

**AMENDMENT No. 7
TO THE
OFFICIAL PLAN FOR THE
MUNICIPALITY OF CHATHAM-KENT**

CORPORATION OF THE MUNICIPALITY OF CHATHAM-KENT

BY-LAW NO. 138-2008

A BY-LAW TO ADOPT AMENDMENT NO. 7 TO THE OFFICIAL PLAN FOR THE
MUNICIPALITY OF CHATHAM-KENT

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

1. Amendment No. 7 to the Official Plan for the Municipality of Chatham-Kent consisting of the attached Map Schedule "1" and explanatory text is hereby approved.
2. This by-law shall come into force and take effect on the day of the final passing thereof.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 16th DAY OF JUNE, 2008.


MAYOR - Randy R. Hope


CLERK - Elinor Miffin

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STATEMENT OF COMPONENTS

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

PART "B" - THE AMENDMENT consisting of the following text constitutes an amendment to the official plan for the Municipality of Chatham-Kent, namely Amendment No. 7 to the official plan for the Municipality of Chatham-Kent

PART "C" - APPENDICES does not constitute part of this amendment. These appendices contain the background information and planning considerations associated with this amendment.

PART "A" - PREAMBLE

1. **Purpose**

The purpose of the amendment is to introduce a comprehensive secondary plan for the lands found within the defined study area, to be known as the St. Clair North Secondary Plan.

Objectives of the amendment include the following:

- Provide guidelines for addressing planning issues specific to the St. Clair North Secondary Plan Study Area;
- Ensure that any future development in the study area conforms to these policies/guidelines and is done in an orderly and efficient manner;
- To apply existing planning directives as described in the Municipality of Chatham-Kent's Official Plan;
- Identify future roadway connections between the existing and planned roadway network;
- Identify and integrate compatible land uses in accordance with the existing Official Plan goals, policies and objectives; and
- Identify opportunities and constraints associated with the development of the subject lands.

2. Location

The St. Clair North Secondary Plan Area is approximately 40 ha (100 acres), located in the northern portion of the Chatham Urban Centre. The study area is bound by the southern limit of the Commercial Power Centre at the north end. The eastern limit is defined by the Martin and Bragg Drains and wraps around the St. Clair Community Estates Mobile Home Park and includes the remaining commercial lots south of the Mobile Home Community and terminates at Gregory Drive on the south end. The Study Area boundaries are predominantly defined by the Primary Urban Centre boundary in the new Official Plan, which also reflects the Settlement Area boundaries as defined by the 2005 Provincial Policy Statement.

3. Basis

Before amalgamation in 1998, the majority of the study area was located in the former Township of Chatham and was initially developed as a linear highway commercial corridor primarily serving the needs of the rural residents, along with a Mobile Home Community with approximately 335 modular homes located just north of the former municipal boundary of the City of Chatham. These lands were originally developed on private services. At the north end of the study area is a new commercial power centre. The east side of the St. Clair Street Power Centre is a redevelopment of the "North Maple Mall", which existed for many years on that site. The west side of the St. Clair Street Power Centre is a new "greenfield" development for which construction began in 2004. As part of the development process of the Power Centres, there were substantial infrastructure improvements including the extension of a trunk sanitary sewer and various road improvements to St. Clair Street between Pioneer Line and northerly limit of the Study Area. The introduction of the Power Centres has initiated some redevelopment interest from the landowners within the study area. The purpose of the study was to prepare a comprehensive secondary plan for the lands found within the study area.

PART "B" - THE AMENDMENT

All of this part of the document, entitled "Part B - The Amendment", consisting of the following text and one (1) map (entitled Schedule "1") together constitute Amendment No. 7 to the Chatham-Kent Official Plan.

Details of the Amendment

Item 1:

Land Use Schedule E2 (Chatham Urban Centre) is amended by designating as St. Clair North Secondary Plan B.2.13 the lands so depicted on the attached Map Schedule "1", Preferred Development Concept Plan.

Item 2:

The following Secondary Planning Area Policies are added to Section B.2.13 **Secondary Planning Areas**, after subsection B.2.13.1 d): to be worded as follows:

"B.2.13.1 e) St. Clair North Secondary Plan

1.0 Statement Of Policy

The policies set forth in this Section are designed to guide future development while observing provincial policy. The policies of the Municipality of Chatham-Kent's Official Plan are applicable provided that they are not in conflict with the more specific objectives outlined herein. In the event of conflict, the objectives and policies set forth in this document take precedence.

1.1 Mobile Home Park Area Policies

Section 2.3.13 "Mobile Home Park Area" policies of the Chatham-Kent Official Plan shall apply to the lands designated "Mobile Home Park Area" on Map Schedule "1" – Preferred Development Concept Plan.

1.2 Commercial Area Policies

For the lands designated "Highway Commercial Area" on Map Schedule "1" – Preferred Development Concept Plan, the following policies shall apply:

- a) The Highway Commercial Area is intended for a specific range of commercial uses that cater to the needs of the travelling public, while also recognizing the existing retail uses and limited expansions and/or redevelopment of these retail uses;
- b) Development within the Highway Commercial Area will be developed on full

municipal services.

- c) New development will be required to provide adequate stormwater management in accordance with policy 2.4.9 of the Official Plan.
- d) Permitted commercial uses in the Highway Commercial Area will include restaurants, financial institutions, service commercial uses, automobile oriented uses such as vehicle sales, service and gas bars with convenience retail, commercial recreational facilities, hotels, motels, conference facilities, meeting/banquet facilities, entertainment use excluding a cinema, public and private clubs, and police, fire or ambulance facilities, existing retail uses and limited expansions and/or redevelopment of these retail uses, as more specifically defined in the Zoning By-law.
- e) Expansions to existing retail commercial uses and new retail commercial uses shall be permitted, subject to the following:
 - i) The maximum gross floor area for expansions to existing retail commercial uses or new retail commercial uses shall not be greater than 1,858 m² (20,000 ft²);
 - ii) The minimum gross floor area for a new single retail facility shall be 465 m² (5,000 ft²);
 - iii) Except where specifically permitted in the Zoning By-law, when an applicant is proposing a retail commercial use expansion or new retail commercial use greater than 1,858 m² (20,000 ft²) a Market Demand and Directional Impact Analysis shall be prepared to the satisfaction of the Municipality to demonstrate that the proposed retail commercial uses will not have an unacceptable impact on the planned function of existing commercial designations within the upper level of the Chatham-Kent retail commercial system hierarchy. The upper level of the commercial hierarchy will comprise the Downtown/Main Street Area, Power Centre Commercial Area and Shopping Centre Commercial Area designations. The analysis will be subject to peer review by the Municipality carried out at the expense of the applicant.
- f) Applications for new development in the highway commercial area will be subject to the following policies:
 - i) Adequate off-street parking will be provided;
 - ii) The depth and frontage of the lots will be sufficient to allow for parking and turning movements;
 - iii) Traffic access will be properly designed and controlled to maintain public safety and convenience;

- iv) Vehicular access points will be limited, and those that are continuous across the lot frontage will not be permitted;
 - v) Common access points among uses will be encouraged;
 - vi) Adequate buffer planting, landscaping, screening and separation distances will be provided between uses and throughout the site;
 - vii) The landscaping and buffering may include separation distances, trees, shrubs plantings, and the use of earthen berms; and;
 - viii) The creation of parcels of land unsuitable for commercial use will not be permitted.
- g) Parking for cars and trucks, and loading areas for trucks and garbage vehicles, will be provided in paved, properly demarcated and illuminated parking areas.
 - h) Access to a new development will be provided from an arterial, collector or local road.
 - i) Multiple driveways will be discouraged unless separate driveways for cars and trucks are warranted for safety reasons.
 - j) For the highway commercial area north of the HEPC corridor the following policies may be required as conditions of development:
 - i) the Municipality may require the Owner to convey the necessary land to secure the eventual construction of Future Road "B" as indicated on the Preferred Development Concept Plan as a Public Road ;
 - k) All development in the Highway Commercial Area will be subject to Site Plan Control.
 - l) A site plan agreement will be required as a condition of site plan approval.

1.3 Transportation Network Policies

The following policies shall apply to the St. Clair North Secondary Plan Area:

- a) Provide a northbound right turn lane with 60 metres of parallel length at the Power Centre south access;
- b) Provide a centre two-way left turn lane with a width of 5 metres between the Power Centre south access and Gregory Drive;
- c) Monitor the future traffic volumes on St. Clair Street and, if warranted, plan to

replace the two-way left turn lane with a future 5 metre wide non traversable median when future growth occurs;

- d) Plan and prepare for a new signalized intersection located just north of the Hydro corridor, which would provide access to the St. Clair Community Estates mobile home park and a signalized access for the commercial strip properties;
- e) Plan and prepare for a rear access service road (Road "B") along the rear of the existing commercial strip properties which would provide access to the proposed new traffic signal located just north of the Hydro corridor;
- f) At the intersection of St. Clair Street and Gregory Drive, increase the storage length of the eastbound left turn lane to 70 metres and the southbound left turn lane to 75 metres, modify the existing traffic signal timing plan to accommodate future anticipated traffic volumes;
- g) That the Municipality pursue a potential secondary access to St. Clair Community Estates mobile home park in the Area of Interest identified along Gregory Drive East on the Preferred Development Concept Plan;

1.4 Capital Expenditures

The policy of the Secondary Plan will be to ensure the economic provision of the recommended infrastructure improvements in accordance with recognized standards for urban development. Specifically, the Municipality may use the following to recover capital expenditures in the Secondary Plan Area:

- a) The Municipality may use financial mechanisms available to it under the Municipal Act, Development Charges Act, Planning Act and any other applicable legislation;
- b) The Municipality may pass a development charges by-law that applies to the Municipality as a whole, and/or that applies to specific areas of the Municipality;
- c) The Municipality will diligently seek the maximum revenues possible from senior levels of government in relation to the provision of public infrastructure improvements in the Secondary Plan Area.

1.5 Expansion of Existing Urban Area Boundary

Any proposals to expand the existing urban area boundaries of the Primary Urban Centre beyond the Secondary Plan Area as shown on Map Schedule "1" will be in accordance with the policies of Section 6.3.3.9 of the Chatham-Kent Official Plan.

PART C - APPENDICES

The following appendices do not constitute part of Amendment No. 7 to the Municipality of Chatham-Kent Official Plan, but are included for information supporting the amendment.

APPENDIX 1 – May, 2008, Planning Report

