

**AMENDMENT No. 68
TO THE
OFFICIAL PLAN
FOR THE FORMER
CITY OF CHATHAM**

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FOR THE
FORMER CITY OF CHATHAM

INDEX	PAGE
The Statement of Components	1
Part "A" - Preamble	1
Purpose	1
Location	1
Basis	2
Part "B" - The Amendment	2
Introductory Statement	2
Details of the Amendment	2
Schedule "1" - Schedule B1-4 - Future Land Use	follows 2
Schedule "2" - Schedule B1-4P - Phasing Plan	
Part "C" - Appendices	
Appendix I - Planning Report dated May 19, 1999	
Appendix II - Consolidated Version of Section 10, Chatham Official Plan, including revisions proposed by OPA 68 and map Schedules "B1-4" and B1-4P	

CORPORATION OF THE MUNICIPALITY OF CHATHAM-KENT

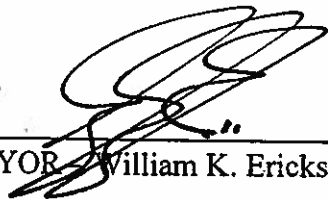
BY-LAW NO. 143-1999

**A BY-LAW TO ADOPT AMENDMENT NO. 68 TO THE
OFFICIAL PLAN FOR THE FORMER CITY OF CHATHAM**

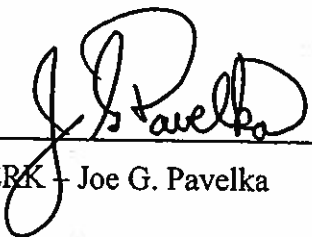
The Council of the Corporation of the Municipality of Chatham-Kent, in accordance with the provisions of Sections 17 and 21 of the Planning Act, hereby enacts as follows:

1. Amendment No. 68 to the Official Plan for the former City of Chatham consisting of the attached Schedules "1" and "2" 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 14th
DAY OF June, 1999.



MAYOR - William K. Erickson



CLERK - Joe G. Pavelka

AMENDMENT NO. 68

TO THE

OFFICIAL PLAN

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FORMER CITY OF CHATHAM

STATEMENT OF COMPONENTS

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

PART "B" - THE AMENDMENT consisting of the text following and two maps (entitled Schedules "1" and "2"), constitutes Amendment No. 68 to the official plan for the former City of Chatham.

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 introduce several new land use designations into an existing secondary plan, with appropriate special policies necessary to implement the development proposal.

2. Location

This amendment consists of three parts which shall be known as Items 1, 2 and 3.

Item 1:

The land affected by the redesignation is located south of Gregory Drive West between Baldoon Road and Bear Line Road, and east of Bear Line Road, between McNaughton Ave. West and Gregory Drive West, and are known as the Phase 2 lands of the Northwest Quadrant Area "A" secondary plan.

Item 2:

The locations of the phase boundaries and trunk sanitary sewer easements are revised in the Northwest Quadrant Area "A" phasing plan.

Item 3:

The policies regarding the Northwest Quadrant Area "A" secondary plan are revised to account for the recent municipal restructuring and Phase 2 development.

3. **Basis**

The original Northwest Quadrant Area "A" Secondary Plan sets out appropriate types and intensities of land uses for approximately 400 acres of lands annexed from the former Township of Dover by the former City of Chatham in 1995. This secondary plan divides the subject lands into two phases, with policies regarding the timing and extent of development in Phase 2. These lands, with the exception of four acres, are in the hands of one development company, which has now proposed a land use plan for the Phase 2 lands, in conformity with the existing secondary plan.

PART "B" - THE AMENDMENT

All of this part of the document, entitled "Part B - The Amendment", consisting of the following text and two maps (entitled Schedules "1" and "2") constitutes Amendment No. 68 to the Official Plan for the former City of Chatham.

Details of the Amendment

The Official Plan is amended as follows:

Item 1: Map Schedule "B1-4" (Northwest Planning Area "A" - Development Concept) is amended by redesignating from Urban Reserve to Low Density Residential, Medium Density Residential, Institutional, Open Space, Office/Service and Neighbourhood Commercial and by extending the boundaries of the Secondary Plan area to include the Bear Line Road and Gregory Drive West rights-of-way, the land so depicted on the attached map Schedule "1".

Item 2: Map Schedule B1-4P" (Northwest Planning Area "A" - Phasing Policy) is amended by revising the Phase 1/Phase 2 boundary, and the location of the trunk sanitary sewer easement and pump station, the land so depicted on the attached map Schedule "2".

Item 3: Section 10 of the text (SECONDARY PLAN FOR THE NORTHWEST QUADRANT AREA "A") is amended as follows:

1. Section 10.1 **Introduction:** in the fourth and seventh lines of the first paragraph insert the word "former" between the words "the" and "City."

2. Section 10.1 **Introduction** : delete the fourth paragraph worded as follows:

“the secondary plan also provides...for all other considerations.”

and replace with:

“This secondary plan divides the subject area into two phases, with the Phase 2 development contingent on dwelling starts in Phase 1 and other areas of the former City, as described in Section 10.4.4. The policies of this section apply to both phases unless noted otherwise.”

3. Section 10.1 **Introduction**: add the following words to the last paragraph:

“, Phase 1 and the Secondary Plan for Phase 2.”

4. Section 10.3.2 **Low Density Residential**: delete paragraph (a) and replace with new paragraphs (a), (b) and (c) to be worded as follows:

“(a) Low Density Residential shall mean development comprising a range of single-detached and semi-detached housing types. For Phase 1, the minimum lot frontage for single-detached will be 35 feet. For Phase 2, the minimum lot frontage will be 30 feet. For both phases the minimum lot area for single-detached will be 3,000 ft², the minimum lot frontage for semi-detached will be 50 feet and The minimum lot area for semi-detached will be 5,000 ft².

(b) Notwithstanding 10.3.2(a) single detached dwelling lots fronting on Gregory Drive West and McNaughton Avenue West shall have minimum frontages of 50 feet and minimum lot areas of 5,000 ft². Semi-detached dwellings lots shall use common driveways and ensure no more than 1 driveway entrance per 50 feet of frontage.

(c) No driveway entrances will be permitted from Low Density Residential areas to Bear Line Road.”

5. Section 10.3.3 **Medium Density Residential**: in paragraph (a), second sentence, delete the words “15 units per gross acre” and replace with “as noted by the density symbols indicated in Schedule “B1-4”.”
6. Section 10.3.3 **Medium Density Residential**: in paragraph (a), third sentence, delete the wording beginning “except where single...” and ending in “...in lot area”; delete the fourth sentence beginning “Only single detached...” and ending in “...Avenue West”; and delete the fifth sentence beginning “All other housing...” and ending in “...50 feet of frontage.”

7. **Section 10.3.3 Medium Density Residential:** in paragraph (a), last sentence, change “60 feet” to “50 feet”, and “6,000 square feet” to “5,000 square feet.”
8. **Section 10.3.3 Medium Density Residential:** delete paragraph (b) and replace with the following:

“(b) The maximum residential densities indicated by the density symbols in Schedule “B1-4” for the different medium density blocks may be adjusted upward as a result of further subdivision provided that the average of all Medium Density Residential properties within the subject block do not exceed its density symbol.”
9. **Section 10.3.3 Medium Density Residential:** in paragraph (e), replace the word “City” with the word “Municipality” and add the following sentence:

“Rowhouse developments where each unit has driveway access to a fronting public road are exempt from this provision.”
10. **Section 10.3.4 Neighbourhood Commercial:** in clause (b)(iii), add the words “at the Keil Drive/McNaughton Avenue West intersection” following the words “Schedule “B1-4”.”
11. **Section 10.3.5 Open Space:** in paragraph (e), replace the words “Engineering Department and the Department of Culture and Recreation” with the word “Municipality.”
12. **Section 10.3.5 Open Space:** in paragraph (f), replace the word “City” with the word “Municipality.”
13. **Section 10.3.5 Open Space:** in paragraph (h), replace the word “City” with the word “Municipality.”
14. **Section 10.3.5 Open Space:** in the preamble of paragraph (i), replace the word “City” with the word “Municipality” and in clause (i), replace the words “Department of Culture and Recreation” with the word “Municipality.”
15. **Section 10.3.5 Open Space:** in paragraph (m), replace the word “City” with the word “Municipality.”
16. **Section 10.3.6 Institutional:** letter the first sentence beginning with the words “‘Institutional’ shall mean...” and ending with the words “...residential areas” as paragraph (a). Letter the second and third sentences beginning with the words “When lands designated...” and ending with the words “...Section 10.4.4.2” as paragraph (b); and add a new paragraph (c), to be worded as follows:

“(c) The amount and location of lands designated “Institutional” in Phase 2 is based in part on the potential land needs of the school boards. In the event the school boards cannot demonstrate a demand for these lands, then they may be developed for residential use by amendment to this plan and subject to the policies of 10.3.7.2. Consideration of any other use will require an assessment of need”.

17. Delete Section 10.3.7, **Urban Reserve**, in its entirety, and replace with a new Section 10.3.7 entitled **Phase 2 Lands**, to be worded as follows:

“10.3.7 **Phase 2 Lands**

10.3.7.1 **Timing of Development**

Development shall proceed in accordance with the policies of subsection 10.4.4.2.

10.3.7.2 **Future Residential Densities**

It is recognized that, if market and servicing parameters assumed in the preparation of the Phase 2 Secondary Plan change over time, it may be advisable to reconsider a proposed residential density designation. Consideration for such redesignation will be based on the following:

1. A transition strip of development will be maintained adjacent to existing residential uses which would generally be consistent with the existing residential area in character and market value.
2. An overall equivalent density of 15 persons per acre, or any increased density in a subsequent standard adopted by the Municipality, will be maintained for the Phase 1 and 2 lands in their entirety.”

18. Section 10.3.8 **Transportation**: in clause (i), paragraph (a), (Minor Arterial Roadways), subsection 10.3.8.1 Road Network, under the heading “Keil Drive Extension - Street “A” north to the City Limits”, replace the words “City Limits” with the words “Gregory Drive West” and add two minor arterial roadways, Gregory Drive West and Bear Line Road, and their descriptions to be worded as follows:

“Gregory Drive West Two lanes with required right-of-way of 83 feet (will require widening of existing right-of-way)

Pavement width 30 feet

Bear Line Road Two lanes with required right-of-way of 83 feet (will require widening of existing right-of-way)

Pavement width 30 feet”

19. **Section 10.3.8 Transportation:** in clause (ii) (Collector Roadways) of paragraph (a), subsection 10.3.8.1 Road Network, add the following collector roadway, Baldoon Road, and its description, to be worded as follows:

“Baldoon Road Two lanes with required right-of-way of 66 feet.
 Pavement Width 30 feet.”

20. **Section 10.3.8 Transportation:** in clause (iii) (Local Roadways) of paragraph (a), subsection 10.3.8.1, Road Networks, in the description column, add the following words, following the words “Pavement width 28 feet.”

“Reduction in right-of-way and pavement width will be permitted subject to justification acceptable to the Municipality.”

21. **Section 10.3.8 Transportation:** delete the paragraph (b) in its entirety and replace with a new paragraph (b), subsection 10.3.8.1 Road Network, to be worded as follows:

“(b) The final alignment of Keil Drive in Phase 2 lands indicated in Map Schedules B1-4 and B1-4P has been fixed by way of an easement granted to the Municipality in Reference Plan 24R-6337. This easement overlays an easement in favour of Union Gas Limited for a high pressure natural gas transmission line, and will also contain the sanitary trunk sewer. Union Gas Limited is to be consulted on any plan of subdivision or zoning fronting on Keil Drive. A change to the alignment of Keil Drive will require an amendment to this plan.”

22. **Section 10.3.8 Transportation:** add paragraph (d) to subsection 10.3.8.1 Road Network, to be worded as follows:

“(d) Any required widening of an existing right-of-way will be taken equally from each side.”

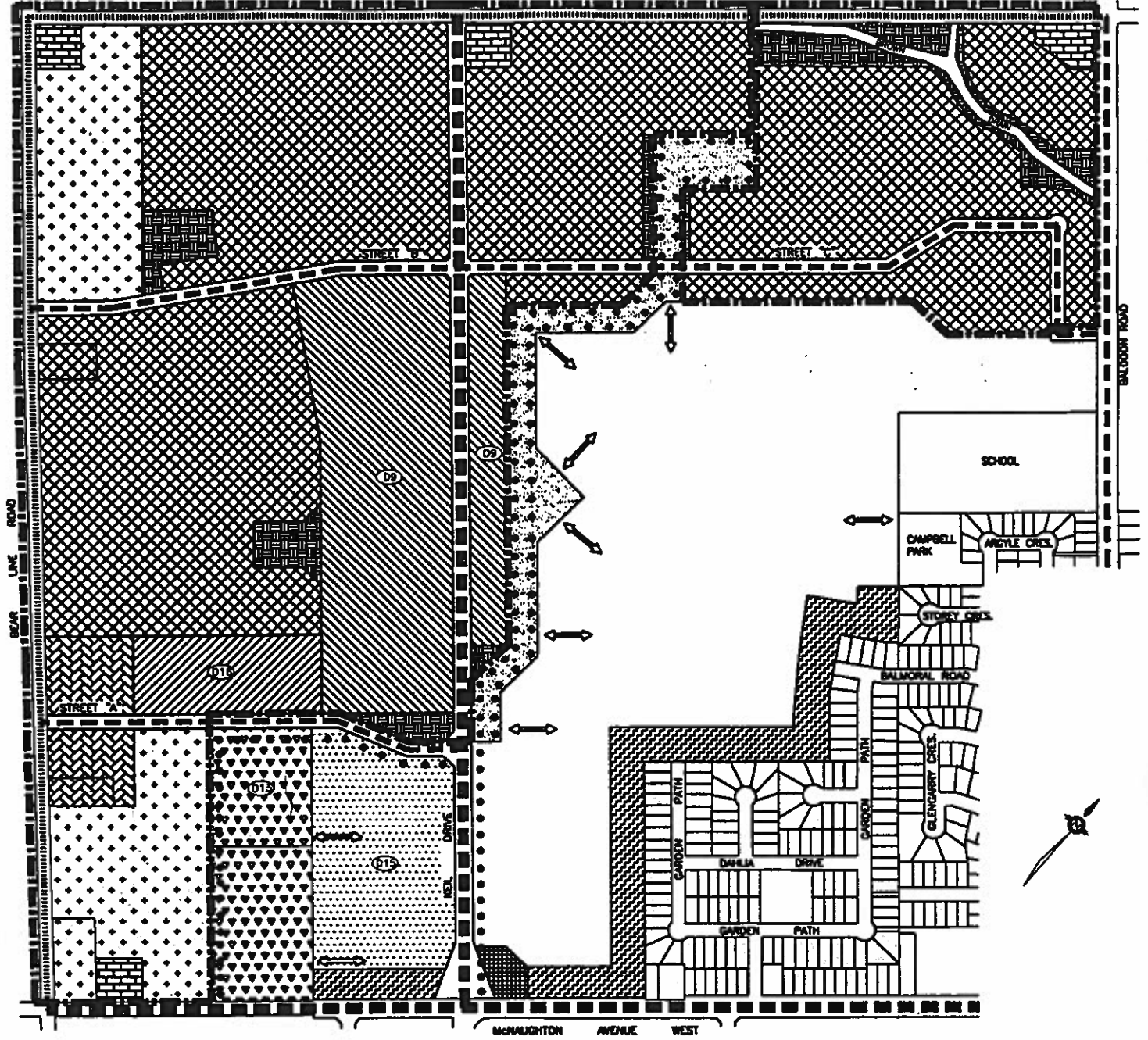
23. **Section 10.3.8 Transportation:** in subsection 10.3.8.2 Public Transit, replace the word “City” with the word “Municipality.”

24. **Section 10.3.9 Civic Design:** in paragraph (b), replace the word “City” with the word “Municipality.”

25. **Section 10.3.10 Archaeological Assessment:** in paragraph (a), add to the first sentence beginning with the words “Prior to any...” and ending with the words “...the Planning Area”, the words “in accordance with the Provincial Policy Statement” and delete the second sentence.

26. **Section 10.4.1 Guiding Development:** in the first and second paragraphs, replace the word “City” with the word “Municipality.”

27. **Section 10.4.3 Zoning By-law:** in paragraph (a) insert the word “and” between the words “institutional” and “open”, and delete the words “and urban reserve uses.”
28. **Section 10.4.4 Phasing Scheme:** in the first sentence of the preamble, replace the word “City of Chatham” with the word “Municipality.”
29. **Section 10.4.4 Phasing Scheme:** in policy 10.4.4.1 insert the words “and Phase 2” between the words “Phase 1” and “Lands”; and delete the words “upon approval of this plan.”
30. **Section 10.4.4 Phasing Scheme:** delete policy 10.4.4.2, beginning with the words “Phase 2 (Urban Reserve)...” and ending with the words “...subdivision(s) within the Phase 2 lands” in its entirety and replace with the following new policy 10.4.4.2:
 2. Phase 2 lands will be developed by plans of subdivision and initially be placed in an “H” - Holding zone category permitting existing uses only, unless noted otherwise, the “H” to be removed when the following conditions have been met:
 - (a) for institutional and commercial uses, an agreement is in place to provide for full servicing;
 - (b) for residential development, new plans of subdivision must be contiguous with existing residential areas;
 - (c) for residential development, lots may only be created and released for development in an amount approximately equal to the aggregate number of housing starts in the Phase 1 lands in the Northeast Secondary Plan Area “A”, Northeast Secondary Plan Area “B” and Northwest Secondary Plan Area “A”;
 - (d) The four parcels fronting or flanking on Bear Line Road known municipally as 23521, 23557 and 23675 Bear Line Road and 1005 McNaughton Avenue West, will retain their existing zoning until they are ready for development, at which time the policies of (a), (b) and (c) above will apply.”
31. **Section 10.4.4 Phasing Scheme:** in policy 10.4.4.3, replace the words “of the Secondary Plan” with the words “of the subdivision approval stage.”
32. **Section 10.4.4 Phasing Scheme:** in policy 10.4.4.4, replace the word “City” with the word “Municipality.”
33. **Section 10.5 Summary:** insert the word “former” between the words “the” and “City.”



LEGEND

- LOW DENSITY RESIDENTIAL
- NEIGHBOURHOOD LOW DENSITY RESIDENTIAL
- MEDIUM DENSITY RESIDENTIAL
- INSTITUTIONAL
- OPEN SPACE
- NEIGHBOURHOOD COMMERCIAL
- DENSITY (D.U. PER ACRE)
- MINOR ARTERIAL ROAD
- COLLECTOR ROAD
- BIKEWAY
- WALKWAY

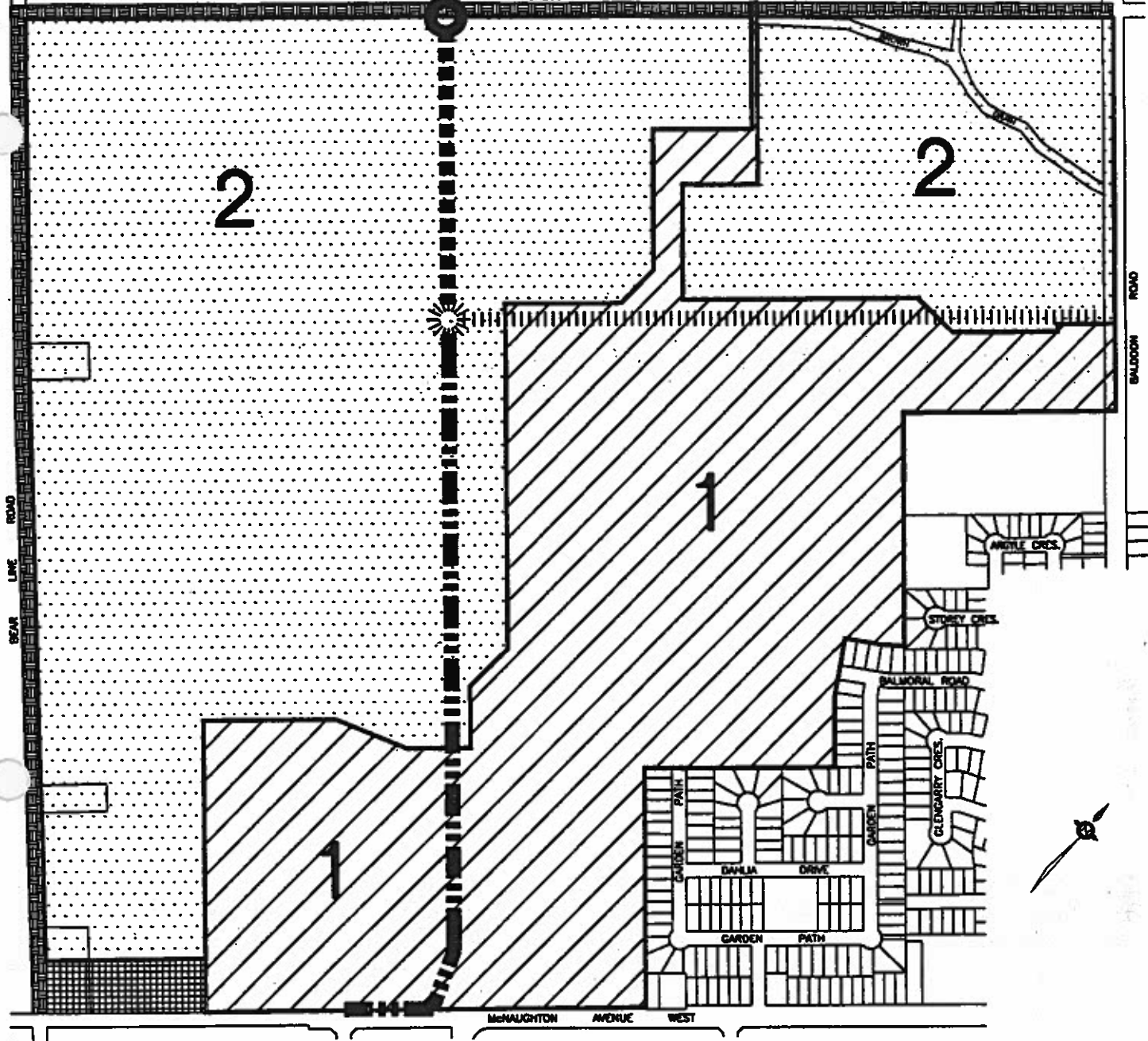
AMENDMENT LEGEND

- PHASE 2 BOUNDARY
- THE FOLLOWING LANDS ARE REDESIGNATED FROM URBAN RESERVE TO:**
- LOW DENSITY RESIDENTIAL
- MEDIUM DENSITY RESIDENTIAL 9 DWELLING UNITS PER ACRE
- MEDIUM DENSITY RESIDENTIAL 16 DWELLING UNITS PER ACRE
- INSTITUTIONAL
- OPEN SPACE
- NEIGHBOURHOOD COMMERCIAL
- OFFICE/SERVICE
- NEW MINOR ARTERIAL ROAD DESIGNATION




SCALE









**SCHEDULE "1"
TO
AMENDMENT No. 68
TO THE
OFFICIAL PLAN
FOR THE
MUNICIPALITY OF
CHATHAM-KENT
(CHATHAM)**



LEGEND

-  TRUNK WATER SEWER EASEMENT
-  PHASE 1 LANDS
-  PHASE 2 LANDS

AMENDMENT LEGEND

-  TRUNK WATER SEWER EASEMENT DELETED
-  TRUNK WATER SEWER EASEMENT ADDED
-  PUMP STATION DELETED
-  PUMP STATION
-  LANDS REMOVED FROM PHASE 1 LANDS AND ADDED TO PHASE 2 LANDS
-  LANDS ADDED TO PHASE 2 LANDS

SCALE



**SCHEDULE '2'
TO
AMENDMENT No. 68
TO THE
OFFICIAL PLAN
FOR THE
MUNICIPALITY OF
CHATHAM-KENT
(CHATHAM)**

PART "C" - APPENDICES

The following appendices do not constitute part of Amendment No. 68 but are included for information supporting the amendment.

Appendix I (attached) - Planning Report dated May 19, 1999.

Appendix II (attached) - Consolidated Version of Section 10, Chatham Official Plan, including revisions proposed by OPA 68 and consolidated map Schedules "B1-4" and "B1-4P".

APPENDIX I
PLANNING REPORT

TO: W. Michael Phipps, Director of Strategic and Land use Planning

FROM: Storey Samways Planning Ltd.

DATE: May 19, 1999

RE: **COMBINED APPLICATIONS FOR OFFICIAL PLAN AMENDMENT NO. 68 AND ZONE CHANGE APPLICATION C/07/99/J BY JODAMAR PROPERTIES LTD. AND JOSEPH P. O'NEILL, PART OF LOTS 20, 21 AND 22, CONCESSION 2, GEOGRAPHIC TOWNSHIP OF DOVER, IN THE FORMER CITY OF CHATHAM**

1. PURPOSE

To recommend approval of proposed amendments to the Official Plan and Zoning By-law of the former City of Chatham.

(Note: the following report is based on the planning documents of the former City of Chatham).

2.0 BACKGROUND

2.1 Existing Site

The subject lands, 257 acres in area, are located in the northwest extremity of the former City and, with minor exceptions, are comprised of the Phase 2 lands of the Northwest Quadrant Area "A" (NWQ "A") secondary plan, introduced into the Chatham Official Plan (OP) as Amendment No. 61 in March of 1997. The site is bounded by Bear Line Rd. to the west, Gregory Dr. West to the north, Baldoon Rd. to the east, the Phase 1 lands of NWQ "A" to the southeast, and McNaughton Ave. West to the south. The neighbouring lands to the west, north and east are used for agricultural purposes with associated residential uses. Lands to the southeast in Phase One are farmed at present but are approved for future residential uses. To the south lies St. Clair College Thames Campus. The subject lands are used for cash crop farming and surround four parcels of approximately one acre each occupied by single detached dwellings. Please refer to the attached Figure 1.

2.2 OPA 61

OPA 61 established a land use designation of Urban Reserve for the Phase 2 lands, requiring that a further secondary plan be undertaken as the first condition for development. While this designation permitted only agricultural uses, it did signify that no further justification for removal of the lands from agriculture would be necessary under the Provincial Policy Statement, and established some basic parameters such as master servicing plans, stormwater management plan, phasing strategies and a collector/arterial road network. There were several unresolved issues between the developer and the former City at the time OPA 61 was passed, which were eventually adjudicated by the Ontario Municipal Board. In its decision, the Board established a means for determining the breakdown of residential development by dwelling type, i.e., the amount and location of low and medium density housing, and the amount and location of neighbourhood commercial uses.

2.2 Proposed Phase 2 Secondary Plan

The Phase 2 plan as proposed is essentially a continuation of the residentially-based land uses established in Phase 1. Following is a list of the land use types, areas, and where appropriate, the number of units and population. Please refer to the attached Figure 2.

<u>Land Use</u>	<u>Density</u>	<u>Area</u>	<u>% of Area</u>	<u>Units</u>	<u>Population</u>
Low Density Residential	5-7 units/acre	154.4	70.0	924	2772
Medium Density Residential	9-16 units/acre	44.0	17.0	446	1087
Neighbourhood Commercial		4.0	1.8		
Office/Service		5.6	2.6		
Institutional		27.6	12.5		
Parkland		11.7	5.3		
Other (roads, etc.)		10.1	4.6		

Discussion regarding conformity of the proposal with the Official Plan is provided below.

3.0 COMMENT

3.1 Timing of Application

Evidence provided at the March 1998 OMB Hearing suggested that, given present trends, it could be 10-15 years before the Phase 1 lands were built out. However, OPA 61 also recognized that it may be advisable to begin development on Phase 2 lands, provided it is contiguous with existing Phase 1 development, well before Phase 1 lands are completed. Therefore, policies were included which would permit development of Phase 2 lands in an amount equal to the number of dwelling starts in Phase 1 plus the first phases of both Northwest Quadrant Areas "A" and "B". On this basis, 50 units could be constructed in Phase 2 today, subject to conditions of contiguity and servicing. However, OPA 61 directed that a secondary plan be completed for Phase 2 lands in its "entirety" before any development approvals be issued. Also, based on recent experiences with new development adjacent to an existing residential area, the applicant wishes to establish the proposed land uses in Phase 2 in the Official Plan and the zoning by-law so that future inhabitants will have no uncertainty as to land use plans on neighbouring property. Therefore, although it may be some time before the Phase 2 lands are completed, it is not premature for this application to come forward now.

3.2 Land Use Conformity with OP Policies

3.2.1 Residential

The breakdown of residential use by type was a contentious issue at the OPA 61 OMB Hearing. The Board ruled that the Phase 1 lands should reflect the overall division of the former city - 65% single detached, 25% multiple family, and 10% apartments. The Phase 2 proposal follows this guide, dividing the residential designation into low and medium density residential. Similar to Phase 1, the low density residential will permit single and semi-detached dwellings, but with a minimum lot frontage for single detached reduced to 30 feet from 35 feet, a standard already successfully developed in Northeast Quadrant Area "A". In the application, low density residential area densities varying from five to seven units per acre have been proposed. The medium density residential area will vary in density from nine to sixteen units per acre. The new secondary plan will include these densities proposed by the applicant by way of a symbol on the Official Plan Map Schedule, which will act as a cap. Special policies will also be necessary for the following matters:

- i) Flexibility for the developer will be necessary to account for future shifts in demand, provided basic servicing capacity constraints are not exceeded.
- ii) Lots fronting on Gregory Drive West must average at least 50 feet in width and 5,000 sq. ft. in area. Direct access to residential areas from Bear Line Road will not be permitted.
- iii) When the developer considers a change in designation/zoning for lands adjacent to an existing residential area, then a transition strip of new development, similar in such characteristics as lot frontage, lot area, permitted uses, etc., to the existing area, must be provided.

3.2.2 Neighbourhood Commercial

The amount and location of neighbourhood commercial (NC) uses was also a contentious issue at the OPA 61 OMB Hearing. Municipal policy as found in the City of Chatham OP provided insufficient guidance and as a consequence the Board developed a formula based on the amount of NC area approved in the Southwest Quadrant by way of OPA 46. The area proposed, approximately four acres, conforms to this formula and the locations indicated on Figure 2, meet the criteria of the OP. No special policies other than those which already exist are necessary.

3.2.3 Institutional

There are two large institutional blocks proposed in the application. Demand for institutional lands, i.e., the requirement for churches and schools, is usually driven by the amount of residential development. Overall in the former city, institutionally zoned land represents about 14.8% of all residentially zoned land. In Phase 2, this percentage is 13.9%. The two blocks also meet the locational criteria of the Chatham OP. However, it is recognized that some flexibility regarding eventual land use is necessary, in the event all or part of these lands are not required for institutional uses. Therefore, a special policy is recommended whereby a redesignation to residential could be considered subject to conditions similar to those listed in 3.2.1 above.

3.2.4 Office/Service

As the name implies, this designation permits office and personal service uses. Similar to the NC and Institutional uses, demand for this type of space is related to the amount of residential development and therefore a methodology similar to that utilized for Institutional for calculating the proper amount is appropriate. In this case, the amount of O/S zoned land represents 2.2% of all residentially zoned land throughout the former city, while the amount proposed will be 1.75% for the Phase 1 and 2 lands combined. No additional special policies will be required.

3.2.5 Parkland

The amount and location of proposed parkland dedication meets the requirement of the Official Plan.

3.3 Other Issues

3.3.1 Phase 2 Development Conditions

Initially Phase 2 lands are to be rezoned with an "H-Holding" zone symbol. Removal of the "H", releasing Phase 2 lands for development is to be triggered by three conditions:

1. Full servicing has been provided for by way of an agreement for those land uses not already covered by other regulations.
2. Residential development must be contiguous with existing areas.
3. The number of lots approved for development must be approximately equal to the total number of housing starts in Phase 1 and Northeast Quadrant Areas "A" and "B", Phase 1.

3.3.2 Road Network

Gregory Drive W. and Bear Line Road are added to the Secondary Plan area as minor arterial roads. They were left out in the original version as they remained wholly within the former Township of Dover as a result of the annexation agreement. The performance standards remain the same as for other minor arterials, meaning a widening of the right-of-way (ROW) for both roads will be necessary. Flexibility is also added to the policies for local roads to permit reduction in ROW and pavement width where justifiable.

The Keil Drive ROW has been located so as to include the easement for an existing high pressure Union Gas transmission line, which requires special setbacks for dwellings and other structures. The ROW will also include the trunk sanitary sewer which is to eventually serve NW Area "B" and Northeast Area "A". In accordance with OPA 61, the applicant has already provided an easement to the municipality which will become the future Keil Drive ROW, and a special policy is required in the Phase 2 Secondary Plan requiring a relocation of Keil Drive as presently proposed to be done only by amendment to the Official Plan. Also, special setback regulations in the zoning by-law amendment are necessary.

3.3.3 Non-Jodamar Properties

As noted in Section 2.1, the subject lands include four separately-owned parcels, which front or flank on Bear Line Road. It is proposed these parcels be given the same OP land use designation as the surrounding lands owned by Jodamar or Joseph P. O'Neill, in order to comply with the existing OP policy that prior to development of Phase 2, a secondary plan be prepared for the Phase 2 lands "in their entirety." However, the present zoning for these lands will be left intact so that their existing development rights are unaffected. When, or if, these lands are proposed for redevelopment, they will be subject to the phasing conditions described in 3.3.1 above.

3.3.4 Provincial Policy

All provincial policy issues were addressed in OPA 61 and, as this proposal conforms with OPA 61, it therefore conforms with all relevant provincial policies.

3.3.5 OPA Format

OPA 61 established the special secondary plan policies by adding a new section 10 to the existing Chatham OP. The proposed amendment revises Section 10 appropriately to permit the Phase 2 lands to proceed, without altering the policies which apply to Phase 1.

3.3.6 Zoning By-law

The proposed implementing zoning by-law performs two functions. First it provides optimum certainty to Council and the public as to the long term development details regarding the Phase 2 lands, as intended by the Secondary Plan process. Second, application of the "H-Holding" symbol will ensure that lot creation is not premature, and development will occur in an orderly fashion, also as intended by the secondary plan.

4.0 CONCLUSION

The proposed secondary plan for Phase 2 of NWQ Area "A" conforms with the intent of the Official Plan general policies as well as the more detailed policies described in Section 10 for the NWQ Area "A". The proposed OPA maintains the conditions necessary to be met for Phase 2 development to begin, and introduces flexibility regarding further redesignation of the lands in the future, should land use demand change over the build-out time period. The proposed zoning by-law amendment will add certainty for the public as to permitted development, with the utilization of the "H-Holding" symbol ensuring that no lands will be released prematurely.

5.0 RECOMMENDATION

1. That the attached Official Plan amendment and zoning by-law be approved.

Thomas A. Storey, M.Sc. RPP.
Storey Samways Planning Ltd.

Mike Phipps
Director of Strategic and Land Use Planning

Joe G. Pavelka, P.Eng.
Chief Administrative Officer

JODOPAP1.WPD

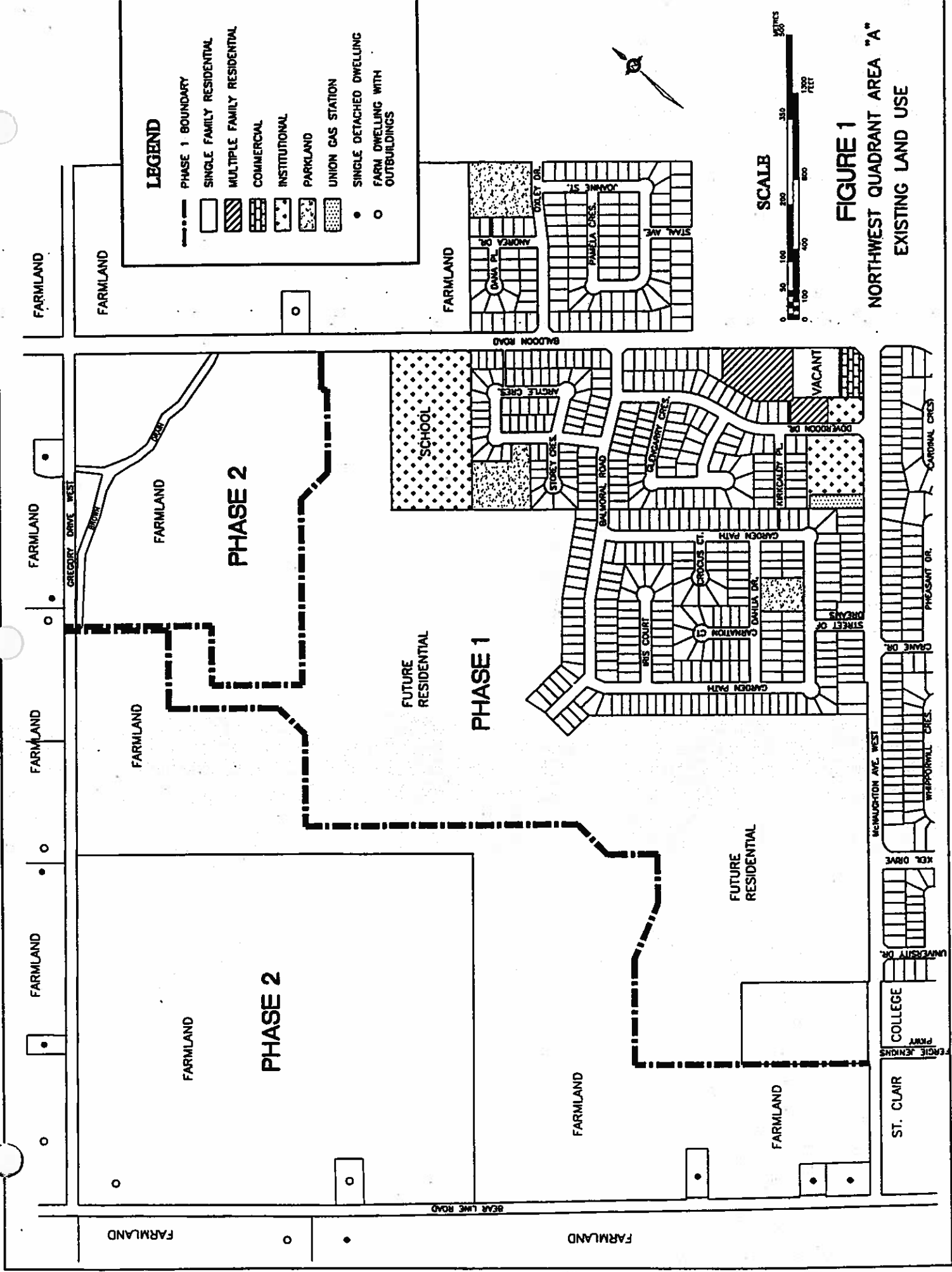
LEGEND

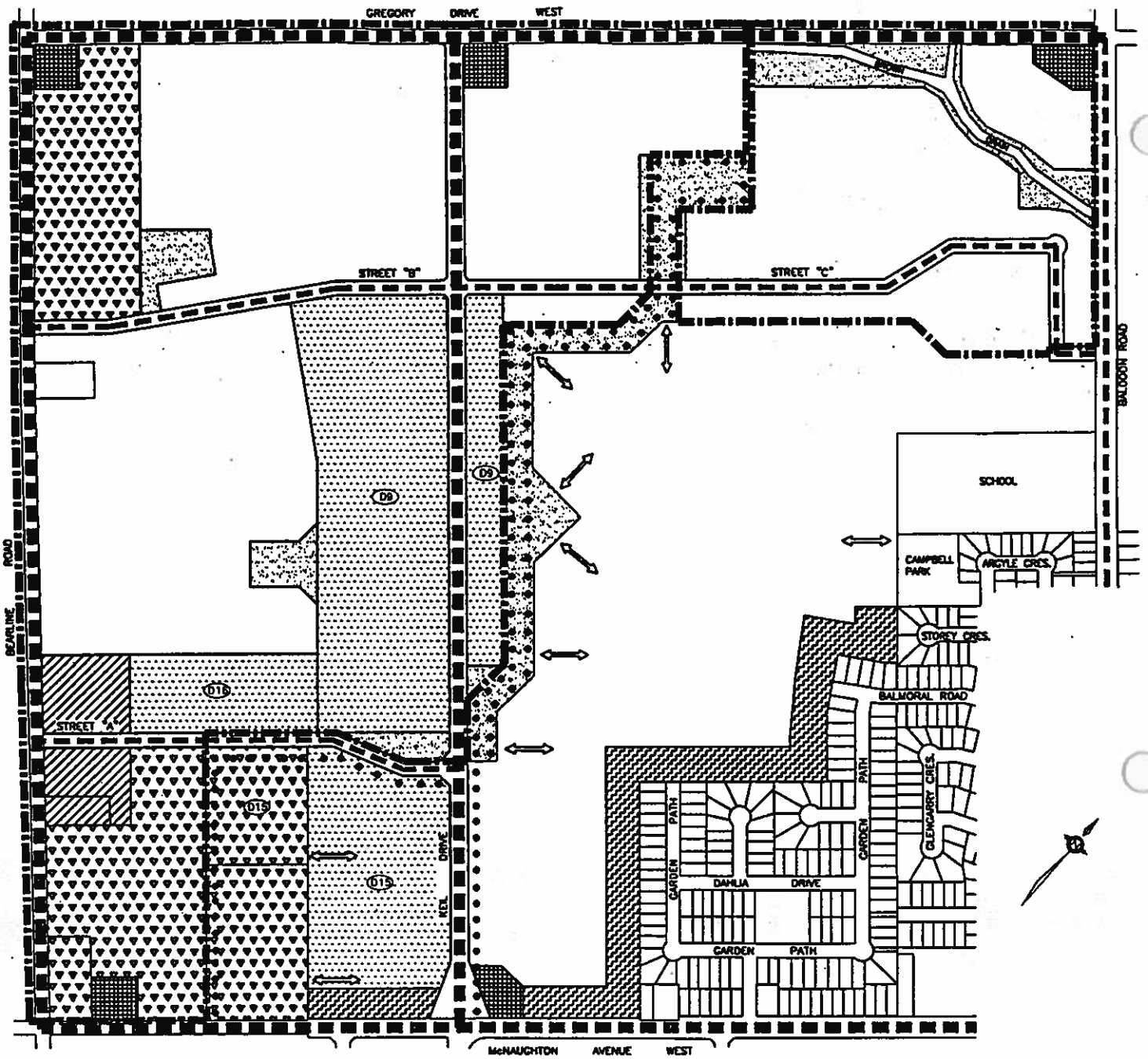
- PHASE 1 BOUNDARY
- SINGLE FAMILY RESIDENTIAL
- ▨ MULTIPLE FAMILY RESIDENTIAL
- ▩ COMMERCIAL
- ▧ INSTITUTIONAL
- ▦ PARKLAND
- ▤ UNION GAS STATION
- SINGLE DETACHED DWELLING
- FARM DWELLING WITH OUTBUILDINGS

SCALE



FIGURE 1
NORTHWEST QUADRANT AREA "A"
EXISTING LAND USE





LEGEND

- PHASE 2 BOUNDARY
- LOW DENSITY RESIDENTIAL
- ▨ NEIGHBOURHOOD LOW DENSITY RESIDENTIAL
- ▤ MEDIUM DENSITY RESIDENTIAL
- ▧ INSTITUTIONAL
- ▩ OPEN SPACE
- NEIGHBOURHOOD COMMERCIAL
- OFFICE/SERVICE
- ⊙ DENSITY (D.U. PER ACRE)
- MINOR ARTERIAL ROAD
- - - COLLECTOR ROAD
- BIKEWAY
- ↔ WALKWAY

SCALE

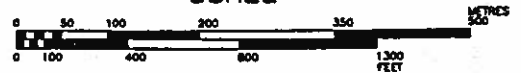
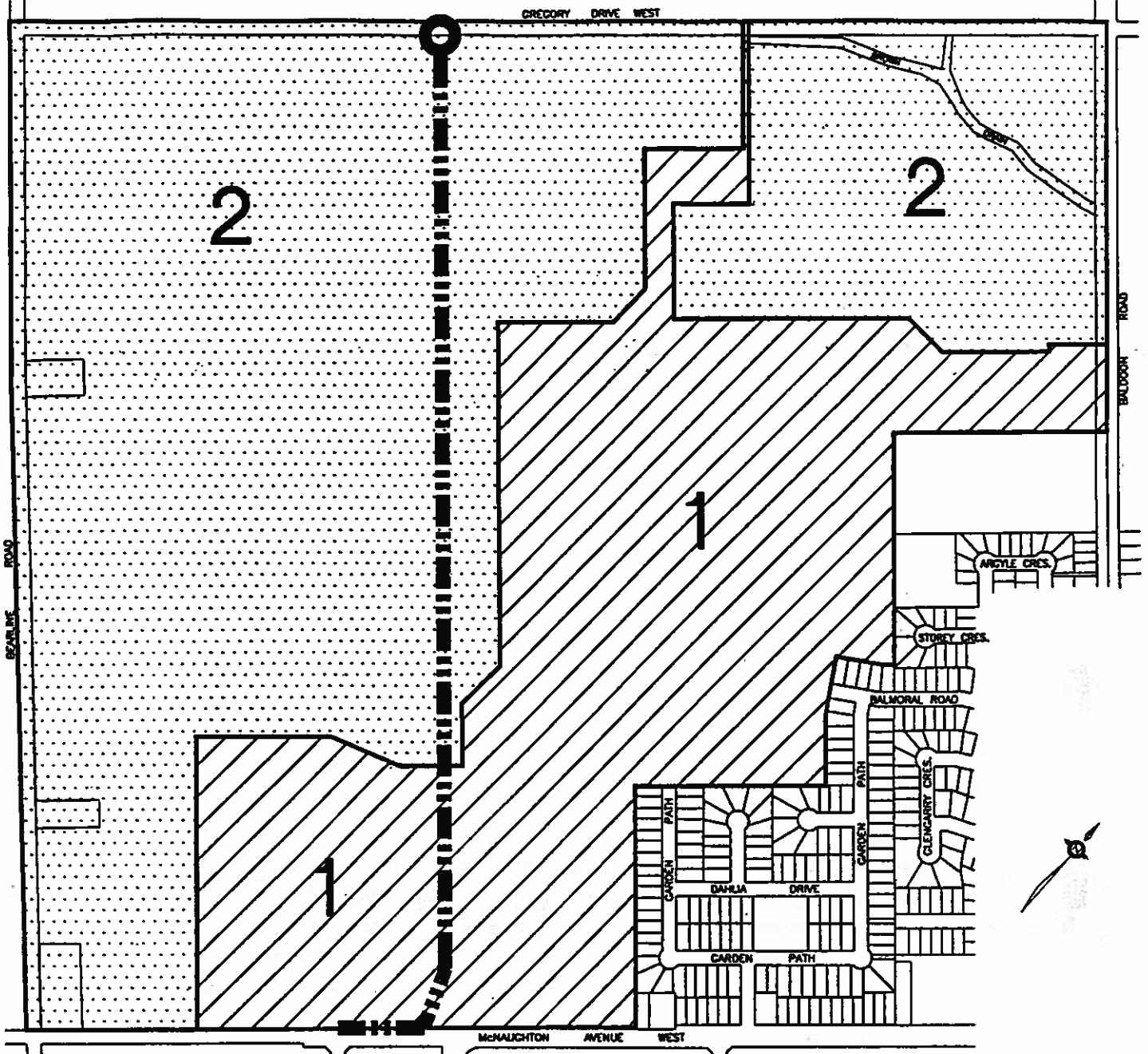


FIGURE 2
 SCHEDULE "B1-4"
 DEVELOPMENT CONCEPT FOR THE
 NORTHWEST QUADRANT AREA "A"

NORTHWEST PLANNING AREA "A"	
DEVELOPMENT CONCEPT	
DATE: MAY 10/99	CAD FILE: OPA68-81-4



LEGEND

 TRUNK WATER SEWER EASEMENT

 PUMP STATION

 PHASE 1 LANDS

 PHASE 2 LANDS

SCALE

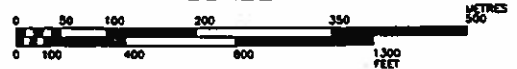


FIGURE 3
 SCHEDULE "B1-4P"
 PHASING POLICY FOR THE
 NORTHWEST QUADRANT AREA "A"

NORTHWEST PLANNING AREA "A"

PHASING POLICY

DATE: MAY 7/89

CAD FILE: OPA68-B1-4P

SECTION 10 OF THE CHATHAM OFFICIAL PLAN AS
CONSOLIDATED WITH OPA 68 AMENDMENTS¹

SECTION 10 - SECONDARY PLAN FOR THE NORTHWEST QUADRANT AREA "A"

10.1 **Introduction**

A major purpose of the Secondary Plan for the Northwest Quadrant Area "A" is to replace the policies of the Official Plan for the Township of Dover Planning Area with a land use scheme that enunciates, in greater detail, the broad policies established in the Official Plan for the *former* City of Chatham Planning Area. The Secondary Plan shall generally conform to and implement the goals, polices and land use designations of the Official Plan of the *former* City of Chatham Planning Area. However, where there is a conflict between the Official Plan and the Secondary Plan, the Secondary Plan policies shall prevail.

Another major purpose of the Secondary Plan is to ensure that development is phased in an efficient manner that creates a compact urban form and that prevents the premature development of agricultural lands.

The Secondary Plan is comprised of:

- (a) A Development Concept.
- (b) Development Policies.
- (c) Servicing and Development Charge Policies.
- (d) A Phasing and Implementation Strategy.

~~This Secondary Plan also provides for an Urban Reserve for future development. In considering the Official Plan Amendment and Urban Reserve Secondary Plan provided for pursuant to Section 10.3.7, such amendment will have regard for the policies herein and for all other relevant considerations.~~

This Secondary Plan divides the subject area into two phases, with the Phase 2 development contingent on dwelling starts in Phase 1 and other areas of the former City, as described in Section 10.4.4. The policies of this section apply to both phases unless noted otherwise.

For background material, reference should be made to the background report and other studies prepared and utilized in the preparation of the Secondary Plan for the Northwest Quadrant Area "A", *Phase 1 and the Secondary Plan for Phase 2.*

¹Text with strikethrough lines is deleted by OPA 68. Text which is bolded and in italics is added by OPA 68.

10.2 **Development Concept**

The Development Concept for the Planning Area is illustrated in Schedule "B1-4".

The Phasing Scheme for the Planning Area is illustrated in Schedule "B1-4P".

10.3 **Development Policies**

10.3.1 **Neighbourhood Low Density Residential**

- (a) Neighbourhood Low Density Residential shall mean residential development comprised of single-detached dwellings. The minimum lot frontage shall be 50 feet and the minimum lot area shall be 5,000 square feet except in those areas where Policy 10.3.1(b) below applies.
- (b) In areas that are adjacent to existing residential neighbourhoods, development shall have lots and associated housing that are consistent with the lot size and housing character of those existing neighbourhoods.

10.3.2 **Low Density Residential**

- (a) ~~Low Density Residential shall mean residential development comprising a range of single-detached and semi-detached housing types. The minimum lot frontage for single-detached will be 35 feet and the minimum lot area will be 3,000 square feet. The minimum lot frontage for semi-detached will be 60 feet and the minimum lot area will be 6,000 square feet.~~
- (a) *Low Density Residential shall mean development comprising a range of single-detached and semi-detached housing types. For Phase 1, the minimum lot frontage for single-detached will be 35 feet. For Phase 2, the minimum lot frontage will be 30 feet. For both phases the minimum lot area for single-detached will be 3,000 ft², the minimum lot frontage for semi-detached will be 50 feet and the minimum lot area for semi-detached will be 5,000 ft².*
- (b) *Notwithstanding 10.3.2(a) single detached dwelling lots fronting on Gregory Drive West and McNaughton Avenue West shall have minimum frontages of 50 feet and minimum lot areas of 5,000 ft². Semi-detached dwellings lots shall use common driveways and ensure no more than 1 driveway entrance per 50 feet of frontage.*
- (c) *No driveway entrances will be permitted from Low Density Residential areas to Bear Line Road.*

10.3.3 Medium Density Residential

- (a) Medium Density Residential shall mean townhouse and fourplex dwellings and single-detached, duplex and double-duplex and semi-detached housing. The maximum residential density will be 15 units per gross acre *as noted by the density symbols indicated in Schedule "B1-4"*. The minimum lot frontage for single-detached housing shall be 30 feet and minimum lot area 3,000 square feet. ~~except where single-detached dwellings front on McNaughton Avenue West where the requirements shall be 50 feet frontage and 5,000 square feet in lot area. Only single-detached dwellings may have direct driveway access to McNaughton Avenue West. All other housing types fronting on McNaughton Avenue West shall use common driveways and shall not exceed one driveway per 50 feet of frontage.~~ The minimum lot frontage for semi-detached housing will be 50 feet and the minimum lot area will be 5,000 square feet.
- (b) ~~The maximum residential density of 15 units per gross acre may be adjusted, as a result of further subdivision, up to 30 units per gross acre provided that the average of all Medium Density Residential properties combined do not exceed 15 units per gross acre.~~
- (b) *The maximum residential densities indicated by the density symbols in Schedule "B1-4" for the different medium density blocks may be adjusted upward as a result of further subdivision provided that the average of all Medium Density Residential properties within the subject block do not exceed its density symbol.*
- (c) Ultimate residential densities for individual multi-unit residential developments will be established through the Zoning By-law and through Site Plan Control, based on the appropriateness, size, shape and design of individual sites. Where a multi-unit site is located adjacent to existing residences, special screening and buffering will be implemented under Site Plan Control (see also Policy 10.3.9 -Civic Design).
- (d) Where possible, development at the rear of underutilized lots shall be incorporated into adjacent development.
- (e) The City *Municipality* will require private waste collection and disposal for all medium density developments comprising 15 or more units. Further, there will be no outside storage of refuse except in designated refuse storage areas. *Rowhouse developments where each unit has driveway access to a fronting public road are exempt from this provision.*

10.3.4 Neighbourhood Commercial

- (a) "Neighbourhood Commercial" shall mean a group of convenience or service establishments developed as a unit which include uses which serve the most frequent and everyday needs of the residents of the surrounding residential areas, such as variety stores, personal services, banks, restaurants, offices, clinics, day care or nursery schools and other convenience facilities.
- (b) A Neighbourhood Commercial Centre shall:
 - (i) Contain a maximum of 16,000 sq. ft. of gross leasable floor area.
 - (ii) The gross leasable floor area of an individual store or unit shall not exceed 5,500 sq. ft.
 - (iii) The Neighbourhood Commercial site shown on Schedule "B1-4" *at the Keil Drive/McNaughton Avenue West intersection* shall have a maximum frontage along McNaughton Avenue West of 150 feet.
- (c) Notwithstanding Sections 4.3.4 and 4.4.6 of the Official Plan, an Official Plan Amendment will be required to designate any additional neighbourhood commercial areas in the planning area.

10.3.5 Open Space

- (a) In the areas designated as Open Space, the predominant use of land will be for public outdoor recreation and for stormwater management.
- (b) Stormwater management shall be consistent with the land use described on Schedule "B1-4" - Development Concept and with the overall stormwater management report entitled "Conceptual Stormwater Management Plan for Part of the Northwest Quadrant" by Sullo Associates Ltd., Consulting Engineers, dated June 11, 1996 as modified by the Engineering Department Concept for Stormwater Management dated November 29, 1996 and subject to final design.

The Ministry of Environment Southwest Region shall be consulted with respect to the final stormwater management design. All statutory approvals for the stormwater management works will be sought under the *Ontario Water Resources Act*.

The rate of flow of stormwater discharge into the existing municipal drains from the Planning Area shall be no greater than the pre-development rate of flow.

- (c) Public outdoor recreation shall include both active and passive uses as follows:
 - (i) active uses requiring playing fields or other facilities;
 - (ii) passive uses such as walking, jogging, bicycling and picnicking and may include the installation of playground equipment.
- (d) Public walkways will be required at strategic locations within development proposals in order to improve the continuity, accessibility and utility of the open space system. The general requirements for walkways have been depicted in Schedule "B1-4" - Development Concept, however, the precise location and number of walkways required will be a function of subdivision design and accessibility and will, therefore, be finally determined at the time of subdivision application.
- (e) Paved 8 foot wide bikeways will also be constructed within the open space system, including along both sides of the stormwater management channel and through the school sites. Paved 6 foot wide separated bikeways will be constructed along Minor Arterial and Collector roads, as depicted in Schedule "B1-4" - Development Concept (see also Section 10.3.8). Final bikeway locations will be dependent on the final design of the stormwater management plan and roadway alignments as approved by the Engineering Department and the Department of Culture and Recreation *Municipality*.
- (f) Within a plan of subdivision, the City *Municipality* will require 5 percent of the land included in the plan as parkland conveyance, as depicted on Schedule "B1-4" - Development Concept and the residual as cash-in-lieu of parkland dedication.
- (g) Land that is subject to flooding, or land that has an elevation equal to or below the 100 year return storm storage elevation established by a storm water management report or any lands that lie between the tops of the banks of any drain or stormwater management facility will not be considered acceptable as a parkland dedication.

- (h) All lands dedicated for parkland shall be in a condition suitable for development as a public recreation area in accordance with the standards of the *City Municipality*.
- (i) Prior to the dedication of Open Space to the *City Municipality*, the owner shall:
 - (i) Level and seed with grass all open space areas. Where the grade of any open space area is of a slope of 4:1 or steeper, the area shall be planted in a self-maintaining manner such as with wild flowers or ornamental grasses. Where a watercourse is part of an open space area, a buffer strip on both sides of the watercourse shall also be planted in a self-maintaining manner. The nature, extent and timing of improvements shall be determined by the Department of Culture and Recreation *Municipality* through the subdivision agreement;
 - (ii) Construct all required paved bikeways as depicted on Schedule "B1-4" - Development Concept (see also Section 10.3.8). The owner shall receive a credit for the cost of construction of the bikeway if and when the Development Charges By-law is implemented;
- (j) The Owner shall construct, at their own expense, all required 5 ft. wide concrete walkways and associated walkway fencing.
- (k) The installation of walkways and bikeways in the open space system shall take place prior to the construction of any dwelling units in the vicinity. The precise timing and phasing of bikeway and walkway construction will be dealt with through the subdivision agreement.
- (l) Conveyance of parkland and municipal servicing infrastructure for stormwater management will be made in conjunction with the registration of the first phase of a plan of subdivision.
- (m) Municipal servicing infrastructure for stormwater management, including the stormwater channel, will be conveyed to the *City Municipality* in accordance with the above-noted policies.

10.3.6 Institutional

- (a) "Institutional" shall mean schools, places of worship and other institutional uses which serve the surrounding residential areas.

- (b) Where lands designated Institutional on Schedule "B1-4" are also shown with a residential density symbol of 15 units per acre, the permitted uses shall also include Medium Density Residential uses up to a maximum density of 15 units per gross acre, in accordance with Section 10.3.3. Notwithstanding Schedule "B1-4P", for the purpose of residential use only, the lands shall be deemed to be within Phase 2 and may be released for development only in accordance with Section 10.4.4.2.
- (c) *The amount and location of lands designated "Institutional" in Phase 2 is based in part on the potential land needs of the school boards. In the event the school boards cannot demonstrate a demand for these lands, then they may be developed for residential use by amendment to this plan and subject to the policies of 10.3.7.2. Consideration of any other use will require an assessment of need.*

10.3.7 Urban Reserve

10.3.7.1 General

~~All lands within the area designated "Urban Reserve" shall be considered as a land reserve for the future development of the City and shall not require further justification to remove the lands from productive agriculture to urban uses. However, any application for the development of any lands in the Urban Reserve shall be considered premature until Policy 10.4 has been satisfied and a Secondary Plan has been adopted for the Urban Reserve area in its entirety as depicted in Schedule "B1-4" - Development Concept.~~

~~The Secondary Plan shall be implemented through a corresponding Official Plan Amendment.~~

10.3.7.2 Permitted Uses

~~For lands designated Urban Reserve, the permitted use shall be farming, for the raising of crops. No livestock operation or retail or wholesale sales will be permitted as either primary or accessory uses.~~

10.3.7.3 Land Severance

~~The severance of any lands designated Urban Reserve shall comply with Section 6.8 of the Official Plan.~~

10.3.7.4 Guidelines for Future Development

The future development of lands within the Urban Reserve area is limited by servicing capacity. The average population density shall not exceed 15 people per gross acre and development of this area must be consistent with the following:

1. ~~the Sanitary Sewer Master Plan prepared by Gore and Storrie Ltd. as amended in 1993;~~
2. ~~the Transportation Master Plan prepared by Delcan Engineers/Planners 1988; and~~
3. ~~the "Conceptual Stormwater Management Plan for Part of the Northwest Quadrant" by Sullo Associates Ltd., Consulting Engineers, dated June 11, 1996, as modified by the Engineering Department Concept for Stormwater Management dated November 29, 1996 subject to the final design and approval by the City Engineer and the Ontario Ministry of Environment and Energy.~~

10.3.7 Phase 2 Lands

10.3.7.1 Timing of Development

Development shall proceed in accordance with the policies of subsection 10.4.4.2.

10.3.7.2 Future Residential Densities

It is recognized that, if market and servicing parameters assumed in the preparation of the Phase 2 Secondary Plan change over time, it may be advisable to reconsider a proposed residential density designation. Consideration for such redesignation will be based on the following:

1. *A transition strip of development will be maintained adjacent to existing residential uses which would generally be consistent with the existing residential area in character and market value.*
2. *An overall equivalent density of 15 persons per acre, or any increased density in a subsequent standard adopted by the Municipality, will be maintained for the Phase 1 and 2 lands in their entirety.*

10.3.8 Transportation

10.3.8.1 Road Network

- (a) The roadways identified on Schedule "B1-4" - Development Concept consist of minor arterial, collector and local roads with future rights-of-way defined as follows:

(i) Minor Arterial Roadways

Keil Drive Extension -
McNaughton Avenue West
North to Street "A".

Two lanes with required right-of-way of 83 feet including a 6 ft. wide separated bikeway (see also Section 10.3.5) as depicted on Schedule "B1-4" - Development Concept

Pavement width 30 feet excluding intersection.

Keil Drive Extension -
Street "A" north to the
City Limits *Gregory Drive West*.

Two lanes with required right-of-way of 83 feet.

Pavement width 30 feet.

Gregory Drive West

Two lanes with required right-of-way of 83 feet (will require widening of existing right-of-way)

Pavement width 30 feet

Bear Line Road

Two lanes with required right-of-way of 83 feet (will require widening of existing right-of-way)

Pavement width 30 feet

(ii) Collector Roadways

Street "A" - from Bearline Road east to Keil Drive Extension.

Two lanes with required right-of-way of 66 feet including a 6 ft. separated

bikeway (see also Section 10.3.5) as depicted on Schedule "B1-4" - Development Concept.

Pavement Width 30 feet.

Street "B" - from Bearline Road east to Keil Drive Extension.

Two lanes with required right-of-way of 66 feet.

Pavement Width 30 feet.

Street "C" - from Keil Drive Extension east to Baldoon Road.

Two lanes with required right-of-way of 66 feet.

Pavement Width 30 feet.

Baldoon Road

Two lanes with required right-of-way of 66 feet.

Pavement Width 30 feet.

(iii) **Local Roadways**

To be determined through Plan of Subdivision.

Two lanes with right-of-way width of 66 feet.

Pavement Width 28 feet.

Reduction in right-of-way and pavement width will be permitted subject to justification acceptable to the Municipality

(b) ~~The final alignment of Keil Drive Extension will be approved by the City Engineer in consultation with Union Gas Limited. Union Gas Limited will also be consulted with respect to subdivision design and zoning, including setbacks from Keil Drive.~~

- (b) *The final alignment of Keil Drive in Phase 2 lands indicated in Map Schedules B1-4 and B1-4P has been fixed by way of an easement granted to the Municipality in Reference Plan 24R-6337. This easement overlays an easement in favour of Union Gas Limited for a high pressure natural gas transmission line, and will also contain the sanitary trunk sewer. Union Gas Limited is to be consulted on any plan of subdivision or zoning fronting on Keil Drive. A change to the alignment of Keil Drive will require an amendment to this plan.*
- (c) To ensure safety for pedestrians, sidewalks will be provided on both sides of all minor arterial and collector roads and on at least one side of all local roads with the exception of cul-de-sacs less than 500 feet. All cul-de-sacs serving as approaches to schools and open space areas shall also be provided with sidewalks.
- (d) *Any required widening of an existing right-of-way will be taken equally from each side.*

10.3.8.2 Public Transit

The City *Municipality* will extend public transit service to new developed areas as demand warrants.

10.3.8.3 Bikeways

Required Bikeways, as illustrated on Schedule "B1-4" - Development Concept, shall be constructed as follows:

- (i) Bikeways in areas designated Open Space shall be paved at a width of 8 feet.
- (ii) Bikeways abutting streets shall be constructed in the boulevard, separated from the roadway and paved at a width of 6 feet. A bikeway shall not be considered a sidewalk for the purposes of Section 10.3.8.1(c).

10.3.9 Civic Design

- (a) Careful attention shall be given to setbacks, orientation, lighting and screening so as to create a compatible environment with adjacent residential, neighbourhood commercial and institutional areas. Measures to minimize the impact of traffic, noise, signs and lighting shall be implemented including adequate on-site landscaping, screening and buffering and their maintenance.

- (b) The *City Municipality* will encourage Developers to use entrance features and decorative lighting in residential plans of subdivisions and in site plans for all other development.

10.3.10 Archaeological Assessment

- (a) Prior to any development, an archaeological assessment shall be completed for any lands in the Planning Area in accordance with the **Provincial Policy Statement**. ~~The archaeological assessment shall be performed to the satisfaction of the City and the Ministry of Citizenship, Culture and Recreation.~~

10.4 Phasing and Implementation Strategy

The following discusses the phasing and regulatory requirements for implementation of the Secondary Plan.

10.4.1 Guiding Development

All policies contained in this Secondary Plan will be implemented through the powers delegated to the City Municipality by provincial legislation, such as the Planning Act, R.S.O. 1990 and the Development Charges Act, and particularly by means of Zoning By-laws, Site Plan Agreements and Subdivision Approvals. Development shall be restricted to those areas in which municipal services required to meet recognized standards of urban development are available.

Full municipal services and utilities shall be required for all new development at no cost to the City Municipality, subject to the provisions of the Development Charges Act such as:

- (i) municipal sanitary sewers,
- (ii) paved streets, curbs and gutters, sidewalks, and walkways,
- (iii) municipal water supply facilities,
- (iv) storm drainage facilities,
- (v) underground hydro, telephone and cable TV, where feasible,
- (vi) natural gas pipelines, where appropriate.

10.4.2 Official Plan

- (a) The Secondary Plan shall be incorporated into the Official Plan by formal amendment and shall be subject to the same administrative and public involvement procedures as required for an Official Plan Amendment.

- (b) Future changes to the Secondary Plan shall be by an Official Plan Amendment, except in the case of minor adjustments to the roadways and open space/stormwater management facilities as shown on Schedule "B1-4" - Development Concept.

10.4.3 Zoning By-law

- (a) An amendment to the Zoning By-law will establish the residential, neighbourhood commercial, institutional *and* open space uses and urban reserve uses.
- (b) For the purpose of interpreting zone lines, measurement will be from existing or proposed roadways. Minor adjustments to the location of zone lines can be made without amendment to the Zoning By-law.

10.4.4 Phasing Scheme

The City of Chatham *Municipality* acknowledges the importance of encouraging a compact urban form and of preventing the premature removal of land from agricultural production. In this regard, the following phasing policies shall apply to the development of the Planning Area as illustrated in Schedule "B1-4P" - Phasing Scheme:

1. Phase 1 *and* Phase 2 lands, as shown on Schedule "B1-4P" - Phasing Policy, shall be developed in accordance with "B1-4" - Development Concept, upon approval of this plan.
2. ~~Phase 2 (Urban Reserve) lands, as shown on Schedule "B1-4P" - Phasing Policy, will remain designated as Phase 2 until all of the following criteria have been satisfied:~~
 - (a) ~~a Secondary Plan has been adopted for all Phase 2 lands in their entirety;~~
 - (b) ~~adequate capacity exists in municipal services and community facilities; and~~
 - (c) ~~the proposed new development can be phased in an orderly and contiguous fashion in relation to the existing built-up area.~~

~~Upon adoption of the Phase 2 Secondary Plan noted in item (a) above, Phase 2 lands for residential development may only be released in an amount approximately equal to the aggregate number of housing starts in the Phase 1 lands in the Northeast Secondary Planning Area "A", Northeast Secondary Planning Area "B" and Northwest Secondary Planning Area "A", through approval of plans of subdivision that conform to the Phase 2 Secondary Plan. Holding by-laws may be used to implement the~~

phasing of development by subdivision(s) within the Phase 2 lands.

2. ***Phase 2 lands will be developed by plans of subdivision and initially be placed in an "H" - Holding zone category permitting existing uses only, unless noted otherwise, the "H" to be removed when the following conditions have been met:***
 - (a) ***for institutional and commercial uses, an agreement is in place to provide for full servicing;***
 - (b) ***for residential development, new plans of subdivision must be contiguous with existing residential areas;***
 - (c) ***for residential development, lots may only be created and released for development in an amount approximately equal to the aggregate number of housing starts in the Phase 1 lands in the Northeast Secondary Plan Area "A", Northeast Secondary Plan Area "B" and Northwest Secondary Plan Area "A";***
 - (d) ***The four parcels fronting or flanking on Bear Line Road known municipally as 23521, 23557 and 23675 Bear Line Road and 1005 McNaughton Avenue West, will retain their existing zoning until they are ready for development, at which time the policies of (a), (b) and (c) above will apply.***
3. A portion of the Phase 2 lands may be able to be developed without a pumping station. This matter will be addressed as part of the Secondary Plan of the subdivision approval stage for Phase 2.
4. As a condition of approval of the first draft plan of subdivision, an easement shall be granted in favour of the City Municipality across all applicable lands for the extension of a trunk sanitary sewer to service Northwest Planning Area "B" and the Northeast Planning Areas "A" and "B". The easement shall be granted at the time of registration of the first phase of the subdivision. This easement is generally depicted on Schedule "B1-4P".
5. The trunk sanitary sewer shall be completed in such a manner as to permit the future development of Phase 2.

Notwithstanding the above, consideration may be given to reallocating Phase 1 lands to other land owners if no construction has occurred on

Phase 1 lands within 5 years of the approval of this plan. This may be accomplished by rescinding draft plan of subdivision approval without amendment to this plan.

Land owners shall be encouraged to maintain vacant land within the Planning Area as productive agriculture until such time as actual construction occurs. The premature grading of sites is discouraged.

10.4.5 **Development Charges**

All development shall be subject to the Development Charges By-law for the Planning Area. A development charge shall include, but not be restricted to:

- (a) municipal sanitary services;
- (b) roadway and bikeway improvements;
- (c) municipal water supply facilities.

10.5 **Summary**

The Secondary Plan establishes the development pattern for a major portion of the northwest portion of the *former* City of Chatham and provides policies and a phasing strategy to guide development in order to ensure a compact urban form and to prevent the premature removal of land from agricultural productivity.