

THE CORPORATION OF HALDIMAND COUNTY

By-law Number XXXX-HC/22

Being a by-law to amend Zoning By-law HC 1-2020, as amended, for property described in the name of EC (Sandusk) GP Inc.

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** Schedule “A” of By-law HC 1-2020, as amended, is hereby further amended by changing the zoning of the subject lands identified as Part 1 on Map “A” (attached to and forming part of this by-law) from General Industrial (MG) Zone, *Extractive Industrial (MX) Zone* and Development (D) Zone to Urban Residential Type 1-B (R1-B) Zone.
2. **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 “A” (attached to and forming part of this by-law) as having reference to Subsection R1-B.AAA.
3. **THAT** Subsection 6.4 Special Exceptions is hereby further amended by adding the following:

6.4.1. R1-B.AAA In addition to the uses *permitted* in the R1-B Zone, a *semi-detached dwelling* shall be *permitted*.

In lieu of the corresponding provisions in the R1-B Zone, the following shall apply:

- a) minimum *lot area (interior lot)*: 220 square metres;
- b) minimum *lot area (corner lot)*: 265 square metres;
- c) minimum *lot frontage (interior lot)*: 8 metres;
- d) minimum *lot frontage (corner lot)*: 10 metres;
- e) minimum *front yard*: 4.5 metres to the dwelling and 6.0 metres to the garage;

- f) minimum *exterior side yard*: 2.4 metres, except that an attached garage fronting on flankage street shall be 6.0 metres from the lot line on the flankage street;
- g) minimum *interior side yard*:
 - i. For one family dwelling house: 1.2 metres on one side and 0.6 metres on the other side.
 - ii. For two family dwelling house: 1.2 metres, except no interior side yard is required along common lot line.
- h) minimum *rear yard*: 7.0 metres;
- i) Notwithstanding the provisions of Subsection 4.2 Accessory Uses, Buildings and Structures to Residential Zones, an accessory building or combination of buildings is permitted up to a maximum of 10% lot coverage or 10 square metres, whichever is less.
- j) Notwithstanding the provisions of Subsection 4.15 Decks and Unenclosed Porches, a porch may project into any required front yard setback a distance of not more than 2.0 metres; any required exterior side yard setback a distance of not more than 1.8 metres; and, any required rear yard setback a distance of not more than 2.5 metres.
- k) Notwithstanding the provisions of Subsection 4.15 Decks and Unenclosed Porches, a patio or deck above the finished grade may project into any required rear yard setback a distance of not more than 2.5 metres. Any patio or deck constructed in a rear yard is restricted to a maximum size of 3.1 metres by 2.5 metres.
- l) Notwithstanding the provisions of Subsection 4.20(g) Exemptions from Yard Provisions, an air conditioning unit shall be setback a minimum of 0.6 metres from any side or rear property line. An air conditioning unit is not permitted in any part of a required front yard or setback.
- m) Notwithstanding the provisions of Subsection 4.20(h) and (i) Other Exceptions from Yard Provisions, steps / stairs may project into any required front yard or setback a distance of not more than 3.5 metres.
- n) Notwithstanding the provisions of Subsection 5.2.3 Parking Space Dimensions, the following shall apply: The parking space size located within a garage shall have a minimum width of 3.0 metres and have a minimum length of 6.0 metres. Stairs, to a maximum of 3

risers or 0.61 metres, shall be permitted to encroach into this parking space.

- o) In lieu of the provisions for Minimum Landscaped Open Space – Required Front Yard, a maximum of 70% of the front yard may be permitted as hardscaping. For the purposes of this by-law, hardscaping shall be considered as finished space consisting of pavement, concrete, patio stones, interlock or other hard surface treatment.
- p) Notwithstanding Subsection 5.2.9 Projection of an Attached Garage, a garage face can extend a maximum of 1 metre in front of a ground floor porch where it meets all other applicable setbacks.
- q) The definition of a “Sight (or Daylight) Triangle” shall not apply to the lands identified as having reference to this subsection and the following definition shall apply in lieu thereof:

- i. Intersections of Local Roads

“SIGHT TRIANGLE” shall mean the triangular space formed by the intersecting street lines of a corner lot and a line drawn from a point on one of the street lines to a point on the other street line, each point being measured 4.5 metres from the point of intersection of the street lines.

- ii. Intersections of Local Road / Collector Street

“SIGHT TRIANGLE” shall mean the triangular space formed by the intersecting street lines of a corner lot and a line drawn from a point on one of the street lines to a point on the other street line, each being measured 7.5 metres from the point of intersection of the street lines.

- iii. That the front yard, side yard and rear yard setbacks shall be measured as if the Sight Triangle does not exist.

- 4. **THAT** Schedule “A” of By-law HC 1-2020, as amended, is hereby further amended by changing the zoning of the subject lands identified as Part 2 on Map “A” (attached to and forming part of this by-law) from General Industrial (MG) Zone, *Extractive Industrial (MX) Zone* and Development (D) Zone to Urban Residential Type 4 (R4) Zone.
- 5. **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 "A" (attached to and forming part of this by-law) as having reference to Subsection R4.BBB.

6. **THAT** Subsection 6.4 Special Exceptions is hereby further amended by adding the following:

6.4.4. R4.BBB In addition to the uses *permitted* in the R4 Zone, a *single detached dwelling and semi-detached dwelling* shall be *permitted*.

In lieu of the corresponding provisions in the R4 Zone, the following shall apply:

- a) minimum *lot area (interior lot)*: 150 square metres;
- b) minimum *lot area (corner lot)*: 210 square metres;
- c) minimum *lot frontage (interior lot)*: 5.5 metres;
- d) minimum *lot frontage (corner lot)*: 8 metres;
- e) minimum *front yard*: 4.5 metres to the dwelling and 6.0 metres to the garage;
- f) minimum *exterior side yard*: 2.4 metres, except that an attached garage fronting on flankage street shall be 6.0 metres from the lot line on the flankage street;
- g) minimum *rear yard*: 6.0 metres;
- h) Notwithstanding the definition of Dwelling, Street Townhouse, the following shall apply: Townhouses shall mean a dwelling house comprising three or more dwelling units with each dwelling unit being divided one from the other by an above grade vertical common wall, a minimum of 10 square metres in area and each dwelling unit having direct access to a yard. A maximum of eight dwelling units are permitted in a row.
- i) Notwithstanding the provisions of Subsection 4.2 Accessory Uses, Buildings and Structures to Residential Zones, an accessory building or combination of buildings is permitted up to a maximum of 10% lot coverage or 10 square metres, whichever is less.
- j) Notwithstanding the provisions of Subsection 4.15 Decks and Unenclosed Porches, a porch may project into any required front yard setback a distance of not more than 2.0 metres; any required exterior side yard setback a distance of not more than 1.8 metres;

and, any required rear yard setback a distance of not more than 2.5 metres.

- k) Notwithstanding the provisions of Subsection 4.15 Decks and Unenclosed Porches, a patio or deck above the finished grade may project into any required rear yard setback a distance of not more than 2.5 metres. Any patio or deck constructed in a rear yard is restricted to a maximum size of 3.1 metres by 2.5 metres.
- l) Notwithstanding the provisions of Subsection 4.20(g) Exemptions from Yard Provisions, an air conditioning unit shall be setback a minimum of 0.6 metres from any side or rear property line. An air conditioning unit is not permitted in any part of a required front yard or setback.
- m) Notwithstanding the provisions of Subsection 4.20(h) and (i) Other Exceptions from Yard Provisions, steps / stairs may project into any required front yard or setback a distance of not more than 3.5 metres.
- n) Notwithstanding the provisions of Subsection 5.2.3 Parking Space Dimensions, the following shall apply: The parking space size located within a garage shall have a minimum width of 3.0 metres and have a minimum length of 6.0 metres. Stairs, to a maximum of 3 risers or 0.61 metres, shall be permitted to encroach into this parking space.
- o) In lieu of the provisions for Minimum Landscaped Open Space – Required Front Yard, a maximum of 70% of the front yard may be permitted as hardscaping. For the purposes of this by-law, hardscaping shall be considered as finished space consisting of pavement, concrete, patio stones, interlock or other hard surface treatment.
- p) Notwithstanding Subsection 5.2.9 Projection of an Attached Garage, a garage face can extend a maximum of 1 metre in front of a ground floor porch where it meets all other applicable setbacks.
- q) That where a street townhouse block having 8 or more units is constructed at the intersection of a local street and a collector street, with the units facing the collector street, the driveway and garage of the corner lot shall be located on the local street.

For the purposes of this provision, a collector street is a street with a right-of-way width of 20 metres or greater. A local street is a street with a right-of-way width of 18 metres or less.

- r) The definition of a “Sight (or Daylight) Triangle” shall not apply to the lands identified as having reference to this subsection and the following definition shall apply in lieu thereof:

i. Intersections of Local Roads

“SIGHT TRIANGLE” shall mean the triangular space formed by the intersecting street lines of a corner lot and a line drawn from a point on one of the street lines to a point on the other street line, each point being measured 4.5 metres from the point of intersection of the street lines.

ii. Intersections of Local Road / Collector Street

“SIGHT TRIANGLE” shall mean the triangular space formed by the intersecting street lines of a corner lot and a line drawn from a point on one of the street lines to a point on the other street line, each being measured 7.5 metres from the point of intersection of the street lines.

- iii. That the front yard, side yard and rear yard setbacks shall be measured as if the Sight Triangle does not exist.

7. **THAT** Schedule “A” of By-law HC 1-2020, as amended, is hereby further amended by changing the zoning of the subject lands identified as Part 3 on Map “A” (attached to and forming part of this by-law) from General Industrial (MG) Zone, *Extractive Industrial (MX) Zone* and Development (D) Zone to Urban Residential Type 4 (R4) Zone.
8. **THAT** Schedule “A” of By-law HC 1-2020, as amended, is hereby further amended by delineating the lands identified as Part 3 of the subject lands on Map “A” (attached to and forming part of this by-law) as having reference to Subsection R4.CCC.
9. **THAT** Subsection 6.4 Special Exceptions is hereby further amended by adding the following:

6.4.4. R4.CCC In lieu of the corresponding provisions in the R4 Zone, the following shall apply for *Back-to-Back Townhouses*:

- a) minimum *lot area (interior lot)*: 78 square metres per unit;
- b) minimum *lot area (end lot)*: 105 square metres per unit;
- c) minimum *lot area (corner lot)*: 210 square metres per unit;
- d) minimum *lot frontage (interior lot)*: 6.0 metres per unit;

- e) minimum *lot frontage (end lot)*: 7.2 metres per unit;
- f) minimum *lot frontage (corner lot)*: 9.0 metres per unit;
- g) minimum *front yard*: 3.0 metres to the dwelling and 6.0 metres to the garage;
- h) minimum *exterior side yard*: 3.0 metres, except that an attached garage fronting on flankage street shall be 6.0 metres from the lot line on the flankage street;
- i) minimum *interior side yard*: 1.2 metres, except 0.0 metres on a mutual side lot line separating 2 attached townhouse units;
- j) maximum *building height*: 3 storeys;
- k) Notwithstanding the provisions of Subsection 4.15 Decks and Unenclosed Porches, a porch may project into any required front yard setback a distance of not more than 2.0 metres; and any required exterior side yard setback a distance of not more than 1.8 metres.
- l) Notwithstanding the provisions of Subsection 4.20(g) Exemptions from Yard Provisions, an air conditioning unit shall be setback a minimum of 0.6 metres from any side property line. An air conditioning unit is not permitted in any part of a required front yard or setback.
- m) Notwithstanding the provisions of Subsection 4.20(h) and (i) Other Exceptions from Yard Provisions, steps / stairs may project into any required front yard or setback a distance of not more than 3.5 metres.
- n) Notwithstanding the provisions of Subsection 5.2.3 Parking Space Dimensions, the following shall apply: The parking space size located within a garage shall have a minimum width of 3.0 metres and have a minimum length of 6.0 metres. Stairs, to a maximum of 3 risers or 0.61 metres, shall be permitted to encroach into this parking space.
- o) Notwithstanding Subsection 5.2.9 Projection of an Attached Garage, a garage face can extend a maximum of 1 metre in front of a ground floor porch where it meets all other applicable setbacks.
- p) The definition of a "Sight (or Daylight) Triangle" shall not apply to the lands identified as having reference to this subsection and the following definition shall apply in lieu thereof:

i. Intersections of Local Roads

“SIGHT TRIANGLE” shall mean the triangular space formed by the intersecting street lines of a corner lot and a line drawn from a point on one of the street lines to a point on the other street line, each point being measured 4.5 metres from the point of intersection of the street lines.

ii. Intersections of Local Road / Collector Street

“SIGHT TRIANGLE” shall mean the triangular space formed by the intersecting street lines of a corner lot and a line drawn from a point on one of the street lines to a point on the other street line, each being measured 7.5 metres from the point of intersection of the street lines.

iii. That the front yard, side yard and rear yard setbacks shall be measured as if the Sight Triangle does not exist.

10. **THAT** Schedule “A” of By-law HC 1-2020, as amended, is hereby further amended by changing the zoning of the subject lands identified as Part 4 on Map “A” (attached to and forming part of this by-law) from General Industrial (MG) Zone, *Extractive Industrial (MX) Zone* and Development (D) Zone to Urban Residential Type 4 (R4) Zone.

11. **THAT** Schedule “A” of By-law HC 1-2020, as amended, is hereby further amended by delineating the lands identified as Part 4 of the subject lands on Map “A” (attached to and forming part of this by-law) as having reference to Subsection R4.DDD.

12. **THAT** Subsection 6.4 Special Exceptions is hereby further amended by adding the following:

6.4.4. R4.DDD In addition to the uses *permitted* in the R4 Zone, a *single detached dwelling and semi-detached dwelling* fronting on a private road shall be *permitted*.

In lieu of the corresponding provisions in the R4 Zone, the following shall apply:

For a single detached dwelling or semi-detached dwelling, the provisions of the R1B.AAA Zone shall apply, except maximum *building height* shall be 3 storeys.

For a back-to-back townhouse, the provisions of the R4.CCC Zone shall

apply.

For a street or group townhouse with parking and garage adjacent the frontage, the provisions of the R4.BBB Zone shall apply.

For a street or group townhouse with parking and garage accessed via a rear lane, the following provisions shall apply:

- a) minimum *lot area (interior lot and end lot)*: 100 square metres per unit;
- b) minimum *lot area (corner lot)*: 140 square metres per unit;
- c) minimum *lot frontage (interior lot)*: 4.5 metres;
- d) minimum *lot frontage (end lot)*: 5.0 metres;
- e) minimum *lot frontage (corner lot)*: 6.0 metres;
- f) minimum *exterior side yard*: 2.4 metres, except that an attached garage fronting on flankage street shall be 6.0 metres from the lot line on the flankage street;
- g) minimum *rear yard*: 6.0 metres to the garage face (the yard adjacent the garage shall be deemed the rear yard);
- h) maximum *building height*: 3 storeys
- i) The yard adjacent the main entrance to the dwelling shall be deemed the front yard.
- j) Notwithstanding the definition of Dwelling, Street Townhouse, the following shall apply: Townhouses shall mean a dwelling house comprising three or more dwelling units with each dwelling unit being divided one from the other by an above grade vertical common wall, a minimum of 10 square metres in area and each dwelling unit having direct access to a yard. A maximum of eight dwelling units are permitted in a row.
- k) Notwithstanding the provisions of Subsection 4.15 Decks and Unenclosed Porches, a porch may project into any required front yard setback a distance of not more than 2.0 metres; and any required exterior side yard setback a distance of not more than 1.8 metres.
- l) Notwithstanding the provisions of Subsection 4.20(g) Exemptions from Yard Provisions, an air conditioning unit shall be setback a minimum of 0.6 metres from any side or rear property line. An air

conditioning unit is not permitted in any part of a required front yard or setback.

- m) Notwithstanding the provisions of Subsection 4.20(e) Exemptions from Yard Provisions, a balcony may project into a rear yard a distance of not more than 3.5 metres.
- n) Notwithstanding the provisions of Subsection 4.20(h) and (i) Other Exceptions from Yard Provisions, steps / stairs may project into any required front yard or setback a distance of not more than 3.5 metres.
- o) Notwithstanding the provisions of Subsection 5.2.3 Parking Space Dimensions, the following shall apply: The parking space size located within a garage shall have a minimum width of 3.0 metres and have a minimum length of 6.0 metres. Stairs, to a maximum of 3 risers or 0.61 metres, shall be permitted to encroach into this parking space.
- p) The definition of a “Sight (or Daylight) Triangle” shall not apply to the lands identified as having reference to this subsection and the following definition shall apply in lieu thereof:
 - i. Intersections of Local Roads

“SIGHT TRIANGLE” shall mean the triangular space formed by the intersecting street lines of a corner lot and a line drawn from a point on one of the street lines to a point on the other street line, each point being measured 4.5 metres from the point of intersection of the street lines.
 - ii. Intersections of Local Road / Collector Street

“SIGHT TRIANGLE” shall mean the triangular space formed by the intersecting street lines of a corner lot and a line drawn from a point on one of the street lines to a point on the other street line, each being measured 7.5 metres from the point of intersection of the street lines.
 - iii. That the front yard, side yard and rear yard setbacks shall be measured as if the Sight Triangle does not exist.

For a stacked townhouse dwelling, the following provisions shall apply:

- a) minimum *front yard*: 4.5 metres to the dwelling;

- b) minimum *exterior side yard*: 2.4 metres, except that an attached garage fronting on flankage street shall be 6.0 metres from the lot line on the flankage street;
- c) minimum *rear yard*: 6.0 metres;
- d) maximum *building height*: 3 storeys
- e) Notwithstanding the provisions of Subsection 4.15 Decks and Unenclosed Porches, a porch may project into any required front yard setback a distance of not more than 2.0 metres; any required exterior side yard setback a distance of not more than 1.8 metres; and, any required rear yard setback a distance of not more than 2.5 metres.
- f) Notwithstanding the provisions of Subsection 4.15 Decks and Unenclosed Porches, a patio or deck above the finished grade may project into any required rear yard setback a distance of not more than 2.5 metres. Any patio or deck constructed in a rear yard is restricted to a maximum size of 3.1 metres by 2.5 metres.
- g) Notwithstanding the provisions of Subsection 4.20(e) Exemptions from Yard Provisions, a balcony may project a distance of not more than 2.5 metres into a front yard and 2.5 metres into a rear yard.
- h) Notwithstanding the provisions of Subsection 4.20(g) Exemptions from Yard Provisions, an air conditioning unit shall be setback a minimum of 0.6 metres from any side or rear property line. An air conditioning unit is not permitted in any part of a required front yard or setback.
- i) Notwithstanding the provisions of Subsection 4.20(h) and (i) Other Exceptions from Yard Provisions, steps / stairs may project into any required front yard or setback a distance of not more than 3.5 metres.
- j) Notwithstanding the provisions of Subsection 5.2.3 Parking Space Dimensions, the following shall apply: The parking space size located within a garage shall have a minimum width of 3.0 metres and have a minimum length of 6.0 metres. Stairs, to a maximum of 3 risers or 0.61 metres, shall be permitted to encroach into this parking space.
- k) The definition of a "Sight (or Daylight) Triangle" shall not apply to the lands identified as having reference to this subsection and the following definition shall apply in lieu thereof:

i. Intersections of Local Roads

“SIGHT TRIANGLE” shall mean the triangular space formed by the intersecting street lines of a corner lot and a line drawn from a point on one of the street lines to a point on the other street line, each point being measured 4.5 metres from the point of intersection of the street lines.

ii. Intersections of Local Road / Collector Street

“SIGHT TRIANGLE” shall mean the triangular space formed by the intersecting street lines of a corner lot and a line drawn from a point on one of the street lines to a point on the other street line, each being measured 7.5 metres from the point of intersection of the street lines.

iii. That the front yard, side yard and rear yard setbacks shall be measured as if the Sight Triangle does not exist.

13. **THAT** Schedule “A” of By-law HC 1-2020, as amended, is hereby further amended by changing the zoning of the subject lands identified as Part 5 on Map “A” (attached to and forming part of this by-law) from General Industrial (MG) *Zone*, *Extractive Industrial (MX) Zone* and Development (D) *Zone* to the Open Space (OS) *Zone*.

14. **THAT** Schedule “A” of By-law HC 1-2020, as amended, is hereby further amended by changing the zoning of the subject lands identified as Part 6 on Map “A” (attached to and forming part of this by-law) from General Industrial (MG) *Zone and Extractive Industrial (MX) Zone* to the Development (D) *Zone*.

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

READ a first and second time this [] day of [], 2022.

READ a third time and finally passed this [] day of [], 2022.

MAYOR

CLERK

Map "A"

