

Schedule "B" to the order of the Ontario Municipal  
Board made on the 17<sup>th</sup> day of April, 1998

AMENDMENT NUMBER 62 TO THE OFFICIAL PLAN  
FOR THE CHATHAM PLANNING AREA

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## **CONSTITUTIONAL STATEMENT**

**PART A - THE PREAMBLE** does not constitute part of this statement.

**PART B - THE AMENDMENT**, consisting of the following text and maps (designated as Schedule "A"), constitutes Amendment Number 62 to the Official Plan for the Chatham Planning Area.

**PART C - THE APPENDICES** do not constitute part of this Amendment. These appendices (I through IX inclusive) contain the background data and public and agency involvement associated with this Amendment.

**PART A - THE PREAMBLE**

**PURPOSE**

The purpose of this Amendment is:

- (1) to incorporate a Secondary Plan for the Northeast Quadrant Area "B" into the Official Plan of the Chatham Planning Area as required by Sections 1.2 and 6.5. The Secondary Plan shall be incorporated into the Official Plan by the creation of a new Section 9 - Northeast Quadrant Area "B" Secondary Plan which will include new Schedules "B1-3" and "B1-3P".

**LOCATION**

The Northeast Quadrant Planning Area "B" is that area generally bounded by Grand Avenue East, McNaughton Avenue East, Michener Road and the City limits.

Appendix I - Planning Area delineates the boundary of the Northeast Quadrant Secondary Planning Area "B".

## **BASIS**

The lands within the Northeast Quadrant Planning Area "B" are currently designated Agricultural in the Official Plan of the Township of Chatham, which was assumed by the City of Chatham in 1991 under an annexation agreement. The lands have since been held from development until a comprehensive plan is prepared to ensure the orderly development of these areas. This work was directed by Council in April of 1994.

The integration of new residential development into an established residential community and the resolution of the major servicing constraints were the critical considerations in the formulation of an effective planning program for the Planning Area. The development of such a residential community had to be consistent with the engineering requirements for the servicing of the planning area with stormwater management facilities, sanitary sewers, watermains and paved roads.

The parameters of the planning program were based on the required contents of the Secondary Plan as outlined in Section 6.5 of the Official Plan of the City of Chatham. The Northeast Quadrant Area "B" Secondary Plan includes the following elements:

- (i) the overall development concept, principles, objectives and assumptions for the area;
- (ii) the identification of the general housing mix and densities for the area;
- (iii) the identification of the permitted land uses and their location within the area;
- (iv) the identification of future school sites, parks and other public facilities;
- (v) the general location and alignment of future arterial and collector roads, access points, transit routes, walkways and bicycles paths;
- (vi) policies on the protection of heritage resources, woodlots, drainage courses or other significant features;
- (vii) policies to encourage the infilling, consolidation and integration of the overall development pattern;
- (viii) the provision of utilities and municipal services;
- (ix) guidelines for the review of development applications and the preparation of zoning amendments;
- (x) policies related to urban design and the visual environment; and
- (xi) the methods of implementation.

The Secondary Plan was prepared by the Planning Department in conjunction with an Interdepartmental Committee comprised of other City Administration.

The planning process for approval of the secondary planning program provided for a public participation program, which included landowners, government and other public agencies, as well as interested citizens. The public process commenced on June 13, 1994 with the approval of the Terms of Reference (see Appendix II) by Council. An informal public workshop was held on

March 13, 1995, as part of the public participation program. As well, numerous meetings were held with landowners, government and public agencies at all stages of the planning process. The stages of the planning program are illustrated on Figure 1.

Ultimately, a formal public meeting, as required by the Planning Act, was held on January 27, 1997 and on February 3, 1997, at which time Chatham City Council approved Amendment No. 62 to incorporate the Secondary Plan into the Official Plan.

Amendment No. 62 (Secondary Plan for the Northeast Quadrant Area "B") establishes the development pattern for a northeasterly portion of the City of Chatham that was predominantly designated Agriculture in the Township of Chatham.



# NORTHEAST PLANNING AREA 'B'

## SECONDARY PLANNING PROCESS AND SCHEDULE

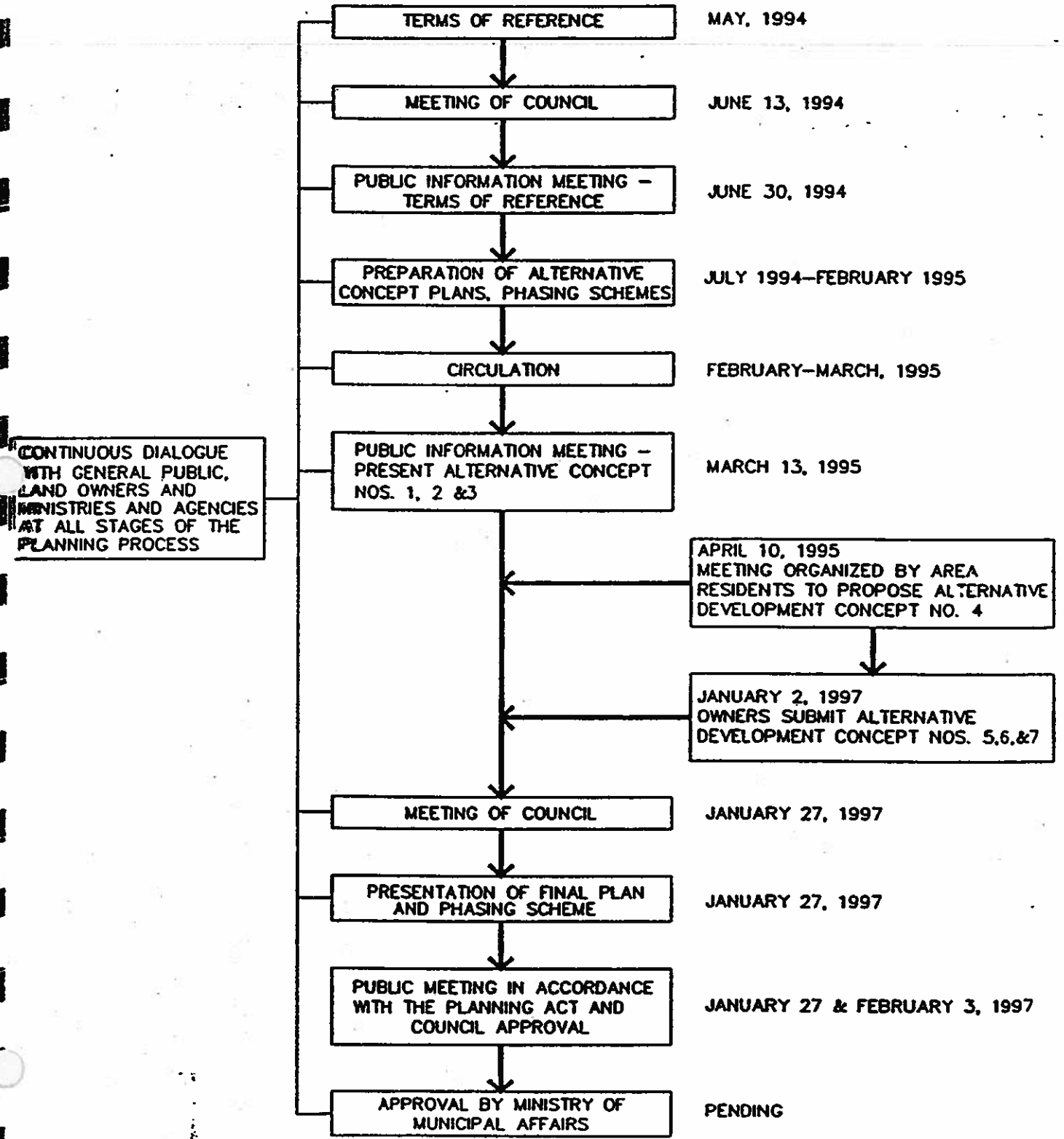


FIGURE 1.

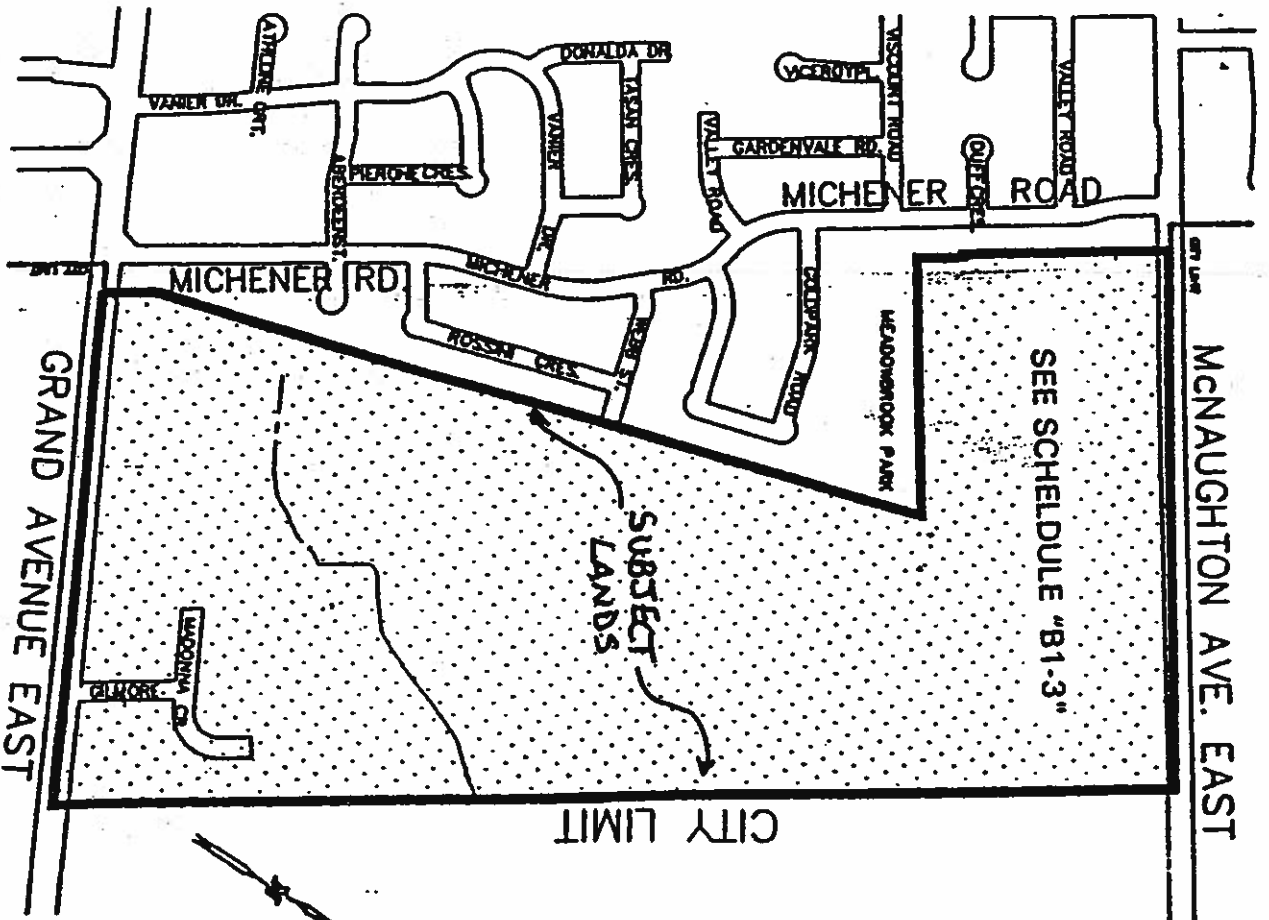
**IMPLEMENTATION**

This Amendment will be implemented through the approval of a Comprehensive Zone Change Application for the Northeast Quadrant Area "B" and through approval of Draft Plans of Subdivision, Consent Applications and through Site Plan Control.

**PART B - THE AMENDMENT**

All of this part of the document entitled PART B - THE AMENDMENT, consisting of the following map schedules and text, constitutes Amendment Number 62 to the Official Plan for the Chatham Planning Area.

**AMENDMENT NO. 62 TO THE OFFICIAL  
PLAN FOR THE CHATHAM PLANNING AREA**



MCNAUGHTON AVE. EAST

SEE SCHEDULE "B1-3"

SUBJECT  
LANDS

CITY LIMIT

**OFFICIAL PLAN**

**SCHEDULE 'A'**

**LEGEND**

- GENERAL RESIDENTIAL
  - ▣ HIGH DENSITY RESIDENTIAL
  - LIMIT OF CENTRAL AREA
  - ▤ DISTRICT COMMERCIAL CENTRE
  - ▥ COMMUNITY COMMERCIAL CENTRE
  - ▧ NEIGHBOURHOOD COMMERCIAL CENTRE
  - ▨ HIGHWAY COMMERCIAL
  - ▩ OFFICE / SERVICE
  - INDUSTRIAL
  - INSTITUTIONAL
  - ▬ OPEN SPACE
  - ▭ SPECIAL POLICY AREA
  - ▮ PROPERTIES NOT INCLUDED IN OFFICIAL PLAN
  - ▯ DEFERRED UNDER SECTION 17(10) OF THE PLANNING ACT - NO. 5
- ① 47-53 ST. GEORGE STREET
  - ② 199-204 STANLEY AVENUE EXTENSION
  - ③ 345 KING STREET EAST
  - ④ 293-349 (INCLUDING) PARK AVENUE WEST, EXCLUDING 311 AND 329 PARK AVENUE WEST
  - ⑤ 253 KING STREET EAST

## **DETAILS OF THE AMENDMENT**

The Official Plan is hereby amended as follows:

**Item (1):** The subject lands are as shown outlined on Schedule "A" to the City of Chatham Official Plan.

**Item (2):** The Table of Contents are hereby amended to add a new Section 9 - SECONDARY PLAN FOR THE NORTHEAST QUADRANT AREA "B", inclusive of the following text and Schedules:

### **"SECTION 9 - SECONDARY PLAN FOR THE NORTHEAST QUADRANT AREA "B"'"**

#### **9.1 Introduction**

A major purpose of the Secondary Plan for the Northeast Quadrant Area "B" is to replace the policies of the Official Plan for the Township of Chatham Planning Area with a land use scheme that enunciates, in greater detail, the broad policies established in the Official Plan for the City of Chatham Planning Area. The Secondary Plan shall generally conform to and implement the goals, policies and land use designations of the Official Plan of the 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.

#### **9.2 Development Concept**

The Development Concept for the Planning Area is illustrated in Schedule "B1-3".

The Phasing Scheme for the Planning Area is illustrated in Schedule "B1-3P".

**9.3 Development Policies**

**9.3.1 Neighbourhood Low Density Residential**

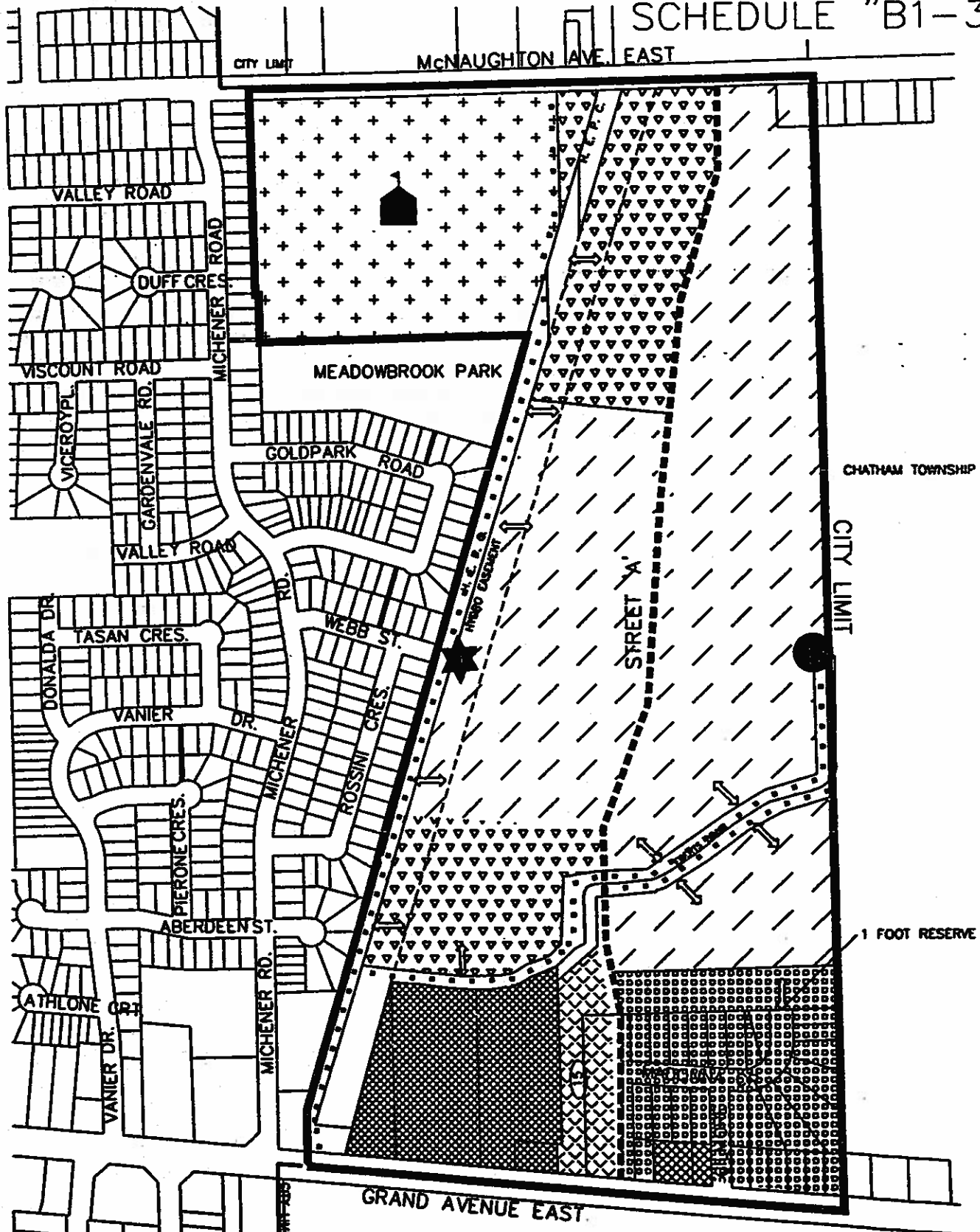
- (a) Neighbourhood Low Density Residential shall mean residential development comprising a range of single-detached and semi-detached housing types, except where Policy 9.3.1(b) applies. The minimum lot frontage for single-detached will be 49 feet and the minimum lot area will be 5,000 square feet. For semi-detached, the minimum lot frontage will be 60 feet and the minimum lot area will be 6,000 square feet.
- (b) In areas immediately abutting the single-detached housing in the Madonna Crescent Subdivision, existing on the date of adoption of this plan, only single-detached housing will be permitted and shall have lots and associated housing that are consistent with the character of this existing neighbourhood.

**9.3.2 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.
- (b) In areas immediately abutting the single-detached housing along McNaughton Avenue, existing on the date of adoption of this plan, only single-detached housing will be permitted and shall have lots and associated housing that are consistent with the character of this existing housing.

**9.3.2A Medium Density Residential**

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. The minimum lot frontage for single-detached housing shall be 30 feet and minimum lot area of 3,000 square feet. The minimum lot frontage for semi-detached housing will be 60 feet and the minimum lot area will be 6,000 square feet.



- MEDIUM DENSITY • SEE SECTION 9.3.2A
- NEIGHBOURHOOD LOW DENSITY RESIDENTIAL
- LOW DENSITY RESIDENTIAL
- INSTITUTIONAL
- OPEN SPACE
- HIGHWAY COMMERCIAL
- NEIGHBOURHOOD COMMERCIAL/APARTMENTS
- NOTE: LOCAL ROAD TO CONNECT WITH STREET "A"

- ELEMENTARY SCHOOL
- WALKWAY
- BIKEWAY
- STUDY AREA
- PRINCIPLE LOCAL ROAD

★ NOTE: WEBB STREET WILL CONTINUE INTO THE PLANNING AREA AND WILL ONLY INDIRECTLY CONNECT WITH STREET "A"

NORTHEAST PLANNING AREA "B"

DEVELOPMENT CONCEPT

DATE: JAN. 31/97

DRAWN BY: NDC

FILE: NEQB8910

### 9.3.3 Neighbourhood Commercial/Apartments Centre

- (a) "Neighbourhood Commercial/Apartments Centre" shall mean an apartment or townhouse development and/or a group of convenience or service establishments developed as a unit.

The residential uses shall mean residential development three storeys high or less and the maximum residential density shall be 15 units per gross acre.

- (b) The City will require private waste collection and disposal for all residential developments comprising 15 or more units. Further, there will be no outside storage of refuse except in designated refuse storage areas.

### 9.3.4 Open Space

- (a) In the areas designated as Open Space, the predominant use of land will be for stormwater management and public outdoor recreation.
- (b) A stormwater management plan for the planning area shall be submitted prior to the submission of any subdivision plan and shall be to the satisfaction of the City Engineer and the Ministry of Environment. The stormwater management plan shall address issues of storage, quality and sediment erosion control during construction..

The rate of flow of stormwater discharge into the existing municipal drains from the Planning Area will be no greater than the predevelopment rate of flow.

- (c) The stormwater management plan described in Policy 9.3.4(b) above shall be consistent with the land use depicted on Schedule "B1-3" - Development Concept.
- (d) 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.
- (e) The City of Chatham will arrange to enter into a recreational lease with Ontario Hydro for open space use of the Ontario Hydro Corridor.



- (f) 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 "B1-3" - Development Concept, however, the precise location and number of walkways required will be a function of subdivision design, accessibility and will, therefore, be finally determined at time of subdivision application.
- (g) Paved, 8 foot wide bikeways will also be designated within the open space system, including along the eastern side of the western hydro towers within the Ontario Hydro Corridor, along both sides of the Eberts Creek east of Street "A" and along the north side of Eberts Creek open space area west of Street "A", as depicted in Schedule "B1-3" - Development Concept. Final bikeway locations will be dependent on the layout approved in the stormwater management plan noted in Policy 9.3.4(b).
- (h) Within a plan of subdivision, the City will require 5 percent of the land included in the plan as parkland conveyance, as depicted on Schedule "B1-3" - Development Concept and the residual as cash-in-lieu of parkland dedication.

The following criteria will apply to the fulfilment of the 5 percent parkland requirement:

- (i) Land that is subject to flooding, or land that has an elevation equal to or below the 100 year return storm storage elevation establish by storm water management report or any lands that lie between the tops of the drain banks will not be considered acceptable as a parkland dedication.
  - (ii) Land along the Eberts Creek Drain or storage basin to a width of 25 ft. from the top of the bank will be required for the development of linear public open space, subject to the provisions of (i) above.
- (i) 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.
  - (j) Prior to the dedication of Open Space to the City, 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 wild flowers or ornamental grasses;
- (ii) Construct the paved 8 foot wide bikeways noted in Policy 9.3.4(g) above and as depicted on Schedule "B1-3". The owner shall receive a credit for the cost of construction of the bikeways if, and when, the Development Charges By-law is implemented.
- (k) The Owner shall construct, at their own expense, all required 5 foot wide concrete walkways.
- (l) The installation of walkways and the bikeways shall take place prior to the construction of any dwelling units in the vicinity.
- (m) Municipal servicing infrastructure for stormwater management, including any stormwater channels, will be conveyed to the City in accordance with the above-noted policies.
- (n) Conveyance of parkland and municipal servicing infrastructure for stormwater management will be made in conjunction with the registration of a plan of subdivision for the first phase.

### 9.3.5 Institutional

Institutional designations shall mean schools, school board administrative facilities and places of worship.

### 9.3.6 Transportation

#### 9.3.6.1 Road Network

- (a) A north-south local road will connect McNaughton Avenue East to Grand Avenue East and is depicted as Street "A" in Schedule "B1-3" - Development Concept. Final location of this alignment will be determined through Plan of Subdivision. This roadway will comprise two lanes with a required right-of-way width of 66 feet and pavement width of 28 feet.
- (b) A local road will indirectly connect Webb Street to Street "A". A local road will also connect Street "A" to the eastern City limit. Other local roads will be determined through Plan of Subdivision. These roads will

be two lanes with right-of-way width of 66 feet and pavement widths of 28 feet.

- (c) The developer shall be responsible for acquisition of roadway alignments over Ontario Hydro property, including all associated costs.
- (d) The alignment for the future extension of Street "A" shall be protected by the dedication to the City of one foot wide reserves across the right-of-way width, at the time that these lands are developed. The alignment for the indirect Webb Street connection and for the connection to the eastern City limit shall also be protected by the dedication to the City of one foot reserves across the right-of-way width, at the time that these lands are developed.
- (e) Other than the roadways designated on Schedule "B1-3", no new roadway will be permitted to McNaughton Avenue East or Grand Avenue East.
- (f) To ensure safety for pedestrians, sidewalks will be provided on both sides of Street "A" 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 school or open space areas shall also be provided with sidewalks.

Sidewalks will also be provided along McNaughton Avenue East and Grand Avenue East when these lands are developed.

#### 9.3.6.2 Public Transit

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

#### 9.3.7 Civic Design

- (a) Special screening, buffering and landscaping will need to be implemented with respect to adjacent residential, commercial and institutional areas. This will be particularly important in the areas adjacent to existing development along McNaughton Avenue East and in the areas adjacent to existing development along Grand Avenue East. Measures for aesthetic improvement and for buffering shall be implemented, including adequate screening and landscaping, and their maintenance.
- (b) The City will encourage Developers to use entrance features and decorative lighting in residential plans of subdivisions and in site plans for all other development.

### 9.3.8 **Archaeological Assessment**

Prior to any development, an archaeological assessment shall be completed for any lands in the Planning Area. The archaeological assessment shall be performed to the satisfaction of the City and the Ministry of Citizenship, Culture and Recreation.

### 9.4 **Phasing and Implementation Strategy**

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

#### 9.4.1 **Guiding Development**

The above policies will be implemented through the powers delegated to the City 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, 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.

#### 9.4.2 **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 adjustments to the roadway and stormwater management facilities/parks shown on Schedule "B1-3" - Development Concept.

#### 9.4.3 Zoning By-law

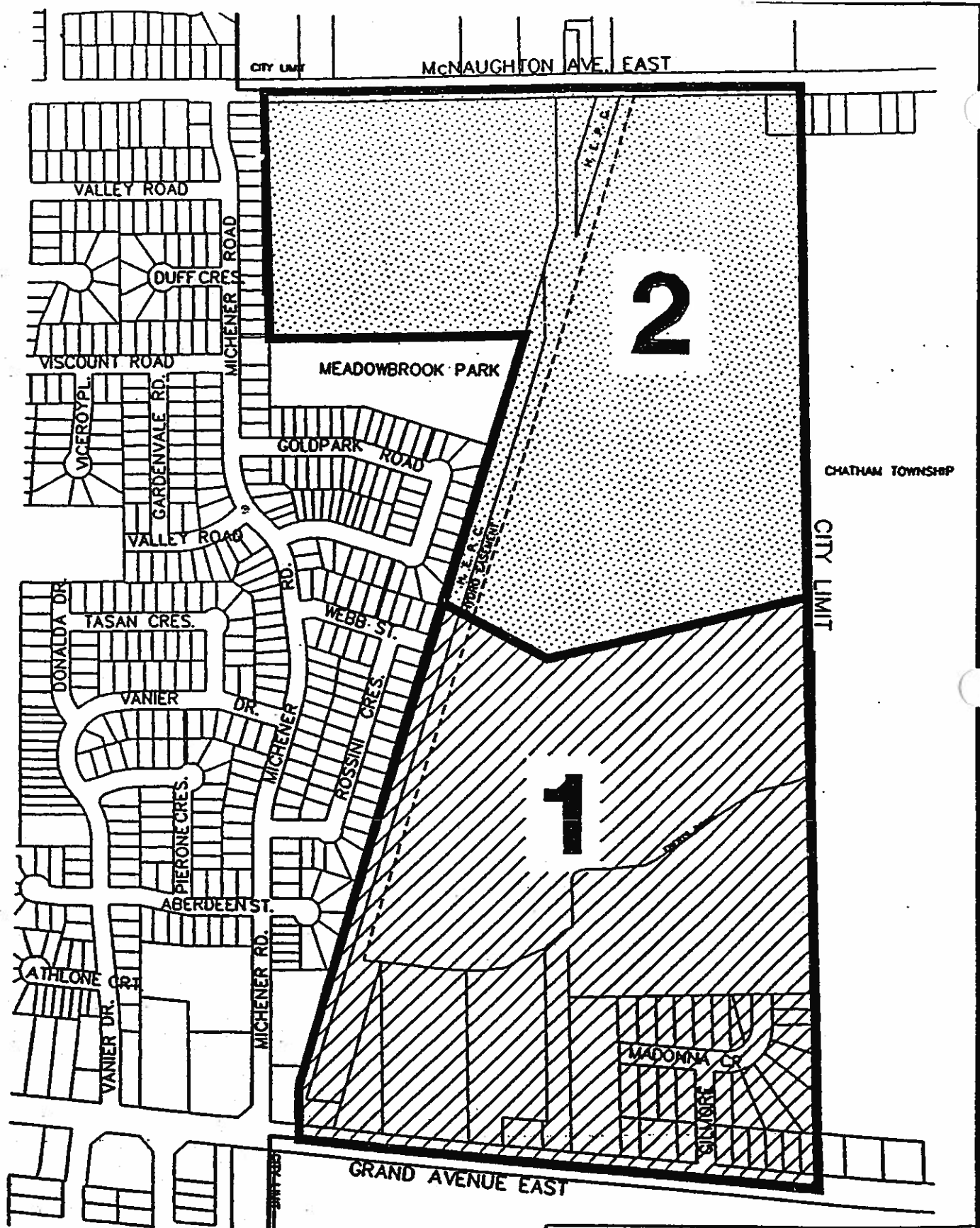
- (a) An amendment to the Zoning By-law will establish the residential, neighbourhood commercial, institutional and open space uses.
- (b) For the purpose of interpreting zone lines; measurement will be from existing or proposed roadways. Minor adjustments to the location of zone lines can be made without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



#### 9.4.4 Phasing Scheme

The City of Chatham 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 "B1-3P" - Phasing Scheme:

1. Phase 1 lands representing approximately 350 dwelling units, may be developed in accordance with Development Concept "B1-3" upon approval of this plan.
2. Phase 2 lands as shown on Schedule "B1-3P" will not be released for development until the following criteria has been satisfied:
  - (a) That housing starts have been undertaken on 75% of the lots in Phase 1 areas;
  - (b) That adequate capacity exists in municipal services and community facilities; and
  - (c) That new development is built in an orderly and contiguous fashion in relation to the existing built-up area.

The sanitary trunk sewer on McNaughton Avenue East terminates at Michener Road. The Sanitary Sewer Master Plan proposes the drainage of the lands northwesterly of Webb Street into this system. It will be necessary to extend the McNaughton Avenue East trunk sanitary to the easterly limits of the subject lands. Since the outlet is not immediately available, the area of the lands northwesterly of Webb Street will be designated as Holding in the implementing Zoning By-law, in conjunction with the use to which the lands will be put at such time as the Holding Symbol is removed.



-  PHASE 1 LANDS
-  PHASE 2 LANDS

SCHEDULE 'B1-3P' - PHASING POLICY FOR THE NORTH-EAST QUADRANT AREA 'B'

NORTH-EAST PLANNING AREA 'B'		
<b>PHASING POLICY</b>		
DATE: APR. 17/97		
DRAWN BY: MDC		FILE: N0RST08

Subsequent to the fulfilment of the above conditions and subject to approval of an Official Plan Amendment, Phase 2 lands shall be developed in accordance with Schedule "B1-3".

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 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.

#### **9.4.5 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;
- (d) storm drainage facilities.

#### **9.5 Summary**

The Secondary Plan establishes the development pattern for the Northeast Planning Area "B" portion of the 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.

**PART C -THE APPENDICES**

The following appendices do not constitute part of Amendment Number 62 but are included as information supporting the Amendment.

- Appendix I      Planning Area
- Appendix II     Terms of Reference
- Appendix III    Land Ownership Map
- Appendix IV    Existing Land Use Map
- Appendix V     Existing Zoning
- Appendix VI    Chatham Planning Department Staff Reports:
- January 17, 1997
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