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# HALDIMAND COUNTY

## Report PDD-39-2022 Zoning By-law Amendment as a Condition of Consent - Tone



For Consideration by Council in Committee on August 23, 2022

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### OBJECTIVE:

To consider a Zoning Amendment to fulfill a condition of consent related to the creation of new residential building lot in Caledonia.

### RECOMMENDATIONS:

1. THAT Report PDD-39-2022 Zoning By-law Amendment as a Condition of Consent - Tone, be received;
2. AND THAT application PLZ-HA-2022-060 to amend the Haldimand County Zoning By-law HC-1-2020 to rezone the subject lands from “Agriculture (A)” to “Urban Residential Type 1-A (R1-A)” be approved for reasons outlined in Report PDD-39-2022;
3. AND THAT the proposal is deemed to be consistent with the Provincial Policy Statement, 2020, and the Growth Plan for the Greater Golden Horseshoe 2020;
4. AND THAT the by-law attached to Report PDD-39-2022 be presented for enactment.

**Prepared by:** Neil Stoop, MCIP, RPP, Senior Planner

**Reviewed by:** Shannon VanDalen, MCIP, RPP, Manager, 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 Zoning By-law Amendment is required as a condition of consent for the creation of a new residential building lot in Caledonia. The subject lands are currently zoned “Agriculture (A)”. Rezoning the lands to “Urban Residential Type 1-A (R1-A)” will bring the lands in line with the Official Plan and consistent with adjacent properties.

Planning staff are of the opinion that this proposal is in conformity with the Provincial Policy Statement 2020, complies with the Provincial Growth Plan 2020, conforms to Haldimand County’s Official Plan and maintains the general intent and purpose of the Haldimand County By-law HC 1-2020. Planning staff recommend approval of this amendment for the reasons outlined in this report.

A public notice sign was posted at the site and was visible when the Planner conducted site visit.

## **BACKGROUND:**

The proposed zoning amendment is required as a condition of consent for severance application PLB-2022-061, which was conditionally approved by Committee of Adjustment on June 14, 2022. Planning staff recommended approval of the application, subject to conditions, including the rezoning of the lands to “Urban Residential Type 1-A (R1-A)”. The consent application conformed to the Official Plan (OP), Provincial Policy Statement (PPS), and Growth Plan (GP). The severed lands have a frontage of 15 metres (49.2 feet) and contain an area of 0.36 hectares (0.89 acres). The retained lands will have an area of 0.29 hectares (0.72 acres) as shown on the General Location Map (Attachment 1).

The subject lands are located in the Urban Area of Caledonia and front onto the south side of Haddington Street. The proposed retained lot currently contains a dwelling, while the proposed severed lot is vacant and is primarily mowed lawn. In addition to the General Location Map in Attachment 1, Attachment 2 (Owners Sketch) contains further details. Planning staff supports this rezoning and has not received any concerns through the circulation of the proposal.

## **ANALYSIS:**

Planning staff have determined key planning issues related to this application. They are as follows:

### **Provincial Policy Statement, 2020**

The Provincial Policy Statement, 2020 (PPS) states that settlement areas, such as Caledonia, shall be the focus of growth and development and their vitality and regeneration shall be promoted. The PPS encourages intensification including infill development where other policies of the PPS can be upheld.

Section 1.6.6.2 states the municipal sewage and water services are the preferred form of servicing within settlement areas. The subject lands are currently serviced by municipal water and sewers. The proposed severed lot will require the extension of sanitary services along Haddington Street while water is available. The sketch provided by the applicant’s agent (Attachment 3) includes an option for a septic system, or a connection to municipal services. The policies of the PPS would require a connection to municipal services, which has also been included as a condition of consent.

### **Provincial Growth Plan, 2020**

A Place to Grow directs development to existing settlement areas such as Caledonia and generally echoes the policies of the PPS. As such, it is Planning staff’s opinion that the subject application is consistent with A Place to Grow.

### **Haldimand County Official Plan (OP)**

The subject land is designated ‘Residential’ in the OP and is within the built boundary of Caledonia. The OP permits and encourages lot creation within the ‘Residential’ designation as residential infilling. The subject application will facilitate the creation of a new infill lot within the built boundary of Caledonia. The proposed lot will have frontage on a public road and sufficient area to accommodate the proposed use. The provisions of the ‘Urban Residential Type 1-A (R1-A)’ zone will allow development of the property in a similar manner to the surrounding lots and in keeping with the policies of the OP.

It is the opinion of Planning staff that the subject application conforms to the OP.

### **Haldimand County Zoning By-law HC 1-2020**

The subject lands are currently zone “Agricultural (A)”, and are proposed to be zoned “Urban Residential Type 1-A (R1-A)”. The R1-A zone has a required minimum lot area of 450 square metres (0.11 acres) and minimum required frontage of 15 metres (49.2 feet). The proposed severed and retained lot will meet the standards of the R1-A zone. The proposed lots would not meet the minimum

required standards of the 'Agriculture (A)' zone. Further, it is atypical for lands within a settlement area and designated 'Residential' to be zoned A.

Rezoning the lands will ensure they are developed similarly to the surrounding area.

Various technical considerations, including sanitary servicing extension and lot grading, are being addressed through the conditions of the severance application.

## **FINANCIAL/LEGAL IMPLICATIONS:**

Not applicable.

## **STAKEHOLDER IMPACTS:**

Project Manager, Water and Wastewater Capital:

Municipal sanitary sewer is not currently available along the frontage of the proposed severed lot. Municipal water currently services the existing residential dwelling and is available to service the proposed severed parcel.

The proponents' proposal to service the parcel to be severed parcel is via a private sanitary forcemain that would be within the Haddington Street right-of-way, extending from the proposed building to the County's existing manhole infrastructure to the west of the subject lands. This has been reviewed and has the support of the Water and Wastewater Engineering & Compliance Division.

Building & Municipal Enforcement Services: No objections, subject to completion of conditions for the related consent application.

Planning & Development, Development Technologist: No objections, subject to the completion of conditions for the related consent applications.

Mississaugas of the Credit First Nation: No comment received.

Six Nations Council: No comment received.

Hydro One: No comment received.

Finance, Treasurer: No comment received.

No comments were received from members of the public at the time of writing this report.

## **REPORT IMPACTS:**

Agreement: No

By-law: Yes

Budget Amendment: No

Policy: No

## **ATTACHMENTS:**

1. General Location Map.
2. Location of Lands Affected – Owner's Sketch 1.
3. Preliminary Site Servicing and Grading Plan – Owner's Sketch 2.

4. Draft Zoning By-law Amendment HC 1-2020.
5. Zoning Confirmation Chart.