

**Municipality of Chatham-Kent**  
**Community Development**  
**Planning Services**

**To:** Mayor and Members of Council

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

**Date:** April 26, 2021

**Subject:** Applications for Zoning By-law Amendment & Draft Plan of Subdivision  
PL202000090 – 2811629 Ontario Inc.  
Issac Street, Elizabeth Street & Camden Street, Community of Dresden  
(North Kent)

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**Recommendations**

It is recommended that:

1. Zoning By-law Amendment application D-14 DR/28/21/O, to rezone the subject lands, in Lots 7-9, 11 & 12, Part Of Lots 1-6 & 10 & Elizabeth St Right-of-Way, Plan 139; Part Of Lot 13, Plan 137; Parts 1-4 24R-9633; & Part 2 24R-3845, in the Community of Dresden, from the Deferred Development (D), and Residential Low Density First-977 (RL1-977), to Residential Low Density Second (RL2), Residential Low Density Second-1543 (RL2-1543), and Open Space (OS1), be approved, and the implementing by-law adopted.
2. Draft Plan of Subdivision Application D-12 DR/02/21/O, in Lots 7-9, 11 & 12, Part Of Lots 1-6 & 10 & Elizabeth St ROW RP 139; Part Of Lot 13 RP 137; Parts 1-4 24R-9633; & Part 2 24R-3845, in the Community of Dresden, for draft plan 36T-21502, which proposes:
  - a. 20 Lots (Lots 1-20) for single detached dwellings
  - b. 16 Lots (Lots 21-36) for semi-detached dwellings
  - c. 4 Blocks (Blocks 1-4) for semi-detached dwellings
  - d. Block 5 for Parkland
  - e. Block 7 for stormwater management facilities
  - f. Three (3) Public Right-of-Ways and one (1) Public Right-of-Way Widening

subject to the draft conditions set out in Appendix E, 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; and,
- d) that upon satisfaction of all servicing requirements, the Director of Engineering be authorized to execute a Certificate of Completion for the Development.

### **Background**

The subject lands are comprised of three (3) parcels, located in the northwest quadrant of the Community of Dresden. The three (3) parcels are as follows:

- Issac Street: a 1.98 ha (4.91 ac.) parcel, currently vacant farmland, designated Residential Area in the Chatham-Kent Official Plan and zoned Deferred Development (Roll No. 3650 390 001 24600);
- Elizabeth Street Right-of-Way: an undeveloped municipal right-of-way, approximately 0.4 ha (0.96 ac.) in area. The intention is to dispose of this land to the developer as they will be relocating the proposed road within the new subdivision on a new alignment;
- Camden Street: a 2.17 ha (5.35 ac.) parcel, currently vacant farmland, designated Residential Area in the Chatham-Kent Official Plan and contained within Site-Specific Policy Area B.2.3.16.1. The property is zoned Residential Low Density First-977 (RL1-977).

The total lands are approximately 4.55 ha (11.2 ac.) in area. The subject lands abut residential lots to the north on Isaac Street, residential lots to the east on DD Street and residential lots to the south on Camden Street. A key map showing the location of the subject lands is attached as Appendix A. Site photos of the subject lands are attached as Appendix B.

### **Summary of Proposal**

#### ***Zoning By-law Amendment***

A Zoning By-law Amendment is required to implement the preferred housing types on the lands. These include a combination of single detached and semi-detached dwellings. The new parkland parcel will also be zoned to implement this future public use.

The proposed Zoning By-law Amendment will rezone the subject lands from the existing Deferred Development (D) and Residential Low Density First-977 (RL1-977) zone to Residential Low Density Second (RL2), Residential Low Density Second-1543 (RL2-1543) and Open Space (OS1) zones. The proposed site-specific residential zone applies the following special provision:

- Front Yard Depth Minimum – 5.5 metres

*Draft Plan of Subdivision*

The proposed residential subdivision consists of the following:

- 20 Lots (Lots 1-20) for single detached dwellings
- 16 Lots (Lots 21-36) for semi-detached dwellings
- 4 Blocks (Blocks 1-4) for semi-detached dwellings
- Block 5 for Parkland
- Block 7 for stormwater management facilities
- Three (3) Public Right-of-Ways and one (1) Public Right-of-Way Widening

There is currently an approved draft plan of subdivision on a portion of this property, being Draft Plan of Subdivision 36T-08501. The previous owner of the lands obtained draft plan approval by Municipal Council on April 14, 2008. The approved plan contained ten (10) lots fronting on Camden Street for single detached dwellings. To date, six (6) of the approved lots are created and do not form part of the current proposal. One (1) lot was removed from the approved draft plan. Three (3) lots and the stormwater management block remain undeveloped. The undeveloped lands form part of the current application. A copy of Draft Plan of Subdivision 36T-08501 is attached as Appendix C, for background.

The proposed draft plan includes three (3) draft approved residential lots and the stormwater management block. The stormwater management block will be used to manage the entire development.

As part of the application, the municipality is currently in the process of divesting of the undeveloped Elizabeth Street right-of-way to the applicant. The applicant is proposing to reconfigure the road allowance as part of the proposed subdivision. The new right-of-way will be conveyed back to the Municipality upon completion of the proposed works, final approval and registration of the Plan of Subdivision.

Details of the proposal are discussed in the Comments section, below.

## **Comments**

### **Provincial Policy Statement (PPS)**

The applications do not raise any issues of provincial interest and are consistent with the PPS.

- 1.1.1 Healthy, liveable and safe communities are sustainable...*
- 1.1.3.6 New development taking place in designated growth areas should occur adjacent to the existing built-up areas and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities*
- 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...*

The proposed development is within the Dresden Urban Boundary and is adjacent to existing built-up residential areas. The development is an efficient use of vacant residentially designated lands that have access to full municipal services, and are in close proximity to transit facilities and other public services. The proposed low density housing will provide a range of housing options for residents.

- 2.6.3 Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.*

A Stage 2 archaeological assessment was completed by Lincoln Environmental Consulting Corp. (Lincoln), and was submitted to the Ontario Ministry of Heritage, Sport, Tourism, Culture Industries (MOC). The report assessment that resulted in the discovery of no areas of interest. As such, no further archaeological assessments are recommended for the proposed subdivision.

A letter submitted to the Municipality from MOC indicating that the Archaeological Report prepared by Lincoln has been entered into the Ontario Public Register of Archaeological reports is required to be submitted to the Municipality prior to construction activity occurring on the lands.

### **Official Plan**

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.”

### **Draft Plan of Subdivision File No. 36T-21502**

The proposed Draft Plan of Subdivision is attached as Appendix C. In general, the subdivision demonstrates a logical extension of the Dresden built-up area. The proposed subdivision is designed to be conducive to further urban development to the west. The location of the parkland and stormwater management facility at the westerly limit of the subdivision is deliberate so that future development may expand these facilities, if warranted at the time.

Section 6.3.3.29 – 34.3 of the Official Plan and 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. To comply with the Municipality’s Development Standards, a Subdivision Servicing Agreement, the engineering review of the construction drawings and provisions for the installation full municipal services, is a requirement of final approval of the subdivision. The following notable items have been considered and form conditions of final approval, attached as Appendix D.

#### Archaeological Assessment

A Stage 2 Archaeological Assessment Report, Prepared by Lincoln Environmental Consulting Corp. (Lincoln). Development shall not be permitted on lands containing archaeological sites unless the sites have been properly documented in accordance with Provincial agency requirements and non-licensed alteration prohibitions in the Ontario Heritage Act have been waived. Where significant archaeological resources must be preserved on-site, alteration that changes the heritage characteristics of the site and its features shall not be permitted.

The report completed by Lincoln offers the following recommendations:

1. The Stage 2 archaeological assessment, conducted on December 12, 2020, was carried out in accordance with the Ministry of Heritage, Sport, Tourism, and Culture Industries’ Standards and Guidelines for Consultant Archaeologists (Government of Ontario 2011).
2. All work met provincial standards and no archaeological sites were identified during the Stage 2 assessment. If construction plans change to incorporate new areas that were not subject to a Stage 2 field survey, these must be assessed

prior to the initiation of construction. In keeping with legislative stipulations, all construction and demolition-related impacts (including, for example, machine travel, material storage and stockpiling, earth moving) must be restricted to the areas that were archaeologically assessed and cleared by the Ministry of Heritage, Sport, Tourism, and Culture Industries through acceptance of the assessment report into the provincial register.

3. As no archaeological resources were found on the subject property, no further archaeological assessment of the property is required.

### Infrastructure Servicing

An Engineering Report, prepared by Dillon Consulting, dated March 2021 was received as part of the application. In summary, the report describes an acceptable servicing strategy. The subdivision agreement will provide for:

#### *Water Servicing*

The site currently has a 150 mm watermain on DD Street, and a 150 mm watermain on Camden Street. It is proposed that this development be serviced by a 150 mm diameter watermain that is looped to both DD Street and Camden Street. A 100 mm diameter loop within the cul-de-sac of Street 'A' will be required to avoid water stagnancy.

#### *Sanitary Sewer Servicing*

The preferred sanitary outlet for this development is to the south, connecting into existing 400 mm diameter sanitary trunk that conveys sewage to the treatment plant on Camden Street. A proposed 200 mm dia. sanitary pipe will connect the development to the existing sewer on Camden through the Municipal park.

It is expected that a 200 mm dia. sewer will have additional capacity for a limited number of dwellings developed in the future to the west of this project area. However, if there is a density increase within the proposed development, or more development proposed to connect, downstream sanitary sewer calculations should be reviewed to ensure there is adequate capacity. Any future detailed design of sanitary sewers and services are to be consistent with the requirements of the municipality and the MECP

#### *Storm Sewer Servicing*

The proposed stormwater servicing for the proposed development is as follows:

- The proposed SWMF will be a wet pond designed in accordance with the guidelines presented in the *Stormwater Management Planning and Design Manual (MOE, 2003)*. This pond will be located at the southernmost limit of the site.

- Stormwater flows from the proposed development site will be conveyed by a proposed storm sewer constructed within the right-of-way of the new development that outlets to the proposed SWMF. The storm sewer will path through the Block 5 parkland into the Camden Street right-of-way, where it will continue south to outlet into the proposed SWMF. Overland flow from the development will follow the storm sewer pathing along the Camden Street right-of-way grassed swale. This swale will also pick up runoff from the west side of the Camden Street right-of-way and convey it to the SWMF.
- As per instructions from Chatham-Kent Engineering, the maximum allowable discharge from the site to the Sydenham River will be limited to the 5 year, 24-hour pre-development peak flow rate. Storage will be provided in the proposed stormwater management facility for to accommodate the runoff from all storm events up to and including the 100 year, 24-hour storm.
- The outlet to the Sydenham River will be sized to include the future development lands to the west (approximately 8.1 ha). The outlet will be limited to the 5 year, 24 hour pre-development flow rate, in combination with the allowable discharge from the proposed development.

### *Roads and Sidewalks*

The proposed development will require new street and sidewalk construction to Municipal standards. Sidewalks are to be installed on:

- South side of Elizabeth Street;

### *Parkland*

The plan provides a 0.3 ha (0.75 ac.) Parkland block. The parkland will be conveyed to the Municipality. These lands will be available to the Municipality to develop in the future through existing parkland development processes.

### *Boulevard Trees*

The applicant is required to provide payment in-lieu of planting one boulevard tree per lot. The Municipality will plant boulevard trees at an appropriate time during build-out of the subdivision.

The Official Plan contains policies related to flood protection (Policy 4.5.3). Specifically, as follows:

*4.5.3.2.1 Flood and erosion constraint areas consist of Floodplains, which may consist of Floodway, Floodfringes, Special Policy and erosion setback areas, as identified through consultation with the appropriate Conservation Authority. Flood and erosion constraint areas are identified on Schedule "C" Series – Natural Heritage and Hazards Features.*

*4.5.3.2.2 Development and site alteration will generally be directed outside of areas of flooding, erosion, and/or dynamic beach hazards along lakefronts, rivers and stream systems. Development and site alteration, however, may be permitted on certain floodplains and erosion constraint areas provided that:*

- a) the flood hazard can be safely addressed;*
- b) no new hazards are created or existing ones aggravated;*
- c) no adverse environmental impacts will result;*
- d) vehicles and people can safely enter and exit the area during times of flooding; and*
- e) the development does not include:
  - i. an institutional use associated with hospitals, nursing homes, preschool, school nurseries, day care and schools;*
  - ii. an essential emergency service such as that provided by fire, police and ambulance stations and electrical substations; and*
  - iii. uses associated with the disposal, manufacture, treatment or storage of hazardous substances.**

The subject lands are within the flood prone area and development plans will require the approval of St. Clair Region Conservation Authority.

In summary, the proposed subdivision is appropriate for this location. It provides an opportunity for many new residential units in a desired area of Dresden. The proposal maintains the general intent and purpose of the Official Plan.

## **Zoning By-law**

A Zoning By-law Amendment is required to implement the preferred housing types on the lands. These include a combination of single detached and semi-detached dwellings. The new parkland parcel will also be zoned to implement this future public use.

The proposed Zoning By-law Amendment is to rezone the subject lands from the existing Residential Low Density First (RL1-977) and Deferred Development (D) zone to new Residential Low Density Second (RL2), Residential Low Density Second-1543 (RL2-1543), and Open Space (OS1) zones. The proposed site-specific residential zone applies the following special provision:



- Front Yard Depth Minimum – 5.5 m

The proposed amendment is appropriate for this location and maintains the general intent and purpose of the Official Plan.

### **Conclusion**

The proposed Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision applications have been reviewed in the context of the Provincial Policy Statement and Chatham-Kent Official Plan, and will be in full conformity, 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**

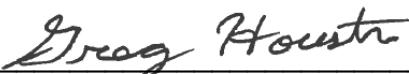
### **Internal**

Infrastructure and Engineering Services provided comments regarding the infrastructure servicing strategy.

## **Financial Implications**

The subdivision approval will require the Municipality to make a financial contribution to the development. This contribution is toward oversizing of any underground infrastructure require to accommodate future development on lands not part of this proposal. These costs may be recoverable through future development approval by the collection of development charges if applicable. If no development charges are in place, such as for stormwater facilities, the costs are covered only by the general tax base.


Prepared by:

  
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Greg Houston, CPT  
Planner II, Planning Services

Reviewed by:

  
\_\_\_\_\_  
Ryan Jacques, MCIP, RPP  
Director, Planning Services

Reviewed by:

  
\_\_\_\_\_  
Bruce McAllister, MCIP, RPP  
General Manager, Community Development

Attachments: Appendix A – Key Map  
Appendix B – Site Photos  
Appendix C – Draft Plan of Subdivision 36T-08501  
Appendix D – Proposed Draft Plan of Subdivision 36T-21502  
Appendix E – Conditions of Approval for Draft Plan of Subdivision 36T-21502  
By-law to amend By-law No. 216-2009

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Appendix B – Site Photos

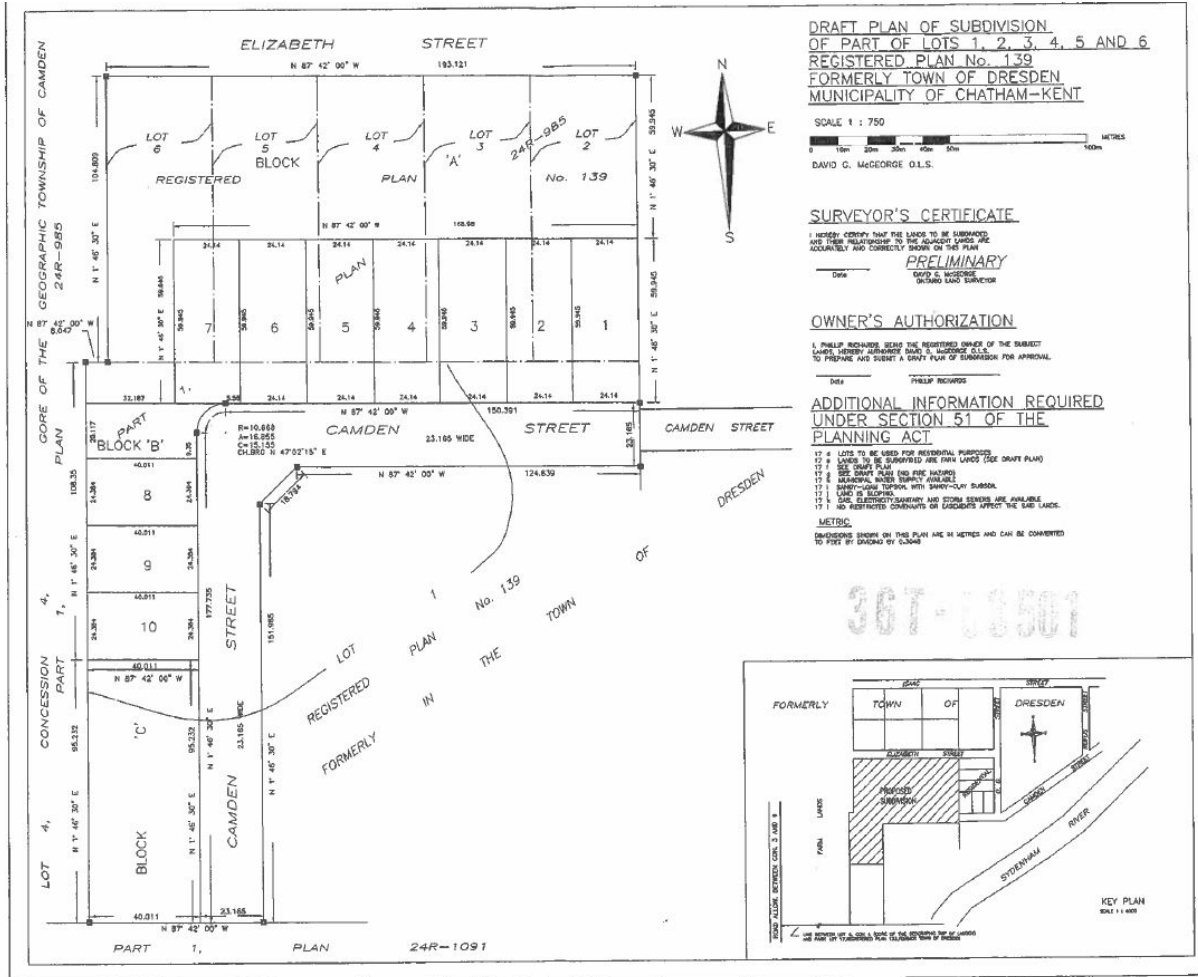


Looking south at the subject lands from Isaac Street.



Looking west at the subject lands from Camden Street.

Appendix C – Draft Plan of Subdivision 36T-08501





Appendix E – Conditions of Draft Plan Approval for  
Draft Plan of Subdivision File 36T-21502

May 17, 2021

FILE NO: 36T-21502

APPLICANT: 2811629 Ontario Inc.

The Corporation of the Municipality of Chatham-Kent's conditions to final plan approval for registration of this subdivision, File No. 36T-21502, are as follows:

<b>NO.</b>	<b>CONDITIONS</b>
1.	<p>That this approval applies to the attached Draft Plan of Subdivision prepared by Dillon Consulting Ltd., dated May 2020, which shows:</p> <ul style="list-style-type: none"><li>• Blocks 1-4, and Lots 21-36 for semi-detached dwellings.</li><li>• Lots 1-20 for single detached dwellings.</li><li>• Block 5 for parkland.</li><li>• Block 7 for stormwater management facilities.</li><li>• Three (3) Public Right-of-Ways and one (1) Public Right-of-Way Widening.</li></ul>
2.	<p>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.</p>
3.	<p>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.</p>
4.	<p>That the road allowances included in this draft plan shall be dedicated as a public highway.</p>
5.	<p>That the streets be named and numbered to the satisfaction of the Municipality.</p>
6.	<p>Elizabeth Street to be renamed to the satisfaction of the Municipality.</p>
7.	<p>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.</p>
8.	<p>That prior to final approval, the land is to be zoned to reflect the residential, open space 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.</p>

9. 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 Standards and to the satisfaction of the Municipal Engineer prior to final registration.
10. 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.
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 watermains satisfactory to the Municipality.
18. That the Owner enters into a Subdivision Servicing Agreement satisfactory to the Municipality of Chatham-Kent to comply with the Municipality's Development Standards, and the engineering review of the construction drawings, and will provide for the installation full municipal services, which will include the following provisions:
  - a) Sidewalks to be installed on:
    - i. One side of Elizabeth Street;
  - b) The following road widening's and daylight corners be provided to the Municipality free of charge and clear of all encumbrances:



- i. A 3-metre road widening be given on the west side of Camden Street;
    - c) Parkland
      - i. That Block 5 be included in the detailed design submitted to the Municipality for approval, and that it be registered on a final Plan of Subdivision;
      - ii. That the seeding type and application rate information be provided to the Director, Parks, Recreation and Cemeteries, prior to the seeding of the parkland.
    - d) The Developer shall oversize any infrastructure required to provide public services to urban settlement lands lying west of the draft plan to the satisfaction of the Municipality. Chatham-Kent to provide cost-sharing for oversizing works as determined by the Municipal Engineer.
    - e) Road classification types and widths for proposed streets shall be:
      - i. Street 'A', Elizabeth Street, Block 6 – Local Road;
    - f) The Developer shall pay Chatham-Kent the amount of \$350 per lot for each final Single Detached Dwelling and Semi-detached Dwelling shown on the final Draft Plan of Subdivision.
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 lands 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 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.

24. That the Subdivision Agreement between the Owner and the Municipality be registered against the lands to which it applies.

**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.

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

(2811629 Ontario Inc.)

CityView # PL202100090

Whereas an application has been received for an amendment to the zoning by-law for a certain parcel of land in the Community of Dresden in order to rezone the lands to facilitate a new subdivision development;

And Whereas the proposed use would conform to the Official Plan;

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 Residential Low Density First-977 (RL1-977) and Deferred Development (D) to Residential Low Density Second (RL2). Residential Low Density Second-1543 (RL2-1543) and Open Space (OS1) 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:

Exception No. 1543
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:

RL2-1543
4. That Schedule "B", Zone Exceptions, of the said By-law 216-2009, be amended by adding the following Special Zone Provisions:

Exception No.	Special Zone Symbol	Special Zone Provisions
1543	RL2-1543	Notwithstanding any other provisions of the by-law to the contrary, the following shall also apply:  Front Yard Depth Minimum – 5.5 m

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 17th day of May, 2021.

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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 17th day of May, 2021.

