
HALDIMAND COUNTY

Report PDD-06-2020 Zoning By-law Amendment to Permit Semi-detached Dwellings - Dobes



For Consideration by Council in Committee on March 3, 2020

OBJECTIVE:

To present the details and recommendations relating to a proposal to rezone lands to facilitate the development of semi-detached dwellings in Hagersville.

RECOMMENDATIONS:

1. THAT Report PDD-06-2020 Zoning By-law Amendment to Permit Semi-detached Dwellings - Dobes be received;
2. AND THAT Application PLZ-HA-2019-133, to amend the Town of Haldimand Zoning By-law 1-H-86 to rezone the subject lands to "Urban Residential Type 2-Holding (R2-H)", be approved for reasons outlined in Report PDD-06-2020;
3. AND THAT the by-laws attached to Report PDD-06-2020 be presented for enactment;
4. AND THAT the proposal is deemed to be consistent with the Provincial Policy Statement 2014, Provincial Growth Plan, and other matters of Provincial interest;
5. AND THAT the Holding 'H' removal by-law attached to report PDD-06-2020 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.

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Respectfully submitted: Mike Evers, MCIP, RPP, BES, General Manager of Community & Development Services

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

EXECUTIVE SUMMARY:

The proposed zoning by-law amendment has been brought forward to amend the Town of Haldimand Zoning By-law 1-H 86 to rezone the subject lands from Urban Residential Type 1 -A (R1-A) to Urban Residential Type 2 (R2) with a Holding provision, to permit the development of two semi-detached dwelling units. 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 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 -A (R1-A) to Urban Residential Type 2 (R) with a Holding provision to facilitate the development of two semi-detached dwellings, four residential units in total. The lands to be rezoned are in the urban centre of Hagersville and are comprised of two lots each measuring 20.12 metres (66 feet) by 40.23 metres (132 feet), which are identified as the 'Subject Lands' in Attachment 1. The applicant has provided a concept plan for the semi-detached dwellings as seen in Attachment 2 that proposes a 1.2 metre (4 feet) interior side yard setback. Staff have incorporated a special provision to permit a 1.2 metre (4 feet) setback whereas 3 metres (9.8 feet) is required. Previously the lands were in the ownership of the Roman Catholic Episcopal where they were subsequently sold to the current owner in March 2019. The proponent purchased the parcel for possible development opportunities. Residential uses surrounding the subject lands are comprised of lot patterns similar in nature to the proposal.

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 Hagersville, 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 that 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 indicated that the form of development will be raised ranch style housing. It is staff's opinion that the proposed dwellings will maintain the character of the existing neighbourhood by maintaining a final building height similar to what exists presently. 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 not requested any relief from the provisions of the Urban Residential Type 2 (R2) zone. 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 dwellings on the subject lands as depicted on Attachment 7.

It is noted, that there are other semi-detached dwellings in the vicinity of the subject lands, and 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 Urban Residential Type 2 (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;

The proponent has requested relief for a reduced interior side yard setback of 1.2 metres whereas 3 metres is required. Urban Residential Type 1 -A (R1-A) and the proposed Urban Residential Type 2 (R2) Zone uphold the same provisions for side yard setbacks requirements.

Based on the foregoing, the layout and design of the proposed structures will maintain an appropriate setback as it relates to fire separation (Ontario Building Code compliance), suitable access (between front and rear yards), sufficient space for proper drainage, grading and building maintenance and is consistent with neighbouring properties. The requested relief from the zoning by-law will also be compliant with the provisions of the future Haldimand County Zoning By-law for the minimum side yard setback. The new by-law will make this setback standard for these types of developments thus reducing the need for zoning or variance applications to address the reduction. It is Planning staff's opinion that the proposal maintains the character of the 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;*

It is staff's opinion that the proposed dwelling will maintain the character of the existing neighbourhood when 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 as seen in Attachment 2, 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 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 dwellings 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 Haldimand Zoning By-law 1-H 86 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 Haldimand Zoning By-law 1-H 86:

The subject lands are currently zoned “Urban Residential Type 1 - A (R1-A)” 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 - A (R1-A) zone”. Staff have worked with the applicant to ensure that adequate services can be obtained.

Staff have incorporated a holding provision to ensure that the proponent enters into a development agreement with the County and provides a lot grading/drainage plan that is compliant with County standards. The development agreement and grading/drainage plan will facilitate the proper grading of the site and provide assurance that lot preparation is completed according to the accepted plans. This mechanism will aide in the protection of the property and for future land owners as well as ensure that the stormwater that falls on the site is dealt with properly and will not negatively impact the neighbouring properties and to ensure that municipal services such as water and wastewater are appropriately designed and installed. A draft Holding Removal By-law is included as Attachment 4 and 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/drainage plan will be required to be completed and approved by Haldimand County prior to the development of the semi-detached dwellings proceeding. The applicant is aware of this requirement and it will be addressed as a condition of the ‘Holding (H)’ provision as stated above.

Servicing:

The subject lands are currently vacant and servicing capacity (treated water and sanitary treatment) has been allocated to this project. Hagersville 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. In addition, as part of the application the services are to be extended from the neighbouring property. A design for the extension of water and wastewater services has been prepared by the owner and accepted. Based on the foregoing, staff have no concerns with the extension of services for the subject lands.

Future Applications:

In the future, the applicant may wish to separate the units into conveyable lots for the purpose of sale. The applicant will be required to proceed through a severance application to establish separate ownership however, staff will work with the proponent to determine if part lot control is suitable for lot division in this instance.

FINANCIAL/LEGAL IMPLICATIONS:

Not applicable.

STAKEHOLDER IMPACTS:

Building & Municipal Enforcement Services – No objections.

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 the Credit First Nation, Six Nations Council, Hydro One, MTO, MPAC, and Union Gas.

REPORT IMPACTS:

Agreement: yes

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. Draft Authorizing By-law.
6. Zoning Confirmation Chart.