

**THE CORPORATION OF HALDIMAND COUNTY**

By-law Number XXXX-HC/24

**Being a by-law to amend Zoning By-law HC 1-2020, as amended, for property municipally known as 45 Sutherland Street West**

**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 Lot 6 South of Sutherland Street and East Side of Inverness Street Geographic Township of Caledonia in Haldimand County, know municipally as 45 Sutherland Street West 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 rezoning Part 1 identified on Map “B” (attached to and forming part of this by-law) to “Urban Residential Type 3 (R3-H) Zone, with a Holding (H) Provision”.
3. **THAT** Schedule “A” of By-law HC 1-2020, as amended, is hereby further amended by rezoning of Part 2 identified on Map “B” (attached to and forming part of this by-law) from “Urban Residential Type 3 (R3) Zone” to “Urban Residential Type 4 (R4-H) Zone, with a Holding (H) Provision”.
4. **THAT** Schedule “A” of By-law HC 1-2020, as amended, is hereby further amended by delineating the lands identified on the subject lands as Part 1 on Map “B” (attached to and forming part of this by-law) as having reference to Subsection 6.4.3.1 RL.3.1.
5. **THAT** Schedule “A” of By-law HC 1-2020, as amended, is hereby further amended by delineating the lands identified on the subject lands as Part 2 on Map “B” (attached to and forming part of this by-law) as having reference to Subsection 6.4.4.6 RL.4.6.
6. **That** Subsection 6.4 Special Exceptions is hereby further amended by adding the following:

## Part 1:

6.4.3.1 - R.3.1 In lieu of the corresponding provisions in the R3 Zone, the following shall apply:

- a) Minimum lot area: 240 square metres
- b) Minimum landscaped open space: 45 percent
- c) Minimum interior side yard: 1.85 metres

## Part 2:

6.4.4.6 - R.4.6 In lieu of the corresponding provisions in the R4 Zone, the following shall apply:

- a) Minimum parking spaces for an apartment building existing at the time of the passing of this by-law: 1 space per unit;
- b) No visitor parking spaces shall be required for an apartment building existing at the time of the passing of this by-law;
- c) Minimum parking lot setback from a residential zone: 1.80 metres from the north lot line abutting a residential zone, and
- d) Minimum landscaped strip: 1.80 metres from the north lot line abutting a residential zone.

7. **THAT** the Holding “(H)” provision of this by-law identified on the subject lands as Part 1 on Map “B” (attached to and forming part of this by-law) shall be removed following:

- a) Acceptance of a Lot Grading and Drainage Plan and registration of the associated Development Agreement; and,
- b) Upon the receipt of a letter from the Ontario Ministry of Tourism, Culture and Sport, stating that the Archaeological Report for the subject lands has been accepted .

8. **THAT** the Holding “(H)” provision of this by-law identified on the subject lands as Part 2 on Map “B” (attached to and forming part of this by-law) shall be removed following:

- a) Following final approval of the Site Plan application by the County; and,
- b) Upon the receipt of a letter from the Ontario Ministry of Tourism, Culture and Sport, stating that the Archaeological Report for the subject lands has been accepted .

9. **THAT** the Holding “(H)” provision of this by-law identified on the subject lands as Part 1 and Part 2 on Map “B” (attached to and forming part of this by-law) shall be removed following completion of the noted requirements.
10. **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 Part 2 of Map “B” (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.
11. **THAT** this by-law shall come into force in accordance with the provisions of the *Planning Act*.

ENACTED this 27<sup>th</sup> day of May, 2024.

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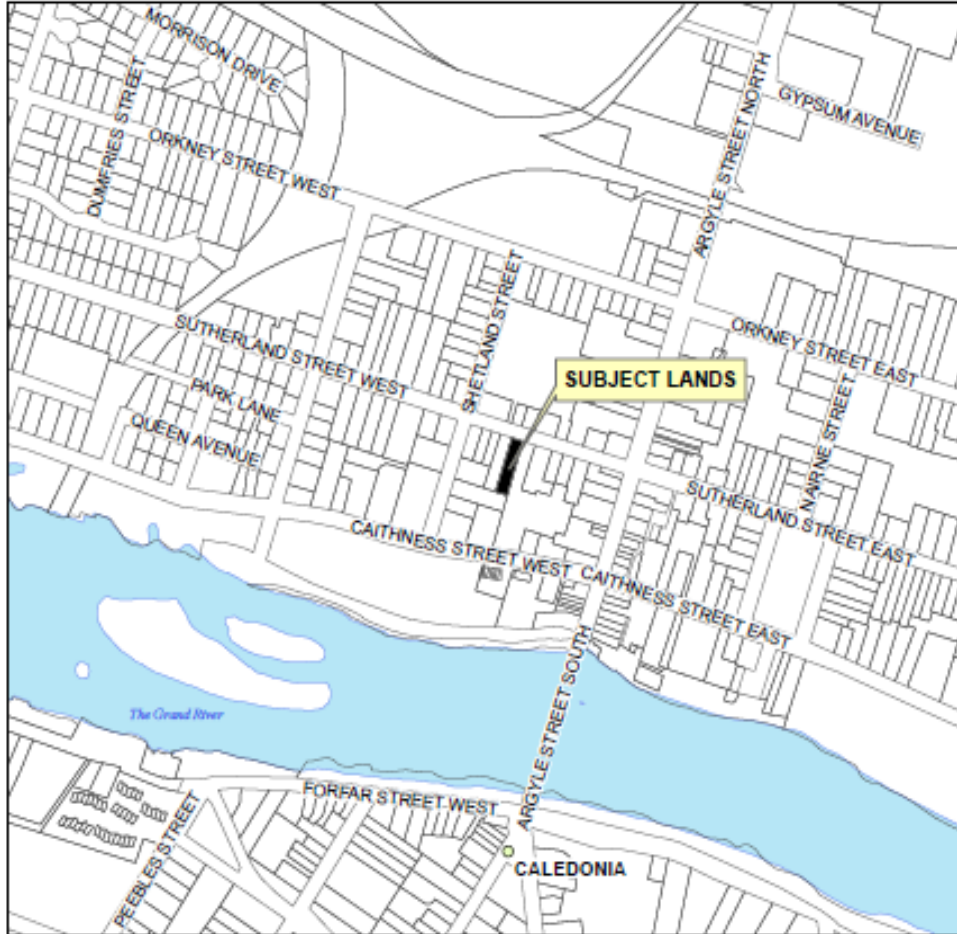
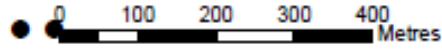
MAYOR

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CLERK

### MAP A - Key Map

Haldimand County  
Urban Area of Caledonia  
Ward 3



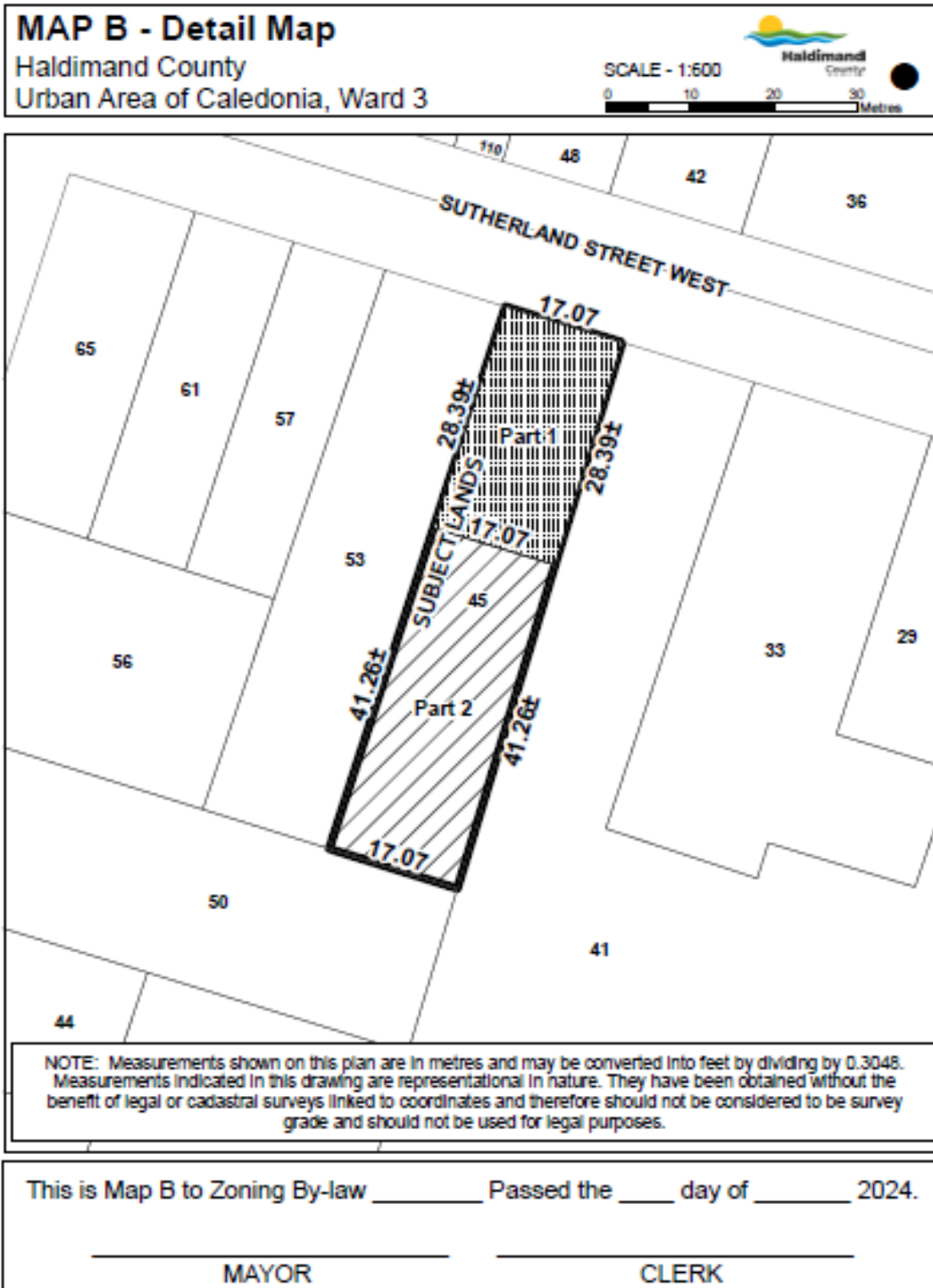
This is Map A to Zoning By-law \_\_\_\_\_ Passed the \_\_\_\_ day of \_\_\_\_\_ 2024.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK

Ref: PLZ-HA-2023-213

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Ref: PL2-HA-2023-213

**PURPOSE AND EFFECT OF BY-LAW XX/24**

The subject lands are legally described as Lot 6 South of Southerland Street and East Side of Inverness Street Geographic Township of Caledonia in the Haldimand County, known municipally as 45 Sutherland Street West

The purpose of this by-law is to permit the expansion of an existing parking area to support and existing apartment building located at 41 Southerland Street West and while permitting semi-detached dwellings with site-specific regulations on the retained portion of 45 Southerland Street West.

A Holding (H) provision is applied to both Parts 1 and Part 2 and shall remain in place until the following items have been addressed:

**Part 1:**

- a) Acceptance of a Lot Grading and Drainage Plan and registration of the associated Development Agreement; and,
- b) Upon the receipt of a letter from the Ontario Ministry of Tourism, Culture and Sport, stating that the Archaeological Report for the subject lands has been accepted .

**Part 2:**

- a) Following final approval of the Site Plan application by the County; and,
- b) Upon the receipt of a letter from the Ontario Ministry of Tourism, Culture and Sport, stating that the Archaeological Report for the subject lands has been accepted .

Report Number: PDD-06-2024  
File No: PLZ-HA-2023-213  
Name: Lisbert Holdings  
Roll No. 2810.151.001.34400.0000