

Haldimand County Committee of Adjustment



Consent

File Number: PLB-2024-263

Property Roll Number: 2810-151-001-34400-0000

Applicant: Connie DiGregorio

Agent: No Agent

Property Location: Caledonia Part Lot 6 South Sutherland West, Known Municipally as 45 Sutherland Street West

For consideration on: April 22, 2025

Summary

The County has received an application for a boundary adjustment proposing to sever the rear portion of 45 Sutherland Street West (the subject lands), and add the severed portion to 41 Sutherland Street West (the benefiting lands). The purpose of the proposed lot addition is to increase the area of the existing parking lot for the apartment building at 41 Sutherland, to add approximately 13 parking spaces.

Recommendation

THAT application PLA-2024-263 be APPROVED, subject to the attached conditions. The application is consistent with the Provincial Planning Statement, 2024 and conforms with the intent and purpose of the Haldimand County Official Plan and Haldimand County Zoning By-law HC 1-2020, as amended for the subject lands by By-law Number 1378-HC/24.

Prepared by: John Douglas, MCIP, RPP, Senior Planner

Reviewed by: Mark Andrews, M.A., MCIP, RPP, Senior Planner

Reviewed by: Krystina Wheatley, Acting Supervisor, Planning & Development

Details of the Submission:

Proposal:

The County has received an application for a boundary adjustment proposing to sever the rear portion of 45 Sutherland Street West (the subject lands), and add the severed portion to 41 Sutherland Street West (the benefiting lands). The purpose of the proposed lot addition is to increase the area of the existing parking lot for the apartment building at 41 Sutherland, to add approximately 13 parking spaces. The addition of 13 parking spaces would reduce the existing deficit of parking spaces for the apartment building.

The severed lands (the rear portion of 45 Sutherland) are to have an area of 647.94 square metres (6,974.4 square feet), and are to be added to 41 Sutherland. The retained lands (the front portion of 45

Sutherland) are to have an area of approximately 425.41 square meters (4,579.1 square feet) and 17.07 metres (56 feet) of frontage on the south side of Sutherland St. W.

In May 2024, an application to amend the Zoning By-law (File No. PLZ-HA-2023-213, By-law Number 1378-HC/24) was heard and approved by Haldimand County Council. As a result of 1378-HC/24, 45 Sutherland was rezoned from 'Urban Residential Type 3 "(R3)" Zone to a dual zone, with the rear portion of the lot being rezoned to 'Urban Residential Type 4 "(R4-H)" with Special Exception R4.6 and a Holding (H) Provision, and the front portion of the lot being rezoned to a site specific 'Urban Residential Type 3 "(R3-H)" with Special Exception Zone and Holding Provision". The Holding Provision on the rear portion of 45 Sutherland St. W. will be removed following final approval of a Site Plan application and agreement and confirmation has been received from the Province stating the Archaeological Report has been accepted. The Holding Provision on the front portion of 45 Sutherland St. W will be removed following acceptance of a Lot Grading and Drainage Plan and confirmation from the Province accepting the Archaeological Report.

The applicant has submitted a Site Plan application (File No. PLSP-HA-2024-196) to the County.

Site Features and Land Use:

The subject lands are located at 45 Sutherland St. W. and have a lot area of approximately 1,073.35 square metres (11,553.44 square feet), with 17.07m (56 feet) of frontage on the south side of Sutherland St. W. The subject lands are currently occupied by two residential dwellings both of which are proposed to be demolished, and the residence closest to the Sutherland will be replaced by a semi-detached dwelling.

The benefitting lands to which the rear portion of 45 Sutherland will be added, is known municipally as 41 Sutherland St. W, and currently contains an existing apartment dwelling and associated parking lot. The proposed boundary adjustment will add approximately 647.94 square metres (6,974.4 square feet) to the parking lot allowing the addition of approximately 13 new parking spaces.

Both 41 and 45 Sutherland St. W. are serviced by municipal water and sanitary services.

Surrounding land uses include: To the west, low density residential uses (i.e., single detached dwellings); to the north low density residential uses in the form of single detached dwellings on the north side of Sutherland St. W. and Caledonia Centennial Public School; to the east, low density residential uses and commercial uses fronting on Argyle St.; and to the south, low density residential uses.

The subject lands are located in the urban Area of Caledonia and are designated "Residential" on Schedule "B.1" (Caledonia Urban Area Land Use Plan) and zoned 'Urban Residential Type 3 "(R3)" Zone with a site-specific provision and a Holding (H) Provision in part, 'Urban Residential Type 4 "(R4)" Zone with a site-specific provision and a Holding (H) Provision in part and 'Urban Residential Type 4 "(R4)" Zone.

Existing Intensive Livestock Operations: N/A

Agency & Public Comments

Haldimand County Building & Municipal Enforcement Services:

Structures over 15 square meters that are proposed to be demolished will require a demolition permit. Spatial separation should be assessed in respect to the amount of glazing on the house distance to the proposed property line as per section 9.10.15.4 of the Ontario Building Code.

Planning Comment: This comment addresses Ontario Building Code issues which will be addressed through the Building Permit stage.

Haldimand County Planning & Development Services – Development Technologist:

Grading plan will be required for the retained and severed lands, or proof that the retained and severed lands already have a pre-existing approved grading plan satisfactory to development technologist.

Planning Comment: As noted, a Holding provision has been placed on the front portion of the subject property through By-law Number 1378-HC/24). The holding provision will be removed following acceptance of Lot Grading and Drainage Plan.

Haldimand County Emergency Services:

No comments received.

Hydro One:

No comments or concerns.

Municipal Property Assessment Corporation:

No comments received.

Mississaugas of the Credit:

No comments received.

Six Nations:

No comments received.

Public:

No comments received.

Planning Analysis**Provincial Policy Statement, 2024 (PPS)**

The Provincial Planning Statement provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario's policy-led planning system, the Provincial Planning Statement sets the policy foundation for regulating the development and use of land province-wide. The PPS policies do not provide direction regarding lot additions within existing settlement areas boundaries.

It is the opinion of staff that the subject application is consistent with the policies of the PPS.

Haldimand County Official Plan (HCOP)

The Haldimand County Official Plan (HCOP) is the principal land use planning tool used to manage growth and development within the County to 2051. The purpose of the Plan is to provide a policy framework to guide economic, environmental and social decisions that have implications for the use of land.

The HCOP does not have policies specifically addressing boundary adjustments within urban areas. As a result, the subject application does not conflict with any policies of the Official Plan. The subject lands are located adjacent to surrounding stable residential neighbourhoods. The boundary adjustment is not expected to have any measurable impacts on the form and function of the neighbourhood. Additionally, the boundary adjustment will result in the benefitting lands to increase the number of parking spaces which will allow for safe and efficient off-street parking for the existing apartment building and thereby resulting in less cars parking on the streets.

It is the opinion of staff that the subject application is consistent with the policies of the HCOP.

Haldimand County Zoning By-law HC 1-2020

The subject boundary adjustment file along with two related files have been submitted by the applicant to facilitate the addition of the rear portion of 45 Sutherland St. W to the apartment property known municipally as 41 Sutherland St. W.

The first of the three applications was a site-specific Zoning By-law amendment for 45 Sutherland St. W. which was approved by Council in May 2024 and By-law No. 1378-HC/24 was subsequently enacted May 27, 2024. As a result of By-law No.1378-HC/24, 45 Sutherland was rezoned from 'Urban Residential Type 3 "(R3)" Zone to a dual zone, with the rear portion of the lot being rezoned to 'Urban Residential Type 4 "(R4-H)" with Special Exception R4.6 and a Holding (H) Provision to be consistent with the "(R4)" zoning for 41 Sutherland St. W. The front portion of 45 Sutherland St. W was rezoned to a site-specific 'Urban Residential Type 3 "(R3-H)" Zone with a Special Exception and a Holding Provision to set the appropriate zoning standards to allow a semi-detached dwelling to be constructed on the north portion of the lot which has frontage on Sutherland St. W.

The Holding Provision on the rear portion of 45 Sutherland St. W. will be removed following final approval of a Site Plan application and agreement and once confirmation has been received from the Province accepting the Archaeological Report. The Holding Provision on the front portion of 45 Sutherland St. W will be removed following acceptance of Lot Grading and Drainage Plan and confirmation from the Province accepting the Archaeological Report.

If the subject application for the proposed boundary adjustment is approved, the County will proceed with its review of the third application being a Site Plan Approval application (PLSP-HA-2024-196), which has been submitted for the rear portion of 45 Sutherland St. W., which is to be added to 41 Sutherland St. W.

Staff are satisfied that the subject application conforms to the provisions of the R4 Zone with the specific exceptions set out in By-law Number 1378-HC/24.

Notice Sign and Applicant Discussion

A public notice sign was posted in accordance with the Planning Act, R.S.O. 1990, c. P.13 on March 27, 2025.

The applicant has satisfied the public consultation requirements as per the Provincial legislation.

A copy of the staff report has been provided to the applicant.

Attachments:

1. Condition Sheet
2. Location Map
3. Owner's Sketch