

THE CORPORATION OF HALDIMAND COUNTY

By-law Number /20

Being a by-law to authorize a temporary use of certain lands, building and structures for a prohibited use by Zoning By-law 1-H 86, as amended, in the name of Terry Sicurella and Kevin Balesdent

WHEREAS Haldimand County is authorized to enact this by-law, by virtue of the provisions of Sections 34, 36 and 39 of the *Planning Act*, R.S.O. 1990, C.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 lands described as PT LT 9 CON 6 SOUTH CAYUGA PT 1 18R523; HALDIMAND COUNTY and identified as the 'Subject Lands' on Maps 'A' and 'B' attached hereto to form part of this by-law.
2. **THAT** that in addition to the uses permitted in Subsection 28.1 – Permitted Uses of the 'Agricultural (A)' zone of By-law 1-H 86, as amended, a 'temporary dwelling' may also be permitted on the lands described in clause 1 of this by-law for a temporary time period commencing on May 19th, 2020 and expiring on May 19th, 2030.
3. **THAT** notwithstanding the provisions of Section 6.14 – Number of Dwelling Houses Per Lot, a second dwelling may also be permitted on the lands described in clause 1 of this by-law for a temporary time period commencing on May 19th, 2020 and expiring on May 19th, 2030.
4. **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 serve a person(s) requiring care, supervision and common living.'

5. **THAT** a "Holding 'H'" provision shall be applied to the zoning of the property referred to in clause 1 and shall remain in place on the subject lands until such time as an agreement has been executed.

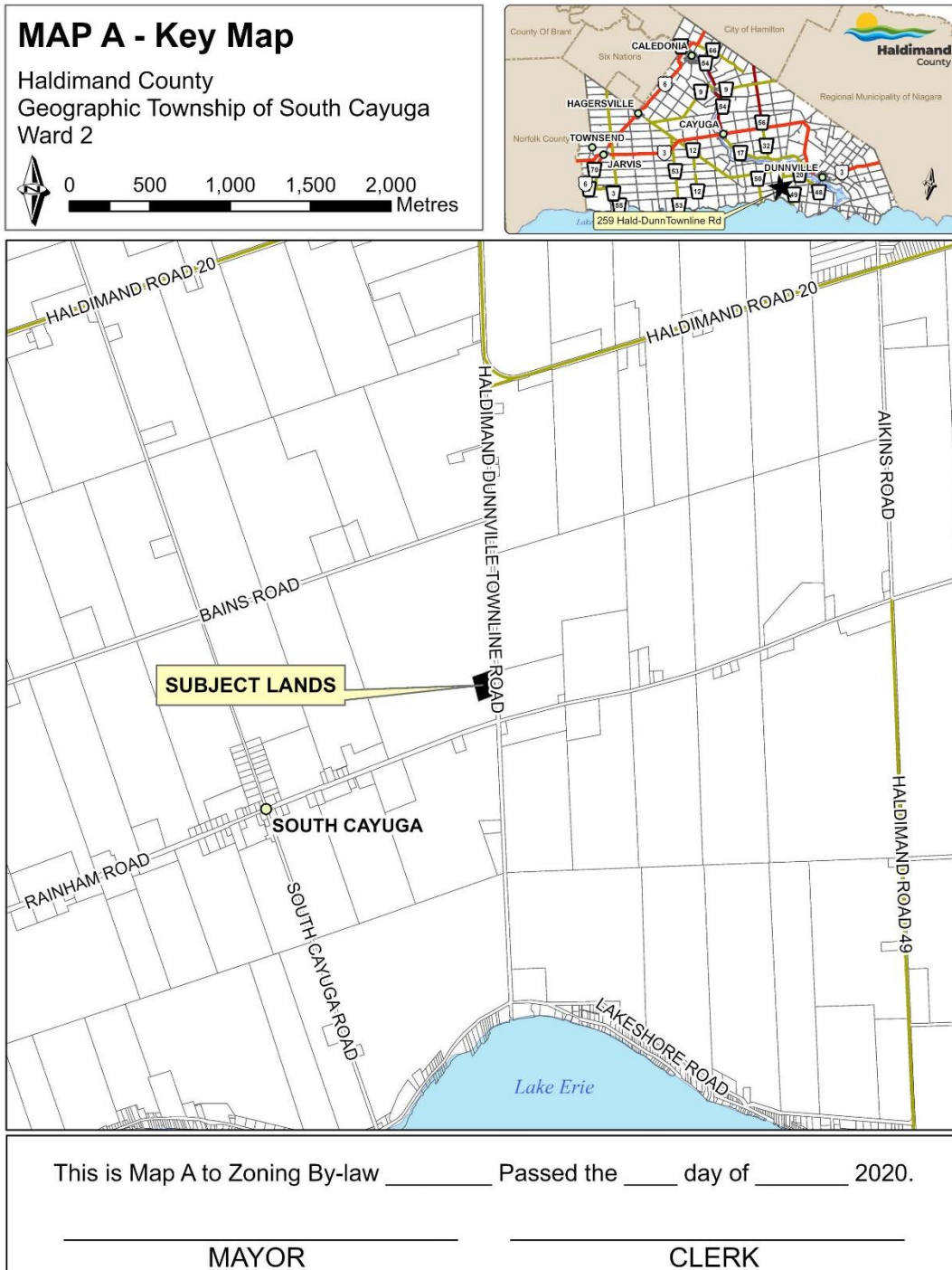
6. **AND THAT** this by-law shall take fore and effect on the date of passing.

READ a first and second time this 19th day of May, 2020.

READ a third time and finally passed this 19th day of May, 2020.

MAYOR

CLERK



Ref: PLZ-HA-2019-203

MAP B - Detail Map

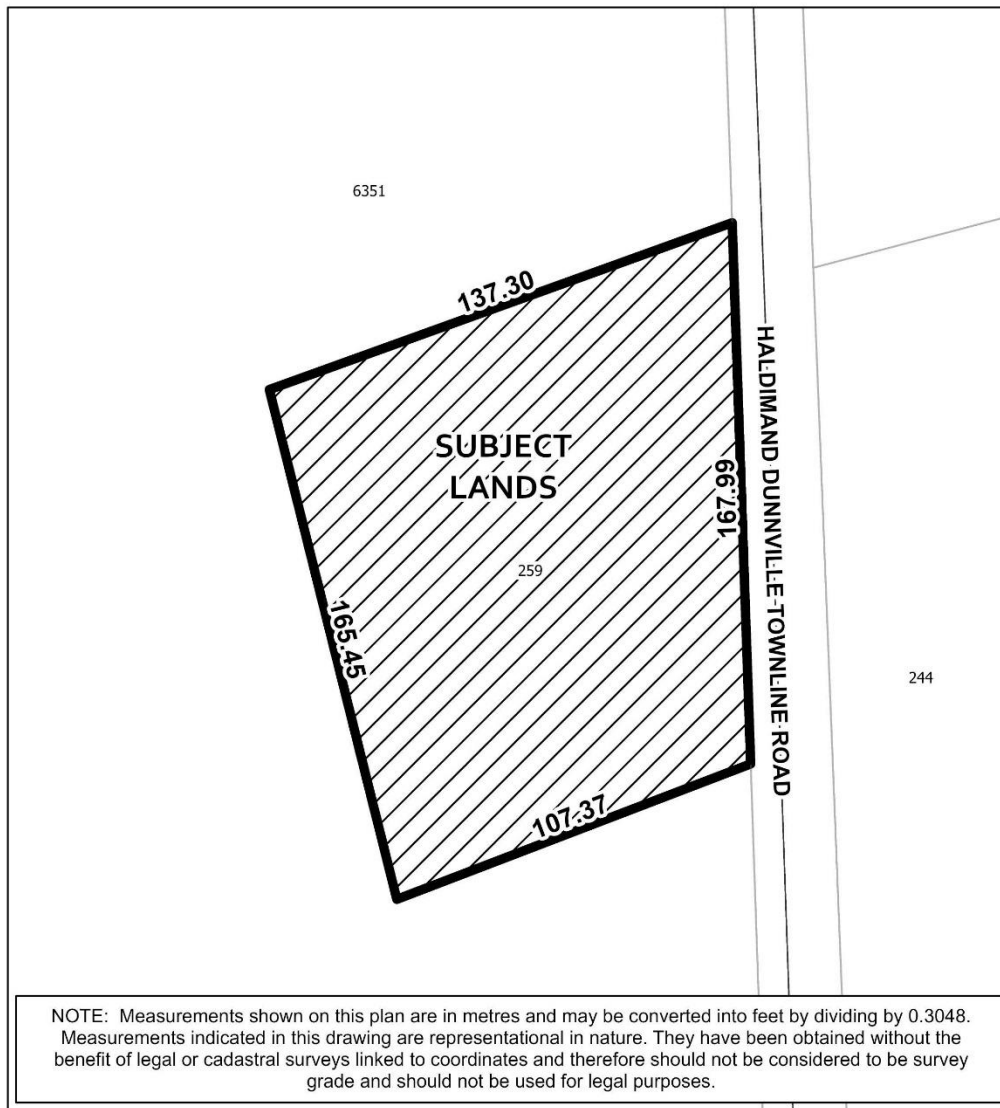
Haldimand County

Geographic Township of South Cayuga, Ward 2

SCALE: 1:1,600

Haldimand
County

0 10 20 30 40
Metres



This is Map B to Zoning By-law _____ Passed the ____ day of _____ 2020.

MAYOR

CLERK

Ref: PLZ-HA-2019-203

PURPOSE AND EFFECT OF BY-LAW NO. _____/20

This by-law affects lands located in the agricultural area of Haldimand County which are described as former Geographic Township of South Cayuga, Part Lot 9, Concession 6, Part 1 18R523, now in Haldimand County, and known municipally as 259 Haldimand-Dunnville Townline Road. The subject lands are shown in the attached maps.

This by-law has been enacted to permit a mobile home as a temporary dwelling for the care, supervision and common living of the property owner and his wife following the sale of the subject lands to his daughter. This by-law provides for such a use for a temporary period of time commencing on May 19th, 2020 and expiring on May 19th, 2030. Any extension to the time limit set out in this by-law will require the passing of a further by-law by Council.

This by-law will be implemented and enforced through the additional tool of an agreement between the owners and Haldimand County.

The “Holding ‘H’” provision has been affixed to the zoning applying to the subject lands to ensure that the agreement has been executed.

A permit cannot be issued by the Building Control and By-law Enforcement Division for the garden suite until the ‘H’ provision has been removed.

Report Number: PDD-10-2020
File Number: PLZ-HA-2019-203
Roll Number: 2810-157-002-07400-0000
Name: Terry Sicurella and Kevin Balesdent