

## THE CORPORATION OF HALDIMAND COUNTY

By-law Number /21

### Being a by-law to amend Zoning By-law HC 1-2020 by Haldimand County.

**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 all within the municipal boundaries of Haldimand County.
2. **AND THAT** Section 3 (Definitions) of By-law HC 1-2020 be amended by deleting the definition for CANNABIS PRODUCTION FACILITY in its entirety and replace with the following:

CANNABIS PRODUCTION FACILITY” shall mean any *building* or *structure* licensed and authorized by Health Canada to ship, deliver, transport, destroy, grow, dry, process, export and/or import cannabis for the commercial production of medical or non-medical purposes, including related research as defined an applicable Federal Regulation, as amended from time to time.

3. **AND THAT** Section 3 (Definitions) of By-law HC 1-2020 be amended by deleting the definition for DWELLING, VACATION HOME” in its entirety and replace with the following:

DWELLING, VACATION HOME” shall mean a *dwelling* containing only one *dwelling unit* which is used as a secondary place of residence, on an occasional basis from April through October inclusive in the same calendar year for vacation, recreation and relaxation purposes and where the owner or occupant of the dwelling has a *principal place of residence* elsewhere.

4. **AND THAT** Section 4.7 Bed and Breakfast Establishments of By-law HC 1-2020 be amended by deleting 4.7 f) and replacing with the following:

f) a minimum of 40% of the *front yard* of a *lot* used for the purpose of a *bed and breakfast* shall be provided and maintained as *landscaped open space* and such open space shall not be utilized for *parking space* and/or driveway purposes;

5. **AND THAT** Section 4.24 Garden Suites of By-law HC 1-2020 be amended by deleting 4.24 b) and replacing with the following:

b) the following locational criteria shall be satisfied:

- i) the *garden suite* shall be located on the same *lot* as a *single detached dwelling* that is legally permitted within the *zone*;
- ii) the suite is not placed in the *front yard* of the house or the required *front yard* as set out in the Zoning By-law;
- iii) the suite is compatible with adjacent residential or agricultural properties in terms of aesthetics, privacy and noise;
- iv) the *garden suite* is well removed from potential land use conflicts such as animal operations and operating pits or quarries;
- v) the *garden suite* is sited near the principal farm residence or *existing dwelling*;
- vi) the *garden suite* does not require additional separate access to a municipal road;
- vii) the proposed site is capable of being connected to municipal services or can accommodate a water supply system and is serviced by an on-site sanitary sewage system designed and installed as per the Ontario Building Code;
- viii) the location of the unit shall have regard to the Minimum Distance Separation formulae, from *livestock facilities* on adjacent properties; and
- ix) there is adequate on-site parking.

6. **AND THAT** Section 4.24 Garden Suites of By-law HC 1-2020 be amended by adding 4.24 f) with the following:

- f) where a *garden suite* is to be permitted, an implementing development agreement is required.

7. **AND THAT** Section 4.59 Surplus Farm Dwelling Severance Properties be amended by deleting the reference to A[X] and replacing with A.1.

8. **AND THAT** Section 4.55 Secondary Suites be amended by deleting 4.56 i) and replacing with the following:

- i) The maximum permitted *height* for a detached *secondary suite* shall be 5 metres in the urban areas and 6.5 metres in the Agricultural and Hamlet Residential Zones.

9. **AND THAT** Section 4.55 Secondary Suites be amended by adding the following subsection as 4.55 vi):

- vi) The secondary suite is to be sited in close proximity to the principal farm residence or *building cluster*, if located on a farm.

10. **AND THAT** Section 4.8 Campgrounds, Tent and Trailer Parks be amended by deleting 4.8 h)

and replacing with the following:

h) *recreational vehicles* shall not be occupied on an overnight basis between October 31<sup>st</sup> and April 15<sup>th</sup> in any year;

11. **AND THAT** Section 5.1 Minimum Number of Parking Spaces – Apartment dwelling in the Downtown Commercial (CD) zone be amended by requiring the following parking provisions:

*Apartment Dwelling in the Downtown Commercial (CD) Zone:*

0.5 for each *dwelling unit* (refer to Section 5.1.1 for visitor parking). Notwithstanding, where less than 5 *apartments dwelling units* proposed, the required *apartment dwelling* parking shall be nil.

12. **AND THAT** Section 6.1 Residential Zones – Permitted Uses: Vacation home dwelling, be amended by adding the following Note to the provisions:

Note 1: Where a *vacation home dwelling* is located on a *private road*, a Limited Servicing Agreement is required.

13. **AND THAT** Section 6.1 Residential Zones – Permitted Uses be amended by including a *Garden Suite* as an additional permitted uses in the RH Zone.

14. **AND THAT** Section 11.2 Agricultural Zone – Permitted Uses be amended by including a *Group Home Dwelling* and *Garden Suite* as additional permitted uses.

15. **AND THAT** Section 11.3 Agricultural Zone – Zone Provisions be amended by deleting the Minimum Lot Area to keep livestock: 2ha and replacing with the following:

Minimum *Lot Area* to keep *livestock* 2 ha, except for the housing of backyard hens.

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

READ a first and second time this 20<sup>th</sup> day of September, 2021.

READ a third time and finally passed this 20<sup>th</sup> day of September, 2021.

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MAYOR

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CLERK

## PURPOSE AND EFFECT OF BY-LAW /21

This amendment is to complete updates and general amendments to the Haldimand County Zoning By-law HC 1-2000 to regulate the use of land and *buildings* and the massing, location, height and character of buildings and structures for all lands within Haldimand County. All properties within the County are subject to the provisions of this Zoning By-law.

Report Number: PDD-41-2021