

THE CORPORATION OF HALDIMAND COUNTY

By-law Number /19

**Being a by-law to amend by-law 1-H-86, as amended, of the
Town of Haldimand in the name of 1098814 Ontario Inc.
(Charanjit Virk)**

WHEREAS this by-law is enacted in accordance with Sections 34 and 36 of the *Planning Act*, R.S.O. 1990, c.P.13 as amended, which provides that Council may pass zoning by-laws for the purpose of land use control and related administration;

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 Caledonia Range 1 East of Plank Road Part Lot 11 Seneca Part Lots 1 to 4 18R3127 PARTS 2 and 3 18R4657 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 "A7-A" of the Town of Haldimand Zoning By-law 1-H 86, as amended, is hereby further amended by identifying the subject lands, which are shown as the Subject Lands on Maps 'A' and 'B' attached hereto and forming part of this by-law, as having reference to Subsection 36.430.
3. **THAT** the subsection 36.430 A. of said Zoning By-law 1-H-86 be amended to include the following additional use as 36.430 A. xiii): "apartment dwelling house"
4. **THAT** the subsection 36.430 of said Zoning By-law 1-H 86 be amended as follows:
 - (i) That special provision 36.430 B. v) be deleted and replaced with the following: That the maximum usable floor area per retail unit shall not exceed 400 square metres;
 - (ii) That special provision 36.430 B. vi) be deleted and replaced with the following: That the maximum usable floor area for retail shall not exceed 90% of the total usable floor area on the ground floor;
 - (iii) That special provision 36.430 B. vii) be deleted and replaced with the following: That a minimum of 10% of the total usable floor area for the ground floor area shall be used for offices.
5. **THAT** the subsection 36.430 of said Zoning By-law 1-H 86 be amended to include the following additional clauses:

- xii) That notwithstanding special provision 36.430 that the maximum dwelling units in a permitted apartment dwelling house shall be eighteen (18); and
- xiii) That notwithstanding special provision 36.430 dwelling units are permitted on the ground floor of an apartment dwelling house.

6. **AND THAT** the “holding (H)” provision remain in place until such time that:

- (i) That there is sufficient municipal servicing capacity available for development;
- (ii) A record of site condition, or equivalent, is provided to the satisfaction of Haldimand County; and
- (iii) Site plan approval has been completed and registration of an amended site plan agreement has been registered on title.

READ a first and second time this 13th day of May, 2019.

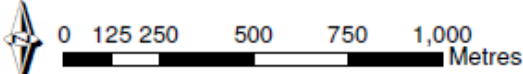
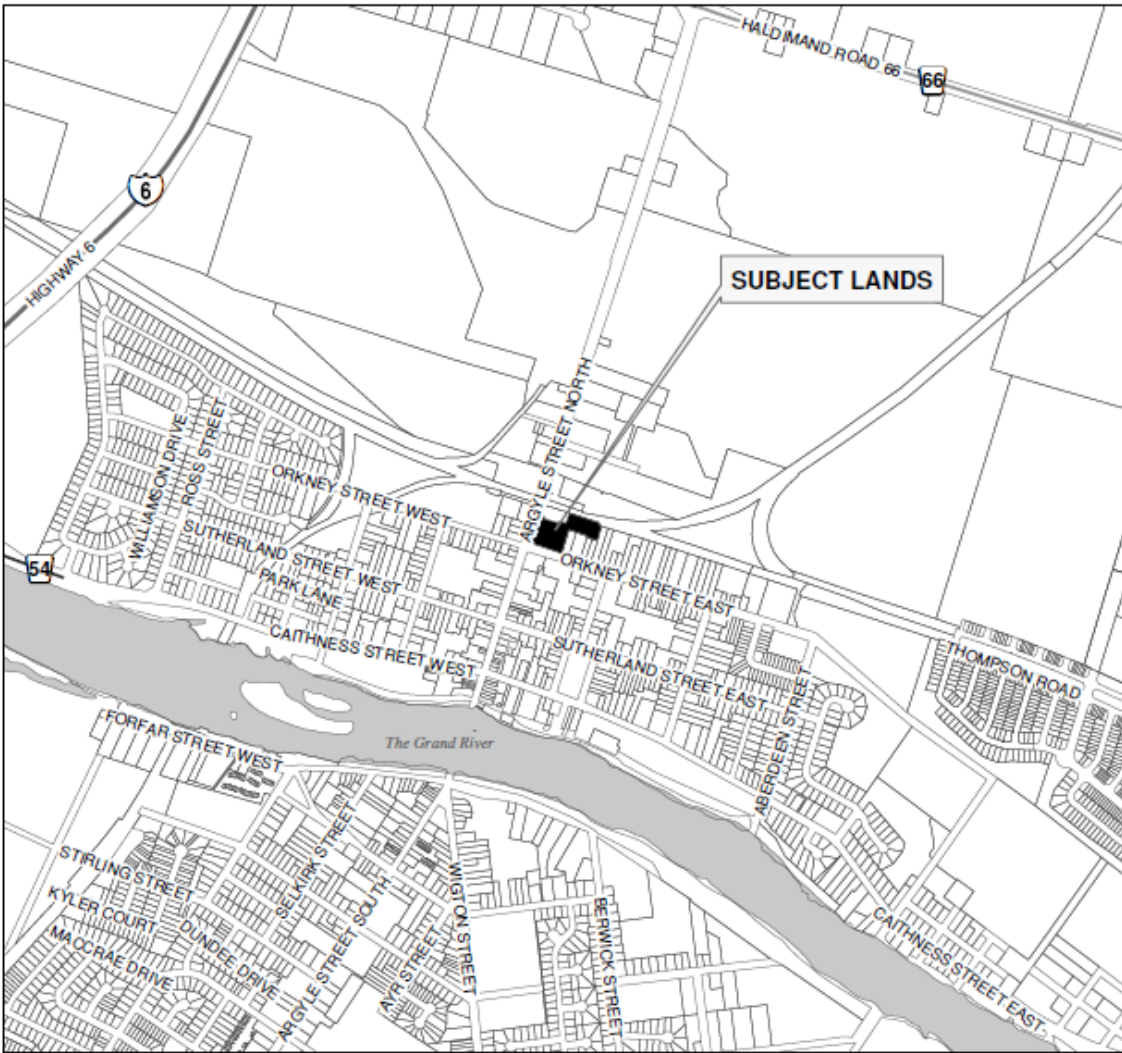
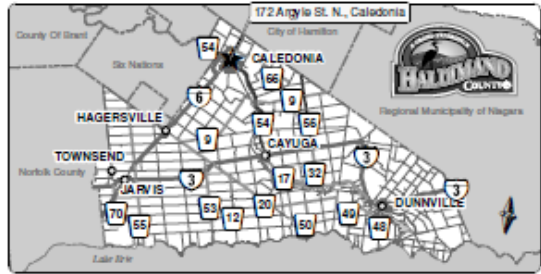
READ a third time and finally passed this 13th day of May, 2019.

MAYOR

CLERK

Schedule "A"

MAP A - Key Map
 Haldimand County
 Urban Area of Caledonia
 Ward 3

This is Map A to Zoning By-law _____ Passed the ____ day of _____ 2019.

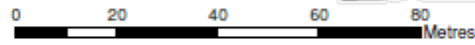
_____ MAYOR _____ CLERK

Ref: PLZ-HA-2018-179

MAP B - Detail Map

Haldimand County
Urban Area of Caledonia, Ward 3

SCALE: 1:1,200



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 _____ 2019.

_____ MAYOR _____ CLERK

Ref: PLZ-HA-2018-179

PURPOSE AND EFFECT OF BY-LAW NO. /19

This by-law affects lands located on the east side of Argyle Street North within the urban area of Caledonia. The subject lands are described as Caledonia Range 1 East of Plank Road Part Lot 11 Seneca Part Lots 1 to 4 18R3127 PARTS 2 and 3 18R4657 and known municipally as 172 Argyle Street North.

The purpose of this by-law is to amend the existing site special zone provision (36.430) which was put in place via by-law 989-HC/17 to facilitate the redevelopment of this site with a three (3) storey, eighteen (18) unit apartment dwelling house by:

- (i) Adding an apartment dwelling house as a permitted use;
- (ii) Add a provision that limits the number of units with a permitted apartment dwelling house to eighteen (18) units;
- (iii) Allows for dwelling units to be permitted in the ground floor of a permitted apartment dwelling house; and
- (iv) Make adjustments to the existing site special provision, in relation to the mixed use building (Phase 1) to allow for:
 - a. Amend the percentages of usable floor area on the ground floor to be utilized for retail and office space; and
 - b. Allow for an increase in the maximum usable floor area per retail unit

This by-law looks to make amendments to facilitate the second phase of development which is the apartment building and to amend some of the provisions related to the first phase of development (i.e. the mixed used building) to allow more flexibility in relation to usable floor area utilized for retail. The changes to the by-law will not result in an enlargement of the mixed use building.

The property is under site plan control to ensure that subsequent development will be subject to a review by the County. Site plan control will provide the opportunity to review the parking, massing of any proposed buildings, vegetative buffers, stormwater management/drainage and other identified mitigation measures.

Report No.: PDD-15-2019
Related Report No.: PED-PD-06-2017
File No.: PLZ-HA-2018-179
Related File No.: PLOP-HA-2016-139, PLZ-HA-2016-140, PLSP-HA-2016-141 & PLAG-HA-2017-115
Name: 1098814 Ontario Inc. (Charanjit Virk)
Roll No.: 2810-151-002-001000000