

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 350 Argyle Street North 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 “B” (attached to and forming part of this by-law) from Future Development (D) *Zone* and General Industrial (MG) *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.3.
3. **THAT** Subsection 6.4 Special Exceptions is hereby further amended by adding the following:

6.4.1.2.3 R1-B.3 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 point being measured 4.5 metres from the point of intersection of the street lines.
 - iii. 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.
- iv. That the front yard, side yard and rear yard setbacks shall be measured as if the Sight Triangle does not exist.

- v. **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 “B” (attached to and forming part of this by-law) from General Industrial (MG) *Zone* to Urban Residential Type 4 (R1-4) *Zone*.
- vi. **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 R4.4.
- vii. **THAT** Subsection 6.4 Special Exceptions is hereby further amended by adding the following:

6.4.4.4 R4.4 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 R1-B *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 by-law, 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:

viii. 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.

ix. 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.

- x. That the front yard, side yard and rear yard setbacks shall be measured as if the Sight Triangle does not exist.
- xi. **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 "B" (attached to and forming part of this by-law) from General Industrial (MG) Zone and Future Development (D) Zone to Open Space (OS) Zone.
- xii. **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 OS.5.

- xiii. **THAT** Subsection 10.4 Special Exceptions is hereby further amended by adding the following:

10.4.1.5 OS.5 Notwithstanding the uses *permitted* in the OS *Zone*, only the following uses shall be permitted:

- a) Park
- b) Passive use park
- c) Trail
- d) Pumping station
- e) Stormwater management pond

- xiv. **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 “B” (attached to and forming part of this by-law) from General Industrial (MG) *Zone* and Future Development (D) *Zone* to Open Space (OS) *Zone*.

- xv. **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 OS.6.

- xvi. **THAT** Subsection 10.4 Special Exceptions is hereby further amended by adding the following:

10.4.1.6 OS.6 Notwithstanding the uses *permitted* in the OS *Zone*, only the following uses shall be permitted:

- a) Passive use park
- b) Trail

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

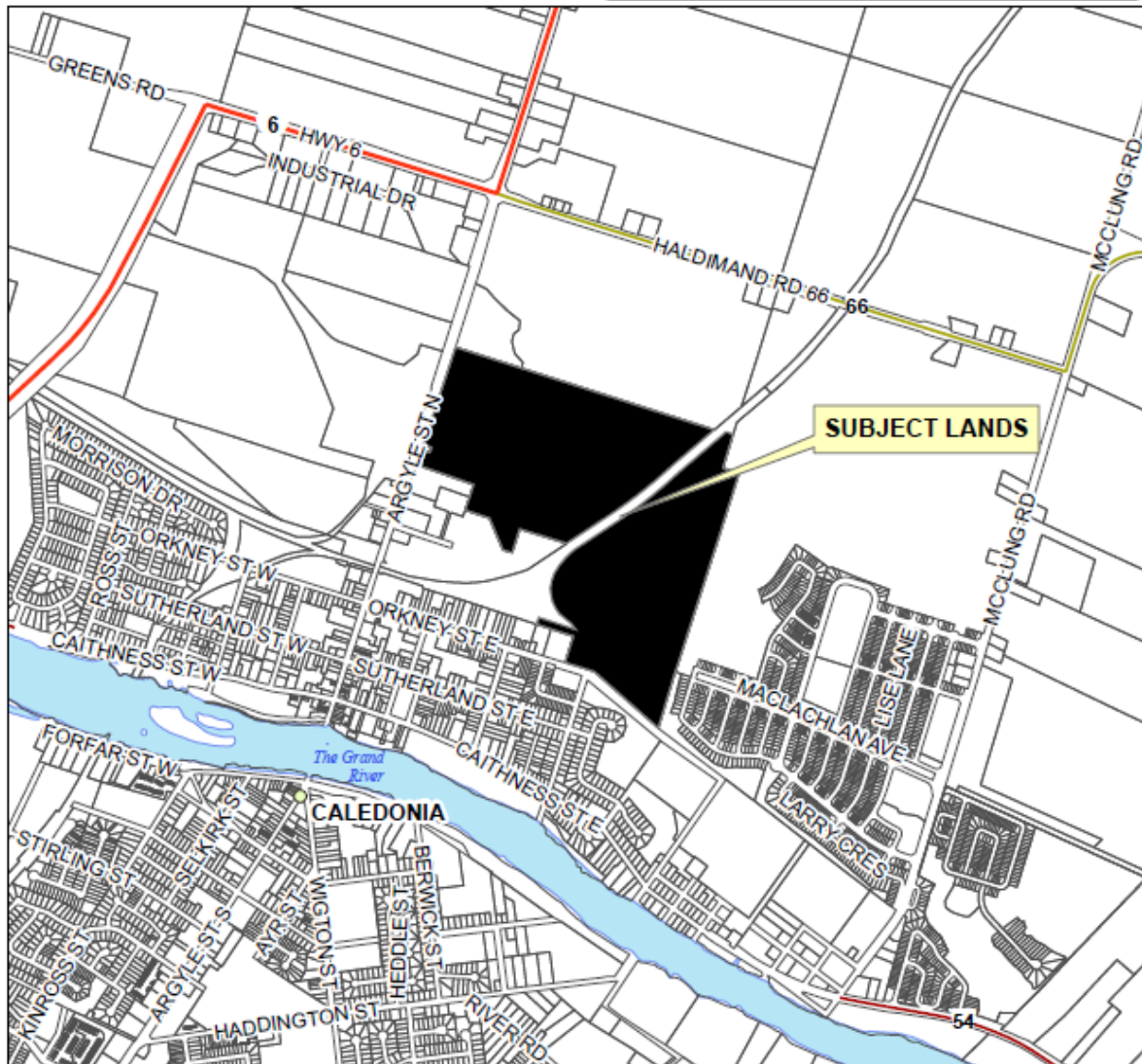
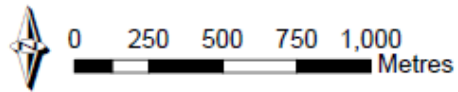
READ a first and second time this 12th day of December, 2022.

READ a third time and finally passed this 12th day of December, 2022.

MAYOR

CLERK

Haldimand County
Urban Area of Caledonia
Ward 3



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

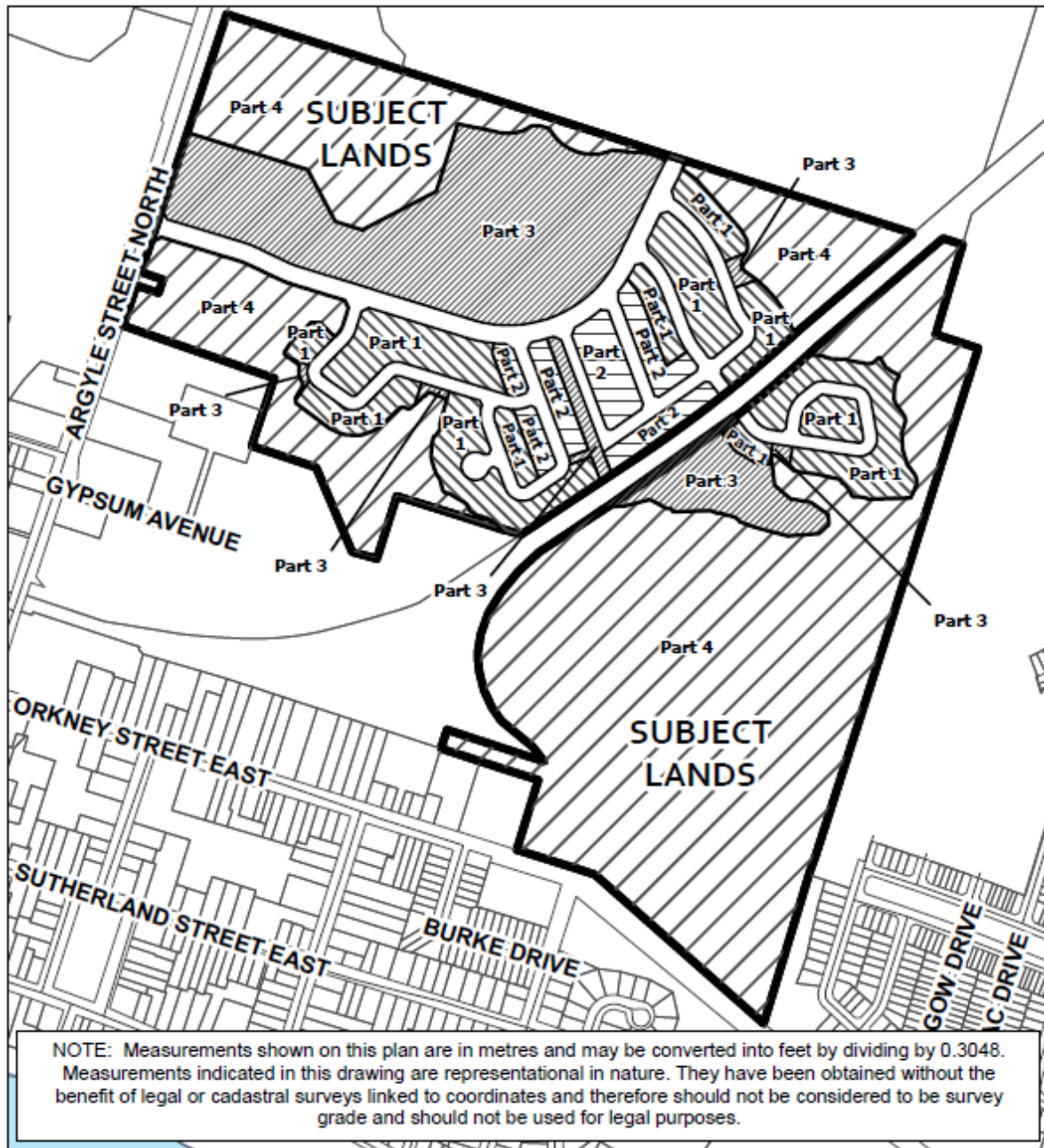
MAYOR

CLERK

MAP B - Detail Map

Haldimand County
Urban Area of Caledonia, Ward 3

Scale: 1:7,250
0 50 100 150 200
Metres



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

MAYOR

CLERK

Ref: PLZ-HA-2020-141

PURPOSE AND EFFECT OF BY-LAW -HC/22

The subject lands are legally described as Seneca Range 1 East of Plank Road Lots 9 to 11, Range East of Plank Road Part A B. The subject lands are currently municipally addressed as 350 Argyle Street North.

The purpose of this by-law is to facilitate a draft plan of subdivision known as Georgia Pacific consisting of a maximum of 44 housing units, two stormwater management ponds, pumping station, trail system and a park. This by-law rezones the subject lands from the General Industrial(MG) Zone and Future Development (D) Zone to:

1. Urban Residential Type 1-B (R1-B) Zone for Part 1 with special provisions for customized setbacks, lot area, frontage, etc.;
2. Urban Residential Type 4 (R4) Zone for Part 2 with special provisions for customized setbacks, lot area, and frontage, etc.;
3. Open Space (OS) Zone for Part 3 for trail and park development, and pumping station and stormwater management facilities;
4. Open Space (OS) Zone for Part 4 for trail and passive use park development, in accordance with the Official Plan designation for the subject lands.

Report Number:	PDD-05-2022
File No:	PLZ-HA-2020-141
Related File No.:	PL28T-2020-142
Name:	350 Argyle Street North GP Inc. (Empire)
Roll No.	152.005.09700