
HALDIMAND COUNTY

Report PED-PD-19-2018 Zoning Amendment to Facilitate Plan of Subdivision–Gardens Communities Inc. Phase 1



For Consideration by Council in Committee on April 24, 2018

OBJECTIVE:

To request that Council consider a proposed amendment to the Town of Haldimand Zoning By-law 1-H 86 to facilitate the development of Gardens Communities Phase 1 plan of subdivision.

RECOMMENDATIONS:

1. THAT Report PED-PD-19-2018 Zoning Amendment to Facilitate Plan of Subdivision–Gardens Communities Inc. Phase 1 be received;
2. AND THAT application PLZ-HA-2017-128 to amend the Town of Haldimand Zoning By-law 1-H 86 by Gardens Communities Inc. be approved for reasons outlined in Report PED-PD-19-2018;
3. AND THAT the Zoning By-law Amendment attached to Report PED-PD-19-2018 to amend the Town of Haldimand Zoning By-law 1-H 86 be presented for enactment;
4. AND THAT the “Holding (H)” provision removal by-law attached to Report PED-PD-19-2018 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: Donald G. Boyle, Chief Administrative Officer

EXECUTIVE SUMMARY:

Applications for Phase 1 of a proposed subdivision and an accompanying zoning by-law amendment were submitted by Gardens Communities Inc. to facilitate a residential development in the eastern portion of Hagersville. The proposed zoning by-law amendment is intended to create unique zoning provisions in accordance with the plan of subdivision presented to Council on January 16, 2018. Phase 1 would consist of a maximum build-out of 147 single-detached residential units. A majority of Phase 1 would be constructed around a proposed extension of David Street, and includes new municipal roads in the western portion of the subdivision. The development will be fully serviced by municipal water and sanitary services. The proposed draft plan of subdivision 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 January 16, 2018, a Public Meeting was held before Council in Committee regarding the review of a draft plan of subdivision for Gardens Communities Inc. 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. At this time, only Phase 1 of the subdivision is being considered for re-zoning. Phase 1 consists of a maximum of 147 units (single detached dwellings), shown in lotless blocks. 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 on March 27, 2018. 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 on the north side of King Street East, just east of the intersection of King Street and Highway 6 (Main Street) and are located within the eastern portion of the urban area of Hagersville. The site is legally described as Hagersville, Oneida, Range East of Plan Road, Pt Lots 26 and 30, 18R-5944, Parts 1, 2, 3 and 4, and currently have not been assigned civic addresses (Attachment 1). Phase 1 has an area of approximately 8.1 hectares (20 acres) in size with frontage and access onto King Street and David Street. The subject lands are vacant and have most recently been 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-02-2018, 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.

Town of Haldimand Zoning By-law 1-H 86:

The subject zoning 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. The subject application will change the zoning on the lands identified from 'R1-A', 'R1-B' 'Open Space' and 'Development' to Urban 'Residential Type 1B-Holding with a special provision to accommodate the proposed development type and 'Open Space'. A table demonstrating the unique provisions and the rationale for the R1-B special provision is included as Attachment 3. The Holding has been applied to the entire Phase 1 area to ensure that there is sufficient municipal servicing capacity (water and wastewater) available for the 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.

Part 1 of the subject lands is to be rezoned R1-B-Holding with the above-described special provision. Parts 2-6 are to be rezoned to 'Open Space', and will form part of the stormwater management and park space infrastructures.

Zoning Rationale

All of the proposed site specific zoning provisions would facilitate the implementation of the first phase 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 lot area, lot frontage and yard provisions further facilitates a functional and attractive urban design that effectively uses available land. In recent years similar zoning amendments have been approved in the County for newer contemporary development.

A copy of the draft amending by-law to the Town of Haldimand Zoning By-law 1-H 86 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 January 16, 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 notice of any passage of the zoning by-law amendment will be provided to those members of the public and agents that provided comments during that process. Furthermore, the proponents organized and held their own open house, to satisfy the newly established requirements of the *Planning Act*. 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 January 16, 2018, and at that time the required zoning changes and revised plan of subdivision was presented to Council in Committee. Oral concerns were made by members of the public and a written submission was received from Lafarge (adjacent quarry). Concerns were expressed relating to things like fill import, density, rock-blasting, proximity to an active quarry and traffic safety, and were addressed by staff, and at a proponent-led open house. The concerns related to quarry proximity have been addressed by utilizing a phased approach to the approvals with the subject Phase 1 being considered at this time and being consistent with the location of previously approved development proposals at the site. The implementing zoning also aligns with the extent of the residential development limits of existing zoning on the subject lands. While the nature of residential types, density and the setback standards are being adjusted, the proximity of the development to the quarry is remaining the same with only the encroachment of part of the stormwater pond being different. The other public concerns will be dealt with through the review of the final plans for the subdivision, construction routing 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.

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 1-H 86.
5. Draft Holding (H) Removal By-law.