

# THE CORPORATION OF HALDIMAND COUNTY

By-law Number /18

**Being a by-law to amend Zoning By-law NE 1-2000, as amended, of the City of Nanticoke in the name of David and Donald Mattice**

**WHEREAS** Haldimand County is empowered to enact this by-law, by virtue of the provisions of Section 34 of the *Planning Act, R.S.O. 1990, C.P13*, 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 the lands described as Walpole Concession 3 Part Lot 16, Haldimand County and being shown as the Subject Lands on Maps “A” and “B” attached hereto to form a part of this by-law.
2. **THAT** Schedule “A2” to the City of Nanticoke Zoning By-law NE 1-2000, as amended, is hereby further amended by identifying the Subject Lands as shown as “Subject Lands” on Map “A” and Parts 1 and 2 on Map “B” attached hereto and forming part of this by-law, as having reference to Subsection A.50.
3. **THAT** the following subsection shall be added to Section 10.1.6 “Special Provisions for Permitted Uses” of said By-law NE 1-2000:

#	By-Law #	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses
A.50 – Part 2	____-HC/18	Walpole, Concession 3, Part Lot 16			Single detached dwelling and home occupation

4. **THAT** the following subsection shall be added to Section 10.1.7 “Special Provisions for Lot and Building Requirements” of said By-law NE 1-2000:

#	By-Law #	Address	Description of Special Provision
A.50 – Part 1	____-HC/18	Walpole, Concession 3, Part Lot 16	<p>Subsection 10.1.2 (b)(i) shall not apply. Minimum lot frontage: 25 metres.</p> <p>Subsection 3.3(e) shall not apply. Maximum usable floor area for accessory structures: 270 square metres for accessory structures existing on date of passing to the by-law.</p>

5. **AND THAT** this by-law shall take force and effect on the day of passing.

READ a first and second time this 30<sup>th</sup> day of April, 2018.

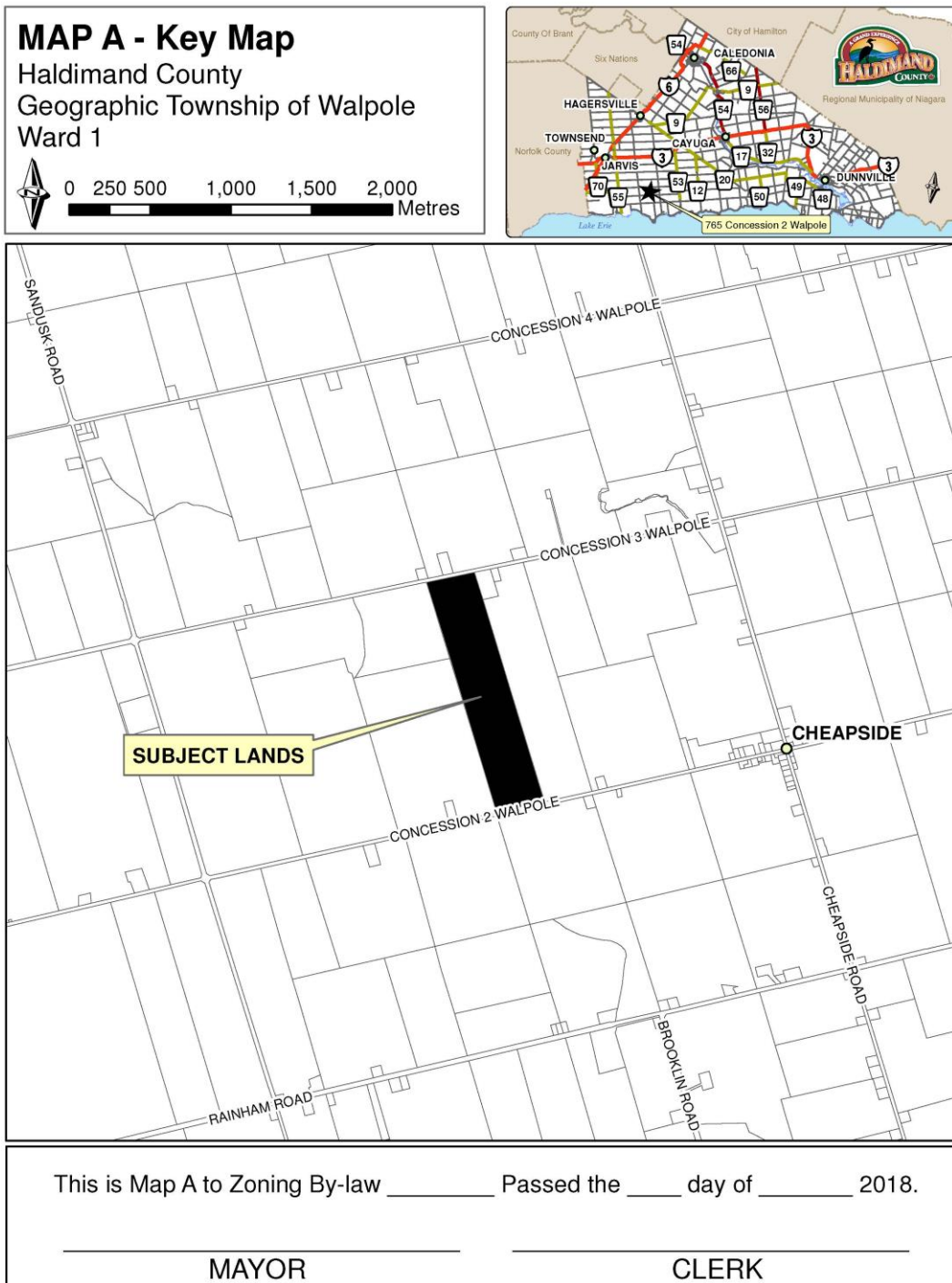
READ a third time and finally passed this 30<sup>th</sup> day of April, 2018.

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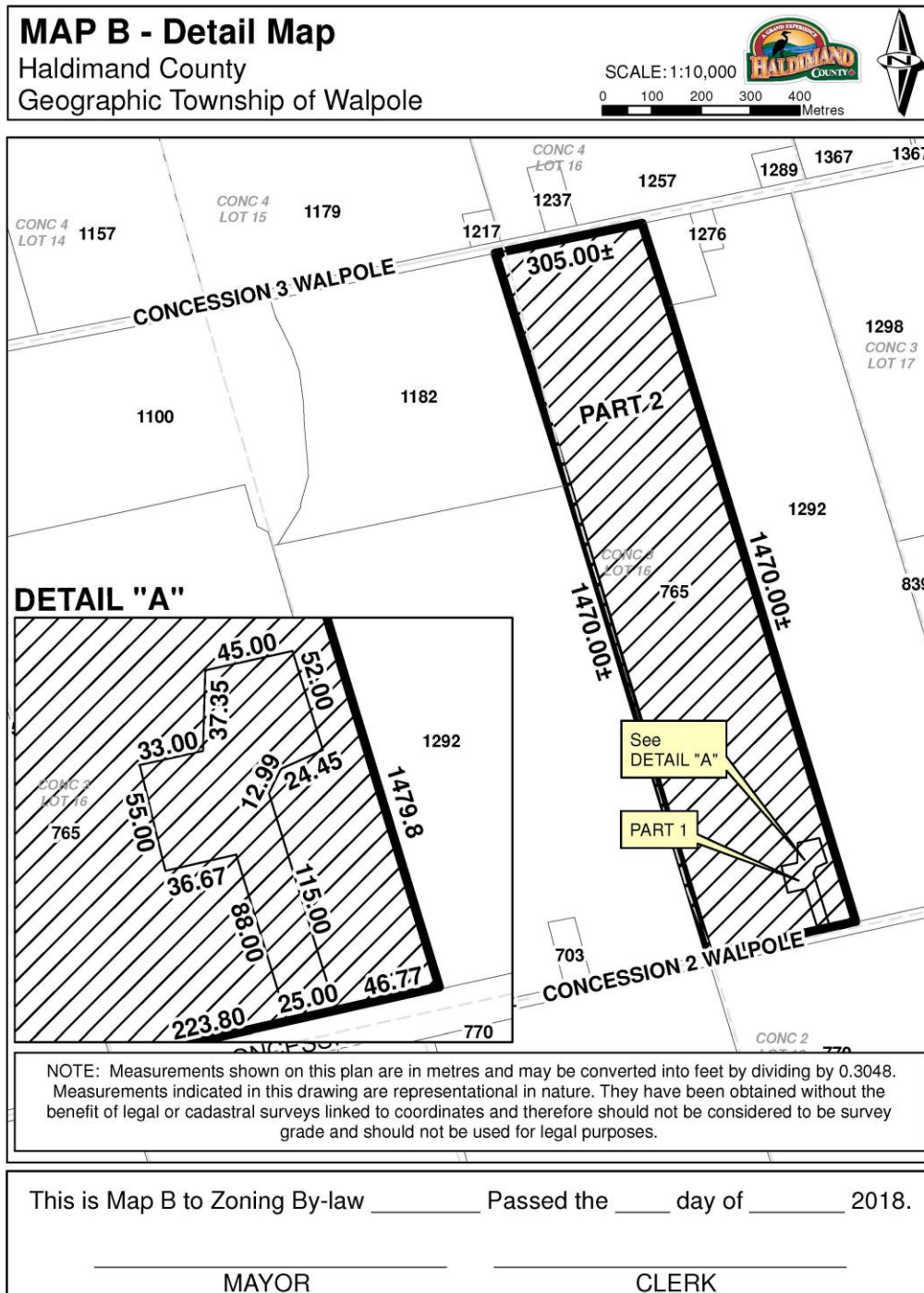
MAYOR

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CLERK



Ref: PLZ-HA-2018-041



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## PURPOSE AND EFFECT OF BY-LAW \_\_\_\_-HC/18

This by-law affects lands described as Geographic Township of Walpole, Concession 3, Part Lot 16, and municipally known as 765 Concession 2.

The purpose of this by-law is to fulfill a condition of consent to sever a surplus farm dwelling lot through application PLB-2017-105 by prohibiting future residential development and home occupations on Part 2 of the subject lands (i.e. the retained farmlands). The purpose of this by-law is also to permit Part 1 of the subject lands (i.e. the surplus farm dwelling lot) to have a reduced lot frontage and to provide relief from the maximum usable floor area for the two accessory structures on Part 1.

According to the Haldimand County Official Plan, the subject lands are primarily designated 'Agriculture'. There are no policy conflicts or issues as no new development is proposed.

According to the City of Nanticoke Zoning By-law NE 1-2000, the subject lands are primarily zoned 'Agriculture (A)' Zone. The 'A' Zone permits the following uses: air strip and hanger, one each per farm; animal kennel or hospital; bunk houses provided occupants are employed by the farm operations where the bunk house is located; commercial greenhouse; farm; farm-related processing; farm produce grading and distribution station; farm produce outlet; farm vacations; seasonal storage of recreational vehicles and recreational equipment as a secondary use to a farm; single detached dwelling; storage of operational school buses; farm stand; and experiential activities.

All of the above uses will remain permitted as-of-right except for a one family dwelling (and home occupation) which shall be prohibited on Part 2 of the subject lands.

Report:	PED-PD-17-2018
File Number:	PLZ-HA-2018-041
Related File Number:	PLB-2017-105
Name:	David & Donald Mattice
Roll Number:	2810.332.002.77100