



**HALDIMAND COUNTY  
COMMITTEE OF ADJUSTMENT  
MINUTES  
TUESDAY, JUNE 14, 2022**

A meeting of the Committee of Adjustment was held on Tuesday, June 14, 2022 at 9:00 a.m. in the Council Chambers of the Haldimand County Administration Building.

<b>MEMBERS PRESENT:</b>	Chair	Paul Brown
	Members	Don Ricker
		John Gould
		Brian Snyder
		Brian Wagter
		Carolyn Bowman

<b>MEMBERS ABSENT:</b>	Leroy Bartlett
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<b>STAFF PRESENT:</b>	Supervisor Development Services	Alisha Cull
	Planner	Neil Stoop
	Secretary-Treasurer	David Scott

The Committee of Adjustment dealt with the following applications:

**CONSENTS:**

PLB-2022-031	Lorna Cassano	APPROVED as amended
PLB-2022-050	McClung Properties Ltd. (Empire)	APPROVED
PLB-2022-051	Riverview M D Developments Inc. (McClung South)	APPROVED as amended
PLB-2022-054	Robert Smolka and Steve Taylor	APPROVED
PLB-2022-058	Shana Berryman	APPROVED
PLB-2022-061	Marilyn Tone	APPROVED
PLB-2022-067	Sheppard Bros. Farming	APPROVED

**MINOR VARIANCES:**

PLA-2020-195	Bert and Veronica Meritz	APPROVED
PLA-2022-065	Keith McKellar	APPROVED
PLA-2022-069	Glen and Judy Brough	APPROVED

**DECLARATIONS OF PECUINARY INTEREST: None Declared**

**CONSENTS:**

**A) PLB-2022-031                      Lorna Cassano**

Present: Michael McLachlin, agent  
          Brian Ricker, applicant  
          Lorna Cassano, applicant

The applicant proposes to sever a lot containing an existing surplus farm dwelling. The severed lands will have a frontage of approximately 46.1 metres (151.2 feet) and will contain an area of 0.575 hectares (1.42 acres). The retained parcel will contain an area of approximately 40.4 hectares (99.85 acres).

The agent stated the background of this severance. He also wanted Condition 4 to be changed to reflect that the building can be moved, or a minor variance be applied for to address any deficiencies. The applicant would prefer the flexibility to address anything that need to be addressed.

Chair Brown asked about the Public Consultation Strategy, and the requirements of such. Member Ricker asked about why the situation is to be backwards, and the farmer is not doing the severance. The planner said that there is an agreement in place to sell the farmland, so staff is satisfied. Member Ricker asked about access to the retained lands, which was explained by the agent. Member Gould asked for the rationale for the fourth condition. The planner said that this is being changed, but the condition is there to address potential discrepancies. There was further discussion regarding the entrances.

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 **Lorna Cassano**, to sever a lot containing an existing surplus farm dwelling. The severed lands will have a frontage of approximately 46.1 metres (151.2 feet) and will contain an area of 0.575 hectares (1.42 acres). The retained parcel will contain an area of approximately 40.4 hectares (99.85 acres). **Concession 1 North of Dover Road, Part Lot 6, Registered Plan 18R6333 Part 1, Geographic Township of Dunn, known municipally as 701 Aikens Road**

**DECISION:**                      **APPROVED as amended**

**CONDITIONS:**            1. That the Haldimand County requirements, financial or otherwise, be satisfied. This will include taxes paid up to date, a parkland dedication

fee in accordance with By-law 2349/22 and a fee for deed stamping in accordance with the Haldimand County User Fees By-law.

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 final approval of the required minor variance (Minor Variances can take three months, therefore, your application must be submitted as soon as possible). For further information, please contact Planning Staff at 905-318-5932.
4. That all concerns related to the buildings located on the retained lands be addressed to the satisfaction of Building Controls and By-law Enforcement Division. Please contact the Building Inspector at 905-318-5932, for more information, and/or for an inspection of the property.
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, with a frontage of approximately 56.8 metres (186.4 feet) and will contain an area of 1.03 hectares (2.55 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](mailto:dscott@haldimandcounty.on.ca) and [astewart@haldimandcounty.on.ca](mailto:astewart@haldimandcounty.on.ca). The AutoCad drawings need to be georeferenced for the following Coordinate System:  

Projected	Coordinate	NAD_1983_UTM_Zone_17N
System:		
Projection:		Transverse_Mercator
False_Easting:		500000.00000000
False_Northing:		0.00000000

Central_Meridian:	-81.00000000
Scale_Factor:	0.99960000
Latitude_Of_Origin:	0.00000000
Linear Unit:	Meter
Geographic Coordinate	System:GCS_North_American_1983
Datum:	D_North_American_1983
Prime Meridian:	Greenwich
Angular Unit:	Degree

7. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before June 14, 2024, after which time this consent will lapse.

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

**B) PLB-2022-050 McClung Properties Ltd. (Empire)**

Present: Ali Balarlou, agent

The proposal is to sever a parcel of land as a boundary adjustment. The severed lands will contain an area of approximately 0.012 hectares (0.03 acres). The retained lands will contain an area of approximately 6.12 hectares (15.12 acres). The property is to fulfill a condition of a draft plan of subdivision (PL28T-2018-074).

The agent went over the reasons that this application is before the committee; and that this is a condition of the Draft Plan of Subdivision. No comments from 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 **McClung Properties Ltd. (Empire)**, to sever a parcel of land as a boundary adjustment. The severed lands will contain an area of approximately 0.012 hectares (0.03 acres). The retained lands will contain an area of approximately 6.12 hectares (15.12 acres). The property is to fulfill a condition of a draft plan of subdivision (PL28T-2018-074). **Plan 51, Park Lots 4 and 5, Registered Plan 18R3571 Part 1, Geographic Township of Seneca, Urban Area of Caledonia, known municipally as 31 Seneca Street**

**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 for deed

stamping in accordance with the Haldimand County User Fees By-law. 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 Riverview MD Developments Inc. and further identified as Roll No. 2810-151-004-05200, 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 Riverview MD Developments Inc. and further identified as Roll No. 2810-151-004-05200.
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 a copy of the registered reference plan of the severed parcel, approximately 0.012 hectares (0.03 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](mailto:dscott@haldimandcounty.on.ca) and [astewart@haldimandcounty.on.ca](mailto:astewart@haldimandcounty.on.ca). The AutoCad drawings need to be georeferenced for the following Coordinate System:  
Projected      Coordinate    NAD\_1983\_UTM\_Zone\_17N  
System:  
Projection:                      Transverse\_Mercator  
False\_Easting:                      500000.00000000

False_Northing:	0.00000000
Central_Meridian:	-81.00000000
Scale_Factor:	0.99960000
Latitude_Of_Origin:	0.00000000
Linear Unit:	Meter
Geographic Coordinate	System:GCS_North_American_1983
Datum:	D_North_American_1983
Prime Meridian:	Greenwich
Angular Unit:	Degree

7. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before June 14, 2024, after which time this consent will lapse.

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

**C) PLB-2022-051 Riverview M D Developments Inc. (McClung South)**

Present: Ali Balarlou, agent

The proposal is to sever a parcel of land as a boundary adjustment. The severed lands will contain an area of approximately 0.06 hectares (0.15 acres). The retained lands will contain an area of approximately 2.64 hectares (6.52 acres). The property is to fulfill a condition of a draft plan of subdivision (PL28T-2018-074).

The agent went over the reasons that this application is before the committee; and that this is a condition of the Draft Plan of Subdivision. No comments from committee. He also asked that Conditions 1 and 3 be adjusted to reflect the correct owner of the benefitting lands.

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 **Riverview M D Developments Inc. (McClung South)**, to sever a parcel of land as a boundary adjustment. The severed lands will contain an area of approximately 0.06 hectares (0.15 acres). The retained lands will contain an area of approximately 2.64 hectares (6.52 acres). The property is to fulfill a condition of a draft plan of subdivision (PL28T-2018-074). **Plan 51, Park Part Lot 6, Registered Plan 18R7129 Part 2, Geographic Township of Seneca, Urban Area of Caledonia, no civic address**

**DECISION:** **APPROVED as amended**

**CONDITIONS:**

1. That the Haldimand County requirements, financial or otherwise, be satisfied. This will include taxes paid up to date and a fee for deed stamping in accordance with the Haldimand County User Fees By-law. 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 McClung Properties Ltd. and further identified as Roll No. 2810-151-004-05100, 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 McClung Properties Ltd. and further identified as Roll No. 2810-151-004-05100.
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 a copy of the registered reference plan of the severed parcel, approximately 0.06 hectares (0.15 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](mailto:dscott@haldimandcounty.on.ca) and [astewart@haldimandcounty.on.ca](mailto:astewart@haldimandcounty.on.ca). The AutoCad drawings need to be georeferenced for the following Coordinate System:  
Projected      Coordinate    NAD\_1983\_UTM\_Zone\_17N  
System:

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

7. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before June 14, 2024, after which time this consent will lapse.

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

**D) PLB-2022-054 Robert Smolka and Steve Taylor**

Present: Steve Taylor, applicant

The proposal is to sever a parcel of land as a boundary adjustment. The severed lands will contain an area of approximately 1.48 hectares (3.66 acres). The property is to add utilitarian property for the benefitting lands.

No comments from the applicant. Member Ricker asked staff if the applicants could build a dwelling on the subject lands. The planner said it would be possible, but there would be various conditions to address before it could happen (i.e. lifting of the holding, site plan). There was further discussion on this point.

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 **Robert Smolka and Steve Taylor**, to sever a parcel of land as a boundary adjustment. The severed lands will contain an area of approximately 1.48 hectares (3.66 acres). The property is to add utilitarian property for the benefitting lands. **Range East of the Plank Road, Part Lot 16, Registered Plan 18R4474 Parts 1 and 2, Geographic Township of Oneida, known municipally as 4682 Highway 6**

**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 for deed stamping in accordance with the Haldimand County User Fees By-law. 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 1964267 Ontario Inc. and further identified as Roll No. 2810-153-002-04420, 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 1964267 Ontario Inc. and further identified as Roll No. 2810-153-002-04420.
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 a copy of the registered reference plan of the severed parcel, approximately 1.48 hectares (3.66 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](mailto:dscott@haldimandcounty.on.ca) and [astewart@haldimandcounty.on.ca](mailto:astewart@haldimandcounty.on.ca). The AutoCad drawings need to be georeferenced for the following Coordinate System:  
Projected      Coordinate    NAD\_1983\_UTM\_Zone\_17N  
System:  
Projection:                      Transverse\_Mercator

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

7. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before June 14, 2024, after which time this consent will lapse.

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

**E) PLB-2022-058 Shana Berryman**

Present: Sarah Grahn, agent  
Shana Berryman, applicant

The proposal is to sever a lot for future residential development. The severed lands will have a frontage of approximately 34.7 metres (113.85 feet) and contain an area of approximately 0.158 hectares (0.39 acres). The retained parcel will contain an area of approximately 5.8 hectares (14.33 acres).

No comments from agent and 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 **Shana Berryman**, to sever a lot for future residential development. The severed lands will have a frontage of approximately 34.7 metres (113.85 feet) and contain an area of approximately 0.158 hectares (0.39 acres). The retained parcel will contain an area of approximately 5.8 hectares (14.33 acres). **RCP 65, Part Lots 1 and 4, Registered Plan18R3550 Part 2, Geographic Township of Seneca, known municipally as 438 Mines 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 in accordance with By-law 2349/22 and a fee for deed stamping in accordance with the Haldimand County User Fees By-law.
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 or 6413, 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 application for a new civic address be submitted for the retained (or severed) parcel. Contact the Planning & Development Division at 905-318-5932, ext. 6212 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, with a frontage of approximately 34.7 metres (113.85 feet) and contain an area of approximately 0.158 hectares (0.39 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](mailto:dscott@haldimandcounty.on.ca) and [astewart@haldimandcounty.on.ca](mailto:astewart@haldimandcounty.on.ca). The AutoCad drawings need to be georeferenced for the following Coordinate System:  
Projected      Coordinate      NAD\_1983\_UTM\_Zone\_17N  
System:

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

7. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before June 14, 2024, after which time this consent will lapse.

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

**F) PLB-2022-061 Marilyn Tone**

Present: Carl Walker, agent  
Marilyn Tone, applicant  
Jessica Robitaille, neighbour

The proposal is to sever a lot for future residential development. The severed lands will have a frontage of approximately 15 metres (49.2 feet) and contain an area of approximately 0.36 hectares (0.89 acres). The retained parcel will contain an area of approximately 0.29 hectares (0.72 acres).

The agent explained the history of the property, and the work on the property, including regarding drainage. The land, as it has been configured, is too large for the owner to maintain.

Ms. Robitaille stated that the proposed house on the property would be directly behind her, and that she was concerned that there would be flooding issue if a house was built in the floodplain. She was concerned with the effect on the nature in the area, as well as that the potential development is contrary to the atmosphere of the area. The potential of a retaining wall creates safety concerns for her children. She bought in the area to live in the country, and she feels that this is contrary to what they wanted in the neighbourhood.

Chair Brown addressed her concerns by saying that the applicant is within her rights to apply, and that she is not entitled to a great view. The applicant stated that she had spoken to the Robitailles, and they had expressed not concerns. She has no concerns to children playing on the

property, but ultimately it is her property to deal with. She was surprised that there were any concerns. The agent added some further details.

Member Gould expressed support of the application, as intensification is part of policy. He asked about amending Condition 4 to allow some leeway in addressing the condition. The planner that the extension of services will be addressed through staff and the agreement. Member Ricker expressed his support of the application after talking to neighbours.

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 **Marilyn Tone**, to sever a lot for future residential development. The severed lands will have a frontage of approximately 15 metres (49.2 feet) and contain an area of approximately 0.36 hectares (0.89 acres). The retained parcel will contain an area of approximately 0.29 hectares (0.72 acres). **Range East of the Caledonia Townsend Road, Part Lot 1, Registered Plan 18R2385 Part 1, Urban Area of Caledonia, Geographic Township of Caledonia, known municipally as 319 Haddington 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 in accordance with By-law 2349/22 and a fee for deed stamping in accordance with the Haldimand County User Fees By-law.
  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 or 6413, 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 applicant enter into an agreement regarding municipal services extension and servicing allocation. Municipal services (watermain, sanitary sewer main) within the road allowance must be extended to service the newly created lot, and Servicing Allocation (water and waste water) has been allocated for the severed property. Contact the Planning & Development Division at 905-318-5932 for further clarification. As this process can take a number of months to complete, early action on this condition is essential.
5. 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.
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, with a frontage of approximately 15 metres (49.2 feet) and contain an area of approximately 0.36 hectares (0.89 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](mailto:dscott@haldimandcounty.on.ca) and [astewart@haldimandcounty.on.ca](mailto:astewart@haldimandcounty.on.ca). The AutoCad drawings need to be georeferenced for the following Coordinate System:

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

8. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before June 14, 2024, after which time this consent will lapse.

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

**G) PLB-2022-067 Sheppard Bros. Farming**

**Present:** Tom Sheppard, applicant

The proposal is to sever a lot containing an existing surplus farm dwelling and accessory structures. The severed lands will have a frontage of approximately 112.8 metres (370 feet) and will contain an area of 0.59 hectares (1.47 acres). The retained parcel will contain an area of approximately 31.2 hectares (77 acres).

The applicant stated that the one accessory building near the proposed lot line will be partially removed to meet setback requirements. There was some discussion of the history of the lot located next door. Member Bowman asked if anyone lived in the house currently. The applicant said that there was an occupant. Member Ricker asked whether a condition should be added to remove the part of the building. The planner said that deficiencies are permitted on the severed land of a severance going forward.

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 **Sheppard Bros. Farming**, to sever a lot containing an existing surplus farm dwelling and accessory structures. The severed lands will have a frontage of approximately 112.8 metres (370 feet) and will contain an area of 0.59 hectares (1.47 acres). The retained parcel will contain an area of approximately 31.2 hectares (77 acres). **Concession 1 North of Cayuga, Part Lot 58, Geographic Township of Oneida, known municipally as 497 Haldimand Road 20**

**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 in accordance with By-law 2349/22 and a fee for deed stamping in accordance with the Haldimand County User Fees By-law.
  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. That an application for a new civic address be submitted for the retained parcel. Contact the Planning & Development Division at 905-318-5932, ext. 6345 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, with a frontage of approximately 112.8 metres (370 feet) and will contain an area of 0.59 hectares (1.47 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](mailto:dscott@haldimandcounty.on.ca) and [astewart@haldimandcounty.on.ca](mailto:astewart@haldimandcounty.on.ca). The AutoCad drawings need to be georeferenced for the following Coordinate System:

Projected	Coordinate	NAD_1983_UTM_Zone_17N
System:		
Projection:		Transverse_Mercator
False_Easting:		500000.00000000
False_Northing:		0.00000000
Central_Meridian:		-81.00000000
Scale_Factor:		0.99960000
Latitude_Of_Origin:		0.00000000
Linear Unit:		Meter
Geographic Coordinate		System:GCS_North_American_1983
Datum:		D_North_American_1983
Prime Meridian:		Greenwich
Angular Unit:		Degree
6. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before June 14, 2024, 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-2022-065 Keith McKellar**

**Present:** Trent Lof, agent

The proposal is to request relief from the accessory building height and accessory building area provisions of the Lakeshore Residential (RL) Zone of Zoning By-law HC-1 2020. The relief is requested to permit the replacement of a detached garage on the subject property.

The agent asked for details of the lot grading condition, which was provided by the planner. 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 **Keith McKellar**, to request relief from the accessory building height and accessory building area provisions of the Lakeshore Residential (RL) Zone of Zoning By-law HC-1 2020. The relief is requested to permit the replacement of a detached garage on the subject property. **Concession 4 South of Dover Road, Part Lot 3, Geographic Township of Dunn, known municipally as 3060 Lakeshore Road**

**DECISION:** **APPROVED**

**CONDITIONS:**

1. Receipt of a letter from the Planning & Development Division indicating that their requirements, regarding a partial lot grading plan to address surface drainage of the property, have been satisfied. Please note that grading plans must be prepared/stamped/signed by a qualified Professional Engineer as per Haldimand County Design Criteria. Contact the Development and Design Technologist at 905-318-5932, ext. 6409 for further clarification regarding required extent/limits. Please allow approximately six (6) to eight (8) weeks for completion of this process.

**REASONS:** The proposal is consistent with the Provincial Policy Statement (2020), conforms to the Province's Growth Plan (2019), and Haldimand County Zoning By-law HC-1 2020.

**B) PLA-2022-069**

**Glen and Judy Brough**

Present: Glen Brough, applicant

The proposal is to request relief from the accessory building height and accessory building area provisions of the Lakeshore Residential (RL) Zone of Zoning By-law HC-1 2020. The relief is requested to permit the construction of a garage with a loft on the subject property.

No comments from the applicant. Member Wagter stated that he talked to a neighbour, and they had no issues.

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 **Glen and Judy Brough**, to request relief from the accessory building height and accessory building area provisions of the Lakeshore Residential (RL) Zone of Zoning By-law HC-1 2020. The relief is requested to permit the construction of a garage with a loft on the subject property. **Concession 5 South of Dover Road, Part Lot 20, Registered Plan18R4739 Parts 2 & 3, Geographic Township of Dunn, known municipally as 36 Weatherburn Line**

**DECISION: APPROVED**

**REASONS:** The proposal is consistent with the Provincial Policy Statement (2020), conforms to the Province's Growth Plan (2019), and Haldimand County Zoning By-law HC-1 2020.

**PREVIOUSLY DEFERRED:**

**A) PLA-2020-195**

**Bert and Veronica Meritz**

Present: David Suess, agent

This application was deferred at the March 9, 2021 Committee of Adjustment meeting, and has been revised based on consultation with the Niagara Peninsula Conservation Authority. The applicant proposes to construct an accessory garage on a campground site on the subject property. Relief is requested from the provisions of the Open Space (OS), Agricultural (A) and Wetland (W) Zones of Zoning By-law HC-1 2020 to permit the expansion of a legal non-conforming use on the property.

No comments from the agent or 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 **Bert and Veronica Meritz**, requesting relief from the provisions of the Open Space (OS), Agricultural (A) and Wetland (W) Zones of Zoning By-law HC-1 2020 to permit the expansion of a legal non-conforming use on the property. **Concession 3 Cross, Part Lots 7 and 8, Registered Plan 18R6526 Part 3, Geographic Township of Moulton, known municipally as 334 Rattlesnake Road**

**DECISION:**           **APPROVED**

**REASONS:**       The proposal is consistent with the Provincial Policy Statement (2020), conforms to the Province's Growth Plan (2019), and Haldimand County Zoning By-law HC-1 2020.

**OTHER BUSINESS:**

The minutes of the May 9, 2022 meeting were adopted as presented.

Spenser Skidmore, the County's newest Senior Planner was introduced to the committee.

The meeting adjourned at 10:14 am



Chairman



Secretary-Treasurer

