



**HALDIMAND COUNTY
COMMITTEE OF ADJUSTMENT
MINUTES
TUESDAY, JULY 19, 2022**

A meeting of the Committee of Adjustment was held on Tuesday, July 19, 2022 at 9:00 a.m. in the Council Chambers of the Haldimand County Administration Building.

MEMBERS PRESENT:	Chair	Paul Brown
	Members	Carolyn Bowman
		Brian Wagter
		John Gould

MEMBERS ABSENT:		Don Ricker
		Brian Snyder
		Leroy Bartlett

STAFF PRESENT:	Supervisor Development Services	Alisha Cull
	Planner	Neil Stoop
	Secretary-Treasurer	David Scott

The Committee of Adjustment dealt with the following applications:

CONSENTS:

PLB-2022-007	Daniel and Diane DePagter	APPROVED
PLB-2022-038	Don & Lisa McCleary, Pat Friend & Terry Werbiski	APPROVED
PLB-2021-175	Contrans Corp.	APPROVED as amended
PLB-2022-086	Chace and Houston Mitchell	APPROVED
PLB-2022-087	642300 Ontario Inc.	APPROVED

CONSENTS & RELATED MINOR VARIANCES:

PLB-2022-023 & PLA-2022-025	David and Pamela Bergin	APPROVED
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MINOR VARIANCES:

PLA-2021-071	Kevin Fralick	APPROVED
PLA-2022-075	Storage Guyz – Hagersville	APPROVED
PLA-2022-079	Patrick Godbout	APPROVED
PLA-2022-080	Stuart and Holly McAskill	APPROVED
PLA-2022-084	Jordan and Richard Bosschaert	APPROVED
PLA-2022-085	Darren Papineau	APPROVED

DECLARATIONS OF PECUINARY INTEREST: None declared

CONSENTS:

A) PLB-2021-175 Contrans Corp.

Present: Pete Vanderweide, contractor

This application is concurrent with applications PLOP-HA-2021-151 and PLZ-2021-152. The applicant proposes to sever a lot for future redi-mix concrete plant development. The severed lands will have a frontage of approximately 105 metres (344.5 feet) and contain an area of approximately 2.07 hectares (5.12 acres). The retained parcel will contain an area of approximately 7.9 hectares (19.5 acres).

The agent is happy with the report, but required that Condition 2 be removed as there are no septic systems on the property. The planner said that he received confirmation from Building that it was not necessary. Committee decided that it could be removed as a 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 **Contrans Corp.**, to sever a lot for future redi-mix concrete plant development. The severed lands will have a frontage of approximately 105 metres (344.5 feet) and contain an area of approximately 2.07 hectares (5.12 acres). The retained parcel will contain an area of approximately 7.9 hectares (19.5 acres). **Concession 3, Part Lot 7, Registered Plan 18R4534 Part 1, Geographic Township of Canborough, known municipally as 164 James 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. 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. In lieu of a lot grading plan, a grading agreement can be entered into, requiring a grading plan prior to construction. 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 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 15 metres (49.2 feet) and contain an area of approximately 524 square metres (0.13 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 July 19, 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-2022-086 Chace and Houston Mitchell

Present: Chace Mitchell, applicant

The applicants propose to sever a lot containing an existing surplus farm dwelling and accessory structure. The severed lands will have a frontage of approximately 71.5 metres (234.6 feet) and will contain an area of 0.534 hectares (1.32 acres). The retained parcel will contain an area of approximately 19.58 hectares (48.4 acres).

No comment from applicant or 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 **Chace and Houston Mitchell**, to sever a lot containing an existing surplus farm dwelling and accessory structure. The severed lands will have a frontage of approximately 71.5 metres (234.6 feet) and will contain an area of 0.534 hectares (1.32 acres). The retained parcel will contain an area of approximately 19.58 hectares (48.4 acres). **Concession 7, Part Lot 7, Geographic Township of Walpole, known municipally as 559 Concession 6 Walpole**

DECISION: APPROVED

CONDITIONS:

1. That the Haldimand County requirements, financial or otherwise, be satisfied. This will include taxes paid up to date, a parkland dedication fee 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 the owner's solicitor provide an undertaking to Haldimand County agreeing that if there are any changes proposed to the wording on the certificate after stamping of the certificate by the County, prior to the registration of the certificate; that the Secretary-Treasurer or designate must approve the change prior to registration of the certificate.
3. Receipt of a copy of the registered reference plan of the severed parcel, with a frontage of approximately 71.5 metres (234.6 feet) and will contain an area of 0.534 hectares (1.32 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
4. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before July 19, 2024, after which time this consent will lapse.

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

Present: Scott Puillandre, agent

The applicant proposes 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 524 square metres (0.13 acres). The retained parcel will contain an area of approximately 0.133 hectares (0.33 acres).

The planner explained that one condition had to be adjusted after consultation with the agent for the application. The agent stated that he was in agreement with the report as presented.

Tony Amaral (an immediate neighbour of the subject property) expressed his displeasure with the proposal for the severance and the house that will be built there. He was under the assumption that only one house would be allowed. He also stated that he has done a great deal of work maintaining the property in the immediate vicinity of his property.

Member Gould said that he shared the concerns of Mr. Amaral, but added that intensification in the urban area is provincial policy. He further stated that his concerns with the proposal are civil matters, and not under the jurisdiction of the committee.

Chairperson Brown asked about the spur toward Jane Street being proposed. The planner responded by saying that it was necessary to service the King Street property, as servicing is only available along Jane Street. A further discussion continued regarding servicing in the area.

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 **6642300 Ontario Inc.**, 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 524 square metres (0.13 acres). The retained parcel will contain an area of approximately 0.133 hectares (0.33 acres). **Plan 905, Block 2, Lots 3 and 6, Urban Area of Hagersville, known municipally as 129 King Street West**

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. In lieu

of a lot grading plan, a grading agreement can be entered into, requiring a grading plan prior to construction. 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 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 15 metres (49.2 feet) and contain an area of approximately 524 square metres (0.13 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:

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System:		
Projection:	Transverse_Mercator	
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False_Northing:	0.00000000	
Central_Meridian:	-81.00000000	
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Latitude_Of_Origin:	0.00000000	
Linear Unit:	Meter	
Geographic Coordinate	System:GCS_North_American_1983	
Datum:	D_North_American_1983	

Prime Meridian: Greenwich
Angular Unit: Degree

6. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before July 19, 2024, after which time this consent will lapse.

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

CONSENTS & RELATED MINOR VARIANCES:

A) PLB-2022-023 & PLA-2022-025 David and Pamela Bergin

Present: David Bergin, applicant

In application **PLB-2022-023**, the applicant proposes to sever a lot for future residential development. The severed lands will have a frontage of approximately 30.18 metres (99 feet) and contain an area of approximately 0.04 hectares (0.1 acres). The retained parcel will contain an area of approximately 0.04 hectares (0.1 acres). In application **PLB-2022-025**, relief is requested from the lot area, front yard setback and rear yard provisions of the Residential Zone 1-A (R1-A) Zone of Haldimand County Zoning By law HC-1 2020. The relief is requested to recognize the deficiencies of the property as a result of the concurrent consent application.

No comment from applicant. JG asked if the deficiencies would all exist if the application occurred or not. The planner said that there would be one new deficiency as a result of the severance. Chair Brown asked about the hydro concerns expressed in one of the letters. The planner said this will be addressed when construction permit are obtained. CB asked about the concern regarding the trees. The applicant said they intend to keep the trees.

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 **David & Pamela Bergin**, to sever a lot for future residential development. The severed lands will have a frontage of approximately 30.18 metres (99 feet) and contain an area of approximately 0.04 hectares (0.1 acres). The retained parcel will contain an area of approximately 0.04 hectares (0.1 acres). **Plan 507, Part Lot 4, Urban Area of Dunnville, known municipally as 539 Broad Street West**

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 all required building permits have been applied for to the satisfaction of Building Controls and By-law Enforcement Division, and receipt of a copy of said applications are provided to the Secretary-Treasurer prior to the signing of the certificate. Please contact the Building Controls and By-law Enforcement Division at 905-318-5932, for further clarification.
3. Approval from Hydro One is received and provided to the Building Division prior to the issuance of a permit. To initiate the process to have Haldimand One investigate modifications to its infrastructure, the applicant shall contact the Simcoe Field Business Centre at 886-557-9551 and ask the Haldimand desk to create an upgrade ticket for the property.
4. That municipal services (sanitary sewer main) 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. 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 30.18 metres (99 feet) and contain an area of approximately 0.04 hectares (0.1 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:

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False_Northing:	0.00000000
Central_Meridian:	-81.00000000
Scale_Factor:	0.99960000
Latitude_Of_Origin:	0.00000000
Linear Unit:	Meter

Geographic Coordinate
Datum:
Prime Meridian:
Angular Unit:

System:GCS_North_American_1983
D_North_American_1983
Greenwich
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 July 19, 2024, after which time this consent will lapse.

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

PURSUANT to Subsection 45(1) of *The Planning Act*, R.S.O. 1990 (as amended), this Committee hereby makes the following decision on the application of **David & Pamela Bergin**, requesting relief from the lot area, front yard setback and rear yard provisions of the Residential Zone 1-A (R1-A) Zone of Haldimand County Zoning By law HC-1 2020. The relief is requested to recognize the deficiencies of the property as a result of the concurrent consent application. **Plan 507, Part Lot 4, Urban Area of Dunnville, known municipally as 539 Broad Street West**

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.

MINOR VARIANCES:

A) PLA-2022-071 Kevin Fralick

Present: Steve Cowan, agent

The proposal is to request relief from the accessory building area provisions of the Agricultural (A) Zone of Zoning By-law HC 1-2020. The relief is requested to permit the construction of a workshop on the subject property.

No comment from 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 **Kevin Fralick**, to request relief from the accessory building area provisions of the Agricultural (A) Zone of Zoning By-law HC 1-2020. The relief is requested to permit the construction of a workshop on the subject property.

**Concession 3, Part Lot 7, Registered Plan 18R4534 Part 1, Geographic Township of Canborough,
known municipally as 164 James 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.

B) PLA-2022-075 Storage Guyz – Hagersville

Present: Mitchell Baker, agent

The proposal is to request relief from the exterior side yard, parking and loading space provisions of the Rural Industrial (MR) Zone of Zoning By-law HC 1-2020. The relief is requested to permit the expansion of the existing storage facility on the subject property.

The agent supports the report. No comments from 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 **Storage Guyz – Hagersville**, is to request relief from the exterior side yard, parking and loading space provisions of the Rural Industrial (MR) Zone of Zoning By-law HC 1-2020. The relief is requested to permit the expansion of the existing storage facility on the subject property. **Concession 12, Part Lot 18, Geographic Township of Walpole, known municipally as 2088 Cheapside 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.

C) PLA-2022-079 Patrick Godbout

Present: Ron Halliday, representative

The proposal is to request relief from the front yard setback and building in required front yard provisions of the Lakeshore Residential (RL) Zone of Zoning By-law HC 1-2020. The relief is requested to permit the existing shed on the subject property.

No comment from the representative 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 **Patrick Godbout**, to request relief from the front yard setback and building in required front yard provisions of the Lakeshore Residential (RL) Zone of Zoning By-law HC 1-2020. The relief is requested to permit the existing shed on the subject property. **Concession 4 South of Dover Road, Part Lot 3, Geographic Township of Dunn, known municipally as 3084 Lakeshore 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.

D) PLA-2022-080 Stuart and Holly McAskill

Present: Stuart McAskill, applicant

The proposal is to request relief from the front yard setback and interior side yard (right) provisions of the Development (D) Zone of Zoning By-law HC-1 2020. The relief is requested to recognize deficiencies as the result of the construction of two sheds on the subject property.

No comments from applicant 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 **Stuart and Holly McAskill**, to request relief from the front yard setback and interior side yard (right) provisions of the Development (D) Zone of Zoning By-law HC-1 2020. The relief is requested to recognize deficiencies as the result of the construction of two sheds on the subject property. **Concession 2, Part Lot 2, Geographic Township of Walpole, known municipally as 1094 New Lakeshore 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.

Present: David Wray, agent

The proposal is to request relief from the interior side yard (left) provisions provisions of the Agricultural (A) Zone of Zoning By-law HC-1 2020. The relief is requested to permit the construction of an addition to the existing dwelling on the subject property.

The agent questioned the need for a grading plan, as it would be an expense to the applicant, and he did not see the need of it. The planner said it is at the discretion of the committee, but that as a reduced setback is required it is required by staff to ensure that there is no flooding onto neighbours. A discussion ensued on this point.

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 **Jordan and Richard Bosschaert**, to request relief from the interior side yard (left) provisions of the Agricultural (A) Zone of Zoning By-law HC-1 2020. The relief is requested to permit the construction of an addition to the existing dwelling on the subject property. **Concession 2, Part Lot 11, Geographic Township of Rainham, known municipally as 4745 Rainham Road**

DECISION: **APPROVED**

CONDITIONS:

1. 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.

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.

F) PLA-2022-085 Darren Papineau

Present: Darren Papineau, applicant

The proposal is to request relief from the height of building provisions of the Agricultural (A) Zone of Zoning By-law HC-1 2020. The relief is requested to permit the construction of a detached garage on the subject property.

No comment from applicant 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 **Darren Papineau**, to request relief from the height of building provisions of the Agricultural (A) Zone of Zoning By-law HC-1 2020. The relief is requested to permit the construction of a detached garage on the subject property. **Concession 5, Part Lots 10 and 11, Registered Plan 18R438, Geographic Township of South Cayuga, known municipally as 1223 Bains 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.

PREVIOUSLY DEFERRED:

A) PLB-2022-007 Daniel and Diane DePagter

Present: Dan DePagter, applicant

This application was deferred at the April 12, 2022 Committee of Adjustment meeting, and was subsequently revised. The applicant proposes to sever a lot for future residential development. The severed lands will have a frontage of approximately 27.9 metres (91.5 feet) and contain an area of approximately 0.3101 hectares (0.8 acres). The retained parcel will contain an area of approximately 0.25386 hectares (0.63 acres).

It was noted that the notice sign had indeed been posted. Comments were made by the committee about the complex nature of the application, and that the conditions reflect all that need to be done. The planner went through the conditions to ensure the committee that all will be done to ensure the servicing issues are addressed, including an easement to come before the committee and a zoning amendment to Council. Committee was also explained the need for a

Public Consultation Strategy which is a Council requirement. The easement is required for a water line to cross another property to service this lot (from Johnson Street)

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 **Daniel and Diane DePagter**, to sever a lot for future residential development. The severed lands will have a frontage of approximately 27.9 metres (91.5 feet) and contain an area of approximately 0.3101 hectares (0.8 acres). The retained parcel will contain an area of approximately 0.25386 hectares (0.63 acres). **Cayuga Village Plan East of the Grand River, Lots 25 and 26 North of Mohawk Street, Part of Lots 25 and 26 South of Norton Street, Part of Snow Street, Registered Plan 18R7803 Parts 7 and 8, Urban Area of Cayuga, known municipally as 29 Monture Street North**

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, 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 a connection plan is approved by the County and any necessary planning applications (easements) to facilitate the plan. Contact the Planning & Development Division at 905-318-5932 for further clarification. As this process can take a

number of months to complete, early action on this condition is essential.

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, will have a frontage of approximately 27.9 metres (91.5 feet) and contain an area of approximately 0.3101 hectares (0.8 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
8. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before July 19, 2024, after which time this consent will lapse.

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

Present: Pat Friend, applicant

This application was deferred at the April 12, 2022 Committee of Adjustment meeting, and has been subsequently revised. The applicant proposes to sever a parcel of land as a boundary adjustment. The severed lands will contain an area of approximately 0.134 hectares (0.33 acres). The property is to address various encroachment issues for the benefitting lands.

No comment from applicant and 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 **Don & Lisa McCleary, Pat Friend & Terry Werbiski**, to sever a parcel of land as a boundary adjustment. The severed lands will contain an area of approximately 0.134 hectares (0.33 acres). The property is to address various encroachment issues for the benefitting lands. **Concession 5, Part Lot, 3 Registered Plan 18R6815 Part 1, Geographic Township of Rainham, known municipally as 179 Concession 5 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. 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 Donald William McCleary and Patricia Diane Friend and further identified as Roll No. 2810-158-003-09710, 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 Donald William McCleary and Patricia Diane Friend and further identified as Roll # 2810-158-003-09710.
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 0.134 hectares (0.33 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 July 19, 2024, after which time this consent will lapse.

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

OTHER BUSINESS:

- The minutes of the June 14, 2022 meeting were adopted as presented.
- A resolution was approved by the committee as follows:

"THAT in the absence of the Secretary-Treasurer the Acting Secretary-Treasurer of the Haldimand County Committee of Adjustment (including Sign Variance , Property Standards and Dog Muzzle Committees) will be Chenxi Tang, Planning Technician, Planning & Development, effective immediately."

The meeting adjourned at 10:15 am.



Chairman



Secretary-Treasurer

