

THE CORPORATION OF HALDIMAND COUNTY

By-law Number /18

**Being a by-law to amend Zoning By-law 1-H 86, as amended,
of the Town of Haldimand in the name of Wildwood
Developments Inc.**

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 Range ECTR Lots 1 and 2, Part Lot 3; Concession BF River Range Part Lots 31 and 32, RP 18R-5700 Parts 3, 5 and 7, Part 1 and 6, Town of Caledonia, Geographic Township of Oneida, now in Haldimand County, and being as shown on Maps 'A' and 'B' attached hereto to form a part of this by-law.
2. **THAT** Schedules "A6" and "A7-B" to Zoning By-law 1-H 86, as amended, are hereby further amended by rezoning the lands shown as Part 1 on Map 'B' attached to this by-law from 'Agricultural (A)' to 'Urban Residential Type 1-B – Holding (R1-B-H)'.
3. **THAT** Schedules "A6" and "A7-B" to Zoning By-law 1-H 86, as amended, is hereby further amended by rezoning the lands shown as Part 2 on Map 'B', attached to this by-law from 'Agricultural (A)' to 'Urban Residential Type 4 - Holding (R4-H)'.
4. **THAT** Schedules "A6" and "A7-B" to Zoning By-law 1-H 86, as amended, is hereby further amended by rezoning the lands shown as Part 3 on Map 'B', attached to this by-law from 'Agricultural (A)' to 'Open Space (OS)'.
5. **THAT** Schedule "A6" and "A7-B" to Zoning By-law 1-H 86, as amended, is hereby further amended by rezoning the lands shown as Part 4 on Map 'B', attached to this by-law from 'Agricultural (A)' to 'Hazard Land (HL)'.
6. **THAT** the following subsection be added to section 36 of said Zoning By-law 1-H 86:

36.447

1. Zoning for Urban Residential Type 1-B (R1-B) - One Family Dwellings

That on the lands delineated as Part 1 on Map 'B', attached to and forming part of this by-law, the following provisions shall apply:

- i. That notwithstanding the provisions of Section 10.2 Zone Provisions, the following shall apply:

Provision	Permitted
a) 10.2(a) Minimum Lot Area	220 square metres for an interior lot and 265 square metres for a corner lot
b) 10.2(b) Minimum Lot Frontage	8 metres for an interior lot and 10 metres for a corner lot
c) 10.2(c)(i) Minimum Front Yard	3 metres to the dwelling and 6.0 metres to the garage
d) 10.2(c)(ii) Exterior Side Yard	2.4 metres, except that an attached garage fronting on flankage street shall be 6.0 metres from the lot line on the flankage street.
e) 10.2(c)(iii) Interior Side Yard	For one family dwelling house: 1.2 metres on one side and 0.6 metres on the other side.
f) 10.2(c)(iv) Rear Yard	7.0 metres
g) 10.2(d) Maximum Building Height	11.5 metres
h) 10.2(e) Minimum Usable Floor Area	100 square metres
i) 10.2(f) Minimum Ground Floor Area	50 square metres

Any provisions of the R1-B zone not specifically identified above, are applicable as set out in Section 10 of By-law 1 H 86.

- ii. That notwithstanding Section 7.1.3(b) Parking Space Dimensions and Section 7.1.5(d) Parking Lot and Garage Requirements, the following shall apply:

“The parking space size located within a garage shall have a minimum width of 3.0 metres and have a minimum length of 6.0 metres. Stairs, to a maximum of 3 risers or 0.61 metres, shall be permitted to encroach into this parking space.”

- iii. That notwithstanding Section 6.21(a) and (b) Exemptions from Yard Provisions, soffit, cornice, eaves or gutters may project into any required yard or setback a distance of not more than 0.4 metres.
- iv. That notwithstanding Section 6.21(c) Exemptions from Yard Provisions, a porch may project into any required front yard setback a distance of not more than 2.0 metres; any required exterior side yard setback a distance of not more than 2.0 metres; any required interior side yard setback a distance of not more than 0.45 metres; and, any required rear yard setback a distance of not more than 2.5 metres.
- v. That notwithstanding Section 6.21(c) Exemptions from Yard Provisions, steps / stairs may project into any required front yard, rear yard, exterior side yard or setback a distance of not more than 3.5 metres.
- vi. That notwithstanding Section 6.21(d) Exemptions from Yard Provisions, a patio or deck above the finished grade may project into any required rear yard setback a distance of not more than 2.5 metres. Any patio or deck

constructed in a rear yard is restricted to a maximum size of 3.0 metres by 2.5 metres.

- vii. That notwithstanding Section 6.7(e), an accessory building or combination of buildings is permitted up to a maximum of 10% lot coverage or 10 square metres, whichever is less.
- viii. That an air conditioning unit shall be setback a minimum of 0.6 metres from any side or rear property line. An air conditioning unit is not permitted in any part of a required front yard or front setback.
- ix. That a maximum of 70% of the front yard may be permitted as hardscaping. For the purposes of this By-law, hardscaping shall be considered as finished space consisting of pavement, concrete, patio stones, interlock or other hard surface treatment.
- x. That a garage face can extend a maximum of 1 metre in front of a ground floor porch where it meets all other applicable setbacks.
- xi. That 'Porch - Un-enclosed Porch with or without Foundation, with or without Cold Cellar' shall be defined as: *"a structure attached to any entrance or exit to a building which may be covered by a roof with or without supporting columns or walls, provided the porch remains open on at least one side."*

2. Zoning for Urban Residential Type 4 (R4) - Townhouse Dwellings

That on the lands delineated as Part 2 on Map 'B', attached to and forming part of this by-law, the following provisions shall apply:

- i. Notwithstanding the provisions of Section 13.1 Permitted Uses – Urban Residential Type 4 (R4), permitted uses shall include:
 - 1. One family dwelling house subject to the provisions outlined in paragraph 6) of this By-law;
 - 2. Two family dwelling house subject to the Urban Residential Type 2 (R2) provisions of Bylaw 1 H 86.
- ii. That notwithstanding the provisions of Section 13.2 Zone Provisions, the following shall apply:

Provision	Permitted
a) 13.2.1(a)(i)(ii) and (iii) Minimum Lot Area	(i) interior lot – 150 square metres per unit (ii) interior lot with attached private garage – 150 square metres per unit (iii) corner lot with attached private garage - 210 square metres per unit
b) 13.2.1(b)(i) and (ii) Minimum Lot Frontage	(i) interior lot - 5.5 metres per unit (ii) corner lot - 8 metres per unit
c) 13.2.1(c) Minimum Front Yard	4.5 metres to the dwelling and 6.0 metres to the garage

Provision	Permitted
d) 13.2.1(d) Minimum Exterior Side Yard	2.4 metres, except that an attached garage fronting on flankage street shall be 6.0 metres from the lot line on the flankage street.
e) 13.2.1(g) Minimum Rear Yard	6.0 metres
f) 13.2.1(h) Maximum Building Height	11.5 metres

Any provisions of the R4 zone not specifically identified above, are applicable as set out in Section 13 of By-law 1 H 86.

- iii. That notwithstanding Section 7.1.3(b) Parking Space Dimensions and Section 7.1.5(d) Parking Lot and Garage Requirements, the following shall apply:

“The parking space size located within a garage shall have a minimum width of 3.0 metres and have a minimum length of 6.0 metres. Stairs, to a maximum of 3 risers or 0.61 metres, shall be permitted to encroach into this parking space.”

- iv. That notwithstanding Section 6.21(a) and (b) Exemptions from Yard Provisions, soffit, cornice, eaves or gutters may project into any required yard or setback a distance of not more than 0.4 metres.
- v. That notwithstanding Section 6.21(c) Exemptions from Yard Provisions, a porch may project into any required front yard setback a distance of not more than 2.0 metres; any required exterior side yard setback a distance of not more than 2.0 metres; any required interior side yard setback a distance of not more than 0.45 metres; and, any required rear yard setback a distance of not more than 2.5 metres.
- vi. That notwithstanding Section 6.21(c) Exemptions from Yard Provisions, steps / stairs may project into any required front yard, rear yard, exterior side yard or setback a distance of not more than 3.5 metres.
- vii. That notwithstanding Section 6.21(d) Exemptions from Yard Provisions, a patio or deck above the finished grade may project into any required rear yard setback a distance of not more than 2.5 metres. Any patio or deck constructed in a rear yard is restricted to a maximum size of 3.0 metres by 2.5 metres.
- viii. That notwithstanding Section 6.7(e), an accessory building or combination of buildings is permitted up to a maximum of 10% lot coverage or 10 square metres, whichever is less.
- ix. That an air conditioning unit shall be setback a minimum of 0.6 metres from any side or rear property line. An air conditioning unit is not permitted in any part of a required front yard or front setback.

- x. That a maximum of 70% of the front yard may be permitted as hardscaping. For the purposes of this By-law, hardscaping shall be considered as finished space consisting of pavement, concrete, patio stones, interlock or other hard surface treatment.
- xi. That a garage face can extend a maximum of 1 metre in front of a ground floor porch where it meets all other applicable setbacks.
- xii. That the maximum number of attached dwelling units in a townhouse row shall be 8.
- xiii. That where a street townhouse block is constructed at the intersection of a local street and a collector street, with the units facing the collector street, the driveway and garage of the corner lot shall be located on the local street.
- xiv. That 'Porch - Un-enclosed Porch with or without Foundation, with or without Cold Cellar' shall be defined as: *"a structure attached to any entrance or exit to a building which may be covered by a roof with or without supporting columns or walls, provided the porch remains open on at least one side."*

3. Zoning for Open Space (OS)

That on the lands delineated as Part 3 on Map 'B' attached to and forming part of this by-law, the following provisions shall apply:

- i. That notwithstanding the permitted uses of Section 32.1 Open Space Zone (OS), only the following uses shall be permitted on Part 3:
 - a) Park
 - b) Multi-use recreational trail and recreational space without buildings or structures
 - c) Stormwater management facilities, subject to the approval of the Grand River Conservation Authority
 - d) Stand-pipe and associated building(s) / structure(s) for municipal water supply.
- ii. That notwithstanding the provisions of Section 32.2 Zone Provisions, the following shall apply:
 - a) Minimum lot area shall be 165 square metres;
 - b) Minimum lot frontage shall be 6 metres.

4. That on the lands delineated as Part 4 on Map 'B' attached to and forming part of this by-law, the following provisions shall apply:

- i. That notwithstanding the permitted uses of Section 34 Hazard Land Zone (HL), only the following uses shall be permitted on Part 4:
 - a) Park, provided there are no buildings or structures

- b) Multi-use recreational trail and recreational space without buildings or structures subject to approval by the Grand River Conservation Authority and Haldimand County.

5. General Provisions

The following General Provisions apply to the lands shown on Maps 'A', and 'B' attached to and forming part of this by-law:

- i. That the definition of "Sight Triangle" contained in subsection 4.85 shall not apply to the lands identified as having reference to this subsection and the following definition shall apply in lieu thereof:

- a) Intersections of Local Roads

"SIGHT TRIANGLE" shall mean the triangular space formed by the intersecting street lines of a corner lot and a line drawn from a point on one of the street lines to a point on the other street line, each point being measured 4.5 metres from the point of intersection of the street lines.

- b) Intersections of Local Road / Collector Street

"SIGHT TRIANGLE" shall mean the triangular space formed by the intersecting street lines of a corner lot and a line drawn from a point on one of the street lines to a point on the other street line, each point being measured 7.5 metres from the point of intersection of the street lines.

- ii. That a minimum density of development be set for the entire subject lands shown on Maps 'A', and 'B' at 46 persons and jobs per hectare. The density measure is to be calculated based upon: 3.16 persons per one family dwelling house and 3.16 persons per two family dwelling house (each dwelling unit).

7. **THAT** the 'Holding-"H"' provision shall remain in place on the lands shown on Maps 'A' and 'B', attached to and forming part of this by-law until such time as:

- a. confirmation of availability of sanitary treatment capacity (wastewater treatment plant) and sanitary conveyance capacity (forcemain capacity, pumping station capacity);
- b. transportation system improvements are implemented in accordance with the County approved Transportation Impact Study and CIMA south-end traffic analysis dated June 2018;
- c. conditions of draft approval for the subdivision are addressed and subdivision agreement is registered.

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

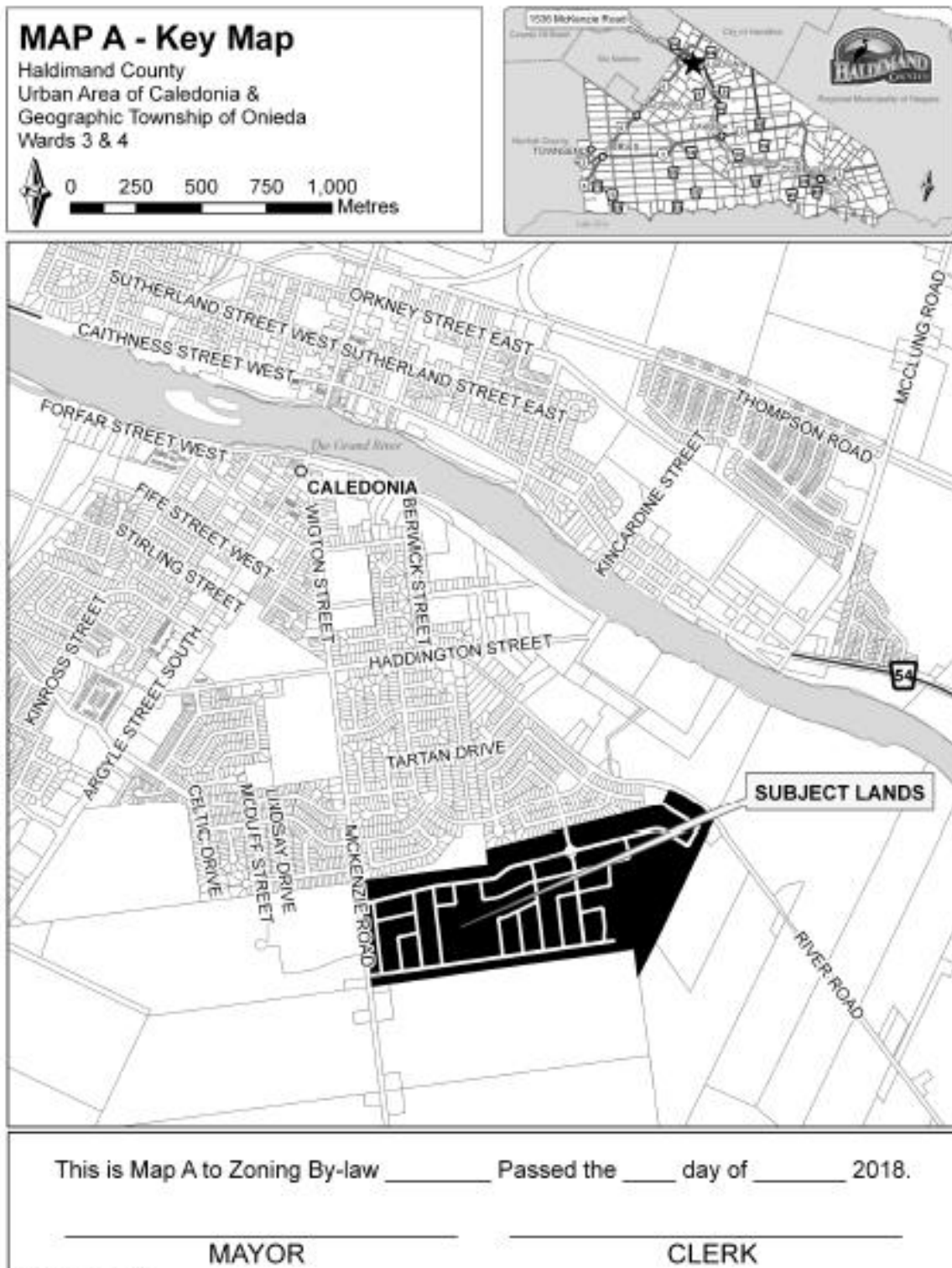
READ a first and second time this 4th day of September, 2018.

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

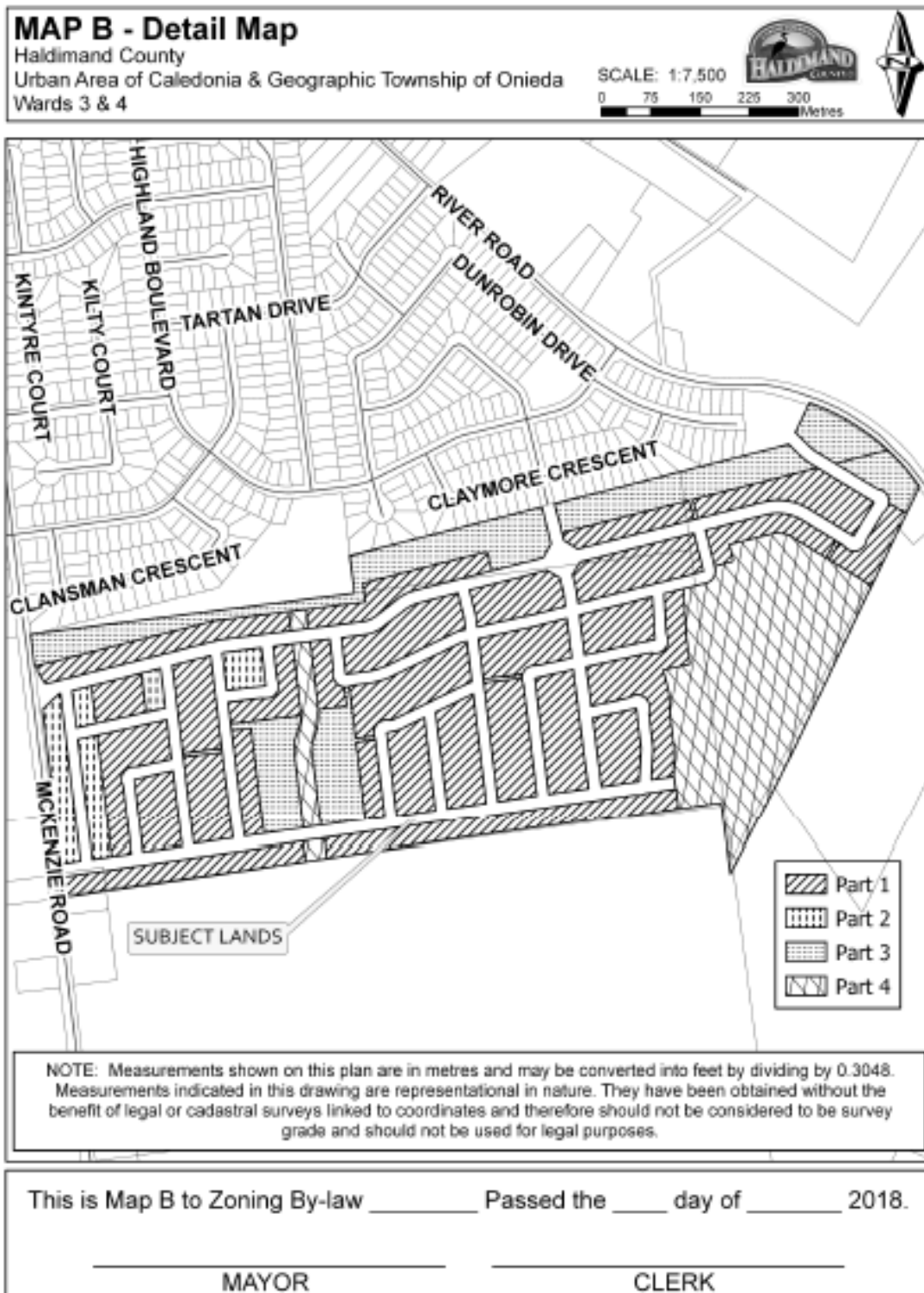
MAYOR

CLERK

Schedule "A"



Schedule "B"



Ref: PLZ/HA-2015-069

PURPOSE AND EFFECT OF BY-LAW /18

This by-law affects lands located east side of McKenzie Road within the urban area of Caledonia. The lands are described as Range ECTR Lots 1 and 2, Part Lot 3; Concession BF River Range Part Lots 31 and 32, RP 18R-5700 Parts 3, 5 and 7, Part 1 and 6, Town of Caledonia, Geographic Township of Oneida, now in Haldimand County.

The purpose of this by-law is to facilitate the Beattie Estates plan of subdivision through a site specific Zoning By-law Amendment to By-law 1-H 86. The subdivision consists of approximately 700 units on a new municipal street system and municipal services.

In the Haldimand County Official Plan the subject lands are designated as 'Residential' which supports the proposed use.

Report No.:	PED-PD-35-2018
File No.:	PLZ-HA-2015-069
Related File No:	PL28T-HA-2015-070
Name:	Wildwood Developments Inc.
Roll No.:	2810.153.004.11350, 2810.153.004.11360, & 2810.153.004.10300