
Haldimand County Committee of Adjustment

Consent



File Number: PLB-2024-282

Property Roll Number: 2810024006295000000

Applicant: 1000398516 Ontario Limited c/o Ken Egger

Agent: Archie Merigold

Property Location: Plan 1700 Part Lot 1 West John Street, Reference Plan 18R1408 Part 2 Plus, Easement, Known Municipally as 403 Cross Street West, Dunnville

For consideration on: March 25, 2025

Summary

The applicant proposes to boundary adjust 403 Cross Street West (subject lands) to add to the adjacent lands to the west (benefitting lands) with the intentions of creating a viable parcel for future residential development.

Recommendation

THAT application PLA-2024-282 be APPROVED, subject to the attached conditions. The application is consistent with the Provincial Planning Statement, 2024 and conforms to the intent and purpose of the Haldimand County Official Plan and Haldimand County Zoning By-law HC 1-2020.

Prepared by: Chris Tang, MCIP, RPP, Planner, Planning and Development

Reviewed by: Mark Andrews, M.A., MCIP, RPP, Senior Planner, Planning and Development

Reviewed by: Krystina Wheatley, Acting Supervisor, Planning and Development

Details of the Submission:

Proposal:

The applicant is proposing to boundary adjust 403 Cross Street West, otherwise known as the “subject lands”, adding to the adjacent lands to the west (no municipal address), known as the “benefitting lands”, to allow the benefitting lands to create a viable parcel for future residential development. The proposed severed lands have a frontage of approximately 30.48 meters (100 feet), with an area of approximately 1,843.5 square metres (0.19 hectares/0.46 acres), which will be added to the benefitting lands to the west. The retained lands will have a frontage of approximately 30.63 meters (100.5 feet) and an area of 1,889.1 square metres (0.19 hectares/0.47 acres).

Site Features and Land Use:

The subject lands are located on the north side of Cross Street West, to the immediate west of John Street in the Urban Area of Dunnville. The retained lands currently contain an existing structure, the severed lands contain storage units and the benefitting lands are currently vacant. The surrounding land uses are generally low-density residential (i.e., single detached dwellings).

The subject lands are zoned 'Development "(D)'" Zone in the Haldimand County Zoning By-law HC 1-2020 and designated "Residential" on Schedule "B.3" (Dunnville Urban Area Land Use Plan) of the Haldimand County Official Plan.

Existing Intensive Livestock Operations:

Not applicable.

Agency & Public Comments

Haldimand County Building & Municipal Enforcement Services:

Benefitting lands will require a zoning amendment, retained lands will require a minor variance to address lot frontage, area, and any other recognized deficiencies.

Haldimand County Planning & Development Services – Development Technologist:

Full lot grading plan will be required, and drainage re-apportionment will be required.

Haldimand County Emergency Services:

No comments received.

Hydro One:

No comments or concerns.

Mississaugas of the Credit:

No comments received.

Six Nations:

No comments received.

Public:

No comments received.

Planning Analysis

Provincial Planning Statement, 2024 (PPS)

The Provincial Planning Statement does not speak to or provide specific policy requirements on residential boundary adjustments within urban settlement area boundaries. However, it is Planning staff's understanding that the purpose of the boundary adjustment is to create a viable parcel to the west for future residential growth. Accordingly, the PPS does contain policies, specifically Section 2.2.1 b), which permits and facilitates all housing options and all types of residential intensification, including development and introduction of new housing options and redevelopment which results in a net increase in residential units (Section 2.2.1 c).

Planning Comment: While not within the scope of this application, it is anticipated that the County will receive future Planning applications to redevelop the benefitting lands to the west for future residential development, which will meet projected housing targets and add additional residential units to the Urban Area of Dunnville.

Therefore, it is the opinion of the Planning staff that the proposed boundary adjustment is consistent with the PPS.

Haldimand County Official Plan (OP)

The subject lands are designated “Residential” on Schedule “B.3” (Dunnville Urban Area Land Use Plan) in the Haldimand County Official Plan. The OP echoes the PPS and does not have specific policies that directly speak to residential boundary adjustments. However, the OP states that residentially designated areas within each of Haldimand County’s urban areas are expected to continue to accommodate attractive and functional neighbourhoods. The OP does contain specific policies pertaining to residential infilling and intensification within stable residential neighbourhoods (Section 4.B.1) 6); however these policies will be analyzed and addressed once the lands are in the process of being redeveloped through future Planning applications.

The subject lands are located adjacent to surrounding stable residential neighbourhoods. The boundary adjustment is not expected to have any measurable impacts on the form and function of the neighbourhood. Additionally, the boundary adjustment will result in the benefitting lands to be more regularly shaped for future potential development.

Further, while there is no new development proposed at this time, the subject application does not result in new lot creation; only adjusting the lot frontages and size of two lots within the stable residential neighbourhood. As noted below, the two lots do not comply with the provisions of the ‘Development “(D)” Zone and will need to be addressed through two (2) Minor Variance applications.

It is the opinion of the Planning staff that the proposal meets the general intent and conforms with the Official Plan.

Haldimand County Zoning By-law HC 1-2020

The subject lands and benefitting lands are zoned ‘Development “(D)” Zone in accordance with Haldimand County Zoning By-law HC 1-2020. The “(D)” zone requires a minimum lot area of 10,000 square metres (1.0 hectare/2.47 acres), a frontage of 180 metres (590.55 feet) and an interior side yard setback of 6.0 metres (19.69 feet). The benefitting lands will have a total lot area of 10,969.7 square metres (1.09 hectares/2.7 acres) and a frontage of approximately 149.39 metres (490.12 feet). The retained lands will have a lot area of 1,889.1 square metres (0.19 hectares/0.47 acres), a frontage of 30.63 metres and a side yard setback of 4.11 metres (13.48 feet). The retained and benefitting lands do not comply with the provisions of the ‘Development “(D)” Zone, however, no proposal has been received to establish a future use on the subject lands at this time. The boundary adjustment will facilitate in the creation of a more practical lot to increase its development potential. Since the retained and benefitting lands are unable to meet the zoning provisions of the “(D)” zone, relief of the provisions of the “(D)” Zone will be required through future Planning applications; in the form of two (2) Minor Variance applications as a condition of approval.

It is the opinion of Planning staff that the subject application generally complies with the intent and purpose of the Haldimand County Zoning By-law 1-2020, subject to the deficiencies being addressed through two (2) future Minor Variance applications.

Notice Sign and Applicant Discussion

A public notice sign was posted in accordance with the Planning Act, R.S.O. 1990, c. P.13 on March 6, 2025.

The applicant has satisfied the public consultation requirements as per the Provincial legislation.

A copy of the staff report has been provided to the applicant.

Attachments:

1. PLB2024282_Attach1_Condition Sheet
2. PLB2024282_Attach2_Map_Location
3. PLB2024282_Attach3_Map_OwnersSketch