



# Public Meeting – 145 Hunter Road

Zoning By-law Amendment (ZBA-23-2023)

December 5, 2023

Mark Chuang, Planner II

# Agenda

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- **Development Process**
- **Proposal and Location**
- **Provincial, Regional and Town Planning Policies**
- **Zoning By-law Amendment**
- **Town, Agency and Public Comments**
- **Next Steps**
- **Questions/Comments**



# Development Process

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**Application for  
Consent to Sever  
(November 16,  
2023, Conditional  
Approval)**

**Application for  
Zoning By-law  
Amendment  
(Under Review)**

**Satisfy Conditions  
of Consent  
(TBD)**

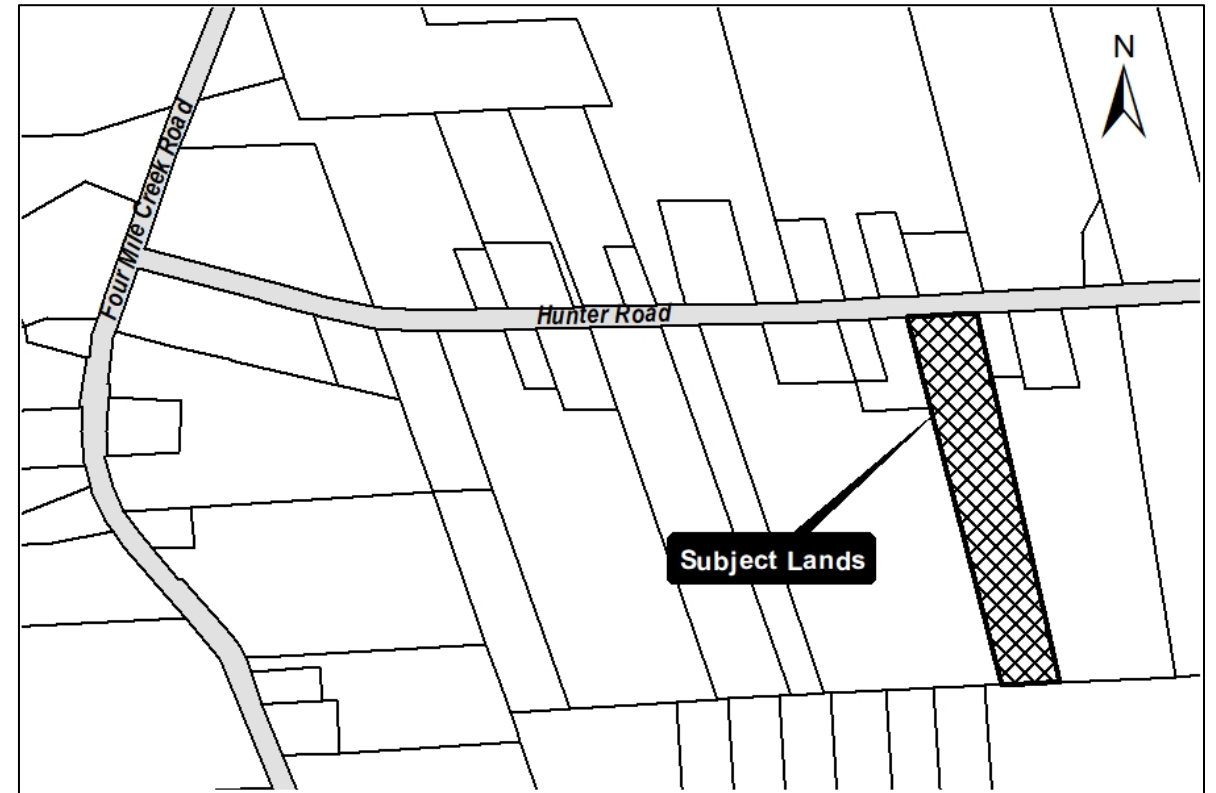
# Proposal

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- Application for Zoning By-law Amendment
- The Amendment is required to facilitate a concurrent Consent application for the proposed severance of a residential dwelling surplus to a farming operation
- The Application requests to rezone the proposed agricultural parcel from the “Rural (A) Zone” to “Agricultural Purposes Only (APO) Zone” to ensure that a new residential dwelling is prohibited in perpetuity
- The Application also requests to rezone the proposed residential parcel from “Rural (A) Zone” to a “Rural (A) Site-Specific Zone” with provisions to recognize reductions in front yard setback and existing accessory building setbacks

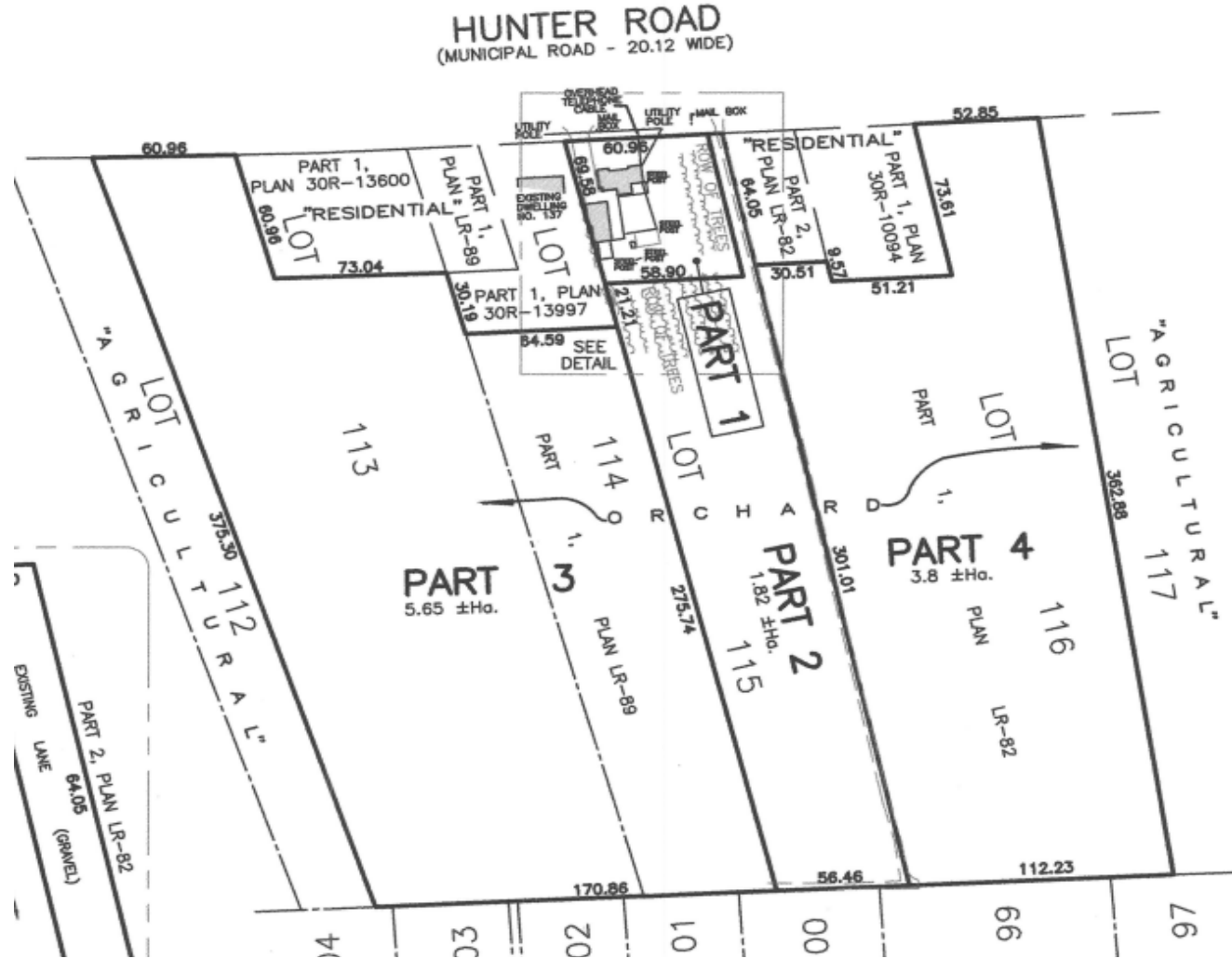
# Location

- South side of Hunter Road, east of Four Mile Creek Road, and west of Concession 4 Road, in the agricultural area of the Town
- Residential portion contains an existing two-storey dwelling, garage and hoop house
- Agricultural portion contains no existing buildings or structures
- Surrounding lands used for agricultural and rural residential purposes



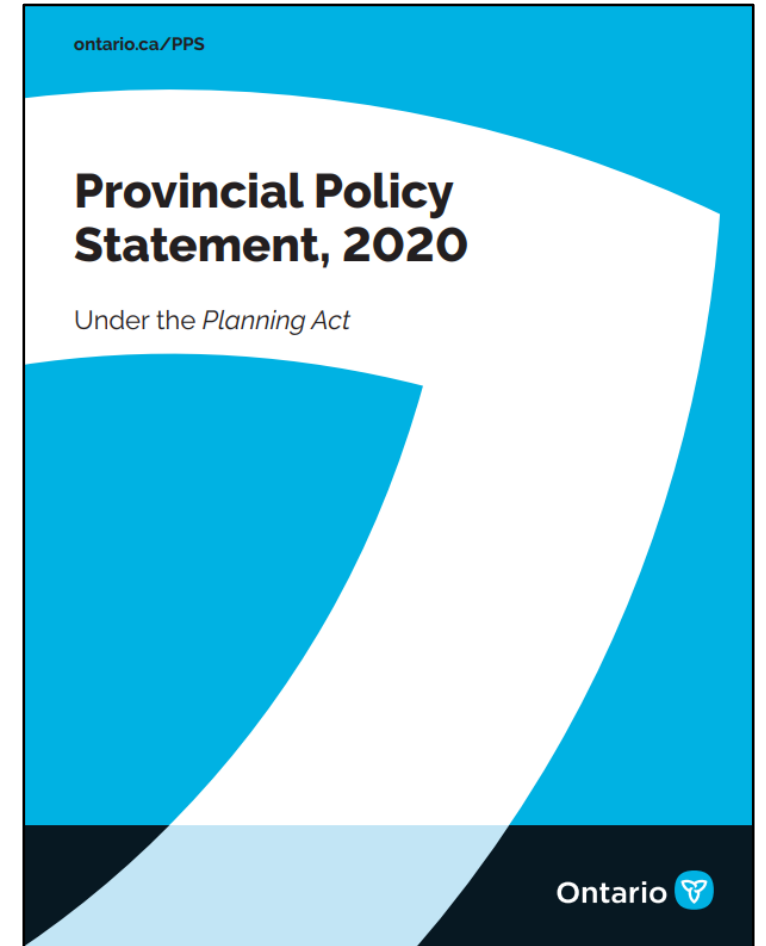


# Conceptual Plan



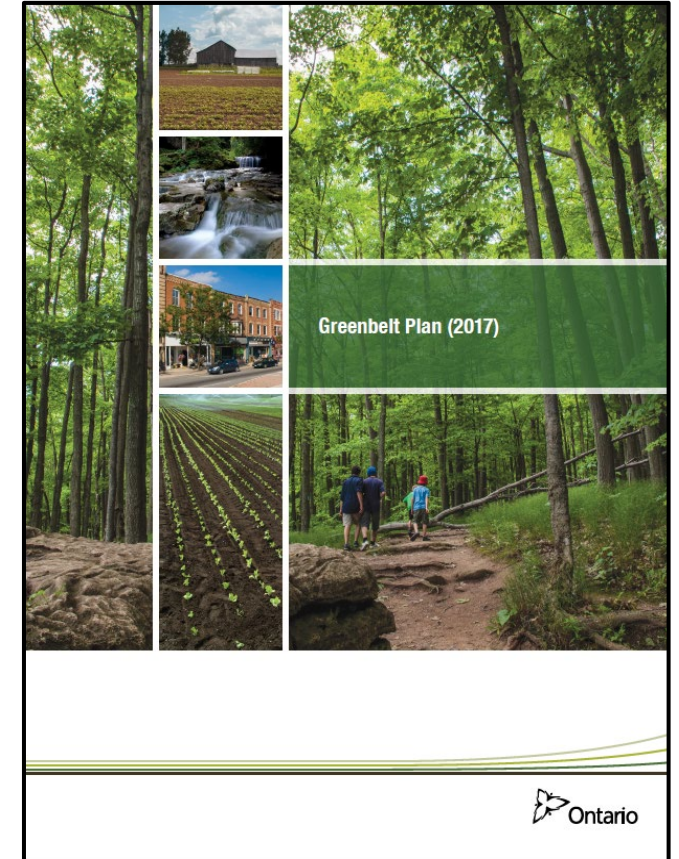
# Policy: Provincial Policy Statement, 2020

- Designated as being within a “Prime Agricultural Area” and more specifically a “Specialty Crop Area”
- Lot creation is discouraged in prime agricultural areas but may be permitted for a residence surplus to a farming operation as a result of farm consolidation
- New lots should be limited to a minimum size needed to accommodate the use and private servicing
- Construction of a new residential dwelling must be prohibited on the remnant farmland



# Policy: Greenbelt Plan (2017)

- Designated as “Specialty Crop Area” within the “Protected Countryside”
- Lot creation discouraged however may be permitted for the severance of a residence surplus to a farming operation
- Similar to the PPS, the severance should be limited to a minimum size and prohibit a residential dwelling in perpetuity on the retained farmland
- Definition of “residence surplus to a farm operation:” *an existing habitable farm residence that is rendered surplus as a result of farm consolidation (the acquisition of additional farm parcels to be operated as one farm operation)*





# Policy: Niagara Official Plan, 2022

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- Identified as being within a “Specialty Crop Area” on Schedule F
- Consents may be permitted in the Specialty Crop Area if they are for a surplus residence to a farming operation
- The retained farm parcel must be zoned to preclude residential uses if the merger of abutting farming lots is not possible



# Policy: Town Official Plan, 2017, as amended

- Designated “Agricultural” on Schedule A
- Consents may be granted for a residence surplus to a farming operation as a result of farm consolidation, where the dwelling existed prior to December 16, 2004
- Size of the new lot should not exceed an area of 0.4 hectares unless deemed necessary to support the use and servicing on the lands
- Rezone the retained agricultural parcel to prohibit a new residential use in perpetuity



# Zoning By-law 500A-74, as amended

- “Rural (A)” on Schedule A of Zoning By-law 500A-74, as amended



# Requested Zoning Provisions

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- Part 1 is proposed to be rezoned to a site-specific “Rural (A)” zone with special provisions as follows:
  - Minimum front yard setback – 12.95 metres (Zoning By-law standard 15.24 metres); and
  - Minimum accessory building setback (garage) – 0.0 metres (Zoning By-law standard 3.05 metres)
- Part 2 is proposed to be rezoned to “Agricultural Purposes Only (APO)” zone

# Consultation: Town, Agency and Public Comments

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## Town Departments

- Accessibility: No objections.
- Fire and Emergency: No objections.
- Finance: No objections.

## Agencies

- Enbridge: No objections.
- Ministry of Transportation: No objections.
- Niagara Region: No objections.

## Public

- Open House held on November 13, 2023 with no members of the public in attendance
- No public comments received to-date



# Next Steps

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- Review the submitted Application materials
- Comments provided to the Applicant
  - Applicant given opportunity to respond to comments and/or make revisions
- Provide future recommendation report to Council





**Thank you.  
Any Questions?**

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