chatham Street North.
- The property is serviced by existing municipal sanitary sewers and piped water.
- Provisions for storm drainage will be implemented through a future draft plan of subdivision application process.
- The proposed Residential Area designation is compatible with the existing land uses in the surrounding neighborhood. Surrounding land uses include:
  - Residential uses to the east fronting on Marlborough Street North
  - A single detached dwelling to the west which abuts an existing industrial property.
  - Industrial/Agricultural uses to the north of Marlborough Street North.
  - A rail corridor bounding the east side of the property.
  - Low and medium density residential development on the southeast side of the railroad tracks.

### Conclusion

Overall, the proposal will result in planned, orderly, efficient and sustainable development of the subject lands.

### Supporting Reports and Studies

In support of the application, the applicant has submitted a number of supporting studies which have been reviewed and accepted by the Municipality:

1. Planning Justification Report
2. Development Concept Plan
3. Traffic Impact Study

These studies conclude that the development concept plan can be appropriately accommodated at the site, which supports the proposed Official Plan Amendment application.

The Planning Justification Report (PJR), which was completed by Storey Samways Planning Ltd., evaluated the development against policies in the Provincial Policy Statement, the Planning Act, and the Chatham-Kent Official Plan and Zoning By-law. The PJR was acceptable to the Municipality. It concludes that, *“the proposed residential development by Clarke and Nelson Developments on Marlborough Street and Nazarene Road in Blenheim is consistent with the Provincial Policy Statement and in conformity with the Chatham-Kent Official Plan.*

*This project will provide much-needed housing options, and as such, should be viewed as good planning. Council should approve the proposed Official Plan Amendment.”*

In summary, the proposal will facilitate future development that is appropriate for this location. The proposal maintains the intent and purpose of the Official Plan.

### **Zoning By-law**

All of the subject lands are zoned Deferred Development (D). The proposal does not propose a change to the zoning of these lands at this time. Appropriate zoning will be proposed at a time when a final development plan is in place and pursued through future applications.

### **Conclusion**

The proposal has been reviewed in the context of the Provincial Policy Statement and the 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 recommendations.

Prepared by:

Reviewed by:

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Planner I, Planning Services

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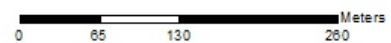
Attachments: Appendix A – Key Map  
Appendix B – Site Photos  
Appendix C – Preliminary Concept Plan  
By-law to adopt Official Plan Amendment No. 69

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This is not a plan of survey.

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Appendix B – Site Photos



Looking south down the existing Nazarene Road from Marlborough Street North.



Looking west from the end of Nazarene Road across the subject lands.

DESCRIPTION	UNITS
SINGLE	187
MULTI	25
CONDO	2,32 ha
PARK BLOCK	0.85 ha
SWMF BLOCK	1.42 ha

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SINGLE	187
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NOTES	SCALES	  MIG PROJECT NO: 11231.00							CLARKE & NELSON DEVELOPMENTS NAZARENE ROAD SUBDIVISION CONCEPT LAYOUT	DRAWING NUMBER	
	1:1000 (GENERAL)		0.2	REMOVED ENTIREGUS PROPERTY	2022.03.09	DS	DG	DG		DG	SK-101
	1:500 (DETAILS)		0.1	ISSUED FOR REVIEW	2022.02.22	DS	DG	DG		DG	
			0.0		DATE	DESIGN	DRAWING	CHECKED		APPROVED	

**AMENDMENT No. 69 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. 69 TO THE OFFICIAL PLAN FOR THE  
MUNICIPALITY OF CHATHAM-KENT

Clarke and Nelson Developments Inc. & Chatham-Kent Masonry Inc.  
CityView No.: PL202200025

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. 69 to the Official Plan for the Community of Blenheim 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 25th Day of April 2022.

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Mayor – Darrin Canniff

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Clerk – Judy Smith



AMENDMENT No. 69 TO THE  
OFFICIAL PLAN FOR THE  
MUNICIPALITY OF CHATHAM-KENT

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AMENDMENT No. 69 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. 69 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:

- a) Re-designate lands within the Employment Area designation to the Residential Area designation;
- b) Re-designate lands within the Urban Reserve designation to the Residential Area designation; and,
- c) Implement site-specific policies to permit high-density residential on a portion of the subject lands.

2. Location

The lands subject to this amendment are located on the south side of Marlborough Street North, in Part of Lot 11, Concession 1 (Harwich), in the Community of Blenheim.

3. Basis

The subject lands are comprised of three (3) vacant parcels on the south side of Marlborough Street North with frontage along Nazarene Road, in the Community of Blenheim. The subject lands are comprised of the following parcels:

PIN: 00912-0560: Approximately 15.23 ha (37.63 ac.) of vacant land, designated Employment Area, Residential Area and Urban Reserve;

PIN: 00912-0369: Approximately 1.52 ha (3.75 ac.) of vacant land, designated Employment Area and Residential Area; and,

PIN: 00912-0371: Approximately 1.3 ha (3.21 ac.) of vacant land, designated Residential Area.

The purpose of the Official Plan Amendment is to facilitate future residential development across all of the subject lands and permit two (2) locations for high-density residential development.

## PART “B” - THE AMENDMENT

All of this part of the document, entitled “Part B - The Amendment”, consisting of the following Items 1 & 2 and one (1) map (entitled Schedule “1”) together constitute Amendment No. 69 to the Chatham-Kent Official Plan.

### Item 1:

Map Schedule “E1”, Community of Blenheim (Land Use Schedule), is amended by:

- re-designating all of the subject lands to Residential Area; and,
- designating a portion of lands to be included within Site Specific Policy Area B.2.3.18;

as depicted on the attached Map Schedule “1”.

### Item 2:

For the lands identified on Schedule “E1”, Community of Blenheim (Land Use Schedule) as “Site Specific Policy Area B.2.3.18, located in Part of Lot 11, Concession 1, WCR, notwithstanding, or in addition to, other policies of the Official Plan, the following policies will apply:

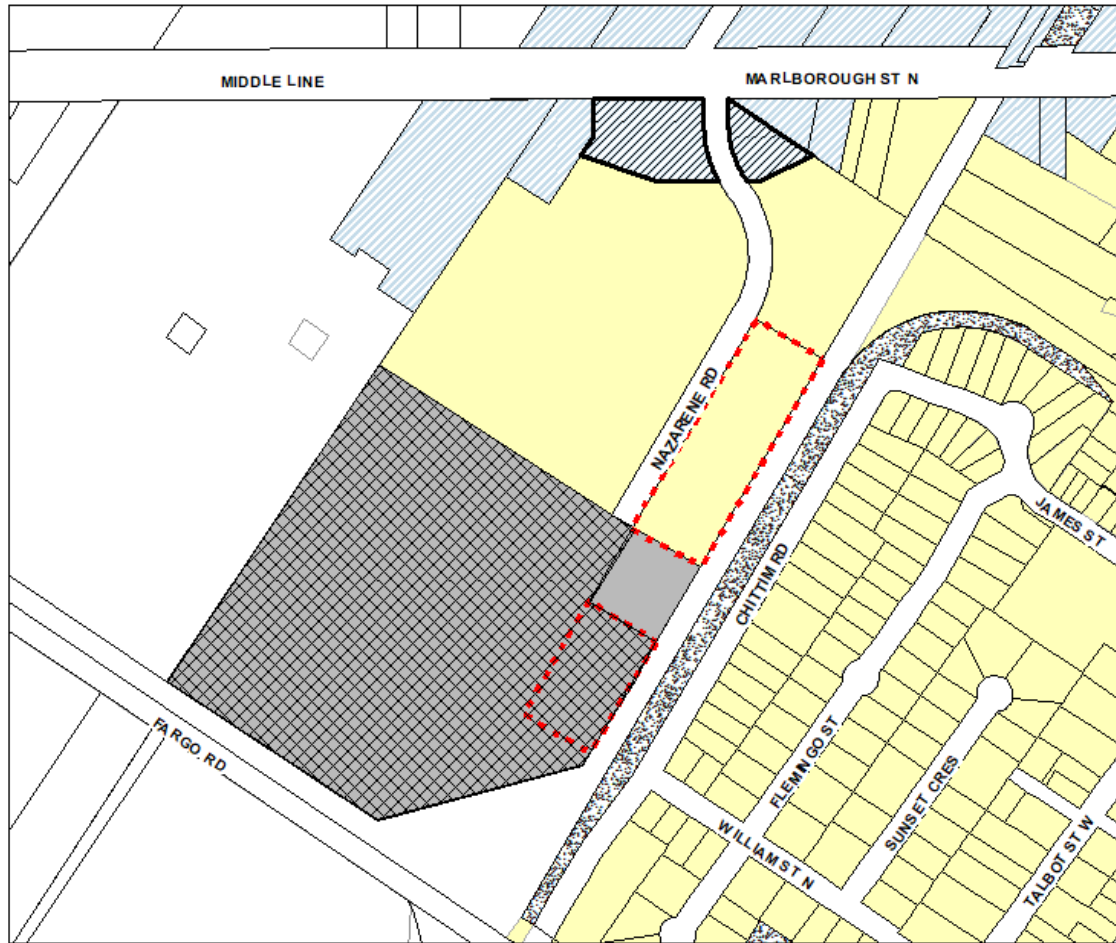
- a) High-density residential development is permitted on a local street.




## PART “C” - APPENDICES

The following appendices do not constitute part of Amendment No. 69 to the Chatham-Kent Official Plan, but are included for information supporting the amendment.






APPENDIX 1 – April 6, 2022, Planning Report (attached).

## **SCHEDULE "1"**



-  LANDS TO BE REDESIGNATED FROM URBAN RESERVE TO RESIDENTIAL AREA
-  LANDS TO BE CONTAINED WITHIN SITE-SPECIFIC POLICY AREA B.2.3.18
-  LANDS TO BE REDESIGNATED FROM EMPLOYMENT AREA TO RESIDENTIAL AREA

### **LAND USE DESIGNATION**

-  AGRICULTURAL
-  RESIDENTIAL
-  EMPLOYMENT AREA
-  PUBLIC FACILITY
-  URBAN RESERVE

