

Municipality of Chatham-Kent

Community Development

Planning Services

To: Mayor and Members of Council
From: Ryan Jacques, Planner I
Date: December 18, 2017
Subject: Planning Services Report

Application Details

Application: Combined Application (D-28 TI/50/17/O) for Draft Plan of Subdivision Amendment (D-12 TI/03/17/O & D-12 TI/04/17/O) and Zoning By-law Amendment (D-14 TI/40/17/O)

CityView #: PL201700158

Applicant: 1364709 Ontario Ltd.

Location: Queen Street South
Part of Lot 22, Concession NMR,
Block 40, Plan 24M-917

Roll Number: 3650 080 003 10708

Community: Tilbury (West Kent)



Recommendations

It is recommended that:

1. Draft Plan of Subdivision Amendment Application D-12 TI/03/17/O, in Part of Lot 22, Concession North of Middle Road, Block 40, Plan 24M-917, for draft plan 36T-89007, which proposes nine (9) blocks for row house dwellings, one (1) lot for a single detached dwelling, and a revised road network, subject to the draft conditions set out in Appendix G, be approved, and
 - a) That the Mayor and Clerk be authorized to sign the Draft Plan of Subdivision;

- b) That the Mayor and Clerk be authorized to execute the Subdivision Agreement;
 - c) That upon satisfaction of all conditions of draft approval, the Mayor and Clerk be authorized to sign the Final Plan of Subdivision;
 - d) That upon satisfaction of all servicing requirements, the Director of Engineering be authorized to execute a Certificate of Completion for the Development.
2. Draft Plan of Subdivision Amendment Application D-12 TI/04/17/O, in Part of Lot 22, Concession North of Middle Road, Block 40, Plan 24M-917, for draft plan 36T-15501, which proposes a revised road network, subject to the draft conditions set out in Appendix H, be approved, and
 - a) That the Mayor and Clerk be authorized to sign the Draft Plan of Subdivision;
 - b) That the Mayor and Clerk be authorized to execute the Subdivision Agreement;
 - c) That upon satisfaction of all conditions of draft approval, the Mayor and Clerk be authorized to sign the Final Plan of Subdivision;
 - d) That upon satisfaction of all servicing requirements, the Director of Engineering be authorized to execute a Certificate of Completion for the Development.
3. Zoning By-law Amendment application D-14 TI/40/17/O, in Part of Lot 22, Concession North of Middle Road, Block 40, Plan 24M-917, in the Community of Tilbury, to amend the zone of a portion of the subject property to Medium Density Residential Second-518 (RM2-518), to permit row house dwellings and establish appropriate regulations, be approved, and the implementing by-law be adopted.

Description of Proposal

The subject property is located on the west side of Queen Street, north of Middle Road (Essex County Road 46), in the Community of Tilbury. The lands are approximately 3.72 ha (9.19 ac.) in area and are currently vacant. The subject property is zoned Residential Low Density First-836 (RL1-836) and Residential Medium Density Second-518 (RM2-518). The lands are designated Residential by the Chatham-Kent Official Plan. Photographs of the subject lands are attached as Appendix A, and a key map showing the location of the subject property is attached as Appendix B.

Draft Plan of Subdivision File No. 36T-89007

Draft Plan of Subdivision File 36T-89007 was approved by the Ministry of Municipal Affairs on February 5, 1991. This plan comprised of 103 residential lots and one (1) multi-residential lot. A copy of the original approved plan is attached as Appendix C. The plan was subsequently amended to modify the internal road network and add 13 lots, for 116 lots total. Three phases of the subdivision have developed to date, including:

- Phase 1
 - 10 Residential Lots
 - Plan of Subdivision 24M-838
 - Registered on September 22, 1993
- Phase 2
 - 30 Residential Lots
 - Plan of Subdivision 24M-889
 - Registered on April 10, 2001
- Phase 3
 - 30 Residential Lots
 - Plan of Subdivision 24M-917
 - Registered on October 31, 2005

As of December 2017, 62 of the 70 registered lots have been developed and eight (8) registered lots are vacant. The remaining undeveloped lands consists of 46 draft approved residential lots and one (1) multi-residential lot.

Draft Plan of Subdivision File No. 36T-15501

Draft Plan of Subdivision File 36T-15501 was approved by Chatham-Kent Council on February 8, 2016. The plan covers all of the multi-residential lot previously approved on Draft Plan of Subdivision File 36T-89007. This plan is comprised of seven (7) blocks for three and four unit row houses. A copy of the approved plan is attached as Appendix D. The lands remain undeveloped.

Amendments to Draft Plan Files 36T-89007 and 36T-15501

The applicant proposes to amend the existing Draft Plan of Subdivision File 36T-89007 to convert 23 residential lots for single detached dwellings to one (1) lot for a single detached dwelling and nine (9) blocks for three and four unit row houses. The proposed amendment represents a net increase of eleven (11) dwelling units, bringing the total number of dwelling units in the subdivision from 116 to 127.

The amendment also proposes a connection of Blackacre Crescent to Queen Street South via an extension of an existing approved road.

The proposed amendment to Draft Plan of Subdivision File 36T-15501 is minor in nature. It consists of reducing the size of one (1) block, and extending the approved road so that it intersects with Blackacre Crescent, making a connection to Queen Street South.

A copy of the proposed Draft Plan of Subdivision is attached as Appendix E, and a development concept which demonstrates the proposed row house dwellings is attached as Appendix F.

Amendment to Zoning By-law

To permit the proposed changes to Draft Plan of Subdivision File 36T-89007, an amendment to the Zoning By-law is required to rezone a portion of the lands to permit row house dwellings. Details of the proposed amendment are discussed in the Planning Analysis section, below.

Consultation

Internal

Technical Advisory Committee (TAC)

The Technical Advisory Committee supports the application.

Infrastructure and Engineering Services (IES)

Upon review of the submitted documents the Engineering & Transportation Division has the following comments, which are incorporated into the recommended conditions of draft plan approval. The following requirements are discussed further in the Planning Analysis section, below. The requirements conform to the subdivision development found in Sections 6.3.3.29-34.4 of the Official Plan:

Infrastructure

- Roof leaders to be disconnected and drain overland;
- All watermains to be looped;
- Sidewalks to be installed on one side of each road, continuous throughout;
- LED street lights to be installed as part of this development.

Traffic

- Design a “right-in/right-out” at the connection of Street ‘A’ to Queen Street South, to the satisfaction of Chatham-Kent Engineering (restrict left turn movements to and from);
- Connect roadway from Blackacre Crescent to Hawthorne Crescent as part of initial phase;
- Design a turn-around bulb at any temporary dead end.

External

Lower Thames Valley Conservation Authority (LTVCA)

The LTVCA was circulated the details of the applications and has no objection to the proposal. There has been no change in comments since the 2015 review of Draft Plan of Subdivision File 36T-15501. A copy of the 2015 correspondence is attached as Appendix I.

County of Essex

The southerly boundary of the subject property abuts the County of Essex. The County of Essex was consulted as part of the approval of Draft Plan of Subdivision File 36T-89007. Existing conditions of draft approval imposed at that time will continue to apply, and are incorporated into the recommended conditions of draft plan approval. These include:

- The conveyance of a 0.3 m reserve to the Municipality abutting County Road 46;
- A 25 m development setback from the centre of the County Road 46 right-of-way.

Areas of Strategic Focus and Critical Success Factors

The recommendations in this report support the following areas of strategic focus:

- Economic Prosperity:
Chatham-Kent is an innovative and thriving community with a diversified economy
- A Healthy and Safe Community:
Chatham-Kent is a healthy and safe community with sustainable population growth
- People and Culture:
Chatham-Kent is recognized as a culturally vibrant, dynamic, and creative community
- Environmental Sustainability:
Chatham-Kent is a community that is environmentally sustainable and promotes stewardship of our natural resources

The recommendations in this report support the following critical success factors:

- Financial Sustainability:
The Corporation of the Municipality of Chatham-Kent is financially sustainable
- Open, Transparent and Effective Governance:
The Corporation of the Municipality of Chatham-Kent is open, transparent and effectively governed with efficient and bold, visionary leadership

- Has the potential to support all areas of strategic focus & critical success factors
- Neutral issues (does not support negatively or positively)

In 2015 Council accepted the Age Friendly Chatham-Kent 2015 Action Plan (Action Plan). The intent of the Action Plan is to build a diverse, inclusive, accessible and respectful community that enables independence and healthy lifestyles at all stages of aging. Age-friendly communities ensure a sufficient diversity of housing options exist to suit each stage or need, and provide a smooth transition from independent residential living to retirement homes and finally long-term care.

The proposed development supports the following goal of the Action Plan:

Goal	Recommended Action	Accountability	Partners and Stakeholders	Performance Indicators
H1	Community stakeholders adopt objectives to provide models that support transition through the continuum of accommodation from independent living up to nursing care	Age Friendly Chatham-Kent	Municipality of Chatham-Kent, developers, retirement homes, nursing homes, CCAC	Sufficient senior housing, retirement home, assisted living supports, and long term care beds exist to meet the needs of the community

Row houses have proven to be a popular housing type across Chatham-Kent among retirees. The proposed subdivision amendment will add row houses to the Tilbury market, while also maintaining supply of lots for single detached dwellings. The subdivision will be served by a continuous sidewalk network on one side of each road, throughout the subdivision.

Planning Analysis

- Provincial Policy Statement (PPS):
The proposal is consistent with the PPS
- Chatham-Kent Official Plan:
The proposal conforms to the Chatham-Kent Official Plan

Comments

Provincial Policy Statement (PPS)

The application does not raise any issues of provincial interest. Section 1.4.3 of the PPS specifically promotes that municipalities provide for an appropriate range and mix of housing types to meet the requirements of current and future residents by permitting

and facilitating all forms of housing required to meet the social, health, and well-being requirements of current and future residents. Further, that these forms of housing be directed to locations appropriately serviced for the proposed use, including infrastructure and public service facilities, and active transportation and transit facilities.

The proposed application is consistent with the policies of the PPS.

Official Plan

The applicant is requesting that the zone classification of a portion of the subject lands be changed to allow row house dwellings to be developed on the lands.

The Official Plan policies contemplate changes in the residential land and housing supply over time. Policy 2.3.4.1.1, states that Chatham-Kent shall, "*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 Official Plan policies also guide urban development and intensification. Policy 2.3.5.2.6, states that Chatham-Kent shall encourage development to, "*locate in fully serviced urban areas... and will occur in a planned, orderly, efficient and sustainable manner; and will be in keeping with the available capacity of the infrastructure and public service facilities present to serve the development.*"

The proposed development of row house dwellings is in keeping with the orderly development of the overall subdivision. The proposed dwellings will be adequately serviced by the extension of existing services, which includes municipal water, storm sewer, and sanitary sewer services underground, as well as paved road, curbs, and sidewalks above.

The proposal is suitable for this site and is consistent with the overall development policies of the Official Plan.

Amendment to Draft Plan of Subdivision File No. 36T-89007

Section 51(24) of the Planning Act sets out those matters Council must have regard for when considering a draft plan of subdivision. Among other things these relate to Provincial interests, timing of development, adequacy of utilities, municipal services and school facilities, need for public-purpose land within the plan, conservation of natural resources, flood control and design features. It should be noted that these matters were addressed in the original draft plan approval circa 1991. Nonetheless, a few comments are in order:

- Appendix E shows the proposed draft plan and lot layout, a straightforward lot pattern with lots fronting on Blackacre Crescent.

- The subject lands are already part of a registered plan of subdivision, being a portion of Block 40 of Registered Plan 24M-917. In the approved draft plan, these lands were planned for low density residential development (Eight (8) dwelling units per hectare). The Chatham-Kent Official Plan defines low density residential development up to 25 dwelling units per hectare. The proposed development maintains the low density residential development classification as it contains 11 dwelling units per hectare.
- The draft conditions include all the provisions that apply to all proposed draft plans, as well as any conditions that were specific to the original 1991 approval.
- The draft conditions include a provision that notes that approval of the draft plan will expire three (3) years from the date of approval in accordance with Section 51(32) of the Planning Act and Section 6.3.3.34.2 of the Official Plan.
- The draft conditions include the development standards outlined by Infrastructure and Engineering Services (IES) in the Consultation section, above. These include:
 - a) Roof leaders on dwellings to be disconnected and drain overland;
 - b) All watermains to be looped;
 - c) Sidewalks to be installed on one side of each road, continuous throughout;
 - d) LED street lights to be installed as part of this development;
 - e) Design a “right-in/right-out” at the connection of Street ‘A’ to Queen Street South, to the satisfaction of Chatham-Kent Engineering (restrict left turn movements to and from);
 - f) Connect roadway from Blackacre Crescent to Hawthorne Crescent as part of initial phase;
 - g) Design a turn-around bulb at any temporary dead end.
- No additional parkland dedication is required for this subdivision as a result of the proposed changes. Cash-in-lieu will be submitted for actual parkland dedication in accordance with the Official Plan and the Planning Act.

Amendment to Draft Plan of Subdivision File No. 36T-15501

- The draft conditions include all the provisions that apply to all proposed draft plans, as well as any conditions that were specific to the original 2016 approval.
- The draft conditions include a provision that notes that approval of the draft plan will expire three (3) years from the date of approval in accordance with Section 51(32) of the Planning Act and Section 6.3.3.34.2 of the Official Plan.

- The draft conditions include the development standards outlined by Infrastructure and Engineering Services (IES) in the Consultation section, above. These include:
 - Roof leaders on dwellings to be disconnected and drain overland;
 - All watermains to be looped;
 - Sidewalks to be installed on one side of each road, continuous throughout;
 - LED street lights to be installed as part of this development;
 - Design a “right-in/right-out” at the connection of Street ‘A’ to Queen Street South, to the satisfaction of Chatham-Kent Engineering (restrict left turn movements to and from);
 - Connect roadway from Blackacre Crescent to Hawthorne Crescent as part of initial phase;
 - Design a turn-around bulb at any temporary dead end.

- No additional parkland dedication is required for this subdivision as a result of the proposed changes. Cash-in-lieu will be submitted for actual parkland dedication in accordance with the Official Plan and the Planning Act.

Zoning By-law Amendment

The Draft Plan of Subdivision File 36T-89007 lands are presently zoned Residential Low Density First-836 (RL1-836). The provisions of which date back to the original draft plan approval and permit single detached dwellings. The proposed Residential Medium Density Second-518 (RM2-518) zoning will permit row house dwellings and row house dwelling units, as proposed by the applicant. The proposed zoning will implement consistent regulations for row house dwellings and row house dwelling units throughout the subdivision, including the Draft Plan of Subdivision File 36T-15501 lands. The proposed zoning by-law amendment contains the following provisions:

a) Permitted Uses:

- i) Row House Dwelling
- ii) Row House Dwelling Unit

b) Regulations:

- i) Front Yard Depth Minimum – 5 m
- ii) Interior Side Yard Width Minimum – 3.5 m
- iii) Exterior Side Yard Width Minimum – 5 m
- iv) Rear Yard Depth Minimum:
 - a. Abutting an RM2 Zone – 3.5 m
 - b. Abutting an RL1 Zone – 7 m
 - c. Abutting Essex County Road 46 – 25 m from centreline of the road

Conclusion

The proposed Zoning By-law Amendment and Draft Plan of Subdivision Amendment applications have been reviewed in the context of the Provincial Policy Statement, the Chatham-Kent Official Plan and the Zoning by-law and will be in full conformity, if approved. Therefore, the application is being recommended for approval.

Prepared by:



Ryan Jacques, MCIP, RPP
Planner I, Planning Services

Reviewed by:



Bruce McAllister, MCIP, RPP
Director, Planning Services

Attachments: Appendix A – Subject Property Photographs
Appendix B – Key Map
Appendix C – Approved Draft Plan of Subdivision File 36T-89007
Appendix D – Approved Draft Plan of Subdivision File 36T-15501
Appendix E – Draft Plan of Subdivision
Appendix F – Development Concept
Appendix G – Conditions of Draft Plan Approval for Draft Plan of Subdivision File 36T-89007
Appendix H – Conditions of Draft Plan Approval for Draft Plan of Subdivision File 36T-15501
Appendix I – LTVCA Comments
By-law to amend By-law No. 216-2009

P:\RTC\LEGISLATIVE SERVICES\2018 Files\Planning Services\Jan 15 -18 1364709 Ontario Ltd., County Crossing Subdivision - Report.doc

Appendix A – Subject Property Photographs



Looking north across the subject lands



Looking northwest across the subject land

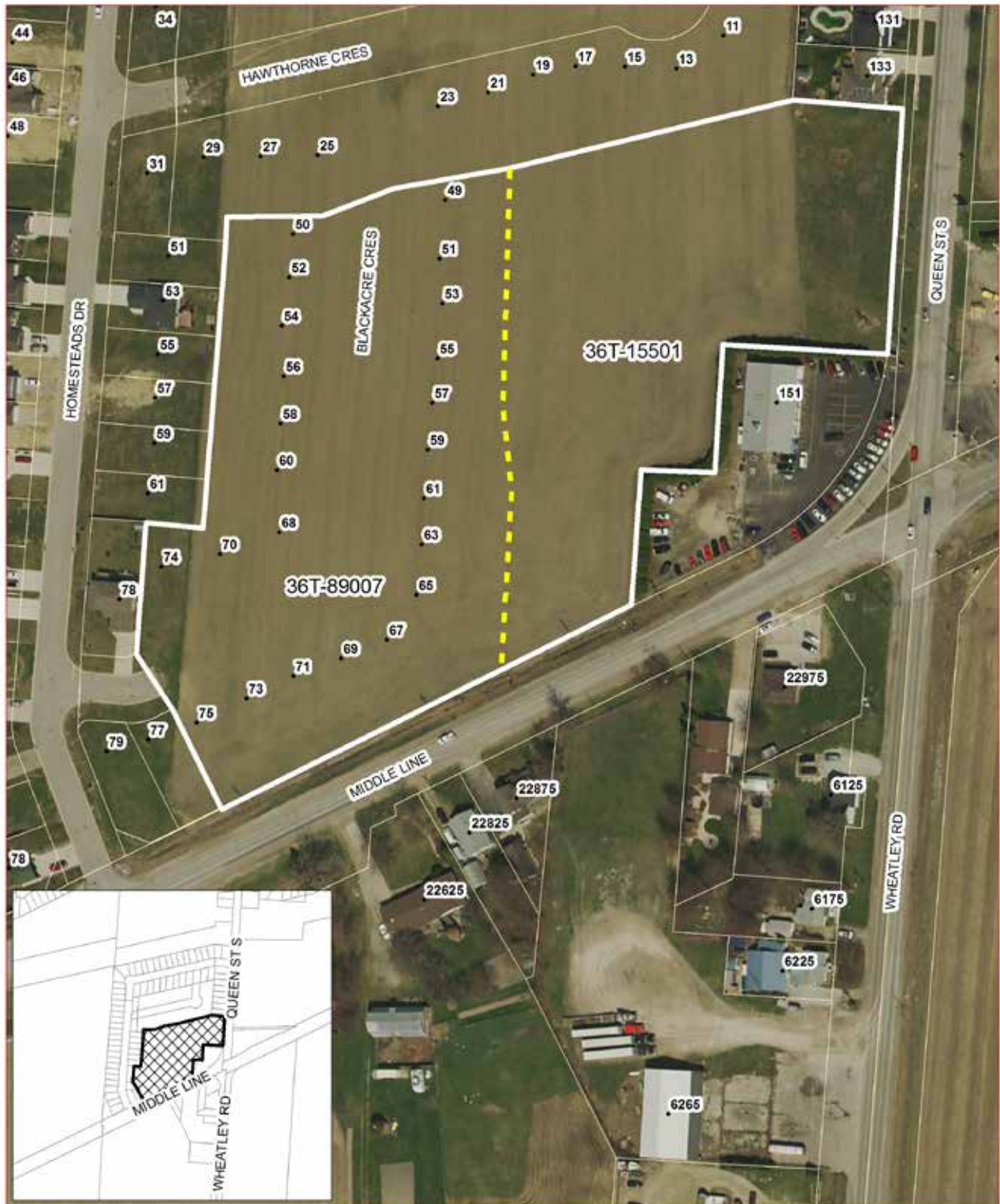


Looking west across the subject lands

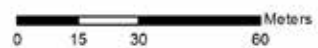


Looking west across the subject lands

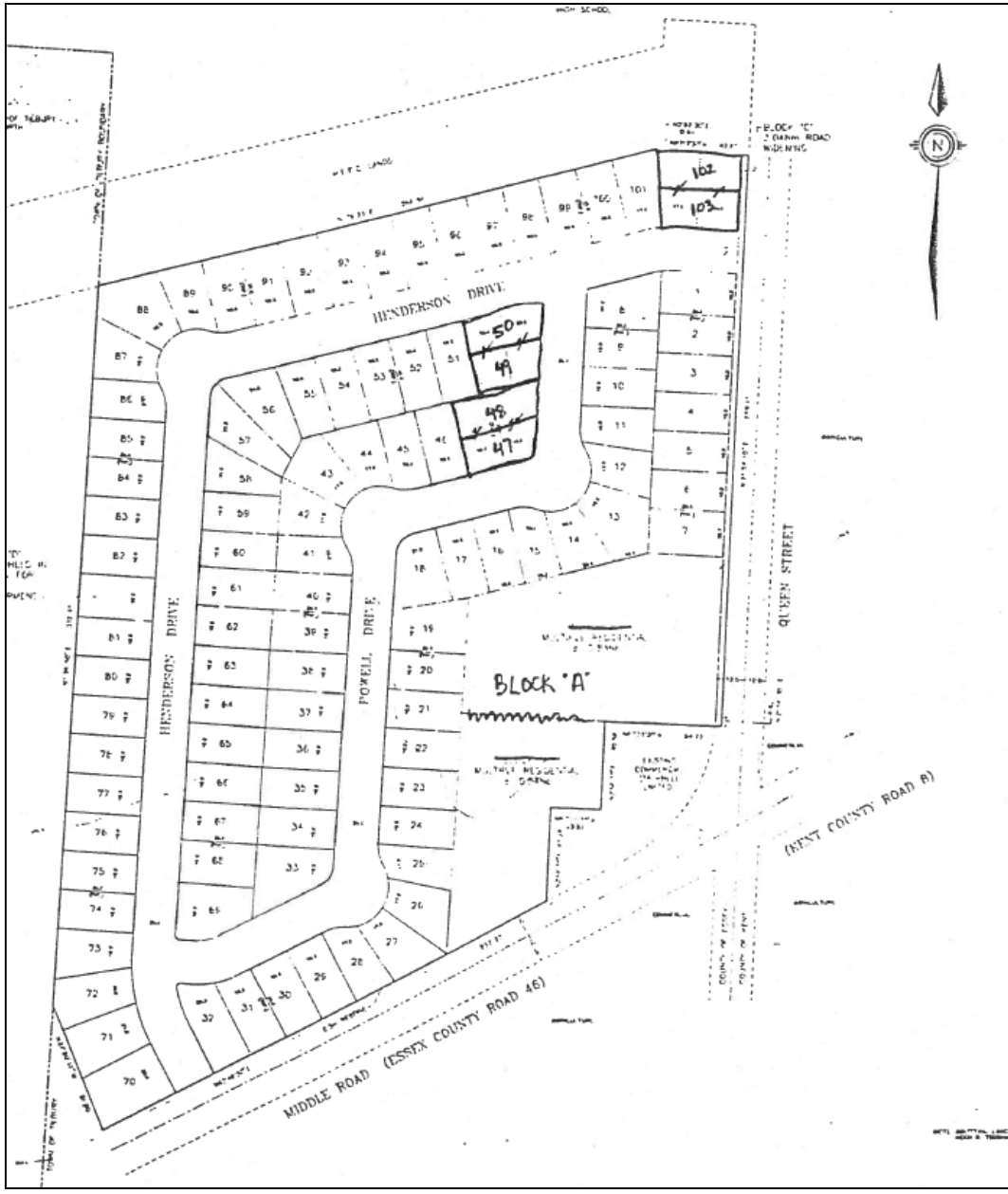
Appendix B – Key Map

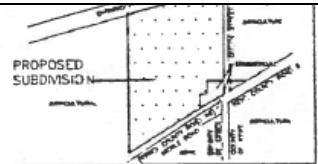


This is not a site plan.
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Appendix C – Approved Draft Plan of Subdivision File 36T-89007





DRAFT PLAN OF SUBDIVISION

TILBURY HOMESTEADS
TILBURY, ONTARIO

REQUIREMENTS OF THE PLANNING ACT
1982 (SECTION 50.2)

1. Survey on Plan	2. Survey on Plan
3. Survey on Plan	4. Survey on Plan
5. Survey on Plan	6. Survey on Plan
7. Survey on Plan	8. Survey on Plan
9. Survey on Plan	10. Survey on Plan

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE DIMENSIONS OF THE LAND TO BE SUBDIVIDED AS SHOWN ON THIS PLAN AND THE RELATIONSHIP TO THE ADJACENT LOTS ARE CORRECTLY AND ACCURATELY SHOWN.

[Signature]
DATE: *July 2/2009*

OWNER'S CERTIFICATE

I HEREBY AUTHORIZE ENGINEER(S) AS TO PREPARE THIS PLAN.

[Signature] *July 2/2009*

DESIGN CRITERIA AND LAND USE SCHEDULE

USE	LT./B.LOCK	AREA (Hd.)	(BL.)
DOMESTIC SINGLE FAMILY	100	6.71	14.3
MULTI-FAMILY RESIDENTIAL	BLOCK 'A'	6.81	14.3
	BLOCK 'B'	6.83	14.3
ROADWAY	BLOCK 'A'	2.75	6.7
	BLOCK 'B'	6.88	14.3
	BLOCK 'C'	6.81	14.3
RECREATION		6.81	14.3
TOTAL		13.29	28.6

PREPARED BY
D&E/O Engineering Ltd.
CONSULTING ENGINEERS
25 MILLWOOD STREET
TILBURY, ONTARIO
N2B 2E9
(519) 841-2201 Fax: (519) 841-2204

FOR
BARR ASSOCIATES
CONSULTING ENGINEERS
40 JAMES STREET, SUITE 204
P.O. BOX 43
TILBURY, ONTARIO
N2B 2Y4

DATE: 2009-07-02
DRAWN: []
CHECKED: []
APPROVED: []

PRELIMINARY

Appendix E - Amended Draft Plan of Subdivision File 36T-89007 and 36T-15501



Draft Plan of Subdivision
Part Of Lot 22, Concession North of Middle Road,
FORMERLY IN THE GEOGRAPHIC TOWN OF TILBURY
NOW IN THE GEOGRAPHIC TOWNSHIP OF TILBURY WEST
MUNICIPALITY OF CHATHAM-KENT

Scale: 1:1,250 (22"x34")

STATISTICS
NEW RESIDENTIAL - SINGLE DETACHED = LOT 1
NEW RESIDENTIAL - TOWNHOME = BLOCKS 1-16

AREAS
RESIDENTIAL LOT = 0.06 ha (0.15 acres) = 1.94%
RESIDENTIAL BLOCKS = 2.18 ha (5.39 acres) = 70.55%
RIGHT-OF-WAYS = 0.85 ha (2.10 acres) = 27.51%
TOTAL AREA = 3.09 ha (7.64 acres)

LEGEND AND NOTES
BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 17, NAD83 (CGRS) (1997A).
DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.9997940.
OBSERVED REFERENCE POINTS (ORP) A & B, UTM, ZONE 17, NAD83 (CGRS) (1997A). COORDINATES TO URBAN ACCURACY PER SEC. 14 (2) OF O. REG. 249/10.

POINT ID	NORTHING	EASTING
ORP A	487152.43	381842.70
ORP B	487145.85	381841.11

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

- DENOTES FILING
- DENOTES SET
- ▬ DENOTES IRON BAR
- ▬ DENOTES STANDARD IRON BAR
- ▬ DENOTES SHORT STANDARD IRON BAR
- ▬ DENOTES WITNESS
- DENOTES S.S. HOOD, O.L.S.
- DENOTES OBSERVED REFERENCE POINT
- ▬ DENOTES PLAN 24P-4852

PHASE 1 - PROPOSED REVISION TO DRAFT PLAN OF SUBDIVISION
PHASE 2 - PROPOSED DRAFT PLAN OF SUBDIVISION

METRIC DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

ADDITIONAL INFORMATION REQUIRED UNDER S. 51(17) OF THE PLANNING ACT
(A) SHOWN ON PLAN
(B) SHOWN ON PLAN
(C) SHOWN ON PLAN
(D) RESIDENTIAL
(E) SHOWN ON PLAN
(F) SHOWN ON PLAN
(G) SHOWN ON PLAN
(H) PIPES WATER TO BE INSTALLED BY DEVELOPER
(I) CLAY
(J) SHOWN ON PLAN
(K) SANITARY & STORM SEWERS TO BE INSTALLED BY DEVELOPER
(L) SHOWN ON PLAN

SUPERVISOR'S CERTIFICATE
I CERTIFY THAT:
1. THIS DRAFT PLAN IS CORRECT AND IS ACCORDANCE WITH THE PROVISIONS OF THE SUBDIVISION ACT AND THE REGULATION MADE UNDER THE ACT;
2. THE DRAFT PLAN COMPLETES ON THE DATE OF THIS CERTIFICATE.

OWNER'S CERTIFICATE
I, AS A 100% OWNER, CERTIFY THAT:
1. LOT 1, BLOCK 1 TO BLACKACRE AND THE STREET NAMED BLACKACRE CRESCENT HAVE BEEN Laid OUT IN ACCORDANCE WITH THE PROVISIONS OF THE SUBDIVISION ACT AND THE REGULATION MADE UNDER THE ACT;
2. THE DRAFT PLAN COMPLETES ON THE DATE OF THIS CERTIFICATE.

DILLON CONSULTING
SEPTEMBER 18, 2017
Project No. 15-1777
24-T-XXXXX

Appendix F – Development Concept



1364709 ONTARIO LIMITED
COUNTY CROSSING SUBDIVISION

CONCEPTUAL DEVELOPMENT PLAN
FIGURE 2.0

LEGEND

- SUBJECT SITE (Z1, BPAVZ-4-48a)
- SINGLE DETACHED DWELLINGS
- TOWNHOME DWELLINGS
- LANDSCAPED AREA
- PAVEMENT
- BOULEVARD/ OPEN SPACE
- DRIVEWAY
- BUILDING ENVELOPE

TOWNHOUSE UNITS	33
SINGLE UNITS	1
TOTAL	34 UNITS

SOURCE: LOWER THAMES VALLEY GIS MAPPING (2010)

SCALE 1:1,000
0 5 10 25m



CREATED BY: MAM
CHECKED BY: JMF
DESIGNED BY: MAM
File Location:
C:\projects\1364709\cityview\1364709\1364709-001.dwg
User: MAM
Date: September 19, 2017 12:18 PM



PROJECT: 16 1377
STATUS: FINAL
DATE: 09/19/17

Appendix G – Conditions of Draft Plan Approval

January 15, 2018

FILE NO: 36T-89007

APPLICANT: 1364709 Ontario Ltd.

The Corporation of the Municipality of Chatham-Kent's conditions to final plan approval for registration of this subdivision, File No. 36T-89007, are as follows:

NO.	CONDITIONS
1.	That this approval applies to the attached draft plan of subdivision prepared by Dillon Consulting, dated September 17, 2017, which shows a total of 12 blocks as follows: <ul style="list-style-type: none"><li data-bbox="334 789 1419 856">· Nine (9) blocks for row house dwellings, containing a total of 33 row house dwelling units<li data-bbox="334 863 959 898">· One (1) lot for a single detached dwelling
2.	That approval of this draft plan of subdivision will expire three (3) years from the date of approval and in accordance with Section 51(32) of the Planning Act.
3.	That the applicant provide a hard copy and AutoCAD.dwg version of the final draft plan projected to the NAD 83/UTM Zone 17N coordinate system, prior to final registration of the plan.
4.	That the road allowance included in this draft plan shall be dedicated as a public highway.
5.	That any dead ends and open sides of road allowances created by this draft plan or by future proposed phasing shall be terminated by 0.3 m reserves to be conveyed to, and held in trust by, the Municipality.
6.	That a 0.3 m reserve adjacent to County of Essex Road 46 (Middle Line) be conveyed to, and held in trust by, the Municipality.
7.	That prior to final approval, the land is to be zoned to reflect the residential uses proposed, with site and building regulations appropriate to those uses, and that the final plan shall conform with the Municipality's zoning by-law as thereby amended.
8.	That the Owner agree in writing to satisfy all the requirements, financial and otherwise, of the Municipality concerning the provision of paved roads, sidewalks and installation of services and drainage and in accordance with Municipality's Development Servicing Requirements and to the satisfaction of the Municipal Engineer prior to final registration.

9. That such easements as may be required for walkways, utility or drainage purposes shall be granted to the appropriate authority, and in a form acceptable to the authority.
10. That if any underground or overhead utility line, pipeline, drain or other facility must be relocated, replaced or otherwise altered as a result of the subdivision, this shall be at the Owner's sole cost and expense.
11. That signs be erected, located and maintained, to the satisfaction of the Municipality, at the entrance to the subdivision to show the roadway layout within the boundary of the development and include the location of the lots.
12. That the Owner provide a soil report, indicating the suitability and stability of the soils for the proposed development, to be prepared by a professional engineer at the Owner's sole cost and expense.
13. That the Subdivision Agreement between the Owner and the Municipality include, as an attached schedule, the soil report described in Condition 12.
14. That the Subdivision Agreement between the Owner and the Municipality make reference to any special requirements recommended in the soil report described in Condition 12.
15. That the Subdivision Agreement between the Owner and Municipality include a clause that at the time of Building Permit application the Chief Building Official may require additional Geo-Technical investigation before building permits are issued.
16. That the Subdivision Agreement between the Owner and the Municipality contain provisions for the looping of water mains satisfactory to the Municipality.
17. That the Subdivision Agreement between the Owner and the Municipality includes a clause requiring the planting of one tree per final dwelling unit, totalling 34, in accordance with Municipal policy.
18. That the Owner enters into a Subdivision Servicing Agreement satisfactory to the Municipality of Chatham-Kent to comply with the engineering review of the construction drawings and will provide for the installation of a piped water supply, sanitary sewers, storm sewers, stormwater management plan, paved roads with concrete curb and gutter and concrete sidewalks, which will include the following provisions:
 - a) Roof leaders on dwellings to be disconnected and drain overland;
 - b) All watermains to be looped;
 - c) Sidewalks to be installed on one side of each road, continuous throughout;
 - d) LED street lights to be installed as part of this development;
 - e) Design a "right-in/right-out" at the connection of Street 'A' to Queen Street South, to the satisfaction of Chatham-Kent Engineering (restrict left turn movements to and from);

- f) Connect roadway from Blackacre Crescent to Hawthorne Crescent as part of initial phase.
 - g) Design a turn-around bulb at any temporary dead end.
19. That the Subdivision Agreement between the Owner and Municipality include a clause that appropriate dust, dirt and control measures be applied during construction and for any unpaved road surfaces.
 20. That the Subdivision Agreement between the Owner and Municipality include a clause that all vacant blocks not under construction be grass seeded for weed control.
 21. The Owner shall agree in the Agreement, in words satisfactory to the applicable telecommunications provider, to grant the telecommunications provider any easements that may be required for telecommunications services. Easements may be required subject to final servicing decisions. In the event of any conflict with the existing telecommunications provider facilities or easements, the owner/developer shall be responsible for the relocation of such facilities or easements.
 22. The Owner shall be required to enter into an agreement (Letter of Understanding) with the telecommunications provider complying with any underground servicing conditions imposed by the Municipality, and if no such conditions are imposed the owner shall advise the Municipality of the arrangement made for such servicing.
 23. That the Owner provide payment-in-lieu of parkland in accordance with Section 51.1 of the Planning Act.
 24. That the Owner shall agree to provide the necessary details for the provision of adequate servicing corridors to the satisfaction of Bell Canada, Union Gas, Hydro One or Entegrus and Cogeco Cable, and provide documentation that the above noted utilities are in agreement with the corridor details.
 25. That the Owner register an application at the Registry Office to delete from Title of the lands, development agreements associated with Registered Plans 24M-838, 24M-889, & 24M-917, prior to the registration of the final plan of subdivision.
 26. That the Subdivision Agreement between the Owner and the Municipality be registered against the lands to which it applies prior to the final plan of subdivision being registered.

Notes To Draft Approval:

1. It is the owner's responsibility to fulfill the conditions of draft approval and to ensure that any required clearance letters are forwarded by the appropriate agencies to the Municipality, quoting the plan of subdivision file number.
2. The applicant should be aware of the following subsections of the Land Titles Act, R.S.O. 1990, c.L.5:
 - a) Subsection 144(1) requires all new plans be registered in a Land Titles system if the land is situated in a land titles division; and
 - b) Subsection 144(2) allows certain exceptions.
3. All measurements on the subdivision final plan must be presented in metric units.
4. Council, in its discretion, may withdraw the draft approval or change the conditions of approval at any time before final approval is given (Subsection 51(44) of the Planning Act).
5. The Ministry of Environment must be advised immediately should waste materials and/or other contaminants be discovered during the development of this plan of subdivision. If discovered, a further approval under Section 46 of the Environmental Protection Act may be required from the Ministry of Environment.
6. Prior to final approval, a hard and electronic copy of the draft plan must be submitted to the telecommunications provider for review and comment.
7. The applicant or any public body may, at any time before final approval is given, appeal any of the conditions of approval to the Ontario Municipal Board by filing with the Municipality a notice of appeal setting out the reason(s) for the appeal, accompanied by the fee required by the Board (Subsection 51(39) of the Planning Act).
8. Prior to final approval, a hard copy and electronic version of the draft plan, must be submitted to Bell Canada, Union Gas, Hydro One or Entegrus, and Cogeco Cable confirming that the space provided for utilities is sufficient.
9. Should the Owner or Municipality require underground Bell Canada facilities to serve the subdivision, then the Owner must confirm with the Municipality that satisfactory arrangements have been made with Bell Canada for underground services.
10. The Owner is to also be advised that should any conflicts with existing Bell Canada facilities or easements arise, the Owner shall be responsible for rearrangements or relocation. Further, the Owner is to provide easements as required to service the subdivision.
11. The applicant should be aware that it is municipal policy that division of row house dwelling blocks into row house dwelling unit lots, will be through the consent

process under Section 53 of the Planning Act, and, for greater clarity, not by Part Lot Control exemption.

Appendix H – Conditions of Draft Plan Approval for File 36T-15501

January 15, 2018

FILE NO: 36T-15501

APPLICANT: 1364709 Ontario Ltd.

The Corporation of the Municipality of Chatham-Kent's conditions to final plan approval for registration of this subdivision, File No. 36T-15501, are as follows:

NO.	CONDITIONS
1.	That this approval applies to the attached draft plan of subdivision prepared by Dillon Consulting, dated September 17, 2017, which shows a total of 12 blocks as follows: <ul style="list-style-type: none"><li data-bbox="334 789 1456 863">· Seven (7) blocks for row house dwellings, containing a total of 24 row house dwelling units
2.	That approval of this draft plan of subdivision will expire three (3) years from the date of approval and in accordance with Section 51(32) of the Planning Act.
3.	That the applicant provide a hard copy and AutoCAD.dwg version of the final draft plan projected to the NAD 83/UTM Zone 17N coordinate system, prior to final registration of the plan.
4.	That the road allowance included in this draft plan shall be dedicated as a public highway.
5.	That any dead ends and open sides of road allowances created by this draft plan or by future proposed phasing shall be terminated by 0.3 m reserves to be conveyed to, and held in trust by, the Municipality.
6.	That a 0.3 m reserve adjacent to County of Essex Road 46 (Middle Line) be conveyed to, and held in trust by, the Municipality.
7.	That prior to final approval, the land is to be zoned to reflect the residential uses proposed, with site and building regulations appropriate to those uses, and that the final plan shall conform with the Municipality's zoning by-law as thereby amended.
8.	That the Owner agree in writing to satisfy all the requirements, financial and otherwise, of the Municipality concerning the provision of paved roads, sidewalks and installation of services and drainage and in accordance with Municipality's Development Servicing Requirements and to the satisfaction of the Municipal Engineer prior to final registration.
9.	That such easements as may be required for walkways, utility or drainage purposes shall be granted to the appropriate authority, and in a form acceptable to the authority.

10. That an easement over Block 7 be provided to C-K PUC for a looped water main, if deemed necessary by the PUC, the easement to be described in a reference plan registered on title once the final location of the water main is determined, said easement to be located on the east or west side of the proposed building envelope.
11. That if any underground or overhead utility line, pipeline, drain or other facility must be relocated, replaced or otherwise altered as a result of the subdivision, this shall be at the Owner's sole cost and expense.
12. That signs be erected, located and maintained, to the satisfaction of the Municipality, at the entrance to the subdivision to show the roadway layout within the boundary of the development and include the location of the lots.
13. That the Owner provide a soil report, indicating the suitability and stability of the soils for the proposed development, to be prepared by a professional engineer at the Owner's sole cost and expense.
14. That the Subdivision Agreement between the Owner and the Municipality include, as an attached schedule, the soil report described in Condition 13.
15. That the Subdivision Agreement between the Owner and the Municipality make reference to any special requirements recommended in the soil report described in Condition 13.
16. That the Subdivision Agreement between the Owner and Municipality include a clause that at the time of Building Permit application the Chief Building Official may require additional Geo-Technical investigation before building permits are issued.
17. That the Subdivision Agreement between the Owner and the Municipality contain provisions for the looping of water mains satisfactory to the Municipality.
18. That the Subdivision Agreement between the Owner and the Municipality includes a clause requiring the planting of one tree per final proposed dwelling unit, totalling 24, in accordance with Municipal policy.
27. That the Owner enters into a Subdivision Servicing Agreement satisfactory to the Municipality of Chatham-Kent to comply with the engineering review of the construction drawings and will provide for the installation of a piped water supply, sanitary sewers, storm sewers, stormwater management plan, paved roads with concrete curb and gutter and concrete sidewalks, which will include the following provisions:
 - a) Roof leaders on dwellings to be disconnected and drain overland;
 - b) All watermains to be looped;
 - c) Sidewalks to be installed on one side of each road, continuous throughout;
 - d) LED street lights to be installed as part of this development;
 - e) Design a "right-in/right-out" at the connection of Street 'A' to Queen Street South, to the satisfaction of Chatham-Kent Engineering (restrict left turn movements to and from);

- f) Connect roadway from Blackacre Crescent to Hawthorne Crescent as part of initial phase.
19. That the Subdivision Agreement between the Owner and Municipality include a clause that appropriate dust, dirt and control measures be applied during construction and for any unpaved road surfaces.
 20. That the Subdivision Agreement between the Owner and Municipality include a clause that all vacant blocks not under construction be grass seeded for weed control.
 21. The Owner shall agree in the Agreement, in words satisfactory to the applicable telecommunications provider, to grant the telecommunications provider any easements that may be required for telecommunications services. Easements may be required subject to final servicing decisions. In the event of any conflict with the existing telecommunications provider facilities or easements, the owner/developer shall be responsible for the relocation of such facilities or easements.
 22. The Owner shall be required to enter into an agreement (Letter of Understanding) with the telecommunications provider complying with any underground servicing conditions imposed by the Municipality, and if no such conditions are imposed the owner shall advise the Municipality of the arrangement made for such servicing.
 23. That the Owner provide payment-in-lieu of parkland in accordance with Section 51.1 of the Planning Act.
 24. That the Owner shall agree to provide the necessary details for the provision of adequate servicing corridors to the satisfaction of Bell Canada, Union Gas, Hydro One or Entegrus, and Cogeco Cable, and provide documentation that the above noted utilities are in agreement with the corridor details.
 28. That the Owner register an application at the Registry Office to delete from Title of the lands, development agreements associated with Registered Plans 24M-838, 24M-889, & 24M-917, prior to the registration of the final plan of subdivision.
 25. That the Subdivision Agreement between the Owner and the Municipality be registered against the lands to which it applies once the plan of subdivision has been registered.

Notes To Draft Approval:

1. It is the owner's responsibility to fulfill the conditions of draft approval and to ensure that any required clearance letters are forwarded by the appropriate agencies to the Municipality, quoting the plan of subdivision file number.
2. The applicant should be aware of the following subsections of the Land Titles Act, R.S.O. 1990, c.L.5:
 - a) Subsection 144(1) requires all new plans be registered in a Land Titles system if the land is situated in a land titles division; and

- b) Subsection 144(2) allows certain exceptions.
3. All measurements on the subdivision final plan must be presented in metric units.
 4. Council, in its discretion, may withdraw the draft approval or change the conditions of approval at any time before final approval is given (Subsection 51(44) of the Planning Act).
 5. The Ministry of Environment must be advised immediately should waste materials and/or other contaminants be discovered during the development of this plan of subdivision. If discovered, a further approval under Section 46 of the Environmental Protection Act may be required from the Ministry of Environment.
 6. Prior to final approval, a hard and electronic copy of the draft plan must be submitted to the telecommunications provider for review and comment.
 7. The applicant or any public body may, at any time before final approval is given, appeal any of the conditions of approval to the Ontario Municipal Board by filing with the Municipality a notice of appeal setting out the reason(s) for the appeal, accompanied by the fee required by the Board (Subsection 51(39) of the Planning Act).
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 9. Should the Owner or Municipality require underground Bell Canada facilities to serve the subdivision, then the Owner must confirm with the Municipality that satisfactory arrangements have been made with Bell Canada for underground services.
 10. The Owner is to also be advised that should any conflicts with existing Bell Canada facilities or easements arise, the Owner shall be responsible for rearrangements or relocation. Further, the Owner is to provide easements as required to service the subdivision.
 11. The applicant should be aware that it is municipal policy that division of row house dwelling blocks into row house dwelling unit lots, will be through the consent process under Section 53 of the Planning Act, and, for greater clarity, not by Part Lot Control exemption.

Appendix I – LTVCA Comments



November 16, 2015

Storey Samways Planning Ltd
330 Richmond Street, Suite 204
Chatham, ON N7M 1P7

Attn: **David French**

Re: **Zoning By-law Amendment TI/21/15/O**
Draft Plan of Subdivision 36T 15501
Queen Street South (Ontario Ltd)
Part Lot 22, Concession NMR
Community of Tilbury
Municipality of Chatham-Kent

Please be advised that the above mentioned application has been reviewed by this office and staff have no objections to this proposal. The Conservation Authority is responsible for addressing the Natural Hazard Section of the Provincial Planning Policy Statement as well as the Conservation Authority's Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation, R.S.O. 152/06 under the Conservation Authorities Act. After reviewing our files and mapping, staff determined that the property in question is subject to the Authority's Development and Alteration to Waterways portion of the regulations. The issue of concern is the Carriere Drain and erosion.

An application from this office is required prior to any works/construction taking place within the regulated area. The lands are not subject to flooding of a general nature and as such structures are not required to be flood proofing. However, the flood proofing of structures for the purposes of prevention of flood damage from local, overland drainage waters is always recommended.

I trust this is satisfactory, but if you should have any questions, or require more information, please call the office.

Yours truly

Valerie Towsley
Resource Technician

CORPORATION OF THE MUNICIPALITY OF CHATHAM-KENT

BY-LAW NO. -2018

A BY-LAW TO AMEND ZONING BY-LAW 216-2009

OF THE MUNICIPALITY OF CHATHAM-KENT

(1364709 Ontario Ltd.)
CityView # PL201700158

WHEREAS an application has been received for an amendment to the zoning by-law for a certain parcel of land in the Community of Tilbury in order to rezone a portion of said lands to allow for row house dwellings and row house dwelling units, and to establish appropriate regulations;

AND WHEREAS the proposed use would conform to the Official Plan;

AND WHEREAS Council, after due investigation and consideration, concurs in the proposed amendments;

NOW THEREFORE BE IT AND IT IS HEREBY ENACTED AS By-law No. -2018 of the Corporation of the Municipality of Chatham-Kent:

1. That Schedule “A” of the By-law 216-2009, as amended, of the Municipality of Chatham-Kent, be amended by changing the zone classification from Residential Low Density First – 836 (RL1-836) to Residential Medium Density Second – 518 (RM2-518) on the lands respectively so depicted on Schedule “A” hereto annexed and also forming part of this by-law.
2. That Schedule “B”, Zone Exceptions, of the said By-law 216-2009, be amended by deleting the Special Zone Provisions of Exception No. 518 in their entirety and replacing with the following:

Exception No.	Special Zone Symbol	Special Zone Provisions
518	RM2-518	Notwithstanding any other provision of the by-law to the contrary, the following applies: a) <u>Permitted Uses</u> : i) Row House Dwelling ii) Row House Dwelling Unit

		<p>b) <u>Regulations:</u></p> <ul style="list-style-type: none">i) Front Yard Depth Minimum – 5 mii) Interior Side Yard Width Minimum – 3.5 miii) Exterior Side Yard Width Minimum – 5 miv) Rear Yard Depth Minimum:<ul style="list-style-type: none">a. Abutting an RM2 Zone – 3.5 mb. Abutting an RL1 Zone – 7 mc. Abutting Essex County Road 46 – 25 m from centreline of the road
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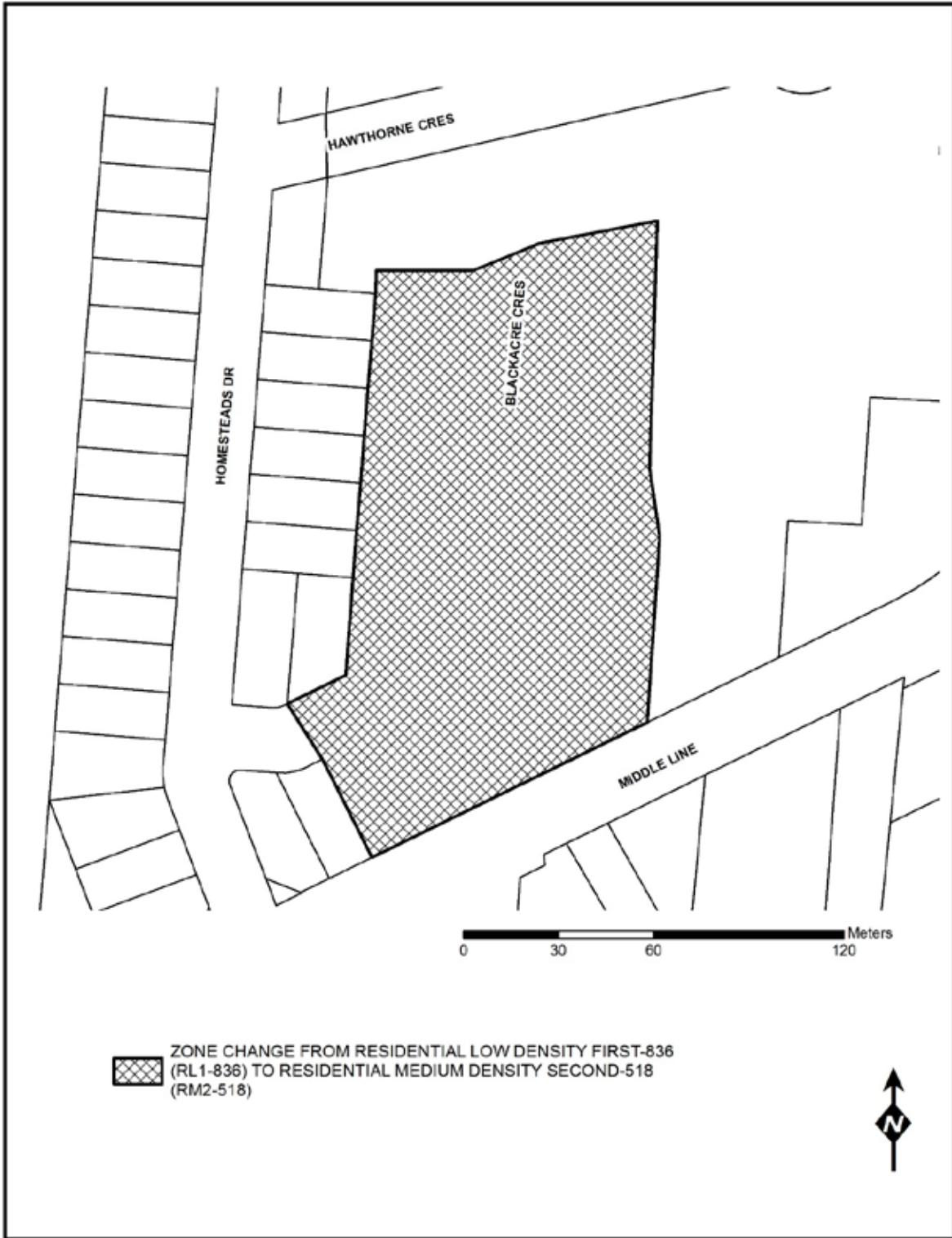
THIS By-law shall come into force and effect upon the final passing thereof, subject to the provisions of the Planning Act, R.S.O. 1990 Chapter. P.13, as amended.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED this 15th day of January, 2018.

MAYOR – Randy R. Hope

CLERK – Judy Smith

This is Schedule "A" to By-law No. -2018 of the Corporation of the Municipality of Chatham-Kent passed on the 15th day of January, 2018.



From: rdmunroe
Sent: January 8, 2018 3:12 PM
To: CKplanning <CKplanning@chatham-kent.ca>
Subject: amendment to zoning plan 24m-917

Attention Ryan Jacques
Address 10 Homesteads Drive, Tilbury
Richard and Gail Munroe would go on Record as Opposing Down Zoning to
Townhouses

1. When we build in Country Crossings Subdivision there were minimum size restrictions which were later downsized by the Developers and as well as minimum brick restrictions.
2. Property values have escalated the past few years with brisk sales of new homes some over 300,000 with rapid market time.
3. Downsizing with low end townhouses will devalue property values. Contrary to Brian Fluker's opinion.
4. Increased traffic on Homesteads
5. Surface water drain off is close to capacity as is in this low lying area.
6. It's a matter of greed by the Developers as the market will increase with Woodbridge in the summer and they show no respect for existing residents only their pocket book.

Respectfully,

Dick and Gail Munroe