



**HALDIMAND COUNTY  
COMMITTEE OF ADJUSTMENT  
MINUTES  
TUESDAY, April 10, 2018**

A meeting of the Committee of Adjustment was held on Tuesday, April 10, 2018 at 9:00 a.m. in the Council Chambers of the Haldimand County Administration Building.

<b>MEMBERS PRESENT:</b>	Chair Members	Paul Brown Bill Armstrong Carolyn Bowman John Gould Linda Gavey Stewart Patterson Velvette LeVatte
<b>STAFF PRESENT</b>	Supervisor Development Services Planner Secretary-Treasurer	Peter Minkiewicz Meagan Ferris Laurie Fledderus

The Committee of Adjustment dealt with the following applications:

**CONSENTS:**

PLB-2018-027	Shepland Farms	APPROVED
PLB-2018-032	Pete & Helen Tiersma	APPROVED
PLB-2018-033	Pete & Helen Tiersma	APPROVED
PLB-2018-036	2537228 Ontario Inc.	APPROVED
PLB-2018-037	Glenn & Shaunna Beaty	APPROVED
PLB-2018-038	Glenn & Shaunna Beaty	APPROVED
PLB-2018-039	Glenn & Shaunna Beaty	APPROVED
PLB-2018-045	Tim & Teresa Hannigan	APPROVED
PLB-2018-050	Charmain Quigley	APPROVED
PLB-2018-051	Chris Houwer	APPROVED
PLB-2018-052	Chris Houwer	APPROVED
PLB-2018-054	Lorne Frederick Mattice III	DEFERRED

**MINOR VARIANCES:**

PLA-2016-170	Brelco Investments	APPROVED
PLA-2018-044	Dacota & Jodie Deamude	APPROVED
PLA-2017-191	Jack, Irene, Jason & Andrew Huitema	APPROVED
PLA-2017-204	Jo-Ann Savoie & Paul Robichaud	DEFERRED

**DECLARATIONS OF PECUINARY INTEREST:**

None declared

**CONSENTS:**

**A) PLB-2018 027 Shepland Farms**

Present: Tom Sheppard, applicant

The proposal is to sever a lot containing an existing surplus farm dwelling and accessory structures.

Mr. Sheppard had no questions or comments.

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 **Shepland Farms**, to sever a lot containing an existing surplus farm dwelling and accessory structure. **Part Lots 20 & 21, Concession 2, Geographic Township of Walpole, 3647 Rainham Road.**

**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 \$350.00 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. 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 a copy of the registered reference plan of the severed parcel, approximately 70 metres (230 feet) by 68.6 metres (225 feet), containing an area of approximately 0.48 hectare (1.2 acres). 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](mailto:lfledderus@haldimandcounty.on.ca) and [astewart@haldimandcounty.on.ca](mailto: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

5. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before April 10, 2019, after which time this consent will lapse.

**REASONS:** The proposal is consistent with the Provincial Policy Statement (2014), complies with the Province's Growth Plan, conforms to the Haldimand County Official Plan and meets the intent and purpose of the City of Nanticoke Zoning By-law NE-1 2000.

**B) PLB-2018-032 & 033 Pete & Helen Tiersma**

Present: Kyle Tiersma, agent

The proposal is to sever two lots for residential purposes.

Mr. Tiersma had no questions or comments.

The Committee made the following decision:

**PLB-2018-032**

**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 **Pete & Helen Tiersma**, to sever a lot for residential purposes. **Part Lot 3, Concession 3 from Canborough, Geographic Township of Moulton, Marshagan Road**

**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 \$350.00 and a fee of \$286.00 for deed stamping.
  2. Receipt of a letter from the Planning & Development Division indicating that their requirements, regarding a lot grading plan to address surface drainage of the property, have been satisfied. Please note that the owner\developer is responsible to have the grading plans prepared/stamped/signed by a qualified Professional Engineer as per Haldimand County Design Criteria. Contact the Development & Design Technologist at 905-318-5932, ext. 6409, if further clarification required. Please allow approximately six (6) to eight (8) weeks for completion of this process.
  3. Receipt of final approval of the required zoning amendment (Zoning Amendments can take three months or four months, therefore, your application must be submitted as soon as possible). For further information, please contact Planning Staff at 905-318-5932.
  4. That a septic evaluation for the 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.
  5. Receipt of a letter from the Planning and Development Division indicating that their requirements, regarding a drainage re-apportionment agreement between both severed and retained parcels, have been satisfied. The county is responsible for maintaining municipal drains on behalf of the community of landowners involved in the drain. The cost of the drain maintenance is assessed to the landowners. The division of land requires that the assessment be re-calculated for the retained and severed parcels. A written request to initiate re-apportionment is necessary. A fee is administered with each agreement. Please allow six (6) weeks for completion of this process. Contact the Supervisor, Project and Municipal Drains at 905-318-5932, ext. 6409, for further clarification.
  6. 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.
  7. That a work permit, from the Niagara Peninsula Conservation Authority, to realign the watercourse in accordance with Ontario Regulation 155/05, be received and proof be provided to the Secretary-Treasurer prior to the issuance of the certificate. Contact NPCA at 905-788-3135 for further information.
  8. That an application for a new civic address be submitted for the severed parcel. Contact Planning & Development at 905-318-5932, ext. 6201 for details.
  9. 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.
  10. Receipt of a copy of the registered reference plan of the severed parcel, approximately 42.5 metres (139.4 feet) by 45 metres (148 feet), containing an area

of approximately 0.18 hectare (0.44 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](mailto:lfledderus@haldimandcounty.on.ca) and [astewart@haldimandcounty.on.ca](mailto:astewart@haldimandcounty.on.ca). The AutoCad drawings need to be georeferenced for the following Coordinate System:

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False_Northing:	0.00000000
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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

11. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before April 10, 2019, after which time this consent will lapse.

**REASONS:** The proposal is consistent with the Provincial Policy Statement (2014), complies with the Province's Growth Plan, conforms to the Haldimand County Official Plan and meets the intent and purpose of the Town of Dunnville Zoning By-law 1-DU 80.

**PLB-2018-033**

**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 **Pete & Helen Tiersma**, to sever a lot for residential purposes. **Part Lot 3, Concession 3 from Canborough, Geographic Township of Moulton, Marshagan Road**

**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 \$350.00 and a fee of \$286.00 for deed stamping.
  2. Receipt of a letter from the Planning & Development Division indicating that their requirements, regarding a lot grading plan to address surface drainage of the property, have been satisfied. Please note that the owner/developer is responsible to have the grading plans prepared/stamped/signed by a qualified Professional Engineer as per Haldimand County Design Criteria. Contact the Development & Design Technologist at 905-318-5932, ext. 6409, if further clarification required. Please allow approximately six (6) to eight (8) weeks for completion of this process.
  3. Receipt of final approval of the required zoning amendment (Zoning Amendments can take three months or four months, therefore, your application must be submitted as soon as possible). For further information, please contact Planning Staff at 905-318-5932.
  4. That a septic evaluation for the 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.

5. Receipt of a letter from the Planning and Development Division indicating that their requirements, regarding a drainage re-apportionment agreement between both severed and retained parcels, have been satisfied. The county is responsible for maintaining municipal drains on behalf of the community of landowners involved in the drain. The cost of the drain maintenance is assessed to the landowners. The division of land requires that the assessment be re-calculated for the retained and severed parcels. A written request to initiate re-apportionment is necessary. A fee is administered with each agreement. Please allow six (6) weeks for completion of this process. Contact the Supervisor, Project and Municipal Drains at 905-318-5932, ext. 6409, for further clarification.
6. 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.
7. That a work permit, from the Niagara Peninsula Conservation Authority, to realign the watercourse in accordance with Ontario Regulation 155/05, be received and proof be provided to the Secretary-Treasurer prior to the issuance of the certificate. Contact NPCA at 905-788-3135 for further information.
8. That an application for a new civic address be submitted for the severed parcel. Contact Planning & Development at 905-318-5932, ext. 6201 for details.
9. 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.
10. Receipt of a copy of the registered reference plan of the severed parcel, approximately 42.5 metres (139.4 feet) by 45 metres (148 feet), containing an area of approximately 0.18 hectare (0.44 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](mailto:lfledderus@haldimandcounty.on.ca) and [astewart@haldimandcounty.on.ca](mailto:astewart@haldimandcounty.on.ca). The AutoCad drawings need to be georeferenced for the following Coordinate System:

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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

11. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before April 10, 2019, after which time this consent will lapse.

**REASONS:** The proposal is consistent with the Provincial Policy Statement (2014), complies with the Province's Growth Plan, conforms to the Haldimand County Official Plan and meets the intent and purpose of the Town of Dunnville Zoning By-law 1-DU 80.

**C) PLB-2018-036 2537228 Ontario Inc.**

Present: Kim Hessels, agent  
Kory Ross, neighbouring property owner  
Bert Henderson, interested party

The proposal is to sever a parcel of land as a boundary adjustment.

Staff have recommended refusal of the application based on the fact that, although the proposal does not result in a new lot being created, the proposal is removing land from potential agricultural production to enlarge a residential lot, without a legal and/or technical justification for the lands being removed.

Kory Ross stated that he disagrees with the policies noted in the staff report. He is in favour of the proposal. Bert Henderson also stated that he is favour of the proposal.

Bill Armstrong noted that the subject lands cannot be farmed, as there are many trees located on it. The lands are not currently farmed. Carolyn Bowman agreed.

Meagan Ferris responded that there is potential for the lands to be farmed, even though they are not being farmed, currently

Chair Paul Brown stated that the addition of the lands to the existing lot would create a lot 2 acres in size, too large, in his opinion.

Peter Minkiewicz responded that the lot size is not the issue, but that Provincial policies state that agricultural land should not be taken out of production.

Kim Hessels commented that by increasing the lot size, Haldimand County will benefit from more taxes.

John Gould stated that he is not in favour of approval as there is no technical justification for increasing the lot size.

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 **2537228 Ontario Inc.** to sever a parcel of land as a boundary adjustment. **Part Lot 26, Concession 1, South of Talbot Road, Geographic Township of North Cayuga, Highway 3**

**DECISION: APPROVED**

- CONDITIONS:**
1. That the Haldimand County requirements, financial or otherwise, be satisfied. This will include taxes paid up to date and a fee of \$286.00 for deed stamping. Also, a one (1) foot square, unencumbered, parcel of land dedicated to Haldimand County, which must be shown on the reference plan, is required from the abutting lands presently owned by Kory Andrew Ross and Carrie Nicole Vance and further identified as Roll No. 2810-155-003-10150, if required.
  2. That Section 50(3) or (5) of the Planning Act shall apply to any subsequent conveyance or transaction.
  3. That the severed parcels become part and parcel of the abutting lands presently owned by Kory Andrew Ross and Carrie Nicole Vance and further identified as Roll No. 2810-155-003-10150.
  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. That the solicitor acting in the transfer provide his/her undertaking in the following manner: in consideration of the Certificate by the official I undertake to ensure by a subsearch of the abstract book that at the time of the registration of the said Certificate or deed upon which it has been affixed, the name of the registered owner of the abutting lands is the same as that of the Grantee in the said deed and that the one (1) foot square parcel of land dedicated to Haldimand County is an unencumbered parcel of land. Also the solicitor will apply to consolidate the two parcels into one consolidated PIN so the two parcels can be assessed together and the consolidation information will be provided to the Secretary-Treasurer once completed.
  6. 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.
  7. Receipt of a copy of the registered reference plan of the severed parcel, approximately 84.43 metres (277 feet) by 47.9 metres (157.2 feet) containing an area of approximately 0.4 hectare (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](mailto:lfledderus@haldimandcounty.on.ca) and [astewart@haldimandcounty.on.ca](mailto:astewart@haldimandcounty.on.ca). The AutoCad drawings need to be georeferenced for the following Coordinate System:  
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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

8. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before April 10, 2019, after which time this consent will lapse.

- REASONS:**
1. The Committee considers the approval of this application to be a benefit to Haldimand County; and
  2. Committee considered the oral submissions received on this application, the effect of which helped the Committee to make an informed decision.

**D) PLB-2018-037, 038 & 039 Glenn & Shaunna Beaty**

Present: David Roe, agent

The proposal is to sever three lots for residential purposes.

Regarding Condition No. 5, Mr. Roe asked if the wording of the condition could be changed by adding "if required". He intends to work with the Conservation Authority to see if they will remove the requirement.

Committee members were not aware of the condition and Meagan Ferris explained that the requirement came to light after the staff report was completed.

There was discussion regarding the Regional Official Plan designation of the property. Bill Armstrong commented that the lands should have rezoned at the time the lands were designated for development.

David Roe responded that those were different times and there were different ways of doing things at that time.

The Committee made the following decision:

**PLB-2018-037**

**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 **Glenn & Shaunna Beaty**, to sever a lot for residential purposes. **Part Lot 24, Concession 1, Geographic Township of Walpole, Erie Street South**

**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 \$350.00 and a fee of \$286.00 for deed stamping.

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.
3. 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.
4. That an application for a new civic address be submitted for the severed parcel. Contact Planning & Development at 905-318-5932, ext. 6220 for details.
5. That the applicant submit an Environmental Impact Study (EIS), if required, prepared by a qualified consultant and that it be peer reviewed at the applicant's expense.
6. 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.
7. Receipt of a copy of the registered reference plan of the severed parcel, approximately 33.5 metres (110 feet) by 158.5 metres (520 feet), containing an area of approximately 0.6 hectare (1.49 acres). 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](mailto:lfledderus@haldimandcounty.on.ca) and [astewart@haldimandcounty.on.ca](mailto:astewart@haldimandcounty.on.ca). The AutoCad drawings need to be georeferenced for the following Coordinate System:

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8. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before April 10, 2019, after which time this consent will lapse.

**REASONS:** The proposal is consistent with the Provincial Policy Statement (2014), conforms with the Province's Growth Plan, conforms to the Haldimand County Official Plan and meets the intent and purpose of the City of Nanticoke Zoning By-law NE-1-2000.

**PLB-2018-038**

**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 **Glenn & Shaunna Beaty**, to sever a lot for residential purposes. **Part Lot 24, Concession 1, Geographic Township of Walpole, Erie Street South**

**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 \$350.00 and a fee of \$286.00 for deed stamping.
  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.
  3. 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.
  4. That an application for a new civic address be submitted for the severed parcel. Contact Planning & Development at 905-318-5932, ext. 6220 for details.
  5. That the applicant submit an Environmental Impact Study (EIS), if required, prepared by a qualified consultant and that it be peer reviewed at the applicant's expense.
  6. 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.
  7. Receipt of a copy of the registered reference plan of the severed parcel, approximately 33.5 metres (110 feet) by 172.1 metres (564.6 feet),

containing an area of approximately 0.62 hectare (1.6 acres). 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](mailto:lfledderus@haldimandcounty.on.ca) and [astewart@haldimandcounty.on.ca](mailto:astewart@haldimandcounty.on.ca). The AutoCad drawings need to be georeferenced for the following Coordinate System:

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Linear Unit:	Meter
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8. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before April 10, 2019, after which time this consent will lapse.

**REASONS:** The proposal is consistent with the Provincial Policy Statement (2014), conforms with the Province’s Growth Plan, conforms to the Haldimand County Official Plan and meets the intent and purpose of the City of Nanticoke Zoning By-law NE-1-2000.

**PLB-2018-039**

**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 **Glenn & Shauna Beaty**, to sever a lot for residential purposes. **Part Lot 24, Concession 1, Geographic Township of Walpole, Erie Street South**

**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 \$350.00 and a fee of \$286.00 for deed stamping.
  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.

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4. That an application for a new civic address be submitted for the severed parcel. Contact Planning & Development at 905-318-5932, ext. 6220 for details.
5. That the applicant submit an Environmental Impact Study (EIS), if required, prepared by a qualified consultant and that it be peer reviewed at the applicant's expense.
6. 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.
7. Receipt of a copy of the registered reference plan of the severed parcel, approximately 33.5 metres (110 feet) by 185 metres (607 feet), containing an area of approximately 0.69 hectare (1.7 acres),. 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](mailto:lfledderus@haldimandcounty.on.ca) and [astewart@haldimandcounty.on.ca](mailto:astewart@haldimandcounty.on.ca). The AutoCad drawings need to be georeferenced for the following Coordinate System:
 

Projected	Coordinate	NAD_1983_UTM_Zone_17N
System:		
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
8. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before April 10, 2019, after which time this consent will lapse.

**REASONS:**

The proposal is consistent with the Provincial Policy Statement (2014), conforms with the Province's Growth Plan, conforms to the Haldimand County Official Plan and meets the intent and purpose of the City of Nanticoke Zoning By-law NE-1-2000.

E) **PLB-2018-045 Tim & Teresa Hannigan**

Present: Tim Hannigan, applicant

The proposal is to sever a lot for residential purposes.

Mr. Hannigan had no comments or questions.

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 **Tim & Teresa Hannigan**, to sever a lot for residential purposes. **Part Lots 10 & 11, Plan 1407, Urban Area of Dunnville, 790 George 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 \$350.00.00 and a fee of \$286.00 for deed stamping.
  2. Receipt of a letter from the Planning & Development Division indicating that their requirements, regarding a lot grading plan to address surface drainage of the property, have been satisfied. Please note that the owner/developer is responsible to have the grading plans prepared/stamped/signed by a qualified Professional Engineer as per Haldimand County Design Criteria. Contact the Development & Design Technologist at 905-318-5932, ext. 6409, if further clarification required. Please allow approximately six (6) to eight (8) weeks for completion of this process.
  3. Receipt of a letter from the Planning and Development Division indicating that their requirements, regarding a drainage re-apportionment agreement between both severed and retained parcels, have been satisfied. The county is responsible for maintaining municipal drains on behalf of the community of landowners involved in the drain. The cost of the drain maintenance is assessed to the landowners. The division of land requires that the assessment be re-calculated for the retained and severed parcels. A written request to initiate re-apportionment is necessary. A fee is administered with each agreement. Please allow six (6) weeks for completion of this process. Contact the Supervisor, Project and Municipal Drains at 905-318-5932, ext. 6409, for further clarification.
  4. That a septic evaluation for both the severed and retained 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.
  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. Receipt of final approval of the required minor variance for the severed and retained lands (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.
7. That the applicant enter into an agreement regarding municipal services extension and servicing allocation. Municipal services (watermain, sanitary sewer main) within the road allowance must be extended to service the newly created lot, and Servicing Allocation (water and waste water) has been allocated for the severed property. Contact the Planning & Development Division at 905-318-5932 for further clarification. As this process can take a number of months to complete, early action on this condition is essential.
8. That the applicant provide the County with a fee of \$ 3,300 for future development upgrades for domestic water.
9. That an application for a new civic address be submitted for the severed parcel. Contact Planning & Development at 905-318-5932, ext. 6201 for details.
10. 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.
11. Receipt of a copy of the registered reference plan of the severed parcel, approximately 55.85 metres (183.2 feet) by 51.82 metres (170 feet), containing an area of approximately 0.29 hectare (0.71 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](mailto:lfledderus@haldimandcounty.on.ca) and [astewart@haldimandcounty.on.ca](mailto: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

12. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before April 10, 2019, after which time this consent will lapse.

**REASONS:** The proposal is consistent with the Provincial Policy Statement (2014), conforms with the Province's Growth Plan, conforms to the Haldimand County Official Plan and meets the intent and purpose of the Town of Dunnville Zoning By-law 1-DU 80.

**F) PLB-2018-050 Charmain Quigley**

Present: Chris Houwer, purchaser

The proposal is to sever a lot containing a surplus farm dwelling and accessory structure.

There was discussion regarding one of the outbuildings. Bill Armstrong felt that it should be removed and cleaned up. Mr. Houwer responded that he would like to retain both of the sheds but that he intends to remove the old barn at the front of the property.

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 **Charmain Quigley**, to sever a surplus farm dwelling and accessory structure. **Part Lots 15 & 16, Concession 1 South East of Stoney Creek Road, Geographic Township of Seneca, 1049 Townline Road East**

**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 \$350.00 and a fee of \$286.00 for deed stamping.
  2. Receipt of confirmation that the subject lands, including the proposed severed and retained parcels, have been transferred into the name of Shannon Houwer, prior to the signing of the certificate by the Secretary-Treasurer.
  3. 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.
  4. 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.
  5. That an application for a new civic address be submitted for the retained (or severed) parcel. Contact Planning & Development at 905-318-5932, ext. 6220 for details.



6. 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.
7. Receipt of a copy of the registered reference plan of the severed parcel, approximately 112 metres (367.5 feet) by 67.7 metres (222 feet), containing an area of 0.6 acre (1.48 acres). 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 [lfedderus@haldimandcounty.on.ca](mailto:lfedderus@haldimandcounty.on.ca) and [astewart@haldimandcounty.on.ca](mailto: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
8. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before April 10, 2019, after which time this consent will lapse.

**REASONS:** The proposal is consistent with the Provincial Policy Statement (2014), complies with the Province's Growth Plan, conforms to the Haldimand County Official Plan, and meets the general intent and purpose of the Town of Haldimand Zoning By-law 1-H-86.

**G) PLB-2018-051 & 052**

Present: Chris Houwer, applicant

The proposal is to sever two lots for residential purposes.

There was discussion on the shared driveway. Meagan Ferris commented that there are conditions attached to ensure legal access.

The Committee made the following decision:

**PLB-2018-051**

**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 **Chris Houwer**, to sever a lot for residential purposes. **Part Lot 6, Concession 1, Geographic Township of Walpole, Rainham Road**

**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 \$350.00 and a fee of \$286.00 for deed stamping.
  2. Receipt of a letter from the Planning & Development Division indicating that their requirements, regarding a lot grading plan to address surface drainage of the property, have been satisfied. Please note that the owner\developer is responsible to have the grading plans prepared/stamped/signed by a qualified Professional Engineer as per Haldimand County Design Criteria. Contact the Development & Design Technologist at 905-318-5932, ext. 6409, if further clarification required. Please allow approximately six (6) to eight (8) weeks for completion of this process.
  3. Receipt of final approval of the required zoning amendment, if required. (Zoning Amendments can take three months or four months, therefore, your application must be submitted as soon as possible). For further information, please contact Planning Staff at 905-318-5932.
  4. Confirmation that legal access for the retained farm lands has been obtained or 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.
  5. That an application for a new civic address be submitted for the retained (or severed) parcel. Contact Planning & Development at 905-318-5932, ext. 6220 for details.
  6. 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.
  7. Receipt of a copy of the registered reference plan of the severed parcel, approximately . 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](mailto:lfledderus@haldimandcounty.on.ca) and [astewart@haldimandcounty.on.ca](mailto:astewart@haldimandcounty.on.ca). The AutoCad drawings need to be georeferenced for the following Coordinate System:

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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:  
Angular Unit:

Greenwich  
Degree

8. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before April 10, 2019, after which time this consent will lapse.

**REASONS:** The proposal is consistent with the Provincial Policy Statement (2014), complies with the Province's Growth Plan, conforms to the Haldimand County Official Plan and meets the intent and purpose of the City of Nanticoke Zoning By-law NE-1-2000.

**PLB-2018-052**

**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 **Chris Houwer**, to sever a lot for residential purposes. **Part Lot 6, Concession 1, Geographic Township of Walpole, Rainham Road**

**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 \$350.00 and a fee of \$286.00 for deed stamping.
  2. Receipt of a letter from the Planning & Development Division indicating that their requirements, regarding a lot grading plan to address surface drainage of the property, have been satisfied. Please note that the owner/developer is responsible to have the grading plans prepared/stamped/signed by a qualified Professional Engineer as per Haldimand County Design Criteria. Contact the Development & Design Technologist at 905-318-5932, ext. 6409, if further clarification required. Please allow approximately six (6) to eight (8) weeks for completion of this process.
  3. Receipt of final approval of the required zoning amendment, if required. (Zoning Amendments can take three months or four months, therefore, your application must be submitted as soon as possible). For further information, please contact Planning Staff at 905-318-5932.
  4. Confirmation that legal access for the retained farm lands has been obtained or 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.
  5. That an application for a new civic address be submitted for the retained (or severed) parcel. Contact Planning & Development at 905-318-5932, ext. 6220 for details.
  6. 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.

7. Receipt of a copy of the registered reference plan of the severed parcel, approximately . 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](mailto:lfledderus@haldimandcounty.on.ca) and [astewart@haldimandcounty.on.ca](mailto: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

8. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before April 10, 2019, after which time this consent will lapse.

The proposal is consistent with the Provincial Policy Statement (2014), complies with the Province's Growth Plan, conforms to the Haldimand County Official Plan and meets the intent and purpose of the City of Nanticoke Zoning By-law NE-1-2000.

#### H) **PLB-2018-054 Lorne Frederick Mattice III**

Present: Lorne Frederick Mattice III, applicant  
Ed McCarthy, solicitor

The proposal is to sever a lot containing a surplus farm dwelling and barn.

Staff is recommending refusal of the application as it is not consistent with the Provincial Policy Statement 2014, does not conform with the Province's Growth Plan, nor does the proposal conform with the Haldimand County Official Plan.

Meagan Ferris explained to Committee members that an error was made in the staff report. The lands are regulated by the Grand River Conservation Authority, not Long Point Region Conservation Authority. The GRCA has no concerns.

Ed McCarthy passed out an ariel photo. There two driveways, one on east side and on the west side. There is a gas well located on the southeast corner, to be included within the proposed lot. He also advised that the existing quarry on the severed lands is about two acres and can't be farmed.

He also advised that his client is willing to reduce the proposed lot size by approximately one acre, but due to the lay of the land, it cannot be reduced further.

Bill Armstrong suggested that the rear lot line be reduced to about 30.48 metres (100 feet). He also suggested that all outbuildings be removed and By-law Enforcement staff should inspect.

Peter Minkiewicz stated that there is some technical rationale for a larger sized lot, but that gas well could be accessed via an easement, rather than including it within the lot lines.

Committee suggested that they could defer their decision and allow the applicant time to amend his proposal by reducing the rear yard and including an easement to the gas well.

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 **Lorne Frederick Mattice III**, to sever a lot containing an existing surplus farm dwelling and barn. **Part Lot 10, Concession 13, Geographic Township of Walpole, 722 Concession 13**

**DECISION: DEFERRED**

**REASONS:** To allow the applicant an opportunity to provide a revised proposal, with a surveyor's sketch and amend the application to include an easement for gas well purposes.

**MINOR VARIANCES:**

**A) PLA-2016-170 Brelco Investments**

Present: Steve Cowan, applicant

The proposal is to construct a semi-detached dwelling on the subject lands. Relief is requested from the provisions of the 'Urban Residential Type 2 (R2)' Zone of Zoning By-law 1-DU 80 from the rear yard and interior side yard (left).

Mr. Cowan asked that the proposed left interior side yard relief be amended to allow 1.2 metres (3.9 feet). This amendment is requested due to the type of dwelling proposed.

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 **Brelco Investments**, for relief from the provisions of the 'Urban Residential Type 2 (R2)' Zone of Zoning By-law 1-DU 80 from the rear yard and interior side yard (left).

Development Standards	Required	Proposed	Deficiency
Rear Yard	9 metres (29.5 feet)	6 metres (19.7 feet)	3 metres (9.8 feet)
Interior Side Yard (left)	3 metres (9.8 feet)	1.2 metres (3.9 feet)	1.8 metres (5.9 feet)

A semi-detached dwelling is proposed. **Part of Maple Street, Plan 69, Urban Area of Dunnville, 13 Forest Street East**

**DECISION: APPROVED as amended**

- CONDITIONS:**
1. The development shall be in accordance with the attached sketch;
  2. Receipt of a letter from the Planning & Development Division indicating that their requirements, regarding a lot grading plan to address surface drainage of the property, have been satisfied. Please note that the owner/developer is responsible to have the grading plans prepared/stamped/signed by a qualified Professional Engineer as per Haldimand County Design Criteria. Contact the Development & Design Technologist at 905-318-5932, ext. 6409, if further clarification required. Please allow approximately six (6) to eight (8) weeks for completion of this process;
  3. 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; and
  4. That a minimum interior side yard (right) setback of 4 metres is required and that no part of the dwelling, including eaves, may project into said setback.

- REASONS:**
1. The relief requested is consistent with the Provincial Policy Statement (2014), conforms to the Province's Growth Plan (2017) and meets the general intent and purpose of the Haldimand County Official Plan and the Town of Dunnville Zoning By-law 1-DU-80. It is also considered minor in nature and appropriate development.
  2. The change to the relief requested, with regard to interior side yard, is considered minor and no further public notice is required.

**B) PLA-2018-044          Dacota & Jodie Deamude**

Present: Dacota Deamude, applicant

This application is filed in conjunction with Consent Application PLB-2017-077, which was provisionally approved on June 13, 2017. The subject lands are zoned both Agricultural (A) Zone and Hamlet Residential (RH) Zone. In this application, relief is requested from the provisions of the Agricultural and Hamlet Residential Zones of Zoning By-law 1-DU 80 from the lot frontage in the Agricultural Zone; from the lot area, lot frontage, interior side yard and accessory structure setback in the Hamlet Residential Zone and from Section 6.25, Minimum Services on both the severed and retained lands.

Mr. Deamude had no comments or questions.

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 **Dacota & Jodie Deamude**, for relief

from the provisions of the Agricultural and Hamlet Residential Zones of Zoning By-law 1-DU 80 as shown below:

Zone	Development Standards	Required	Proposed	Deficiency
<b>Vacant Lot</b>				
A Zone	Lot Frontage	35 metres (114.8 feet)	27.43 metres (90 feet)	7.57 metres (24.8 feet)
<b>Residential Lot</b>				
RH Zone	Lot Area	1855 square metres (19 967.05 square feet)	1254 square metres (13 497.9 square feet)	601 square metres (6 469.1 square feet)
RH Zone	Lot Frontage	30 metres (8.4 feet)	27.43 metres (90 feet)	2.57 metres (8.4 feet)
RH Zone	Interior Side Yard	3 metres (9.8 feet)	2.44 metres (8 feet)	0.56 metre (1.8 feet)
RH Zone	Accessory Structure Setback	1.2 metres (3.9 feet)	1 metre (3.3 feet)	0.2 metre (0.7 feet)
<b>Applicable to Both Lots</b>				
Minimum Services – 6.25	Minimum servicing requirement	Full municipal services	Partial municipal services	No connection to municipal sanitary services

**Part Lots 10, 11 & 12, Registered Plan 1407, Urban Area of Dunnville, 727 Cross Street West**

**DECISION: APPROVED**

**CONDITIONS:** 1. The development shall be in accordance with the attached sketch.

**REASONS:** The proposal is consistent with the Provincial Policy Statement (2014), conforms to the Province's Growth Plan (2017) and meets the general intent and purpose of the Haldimand County Official Plan and the Town of Dunnville Zoning By-law 1-DU-80. It is also considered minor in nature and appropriate development

**C) PLA-2017-191 Jack, Irene, Jason & Andrew Huitema**

Present: Jack Huitema, applicant

The proposal is to permit an additional living unit into the existing six unit dwelling house. Permission to expand a legal non-conforming use, under Section 45 (2) of The Planning Act, is requested.

Mr. Huitema explained that the additional unit has existed in the building for 25 years, that the previous owner added the unit without the benefit of a building permit.

The Zoning By-law requires that 1.5 parking spaces be provided per dwelling unit and 1 visitor parking space be provided per 10 dwelling units or part thereof. Therefore, 10 parking spaces are currently required to accommodate the six unit apartment building and 12 parking spaces are required to accommodate a seven unit apartment building.

Staff is recommending refusal of the application due of the functionality of the sixth and seventh parking spaces, as shown in the applicant's recently submitted parking plan.

Bill Armstrong questioned the need for a parking space for each unit. Mr. Huitema has already improved the existing parking situation by removing the garage.

Peter Minkiewicz expressed staff's concerns for safety. The parking aisle is required to be 6.5 metres and is proposed to be 5.7 metres for the sixth and seventh parking spaces. The seventh vehicle cannot safely back out. The proposed parking plan is not functional.

Two Committee members were not in favour of approval.

The Committee made the following decision:

**PURSUANT** to Subsection 45(2) of *The Planning Act*, R.S.O. 1990 (as amended), this Committee hereby makes the following decision on the application of Jack, Irene, Jason & Andrew Huitema, for permission to expand a legal non-conforming use, to permit an additional living unit into the existing six unit dwelling house. **Part Lot F, Plan 507, Urban Area of Dunnville, 4078 Helena Street**

**DECISION:**           **APPROVED**

**REASONS:**       The parking on the subject lands is considered appropriate.

**D) PLA-2017-204           Jo-Ann Savoie & Paul Robichaud**

Present: Joel Tanner, agent

The proposal is to construct a detached garage, approximately 6.1 metres (20 feet) by 7.3 metres (24 feet). Relief is requested from the provisions of the Seasonal Residential Zone of Zoning By-law 1-DU 80 from the lot area, setback for accessory structures and to permit an accessory structure in the required front yard.

This application was previously deferred at the January 23, 2018 Committee of Adjustment meeting to allow the applicants time to address concerns of County staff and the Grand River Conservation Authority.

Staff is recommending refusal of the application as the relief requested does not meet the four tests of a minor variance. Although the proposal maintains the general intent and purpose of the Official Plan, staff suggests that it does not maintain the general intent and purpose of the applicable Zoning By-law, is not minor in nature, and is not considered appropriate development as currently presented.

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 **Jo-Ann Savoie & Paul Robichaud**, for relief from the provisions of the Seasonal Residential Zone of Zoning By-law 1-DU 80 as shown below:



Development Standards	Required	Proposed	Deficiency
Lot Area	1,855 square metres (19,967 square feet)	1,821 square metres (19,601 square feet)	34 square metres (366 square feet)
Front Yard Setback for Accessory Structures	9 metres (29.5 feet)	0.61 metre (2 feet)	8.39 metres (27.5 feet)
Accessory Uses to Residential Uses	No structure accessory to a residential use shall occupy any part of a required front yard	Structure in front yard	Structure in front yard

**Part Lot 22, Concession 4, South of Dover Road, Geographic Township of Dunn, 173 Lighthouse Drive**

**DECISION: DEFERRED**

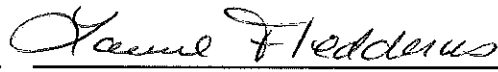
**REASONS:** To allow the applicants an opportunity to revise their proposal.

**OTHER BUSINESS:**

The minutes of the March 13, 2018 meeting were adopted as amended.

The meeting adjourned at 11:45 a.m.

  
 \_\_\_\_\_  
 Chairman

  
 \_\_\_\_\_  
 Secretary-Treasurer