

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 2578970 Ontario Inc.

WHEREAS Haldimand County is authorized to enact this by-law, by virtue of the provisions of Section 34 and 36(1) 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 Part of Lots 10 and 11 Range 1 East of Plank Road, Geographic Township of Seneca, Haldimand County and shown on Maps “A” and “B” attached to and forming part of this by-law.
2. **THAT** Schedule “A” of By-law HC 1-2020, as amended, is hereby further amended by changing the zoning of Part 1 of the subject lands identified on Map “B” (attached to and forming part of this by-law) from ‘Service Commercial (CS)’ Zone, ‘Service Commercial – Holding (CS – H)’ Zone and ‘General Industrial (MG)’ Zone to ‘General Commercial - Holding (CG – H)’ Zone.
3. **THAT** Schedule “A” of By-law HC 1-2020, as amended, is hereby further amended by delineating the lands identified as Part 1 of the subject lands on Map “B” (attached to and forming part of this by-law) as having reference to Subsection CG.2.
4. **THAT** Subsection 7.4.2 Special Exceptions is hereby further amended by adding the following:

7.4.2.2 CG.2 Notwithstanding the uses *permitted* in the CG Zone, only the following uses shall be permitted:

- a) Animal hospital
- b) Auction centre
- c) Bake shop
- d) Bar or night club

- e) Boutique
- f) Building supply establishment
- g) Bus terminal
- h) Business support service
- i) Convenience store
- j) Custom workshop
- k) Day care nursery
- l) Dry cleaning distribution station
- m) Dry cleaning establishment
- n) Fruit and vegetable market
- o) Financial institution
- p) Fish and seafood market
- q) Fruit and vegetable outlet
- r) Funeral home
- s) Hotel
- t) Laundromat
- u) Meat Market
- v) Merchandise service shop
- w) Microbrewery
- x) Office, business
- y) Office, medical
- z) Parking lot or structure
- aa) Personal service shop
- bb) Pharmacy
- cc) Place of entertainment
- dd) Place of sports and recreation

- ee) Printing and publishing establishment
- ff) Private club
- gg) Restaurant
- hh) Restaurant, drive-thru
- ii) Restaurant, fast food
- jj) Restaurant, take-out
- kk) Retail store
- ll) Retail uses, accessory
- mm) School, trade
- nn) Taxi establishment
- oo) Wholesale outlet
- pp) Research and development facility
- qq) Training and rehabilitation centre
- rr) Stormwater management facility

The following shall apply to the CG.2 Zone:

- a) Maximum gross leasable floor area permitted for Convenience and Specialty Food Store Uses, Non-Food Retail Uses and Service Uses for the subject lands from enactment of this By-law to December 31, 2026 shall be 5,360 square metres;

Convenience and Specialty Food store uses include: convenience stores, meat markets, fish and seafood markets, fruit and vegetable markets, baked goods stores and confectionary stores and similar uses.

Non-Food Retail Stores include: furniture stores, floor covering stores, home furnishing stores, computer and software stores, home electronics and appliance stores, building and outdoor home supply stores including home centres and hardware stores and specialized building materials and garden stores, pharmacies and personal care stores, sporting foods, hobby, music and book stores, florists, office supply and stationary stores, gift, novelty and souvenir stores, pet

and pet supply stores, art dealers, miscellaneous retail stores and similar uses.

Service uses include: consumer good rental business, banks, credit unions, insurance agencies and brokerages, offices of real estate agents and brokers, professional, scientific and technical service offices for legal services, specialized design services, computer systems design and related services, management, scientific and technical consulting services, scientific research and development services, advertising services, marketing research and public opinion polling, photographic services, veterinary services, office administrative services, offices for physicians, dentists, other health practitioners, medical and diagnostic laboratories, employment and business services, fitness and recreation sports facilities, restaurants, drinking places, personal and household goods repair and maintenance, personal care services, including hair salon, beauty shop, tanning salon, nail salon and similar uses.

- b) Maximum gross leasable floor area permitted for the subject lands for Convenience and Specialty Food Store Uses, Non-Food Retail Store Uses and Service Uses from enactment of this By-law to December 31, 2031 and beyond, shall be 8,393 square metres.
- c) The CG Zone Provisions contained in Table 7.2: Zone Provisions for the Commercial Zones shall apply to the CG.2 Zone.
- d) Section 4, General Provisions shall apply to the CG.2 Zone.
- e) Notwithstanding Section 5, Parking and Loading Requirements, the minimum parking space requirement for all uses in the CG.2 Zone is 1 space/28 m² of gross floor area;
- f) Notwithstanding Section 5, Parking and Loading Requirements no loading spaces shall be required in the CG.2 Zone.

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

- a) The Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI) receives an archaeological assessment from the proponent and provides a clearance that indicates the subject lands do not have archaeological potential;
- b) The Grand River Conservation Authority (GRCA) issues a permit and verifies the limit of development relating to the floodplain on the subject lands;

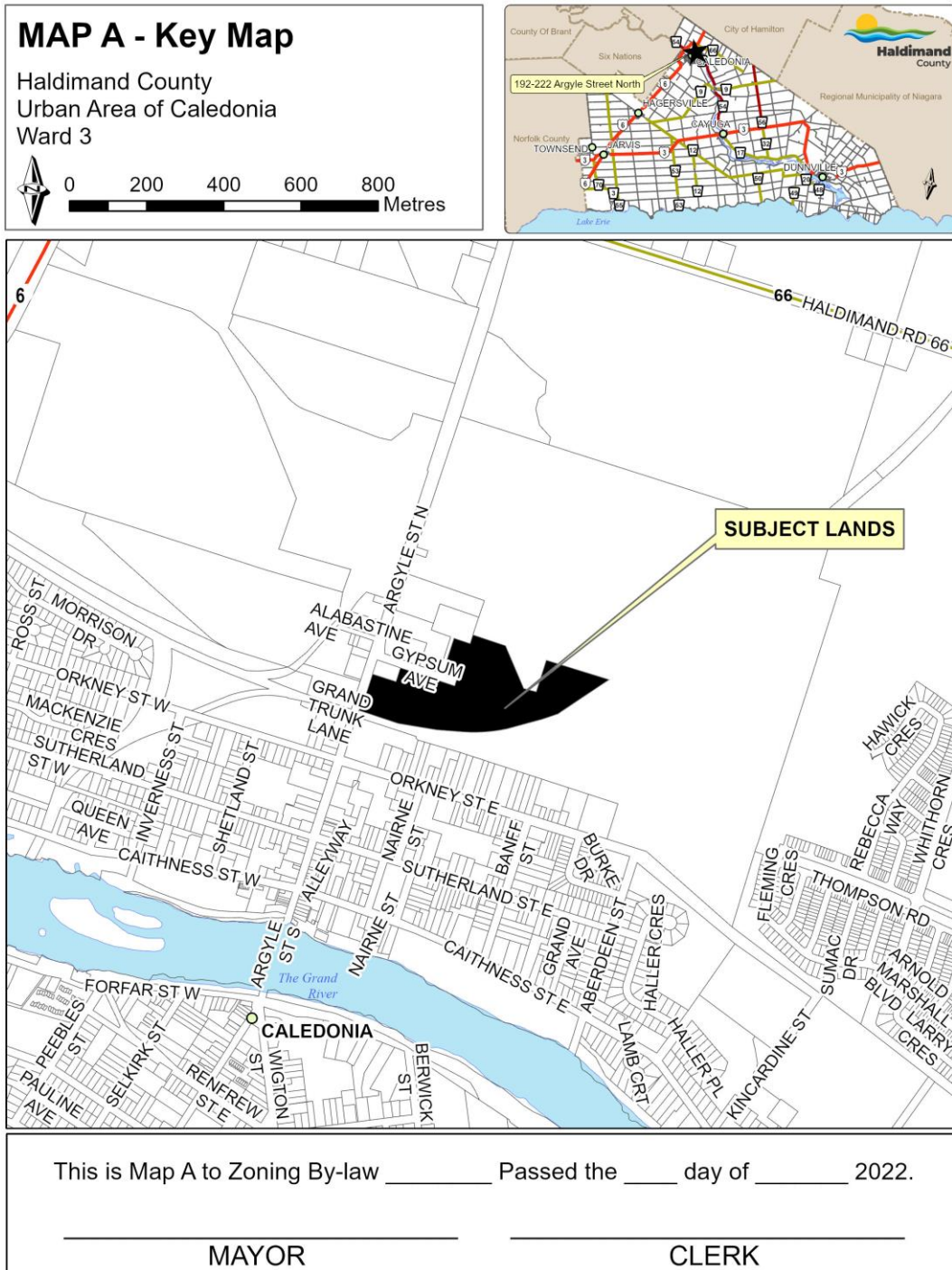
- c) The Ministry of Northern Development, Mines, Natural Resources (NDMNR) and County are satisfied that the proponent has demonstrated long-term stability of the underground mine workings that underline the subject lands via a geotechnical study and rehabilitation plan, if required. The geotechnical study must take into account the potential impacts of the proposed new land use;
 - d) The Manager of Water & Wastewater Engineering confirms servicing capacity and infrastructure is in place and operational (including infrastructure such as pumping stations and force mains) to support the development;
 - e) The General Manager of Community & Development Services approves the site plan and the Manager of Engineering Works approves the external works (traffic infrastructure improvements) together with a site plan agreement. The site plan must include a phasing plan;
6. **THAT** Schedule “A” of By-law HC 1-2020, as amended, is hereby further amended by changing the zoning of Part 2 of the subject lands identified on Map “B” (attached to and forming part of this by-law) from ‘General Industrial (MG)’ Zone to ‘Development (D)’ Zone.
7. **THAT** Schedule “A” of By-law HC 1-2020, as amended, is hereby further amended by delineating the lands identified as Part 2 of the subject lands on Map “B” (attached to and forming part of this by-law) as having reference to Subsection D.3.
8. **THAT** Subsection 11.4.2 Special Exceptions is hereby further amended by adding the following:
- 11.4.2.3 D.3 Commercial development will only be considered on these lands subject to a Market Impact Study prepared by a qualified professional and Zoning By-law Amendment application.
9. **THAT** By-laws 2004-HC-04 and 477-HC-07, including Special Provision 36.301 are repealed.
10. **THAT** this by-law shall come into force in accordance with the provisions of the *Planning Act*.
11. **AND THAT** this by-law shall become effective upon final approval of the related Amendment number HCOP-66 to the Haldimand County Official Plan.

READ a first and second time this 6th day of June, 2022.

READ a third time and finally passed this 6th day of June, 2022.

MAYOR

CLERK



Ref: PLZ-HA-2021-118

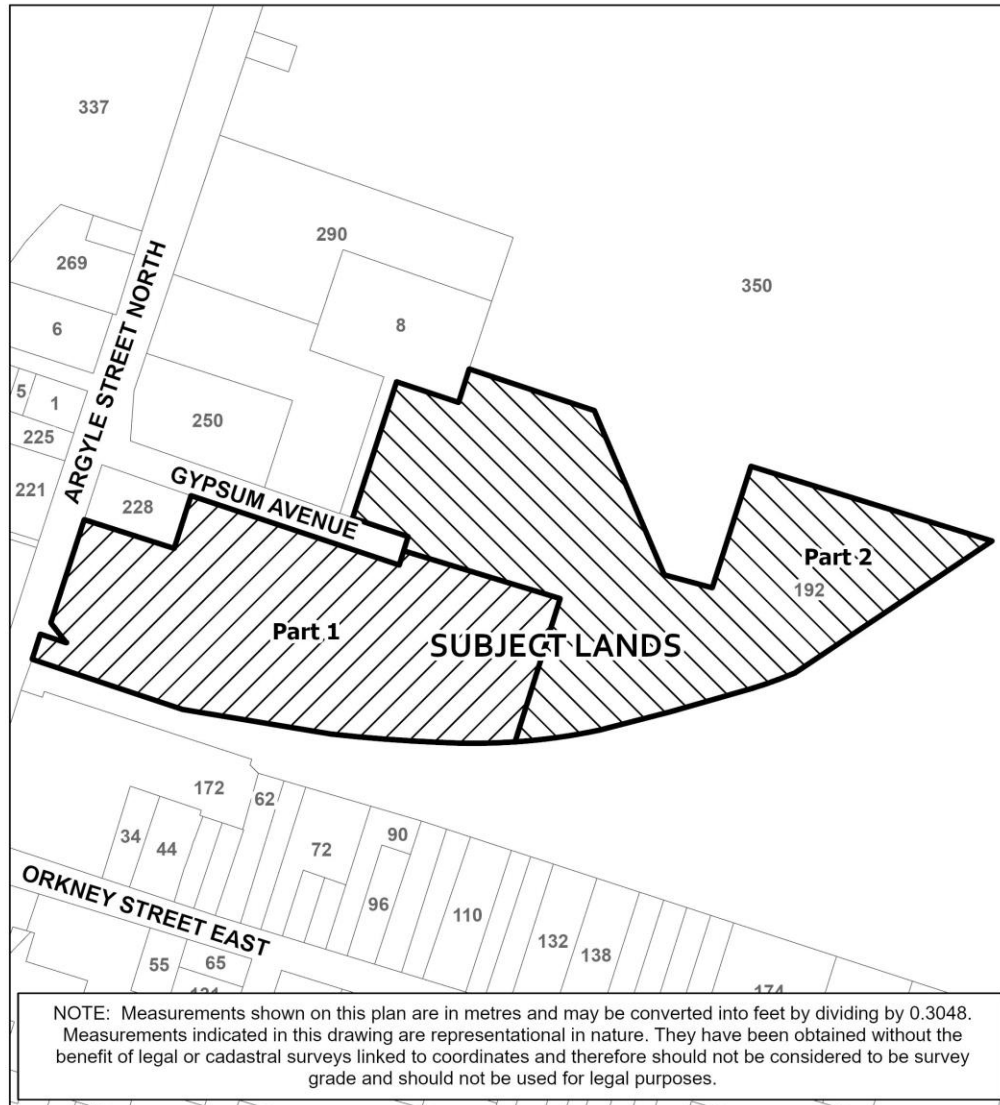
T:\Planning and Economic Development\PD\GIS\Applications\2021\PLZ\PLZ-HA-2021-118 (Narinder Mann)\PLZ\2021117\PLZ2021118.aprx

MAP B - Detail Map

Haldimand County
Urban Area of Caledonia, Ward 3

SCALE - 1:3,600

0 25 50 75 100 Metres



This is Map B to Zoning By-law _____ Passed the ____ day of _____ 2022.

MAYOR

CLERK

Ref: PLZ-HA-2021-118

PURPOSE AND EFFECT OF BY-LAW -HC/22

The subject lands are legally described as Part of Lots 10 and 11 Range 1 East of Plank Road, Geographic Township of Seneca, Haldimand County.

The purpose of this by-law is to rezone Part 1 of the subject lands from various commercial and industrial zones to the 'General Commercial (GC – H) Zone with a special provision to permit commercial uses with restrictions to facilitate the development of a commercial plaza. Also, the purpose of this by-law is to rezone Part 2 of the subject lands to the 'Development (D)' Zone as development has not yet been contemplated for these lands. The Natural Hazard Lands overlay continues to apply to the subject lands.

Report Number:	PDD-23-2022
File No.:	PLZ-HA-2021-118
Related File No:	PLOP-HA-2021-117
Name:	2578970 Ontario Inc.
Roll No.	2810.152.005.32300.0000