



**HALDIMAND COUNTY  
COMMITTEE OF ADJUSTMENT  
MINUTES  
TUESDAY, April 9, 2019**

A meeting of the Committee of Adjustment was held on Tuesday, April 9, 2019 at 9:00 a.m. in the Council Chambers of the Haldimand County Administration Building.

**MEMBERS PRESENT:** Chair Paul Brown  
Members Don Ricker  
John Gould  
Brian Snyder  
Carolyn Bowman  
Leroy Bartlett

**MEMBER ABSENT:** Brian Wagter

**STAFF PRESENT:** Supervisor Development Services Peter Minkiewicz  
Planner Benjamin Kissner  
Secretary-Treasurer Laurie Fledderus

The Committee of Adjustment dealt with the following applications:

**CONSENTS:**

PLB-2018-198	Rudy Kazincz	DEFERRED
PLB-2019-022	Haldimand War Memorial Hospital	APPROVED
PLB-2019-023	Keith Bingleman	APPROVED
PLB-2019-024	Chris & Shannon Hower	APPROVED
PLB-2019-026	Bruce, Kathleen, Elliott Armstrong & Greta Haupt	APPROVED
PLB-2019-027	Bruce, Kathleen, Elliott Armstrong & Greta Haupt	APPROVED
PLB-2019-028	Bruce, Kathleen, Elliott Armstrong & Greta Haupt	APPROVED
PLB-2019-029	Maplerow Farms Inc.	DEFERRED
PLB-2018-140	Ian & Nicole Carpenter, Margareta Haupt & Elliot Armstrong	APPROVED

**MINOR VARIANCES:**

PLA-2018-002	Chris Andrews	APPROVED
--------------	---------------	----------

**DECLARATIONS OF PECUINARY INTEREST:**

None declared

**CONSENTS:**

**A) PLB-2018-198 Rudy Kazincz**

Present: No one present

The proposal is to sever a lot for residential purposes. The applicant's agent has requested that the application be deferred until May 14, 2019, at which time the related minor variance application is scheduled for a hearing.

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 **Rudy Kazincz**, to sever a lot for residential purposes. **Part Lot 12, Concession 1, Geographic Township of Sherbrooke**

**DECISION: DEFERRED**

**REASONS:** At the request of the applicant's agent

**B) PLB-2019-022 Haldimand War Memorial Hospital**

Present: Cathy MacLellan, SRM Architects Inc., agent  
Tim Baker, applicant

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

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 **Haldimand War Memorial Hospital**, to sever a parcel of land as a boundary adjustment. **Lot 25 & Part Lot 24, South of Lock Street, Plan 69, Urban Area of Dunnville, 340 Lock Street West**

**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 \$294.00 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 Haldimand War Memorial Hospital and further identified as Roll No. 2810-024-003-04400, 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 Haldimand War Memorial Hospital and further identified as Roll No. 2810-024-003-04400.
4. 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.
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. 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. 6407, if further clarification required. Please allow approximately six (6) to eight (8) weeks for completion of this process.
7. Receipt of a copy of the registered reference plan of the severed parcel, approximately 11.08 metres (36.4 feet) by 38.64 metres (126.8 feet) and will contain an area of approximately 0.43 hectares (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:

<b>Projected Coordinate System:</b>	<b>NAD_1983_UTM_Zone_17N</b>
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 9, 2020, 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 Dunnville Zoning By-law 1-DU 80

**C) PLB-2018-023 Keith Bingleman**

Present: Chris Houser, purchaser

The proposal is to sever a lot containing an existing surplus farm dwelling and garage. Mr. Houser owns an abutting farm, through which he will have access to the retained lands, in this application. The retained lands are currently used as pasture but will be used for crops as no cattle are proposed.

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 **Keith Bingleman**, to sever a lot containing an existing surplus farm dwelling and garage. **Part Lot 3, Concession 3, Geographic Township of Rainham, 183 Concession 3 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 \$250.00 and a fee of \$294.00 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 Chris & Shannon Houser, prior to the signing of the certificate by the Secretary-Treasurer.
  3. That the shared access to the severed and retained lands from Concession 3 Road must be stopped up and closed, separating the residential use from the retained agricultural lands, to the satisfaction of the Planning and Development Division.
  4. 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.
  5. 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.

6. Receipt of confirmation from the owner that a legal entrance to the retained parcel exists prior to the signing of the certificate by the Secretary-Treasurer.
7. Receipt of a copy of the registered reference plan of the severed parcel, approximately 54 metres (177 feet) by 60.5 metres (198.5 feet) and will contain an area of approximately 0.327 hectares (0.8 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:

<b>Projected Coordinate System:</b>	<b>NAD_1983_UTM_Zone_17N</b>
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 9, 2020, 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

**D) PLB-2018-024 Chris & Shannon Houwer**

Present: Chris Houwer, applicant

The proposal is to sever a lot containing a surplus farm dwelling. It was noted that the recommended Condition No. 4 of the staff report can be removed. Benjamin Kissner explained that permits are not required for the existing solar panels.

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 **Chris & Shannon Houwer**, to sever a lot containing a surplus farm dwelling. **Part Lot 24, Concession 4, Geographic Township of Woodhouse, 329 Haldimand Road 70**

**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 \$294.00 for deed stamping.
  2. 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.
  3. 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.
  4. That an application for a new civic address be submitted for the retained parcel. Contact the Planning & Development Division at 905-318-5932, ext. 6220 for details.
  5. Receipt of a copy of the registered reference plan of the severed parcel, approximately 60 metres (197 feet) by 80.5 metres (262.5 feet) and will contain an area of approximately 0.48 acres (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
  6. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before April 9, 2020, 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 City of Nanticoke Zoning By-law NE-1 2000

E) **PLB-2019-026, 027 & 028** **Bruce, Kathleen, Elliott Armstrong & Greta Haupt**

Present: Bruce & Elliott Armstrong, applicants

The proposal is to sever three lots for residential purposes.

Elliott Armstrong advised that the access to the retained lands is from Link Road, not from Kohler Road, as stated in the report. He also asked if the requirements for septic evaluations and lot grading could be removed from the conditions, as the current owners do not intend to develop the lands. Benjamin Kissner responded that these conditions must be attached to the approval of the lots at this stage, the lot grading will be preliminary only, at this time and the septic evaluations are required to ensure that suitable systems will work on the proposed lots.

The proposed lots are consistent with some of the other lots in the vicinity. Benjamin Kissner explained that the proposed depths include those lands designated "Hamlet" in the Official Plan.

The Committee made the following decision:

**PLB-2019-026**

**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 **Bruce, Kathleen Armstrong & Greta Haupt**, to sever a lot for residential purposes. **Part Lot 37, Concession 3 South of Talbot Road, Geographic Township of North Cayuga, Kohler 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 \$250.00 and a fee of \$294.00 for deed stamping.
  2. 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.
  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 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.
  5. That the applicant enter into an agreement with Haldimand County regarding the required lot grading plan. 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.

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. Receipt of a copy of the registered reference plan of the severed parcel, approximately 37.33 metres (122.5 feet) by 51.82 metres (170 feet) and will contain an area of approximately 0.19 hectares (0.47 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 9, 2020, 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

**PLB-2019-027**

**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 **Bruce, Kathleen Armstrong & Greta Haupt**, to sever a lot for residential purposes. **Part Lot 37, Concession 3 South of Talbot Road, Geographic Township of North Cayuga, Kohler 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 \$250.00 and a fee of \$294.00 for deed stamping.



2. 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.
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 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.
5. That the applicant enter into an agreement with Haldimand County regarding the required lot grading plan 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.
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. Receipt of a copy of the registered reference plan of the severed parcel, approximately 37.33 metres (122.5 feet) by 51.82 metres (170 feet) and will contain an area of approximately 0.19 hectares (0.47 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 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 9, 2020, 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

**PLB-2019-028**

**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 **Bruce, Kathleen Armstrong & Greta Haupt**, to sever a lot for residential purpose. **Part Lot 37, Concession 3 South of Talbot Road, Geographic Township of North Cayuga, Kohler 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 \$250.00 and a fee of \$294.00 for deed stamping.
  2. 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.
  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 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.
  5. That the applicant enter into an agreement with Haldimand County regarding the required lot grading plan. 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.
  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. Receipt of a copy of the registered reference plan of the severed parcel, approximately 37.33 metres (122.5 feet) by 51.82 metres (170 feet) and will contain an area of approximately 0.19 hectares (0.47 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:

<b>Projected Coordinate System:</b>	<b>NAD_1983_UTM_Zone_17N</b>
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 9, 2020, 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

**F) PLB-2019-029 Maplerow Farms Inc.**

Present: Ed McCarthy, solicitor  
Jason Cowie, applicant

The proposal is to sever a lot containing a surplus farm dwelling and to create an additional vacant parcel of land.

Staff is recommending refusal of the application because the lot creation policies in the Haldimand County Official Plan state that vacant residential lots are to be created in existing settlement areas (urban areas, hamlets, lakeshore nodes); the subject lands are not located within one of these settlement areas. Also, the creation of a new lot is to be requested through the completion of a consent application. The applicants have not filed a severance application for this lot, rather they are proposing to create the vacant parcel through creation of one irregular parcel with a remnant portion with street frontage being left out of the original lot, a process that has become known as checkerboarding. This sort of development methodology does not allow staff to adequately review the aspects of development, such as lot grading and drainage, servicing, safety and ease of access. And neglects to consider application costs and local and provincial policies regarding the severance of agricultural lands.

Ed McCarthy explained that the proposal is unique and that the new vacant lot would be incidental to the surplus farm dwelling. The proposed vacant parcel is too large to add to the surplus dwelling lands. The proposed vacant parcel is not currently being farmed and no land will be taken out of production.

The majority of the Committee members agreed with staff.

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 **Maplerow Farms Inc.**, to sever a lot containing a surplus farm dwelling and create a vacant parcel of land. **Part Lot 3, Range 3 West of Plan Road, Geographic Township of Seneca, 449 Mines Road**

**DECISION: DEFERRED**

**REASONS:** To allow the applicants time to amend their proposal.

**G) PLB-2018-140 Ian & Nicole Carpenter, Margareta Haupt & Elliott Armstrong**

Present: Elliott Armstrong, applicant

***This application was deferred at the September 11, 2018 Committee of Adjustment meeting at the request of the applicants.*** The applicants propose to sever a lot containing an existing surplus farm dwelling.

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 **Ian & Nicole Carpenter, Margareta Haupt & Elliott Armstrong**, to sever a lot containing an existing surplus farm dwelling. **Part Lot 7, Concession 13, Geographic Township of Walpole, 506 Concession 13**

**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 \$294.00 for deed stamping.
  2. Receipt of confirmation that the primary electrical service is located within the severed property or a new service has been installed, at the applicant's expense. Contact Hydro One at 519-426-4446 Ext 2259 or 1-866-557-9551, for further information.
  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. 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.
  5. Receipt of a copy of the registered reference plan of the severed parcel, with a frontage 71 metres (233 feet) and containing an area of approximately 0.6 hectare (1.5 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:

<b>Projected Coordinate System:</b>	<b>NAD_1983_UTM_Zone_17N</b>
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

6. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before April 9, 2020, 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

#### **MINOR VARIANCES:**

A) **PLA-2018-002**                      **Chris Andrews**

Present: Chris Andrews, applicant

***This application was deferred at the March 12, 2019 Committee of Adjustment to allow the applicant time to provide staff with the location of the existing septic system.*** The applicant proposes to construct a boat house/garage. Relief is requested from the provisions of the 'Agricultural (A)' and 'Hazard Land (HL)' Zones of Zoning By-law 1-DU 80 from the required front yard setback, rear yard and the front yard setback for accessory buildings in the 'A' Zone.

Mr. Andrews provided Committee members with a power point presentation. He doesn't want to move the proposed structure as per staff's recommendation, due to the location of the septic system and the existing shed.

Committee members generally agreed that safety was their first concern and agreed that a 6.5 metre front yard setback should address those concerns. Mr. Andrews noted that he will have to move the existing shed and cut down some trees to accommodate.

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 **Chris Andrews**, for relief from the provisions of the Agricultural and Hazard Land Zones of Zoning By-law 1-DU 80 as follows:

<b>Development Standards</b>	<b>Required</b>	<b>Proposed</b>	<b>Deficiency</b>
Front Yard Setback (existing)	13 metres (42.7 feet)	2.77 metres (9.1 feet)	10.23 metres (33.6 feet)
Rear Yard (existing)	13 metres (42.7 feet)	5.8 metres (19.0 feet)	7.2 metres (23.7 feet)
Front Yard Setback for Accessory Building (A Zone) (proposed)	13 metres (42.7 feet)	6.5 metres (21.3 feet)	6.5 metres (21.3 feet)

**Part Lot 8, Concession 1, Registered Plan 18R7745 Part 1, Geographic Township of Sherbrooke, 28 Warnick Road**

**DECISION: APPROVED**

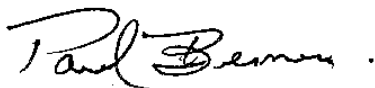
- CONDITIONS:**
1. The applicant receives approval from Hydro One to locate the accessory structure onsite. The accessory structure must be located outside of Hydro One's easement. Any relocation of Hydro infrastructure must be completed prior to the issuance of a building permit.; and
  2. Receipt of 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. 6407, for further clarification.

- REASONS:**
1. The amended relief is consistent with the Provincial Policy Statement (2014), conforms to the Province's Growth Plan (2017) and meets the general intent of the Haldimand County Official Plan and Town of Dunnville Zoning By-law 1-DU 80. It is also considered minor in nature and compatible and appropriate with surrounding development;
  2. The amendment to the proposed front yard setback for the accessory structure is considered minor and no further public notice is required.

**OTHER BUSINESS:**

The minutes of the March, 12, 2019 meeting were adopted as amended.

The meeting adjourned at 11:15 a.m.



Chairman



Secretary-Treasurer