



**HALDIMAND COUNTY
COMMITTEE OF ADJUSTMENT
MINUTES
TUESDAY, AUGUST 16, 2022**

A meeting of the Committee of Adjustment was held on Tuesday, August 16, 2022 at 9:00 a.m. in the Council Chambers of the Haldimand County Administration Building.

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

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

The Committee of Adjustment dealt with the following applications:

CONSENTS:

PLB-2022-008	Robert James Groves	APPROVED
PLB-2022-092	5003427 Ontario Inc.	APPROVED
PLB-2022-099	AG Strobosser Farms Inc.	DEFERRED
PLB-2022-103	Leroy Bartlett and Cheryl Buck	APPROVED

CONSENTS & RELATED MINOR VARIANCES:

PLB-2022-076 & PLA-2022-077	Bravaya Inc.	APPROVED
PLB-2022-097 & PLA-2022-098	2831507 Ontario Ltd.	APPROVED

MINOR VARIANCES:

PLA-2022-093	Michelle Rae	DEFERRED
PLA-2022-102	Jaap and Corinna Zwaan	APPROVED

PLA-2022-104	Curt Bond	APPROVED
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CHANGE TO CONDITIONS REQUEST:

PLB-2021-148	William Jacob Cronk	CONDITION AMENDED
PLB-2022-049	Mayr Farms Ltd.	CONDITION AMENDED

DECLARATIONS OF PECUINARY INTEREST: None Declared

CONSENTS:

A) PLB-2022-092 5003427 Ontario Inc.

Present: Kim Hessels, agent

The proposal is to sever a lot containing an existing surplus farm dwelling and a shed. The severed lands will have a frontage of approximately 61 metres (200.1 feet) and will contain an area of 0.6 hectares (1.48 acres). The retained parcel will contain an area of approximately 36.1 hectares (89.2 acres).

Agent asked for clarification regarding Condition 2, which requires approval from the Ontario Ministry of Transportation. The planner explained that this is a requirement for applications on or near a provincial highway.

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 **5003427 Ontario Inc.**, to sever a lot containing an existing surplus farm dwelling and a shed. The severed lands will have a frontage of approximately 61 metres (200.1 feet) and will contain an area of 0.6 hectares (1.48 acres). The retained parcel will contain an area of approximately 36.1 hectares (89.2 acres). **Concession 1 North of Talbot Road, Part Lot 22, Geographic Township of North Cayuga, known municipally as 5579 Highway 3**

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. Subject to the approval from the Ontario Ministry of Transportation..

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, with a frontage of approximately 61 metres (200.1 feet) and will contain an area of 0.6 hectares (1.48 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
5. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before August 16, 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-2022-099

AG Strobosser Farms Inc.

Present: Maria Kinkel, agent

This application was approved by the Committee of Adjustment at the April 19, 2021 meeting (PLB-2021-022), but the approval lapsed before the conditions were completed. The applicant proposes to sever a lot containing an existing surplus farm dwelling and accessory structure. The

severed lands will be approximately 60 metres (196.9 feet) by 115 metres (377.3 feet) and will contain an area of approximately 0.64 hectares (1.6 acres).

No sign was seen during site visits, so the members of the committee feel that the application should be deferred.

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 **AG Strobosser Farms Inc.**, to sever a lot containing an existing surplus farm dwelling and accessory structure. The severed lands will be approximately 60 metres (196.9 feet) by 115 metres (377.3 feet) and will contain an area of approximately 0.64 hectares (1.6 acres). **Concession 9, Part Lot 15, Registered Plan 18R5429 Parts 3 to 5, Geographic Township of Walpole, known municipally as 1148 Concession 9 Walpole**

DECISION: DEFERRED

REASONS: To allow for the applicant to post their notice sign in accordance with the *Planning Act*.

- **Member Snyder arrived at meeting at 9:14am.**

C) PLB-2022-103 Leroy Bartlett and Cheryl Buck

Present: Tom Sheppard, agent

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 74.7 metres (245 feet) and will contain an area of 0.49 hectares (1.209 acres). The retained parcel will contain an area of approximately 121.4 hectares (300 acres).

Agent read the report and is in agreement with the recommendations. Member Ricker asked for information regarding the hydro easement. The planner explained that Hydro needs to address how the barn on the retained land will be serviced.

The agent said, as a result of a question from the committee, that the existing silos will remain with the retained 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 **Leroy Bartlett and Cheryl Buck**, to sever a lot containing an existing surplus farm dwelling and accessory structure. The severed

lands will have a frontage of approximately 74.7 metres (245 feet) and will contain an area of 0.49 hectares (1.209 acres). The retained parcel will contain an area of approximately 121.4 hectares (300 acres). **Concession 2, Part Lot 15, Geographic Township of Walpole, known municipally as 702 Concession 2 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 74.7 metres (245 feet) and will contain an area of 0.49 hectares (1.209 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 August 16, 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-2022-076 & PLA-2022-077

Bravaya Inc.

Present: Ryan Ferrari, agent
Dieter Bachman, neighbour

In application **PLB-2022-076**, the applicant proposes to sever a lot to create separate lots for semi-detached dwellings under construction on the property. The severed lands will have a frontage of approximately 17.34 metres (57 feet) and contain an area of approximately 366.4 square metres (3943.9 square feet). The retained parcel will have a frontage of approximately 17.19 metres (56.4 feet) and contain an area of approximately 376.58 square metres (4053.5 square feet). In application **PLB-2022-077**, relief is requested from the lot area and rear yard provisions of the Residential Zone 2 (R2) 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.

Agent is in agreement with the recommendations of the report.

Mr. Bachman is concerned that the road infrastructure will not be able to handle the increased traffic as a result of this development. There are parking issues, and they are concerned of the safety issue, which will not improve until the roads are improved. Member Gould asked the agent for clarification about the future development on the property. The agent said that the current severance is to sever the existing the lot into two, to facilitate the construction of two semis on the property. A future severance will sever each unit into separate ownership upon completion. Member Bowman expressed concern regarding the parking situation in the area, which instigated a conversation regarding this issue, including the need for different types of housing to satisfy the needs of different families. An explanation regarding why all severances are not applied at the same time was also given. The minor variance will apply to the entire development. A number of the members expressed concerns regarding parking. Mr. Bachman then asked for further clarification regarding the nature of the development. Member Gould asked why there were different styles for the development (i.e. some units with garages and some without them), facilitating the need for the minor variance. The agent said that it is the desire of the developer to have different types of residences to offer to market, but he intimated that, given the comments from the committee, making them a same style to eliminate the need for the parking variance may be the best option. Member Ricker said that he is fine with the application as is, it is similar to other applications the committee has seen elsewhere in the County.

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 **Bravaya Inc.**, to sever a lot to create separate lots for semi-detached dwellings under construction on the property. The severed lands will have a frontage of approximately 17.34 metres (57 feet) and contain an area of approximately 366.4 square metres (3943.9 square feet). The retained parcel will have a frontage of approximately 17.19 metres (56.4 feet) and contain an area of approximately 376.58 square metres (4053.5 square feet). **Part Lot 1 North of Caithness Street, Urban Area of Caledonia, known municipally as 29-31 Inverness 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. 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 17.34 metres (57 feet) and contain an area of approximately 366.4 square metres (3943.9 square feet). 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

4. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before August 16, 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 **Bravaya Inc.**, requesting relief from the lot area, front yard setback and rear yard provisions of the Residential Zone 2 (R2) 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. **Part Lot 1 North of Caithness Street, Urban Area of Caledonia, known municipally as 29-31 Inverness Street**

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) PLB-2022-097 & PLA-2022-098 2831507 Ontario Ltd.

Present: Jason Schilstra, agent for applicant
Mark Merritt, agent for neighbour

In application **PLB-2022-097**, the applicant proposes to sever a lot for future residential development. The severed lands will have a frontage of approximately 23.7 metres (77.8 feet) and contain an area of approximately 0.0835 hectares (0.2 acres). The retained parcel will contain an area of approximately 0.0489 hectares (0.12 acres). In application **PLB-2022-098**, relief is requested from the lot area, lot frontage, interior side yard (right) and parking 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.

Mr. Merritt has no issues with the application, but stated that there is flooding issues in the area, and that he wanted to verify that the existing accessory structure will be moved, and that parking in the area be addressed. Member Ricker added that flooding will be an issue in this area, and asked for verification that this will be addressed. All these issues were verified by the planner.

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 **2831507 Ontario Ltd.**, to sever a lot for future residential development. The severed lands will have a frontage of approximately 23.7

metres (77.8 feet) and contain an area of approximately 0.0835 hectares (0.2 acres). The retained parcel will contain an area of approximately 0.0489 hectares (0.12 acres). **Plan 6876, Lot 18 to 19, Urban Area of Dunnville, known municipally as 1008 Pine 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 and Development Division indicating that their requirements, regarding a drainage re-apportionment agreement between both severed and retained parcels, have been satisfied. The county is responsible for maintaining municipal drains on behalf of the community of landowners involved in the drain. The cost of the drain maintenance is assessed to the landowners. The division of land requires that the assessment be re-calculated for the retained and severed parcels. A written request to initiate re-apportionment is necessary. A fee is administered with each agreement. Please allow six (6) weeks for completion of this process. Contact Project Manager, Municipal Drains at 905-318-5932, ext. 6424, for further clarification.
 3. 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.
 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 all accessory buildings located on the severed lands be removed to the satisfaction of Building Controls and By-law Enforcement Division. Please contact the Building Inspector at 905-318-5932, when the buildings have been removed, for an inspection of the property.

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 23.7 metres (77.8 feet) and contain an area of approximately 0.0835 hectares (0.2 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
8. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before August 16, 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 **2831507 Ontario Ltd.**, requesting relief from the lot area, lot frontage, interior side yard (right) and parking 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 6876, Lot 18 to 19, Urban Area of Dunnville, known municipally as 1008 Pine Street**

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-2022-093 Michelle Rae

Present: None present

The proposal is to request relief from the rear yard provisions of the Residential Type 1-A (R1-A) Zone of Zoning By-law HC-1 2020. The relief is requested to permit the construction of an accessory building on the subject property.

No sign was noted during site visits.

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 **Michelle Rae**, to request relief from the rear yard provisions of the Residential Type 1-A (R1-A) Zone of Zoning By-law HC-1 2020. The relief is requested to permit the construction of an accessory building on the subject property.
Part Lot 9 East of Selkirk, Urban Area of Caledonia, known municipally as 49 Fife Street West

DECISION: DEFERRED

REASONS: To allow for the applicant to post their notice sign in accordance with the *Planning Act*.

B) PLA-2022-102 Jaap and Corinna Zwaan

Present: Trent Lof, agent

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

The agent asked for the timeline for the required lot grading. The planner said that it can be submitted in tandem with other plans.

Member Bowman asked for clarification on the Six Nations comments provided in the report. The planner said that trees have been cleared since construction has started, and that their comment may have based on older air photos. Staff try to include Six Nations in the process, and they wanted to include their comment in the report. Dialogue continues between staff and Six

Nations. Member Gould felt that, as an agricultural area, these trees could all be removed through normal agricultural operations.

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 **Jaap and Corinna Zwaan**, is to request relief from the accessory building height provisions of the Agricultural (A) Zone of Zoning By-law HC-1 2020. The relief is requested to permit the construction of an accessory building on the subject property. **Concession 2, Part Lot 10, Registered Plan 18R7919 Part 1, Geographic Township of Canborough, known municipally as 252 Melick 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.

C) PLA-2022-104 Curt Bond

Present: Martin Harrison, agent
Carol Babineau, neighbour

The proposal is to request relief from the exterior side yard provisions of the Lakeshore Residential (RL) Zone of Zoning By-law HC-1 2020. The relief is requested to permit the placement of an existing dwelling on the subject property.

No comment from the agent.

Member Gould asked if Witherspoon Drive is a County Road. The planner said that it was. Chairperson Brown asked if there is room for a septic system on the property. The planner said that there appeared to be, but that the Building Department would verify that there is enough room through the permitting process. Member Bowman asked for clarification on Six Nation comments in the report. The planner said that the owner is allowed to cut down trees on their

lot of record. Chairperson Brown asked if the existing building will be removed. The agent said that it would. A discussion ensued about the status of the roads surrounding the property.

Ms. Babineau stated that they own the right-of-way to the north of the subject property.

The Committee made the following decision:

PURSUANT to Subsection 45(1) of *The Planning Act*, R.S.O. 1990 (as amended), this Committee hereby makes the following decision on the application of **Curt Bond**, is to request relief from the exterior side yard provisions of the Lakeshore Residential (RL) Zone of Zoning By-law HC-1 2020. The relief is requested to permit the placement of an existing dwelling on the subject property. **Plan 21074 Part of Block H, Geographic Township of Walpole, no civic address**

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.
 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.

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-2022-008

Robert James Groves

Present: Kim Hessels, agent

This application was deferred at the April 12, 2022, 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 0.12 hectares (0.30 acres). The retained parcel will have an approximate area of 19.1 hectares (47.2 acres). The property is to address an encroachment issue with the existing driveway and to improve drainage on the benefiting lands.

No comment from the agent. Member Bowman asked for clarification regarding the addressing along this stretch, which was given. Member Gould asked for clarification to why this application was deferred, the planner explained that the area to be boundary adjusted needed to be reduced to be supportable by staff.

The Committee made the following decision:

PURSUANT to Subsection 53(1) of *The Planning Act*, R.S.O. 1990 (as amended), this Committee hereby makes the following decision on the application of **Robert James Groves**, to sever a parcel of land as a boundary adjustment. The severed lands will contain an area of approximately 0.12 hectares (0.30 acres). The retained parcel will have an approximate area of 19.1 hectares (47.2 acres). The retained parcel will have an approximate area of 18.7 hectares (46.17 acres). The property is to address an encroachment issue with the existing driveway and to improve drainage on the benefiting lands. **Concession 1, Part Lot 16, Geographic Township of Walpole, known municipally as 203 Brooklin 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 Robert James Groves and further identified as Roll No. 2810-332-002-58000, 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 Robert James Groves and further identified as Roll # 2810-332-002-58000.
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 0.12 hectares (0.30 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
7. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before August 16, 2024, after which time this consent will lapse.

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

CHANGE TO CONDITIONS REQUEST:

A) PLB-2022-049 Mayr Farms Ltd.

Present: Kim Hessels, agent

This application was provisionally approved at the May 9, 2022 Committee of Adjustment meeting. Through the review of the required reference plan, the applicant is requesting that Condition 4 of approval be revised to reflect new measurements and lot size, to ensure that all buildings and septic system will continue to be contained on the proposed parcel.

No comment from committee.

JG asked for clarification as to why this change was required. The planner said that there was an error regarding the measurements due to the municipal ditch along Hutchinson Road.

The Committee made the following decision

PURSUANT to Subsection 52(23) of *The Planning Act*, R.S.O. 1990 (as amended), this Committee hereby makes the following decision on the application of **Mayr Farms Ltd.**

Plan 67 East of the Boulton Ditch Road, Part Lot 1, Geographic Township of Moulton, known municipally as 320 Hutchinson Road

DECISION: Condition No. 4 on the Committee's decision, dated May 9, 2022, is amended and reads as follows:

"4. Receipt of a copy of the registered reference plan of the severed parcel, approximately 0.53 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."

B) PLB-2021-148 William Jacob Cronk

Present: Jacob Cronk, applicant

This application was provisionally approved at the December 21, 2021 Committee of Adjustment meeting. Through the review of the required reference plan, the applicant is requesting that Condition 9 of approval be revised to reflect new measurements and lot size, to ensure that the north lot line of the boundary adjusted property follows the southern shore of the Sandusk Creek.

The sign was not posted in time. An explanation of the process was given to committee, including notification requirements. An explanation was given as to why this change is in front of the committee.

The Committee made the following decision

PURSUANT to Subsection 52(23) of *The Planning Act*, R.S.O. 1990 (as amended), this Committee hereby makes the following decision on the application of **William Jacob Cronk**
Concession 1, Part Lot 16, Geographic Township of Walpole, known municipally as 333 Brooklin Road

DECISION: Condition No. 9 on the Committee's decision, dated December 21, 2021, is amended and reads as follows:


"9. Receipt of a copy of the registered reference plan of the severed parcel, approximately 2.241 hectares (5.54 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."

OTHER BUSINESS:

The minutes of the July 19, 2022 meeting were adopted as presented.

Leroy Bartlett has formally resigned from the committee. As a result of this, the committee formally appointed Carolyn Bowman as Vice-Chairperson of the Committee of Adjustment.

The meeting adjourned at 10:43 am.


Chairman


Secretary-Treasurer

