

THE CORPORATION OF HALDIMAND COUNTY

By-law No. /21

Being a by-law to amend Zoning By-law HC 1-2020 in the name of 2690419 Ontario Inc. (Twisted Lemon)

WHEREAS Haldimand County is authorized 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 lands described as Part Lot 3, Part lot 4, South of Norton Street West, Geographic Township of Cayuga, 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 “G4.1” to Haldimand County Zoning By-law HC 1-2020, as amended, is hereby further amended by rezoning the Subject Lands which are shown on Maps “A” and “B” from “Urban Residential Type 2 (R2)” special provision 36.338 to “General Commercial (CG)” with Special Provision CG.2
3. **THAT** Schedule “G4-1” of the Haldimand County Zoning By-law HC 1-2020 is amended by identifying the Subject Lands on Maps “A” and “B” attached hereto to form part of this by-law as having reference to subsection 7.4.2.
4. **THAT** the following subsection shall be added to Section 11.4.1 (Special Exceptions) of said By-law HC 1-2020:

7.4.2 CG.2 That on lands delineated as having reference to this subsection, the following shall apply:

- i. That notwithstanding Subsection 7.2 ‘Permitted Uses in the General Commercial Zone, only the following uses are permitted: a restaurant/cafe with seating for 56 patrons; a catering business; a classroom for food-related workshops and cooking courses; retail sales of food related product, a small scale accessory greenhouse, a patio with seating for 20 patrons and a maximum of three (3) Inn/Hotel rooms. Drive-thru use is not permitted.
- ii. The following provisions will be applicable to the patio use.
 - a. The hours of operation for the patio will cease at 11pm in accordance with the County’s Noise By-law;

- iii. That on the lands delineated as having reference to this subsection that notwithstanding Section 7.3 Zone Provisions the minimum exterior side yard set back shall be 0.8 metres, the minimum interior side yard set back shall be 1.8 metres, and the minimum rear yard setback shall be 8.8 metres.
- iv. That on the lands delineated as having reference to this subsection that notwithstanding the provisions of Section 5.1 of By-law HC 1-2020 number of parking spaces a minimum of 9 parking spaces shall be required and that the required stacked parking for 2 spaces shall be permitted in the rear yard.
- v. That on the lands delineated as having reference to this subsection that notwithstanding Section 4.56 Sight Triangle a reduced sight triangle measuring 6 metres by 9 metres.

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

READ a first and second time this 28th day of June, 2021.

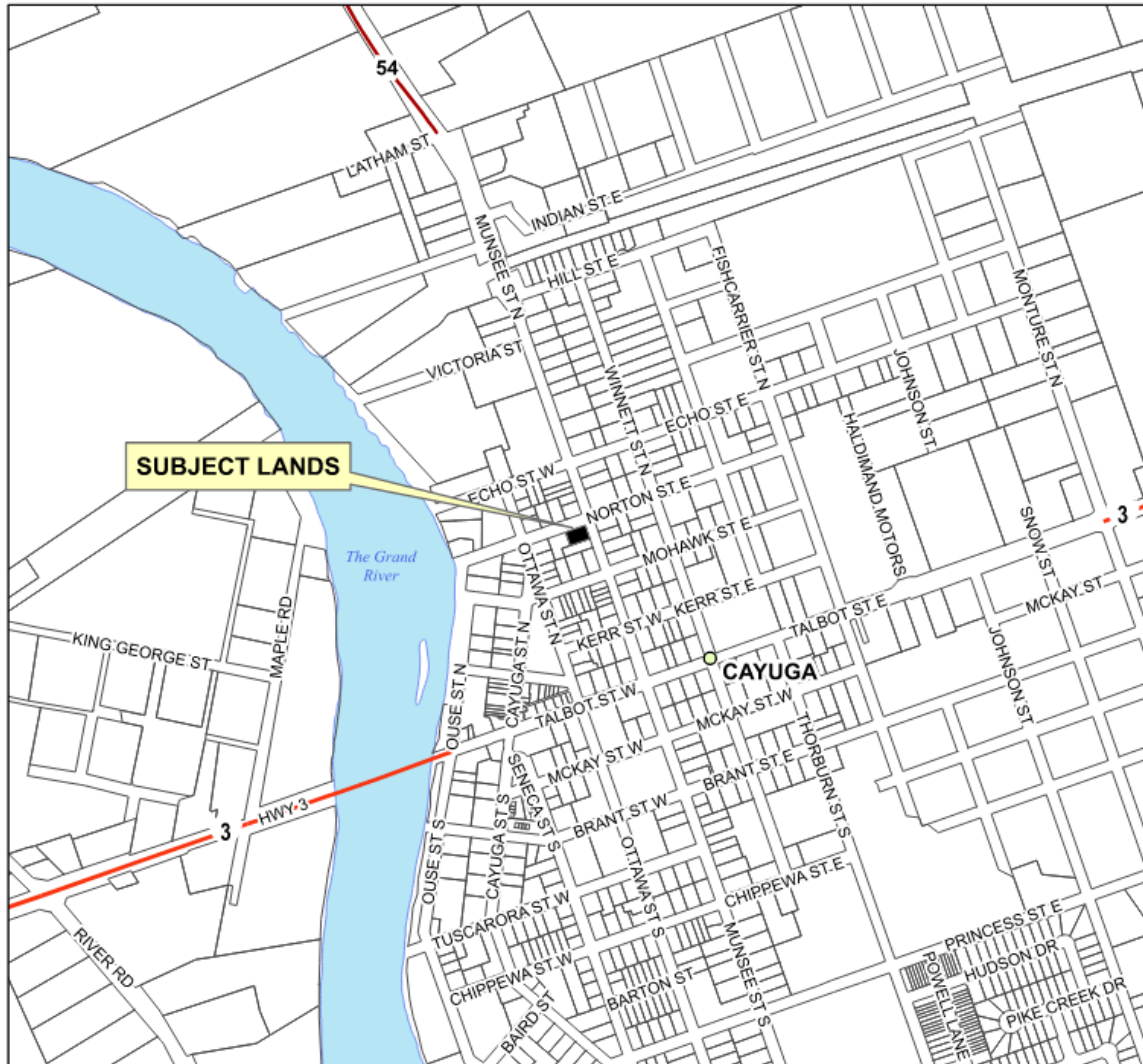
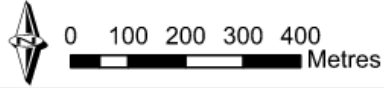
READ a third time and finally passed this 28th day of June, 2021.

MAYOR

CLERK

MAP A - Key Map

Haldimand County
Urban Area of Cayuga
Ward 2



This is Map A to Zoning By-law _____ Passed the ____ day of _____ 2021.

MAYOR

CLERK

MAP B - Detail Map

Haldimand County
Urban Area of Cayuga, Ward 2

SCALE - 1:500

0 5 10 15 20
Metres



This is Map B to Zoning By-law _____ Passed the ____ day of _____ 2021.

MAYOR

CLERK

PURPOSE AND EFFECT OF BY-LAW NO. -HC/21

This by-law affects the subject lands shown in Maps "A" and "B". The subject lands are described as Part Lot 3, Part lot 4, South of Norton Street West, Haldimand County. The subject lands are municipally known as 3 Norton Street West. The subject land is currently Residential containing a restaurant amongst other commercial type uses secondary to the residential use.

The proponents received a temporary minor variance as a trial for an outdoor patio which has exceeded it's time limits with no issues and are proposing to make the patio permanent and to include an additional use of three hotel/inn rooms.

The purpose of this by-law is to:

1. rezone the subject lands to a site specific General Commercial Zone with limited uses;
2. recognize the already permitted lot deficiencies which are to be carried forward from the previous zoning application and
3. to recognize the deficient number of parking spaces.

Report Number:	PDD-42-2021
File Number:	PLZ-HA-2021-070
Related File Number:	PLOP-HA=2021-069
Name:	2690421 Ontario Inc. (Dan Megna and Laurie Lilliman, Twisted Lemon)
Roll Number:	2810.156.002.065000