
HALDIMAND COUNTY

Memorandum PDD-M03-2020 Additional Information to Report PDD-33-2020 Haldimand County Comprehensive Zoning By-law For Consideration by Council on November 23, 2020



To: Mayor Hewitt and Members of Council
From: Shannon VanDalen, MCIP, RPP, Manager of Planning and Development

Staff presented the draft Haldimand County Comprehensive Zoning By-law at the November 17th, 2020 Council in Committee meeting. During the meeting, two items were raised requiring further assessment by staff for potential amendment (one by way of presentation by a member of the public, and one by way of public inquiry outside of the formal meeting). Those items are as follows:

1. Zone Change for 22 Lakeside Drive, Peacock Point.
2. Accessory Uses, Buildings and Structures to Residential Uses.

Zone Change (Item 1):

The owners of 22 Lakeside Drive, Peacock Point made a request at the Public Meeting to have their property rezoned from the current “Marine Commercial (CM)” zone to “Lakeshore Residential (RL)”. It was noted that the existing seasonal dwelling was constructed in 1931 and has continually functioned for residential purposes. Based on the property owner’s knowledge of the property, a commercial use has never occurred.

Planning Comment:

The subject property is located within the Resort Residential Node of Peacock Point and is predominately surrounded by existing lakeshore residential uses, except for the Peacock Point Park, which is located to the north. Based on the function of the property, and the fact that all surrounding land uses are residential in nature, the zone category and mapping for 22 Lakeside Drive has been amended to “Lakeshore Residential (RL)” to support the continued residential use of the property.

Accessory Uses, Buildings and Structures to Residential Uses (Item 2)

Subsequent to the CIC meeting, a public inquiry was brought forward regarding the permitted size of residential accessory buildings. Discussions to potentially increase the accessory building were included in the original draft, however in the version that was presented at the public meeting, the floor area reverted back to what had traditionally been applied through the Town of Dunnville, Town of Haldimand, and City of Nanticoke zoning by-laws; which was 55 square metres. The wording included in the draft Comprehensive By-law was as follows:

4.2 Accessory Uses, Buildings and Structures to Residential Uses

- f) occupy more than 10% of the *lot area*, for all *accessory buildings* or *structures* together, to a maximum of 55 square metres of useable floor area in the R1, R2, R3, R4, RL residential *Zones*, 100 square metres of useable floor area on those lots measuring 0.4 hectares or less in all other *zones* where the use is *permitted*, and 200 square metres of useable floor area on those lots measuring 0.4 hectares or more in all other *zones* where the use is *permitted*. Swimming pools shall not constitute a *structure* for the purposes of this provision;

The proposed changes to the provision would now read:

- f) occupy more than 10% of the *lot area* to a maximum of 75 square metres of useable floor area, whichever is lesser, for all *accessory buildings* or *structures* together, in the R1, R2, R3, R4, RL residential Zones; 100 square metres of building area useable floor area on those lots measuring 0.4 hectares or less in all other zones where the use is *permitted*, and 200 square metres of building area useable floor area on those lots measuring 0.4 hectares or more in all other zones where the use is *permitted*. Swimming pools shall not constitute a *structure* for the purposes of this provision;

The key revisions are to increase the maximum permitted size in the urban residential and lakeshore residential zones to 10% of the lot area with a cap of 75 square metres. This is consistent with staff's original intention to provide more flexibility and recognize the suitability of allowing increased accessory building size commensurate with size of properties – a sliding scale approach.