

THE CORPORATION OF HALDIMAND COUNTY

By-law Number /18

Being a by-law to amend Zoning By-law 1-DU 80, as amended, of the Town of Dunnville in the name of Jean Paul and Mary Hamel

WHEREAS Haldimand County is empowered to enact this by-law, by virtue of the provisions of Section 34 of the *Planning Act*, R.S.O. 1990, C. P13, 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 Moulton Con 1 LE PT Lot 6 RP 18R5973 Parts 1 and 2 Irregular; Haldimand County 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 2" to the Town of Dunnville Zoning By-law 1-DU 80, as amended, is hereby further amended by rezoning the Subject Lands which are shown as Part 1 on Maps 'A' and 'B' attached hereto and forming part of this by-law, from 'Hamlet Commercial (CHA) Zone' to 'Hamlet Residential (RH) Zone'.
3. **THAT** the following subsection shall be added to Section 37 (Special Provisions for Particular Parcels of Land) of said By-law 1-DU 80:

37.572 That on the lands delineated as having reference to this subsection, the following provisions shall apply:

Part 1

That notwithstanding Section 14.2 *Zone Provisions of the 'Hamlet Residential (RH)' Zone*, on the lands having reference to this subsection, the following regulations shall apply

- a) That notwithstanding Section 14.2 (a) the *minimum lot area* shall be 689 square metres;
- b) That notwithstanding Section 14.2 (b) the *minimum lot frontage* shall be 18.2 metres;
- c) That notwithstanding Section 14.2 (c) (i) the *minimum front yard* setback is 5.4 metres; and
- d) That notwithstanding Section 14.2 (c) (iii) the *interior side yard (left)* setback shall be 0.16 metres

Part 2

That notwithstanding Section 14.2 *Zone Provisions of the 'Hamlet Residential (RH)' Zone*, on the lands having reference to this subsection, the following regulations shall apply

- a) That notwithstanding Section 14.2 (a) the *minimum lot area* shall be 1376 square metres;
- b) That notwithstanding Section 14.2 (b) the *minimum lot frontage* shall be 27 metres;
- c) That notwithstanding Section 14.2 (c) (i) the minimum front yard shall be 8.2 metres; and
- d) That notwithstanding Section 6.22 (c) an unenclosed porch and steps may project 3 metres into the required front yard.

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

READ a first and second time this 24th day of September, 2018.

READ a third time and finally passed this 24th day of September, 2018.

MAYOR

CLERK

Schedule “A”

MAP A - Key Map

Haldimand County
Geographic Township of Moulton
Ward 5

0 100 200 300 400

Metres

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

MAYOR

CLERK

Ref. PLZ-HA-2018-111

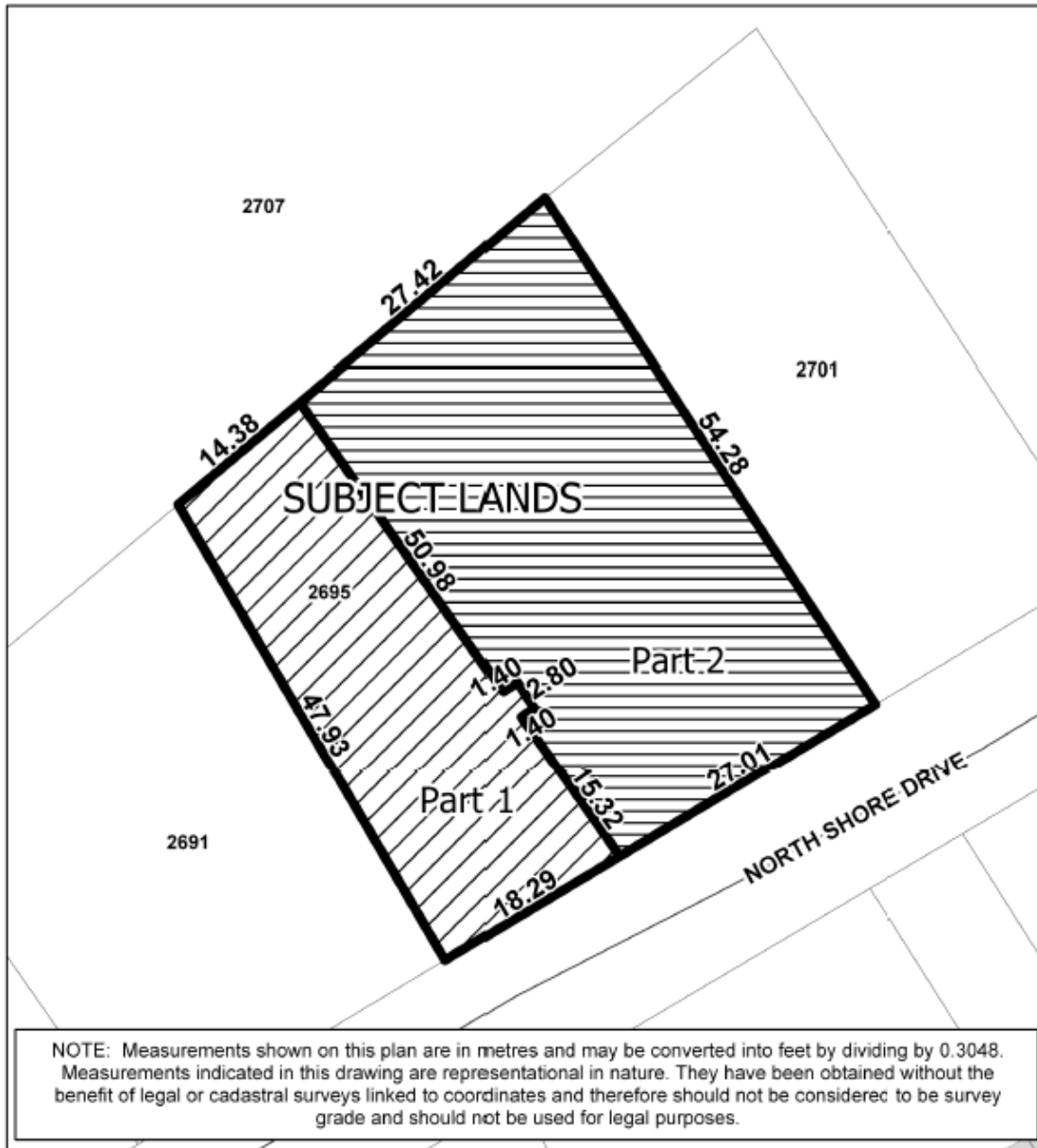
MAP B - Detail Map

Haldimand County

Geographic Township of Moulton, Ward 5

SCALE: 1:500

0 5 10 15 20 Metres



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

MAYOR

CLERK

Ref: PLZ-HA-2018-111

PURPOSE AND EFFECT OF BY-LAW /18

The subject lands are located on the north side of North Shore Drive within the Hamlet of Lowbanks and legally described as Moulton Con 1 LE PT Lot 6 RP 18R5973 Parts 1 and 2 Irregular; Haldimand County. The subject lands are known municipally as 2695 Northshore Drive.

The purpose of this by-law is to fulfill a condition of consent for a related severance application (i.e. PLB-2018-064) by:

- (i) Rezoning Part 1 from 'Hamlet Commercial (CHA)' Zone to 'Hamlet Residential (RH)' Zone;
- (ii) Requesting relief from the required minimum lot area of 1,855 square metres (19,967.1 square feet) to permit a reduced lot area for Part 1 of 689.2 square metres (7,418.4 square feet) and 1,376.4 square metres (14,815.4 square feet) for Part 2;
- (iii) Request a reduction of lot frontage from the required 30 metres (98.4 feet) to 18.29 metres (60 feet) for Part 1 and 27 metres (88.5 feet) for Part 2;
- (iv) Permit a reduced front yard setback of 5.48 metres (17.9 feet) from the required 9 metres (29.5 feet) for Part 1 (Attachment 1), to recognize the existing location of the dwelling, and permit a reduced front yard setback of 8.2 metres (26.9 feet) for Part 2;
- (v) Request relief from the required interior side yard (left) setback of 3 metres (9.8 feet) to permit a reduced interior side yard (left) setback of 0.16 m (0.54 feet) to recognize the existing dwelling setback; and
- (vi) Allow an unenclosed porch and steps to project 3 metres (9.8 feet) into the front yard setback.

In the Haldimand County Official Plan the subject lands are designated as 'Hamlet' with a small amount of 'Lakeshore Hazard Land' designation along the frontage. Within the 'Hamlet' designation, the predominant land use is low density residential housing, including single and semi-detached dwellings and apartments associated with commercial uses. Limited appropriately scaled commercial, industrial and institutional and agriculturally related uses are also permitted. The subject proposal is permitted within this land use designation as the intent is to facilitate low density, residential development.

The 'RH' Zone permits a one family dwelling house.

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| Report No: | PED-PD-34-2018 |
| File No: | PLZ-HA-2018-111 |
| Related File No.: | PLB-2018-064 |
| Name: | Jean Paul & Mary Hamel |
| Roll #: | 2810-023-003-13800 |