

THE MUNICIPALITY OF LAMBTON SHORES

Report PL 10-2023

Council Meeting Date: May 16, 2023

TO: Mayor Cook and Members of Council

FROM: Ken Bulgin, Planner

RE: ZBA Application ZO-04/2023 – Bosanquet Con 2 & 3, Part Lot 20 – 319 Main Street, Thedford – Widder Station Golf & Country Club Inc.

RECOMMENDATION:

THAT Report PL 10-2023, relating to a Zoning By-Law Amendment Application, submitted by Widder Station Golf & Country Club Inc. be received; and

THAT Zoning By-Law Amendment Application ZO-04/2023 submitted by Widder Station Golf & Country Club Inc. requesting an amendment to Zoning By-Law 1 of 2003 to rezone 319 Main Street, to (1) adjust the boundary between two zones to reflect the boundary of a proposed subdivision plan and (2) to allow a maximum lot coverage of 45% in the residential zone, be approved; and

THAT By-Law 41 of 2023 be approved.

SUMMARY

This report relates to the Zoning Amendment Application submitted by Widder Station Golf & Country Club Inc. affecting the lands on the south side of Main Street, Thedford known municipally as 319 Main Street. The applicant seeks to amend Zoning By-law 1 of 2003 by adjusting zone boundaries to reflect the boundary of a draft approved subdivision plan and to allow a maximum lot coverage of 45% in a residential zone. The applicant proposes to rezone the entirety of the Residential-1 (R1) Zone. It is the intent of the applicant to construct single storey dwellings within the proposed plan of subdivision.

BACKGROUND

Location

The subject property is located on the south side of Main Street, east of Fourth Street and north of Decker Road. This property is approximately 40.49 ac in size and contains a portion of an 18-hole golf course with the remainder being open field (see Attachment 1: Location Map).

The property has a draft approved plan of subdivision for 41 residential lots, file 38T91003, through the County of Lambton Planning and Developmental Service Department. The owner is preparing an application to seek red-line revisions to realign the internal layout of the proposed subdivision to develop 56 residential lots (see Attachment 2: Proposed Subdivision Plan).

Surrounding land uses include:

- To the north: lands zoned for residential use with single detached dwellings and Industrial use currently in agricultural crop production;
- To the east: lands zoned for agriculture use with crop lands and grain storage;
- To the west: lands zoned residential with single detached dwellings; and
- To the south: lands zoned Open Space that include the remainder of an 18-hole golf course and Residential use with single detached dwellings.

Official Plan

In the Lambton Shores Official Plan, the eastern and western portions of the subject lands, are designated “Open Space” with the center portion designated as “Residential”.

Zoning By-Law

The subject property is Zoned as Residential - 1 (R1), Open Space – 2 (OS2) and Environmental Protection – Hazard Exception 1 (EP-H1) in the Zoning By-Law (ZBL) 1 of 2003.

The R1 Zone lists Single Detached Dwelling as a permitted use, subject to the requirements of Section 7.2 Site Regulations of the Zoning By-law. Semi-detached and duplex dwellings are also permitted uses in the R1 Zone.

The proposed single detached dwellings conform with the Site Regulations of Section 7.2 except for the requirement that the total lot coverage for single detached dwellings shall not exceed 30%.

The OS2 Zone lists Golf Course as a permitted use, subject to the requirements of Section 45.2 Site Provisions of the Zoning By-law.

The EP-H(1) Zone states that a Golf Course shall be permitted on these lands.

Regulated Area

The western edge of the lot is part of a General Regulation Area overseen by the Ausable Bayfield Conservation Authority (ABCA) under Ontario Regulation 147/06 and associated with proximity to a watercourse. The ABCA regulates development, including construction on lands located within a regulated area.

DISCUSSION

Proposed Development

The application proposes to adjust the boundary of the R1 Zone and change the Zone designation of the R1 Zone to a site specific R1 Zone that permits an increase in lot coverage for dwellings. It is the intent of the applicant to construct single storey dwellings with larger footprints rather than smaller footprint two storey homes in the rezoned residential area. Though they intend to construct single-detached dwellings, the applicant has also indicated they would like to retain semi-detached and duplex dwellings as permitted uses.

The subject lands are an irregular shape with a frontage along Main Street and an approximate land area of 40.49 acres. The existing golf course occupies the OS2 Zone along the northern and eastern boundaries of the property and the EP-H(1) Zone on the western boundary. Abutting the EP-H(1) Zone is a narrow swath of land that is Zoned OS2 and is which is open field. The remainder of the property, that occupies the central and southern regions is Zoned R1 and is open field.

The proposed Zone adjustment would relocate the R1 Zone slightly to the west, replacing the narrow swath of land Zoned OS2 so that the western edge of the R1 Zone abuts the eastern edge of the EP-H1 Zone (see Attachment 3: Current R1 Zone Location and Attachment 4: Proposed R1 Zone Adjustment). The change would adjust the boundary of the R1 Zone to match the draft approved plan of subdivision location as was intended all along with the existing R1 Zone boundary.

Compatibility

In the R1 Zone a Single Detached Dwelling is a permitted use. The question is whether an increase in maximum lot coverage to 45%, whereas 30% is currently permitted, is an effective use of these lands.

There are existing residential developments to the north and west of the subject property. These developments would be separated from the proposed development by an existing golf course that is present on the property. The property to the south which abuts the R1 zone of the subject land, also owned by the applicant, contains the remainder of the 18-hole course and open field all of which are Zoned OS2.

In this circumstance, the golf course would act as a buffer, isolating the proposed subdivision from existing residential development in the area. Essentially the proposed development would be its own neighbourhood. Therefore, an increase in lot coverage for this area is compatible and will not adversely impact neighbourhood character.

Stormwater Services

A functional servicing report was completed by the applicant providing the framework for stormwater management on site. The subdivision infrastructure and storm water management are being designed to a lot coverage of 45% for each lot. The Public Works department has reviewed the report and has no concerns with the design for stormwater drainage.

Lot Coverage

Section 7.2 of the Zoning By-law limits the lot coverage for single detached dwellings to 30% of the area of a lot. This limit is intended to address neighbourhood character, amenity area and stormwater management.

As mentioned above, due to the proposed subdivision location and its separation from existing residential development, planning staff have no concerns related to impacts on neighbourhood character with the proposed increase in lot coverage to 45%.

The applicant has provided a concept of a single storey dwelling with 45% lot coverage on a typical lot in the proposed subdivision plan (see Attachment 5: Single Detached Dwelling Concept). The house is able to meet all required yard setbacks in the R1 Zone. One purpose of setbacks is to provide for amenity space and in this regard this space will be maintained with the proposed lot coverage increase.

Finally, the applicant has completed a functional servicing report with designs for stormwater management that takes into account a 45% lot coverage. As mentioned previously this plan has been reviewed by the Public Works Department who indicated they have no concerns with the proposed design.

For these reasons, it is Staff's opinion the special provision requested to increase lot coverage is appropriate and meets the intent of the Official Plan. If Council were to look at the requested special provision as a Minor Variance, it is Staff's opinion the four tests of a variance in the *Planning Act* would be met.

Zone Boundaries

The change would occur entirely within open field areas of the property which are currently zoned OS2 and R1. The shift of the R1 Zone to the west, abutting the EP-H(1) Zone reflects the original boundaries of a proposed subdivision plan associated with draft approved plan of subdivision for the lands.

Draft Amending By-Law

The original lot is currently in the R1 Zone, which is an appropriate use for this property with some modifications.

Staff has prepared a Draft amending By-law included in the By-laws section of Council's agenda. The By-law, as drafted, would correct the location of the R1 Zone to reflect the location of the draft approved plan of subdivision, would also rezone the entirety of the R1 Zone of the subject lands to a new Residential-1 Exception 17 (R1-17) Zone, and would add site-specific provisions for the R1-17 Zone to the text of the By-law including:

1. The maximum permitted total Lot Coverage shall be 45%

Planning Opinion

Based on the foregoing it is Staff's opinion that the proposed zone adjustment to reflect the boundary of a proposed subdivision plan in a draft approved plan of subdivision and the addition of a site-specific provision to permit a 45% maximum lot coverage in the R1 Zone is consistent with the *Planning Act* and the Official Plan, is compatible with surrounding land uses, and represents good planning. Staff has no objection to approval of the application and adoption of the amending By-law as presented in the By-laws section of the Council's agenda.

ALTERNATIVES TO CONSIDER

None at this time.

RECOMMENDED ACTIONS

Staff recommend that the ZBA be approved.

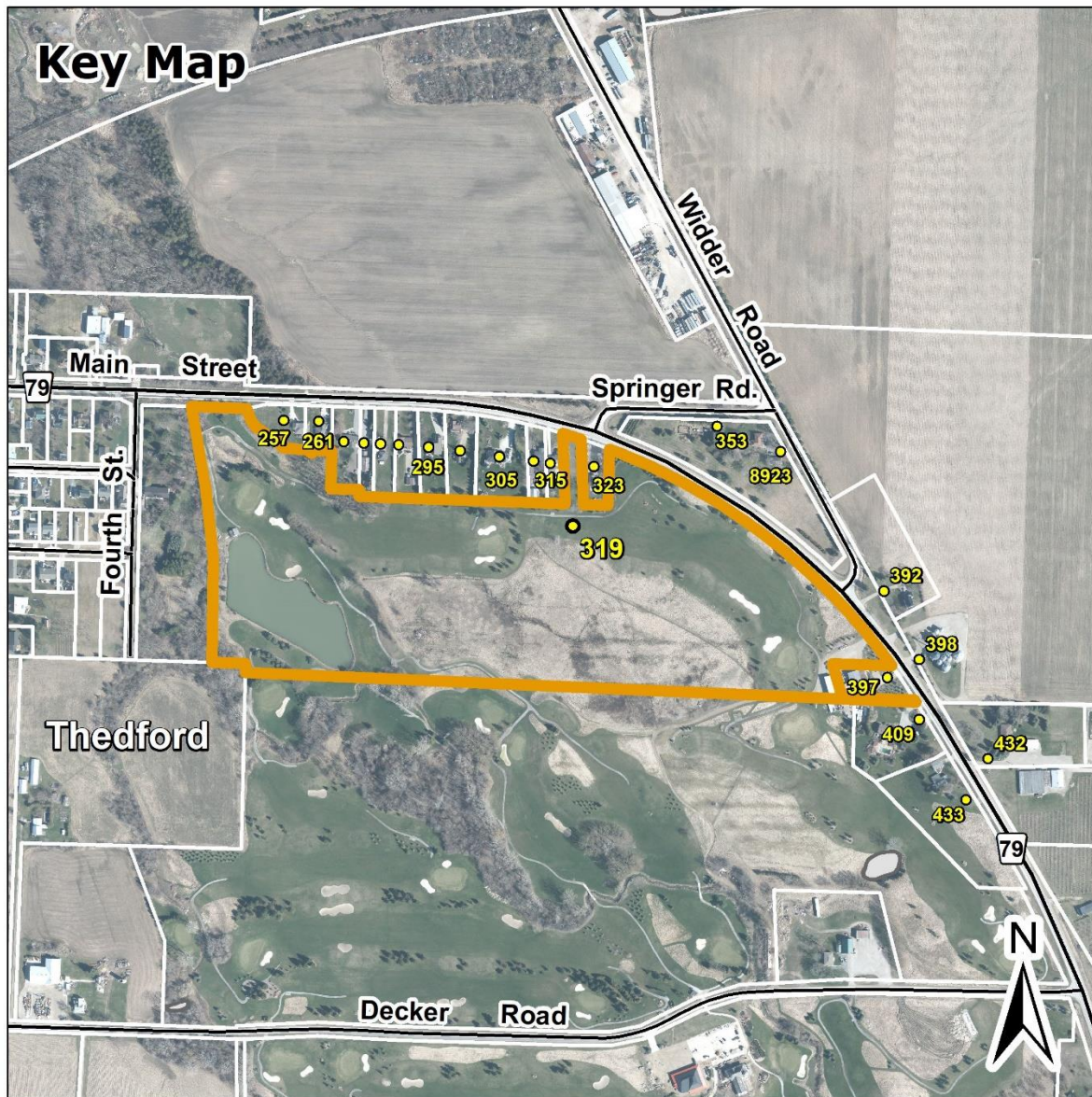
FINANCIAL IMPACT

The applicant has paid the Municipality a \$1300 application fee.

CONSULTATION

Public Works Department

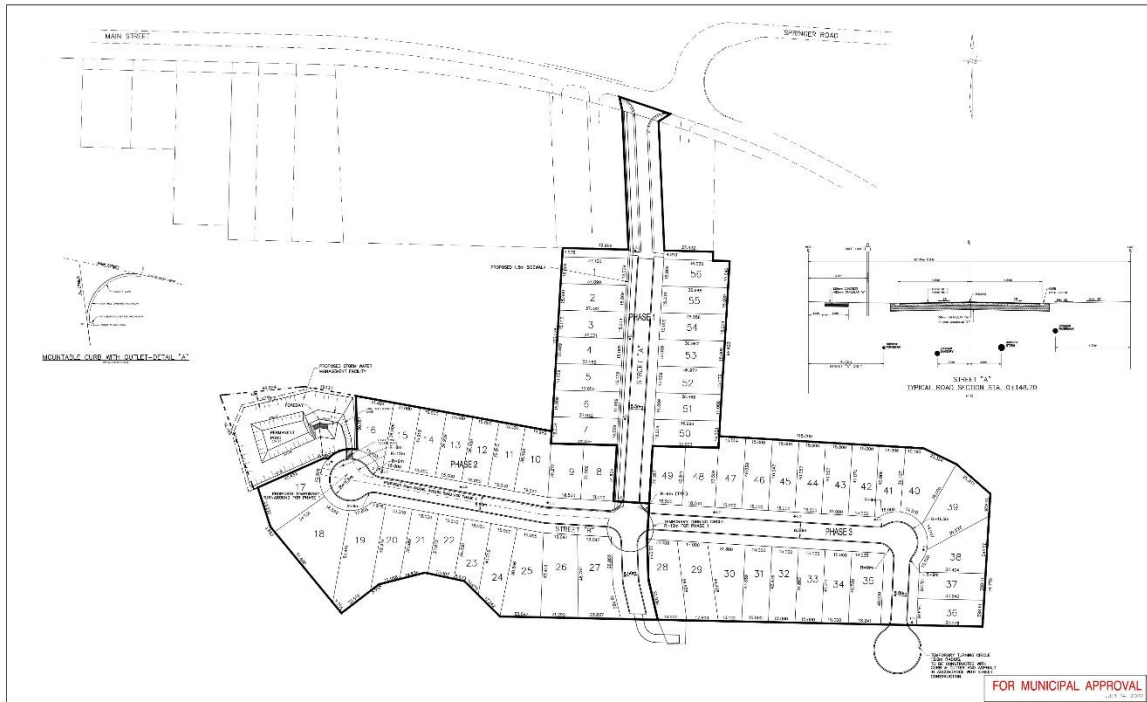
ATTACHMENT 1: LOCATION MAP



SUBJECT PROPERTY

APPLICANT:	Widder Station Golf & Country Club Inc.
LOCATION:	Bosanquet Con 2 & 3, Part Lot 20 319 Main Street, Thedford, Lambton Shores
FILE:	ZO-04/2023

ATTACHMENT 2: PROPOSED SUBDIVISION PLAN



ATTACHMENT 3: CURRENT R1 ZONE LOCATION

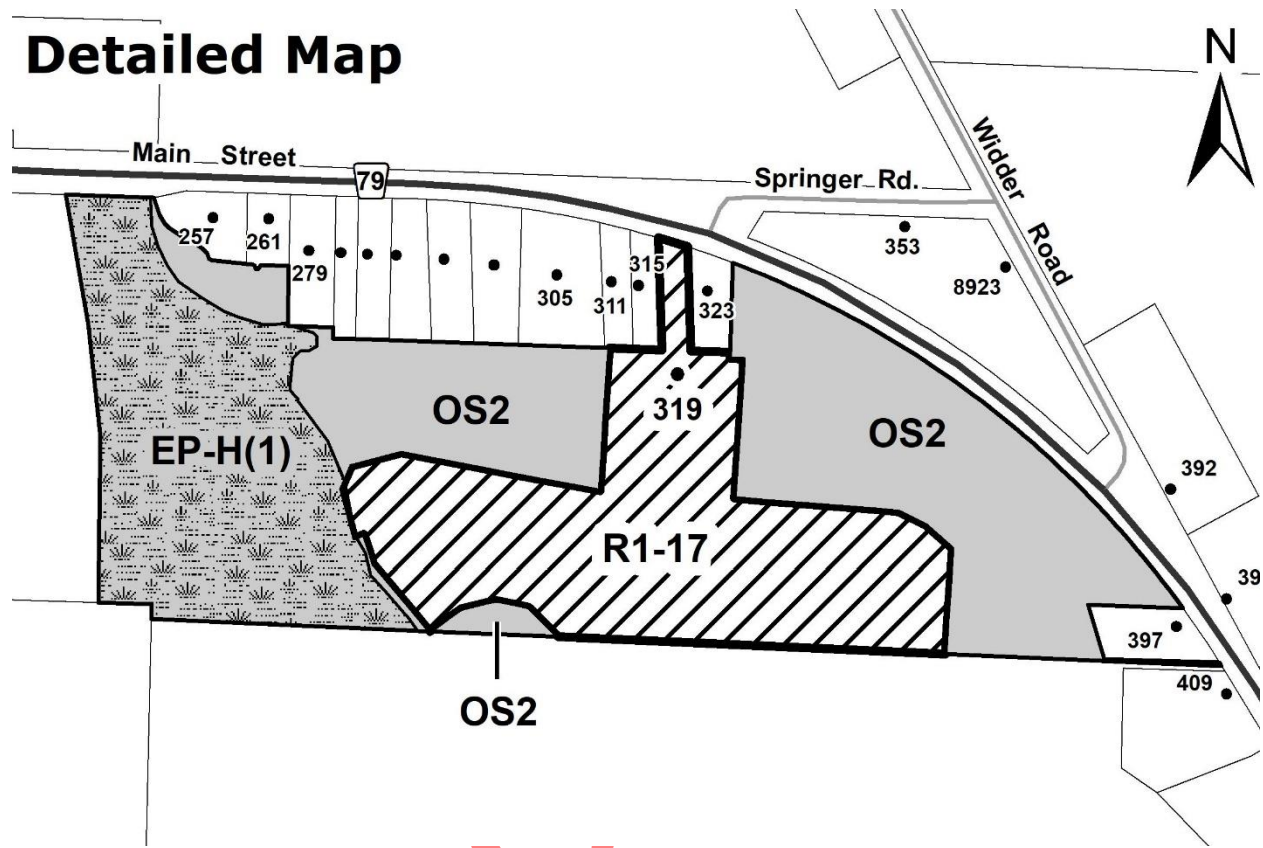


SUBJECT PROPERTY

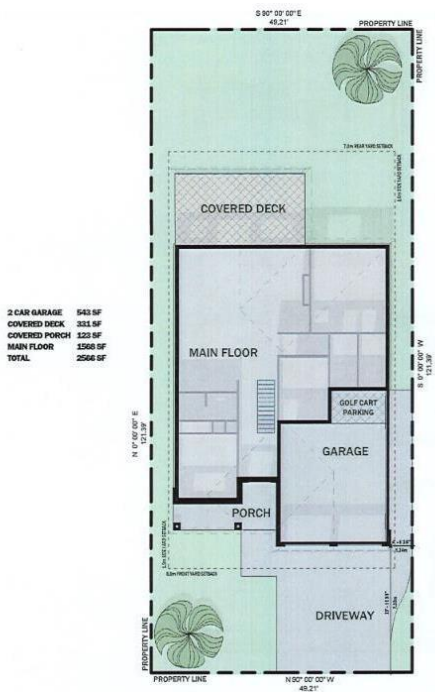


CURRENT RESIDENTIAL-1 (R1) ZONE APPROXIMATE

ATTACHMENT 4: PROPOSED R1 ZONE ADJUSTMENT



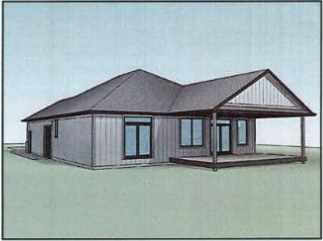
ATTACHMENT 5: SINGLE DETACHED DWELLING CONCEPT



SITE INFORMATION			
ITEM	REQ'D	EXISTING	PROPOSED
ZONE	-	R1	-
SITE AREA	5870sq	5870sq (206.4+/-)	5870sq
COVERAGE	43.2%	43.2% (2547.7+/-)	43% (2544.0+/-)
ACCESSORY COVERAGE	2%	2% (117.4+/-)	0 (0.0+/-)
SETBACKS	REQUIRED		
FRONT YARD		5.0m	
INT. SIDE YARD		1.0m	
REAR YARD		1.0m	
EXT. SIDE YARD		5.0m	
EXTRA NOTES:			



3D VIEW 1



3D VIEW 2