

Municipality of Chatham-Kent

Community Development

Planning Services

To: Mayor and Members of Council

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

Date: December 20, 2022

Subject: Application for Zoning By-law Amendment
PL202200231 – 2801920 Ontario Inc.
7030 Base Line, Community of Wallaceburg

Recommendation

It is recommended that:

1. Zoning By-law Amendment application D-14 WA/59/22/O, to rezone the lands known as 7030 Base Line, in Part of Lot 3, Concession 18 (Chatham), in the Community of Wallaceburg, from Agricultural (A1) to a site-specific Residential High Density Second-1641 (RH2-1641) Zone, to permit the development of Apartment Dwellings, including the following site-specific regulations:
 - a) Maximum Density Per Lot – 145 dwelling units per hectare;
 - b) Required off-street parking rate – 1.25 spaces per unit;
 - c) Interior Side Yard Width Minimum – 8 m;
 - d) Lot Coverage Maximum – 45%,

be approved, and the implementing by-law adopted.

Background

The subject property is located on the south side of Base Line Road, east of Murray Street, in the Community of Wallaceburg. The lands are approximately 2.21 ha (5.47 ac.) in area and are currently vacant and farmed. The property is designated Residential Area in the Chatham-Kent Official Plan and zoned Agricultural (A1). A key map showing the subject property and surrounding area is attached as Appendix A. A Site photo is attached as Appendix B.

At its meeting held on February 14, 2022, Council approved Official Plan Amendment application¹ D-09 WA/01/22/R to incorporate the subject property into the Wallaceburg Settlement Area for future residential land uses. The purpose of this Zoning By-law Amendment application is to establish a residential zone and associated regulations to implement the direction of the Official Plan. The applicant is pursuing the development of three (3) new 5-storey apartment buildings on the lands. Under the proposal, each building will be approximately 1,667 sq. m (17,943 sq. ft.) in area and may contain up to 85 apartment dwellings. Specifically the proposed zoning will:

- Zone the property to a site-specific Residential High Density Second (RH2) Zone, to permit Apartment Dwellings as a permitted use, and apply the following site-specific regulations:
 - Maximum Density Per Lot – 145 dwelling units per hectare.
 - Required off-street parking rate – 1.25 spaces per unit.
 - Interior Side Yard Width Minimum – 8 m.
 - Lot Coverage Maximum – 45%.

A conceptual site plan, attached as Appendix C, has been submitted with the above-noted application to demonstrate how the lands might be developed. It is anticipated that the Site Plan Control process will formally be initiated if the applicant is successful in amending the zoning of the subject property.

Comments

Provincial Policy Statement

The Provincial Policy Statement (PPS) encourages growth and development to be focused in settlement areas such as Wallaceburg (Policy 1.1.3.1). 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 shall be directed towards locations with appropriate levels of infrastructure and public service facilities, to promote the efficient use and optimization of existing services (Policy 1.1.3.3; Policy 1.4.3; Policy 1.6.6.1; Policy 1.7.1).

Policies of Section 1.1.3, Settlement Areas, include:

- 1.1.3.1 Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.*
- 1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for 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*

¹ Planning Report dated February 2, 2022: <https://pub-chatham-kent.escribemeetings.com/filestream.ashx?DocumentId=4455>

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 types and densities to meet projected requirements of current and future residents of the regional market area by:*
- b) *permitting and facilitating:*
 - 1. *all forms of housing required to meet the social, health and well-being requirements of current and future residents, including special needs requirements; and ...*
 - 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*
 - e) *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.*

The subject property is located in the Wallaceburg Settlement Area and close proximity to existing built up areas offering a range of services. The proposed development promotes appropriate residential intensification and housing type for lands that have access to full municipal services and other public services/facilities, such as public transit. The proposal is consistent with the PPS.

Official Plan

The proposal has been reviewed under the policies of the Chatham-Kent Official Plan. It has been specifically reviewed under Section 2.3.4, Housing; Section B.2.3 – Residential Area Policies, and Section 6.3.3 - Planning Tools (Zoning By-law), and meets these policies.

Housing

The Housing Policies direct the municipality to plan for a diverse range of housing

choices, improve and maintain existing housing options, and support residential intensification. Specifically, the policies read as follows:

It shall be the objective of Chatham-Kent 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...*
- 2.3.4.1.2 Improve and maintain the existing housing supply*

The proposal provides an opportunity to add new apartment dwellings to the local housing supply to address the needs of current and future residents of Wallaceburg specifically and Chatham-Kent as a whole. The proposal conforms to the Housing Policies of the Official Plan.

Residential Area Policies

The proposed development has a density of 145 residential units per hectare. Therefore, the high-density residential development policies of the Official Plan apply. Section B.2.3.6 contains these, which read:

- 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;

B.2.3.6.10 Be subject to Site Plan Control.

The proposal conforms to the high-density residential development policies noted above, in that:

- The proposed density is 145 units per net residential hectare, below the maximum as set out above.
- Base Line is identified as an Urban Arterial Road by Map Schedule B7 of the Chatham-Kent Official Plan.
- The proposed development is within close to community services in the Murray Street/McNaughton Avenue corridor.
- Prior to any development, full Site Plan Control process is required.

The proposal conforms to the Residential Area Policies of the Official Plan.

Overall, the proposal conforms to the Official Plan.

Zoning By-law

The applicant is pursuing the development of three (3) new 5-storey apartment buildings on the lands. The purpose of this Zoning By-law Amendment application is to establish a residential zone and associated regulations to implement the direction of the Official Plan.

The Chatham-Kent Zoning By-law defines an Apartment Dwelling as:

“DWELLING APARTMENT” means a building containing five or more dwelling units each of which has its chief access to and from the outside by way of common hallways, stairways or elevators. However, it does not include a row house dwelling, boarding house, rooming house, tourist establishment, hotel or motel.”

Specifically the proposed zoning will zone the property to a site-specific Residential High Density Second (RH2) Zone, to permit Apartment Dwellings as a permitted use, and apply the following site-specific regulations:

- Maximum Density Per Lot – 145 dwelling units per hectare.
 - 125 units per hectare is standard in the RH2 Zone. This proposal conforms to the Official Plan and is an appropriate density for the lands.
- Required off-street parking rate – 1.25 spaces per unit
 - 1.5 spaces/unit is standard for residential buildings with three or more units. 1.25 spaces per unit has been applied to large apartment dwellings,

recognizing that the need for parking spaces per unit decreases as the total amount of units increases.

- Interior Side Yard Width Minimum – 8 m
 - Half the building height or 7.62 metres is the standard RH2 interior side yard setback. 8 m is appropriate at this location as the property abuts compatible commercial and agricultural uses, and it is not deficient of the minimum setback of the zone.
- Lot Coverage Maximum – 45%
 - 33% lot coverage is the standard RH2 coverage. Increasing the coverage poses no concerns for site servicing or function, and is desirable in order to accommodate the proposed development.

The proposed development is required to meet all other applicable provisions of the Zoning By-law.

Community Improvement

On March 2, 2020, Council approved the Chatham-Kent Community Improvement Plan (CIP). The new Chatham-Kent CIP is a “Plan to Support the Chatham-Kent Growth Strategy and 2018-2022 Council Term Priorities” in order to allow market driven investment for targeted needs throughout all of Chatham-Kent (i.e. rental/affordable housing, commercial and employment business growth). The new CIP replaced the existing Downtown and Main Street Areas, Commercial, and Employment CIPs. It brought forward or enhanced the most impactful and popular programs from the former CIPs and introduced new incentives focused on encouraging much needed rental housing and affordable housing in the Municipality.

The CIP offers targeted financial incentives for Major Rental Housing Developments, which means development, redevelopment or adaptive reuse of a property with fifty (50) or more Dwelling Units all of which are intended for use as rented residential premises. Specifically, Major Rental Housing Developments are eligible for a 10 year grant under the Property Tax Increment Equivalent Program for 60% of the incremental tax increase over the 10 years (Note: until September 31, 2023 this rate is 100%). The amount of the grant will be determined based upon the incremental increase in the municipal taxes that results from the work being completed and the project being assessed by MPAC. In addition, Major Rental Housing Developments are also eligible for a 50% exemption of Development Charges levied by the CKPUC and Municipality.

In providing up to approximately 255 new rental dwelling units, this project will meet the definition of a Major Rental Housing Development, which is the type of development the Municipality is targeting through the CIP.

Conclusion

The proposed development conforms to the Provincial Policy Statement and Official Plan. 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

Internal

Technical Advisory Committee

The Technical Advisory Committee supports the application.

Prepared by: Noor Hermiz, Planner II, Planning Services

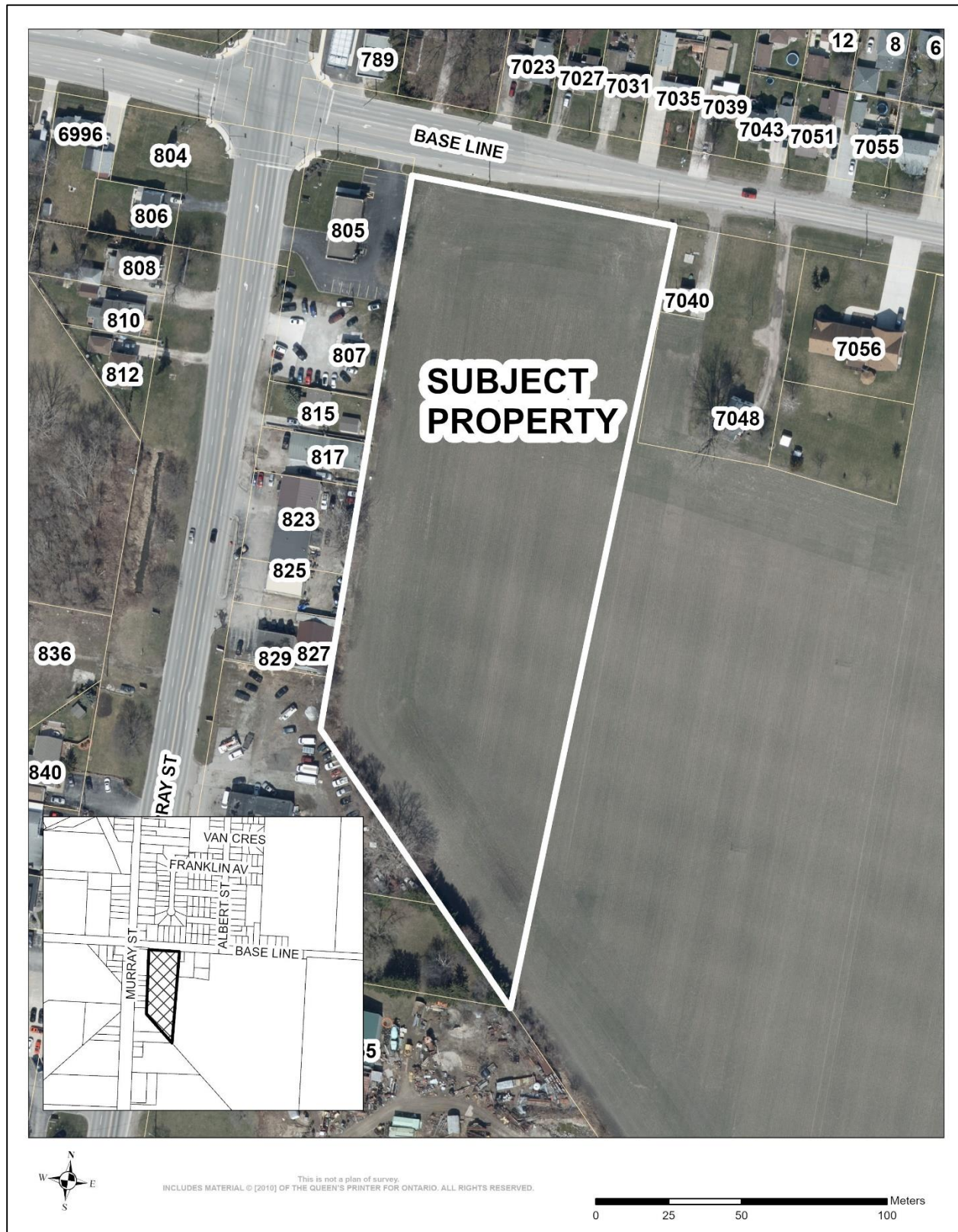
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Reviewed by: Bruce McAllister, MCIP, RPP, General Manager, Community

Development

Attachments: Appendix A – Key Map
Appendix B – Site Photo
Appendix C – Conceptual Site Plan
By-law to amend By-law 214-2009

Appendix A – Key Map



Appendix B – Site Photo



Looking south towards the subject property from Base Line Road.

1 MASTER SITE PLAN

A-1.0 SCALE: 1:400