



**HALDIMAND COUNTY
COMMITTEE OF ADJUSTMENT
MINUTES
TUESDAY, February 13, 2018**

A meeting of the Committee of Adjustment was held on Tuesday, February 13, 2018 at 9:00 a.m. in the Council Chambers of the Haldimand County Administration Building.

MEMBERS PRESENT:	Chair Members	Paul Brown Bill Armstrong Carolyn Bowman John Gould Linda Gavey Stewart Patterson Velvette LeVatte
STAFF PRESENT	Supervisor Development Services Planner Secretary-Treasurer	Peter Minkiewicz Justin Miller Laurie Fledderus

The Committee of Adjustment dealt with the following applications:

CONSENTS:

PLB-2017-212	James Albert McDonald	DEFERRED
PLB-2017-213	James Albert McDonald	DEFERRED
PLB-2017-220	2363823 Ontario Inc.	APPROVED
PLB-2017-221	Oneida United Church	APPROVED

MINOR VARIANCES:

PLA-2017-218	Garrett & Anne Marie O'Brien	APPROVED
PLA-2017-219	Peter & Donna Murray	APPROVED

DECLARATIONS OF PECUNIARY INTEREST:

None declared

CONSENTS:

A) PLB-2017-212 & 213 James Albert McDonald

Present: No one present

In Application **PLB-2017-212**, the applicant proposes to sever a parcel of land, irregular shaped, to be added to the abutting lot to the north.

In Application **PLB-2017-213**, the applicant proposes to sever a parcel of land to be added to the abutting parcel land to the south.

The applicant's solicitor has requested that these applications be deferred.

The Committee made the following decision:

PLB-2018-212

PURSUANT to Subsection 53(1) of *The Planning Act*, R.S.O. 1990 (as amended), this Committee hereby makes the following decision on the application of **James Albert McDonald**, to sever a parcel of land, irregular shaped, with a frontage of approximately 87.5 metres (287 feet) and containing an area of 0.56 hectare (1.38 acres). The severed lands will be added to the abutting lot to the north. **Part Lot 16, Concession 1, Geographic Township of Walpole, 861 South Coast Drive**

DECISION: DEFERRED

REASONS: At the request of the applicant's solicitor

PLB-2017-213

PURSUANT to Subsection 53(1) of *The Planning Act*, R.S.O. 1990 (as amended), this Committee hereby makes the following decision on the application of **James Albert McDonald**, proposes to sever a parcel of land approximately 53.6 metres (176 feet) by 64 metres (210 feet) to be added to the abutting parcel land to the south. **Part Lot 16, Concession 1, Geographic Township of Walpole, 861 South Coast Drive**

DECISION: DEFERRED

REASONS: At the request of the applicant's solicitor

B) PLB-2017-220 2363823 Ontario Inc.

Present: No one present

The applicant proposes to sever an existing semi-detached foundation into separate ownerships.

The Committee made the following decision:

PURSUANT to Subsection 53(1) of *The Planning Act*, R.S.O. 1990 (as amended), this Committee hereby makes the following decision on the application of **2363823 Ontario Inc.**, to sever an existing semi-detached foundation into separate ownerships. The severed lands will measure approximately 10.65 metres (35 feet) by 40 metres (131.2 feet) and contain an area of approximately 0.4 hectare (1.1 acre). **Part Lots 8 & 9, South of Forfar Street, Urban Area of Caledonia, 71 Selkirk Street**

DECISION: APPROVED

- CONDITIONS:**
1. That the Haldimand County requirements, financial or otherwise, be satisfied. This will include taxes paid up to date, a parkland dedication fee of \$250.00 and a fee of \$286.00 for deed stamping.
 2. That the owner's solicitor provide an undertaking to Haldimand County agreeing that if there are any changes proposed to the wording on the certificate after stamping of the certificate by the County, prior to the registration of the certificate; that the Secretary-Treasurer or designate must approve the change prior to registration of the certificate.
 3. Receipt of a copy of the registered reference plan of the severed parcel, approximately 10.65 metres (35 feet) by 40 metres (131.2 feet) and contain an area of approximately 0.4 hectare (1.1 acre). Also, **prior to deed stamping**, an electronic version of the reference plan in AutoCAD.dwg in format shown below, indicating the consent file number and name of the applicant, must be emailed to lfledderus@haldimandcounty.on.ca and astewart@haldimandcounty.on.ca. The AutoCad drawings need to be georeferenced for the following Coordinate System:

Projected Coordinate System:	NAD_1983_UTM_Zone_17N
Projection:	Transverse_Mercator
False_Easting:	500000.00000000
False_Northing:	0.00000000
Central_Meridian:	-81.00000000
Scale_Factor:	0.99960000
Latitude_Of_Origin:	0.00000000
Linear Unit:	Meter
Geographic Coordinate System:	GCS_North_America
Datum:	D_North_American_1983
Prime Meridian:	Greenwich
Angular Unit:	Degree
 4. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before February 13, 2019, after which time this consent will lapse.

REASONS: The proposal is consistent with the Provincial Policy Statement (2014), conforms to the Province's Growth Plan (2017) and meets the general intent of the Official Plan and Zoning By-law.

C) **PLB-2017-221 Trustees of Oneida United Church**

Present: Tom Peart, trustee

The applicants propose to sever a lot containing an existing dwelling.

Bill Armstrong asked Mr. Peart if they propose a new entrance or whether a right-of-way is proposed. If the latter, the application should be amended to include the right-of-way. Mr. Peart responded that they have received verbal approval for a new entrance.

Bill Armstrong also suggested that a condition be imposed that a new cistern be installed on the severed lands. Members agreed.

The Committee made the following decision:

PURSUANT to Subsection 53(1) of *The Planning Act*, R.S.O. 1990 (as amended), this Committee hereby makes the following decision on the application of **Trustees of the Oneida United Church**, to sever a lot approximately 61.5 metres (202 feet) by 92.3 metres (303 feet), containing an existing dwelling. The proposed severed lands will contain an area of approximately 0.45 hectare (1.1 acre). **Part Lot 24, Concession 2, Geographic Township of Oneida, 699 Haldimand Road 9**

DECISION: APPROVED

- CONDITIONS:**
1. That the Haldimand County requirements, financial or otherwise, be satisfied. This will include taxes paid up to date, a parkland dedication fee of \$250.00 and a fee of \$286.00 for deed stamping.
 2. That the applicant work with Hydro One to provide a completely separate service for the severed property or establish a unregistered common, customer owned service tap. Contact Hydro One for further details at 519-426-4446 or 1-866-557-9551.
 3. That a septic evaluation for severed parcel be completed and submitted to the Haldimand County Building Controls and By-law Enforcement Division for approval. (Septic evaluations must be completed prior to the issuance of the certificate. Please allow approximately six (6) months for completion of the septic evaluation.) Please contact the Building Controls and By-law Enforcement Division at 905-318-5932, for further clarification.
 4. Receipt of final approval of the required minor variance (Minor Variances can take three months, therefore, your application must be submitted as soon as possible). For further information, please contact Planning Staff at 905-318-5932.
 5. Receipt of a letter from the Roads Operations Division indicating that they have no objections to the future issuance of an entrance permit. In lieu of a letter, a copy of permit(s) may be provided to the Secretary-Treasurer. Entrance permits may be required for existing, severed, and / or retained parcels. Permits may be obtained from the County's Kohler Roads Operations Centre. Roads Operations Division Support staff at 905-318-5932, Ext. 8601 for details.

6. That a cistern be installed on the severed parcel, and that proof be provided to the Secretary-Treasurer prior to the signing of the certificate.
7. That the owner's solicitor provide an undertaking to Haldimand County agreeing that if there are any changes proposed to the wording on the certificate after stamping of the certificate by the County, prior to the registration of the certificate; that the Secretary-Treasurer or designate must approve the change prior to registration of the certificate.
8. Receipt of a copy of the registered reference plan of the severed parcel, approximately 61.5 metres (202 feet) by 92.3 metres (303 feet) and containing an area of 0.45 hectare (1.1 acre). Also, **prior to deed stamping**, an electronic version of the reference plan in AutoCAD.dwg in format shown below, indicating the consent file number and name of the applicant, must be emailed to lfledderus@haldimandcounty.on.ca and astewart@haldimandcounty.on.ca. The AutoCad drawings need to be georeferenced for the following Coordinate System:

Projected Coordinate System:	NAD_1983_UTM_Zone_17N
Projection:	Transverse_Mercator
False_Easting:	500000.00000000
False_Northing:	0.00000000
Central_Meridian:	-81.00000000
Scale_Factor:	0.99960000
Latitude_Of_Origin:	0.00000000
Linear Unit:	Meter
Geographic Coordinate	System:GCS_North_American_1983
Datum:	D_North_American_1983
Prime Meridian:	Greenwich
Angular Unit:	Degree

9. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before February 13, 2019, after which time this consent will lapse.

REASONS: The proposal is consistent with the Provincial Policy Statement (2014), conforms to the Province's Growth Plan (2017) and meets the general intent of the Official Plan and Zoning By-law.

MINOR VARIANCES:

A) PLA-2017-218 Garrett & Anne Marie O'Brien

Present: Garrett O'Brien, applicant

The proposal is to construct a carport, approximately 6 metres by 6 metres (20 feet by 20 feet) and a storage building approximately 4.3 metres by 6 metres (14 feet by 20 feet). Relief is requested from the provisions of the RS Zone of Zoning By-law 1-DU 80 from the required lot frontage, interior side yards (right & left) and side yards for the carport and storage building. This relief is required prior to issuance of a building permit for the proposed construction.

Bill Armstrong asked if the new structures are to replace the three existing buildings, to which Mr. O'Brien replied that they are.

The Committee made the following decision:

PURSUANT to Subsection 45(1) of *The Planning Act*, R.S.O. 1990 (as amended), this Committee hereby makes the following decision on the application of **Garrett & Anne Marie O'Brien**, The applicants propose to construct a carport, approximately 6 metres by 6 metres (20 feet by 20 feet) and a storage building approximately 4.3 metres by 6 metres (14 feet by 20 feet). Relief is requested from the provisions of the RS Zone of Zoning By-law 1-DU 80 as shown below:

Development Standards	Required	Proposed	Deficiency
Lot Frontage	30 metres (98.4 feet)	15.24 metres (50 feet)	14.76 metres (48.4 feet)
Interior Side Yards	3 metres (9.8 feet)	1.47 metres (4.8 feet) right side 1.27 metres (4.2 feet) left side	1.53 metres (5 feet) right 1.73 metres (5.7 feet) left
Side Yard for Accessory Structure (carport)	1.2 metres (3.9 feet)	0.3 metre (0.9 feet)	0.9 metres (3 feet)
Side Yard for Accessory Structure (storage building)	1.2 metres (3.9 feet)	0.6 metre (1.9 feet)	0.6 metre (1.9 feet)

This relief is required prior to issuance of a building permit for the proposed construction. **Part Lot 24, Concession 4, Geographic Township of Dunn, 3 Lighthouse Drive**

DECISION: APPROVED

- CONDITIONS:**
1. The development shall be in accordance with the attached sketch; and
 2. Receipt of a letter from the Planning and Development Division, indicating that their requirements, regarding surface drainage of the property, have been satisfied. Typically the county would require a full lot grading to be designed, in lieu of that, the proponent shall provide the Planning and Development Division with a letter assuring that all storm water from this parcel will be discharged toward the roadway, or a large body of water (lake, river, stream or other conveyance system), not adjacent properties. This is required as the new development as proposed, has the potential to increase the volume or rate of the storm runoff and may impact abutting landowners. A sample form letter can be provided. Contact the Development & Design Technologist at 905-318-5932, ext. 6409, for further clarification.

REASONS: The relief requested is consistent with the Provincial Policy Statement (2014), conforms to the Province's Growth Plan (2017) and meets the general intent of the Official Plan and Zoning By-law. It is also considered minor in nature and compatible and appropriate with surrounding development.

Present: Peter Murray, applicant

The applicants propose to construct additional living area onto the existing dwelling. Relief is requested from the provisions of the R1 Zone of Zoning By-law 1-H 86 from the exterior side yard and rear yard. This relief is required prior to issuance of a building permit for the proposed construction.

Bill Armstrong asked staff if there were concerns with the existing hydro line on the property. Justin Miller explained that the line is just outside of what Hydro One accepts for a setback, so there are no concerns.

The Committee made the following decision:

PURSUANT to Subsection 45(1) of *The Planning Act*, R.S.O. 1990 (as amended), this Committee hereby makes the following decision on the application of **Peter & Donna Murray**, to construct additional living area onto the existing dwelling. Relief is requested from the provisions of the R1 Zone of Zoning By-law 1-H 86 as shown below:

Development Standards	Required	Proposed	Deficiency
Exterior Side Yard	6 metres (19.7 feet)	2.29 metres (7.5 feet)	3.71 metres (12.2 feet)
Rear Yard	9 metres (29.5 feet)	6 metres (19.7 feet)	3 metres (9.8 feet)

This relief is required prior to issuance of a building permit for the proposed construction. **Lot 1, Plan 90, Urban Area of Caledonia, 1 Ross Street**

DECISION: APPROVED

- CONDITIONS:**
1. The development shall be in accordance with the attached sketch; and
 2. Receipt of a letter from the Planning and Development Division, indicating that their requirements, regarding surface drainage of the property, have been satisfied. Typically the county would require a full lot grading to be designed, in lieu of that, the proponent shall provide the Planning and Development Division with a letter assuring that all storm water from this parcel will be discharged toward the roadway, or a large body of water (lake, river, stream or other conveyance system), not adjacent properties. This is required as the new development as proposed, has the potential to increase the volume or rate of the storm runoff and may impact abutting landowners. A sample form letter can be provided. Contact the Development & Design Technologist at 905-318-5932, ext. 6409, for further clarification.

REASONS: The relief requested is consistent with the Provincial Policy Statement (2014), conforms to the Province’s Growth Plan (2017) and meets the general intent of the Official Plan and Zoning By-law. It is also considered minor in nature and compatible and appropriate with surrounding development

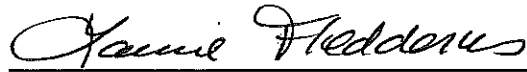
OTHER BUSINESS:

The minutes of the January 23, 2018 meeting were adopted as circulated.

The meeting adjourned at 9:20 a.m.



Chairman



Secretary-Treasurer