

THE CORPORATION OF HALDIMAND COUNTY

By-law Number /18

Being a by-law to amend the Zoning By-law 1-DU 80, as amended, of the Town of Dunnville in the name of Chris and Linda Love

WHEREAS Haldimand County is empowered to enact this by-law, by virtue of the provisions of Sections 34 and 36 of the *Planning Act*, R.S.O. 1990, Chapter P. 13, as amended;

AND WHEREAS this by-law conforms to the Haldimand County Official Plan,

NOW THEREFORE, the Council of The Corporation of Haldimand County enacts as follows:

1. **THAT** this by-law shall apply to the lands described as Sherbrooke Plan 938 Lot 19 to 20, Irregular, and being shown as the Subject Lands on Maps "A" and "B" attached hereto to form a part of this by-law.
2. **THAT** Schedule A10 Figure 1 of the Town of Dunnville Zoning By-law 1-DU 80, as amended, is hereby further amended by rezoning the Subject Lands shown on Maps 'A' and 'B', from 'Hazard Land (HL)' to a site specific 'Hazard Land - Holding (HL-H)' zone.
3. **THAT** Schedule A10 Figure 1 of the Town of Dunnville Zoning By-law 1-DU 80, as amended, is hereby further amended by identifying Subject Lands on Maps 'A' and 'B' and forming part of this by-law, as having reference to Subsection 37.571.
4. **THAT** the following subsections shall be added to Section 37 (Special Provisions for Particular Parcels of Land) of the said By-law 1-DU 80:

37.571
 - a) Notwithstanding the Permitted Uses listed under section 36.1; a year round dwelling shall be permitted in the lands identified as "Subject Lands" in Schedule B.
 - b) Notwithstanding Section 36.2 Zone Provisions, the Zone Provisions of Section 15.2 of the "Seasonal Residential Zone (RS)" shall apply, except for the interior side yard setback which shall be 1.2 metres measured between the lot line and the attached garage or foundation of the dwelling.
5. **THAT** the 'Holding – "H"' provision applied to the Subject Lands, shall remain in place until such time as a lot grading and drainage plan has been completed to the satisfaction of Haldimand County.

6. **AND THAT** this by-law shall become effective from and after the date of passing thereof.

READ a first and second time this 11th day of June, 2018.

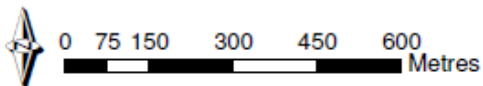
READ a third time and finally passed this 11th day of June, 2018.


MAYOR


DEPUTY CLERK

Schedule "A"

MAP A - Key Map
Haldimand County
Geographic Township of Sherbrooke
Ward 5







This is Map A to Zoning By-law _____ Passed the ____ day of _____ 2018.

MAYOR

CLERK

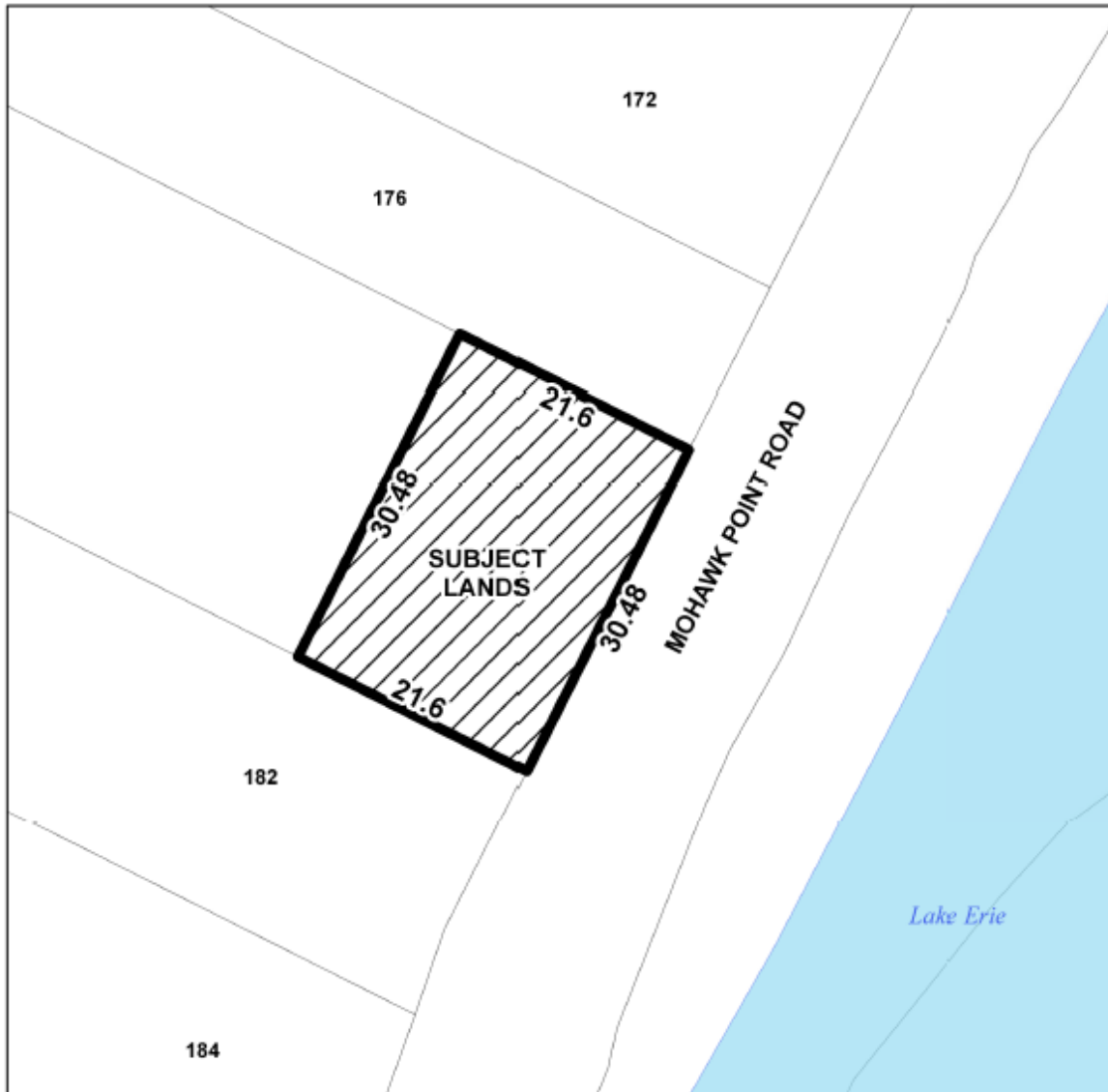
Ref: PLZ-HA-2018-048

MAP B - Detail Map

Haldimand County
Geographic Township of Sherbrooke

SCALE: 1:500

0 5 10 15 20 Metres



NOTE: Measurements shown on this plan are in metres and may be converted into feet by dividing by 0.3048. Measurements indicated in this drawing are representational in nature. They have been obtained without the benefit of legal or cadastral surveys linked to coordinates and therefore should not be considered to be survey grade and should not be used for legal purposes.

This is Map B to Zoning By-law _____ Passed the ____ day of _____ 2018.

MAYOR

CLERK

Ref: PLZ-HA-2018-048

PURPOSE AND EFFECT OF BY-LAW**/18**

This by-law amendment applies to the lands located west of Mohawk Point Road, and legally described as Sherbrooke Plan 938 Lot 19 to 20, Irregular. The property does not have an assigned municipal address.

The purpose of this by-law is to apply a special provision to the property that will permit a dwelling, and reduced interior side yard setback. The zoning on the site is currently 'Hazard Land (HL)', and as such does not permit a dwelling. This rezoning will establish a dwelling as a permitted use, as well as permitting a side yard setback of 1.2 metres along the entire length of the structure, attached garage and dwelling. The remaining setback provisions will be derived from what is permitted in the Seasonal Residential zone under the Town of Dunnville Zoning By-law 1 DU-80. The applicants have support from the Niagara Peninsula Conservation Authority (NPCA), and completed a geo-technical study to verify the stability of the slope that presents the erosion hazard on the site. NPCA has reviewed the proposal, both to issue their permit and through the circulation of this application, and are generally supportive of this development.

The lands are designated Resort Residential within the Haldimand County Official Plan, and have been reviewed in accordance with the Environmental and Lakeshore policies. The proposal conforms with Official Plan.

Report Number:	PED-PD-24-2018
File Number:	PLZ-HA-2018-048
Name:	Love
Roll No.:	2810-025-002-19300-0000