



PLANNING JUSTIFICATION **REPORT**

770 ST. CLAIR STREET

CHATHAM / ON

[siv-ik] PLANNING
DESIGN

Client

York Developments

Contact

Lauren Sooley, MCIP, RPP
lsooley@siv-ik.ca | 226.273.0907 | siv-ik.ca



PREPARED BY

Siv-ik Planning and Design Inc.

PREPARED FOR

York Developments

VERSION 1.0

ISSUED

05.21.2025

CONTACT

Lauren Sooley | Urban Planner
226.273.0907
lsooley@siv-ik.ca

COPYRIGHT NOTICE

Copyright © 2025 by Siv-ik Planning and Design Inc. The content of this document is the intellectual property of Siv-ik Planning and Design Inc. Reproduction or redistribution of this document by the Municipality of Chatham-Kent or other stakeholders through the planning application process is permitted. Reproduction or redistribution of any portion of this document or use of the intellectual ideas contained within it for any other purpose is prohibited without the consent of Siv-ik Planning and Design Inc.

CONTENTS

S1: Introduction	1
S2: Planning Framework	5
S3: Proposed Concept Design	7
S4: Planning Applications	13
S5: Planning Analysis	17
S6: Conclusions	25

ABOUT THIS REPORT

This report has been prepared by Siv-ik Planning and Design Inc. for York Developments as part of our ***CREATE*** process. The report provides an overview of the physical context, planning framework and technical requirements that are the genesis of the concept design for 770 St. Clair Street. The graphics and supporting text are intended to highlight links between those factors and the specific planning and design response proposed for the site. The report describes the relevant details of the proposed Official Plan and Zoning By-law Amendments and the unique planning process that is being undertaken by the project team.

S1: INTRODUCTION

S1.1 Background

This report has been prepared by Siv-ik Planning & Design Inc. for York Developments, in support of an Official Plan and Zoning By-law Amendment application for the lands municipally described as 770 St. Clair Street, in Chatham, ON. This report provides an independent professional analysis and opinion regarding the merits of the proposed applications and has been prepared to satisfy the Municipality of Chatham-Kent’s complete application requirements. The report explains how the proposed Official Plan and Zoning By-law Amendment aligns with the objectives of the Provincial Planning Statement, the Chatham-Kent Official Plan and represents sound planning. This report is meant to be read in conjunction with the attached preliminary Site Plan and Elevation Drawings prepared by Patrick David Trottier Architect in cooperation with SBM Ltd.

S1.2 Project Site

The project site forms part of (i.e., 1 of 5 legally titled parcels) what was previously a consolidated 6.49 hectare block commonly referred to as the St. Clair Power Centre. The site is located on the west side of St. Clair Street, approximately 380 metres south of Pioneer Line in the Urban Centre of Chatham. The south and eastern portions of the Power Centre consist of “big-box” style commercial uses and surface parking areas. The existing uses include a movie theatre, restaurants and a retail store. The site itself, located in the northwest segment of the block, contains a small amount of surface parking, but is mostly vacant. The concept plan involves the development of the project site (770 St. Clair Street) to accommodate new, complementary multi-residential apartment buildings, with ground floor commercial uses, contributing to the evolution of the Power Centre as a mixed-use activity node.

S1.3 Area Context

The project site is located towards the northern extent of Chatham which is identified as a “Primary Urban Centre” within the broader Municipality of Chatham-Kent. The land use pattern within 400m (5-minute walk) of the project site is varied, but mostly includes commercial and agricultural uses. Specifically, the areas to the north, east and south of the project site form part of the Power Centre commercial area. These areas include large-format commercial uses such as home improvement stores, a grocery store and other food related and personal services. Lands to the west of the project site consist of undeveloped agricultural lands, outside of the Urban Centre boundary. The primary residential area within the Chatham’s Urban Growth Boundary, are located further southeast of the site. From an accessibility perspective, RideCK operates a route that connects from North Maple Mall to Chatham’s downtown area. An additional inter-urban route connects Chatham with other Urban Centres of Wallaceburg and Dresden, with a stop at the southern-most access point to the project site.

AT-A-GLANCE

Site Area	3.78ha
Frontage	34.0m
Depth	Irregular
Existing Use	Vacant/ Surface Parking
Servicing	Full Municipal



-  Big-box Commercial
-  Agricultural and Big-box Commercial
-  Agricultural
-  Big-box Commercial



Figure 1. The Project Site

S1.4 Site History

The growth of the Power Centre areas in the north end of Chatham date back to the early 2000’s, with the development of North Maple Mall and the Canrill Power Centre. Subsequent Power Centre development and expansion of the Chatham Urban Area boundary occurred in the early 2010’s with the partial development of the Northwest St. Clair Chatham Power Centre lands, which includes the project site at 770 St. Clair Street. The formerly consolidated 6.49 hectare block was subdivided into five blocks in 2012. Development of Blocks 1-4 have been completed, with the most recent development of the Popeyes drive-thru restaurant (Block 3) in 2017. Block 5 (the project site) was partially developed with surface parking and a stormwater management pond during the development of Blocks 1,2 and 4, but has otherwise remained vacant.

As with most municipalities across Ontario, single-use “big-box” shopping areas are experiencing a decline in user attractiveness and tenant pool. Given these market forces, many cities are allowing for re-formatting of Power Centres to become mixed-use areas that include retail, service, office and residential uses, while also becoming more pedestrian, cycling, and transit-oriented in their design.

S1.5 Site Analysis

Figure 2 shows the physical and spatial characteristics of the project site and surrounding lands. The lands immediately surrounding the project site are predominantly developed with single-use “big-box” buildings. Major retailers within the Northwest St. Clair Chatham Power Centre Lands include Galaxy Cinemas, Michaels, Burger King, Popeyes and Tim Hortons. As noted above, 770 St. Clair Street represents the last remaining undeveloped block within the Power Centre lands. New development on this site must integrate with the surrounding commercial lands as well as with the existing surface parking on the property. The site is physically divided from any low-density residential uses by other Power Centre uses and agricultural uses, thereby providing for a context with which to intensify with high-density, mixed-use development.

The developed portions of the lands are structured around a grid of common driveways that connect north to the Canril Power Centre and east out to St. Clair Street. Additionally, portions of the site contain sidewalk connections along the driveway network and through existing surface parking. The vehicular and pedestrian grid network is structured in a way that can allow for future north/south and east/west connections with the build out of the project site. The project site has two vehicle connections out to St. Clair Street via a signalized intersection and a restricted right-in-right-out access. St. Clair Street contains a 5-lane cross section with two northbound and two southbound travel lanes. A central left-hand turn lane for southbound traffic exists at the signalized intersection of the project site and St. Clair Street. That lane also becomes a left-hand turn lane for northbound traffic at the signalized intersection of the Canril Power Centre and St. Clair Street. The cross section also includes separated sidewalks on either side of the vehicle travel lanes.

Generally, the site is flat and does not contain any notable environmental features that serve to shape the development. The site however, does include an existing stormwater management pond along the western portion of the property which provides quantity and quality control for runoff from the Northwest St. Clair Chatham Power Centre lands. The site is also framed by the Martin Drain west of the stormwater management pond. The Martin Drain delineates part of Chatham’s Urban Centre boundary.

The site abuts “big-box” commercial buildings and surface parking to the north, east and south and agricultural uses to the west. While the site has two accesses onto St. Clair Street, it does not have any developable frontage on the public right-of-way. There are opportunities with new development to enhance connections throughout the existing internal vehicular and pedestrian network. Where possible, new development can also foster activity on the internal driveway and pedestrian network.

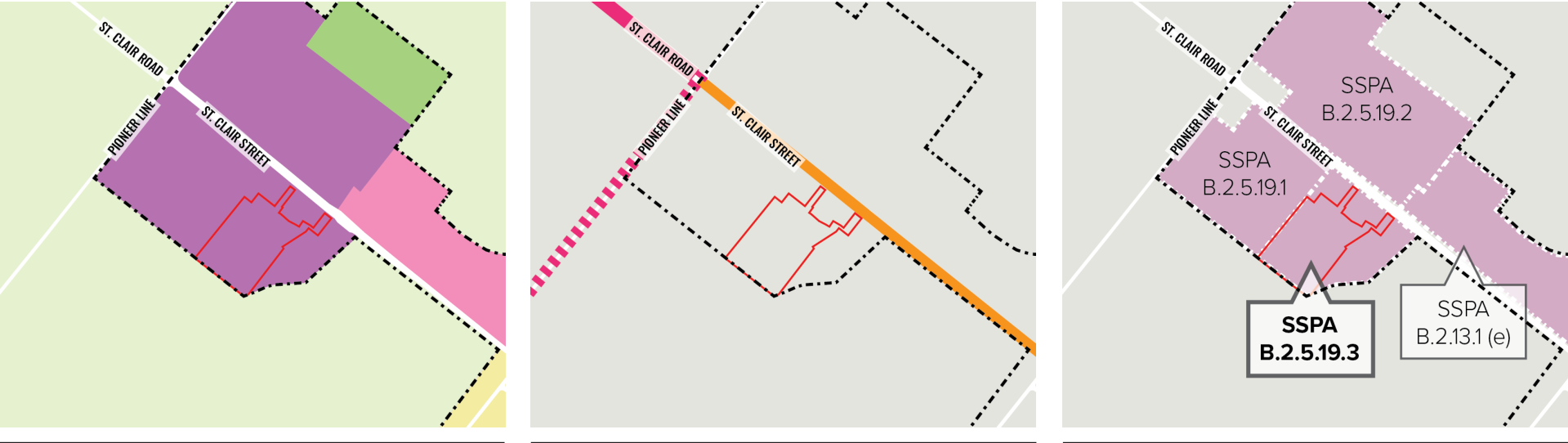


Figure 2. Site Analysis

S2: PLANNING FRAMEWORK

S2.1 Chatham-Kent Official Plan

The project site is located within the Primary Urban Centre of Chatham, which is planned as a major area for urban growth and intensification in Chatham-Kent. The mapping below represents excerpts from Schedule E2 - Chatham Urban Centre and Schedule B5 - Chatham Road Network of the Chatham-Kent Official Plan. The project site is identified as Power Centre Commercial Area and fronts onto an Urban Arterial (St. Clair Street). Areas designated Power Centre Commercial are intended to work in tandem with the Chatham Downtown/Main Street Area and Shopping Centre Commercial Areas to support and serve the retail needs of the larger municipality. Permitted uses in the Power Centre Commercial designation include large-scale retail and commercial uses. Site specific policies for the the project site also permit specific uses including a home improvement store, a cinema, a retail store and restaurant. The project site is also located within the Northwest St. Clair Secondary Plan area which encompasses the lands on the west side of St. Clair Street between lands known as the Canril Power Centre, to the northwest and the boundary of the Chatham Urban Area to the south. This Secondary Plan establishes a framework for development of the Northwest St. Clair Chatham Power Centre lands and provides specific details on matters such as land use and servicing to guide future development. The policies in the Secondary Plan are tied to a specific development concept for the lands identified as SSPA B.2.5.19.3 in the mapping below. Many requirements of the Secondary Plan have been fulfilled through the previous development of surrounding parcels on the Northwest St. Clair Chatham Power Centre lands. The policies of this plan do not contain any specific provisions for permitted uses on the project site beyond what is already permitted within the Power Centre Commercial Area policies.



- Power Centre
- Open Space / Commercial Lands
- Urban Centre Boundary
- Highway Commercial
- Provincial Highway
- Future Rural Arterial
- Urban Centre Boundary
- Agricultural
- Residential

S2.2 Comprehensive Zoning By-law - The Corporation of the Municipality of Chatham-Kent

The project site is currently zoned Holding Urban Commercial - Power Centre (H-UC(PC)-1189) as per the municipality’s Comprehensive Zoning By-law. This zone provides for and regulates various commercial uses. The UC(PC) zone is generally applied to big-box style developments and have specific regulations relating to use, setbacks, lot coverage, building height and size and parking. The key applicable regulations of the UC(PC)-1189 Power Centre Zone Exception are highlighted in the figures below. UC(PC)-1189 Power Centre Zone Exception does permit a range of commercial uses that can be accommodated in big-box style forms of development, the zone does not currently allow for any form of residential uses. Section 4.19 outlines the parking requirements for various land uses in the by-law.

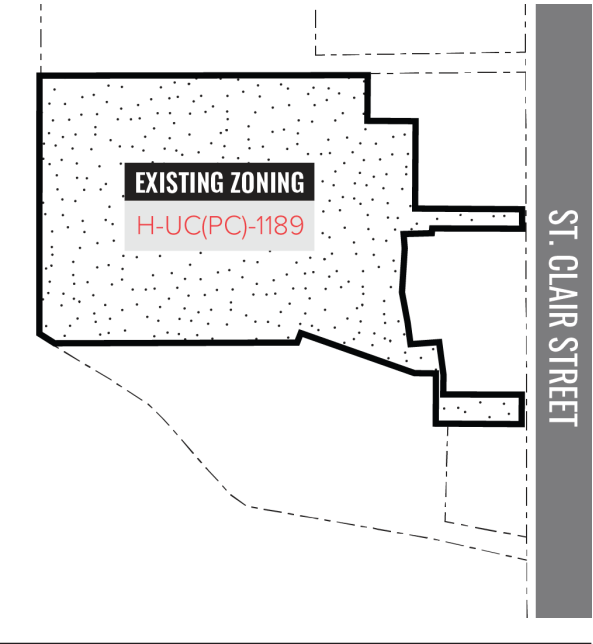


Figure 3. Existing Zoning Map

UC(PC)-1189 Zone Requirements	
Permitted Uses	<ul style="list-style-type: none">Home Improvement Related Merchandise StoreCinemaRestaurantNon-Department Store Type Merchandise OutletFor greater clarity, a general merchandise and home and auto supply store, including tires, batteries and auto accessories, is not a permitted use
Minimum Front Yard Setback	For a Building with a GFA > 1,600m²: 15.24m For a Building with a GFA > 1,600m²: 100.0m
Minimum Interior Side Yard Setback	North: For a Building with a GFA > 1,600m ² : 3.0m For a Building with a GFA > 1,600m ² : 10.0m South: 14.0m minimum, but not less than 7.5m from the top of the bank of the Martin Drain
Maximum Lot Coverage	50%
Maximum Building Height	N/A
Parking Spaces (min)	Minimum Number of Spaces: 730 Minimum Parking Space Area: 14.85 m ² Parking is permitted in any required setback -no off-street loading requirements apply
Other Provisions	The lands subject to this Zone shall be deemed to be one lot for zoning purposes

Table 1: Existing Zoning Regulations

S3: PROPOSED CONCEPT DESIGN

The following illustrations and graphics provide a detailed overview of the development concept for the undeveloped portions of 770 St. Clair Street in Chatham, ON. The concept is representative of York Development’s future intention for the project site and represents a desirable implementation of the proposed Official Plan and Zoning By-law Amendment outlined in Section 4.0 of this report.

The proposed development includes four residential apartment buildings. Tower A & B each contain 178 units and are 12-storeys tall, while Towers C & D each contain 209 units and are 14-storeys tall. In total, the development includes 774 residential units across the four towers. The development also includes a total of 1076 residential parking stalls (803 underground and 273 surface) on the site. Minor modifications to the existing surface parking areas on and south of the site are also proposed in order to meet design requirements and improve circulation.

From a design perspective, the site has been organized in a manner that allows for seamless infilling/ integration of residential uses into this block, while complementing the function of the Power Centre as a whole. The two existing vehicular access points along St. Clair Street are maintained. The site plan provides for both pedestrian and vehicle circulation including a network of new pedestrian connections that will integrate with the existing pedestrian walkway network, a collection of private on-site green spaces and amenity areas to serve residents of the new buildings, and appropriate access, loading and drop-off areas dedicated for each building.

A detailed site plan and building elevations for the project have been prepared by Patrick David Trottier Architect in cooperation with SBM Ltd. and are included in the application submission. A series of simplified supporting illustrations have been prepared by Siv-ik Planning and Design Inc. to highlight key elements of the site and building design in a manner that enables a more seamless evaluation by stakeholder and decision-makers. The site plan and elevations should be referred to respectively where detailed dimensions and specifications are required for review.

The proposed concept design is intended to be developed in phases. ‘Phase 1’ consists of the development of Tower ‘D’, with the remainder of the towers being developed in a second phase. This sequencing ties to the sanitary servicing strategy (outlined in more detail in Section 5), which identifies the need for sewer upgrades along St. Clair Street to allow for sufficient capacity to accommodate Towers A, B and C.

/ Concept Breakdown

LOT AREA 3.78ha

DENSITY 217uph

LOT COVERAGE 18.9%



TOWERS ‘A & B’

	“A”	“B”
Units	178	178
Building Heights	12-Storeys	
Gross Floor Area	217, 134 sq. ft.	217, 134 sq. ft.
Commercial Area	1,072 sq. ft.	1,072 sq. ft.
Bdrms	1-2 Per Unit	
Parking	1.25 per Unit	

TOWERS ‘C & D’

	“C”	“D”
Units	209	209
Building Heights	14-Storeys	
Gross Floor Area	253,534 sq. ft.	253,534 sq. ft.
Commercial Area	N/A	N/A
Bdrms	1-2 Per Unit	
Parking	1.25 per Unit	

Perspective: Aerial view looking northwest from the southeast corner of the project site.

Artist’s Rendering



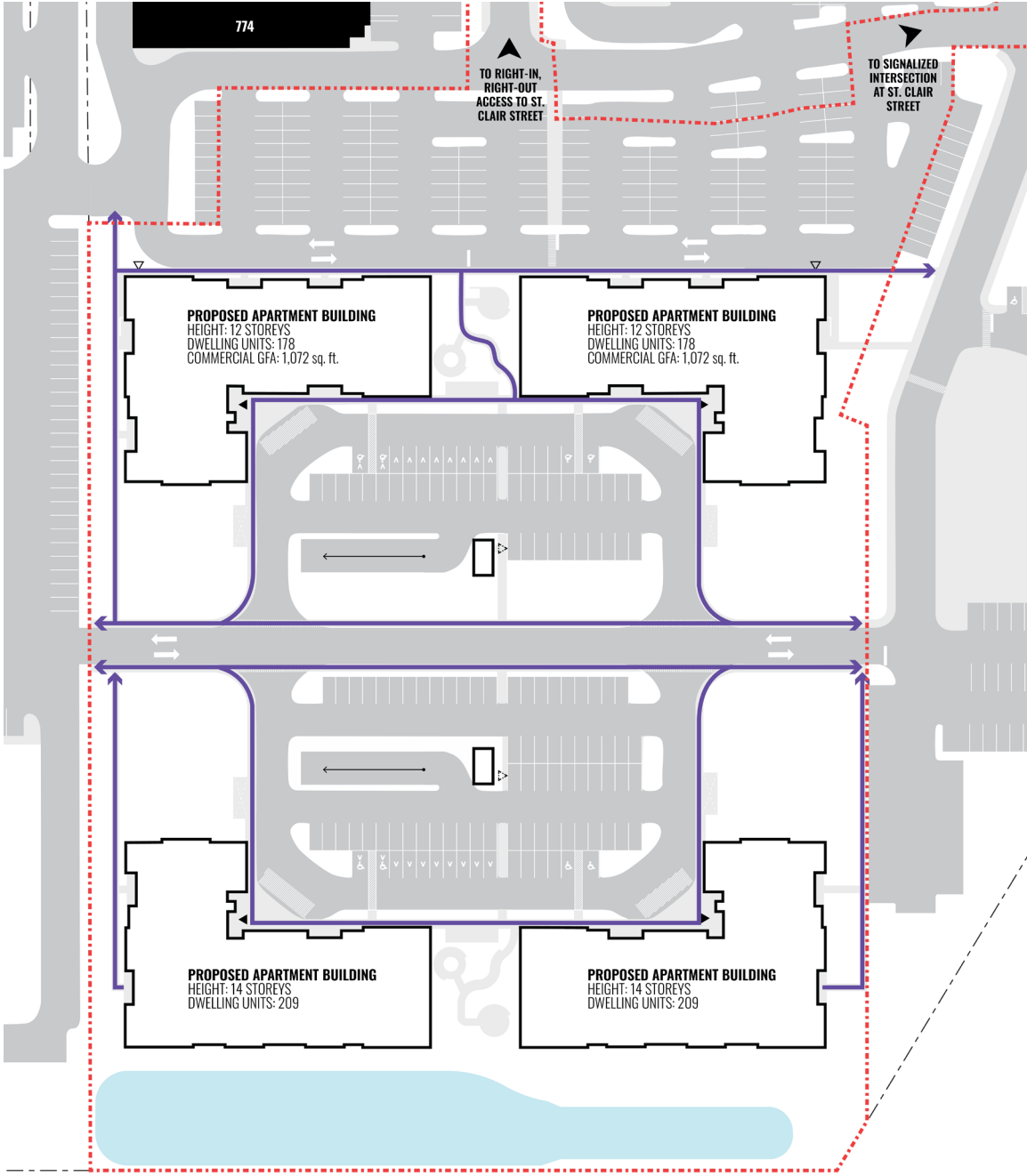


Figure 4. Simplified Circulation Plan

LEGEND

- | | |
|-------------------------------|-----------------------------------|
| ▲ Primary Building Entrance | ■ New Building Footprint |
| △ Commercial Unit Entrance | → New Pedestrian Circulation |
| ▲▲ Underground Parking Exit | → Vehicular Circulation/Movements |
| ●→ Underground Parking Access | - - - Site Boundary |

Note: This simplified site concept plan has been prepared based on the detailed site concept plan by Patrick David Trotter Architect in cooperation with SBM Ltd. It is meant to aid in illustrating the key attributes of the development concept. For dimensions and full site details, please refer to the 2025-05-13 conceptual site plan.

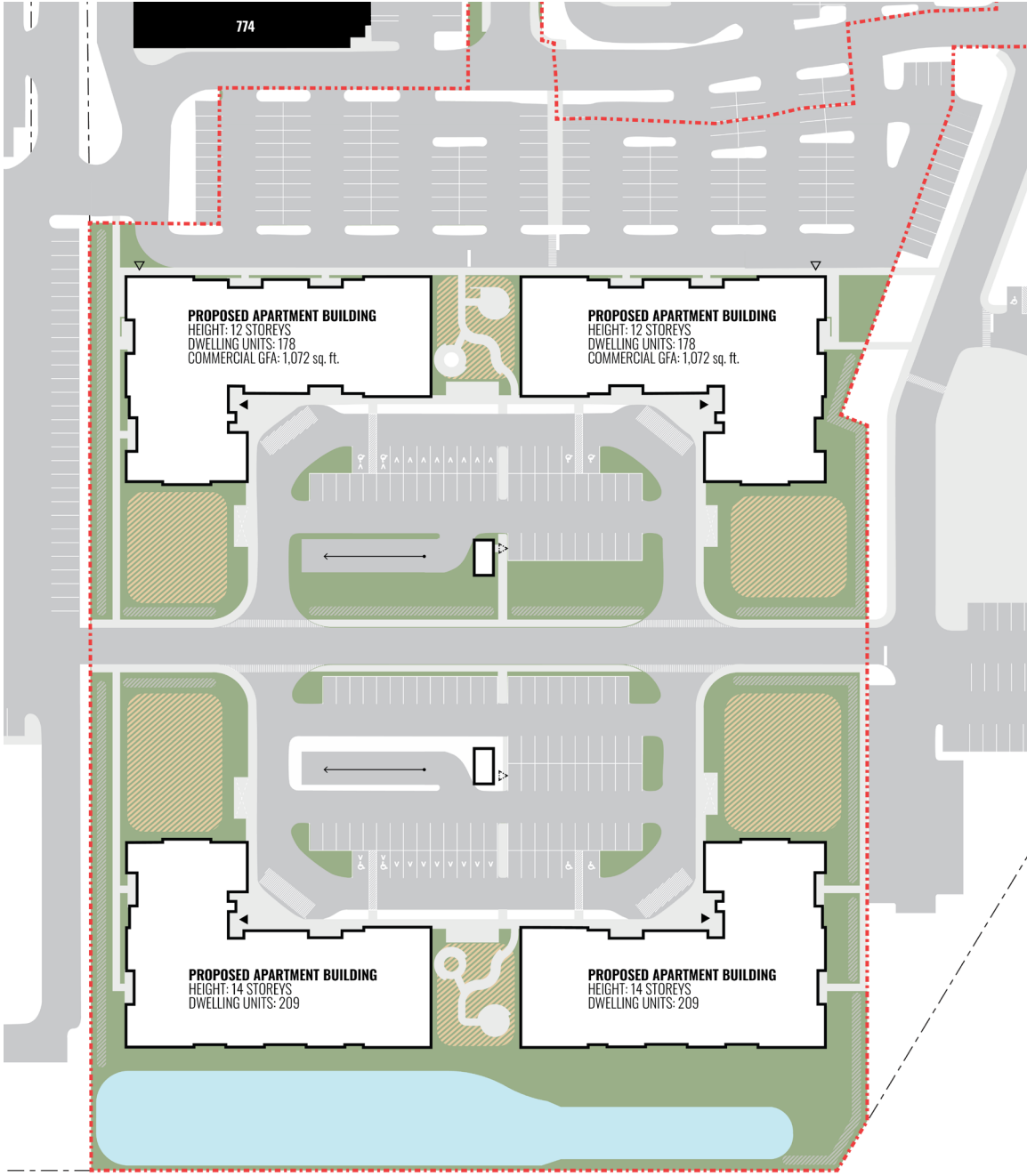


Figure 5. Conceptual Landscape Plan

LEGEND

- | | |
|-------------------------------|-------------------------------|
| ▲ Primary Building Entrance | ■ Landscaped Area |
| △ Commercial Unit Entrance | ▨ Enhanced Edge Treatment |
| ▲▲ Underground Parking Exit | ▨ Common Outdoor Amenity Area |
| ●→ Underground Parking Access | - - - Site Boundary |
| ■ New Building Footprint | |

Note: This simplified landscape plan has been prepared based on the detailed site concept plan by Patrick David Trotter Architect in cooperation with SBM Ltd. It is meant to aid in illustrating the parameters for the future detailed landscape plan which will be prepared by a Licensed Landscape Architect during subsequent stages of the planning process and reviewed through the Site Plan Control application.



- 1** Buildings 'A' and 'B' are designed with a well-defined ground-floor with active uses and individual unit entrances, creating a pedestrian-friendly frontage that contributes to an engaging internal driveway and sidewalk network.
- 2** The proposed vehicular and pedestrian circulation network has been designed to functionally integrate with the existing driveway and sidewalk network servicing the Canrill Power Centre to the north and the existing Power Centre uses along St. Clair Street.

- 3** The 'L'-shaped massing of the proposed towers have been oriented to frame the proposed internal driveway and sidewalk network, while also reducing shadowing on the proposed green space areas.
- 4** The design enhances the existing internal sidewalk network with the inclusion of new north-south and east-west sidewalk connections through the site and pedestrian connections between the proposed buildings. The new pedestrian network also connects to existing internal sidewalks, with connections out to the St. Clair Street public right-of-way.



- 5** The design enhances the existing internal driveway network with the inclusion of a new north/south connection through the site from the existing driveway connection at 760 St. Clair Street (Cinema) through the project site to the Canril Power Centre site.
- 6** Access to the underground parking garage has been strategically located internal to the site in a way that does not conflict with the proposed vehicular and pedestrian connections.

- 7** Large ground-floor green spaces and amenity areas have been established on the site for residents. Each building has its own dedicated green space area. Courtyard amenity areas are located in between Buildings 'A' and 'B' and in between Buildings 'C' and 'D'. The location of these amenity areas act as bookends to the new east-west pedestrian connection proposed through the site.

S4: PLANNING APPLICATIONS

S4.1 Proposed Official Plan Amendment

Given the current and future-looking market dynamics surrounding single-use “big-box” shopping areas, York Developments is seeking to broaden the range of permitted uses and building forms on this site. The proposed Official Plan Amendment would represent an update to the Northwest St. Clair Chatham Power Centre site specific special policies (B.2.15.19.3) and would add language to permit residential apartment uses on site, establish a specific density count for residential uses and establish site-specific design performance measures to allow for access for the proposed residential from St. Clair Street. The following mapping and language represents the proposed Official Plan Amendment.

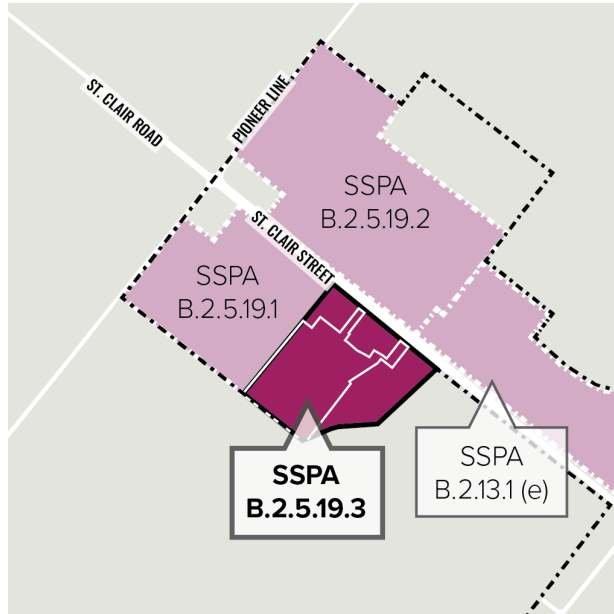


Figure 6. Excerpt of Schedule E2 - Community of Chatham

B.2.5.19.3 Northwest St. Clair Chatham Power Centre

For lands Identified on Schedule “E” Series - Land Use as “Site Specific Policy Area B.2.5.19.3, the following additional policies will be added to the existing Site Specific Policy Area under “Permitted Uses”:

- vi) Notwithstanding the Power Centre Commercial Area policies and notwithstanding conflicting guidance in the Northwest St. Clair Secondary Plan, high density residential uses shall be permitted.
- i) High density residential uses shall be subject to the general policies of high density residential development of B.2.3.6 of the Official Plan, except for the following:
 - Notwithstanding the policies within B.2.3.6.1, high density residential development shall be developed up to a maximum density of 217 units per hectare on full municipal services.
 - Notwithstanding the policy within B.2.3.6.8, driveway access from an arterial road shall be permitted for high density residential development.

S4.2 Proposed Zoning By-law Amendment

The proposed Zoning By-law will provide a framework for the development of Phase 2 of the Northwest St. Clair Chatham Power Centre for high-density residential uses. The intent of the site-specific amendment is to support the development vision for mixed-use apartments and establish setbacks, height limits and density maximums for residential uses. The proposed zone includes special regulations to account for the unique context of the project site and to implement the applicable Community Design policies of the Chatham-Kent Official Plan. The existing Urban Commercial - Power Centre (UC(PC)) zoning has been utilized as a “base zone” and there are a nominal amount of special regulations to account for the unique context of the project site and to implement applicable high-density residential development policies of the Chatham-Kent Official Plan. The proposed Zone Exception is structured to facilitate an appropriate range of desirable site design and built form outcomes, however, the zone is not tied to a specific development design. In this regard, the proposed Zoning By-law Amendment will “lock-in” the key development and built form standards but will allow for a degree of flexibility to address site and building design details through the future Site Plan Control process.

Additionally, the proposed zone will include a holding provision, to recognize the limited sanitary servicing capacity available in the municipal sewer system. Lands subject to this holding provision are permitted to develop to a maximum of 209 units (occupancy load of 366 people) under existing sanitary servicing conditions, as identified in the submitted Servicing Feasibility Study prepared by Strik Baldinelli Moniz Ltd. Any additional units, beyond the 209 units (occupancy load of 366 people) identified in the study, will require removal of the holding provision. To ensure the orderly development of lands, the “H” symbol will not be removed until such a time that there is an accepted servicing capacity report that demonstrates that sanitary servicing upgrades have been made to the municipal sewer system and confirms that adequate capacity for additional units is available.

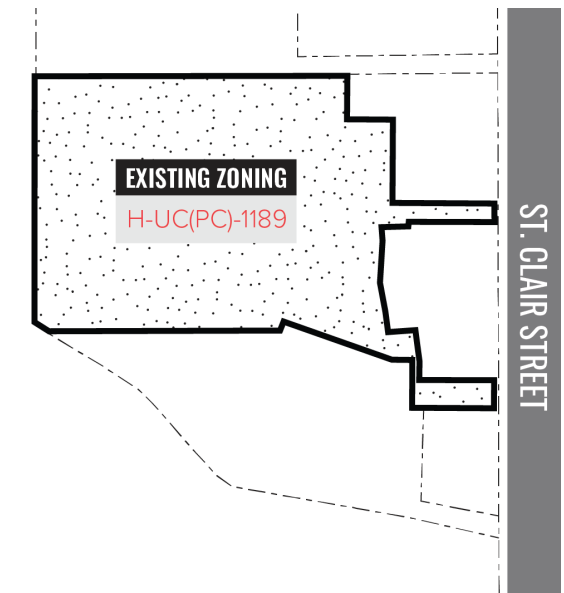


Figure 7. Existing Zoning

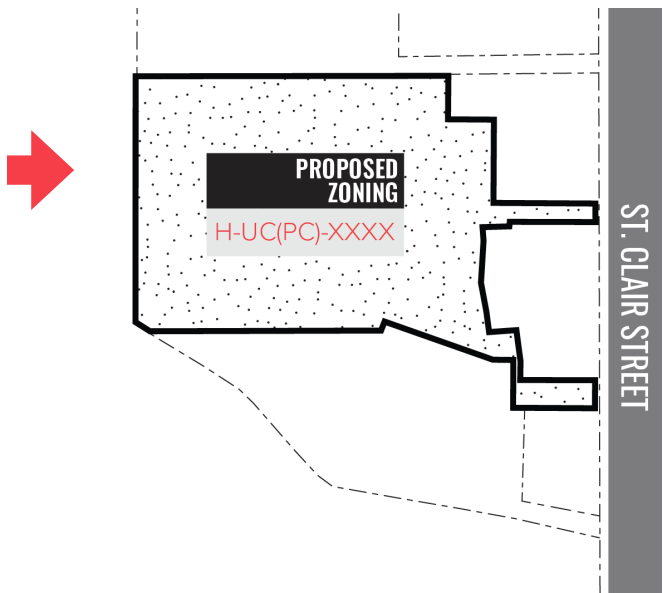


Figure 8. Proposed Zoning

/ Proposed By-law

Regulation	UC(PC) Regulations	Proposed UC(PC)-XXXX Regulations	Proposed Site Plan
Permitted Uses	See Section 5.10.1(i)	Notwithstanding Section 5.10.1(f), Apartment Dwellings shall be permitted. In addition to the uses permitted in 5.10.1(f), the following uses shall be permitted on the ground floor of an apartment building: <ul style="list-style-type: none">Bake ShopRetail StoreRetail Store - Convenience	Apartment Dwellings 2,144 sq. ft. of Ground Floor Commercial
Lot Area (min.)	N/A	-	35,700.1m²
Lot Frontage (min.)	N/A	-	36.0m
Front Yard Depth (min.)	7.62m	-	99.09m
Interior Yard Depth (min.)	Interior and interior corner lot 30.48 m abutting a Commercial or Industrial Zone Classification; 60.96 m abutting a Residential Zone Classification	For Residential Uses: 7.0m from the northern lot line of the UC(PC)-XXXX zone boundary and 4.0m from the southern lot line of the UC(PC)-XXXX zone boundary.	North: 7.32m South: 4.04m
Rear Yard Depth (min.)	7.62 m abutting a Residential Zone Classification	-	25.09m
Lot Coverage (max.)	50%	-	18.9%
Height (max.)	7.92m	For Residential Uses: 48.0m	48.0m
Density (max.)	N/A	217uph	217uph
Parking	Apartments (8+ units): 1.25 per unit Clinic: 6 spaces per practitioner Retail: 1 per 27.87m² Eating Establishment: 1 per 4.64m² or 10 spaces Eating Establishment (Take out): 1 per 2.3m² or 10 spaces Personal Service Establishment: 1 per 9.29m² or 10 spaces Office: 1 per 27.87m² or 6 spaces Parking is permitted in any required setback -no off-street loading requirements apply	-	Residential: 968 spaces (1.25 per unit) Commercial Space: 108 spaces Total: 1,076 Spaces
Other Provisions	Minimum size for each unit: 499.8m²		

-: No Change

/ This page has been intentionally left blank.

Table 1: Special Regulations Overview

S5: PLANNING ANALYSIS

S5.1 Provincial Planning Statement (2024)

The provincial planning policy framework is established through the Planning Act (Section 3) and the Provincial Planning Statement (PPS 2024). The Planning Act requires that all municipal land use decisions affecting planning matters be consistent with the PPS. The primary mechanism for the implementation of the Provincial plans and policies is through the Chatham-Kent Official Plan. Through the preparation, adoption and provincial approval of the Chatham-Kent Official Plan, there is an established local policy framework for the implementation of the Provincial planning policy framework. As such, matters of provincial interest are largely addressed in the Official Plan discussion in this report.

However, when acknowledging the scope of the proposed development and the nature of the applications being submitted (i.e., Official Plan Amendment), it is important to highlight some of the key objectives and policy directions of the PPS (2024). The PPS (2024), includes policy guidance on housing and residential intensification in Urban Centres, which are matters of provincial interest including:

- Identifying the need to provide for a range of housing options and densities that are required to meet the requirements of current and future residents of Chatham (2.1.4);
- Requiring Planning Authorities to achieve the development of complete communities by accommodating an appropriate range and mix of land uses (2.1.6a);
- Focusing on land use patterns that efficiently use land and resources, optimize existing and planned infrastructure, support active transportation and support transit (2.3.1.2); and
- Directing Planning Authorities to encourage mixed-use development to promote economic development and competitiveness (2.81.1d).

In view of the PPS 2024 policies noted above, the site is located within a designated Urban Centre and is an optimal location for intensification and redevelopment. The development brings a new use to the area in the form of apartment buildings and contributes to the redevelopment of the Power Centre area as a complete/ mixed-use community. In recognition of the policies, it is our opinion that the proposal is consistent with the PPS, 2024.

S5.2 Chatham-Kent Official Plan

The Chatham-Kent Official Plan provides detailed land use and built form guidance for the development of 770 St. Clair Street. As previously noted in Section 2 of this report, the project site is located within a Power Centre designation in the Northwest St. Clair Secondary Plan area (Schedule E2). As noted in Section 4 of this report, the proposed Official Plan and Zoning By-law Amendments provide for a type of development that is not currently permitted in the Northwest St. Clair Secondary Plan Area. The Northwest St. Clair Secondary Plan establishes a clear policy framework for the expansion of the Chatham Urban Area boundary and the development of the Power Centre commercial designation. A Site Specific Policy (B.2.5.19.3) for the Northwest St. Clair Secondary Plan area is added to the Power Centre Commercial designation, which details out the specific uses of the proposed development. While the policies in the Northwest St. Clair Secondary Plan are specific to the development proposal that was approved at the time of it’s adoption, there are other overarching policies within the Official Plan that support an amendment to the Site Specific Policy to support the proposed development of high-density residential uses.

/ Community Structure

Section 2.3.5 identifies Primary Urban Centres as the focus for the majority of residential, commercial and industrial development. The majority of new population and employment growth are directed to the seven Primary Urban Centres within the municipality. Primary Urban Centres are identified as areas that will have the highest concentration and intensity of uses and further intensification is encouraged to occur in fully serviced areas. With respect to the vision for growth in Primary Urban Centres, the proposed Official Plan and Zoning By-law Amendments align with these policies.

/ Housing

Section 2.3.4 identifies objectives to plan for a diverse range of housing choices to ensure that housing stock can accommodate an aging population and a variety of household types and sizes. The objectives outlined in policy 2.3.4.2.2 encourage a housing mix that includes 10% high-density dwellings. Policy 2.3.4.2.4 also requires that 10% of Chatham-Kent’s housing supply will be accommodated through residential intensification within the built up areas of Urban Centres. Residential intensification is identified in a number of ways including as infill development of vacant or underutilized land. Infill development and intensification of sites are considered by the municipality based on a number of considerations, as outlined in policy 2.3.4.2.5. The following table identifies these specific considerations for infill development and details how the proposed development of 770 St. Clair Street achieves the intent of each.

POLICY 2.3.4.2.5		
CONSIDERATION	RATIONALE	
a) The proposed development is within an urban area and is appropriately suited for intensification in the context of the specific community;	The proposed development concept at 770 St. Clair Street is located on a vacant site within the Chatham Urban Centre boundary. The development is an appropriate level of intensification as it is a proposed use that helps to develop an area of predominantly big-box commercial uses into a mixed-use area. Additionally, the project site is located in an area with little to no low-density residential uses and therefore there are no compatibility concerns from a built form and density perspective.	
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;	The proposed development aligns with the policies for the development of high-density residential uses in the Chatham-Kent Official Plan. While the project site is located in an area intended for single-use “big-box” shopping uses, it is important to acknowledge the market forces that are changing the format of Power Centres to become mixed-use areas. These market forces have been seen in municipalities in the more recent years and provide opportunities for intensification in areas that are not historically mixed-use centres or downtowns.	
	While this form of mixed-use development is not identified in the policies of the current Official Plan, the redevelopment of big-box shopping sites into mixed-use areas, does align with opportunities to develop complete communities, identified in Chatham Kent’s Municipal Comprehensive Review that was completed in 2023.	

POLICY 2.3.4.2.5

CONSIDERATION	RATIONALE
c) The existing water and sanitary sewage services can accommodate the additional development	<p>A Servicing Feasibility Study has been prepared in support of the Official Plan and Zoning By-law Amendment applications. The study summarizes existing conditions and capacity for storm, sanitary and water servicing to support the proposed development. The results of the study identify that the current water and stormwater systems can support the entire proposed development. With respect to sanitary servicing, the existing systems can support “Phase 1” of the proposed development, which is identified as the development of 209 units (occupancy load of 366 people). The Servicing Feasibility Study provides recommendations for upgrades to the sanitary sewer network for further development beyond “Phase 1”.</p> <p>In response to this, the proposed Zone Exception includes a holding provision that ensures that the sanitary-related recommendations provided in the Servicing Feasibility Study are followed with any development beyond “Phase 1”.</p>
d) The road network can accommodate the additional traffic;	<p>A Transportation Impact Analysis has been prepared in support of the Official Plan and Zoning By-law Amendment applications. The study summarizes existing conditions at select intersections within and on the project site. The results of the study indicate that eventhough critical movements were identified at two intersections, the overall intersection operations register acceptable levels of service during all peak hours. The study noted that the critical movements for service and queuing occur under existing conditions and are not caused by the proposed development. Therefore, the proposed development does not cause any adverse effects on the surrounding area’s traffic flow and service levels.</p>
e) The required parking can be accommodated;	<p>The proposed development concept provides for more than the minimum parking amounts required by the Zoning By-law. Parking is accommodated through both surface and underground parking at a rate of 1.25 per unit for the apartment dwellings. The number of parking spaces provided are 108 spaces over the minimum required for residential and are included to accommodate uses in the ground floor commercial units as well as to provide parking for neighbouring uses.</p>
f) The proposed development shall comply with municipal development standards and guidelines; and	<p>York Developments has engaged a team of architects and engineers to ensure that the proposed development complies with municipal standards and guidelines. The proposed development concept is designed to align with the servicing standards and design criteria outlined in the Chatham-Kent Development Standards Manual. This form of development is also subject to Chatham-Kent’s Site Plan Control By-law. Compliance with this by-law will be addressed through the future site plan control application process.</p>
g) Proposals shall comply with the Zoning By-law, or the By-law must be amended or a minor variance granted.	<p>The proposed development concept takes the form of four (4) 12-14 storey apartment buildings with approximately 2,100 square feet of ground floor commercial. This proposal requires a zoning by-law amendment which has been outlined in this Planning Justification Report in Section 4.</p>

Table 2: Considerations for Infill and Intensification as per Policy 2.3.4.2.5 in the Chatham-Kent Official Plan

/ Community Design Strategy

The Community Design Strategy policies in Section 71.6 of the Chatham-Kent Official Plan encourage sustainable neighbourhood development and building design with objectives of reducing the consumption of land and fostering the creation of healthy and complete living environments. Specifically, policy 71.6.2.1.3 speaks to the creation of compact, walkable and pedestrian-oriented neighbourhoods, the promotion of mixed-use developments rather than single-use commercial complexes and the provision of opportunities for residents’ daily activities to occur within walking distances. The proposed development is located on a vacant site within a single-use “big-box” shopping area. The site is located within a 400m (5-minute walk) proximity to a number of shopping services including a large format supercentre, grocery store, home improvement store, restaurants and various retail stores. The proposed concept includes improvements to both the internal pedestrian and vehicular driveway network to improve connections and safety, with access out to the municipal sidewalk.

/ Residential Area Policies

Additional detailed design policies for residential uses are provided in Section B2.3 - Residential Area Policies. With respect to high-density residential development, policy B.2.3.6 outlines a number of locational and design-related requirements. The proposed concept design achieves all but two of these requirements which are detailed in the following paragraphs.

Density

The policies of B2.3.6 require high-density residential development to be developed to a maximum of 150uph on full municipal services. The proposed maximum density provision of 217 units per hectare will allow for the implementation of the proposed development concept and will align with intensification and housing policies in the Chatham-Kent Official Plan. While the requested density provision is above the maximum of 150uph, for high-density residential, identified in the Official Plan policies, it is important to note that the additional density, beyond 150 units per hectare does not cause any adverse affects on the surrounding infrastructure (servicing and traffic). As per the holding provision included in the proposed zoning and the detailed summaries on the following pages, requirements for upgrades to the municipal sewer system to increase capacity would apply beyond development of 209 units (occupancy load of 366 people). Additionally, as noted in the Transportation Impact Assessment summary, any critical movements that were identified, occur under existing conditions and are not caused by the proposed development. Parking for the proposed development is provided at a rate of 1.25 per unit for dwelling units as identified in Section 4.19 of the Municipality of Chatham-Kent Comprehensive Zoning By-law. Despite the requested density provision, no reduction is parking is being requested through this application. Parking for residential uses is being provided at a rate of 1.25 per unit, which is the required minimum rate in the Zoning by-law. A majority of the residential parking spaces are proposed as underground parking. Additionally, a surplus of parking is being provided for the proposed and the existing commercial uses. It is important to note that despite the requested density provision and the amount of parking provided in the design, the concept plan accounts for a considerable amount of amenity space including over 8,800 sq. ft (822m²) of courtyard amenity space and over 41,000 sq.ft. (3,887.3m²) of green amenity space. Additionally, each unit contains a private balcony or terrace.

Access

The policies of B2.3.6 require that high-density development be located on a collector or arterial road, with driveway access on a collector or local road. The proposed development concept utilizes an existing internal driveway network with two existing vehicular connections out to St. Clair Street (an arterial road). These connections consist of a signalized intersection and a restricted right-in-right-out access. It is important to note that the proposed development is not adding any additional access points onto the arterial road, through the use of the existing connections. With the proposed build out of the site, the vehicular and pedestrian grid network is structured in a way that enhances existing north/south and east/wast connections. As per the detailed summaries on the following pages, any critical movements identified in the Transportation Impact Assessment, occur under existing conditions and are not caused by the proposed development. It is also important to note that the majority of critical movements that were identified do not occur at either of the access points on the project site, rather further south at St. Clair Street and Gregory Drive.

Critical movements that were identified at the signalized access to the site (St. Clair Street and St. Clair Centre) are tied to movements onto the site east of St. Clair Street. Signal timing improvements were recommended for the St. Clair Street and St. Clair Centre Access to improve level of service and queuing issues. No critical movements to and from the project site were identified.

The proposed development has been designed to support the creation of a healthy and complete living environments and efficient use of land and the existing built environment. Through the inclusion of a high-density residential use on this site the development proposal is encouraging the evolution of the single-use “big-box” shopping areas into more mixed use communities. The proposed development is located along an arterial road, within proximity to community services (such as shopping). The height requested by the Zoning By-law Amendment will not result in built form that has a negative impact on any low and medium-density residential areas, as the surrounding land uses in the area are commercial and agricultural. The proposed development includes buildings with ground-floor small-scale convenience-retail and commercial uses. Surface parking is adequately screened through the positioning of the proposed building and the high level of landscaping which will be incorporated on the site. As noted above, the proposed development concept accounts for a considerable amount of common and private amenity space for residents. Overall, the proposed development concept achieves the majority of the locational and design-related requirements and intentionally mitigates any negative impacts from any requirements that are not met.

S5.3 Other Considerations & Requirements

/ Comprehensive Zoning By-law - The Corporation of the Municipality of Chatham-Kent

As outlined in Section 4 of this report, we propose to re-zone the subject lands to a Urban Commercial - Power Centre (UC(PC)) Zone Exception with special provisions to permit the proposed apartment and additional commercial uses and to account for the proposed development. This Comprehensive Zoning By-law was adopted in 2009 after the adoption of the Chatham-Kent Official Plan in 2005. At that time, planning direction focused on the mixed-use development of downtowns, with direction for large “single-use” big-box shopping area development to occur on greenfield sites at the peripheries of communities. Since then, the market for single-use “big-box” shopping areas has changed, opening up opportunities for infill redevelopment of the lands, with a mix larger of uses, including residential.

In considering an appropriate base zoning framework for the property, there is no specific mixed-use zone category that accurately provides for mixed-use forms of development in a “big-box” shopping area location. The Urban Commercial - Power Centre (UC(PC)) zoning category does provide a framework for the development of “big-box” shopping area, but it does not include permissions for apartment dwellings, which is the key to developing the area as a mixed-use community. The Urban Commercial - Power Centre (UC(PC)) Zone envisions a more “suburban” single-use character shopping area that generally includes generous setbacks from neighbouring development. The UC(PC) Zone does however, provide a certain amount of flexibility relating to lot areas, frontage, coverage and landscaped open space. Given the other UC(PC) zoning in the area, it is an appropriate base zoning framework for the proposed concept and the start of a transition of the area to a mixed-use community. The proposed Zone Exception regulations are detailed in the following paragraphs.

Use

The proposed Official Plan and Zoning By-law Amendments implement the proposed mixed-use development concept, submitted as part of this application. The proposal recognizes the nature of the Power Centre Zone while also recognizing the changing market for single-use “big-box” shopping areas. This also aligns with the applicable policies in the Chatham-Kent Official Plan, which speak to focusing development and intensification in Primary Urban Centres, developing a diverse range of housing and accommodating new housing supply through infill and intensification. As such, permitted uses within the Site Specific Policy Area B.2.5.19.3 are being expanded to permit high-density residential uses, up to a maximum of 217uph. The range of permitted uses is also being expanded within the Urban Commercial - Power Centre (UC(PC)) Zone Exception to include apartment dwelling uses and additional small-scale commercial uses that could be accommodated within the proposed ground-floor commercial GFA.

Setbacks

As noted in Section 4 of this report, the proposed Zoning By-law Amendment includes a reduced interior side yard setback. This regulation has been included to permit the location of the proposed apartment buildings. The proposed regulation for the setback from the southern property/zone line recognizes the pinch point created south of Tower ‘B as a result of the property line shape. However, the concept plan generally achieves 7.0 or more metres. The minimized setback also provides a “street wall” along the internal driveway and pedestrian network which contributes to a high-quality walkable environment. It is important to note that the base Urban Commercial - Power Centre (UC(PC)) Zone regulates single-use “big-box” shopping uses and the interior yard setbacks in the base zone are intended to provide separation from other commercial, industrial and residential uses. Traditionally, big-box developments are envisioned with a large amount of supporting surface parking and loading areas and are not planned to be built close to other uses on adjacent properties. Additionally, all other properties with “big-box” shopping uses, in the Urban Centre of Chatham, have Zone Exceptions which identify specific minimum setbacks that are smaller than the regulation included in the UC(PC) base zone.

Height

The proposed Zoning By-law Amendment includes a maximum height provision that establishes permissions for high-density residential development. The maximum height provision is tailored specifically to limit the height of the proposed buildings to a maximum height of 14-storeys. It is important to note that the height regulation in the base Urban Commercial - Power Centre (UC(PC)) Zone regulates a standard big-box building form, which is typically a large 1-storey building. The height requested by the Zoning By-law Amendment will not result in built form that has negative shadowing impacts on any existing low and medium-density residential areas, as the surrounding land uses in the area are commercial and agricultural.

Density

The proposed Official Plan and Zoning By-law Amendments identify a maximum density of 217uph. As noted in Section 5.2 above, the proposed maximum density provision of 217 units per hectare will allow for the implementation of the proposed development concept and will align with intensification and housing policies in the Chatham-Kent Official Plan. It is important to note that the base Urban Commercial - Power Centre (UC(PC)) Zone regulates standard “big-box” shopping uses and therefore does not have regulations for residential density. The maximum density regulation for the Zone Exception is tailored to specifically implement the proposed concept development.

/ Municipal Comprehensive Review and Growth Management Official Plan

In 2023, Chatham-Kent undertook a Municipal Comprehensive Review (MCR) to examine future population and employment growth potential and corresponding land needs over a 25 year planning horizon. Over this planning horizon, it was identified that there is a shortfall of urban residential and commercial land in Chatham Urban Centre. The review identified potential opportunities for infill development in addition to greenfield development to accommodate new housing development in Primary Urban Centres. The review also identified opportunities to encourage the development of complete communities in accommodating commercial development.

The municipality is currently undertaking an update to it’s Official Plan to guide future growth and development. This update builds on the findings of the 2023 Municipal Comprehensive Review (MCR) which projects the municipality’s population to grow by more than 15,000 residents (8,200 households) by 2051. While currently in Phase 2, the evaluation of growth and development options, this Official Plan Update will help ensure that the municipality can efficiently accommodate both residential and employment growth. The opportunities for intensification and the development of complete communities identified in the MCR are achieved with the proposed development concept. The concept contributes to the supply of future residential units while also contributing to the mixed-use development of a “big-box” shopping area.

/ **Servicing and Infrastructure**

A Servicing Feasibility Study has been prepared by Strik Baldinelli Moniz Ltd. in support of the proposed development concept. The servicing report examined the available outlets and capacities of sanitary, water and stormwater management infrastructure to serve the development and provide a professional opinion on the feasibility of these systems to accommodate the development concept.

Sanitary

The report notes that the site will be serviced by a 200mm diameter private drain connection from an existing 300m sanitary sewer in the St. Clair Street right-of-way. Four (4) 200mm diameter services will connect from the 200mm private drain connection to each proposed building. A total peak flow of 20.82 L/s was calculated for the proposed development. The initial study calculated that municipal sewer connections were over capacity. Additional flow monitoring was conducted by Civica Infrastructure Inc. to confirm sewer capacity and concluded that in some instances the conveyance capacities of the sewers are reduced compared to the Sanitary Design Sheets initially referred to in the study. In certain cases, the capacity was still over the 80% threshold. While it was identified that flows would exceed 80% capacity for the whole development. An analysis of “Phase 1” of the proposed development was completed, which consisted of a single 209-unit apartment building with, an occupancy load of 366 people. This analysis resulted in a total peak flow of 6.77L/s. It was noted that all sanitary sewer sections of concern (identified when assessing the entire development) have sufficient capacity to accommodate the development of “Phase 1”. Recommendations for upgrades to 300mm sewers were made for a 223.1m portion of the sanitary sewer network, roughly between Maryknoll Rd and Gregory Drive W, when further development of the site is considered beyond “Phase 1”.

Water

Water service is available through an existing 300mm watermain in the St. Clair Street right-of-way. A private watermain will connect from the watermain onto the site, where individual services from each building will be connected. The water servicing design also requires the installation of one new hydrant.

Storm

The report notes existing storm servicing in the form of a stormwater management (SWM) pond, at the north-west edge of the project site. It was identified that the post-development runoff coefficient of 0.67 is less than the pre-development runoff of 0.84 and therefore no additional Stormwater Management controls are required. Stormwater flows will be directed to the existing SWM pond through an underground storm sewer system.

/ **Transportation Impacts**

The Transportation Impact Study (TIS) for the proposed mixed-use development reveals key insights into traffic and infrastructure needs. This study, conducted by Paradigm Transportation Solutions Limited, found that the development, with 774 residential units and 2,144 sq. ft. of commercial space, will generate moderate increases in traffic, with 194 trips in the AM peak hour, 238 trips in the PM peak hour and 277 Saturday peak hour trips.

The projected traffic impacts were analyzed across critical intersections within the study area, including St. Clair Street and Pioneer Line, St. Clair Street and Gregory Drive, St. Clair Street and Pioneer Square Access, St. Clair Street and St. Clair Centre access, two right-in-right-out plaza intersections on St. Clair Street and two internal access connections on the project site. Existing traffic conditions indicated that the study area intersections are currently operating at acceptable levels with the exception of the westbound left-turn movement and northbound right-turn movements at the St. Clair Street and St. Clair Centre access on Saturday peak hour. Additionally, the eastbound left-turn movement at St. Clair Street and Gregory Drive also currently operating with 95th percentile queues during the weekday PM and Saturday peak hours. Future projected movements were predicted based on 2030, 2035 and 2040 conditions, which resulted in additional critical movements at these two intersections.

Based on investigations carried out, the study concluded that eventhough critical movements were identified at two intersections, the overall intersection operations register acceptable levels of service during all peak hours. The study notes that the critical movements for service and queuing at the St. Clair Street and St. Clair Centre Access occur under existing conditions and are not caused by the proposed development. Suggested improvements to the intersection include a northbound right-turn permissive overlapping phase and increased timing for advanced westbound left-turns. Additionally, movements nearing capacity at St. Clair Street and Gregory Drive occur under existing conditions. It was noted that signal timing alone will not provide significant improvements at this intersection. Overall, the study supports the proposed development which will integrate well within the existing transportation network, with no adverse effects on the surrounding area’s traffic flow and service levels.

S6: CONCLUSIONS

In 2024, the Provincial Planning Statement (2024) was issued, which includes strong policy guidance on housing and residential intensification in Urban Centres. These policies provide direction to municipalities to provide for a range of housing options and densities, accommodating an appropriate mix of land uses and planning for development that efficiently uses land and resources to support active transportation and transit.

As with most municipalities across Ontario, single-use “big-box” shopping areas are experiencing a decline in user attractiveness and tenant pool. Given these market forces, many municipalities are looking at the re-formatting of Power Centres for mixed-use/complete community developments that include retail, service, office and residential uses, while also becoming more pedestrian, cycling, and transit-oriented in their design.

To support the achievement of new housing opportunities in Chatham-Kent, the proposed development strategy includes four residential apartment buildings ranging in height from 12 to 14 storeys. In total, the development includes 774 residential units across the four towers, approximately 2,100 square feet of ground floor commercial space and 1,078 surface and underground parking spaces.

The height, density and proposed residential use align with best practices for mixed-use infill intensification of “big-box” shopping areas. This form of intensification is appropriate for the context by providing height and density in an area with no neighbouring low-density residential uses. Additionally, the proposed development recognizes the car-oriented nature of the Urban Centre of Chatham and provides additional parking beyond the minimum requirement for the proposed uses. This parking will not only support the planned residents of the building and patrons of the ground-floor commercial units, but will also support patrons of the existing commercial, eating establishment and cinema uses.

The Plan will also result in the creation of an enhanced internal pedestrian and vehicle circulation network including new north/south and east/west pedestrian connections that will integrate with the existing pedestrian walkway network and a new north/south driveway connection. These proposed connections contribute to a more extensive and safer pedestrian network on the site by increasing the amount of pedestrian connections onto and within the site and providing more designated vehicular space to direct traffic in a controlled manner.

As noted in the Planning Analysis section of this report, the proposed Official Plan and Zoning By-law Amendments are consistent with the PPS, in conformity with the policies of the Chatham-Kent Official Plan and represent good planning. The proposed redevelopment will be subject to Site Plan Control under Section 41 of the Planning Act, which will ensure that the approved development concept conforms with the approved direction for the Official Plan and Zoning By-law Amendments.



REFERENCES

1. Provincial Planning Statement, 2024.
2. Chatham-Kent Official Plan - Action Toward Sustainability, 2008.
3. Comprehensive Zoning By-law - The Corporation of the Municipality of Chatham-Kent.
4. Municipal Comprehensive Review - Municipality of Chatham-Kent, prepared by Watson & Associates Economists Ltd., October 10, 2023.
5. Site Plan Package prepared by prepared by Patrick David Trottier Architect in cooperation with SBM Ltd., dated May 13, 2025.
6. Building Elevations Package prepared by Patrick David Trottier Architect in cooperation with Strik Baldinelli Moniz Ltd.. dated August 28, 2023.
7. Servicing Feasibility Study, prepared by Strik Baldinelli Moniz Ltd., dated March 25, 2025.
8. Transportation Impact Study, prepared by Paradigm Transportation Solutions Ltd., dated March 2025.

