



**HALDIMAND COUNTY
COMMITTEE OF ADJUSTMENT
MINUTES
TUESDAY, SEPTEMBER 13, 2022**

A meeting of the Committee of Adjustment was held on Tuesday, September 13, 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
	Secretary-Treasurer	David Scott
	Planning Technician	Chenxi Tang

The Committee of Adjustment dealt with the following applications:

CONSENTS:

PLB-2022-011	GVD Farms Ltd.	APPROVED
PLB-2022-012	GVD Farms Ltd.	APPROVED
PLB-2022-099	AG Strobosser Farms Inc.	APPROVED
PLB-2022-112	Andrew Williamson	APPROVED
PLB-2022-114	Alan Williamson	APPROVED
PLB-2022-118	GSBK Properties Inc.	APPROVED
PLB-2022-122	Patrick and Debbie Martin	APPROVED
PLB-2022-123	Sheppland Farms	APPROVED
PLB-2022-125	Candace and Jennifer Smith	APPROVED
PLB-2022-132	Candace and Jennifer Smith	APPROVED

MINOR VARIANCES:

PLA-2022-107	Kyle and Melissa Draaistra	APPROVED
PLA-2022-110	Greg & Melanie Corning and Gordon & Renee Majic	APPROVED

PLA-2022-119	Kyle Lockhart	APPROVED
PLA-2022-120	663947 Ontario Inc. (Jarvis Meadows Phase 3B)	APPROVED
PLA-2022-121	Doug, Roberta, Steven and Jennifer Chlan	APPROVED
PLA-2022-126	Minor Bros. Canborough Farms Inc.	APPROVED

DECLARATIONS OF PECUINARY INTEREST:

CONSENTS:

A) PLB-2022-112 Andrew Williamson

Present: Scott Puillandre, agent

The proposal is to sever a parcel of land as a boundary adjustment. The severed lands will contain an area of approximately 0.03 hectares (0.07 acres). The retained parcel will have an approximate area of 0.23 hectares (0.58 acres). The property is to provide additional space for large farm equipment and trailers to use the existing driveway on the farm parcel (2189 Highway 3).

Agent satisfied with conditions. 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 **Andrew Williamson**, to sever a parcel of land as a boundary adjustment. The severed lands will contain an area of approximately 0.03 hectares (0.07 acres). The retained parcel will have an approximate area of 0.23 hectares (0.58 acres). The property is to provide additional space for large farm equipment and trailers to use the existing driveway on the farm parcel (2189 Highway 3). **Concession 8, Part Lot 6, Geographic Township of Walpole, known municipally as 2183 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. That a septic evaluation for severed parcel be completed and submitted to the Secretary- Treasurer, who will give it to the Haldimand County Building Controls and By-law Enforcement Division for approval. (Septic evaluations must be completed prior to the

issuance of the certificate. Please allow approximately six (6) months for completion of the septic evaluation.) Please contact the Building Controls and By-law Enforcement Division at 905-318-5932, for further clarification.

3. Receipt of a letter from the Planning and Development Division indicating that their requirements, regarding a drainage re-apportionment agreement between both severed and retained parcels, have been satisfied. The county is responsible for maintaining municipal drains on behalf of the community of landowners involved in the drain. The cost of the drain maintenance is assessed to the landowners. The division of land requires that the assessment be recalculated for the retained and severed parcels. A written request to initiate re-apportionment is necessary. A fee is administered with each agreement. Please allow six (6) weeks for completion of this process. Contact Project Manager, Municipal Drains at 905-318-5932, ext. 6424, for further clarification.
4. That all buildings located on the retained lands be moved or 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. Alternatively, receipt of final approval of a consent application to the encroachment issue can be completed (Consents 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.
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 0.03 hectares (0.07 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 September 13, 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-2022-114 Alan Williamson

Present: Scott Puillandre, 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 parcel will have an approximate area of 14.3 hectares (35.3 acres). The property is to provide additional space for required septic system on the dwelling parcel (2183 Highway 3) and to address a rear yard deficiency.

Agent was satisfied with the conditions, and there were no comments from the committee.

The Committee made the following decision:

PURSUANT to Subsection 53(1) of *The Planning Act*, R.S.O. 1990 (as amended), this Committee hereby makes the following decision on the application of **Alan Williamson**, 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 parcel will have an approximate area of 14.3 hectares (35.3 acres). The property is to provide additional space for required septic system on the dwelling parcel (2183 Highway 3) and to address a rear yard deficiency. **Concession 8, Part Lot 6, Geographic Township of Walpole, known municipally as 2189 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. 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. That the owner's solicitor provide an undertaking to Haldimand County agreeing that if there are any changes proposed to the wording on the certificate after stamping of the certificate by the County, prior to the registration of the certificate; that the Secretary-Treasurer or designate must approve the change prior to registration of the certificate.
4. Receipt of a copy of the registered reference plan of the severed parcel, approximately 0.06 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 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 September 13, 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-2022-118 GSBK Properties Inc.

Present: Kim Hessels, agent

The proposal is to sever a lot containing an existing surplus farm dwelling and accessory structure. The severed lands will have a frontage of approximately 75 metres (246 feet) and will contain an area of 0.53 hectares (1.31 acres). The retained parcel will contain an area of approximately 18.1 hectares (44.7 acres).

No comments from agent.

Member Ricker asked how the farm parcel would be accessed. The agent said that there was a separate access to the farm just beside the proposed severed property.

The Committee made the following decision:

PURSUANT to Subsection 53(1) of *The Planning Act*, R.S.O. 1990 (as amended), this Committee hereby makes the following decision on the application of **GSBK Properties Inc.**, to sever a lot containing an existing surplus farm dwelling and accessory structure. The severed lands will have a frontage of approximately 75 metres (246 feet) and will contain an area of 0.53 hectares (1.31 acres). The retained parcel will contain an area of approximately 18.1 hectares (44.7 acres). **Concession 3 from Lake Erie, Part Lot 8, Geographic Township of Moulton, known municipally as 716 Hutchinson 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 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. 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 75 metres (246 feet) and with an area of 0.53 hectares (1.31 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 September 13, 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-2022-122 Patrick and Debbie Martin

Present: Carl Walker, agent

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 0.4 hectares (1.0 acre). The retained parcel will contain an area of approximately 0.14 hectares (0.35 acres).

No comment from agent.

Member Gould asked staff asked whether Grand River Conservation Authority approval is necessary. The supervisor stated that it could be removed. The agent stated that he would not object with the condition being removed. The staff verified that accessory structure would have to be removed as a condition. The committee wanted verification that the frontage and setbacks were within the requirements of the zoning by-law, which was confirmed 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 **Patrick and Debbie Martin**, 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 0.4 hectares (1.0 acre). The retained parcel will contain an area of approximately 0.14 hectares (0.35 acres). **Part Lot 6 North of Haddington, Registered Plan 18R3079 Part 2, Urban Area of Caledonia, known municipally as 334 Haddington Street**

DECISION: APPROVED as amended (Original condition 4 removed and replaced)

- 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. 6212, 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 all accessory buildings be moved or 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. Alternatively, receipt of final approval of a consent application to the encroachment issue can be completed (Consents 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.
5. 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 both the newly created lot and the retained lot, and Servicing Allocation (water and waste water) has been allocated for both properties. 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.
6. That the existing septic system located on the severed lands be decommissioned to the satisfaction of Building Controls and By-law Enforcement Division. Please contact the Building Inspector at 905-318-5932, when the septic system have been decommissioned for an inspection of the property. Please contact the Building Controls and By-law Enforcement Division at 905-318-5932, for further clarification.
7. 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.
8. Receipt of a copy of the registered reference plan of the severed parcel, with have a frontage of approximately 15 metres (49.2 feet) and with an area of approximately 0.4 hectares (1.0 acre). 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

9. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before September 13, 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-2022-123 Shepland Farms

Present: Tom Sheppard, applicant

The proposal is to sever a lot containing an existing surplus farm dwelling. The severed lands will have a frontage of approximately 76.2 metres (250 feet) and will contain an area of 0.49 hectares (1.21 acres). The retained parcel will contain an area of approximately 121.4 hectares (300 acres).

No comments 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 **Shepland Farms**, to sever a lot containing an existing surplus farm dwelling. The severed lands will have a frontage of approximately 76.2 metres (250 feet) and will contain an area of 0.49 hectares (1.21 acres). The retained parcel will contain an area of approximately 121.4 hectares (300

acres). Concession 2, Part Lot 14, Registered Plan 18R1852 Part 1, Geographic Township of Walpole, known municipally as 652 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 76.2 metres (250 feet) and with an area of 0.49 hectares (1.21 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
 4. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before September 13, 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-2022-125 and PLB-2022-132 Candace and Jennifer Smith

Present: Chris Smith, agent

The proposal is to sever two lots for future residential development . The severed lands in application **PLB-2022-125** will have a frontage of approximately 31.84 metres (104.5 feet) and contain an area of approximately 0.24 hectares (0.59 acres). The severed lands in application **PLB-2022-132** will have a frontage of approximately 31.83 metres (104.4 feet) and contain an area of approximately 0.24 hectares (0.59 acres). The retained parcel will contain an area of approximately 12.723 hectares (31.4 acres).

No comments from agent or committee.

The Committee made the following decision:

PLB-2022-125

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 **Candace and Jennifer Smith**, to sever a lot for future residential development. The severed lands will have a frontage of approximately 31.84 metres (104.5 feet) and contain an area of approximately 0.24 hectares (0.59 acres). The retained parcel will contain an area of approximately 12.723 hectares (31.4 acres). **Concession 1 North of Talbot Road, Part Lots 42 and 43 and Part of Road Allowance, Registered Plan 18R6259 Part 1, Geographic Township of North Cayuga, known municipally as 329 Decewsville 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. 6212, 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 31.84 metres (104.5 feet) and with an area of approximately 0.24 hectares (0.59 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	
6. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before September 13, 2024, after which time this consent will lapse.

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

PLB-2022-132

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 **Candace and Jennifer Smith**, to sever a lot for future residential development. The severed lands will have a frontage of approximately 31.83 metres (104.4 feet) and contain an area of approximately 0.24 hectares (0.59 acres). The retained parcel will contain an area of approximately 12.723 hectares (31.4 acres). **Concession 1 North of Talbot Road, Part Lots 42 and 43 and Part of Road Allowance, Registered Plan 18R6259 Part 1, Geographic Township of North Cayuga, known municipally as 329 Decewsville 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. 6212, 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 31.83 metres (104.4 feet) and with an area of approximately 0.24 hectares (0.59 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	

6. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before September 13, 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-2022-107 Kyle and Melissa Draaistra

Present: Kyle Draaistra, applicant

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

The applicant wanted to explain to the committee that the accessory structure will not just be a shop, but also include personal storage space. He added that neighbours are generally supportive of the proposal. He concluded that the location of the structure would mitigate noise and visual issues with neighbouring properties.

Member Ricker expressed support of the applicant, as the committee has approved similar applications before. He continued that the applicant did everything to make the situation as

appropriate as possible. Various members echoed these comments. Chairperson Brown asked the supervisor for a description of what is considered minor when measuring minor variance requests. The supervisor said that it was subjective matter, but that staff felt that it was not minor when measured by the provisions of the zoning bylaw. When asked by the committee as to the number of employees that his business would have, the applicant stated that staff would include himself, his wife (doing accounting work), and one other person.

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 **Kyle and Melissa Draaistra**, to request relief from the height of building, accessory building area and home industry provisions of the Agricultural (A) Zone of Zoning By-law HC-1 2020. The relief is requested to permit the construction of an automotive repair shop on the subject property. **Concession 2, Part Lot 8, Registered Plan 18R4209 Parts 1 and 2, Geographic Township of Moulton, known municipally as 499 Diltz Road**

DECISION: Motion to Refuse: REFUSED (0 votes to 5)

Motion to Approve: APPROVED (5 votes to 0)

REASONS: The committee feels that the application is generally desirable development for the lands.

B) PLA-2022-110 Greg & Melanie Corning and Gordon & Renee Majic

Present: Ed McCarthy, agent

This application is a condition of consent application PLB-2021-196, which was approved by the Committee of Adjustment on December 21, 2021. Relief is requested from the lot area, lot frontage and front yard setback provisions of the Lakeshore Residential (RL) Zone of Haldimand County Zoning By-law HC-1 2020. The relief is requested to recognize deficiencies as a result of the consent application.

No comments 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 **Greg & Melanie Corning and Gordon & Renee Majic**, to request relief from the lot area, lot frontage and front yard setback provisions of the Lakeshore Residential (RL) Zone of Haldimand County Zoning By-law HC-1 2020. The relief is requested to recognize deficiencies as a result of the consent application. **Concession 1, Part Lot 17, Geographic Township of Walpole, known municipally as 962 and 964 South Coast Drive**

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-2022-119 Kyle Lockhart

Present: Kim Hessels, agent

The proposal is to request relief from the rear yard setback provisions of the Lakeshore Residential (RL) Zone of Haldimand County Zoning By-law HC-1 2020. The relief is requested to permit the construction of an attached storage building on the subject property.

No comment 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 **Kyle Lockhart**, to request relief from the rear yard setback provisions of the Lakeshore Residential (RL) Zone of Haldimand County Zoning By-law HC-1 2020. The relief is requested to permit the construction of an attached storage building on the subject property. **Concession 1, Part Lot 21, Registered Plan 18R7940 Parts 1 and 2, Geographic Township of Rainham, known municipally as 1995 Lakeshore 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.

D) PLA-2022-120 663947 Ontario Inc. (Jarvis Meadows Phase 3B)

Present: Criag Rohe, agent

The proposal is to request relief from the lot area and lot frontage provisions of the Residential Type 2-B.1 (R2-B.1) Zone of Zoning By-law HC-1 2020. The relief is requested to permit the registration of the draft plan of subdivision on the subject property.

No comments from agent.

Member Gould asked for clarification as to whether the relief was for the entire phase of development, or whether it was for specific parcels. The agent stated that it was only for the two lots noted in the application.

The Committee made the following decision:

PURSUANT to Subsection 45(1) of *The Planning Act*, R.S.O. 1990 (as amended), this Committee hereby makes the following decision on the application of **663947 Ontario Inc. (Jarvis Meadows Phase 3B)**, to request relief from the lot area and lot frontage provisions of the Residential Type 2-B.1 (R2-B.1) Zone of Zoning By-law HC-1 2020. The relief is requested to permit the registration of the draft plan of subdivision on the subject property. **Concession 8, East Part of Lot 5, Registered Plan 18R7883 Parts 1 and 2, Geographic Township of Jarvis, Urban Area of Jarvis, no civic address**

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.

E) PLA-2022-121 Doug, Roberta, Steven and Jennifer Chlan

Present: Craig Rohe, agent

The proposal is to request relief from the maximum secondary suite size provisions of the Agricultural (A) Zone of Zoning By-law HC-1 2020. The relief is requested to permit the construction of an oversized secondary suite on the subject property.

No comments from the agent.

Member Gould asked if it is an issue that the Niagara Peninsula Conservation Authority has not provided comments on this application. The supervisor said that the applicant would have to get a permit from the Niagara Peninsula Conservation Authority before the issuance of building permits. The agent stated that it looked as though the proposed location would be outside the regulated area, so a permit may not be needed.

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 **Doug, Roberta, Steven and Jennifer Chlan**, to request relief from the maximum secondary suite size provisions of the Agricultural (A) Zone of Zoning By-law HC-1 2020. The relief is requested to permit the construction of an oversized secondary suite on the subject property. **Concession 1 South East of Stoney Creek Road, Part Lot 23, Geographic Township of Seneca, known municipally as 396 Indiana Road East**

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.

F) PLA-2022-126 Minor Bros. Canborough Farms Inc.

Present: Kim Hessels, agent
 Brian Fader, representing Minor Bros.

The proposal is to request relief provisions of Section 4.3(b) of Zoning By-law HC-1 2020 to permit an accessory use on the subject property prior to establishing a primary use. The relief is requested to permit the construction of a livestock truck/trailer washing facility on the subject property.

The agent said that application was recommended deferral based on the lack of a MDS report, which has since been provided to staff for review. The supervisor stated that the report has been received, and it appears that the information is satisfactory to be able to make a decision on the application, but it is ultimately up to the committee to decide whether to approve the application.

Member Gould asked if a condition could be added to make sure that the MDS is approved prior to the issuance of permits. It was determined that it would be redundant as the Building Department would review the report in their permitting process. Member Ricker asked who regulates the runoff of water from the operation. The agent stated that the Nutritional Specialist would account for this in their report.

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 **Minor Bros. Canborough Farms Inc.**, to request relief provisions of Section 4.3(b) of Zoning By-law HC-1 2020 to permit an accessory use on the subject property prior to establishing a primary use. The relief is requested to permit the construction of a livestock truck/trailer washing facility on the subject property. **Concession**

1, Part Lots 14 and 15, Registered Plan18R1872 Part 1, Registered Plan18R4694 Parts 4,5,6 and 7, Geographic Township of Canborough, known municipally as 21 Mill Avenue

DECISION: **Motion to Defer: REFUSED (0 votes to 5)**

Motion to Approve: APPROVED (5 votes to 0)

- 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. 6212, 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. Permits may be obtained from the County's Roads Operations Division Support staff at 905-318-5932, Ext. 8601 for details.

REASONS: The committee feels that all conditions required for approval have been met.

PREVIOUSLY DEFERRED:

A) PLB-2022-011 and PLB-2022-012 GVD Farms Ltd.

Present: Adam Moote, agent

The proposal is to sever two lots for future residential development. The severed lands in application **PLB-2022-011** will have a frontage of approximately 30 metres (98.4 feet) and contain an area of approximately 0.1855 hectares (0.46 acres). The severed lands in application **PLB-2022-012** will have a frontage of approximately 30 metres (98.4 feet) and contain an area of approximately 0.1855 hectares (0.46 acres). The retained parcel will contain an area of approximately 31.1 hectares (76.89 acres).

No comments from agent.

Member Ricker asked for verification of the location of the lots, which appeared to not align with the hamlet boundary. He was therefore concerned that the strip of the land may be left barren

and unkept. The agent stated that it would be as close as possible to the hamlet boundary. Staff confirmed that the proposed lots would line up with the hamlet boundary.

Member Bowman asked for clarification of the Agricultural designation, to which staff stated that that was for the entire property.

The Committee made the following decision:

PLB-2022-011

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 **GVD Farms Ltd.**, to sever a lot for future residential development. The severed lands will have a frontage of approximately 30 metres (98.4 feet) and contain an area of approximately 0.1855 hectares (0.46 acres). The retained parcel will contain an area of approximately 31.1 hectares (76.89 acres).

Concession 1, Part Lots 23 and 24, Geographic Township of Walpole, known municipally as 3866 Rainham 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. 6212, 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 27.5 metres (90.2 feet) and an area of approximately 0.1912 hectares (0.47 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 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	

6. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before April 12, 2024, after which time this consent will lapse.

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

PLB-2022-012

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 **GVD Farms Ltd.**, to sever a lot for future residential development. The severed lands will have a frontage of approximately 30 metres (98.4 feet) and contain an area of approximately 0.1855 hectares (0.46 acres). The retained parcel will contain an area of approximately 31.1 hectares (76.89 acres). **Concession 1, Part Lots 23 and 24, Geographic Township of Walpole, known municipally as 3866 Rainham 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 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 38 metres (124.7 feet) and an area of approximately 0.1875 hectares (0.463 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

6. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before April 12, 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. Subsequently, this application was deferred at the August 16, 2022 Committee of Adjustment meeting. 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 comments from the committee. Verification was given that the conditions were the same as the original approval.

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: **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. 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.
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. Receipt of final approval of the required zoning amendment to freeze development on retained lands (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. 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

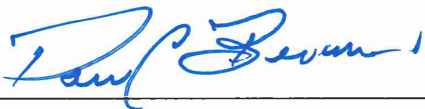

7. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before August 16, 2024, after which time this consent will lapse.

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

OTHER BUSINESS:

- The minutes of the August 16, 2022 meeting were adopted as amended.

The meeting adjourned at 10:28 am.

	
Chairman	Secretary-Treasurer