

**PLANNING JUSTIFICATION
REPORT**

PREPARED FOR:

1000736988 Ontario Inc.,
1000736990 Ontario Inc.,
1000736993 Ontario Inc.
and
10007396994 Ontario Inc.

PROPOSED RESIDENTIAL DEVELOPMENT
255 Lark Street, Chatham

PREPARED BY:

STOREY SAMWAYS PLANNING LTD.
CHATHAM, ONTARIO

October 28, 2024 (Revised)

PLANNING JUSTIFICATION REPORT
OFFICIAL PLAN AMENDMENT & ZONING BY-LAW AMENDMENT
APPLICATIONS

for

PROPOSED RESIDENTIAL DEVELOPMENT by 1000736988 ONTARIO INC., 1000736990 ONTARIO INC., 1000736993 ONTARIO INC. & 10007396994 ONTARIO INC.

255 LARK STREET, CHATHAM

1. INTRODUCTION

Storey Samways Planning Ltd. (SSPL) was retained by 1000736988 Ontario Inc., 1000736990 Ontario Inc., 1000736993 Ontario Inc. & 10007396994 Ontario Inc., herein referred to throughout this report as “NoCo”, in spring of 2024 to assist in seeking the planning approvals necessary for a residential development, described in more detail below, on lands fronting both Lark Street and Partridge Crescent in the Community of Chatham. An outcome of the pre-consultation process with the Municipality of Chatham-Kent (CK) Planning Department was that a Planning Justification Report (PJR), along with other studies, would be required for applications for Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA), both applications to permit the proposed residential development, to be considered complete.

The document that follows is intended to serve that purpose.

2.0 REGIONAL & LOCAL SETTING

The subject property is generally located in the northwestern portion of Chatham, within the residential area bounded by Baldoon Road to the south and east, McNaughton Avenue West to the north, and Keil Drive to the west. This residential area is what is locally referred to as Birdland Subdivision. **Please refer to Appendix A.**

The overall subject site is irregular in shape, and is 1.821 hectares (4.5 acres) in area, and was home to the former Monsignor Uyen Catholic School, which, was declared surplus by the School Board in 2019, and recently purchased by NoCo. In addition to the former school building, the parcel contains a parking area, and a grass play area. The perimeter of the parcel is fenced, with a number of dedicated openings leading to/from the adjacent Lark Park and adjacent residential streets.

As indicated above, immediately abutting the parcel to the southwest is Lark Park (roughly 2.5 hectares / 6.2 acres), with residential uses surrounding, and beyond, that; and to the east and north are single detached dwellings (residential use); and to the south, fronting on Partridge are single detached dwellings, and a large parcel containing six, three-storey apartment dwellings. **Please refer to Appendix B.**

The subject site is designated Residential by Map Schedule E-2 of the Chatham-Kent Official Plan (OP) (**please refer to Appendix C**), and is zoned Institutional, I, by the Chatham-Kent Zoning By-law (ZBL) (**please refer to Appendix D**).

3. DEVELOPMENT PROPOSAL

Attached as **Appendix E** is the conceptual site plan. It proposes redevelopment of the site to contain a total of eight (8) multiple dwellings (stacked townhouses) containing a total of 160 dwelling units (condominium tenure), ancillary parking areas for 210 vehicles, grassed amenity areas, and ingress/egress points on Lark Street and Partridge Crescent.

It should be noted the existing school structure and ancillary facilities will be removed.

It should also be noted that a definition of a stacked townhome does not appear in the ZBL, so as such, it is proposed that the following definition be introduced into the ZBL:

"DWELLING, STACKED TOWNHOUSE" means a building designed to contain three or more dwelling units attached side by side, not more than three units high, with each dwelling unit having a private entrance to grade level and a private open space area of any upper unit may utilize a portion of the roof of any lower unit.

In order to facilitate the proposed development, through consultation with CK Administration, it was determined that the following Planning Act applications are required to be submitted, and ultimately approved:

1. Official Plan Amendment (OPA) – to permit a high-density residential use to be located on a local road classification;
2. Zoning By-law Amendment (ZBA) – to introduce the definition of a stacked townhouse dwelling, to permit the proposed residential use, and to establish site-specific performance standards for the proposed stacked townhouse dwellings;
3. Site Plan Approval – to be submitted in the future, following approval of the OPA and ZBA. It should be recognized that production of a final site plan is an iterative process still progressing. For instance, it is possible that the layout could be affected by adjustments regarding the stormwater management plan, in particular the final size and location of the stormwater management facility, and the various individual unit designs and varying building footprints; and
4. Draft Plan of Condominium – to be submitted in the future at an appropriate time.

To support the above-noted OPA and ZBA applications, the following studies / activities were required by CK Administration to form part of a Complete Application:

- Traffic Impact Study (TIS) – Paradigm Transportation Solutions Ltd. was retained to prepare a TIS. The TIS will be submitted to CK as a stand-alone document, however, the Executive Summary and recommendation of the TIS, which supports the proposal, is attached as **Appendix F**.
- Functional Servicing Report (FSR) – the FSR, prepared by McGuigan Engineering Inc., which provides support of the servicing abilities on the subject lands, will be provided as a stand-alone document, and details / finds:
 - Storm drainage – a stormwater management plan will be provided as a requirement for final development approval
 - Water supply – there is no constraint, with a main provided on Lark Street with sufficient capacity.

- Sanitary service – there is adequate capacity available within the existing network
- Public Information Centre (PIC) – a PIC, at the time of writing, has not yet occurred, but is expected to take place approximately six weeks prior to a future Council meeting where the OPA and ZBA applications will be considered. An addendum to this report, outlining the PIC event, comments and responses, will be provided to CK Administration immediately following the PIC, and prior to the Council meeting.

4. DOCUMENT REVIEW / CONSULTATION

In preparation of this report, I have relied on the following consultation and document review:

- Regular meetings of the development ownership and consultant teams
- Various interactions with Chatham-Kent Planning Department staff
- Provincial Policy Statement (PPS)
- More Homes for Everyone Act & More Homes Built Faster Act
- Canadian Mortgage and Housing Corporation (CMHC) published vacancy rates
- Chatham-Kent Official Plan (OP)
- Chatham-Kent Zoning By-law (ZBL)
- The Paradigm TIS
- The McGuigan Engineering FSR

5. ANALYSIS

5.1. Overview

In this section, the proposed development is reviewed for its consistency with the Provincial Policy Statement (PPS) and conformity with the Chatham-Kent Official Plan (C-K OP). As a preamble it is noted that Chatham-Kent, and the primary settlement areas, such as Chatham (City), are experiencing a surge in housing demand. Review of recently approved building permit numbers, of all types, easily exceeded the total annual numbers for any recorded year since amalgamation.

In a recently prepared and submitted PJR supporting an official plan amendment which facilitated a new residential development, prepared by our office, the following comments were provided. These comments, in italics immediately below, accurately represent the current housing market environment and therefore can be applied to the NoCo project.

"..., the real estate market is in a substantial inflationary cycle for both ownership and rental, also unprecedented. In our own office we have been retained by several out-of-town as well as local developers to pursue development approvals in numbers well beyond anything we have experienced.

There appears to be two demographic trends underlying this particular immigration. First, real estate firms, ..., are deliberately and successfully targeting GTA and Golden Horseshoe households based on Chatham's still attractive (by comparison) prices. This approach brings those considering retirement, from the older generation, as well as younger households who are now able to work from home...".

In the discussion below, it is assumed that this trend will be continuing for some period, and justifying the demand/need for the land use change is unnecessary.

5.2. Provincial Policy Statement (PPS)

1. Policy 1.1.1(b), *Healthy, livable and safe communities are sustained by:*

(b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;

Comment: the proposed development provides a range of middle to high-end, medium density dwelling types which the current housing market demands.

2. Policy 1.1.3.1 – *Settlement areas shall be the focus of growth and development.*

Comment: the proposal developed is located within the settlement area boundaries of Chatham (City), a primary settlement area in Chatham-Kent.

3. Section 1.1.3, Settlement Areas, has many policies which promote the implementation of residential intensification. Typical is Policy 1.1.3.3:

1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

Comment: intensification is defined as the development of a property to a higher density than currently exists by various means, including the development of vacant lots and infilling, and through adaptive re-use of land, such as is proposed here. The proposal is an excellent example of intensification.

4. Section 1.4, Housing:

1.4.1 To provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:

a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development; and...

Comment: the subject project will clearly assist the Municipality in satisfying the requirements of this section of the PPS placed on planning authorities to "accommodate residential growth".

5. Summary

The NoCo development implements the above-noted PPS policies, as well as many other similar PPS policies, and offends none. Therefore, it is my

opinion that this proposal is consistent with the Provincial Policy Statement as required by Section 3 of the Planning Act.

5.3. More Homes for Everyone Act & More Homes Built Faster Act

In the spring of 2022, the Province of Ontario passed Bill 109, the More Homes for Everyone Act, 2022. This bill made a variety of changes to land use planning in Ontario, which is primarily governed by the Planning Act, with the goal of increasing housing supply and streamlining development approvals.

In the fall of 2022, the Ontario government passed the More Homes Built Faster Act, which took action to advance the province's plan to address the housing crisis by building 1.5 million homes over the next 10 years. The More Homes Built Faster Act ensures ensure that cities, towns and rural communities grow with a mix of ownership and rental housing types that meet the needs of all Ontarians, from single family homes to townhomes and mid-rise apartments.

As the reader can surmise from the above, both of these Acts provide aggressive housing policies designed to facilitate the much-needed increase in housing Province-wide.

As a result of the above Acts, and the overall need for housing, Municipality of Chatham-Kent (CK) set a housing target of 1,100 new dwelling units in the time-frame 2022-2031, or roughly 110 new dwelling units per year. Meeting these yearly targets would allow access to upper-level funding and subsidies for the Municipality. As per the information available at the time of writing, it is noted that in 2023 there was a total of 522 new dwelling units added to the residential inventory, exceeding the 2023 target. As a result of this, the Municipality received \$586,667 in upper-level funding through Ontario's Building Faster Fund.

At the time of writing, CK's published¹ 2024 housing target is 92 new dwelling units. While the timing of building permits for the NoCo project is unknown at this point, whether the permits are acquired in 2024 or 2025, the proposed 160 new dwelling units will assist the Municipality in meeting / exceeding its near and long-term housing targets, thereby accessing additional upper-level funding.

¹ <https://www.ontario.ca/page/tracking-housing-supply-progress>

5.4. Chatham-Kent Official Plan (C-K OP)

Generally, the C-K OP supports the provision of infill and intensification type projects, such as this proposal, in a variety of policies. Specific policy support is outlined below.

1. *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.*

Comment – While new to CK, NoCo is an experienced developer with projects underway throughout SW Ontario. This development is projected to serve a wide demographic range, from younger, potentially out-of-town households, given the increase in remote work-at-home job opportunities becoming common in our economy, to those established persons looking to downsize or, perhaps, upsize. The price range should be attractive and more than competitive with similar style housing in larger urban centres.

2. *2.3.4.2.2 – The Municipality shall encourage a housing mix of 65% low-density dwellings (a maximum of 25 dwelling units per net residential hectare), 25% medium-density dwellings (a maximum of 75 dwellings units per net residential hectare) and 10% high-density dwellings (a maximum of 150 dwelling units per net residential hectare) over the 20-year time horizon (2011–2031).*

Comment – the density of the conceptual plan shown in Appendix E is approximately 88 units per hectare for high-density dwellings (stacked townhouse), just slightly above what is considered medium-density development, and well below the cap for high-density development.

3. *2.3.4.2.3 The Municipality shall encourage the provision of a diverse range of housing choices to meet the projected demographic and market requirements of current and future residents of Chatham-Kent by:*

c) Encouraging housing types, densities and tenures that are affordable;

Comment – These modern and luxurious looking stacked townhomes, a first of its kind in Chatham, will have appeal to those who want to downsize but not downgrade, or to remotely-working younger demographics moving from larger urban centers. The site is ideally located close to a shopping center on Grand Avenue West (Thames Lea Plaza),

soccer fields, public parks, riverfront walking trails, and the YMCA recreation center and day care facility.

4. 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;...*

Comment – the proposed development easily and clearly meets, or can be designed to meet, the above noted considerations. A TIS addressing traffic concerns (none), and a FSR report addressing water, sanitary and stormwater management requirements (no issues) will be provided as part of the OPA and ZBA applications submission.

5. 6.3.3.10.4.1 – *Amendments in any Land Use Designation Council will consider the need for the proposed change, the effect on municipal services and facilities, and the impact of the proposed change on the ability of the*

Municipality to achieve the goals, objectives and policies expressed in this Plan, and in the Provincial Policy Statement. Other sections of this Plan may require supporting studies or documentation, such as a Planning Justification Report, to justify the proposed change. The required studies or documentation will be prepared at the applicants' expense, to the satisfaction of the Municipality.

Comment: in my opinion, this proposal satisfies this policy and Council should support this application for the following reasons:

- As discussed earlier in this report, there is an obvious, substantial and observable surge in the demand for housing of many types in Chatham-Kent, and the Chatham (City) primary urban centre in particular.
- As an infill / intensification type project, this development will utilize existing municipal services without the need for any publicly-funded extension.
- The project will implement several housing and land use policies and objectives of the OP and the PPS.
- The applicant is prepared to provide all necessary background studies, such as this PJR, both in support of the OPA and ZBA, and any subsequent studies which may be required as part of the site plan and/or draft plan of condominium applications submissions.

6. *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.

Comment: save and except B.2.3.6.2, above, the proposed development is in conformity with the above-noted high-density residential policies. As Lark Street and Partridge Crescent are both local roads, an official plan amendment is required to permit the NoCo development, as presented, at this location. Please refer to the discussion on this under the section Official Plan Amendment, immediately below.

5.5. Official Plan Amendment

As indicated in the discussion immediately above, the high-density residential policies require that such a project be located on either a collector or arterial roadway. While the OP does not provide rationale for such a policy, it is reasonable to suggest such a density, which could be up to 150 units per hectare, may introduce traffic issues on a local road, and nearby intersections. It should be noted that a medium-density development (which allows up to 75 units per hectare) is permitted on a local road.

In this situation, the proposed density is 88 units per hectare, marginally above the medium-density threshold, and well below the high-density cap of 150 units per hectare.

It is noted that the nearest collector road intersection, Lark Street and Baldoon Road, is located just east of the subject site, roughly 210 metres (700 feet) away. It is also noted that the site is located in what can be described as the epicenter of three public transportation (bus) routes, with the nearest bus stop roughly 575 metres (1900 feet) away.

Speaking to the effect of the proposed density on the local traffic network, a Traffic Impact Study, prepared by Paradigm Transportation Solutions Inc., a professional traffic engineering firm, supports the proposed density at this location. Please refer to Appendix F.

As such, the requested official plan amendment to permit the proposed development, at this location, on a local road, is reasonable, providing for the highest and best use of the available lands and infrastructure, and should be approved.

5.6. Chatham-Kent Zoning By-law

The subject parcel is currently zoned Institutional, which permits the previous school use and buildings. In order to accommodate the proposed residential use and buildings, it is necessary to amend the zoning on the property to a site-specific Residential Medium Density Second (RM2-####) zone. It is noted that the multiple residential development abutting the subject parcel to the south, is zoned RM2.

In this situation, a site-specific RM2 is required to permit the stacked townhouses, and to permit an increased maximum permitted building height of 12.15 metres (40 feet), a modest increase over the standard RM2 height regulation of 9.75 metres (32 feet), to allow for a peaked-roof design. All other standard RM2 regulations are met.

Regarding the proposed height increase noted above, it is proposed that increased side-yard setbacks be included in the implementing zoning by to mitigate any perceived issues regarding appropriate buffering, airflow and lighting. It is common, with higher-rise buildings, to require a side yard setback that is $\frac{1}{2}$ the maximum permitted building height. In this case, the proposed maximum permitted building height is 12.15 m (40 feet), and the site plan is showing a minimum side yard setback, for all buildings, of 6.25 m (20.5 ft.) – a setback greater than the commonly recommended $\frac{1}{2}$ of building height.

Also as noted earlier in this report, the Chatham-Kent Zoning By-law does not contain the definition for a stacked townhouse. In review of zoning by-laws for the City of London, such a definition is provided, and forms the root for the following definition which is proposed to be introduced into the Chatham-Kent Zoning By-law:

"DWELLING, STACKED TOWNHOUSE" means a building designed to contain three or more dwelling units attached side by side, not more than three units high, with each dwelling unit having a private entrance to grade level and a private open space area of any upper unit may utilize a portion of the roof of any lower unit.

The proposed stacked townhouse dwelling would meet this definition. For the information of the reader, drawings detailing the proposed stacked townhouse concept are provided as **Appendix G**.

5.7. Site Plan

The conceptual site plan, attached as Appendix E, shows the following:

- Two points of ingress / egress (Lark Street and Partridge Crescent)
- Eight stacked townhouse dwellings containing a total of 160 dwelling units
- 210 parking spaces (includes 7 accessible spaces, and four containing EV charging facilities)
- Deep well garbage collection / containment system
- Compliant fire route
- Canada Post mailbox facilities
- Internal sidewalks and grassed amenity areas

While no major changes to the conceptual site plan are anticipated, there may be minor alterations required if identified through the detailed site plan application review process by Administration.

5.8. Draft Plan of Condominium

As indicated earlier in this report, the proposed development will provide condominium ownership (tenure) for its residents. While the legal and planning processes surrounding the condominium specifics still need to be worked out, it is known at this point the units themselves will fall under Standard Condominium approvals, while the areas outside of the units (parking, grass, etc.,) will be common elements within the condominium structure.

The condominium application and approval processes will occur at an appropriate time in the future, prior to occupancy.

5.9. Summary

It is my opinion that the proposed residential development conforms with the above-noted policies, offends no others, and implements important housing policies – housing being a clear and identified focus of the current Council, and Provincial regime.

6. CONCLUSION

Based on the policy analysis review conducted in the Section 5, above, it is my opinion that the proposed residential development by 1000736988 Ontario Inc., 1000736990 Ontario Inc., 1000736993 Ontario Inc. & 10007396994 Ontario Inc., on Lark Street and Partridge Crescent in Chatham (City) is consistent with the Provincial Policy Statement and will be in conformity with the Chatham-Kent Official Plan when the official plan amendment is approved.

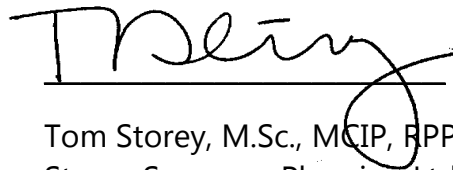
This project will provide much-needed housing options, and as such, should be viewed as good planning. Council should approve the proposed Official Plan Amendment and Zoning By-law Amendment applications.

Prepared by:



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Reviewed by:



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Attachments:

- Appendix A – Regional Setting
- Appendix B – Local Setting
- Appendix C – OP Map Schedule E-2
- Appendix D – Zoning By-law Map Excerpt
- Appendix E – Conceptual Site Plan
- Appendix F – TIS Executive Summary & Recommendation
- Appendix G – Stacked Townhouse Concept Drawings

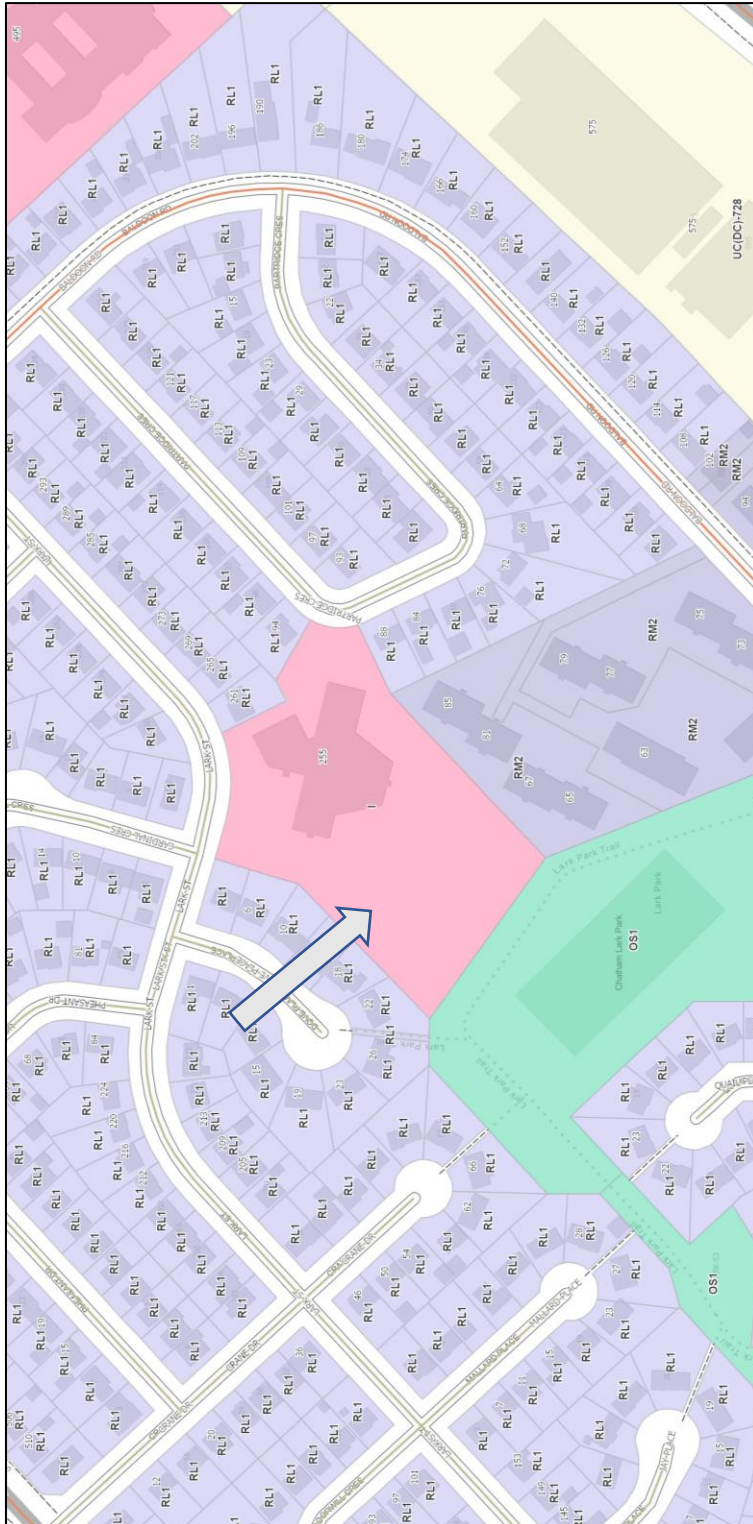
Appendix A – Regional Setting



Appendix B – Local Setting



Appendix D – CK Zoning By-law Map Excerpt



Appendix F – TIS Executive Summary and Conclusions

255 Lark Street, Chatham | Transportation Impact Study | 240216 | 2024-06

Executive Summary

Content

Paradigm Transportation Solutions Limited (Paradigm) has been retained to conduct this Transportation Impact Study (TIS) for a proposed Residential development located at 255 Lark Street in the community of Chatham, Municipality of Chatham-Kent.

This TIS includes an analysis of existing traffic conditions, a description of the proposed development, analysis of future traffic conditions, and assessment of development traffic impacts with recommendations as appropriate to accommodate the proposed development.

Development Concept

The subject lands are in a developed residential area and are located on the south side of Lark Street between Cardinal Crescent to the west and Partridge Crescent to the east. The proposed development will include eight stacked townhouse buildings comprising 160 units. Access will be provided via two all-moves driveways, one to Lark Street and one to Partridge Crescent. Both roadways in turn connect to Baldoon Road.

The development is assumed to be completed by 2026.

TIS Scope

The scope of the Transportation Impact Study for the proposed development includes:

- ▶ **Study Area Intersections:**
 - Baldoon Road and McNaughton Avenue West (signalized);
 - Baldoon Road and Lark Street/Courthouse Lane (unsignalized);
 - Crane Drive and McNaughton Avenue West (unsignalized);
 - Baldoon Road and Keil Drive North (unsignalized); and
 - access intersections.
- ▶ **Analysis Periods:** Weekday AM and PM and Saturday peak hours.
- ▶ **Traffic Conditions:** Existing (2024) and five years after build-out (2031).



Conclusions

Based on the investigations carried out, it is concluded that:

- ▶ **Existing Traffic Conditions:** All study area intersections are currently operating at acceptable levels of service.
- ▶ **Development Trip Generation:** The development is forecast to generate 72 trips during the AM peak hour, 89 trips during the PM peak hour, and 66 trips during the Saturday peak hour.
- ▶ **2031 Background Traffic Conditions:** All study area intersections are forecast to operate at acceptable levels of service.
- ▶ **2031 Total Traffic Conditions:** All study area intersections are forecast to operate at acceptable levels of service during the AM and PM peak hours.
- ▶ **Site Driveways:** The Site Driveway intersections on Lark Street and on Partridge Crescent are forecast to operate satisfactory levels of service (LOS A) during the weekday AM and PM and Saturday peak hours.

Auxiliary turn lanes are not required on Lark Street or on Partridge Crescent at either of the two site driveways.

Recommendations

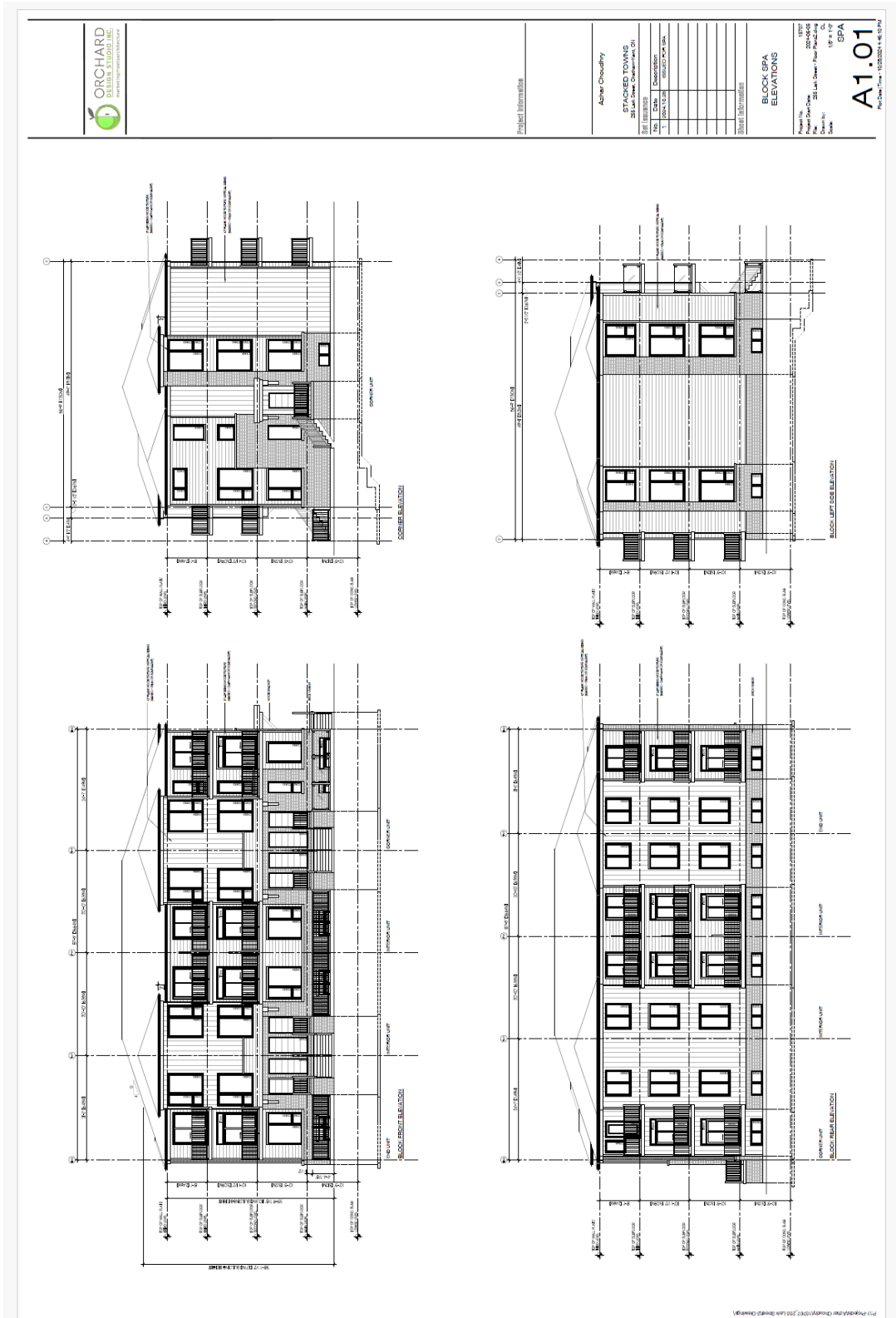
Based on the findings and conclusions of this study, it is recommended that the development be considered for approval as proposed.



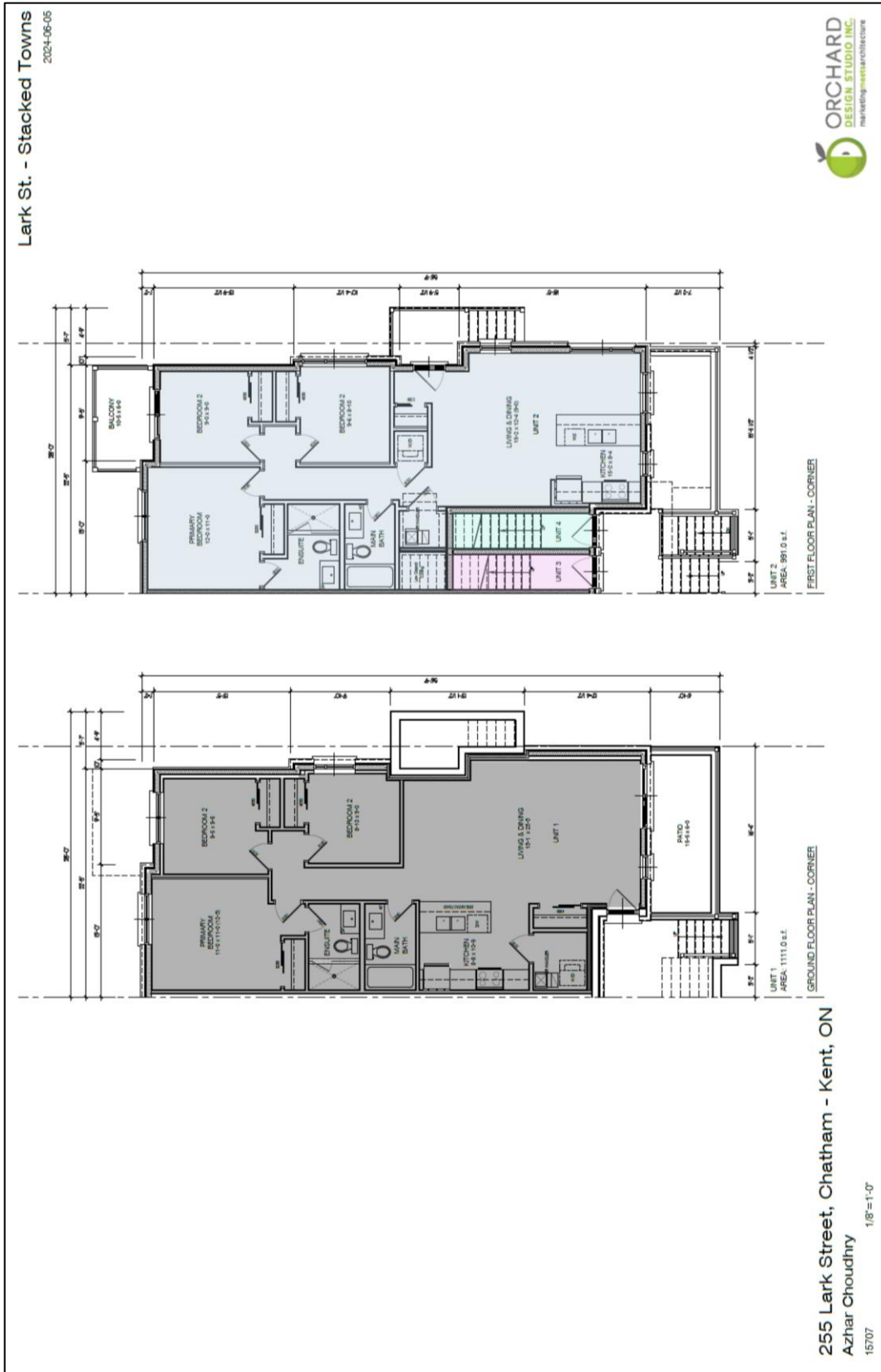
Appendix G – Stacked Townhouse Concept



Planning Justification Report
 Proposed Residential Development, 255 Lark Street, Chatham



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