PLANNING JUSTIFICATION REPORT

APPLICATION FOR

ZONING BY-LAW AMENDMENT

PROPOSED ADDITIONAL DWELLING UNITS

IN AN EXISTING MIXED USE BUILDING

220-222 St Clair Street (Chatham)

Chatham-Kent, Ontario

September 15, 2026

Prepared by:

Tracey Pillon-Abbs, RPP
Principal Planner

Chatham, ON
226-340-1232
tracey@pillonabbs.ca
www.pillonabbs.ca

Table of Contents

1.0 INTRODUCTION 3
2.0 SITE AND SURROUNDING LAND USES 4
2.1 Legal Description and Ownership 4
2.2 Physical Features of the Site 5
2.2.1 Size, Site Dimension, Previous Use and Current Use 5
2.2.2 Vegetation, Wells and Soils 6
2.2.3 Topography and Drainage 6
2.2.4 Other Physical Features 6
2.2.5 Municipal Services 6
2.2.6 Nearby Amenities 6
2.3 Surrounding Land Uses 7
3.0 PROPOSAL AND PUBLIC CONSULTATION 11
3.1 Development Proposal 11
3.2 Public Consultation Strategy 13
4.0 APPLICATIONS AND STUDIES 14
4.1 Zoning By-Law Amendment 14
4.2 Additional Applications 14
4.3 Supporting Studies 15
4.3.1 Parking 15
5.0 PLANNING ANALYSIS 16
5.1 Policy and Regulatory Overview 16
5.1.1 Provincial Planning Statement 16
5.1.2 Official Plan 22
5.1.3 Zoning By-law 30
6.0 SUMMARY AND CONCLUSION 36
6.1 Context and Site Suitability Summary 36
6.1.1 Site Suitability 36
6.1.2 Compatibility of Design 36
6.1.3 Good Planning 36

6.1.4 Natural Environment Impacts 36
6.1.5 Municipal Services Impacts 37
6.1.6 Social, Cultural and/or Economic Conditions 37
6.2 Conclusion 37

1.0 INTRODUCTION

I have been retained by Nemanic Law PC on behalf of Foundation Capitol Holdings Limited (herein the "Applicant") to provide a land use Planning Justification Report (PJR) in support of proposed additional dwelling units in an existing mixed use building (commercial and residential) for the property located at 220-222 St Clair Street (Chatham) in the Municipality of Chatham-Kent, Province of Ontario (herein the "Site").

The Site currently consists of one (1) long, rectangularly shaped interior parcel of land on the west side of St Clair Street between Popular Street and Wilson Avenue.

There is an existing 1-2 storey mixed use building with residential and commercial uses.

There are currently 21 existing residential units and 2 existing main floor commercial units.

There are 27 existing parking spaces located in the front and rear of the Site.

Interior renovations are proposed only.

There will be 27 new residential units proposed to be added and 1 commercial unit removed from the existing mixed use building (for a new total of 48 residential units and 1 commercial unit).

A vacant commercial unit will be converted into 2 residential units.

There are 11 new parking spaces proposed (for a new total of 38 parking spaces), including 2 barrier free spaces and 11 bicycle parking spaces.

The property has access to municipal water, storm and sanitary services.

Pre-submission consultation was completed. No comments were provided to be incorporated into this PJR.

Support studies were not identified by City staff.

A site specific Zoning By-law Amendment (ZBA) is required in support of the additional dwelling units in an existing mixed use commercial/residential building.

The purpose of the ZBA is to create more housing through infill and intensification while maintaining some commercial use.

The purpose of this report is to review the relevant land use documents, including Provincial Planning Statement 2024 (PPS), the Chatham-Kent Official Plan (OP) and the Chatham-Kent Zoning By-law (ZBL) as it pertains to the ZBA.

The proposal represents good planning, is consistent with the PPS and conforms with the intent and purpose of the OP and ZBL.

2.0 SITE AND SURROUNDING LAND USES

2.1 Legal Description and Ownership

The Site is currently made up of 1 parcel of land located on the west side of St Clair Street between Popular Street and Wilson Avenue (see the area in **red** on Figure 1a – Key Map and Figure 1b – Street View).

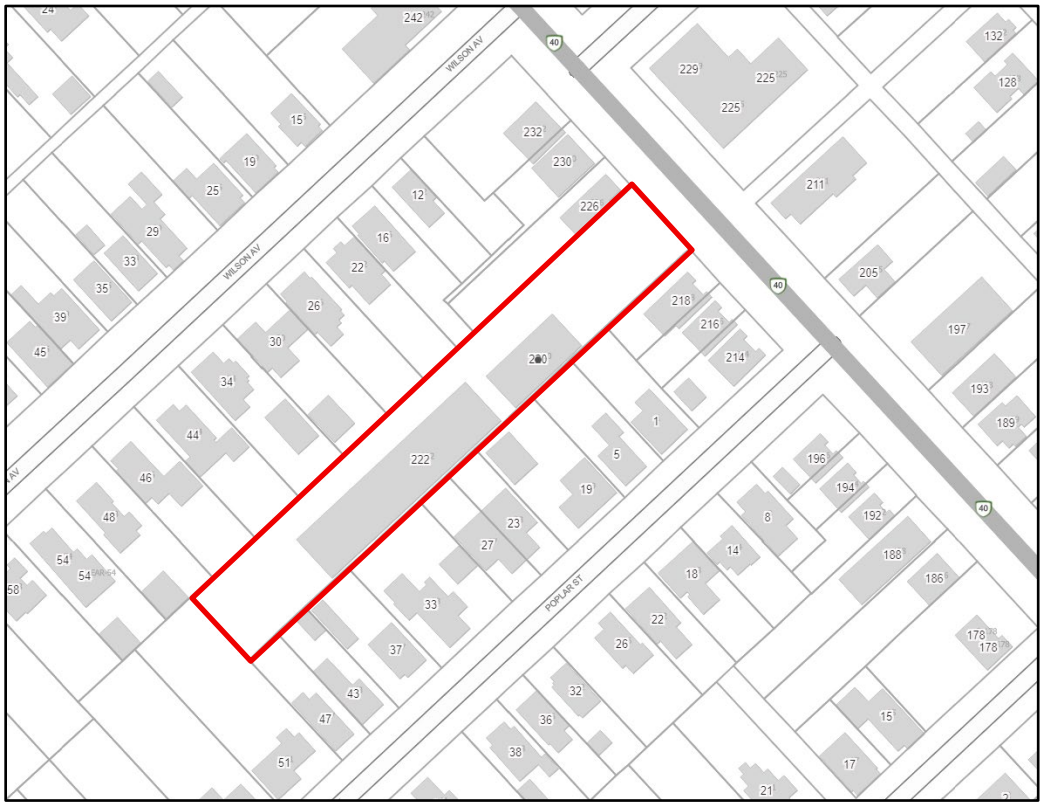


Figure 1a – Key Map (Source CK GIS)



Figure 1b – Street View (Source: Pillon Abbs Inc.)

The Site is locally known as 220-222 St Clair Street and is legally described and owned as follows:

Address	Legal Description	PIN	ARN	Ownership	Purchased
220-222 St Clair Street, Chatham	PT LT 2 PL 18 AS IN 634610; CHATHAM-KENT	00539-0084 (LT)	36504200311450000000	220 - 222 ST. CLAIR HOLDINGS INC. c/o Foundation Capitol Holdings Inc.	2026

2.2 Physical Features of the Site

2.2.1 Size, Site Dimension, Previous Use and Current Use

The Site consists of a total area of 3,218.9 m2 (0.32 ha) and is a rectangularly shaped interior parcel of land. It has 20.9 m of frontage along St Clair Street and a depth of 152.11 m.

There is an existing mixed use commercial/residential building and on site parking on the Site.

The previous use is unknown.

2.2.2 Vegetation, Wells and Soils

The Site is fully paved.

There are no water or petroleum wells located on or near the Site.

The soil type is unknown.

2.2.3 Topography and Drainage

The Site is relatively flat.

There is a drainage system for the Site.

The Site is outside the regulated area of the Lower Thames Valley Conservation Authority (LTVCA).

The Site is outside of the Lower Thames Valley Source Water Protection Area.

2.2.4 Other Physical Features

The Site currently has 1 driveway that accesses St Clair Street.

There is fencing along the north, south and east boundaries.

2.2.5 Municipal Services

The property has access to municipal water, storm and sanitary services.

St Clair Street is considered a two-way (4 lane) Urban Arterial Road with no on-street parking.

There are sidewalks along both sides of the roadway and street lights along the west side of the roadway.

There are fire hydrants located close to the Site.

2.2.6 Nearby Amenities

There are several schools nearby, including Meadow Cress School, King George VI Public School and Tecumseh Public School.

There are many parks and recreation opportunities in close proximity to the Site, including Kingston Park, Tecumseh Park, McKeough Park and Percy Park.

There are nearby commercial uses, as well as employment lands, places of worship, a library, medical facilities, and local/regional amenities.

The Site has access to Chatham-Kent transit, with the closest bus stop located at Fielder Avenue and Hazel Street, 500 m from the Site (Stop ID #1062 (Bus 1)).

The subject property is in close proximity to major roadways, including Grand Avenue West.

2.3 Surrounding Land Uses

Overall, the Site is located within the existing built up area of Chatham.

There are several different types of uses in the area of the Site, including commercial and residential.

A site visit was undertaken on March 8, 2026, and photos were taken by Pillon Abbs Inc.

North – The lands directly north of the Site are used for residential and commercial purposes (see Photos 1 – North).





Photos 1 – North (Source: Pillon Abbs Inc.)

South – The lands directly south of the Site are used for residential and commercial purposes (see Photos 2 – South).





Photos 2 – South (Source: Pillon Abbs Inc.)

East – The lands directly east of the Site are used for residential purposes (see Photo 3 - East).



Photo 3 – East (Source: Pillon Abbs Inc.)

West – The lands directly west of the Site are used for commercial purposes (see Photo 4 - West).



Photo 4 – West (Source: Pillon Abbs Inc.)

3.0 PROPOSAL AND PUBLIC CONSULTATION

3.1 Development Proposal

There is an existing 1-2 storey mixed use building with residential and commercial uses.

The existing building is made up of 2 buildings that have been connected.

There are currently 21 existing residential units and 2 existing main floor commercial units.

The existing commercial unit currently includes Oasis, which is a health and beauty spa (Unit 1A), and Unit 1B is vacant.

The existing residential units are made up of 1 bedroom and 2 bedroom units.

There are 27 existing parking spaces located in the front and rear of the Site.

Interior renovations are proposed only.

There will be 27 new residential units proposed to be added to the existing mixed use building (for a new total of 48 residential units).

The commercial uses will remain the same, except for the conversion of one of the commercial units into 2 residential units.

A Site Plan has been prepared showing the existing and proposed development (see Figure 2a – Concept Plan).

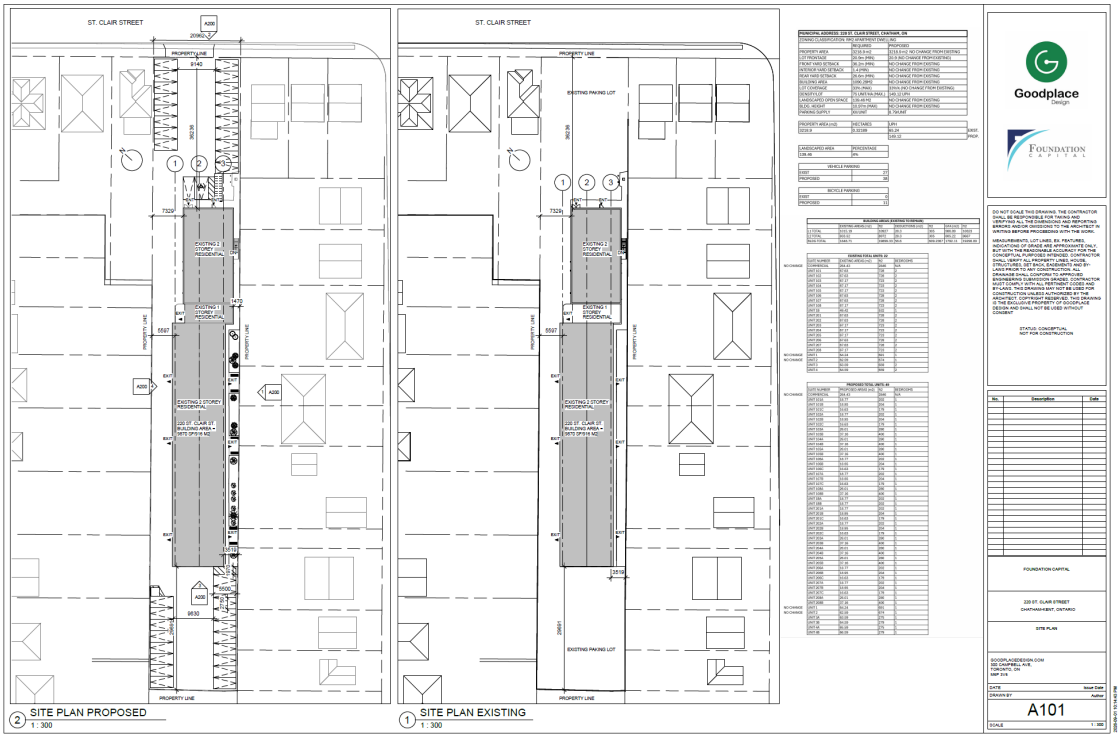


Figure 2a – Concept Plan

The commercial unit totals 264.43 m2 with direct access to the front of the existing building.

Tenure will be rental.

The proposed units will be made up of studio, 1 bedroom, and 2 bedroom units.

Based on the size of the Site (0.32 ha) and the number of **existing** units (21), the residential development has a gross density of 65.24 units/ha.

Based on the size of the Site (0.32 ha) and the number of **proposed** units (48), the proposed residential development will result in a gross density of 149.12 units/ha.

The existing mixed use building has an area of 916 m2. The building area will remain the same.

The existing gross floor area (GFA) is 1,848.71 m2, and the proposed GFA will be 1,792.11 m2 (a reduction of 56.6 m2).

There are 11 new parking spaces proposed (for a new total of 38 parking spaces).

Parking includes 2 barrier free spaces and 11 bicycle parking spaces.

Landscaping is proposed along the south side of the existing building.

The property has access to municipal water, storm and sanitary services.

3.2 Public Consultation Strategy

The Planning Act requires that the Applicant submit a proposed strategy for public consultation with respect to an application as part of the complete application requirements.

As part of a public consultation strategy and in addition to the required statutory public meeting, no informal public open house is proposed, as the proposed additional dwelling units in an existing mixed use building are considered a minor amendment.

4.0 APPLICATIONS AND STUDIES

Pre-submission consultation was completed. No comments were provided to be incorporated into this PJR.

Support studies were not identified by City staff.

A site specific Zoning By-law Amendment (ZBA) is required in support of the proposed development.

The following is a summary of the purpose of the ZBA application and the required support studies.

4.1 Zoning By-Law Amendment

A Zoning By-law Amendment (ZBA) is required in order to permit the proposed residential development.

The approval authority is with the Municipality of Chatham-Kent.

The Site is currently zoned "Residential Low Density Zone (RL3)" at the rear of the Site and "Highway Commercial Second Density Zone (UC(HC2))" at the front of the Site.

The use of the existing mixed use commercial/residential building with 21 residential dwelling units is currently considered a legal non-conforming use in the RL3 zone.

It is proposed to change the zoning of the **entire Site** to a site specific "Highway Commercial Second Density (UC(HC2 – XX) to permit the proposed development.

All UC(HC2) zone provisions are intended to be complied with, with the exception of requested relief.

The purpose of the ZBA is to create more housing through infill and intensification while maintaining some commercial use.

Further analysis is provided in Section 5.1.3 of this PJR.

4.2 Additional Applications

The proposed development is also subject to building permit applications prior to any interior renovations.

4.3 Supporting Studies

4.3.1 Parking

A Parking Brief was prepared by MDT dated September 2026.

The purpose of the report was to assess the existing parking supply as it pertains to the additional dwelling units in an existing mixed use commercial/residential building.

It was concluded that the proposed parking supply can be supported by the development, subject to the insertion of conditions of approval to manage parking demand.

Conditions include a cap on residential parking spaces, a limit on permissible commercial uses, the provision of bicycle parking, and the provision of transit passes.

5.0 PLANNING ANALYSIS

5.1 Policy and Regulatory Overview

5.1.1 Provincial Planning Statement

The Provincial Planning Statement, 2024 (PPS) provides policy direction on matters of provincial interest related to land use planning and development.

The PPS was issued under Section 3 of the Planning Act and came into effect on October 20, 2024. Decisions affecting planning matters shall be consistent with policy statements issued under the Act.

The following provides a summary of the key policy considerations of the PPS as they relate to the proposed development.

PPS	Policy	Response
Chapter 1 - Vision	Ontario will increase the supply and mix of housing options, addressing the full range of housing affordability needs. Every community will build homes that respond to changing market needs and local demand. Providing a sufficient supply with the necessary mix of housing options will support a diverse and growing population and workforce, now and for many years to come.	The proposed development provides more housing. The development represents an efficient use of fully serviced land within an area targeted for intensification.
Chapter 2.1.4 – Buildings Homes, Sustaining Strong and Competitive Communities	To provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall: a) maintain at all times the ability to accommodate residential growth for a	The proposed development will help provide for a more housing to meet the needs of the Municipality. The proposed development on the Site represents an efficient development pattern that optimizes the use of a large parcel of land.

PPS	Policy	Response
	minimum of 15 years through lands which are designated and available for residential development; and b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned, including units in draft approved or registered plans.	
2.1.6	Planning authorities should support the achievement of complete communities by: a) accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses (including schools and associated child care facilities, long term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs; b) improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society;	The proposed development is consistent with the policy to achieve complete communities, as the Site is located in an existing settlement area. The proposed development will provide for more housing. The Site has access to transportation options, public service facilities, other institutional uses, and parks. Accessibility will be addressed at the time of the building permit.
2.2.1 - Housing	Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by: a) establishing and implementing minimum	The proposed development will provide for more housing options for the area. Higher-density development on this Site contributes to municipal intensification targets and supports

PPS	Policy	Response
	targets for the provision of housing that is affordable to low and moderate income households, and coordinating land use planning and planning for housing with Service Managers to address the full range of housing options including affordable housing needs; 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 additional needs housing and needs arising from demographic changes and employment opportunities; and 2. all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3; c) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation; and d) requiring transit-supportive development and prioritizing	compact urban form objectives outlined in the OP. The Applicant is open to securing the provision of affordable housing as a condition of approval, while providing more affordable and attainable housing options. The needs of the residents can be accommodated as the Site is located near local amenities, schools and parks. The Site offers an opportunity for intensification without changing the building area. The GFA is comparable. The proposed density is appropriate for the Site. Residents will have access to nearby transit and sidewalks.

PPS	Policy	Response
	intensification, including potential air rights development, in proximity to transit, including corridors and stations.	
2.3.1.1 – Settlement Area	Settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused in, where applicable, strategic growth areas, including major transit station areas.	The Site is located in an existing settlement area of Chatham.
2.3.1.2	Land use patterns within settlement areas should be based on densities and a mix of land uses which: a) efficiently use land and resources; b) optimize existing and planned infrastructure and public service facilities; c) support active transportation; d) are transit-supportive, as appropriate.	The total density of the proposed development is considered appropriate. The design and style of the proposed building do not change. The proposed development is an efficient use of the Site. Residents will have immediate access to local amenities, schools and parks. Transit and sidewalks are available in the area. The Site is located close to major roadways.
2.3.1.3	Planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary	The proposed development provides an intensification and infill opportunity for an existing parcel of land. The design of the proposed development does not change.

PPS	Policy	Response
	infrastructure and public service facilities.	
2.3.1.4	Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions.	The Municipality has established targets. The proposed development will assist in meeting those targets as the Site is located in an existing settlement area and will add new housing.
2.3.1.6	Planning authorities should establish and implement phasing policies, where appropriate, to ensure that development within designated growth areas is orderly and aligns with the timely provision of the infrastructure and public service facilities.	The Site has access to existing infrastructure and nearby public service facilities.
2.8.1 - Employment	a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs; b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses; c) identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment; d) encouraging intensification of	The tenanted, 3,000 ft2 commercial unit will remain, and its parking supply will be optimized. The vacant 500 ft2 commercial unit will be converted into 2 residential dwelling units.

PPS	Policy	Response
	employment uses and compatible, compact, mixed-use development to support the achievement of complete communities; and e) addressing land use compatibility adjacent to employment areas by providing an appropriate transition to sensitive land uses.	
Chapter 3.1.1 – Infrastructure and Facilities	Infrastructure and public service facilities shall be provided in an efficient manner while accommodating projected needs.	The proposed development has access to full municipal services. There are nearby public service facilities.
3.3.3 - Transportation	Planning authorities shall not permit development in planned corridors that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified.	The proposed development will not have a negative impact on nearby transportation and infrastructure corridors. St Clair St is considered an Urban Arterial Road.
3.6.2	Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. For clarity, municipal sewage services and municipal water services include both centralized servicing systems and decentralized servicing systems.	The proposed development will be serviced by municipal sewer, water and storm, which is the preferred form of servicing for settlement areas.

PPS	Policy	Response
4.2 - Water	Planning authorities shall protect, improve or restore the quality and quantity of water by: b) minimizing potential negative impacts, including cross-jurisdictional and cross-watershed impacts;	The Site is outside of the LTVCA regulated area.
Chapter 5.1.1 – Protecting Public Health and Safety	Development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards.	There are no natural or human-made hazards that apply to this Site. There is no risk to the public. The Site is outside of the LTVCA regulated area.

Therefore, the proposed development is consistent with the PPS and the Province's vision for long-term prosperity and social well-being.

5.1.2 Official Plan

The Chatham-Kent Official Plan (OP) was adopted on December 24, 2008. The office consolidation version is dated November 19, 2018.

The OP implements the PPS and establishes a policy framework to guide land use planning decisions related to development and the provision of infrastructure and community services throughout the Municipality.

The lands are designated "Residential" according to Schedule "E2", Community of Chatham, Land Use attached to the OP for Chatham-Kent (see Figure 3 – OP).

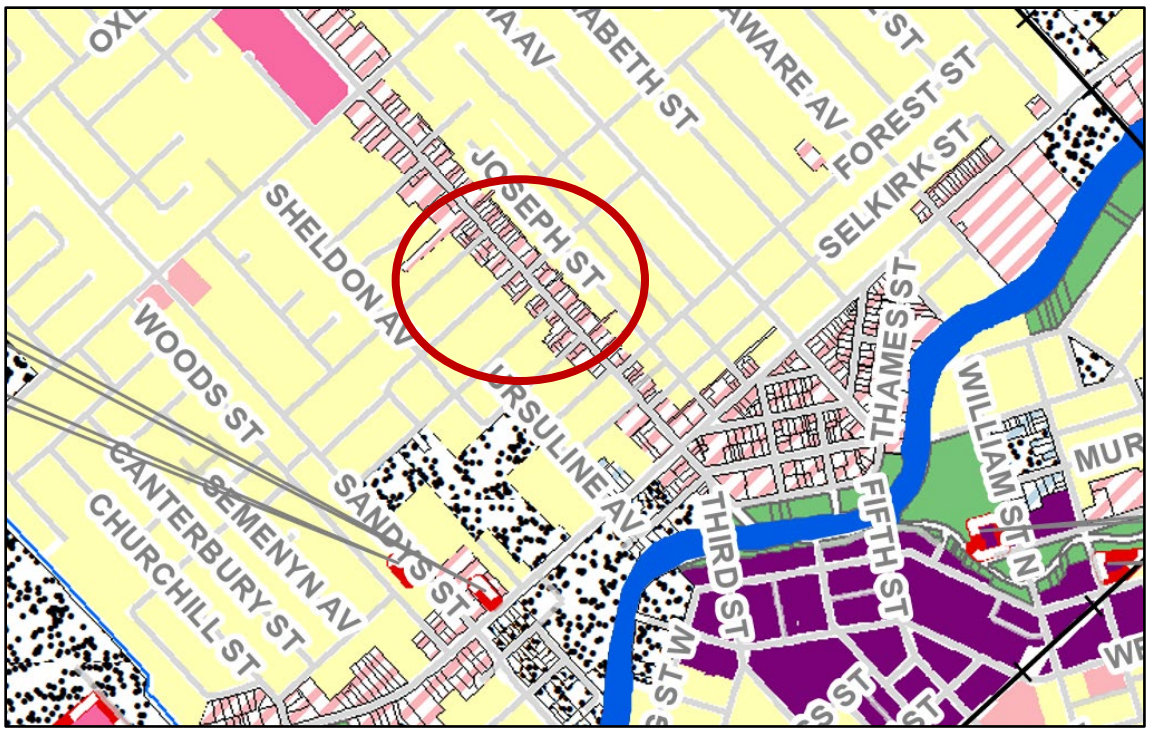


Figure 3 – OP

It is proposed to maintain the same land use designation.

The following provides a summary of the key policy considerations of the OP as it relates to the proposed development.

OP Policy	Policy	Response
2.2.1 – Community Health and Well-Being	…..the Official Plan supports the provision of a safe, healthy and complete community through **affordable** housing choices and a range of safe transportation options, quality human services, schools, public spaces and local amenities….	The proposed development supports the concept of a healthy community as it provides for intensification and infilling opportunities in an existing built area with access to local amenities. The Applicant commonly places tenants' whose primary source of income are government transfer recipients (ODSP). This includes Chatham-Kent. The greatest demand for more affordable housing in

OP Policy	Policy	Response
		Chatham-Kent are bachelors and small 1-bedroom units since the ODSP maximum per single adult is $1408, with a $599.00 shelter allowance.
2.3.4.1.1 – Housing / Supply	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.	The proposal encourages the provision of new housing choices to meet the projected demographic and market requirements of current and future residents of Chatham-Kent. The proposed development provides for new housing in the settlement area of Chatham.
2.3.4.1.2	Improve and maintain the existing housing supply.	The proposed development provides for residential growth through intensification. The intensification is achieved without changes to the building footprint, height, commercial uses, or parking supply, ensuring compatibility with the surrounding area while contributing meaningfully to municipal housing supply and growth management objectives.
2.3.4.1.3	Increase the supply of affordable housing.	The proposed development will provide for new housing that is affordable and attainable. Adding 27 new residential units within an existing building increases the overall supply of rental housing in the community.
2.3.4.1.5	Promote an expanding range of housing support services (in urban and rural areas).	The policy is supported by maintaining appropriately zoned lands for residential

OP Policy	Policy	Response
		intensification within a Primary Urban Centre. Expanding the residential population from 21 to 48 units strengthens the foundation upon which housing support programs operate, providing more opportunities for residents to benefit from municipal and community-based housing assistance.
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: a) Maintaining a minimum 10-year supply of land to accommodate residential growth through intensification and infill development and land designated for residential development within each of the Primary Urban Centres; b) Maintaining a minimum 3-year supply of residential units in draft approved or registered plans and lands that are appropriately zoned in the Zoning By-law for residential intensification within each Primary and Secondary Urban Centre; c) Encouraging housing types, densities and tenures that are affordable…	Regarding the potential for intensification and infill development, the proposed development supports the goal of the Municipality to accommodate 10% of new residential development through development within an existing settlement area. As stated, the Applicant is open to securing the provision of affordable housing as a condition of approval, while providing more affordable and attainable housing options.
2.3.4.2.4	A portion of Chatham-Kent's housing supply will be accommodated through	The proposed development provides for residential intensification in an existing

OP Policy	Policy	Response
	residential intensification. The Municipality has established a residential intensification target of 10% within the built-up portions of the Primary and Secondary Urban Centres. Residential intensification may include any of the following: a) Small-scale intensification by modifying an existing dwelling to include a second residential dwelling unit; b) Residential infill development of vacant or underutilized land in existing neighbourhoods; and c) Redevelopment through the replacement of existing residential uses with compatible new residential developments at **a higher density** or the replacement of non-residential uses with compatible residential **or a residential mixed-use development.**	settlement area, which supports the Municipality's policy. The addition of 27 new residential units within the existing mixed use building represents a clear and measurable contribution to the Municipality's intensification target.
2.3.4.2.5	The Municipality will consider applications for infill development, intensification and redevelopment of sites and buildings, including brownfield or former institutional sites, through intensification based on the following considerations: a) The proposed development is within an urban area and is appropriately suited for intensification in the context of the specific community; b) Intensification will be permitted in all areas designated for urban residential use or residential mixed-use, provided that the	The proposed development is within an urban area and appropriately suited for the proposed intensification. The proposed development can be accommodated by existing water and sanitary sewage services. The road network can accommodate additional traffic. The Site is level, which is conducive to easy vehicular movements. Parking is provided on-site.

OP Policy	Policy	Response
	development is consistent with the policies of the appropriate landuse designation associated with the land and in compliance with the general intent and purpose of the Zoning By-law; c) The existing water and sanitary sewage services can accommodate the additional development; d) The road network can accommodate the additional traffic; e) The required parking can be accommodated; and f) The proposed development is compatible with the existing development standards and physical character of the adjacent properties and the surrounding area. Specifically, intensification proposals should: i) respect and reinforce the existing physical characteristics of buildings, streetscapes and open space areas within an existing neighbourhood, including heights, massing and scale of proposed buildings; ii) provide adequate privacy, sunlight and sky views for existing and new residents; iii) screen any loading or service areas from adjacent properties for proposed developments that require such aspects.	The Site is generally level, which is conducive to easy vehicular movements. The proposed development is compatible with the existing development standards and the physical characteristics of the surrounding area. The proposed zoning intends to address the provisions required for the parking, lot area, and density. The properties in the surrounding area are zoned for both residential and commercial uses. Buffering can be addressed through compliance with the zoning provisions as well as the maintenance of the existing fencing. Landscaping is proposed along the south side of the existing building.
2.3.4.2.8	The Municipality shall encourage the provision of affordable housing through: a) Supporting increased residential densities in appropriate locations, a full	The density for this Site is appropriate for the proposed type of compact form design and the use of the large parcel of land.

OP Policy	Policy	Response
	range of housing choices, adequate land supply and redevelopment and residential intensification, including additional units in existing dwellings, where practical and feasible;	The building area does not change, and the GFA is reduced. As stated, the Applicant is open to securing the provision of affordable housing as a condition of approval, while providing more affordable and attainable housing options.
2.3.5.2.1 – Community Structure / Objective	The majority of new population and employment growth shall be directed to the Primary Urban Centres, as designated on Schedule "E" Series – Land Use to this Official Plan.	The Site is within the Primary Urban Centre of Chatham.
2.3.6.1 – Primary Urban Centres / Objective	Promote Primary Urban Centres as the major focal points for growth and public and private sector investment in the Municipality.	The proposed development supports the OP direction to promote Primary Urban Centres as the major focal points for growth and public and private sector investment. The Site is located within a Primary Urban Centre along St. Clair Street, a fully serviced mixed-use corridor where intensification is encouraged.
B.2.3.2 RESIDENTIAL AREA POLICIES	The Residential Area is intended for a range of low- and medium-density residential development, and a limited amount of **high-density residential development**, which shall be developed on full municipal services and in accordance with the Housing policies contained in Section 2.3.4.	The proposed development is permitted. Residential uses will remain. High-density is intended in a residential area for the primary urban centre.
B2.3.3 – Non-Residential	**Non-residential uses** that are complementary to and serve the everyday needs of residential neighbourhoods such as churches, elementary schools, neighbourhood	Commercial uses are intended to remain. The commercial uses at this location will serve the needs of the area neighbourhoods.

OP Policy	Policy	Response
	parks/parkettes, day care centres and **neighbourhood commercial uses** shall also be permitted, subject to the provisions of the Zoning By-law. Home-based businesses shall also be permitted, subject to the policies of Section B.2.3.7 below and the Zoning By-law.	The ZBL has identified the type of commercial uses permitted.
B.2.3.5.1 – Medium Density	Be developed to a density up to a **maximum of 75 units per net** residential hectare on full municipal services.	Based on the size of the Site (0.32 ha) and the number of existing units (21), the **existing** residential development has a gross density of 65.24 units/ha.
B.2.3.6.1 – High Density	Be developed to a density up to a **maximum of 150 units per net** residential hectare on full municipal services.	Based on the size of the Site (0.32 ha) and the number of proposed units (48), the **proposed** residential development will result in a gross density of 149.12 units/ha. The proposed development will result in a gross density that is appropriate for the Site.
B.2.3.6.5 – Commercial Use	Be permitted to contain a small-scale convenience-retail commercial use on the first floor that fronts onto the street.	Commercial use will remain.
B.2.3.7 - Neighbourhood Commercial Centre	A **Neighbourhood Commercial Centre shall be permitted in the Residential Area**, based on the following considerations:	Commercial use will remain.
B.2.3.7.1	Except where specifically permitted in the Zoning By-law, the neighbourhood centre shall contain no more than 16,000 sq. ft. of gross leasable floor area, and an individual unit shall not exceed 5,000 sq. ft. of gross leasable area.	Commercial use will remain. The existing commercial unit totals 264.43 m2.

OP Policy	Policy	Response
B.2.3.7.2	The permitted convenience retail and service commercial uses shall serve the day-to-day needs of the residents in the surrounding residential area. These uses shall include variety stores, business and professional offices, personal services, financial institutions, doctors' offices/medical clinics and restaurants, as more specifically defined in the Zoning By- law.	Commercial use will remain. The existing commercial unit currently includes Oasis, which is a health and beauty spa (Unit 1A), and Unit 1B is vacant.
B.2.3.7.5	Residential units may be permitted on the second storey of a Neighbourhood Commercial Centre.	Residential use will remain.

Therefore, the proposed development conforms to the OP, and an amendment is not required.

5.1.3 Zoning By-law

The Chatham-Kent Zoning By-law (ZBL) #216-2009 was approved on December 14, 2009, and consolidated on April 24. 2019.

A ZBL implements the PPS and the OP by regulating the specific use of property and providing for its day-to-day administration.

The Site is currently zoned "Residential Low Density Zone (RL3)" at the rear of the Site and "Highway Commercial Second Density Zone (UC(HC2))" at the front of the Site (see Figure 4 – ZBL).

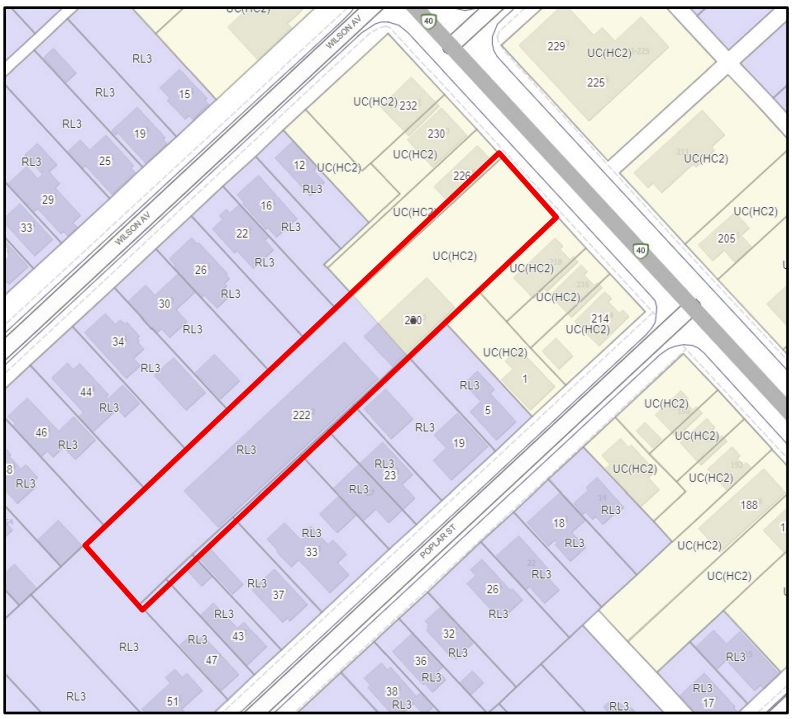


Figure 4 – ZBL

According to Section 5.10 (e) of the ZBL, the UC(HC2) zone permits a variety of highway commercial uses as well as mixed use commercial/residential buildings.

According to Section 5.1.1 of the ZBL, the RL3 zone permits Single Detached Dwelling, Semi-Detached Dwelling Unit, Semi Detached Dwelling, Duplex Dwelling, Group Home.

The use of the existing mixed use commercial/residential building with 21 residential dwelling units is currently considered a legal non-conforming use in the RL3 zone.

It is proposed to change the zoning of the entire Site to a site specific "Highway Commercial Second Density (UC(HC2 – XX) to permit the proposed development.

Section 3 of the ZBL sets out the following definition:

"MIXED USE COMMERCIAL/RESIDENTIAL BUILDING" means a building containing on the ground or first floor a non-residential use permitted in the zone and a dwelling unit(s) above the non-residential use or behind the non-residential use. However, the residential use on the ground or first floor, may not be more than 50% of the gross floor area".

A review of the UC(HC2) zone provisions, as set out in Section 5.10.1(e) of the ZBL, is as follows:

Zone Regulations	Required UC(HC2)	Proposed UC(HC2-XX)	Compliance and/or Relief Requested with Justification
Permitted Uses	b) Bake Shop c) Bank/Financial Institution d) Beer/Liquor Store e) Call Centre f) Child Care Centre g) Clinic h) Commercial School i) Cultural Facility j) Dry Cleaning Establishment k) Eating Establishment l) Eating Establishment – Take Out m) Furniture Store n) Laundromat **o) Mixed Use Commercial/Residential Building** p) Office q) Personal Service Establishment r) Pet Shop s) Print Shop t) Public Storage u) Rental Establishment v) Retail Store w) Retail Store - Convenience x) Service or Repair Shop y) Temporary Care Facility	Mixed Use Commercial / Residential Building However, the residential use on the ground or first floor, will be more than 50% of the gross floor area (72 %).	Shall Comply with the ZBL. The use will no longer be considered a legal non-conforming use. It is proposed to change the zoning of the entire Site. Commercial on the main floor. Residential above and behind. *Total building area – 916 m2* *Commercial area – 264.43 m2 (28 %)* *Residential area – 651.57 m2 (72 %)*
Minimum Lot Area	434.77 sq. m	3,218.9 m2	Complies There is no change in the existing lot area.
Minimum Lot Frontage	N/A	20.9 m	Complies There is no change to the existing lot frontage.
Minimum Front Yard Depth	7.62 m	36.23 m - Existing	Complies

Zone Regulations	Required UC(HC2)	Proposed UC(HC2-XX)	Compliance and/or Relief Requested with Justification
Minimum Interior Side Yard Width	Interior and interior corner lot - 7.62 m abutting a Residential Zone Classification	North – 5.59 m South - 1.47 m	Relief required. Site abuts RL3 zones on the north and south sides. There is no change in the existing building.
Minimum Exterior Side Yard Width	N/A	N/A	N/A
Minimum Rear Yard Depth	7.62 m if abutting Residential Zone Classification	29.6 m	Complies Site abuts RL3 zones on the west side. There is no change in the existing building.
Maximum Lot Coverage	45%	33 %	Complies
Maximum Density per Lot	N/A	149.12 dwelling units per ha Based on 48 dwelling units	Complies. The existing building area does not change. The GFA is comparable. Based on the size of the Site (0.32 ha) and the number of **existing** units (21), the residential development has a gross density of 65.24 units/ha. Based on the size of the Site (0.32 ha) and the number of **proposed** units (48), the proposed residential development will result in a gross density of 149.12 units/ha. The development represents an efficient use

Zone Regulations	Required UC(HC2)	Proposed UC(HC2-XX)	Compliance and/or Relief Requested with Justification
			of fully serviced land within an area targeted for intensification.
Minimum Landscaped Open Space	N/A	138.46 m2 (4%)	Complies
Maximum Building Height	15.24 m	10.97 - Existing	Complies
Other	Retail store – maximum gross floor area of 1,858 sq. m; Gross leasable Area : Maximum for one building is 929 sq. m;		Complies Commercial use will remain. The commercial unit totals 264.43 m2.
Parking (Section 4.19 r)	Mixed Use Commercial/ Residential Building - the total of the individual requirements for each non-residential use **and** dwelling use. Commercial use (personal service establishment) - One space per 9.29 sq. m gross floor area. **264.43/9.29 = 28.46 spaces** Dwelling - more than eight (8) dwelling units per building - one and one-quarter spaces per dwelling unit. **48 x 1.25 = 60 spaces** **28.49 + 60 = 88.46 TOTAL**	38 parking spaces Proposed ratio is 0.79 spaces/unit	Relief required. A Parking Brief has been completed. The Site has other transportation options, such as transit. Including 2 barrier free space and bicycle parking. The commercial portion of the building is currently deficient in parking. Through design, the parking is improved from 27 existing spaces to 38 new spaces. Relief is sought for 50.46 parking spaces. The By-law makes no provision for shared parking between the components, and no reduction is available

Zone Regulations	Required UC(HC2)	Proposed UC(HC2-XX)	Compliance and/or Relief Requested with Justification
			where they peak at different times.

Based on the above, the proposed development will comply with the intent of the ZBA.

The following UC(HC2) zone relief is being requested ;

a) *permit the residential use on the ground or first floor, to be more than 50% of the gross floor area (72 %),*

b) *decrease the minimum lot frontage from 26.82 m to 20.9 m,*

c) *decrease the minimum interior side yard width from 7.62 m (abutting residential zone) to the existing 5.59 m (north side) and 1.47 m (south side), and*

d) *decrease the minimum parking requirement from 88.46 spaces to 38 spaces.*

6.0 SUMMARY AND CONCLUSION

6.1 Context and Site Suitability Summary

6.1.1 Site Suitability

The Site is ideally suited for additional dwelling units in an existing mixed use building for the following reasons:

- The land area is sufficient to accommodate the proposed development,
- The Site is level, which is conducive to easy vehicular movements,
- The Site will be able to accommodate municipal water, storm and sewer systems,
- There are no anticipated traffic or parking concerns,
- There are no environmental concerns, and
- There are no hazards.

6.1.2 Compatibility of Design

The Site is compatible with the surrounding area in terms of scale, massing, height and siting, and the use of the large Site will provide for an intensification and infill opportunity.

Interior renovations are proposed only.

Commercial use will remain.

The existing building area does not change, and the GFA is reduced.

6.1.3 Good Planning

The proposed development provides for new housing in the built up area of Chatham.

The proposal represents good planning as it addresses the need for the Municipality to provide affordable and attainable residential development.

The proposed development on the Site represents an efficient development pattern that optimizes the use of a large parcel of land.

6.1.4 Natural Environment Impacts

The proposal does not have any negative natural environmental impacts, as there are no natural heritage features on the Site.

6.1.5 Municipal Services Impacts

There will be no negative impacts on the municipal system as the proposed development is limited to an appropriate density and will not add to the capacity in a significant way.

6.1.6 Social, Cultural and/or Economic Conditions

The proposed development does not negatively affect the social environment as the Site is in close proximity to major transportation corridors, transit, places of worship, community parks and community amenities.

Intensification and infilling in an existing settlement area contribute toward the goal of 'live, work and play' where citizens share a strong sense of belonging and a collective pride of place within the settlement area of Chatham.

The proposed development promotes efficient development and land use pattern, which sustains the financial well-being of the Municipality.

The proposal does not cause any public health and safety concerns. The proposal represents a cost effective development pattern that minimizes land consumption and servicing costs.

Based on the size of the Site, the proposed development will result in a total gross density which is appropriate for the area.

There will be no urban sprawl, as the proposed development is situated within the existing settlement area, presenting an ideal opportunity for intensification and infilling.

There are no heritage resources impacted.

6.2 Conclusion

The proposed additional dwelling units in an existing mixed use building (commercial and residential) are appropriate and the ZBA should be approved by the Municipality of Chatham-Kent.

This PJR has shown that the proposed development is suitable for intensification and infilling, is consistent with the PPS, conforms with the intent and purpose of the OP and the ZBL and represents good planning.

Planner's Certificate:

I hereby certify that this report was prepared by Tracey Pillon-Abbs, a Registered Professional Planner, within the meaning of the Ontario Professional Planners Institute Act, 1994.

Tracey Pillon-Abbs, RPP
Principal Planner

