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# HALDIMAND COUNTY

## Report PED-PD-15-2018 Zoning Amendment to Facilitate Plan of Subdivision - Jarvis Meadows Phase 3

For Consideration by Council in Committee on March 27, 2018

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### OBJECTIVE:

To request that Council consider a proposed amendment to the City of Nanticoke Zoning By-law NE 1-2000 to facilitate the development of Jarvis Meadows Phase 3 plan of subdivision.

### RECOMMENDATIONS:

1. THAT Report PED-PD-15-2018 Zoning Amendment to Facilitate Plan of Subdivision - Jarvis Meadows Phase 3 be received;
2. AND THAT application PLZ-HA-2017-085 to amend the City of Nanticoke Zoning By-law NE 1-2000 by 663947 Ontario Inc. be approved for reasons outlined in Report PED-PD-15-2018;
3. AND THAT the Zoning By-law Amendment attached to Report PED-PD-15-2018 to amend the City of Nanticoke Zoning By-law NE 1-2000 be presented for enactment;
4. AND THAT the "Holding (H)" provision removal by-law attached to Report PED-PD-15-2018 be passed and the General Manager of Planning and Economic Development be granted authority to remove the Holding provision when all conditions relating to the matter are satisfactorily addressed;
5. AND THAT the application is considered to be consistent with the Provincial Policy Statement 2014, Provincial Growth Plan 2017 or other matters of provincial interest.

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**Reviewed by:** Mike Evers, MCIP, RPP, BES, Manager, Planning and Development

**Respectfully submitted:** Craig Manley, MCIP, RPP, General Manager of Planning and Economic Development

**Approved:** Karen General, CPA, CGA, Deputy Chief Administrative Officer

### EXECUTIVE SUMMARY:

Applications for phase three of an established subdivision and an accompanying zoning by-law amendment were submitted by 663947 Ontario Inc. to facilitate a residential development in the eastern portion of Jarvis in May 2017. The project would consist of a maximum build-out of 144 single-detached residential units. The subdivision would be constructed with two new municipal roads and extensions of Lafayette Street and Craddock Boulevard. The development will be fully serviced by municipal water and sanitary services. The proposed draft plan of subdivision was presented to Council on February 27, 2018 and meets County and Provincial density targets, addresses functional requirements, and has received draft plan approval. The proposed zoning would implement the subdivision proposal including special provisions allowing for a range of alternative lot sizes and setback standards.

## **BACKGROUND:**

On February 27, 2018, a Public Meeting was held before Council in Committee regarding the review of a draft plan of subdivision for Jarvis Meadows Phase 3. At that time, an information report was presented which examined the development details including an assessment of the Plan of Subdivision and Zoning By-law Amendment application. The subdivision consists of 144 units (single detached dwellings). The draft approved plan can be seen in Attachment 2.

Following the public meeting component, a draft plan was formally approved by the General Manager of Planning and Economic Development. As part of that draft plan approval, a series of conditions were established and one of those conditions is the requirement for implementing a zoning by-law amendment to be passed by Council. The purpose of this report is to present that amending by-law to establish the necessary zoning to facilitate the development of the approved subdivision and to satisfy the aforementioned condition.

### **Land Location and Description**

The subject lands are located north of Highway 3 and east of Mary Jane Lane, and are located within the eastern portion of the urban area of Jarvis. The site is legally described as Walpole Con 8 PT Lot 5 RP 18R6720 PT Part 1, and currently have not been assigned civic addresses (Attachment 1). These lands have an area of approximately 6.186 hectares (15.286 acres) in size with frontage and access onto Craddock Boulevard and Lafayette Street East. The subject lands are vacant and used for agricultural purposes.

## **ANALYSIS:**

All matters pertaining to Provincial and County policy frameworks were reviewed and appropriately addressed as part of the previous information report PED-PD-07-2018, and approval of the draft Plan of Subdivision has been granted. Since there are no issues with the principle of land use, a detailed planning analysis was not required for this report.

### **City of Nanticoke Zoning By-law NE 1-2000**

The subject zoning also seeks to establish site specific zone provisions (i.e. narrower lot frontages, reduced setbacks, etc.) to facilitate a more compact and contemporary design that is consistent with other recently approved subdivisions in the County, as well as the previous phase of this subdivision. The subject application will change the zoning on the lands identified from 'Agriculture (A)' to Urban 'Residential Type 1B.1–Holding', which will apply the same relief from the Urban Residential Type 1B zone that was established for Phase 2 of this subdivision. A table demonstrating the unique provisions and the rationale support for such is included as Attachment 3. The Holding has been applied to the entire site to ensure that there is: sufficient municipal servicing capacity (water and wastewater) available for development; final clearance of the draft conditions of subdivision approval have been completed to the satisfaction of Haldimand County; and a subdivision agreement has been registered.

There is a block of land that has been identified to be transferred to the County to allow for expansion to the existing Municipal Drain, as well as providing an opportunity to extend the walking trail network that has been created in the community of Jarvis. This block of land has been proposed to receive 'Open Space (OS)' zoning with special provisions to limit the permitted uses and to provide relief for the frontage as it relates to the affected property. The property will be used specifically for the provision of the municipal drain and walking trail, and it will have a frontage of 7.5 metres.

## **Zoning Rationale**

All of the proposed site specific zoning provisions would facilitate the implementation of the draft plan of subdivision as approved and ultimately permit development that incorporates housing types and lot fabric exhibiting a more compact form. Planning staff are of the opinion that the reduction in yard provisions further facilitates a functional and attractive urban design that effectively uses available land.

A copy of the draft amending by-law to the City of Nanticoke Zoning By-law NE 1-2000 is included as Attachment 4. The “Holding (H)” provision proposed would ensure: proper and orderly development of the site; completion of the plan of subdivision and remaining technical requirements, including subdivision agreement and development security; and confirmation of servicing allocation. A draft ‘Holding (H)’ removal by-law has been drafted for the development, and is included as Attachment 5. This is in accordance with the ‘H’ removal delegation process approved by Council to streamline development approvals.

## **FINANCIAL/LEGAL IMPLICATIONS:**

All commenting agencies and departments have provided their input regarding the principle of land use during the processing of the plan of subdivision application, and all technical concerns (i.e. those relating to lot grading, drainage, etc.) will be addressed through the subdivision approval process. Further, the required statutory public meeting was held on February 27, 2018, and at that time, the required zoning changes and plan of subdivision were presented to Council in Committee. Notice of the Public Meeting was provided to area residents two weeks prior to the meeting in accordance with the requirements of the *Planning Act*, and no members of the public provided staff and Council with concerns. Furthermore, the proponents organized and held their own open house, to satisfy the newly established requirements of the *Planning Act*. Concerns such as height, scale in comparison to existing dwellings, stormwater management and traffic safety were addressed at the proponent-led open house. These concerns will be dealt with through the review of the final plans for the subdivision, and through the application of the applicable zoning provisions. The Plan of Subdivision has been draft approved by the General Manager of Planning and Economic Development and is currently in the appeal period. In follow-up for the Zoning By-law Amendment, Notice of the Passing of the By-law will be circulated to all parties as required under the *Planning Act* once a decision has been rendered by Haldimand County Council. The required 20 day appeal period will apply to the zoning amendment.

## **STAKEHOLDER IMPACTS:**

All commenting agencies and departments have provided their input regarding the principle of land use during the processing of the plan of subdivision application, and all technical concerns (i.e. those relating to lot grading, drainage, etc.) will be addressed through the subdivision approval process. Further, the required statutory public meeting was held on February 27, 2018, and at that time the required zoning changes and revised plan of subdivision was presented to Council in Committee. Notice of the Public Meeting was provided to area residents two weeks prior to the meeting in accordance with the requirements of the *Planning Act*, and no members of the public provided comments and concerns through the use of oral or written submission. Notice of the Passing of the By-law will be circulated to all parties as required under the *Planning Act* once a decision has been rendered by Haldimand County Council. The required 20 day appeal period will apply to the zoning amendment.

## **REPORT IMPACTS:**

Agreement: No

By-law: Yes

Budget Amendment: No

Policy: No

## **ATTACHMENTS:**

1. Location Map.
2. Draft Approved Plan of Subdivision.
3. Site Specific Zone Provisions.
4. Draft Zoning By-law Amendment NE1-2000.
5. Draft Holding (H) Removal By-law.