

## THE CORPORATION OF HALDIMAND COUNTY

By-law Number /18-TP

**Being a by-law to authorize a temporary use of certain lands, buildings and structures for a use prohibited by the Zoning By-law 1-DU 80, as amended, in the name of Mary Vankuren**

**WHEREAS** this by-law is enacted in accordance with Sections 34 and 39 of the Planning Act, R.S.O. 1990, c. P.13, as amended, which provides that Council may authorize the temporary use of land, buildings or structures for any purpose set out therein that is otherwise prohibited by the by-law for a period which shall not exceed three years;

**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 Part of Lot 15, Concession 2 from Canborough, Geographic Township of Moulton, now in Haldimand County and shown on Maps 'A' and 'B' attached hereto to form a part of this by-law.
2. **THAT** for the purpose of this by-law a 'temporary dwelling' shall be defined as follows:

*'A mobile home unit that is placed on the same lot as a one family dwelling where such unit is established on a temporary basis to be occupied by a person(s) requiring care, supervision and common living.'*
3. **THAT** notwithstanding the provisions of Subsection 6.15 – Number of Dwelling Houses Per Lot of By-law 1-DU 80, as amended, a 'temporary dwelling' may also be permitted on the lands described in clause 1 of this by-law for a temporary period commencing on September 04, 2018 and expiring on September 04, 2021.
4. **THAT** in addition to the uses permitted in Subsection 30.1 – Permitted Uses of the 'Agricultural (A)' Zone of By-law 1-DU 80, as amended, a 'temporary dwelling' may also be permitted on the lands described in clause 1 of this by-law for a temporary period commencing on September 04, 2018 and expiring on September 04, 2021.
5. **THAT** notwithstanding the provisions of Subsection 30.2 – General Provisions of the 'Agricultural (A)' Zone of By-law 1-DU 80, as amended, the minimum usable floor area for the temporary dwelling permitted on the lands described in clause 1 shall be 56 square metres.

6. **AND THAT** this by-law shall take force and effect on the date of passing.

READ a first and second time this 4<sup>th</sup> day of September, 2018.

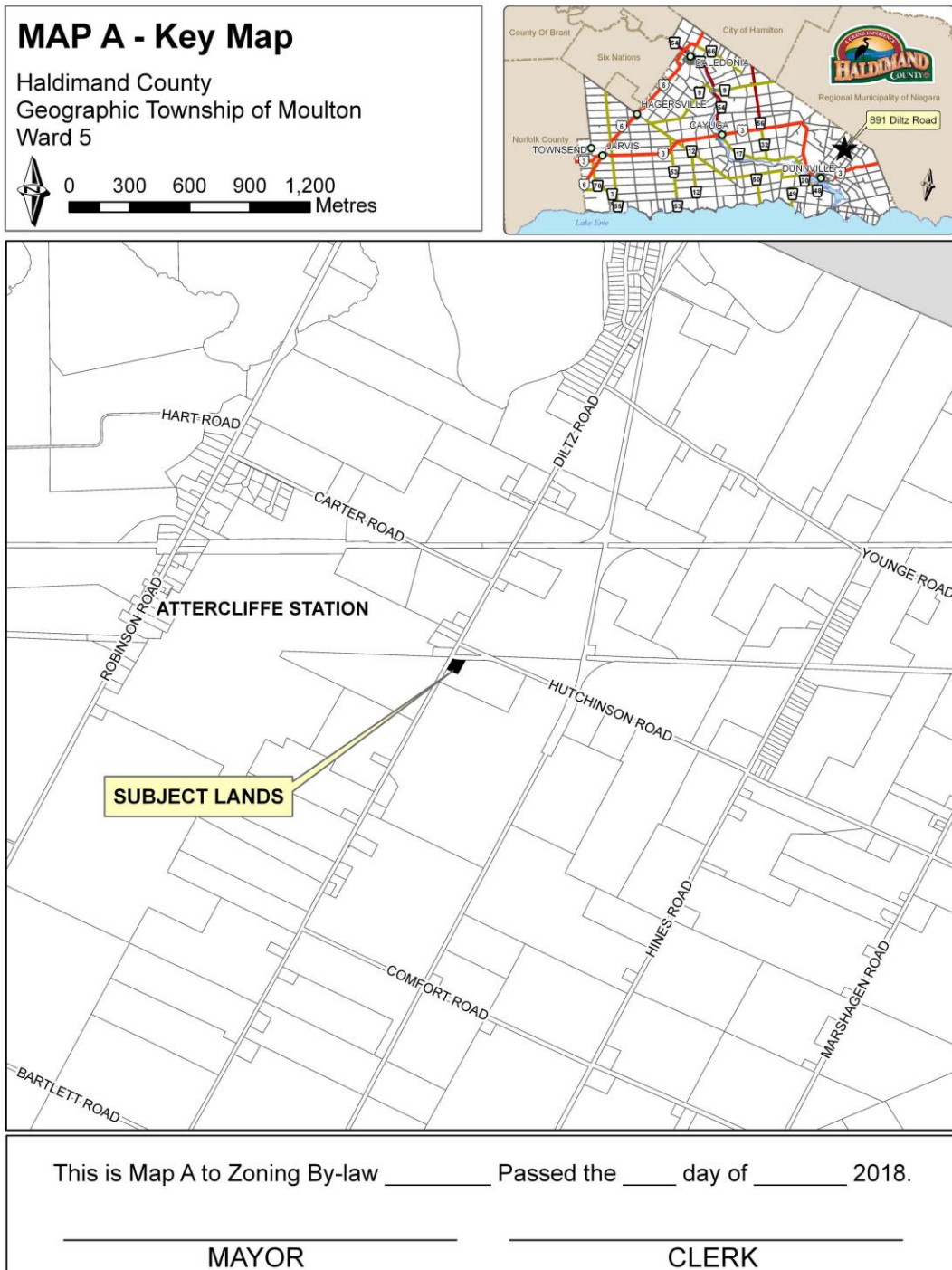
READ a third time and finally passed this 4<sup>th</sup> day of September, 2018.

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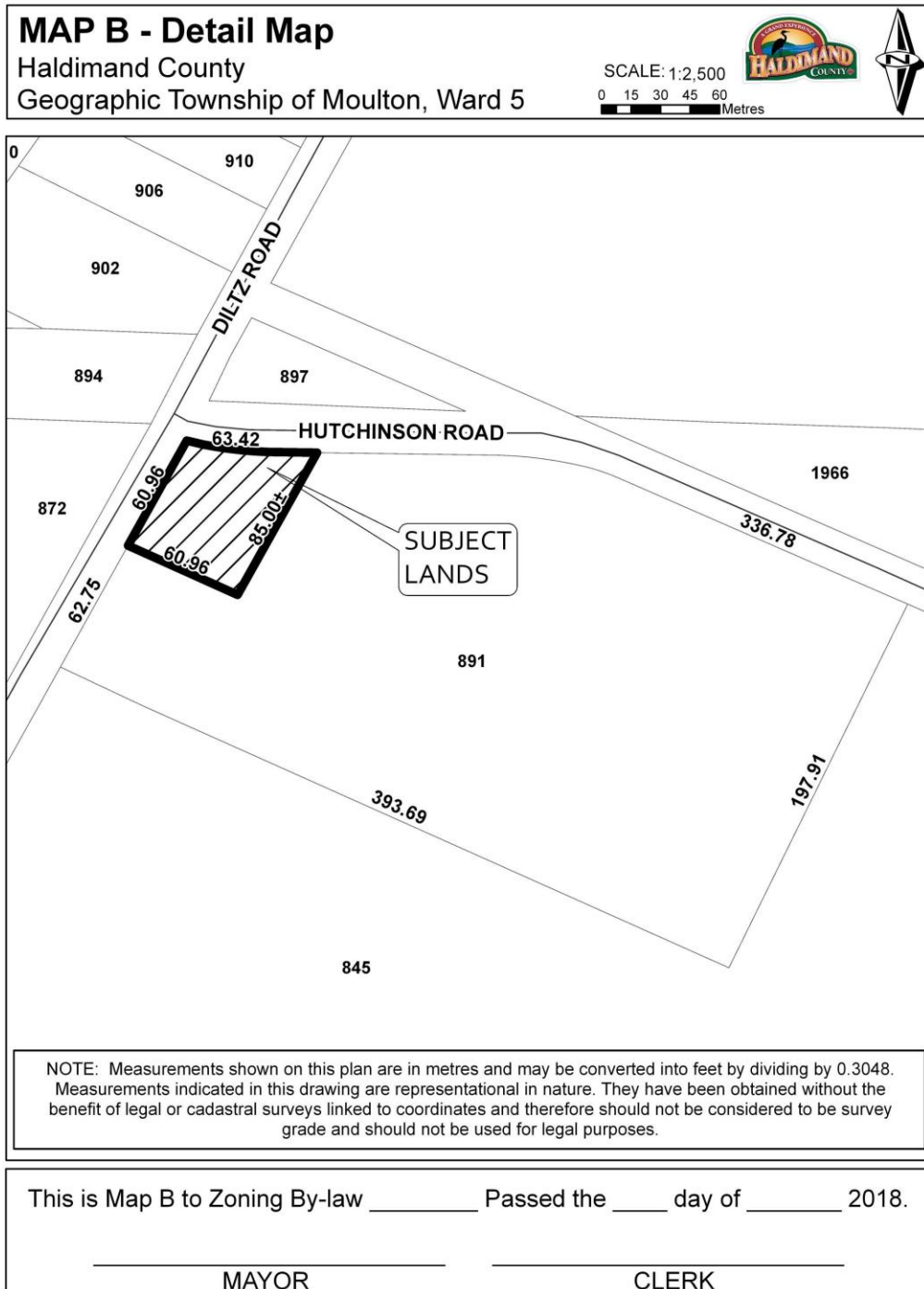
MAYOR

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CLERK



Ref: PLZ-HA-2018-103



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**PURPOSE AND EFFECT OF BY-LAW NO. \_\_\_\_/18-TP**

This by-law affects lands located in the rural area of Haldimand County which are described as Part of Lot 15, Concession 2 from Canborough, Geographic Township of Moulton, now in Haldimand County, and known municipally as 891 Diltz Road. The subject lands are shown in the attached maps.

This by-law has been enacted to permit the extension of a mobile home as a temporary dwelling (garden suite) for the care, supervision and common living of the proponent in the 'Agricultural (A)' Zone. This by-law provides for such use for a temporary period commencing on September 04, 2018 and expiring on September 04, 2021. Any extension to the time limit set out in this by-law will require the passing of a further by-law by Council.

A site specific minimum usable floor area of 56 square metres (600 square feet) has been established for the temporary dwelling. All setbacks and height provisions in the 'Agricultural (A)' Zone apply and are complied with.

Agreement AG-HA 6/2010 between the proponent and Haldimand County was signed at the time of a previous temporary use by-law extension request and is in good standing and in full force and effect. The agreement will serve as an implementation and enforcement tool to ensure removal of the temporary dwelling when this by-law expires or when it is no longer needed, whichever comes first, and that the proponent is the sole occupant of the temporary dwelling.

Report Number: PED-PD-30-2018  
Roll Number: 2810.023.001.18900  
File Number: PLZ-HA-2018-103  
Related File Numbers: AG-HA 6/2010  
Name: Mary VanKuren