
HALDIMAND COUNTY

Report PDD-01-2019 Rezoning for Residential Development-2117041
Ontario Inc.-Dunnville



For Consideration by Council in Committee on January 15, 2019

OBJECTIVE:

To consider an amendment and site-specific provisions to the Town of Dunnville Zoning By-law 1-DU 80 for the development of 1 semi-detached residential lot for the property known as Plan 395 Part Lot B, Regular, known municipally as 604 John Street, Dunnville.

RECOMMENDATIONS:

1. THAT Report PDD-01-2019 Rezoning for Residential Development-2117041 Ontario Inc.-Dunnville be received;
2. AND THAT Application PLZ-HA-2018-173, to amend the Town of Dunnville Zoning By-law 1-DU 80 to rezone the subject lands to "Urban Residential Type 2-Holding (R2-H)" and establish a special provision to address interior side yard setback deficiencies, be approved for reasons outlined in Report PDD-01-2019;
3. AND THAT the by-law attached to Report PDD-01-2019 be presented for enactment;
4. AND THAT the holding provision removal by-law attached to Report PDD-01-2019 be presented for enactment, and the General Manager of Community & Development Services be granted authority to remove the holding provision when all conditions relating to the matter are satisfactorily addressed;
5. AND THAT servicing allocation in the amount of 1.0 m³/day of water and 0.9 m³/day of wastewater be assigned to the subject proposal with an allocation deadline of 3 years from the date that servicing infrastructure is available to the development;
6. AND THAT the proposal is deemed to be consistent with Provincial Policy Statement 2014 and the Provincial Growth Plan.

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Reviewed by: Mike Evers, BES MCIP RPP, Director of Planning & Development

Respectfully submitted: Craig Manley, MCIP, RPP, General Manager of Community & Development Services

Approved: Craig Manley, MCIP, RPP, Deputy Chief Administrative Officer

EXECUTIVE SUMMARY:

The proposed zoning by-law amendment has been brought forward to amend the Town of Dunnville Zoning By-law 1-DU 80 in order to rezone the subject lands from R1 to R2 to permit the development of a semi-detached dwelling. In addition to applying a new zone to the property, the proposed Zoning By-law Amendment contains a special provision to address a proposed reduction to the side yard setback that may result from the construction of the proposed semi-detached dwelling. The side yard

nearest to the attached garage is proposed to have a setback of 1.2 metres along the side wall of the dwelling on both sides, whereas the By-law permits the setback of 1.2 metres only for the length of the garage.

Should this proposal be approved, it will represent a more efficient use of appropriately designated lands by allowing an increased density. The proposal also represents an ideal infill project which would make use of existing road and service infrastructure and be of scale and type that fits the neighbourhood.

BACKGROUND:

The purpose of this application is to rezone lands from Urban Residential Type 1 (R1) to Urban Residential Type 2 (R2) to facilitate the development of one semi-detached dwelling (two units). The lands to be rezoned are comprised of one lot measuring 20.2 metres (66.27 feet) by 33 metres (108.27 feet) which is identified as the 'Subject Lands' on Attachment 1. Should this application be approved, the existing dwelling and garage will be removed in order to allow for the proposed redevelopment of the site.

The proposed building envelope (as shown in Attachment 6) for the subject lands is identified as being regular in shape with interior side yard setbacks of 1.2 metres. The Town of Dunnville Zoning By-law 1 DU-80, which has outdated standards, only permits a setback of 1.2 metres for the area adjacent to the attached garage. The applicant desires that the dwelling portion also be setback 1.2 metres and thus is requesting a special provision be applied to the zoning. The other aspects of the proposal (frontage, parking, etc.) would comply and do not require relief.

The lands surrounding those subject to this zoning by-law amendment application are predominantly low density residential with a lot fabric and building envelopes similar to those of the subject proposal. There is also a medium density development to the east of the subject property which is characterized as an apartment dwelling of multiple storeys.

ANALYSIS:

Provincial Policy Statement 2014 (PPS 2014) and the Provincial Growth Plan:

The Provincial Policy Statement 2014 looks to promote the growth of strong communities and promote efficient development and land use patterns. It also encourages intensification and redevelopment. Settlement Areas, such as Dunnville, shall be the focus of growth, and vitality and regeneration shall be promoted. Land use patterns within settlement areas shall be based on densities and a mix of land uses which efficiently use the infrastructure and public service facilities that are planned or available, and avoid the need for unjustified and/or uneconomical expansions. The proposal is deemed to be consistent with the Provincial Policy Statement 2014, as it would represent an efficient use of existing infrastructure, public service facilities and appropriately designated lands, and would occur within an existing urban area, thereby enhancing the compact form of the existing settlement area.

The Provincial Policy Statement also sets out, that planning authorities shall identify and promote opportunities for intensification and redevelopment where it can be accommodated by taking into account existing building stock and the availability of suitable existing or planned infrastructure and public service facilities. The proposed development is considered infill development in a compact urban area which would efficiently utilize existing infrastructure and public service facilities. Based on the above, the proposal is consistent with the principles of the Provincial Policy Statement.

The Growth Plan for the Greater Golden Horseshoe is the framework for implementing the Government of Ontario's vision for building stronger and prosperous communities by controlling growth until 2041. The Growth Plan's emphasis is to create complete communities, optimize the use of existing and new infrastructure to support growth in a compact efficient form and provide for different approaches to manage growth that recognizes diversity within communities. The Growth Plan also includes policies which direct municipalities to facilitate and promote intensification. The subject proposal represents efficient use of land and newly constructed infrastructure, and provides for a mix of housing type within the community, and supports the objectives of the Growth Plan.

Haldimand County Official Plan:

The subject lands are designated 'Residential' in the Haldimand County Official Plan. The residentially designated areas within the County's urban communities are expected to accommodate attractive and functional neighbourhoods that provide a variety of housing forms and community facilities supportive of a residential environment. According to the Haldimand County Official Plan, the predominant use of lands within the 'Residential' designation shall be for residential purposes, including all forms of residential development in accordance with the policies in the plan. Development shall proceed in an orderly, phased manner contiguous to existing development and take into consideration the availability of services. The proposal satisfies all of these objectives.

Infilling and Intensification Policies

The Official Plan provides support for residential intensification such as conversion of existing dwellings, infilling and redevelopment in residentially designated areas. Residential intensification reduces the need to expand urban boundaries and uses existing services more efficiently. It also ensures that the significant investments made in infrastructure by the County (e.g. water/wastewater mains, treatment plant upgrades) are maximized. The subject proposal is considered to be an opportunity for intensification within a residentially designated area, and in an appropriate form. The subject proposal complies with the policies of the Official Plan and represents good planning.

The Haldimand County Official Plan outlines a series of criteria that new infill development in stable neighbourhoods needs to adhere to. The criteria are as follows:

i. *Limit building heights to reflect the height of adjacent housing;*

The applicants have submitted imagery showing one of their recently constructed semi-detached dwellings that represents what is anticipated to be constructed on the site. It is staff's opinion that the proposed dwelling will maintain the character of the existing neighbourhood by maintaining a final building height similar to what exists presently. Attachment 5 shows how the exterior surfaces of the structure may be constructed on site. Also, building height has not been identified as a provision that the proponents need relief from, so it is staff's opinion that the height of the structures to be constructed will not exceed the 11 metre (36 foot) limit. Similarly, it is staff's opinion that this building height appropriately reflects the height of the adjacent housing and it is considered to be development which is appropriate.

ii. *Provide a similar lot coverage to adjacent housing to ensure that the massing or volume of the new dwelling reflects the scale and appearance of adjacent housing;*

The applicants have specified a building footprint for the structure to be built on the site. As noted in the Background section, the proponents have requested an interior side yard setback of 1.2 metres for the entire length of the dwelling. This reduced side yard setback would allow for a larger building envelope respective of the fact that the garages for the dwellings may be located in the middle of the structure and is representative of the approach and design for the applicant's recent project depicted in Attachment 5. Given the large lot size, there is ample opportunity for a variety of building designs that would

meet all of the required zoning provisions. There are properties in the neighbourhood that have similar lot coverage to what may result from construction of the proposed semi-detached dwelling on the subject lands.

It is noted, that there are other semi-detached dwellings in the vicinity of the subject lands, additionally the Official Plan encourages a range of housing types, styles and densities in low density residential areas. Construction of a semi-detached dwelling on the subject lands is considered appropriate and will not have a detrimental impact on the neighbourhood. In general, the visual composition of a semi-detached dwelling is similar to large detached homes.

- iii. *Maintain the predominant or average front yard setback for adjacent housing to preserve the streetscape edge and character;*

The applicants have indicated that they will maintain the setbacks outlined for the R2 zone which will preserve the streetscape edge and character. The proposed building would be consistent with the existing average front yard setback along the street. It should also be noted that the zoning by-law provision relating to front yard setback is the same for both single detached and semi-detached dwellings.

- iv. *Provide similar side yard setbacks to preserve the spaciousness on the street;*

As stated above, the proponents have requested relief for side yard setbacks to allow for a building envelope that permits a reduced side yard setback, which is shown in Attachment 6. This has been requested since the provisions of the R2 zone allow a 1.2 metres side yard where the attached garage is adjacent to the lot line. The proponents have indicated that the garages may be constructed in the middle of the building rather than on the exterior, but have not identified a final location. This provides flexibility in terms of final layout and design while still maintaining an appropriate setback as it relates to fire separation (Ontario Building Code compliance), suitable access (between front and rear yards), and sufficient space for proper drainage, grading and building maintenance. There are other dwellings in the vicinity of the subject lands where similar side yard setbacks exist, so it is Planning staff's opinion that the proposal maintains the character of the neighbourhood. Also, the proposed interior side yard setback will allow the developers to construct a dwelling with a regular building line, which is another characteristic of the existing neighbourhood.

- v. *Provide a built form that reflect the variety of façade details and materials of adjacent housing, such as porches, windows, cornices and other details;*

Staff have received imagery showing a semi-detached dwelling that will resemble what is ultimately going to be constructed on the site (Attachment 5). It is staff's opinion that the proposed dwelling will maintain the character of the existing neighbourhood by being constructed. The existing dwellings in the immediate area of the subject property have been constructed throughout time, which is to say that a variety of façade treatments and building materials are used. Planning staff are confident that there is sufficient variation that would allow the proponents to choose materials and facades that would maintain the overall character of the surrounding neighbourhood.

- vi. *Include provisions for landscaping and screening if required;*

The proposed level of development for the site is not subject to Site Plan Control, and does not include development extensive enough to warrant additional landscaping or screening requirements. The lots that are ultimately proposed will be maintained via private ownership and landscaping and screening related issues will be addressed on an individual basis.

- vii. *Provide a limitation on the width of a garage so that the dwelling reflects the façade character of adjacent housing;*

Staff have received a concept plan showing the dwelling units that will be constructed on the site, furthermore, staff notes that there are a variety of garage types that exist in the neighbourhood. The existing attached and detached garages have been constructed to accommodate one or multiple vehicles, and are located in a variety of places on their respective properties. The proponents have indicated that the garages may be constructed in the middle of the dwelling, or on the outside, the exact layout has not yet been determined. The proposed semi-detached dwelling for the subject lands will restrict the options with respect to dimensions of the garages, while still providing frontage to the street. Planning staff is confident that the development options that are available for each of the dwelling units are suitable to maintain the overall character of the neighbourhood.

- viii. *Provide for a consistent arrangement of parking in terms of amount, size and location of parking areas; and*

The applicants are aware of the parking provisions that apply to the development, and comments from Building & Municipal Enforcement Services staff are included in this report. The Town of Dunnville Zoning By-law 1-DU 80 requires that 2 spaces per dwelling must be provided, and no relief from these provisions has been requested.

- ix. *Ensure that any increased traffic movements and activity are appropriate for the area.*

It is Planning staff's opinion that the proposed development will not adversely affect the traffic movements for the neighbourhood. The development is small in scale and represents an intensification that is appropriate for the surrounding area.

Town of Dunnville Zoning By-law 1-DU 80:

The subject lands are currently zoned "Urban Residential Type 1 (R1)" and permit a single-detached dwelling, while the proposal is to rezone the property to an "Urban Residential Type 2 (R2)" zone. The "R2" zone would allow for a semi-detached dwelling, and a single detached dwelling is also permitted in accordance with the provisions of the "Urban Residential Type 1 (R1) zone".

The proposed development includes a request for a reduction of the interior side yard along the length of the building that is not occupied by the attached garage. The provisions of the By-law 1-DU 80 state that the side yard setback would need to be 3 metres adjacent to the dwelling, and the applicants have requested the side yard be regular along the length of the building and maintain the 1.2 metres that is proposed to be provided adjacent to the garage. It is Planning staff's opinion that this relief is appropriate due to the fact there are similar setbacks for existing dwellings in the neighbourhood and appropriate separation from the adjacent land uses and property lines will be provided.

A Holding is proposed to be applied to the property as well, which is recommended to require that a lot grading and drainage plan be developed for the site. This requirement will ensure that the storm water that falls on the site is dealt with properly and will not negatively impact the neighbouring properties. A draft Holding Removal By-law is included as Attachment 4.

A draft Zoning Amendment By-law is included as Attachment 3. With the approval of the requested zoning amendment, the proposed development on the subject lands will have zoning consistent with the intended development.

Lot Grading and Drainage:

When a new residential dwelling is constructed, it is essential that the lot be graded properly to ensure that surface drainage is directed away from the building, while at the same time ensuring that

it does not cause problems or damage to neighbouring properties. Improper lot grading may adversely affect adjacent properties following the completion of a new dwelling. In order to ensure that adjacent properties are not negatively affected by improper grading, individual lot grading plans are required. A key consideration is to ensure the increased coverage will not negatively impact on drainage. The grading plan will be required to be completed and approved by Haldimand County prior to the development of the semi-detached proceeding. The applicant is aware of this requirement and it will be addressed as a condition of the 'Holding (H)' provision.

Servicing:

The subject lands are currently vacant. Servicing has not been allocated to this project. Caledonia presently has sufficient water and wastewater capacity to accommodate the needs of new development. However, a formal allocation of such must take place in conjunction with the Servicing Allocation Policy. A recommendation has been included at the start of this report to allocate the necessary capacity to the development. Confirmation of this capacity will be required prior to the removal of the Holding provision.

FINANCIAL/LEGAL IMPLICATIONS:

Not applicable.

STAKEHOLDER IMPACTS:

Building & Municipal Enforcement Services—No objections; 4 parking spaces required in accordance with Section 9 of 1-DU 80, comply with remainder of unaltered zoning provisions.

Roads Operations—No objections; entrance and excavation permits will be required for any work in the County owned Right of Way.

Planning and Development (Development & Design Technologist)—No objections.

Water and Wastewater Engineering & Compliance—No objections.

Emergency Services—No objections.

No comments were received from the public or the Mississaugas of New Credit Council, Six Nations Council, Hydro One, MTO, MPAC, and Union Gas.

REPORT IMPACTS:

Agreement: No

By-law: Yes

Budget Amendment: No

Policy: No

ATTACHMENTS:

1. General Location Map.
2. Owner's Sketch.
3. Draft Zoning By-law Amendment.

4. Draft Holding Removal By-law.
5. Proposed Semi-Detached Dwelling.
6. Proposed Building Footprint.