

THE CORPORATION OF HALDIMAND COUNTY

By-law Number XXXX-HC/XX

Being a by-law to amend Zoning By-law HC 1-2020, as amended, for property described in the name of Dabirian Homes Inc. in Trust and Maxim Industrial Corporation.

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 Plan 905 Part Block 45 RP 18R7471 Parts 2, 3, and 4 and shown on Maps "A" and "B" attached to and forming part of this by-law.
2. **THAT** by-law 690-HC-10 be repealed in its entirety.
3. **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 "A" (attached to and forming part of this by-law) from General Commercial (CG-H) *Zone* with a holding to Urban Residential Type 5 (R5-H) *Zone* with a holding.
4. **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 "A" (attached to and forming part of this by-law) from General Commercial (CG-H) *Zone* with a holding to Downtown Commercial (CD) *Zone* with a holding.
5. **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 6.4.5.2.
6. **THAT** Schedule "A" of By-law HC 1-2020, as amended, is hereby further amended by delineating the lands identified as Parts 2 and 3 of the subject lands on Map "A" (attached to and forming part of this by-law) as having reference to Subsection 7.4.1.2.

7. **THAT** Subsections 6.4 and 7.4 Special Exceptions is hereby further amended by adding the following:

6.4.5.2 R5.2 In lieu of the corresponding provisions in the R5 Zone, the following shall apply:

- a) maximum *building height*: 19 metres;

7.4.1.2 CD.2 In lieu of the corresponding provisions in the CD Zone, the following shall apply:

- a) minimum *rear yard*: 0 metres;

Notwithstanding the uses *permitted* in the CD Zone, only the following uses shall be permitted:

- a) Retail establishment
- b) Personal service shop
- c) Merchandise service shop
- d) Office
- e) Bank
- f) Hotel, motel, motor-hotel
- g) Restaurant
- h) Animal hospital, provided the entire operation is carried on within an enclosed building
- i) Parking lot or structure
- j) Nursing home
- k) Funeral home
- l) Fire hall
- m) Library
- n) Apartment dwellings
- o) Group townhomes

8. **THAT** the Holding "(H)" provision of this by-law shall be removed at such time that the requirements of the Ministry of Environment regarding a Record of Site

Condition have been satisfied, CN Noise and Vibration Abetment requirements have been satisfied, Servicing Capacity has been assigned to the development, Traffic requirements are addressed and completed, including any requirements for External Works or road upgrades and Development Agreement and Site Plan Approval is completed to the satisfaction of Haldimand County.

9. **THAT** Schedule “A” of By-law HC 1-2020, as amended, is hereby further amended by removing the symbol “(H)” on the subject lands identified on Map “A” (attached to and forming part of this by-law) at such time as the General Manager of Community & Development Services is satisfied that all conditions relating to the ‘Holding - “H”’ provision have been met and the said General Manager issues a memo to the same effect.
10. **THAT** this by-law shall come into force in accordance with the provisions of the *Planning Act*.

Enacted this this 6th day of May, 2024.

MAYOR

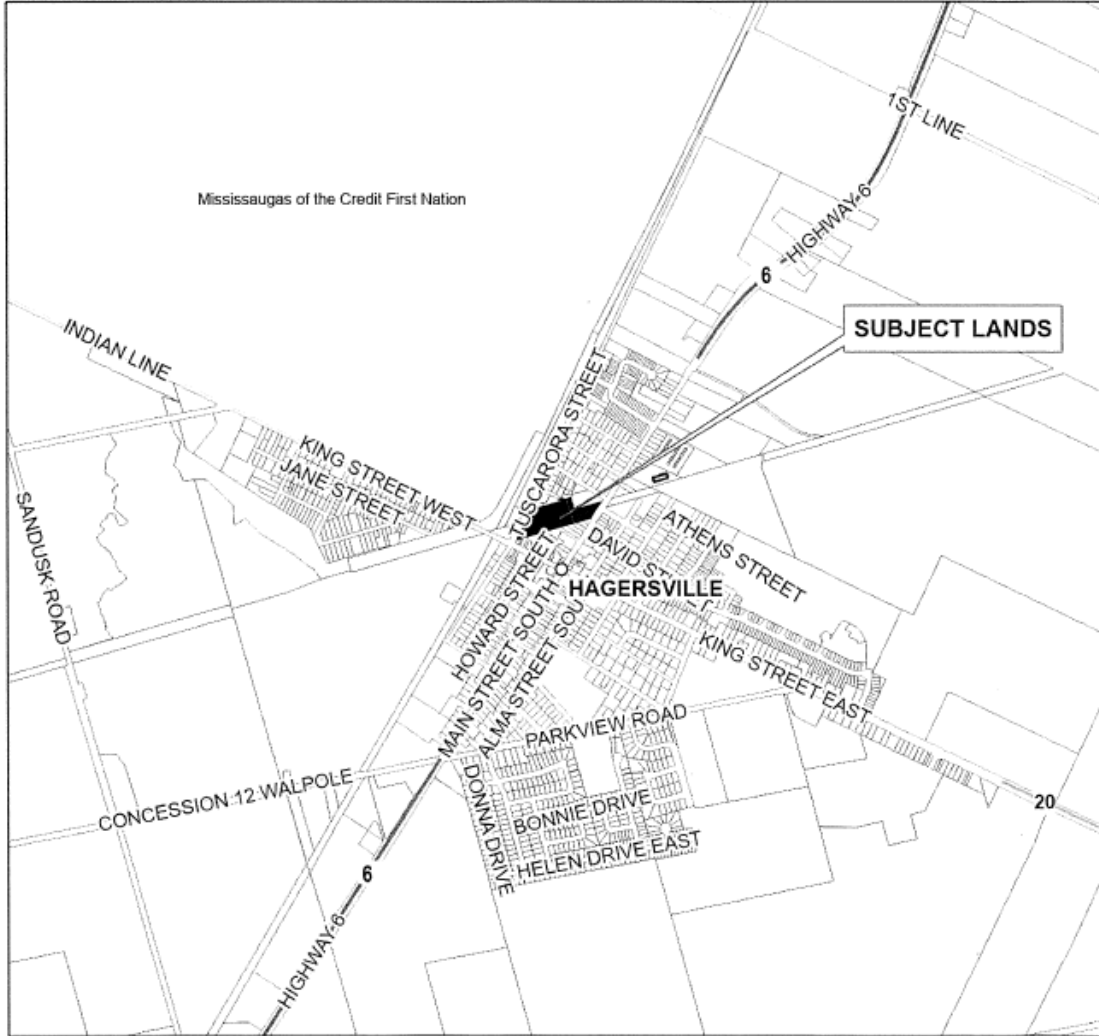
CLERK

MAP A - Key Map

Haldimand County
Urban Area of Hagersville
Ward 4

Roll #s
2810 154 004 03350 0000 &
2810 154 004 03352 0000

City of Hamilton
Haldimand County
Regional Municipality of Niagara
Niagara County
Township of Jarvis
Lisle Erie



This is Map A to Zoning By-law _____ Passed the ____ day of _____ 2024

_____ MAYOR _____ CLERK

Ref. PLZ-HA-2023-128 T:\Planning and Economic Development\PD\GIS\Applications\2023\PLZ\PLZ-HA-2023-128 (Dubrian)\PLZ-HA-2023-128\PLZ-HA-2023128.aprx

PURPOSE AND EFFECT OF BY-LAW XX/24

The subject lands are legally described as Part Block 45, Plan 905 Hagersville, designated as Part 2, 3 , Plan 18R7471; Subject to an easement over Part 2, Plan 18R7471 in favour of Block 45, , Plan 905 Hagersville Designated as Part 4, , Plan 18R7471 as in CH73161; Haldimand County and Part Block 45, Plan 905 Hagersville Designated as Part 4, Plan 18R7471; together with an easement over Part lock 45, Plan 905, Hagersville designated as Part 2, Plan 18R7471 AS IN CH73161 Haldimand County.

The purpose of this by-law is to amend the Haldimand County Zoning By-law HC 1-2020 to permit group townhomes and apartment dwellings, a minimum rear yard of 0 metres (where it abuts any residential zone), and a parking rate of 1 space per unit with respect to Part 2. For Part 1, its additional purpose is to permit apartment dwellings, a maximum height of 19 metres, and a parking rate of 1.1 spaces per unit.

Report Number: PDD-03-2024
File No: PLZ-HA-2023-128
Name: Dabirian Homes Inc., Dabirian Homes Inc. in Trust, Maxim Industrial Corporation
Roll No. 2810.154.004.03350 & 2810.154.004.03352