
HALDIMAND COUNTY

Report PDD-25-2023 Zoning By-law Amendment as a Condition of Consent in Cheapside



For Consideration by Council in Committee on November 21, 2023

OBJECTIVE:

To rezone the subject lands in order to fulfill a condition of consent related to the severance of a new vacant lot in the hamlet of Cheapside.

RECOMMENDATIONS:

1. THAT Report PDD-25-2023 Zoning By-law Amendment as a Condition of Consent in Cheapside be received;
2. AND THAT application PLZ-HA-2023-163 to amend Haldimand County Zoning By-law HC 1-2020 to rezone the subject lands from Agricultural (A) to Hamlet Residential (RH) be approved for reasons outlined in Report PDD-25-2023;
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-25-2023 be presented for enactment.

Prepared by: Alisha Cull, BES, MCIP, RPP, Supervisor, Planning & Development

Reviewed by: Shannon VanDalen, MCIP, RPP, Manager, Planning & Development

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

Approved: Cathy Case, Chief Administrative Officer

EXECUTIVE SUMMARY:

The subject Zoning By-law amendment is required as a condition of consent for the creation of a new lot within the hamlet of Cheapside. The purpose of this application is to rezone the subject lands from Agricultural (A) Zone to Hamlet Residential (RH) Zone to bring the lands into conformity with the Official Plan.

Planning staff are of the opinion that the subject application is consistent with the Provincial Policy Statement, 2020 and the Provincial Growth Plan, 2020, conforms to the Haldimand County Official Plan, and maintains the general intent and purpose of Zoning By-law HC 1-2020. Planning staff recommend approval of the subject application for reasons set out within this report. A public notice sign was posted at the site in accordance with the *Planning Act*.

BACKGROUND:

The subject application is required to fulfill a condition of consent application PLB-2023-089, which was conditionally approved by the Committee of Adjustment on September 12, 2023. The consent

application will, if all required conditions are fulfilled, create a new vacant residential lot in the hamlet of Cheapside. The lands are currently zoned Agricultural (A) Zone, and a condition of the consent approval is to rezone the lands to Hamlet Residential (RH) as the A Zone is not appropriate within a hamlet, and is not in keeping with the Official Plan. The (RH) Zone will reflect the new use of the lands and allow for appropriate zone standards to accommodate residential development.

The lands are currently part of a 46.6 hectare (115.1 acre) farm parcel, and the severed lands are 0.4 hectares (1.1 acres) in size, with 41.2 metres (135.2 feet) of frontage on Cheapside Road. The severed lands are vacant, with agricultural uses to the north and west, residential to the south, and Cheapside United Church to the east across Cheapside Road. The lands are currently in agricultural production. The proposed configuration of the lot can be found in Attachment 1.

ANALYSIS:

Planning staff have determined the key planning issues related to this application as follows:

Provincial Policy Statement, 2020

The Provincial Policy Statement, 2020 (PPS) states that settlement areas shall be the focus of growth and development. Land use patterns shall be based on densities and a mix of land uses which efficiently use land and resources and are appropriate for available infrastructure, among other criteria. The PPS also directs that land use patterns within settlement areas shall be based on a range of uses and opportunities for intensification and redevelopment.

The subject application is a condition of a consent application that will facilitate the creation of a new lot in a settlement area. The lands will be efficiently used, and available infrastructure is appropriate for the proposed use. The subject application is consistent with the policies of the PPS.

A Place to Grow – Growth Plan for the Greater Golden Horseshoe, 2020

The Growth Plan directs growth to settlement areas. It states that growth will be limited in rural settlements, which includes the hamlet of Cheapside. Only one lot is being created through the related severance application, representing limited growth. The subject application is consistent with the Growth Plan.

Haldimand County Official Plan

The subject lands are designated Hamlet in the Haldimand County Official Plan (OP). The OP states that the predominant use of Hamlet lands shall be for low density residential housing, including single detached dwellings. Consideration shall be given to the available servicing and the layout of new lots, among other criteria.

The subject application proposes to change the zoning of the lot being severed from Agricultural (A) Zone to Hamlet Residential (RH) Zone. The (RH) Zone permits a range of uses that are in conformity with the Official Plan. A single detached dwelling is proposed on the subject lands. It will be serviced by an on-site cistern and on-site sewage disposal system. The subject application conforms to the intent of the Official Plan.

Haldimand County Zoning By-law HC 1-2020

The subject lands are currently zoned Agricultural (A) and are proposed to be amended to Hamlet Residential (RH).

The (A) Zone permits the following uses:

- Bed and breakfast establishment
- Single detached dwelling

- Home-based business, home office
- Home-based business, home occupation
- Home-based business, home industry
- Group home dwelling
- Garden suite
- Agriculture use
- Agriculture use, on-farm diversified
- Agriculture-related processing
- Bunk house
- Cannabis production facility
- Farm produce outlet
- Farm stand
- Forestry use
- Animal hospital
- Animal kennel
- Commercial greenhouse
- Recreational vehicle storage

The (RH) Zone permits the following uses:

- Bed and breakfast establishment
- Single detached dwelling
- Garden suite
- Home-based business, home office
- Home-based business, home occupation
- Home-based business, home industry
- Backyard hens

The following provisions apply to the (A) and (RH) Zones:

| Provision | (A) Requirement | (RH) Requirement |
|----------------------------|----------------------------------|----------------------------------|
| Minimum Lot Area | 1,855 square metres (0.46 acres) | 1,855 square metres (0.46 acres) |
| Minimum Lot Frontage | 30 metres (98 feet) | 30 metres (98 feet) |
| Minimum Front Yard | 13 metres (43 feet) | 9 metres (30 feet) |
| Minimum Interior Side Yard | 3 metres (10 feet) | 1.2 metres (4 feet) |
| Minimum Rear Yard | 9 metres (30 feet) | 9 metres (30 feet) |
| Maximum Building Height | 11 metres (36 feet) | 11 metres (36 feet) |

Amending the zoning of the subject lands from (A) to (RH) will permit a more appropriate range of uses in the hamlet. The (RH) zone provisions are similar to the (A) zone provisions, but with some reductions that allow for more flexibility when locating a dwelling on the lot. The subject application represents good planning. The lot is proposed to have an area of 0.4 hectares (1.1 acres) with 41 metres (135 feet) of frontage, and complies with the zoning provisions. Any future dwelling construction is required to comply with the required yard setbacks and building height. No plans have been provided at this time.

FINANCIAL/LEGAL IMPLICATIONS:

Not applicable.

STAKEHOLDER IMPACTS:

Building & Municipal Enforcement Services: No comments or concerns.

Planning & Development – Development Technologist: No comments.

Emergency Services: No comments or concerns.

Six Nations of the Grand River: No comments received.

Mississaugas of the Credit First Nation: No comments received.

Forestry: The proposed application will have no impacts on any County-owned trees, Woodlands regulated under the Forest Conservation By-law or Significant Woodlands as defined in the Official Plan.

REPORT IMPACTS:

Agreement: No

By-law: Yes

Budget Amendment: No

Policy: No

REFERENCES:

None.

ATTACHMENTS:

1. Owner's Sketch.
2. Draft By-law.