

INTERNAL/EXTERNAL MEMO

Dan,

These comments relate to the Zoning By-Law Amendment Application ZBA2/19/DN submitted by Civic Planning Solutions, Agent/Applicant on behalf of Warren and Crystal Hayhoe, Owner of SOUTH DUMFRIES CON 2 PT SUB LOT 3 EGR RP 2R6434 PART 1 RP 2R2784 PART 2 IRREG, in the former Township of South Dumfries and known as 187 East River Road. The Applicant is proposing to rezone the subject lands from Agricultural (A) to Rural Residential to permit the creation of one non-urban residential lot.

Currently the above noted property is Zoned Agricultural (A) and Natural Heritage (NH) within the County of Brant Zoning By-Law 61-16.

The Natural Heritage (NH) Zone on the property will remain unchanged throughout this Application.

Please see the following Zone requirements for the RR Zone:

9.2 Zone Requirements

No *person* shall within any Non-Urban Residential (NUR) *Zones*, *use any lot or erect, alter or use any building or structure* except in accordance with the following provisions. Suburban Residential (SR) *Zone* and Residential Hamlet (RH) *Zone* are intended for *development* with or without a municipal water supply. Rural Residential (RR) *Zone* is intended for *development* having *private* services.

Table 9.2: Zone Provisions

Zones Provision	SR and RH		RR
	Partial Services	Private Services	
Lot Area , Minimum (square metres)	1000	3000	4000
Lot Frontage , Minimum (metres)	20.0	30.0	40.0

Street Setback, Minimum (metres)	7.5	20.0
Interior Side Yard Setback, Minimum (metres)	1.5	5.0
Rear Yard Setback, Minimum (metres)	7.5	15.0
Lot Coverage, Maximum	30%	30%
Landscaped Open Space, Minimum	30%	30%
Building Height, Maximum (metres)	10.5	10.5

The proposed lot area and lot frontage of the retained and severed lands meet the above noted minimum requirements of the RR Zone.

The above noted requirements will need to be met from the newly proposed lot lines. As there was no detailed surveyed plan submitted illustrating the proposed lot lines and setback information Staff cannot confirm that the proposal meets all other requirements of the By-Law at this time. This information should be confirmed by the Consultant prior to the request moving forward in order to determine if there are any other deficiencies which need to be recognized. A map with no lot lines labeled, dimension lines drawn, size of existing structures labeled was provided to Staff as part of this application. Staff notes that if the proposal moves forward without further detailed information being provided a further Application may result in future upon further review (ex. submission of lot grading plan for the purpose of obtaining a Building Permit Application).

Please see the following requirements for the NH Zone:

14.1 Uses Permitted

No *person* shall within any Open Space (OS) Zones, *use any lot or erect, alter or use any building or structure* for any purpose except for one or more of the following *uses* as identified by a “dot”.

The Open Space Zones established by this By-Law are as follows:

NH Natural Heritage Zone

OS1 Open Space

OS2 Recreational Facilities

OS3 Recreational Trailer Park

Table 14.1: Uses Permitted

List of Uses	Zones			
	NH	OS1	OS2	OS3

<i>Agricultural Use, Existing</i>	•			
<i>Boat Dock</i>	•	•	•	•
<i>Boat Ramp</i>	•	•	•	•
<i>Campground</i>			•	•
<i>Cemetery</i>		•		
<i>Community Centre</i>			•	
<i>Fairground</i>			•	
<i>Forestry Uses</i> excluding any establishments that either process or sell processed forestry products such as <i>lumber mills</i> ;	•	•		
<i>Golf Course</i>			•	
<i>Mobile Refreshment Cart</i>		•	•	
<i>Place of Worship</i>		•		
<i>Public Park or Private Park</i>			•	•
<i>Stormwater Management Facility</i>	•	•	•	•
<i>Wildlife Management</i>	•	•		
<i>Recreational Establishment</i>			•	
List of Uses	Zones			
	NH	OS1	OS2	OS3
<i>Recreational Trailer Park</i>				•

14.2 Zone Requirements for NH Zone

No person shall within any Natural Heritage (NH) Zone, use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

a) Other than buildings and structures existing at the date of passing of this By-Law, no new buildings or structures are permitted unless in accordance with the regulations of the Conservation Authority and/or for flood control purposes.

b) Any additions to the existing buildings or structures in NH Zone shall comply with the regulations of the abutting Zone on the same lot subject to approval from the appropriate Conservation Authority.

c) Within lands Zoned NH, a boat house and/or boat dock may be constructed, erected or located on lands or waters subject to approval from the Conservation Authority. Only one boat house and one dock shall be permitted on one lot.

Please see the following requirements relating to servicing:

4.27 Municipal Services

No *buildings* or *structures* may be *erected*, *used* or occupied in any *Zone*, unless the following requirements are met:

- a) watermain, storm and sanitary sewer systems are *existing* and have adequate capacity or have been provided for in a binding and secured Development Agreement and all regulatory approvals have been received to the satisfaction of the County; or
- b) where such services are not required or contemplated, an approved waste disposal system and potable water supply to sustain the *use* of land for *buildings* or *structures* are *existing* or have been provided for to the satisfaction of the Chief Building Official and all regulatory approvals have been received to the satisfaction of the County.

Please be advised that the uses of a commercial business, livestock, and/or a second dwelling are not permitted within the RR or NH Zone.

Please see the following parking requirements and driveway requirements within the By-Law:

5.7 Specifications for parking/loading and Access regulations

a) A *parking space* required hereby shall have minimum rectangular dimensions of 2.8 metres by 5.5 metres

d) The *parking space* in any Residential *Zones* inside a *garage* or a *carport* shall have a minimum dimensions as stated below:

- (i) 3 metres wide by 6.0 metres length, where one *parking space* is provided; and
- (ii) 2.8 metres wide by 6.0 metres length for the first *parking space* and 2.8 metres wide by 5.5 metres length for the second parking space where two *parking spaces* are provided.

g) On a *lot* with a width of 11.0 metres or less, a *driveway* may extend beyond the width of the attached *garage* to a maximum width of 55% of the *lot* width or 5.5 metres, whichever is less; and shall be located no closer than 0.6 metres to a *side lot line*;

h) On a *lot* with a width greater than 11.0 metres, the *driveway* may extend beyond the width of the attached *garage* to a maximum width of 50% of the *lot* width or 8 metres, whichever is less; and shall be located no closer than 0.6 metres to the *side lot line*;

j) In the case of a *dwelling* without an attached *garage*, the *driveway* width shall not exceed 5.5 metres within the *front yard*, *side yard*, or *exterior side yard*;

l) The combined width of a *mutual driveway* shall not exceed 10 metres.

5.8 Location of Required Parking and Loading Spaces

d) Notwithstanding the *yard* and *setback* provisions of this By-Law to the contrary, uncovered surface *parking areas* shall be permitted in the required *yard setbacks* as follows:

Table 5.2 Parking Yard Requirements

Residential	<p>a) In <i>front yard</i> and <i>exterior side yard</i> provided that no part of any <i>parking space</i> is located closer than 3 metres to the <i>lot line</i>;</p> <p>b) In <i>yards</i> leading directly to a <i>garage</i>, a <i>carport</i> or a <i>parking space</i>;</p> <p>c) No <i>person</i> shall park or permit to park a <i>vehicle</i> in the <i>front yard landscaped open space</i> of any <i>lot</i>.</p>
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5.9 Surface Treatment and Drainage

a) All *parking areas*, *driveways* and *loading spaces* shall be constructed and maintained with a stable surface, treated so as to prevent the raising of dust or loose particles, using such surfacing materials as gravel, asphalt, concrete, interlocking brick, or other hard-surfaced material sufficient to provide stability, prevent erosion, be usable in all seasons, and allow infiltration of surface water.

b) The surface of every *parking area*, *driveway* or *loading space* located in any *yard* in any Commercial and Employment Zone or a commercial/industrial use, which is located adjacent to any Residential Zone, shall be paved with asphalt, concrete or paving stones.

5.11 Parking Space Requirements for Residential Uses

Table 5.4 Parking Requirements for Residential Zones

<p><i>Converted Dwelling, Duplex Dwelling, Fourplex Dwelling, Rowhouse Dwelling, Semi-Detached Dwelling, Single Detached Dwelling, Stacked Townhouse, Triplex Dwelling</i></p>	<p>2 spaces per unit</p>
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Please send the Draft Amending By-Law to my attention for review and formatting prior to the By-Law proceeding to Committee and Council.

If you have any questions please do not hesitate to contact me.

Thank you,

Jessica.