



**PLANNING RATIONALE REPORT**  
**CREEKSIDE CONDOS**  
**INDIAN CREEK ROAD WEST,**  
**COMMUNITY OF CHATHAM,**  
**MUNICIPALITY OF CHATHAM-KENT**

PROJECT NO. 22-031

DATED: SEPTEMBER 09, 2024

REVISED: OCTOBER 16, 2024



27 Princess St Unit 102  
Leamington, ON N8W 5W1  
519.326.6161 TF 1.844.842.9188  
[bairdAE.ca](http://bairdAE.ca)

# Table of Contents

EXECUTIVE SUMMARY .....	2
1.0 INTRODUCTION .....	3
2.0 SITE DESCRIPTION .....	4
2.1 Surrounding Land Uses .....	5
3.0 PROPOSAL .....	8
3.1 Zoning By-law Amendment .....	9
4.0 PLANNING ACT .....	9
5.0 PLANNING POLICY CONSIDERATIONS .....	9
5.1 Provincial Policy Statement .....	10
5.2 Chatham-Kent Official Plan .....	11
5.3 Chatham-Kent Zoning By-law .....	15
6.0 PUBLIC CONSULTATION STRATEGY .....	15
7.0 DRAWINGS AND SUPPORT STUDIES .....	16
7.1 Archeological Assessment .....	16
7.2 Functional Servicing Report .....	17
7.3 Shadow Study .....	17
7.4 Traffic Impact Study .....	18
8.0 CONCLUSION .....	18
APPENDIX A: DRAFT ZONING BY-LAW AMENDMENT .....	19

## EXECUTIVE SUMMARY

14410598 Canada Incorporated is seeking a Zoning By-law Amendment for an 87 dwelling unit apartment (condo). The 0.92 hectares (2.29 acres) site has frontage along Indian Creek Road West and is bordered by watercourses to the east and south, golf course to the west, and Indian Creek Road West to the north.

The lands are currently designated “Residential” within the Municipality of Chatham-Kent Official Plan; and zoned Residential Low Density 1-E (RL1-E) within the Municipality of Chatham-Kent Zoning By-law.

The development proposes a compact high density residential urban form. Site layout area, by necessity, oriented in a north-south manner, due to the existing watercourses and entrance accesses on Indian Creek Road West.

This report represents and reviews an application to amend the Chatham-Kent Zoning By-law to establish land use regulations to permit the proposed development of an 87 dwelling unit apartment (condo). In addition to this report, the application is supported by an Archeological Assessment, Functional Servicing Report, Shadow Study, Traffic Impact Study, Conceptual Plans and Renderings.

Upon review of the Provincial Policy Statement and Chatham-Kent Official Plan along with the technical studies noted herein, it is concluded that the proposed amendment is consistent with Provincial Policy and conforms to the Chatham-Kent Official Plan.

The result of the subject application will be to rezone the subject property to Residential High Density 2 Exception XX Zone, with the exception addressing site specific relief of the minimum front yard depth and minimum yard depth.

The future steps of the process, is Site Plan Control, to address detailed design of the site; draft plan of condominium exemption, to address tenure; and building construction documentation for the required Building Permits, in order to commencement with construction.

## 1.0 INTRODUCTION

Baird AE Inc. has been retained by 14410598 Canada Incorporated (herein the "Applicant") to provide a land use Planning Rationale Report (PRR) in support of a proposed dwelling apartment (condominium) building, located on the south side of Indian Creek Road West, at the intersection of Lacroix Street (herein the "Site") in the Community of Chatham, Municipality of Chatham-Kent, Ontario.

The Site is in Ward 6 (Chatham Ward) and currently vacant land.

It is proposed to construct one 9-storey dwelling apartment with 87 residential units.

Parking for a total of 125 spaces is to serve the residents and associated visitors, with 40 underground parking spaces and 85 surface parking spaces of which includes 5 accessible parking spaces (2 Type-A and 3 Type-B). A loading space is provided on the south end of the building to service its residents.

Tenure will be ownership (condominium) with a focus on affordability. The building will include one-bedroom, one-bedroom + den and two-bedroom dwelling units in addition to common amenity spaces.

A site-specific Zoning By-law Amendment (ZBA) is required in support of the proposed development. Relief is requested in order to accommodate the proposed development.

Once the ZBA application has been approved, the Applicant will proceed with a Site Plan Control (SPC) application, prior to the issuance of a building permit.

The development will then proceed to a Draft Plan of Condominium Exemption application in order to have the availability to sell individual condominium units. At this point in time, the intent is to have a Standard Condominium, so each suite is a condominium unit, with the remainder being common elements to the condo residents, including things such as the parking area, landscape open space, and building amenities.

Pre-consultation was completed by the Applicant (Municipal Response, dated September 14, 2023). Comments were received and have been incorporated into this PRR.

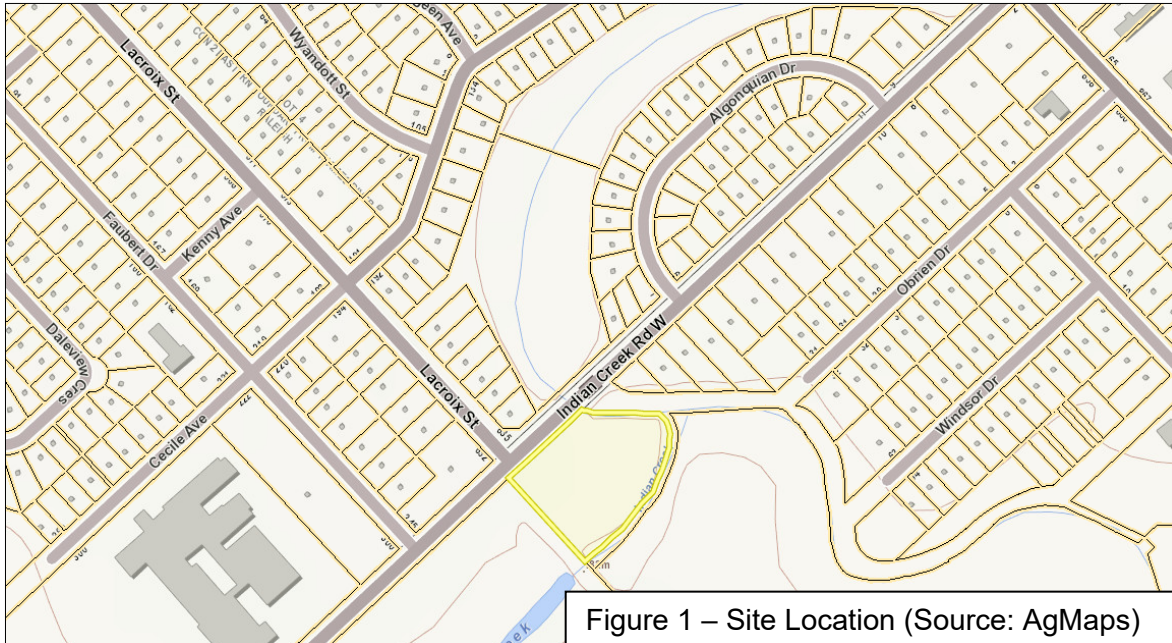
The purpose of this report is to review the relevant land use planning documents, including the Provincial Policy Statement (PPS) 2020, the Municipality of Chatham-Kent Official Plan (OP) and the Municipality of Chatham-Kent Zoning By-law 216-2009 (ZBL). It is acknowledged that the Government of Province of Ontario issued a new 2024 Provincial Planning Statement on August 20, 2024, to take effect on decisions on or after October 20, 2024.

This PRR will show that the proposed development is suitable development of a vacant site for a dwelling apartment (condominium) building, is consistent with the PPS, conforms to the intent and purpose of the Municipality of Chatham-Kent OP and ZBL and represents good planning.

## 2.0 SITE DESCRIPTION

The Site has been owned by 14410598 Canada Incorporated, the Applicant since 2021.

The Site is located on the south side of Indian Creek Road West, at the intersection of Lacroix Street (see Figure 1 – Site Location).



Below are additional details with respect to the Site:

- The Site is currently vacant and does not have a civic address assigned to it yet.
- The legal description is Lot 31 and Block H, Plan 455, within the former Geographic Township of Raleigh.
- The assessment roll number is 3650-110-011-11900.
- The property identification number is 00878-0114 (LT), within Land Registry Office #24.
- There are no previous uses on the parcel of land subject to development, as it was confirmed that the Site has never been developed.
- The entire Site has a total area of 0.92 hectares (2.29 acres) with 80.01 metres (262.5 feet) of lot frontage along Indian Creek Road West.
- The Site subject to the proposed development is currently vacant land.
- The property currently has manicured grass and scattered trees along the westerly lot line and a dense stand of deciduous trees along the watercourses on the south (Indian Creek) and east ((Gregory Drain (Locke Drain)) side, just beyond the Site.

- The Site is flat.
- The soil is made up of Beverly Loam, according to County of Kent Soil Map, Soil Survey Report No. 3.
- The Gregory Drain (Locke Drain) is located along the east boundary of the Site, and is a Municipal Drain, designated through By-law pursuant to a Drainage Act, within the McGregor Creek-Thames River subwatershed area.
- The Indian Creek is located along the south boundary of the Site and is a natural watercourse, within the Jeannettes Creek – Thames River Outlet subwatershed area.
- The property has access to municipal water, storm, and sanitary services.
- A Fire hydrant is proposed on Indian Creek Road West, less than 45 metres to the fire department connection of the proposed development.
- Indian Creek Road West is classified as Urban Collector, as per Schedule B5 of the OP; and Schedule C5 of the ZBL. The roadway is a 2-way roadway, with a travel lane in each direction.
- Streetlights and sidewalks are located on the northern boulevard of Indian Creek Road West. It is proposed to construct a public sidewalk on the southern boulevard of Indian Creek Road West, in order to facilitate safe pedestrian crossing at Indian Creek Road West and Lacroix Street.
- The Site has access to transit with the closest bus stop located at the corner of Park Avenue West and Lacroix Street (Route 4 – Southwest Chatham), 1.4 kilometres to the north.
- There are several schools nearby, including John McGregor Secondary School, Indian Creek Road Public School, Georges P Vanier Separate School, and St. Ursula School.
- There are many parks and recreation opportunities in close proximity of the Site including Indian Crescent Park to the north and Mud Creek Park and Lioness Park to the northwest
- There is nearby community commercial centre, including grocery store plaza, at the intersection of Queen Street and Indian Creek Road West, approximately 500 metres east of the Site.

## 2.1 Surrounding Land Uses

Overall, the Site is located in a wide-range of uses, being on the urban fringe of the settlement area of Chatham. Farmlands are to the south, existing residential subdivision lands to the east and north, and existing golf course to the west. Please refer to Figure 2 below for context of these surrounding land uses from the aerial photography, with the subject property outlined in red.



Photos were taken from Google Street View, dated September 2023.

**North** – The lands north of the Site, contain Indian Creek Road West and existing residential (see Photograph 1).



Photograph 1

**South** – The lands south of the Site are used for agriculture, south of the watercourse where the existing trees are shown (see Photograph 2).



Photograph 2

**East** – The lands east of the Site are existing residential, east of the watercourse (see Photograph 3).



Photograph 3



**West** – The lands west of the Site are used for private open space associated with the existing golf course (see Photograph 4).



Photograph 4

### 3.0 PROPOSAL

The fundamental nature of the proposed is to amend the ZBL for the preferred future development of the vacant lands. The following will identify the existing and proposed zoning, to implement the proposed development.

Municipal Pre-consultation occurred through 2022 and 2023, outlining the support studies required on September 14, 2023 for the ZBA. They are as follows:

- Planning Rationale Report;
- Functional Servicing Report;
- Archeological Assessment;
- Concept Site Plan;
- Concept Building Elevations;
- Shadow Study;
- Traffic Impact Study; and
- Public Information Centre.

The future steps of the process, is Site Plan Control, to address detailed design of the Site; Draft Plan of Condominium exemption, to address tenure; and building construction documentation for the required Building Permits, in order to commencement with construction.

### 3.1 Zoning By-law Amendment

The ZBL zones the subject lands as RL1-E. Permitted uses in the RL1-E includes single detached dwelling and group home. Apartment type dwelling units are not listed as permitted. In order to allow for the development for higher density type dwellings, the appropriate zone would be Residential High Density 2 Exception XX. The Exception is to specify relief of the following:

1. Front yard depth from 7.62 metres to 6.5 metres.
2. Rear yard depth from 15.16 metres (half of the building height) to 13.5 metres.

## 4.0 PLANNING ACT

The *Planning Act* is the legislated basis for land use planning in Ontario. It provides for policy and regulatory direction and permissions for how land use is controlled. Section 1 provides for the legislated purposes of the Planning Act. In particular, subsection 1.1(a) and (b) note that among others, two purposes of the Act are to “promote sustainable economic development in a healthy natural environment” and, to “provide for a land use planning system led by provincial policy”.

Sections 2 and 3 of the *Planning Act* require that planning decisions shall have regard to “matters of provincial interest”, as well as “be consistent with” provincial policy statements and, “Conform with” provincial plans. The proposed Zoning By-law Amendment that are the subject of this Planning Rationale Report are more specifically governed by Sections 34(10.1) of the *Planning Act*.

With regards to land use controls, Section 34 provides the basis for Zoning By-laws. Addressing Subsection 34(1), it is submitted that the proposed Zoning By-law Amendment appropriately regulates and restricts the “*use of land*” as well as the “*erection, locating or using of buildings*”. Section 34(10.1) requires provision of prescribed information. The prescribed information is specified under provisions of Ontario Regulation 545/06. It is submitted that the prescribed information is provided through this Planning Rationale Report, the completed Application for Zoning By-law Amendment and, the supporting Reports and Studies reviewed herein.

In summary, it is submitted that the subject application is aligned with and implements the stated purposed, and complies with the direction and policies of Section 34 of the *Planning Act*.

## 5.0 PLANNING POLICY CONSIDERATIONS

The Site located in the Municipality of Chatham-Kent, within the Province of Ontario and are therefore subject to several layers of policy direction. There is one provincial level policy instrument, being PPS; and there is one municipal policy instrument, being the OP. This Section considers the subject application in the context of these hierarchical policy instruments.

## 5.1 Provincial Policy Statement

The PPS is a province wide planning policy directive on matters of provincial interest related to land use planning and development.

The PPS provides for appropriate development while protecting resources of natural interest, public health and safety, and the quality of the natural and built environment. Land use decisions must be consistent with the policies of the PPS, and municipal Official Plans are the critical implementation tools for the protection of the identified provincial interests (PPS, Part 1). Part 5 of the PPS provides policy guidance on decision making related to land use planning in the province. The policies of the PPS have been reviewed in the context of the submitted application and those that are most pertinent to the subject application are discussed below.

Section 1.0, entitled “Building Strong Healthy Communities”, promotes building strong healthy communities through the provision of efficient development and land use patterns that promote cost effective development patterns to minimize land consumption and servicing costs. For the purpose of the PPS, the Subject Lands are located within a Settlement Area.

Section 1.1.3 directs growth and intensification to designated settlement areas and promotes land use patterns which efficiently use land, resources, and infrastructure, and a range of uses and opportunities for intensification. The proposed residential density provides for alternative housing options (PPS Section 1.4). Municipal services are the preferred form of servicing within settlement areas (PPS Section 1.6). Further, Section 1.5 and 1.6 of the PPS promote healthy active communities by facilitating active transportation, providing a range of built and natural recreational amenities, and providing opportunities for public access to shorelines.

The proposed development represents efficient use of land and existing municipal service infrastructure and maintains compatibility with the open landscape character of the overall golf course to the west and the associated residential community, while being naturally separated with the natural watercourse, municipal drain and Indian Creek Road West. It is submitted that the proposed application is consistent with the policy direction of Section 1.0 of the PPS.

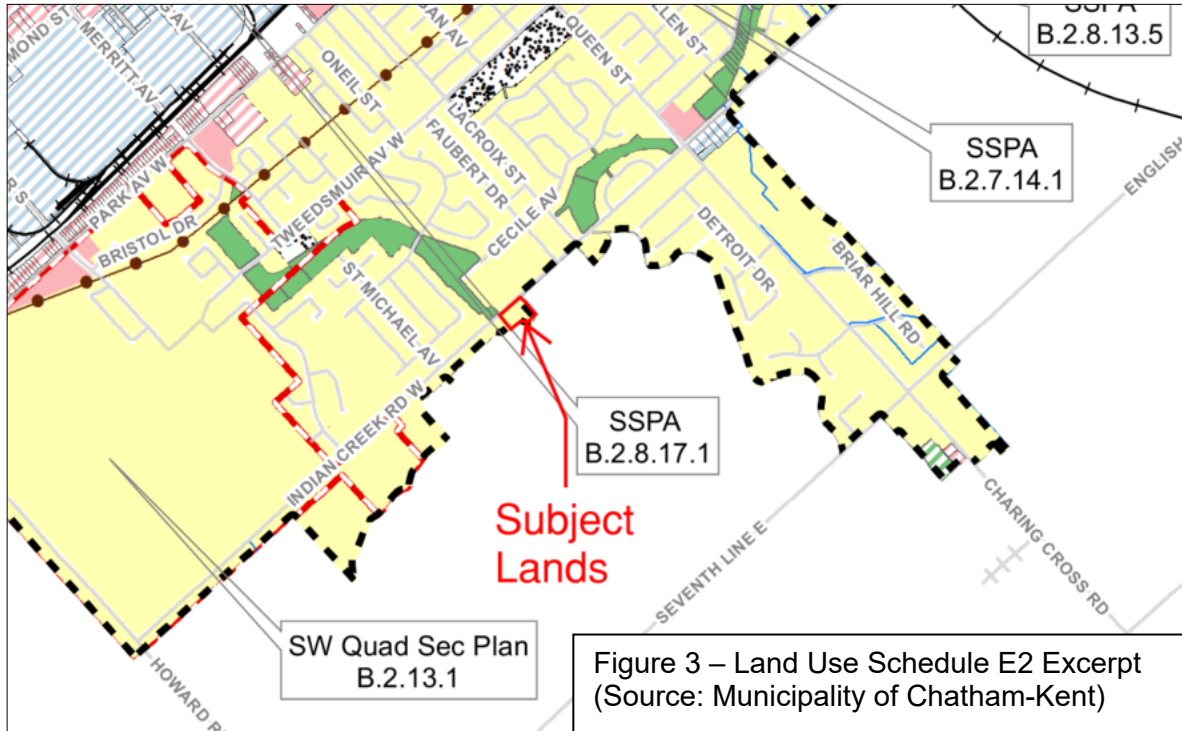
Section 2.0 of the PPS, entitled “Wise Use and Management of Resources”, promotes Ontario’s long-term prosperity, environmental health, and social well-being, through conservation and protection of cultural heritage resources, such as archaeological resources, as detailed in Section 2.6 of the PPS. The potential for cultural heritage resources were evaluated through completion of an Archaeological Assessment (Stage 1 and 2) for the Site. The Archaeological Assessment concluded that there are no cultural heritage resources requiring further protection or assessment within the site limits. The report was entered into the Ontario Public Register of Archaeological Reports. Please refer to more details later in this report.

Section 3.0 of the PPS strives to protect public health and safety by directing development away from areas containing natural or manmade hazards. In this regard, the existing watercourses are considered natural hazards, as such there are top of bank setbacks that are depicted on the concept site plan, which restricts site alteration/development within close proximity; and also serves as a Municipal Drain Maintenance corridor. These parameters were determined in early consultations with Lower Thames Valley Conservation Authority and the Municipality’s Drainage Department.

As detailed above, it is submitted that the proposed Zoning By-law Amendment is consistent with the policy directives of the PPS.

## 5.2 Chatham-Kent Official Plan

The Site is currently designated Residential on Land Use Schedule, Schedule 'E2', of the OP, as depicted in Figure 3.



The OP's housing policies under Section 2.3.4 supports the provision of infill and intensification type projects, as there are a number of opportunities associated with increasing the proportion of residential development within the existing built-up areas of Chatham-Kent's Urban Centres, such as the community of Chatham. Much like other properties, this Site is serviced with municipal water and sewers, while providing access to other hard infrastructure such as roads, indoor and outdoor recreation facilities and other public service facilities. Providing opportunities for residents to age in place, will provide opportunities for intensification development proposals such as this.

In support of the housing vision, six housing objectives were identified under Section 2.3.4 of the OP. These objectives are set out in the OP. Several of the objectives are advanced through this development proposal and include:

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

- 2.3.4.1.1 *Plan for a diverse range of housing choices to ensure that the housing stock can accommodate an aging population, a variety of household types and sizes, a greater diversity of culture and a*

*range of physical and mental disabilities, and that the housing stock can respond to fluctuations in these needs.*

2.3.4.1.2 *Improve and maintain the existing housing supply.*

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

The development proposal implements several housing policies, in support of these housing objectives. The development proposal has merits for infill and intensification for the following reasons:

- It is within an urban area and appropriately suited for infill and intensification in its current context, with the development of the vacant and underutilized Site.
- It is within the existing Residential land use designation area and is consistent with Section B.2.3 of the OP, Residential Area policies (as further reviewed below).
- It is accommodated by existing water, sanitary sewage and storm sewage services.
- The road network can accommodate the additional traffic. This is confirmed through a Traffic Impact Study submitted by the applicant, prepared by a Transportation Planning Consultant.
- It is close to public transit, while promoting opportunities to expand the service.
- Adequate parking is accommodated on-site.
- The proposed development is compatible with the existing development in the surrounding area with adequate angular planes through spatial separation.

The above considerations are in support of the following housing policies within the OP:

2.3.4.2.5 *The Municipality will consider applications for infill development, intensification and redevelopment of sites and buildings, including brownfield or former institutional sites, through intensification based on the following considerations:*

- a) The proposed development is within an urban area and is appropriately suited for intensification in the context of the specific community;*
- b) Intensification will be permitted in all areas designated for urban residential use or residential mixed-use, provided that the development is consistent with the policies of the appropriate land use designation associated with the land and in compliance with the general intent and purpose of the Zoning By-law;*
- c) The existing water and sanitary sewage services can accommodate the additional development;*
- d) The road network can accommodate the additional*

- traffic;*
- e) *The required parking can be accommodated; and*
  - f) *The proposed development is compatible with the existing development standards and physical character of the adjacent properties and the surrounding area. Specifically, intensification proposals should:*
    - i) *respect and reinforce the existing physical characteristics of buildings, streetscapes and open space areas within an existing neighbourhood, including heights, massing and scale of proposed buildings;*
    - ii) *provide adequate privacy, sunlight and sky views for existing and new residents;*
    - iii) *screen any loading or service areas from adjacent properties for proposed developments that require such aspects.*

The OP's residential area land use policies under Section B.2.3, considers this a high-density residential development (76 to 150 dwelling units per net residential hectare), as the proposed density is 93 dwelling units per hectare. This is based on the proposed development of 87 dwelling units on the existing lot area of 0.92 hectares. Section B.2.3.6 contains the applicable policies for this high-density scale of development:

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

- B.2.3.6.1** *Be developed to a density up to a maximum of 150 units per net residential hectare on full municipal services;*
- B.2.3.6.2** *Be located on a collector or arterial road, or within the Downtown/Main Street Area;*
- B.2.3.6.3** *Be located in reasonable proximity to community services, such as schools or churches and shopping;*
- B.2.3.6.4** *Be designed to minimize the impact of shadows on adjacent low and medium-density development;*
- B.2.3.6.5** *Be permitted to contain a small-scale convenience-retail commercial use on the first floor that fronts onto the street;*
- B.2.3.6.6** *Have parking areas that are adequately screened;*
- B.2.3.6.7** *Contain a high level of landscaping including, but not limited to, shrubs, trees, paving stones and decorative fencing;*
- B.2.3.6.8** *Have driveway accesses, which are located on a collector or local road;*
- B.2.3.6.9** *Incorporate amenities, such as onsite recreation facilities,*

*for residents;*

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

The development proposal of the Site conforms to the high-density residential land use policies noted above, based on the following:

- The proposed residential density is 93 dwelling units per net residential hectare; well below the maximum density permitted.
- Indian Creek Road West is identified as Urban Collector Road by Map Schedule B5 of the OP.
- The proposed development is in close proximity of community services. Examples include, but not limited to, the following:
  - John McGregor Secondary School is 300m away from Site;
  - Commercial Retail (Dollarama and No Frills) at Queen Street and Indian Creek Road West is 600m away from Site;
  - George P Vanier Catholic School is 900m away from Site;
  - Chatham Memorial Arena is 1.1km away from Site; and
  - Indian Creek Road Public School is 1.2km away from Site.
- The proposed development has been designed to minimize impact of shadowing on adjacent lands, as supported by the four-season Shadow Study.
- The proposed development does not intend to have commercial-related convenience retail within the Site.
- The proposed development of the Site contains a significant amount of landscaping, as a result of the Municipal Drain and the natural watercourse bounded by the Site to the east and west. Based on the concept site plan, over 48% of the Site will be landscape open space. Through the future Site Plan Control process landscaping detailed will be matured for the Site.
- The entrance access to the Site will be from Indian Creek Road West, which is an Urban Collector Road, as noted above.
- The proposed development has high-quality amenity spaces for the residents, as demonstrated on the concept floor plans. The intent is for fitness and common rooms on the first floor. The ninth floor contains a roof-top common room along the western portion of the building to maximize the afternoon sun and views of the adjacent golf course greenspace, known as Links of Kent Golf Club & Event Centre; as well as an outdoor patio area.
- The proposed development would proceed with Site Plan Control, upon the successful completion of the Zoning By-law Amendment process. Followed by building permit process prior to construction activity and a condominium exemption process to address tenure.

### 5.3 Chatham-Kent Zoning By-law

The Site is currently zoned Residential Low Density (RL1-E), within the ZBL. The RL1-E Zone permits single detached dwelling and group home.

In order to implement the proposed development, a Zoning By-law Amendment is required to permit apartment dwellings, defined as “Dwelling Apartment” within the ZBL, by rezoning the Site to the Residential High Density Second Exception XX (RH2-XX) Zone. The RH2 Zone permits the following land uses:

- Dwelling, Apartment;
- Dwelling, Senior Citizen; and
- Group Home.

The proposed development for the Site, as laid out on the Concept Site Plan, complies with the ZBL, save and except for the following site performance provisions in which we are seeking relief through an Exception XX:

- Minimum front yard depth from 7.62 metres to 6.5 metres.
- Minimum rear yard depth from 15.16 metres (half height of building) to 13.5 metres.

The front and rear yard modifications assist with the structural design of the building, while providing opportunities for parking spaces off the southern driveway, to ensure there is ample parking to address on-site needs. This provides over 36 metres of spatial separation from the dwelling at 635 Lacroix Street; and the lands to the south have the Chinnick Drain as a natural feature separation from the active farmlands to the south.

The proposed suites are broken down into 64 two bedrooms and 23 one bedrooms, for the total 87 dwelling units on-site. With 125 parking spaces provided (120 standard, 2 Type-A Accessible and 3 Type-B Accessible), this provides for a parking rate of 1.43 parking spaces per dwelling unit, compared to the minimum requirement of 1.25 parking spaces within the ZBL. Functionally, this would allow each dwelling unit to have one dedicated parking space, leaving an additional 38 parking spaces to provide some of the residents with a second parking space and for some visitor parking on the Site.

## 6.0 PUBLIC CONSULTATION STRATEGY

Through the ZBA process, the *Planning Act* requires, at a minimum, a statutory public meeting in order to obtain comments on the proposal prior to a decision at Chatham-Kent Council.

In order to enhance public engagement and information sharing, an informal public house (public information centre) is planned with the area residents within 120 metres of the subject property in Fall 2024. Notices will be sent out to inform the public of this event.

The purpose of the open house is to provide members of the public with opportunities to review, obtain information and comment on the development proposal.



## 7.0 DRAWINGS AND SUPPORT STUDIES

As part of the ZBA submission, a Plan of Survey and the following Baird AE drawings are included with the submission:

- Concept Site Plan, dated July 25, 2024.
- Concept Building Floor Plans, dated August 21, 2024.
- Concept Building Exterior Elevations, dated August 21, 2024.
- Concept Building Renderings, dated June 17, 2024.

The above drawings give context of the contemplated layout of the Site, as well as the intended layout of the building.

Support studies for the ZBA, in addition to this PRR include the following:

- Archeological Assessment;
- Functional Servicing Report;
- Shadow Study; and
- Traffic Impact Study.

The support studies are further detailed below.

### 7.1 Archeological Assessment

A Stage 1 & 2 Archeological Assessment (AA) was prepared by Earthworks Archeological Services, dated December 13, 2023.

The AA recommended the following:

*Based on the results of the Stage 1 background investigation and the subsequent Stage 2 test pit survey the study area is considered to be free of archaeological material, and no additional archaeological assessments are recommended.*

*The MCM is requested to review this report and provide a letter indicating their satisfaction that the fieldwork and reporting for this archaeological assessment are consistent with the Ministry's 2011 Standards and Guidelines for Consultant Archaeologists and the terms and conditions for archaeological licences, and to enter this report into the Ontario Public Register of Archaeological Reports.*

The AA was entered into the Ontario Public Register and confirmed by the Ministry of Citizenship and Multiculturalism, in a letter dated February 26, 2024.

## 7.2 Functional Servicing Report

A Functional Servicing Report (FSR) was prepared by Baird AE, dated September 05, 2024, revised on October 11, 2024. The report provided a review of the required municipal services, including stormwater servicing, sanitary sewer servicing, and water servicing. The FSR concluded the following:

*Storm Servicing – During minor storm events, runoff will be conveyed to the 525mm Indian Creek Road West storm sewer using a 200mm pipe. Surface and underground attenuation measures will be installed below the underground parking finished floor to manage minor and major design storms. Post-development release rates for all design storms will be lower than the 2-year pre-development release rate. A 155mm orifice will be installed to restrict storm outflow from the site to the pre-development release rate.*

*Sanitary Servicing – A new 200mm diameter sanitary service will connect the proposed development to the existing 250mm municipal sanitary sewer on Lacroix Street. The downstream 250mm trunk sewer north of the intersection of Lacroix Street and Cecile Avenue will operate at 67.6% capacity at its peak (as per the design sheet) when considering all potential future developments. Monitoring results indicate that the existing sanitary sewer has the capacity to accommodate flow from the proposed development. However, during the peak period, which occurred once in 4 months of monitoring, the existing sewer will be at full capacity. It is noted that this peak will dissipate within 1 hour. Therefore, it is concluded that the proposed development will not have any negative effect during the peak periods.*

*Water Servicing – The proposed development will be serviced via a 200mm water service connection tied into the 250mm PVC watermain on Indian Creek Road West.*

## 7.3 Shadow Study

A Shadow Study was prepared by Baird AE, dated August 20, 2024. The Shadow Study depicted the proposed building shadows during the 4 seasons: winter solstice, spring equinox, summer solstice and fall equinox, to provide for relationship to the nearby lands, in order to demonstrate the mitigation of the shadow casting, based on the proposed site layout.

In December during winter solstice, when we experience the lowest amount of daylight hours (approximately just over 9 hours of daylight), the dwellings to the north experience morning shadowing and the dwellings to the east experience afternoon shadowing, due to the low southerly angle of the sun. This is also the time that limited outdoor activities occur due to cold temperatures being present.

In June during summer solstice, when we experience the highest amount of daylight hours (approximately just over 15 hours of daylight), the dwellings to the north west experience early morning shadowing only, but is easily mitigated by 9am. This is also the time that outdoor activities are maximized with the warm temperatures being present.

Therefore, we are of the opinion that the proposed development through the building design reduces and mitigates any undesirable shadow conditions.

#### 7.4 Traffic Impact Study

A Traffic Impact Study (TIS) was prepared by Baird AE, dated August 23, 2024. The TIS concluded the following:

- *The proposed development will consist of 9-storey building with 87 dwelling units parking area, loading dock and landscape. The site will generate an additional 579 daily, 44 morning peak and 54 evening peak traffic. The overall area of development is approximately 0.69ha.*
- *The background growth rate of 3 percent was considered in the modelling as it represents the worst-case scenario.*
- *The proposed development is expected to generate 44 morning trips and 54 evening trips. It is anticipated that will be completed by 2025.*
- *The access to the development will be provided from Indian Creek Road West. The development access will have "Stop" control.*
- *Under future conditions, the intersections Indian Creek Road W with Lacroix Street and Charing Cross Road/Queen Street will operate at an overall acceptable level of service during 2025 and 2035 morning and evening peak hours.*
- *An adequate sight line distance is provided for a safe departure from the development.*

## 8.0 CONCLUSION

The proposal represents good planning as it addresses the need for the development of a vacant parcel of land, which contributes to affordability and intensification requirements set out in the PPS and the OP, while offering a different housing type option for the residents.

This PRR has shown that the proposed development is consistent with the PPS, conforms with the intent and purpose of the OP and represents good planning. Therefore, it would be appropriate for the Council of the Municipality of Chatham-Kent, to approve the Zoning By-law Amendment to permit the proposed development on the Site.

Respectfully Submitted:

*B. Pearce*

**Bryan Pearce, HBA, CPT, MCIP, RPP**

**Principal Planner, Baird AE Inc.**

## **APPENDIX A: DRAFT ZONING BY-LAW AMENDMENT**

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 (14410598  
Canada Incorporated)

CityView # PL202400XXX

Whereas an application has been received for an amendment to the zoning by-law for a certain parcel of land in the Community of Chatham (City) in order to permit high-density residential uses and apply site-specific regulations for an Apartment Dwelling;

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 (RL1-E) to Residential High Density Second (RH2-17XX) 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. 17XX

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:

RH2-17XX

4. That Schedule “B”, Zone Exceptions, of the said By-law 216-2009, be amended by adding the following Exception Area:

Exception No.	Special Zone Symbol	Special Zone Provisions
17XX	RM2-17XX	The following regulations apply to an Apartment Dwelling:  i) Front Yard Depth Minimum – 6.5 m ii) Rear Yard Width Minimum – 13.5 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 \_\_\_\_<sup>th</sup> day of \_\_\_\_\_, 202\_.

\_\_\_\_\_  
Mayor – Darrin Canniff

\_\_\_\_\_  
Clerk - Judy Smith