



**HALDIMAND COUNTY
COMMITTEE OF ADJUSTMENT
MINUTES
TUESDAY, MAY 18, 2021**

A meeting of the Committee of Adjustment was held on Tuesday, May 18, 2021 at 9:00 a.m. in the Council Chambers of the Haldimand County Administration Building, and virtually via ZOOM.

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

STAFF PRESENT:	Planner	Ben Kissner
	Planning Technician	Jessica Eason
	Secretary-Treasurer	David Scott

The Committee of Adjustment dealt with the following applications:

CONSENTS:

PLB-2020-034	Wilfred & Fiona Westerveld	APPROVED
PLB-2021-010	Ryan & Judy Schuurman	APPROVED
PLB-2021-058	Haybury Farms Inc.	APPROVED
PLB-2021-059	Pine Ridge Gardens Inc.	APPROVED
PLB-2021-060	Paul George Merritt	APPROVED
PLB-2021-065	Rob & Angela Hagen	APPROVED
PLB-2021-071	Sona Industries Inc.	APPROVED
PLB-2021-073	Mildred Reichheld & Linda Drehmer	APPROVED
PLB-2021-074	Silverthorne Homes	APPROVED
PLB-2021-075	Silverthorne Homes	APPROVED

MINOR VARIANCES:

PLA-2021-017	Gardens Communities (Hagersville) Inc.	APPROVED
PLA-2021-018	Aisha Ijaz	REFUSED
PLA-2021-045	McClung Properties Ltd.	APPROVED
PLA-2021-053	Mark Reynolds	APPROVED
PLA-2021-054	Trevor Dell	APPROVED
PLA-2021-057	W.D. Moody Concrete Ltd.	APPROVED
PLA-2021-062	Alex Lultschik	APPROVED
PLA-2021-063	William McMullen and Laila Sigfridson-McMullen	DEFERRED
PLA-2021-064	Arthur Barin	APPROVED
PLA-2021-066	John and Alicia Laidlaw	APPROVED
PLA-2021-072	Haldimand County	DEFERRED

DECLARATIONS OF PECUINARY INTEREST: None declared.

CONSENTS:

A) PLB-2021-058 Haybury Farms Inc.

Present: D.J. Wassenar, representative

The proposal is to sever a lot containing an existing surplus farm dwelling. The severed lands will be approximately 57 metres (187 feet) by 100 metres (328 feet) and will contain an area of approximately 0.57 hectares (1.4 acres).

No comments from the representative. Member Ricker asked whether there was another old severance affecting the property, and, if so, when. The planner said that it may have been severed a long time ago, and that the farm land would be frozen from residential development.

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 **Haybury Farms Inc.**, to sever a lot containing an existing surplus farm dwelling. The severed lands will be approximately 57 metres (187 feet) by 100 metres (328 feet) and will contain an area of approximately 0.57 hectares (1.4 acres). **Concession 10, Part Lot 2, Registered Plan 37R3821 Parts 1 and 2, Parcel 2-5 Section D-1, Geographic Township of Walpole, known municipally as 121 Concession 9 Walpole**

DECISION: Member Bartlett: Yes

Member Bowman: Yes
Member Gould: Yes
Member Ricker: Yes
Member Snyder: Yes
Member Wagter: Yes
APPROVED (6-0)

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 \$308.00 for deed stamping.
2. 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 recalculated 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. 6424, 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 Roads Operations Division Support staff at 905-318-5932, Ext. 8601 for details.
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, approximately 0.57 hectares (1.4 acres). Also, **prior to the signing of the certificate**, 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 dscott@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

6. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before May 18, 2022, after which time this consent will lapse.

REASONS: The proposal conforms to the intent of the Official Plan and Zoning By-law.

B) PLB-2021-059 Pine Ridge Gardens Inc.

Present: Henry Westerveld, owner

The proposal is to sever a lot containing an existing surplus farm dwelling and two accessory structures. The severed lands will be approximately 45.7 metres (150 feet) by 105 metres (344 feet) and will contain an area of approximately 0.45 hectares (1.1 acres).

No comments from the owner. Member Bowman asked whether a MTO entrance permit and a septic evaluation should be made a condition of approval. The planner said that the entrance permit may not be required as the owner can access the property from adjacent properties that they also own. As far as the septic evaluation, the planner had no issue about adding it as a condition. Member Bartlett asked if the municipal drain through the property, and whether there was a crossing over it. The owner said yes on both counts.

A quick poll of members showed a desire to add a septic evaluation as a condition of severance.

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 **Pine Ridge Gardens Inc.**, to sever a lot containing an existing surplus farm dwelling and two accessory structures. The severed lands will be approximately 45.7 metres (150 feet) by 105 metres (344 feet) and will contain an area of approximately 0.45 hectares (1.1 acres). **Concession North of Forks Road, Part Lot 18, Geographic Township of Moulton, known municipally as 1693 Highway 3**

DECISION:
Member Bartlett: Yes
Member Bowman: Yes
Member Gould: Yes
Member Ricker: Yes
Member Snyder: Yes
Member Wagter: Yes
APPROVED as amended(6-0)

- 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 \$308.00 for deed stamping.
 2. That a septic evaluation for severed parcel be completed and submitted **to the Secretary- Treasurer**, who will give it 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 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 recalculated 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. 6424, for further clarification.
 4. 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 Roads Operations Division Support staff at 905-318-5932, Ext. 8601 for details.

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. Receipt of a copy of the registered reference plan of the severed parcel, approximately 0.45 hectares (1.1 acres). Also, **prior to the signing of the certificate**, 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 dscott@haldimandcounty.on.ca and 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
7. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before May 18, 2022, after which time this consent will lapse.

REASONS: The proposal conforms to the intent of the Official Plan and Zoning By-law.

C) PLB-2021-060 Paul George Merritt

Present: John McGillvary, agent

The proposal is to sever a lot for future development. The severed lands will have a frontage of approximately 18.04 metres (59.2 feet) and will contain an area of approximately 0.2 hectares (0.49 acres).

No comments from the agent. Member Bowman requested that an agreement registered on title needed to be added as a condition, as it was recommended in the report. There was general agreement on the committee for the addition of this condition.

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 **Paul George Merritt**, to sever a lot for future development. The severed lands will have a frontage of approximately 18.04 metres (59.2 feet) and will contain an area of approximately 0.2 hectares (0.49 acres). **Concession 5 South of Dover Road, Part Lot 15, Geographic Township of Dunn, known municipally as 645 Sandy Bay Road**

DECISION: **Member Bartlett: Yes**
 Member Bowman: Yes
 Member Gould: Yes
 Member Ricker: Yes
 Member Snyder: Yes
 Member Wagter: Yes
 APPROVED as amended(6-0)

- 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 \$308.00 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 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 Roads Operations Division Support staff at 905-318-5932, Ext. 8601 for details.

4. That an agreement be registered on title that will ensure that development of the site is carried out in the same fashion that was approved by the County.
5. Subject to the approval from the Grand River Conservation Authority.
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 0.2 hectares (0.49 acres). Also, **prior to the signing of the certificate**, 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 dscott@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 May 18, 2022, after which time this consent will lapse.

REASONS: The proposal conforms to the intent of the Official Plan and Zoning By-law.

D) PLB-2021-065 Rob and Angela Hagen

Present: Rob Hagen, applicant

The proposal is to sever a lot for future development. The severed lands will have a frontage of approximately 21.03 metres (69 feet) and will contain an area of approximately 0.07 hectares (0.18 acres).

The applicant requested verification of what it meant that the application is not consistent with policy, whereas a neighbouring application was considered to be consistent with policy. The planner said that each application is measured on their merits. Because the Oswego Park is not considered an hamlet in the Official Plan but is considered Agricultural, this type of lot creation is not acceptable to a number of policies. There is currently a review of the Official Plan, one which is likely to make Oswego Park an hamlet area going forward, making this application acceptable in terms of policy. Member Ricker said that, irrespective of the policy in the Official Plan, this application meets the criteria of provincial policy and the zoning by-law; therefore, he supports the application. Member Gould agreed with the assessment that each application must be measured on its merits, and that he also supports approval. There was agreement among other members. Member Bowman asked for the timeline for the Official Plan review. The planner said that it was hard to say, but that the hope is that it would be early in 2022. Further discussion ensued.

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 **Rob and Angela Hagen**, to sever a lot for future development. The severed lands will have a frontage of approximately 21.03 metres (69 feet) and will contain an area of approximately 0.07 hectares (0.18 acres). **Concession 1 from Canborough, Part Lot 21, Registered Plan 18R23 Parcel 38, Geographic Township of Moulton, known municipally as 69 Oswego Park Road**

DECISION: **Member Bartlett: No**
 Member Bowman: No
 Member Gould: No
 Member Ricker: No
 Member Snyder: No
 Member Wagter: No

Motion to Defer **DEFEATED (0-6)**

Member Bartlett: Yes
Member Bowman: Yes
Member Gould: Yes
Member Ricker: Yes
Member Snyder: Yes

Member Wagter: Yes
Motion to Approve APPROVED (6-0)

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 \$308.00 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 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 Roads Operations Division Support staff at 905-318-5932, Ext. 8601 for details.
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, approximately 0.07 hectares (0.18 acres). Also, **prior to the signing of the certificate**, 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 dscott@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

6. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before May 18, 2022, after which time this consent will lapse.

REASONS: The committee feels that the proposal is an appropriate use of the land given the site-specific details.

E) PLB-2021-071 Sona Industries Inc.

Present: Martin Osterveld, representative for Sona Industries Inc.
 Brandon Walton, agent

The proposal is to sever a lot for a future self storage business. The severed lands will have a frontage of approximately 162.57 metres (533.4 feet) and will contain an area of approximately 2.5 hectares (6.2 acres).

The representative gave an history of the proposal for the committee’s benefit. Member Bartlett asked why staff had changed their recommendation, and why a memo was issued as opposed to a new report. The planner said that an interpretation of policy was causing conflict within staff, given the provisions of the Provincial Policy Statement and the Official Plan. As deliberation occurred past report writing time, and given that time was tight, a memo was considered to be the best way to get all the information to the committee. Member Bowman expressed concern regarding the size of the severed parcel, and asked how long ago was the land last farmed. The representative stated that the land had been farmed the previous year, but that it was not suitable for farming long term.

Member Ricker asked whether there was a way to prevent residential development on the property. The planner said that the required zoning amendment, as well as the proposed use of the land, would prevent this. Chairperson Brown asked what would be the use of the retained parcel. The representative said that, as of now, there are no plans for the property. Discussion continued on the process on making a recommendation. The planner continued that special provision NANT.7 allows for dry industrial uses on the property, so the proposal seems appropriate. There are also similar developments on properties around this one.. Member Bowman added that there are cash crops within 50 metres of the subject property. The planner

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, approximately 2.5 hectares (6.2 acres). Also, **prior to the signing of the certificate**, 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 dscott@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

6. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before May 18, 2022, after which time this consent will lapse.

REASONS: The committee feels that the proposal is an appropriate use of the land given the site-specific details.

F) PLB-2021-073 Mildred Reichheld & Linda Drehmer

Present: Ed McCarthy, agent

The proposal is to sever an approximately 0.14 hectare (0.35 acres) parcel as a boundary adjustment. The severed lands will be amalgamated with the abutting lands to the east (195 Concession 7) to ensure that a septic system is entirely on the benefitting lands.

The agent asked about the lot grading plan, and stated that he had previously talked to the planner regarding it. He wondered why it was required. The planner stated that it is a standard

condition, but that the committee has the ability and power to discuss, add and remove conditions. Member Ricker said that the committee wants to make sure that all aspects about discussing an application are done properly. Member Bartlett had no concerns about removing condition 2.

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 **Mildred Reichheld & Linda Drehmer**, to sever an approximately 0.14 hectare (0.35 acres) parcel as a boundary adjustment. The severed lands will be amalgamated with the abutting lands to the east (195 Concession 7) to ensure that a septic system is entirely on the benefitting lands. **Concession 7, Part Lot 3, Registered Plan 18R3205 Parts 2 & 3, Geographic Township of Rainham, known municipally as 195 Concession 7**

DECISION: **Member Bartlett: Yes**
 Member Bowman: Yes
 Member Gould: Yes
 Member Ricker: Yes
 Member Snyder: Yes
 Member Wagter: Yes
 APPROVED as amended(6-0)

- CONDITIONS:**
1. That the Haldimand County requirements, financial or otherwise, be satisfied. This will include taxes paid up to date, and a fee of \$308.00 for deed stamping.
 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 Mildred Reichheld and further identified as the benefitting lands in this application.
 4. 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.

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. Receipt of confirmation that MPAC assesses the benefitting property as a separate parcel, and provides a separate roll number for said property. The applicant must provides this confirmation to the County 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 0.14 hectare (0.35 acres). Also, **prior to the signing of the certificate**, 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 dscott@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 May 18, 2022, after which time this consent will lapse.

REASONS: The proposal conforms to the intent of the Official Plan and Zoning By-law.

G) PLB-2021-074 and PLB-2021-075 Silverthorne Homes

Present: David Roe, agent

The proposal is to sever two lots containing four (4) existing semi-detached dwelling units. In **PLB-2021-074**, the severed land will measure approximately 10.06 metres (33 feet) by 47.09 metres (154.5 feet) and will contain an area of approximately 0.05 hectares (0.12 acres), while the retained parcel will measure approximately 10.06 metres (33 feet) by 44.18 metres (145 feet) and will contain an area of approximately 0.04 hectares (0.11 acres). In **PLB-2021-075**, both the severed and retained parcels will measure approximately 10.06 metres (33 feet) by 44.18 metres (145 feet) and will contain an area of approximately 0.04 hectares (0.11 acres).

The agent gave a history of the application and the property. Member Snyder asked about the change to the recommendation. The planner said that, after further analysis, the proposal did meet Official Plan policies, hence the change to the recommendation. There was further discussion regarding late changes to recommendation.

The Committee made the following decision:

PLB-2021-074

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 **Silverthorne Homes**, to sever a lot containing two (2) existing semi-detached dwelling units. The severed land will measure approximately 10.06 metres (33 feet) by 47.09 metres (154.5 feet) and will contain an area of approximately 0.05 hectares (0.12 acres), while the retained parcel will measure approximately 10.06 metres (33 feet) by 44.18 metres (145 feet) and will contain an area of approximately 0.04 hectares (0.11 acres). **Plan 69, Lots 1,2 & 3 North of Front Street, Part of Closed Lane, Registered Plan 18R2751 Part 3, Urban Area of Dunnville, known municipally as 115 Maple Street**

DECISION:
Member Bartlett: Yes
Member Bowman: Yes
Member Gould: Yes
Member Ricker: Yes
Member Snyder: Yes
Member Wagter: Yes
APPROVED (6-0)

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 \$308.00 for deed stamping.
2. 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 Roads Operations Division Support staff at 905-318-5932, Ext. 8601 for details.

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. Receipt of a copy of the registered reference plan of the severed parcel, approximately 0.05 hectares (0.12 acres). Also, **prior to the signing of the certificate**, 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 dscott@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 May 18, 2022, after which time this consent will lapse.

REASONS: The proposal conforms to the intent of the Official Plan and Zoning By-law.

PLB-2021-075

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 **Silverthorne Homes**, to sever a lot containing two (2) existing semi-detached dwelling units. Both the severed and retained parcels

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 May 18, 2022, after which time this consent will lapse.

REASONS: The proposal conforms to the intent of the Official Plan and Zoning By-law.

MINOR VARIANCES:

A) PLA-2021-053 Mark Reynolds

Present: Mark Reynolds, applicant

The proposal is to request relief from the provisions of the Urban Residential Type 1-A (R1-A) Zone of the Haldimand County Zoning By-Law HC-1 2020, requiring connection to a municipal sanitary sewer. The relief is requested to permit the construction of a dwelling and separate workshop on the property.

No comments for the applicant. Member Bowman asked if there should be a septic evaluation on the property. The planner said that there is a development agreement as a condition, and that a septic evaluation will be addressed through a building permit.

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 **Mark Reynolds**, requesting relief from the provisions of the Urban Residential Type 1-A (R1-A) Zone of the Haldimand County Zoning By-Law HC-1 2020, requiring connection to a municipal sanitary sewer. The relief is requested to permit the construction of a dwelling and separate workshop on the property. **Plan 1407, Part Lots 4 and 5, Registered Plan 18R5032 Parts 2 and 3, Urban Area of Dunnville, known municipally as 865 George Street**

DECISION:
Member Bartlett: Yes
Member Bowman: Yes
Member Gould: Yes

Member Ricker: Yes
Member Snyder: Yes
Member Wagter: Yes
APPROVED (6-0)

CONDITIONS: 1. That a Development Agreement be entered into, and registered on title prior to receiving building permits. The intent of this agreement is to require connection to municipal infrastructure in the future, should it be installed across the frontage of the subject lands.

REASONS: The application is consistent with the Provincial Policy Statement (2020), complies with A Place to Grow (2020), conforms to the Haldimand County Official Plan, and meets the general intent and purpose of the Haldimand County Zoning By-law HC 1-2020.

B) PLA-2021-054 Trevor Dell

Present: Trevor Dell, applicant

The proposal is to request relief from the height of building and accessory building area provisions of the Agricultural (A) Zone of the Haldimand County Zoning By-Law HC-1 2020. The relief is requested to permit the construction of a storage building on the property.

The applicant stated that the sign was posted on March 6th. Member Gould asked if a condition stating that the development must be in accordance to the submitted sketch be added. The planner had no problem with this.

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 **Trevor Dell**, to request relief from the height of building and accessory building area provisions of the Agricultural (A) Zone of the Haldimand County Zoning By-Law HC-1 2020. The relief is requested to permit the construction of a storage building on the property. **Concession 7, Part Lot 1, Geographic Township of Walpole, known municipally as 1703 Highway 3**

DECISION: **Member Bartlett: Yes**
Member Bowman: Yes
Member Gould: Yes
Member Ricker: Yes
Member Snyder: Yes
Member Wagter: Yes
APPROVED as amended (6-0)

CONDITIONS: 1. Development shall be carried out in accordance with the attached sketch.

REASONS: The application is consistent with the Provincial Policy Statement (2020), complies with A Place to Grow (2020), conforms to the Haldimand County Official Plan, and meets the general intent and purpose of the Haldimand County Zoning By-law HC 1-2020.

C) PLA-2021-057 W.D. Moody Concrete Ltd.

Present: Brandon Moody, representative for W.D. Moody Concrete

The proposal is to request relief from the lot frontage and interior side yard (right) provisions of the Rural Industrial (MR) Zone of the Haldimand County Zoning By-Law HC-1 2020. The relief is requested to permit the construction of a building to house office space, lunch room and storage on the property.

No comment from the representative. Member Ricker expressed support for this application.

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 **W.D. Moody Concrete Ltd.**, to request relief from the lot frontage and interior side yard (right) provisions of the Rural Industrial (MR) Zone of the Haldimand County Zoning By-Law HC-1 2020. The relief is requested to permit the construction of a building to house office space, lunch room and storage on the property. **Concession 1 from Lake Erie, Part Lot 9, Registered Plan18R6482 Parts 2 to 4, Geographic Township of Moulton, known municipally as 2583 North Shore Drive**

DECISION: Member Bartlett: Yes
Member Bowman: Yes
Member Gould: Yes
Member Ricker: Yes
Member Snyder: Yes
Member Wagter: Yes
APPROVED (6-0)

CONDITIONS: 1. Development shall be carried out in accordance with the attached sketch.

REASONS: The application is consistent with the Provincial Policy Statement (2020), complies with A Place to Grow (2020), conforms to the Haldimand County Official Plan, and meets the general intent and purpose of the Haldimand County Zoning By-law HC 1-2020.

D) PLA-2021-062 Alex Lultschik

Present: Alex Lultschik, applicant

The proposal is to request relief from the lot frontage provisions of the Agricultural (A) and Wetland (W) Zones of the Haldimand County Zoning By-Law HC-1 2020. The relief is requested to permit the future construction of a dwelling on the property.

The applicant supports the recommendations of the report. No comments from the committee.

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 **Alex Lultschik**, to request relief from the lot frontage provisions of the Agricultural (A) and Wetland (W) Zones of the Haldimand County Zoning By-Law HC-1 2020. The relief is requested to permit the future construction of a dwelling on the property. **Concession 1 South of Talbot Road, Part of Lot 12, Geographic Township of North Cayuga, no civic address**

- DECISION: Member Bartlett: Yes**
- Member Bowman: Yes**
- Member Gould: Yes**
- Member Ricker: Yes**
- Member Snyder: Yes**
- Member Wagter: Yes**
- APPROVED (6-0)**

- CONDITIONS:**
1. The proposed development will be constructed substantially in accordance with the attached sketch, including the location of the proposed dwelling, and entrance permits issued by the Ministry of Transportation (MTO) (EN-2021-31L-00000023 V1) and County Roads Operations (E-202—076, November 3, 2020); and
 2. If required, the applicant obtains a permit from the Niagara Peninsula Conservation Authority (NPCA).

REASONS: The application is consistent with the Provincial Policy Statement (2020), complies with A Place to Grow (2020), conforms to the Haldimand County Official Plan, and meets the general intent and purpose of the Haldimand County Zoning By-law HC 1-2020.

E) PLA-2021-063 William McMullen and Laila Sigfridson-McMullen

Present: William 'Bud' McMullen, applicant
Laila McMullen, applicant

The proposal is to request relief from the height of building provisions of the Lakeshore Residential (RL) Zone of the Haldimand County Zoning By-Law HC-1 2020. The relief is requested to permit the future construction of a new garage on the property.

An email was received from Denny O'Brien, a neighbour to the subject property. In it he states "Our Xplornet mast is on a tower attached to our north east side of our house at 6 Dearden Lane. We were told we could not raise the tower without risking damage to the mast, the tower and the house due to the strong winds off the lake where we live. So our concern is about the height and position of this structure on the site in relation to our mast and signal pathway to the Xplornet tower giving us our signal."

The applicant disputed the complaint from his neighbour as, in his opinion, the proposal does not impact him. The height requested is so he can store needed work papers above the garage.

Member Gould asked if there was a primary use currently established on the property. The applicant said that there was not. The planner stated that access to the property needed to be addressed before the application could go forward, and he asked the applicant whether the cottage would be built before or after the garage. The applicant answered that both the cottage and garage would be built at the same time. Upon a question from the committee, the Secretary-Treasurer said the July meeting was the earliest that this application could come back to the committee.

Member Bartlett said that a deferral of the application was reasonable considering the outstanding issues. The applicant could not understand the access issue. The planner explained that development must occur on property with access to an open municipal road. Dearden Lane is a private road, and as such, does not qualify. Chairperson Brown asked how other houses on the laneway could be built. The planner said that they may have had approvals that existed prior to the current policy. Member Ricker asked about the situation of a current build down the lane from the subject parcel. The planner said that he could not comment on that particular situation, as it had not necessarily come through planning.

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 **William McMullen and Laila Sigfridson-McMullen**, to request relief from the height of building provisions of the Lakeshore Residential (RL) Zone of the Haldimand County Zoning By-Law HC-1 2020. The relief is requested to permit the future construction of a new garage on the property. **Concession 5 South of Dover**

Road, Part Lot 18, Registered Plan 18R5416 Parts 8 and 9, Geographic Township of Dunn, known municipally as 4 Dearden Lane

DECISION: Member Bartlett: Yes
Member Bowman: Yes
Member Gould: Yes
Member Ricker: Yes
Member Snyder: Yes
Member Wagter: Yes
DEFERRED (6-0)

REASONS: To allow planning staff the opportunity to review additional information related to the application.

F) PLA-2021-064 Arthur Barin

Present: Tony Dalimonte, representative for Arthur Barin
Kevin Vanderlaan, member of the public

The proposal is to request relief from the parking provisions of the Downtown Commercial (CD) Zone of the Haldimand County Zoning By-Law HC-1 2020. The relief is requested to recognize an existing deficiency on the property.

The representative said that the sign was posted for 6-7 weeks. Many members stated that they had not seen the sign during their site visits, and a somewhat heated discussion ensued over the presence of the sign.

The representative explained the work that has been done at the establishment and with this application. He supported the findings of the planning report and memo. Member Gould asked for verification about whether the parking spaces would be used for staff, which was given. Member Bartlett expressed support of the application, and stated that downtowns need flexibility in parking requirements, given the physical layout.

Mr. Vanderlaan stated that he had seen the sign. He expressed support for the business and application.

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 **Arthur Barin**, to request relief from the parking provisions of the Downtown Commercial (CD) Zone of the Haldimand County Zoning By-Law HC-1 2020. The relief is requested to recognize an existing deficiency on the property. **Plan 905, Block 25, Lot 3, Urban Area of Hagersville, known municipally as 37 Main Street North**

DECISION: Member Bartlett: Yes
Member Bowman: Yes
Member Gould: Yes
Member Ricker: Yes
Member Snyder: Yes
Member Wagter: Yes
APPROVED (6-0)

REASONS: The application is consistent with the Provincial Policy Statement (2020), complies with A Place to Grow (2020), conforms to the Haldimand County Official Plan, and meets the general intent and purpose of the Haldimand County Zoning By-law HC 1-2020.

G) PLA-2021-066 John and Alicia Laidlaw

Present: John Laidlaw, applicant
Kris Riley, agent

The proposal is to request relief from the maximum size – secondary suite provisions of the Agricultural (A) Zone of the Haldimand County Zoning By-Law HC-1 2020. The relief is requested to add a secondary suite above the garage on the property.

The applicant explained the reasoning for the application, and the plans that they have for the property. The agent provided details as to the work that is being planned; stating that a great room is part of the addition.

Member Gould asked for verification about what the applicant is asking for, and what the relief that is being asked for. The planner stated that the application is referring to the secondary unit being proposed above the existing garage. Member Gould then asked whether a minor variance would be required if it was applied for after all other construction on the property had been completed. The planner confirmed that it would. The applicant said that they are trying to do everything above board, hence the application in front of the committee.

Member Gould felt that the application meets the general test required in analyzing an minor variance application. A lengthy discussion continued about the merits of the application, and whether the application meets the criteria of minor variances.

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 **John and Alicia Laidlaw**, to request relief from the maximum size – secondary suite provisions of the Agricultural (A) Zone of the Haldimand County Zoning By-Law HC-1 2020. The relief is requested to add a secondary suite

above the garage on the property. **Concession 4, Part Lot 18, Geographic Township of Oneida, known municipally as 593 3rd Line**

DECISION: **Member Bartlett: No**
 Member Bowman: No
 Member Gould: No
 Member Ricker: No
 Member Snyder: No
 Member Wagter: No

Motion to Refuse DEFEATED (0-6)

Member Bartlett: Yes
Member Bowman: Yes
Member Gould: Yes
Member Ricker: Yes
Member Snyder: Yes
Member Wagter: Yes

Motion to Approve APPROVED (6-0)

REASONS: The committee feels that the proposal is a good use for the property.

H) PLA-2021-072 Haldimand County

Present: Deb Zynomirski, representative of the Dunnville Horticultural Society

The proposal is to request relief from the front yard setback and accessory uses to non-residential uses provisions of the Service Commercial (CS) Zone of the Haldimand County Zoning By-Law HC-1 2020. The relief is requested to add a replica lighthouse as a decorative element on the property.

No comment from the representative. Member Ricker believes that this is a good project, but he agrees with the recommendations until Roads can give comment. Member Snyder did not see the reason for a deferral. The planner stated that the process does not allow changes after approval, therefore deferral is requested to work out all the issues. Member Gould asked whether a condition of Roads approval could be added. The planner said that it would be problematic to enforce, and that it may be a condition that is impossible to complete if Roads has issues.

Member Gould asked whether the representative would consider moving the proposed lighthouse. The representative stated that the location chosen was because it is a difficult area to maintain given the age of many of their volunteers, so that it would help in the maintenance of the property. She added that, when completed, the structure would be moveable.

Further discussion ensued regarding the merits of the application.

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 **Haldimand County**, to request relief from the front yard setback and accessory uses to non-residential uses provisions of the Service Commercial (CS) Zone of the Haldimand County Zoning By-Law HC-1 2020. The relief is requested to add a replica lighthouse as a decorative element on the property. **Plan 13558, Part Lot 1, Part of Closed Road Allowance, Registered Plan18R3714 Parts 2-7, 13 Part of Parts 14 & 15, Urban Area of Dunnville, no civic address**

DECISION: Member Bartlett: Yes
Member Bowman: Yes
Member Gould: Yes
Member Ricker: Yes
Member Snyder: Yes
Member Wagter: Yes
DEFERRED (6-0)

REASONS: To provide Roads Operations staff time to comment and/or give approval on the proposal.

PREVIOUSLY DEFERRED:

A) PLB-2020-034 Wilfred & Fiona Westerveld

Present: No one was present representing the application.

This application was deferred at the March 9, 2021 Committee of Adjustment meeting, and has since been amended. The applicants propose to sever a lot containing an existing surplus farm dwelling and accessory structures. The severed lands will measure approximately 121.7 metres (399.3 feet) by 50 metres (164 feet) and will contain an area of approximately 0.6 hectares (1.5 acres).

There were no comments from the committee.

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 **Wilfred & Fiona Westerveld**, to sever a lot containing an existing surplus farm dwelling and accessory structures. The severed lands will measure approximately 121.7 metres (399.3 feet) by 50 metres (164 feet) and will contain an area of approximately 0.6 hectares (1.5 acres). **Part Lot 11, Concession 2, Geographic Township of Moulton, known municipally as 679 Diltz Road**

DECISION: **Member Bartlett: Yes**
Member Bowman: Yes
Member Gould: Yes
Member Ricker: Yes
Member Snyder: Yes
Member Wagter: Yes
APPROVED (6-0)

- 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 \$301.00 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 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 Roads Operations Division Support staff at 905-318-5932, Ext. 8601 for details.
 4. That proof be provided that all existing structures on the severed lands meet the required setbacks of the Agricultural Zone of Zoning By-law 1-DU 80.
 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 recalculated 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.
 6. That the requirements of the Niagara Peninsula Conservation Authority be completed as follows:

- The applicant must provide further information through the completion of a 100-year flood plain mapping study; and
 - The 100-year floodplain mapping study must be completed to the satisfaction of the NPCA in order to ensure that the new lot will not be impacted by flooding and remain consistent with the P.P.S 2020 and NPCA Policy.
7. 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.
 8. 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.
 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 198 metres by 133 metres and will contain an area of approximately 2.5 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 dscott@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

11. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before May 18, 2022, after which time this consent will lapse.

REASONS: The proposal conforms to the intent of the Official Plan and Zoning By-law.

B) PLB-2021-010 Ryan and Judy Schuurman

Present: Judy Schuurman, applicant

This application was deferred at the March 9, 2021 Committee of Adjustment meeting, and has since been amended. The applicant proposes to sever a lot containing an existing surplus farm dwelling and accessory structure. The severed lands will have frontage of approximately 7 metres (23 feet) and will contain an area of approximately 0.6 hectares (1.5 acres).

No comments from the applicant or the committee.

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 **Ryan and Judy Schuurman**, to sever a lot containing an existing surplus farm dwelling and accessory structure. The severed lands will have frontage of approximately 7 metres (23 feet) and will contain an area of approximately 0.6 hectares (1.5 acres). **Concession 5, Part Lot 21, Geographic Township of Woodhouse, known municipally as 1706 Concession 6 Woodhouse**

DECISION: Member Bartlett: Yes
Member Bowman: Yes
Member Gould: Yes
Member Ricker: Yes
Member Snyder: Yes
Member Wagter: Yes
APPROVED (6-0)

- 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 \$308.00 for deed stamping.
 2. Receipt of final approval of the required Minor Variance. (Minor Variances can take three or four months, therefore, you application must be submitted as soon as possible). For more information, please contact planning staff at 905-

318-5932 ext. 6201. All dimensions and setbacks must be included on the drawing.

3. Receipt of approval that the subject lands have been transferred from John Lennox to the applicants (Ryan and Judy Schuurman).
4. Receipt of a letter from the Roads Operations Division indicating that they have no objections to the further 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 Roads Operations Division Support Staff at 905-318-5932 ext. 8601 for details.
5. That a septic evaluation for the severed parcel be completed and submitted to the Secretary-Treasurer, who will give it 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 ext. 8300, for further clarification.
6. That the setbacks between the septic system and property lines be provided to the satisfaction of Building Controls and By-law Enforcement Division. Please contact the Building Inspector at 905-318-5932, for more information.
7. That the owner provide proof that the shared driveway connecting the severed and retained parcels be permanently stopped up or disconnected to the satisfaction of the County. Please contact the Secretary-Treasurer of the Committee of adjustment at 905-318-5932 ext. 6220, for further clarification.
8. That the Long Point Region Conservation Authority (LPRCA) approve the proposed driveway. (The proposed driveway may be in their regulation limits).
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, with a frontage of approximately 7 metres (23 feet) and will contain an area of approximately 0.6 hectares (1.5 acres). Also, **prior to the signing of the certificate**, 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 dscott@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

11. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before May 18, 2022, after which time this consent will lapse.

REASONS: The proposal conforms to the intent of the Official Plan and Zoning By-law.

C) PLA-2021-017 Gardens Communities (Hagersville) Inc.

Present: Michael Auduong, agent

This application was deferred at the April 19, 2021 Committee of Adjustment meeting. Relief is requested from the exterior side yard provisions of the Urban Residential 1-B (R1-B) Zone of Haldimand County Zoning By-law HC-1 2020. The relief is requested to permit the construction of a single family dwelling on the property.

Agent supports the recommendations. No comments from the committee.

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 **Gardens Communities (Hagersville) Inc.**, requesting relief from the exterior side yard provisions of the Urban Residential 1-B (R1-B) Zone of Haldimand County Zoning By-law HC-1 2020. The relief is requested to permit the construction of a single family dwelling on the property. **Range East of Plank Road, Lot 30, Plan 18M61 Part 13, Urban Area of Hagersville, known municipally as 176 Athens Street**

DECISION: Member Bartlett: Yes

Member Bowman: Yes
Member Gould: Yes
Member Ricker: Yes
Member Snyder: Yes
Member Wagter: Yes
APPROVED (6-0)

REASONS: The application is consistent with the Provincial Policy Statement (2020), complies with A Place to Grow (2020), conforms to the Haldimand County Official Plan, and meets the general intent and purpose of the Haldimand County Zoning By-law HC 1-2020.

D) PLA-2021-045 McClung Properties Ltd.

Present: Michael Auduong, agent

This application was deferred at the April 19, 2021 Committee of Adjustment meeting. Relief is requested from the rear yard provisions of the Urban Residential Type 1-B (R1-B) Zone of Haldimand County Zoning By-law HC-1 2020. The relief is requested to permit the construction of a single family dwelling on the property.

Agent supports the recommendations. No comments from the committee.

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.**, requesting relief from the rear yard provisions of the Urban Residential Type 1-B (R1-B) Zone of Haldimand County Zoning By-law HC-1 2020. The relief is requested to permit the construction of a single family dwelling on the property. **Range 1, Part of Block S, Lot 9, Plan 18M63 Lot 3, Geographic Township of Seneca, Urban Area of Caledonia, known municipally as 90 Whithorn Crescent**

DECISION: Member Bartlett: Yes
Member Bowman: Yes
Member Gould: Yes
Member Ricker: Yes
Member Snyder: Yes
Member Wagter: Yes
APPROVED (6-0)

REASONS: The application is consistent with the Provincial Policy Statement (2020), complies with A Place to Grow (2020), conforms to the Haldimand County Official Plan, and meets the general intent and purpose of the Haldimand County Zoning By-law HC 1-2020.

E) PLA-2021-018 Aisha Ijaz

Present: Aisha Ijaz, applicant

This application was deferred at the April 19, 2021 Committee of Adjustment meeting. Relief is requested from the parking and entrance provisions of Haldimand County Zoning By-law HC-1 2020. The relief is requested to permit the establishment of a basement apartment within the existing dwelling on the property.

The applicant said that the notice sign was posted on April 30th. Member Gould felt that the comments regarding parking were sound, and he is additionally concerned about EMS access to the property. He applauded the applicant for coming forth with the application, but that he is in support of refusing the proposal.

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 **Aisha Ijaz**, requesting relief from the parking and entrance provisions of Haldimand County Zoning By-law HC-1 2020. The relief is requested to permit the establishment of a basement apartment within the existing dwelling on the property. **Plan 18M49, Lot 71, Urban Area of Caledonia, Geographic Township of Seneca, known municipally as 14 Larry Crescent**

- DECISION: Member Bartlett: Yes**
- Member Bowman: Yes**
- Member Gould: Yes**
- Member Ricker: Yes**
- Member Snyder: Yes**
- Member Wagter: Yes**
- REFUSED (6-0)**

REASONS: The application is not consistent with the Provincial Policy Statement (2020), does not comply with A Place to Grow (2020), does not conform to the Haldimand County Official Plan, and does not meet the general intent and purpose of the Haldimand County Zoning By-law HC 1-2020.

OTHER BUSINESS:

The minutes of the April 19, 2021 meeting were adopted as presented.

The meeting adjourned at 1:30 pm



Chairman



Secretary-Treasurer

