

## THE CORPORATION OF HALDIMAND COUNTY

By-law Number -HC/23

**Being a by-law to amend Zoning By-law HC 1-2020, as amended, for property described in the name of Ronald, Nancy and Marylana Fitzhenry**

**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 lands described as Caledonia Plan 52 Lots 16, 17 & 18 and Part of Lot 19, in the Urban Area of Caledonia and shown on Maps “A” and “B” attached to and forming part of this by-law.
2. **THAT** Schedule “A” of By-law HC 1-2020, as amended, is hereby further amended by changing the zoning of the subject lands identified on Map “A” (attached to and forming part of this by-law) from Urban Residential Type 2 (R2) Zone to Urban Residential Type 4 (R4-H) Zone with a Holding.
3. **THAT** Schedule “A” of By-law HC 1-2020, as amended, is hereby further amended by delineating the lands identified on Map “A” (attached to and forming part of this by-law) as having reference to Subsection 6.4.4.5.
4. **THAT** Subsection 6.4 Special Exceptions is hereby further amended by adding the following:

### 6.4.4.5 R4.5

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

- a) minimum *front yard*: 4.4 metres;
- b) minimum *exterior side yard* (northerly): 6 metres;
- c) minimum *exterior side yard* (southerly): 9 metres; and,
- d) minimum *rear yard*: 5.5 metres;

That notwithstanding the provisions of Subsection 4.31 a) ii) Landscaped Strip, no *landscaped strip* shall be required adjacent to the *street* along the northerly *lot line* (Queen Avenue).

That notwithstanding Subsection 5.2.6 e) Parking Lot and Garage Requirements, a minimum *front yard setback* of 4.4 metres shall be required to an attached *garage* that faces the *street*.

5. **THAT** the Holding “(H)” provision of this by-law shall be removed upon the proponent entering into a development agreement with CN to their satisfaction and granting CN an environmental easement for operational noise and vibration emissions, registered against the subject property in favour of CN, and that the proponent enter into a development agreement with the County to the satisfaction of the General Manager of Community and Development Services.
6. **THAT** this by-law shall come into force in accordance with the provisions of the *Planning Act*.

READ a first and second time this 26<sup>th</sup> day of June, 2023.

READ a third time and finally passed this 26<sup>th</sup> day of June, 2023.

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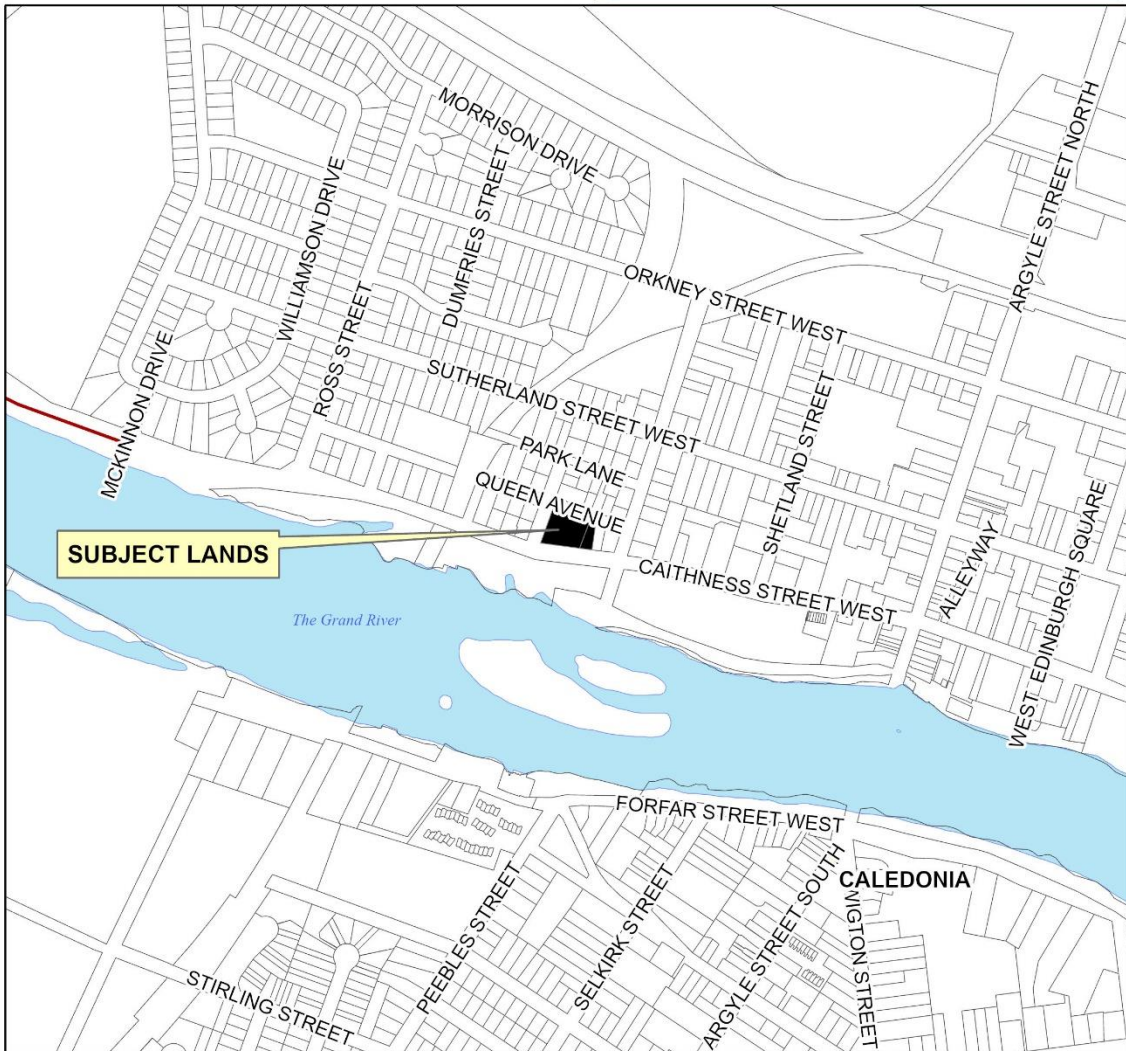
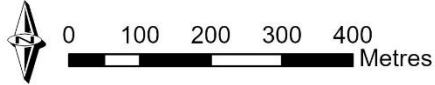
MAYOR

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CLERK

## MAP A - Key Map

Haldimand County  
Urban Area of Caledonia  
Ward 3



This is Map A to Zoning By-law \_\_\_\_\_ Passed the \_\_\_\_\_ day of \_\_\_\_\_ 2023.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK

Ref: PLZ-HA-2022-134

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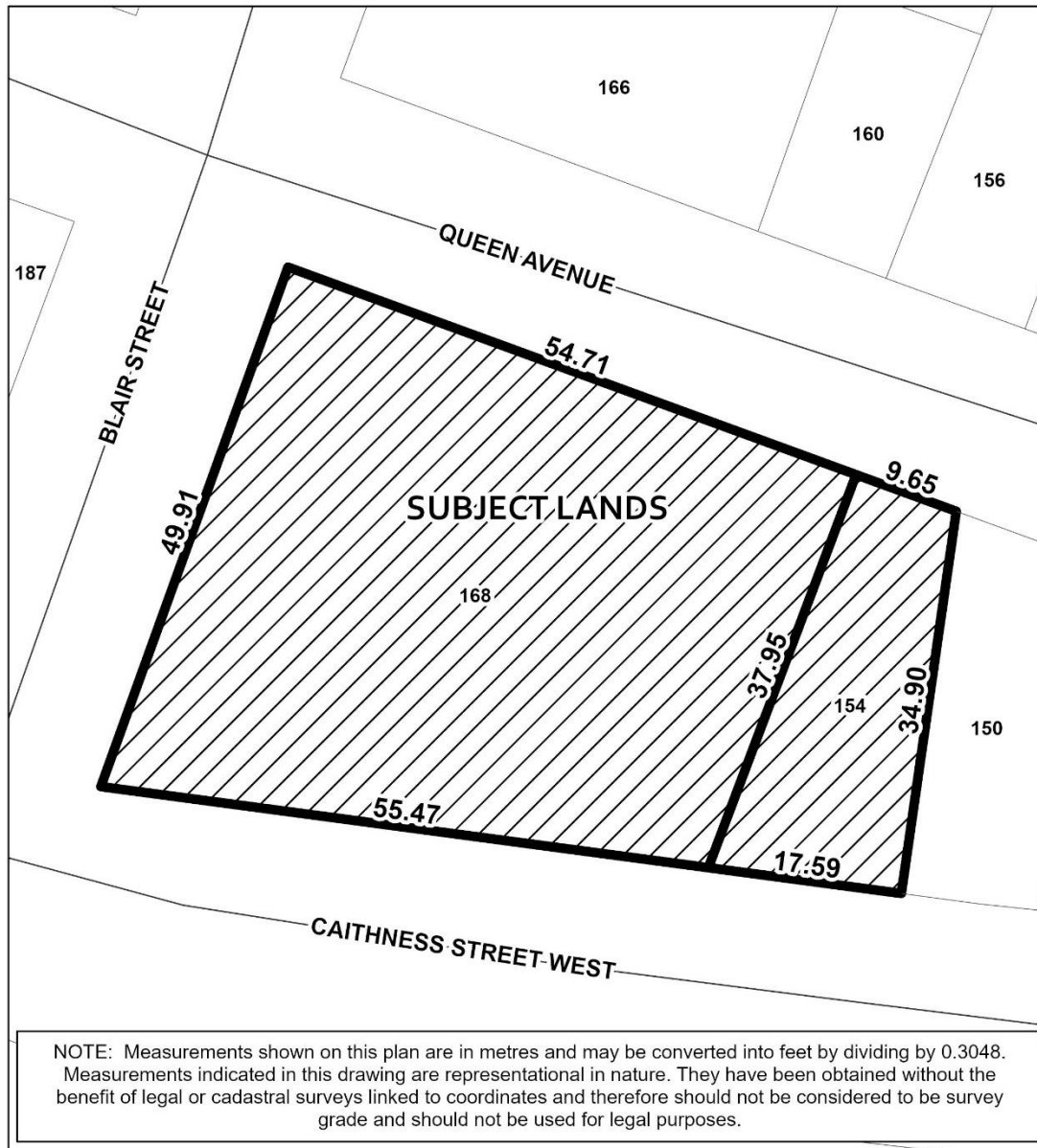
**MAP B - Detail Map**

Haldimand County

Urban Area of Caledonia, Ward 3

SCALE - 1:500

0 6 12 18 24 Metres



This is Map B to Zoning By-law \_\_\_\_\_ Passed the \_\_\_\_ day of \_\_\_\_\_ 2023.

\_\_\_\_\_  
MAYOR\_\_\_\_\_  
CLERK

Ref: PLZ-HA-2022-134

**PURPOSE AND EFFECT OF BY-LAW /23**

Caledonia Plan 52 Lots 16, 17 & 18 and Part of Lot 19, in the Urban Area of Caledonia and municipally known as 154, 168 and 170 Caithness Street West, Caledonia.

The subject lands are designated 'Residential' and are located in the Urban Area of Caledonia.

The purpose of this by-law is to rezone the subject lands from the Residential Type 2 (R2)" zone to the "Urban Residential Type 4 (R4)" zone, with a Holding Provision and a Special Exception in order to permit the development of a 16 unit stacked townhouse building.

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|----------------|--------------------------------------|
| Report Number: | PDD-13-2023                          |
| File No:       | PLZ-HA-2022-134                      |
| Name:          | Ronald, Nancy and Marylana Fitzhenry |
| Roll No.       | 2810.151.001.30100.0000              |