



**HALDIMAND COUNTY
COMMITTEE OF ADJUSTMENT
MINUTES
TUESDAY, January 21, 2020**

A meeting of the Committee of Adjustment was held on Tuesday, January 21, 2020 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
		Brian Wagter
		Carolyn Bowman
		Leroy Bartlett
STAFF PRESENT:	Supervisor Development Services	Peter Minkiewicz
	Planner	Alicia West
	Secretary-Treasurer	Laurie Fledderus

The Committee of Adjustment dealt with the following applications:

CONSENTS:

PLB-2019-188	Maxim Industrial Corporation	APPROVED
PLB-2019-192	Mark & Kieran Kelleher	DEFERRED
PLB-2019-197	2494574 Ontario Ltd.	APPROVED
PLB-2019-198	Kieran Kelleher	APPROVED
PLB-2019-180	Art & Monika Bluhm	APPROVED
PLB-2019-181	Art & Monika Bluhm	APPROVED
PBB-2019-182	Bains Brook Acres Ltd.	APPROVED

MINOR VARIANCES:

PLA-2019-175	Joe & Denise Guidice	APPROVED
PLA-2019-184	D& D Nicholson, A. Proctor, S. Hutchinson	APPROVED
PLA-2019-190	Wilva Tasker	APPROVED

PLA-2019-193	Michael Cerpnjak	APPROVED
PLA-2019-194	McClung Properties Ltd.,	DEFERRED
PLA-2019-195	Kingsway Christian Church of Haldimand	APPROVED

DECLARATIONS OF PECUINARY INTEREST: None declared

CONSENTS:

A) PLB-2019- 188 Maxim Industrial Corporation

Present: David Roe, agent
 Nasser Dabirian, applicant
 Mary Hertel, neighbouring property owner
 Joanna Fielding, neighbouring property owner
 Simona Kerr, neighbouring property owner

The proposal is to sever an irregular shaped 43 hectare parcel land to be used for future development. A 38 hectare parcel, containing a solar farm will be retained.

Mr. Roe explained that the severed lands will be severed and offered for sale. The current owner has no formal plans to develop, as expressed through any active development applications.

Mary Hertel asked about the future development of the property. Joanna Fielding explained that the 25 metre width of the proposed easement is not appropriate. She asked why the lands are being severed if there are no plans to develop. There is an abundance of wildlife on the property that should be protected. Simona Kerr advised that the proposed easement is also close to her property.

David Roe explained that the easement will be used for access to an abutting, proposed housing development, as an emergency access. It was noted that some of the county roads are much smaller in width than the proposed easement and Committee members felt that the width is appropriate.

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 **Maxim Industrial Corporation**, to sever an irregular shaped parcel of land for future development. **Part Lots 13 & 14, Concession 13, Geographic Township of Walpole**

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 \$301.00 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 an application for a new civic address be submitted for the retained (or severed) parcel. Contact the Planning & Development Division at 905-318-5932, ext. 6220 for details.
 4. Receipt of a copy of the registered reference plan of the severed parcel, approximately 43 hectares as well as the easement approximately 25 metres by 516.85 metres, 1.28 hectares. Also, **prior to deed stamping**, an electronic version of the reference plan in AutoCAD.dwg in format shown below, indicating the consent file number and name of the applicant, must be emailed to lfledderus@haldimandcounty.on.ca and astewart@haldimandcounty.on.ca. The AutoCad drawings need to be georeferenced for the following Coordinate System:

Projected Coordinate System:	NAD_1983_UTM_Zone_17N
Projection:	Transverse_Mercator
False_Easting:	500000.00000000
False_Northing:	0.00000000
Central_Meridian:	-81.00000000
Scale_Factor:	0.99960000
Latitude_Of_Origin:	0.00000000
Linear Unit:	Meter
Geographic Coordinate System:	GCS_North_American_1983
Datum:	D_North_American_1983
Prime Meridian:	Greenwich
Angular Unit:	Degree
 5. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before January 21, 2021, 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.

B) PLB-2019- 192 Mark & Kieran Kelleher

Present: Mike Fowler, solicitor
Brian Whitwell, adjoining property owner

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

Brian Whitwell, neighbouring property owner expressed concern regarding the MDS calculations used to process the application. He currently has 100 head of cattle and is concerned that the creation of this lot will affect future expansion of his farm. Alicia West responded that the dwelling is existing and no new development is proposed, therefore staff has no MDS concerns.

There was discussion regarding the renovations currently being undertaken on the subject dwelling. Committee members noted that windows and walls have been removed. How could the dwelling be currently habitable, in that state?

It was noted that the dwelling should be brought into a state of habitability before the Committee makes a decision. A new declaration of habitability will be required and an inspection by the Building and By-law Enforcement staff will be required prior to the application moving forward. The deferral fee of \$265.00 will also be required.

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 **Mark & Kieran Kelleher**, to sever a lot containing an existing surplus farm dwelling. **Part Lot 16, Concession 1, Geographic Township of Oneida, 510 First Line**

DECISION: DEFERRED

REASONS: To allow the applicants time to make the dwelling habitable . An inspection by County staff is required to confirm habitability prior to the application coming back to the Committee for a decision. The deferral fee of \$265.00 is required prior to the application moving forward.

C) PLB-2019- 197 2494574 Ontario Ltd.

Present: Don Wilson, applicant

The proposal is to sever an existing (under construction) semi detached dwelling into separate ownerships.

It was noted that the public notice sign was not always visible. Mr. Wilson stated that it was covered by a tarp during the bricking process, but it was posted.

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 **2494574 Ontario Ltd.**, to sever an existing semi-detached dwelling into separate ownerships. **Lot 5, Block 27, Plan 905, Urban Area of Hagersville, 19 Railway Street**

DECISION: APPROVED

- CONDITIONS:**
1. That the Haldimand County requirements, financial or otherwise, be satisfied. This will include taxes paid up to date, a parkland dedication fee of \$250.00 and a fee of \$301.00 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 an application for a new civic address be submitted for the retained (or severed) parcel. Contact the Planning & Development Division at 905-318-5932, ext. 6220 for details.
 4. Receipt of a copy of the registered reference plan of the severed parcel, approximately 10.056 metres by 39.418. Also, **prior to deed stamping**, an electronic version of the reference plan in AutoCAD.dwg in format shown below, indicating the consent file number and name of the applicant, must be emailed to lfledderus@haldimandcounty.on.ca and astewart@haldimandcounty.on.ca. The AutoCad drawings need to be georeferenced for the following Coordinate System:

Projected Coordinate System:	NAD_1983_UTM_Zone_17N
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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:	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 January 21, 2021, 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-2019- 198 Kieran Kelleher

Present: Michael Folwer, solicitor

The proposal is to sever an irregular shaped parcel of land containing an existing surplus farm dwelling.

A zoning amendment application will be required due to the size of the proposed severed lot. The deficient lot frontage will be dealt with, through that process.

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 **Kieran Kelleher**, to sever a lot containing an existing surplus farm dwelling. **Part Lot B, Concession 2 South East of Stoney Creek Road, Geographic Township of Seneca, 947 Concession 1 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 \$301.00 for deed stamping.
 2. Receipt of confirmation that the subject lands, including the proposed severed and retained parcels, have been transferred into the names of both Kieran James Kelleher & Mark Jeremiah Kelleher, prior to the signing of the certificate by the Secretary-Treasurer.
 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 accessory structures/outbuildings, except those specifically shown on the applicant's sketch, be removed to the satisfaction of the Building

Controls and By-law Enforcement Division. Please contact the Building Inspector at 905-318-5932, when the buildings have been removed, for an inspection of the property.

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. 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 irregular shaped severed parcel, with a frontage of approximately 4.9 metres and containing an area of 2.17 hectares as well as the easement approximately 4 metres in width. Also, **prior to deed stamping**, an electronic version of the reference plan in AutoCAD.dwg in format shown below, indicating the consent file number and name of the applicant, must be emailed to lfledderus@haldimandcounty.on.ca and astewart@haldimandcounty.on.ca. The AutoCad drawings need to be georeferenced for the following Coordinate System:

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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:	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 January 21, 2021, 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-2019-175 Joe & Denise Guidice

Present: Joe Guidice, applicant

The applicants propose to remove the existing dwelling and construct a new one. Permission to replace an existing legal non-conforming use is requested.

Mr. Guidice 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 **Joe & Denise Guidice**, for permission to replace an existing legal non-conforming use to allow the replacement of the existing dwelling. **Part Lot 34, Concession 1 North of Talbot Road, Geographic Township of North Cayuga, 48 Courish Lane**

DECISION: APPROVED

- CONDITIONS:**
1. The development shall be in accordance with the attached sketch;
 2. That proper Hydro One clearances of the new structure are maintained from the existing secondary triplex service wire and pole that are currently located on the property;
 3. That a septic evaluation be completed and submitted to the Haldimand County Building Controls and By-law Enforcement Division for approval. Alternatively, a permit for a new system can be applied for. (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; and
 4. Receipt of a letter from the Planning and Development Division, indicating that their requirements, regarding surface drainage of the property, have been satisfied. Typically the county would require a full lot grading to be designed, in lieu of that, the proponent shall provide the Planning and

Development Division with a letter assuring that all storm water from this parcel will be discharged toward the roadway, or a large body of water (lake, river, stream or other conveyance system), not adjacent properties. This is required as the new development as proposed, has the potential to increase the volume or rate of the storm runoff and may impact abutting landowners. A sample form letter can be provided. Contact the Development & Design Technologist at 905-318-5932, ext. 6409, for further clarification.

REASONS: The permission requested 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.

B) PLA-2019-184 David & Debi Nicholson & Al Proctor and Susan Hutchinson

Present: Al Proctor, agent

Relief is requested from the provisions of the Vacation Residential Zone of Zoning By-law NE-1 2000. This relief is required as a condition of consent under file PLB-2019-143 for relief from the lot area and lot frontage at 182 Bluewater Parkway and from the lot frontage requirements at 184 Bluewater Parkway.

Mr. Proctor had no questions or comments

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 **David & Debi Nicholson, Al Proctor & Susan Hutchinson** for relief from the provisions of the Vacation Residential Zone of Zoning By-law NE-1 2000 as shown below:

182 Bluewater Parkway

Development Standards	Required	Proposed	Deficiency
Lot Area	930 square metres	526.1 square metres	403.9 square metres
Lot Frontage	18 metres	0 metre	18 metres

184 Bluewater Parkway

Development Standards	Required	Proposed	Deficiency
Lot Frontage	18 metres	3.05 metres	14.95 metres

Part Lot 23, Concession 1, Geographic Township of Walpole, 182 & 184 Bluewater Parkway

DECISION: APPROVED

REASONS: The relief requested 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 Nanticoke Zoning By-law 1-NE 2000. It is also considered minor in nature and appropriate development of the lands

C) PLA-2019-190 Wilva Tasker

Present: Wilva Tasker, applicant

A 3.7 metre by 2.4 metre accessory structure is proposed. Relief is requested from the provisions of the Agricultural Zone of Zoning By-law 1-H 86 from the lot area, interior side yard (right), Section 6.7 (b) & (c).

A holding tank currently serves the dwelling. Ms. Tasker had no questions or comments.

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 Wilva Tasker, for relief from the provisions of the Agricultural Zone of Zoning By-law 1-H 86 as shown below:

Development Standards	Required	Proposed	Deficiency
Lot Area	1,855 square metres	1,214.06 square metres	640.94 square metres
Interior Side Yard (Right)	3 metres	1.63 metres	1.37 metres
Section 6.7 (b) Accessory Uses to Residential Uses	13 metres	6.86 metres	6.14 metres
Section 6.7 (c) Accessory Uses to Residential Uses	1.2 metres	0.91 metre (proposed structure) 0.56 metre (existing structure)	0.29 metres (proposed structure) 0.64 (existing structure)

Part Lots 24 & 25, Concession 1, Geographic Township of Rainham, 82 Evans Point Lane

DECISION: APPROVED

- CONDITIONS:**
1. The development shall be in accordance with the attached sketch; and
 2. That a permit be obtained from the Long Point Region Conservation Authority prior to construction.

REASONS: The requested relief 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. It is also considered minor in nature and appropriate development of the lands

D) PLA-2019-193 Michael Cerpnjak

Present: Michael Cerpnjak, applicant
Joanne Mormul, neighbouring property owner

The applicant proposes to construct a seasonal dwelling on the subject lands. Relief is requested from the provisions of the Seasonal Residential Zone of Zoning By-law 1-H 86 from the lot area, lot frontage and front yard setback.

Mr. Cerpnjak had no questions or comments.

Joanne Mormul noted that the public notice sign had the wrong meeting date on it. She noted that the applicant's sketch did not show the location of the existing cistern and that there are encroachment issues on the property.

Peter Minkieicz responded that encroachment issues are not matters for this Committee to deal with and that would be a civil matter.

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 **Michael Cerpnjak**, for relief from the provisions of the Seasonal Residential Zone of Zoning By-law 1-H 86 as shown below:

Development Standards	Required	Proposed	Deficiency
Lot Area	927 square metres	418 square metres	509 square metres
Lot Frontage	18 metres	13.72 metres	4.28 metres

Front Yard Setback	9 metres	6.05 metres	2.95 metres
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Part Lot 9, Concession 1, Geographic Township of Rainham, 807 Lakeshore Road

DECISION: APPROVED

- CONDITIONS:**
1. The development shall be in accordance with the attached sketch;
 2. That a septic evaluation 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 new structure not encroach onto the existing Hydro One easement area and the septic system or cistern not be placed within the existing easement area without property permitting and consultation with a Hydro One representative; and
 4. 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.

REASONS: The relief requested 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. It is also considered minor in nature and appropriate development of the lands

E) PLA-2019-194 McClung Properties Ltd.

Present: Maria Jones, agent

Relief is requested from the Neighbourhood Commercial Zone of Zoning By-law 1-H 86, as amended by 875-HC/14 from the front yard setback, maximum permitted commercial area, maximum permitted retain area, required landscape buffer and a request to deem McClung Road as the front yard.

It was noted that the public notice sign was not properly posted on the property.

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 **McClung Properties Ltd.**, for relief from the provisions of the Neighbourhood Commercial Zone of Zoning By-law 1 H-86, as amended by 875-HC/14 as shown below:

Development Standards	Required	Proposed	Deficiency
Front Yard Setback	3 metres maximum from McClung Road	5.7 metres & 10 metres	2.7 metres & 7 metres
Maximum Commercial Area	1,200 square metres	1,883 square metres	683 square metres
Maximum Retail Area	360 square metres	943 square metres	583 square metres
Landscape Buffer	Grass only	Grass & Concrete	Concrete
That the front yard be deemed as McClung Road (not Oaktree Drive)			

Lot 142, Plan 18M-58, Urban Area of Caledonia, McClung Road

DECISION: DEFERRED

REASONS: To allow the applicant an opportunity to post the public notice sign on the property per the requirements of the *Planning Act*. The deferral fee of \$265.00 is to be paid prior to the application being rescheduled for a hearing.

F) PLA-2019-195 Kingsway Christian Church of Haldimand

Present: Doug Hawkins, agent

The proposal is to place a pre-engineered building on the subject lands to be used as a classroom/recreation area. Relief is requested from the provisions of the Rural Institution zone.

Mr. Hawkins noted that, in the staff report, Condition No. 2 states that the septic evaluation should be for the severed parcel. The secretary noted the change and the wording of the condition was amended.

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 **Kingsway Christian Church of Haldimand**, for relief from the provisions of the Rural Institution zone of Zoning By-law 1-H 86 as shown below: This relief is required prior to issuance of a building permit for the proposed construction.

Development Standards	Required	Proposed	Deficiency
Rear Yard	13 metres	1.5 metres	11.5 metres

DECISION: APPROVED

- CONDITIONS:**
1. The development shall be in accordance with the attached sketch; and
 2. That a septic evaluation be completed and submitted to the Haldimand County Building Controls and By-law Enforcement Division for approval. (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.

REASONS: The relief requested 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. It is also considered minor in nature and appropriate development of the lands

PREVIOUSLY DEFERRED:

A) PLB-2019-180 Art & Monika Bluhm

Present: David Roe, agent

This application was deferred at the December 17, 2019 Committee of Adjustment meeting to allow the applicants time work with staff to amend their proposal.

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

Mr. Roe explained that the severed parcels in this and PLB-2019-181 have been significantly reduced per the Committee’s recommendation.

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 **Art & Monika Bluhm**, to sever a parcel of land as a boundary adjustment. **Part Lot 24, Concession 14, Geographic Township of Townsend, 41 Townline Road**

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 \$301.00 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 9258159 Canada Inc. and further identified as Roll # 2810-339-080-45600, 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 9258159 Canada Inc. and further identified as Roll # 2810-339-080-45600.
 4. Receipt of a letter from the Planning & Development Division indicating that their requirements, regarding a property dedication have been satisfied. A dedication to the County, of property along the lot frontage/flankage (Keith Richardson Parkway), is required to bring the road allowance width up to current standards. Contact the Planning & Development Division at 905-318-5932 for more information.
 5. That a septic evaluation for 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.
 6. That an application for a new civic address be submitted for the proposed amalgamated parcel. Contact the Planning & Development Division at 905-318-5932, ext. 6220 for details.
 7. 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.
 8. 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.
9. Receipt of a copy of the registered reference plan of the irregular shaped, retained parcel, with a frontage of approximately 48 metres and containing an area of approximately 1.6 hectares. Also, **prior to deed stamping**, an electronic version of the reference plan in AutoCAD.dwg in format shown below, indicating the consent file number and name of the applicant, must be emailed to lfledderus@haldimandcounty.on.ca and astewart@haldimandcounty.on.ca. The AutoCad drawings need to be georeferenced for the following Coordinate System:

Projected Coordinate System:	NAD_1983_UTM_Zone_17N
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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:	Greenwich
Angular Unit:	Degree

10. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before January 21, 2021, 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

B) PLB-2019-181 Art & Monika Bluhm

Present: David Roe, agent

This application was deferred at the December 17, 2019 Committee of Adjustment meeting to allow the applicants time work with staff to amend their proposal.

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 **Art & Monika Bluhm**, to sever a parcel of land as a boundary adjustment. **Part Lot 24, Concession 14, Geographic Township of Townsend, 41 Townline Road**

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 \$301.00 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 Jason Kenneth Bluhm & Angela Nichole Bluhm and further identified as Roll # 2810-339-080-46500, 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 Jason Kenneth Bluhm & Angela Nichole Bluhm and further identified as Roll # 2810-339-080-46500.
 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 copy of the registered reference plan of the irregular shaped, severed parcel, containing an area of approximately 2.4 hectares. Also, **prior to deed stamping**, an electronic version of the reference plan in AutoCAD.dwg in format shown below, indicating the consent file number and name of the applicant, must be emailed to lfledderus@haldimandcounty.on.ca and

astewart@haldimandcounty.on.ca. The AutoCad drawings need to be georeferenced for the following Coordinate System:

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

7. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before January 21, 2021, 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

C) PLB-2019-182 Bains Brook Acres Ltd.

Present: Richard Schilstra, agent

This application was deferred at the December 17, 2019 Committee of Adjustment meeting to allow the applicant an opportunity to post the public notice sign on the property per the requirements of the Planning Act. The applicants propose to sever an irregular shaped parcel of land as a boundary adjustment. The severed lands will be added to the abutting property, known as 5353 Rainham Road. A church is proposed on the amalgamated 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 **Bains Brook Acres Ltd.**, to sever an irregular shaped parcel of land as a boundary adjustment.

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 \$301.00 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 Benjamin Deboer & Deboer Acres Holsteins Inc. and further identified as Roll No. 2810-158-001-82700, 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 Benjamin Deboer & Deboer Acres Holsteins Inc.
 4. 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 Project Manager, Municipal Drains at 905-318-5932, ext. 6415, for further clarification.
 5. 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.
 6. 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.
 7. Receipt of a copy of the registered reference plan of the irregular shaped, severed parcel, containing an area of approximately 0.9 hectare. Also, **prior to deed stamping**, an electronic version of the reference plan in AutoCAD.dwg in format shown below, indicating the consent file number

and name of the applicant, must be emailed to lfledderus@haldimandcounty.on.ca and astewart@haldimandcounty.on.ca. The AutoCad drawings need to be georeferenced for the following Coordinate System:

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

8. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before January 21, 2021, after which time this consent will lapse.

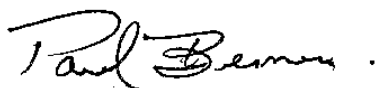
REASONS:

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

OTHER BUSINESS:

The minutes of the December 17, 2019 meeting were adopted as circulated.

The meeting adjourned at 10:40 a.m.



Chairman



Secretary-Treasurer