

## THE CORPORATION OF HALDIMAND COUNTY

By-law Number -HC/22

**Being a by-law to amend Zoning By-law HC 1-2020, as amended, for property described in the name of NAL Properties Ltd.**

**WHEREAS** Haldimand County is authorized to enact this by-law, by virtue of the provisions of Section 34 and 36 of the *Planning Act*, R.S.O. 1990, CHAPTER 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 North Cayuga Con 1 Ntr Pt Lot 3 Pt Clause St Pt Delaware St and RP 18R3773 Parts 5 and 6 on Maps “A” and “B” attached hereto to form a part of this by-law.
2. **THAT** Schedule “A” of By-law HC 1-2020, as amended, is hereby further amended by delineating the lands identified as the subject lands on Map “A”, attached to and forming part of this by-law, as having reference to Subsection RH.3.
3. **THAT** Subsection 6.4.7 Special Exceptions is hereby further amended by adding the following:

### 6.4.7.3 RH.3

Notwithstanding the uses permitted in the RH Zone, only the following uses shall be permitted in the residential accessory structure:

- a) Personal storage

Notwithstanding the uses permitted in the RH Zone, the following uses shall not be permitted in the residential accessory structure:

- a) Home-based business, home office
- b) Home-based business, home occupation
- c) Home-based business, home industry

In lieu of the corresponding provisions in the RH *Zone*, the following shall apply:

- d) Maximum residential accessory structure usable floor area: 372 square metres; and
- e) maximum residential accessory structure *building height*: 6.5 metres.

4. **THAT** the Holding “(H)” provision of this by-law shall be removed upon:

- a) The Planning & Development Division approving an elevation and landscaping plan prepared by a qualified professional;
- b) The Planning & Development Division, Grand River Conservation Authority (GRCA), and Ministry of Transportation (MTO) approving a grading plan prepared by a professional engineer;
- c) The Grand River Conservation Authority issuing a permit; and
- d) The Ministry of Transportation issuing all applicable permits, including: an MTO Building and Land Use Permit; MTO Entrance Permit; and if required, Individual Encroachment Permits for serving connection/infrastructure within MTO property limits.

5. **THAT** this by-law shall come into force in accordance with the provisions of the *Planning Act*.

READ a first and second time this 4<sup>th</sup> day of April, 2022.

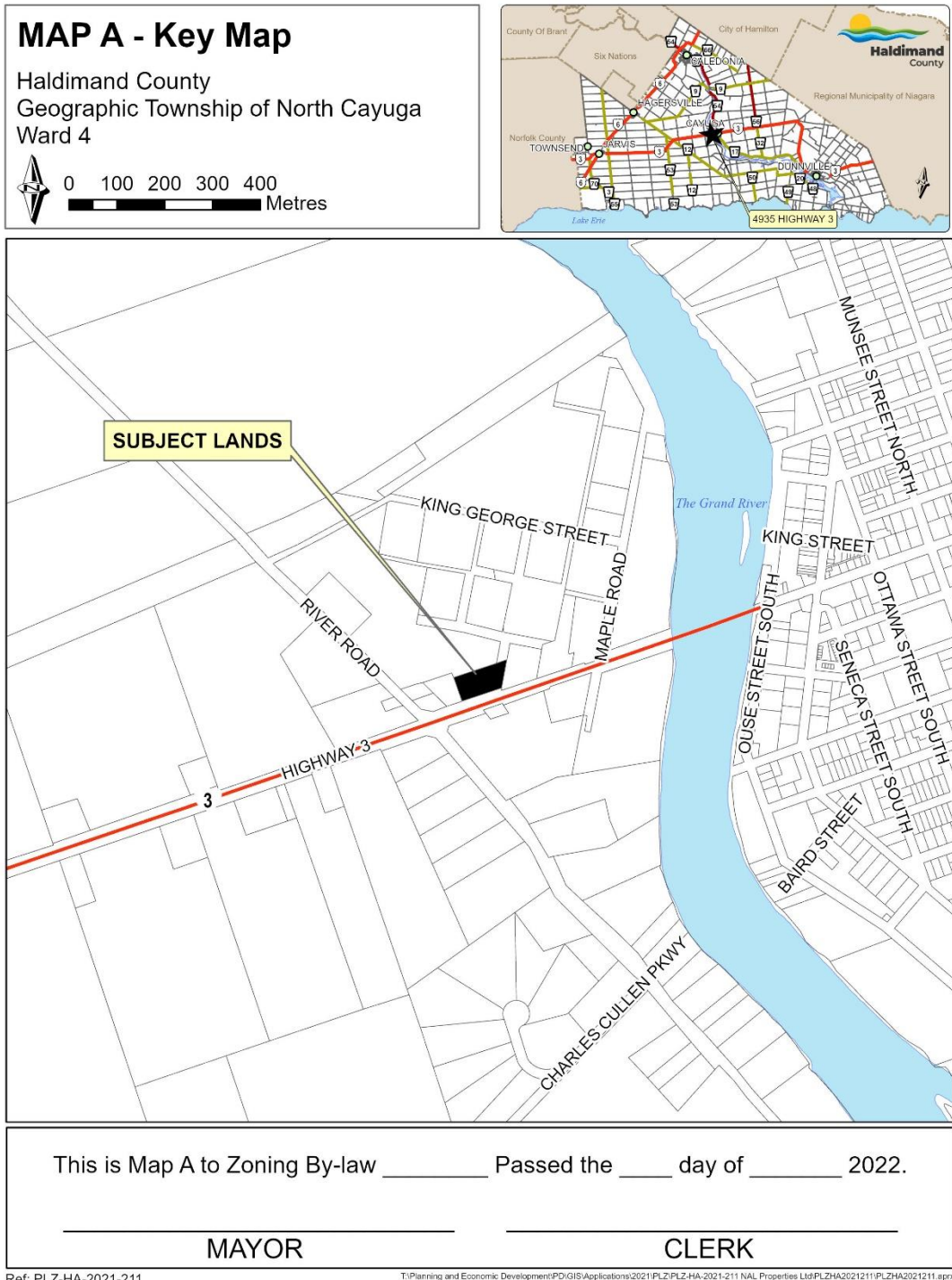
READ a third time and finally passed this 4<sup>th</sup> day of April, 2022.

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MAYOR

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DEPUTY CLERK



Ref: PLZ-HA-2021-211

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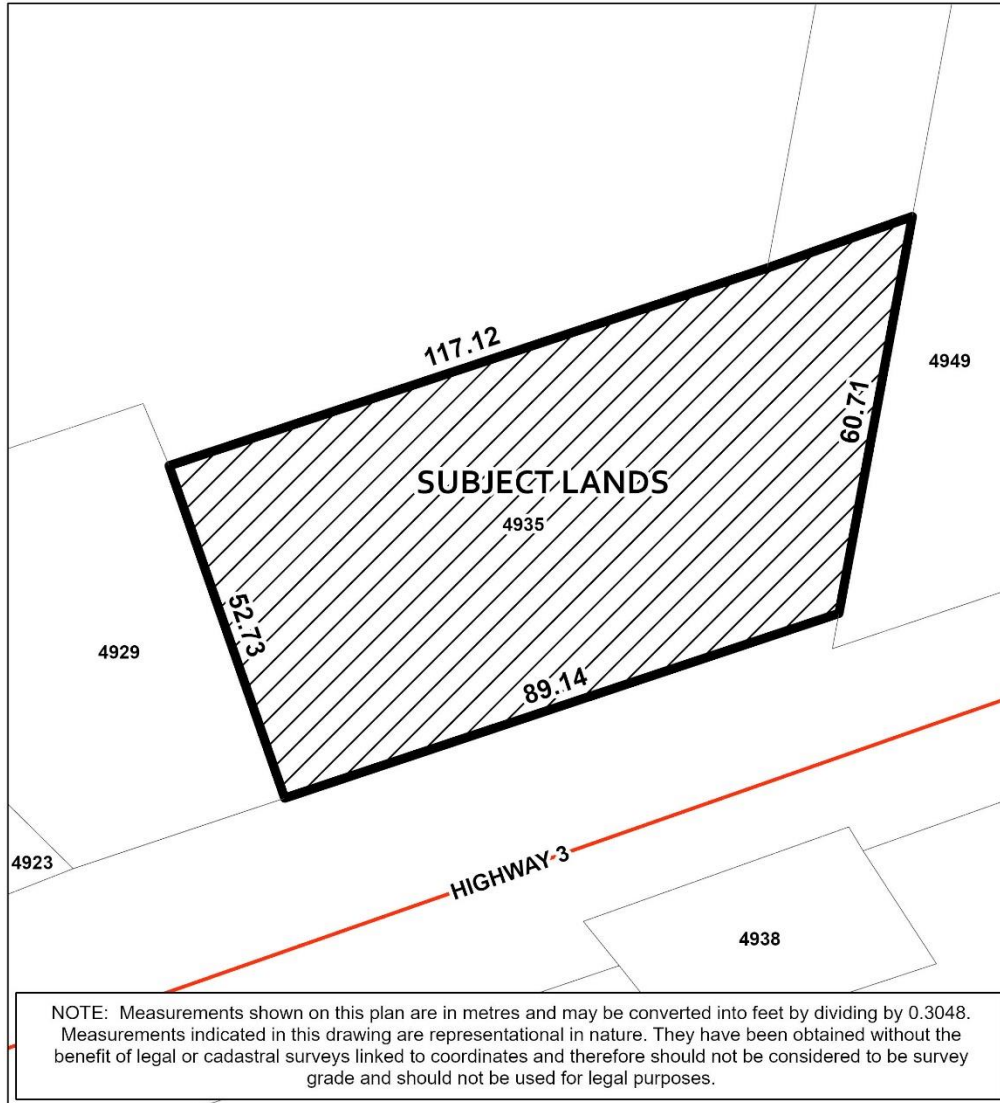
# **MAP B - Detail Map**

Haldimand County

Geographic Township of North Cayuga, Ward 4

SCALE: 1:800

0 5 10 15 20 Metres



This is Map B to Zoning By-law \_\_\_\_\_ Passed the \_\_\_\_ day of \_\_\_\_\_ 2022.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK

Ref: PLZ-HA-2021-211

**PURPOSE AND EFFECT OF BY-LAW -HC/22**

The subject lands are legally described as NORTH CAYUGA CON 1 NTR PT LOT 3 PT CLAUSE ST PT DELAWARE ST AND RP 18R3773 PARTS 5 AND 6. The subject lands are municipally addressed as 4935 Highway 3 and are located in the prime agricultural area of the County.

The subject lands are zoned 'Hamlet Residential (RH)' Zone and are subject to the 'Hazard Land' overlay in the Haldimand County Zoning By-law HC 1-2020.

The purpose of this by-law is to add a special provision to the zoning of the subject lands to permit a large residential accessory structure measuring 372 square metres in size and 6.5 metres in height for personal storage and to affix a Holding (H) provision to the zoning of the lands, which shall only be removed by the General Manager of Community & Development Services upon the following being satisfied:

- a) The Planning & Development Division has approved an elevation and landscaping plan prepared by a qualified professional;
- b) The Planning & Development Division, Grand River Conservation Authority (GRCA), and Ministry of Transportation (MTO) have approved a grading plan prepared by a professional engineer;
- c) The Grand River Conservation Authority has issued a permit; and
- d) The Ministry of Transportation has issued all applicable permits, including: an MTO Building and Land Use Permit; MTO Entrance Permit; and if required, Individual Encroachment Permits for serving connection/infrastructure within MTO property limits.

Special provision RH.3 does not provide expanded opportunities for home-based businesses and secondary suites. The remaining provisions of the Haldimand County Zoning By-law HC 1-2020 continue to apply.

The H provision removal must be approved by the General Manager of Community & Development Services and a memo must be issued to that effect.

Report Number:	PDD-11-2022
File No:	PLZ-HA-2021-211
Name:	NAL Properties Ltd.
Roll No.	2810.155.001.03600.000