
HALDIMAND COUNTY

Report PDD-28-2021 Zoning By-law Amendment to Permit a Single Family Dwelling – Pearson



For Consideration by Council in Committee on April 20, 2021

OBJECTIVE:

To present a proposal to rezone lands to facilitate the development of a single detached dwelling in Stromness.

RECOMMENDATIONS:

1. THAT Report PDD-28-2021 Zoning By-law Amendment to Permit a Single Family Dwelling – Pearson be received;
2. AND THAT Application PLZ-HA-2021-005, to amend the HC 1-2020 to rezone the subject lands to “Hamlet Residential (RH)”, be approved for reasons outlined in Report PDD-28-2021;
3. AND THAT the by-law attached to Report PDD-28-2021 be presented for enactment;
4. AND THAT the proposal is deemed to be consistent with the Provincial Policy Statement 2020, Provincial Growth Plan 2020, and other matters of Provincial interest.

Prepared by: Benjamin Kissner, Planner

Reviewed by: Shannon VanDalen, MCIP, RPP, CMMI, Manager of Planning and Development

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 Haldimand County Zoning By-law HC 1-2020 to rezone the subject lands from Rural Institutional (IR) to Hamlet Residential (RH), to recognize a single detached dwelling as a permitted use. Should this proposal be approved, it will represent a more efficient use of appropriately designated lands by allowing an increased use of the lands, 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 Rural Institutional (IR) to Hamlet Residential (RH) to facilitate the development of a single family dwelling house. The lands to be rezoned are located east of North Shore Drive in the Hamlet of Stromness, and are known as 1561 North Shore Drive. The site contains an existing structure that was formerly used as a Community Hall, which the applicants are seeking to renovate and use as a single family dwelling. The subject property has dimensions of approximately 47 metres (154 feet) by 78 metres (256 feet), which is identified as the ‘Subject Lands’ in Attachment 1. The applicant has provided a site sketch showing the location of the structure as seen

in Attachment 2. Adjacent to the site are rural residential lots to the north and south, agricultural uses to the east, and property zoned Hamlet Commercial (CH) to the west.

ANALYSIS:

Provincial Policy Statement (2020)

The Provincial Policy Statement, 2020 (PPS) provides overall policy direction on matters of provincial interest relating to land use planning and development. Decisions affecting planning matters “shall be consistent with” the policies of the PPS. Through the PPS, the Province determines that Building Strong Communities is a provincial interest and is to be addressed, in part, through promoting efficient land use and development patterns that support strong, livable and healthy communities, protect the environment and public health and safety, and facilitate economic growth. The Provincial Policy Statement supports residential development in locations where there is no need to expand the provision of municipal services. The subject lands are located within the Hamlet of Stromness, is large enough to accommodate private servicing, and has access to a municipal road that is maintained year round. These factors represent consistency with the PPS.

Further, the PPS directs that development occurs in accordance with the policies that restrict development in relation to natural hazards. The hazards outlined within this section pertain to those found in relation to the Great Lakes and St. Lawrence Seaway, specifically flooding, erosion and dynamic beach. The hazard that is present on the subject lands is related to the floodplain. As such, the Grand River Conservation Authority (GRCA) has applied development restrictions to regulate where development can occur in this general area in accordance with the policies set out in the PPS.

The GRCA has delegated authority by the province to regulate matters relating to natural hazards within Haldimand County however, the dwelling is proposed outside of the designated hazard lands and will have no negative affect of those lands. Planning staff are of the opinion that this proposal maintains the intent of these policies; therefore, the proposal is consistent with the PPS.

Growth Plan for the Greater Golden Horseshoe, 2020

The Growth Plan for the Greater Golden Horseshoe, 2020 similarly supports development in situations where the works would result in intensification in terms of density, and use of existing infrastructure. The subject property would be serviced by private water and wastewater systems, but would benefit from the existing road network. Planning staff is of the opinion that the subject proposal is not in conflict with and maintains the overall intent of the Provincial Growth Plan.

Haldimand County Official Plan

The Haldimand County Official Plan directs policies for the conservation and preservation of agricultural lands and hazard lands throughout the County. Furthermore, the Haldimand County Official Plan guides residential development to occur within appropriate locations such as the residential, hamlet, and resort residential nodes of Haldimand County. The subject lands are designated Hamlet and Riverine Hazard Lands within the Haldimand County Official Plan.

Hamlet Policies

The Official Plan policies support uses such as residential, commercial and institutional which are low in density, and are proposed on sites that can be serviced by private systems (septic and cistern), while protecting existing uses from the potential for land-use conflicts where new uses are proposed. As identified under the permitted uses for the Hamlet designation, single detached dwellings are permitted, and the subject lands have previously been established and developed upon. This conversion from a community hall to a dwelling maintains the policies contained in this section.

Hazard Lands

Haldimand County is committed to the protection of life and property by respecting natural and man-made hazards. As such, development shall generally be directed away from hazard lands. Despite this, it is recognized that there are certain areas of the County where extensive development has taken place within Hazard Lands. The subject lands are partially designated Riverine Hazard Lands in conjunction with the Agricultural designation. The Riverine Hazard has been identified towards the rear of the site and a small portion to the south east of the site. The concept plan (see attachment 2) demonstrates the location of the single detached dwelling, which is to be located entirely within the existing structure on the site. The proposed location of the single detached dwelling is outside of the designated hazard lands and located on Hamlet-designated lands.

Through circulation of the application, the Grand River Conservation Authority, based upon their review, have no concerns that the structure will have a negative impact on the hazard lands and have identified the structure to be located outside of the floodplain.

Based on the foregoing, it is Staff's opinion that the application is consistent with the Haldimand County Official Plan.

Haldimand County Zoning By-law HC 1-2000

The lands are currently zoned Rural Institutional (IR) within the Haldimand County Zoning By-law. The purpose and intent of the zone is to permit uses that support rural areas and cater to the needs of the community such as animal hospital, day care, medical office, place of sports and recreation, private club, cemetery, community centre, cultural facility place of assembly, place of worship, elementary school, private school, secondary school, post-secondary school, training and rehabilitation centre, fair or exhibition grounds, golf course. Residential uses are permitted in the form of those that were legally existing on the date of passing of the by-law, or that are accessory to a permitted use. The proponent is requesting permission to use the structure solely as a single family residence, without maintaining one of the other permitted uses for the subject lands. The amendment to the Zoning By-law would rezone the subject lands to Hamlet Residential (RH). The limitation in the development opportunities and permitted uses will ensure that the function of the property remains appropriate for the neighbourhood and respectful of the existing uses in the area. The provisions of the RH zone will be maintained and no reductions or site exceptions are required.

Upon review of the surrounding area, staff note that there are existing residential uses, agricultural uses and lands zoned for Hamlet Commercial uses all in proximity to the subject lands. Rezoning the subject lands to permit a dwelling unit as a primary use, is not anticipated to result in land use conflicts arising between the proposed residential use, and those that surround it, nor the commercially zoned property.

Additionally, it is staff opinion that permitting the single detached dwelling house on the lot that currently contains the former community hall will be in keeping with the character of the already established neighbourhood. Based on the foregoing, it is staff opinion that the proposed single family dwelling will have minimal impact on adjacent properties, is an appropriate use of lands where no viable farm can be established, and will respect the hazard lands identified throughout the site.

Conclusion:

Planning staff recommends that the Zoning By-law Amendment application be approved on the basis that the proposed use is consistent with the Provincial Policy Statement, 2020, conforms to the Provincial Growth Plan, 2019, and maintains the intent and purpose of the Haldimand County Official Plan.

FINANCIAL/LEGAL IMPLICATIONS:

Not applicable.

STAKEHOLDER IMPACTS:

Grand River Conservation Authority – No concerns.

Building & Municipal Enforcement Services – No objections.

Roads Operations – No objections.

Planning and Development (Development & Design Technologist) – 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: No

By-law: Yes

Budget Amendment: No

Policy: No

ATTACHMENTS:

1. Location Map.
2. Concept Drawing.
3. By-law Amendment.