

INTERNAL/EXTERNAL MEMO

Dan,

These comments relate to the Plan of Subdivision Application PS1-19-DN & ZBA5-19-DN submitted by GSP Group, Applicant/Agent on behalf of Stonehenge Acres Ltd. & 959261 Ontario Inc., Owners of CONCESSION 1 LOT 6, in the former Township of Oakland, known as the Arthur Subdivision. The Applicant is requesting Draft Plan Approval for a 22 unit Plan of Subdivision.

Currently the property is Zoned Agricultural (A) and Natural Heritage (NH) within the County of Brant Zoning By-Law 61-16. The proposal will require a subsequent Zoning By-Law Amendment Application to rezone a portion of the subject lands identified within the proposed Draft Plan of Subdivision. Staff notes that there has been an Application submitted ZBA5-19-DN which proposes to rezone the lands identified within the Plan from Agricultural (A) and Natural Heritage (NH) to Suburban Residential (SR) and Natural Heritage (NH) in order to allow for 22 single detached dwelling lots to be permitted.

The Natural Heritage (NH) Zone will not change throughout these applications.

Staff notes that these applications only affect the portion of the lands which are located within the Secondary Urban Settlement Boundary for Oakland within the County of Brant Official Plan.

Please see the following requirements for lots within the SR Zone:

Table 9.2: Zone Provisions

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

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

Please be advised that proposed Lot 10 looks to be deficient with respects to lot area at 2,999.99m² whereas a minimum of 3,00.00m² is required for lots on private services. Please revise the proposal to meet the minimum requirements of the By-Law 61-16 or revise the proposed Draft By-Law to incorporate a Site Specific Zoning to recognize the deficiency.

Please verify that all lots which are located on the chord comply with the minimum lot frontage of 30.0 metres which must be measured at the 7.5 metres street setback.

As the proposal is within a Secondary Urban Settlement Boundary the Minimum Distance Setback Guidelines (MDS I) will not be applicable.

Please see the requirements relating to servicing within the County of Brant Zoning By-Law 61-16:

4.27 Municipal Services

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

- a) watermains, 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.

Staff's understanding is that the proposed Plan of Subdivision will be on private well and septic. Staff will look to the Chief Building Official for further details and comment.

Please be advised that the uses of a second dwelling unit, livestock, and/or a commercial business are not permitted within the proposed SR and/or NH Zones.

Please be advised that if any daylighting corners, visibility triangles, and/or road widenings are required through the application process that this may impact the proposal with respects to the lot size, frontage, and building envelope. Staff will look to the comments received from the Development Engineering Department for confirmation of such.

Please see the requirements pertaining to the landscaping within the Residential Zones:

4.18 Landscaped Open Space and Planting Strips

Landscaped open space shall be provided in accordance with the *Zone* provisions for each *Zone* and the following general provisions:

d) Landscaping requirements in any Residential *Zones* shall be:

(i) The *landscaped open space* in any Residential *Zones* may include any part of the *lot* which is sodded or gardened or *used* as a pedestrian walk, play area, swimming pool or uncovered *patio* but shall not include any part of the *lot used* for parking or access *driveways* or for *accessory buildings*;

(ii) Notwithstanding the provisions of clause (a) of this subsection, not less than 45% of the area of the required or established *front yard*, whichever is less, in any Residential *Zone* shall be maintained as *landscaped open space* and kept free of *accessory buildings* and *parking lots*.

Please see the following parking requirements pertaining to the lots being proposed and the products which will be constructed on the property:

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.

e) Access to *parking spaces* and *loading spaces* shall be provided from an improved *street* by means of one or more unobstructed *driveways* unless shared *easement* is registered on lands.

f) In any Residential *Zones*, the minimum width of the *driveway* shall be 2.8 metres with a maximum width of 7 metres.

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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Please ensure that the proposed parking spaces being provided on the property can meet the minimum 3.0 metres setback to the street from the edge of the proposed parking space on private property. Staff are making a slight change to the above wording of the By-Law 61-16 through an ongoing Housekeeping Amendment to allow for the consideration of the setback required to be from the street and not the lot line.

Please see the required parking requirements within the By-law 61-16 for a single detached dwelling:

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>	2 spaces per unit
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Please see the permitted uses within 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*.

Staff notes that within the report submitted for the Environmental Impact Study (EIS) a requirement for permanent fencing was included for lots 19-22 to be erected along the back of the lots to establish a boundary of the residential lot outside of the woodland buffer. This should form a part of the amending by-law in a Site Specific format specifically on the lots identified being 19-22.

Please forward a copy of the Draft amending By-Law to my attention for review, comment, and formatting prior to Committee Decision.

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

Thank you,

Jessica.