

THE CORPORATION OF HALDIMAND COUNTY

By-law Number -HC/22

Being a by-law to amend Zoning By-law HC 1-2020, as amended, 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, 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 all within the municipal boundaries of Haldimand County.
2. **AND THAT** Section 2.3.2 – More than One Zone on a Lot c) of By-law HC 1-2020 be amended by deleting clause 2.3.2 c) and renumbering the balance of the section.
3. **AND THAT** 2.3.2 – More than One Zone on a Lot of By-law HC 1-2020 be amended by deleting 42.3.2 e) and replacing with the following:
 - e) where the main use is wholly situated in one zone, a accessory structure or use may be permitted in the other zone provided it meets all provisions of Section 4.2 (Accessory Uses, Buildings and Structures to Residential Uses) or 4.3 (Accessory Uses, Buildings and Structures to Non-Residential Uses)
4. **AND THAT** Section 3 (Definitions) of By-law HC 1-2020 be amended by deleting the definition for ACCESSORY BUILDING OR STRUCTURE in its entirety and replace with the following:

“ACCESSORY BUILDING OR STRUCTURE” shall mean a detached building or structure used for an accessory use, such as a detached private garage or the storage or shelter of materials, equipment or other items, but shall not contain a dwelling unit or a habitable room other than a secondary suite.
5. **AND THAT** Section 4.2 Accessory Buildings or Structures to Residential Uses of By-law HC 1-2020 be amended by deleting 4.2 b) and replacing with the following:
 - b) exceed a *building height* of 4.5 metres in R1, R2, R3, R4, R5, R6 and RL zones and 6.5 metres in all other zones where the use is *permitted*;

6. **AND THAT** Section 4.55 Secondary Suites – Permitted Dwelling Types of By-law HC 1-2020 be amended by deleting 4.55 Secondary Suites – Permitted Dwelling Types i) and replacing with the following:
- i) The *secondary suite* may be contained within the principal *dwelling* or in an attached or detached *accessory structure* or in a standalone structure on the *lot* associated with a single-detached or *semi-detached dwelling*.
7. **AND THAT** Section 4.55 Secondary Suites – Maximum Secondary Suite Size (per unit) of By-law HC 1-2020 be amended by deleting 4.55 Maximum Secondary Suite Size (per unit) i) and replacing with the following:
- i) No greater than 40% of the gross floor area of the principal residential *dwelling* on the *lot*, up to a maximum size of 100 square metres if *secondary suite* is located within the primary *dwelling*; or
 - ii) No greater than 40% of the gross floor area of the principal residential dwelling on the lot, up to a maximum size of 75 square metres for accessory secondary suites in R1, R2, R3 zones;
 - iii) No greater than 40% of the gross floor area of the principal residential *dwelling* on the *lot*, up to a maximum size of 100 square metres for accessory *secondary suites* in A and RH zones.
8. **AND THAT** Section 4.55 Secondary Suites – General Provisions of By-law HC 1-2020 be amended by deleting 4.55 Secondary Suites – General Provisions v) and replacing with the following:
- v) The secondary suite shall be located within 30 metres of the primary residential or farm *building* cluster if located on a farm.
9. **AND THAT** Section 4.55 Secondary Suites – General Provisions of By-law HC 1-2020 be amended by deleting 4.55 Secondary Suites – Detached secondary suites provisions (per unit) and renumbering the balance of the section accordingly.
10. **AND THAT** Section 7.1 Marine Commercial and Industrial Uses – Tourist Cabin be amended by adding the reference to A.

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

READ a first and second time this 27th day of June, 2022.

READ a third time and finally passed this 27th day of June, 2022.

MAYOR

CLERK

PURPOSE AND EFFECT OF BY-LAW /22

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-33-2022