

**Municipality Of Chatham-Kent**

**Community Development**

**Planning Services**

**To:** Mayor and Members of Council

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

**Date:** September 1, 2020

**Subject:** Applications for Official Plan Amendment (OPA 60), Zoning By-law Amendment & Consent  
PL202000132 – 2743576 Ontario Inc.  
320 Grand Avenue East, Community of Chatham (City)

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**Recommendations**

It is recommended that:

1. Official Plan Amendment application D-09 C/04/20/O, being OPA No. 60, in Part of Lots 101 & 102 & Part of Taylor Avenue, Plan 415, to add site-specific land-use policy to allow for the development of an Apartment Dwelling, be approved and the implementing by-law be adopted;
2. Zoning By-law Amendment application File D-14 C/34/20/O, to implement OPA No. 60, in Part of Lots 101 & 102 & Part of Taylor Avenue, Plan, to add an Apartment Dwelling as an additional permitted use, and establish appropriate regulations, be approved and the implementing by-law be adopted;
3. Consent application File B-60/20, to create new permanent easements, being:
  - a. Easement 1, a permanent easement over part of the subject property, shown as Parts 1 & 4 on the applicant's sketch, in favour of the abutting property to the west, for access from Grand Avenue East;
  - b. Easement 2, a permanent easement over part of the subject property, shown as Part 10 on the applicant's sketch, in favour of the Lower Thames Valley Conservation Authority, for the continued placement of equipment used for monitoring the Thames River;
  - c. Easement 3, a permanent easement over part of the subject property, shown as Parts 1-4, 11 & 12 on the applicant's sketch, in favour of the

Lower Thames Valley Conservation Authority, for access to equipment used for monitoring the Thames River located on Part 10,

in Part of Lots 101 & 102 & Part of Taylor Avenue, Plan 415, be approved, subject to the following condition:

- a) that the necessary deed(s), transfer or charges be submitted in triplicate; signed and fully executed (no photo copies), prior to certification.
4. Consent application File B-61/20, to sever and convey a new 0.23 ha (0.57 ac.) parcel, shown as Parts 5-7 on the applicant's sketch, in Part of Lots 101 & 102 & Part of Taylor Avenue, Plan 415, be approved, subject to the following conditions:
- a) that the severed parcel be assigned the civic address "324 Grand Avenue East";
  - b) that a hard copy and AutoCAD.dwg version of the final reference plan projected to the NAD 83/UTM Zone 17N coordinate system be submitted to the Municipality; and,
  - c) that the necessary deed(s), transfer or charges be submitted in triplicate; signed and fully executed (no photo copies), prior to certification.

### **Background**

The subject property is located on the south side of Grand Avenue East, directly across from the intersection with Taylor Avenue, in the Community of Chatham (City). The lands are approximately 1.21 ha (2.9 ac.) in area and currently vacant. The frontage of the property is designated Highway Commercial; a portion of the property abutting the Thames River is designated Open Space / Conservation in the Chatham-Kent Official Plan. The lands are zoned Urban Commercial (Highway Commercial First) (UC(HC1)) and Hazard Land (HL), respectively. A key map depicting the subject property is attached as Appendix A.

The purpose of the Official Plan Amendment and Zoning By-law Amendment applications is to add new site-specific Official Plan Policies and Special Zone Provisions to allow a residential Apartment Dwelling as an additional permitted use at the property. The applicant plans to construct a new 138-unit, 10-storey residential apartment building along with ancillary parking and landscaped areas. Construction of any permitted use at the property requires further approvals for Site Plan Control. A Site Plan Control application does not form part of this application.

The proposed Apartment Dwelling is expected to contain the following types of dwelling units:

- Four (4) – One Bedroom Accessible
- Nine (9) – Two Bedroom + Den Accessible
- 89 – Two Bedroom + Den
- 36 – Three Bedroom

The application also proposes to divide the property and create one (1) new commercial lot fronting Grand Avenue East being approximately 0.23 ha (0.57 ac.) in area. The severed lot is expected to be developed as a new Gas Bar and Convenience Store.

The proposed retained parcel, to contain the proposed apartment, is generally comprised of the southerly portion of the property, being approximately 0.98 ha (2.42 ac.) in area. A draft reference plan depicting the lines of severance is attached as Appendix B.

A site plan depicting the development concept for the subject lands is attached as Appendix C.

The property is subject to existing easements related to a Lower Thames Valley Conservation Authority water level gauge used for monitoring flood levels, Municipal storm sewers, and a future Municipal pathway along the Thames River. A new permanent easement in favour of the abutting private property to the west, as well as a reconfigured easement in favour of the Lower Thames Valley Conservation Authority are proposed as part of this application. Easements in favour the Municipality will remain in place.

## **Comments**

### **Provincial Policy Statement**

The Provincial Policy Statement (PPS) encourages growth and development to be focused in settlement areas such as Chatham (Policy 1.1.3.1). The land use patterns in settlement areas shall be based on the efficient use of land and resources through promoting opportunities for intensification and redevelopment. Intensification shall be directed towards locations with appropriate levels of infrastructure and public service facilities, to promote the efficient use and optimization of existing services (Policy 1.1.3.3; Policy 1.4.3; Policy 1.7.1). The proposed development of the subject property is consistent with the PPS.

Policies of Section 1.1.3, Settlement Areas, include:

- 1.1.3.1 Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.
- 1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including

brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

Policies of Section 1.4.3, Housing, is particularly relevant to the proposal. It reads:

- 1.4.3 Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the *regional market area* by:
- b) permitting and facilitating:
    - 1. all forms of housing required to meet the social, health and well-being requirements of current and future residents, including *special needs* requirements; and
    - 2. all forms of *residential intensification*, including second units, and *redevelopment* in accordance with policy 1.1.3.3;
  - c) directing the development of new housing towards locations where appropriate levels of *infrastructure* and *public service facilities* are or will be available to support current and projected needs;
  - d) promoting densities for new housing which efficiently use land, resources, *infrastructure* and *public service facilities*, and support the use of *active transportation* and transit in areas where it exists or is to be developed; and

Policies of Section 1.7.1, Long-Term Economic Prosperity, is also directly relevant to the proposal. It reads:

- 1.7.1 Long-term economic prosperity should be supported by:
- b) optimizing the long-term availability and use of land, resources, *infrastructure*, electricity generation facilities and transmission and distribution systems, and *public service facilities*;
  - c) maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets;

## **Official Plan**

The subject property is designated Highway Commercial Area in the Official Plan, as identified on Schedule "E2", Community of Chatham, Land Use Schedule. The following policies to be considered when new development is proposed in the Highway

Commercial Area land use designation. Residential uses are generally not included in these areas.

*B.2.8.2 The Highway Commercial Area is intended for a specific range of commercial uses that cater to the needs of the travelling public, which will be developed on full municipal services.*

*B.2.8.3 Permitted uses in the Highway Commercial Area will include restaurants, financial institutions, service commercial uses, automobile-oriented uses such as vehicle sales, service and gas bars with convenience retail, commercial recreational facilities, hotels, motels, conference facilities, meeting/banquet facilities, entertainment uses excluding a cinema, public and private clubs and police, fire or ambulance facilities, as more specifically defined in the Zoning By-law.*

The subject property is well suited to high-density residential development. In support of the proposed site-specific policies, the subject property displays the following characteristics:

- The property is within the Chatham Urban Centre.
- The property is serviceable by existing municipal sanitary sewers, storm sewers, and piped water.
- The property fronts Grand Avenue East, which is classified as an Urban Arterial as identified on Schedule "B5", Community of Chatham, Road Network. It is a primary east-west thoroughfare in Chatham, and is also a connecting link for King's Highway 40 between the MacDonald-Cartier Freeway (Highway 401) and destinations to the north.

The proposed high-density residential use is compatible with existing land uses in the surrounding neighbourhood. Surrounding land uses are varied, and include:

- Beyond the railway corridor to the east: commercial uses, being a Veterinarian Clinic, Car Wash and Private Club; residential uses, being an Apartment Dwelling.
- Beyond the Thames River to the south: private and public open space, and low density residential uses.
- To the north: an Industrial Mall, and commercial uses, being Convenience Retail, and low density residential development further along Taylor Avenue and Grand Avenue East.
- To the west: an underutilized industrial building and vacant property.

The applicant is requesting that a site-specific policy be added to the existing Highway Commercial Area designation of the subject lands, to allow for development of a residential apartment dwelling. It is further recommended by Planning Services staff that common access over the retained parcel be provided to the severed parcel, as well as the abutting commercial property to the west (300 Grand Avenue East).

No land use policy changes are proposed for the severed lands. As well, the proposal does not affect the existing Open Space / Conservation Area land use designation in place along the portion of the retained lands adjacent the Thames River.

The applicant has submitted a Planning Justification Report (PJR), which has been accepted by Chatham-Kent. The PJR provides detailed planning justification in support of the proposal.

### Housing Policies

The subject property is located along a main thoroughfare within the Primary Urban Centre of Chatham. There are a number of opportunities associated with increasing the proportion of residential development within the existing built up areas of Chatham-Kent's Urban Centres. Generally, many sites available for redevelopment are serviced with municipal water and sewers, and offer good access to other hard infrastructure such as roads, indoor and outdoor recreation facilities and other public service facilities. On the other hand, there are often challenges that can be associated with intensification, such as existing infrastructure capacity, market demand, available policy tools and public perception.

In addition, as existing residents within the Municipality continue to age, demand for new forms of low, medium and high-density housing will continue to increase. These housing needs will range from traditional single-detached units to various other dwelling types, such as semi-detached units, townhouse units, apartments, and assisted living residences, within the built boundaries of Chatham-Kent's Urban Centres, which suggests that the demand for residential intensification will continue to increase.

In 2006, Chatham-Kent completed its first Housing Needs Assessment and Strategy and a Housing Study Update Report in 2012 to address new policy changes at the provincial level that impact housing across Ontario. As part of the Housing Study Update, the following housing vision for Chatham-Kent was adopted:

*"To provide residents of Chatham-Kent with a full range of housing choices that meet their diverse needs and promote a community of collaboration, acceptance, and pride..."*

In support of the housing vision, six (6) housing objectives were identified. These objectives are set out in the Official Plan. Several of the objectives are advanced through this proposal and include:

*It shall be the objective of Chatham-Kent to:*

*2.3.4.1.1 Plan for a diverse range of housing choices to ensure that the housing stock can accommodate an aging population, 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.*

*2.3.4.1.2 Improve and maintain the existing housing supply.*

*2.3.4.1.6 Promote, educate and create awareness of housing needs in Chatham-Kent.*

In support of these objectives, the proposal implements several housing policies, which are analyzed below. First, the proposal merits consideration for infill development for the following reasons:

- It is within an urban area and appropriately suited for intensification in its current context.
- It is accommodated by existing water and sanitary sewage services.
- The road network can accommodate additional traffic. This is to be confirmed through a Traffic Impact Study submitted by the applicant, prepared by a Transportation Planning Consultant at the time of a Site Plan application.
- It is close to public transit.
- Adequate parking is accommodated on site.
- There are other examples of residential apartments in the immediate area, and include:
  - 343 Grand Avenue East (Grandview Apartments) – a six-storey apartment dwelling located approximately 90 metres east of the subject property.
  - 10 Van Allen Avenue – a ten-storey apartment dwelling located approximately 400 metres west of the subject property.

The above considerations are in support of the following policies:

*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 development is consistent with the policies of the appropriate land use designation associated with the land and in compliance with the general intent and purpose of the Zoning By-law;*
- 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.*

In summary:

- The proposal supports Chatham-Kent's housing vision and objectives.
- The proposal provides housing choices to address the needs of current and future residents of Chatham-Kent.
- The proposal represents good infill development.

The proposal conforms to the Housing Policies of the Official Plan.

### Residential Area Policies

In considering the proposal, it is prudent to review the policies pertaining to high-density residential development. The proposed development has a density of 141 units per net residential hectare. Based on this calculation, the proposal is categorized as a high-density residential development. Section B.2.3.6 contains the applicable policies for this scale of development:

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

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

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

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



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

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

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

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

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

*B.2.3.6.10 Be subject to Site Plan Control.*

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

- The proposed density is 141 units per net residential hectare, below the maximum as set out above.
- Grand Avenue East is identified as Urban Arterial Road by Map Schedule B-5 of the Chatham-Kent Official Plan.
- The proposed development is within close proximity to community services.
- While commercial uses are not proposed in the apartment building, a small-convenience store and gas station are proposed on the lot in front, which would complement the development and maintain Highway Commercial uses along the travelled road.
- There are not anticipated to be shadow impacts on surrounding residential properties.
- Driveway access will be provided to/from Grand Avenue East.
- Is subject to Site Plan Control.

The proposal generally conforms to the high-density residential policies of the Official Plan.

To fully implement the proposed development, Council approval of a final site plan is required. It is anticipated that a Site Plan application will soon follow an approval of the proposed land use changes. In support of a Site Plan application, the applicant is required to submit a number of supporting studies and technical documents. These will be submitted at the time of the Site Plan application, and will include:

1. Detailed Site Plan, Floor Plans, and Building Elevations
2. Traffic Impact Study
3. Infrastructure Servicing Brief

4. Stormwater Management Plan & Report
5. Lighting Plan and Photometric Data
6. Landscape Plan
7. Noise and Vibration Study

### **Zoning By-law**

The developable portion of the subject property is zoned Highway Commercial First Density) (UC(HC1)). A portion of the property within the flood plain adjacent the Thames River is zoned Hazard Land (HL).

The applicant proposes to add 'Apartment Dwelling' as a permitted use within the (UC(HC1)) zoned portion of the retained lands. An Apartment Dwelling is defined as:

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

The proposed regulations include density and height limits to implement the proposed 138 unit, 10-storey apartment dwelling.

The proposed regulations include 1.25 parking spaces per dwelling unit. The site provides 186 parking spaces. The Zoning By-law requires 1.5 parking spaces per dwelling unit for dwellings with more than three (3) units. This would require 207 parking spaces. The Zoning By-law requires one (1) space per unit for dwellings with one (1) to three (3) units. Based on the actual requirements for parking among apartments within Chatham, it is anticipated that many units will only require parking for a single car. The remaining provided parking spaces will act as visitor and resident overflow spaces.

The proposed regulations also include the provision for one (1) vehicular loading space for an apartment dwelling.

The proposal complies with all other regulations of the Zoning By-law.

### **Consent to Sever**

The proposed consent has been reviewed under the policies of the Official Plan. It has been specifically reviewed under Section 2.3.6, Primary Urban Centres, and B.2.8, Highway Commercial Area Policies, and generally meets these policies.

The intent of the Consent application is to create two (2) lots that are appropriate for future development. The proposal is consistent with the proposed Official Plan and Zoning By-law Amendments. The proposed lots comply with the regulations required of the Urban Commercial (Highway Commercial First Density) (UC(HC1)) zone.

## **Community Improvement**

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

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

## **Conclusion**

The proposed development conforms to the Provincial Policy Statement and will be in full conformity with the Official Plan, Zoning By-law and Community Improvement Plan, if approved. Therefore, the applications are being recommended for approval.

## **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)

### **Consultation**

#### **Internal**

##### Technical Advisory Committee

The Technical Advisory Committee supports these applications.

### **Financial Implications**

There are no financial implications resulting from the recommendations.

Prepared by:

Reviewed by:



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Ryan Jacques, MCIP, RPP  
Manager, Planning Services



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Bruce McAllister, MCIP, RPP  
Acting General Manager  
Community Development  
Director, Planning Services

Attachments: Appendix A – Key Map

Appendix B – Applicant's Sketch

Appendix C – Development Concept

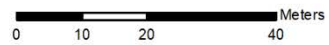
By-law to Adopt Official Plan Amendment No. 60 (OPA 60)

By-law to Amend By-law 216-2009

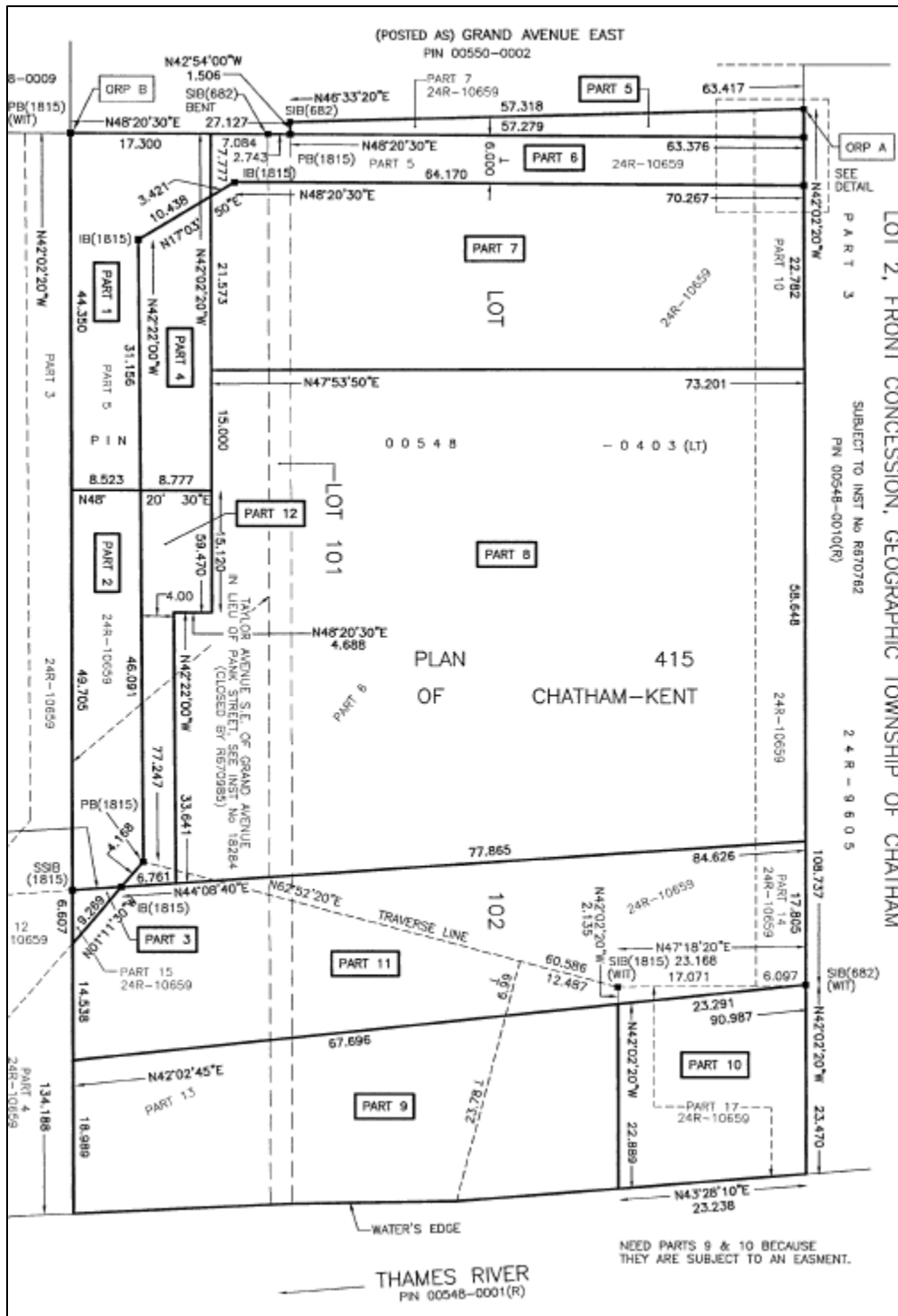
Appendix A – Key Map



This is not a plan of survey.  
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Appendix B – Applicant’s Sketch

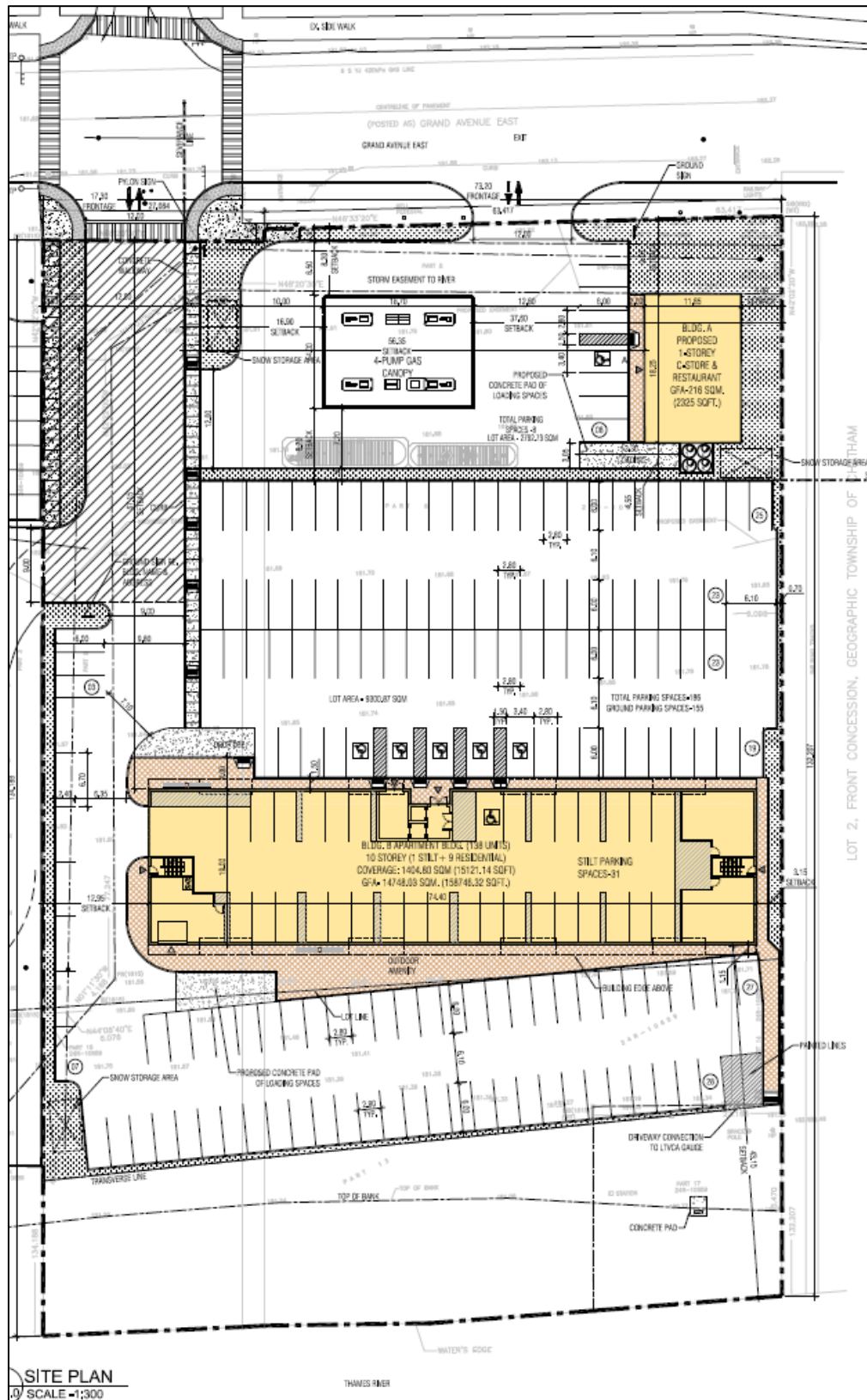


Severed Lands: Parts 5-7

Retained Lands: Parts 1-4 & 8-11



Appendix C – Development Concept



By-law Number \_\_\_\_\_

Of The Corporation  
of the Municipality of Chatham-Kent

A By-law to Amend Zoning By-law 216-2009 of the Municipality of Chatham-Kent

(2743576 Ontario Inc.)

CityView # PL202000132

Whereas an application has been received for an amendment to the zoning by-law for a certain parcel of land in the Community of Chatham (City) in order to permit an Apartment Dwelling;

And Whereas the proposed use would conform to the Official Plan upon the final approval of Official Plan Amendment No. 60 (OPA 60);

And Whereas Council, after due investigation and consideration, concurs in the proposed amendment;

Now therefore be it and it is hereby enacted as By-law Number \_\_\_\_\_ 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 zoning classification from Urban Commercial (Highway Commercial First Density) (UC(HC1)) to Urban Commercial (Highway Commercial First Density)-1522 (UC(HC1))-1522, and, Urban Commercial (Highway Commercial First Density)-1527 (UC(HC1))-1527 on the lands 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 adding to the list of Exception No., the following:  
  
1522  
1527
3. That Schedule "B" Zone Exceptions of the said By-law 216-2009, be amended by adding to the list of Special Zone Symbols, the following:  
  
UC(HC1)-1522  
UC(HC1)-1527
4. That Schedule "B", Zone Exceptions, of the said By-law 216-2009, be amended by adding the following Exception Areas:



Exception No.	Special Zone Symbol	Special Zone Provisions
1522	UC(HC1)-1522	<p>Notwithstanding any other provisions of the by-law to the contrary, an Apartment Dwelling shall also be a permitted use, with the following regulations:</p> <ul style="list-style-type: none"> <li>a) Notwithstanding Section 4.20(a) an Apartment Dwelling shall provide one (1) vehicular loading space with access from a public street by the way of a driveway or parking aisle. A loading space shall be a minimum of 3.5 m in width by 7.0 m in length.</li> <li>b) Notwithstanding Section 4.20(s) the minimum parking space requirement for an Apartment Dwelling is one and one-quarter (1.25) spaces per dwelling unit.</li> <li>c) Notwithstanding Section 5.10.2 an Apartment Dwelling is subject to the following regulations: <ul style="list-style-type: none"> <li>i. Lot Frontage Minimum – 17 m</li> <li>ii. Maximum Density per Lot – 141 units per ha</li> <li>iii. Maximum Building Height – 33 m</li> </ul> </li> </ul>
1527	UC(HC1)-1527	<p>Notwithstanding any other provision of the by-law to the contrary, the following shall also apply:</p> <p>Regulations:</p> <ul style="list-style-type: none"> <li>1. Rear Yard Depth Minimum – 4 m</li> <li>2. Minimum Off-street Parking Spaces for combined Gas Bar &amp; Retail Store – Convenience – 7</li> </ul>

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 the 21st day of September, 2020.

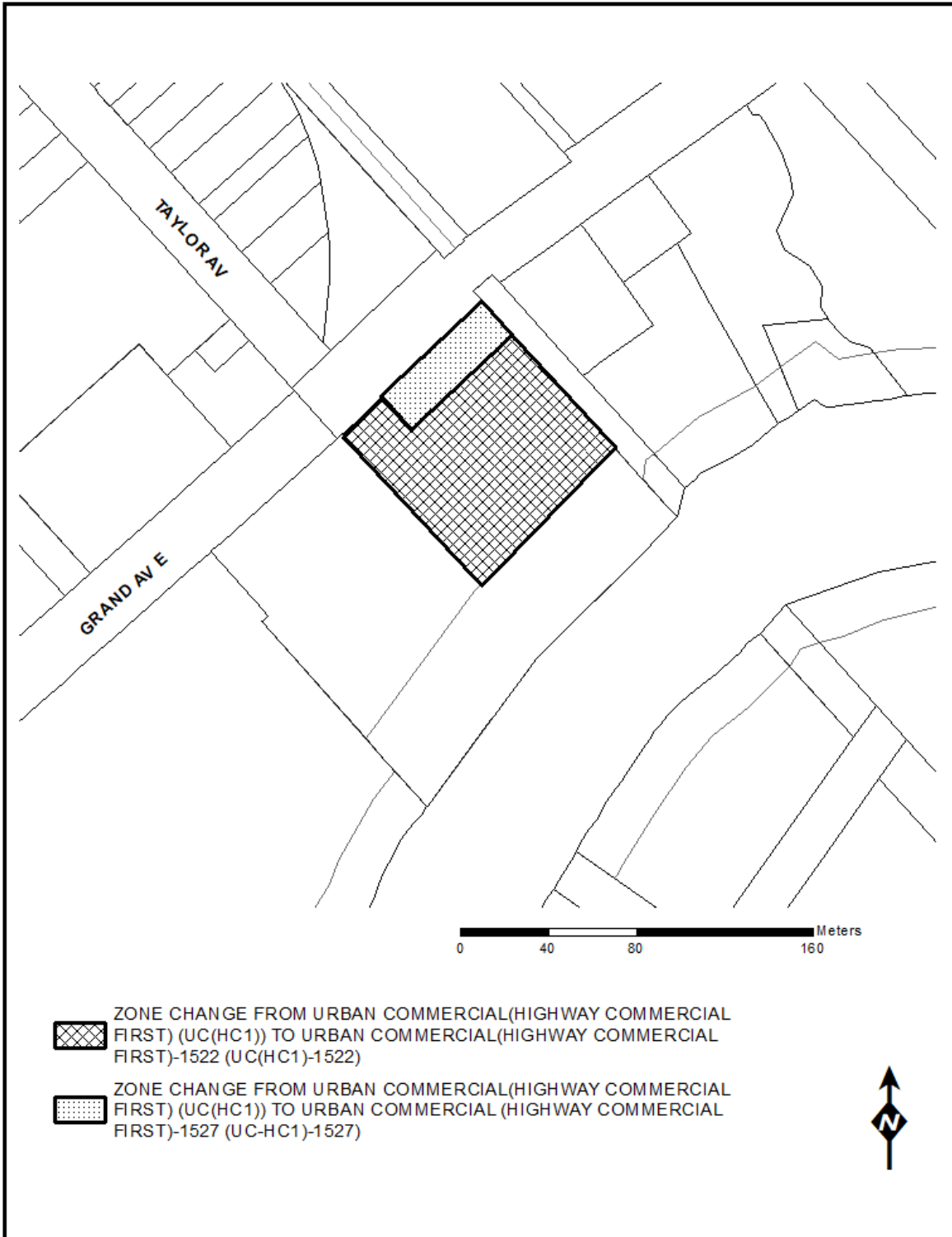
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Mayor – Darrin Canniff

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Clerk - Judy Smith

This is Schedule "A" to By-law Number \_\_\_\_\_ of the Corporation of the Municipality of Chatham-Kent passed on the 21<sup>st</sup> day of September, 2020.



**AMENDMENT No. 60 TO THE  
OFFICIAL PLAN FOR THE  
MUNICIPALITY OF CHATHAM-KENT**

CORPORATION OF THE MUNICIPALITY OF CHATHAM-KENT

BY-LAW NO. -2020

A BY-LAW TO ADOPT AMENDMENT NO. 60 TO THE OFFICIAL PLAN FOR THE  
MUNICIPALITY OF CHATHAM-KENT

2743576 Ontario Inc.  
CityView No.: PL202000132

The Council of the Corporation of the Municipality of Chatham-Kent, in accordance with the provisions of Sections 17 and 21 of the Planning Act, hereby enacts as follows:

1. Amendment No. 60 to the Official Plan for the Community of Dresden consisting of the attached Schedule "1" and explanatory text, is hereby approved.
2. This by-law shall come into force and take effect on the day of the final passing thereof.

Read a First, Second and Third Time and Finally Passed This 21st Day of September, 2020.

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MAYOR – Darrin Canniff

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CLERK – Judy Smith

AMENDMENT No. 60 TO THE  
OFFICIAL PLAN FOR THE  
MUNICIPALITY OF CHATHAM-KENT

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AMENDMENT No. 60 TO THE  
OFFICIAL PLAN FOR THE  
MUNICIPALITY OF CHATHAM-KENT

STATEMENT OF COMPONENTS

PART "A" - PREAMBLE does not constitute part of this amendment.

PART "B" - THE AMENDMENT consisting of the following text and one (1) map (entitled Schedule "1") constitutes an amendment to the Official Plan for the Municipality of Chatham-Kent, namely Amendment No. 60 to the Official Plan for the Municipality of Chatham-Kent.

PART "C" - APPENDICES does not constitute part of this amendment. These appendices contain the background information and planning considerations associated with this amendment.

PART "A" - PREAMBLE

1. Purpose

The purpose of this amendment is to add site-specific policies to certain lands within the Highway Commercial designation to allow a residential apartment dwelling to be constructed on the lands.

2. Location

The lands subject to this amendment are located in Part of Lots 101 & 102 & Part of Taylor Avenue, Plan 415; known locally as 320 Grand Avenue East.

3. Basis

The subject property is located on the south side of Grand Avenue East, directly across from the intersection with Taylor Avenue, in the Community of Chatham (City). The property abuts an inactive railway to the east, and the Thames River to the south. The lands are approximately 1.21 ha (2.9 ac.) in area.

The purpose of the Official Plan Amendment and Zoning By-law Amendment applications is to allow a new 10-storey apartment building to be constructed on the property.

The property is subject to existing easements related to a Lower Thames Valley Conservation Authority water level gauge used for monitoring flood levels, Municipal storm sewers, and a future Municipal pathway along the Thames River. A new permanent easement in favour of the abutting private property to the west, as well as a reconfigured easement in favour of the Lower Thames Valley

Conservation Authority are proposed. Easements in favour the Municipality will remain in place.

## PART “B” - THE AMENDMENT

All of this part of the document, entitled “Part B - The Amendment”, consisting of the following Item 1 and Item 2 and one (1) map (entitled Schedule “1”) together constitute Amendment No. 60 to the Chatham-Kent Official Plan.

### Item 1:

Map Schedule “E2 “, Community of Chatham (Land Use Schedule), is amended by adding Site-specific Policy Area B.2.8.13.8 to the lands so depicted on the attached Map Schedule “1”.

### Item 2:

A site-specific policy is added to Section B.2.8.13, **Highway Commercial Area Site-Specific Policies**, to be worded as follows:

#### **“B.2.8.13.8 320 Grand Avenue East**

For the lands identified on Schedule “E2” Series – Land Use as “Site Specific Special Policy Area B.2.8.13.8” and located on the south side of Grand Avenue East, in Part of Lots 101 & 102 & Part of Taylor Avenue, Plan 415, in the Community of Chatham (City), notwithstanding, or in addition to, other policies of the Official Plan, the following policies will apply:

- a) A residential apartment dwelling will also be permitted as a main use.
- b) Common access to Grand Avenue East shall be provided to commercial properties abutting the lands. Common access shall be implemented by a permanent easement and shall be aligned to Taylor Avenue where it intersects Grand Avenue East.

## PART “C” - APPENDICES

The following appendices do not constitute part of Amendment No. 60 to the Chatham-Kent Official Plan, but are included for information supporting the amendment.

APPENDIX 1 – September 1, 2020, Planning Report (attached).

### SCHEDULE "1"

