Haldimand County
Committee of Adjustment
Consent

Meeting Date: November 14, 2023

File Number: PLB-2023-073

Property Roll Number: 2810-158-001-73500

Applicant: Brad Yager

Property Location: Concession 1, Part Lot 10, Geographic Township of Rainham, known municipally as 4644 Rainham Road

Recommendation

That application PLB-2023-073 be approved, subject to the attached conditions. The application is consistent with the Provincial Policy Statement, 2020 and A Place to Grow, 2020, and conforms to the intent of the Haldimand County Official Plan and Haldimand County Zoning By-law HC 1-2020.

Details of the Submission

Proposal: The applicant proposes to sever a lot containing an existing surplus farm dwelling. The severed lands will have a frontage of approximately 53.34 metres (175 feet) and will contain an area of 0.36 hectares (0.88 acres). The retained parcel will contain an area of approximately 30.1 hectares (74.4 acres).

Site Features and Land Use: The subject lands are located in the geographic township of Rainham and front onto the south side of Rainham Road. The lands currently contain a single detached dwelling, and accessory structures. The surrounding land uses are generally agricultural and rural residential in nature.

Existing Intensive Livestock Operations: Not applicable

Agency & Public Comments

Haldimand County Building & Municipal Enforcement: No comments or concerns.

Haldimand County Planning & Development – Development Technologist: No comments or concerns.

Haldimand County Emergency Services: No comments received.

Haldimand County Water and Wastewater Engineering & Compliance: No comments received.

Hydro One: No comments or concerns.

Municipal Property Assessment Corporation: No comments received.

Mississaugas of the Credit: No comments received.

Six Nations: No comments received.

Public: No comments received.

Planning Analysis

Provincial Policy Statement, 2020 (PPS)

The subject lands are designated 'Agricultural' and are located in the prime agricultural area of the county. The PPS discourages lot creation in the prime agricultural area. The PPS, however, permits lot creation for a residence surplus to a farming operation as a result of farm consolidation, if the new lot will meet the minimum size requirement to accommodate the use and appropriate sewage and water service. The planning authority is required to ensure that new residential dwellings are prohibited on any remnant parcel of farmland created by severance. The application is consistent with the PPS.

A Place to Grow, 2020

A Place to Grow does not provide information or criteria on surplus farm dwelling. The application, therefore, is consistent with A Place to Grow.

Haldimand County Official Plan (OP)

The Official Plan echoes the PPS while providing additional details. The OP states that a severance may be granted for a habitable farm dwelling of a minimum age of 10 years, calculated from the date of occupancy of the dwelling made surplus through farm consolidation where it is part of a farm holding containing two or more habitable dwellings and where each farm is located within the County. No new residential dwelling shall be permitted on the retained lands. The farm dwelling located on the subject lands was constructed in 1890. The criteria for such lot creation can be found in Section H(4):

a) The severance shall generally be 0.4 hectares to 0.6 hectares in size and shall minimize the amount of agricultural land or productive forest land taken out of production. Consideration of varying the size of the parcel include ensuring farm fields are not fragmented, environmental and topographical features are recognized and the location of the surplus farm dwelling in relation to the existing farm buildings and structures;

   Planning Comment: The proposed severance is 0.36 hectare in size. The OP indicates that the size “shall generally” be between 0.4 hectares to 0.6 hectares. Since the septic evaluation demonstrated that the size is sufficient to accommodate a septic system, it is the opinion of Planning staff that the application conforms to the intent of the OP.

b) No severance shall be granted unless the proposed lot can be serviced by an on-site sanitary sewage system designed and installed as per the Ontario Building Code;

   Planning Comment: The proposed lot will be serviced by a well for water supply and a septic system for sewage treatment.

c) No severance shall be granted unless it is shown that it will not adversely affect the operation or viability of the farm operation on the remaining lands;

   Planning Comment: It is the opinion of planning staff that the proposed lot will not adversely affect the operation or viability of the farm operation on the surrounding or remaining lands.

d) Severances that do not meet the Minimum Separation Distance formulae, as amended, shall not be permitted.

   Planning Comment: No livestock were observed within the area of the subject site at the time of site inspection. Therefore, Minimum Distance Separation does not apply to this proposal.

e) Severances shall not be permitted within 300 metres from licensed pits and 500 metres from licensed quarries and must be well removed from waste disposal sites and other potential land use conflicts;

Planning Comment: The proposed lot is not located within 300 metres of licensed pits or 500 metres of licensed quarries. The proposed severance meets the standard set out in the OP.

f) The lot created by severance shall be located with safe and direct access to a permanently maintained public road.

Planning Comment: The severed lot will have access on an existing public road, known municipally as Rainham Road.

g) Potential impacts on natural environment areas and/or cultural resources shall be assessed and addressed, where necessary.

Planning Comment: The proposed application is not anticipated to have an adverse or negative impact on the surrounding natural or cultural resources.

The subject application conforms to the OP policies relating to surplus farm dwelling severances.

Haldimand County Zoning By-law HC 1-2020

The subject lands are zoned ‘Agriculture (A)’ Zone. The proposal complies with the Zoning By-law provisions. The retained farmlands will automatically be rezoned to remove a dwelling as a permitted use in accordance with Provincial policy.

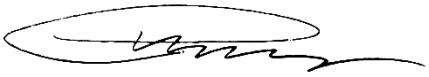
Notice Sign, Public Consultation, and Applicant Discussion

A public notice sign was posted in accordance with the *Planning Act, R.S.O. 1990, c. P.13* on October 27, 2023.

The applicant has satisfied the public consultation requirements as per the Provincial legislation.

Staff have contacted the applicant and discussed the recommendations as set out in this report. Staff have confirmed with the applicant that he/she understands the nature of and content contained within the recommendations as well as any requirements/conditions relating to such. A copy of the staff report has been provided to the applicant.

Prepared by:



_____

Chris Tang,
Planning Technician, Planning & Development
905-318-5932 ext. 6210

Reviewed by:

_____

Alisha Cull, BES, MCIP, RPP
Supervisor, Planning & Development
905-318-5932 ext. 6208

IF <u>APPROVED</u>, THIS APPLICATION WILL BE SUBJECT TO THE FOLLOWING 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 53.34 metres (175 feet), and an area of 0.36 hectares (0.88 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. **<u>The draft plan must be approved by the Secretary-Treasurer prior to depositing to the Land Registry Office.</u>**
   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 November 14, 2025, after which time this consent will lapse.
   File No. PLB-2023-073
   YAGER, Brad
   Assessment Roll No. 2810-158-001-73500

Location Map FILE #PLB-2023-073 APPLICANT: Yager

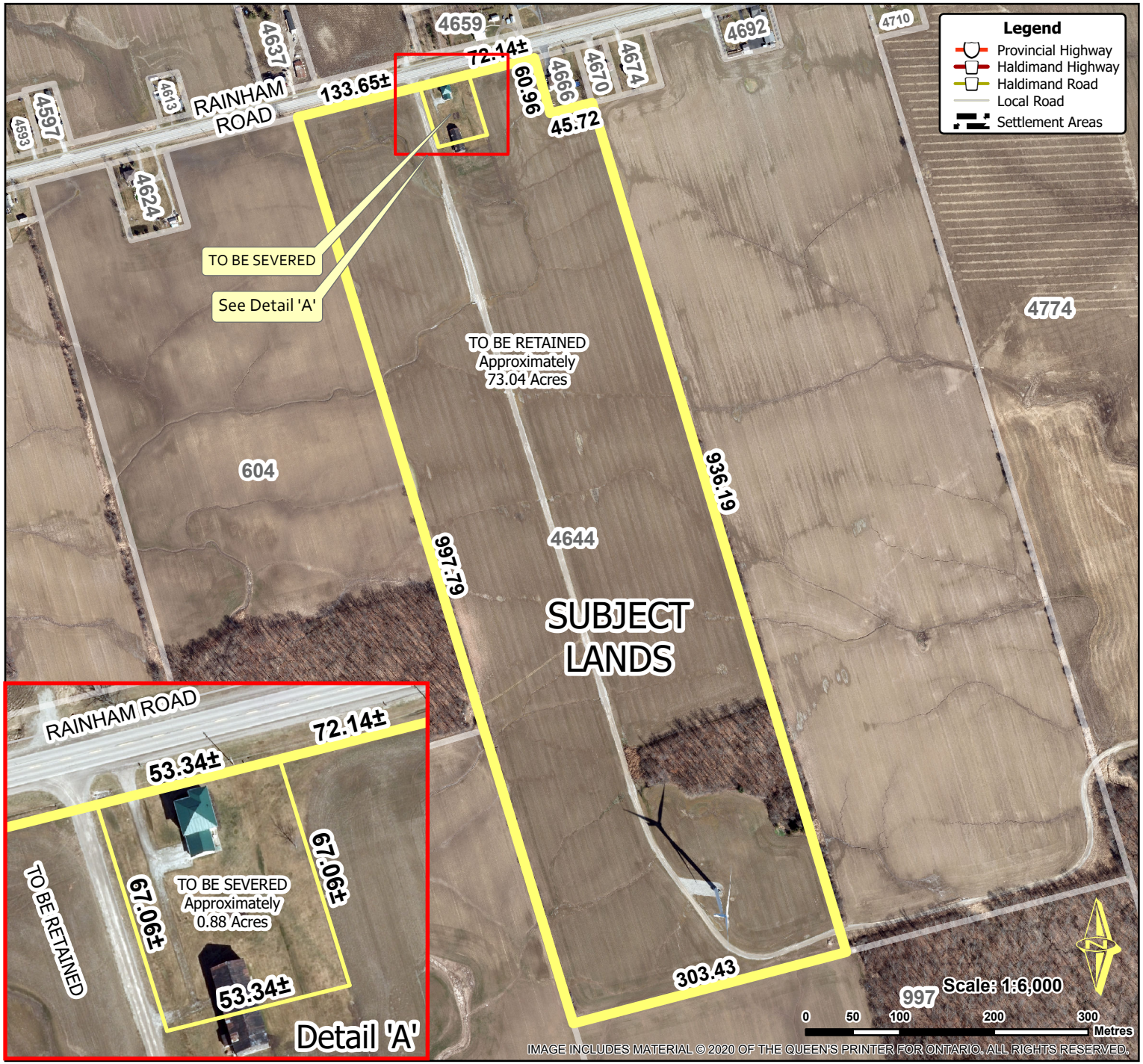


IMAGE INCLUDES MATERIAL © 2020 OF THE QUEEN'S PRINTER FOR ONTARIO. ALL RIGHTS RESERVED.

Haldimand County

Location:

4644 RAINHAM ROAD
GEOGRAPHIC TOWNSHIP OF RAINHAM
WARD 2

Legal Description:

RNH CON 1 PT LOT 10

Property Assessment Number:

2810 158 001 73500 0000

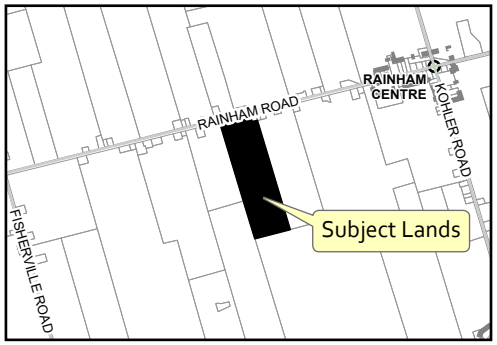
Size:

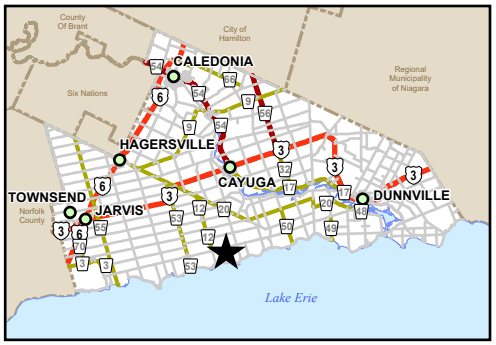
73.92 Acres

Zoning:

A (Agriculture)

HALDIMAND COUNTY, IT'S EMPLOYEES, OFFICERS AND AGENTS ARE NOT RESPONSIBLE FOR ANY ERRORS, OMISSIONS OR INACCURACIES WHETHER DUE TO THEIR OWN NEGLIGENCE OR OTHERWISE. DO NOT USE FOR OPERATING MAP OR DESIGN PURPOSES. ALL INFORMATION TO BE VERIFIED.





Owner's Sketch 1 of 2 FILE #PLB-2023-073 APPLICANT: Yager

SKETCH FOR SEVERANCE APPLICATION

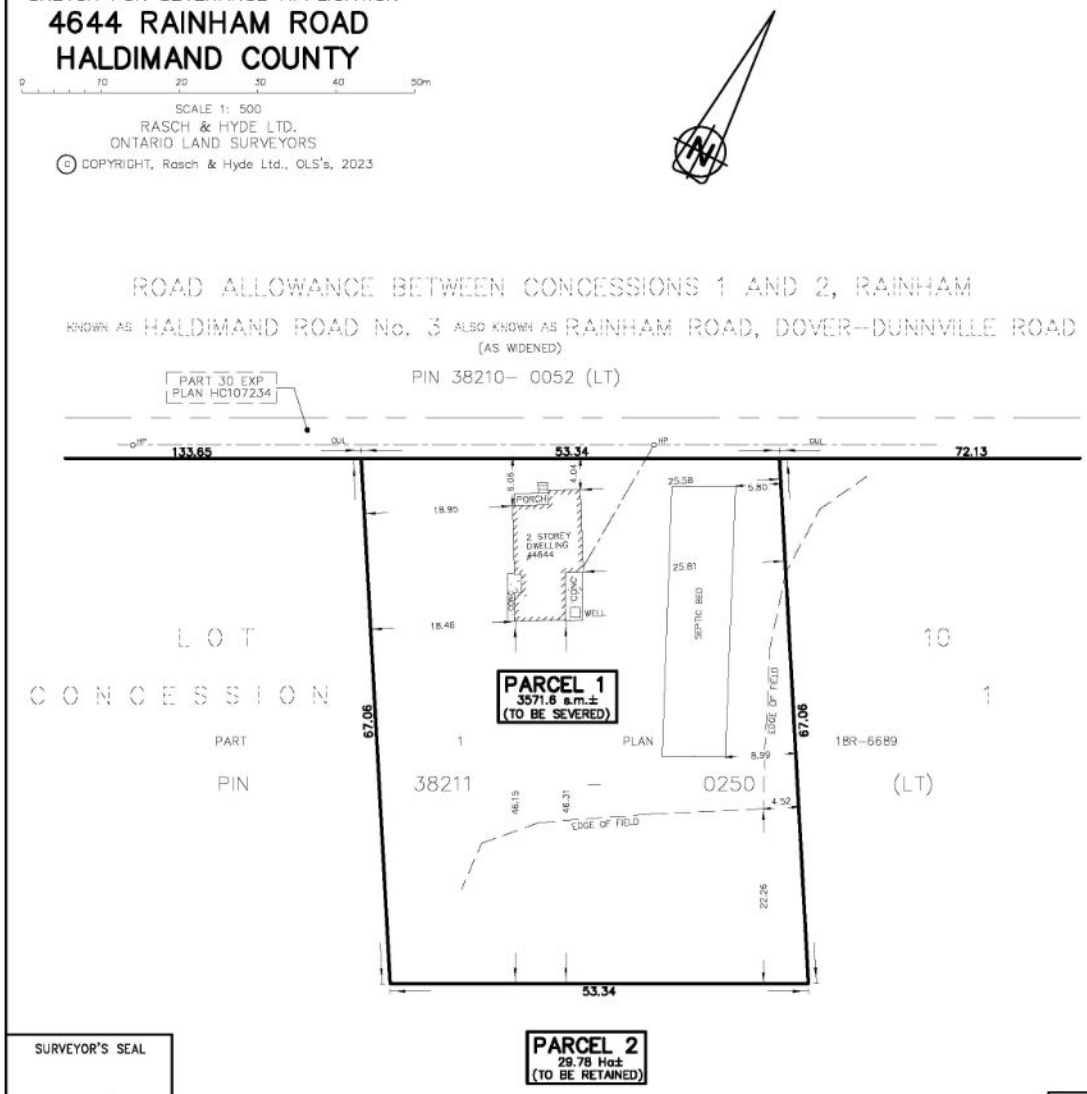
4644 RAINHAM ROAD
HALDIMAND COUNTY

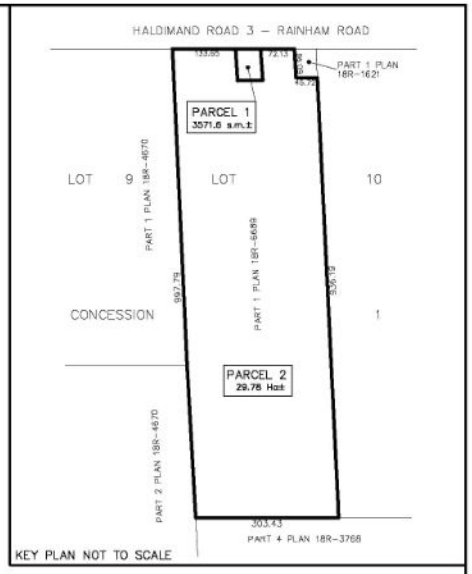
0 10 20 30 40 50m

SCALE 1: 500

RASCH & HYDE LTD.
ONTARIO LAND SURVEYORS

© COPYRIGHT, Rasch & Hyde Ltd., OLS's, 2023





CAUTION

1. THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSES INDICATED IN THE TITLE BLOCK.
2. THIS SKETCH IS PROTECTED BY COPYRIGHT ©
3. THIS IS NOT AN ORIGINAL COPY UNLESS EMBOSSED WITH THE SURVEYOR'S SEAL, OR PDF CERTIFIED.

BOUNDARY NOTE

BOUNDARIES HAVE BEEN DERIVED FROM REGISTRY OFFICE RECORDS AND ACTUAL FIELD WORK.

PROPERTY DESCRIPTION

PART OF LOT 10, CONCESSION 1
GEOGRAPHIC TOWNSHIP OF RAINHAM
HALDIMAND COUNTY
PIN 38211-0250 (LT); PART 1 PLAN 18R-6689

OCTOBER 17, 2023
DATE

HAROLD D. HYDE
ONTARIO LAND SURVEYOR

SURVEYOR'S SEAL

SKETCH

THIS IS AN ORIGINAL COPY IF EMBOSSED BY THE SURVEYOR'S SEAL, OR PDF CERTIFIED

METRIC NOTE

DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

LEGEND & NOTES

PIN DENOTES PROPERTY IDENTIFIER NUMBER
HP DENOTES HYDRO/UTILITY POLE LINE
OUL DENOTES OVERHEAD HYDRO/UTILITY POLE LINE
**BUILDING TIES, DISTANCES AND AREAS ARE APPROXIMATE.

RASCH + HYDE LTD.
Ontario Land Surveyors

P.O. Box 6, 1333 Highway #3 East, Unit B
DUNNVILLE, ONT, N1A 2X1
905-774-7188
(FAX 905-774-4000)

P.O. Box 550, 74 Jarvis Street
FORT ERIE, ONT, L2A 5Y1
905-871-9757
(FAX 905-871-9748)

HAROLD D. HYDE O.L.S.

SCALE 1 : 500 | SURVEY : 23-114 | DRWN BY : T. Matheson

Owner's Sketch 2 of 2 FILE #PLB-2023-073 APPLICANT: Yager

PLAN OF SURVEY OF

PART OF LOT 10
CONCESSION 1
GEOGRAPHIC TOWNSHIP OF RAINHAM
HALDIMAND COUNTY

0 10 20 30 40 50m

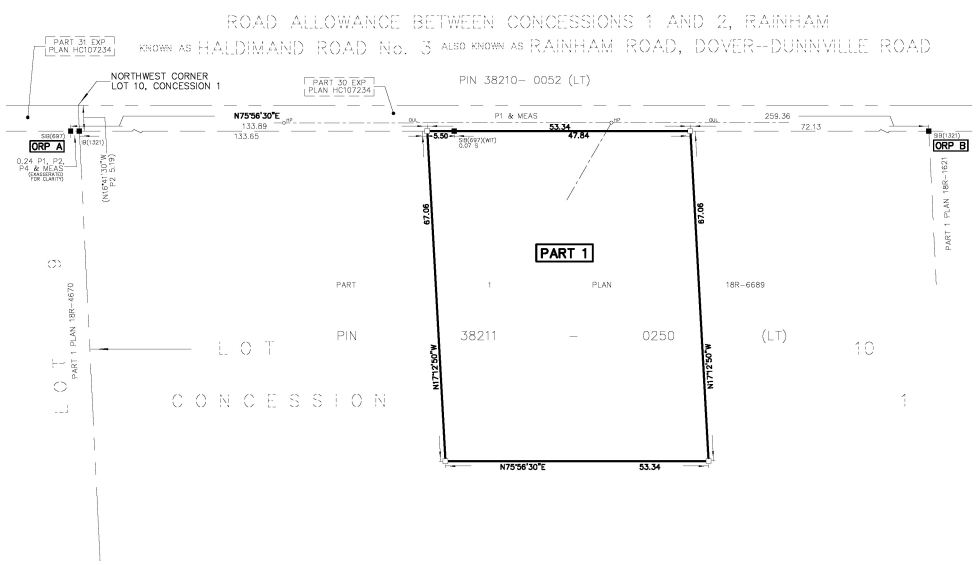
SCALE 1:500

THE INTENDED PLOT SIZE OF THIS PLAN IS 430mm IN WIDTH BY 560mm IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:500 (C SIZE)

RASCH & HYDE LTD.
ONTARIO LAND SURVEYORS

SCHEDULE

PART	LOT	CONCESSION	PIN	AREA
1	PART OF LOT 10	CONCESSION 1	PART OF 38211-0250 (LT)	3571.6 s.m.



BEARING NOTE

BEARINGS HEREON ARE GRID, UTM ZONE 17, (NAD 83-CSRS : CBN V6 (Epoch 2010.0)) DERIVED FROM OBSERVED REFERENCE POINTS (ORPs) USING THE CAN-NET VRS NETWORK AND ARE REFERRED TO THE CENTRAL MERIDIAN OF UTM ZONE 17 (81° WEST LONGITUDE)

ROTATION NOTE

FOR COMPARISON PURPOSES, THE ASTRONOMIC BEARINGS SHOWN ON P1, P2, P3 HAVE BEEN ROTATED 00° 41' 30" COUNTER-CLOCKWISE.

FOR COMPARISON PURPOSES, THE ASTRONOMIC BEARINGS SHOWN ON P4 HAVE BEEN ROTATED 00° 45' 00" COUNTER-CLOCKWISE.

INTEGRATION DATA

POINT ID	NORTHING	EASTING
ORP A SIB(697)	4744169.34	592647.36
ORP B SIB(1321)	4744232.32	592898.88

ALL COORDINATES ARE IN METRES AND ARE UTM-ZONE 17, (NAD 83-CSRS: CBN V6 (Epoch 2010.0)) (CENTRAL MERIDIAN 81° WEST LONGITUDE).

COORDINATE VALUES ARE TO AN URBAN ACCURACY IN ACCORDANCE WITH SECTION 14 (2) OF O. REG 216/10.

CAUTION

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

DISTANCES ARE ADJUSTED GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY THE AVERAGE COMBINED SCALE FACTOR (CSF = 0.99996208)

LEGEND

	DENOTES SURVEY MONUMENT PLANTED
	DENOTES SURVEY MONUMENT FOUND
SIB	DENOTES STANDARD IRON BAR (25mmX25mmX120cm)
SSIB	DENOTES SHORT STANDARD IRON BAR (25mmX25mmX60cm)
IB	DENOTES IRON BAR (15mmX15mmX60cm)
IB#	DENOTES ROUND IRON BAR (20mm DIA X 60cm)
CC	DENOTES CUT CROSS
CM	DENOTES CONCRETE MONUMENT
PB	DENOTES PLASTIC BAR
WIT	DENOTES WITNESS
OU	DENOTES ORIGIN UNKNOWN
PIN	DENOTES PROPERTY IDENTIFIER NUMBER
ORP	DENOTES OBSERVED REFERENCE POINT
(1827)	DENOTES RASCH & HYDE O.L.S.
(1321)	DENOTES R. D. RASCH O.L.S.
(697)	DENOTES G. B. MACAULAY O.L.S.
P1	DENOTES PLAN 18R-6689
P2	DENOTES EXPROPRIATION PLAN HC107234
P3	DENOTES PLAN 18R-1621
P4	DENOTES PLAN 18R-4670
HP	DENOTES HYDRO/UTILITY POLE
OUL	DENOTES OVERHEAD HYDRO/UTILITY POLE LINE

N=NORTH, S=SOUTH, E=EAST, W=WEST

METRIC NOTE

DISTANCES and COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

SURVEYOR'S CERTIFICATE

I CERTIFY THAT :

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THIS SURVEY WAS COMPLETED ON THE 26th DAY OF APRIL 2023.

MAY 3, 2023
DATE

HAROLD D. HYDE
ONTARIO LAND SURVEYOR

THIS PLAN OF SURVEY RELATES TO A.O.L.S. PLAN SUBMISSION FORM #

RASCH + HYDE LTD.
Ontario Land Surveyors

P.O. Box 6, 1333 Highway #3 East, Unit B DUNNVILLE, ONT, N1A 2X1 905-774-7188 (FAX 905-774-4000)	P.O. Box 550, 74 Jarvis Street FORT ERIE, ONT, L2A 5Y1 905-871-9757 (FAX 905-871-5748)

HAROLD D. HYDE O.L.S.

SCALE 1 : 500	SURVEY : 23-114	DRWN BY : T. Matheson

PREPARED BY HALDIMAND COUNTY PLANNING & DEVELOPMENT DIVISION, GIS SECTION. Jul 2023

Path: T:\Planning and Economic Development\PD\GIS\Applications\2023\PLB\PLB-2023-073 (Yager)\PLB2023073\PLB2023073.aprx

Haldimand County
Committee of Adjustment
Consent

Meeting Date: November 14, 2023

File Number: PLB-2023-156

Property Roll Number: 2810-152-005-26300

Applicant: Maplerow Farms Inc.

Property Location: Concession 1 North West of Stoney Creek Road, Part Lot 16, Geographic Township of Seneca, known municipally as 36 Sawmill Road

Recommendation

That application PLB-2023-156 be refused. The application does not have regard for Section 51(24)(f) of the Planning Act, is not consistent with the Provincial Policy Statement, 2020, and does not conform to the intent of the Haldimand County Official Plan and Haldimand County Zoning By-law HC 1-2020.

Details of the Submission

Proposal: The applicant proposes to sever a lot containing an existing surplus farm dwelling and accessory structure. The severed lands will have a frontage of approximately 13 metres (42.7 feet) and will contain an area of 1.38 hectares (3.4 acres). The retained parcel will contain an area of approximately 38.2 hectares (94.5 acres).

Site Features and Land Use: The subject property, which is actively farmed, is approximately 39.6 hectares (97.87 acres) in area. At some time in the past, three lots were severed from the original township lot breaking up the original frontage on the south side of Sawmill Road. The total discontinuous frontage on Sawmill Road is approximately 275 metres (902 feet). The existing dwelling, which is proposed to be severed, is located deep on the subject property, approximately 665 metres (2182 feet) from the front property line.

Surrounding land uses are primarily agricultural with some residential.

Existing Intensive Livestock Operations: Not applicable.

Agency & Public Comments

Haldimand County Building & Municipal Enforcement: Septic evaluation required.

Haldimand County Planning & Development – Development Technologist: Direct runoff to watercourse assurances (in lieu of grading plan). Entrance permit required for retained parcel.

Haldimand County Emergency Services: No comments received.

Haldimand County Water and Wastewater Engineering & Compliance: No comments received.

Grand River Conservation Authority: No comments or concerns.

Hydro One: No comments or concerns.

Municipal Property Assessment Corporation: No comments received.

Mississaugas of the Credit: No comments received.

Six Nations: No comments received.

Public: No comments received.

Planning Analysis

Section 51(24)(f) of the Planning Act

Section 53 (12) of the Planning Act states: "A council or the Minister in determining whether a provisional consent is to be given shall have regard to the matters under subsection 51 (24) …" of the Planning Act.

Section 51(24) sets out a list of criteria that decision makers shall have regard to in making decisions regarding the division of land, including subsection 51(24)(f) which reads:

> "S. 51 (24) In considering a draft plan of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to,
>
> (f) the dimensions and shapes of the proposed lots;

Staff are of the opinion that a lot that is proposed to be over 665 metres long (2182 feet) has no regard for S.51(24) of the Planning Act. It does not reflect good planning practices.

Provincial Policy Statement, 2020 (PPS)

The subject lands are designated 'Agricultural' and are located in the prime agricultural area of the county. The PPS discourages lot creation in the prime agricultural area. However, Section 2.3.4.1 of the PPS sets out four circumstances under which lot creation in prime agricultural area can be considered, only one of which applies in this case:

"2.3.4.1 Lot creation in prime agricultural areas is discouraged and may only be permitted for:

> c) a residence surplus to a farming operation as a result of farm consolidation, provided that:
>
> > 1. the new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services; and
> >
> > 2. the planning authority ensures that new residential dwellings are prohibited on any remnant parcel of farmland created by the severance. The approach used to ensure that no new residential dwellings are permitted on the remnant parcel may be recommended by the Province, or based on municipal approaches which achieve the same objective; and"

Staff are of the opinion that the proposed surplus farm dwelling severance proposed here does not conflict with the policies of the PPS.

A Place to Grow, 2020

A Place to Grow does not provide information or criteria on surplus farm dwelling. The application, therefore, does not conflict with the policies of A Place to Grow.

Haldimand County Official Plan (OP)

The Official Plan echoes the PPS while providing additional details. The OP states that a severance may be granted for a habitable farm dwelling of a minimum age of 10 years, calculated from the date of occupancy of the dwelling made surplus through farm consolidation where it is part of a farm holding containing two or more habitable dwellings and where each farm is located within the County. No new residential dwelling shall be permitted on the retained lands. Staff do not know the age of the farm dwelling

located on the subject lands. The criteria for such lot creation can be found in Section H(4):

a) The severance shall generally be 0.4 hectares to 0.6 hectares (1 acre to 1.5 acres) in size and shall minimize the amount of agricultural land or productive forest land taken out of production. Consideration of varying the size of the parcel include ensuring farm fields are not fragmented, environmental and topographical features are recognized and the location of the surplus farm dwelling in relation to the existing farm buildings and structures;

   Planning Comment: The proposed lot to be severed is 1.38 hectares (3.4 acres) in area, exceeding the high end of the range by 0.78 hectares (1.9 acres). The wording in this policy allows some flexibility but this application proposes a lot that is 2.3 times larger than the high end of 0.6 hectares (1.5 acres). The size and shape of this lot does not maintain the intent of this OP policy.

b) No severance shall be granted unless the proposed lot can be serviced by an on-site sanitary sewage system designed and installed as per the Ontario Building Code;

   Planning Comment: The proposed lot will be serviced by a cistern for water supply and a septic tank for sewage treatment.

c) No severance shall be granted unless it is shown that it will not adversely affect the operation or viability of the farm operation on the remaining lands;

   Planning Comment: It is the opinion of planning staff that there is a likelihood of conflict between the proposed severed lot and retained lot. With a lot length of over 665 metres (2182 feet) the proposed severed lot nearly divides the retained lot in half. The distance to drive from one side of the retained lot to the other is likely to invite the farmer to trespass by driving farm equipment across the driveway of the proposed severed lot. The distance to drive around the proposed severed lot would not be favourable to the efficient operation of the farm.

d) Severances that do not meet the Minimum Separation Distance formulae, as amended, shall not be permitted;

   Planning Comment: No livestock were observed within the area of the subject site at the time of site inspection. Therefore, Minimum Distance Separation does not apply to this proposal.

e) Severances shall not be permitted within 300 metres from licensed pits and 500 metres from licensed quarries and must be well removed from waste disposal sites and other potential land use conflicts;

   Planning Comment: The proposed lot is not located within 300 metres of licensed pits or 500 metres of licensed quarries. The proposed severance meets the standard set out in the OP.

f) The lot created by severance shall be located with safe and direct access to a permanently maintained public road;

   Planning Comment: The proposed severed lot would have frontage on an existing public road, known municipally as Sawmill Road.

g) Potential impacts on natural environment areas and/or cultural resources shall be assessed and addressed, where necessary.

   Planning Comment: The proposed application is not anticipated to have an adverse or negative impact on the surrounding natural or cultural resources.

Given the size and shape of the proposed severed lot staff are of the opinion that the subject application does not conform to intent or purpose of the OP policies relating to surplus farm dwelling severances.

Haldimand County Zoning By-law HC 1-2020

The subject lands are zoned ‘Agricultural (A)’ Zone. The proposal conforms with the Zoning By-law provisions. The retained lands would be rezoned to remove a single detached dwelling as a permitted use as a condition of consent, should this application be approved.

Notice Sign, Public Consultation, and Applicant Discussion

A public notice sign was posted in accordance with the *Planning Act, R.S.O. 1990, c. P.13* on October 10, 2023.

The applicant has not satisfied the public consultation requirements as per the Provincial legislation.

Staff have contacted the applicant and discussed the recommendations as set out in this report. Staff have confirmed with the applicant that he/she understands the nature of and content contained within the recommendations as well as any

requirements/conditions relating to such. A copy of the staff report has been provided to the applicant.

Prepared by:

_____

John Douglas, MCIP, RPP
Senior Planner
905-318-5932 ext. 6252

Reviewed by:

_____

Alisha Cull, BES, MCIP, RPP
Supervisor, Planning & Development
905-318-5932 ext. 6208

IF <u>APPROVED</u>, THIS APPLICATION WILL BE SUBJECT TO THE FOLLOWING 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 **<u>to the Secretary-Treasurer,</u>** 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 surface drainage of the property, have been satisfied. Typically the county would require a full lot grading to be designed, ***in lieu of that, the proponent shall provide the Planning and Development Division with a letter assuring that all storm water from this parcel will be discharged toward the roadway, or a large body of water (lake, river, stream or other conveyance system), not adjacent properties.*** This is required as the new development as proposed, has the potential to increase the volume or rate of the storm runoff and may impact abutting landowners. A sample form letter can be provided. Contact the Development & Design Technologist at 905-318-5932, ext. 6253, for further clarification.

4. Receipt of a letter from the Roads Operations Division indicating that they will issue an entrance permit for the subject property. In lieu of a letter, a copy of permit(s) may be provided to the Secretary-Treasurer. Entrance permits is required for retained parcel. 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 (Zoning Amendments can take three months or four months, therefore, your application must be submitted as soon as possible). For further information, please contact Planning Staff at 905-318-5932.

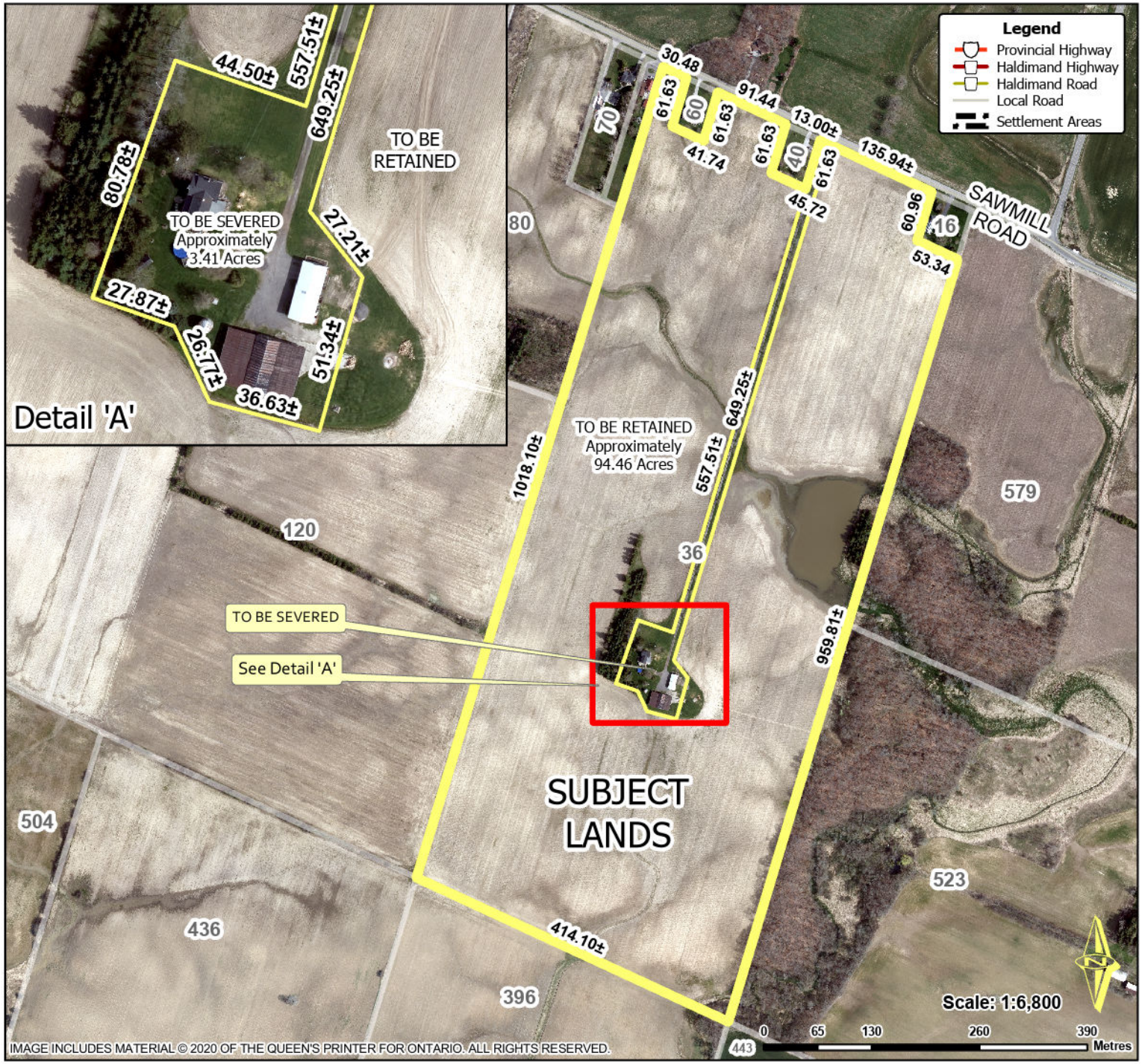
6. That the owner's solicitor provide an undertaking to Haldimand County agreeing that if there are any changes proposed to the wording on the certificate after stamping of the certificate by the County, prior to the registration of the certificate; that the Secretary-Treasurer or designate must approve the change prior to registration of the certificate.

7. Receipt of a copy of the registered reference plan of the severed parcel, with a frontage of approximately 13 metres (42.7 feet), and an area of 1.38 hectares (3.4 acres). Also, **prior to the signing of the certificate**, an electronic version of the reference plan in AutoCAD.dwg in format shown below, indicating the consent file number and name of the applicant, must be emailed to dscott@haldimandcounty.on.ca and astewart@haldimandcounty.on.ca. **<u>The draft plan must be approved by the Secretary-Treasurer prior to depositing to the Land Registry Office.</u>**
   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 November 14, 2025, after which time this consent will lapse.
   File No. PLB-2023-156
   MAPLEROW FARMS INC.
   Assessment Roll No. 2810-152-005-26300

Location Map FILE #PLB-2023-156 APPLICANT: Maplerow Farms Inc.



Haldimand County

Location:

36 SAWMILL RD
GEOGRAPHIC TOWNSHIP OF SENECA
WARD 3

Legal Description:

SEN CON 1 NWSCR PT LOT 16

Property Assessment Number:

2810 152 005 26300 0000

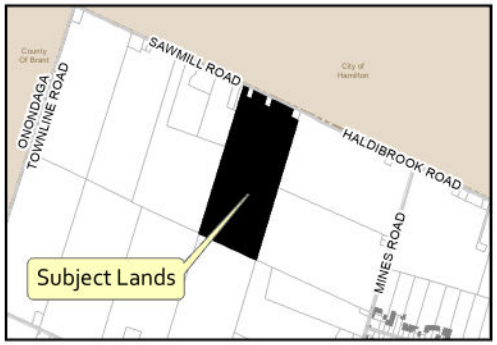
Size:

97.87 Acres

Zoning:

A (Agriculture), GRCA Regulated Lands, HCOP Riverine Hazard Lands & HCOP Natural Environment Wetland Area

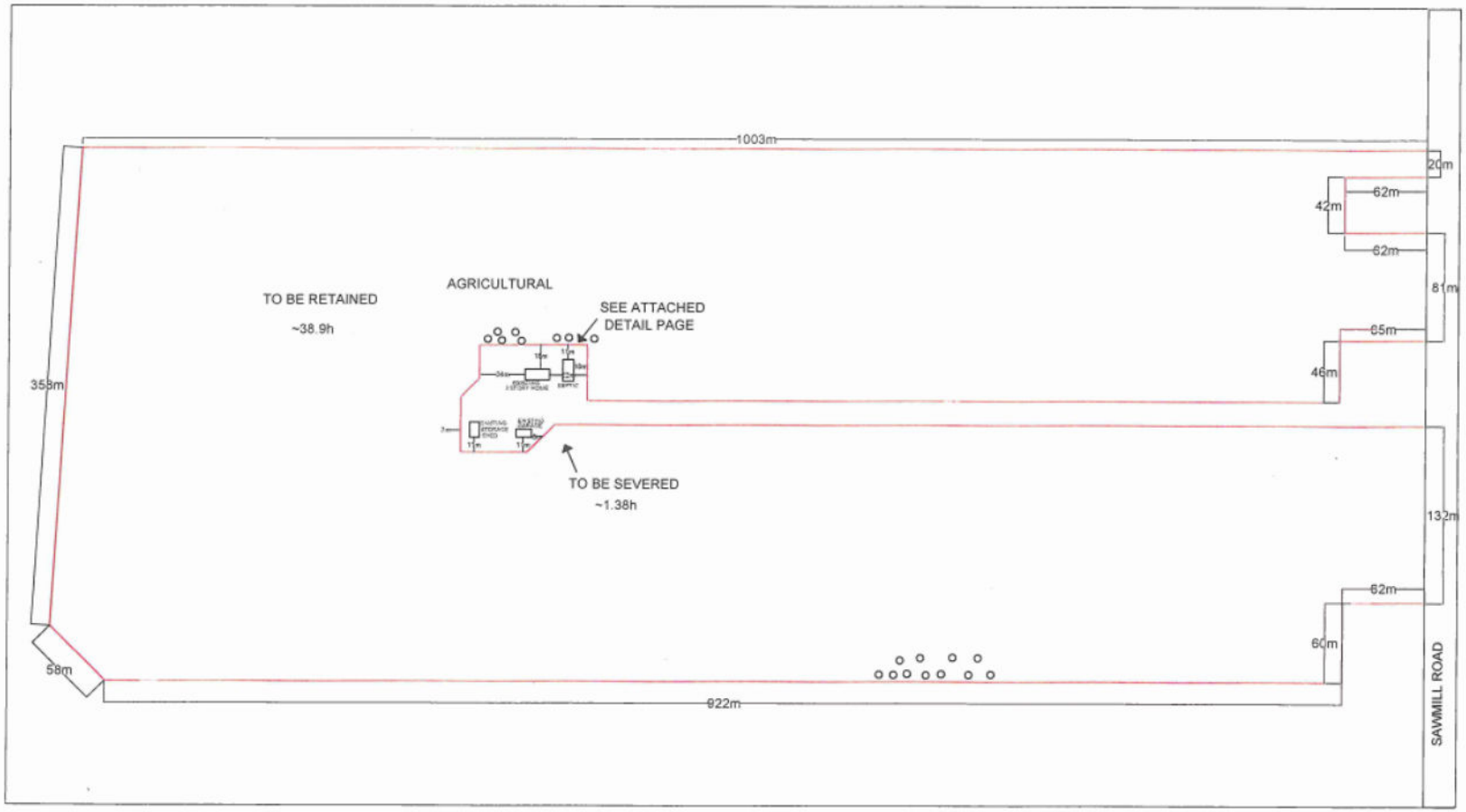
HALDIMAND COUNTY, IT'S EMPLOYEES, OFFICERS AND AGENTS ARE NOT RESPONSIBLE FOR ANY ERRORS, OMISSIONS OR INACCURACIES WHETHER DUE TO THEIR OWN NEGLIGENCE OR OTHERWISE. DO NOT USE FOR OPERATING MAP OR DESIGN PURPOSES. ALL INFORMATION TO BE VERIFIED.



PREPARED BY HALDIMAND COUNTY PLANNING & DEVELOPMENT DIVISION, GIS SECTION. Oct 2023

Path: T:\Planning and Economic Development\PD\GIS\Applications\2023\PLB\PLB-2023-156 (Maplerow Farms)\PLB2023156\PLB2023156.aprx

Owner's Sketch 1of4 FILE #PLB-2023-156 APPLICANT: Maplerow Farms Inc.



APPLICATION FOR CONSENT/LAND SEVERANCE - SEPT 5/2023

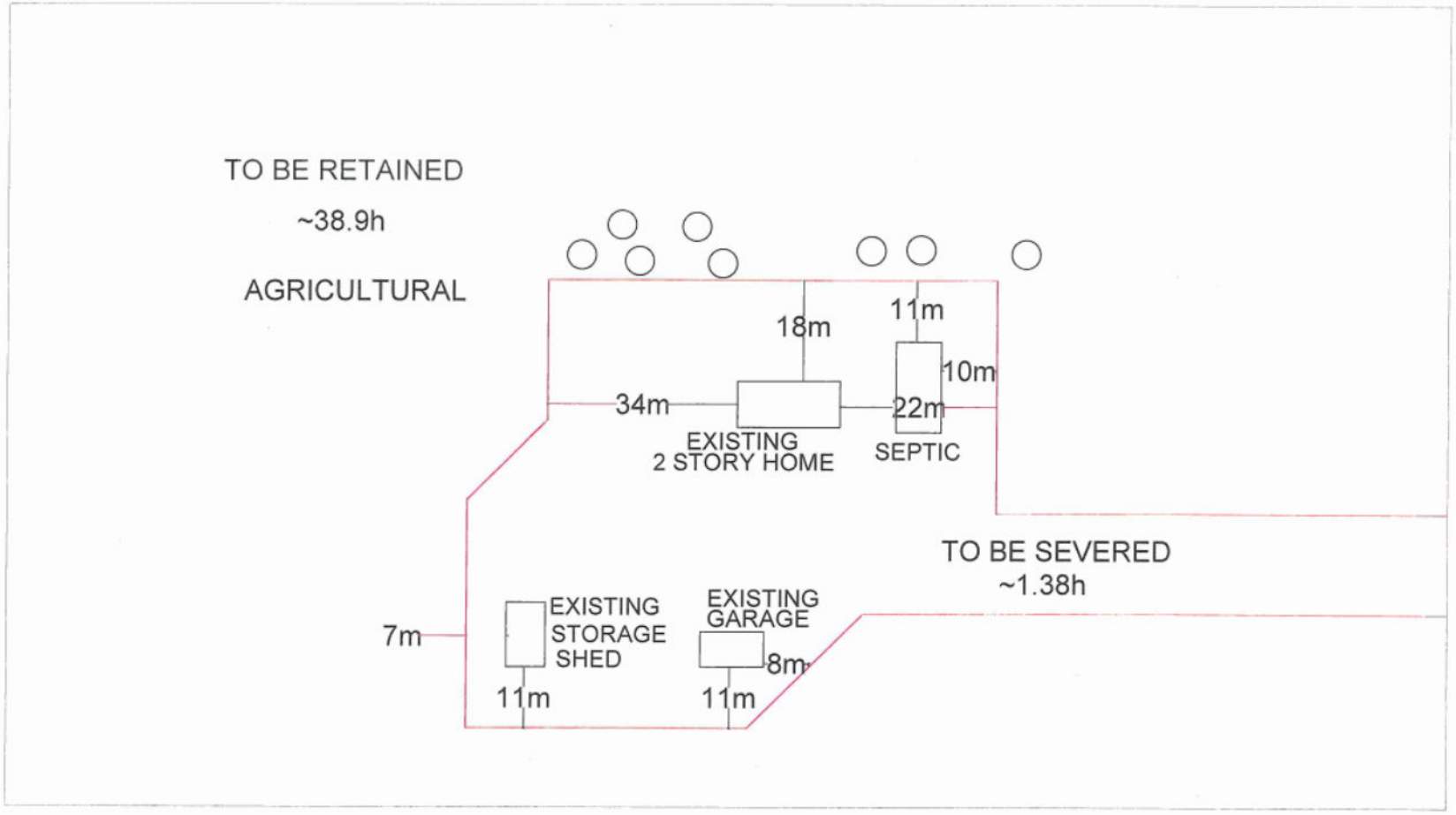
ADDRESS: 36 SAWMILL RD. CALEDONIA

N

PREPARED BY HALDIMAND COUNTY PLANNING & DEVELOPMENT DIVISION,
GIS SECTION. Oct 2023

Path: T:\Planning and Economic Development\PD\GIS\Applications\2023\PLB\PLB-2023-156 (Maplerow Farms)\PLB2023156\PLB2023156.aprx

Owner's Sketch 2of4 FILE #PLB-2023-156 APPLICANT: Maplerow Farms Inc.



APPLICATION FOR CONSENT/LAND SEVERANCE - SEPT 5/2023

ADDRESS: 36 SAWMILL RD. CALEDONIA

N

PREPARED BY HALDIMAND COUNTY PLANNING & DEVELOPMENT DIVISION,
GIS SECTION. Oct 2023

Path: T:\Planning and Economic Development\PD\GIS\Applications\2023\PLB\PLB-2023-156 (Maplerow Farms)\PLB2023156\PLB2023156.aprx

Owner's Sketch 3of4 FILE #PLB-2023-156 APPLICANT: Maplerow Farms Inc.

Haldimand County

Owner's Sketch 4of4 FILE #PLB-2023-156 APPLICANT: Maplerow Farms Inc.

PREPARED BY HALDIMAND COUNTY PLANNING & DEVELOPMENT DIVISION,
GIS SECTION. Oct 2023

Path: T:\Planning and Economic Development\PD\GIS\Applications\2023\PLB\PLB-2023-156 (Maplerow Farms)\PLB2023156\PLB2023156.aprx

Haldimand County
Committee of Adjustment
Consent

Meeting Date:	November 14, 2023
File Number:	PLB-2023-166
Property Roll Number:	2810-156-001-17000
Applicant:	Melvin George & Carol Lynn Brooks
Agent:	Brian Morris
Property Location:	Lot 8 North of Mc Kay, Urban Area of Cayuga, known municipally as 5 Munsee Street South

Recommendation

That application PLB-2023-166 be approved, subject to the attached conditions. The application is consistent with the Provincial Policy Statement, 2020 and A Place to Grow, 2020, and conforms to the intent of the Haldimand County Official Plan and Haldimand County Zoning By-law HC 1-2020.

Details of the Submission

Proposal: The applicant proposes to sever a lot for future residential development. The severed lands will have a frontage of approximately 21.8 metres (71.52 feet) on Munsee St. S. and contain an area of approximately 548.6 square metres (5905 square feet). The retained parcel will have a frontage of 18.59 metres (60.7 feet) on Munsee St. S. and contain an area of approximately 467.4 square metres (5031.1 square feet).

Site Features and Land Use: The subject property, municipally known as 5 Munsee St. S., is located at the north west corner of the intersection of Munsee St. S. and McKay St. W. The subject property is approximately 1,016 square metres (10936.13 square feet) in area, and has 25.15 metres (82.51 feet) of frontage on the north side of McKay St W.

There is an existing single detached dwelling, occupied by the applicants, located on the proposed retained lot on the north half of the property. An storm water easement, with catch basins etc. runs just inside and along the north lot line of the property. Some backyard fencing and gardens occupy part of the south half of the property but for the most part it is vacant with a manicured lawn.

The existing house is serviced by municipal water and sanitary sewers.

Surrounding land uses include: commercial uses along Talbot St. to the north (including the LCBO abutting the property to the north); a doctor's office and residential uses to the east; institutional uses (Cayuga Kinsmen Ball Diamond) to the south; and commercial and some residential uses to the west.

Existing Intensive Livestock Operations: Not applicable.

Agency & Public Comments

Haldimand County Building & Municipal Enforcement: No comments or concerns.

Haldimand County Planning & Development – Development Technologist: A full lot grading plan is required prior to consent/approval; and a condition requiring provision of a Daylight Triangle.

Haldimand County Emergency Services: No comments received.

Haldimand County Water and Wastewater Engineering & Compliance: No comments received.

Hydro One: No comments or concerns.

Municipal Property Assessment Corporation: No comments received.

Mississaugas of the Credit: No comments received.

Six Nations: No comments received.

Public: No comments received.

Planning Analysis

Provincial Policy Statement, 2020 (PPS)

The PPS generally directs growth to existing urban areas, and encourages intensification with existing settlement area boundaries. Staff are satisfied that the subject application is consistent with the policies of the PPS.

A Place to Grow, 2020

As with the PPS, A Place to Grow, generally directs growth to existing urban areas, and encourages intensification with existing settlement area boundaries. Staff are satisfied that the subject application is consistent with the policies of A Place to Grow.

Haldimand County Official Plan (OP)

The subject property is designated “Community Commercial” in the Haldimand County OP. The proposed severance represents infill development and intensification within the existing urban areas of Cayuga. Consistent with the PPS and A Place to Grown, a key intent of the policies of the Haldimand County OP is to encourage infill and intensification within existing urban areas.

The proposed subject application would create a developable lot in place of a large, underutilized, vacant, side yard.

Staff are satisfied that the subject application maintains the general intent and purpose of the Official Plan.

Haldimand County Zoning By-law HC 1-2020

The subject property is zoned Downtown Commercial (CD) in Haldimand County Zoning By-law HC 1-2020. There is no Minimum Lot Area, Minimum Lot Frontage (Interior Lot), or Minimum Lot Frontage (Corner Lot), requirements set out n the Zoning By-law for lots zoned Downtown Commercial.

Section 4.56 of the Zoning By-law requires the provision of Sight (or Daylight) Triangles for corner lots

4.56 Sight (or Daylight) Triangles

a) Any building, structure, sign or use which would obstruct or impair the vision of a vehicle operator, or any fence or vegetation exceeding 1.0 metres in height above finished grade shall be prohibited within any sight (or daylight) triangle. This provision shall not apply to field crops or a wire farm fence.

b) A sight (or daylight) triangle shall be measured back from the point of any at-grade intersection of two or more street lines on a corner lot and a railway right-of-way in accordance with the street classification as identified on Schedule F of the County Official Plan and Table 4.56 (see next page):

Table 4.56: Minimum Sight (or Daylight) Triangle Requirements		
***Street* Classification**	**Intersecting *Street* Classification**	**Minimum Sight Triangle (m)**
Local Road	*Local Road*	3.0
	Collector Road	5.0
	Arterial Road	8.0
Collector Road	*Local Road*	5.0
	Collector Road	5.0
	Arterial Road	8.0
Arterial Road	*Local Road*	8.0
	Collector Road	8.0
	Arterial Road	10.0
Rail line Right-of-way	All *Streets*	15.0

Both Munsee St. S. and McKay St. W. are local roads. Provision of a Daylight Triangle with 3.0 metres (9.84 feet) along Munsee St. S, and 3.0 metres (9.84 feet) along Mckay St. W. will be required as a condition of approval.

Planning has received no concerns or objections from departments, agencies or the public regarding the proposed severance. Staff are satisfied that, with a condition requiring a daylight triangle, the application maintains the general intent and purpose of the Zoning By-law.

Notice Sign, Public Consultation, and Applicant Discussion

A public notice sign was posted in accordance with the *Planning Act, R.S.O. 1990, c. P.13* on October 4, 2023.

The applicant has satisfied the public consultation requirements as per the Provincial legislation.

Staff have contacted the applicant and discussed the recommendations as set out in this report. Staff have confirmed with the applicant that he/she understands the nature of and content contained within the recommendations as well as any requirements/conditions relating to such. A copy of the staff report has been provided to the applicant.

Prepared by:

_____

John Douglas, MCIP, RPP
Senior Planner
905-318-5932 ext. 6252

Reviewed by:

_____

Alisha Cull, BES, MCIP, RPP
Supervisor, Planning & Development
905-318-5932 ext. 6208

IF <u>APPROVED</u>, THIS APPLICATION WILL BE SUBJECT TO THE FOLLOWING 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. 6253, if further clarification required. Please allow approximately six (6) to eight (8) weeks for completion of this process.

3. The applicant will provide the Planning & Development Department with a revised site plan showing the required Daylight Triangle, with measurements conforming to the requirements set out in Table 4.56 of Zoning By-law HC 1-2020. Receipt of a letter from the Planning & Development Division indicating that their requirements, regarding a property dedication, have been satisfied. A dedication to the County of the daylight triangle, is required to bring the road allowance width up to current standards. Contact the Planning & Development Division at 905-318-5932 for more information.

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 25.8 metres (84.6 feet), and an area of 0.058 hectares (0.14 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. **<u>The draft plan must be approved by the Secretary-Treasurer prior to depositing to the Land Registry Office.</u>**
   The AutoCad drawings need to be georeferenced for the following Coordinate System:

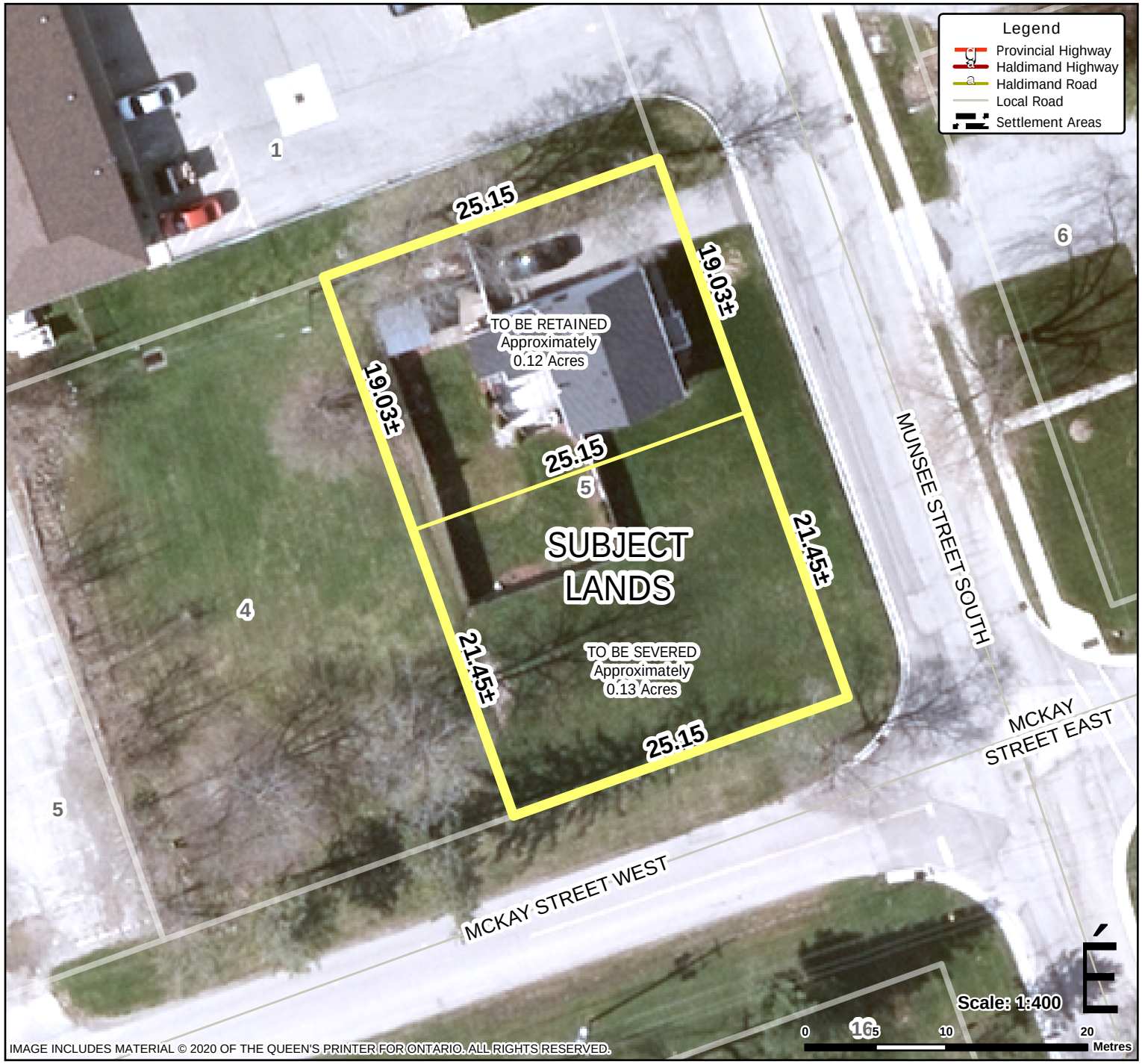
Projected Coordinate System:	NAD_1983_UTM_Zone_17N
Projection:	Transverse_Mercator
False_Easting:	500000.00000000
False_Northing:	0.00000000
Central_Meridian:	-81.00000000
Scale_Factor:	0.99960000
Latitude_Of_Origin:	0.00000000
Linear Unit:	Meter
Geographic Coordinate	System:GCS_North_American_1983

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 November 14, 2025, after which time this consent will lapse.

File No. PLB-2023-166
BROOKS, Melvin George & Carol Lynn
Assessment Roll No. 2810-156-001-17000

Location Map FILE #PLB-2023-166 APPLICANT: Brooks



Haldimand County

Location:

5 Munsee Street South
URBAN AREA OF CAYUGA
WARD 2

Legal Description:

CAY LOT 8 N MC KAY

Property Assessment Number:

2810 156 001 17000 0000

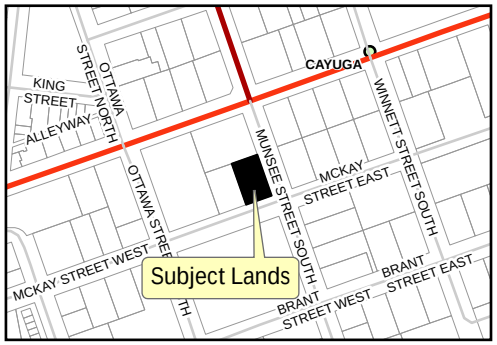
Size:

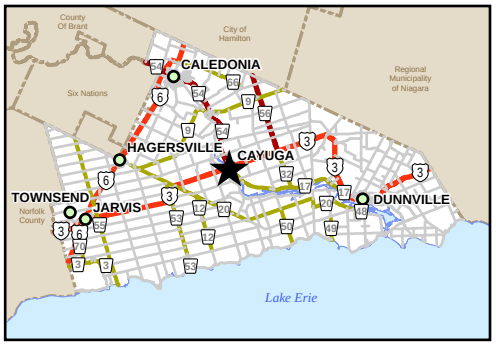
0.25 Acres

Zoning:

CD (Downtown Commercial)

HALDIMAND COUNTY, IT'S EMPLOYEES, OFFICERS AND AGENTS ARE NOT RESPONSIBLE FOR ANY ERRORS, OMISSIONS OR INACCURACIES WHETHER DUE TO THEIR OWN NEGLIGENCE OR OTHERWISE. DO NOT USE FOR OPERATING MAP OR DESIGN PURPOSES. ALL INFORMATION TO BE VERIFIED.

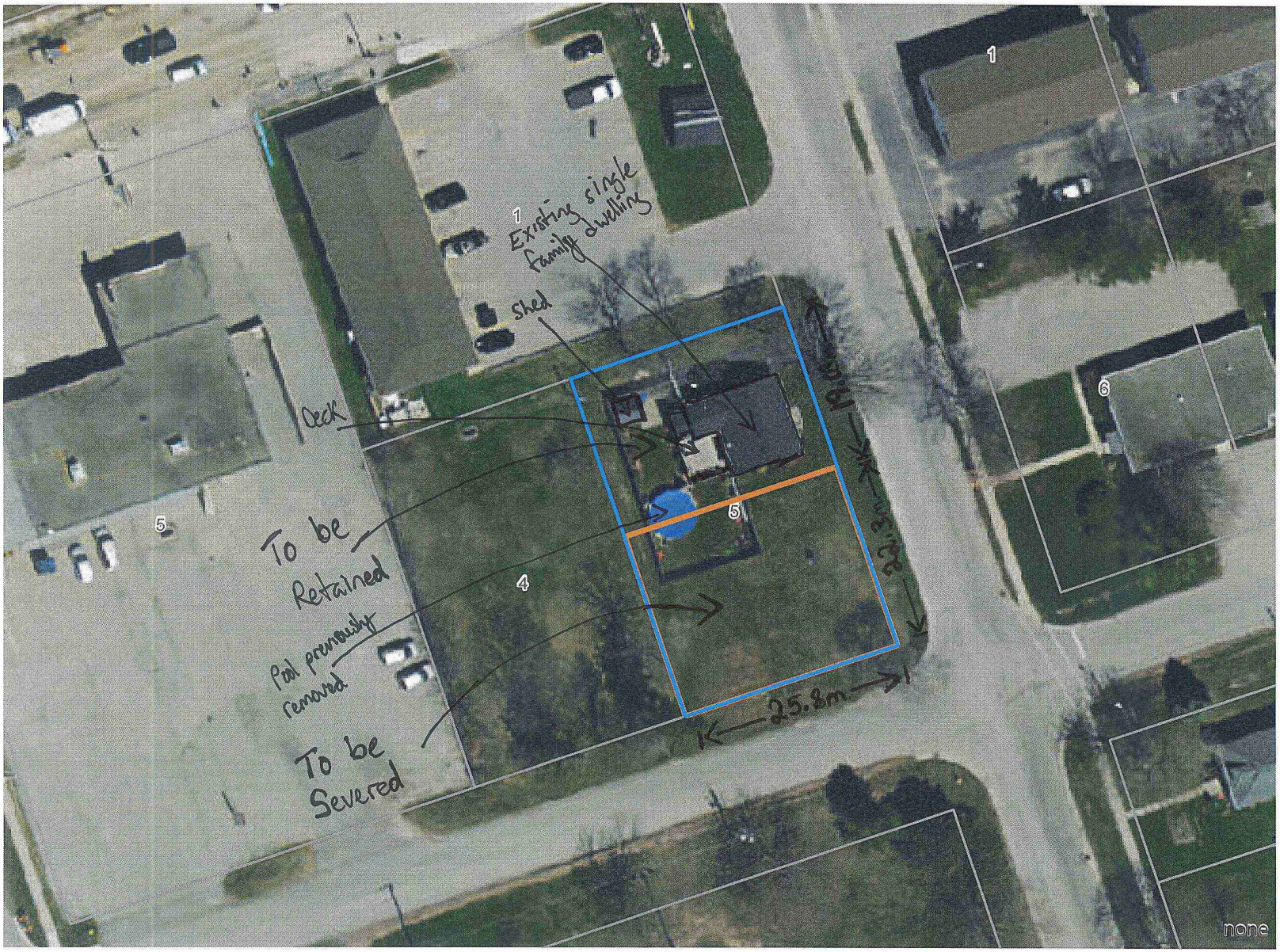




PREPARED BY HALDIMAND COUNTY PLANNING & DEVELOPMENT DIVISION, GIS SECTION. Oct 2023

Path: T:\Planning and Economic Development\PD\GIS\Applications\2023\PLB\PLB-2023-166 (Brooks)\PLB2023166\PLB2023166.aprx

Owner's Sketch 1 of 1 FILE #PLB-2023-166 APPLICANT: Brooks



Haldimand County
Committee of Adjustment
Consent

Meeting Date:	November 14, 2023
File Number:	PLB-2023-167
Property Roll Number:	2810-155-004-03600
Applicant:	Brian & Margaret Kamping
Agent:	Melissa Dekkers
Property Location:	Concession 2 South of Talbot Road, Part Lot 9, Geographic Township of North Cayuga, known municipally as 529 Concession 2 Road South

Recommendation

That application PLB-2023-167 be approved, subject to the attached conditions. The application is consistent with the Provincial Policy Statement, 2020 and A Place to Grow, 2020, and conforms to the intent of the Haldimand County Official Plan and Haldimand County Zoning By-law HC 1-2020.

Details of the Submission

Proposal: The applicant proposes to sever a lot containing an existing surplus farm dwelling and accessory structure. The severed lands will have a frontage of approximately 84.6 metres (277.6 feet) and will contain an area of 0.59 hectares (1.46 acres). The retained parcel will contain an area of approximately 19.6 hectares (48.4 acres).

Site Features and Land Use: The subject lands are located in the geographic township of North Cayuga and front onto the north side of Concession 2 Road South. The site contains a single detached dwelling and a large accessory building. The surrounding land uses are agricultural in nature.

Existing Intensive Livestock Operations: Not applicable.

Agency & Public Comments

Haldimand County Building & Municipal Enforcement: No comments or concerns.

Haldimand County Planning & Development – Development Technologist: Direct runoff to watercourse assurances (in lieu of grading plan.

Haldimand County Emergency Services: No comments received.

Haldimand County Water and Wastewater Engineering & Compliance: No comments received.

Grand River Conservation Authority: No objections.

Niagara Peninsula Conservation Authority: No comments received.

Hydro One: No comments received.

Municipal Property Assessment Corporation: No comments received.

Mississaugas of the Credit: No comments received.

Six Nations: No comments received.

Public: No comments received.

Planning Analysis

Provincial Policy Statement, 2020 (PPS)

The subject lands are designated 'Agricultural' and are located in the prime agricultural area of the county. The PPS discourages lot creation in the prime agricultural area. The PPS, however, permits lot creation for a residence surplus to a farming operation as a result of farm consolidation, if the new lot will meet the minimum size requirement to accommodate the use and appropriate sewage and water service. The planning authority is required to ensure that new residential dwellings are prohibited on any remnant parcel of farmland created by severance. The application is consistent with the PPS.

A Place to Grow, 2020

A Place to Grow does not provide information or criteria on surplus farm dwelling. The application, therefore, is consistent with A Place to Grow.

Haldimand County Official Plan (OP)

The Official Plan echoes the PPS while providing additional details. The OP states that a severance may be granted for a habitable farm dwelling of a minimum age of 10 years, calculated from the date of occupancy of the dwelling made surplus through farm consolidation where it is part of a farm holding containing two or more habitable dwellings and where each farm is located within the County. No new residential dwelling shall be permitted on the retained lands. The farm dwelling located on the subject lands was constructed in the 1950s. The criteria for such lot creation can be found in Section H(4):

a) The severance shall generally be 0.4 hectares to 0.6 hectares in size and shall minimize the amount of agricultural land or productive forest land taken out of production. Consideration of varying the size of the parcel include ensuring farm fields are not fragmented, environmental and topographical features are recognized and the location of the surplus farm dwelling in relation to the existing farm buildings and structures;

   Planning Comment: The proposed severance is 0.59 hectares (1.46 acres) in size and meets the standard set out in the OP.

b) No severance shall be granted unless the proposed lot can be serviced by an on-site sanitary sewage system designed and installed as per the Ontario Building Code;

   Planning Comment: The proposed lot will be serviced by a cistern for water supply and a septic tank for sewage treatment.

c) No severance shall be granted unless it is shown that it will not adversely affect the operation or viability of the farm operation on the remaining lands;

   Planning Comment: It is the opinion of planning staff that the proposed lot will not adversely affect the operation or viability of the farm operation on the surrounding or remaining lands.

d) Severances that do not meet the Minimum Separation Distance formulae, as amended, shall not be permitted.

   Planning Comment: No livestock were observed within the area of the subject site at the time of site inspection. Therefore, Minimum Distance Separation does not apply to this proposal.

e) Severances shall not be permitted within 300 metres from licensed pits and 500 metres from licensed quarries and must be well removed from waste disposal sites and other potential land use conflicts;

   Planning Comment: The proposed lot is not located within 300 metres of licensed pits or 500 metres of licensed quarries. The proposed severance meets the standard set out in the OP.

f) The lot created by severance shall be located with safe and direct access to a permanently maintained public road.

   Planning Comment: The severed lot will have access on an existing public road, known municipally as Concession 2 Road South.

g) Potential impacts on natural environment areas and/or cultural resources shall be assessed and addressed, where necessary.

   Planning Comment: The proposed application is not anticipated to have an adverse or negative impact on the surrounding natural or cultural resources.

The subject application conforms to the OP policies relating to surplus farm dwelling severances.

Haldimand County Zoning By-law HC 1-2020

The subject lands are zoned ‘Agriculture (A)’ Zone. The proposal complies with the Zoning By-law provisions. The retained farmlands will automatically be rezoned to remove a dwelling as a permitted use in accordance with provincial policy.

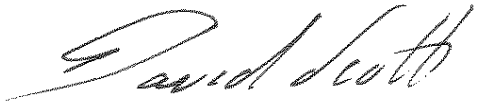
Notice Sign, Public Consultation, and Applicant Discussion

A public notice sign was posted in accordance with the *Planning Act, R.S.O. 1990, c. P.13* on October 13, 2023.

The applicant has satisfied the public consultation requirements as per the Provincial legislation.

Staff have contacted the applicant and discussed the recommendations as set out in this report. Staff have confirmed with the applicant that he/she understands the nature of and content contained within the recommendations as well as any requirements/conditions relating to such. A copy of the staff report has been provided to the applicant.

Prepared by:



_____

David Scott, MPLAN
Secretary-Treasurer, Committee of Adjustment
905-318-5932 ext. 6220

Reviewed by:

_____

Alisha Cull, BES, MCIP, RPP
Supervisor, Planning & Development
905-318-5932 ext. 6208

IF <u>APPROVED</u>, THIS APPLICATION WILL BE SUBJECT TO THE FOLLOWING 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 surface drainage of the property, have been satisfied. Typically the county would require a full lot grading to be designed, ***in lieu of that, the proponent shall provide the Planning and Development Division with a letter assuring that all storm water from this parcel will be discharged toward the roadway, or a large body of water (lake, river, stream or other conveyance system), not adjacent properties.*** This is required as the new development as proposed, has the potential to increase the volume or rate of the storm runoff and may impact abutting landowners. A sample form letter can be provided. Contact the Development & Design Technologist at 905-318-5932, ext. 6253, 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 84.6 metres (277.6 feet), and an area of 0.59 hectares (1.46 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. **<u>The draft plan must be approved by the Secretary-Treasurer prior to depositing to the Land Registry Office.</u>**
   The AutoCad drawings need to be georeferenced for the following Coordinate System:

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

5. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before November 14, 2025, after which time this consent will lapse.
   File No. PLB-2023-167
   KAMPING, Brian & Margaret
   Assessment Roll No. 2810-155-004-03600

Location Map FILE #PLB-2023-167 APPLICANT: Kamping

Haldimand County

Location:

529 CONCESSION 2 ROAD SOUTH
GEOGRAPHIC TOWNSHIP OF
NORTH CAYUGA
WARD 2

Legal Description:

NCAY CON 2 STR PT LOT 9

Property Assessment Number:

2810 155 004 03600 0000

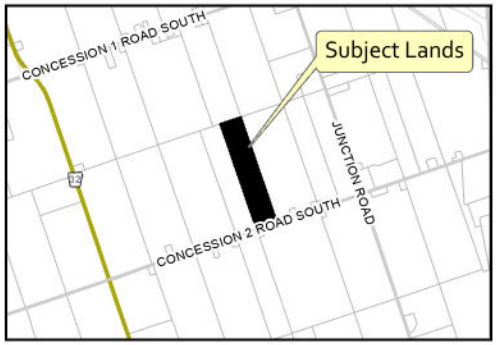
Size:

50.00 Acres

Zoning:

A (Agriculture), W (Wetland), NPCA Regulated Lands & NPCA Wetland

HALDIMAND COUNTY, IT'S EMPLOYEES, OFFICERS AND AGENTS ARE NOT RESPONSIBLE FOR ANY ERRORS, OMISSIONS OR INACCURACIES WHETHER DUE TO THEIR OWN NEGLIGENCE OR OTHERWISE. DO NOT USE FOR OPERATING MAP OR DESIGN PURPOSES. ALL INFORMATION TO BE VERIFIED.

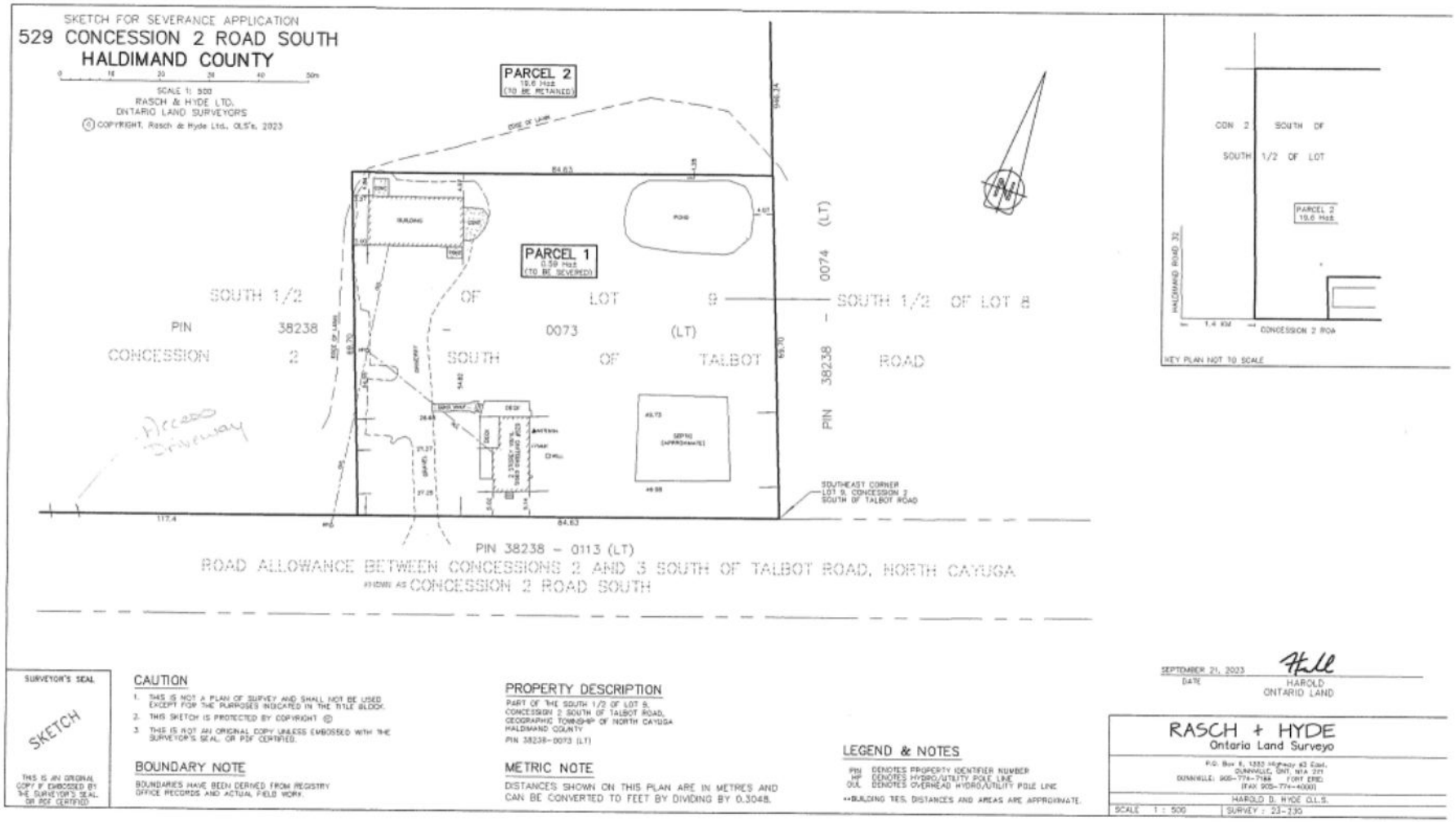


PREPARED BY HALDIMAND COUNTY PLANNING & DEVELOPMENT DIVISION, GIS SECTION. Oct 2023

Path: T:\Planning and Economic Development\PD\GIS\Applications\2023\PLB\PLB-2023-167 (Kamping)\PLB2023167\PLB2023167.aprx

Owner's Sketch FILE #PLB-2023-167 APPLICANT: Kamping

Haldimand County



PREPARED BY HALDIMAND COUNTY PLANNING & DEVELOPMENT DIVISION, GIS SECTION. Oct 2023

Path: T:\Planning and Economic Development\PD\GIS\Applications\2023\PLB\PLB-2023-167 (Kamping)\PLB2023167\PLB2023167.aprx

Haldimand County
Committee of Adjustment
Consent

Meeting Date: November 14, 2023

File Number: PLB-2023-168

Property Roll Number: 2810-155-004-03300

Applicant: Gregory & Melissa Dekkers

Property Location: Concession 2 South of Talbot Road, Part Lot 7, Geographic Township of North Cayuga, known municipally as 641 Concession 2 Road South

Recommendation

That application PLB-2023-168 be approved, subject to the attached conditions. The application is consistent with the Provincial Policy Statement, 2020 and A Place to Grow, 2020, and conforms to the intent of the Haldimand County Official Plan and Haldimand County Zoning By-law HC 1-2020.

Details of the Submission

Proposal: The applicant proposes to sever a lot containing an existing surplus farm dwelling and accessory structure. The severed lands will have a frontage of approximately 80.24 metres (263.3 feet) and will contain an area of 0.49 hectares (1.2 acres). The retained parcel will contain an area of approximately 39.7 hectares (98.1 acres).

Site Features and Land Use: The subject lands are located in the geographic township of North Cayuga and front onto the north side of Concession 2 Road South, west of Junction Road. The site contains a single detached dwelling, a large accessory building and a storage shed. The surrounding land uses are agricultural in nature.

Existing Intensive Livestock Operations: Not applicable.

Agency & Public Comments

Haldimand County Building & Municipal Enforcement: No comments or concerns.

Haldimand County Planning & Development – Development Technologist: Direct runoff to watercourse assurances (in lieu of grading plan). Entrance permit required for severed parcel.

Haldimand County Emergency Services: No comments received.

Haldimand County Water and Wastewater Engineering & Compliance: No comments received.

Niagara Peninsula Conservation Authority: No comments received.

Hydro One: No comments or concerns.

Municipal Property Assessment Corporation: No comments received.

Mississaugas of the Credit: No comments received.

Six Nations: No comments received.

Public: No comments received.

Planning Analysis

Provincial Policy Statement, 2020 (PPS)

The subject lands are designated 'Agricultural' and are located in the prime agricultural area of the county. The PPS discourages lot creation in the prime agricultural area. The PPS, however, permits lot creation for a residence surplus to a farming operation as a result of farm consolidation, if the new lot will meet the minimum size requirement to accommodate the use and appropriate sewage and water service. The planning authority is required to ensure that new residential dwellings are prohibited on any remnant parcel of farmland created by severance. The application is consistent with the PPS.

A Place to Grow, 2020

A Place to Grow does not provide information or criteria on surplus farm dwelling. The application, therefore, is consistent with A Place to Grow.

Haldimand County Official Plan (OP)

The Official Plan echoes the PPS while providing additional details. The OP states that a severance may be granted for a habitable farm dwelling of a minimum age of 10 years, calculated from the date of occupancy of the dwelling made surplus through farm consolidation where it is part of a farm holding containing two or more habitable dwellings and where each farm is located within the County. No new residential dwelling

shall be permitted on the retained lands. The farm dwelling located on the subject lands was constructed in the 1950s. The criteria for such lot creation can be found in Section H(4):

a) The severance shall generally be 0.4 hectares to 0.6 hectares in size and shall minimize the amount of agricultural land or productive forest land taken out of production. Consideration of varying the size of the parcel include ensuring farm fields are not fragmented, environmental and topographical features are recognized and the location of the surplus farm dwelling in relation to the existing farm buildings and structures;

   Planning Comment: The proposed severance is 0.49 hectares (1.2 acres) in size and meets the standard set out in the OP.

b) No severance shall be granted unless the proposed lot can be serviced by an on-site sanitary sewage system designed and installed as per the Ontario Building Code;

   Planning Comment: The proposed lot will be serviced by a cistern for water supply and a septic tank for sewage treatment.

c) No severance shall be granted unless it is shown that it will not adversely affect the operation or viability of the farm operation on the remaining lands;

   Planning Comment: It is the opinion of planning staff that the proposed lot will not adversely affect the operation or viability of the farm operation on the surrounding or remaining lands.

d) Severances that do not meet the Minimum Separation Distance formulae, as amended, shall not be permitted.

   Planning Comment: No livestock were observed within the area of the subject site at the time of site inspection. Therefore, Minimum Distance Separation does not apply to this proposal.

e) Severances shall not be permitted within 300 metres from licensed pits and 500 metres from licensed quarries and must be well removed from waste disposal sites and other potential land use conflicts;

Planning Comment: The proposed lot is not located within 300 metres of licensed pits or 500 metres of licensed quarries. The proposed severance meets the standard set out in the OP.

f) The lot created by severance shall be located with safe and direct access to a permanently maintained public road.

Planning Comment: The severed lot will have access on an existing public road, known municipally as Concession 2 Road South.

g) Potential impacts on natural environment areas and/or cultural resources shall be assessed and addressed, where necessary.

Planning Comment: The proposed application is not anticipated to have an adverse or negative impact on the surrounding natural or cultural resources.

The subject application conforms to the OP policies relating to surplus farm dwelling severances.

Haldimand County Zoning By-law HC 1-2020

The subject lands are zoned 'Agriculture (A)' Zone. The proposal complies with the Zoning By-law provisions. The retained farmlands will automatically be rezoned to remove a dwelling as a permitted use in accordance with Provincial policy.

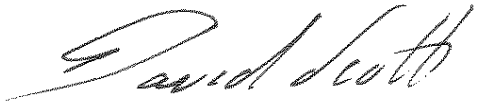
Notice Sign, Public Consultation, and Applicant Discussion

A public notice sign was posted in accordance with the *Planning Act, R.S.O. 1990, c. P.13* on October 13, 2023.

The applicant has satisfied the public consultation requirements as per the Provincial legislation.

Staff have contacted the applicant and discussed the recommendations as set out in this report. Staff have confirmed with the applicant that he/she understands the nature of and content contained within the recommendations as well as any requirements/conditions relating to such. A copy of the staff report has been provided to the applicant.

Prepared by:



_____

David Scott, MPLAN
Secretary-Treasurer, Committee of Adjustment
905-318-5932 ext. 6220

Reviewed by:

_____

Alisha Cull, BES, MCIP, RPP
Supervisor, Planning & Development
905-318-5932 ext. 6208

IF <u>APPROVED</u>, THIS APPLICATION WILL BE SUBJECT TO THE FOLLOWING 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 surface drainage of the property, have been satisfied. Typically the county would require a full lot grading to be designed, ***in lieu of that, the proponent shall provide the Planning and Development Division with a letter assuring that all storm water from this parcel will be discharged toward the roadway, or a large body of water (lake, river, stream or other conveyance system), not adjacent properties.*** This is required as the new development as proposed, has the potential to increase the volume or rate of the storm runoff and may impact abutting landowners. A sample form letter can be provided. Contact the Development & Design Technologist at 905-318-5932, ext. 6253, for further clarification.

3. Receipt of a letter from the Roads Operations Division indicating that they will issue an entrance permit for the subject property. 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 80.24 metres (263.3 feet), and an area of 0.49 hectares (1.2 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. **<u>The draft plan must be approved by the Secretary-Treasurer prior to depositing to the Land Registry Office.</u>**
   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 November 14, 2025, after which time this consent will lapse.
   File No. PLB-2023-168
   DEKKERS, Gregory & Melissa
   Assessment Roll No. 2810-155-004-03300

Location Map FILE #PLB-2023-168 APPLICANT: Dekkers

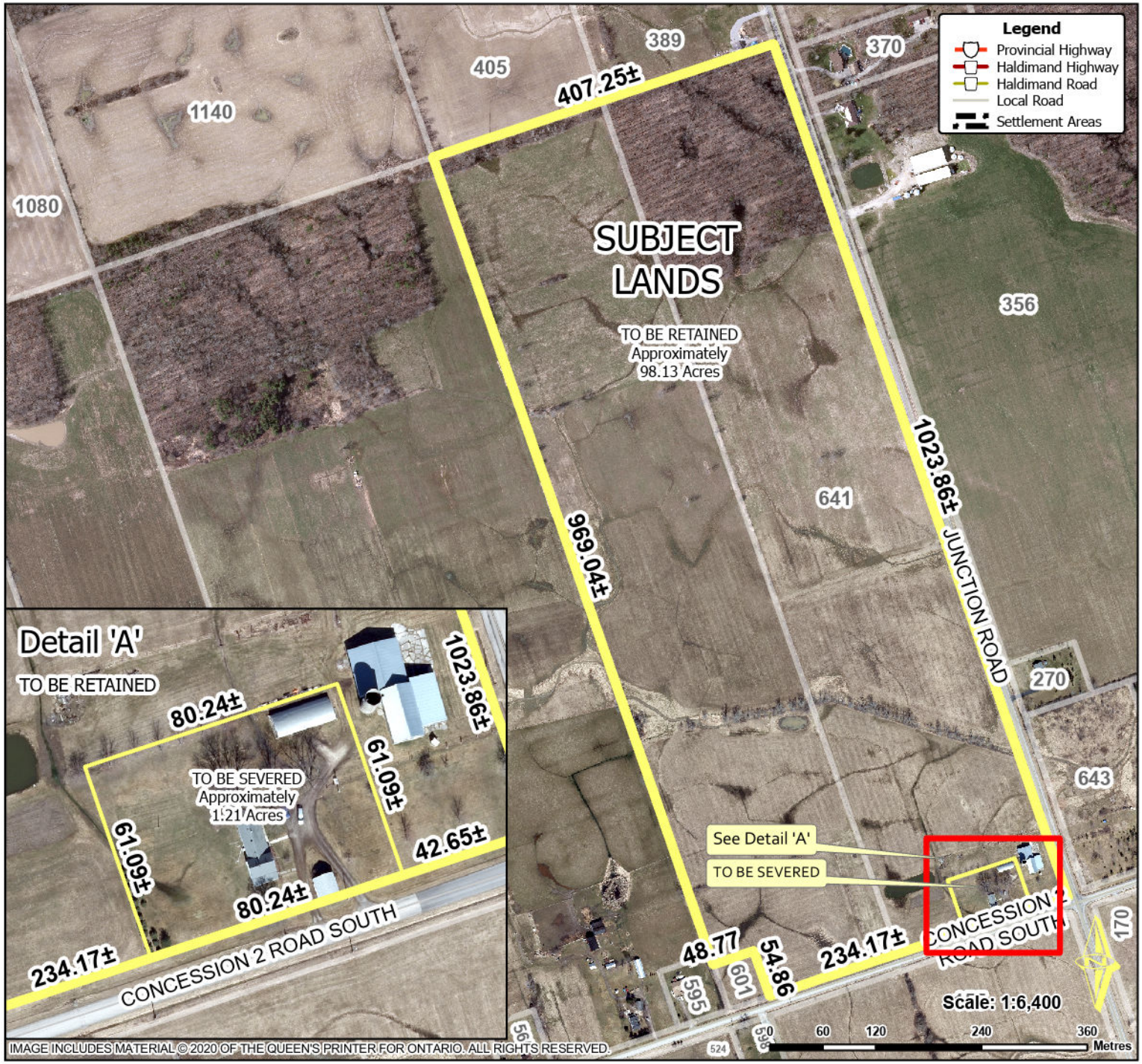


IMAGE INCLUDES MATERIAL © 2020 OF THE QUEEN'S PRINTER FOR ONTARIO. ALL RIGHTS RESERVED.

Haldimand County

Location:

641 CONCESSION 2 ROAD South
GEOGRAPHIC TOWNSHIP OF
NORTH CAYUGA
WARD 2

Legal Description:

NCAY CON 2 STR PT LOT 7

Property Assessment Number:

2810 155 004 03300 0000 &
2810 155 004 03400 0000

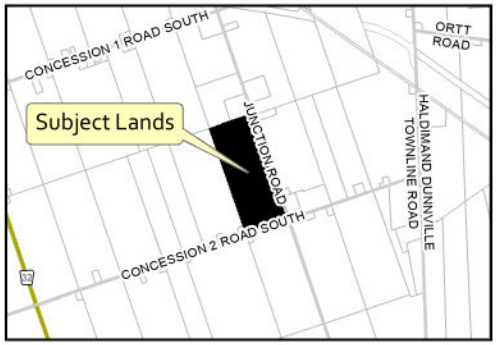
Size:

99.34 Acres

Zoning:

A (Agriculture), W (Wetlands), NPCA Regulated Lands & NPCA Wetlands

HALDIMAND COUNTY, IT'S EMPLOYEES, OFFICERS AND AGENTS ARE NOT RESPONSIBLE FOR ANY ERRORS, OMISSIONS OR INACCURACIES WHETHER DUE TO THEIR OWN NEGLIGENCE OR OTHERWISE. DO NOT USE FOR OPERATING MAP OR DESIGN PURPOSES. ALL INFORMATION TO BE VERIFIED.

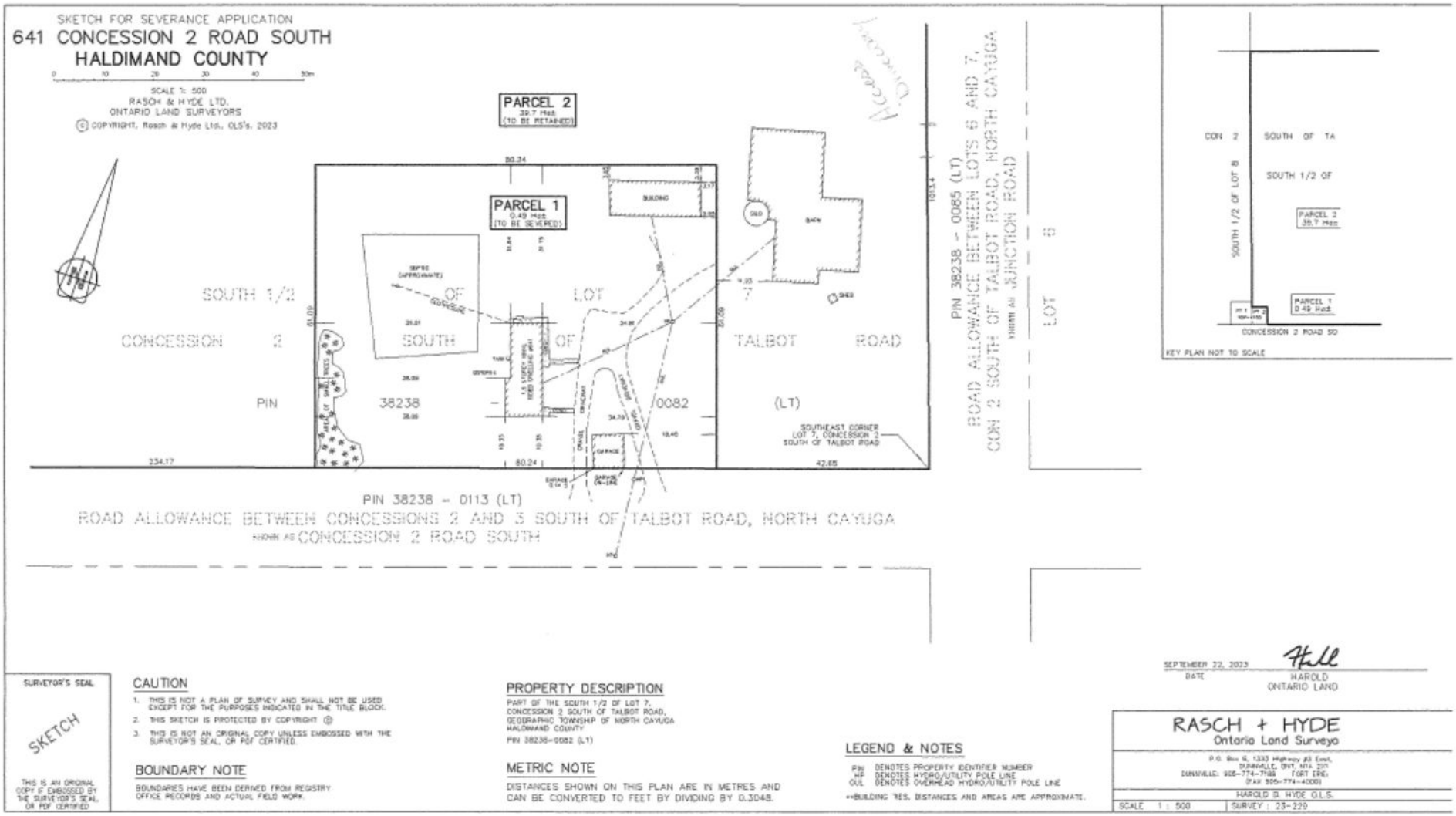


PREPARED BY HALDIMAND COUNTY PLANNING & DEVELOPMENT DIVISION, GIS SECTION. Oct 2023

Path: T:\Planning and Economic Development\PD\GIS\Applications\2023\PLB\PLB-2023-168 (Dekkers)\PLB2023168\PLB2023168.aprx

Owner's Sketch FILE #PLB-2023-168 APPLICANT: Dekkers

Haldimand County



Haldimand County
Committee of Adjustment
Minor Variance

Meeting Date: November 14, 2023

File Number: PLA-2023-124

Property Roll Number: 2810-152-002-01006

Applicant: Eric Schaeffer and Hillary Harper

Property Location: Plan 600, Part Lots 4 to 10 East of Baxter, Lot 4 to 9 West of Howell, Part Lots 1 to 3 West of Howell, Registered Plan 18R3956 Parts 1, 2 and 3, Geographic Township of Seneca, known municipally as 203 Townline Road East

Recommendation

That application PLA-2023-124 be refused. The application does not meet the four tests of a minor variance.

Details of the Submission

Proposal: Relief is requested from the Location of an Animal Kennel provisions for the Agricultural (A) Zone of Zoning By-law HC 1-2020 as follows:

Development Standards	Required	Proposed	Deficiency
4.33 c) Setback from a residential use on a separate lot (exterior side yard)	125 metres (410.1 feet)	23.78 metres (78.02 feet)	101.22 metres (332.09 feet)
4.33 c) Setback from a residential use on a separate lot (left interior side yard)	125 metres (410.1 feet)	40.23 metres (131.99 feet)	84.77 metres (278.12 feet)
4.33 c) Setback from a residential	125 metres (410.1 feet)	50.8 metres (166.67 feet)	74.2 metres (243.44 feet)

use on a separate lot (rear yard)			
4.33 d) Setback from any lot line (exterior side yard)	30 metre (98.43 feet)	6.23 metres (20.44 feet)	23.77 metres (77.99 feet)

The relief is requested to permit the existing dog kennel on the subject property.

Site Features and Land Use: The subject lands are 0.96 hectares (2.38 acres) in size and front onto the north side of Townline Road East in the geographic township of Seneca. The lands contain a single detached dwelling and a dog kennel. The lands abut an unopened road allowance to the north and south. Beyond the north road allowance is a privately owned former rail line, and beyond the east road allowance is a residential parcel which is vacant aside from a barn. Residential uses are located to the west and southwest, with residential and active farmland to the south across Townline Road East.

Existing Intensive Livestock Operations: No livestock were observed in the area.

Agency & Public Comments

Haldimand County Building & Municipal Enforcement Services: No comments or concerns.

Haldimand County Planning & Development Services – Development Technologist: No comments or concerns.

Haldimand County Emergency Services: No comments received.

Haldimand County Water and Wastewater Engineering & Compliance: No comments received.

Hydro One: No comments received.

Municipal Property Assessment Corporation: No comments received.

Mississaugas of the Credit: No comments received.

Six Nations: No comments received.

Public: Two letters are attached to this report outlining opposition to the approval of the subject application. A third letter was received expressing no opposition to the application, but requesting more information about future plans for expansion, if any.

Planning Analysis

A minor variance is required to meet four tests under Section 45(1) of the *Planning Act*:

1. Does the application conform to the general intent of the Official Plan?

   Planning staff comment: The subject lands are designated “Agricultural” in the Official Plan. Section 3.A.1)5. outlines the permitted uses in the Agricultural designation, and states “Land uses compatible with agriculture may also be permitted including animal kennels, forestry uses, activities connected with the conservation of soil or wildlife and resource-oriented lands uses, including ventilation and escape shafts that are part of an underground mining operation.”

   3.A.1)15. states, “Separation distances may also be set out in the Zoning By-law for animal kennels, mushroom farms and other uses which are a potential nuisance with respect the creation of noise, odour and/or dust.”

   While animal kennels are permitted in the Agricultural designation, the Official Plan also notes that the Zoning By-law may set out separation distances to abate any nuisances that may arise.

   The subject application does not conform to the intent of the Official Plan, as it requests significant relief from the required separation distances.

2. Does the application conform to the general intent of the Zoning By-law?

   Planning staff comment: The Zoning By-law requires that kennels maintain a setback of 125 metres (410.1 feet) from residential uses located on a separate property, as well as a setback of 30 metres (8.43 feet) from any lot line. The applicant is requesting the following setbacks:
   - 23.78 metres (78.02 feet) from the residential use to the east
   - 40.23 metres (131.99 feet) from the residential use to the west
   - 50.8 (166.67 feet) metres from the residential use to the north
   - 6.23 (20.44 feet) metres from the exterior side lot line

   The intent of the required setbacks are to abate nuisances, such as noise and odour. Two letters of opposition have been received from neighbouring property owners indicating that they do not support these reductions. The neighbour located immediately to the west, whose property is related to the proposed 40.23 metre (131.99 foot) setback noted above, has indicated that excessive barking is a regular occurrence at the subject kennel.

   Another letter submitted on behalf of a neighbour located immediately to the east has referenced section 4.34 a) of the Zoning By-law, which states, “No dwelling

shall be erected or located on a separate lot within 300 metres of any animal kennel or municipal animal kennel." 4.34 g) states, "Sections 4.34 a) and b) above shall not apply to any lot of record provided that the dwelling is located at the furthest point possible from the, animal kennel cannabis production facility, municipal animal kennel or abattoir and provided such dwelling does not contravene any yard provisions." Should the minor variance be approved, a dwelling would only be permitted on this property at the furthest point possible from the kennel. This limits the opportunity for the property owner to choose their preferred construction location.

The subject application does not conform to the general intent of the Zoning By-law.

3. Is the application desirable for the appropriate development of the lands in question?

   Planning staff comment: Animal kennels are subject to somewhat significant setback requirements in order to maintain compatibility with adjacent land uses. In this case, substantial relief is being requested which may result in negative impacts on surrounding properties with regard to noise and other disturbances. The application is not desirable for the appropriate development of the subject lands.

4. Is the application minor?

   Planning staff comment: As mentioned above, animal kennels are subject to setbacks from adjacent properties to minimize nuisances. In some circumstances, it may be appropriate to vary these setbacks where it can be determined that no negative impacts will result. In this case, however, the kennel is already operating and neighbours have submitted comments indicated existing negative impacts from the kennel that would have likely been mitigated by maintaining the required setbacks. Noise, for example, is very easily addressed by moving the use away from sensitive receptors. The significant relief requested cannot be considered minor.

The subject application does not meet the four tests of a minor variance.

Notice Sign and Applicant Discussion

A public notice sign was posted in accordance with the *Planning Act, R.S.O. 1990, c. P.13* on October 31, 2023.

Staff have contacted the applicant and discussed the recommendations as set out in this report. Staff have confirmed with the applicant that he/she understands the nature of and content contained within the recommendations as well as any requirements/conditions relating to such. A copy of the staff report has been provided to the applicant.

Prepared by:

_____

Alisha Cull, BES, MCIP, RPP
Supervisor, Planning & Development
905-318-5932 ext. 6208

Location Map FILE #PLA-2023-124 APPLICANT: Schaeffer & Harper

IMAGE INCLUDES MATERIAL © 2020 OF THE QUEEN'S PRINTER FOR ONTARIO. ALL RIGHTS RESERVED.

Haldimand County

Location:

203 TOWNLINE ROAD EAST
GEOGRAPHIC TOWNSHIP OF SENECA
WARD 4

Legal Description:

SEN PLAN 600 PT LOTS 4 TO 10 E BAXTER LOT 4 TO 9 W HOWELL PT LOT 1 TO 3 W HOWELL RP 18R3956 PARTS 1,2,3

Property Assessment Number:

2810 152 002 01006 0000

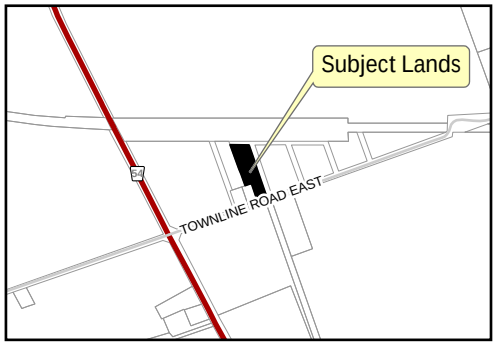
Size:

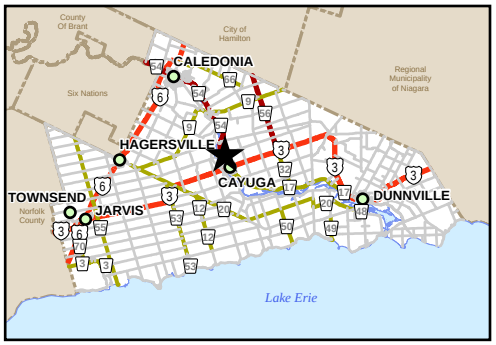
2.38 Acres

Zoning:

A (Agricultural)

HALDIMAND COUNTY, IT'S EMPLOYEES, OFFICERS AND AGENTS ARE NOT RESPONSIBLE FOR ANY ERRORS, OMISSIONS OR INACCURACIES WHETHER DUE TO THEIR OWN NEGLIGENCE OR OTHERWISE. DO NOT USE FOR OPERATING MAP OR DESIGN PURPOSES. ALL INFORMATION TO BE VERIFIED.





PREPARED BY HALDIMAND COUNTY PLANNING & DEVELOPMENT DIVISION, GIS SECTION. Jul 2023

Path: T:\Planning and Economic Development\PD\GIS\Applications\2023\PLA\PLA-2023-124 (Schaeffer-Harper)\PLA2023124\PLA2023124.aprx

Owner's Sketch FILE #PLA-2023-124 APPLICANT: Schaeffer & Harper

Haldimand County

COOMBS & LUTZ
Barristers & Solicitors

RONALD M. COOMBS, Q.C. (RETIRED) BRIAN H. LUTZ, B.Sc., LL.B. (Also of the Alberta Bar) Successor to George J. Parker Prof. Corp.	6 LAKE AVENUE SOUTH STONEY CREEK, ONTARIO L8G 1P3 TEL. (905) 664-6341, FAX (905) 664-8966 E-MAIL lutz@bellnet.ca

VIA EMAIL: dscott@haldimandcounty.on.ca November 2, 2023
AND TO: planning@haldimandcounty.on.ca

David Scott
Secretary-Treasurer
Committee of Adjustment
53 Thorburn Street South, Cayuga, ON

Dear Mr. Scott:

RE: FILE NO- PLA-2023-124

This email is in response to the Notice of Hearing for a Minor Variance in connection with the above-noted matter.

We are solicitors for the owner of the neighbouring property to the east of the subject Property; our client's property bears roll number 152002010050000. Our client's property does not yet have a municipal address but is the direct neighbouring property to the east of the subject Property.

Our clients oppose the present application which seeks to permit a Dog Kennel on the Property municipally known as 203 Townline Road East, for the following reasons:

1. Local Land Use & Residential Impact:

(Note: We have attached hereto three maps showing the applicable 30m, 125m, and 300m bylaw-designated exclusion zones relating to kennels)

Despite the technical designation of the subject neighbourhood as "agricultural" under Haldimand's comprehensive zoning bylaw, the fact is the applicant's Property and surrounding neighbouring lands are rural residential-use properties, typically ranging between 1 to 4 acres.

Permitting a dog kennel in this area will negatively impact the local residents' homes and quality of life. At least 3 existing homes will be directly impacted by the establishment of a kennel and are each well within a 125m diameter zone surrounding the subject Property. This is contrary to the following bylaw provision:

> HALDIMAND COUNTY COMPREHENSIVE ZONING BY-LAW HC 1-2020 section 4.33 c)
> An Animal Kennel *shall not* be located closer than:

c) 125 metres from an IC, IN, IR, OS or A Zone or any residential use located on a separate lot, however, this shall not apply to an abandoned cemetery; [1]
And section 4.34 a)
a) No dwelling shall be erected or located on a separate lot within 300 metres of any animal kennel or municipal animal kennel.

Additionally, it is clear from the size of the subject Property that it will be impossible for the applicants to comply with the requirement that any kennel thereon be located no closer than 30 meters from the lot line of the Property:

An Animal Kennel *shall not* be located closer than:
d) 30 metres from any lot line.[2]

It is submitted the intent and purpose of requiring dwellings to be at least 300 meters (discussed further, below) from a kennel is to lessen or avoid the negative impacts associated with a kennel on the residents thereof. These negative impacts include but are not limited to persistent noise issues, barking and yelping, increased vehicular traffic in residential areas, and unpleasant odours emanating from a kennel.

The kennel will impinge upon future home construction in the area and impact the quiet enjoyment of existing homes and properties in the area. This will in turn impact the value and appeal of neighbouring properties.

2. Our Client's Property Rights & Financial Impact Thereto:

My clients purchased their property with a plan to ultimately construct a residential home thereon.

They made a substantial investment, based on the fact it is a potential building lot, consistent with the prevailing use of properties in the neighbourhood, and following existing zoning by-laws. In other words, our clients bought this property on the basis applicable zoning bylaws could be relied upon and would be enforced, especially with respect to such issues as noise and odours.

If a kennel is permitted, however, the following zoning requirements will impact our client's ability to build a home on their property:

Haldimand County Zoning By-law HC 1-2020
Page 76
SECTION 4 GENERAL PROVISIONS
a) No dwelling shall be erected or located on a separate lot within 300 metres of any animal kennel or municipal animal kennel.[3]

A kennel directly beside their future home would represent a significant quality of life issue and will have financial and practical implications for my clients' plans for their property.

3. Zoning By-law & Compatibility

---

[1] See attached Map A and A1
[2] See attached Map B and B1
[3] See attached Map C and C1

Zoning regulations exist in part to ensure usage is compatible, in respect to neighbouring properties in a given area.

While our clients' residential plans for their property align with the County's by-laws, the proposed commercial kennel does not. A significant variance to the applicable legal requirements for same will be required to permit a kennel on the subject Property.

A kennel is also incompatible with the character of the subject neighbourhood, and will impact the lives, homes, and enjoyment of local residents.

Concluding Submissions

Our clients state the Application proposes exceptions to the applicable bylaws which are:

1. The variance is NOT minor: In the context of this neighbourhood, the proposed kennel will significantly impact the neighbouring properties and change the general character of the area, which is rural residential.

2. The variance is NOT desirable for the appropriate development or use of the land in the subject neighbourhood. It will NOT contribute positively to the development of this area and will be detrimental to the prevailing use and established character of the area.

3. The general intent and purpose of the city's Official Plan concerning this neighbourhood will NOT be maintained if a kennel is permitted on the subject Property.

4. The general intent and purpose of the zoning bylaw will NOT be maintained if the proposed kennel is permitted. The applicable zoning bylaw only permits a kennel under certain set-back conditions – none of which, it is submitted, can be even remotely complied with – both technically and in spirit.

On these bases, our clients submit the application should be denied.

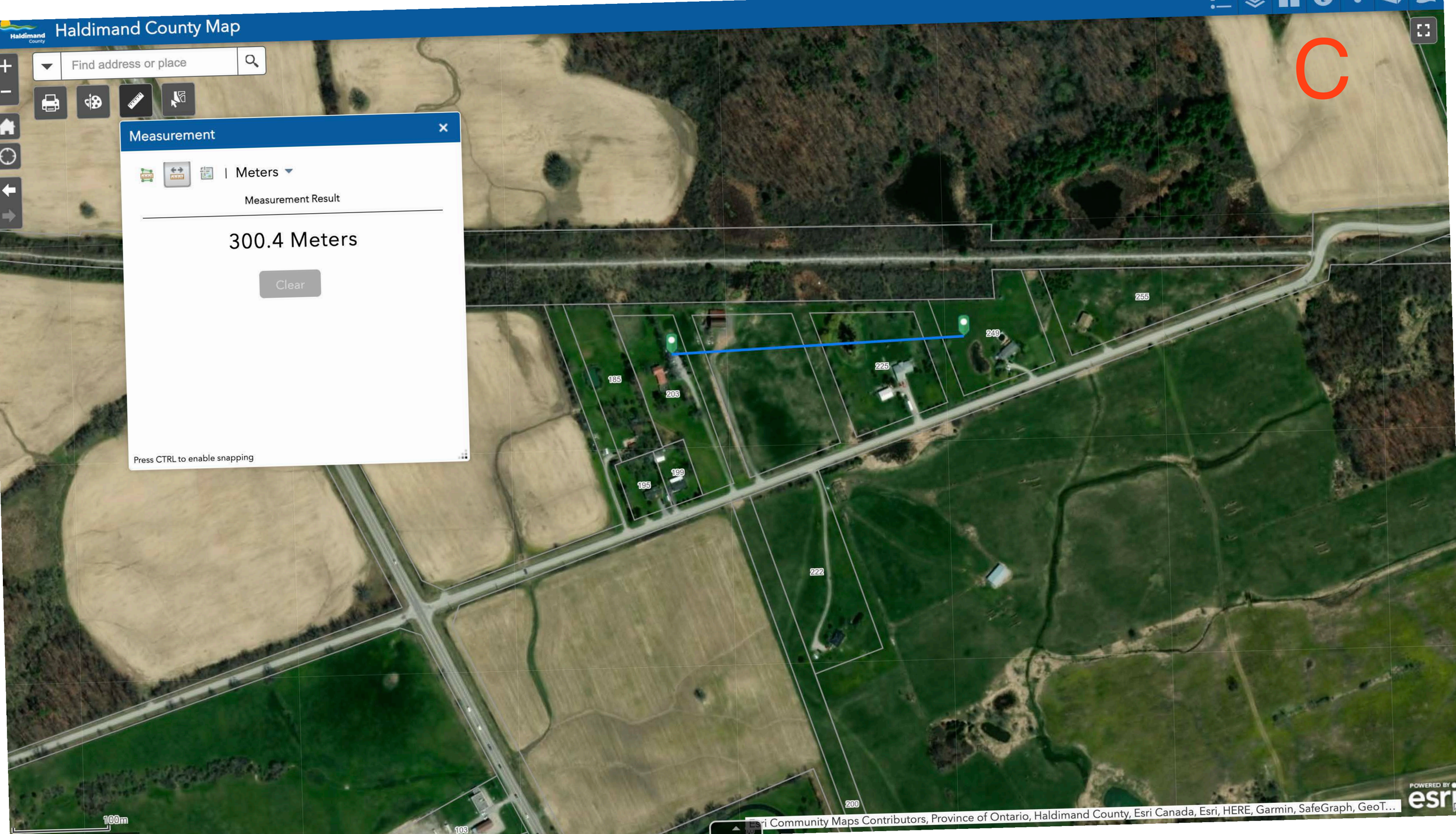
Our clients and I will be attending the hearing is respect to this application for variance and we anticipate providing oral submissions at that time, in addition to the above.

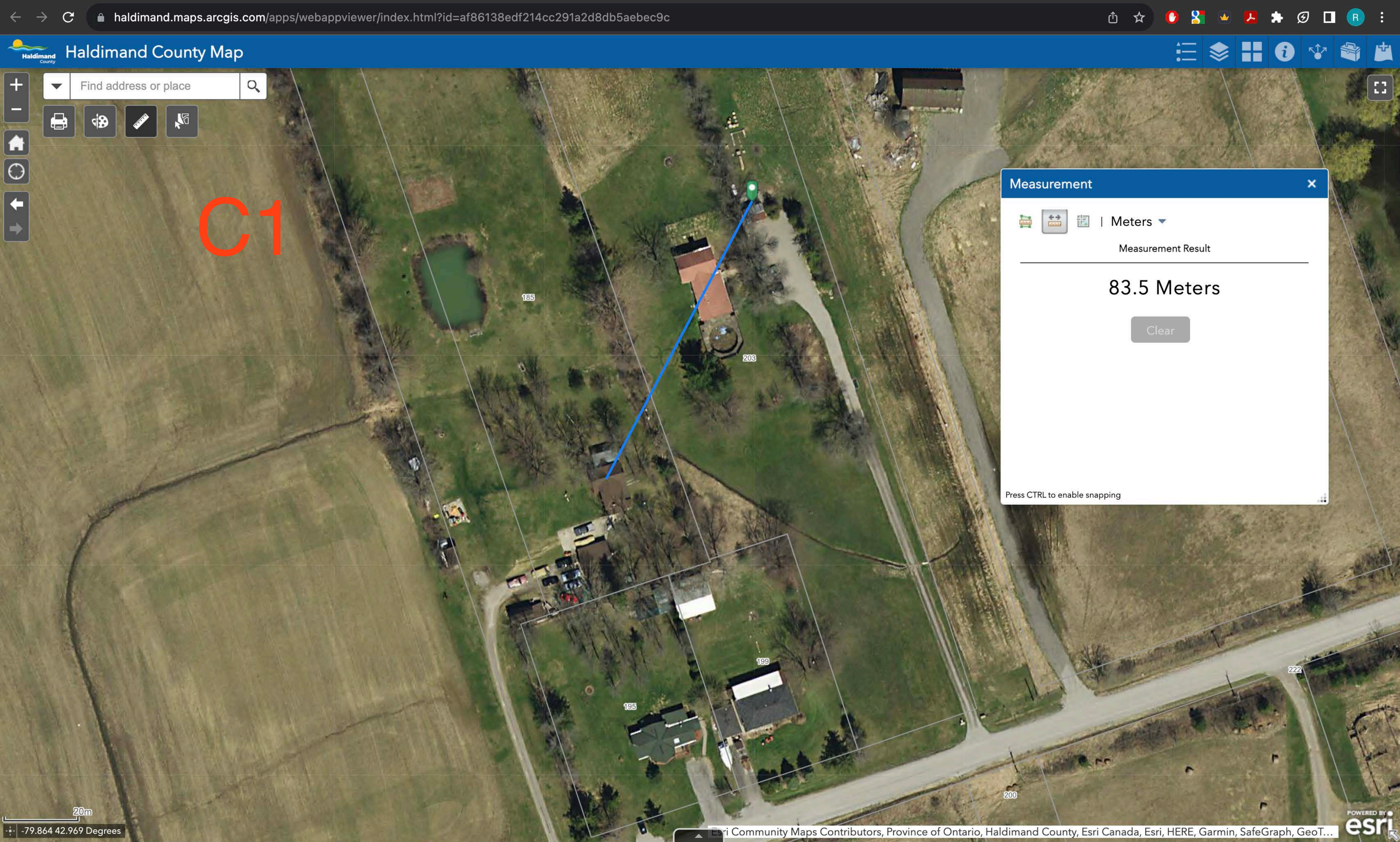
Please confirm receipt of this email and please forward this letter to the planning department for consideration in the crafting of their report to the Committee of Adjustments.

We also request that we be provided with a copy of the decision of the Committee of Adjustments and notice of any appeal therefrom.

Yours truly,

Brian H. Lutz


Haldimand County Map
Find address or place
Measurement
Meters
Measurement Result
300.4 Meters
Clear
Press CTRL to enable snapping
C
185
203
195
199
225
249
255
222
200
103
100m
Esri Community Maps Contributors, Province of Ontario, Haldimand County, Esri Canada, Esri, HERE, Garmin, SafeGraph, GeoT...
POWERED BY esri


haldimand.maps.arcgis.com/apps/webappviewer/index.html?id=af86138edf214cc291a2d8db5aebec9c
Haldimand County Map
Find address or place
C1
185
203
199
195
222
200
Measurement
Meters
Measurement Result
83.5 Meters
Clear
Press CTRL to enable snapping
20m
-79.864 42.969 Degrees
Esri Community Maps Contributors, Province of Ontario, Haldimand County, Esri Canada, Esri, HERE, Garmin, SafeGraph, GeoT…
POWERED BY esri

Haldimand County Map

Find address or place

Measurement

Meters

Measurement Result

30 Meters

Clear

Press CTRL to enable snapping

B1

135

203

199

195

222

20m

-79.863 42.969 Degrees

Esri Community Maps Contributors, Province of Ontario, Haldimand County, Esri Canada, Esri, HERE, Garmin, SafeGraph, GeoT…

POWERED BY esri

Haldimand County Map

Find address or place

Measurement

Meters

Measurement Result

30 Meters

Clear

Press CTRL to enable snapping

B

185

203

20m

-79.863 42.969 Degrees

Esri Community Maps Contributors, Province of Ontario, Haldimand County, Esri Canada, Esri, HERE, Garmin, SafeGraph, GeoT...

POWERED BY esri

Haldimand County Map

Find address or place

Measurement

Meters

Measurement Result

124.9 Meters

Clear

Press CTRL to enable snapping

A1

185

203

199

195

225

249

222

200

40m

-79.864 42.968 Degrees

Esri Community Maps Contributors, Province of Ontario, Haldimand County, Esri Canada, Esri, HERE, Garmin, SafeGraph, GeoT...

POWERED BY esri

Haldimand County Map

Find address or place

Measurement

Meters

Measurement Result

124.8 Meters

Clear

Press CTRL to enable snapping

A

185

203

195

199

225

249

222

200

40m

-79.862 42.969 Degrees

Esri Community Maps Contributors, Province of Ontario, Haldimand County, Esri Canada, Esri, HERE, Garmin, SafeGraph, GeoT…

POWERED BY esri

Frank Corcoran
185 Townline Rd. E RR5
Cayuga, On
N0A 1E0

November 6, 2023

David Scott
Secretary-Treasurer
Committee of Adjustment
53 Thorburn St. South
Cayuga, On

Re: File N0. PLA-2023-124 Eric Schaeffer and Hillary Harper

Dear Mr. Scott

I am writing in regards to the above file regarding the existing dog kennel on the subject property.

I am a property owner within 60 metres and I am against the application. I have reviewed by-law 1396/13 regarding the keeping of dogs and cats and several items are of my concern.

Barking - both of the applicants work so barking is a regular occurrence, the dogs will bark when delivery vehicles etc. enter their driveway, they will bark at other dogs barking in the area and whenever i walk on my property they bark at me.

Dog Run - the dog run is chain link fence and not closed board construction so this adds to the visual disturbances that cause the barking.

Running at Large - the dogs run free when they are let out of the kennel, there is no fence between our properties only an older barbed wire fence and there have been several time when one or more dogs are on my property including times when I have stepped out of my house or garage and come face to face with one or two and a couple of times when either with my grandkids or girlfriend had three dogs run at for us but nothing happened except feeling of fright. These are german shepherd dogs and I do not know them or their temperment.

Sincerely,

F Corcoran

P.S. by way of this letter could I please be notified of the decision.

File No. PLA-2023-124
Eric Snaeffer and Hillary Harper

I reside at 199 Townline rd. I have no issues with how things are now. Hillary has assured us they have no plans to expand any further. I'm assuming this is so they ~~can~~ continue on as they were.

Nikki Rivera

[redacted]

Haldimand County
Committee of Adjustment
Minor Variance

Meeting Date: November 14, 2023

File Number: PLA-2023-145

Property Roll Number: 2810-158-001-54700

Applicant: Justin Cruse

Property Location: Concession 1, Part Lot 16, Reference Plan 18R5037 Parts 1 and 3, Geographic Township of Rainham, known municipally as 1487 Lakeshore Road

Recommendation

That application PLA-2023-145 be deferred to allow the applicant time to amend the application. Should it be approved by the committee, the following conditions shall apply:

1. Receipt of a letter from the Planning and Development Division, indicating that their requirements, regarding surface drainage of the property, have been satisfied. Typically the county would require a full lot grading to be designed, in lieu of that, the proponent shall provide the Planning and Development Division with a letter assuring that all storm water from this parcel will be discharged toward the roadway, or a large body of water (lake, river, stream or other conveyance system), not adjacent properties. This is required as the new development as proposed, has the potential to increase the volume or rate of the storm runoff and may impact abutting landowners. A sample form letter can be provided. Contact the Development & Design Technologist at 905-318-5932, ext. 6253, for further clarification.
2. Subject to the approval from Hydro One.

Details of the Submission

Proposal: Relief is requested from the maximum usable floor area and height provisions for an accessory building in the Lakeshore Residential (RL) Zone of Zoning By-law HC 1-2020 as follows:

Development Standard(s)	Required	Proposed	Deficiency
Total Useable Floor Area – Accessory Buildings	75 square metres (807.3 square feet)	133.5 square metres (1437.0 square feet)	58.5 square metres (629.7 square feet)
Accessory Building Height	4.5 metres (14.8 feet)	7.8 metres (25.6 feet)	3.3 metres (10.8 feet)

The relief is requested to permit the construction of a garage on the subject property.

Site Features and Land Use: The subject lands are located in the geographic township of Rainham and front onto the north side of Lakeshore Road. The lands currently contain a single detached dwelling, and accessory structures. The surrounding land uses are generally agricultural and seasonal residential in nature.

Existing Intensive Livestock Operations: Not applicable

Agency & Public Comments

Haldimand County Building & Municipal Enforcement Services: No comments or concerns.

Haldimand County Planning & Development Services – Development Technologist: Consult with Hydro One regarding the height and the setback for the shed and gazebo. Direct runoff to watercourse assurances (in lieu of grading plan).

Haldimand County Emergency Services: No comments received.

Haldimand County Water and Wastewater Engineering & Compliance: No comments received.

Long Point Region Conservation Authority: LPRCA staff have no objection to the concept of this application, however it is noted that the application includes the replacement of a shed within the regulated area. A permit is required from the LPRCA prior to the replacement of the shed.

Hydro One: No comments received.

Municipal Property Assessment Corporation: No comments received.

Mississaugas of the Credit: No comments received.

Six Nations: No comments received.

Public: No comments received.

Planning Analysis

A minor variance is required to meet four tests under Section 45(1) of the *Planning Act*:

1. Does the application conform to the general intent of the Official Plan?

   Planning staff comment: The subject lands are designated “Agriculture” in the Haldimand County Official Plan, with a Lakeshore Hazard Lands overlay. The Agriculture designation permits residential and related accessory structures. The subject application will facilitate the construction of an accessory structure to an existing dwelling on the property.

   It is the opinion of Planning staff that the subject application conforms to the general intent of the Official Plan.

2. Does the application conform to the general intent of the Zoning By-law?

   Planning staff comment: The subject application is seeking relief to permit an accessory building with a height of 7.8 metres (25.6 feet), where 4.5 metres (14.8 feet) is permitted and an area of 133.5 square metres (1437.0 square feet), where 75 square metres (807.3 square feet) is permitted. The intent of limiting the height and area of accessory structures is to ensure they remain accessory to the primary residential use and to limit potential impact on neighbouring lots. The proposed accessory structure will comply with all required setbacks, and will remain accessory to the primary residential use of the property.

   It is the opinion of Planning staff that the subject application maintains the general intent of the Zoning By-law.

3. Is the application desirable for the appropriate development of the lands in question?

   Planning staff comment: While a garage is considered as an accessory structure and is permitted in the RL Zone, the proposed location for the garage creates safety hazards around the existing hydro pole on the property. Based on information we received previously from Hydro One, the minimum required distance from any structure to a Hydro Pole is 5.0 metres (16.4 feet) to accommodate hazards from severe weather. Powerlines can swing a significant distance. Placing accessory structures within the recommended setback distance is dangerous and may impede power distribution. This specific location is not

desirable for the appropriate development of the lands. The hydro pole or proposed accessory structure should be relocated.

4. Is the application minor?

   Planning staff comment: For the reasons outlined above, it is the opinion of Planning staff that the subject application is not minor at this time.

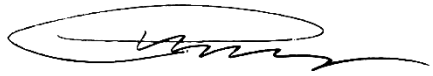
The subject application does not meet the four tests of a minor variance.

Notice Sign and Applicant Discussion

A public notice sign was posted in accordance with the *Planning Act, R.S.O. 1990, c. P.13* on October 26, 2023.

Staff have contacted the applicant and discussed the recommendations as set out in this report. Staff have confirmed with the applicant that he/she understands the nature of and content contained within the recommendations as well as any requirements/conditions relating to such. A copy of the staff report has been provided to the applicant.

Prepared by:



_____

Chris Tang,
Planning Technician, Planning & Development
905-318-5932 ext. 6210

Reviewed by:

_____

Alisha Cull, BES, MCIP, RPP
Supervisor, Planning & Development
905-318-5932 ext. 6208

Location Map FILE #PLA-2023-145 APPLICANT: Cruse

Haldimand County

Location:
1487 LAKESHORE ROAD GEOGRAPHIC TOWNSHIP OF RAINHAM WARD 2

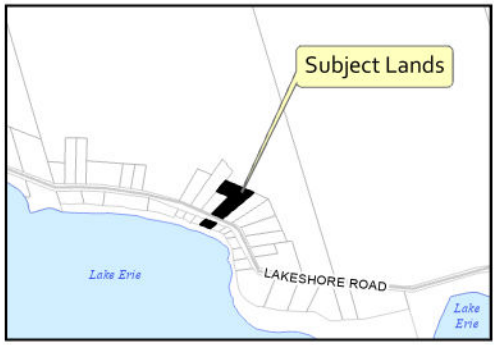
Legal Description:
RNH CON 1 PT LOT 16 18R 5037 PARTS 1 & 3

Property Assessment Number:
2810 158 001 54700 0000

Size:
0.36 Acres

Zoning:
RL (Lakeshore Residential), LPRCA Regulated Lands & HCOP Lakeshore Hazard Lands

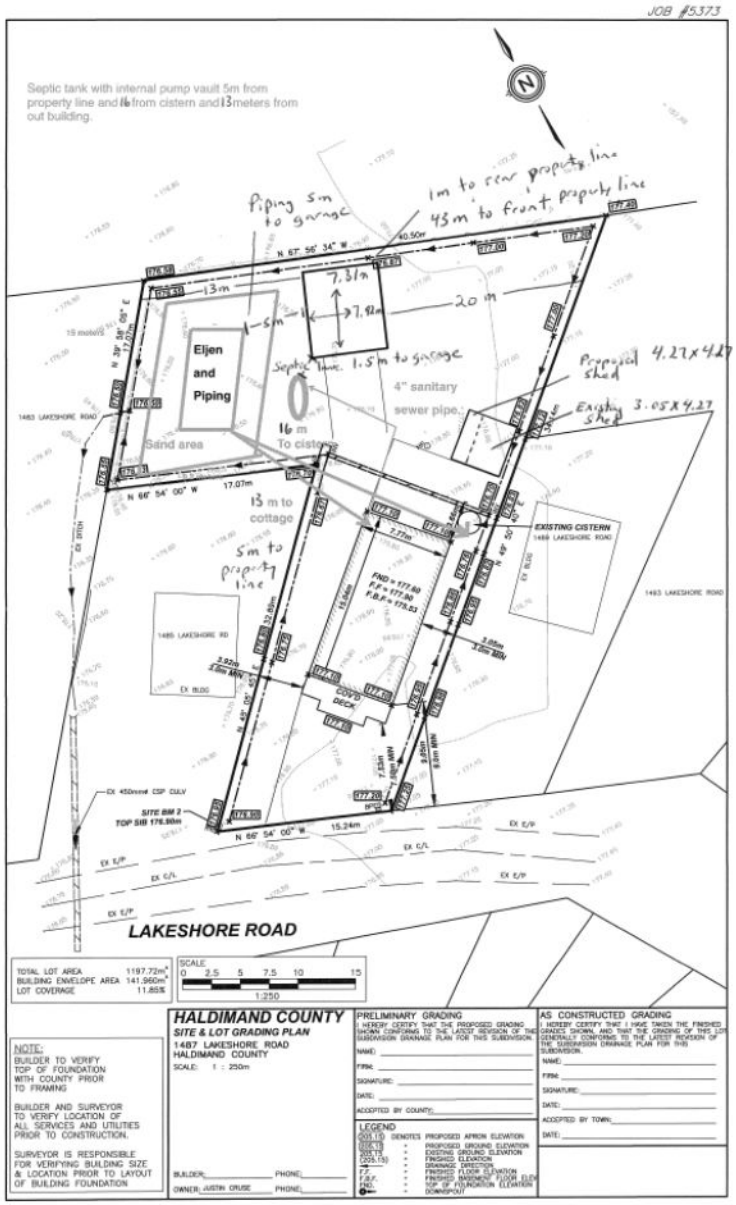
HALDIMAND COUNTY, IT'S EMPLOYEES, OFFICERS AND AGENTS ARE NOT RESPONSIBLE FOR ANY ERRORS, OMISSIONS OR INACCURACIES WHETHER DUE TO THEIR OWN NEGLIGENCE OR OTHERWISE. DO NOT USE FOR OPERATING MAP OR DESIGN PURPOSES. ALL INFORMATION TO BE VERIFIED.



PREPARED BY HALDIMAND COUNTY PLANNING & DEVELOPMENT DIVISION, GIS SECTION. Sep 2023

Path: T:\Planning and Economic Development\PD\GIS\Applications\2023\PLA\PLA-2023-145 (Cruse)\PLA2023145\PLA2023145.aprx

Owner's Sketch FILE #PLA-2023-145 APPLICANT: Cruse



Haldimand County
Committee of Adjustment
Minor Variance

Meeting Date: November 14, 2023

File Number: PLA-2023-146

Property Roll Number: 2810-154-004-28600

Applicant: Heaslip Ford Sales Ltd.

Agent: David McPherson

Property Location: Plan 905, Block 18, Part Lot 19 and 20, Registered Plan 18R3869, Urban Area of Hagersville, known municipally as 18 Main Street South

Recommendation

That application PLA-2023-146 be approved. The application meets the four tests of a minor variance.

Details of the Submission

Proposal: The relief is requested to exclude Ford Transit Vans from the Commercial Motor Vehicle definition so that they may be serviced and repaired in the proposed new automotive service station building, and recognize the following:

Definition(s)	Required	Proposed	Deficiency
Commercial Motor Vehicle Definitions – Length	6.7 metres (22.0 feet)	7.0 metres (23.0 feet)	0.3 metres (1.0 feet)
Commercial Motor Vehicle Definitions – Height	2.2 metres (7.2 feet)	3.0 metres (9.8 feet)	0.8 metres (2.6 feet)

Site Features and Land Use: The subject property is 0.45 hectares (1.12 acres) in area, is located mid-block, and has approximately 34 metres (111.5 feet) of frontage on Howard St. and approximately 92 metres (302 feet) of frontage on Main St. S.

The existing Ford dealership along with offices, repair bays and vehicle storage, occupy the east portion of the subject property which is zoned Downtown Commercial (CD) and fronts on Main St. S.

The portion of the lot to the west, with frontage on Howard St., is where the proposed new “Automobile Service Station” building is to be located. This part of the property is zoned General Commercial (CG). Access for the proposed Automobile Service Station will be taken off Howard St.

The subject property has municipal water and sanitary services.

Surrounding land uses include: residential and commercial uses to the north; commercial uses to the east; commercial and residential uses to the south; and, predominantly residential uses to the west.

Existing Intensive Livestock Operations: Not applicable.

Agency & Public Comments

Haldimand County Building & Municipal Enforcement Services: No comments or concerns.

Haldimand County Planning & Development Services – Development Technologist: There needs to be a minor adjustment between the site plan & servicing plan (C-1) and the elevations plan (S-1). The overhead and personal doors must match in both plans. *Planning staff note: this will be addressed at the site plan stage.*

Haldimand County Emergency Services: No comments received.

Haldimand County Water and Wastewater Engineering & Compliance: No comments received.

Hydro One: No comments received.

Municipal Property Assessment Corporation: No comments received.

Mississaugas of the Credit: No comments received.

Six Nations: No comments received.

Public: No comments received.

Planning Analysis

A minor variance is required to meet four tests under Section 45(1) of the *Planning Act*:

1. Does the application conform to the general intent of the Official Plan?

   Planning staff comment: The subject property is designated Community Commercial in the OP. The proposed automotive service station building is a permitted use in the Community Commercial designation. Staff are of the opinion that the subject application meets the general intent and purpose of the Official Plan.

2. Does the application conform to the general intent of the Zoning By-law?

   Planning staff comment: The subject application is required to permit the construction of a stand alone building intended to facilitate repairs on Ford Transit Vans, on the west portion of the property fronting on Howard. An "Automobile Service Station" is a permitted use in the CG zone. However, given their size, Ford Transit Vans fall under the definition of a Commercial Motor Vehicle set out in Haldimand County Zoning By-law HC 1-2020:

   "VEHICLE, COMMERCIAL MOTOR" shall mean a motor vehicle:
   a) Which for the purposes of the Highway Traffic Act, has a registered gross weight of more than 3,629 kilograms; or
   b) Which has a height greater than 2.2 metres; or
   c) Which has a length greater than 6.7 metres; or
   d) Which is a truck tractor capable of hauling trailers on the highway; or
   e) Which is a trailer hauled by truck tractor but does not include a mobile home."

   There are two types of automotive service garages recognized in Haldimand County Zoning By-law HC 1-2020: "Automobile Service Station" and "Industrial Garage":

   "AUTOMOBILE SERVICE STATION" shall mean a building or structure wherein vehicles are serviced and / or repaired. An automobile service station shall not include an automobile body shop or an industrial garage.

   "GARAGE, INDUSTRIAL" shall mean a building, structure or lot where commercial and industrial vehicles and equipment such as buses, trucks and construction and industrial vehicles and equipment are stored, repaired, maintained, leased, washed or sold.

   Staff are of the opinion that the subject application which would permit the proposed automobile service station to service and repair Ford Transit Vans,

which are more similar to a use serviced by an automobile service station rather than an industrial garage. The subject application meets the general intent and purpose of the Zoning By-law.

3. Is the application desirable for the appropriate development of the lands in question?

   Planning staff comment: The subject property is part of an existing Ford Dealership. The subject application simply allows the addition of a new service and repair building designed to meet service and repair needs for Ford Transit Vans. The dealership could apply for a building permit for Automotive Service Station building that would not require a minor variance but for the size of the Ford Transit Vans.

   Staff are satisfied that the proposal is desirable for the appropriate development of the lands in question.

4. Is the application minor?

   Planning staff comment: Staff have received no concerns or objections from departments, external agencies or the public with respect to the subject application. The application is consistent with the PPS, maintains the general intent and purpose the County's OP, maintains the general intent and purpose of the Zoning By-law, is desirable for the appropriate development of the lands. Staff are of the opinion that the application is minor.

The subject application meets the four tests of a minor variance.

Notice Sign and Applicant Discussion

A public notice sign was posted in accordance with the *Planning Act, R.S.O. 1990, c. P.13* on November 2, 2023.

Staff have contacted the applicant and discussed the recommendations as set out in this report. Staff have confirmed with the applicant that he/she understands the nature of and content contained within the recommendations as well as any requirements/conditions relating to such. A copy of the staff report has been provided to the applicant.

Prepared by:

_____

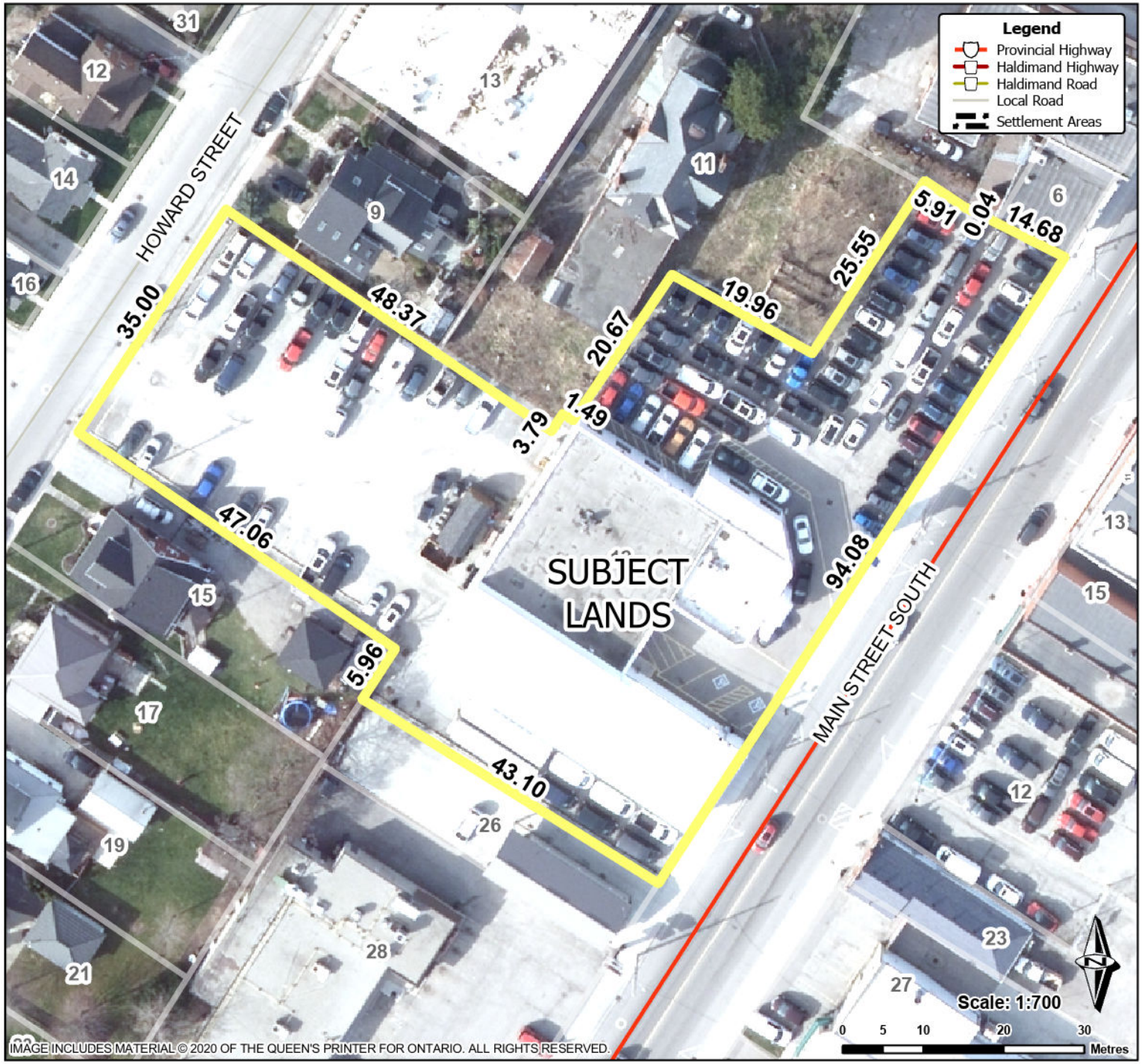
John Douglas, MCIP, RPP
Senior Planner
905-318-5932 ext. 6252

Reviewed by:

_____

Alisha Cull, BES, MCIP, RPP
Supervisor, Planning & Development
905-318-5932 ext. 6208

Location Map FILE #PLA-2023-146 APPLICANT: Heaslip Ford Sales Ltd.



Haldimand County

Location:

12 - 22 MAIN STREET SOUTH
URBAN AREA OF HAGERSVILLE
WARD 1

Legal Description:

CPLAN 905 BLK 18 LOTS 4 5 17 AND 18 PT LOTS 16 19 AND 20 PT LANE PT UNNAMED LANE AND RP 18R3869 PARTS 1 TO 3 RP 18R6476 PART 1

Property Assessment Number:

2810 154 004 28800 0000

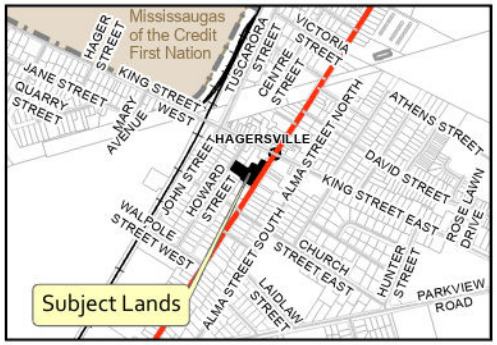
Size:

1.12 Acres

Zoning:

CD (Downtown Commercial) &
CG (General Commercial)

HALDIMAND COUNTY, IT'S EMPLOYEES, OFFICERS AND AGENTS ARE NOT RESPONSIBLE FOR ANY ERRORS, OMISSIONS OR INACCURACIES WHETHER DUE TO THEIR OWN NEGLIGENCE OR OTHERWISE. DO NOT USE FOR OPERATING MAP OR DESIGN PURPOSES. ALL INFORMATION TO BE VERIFIED.



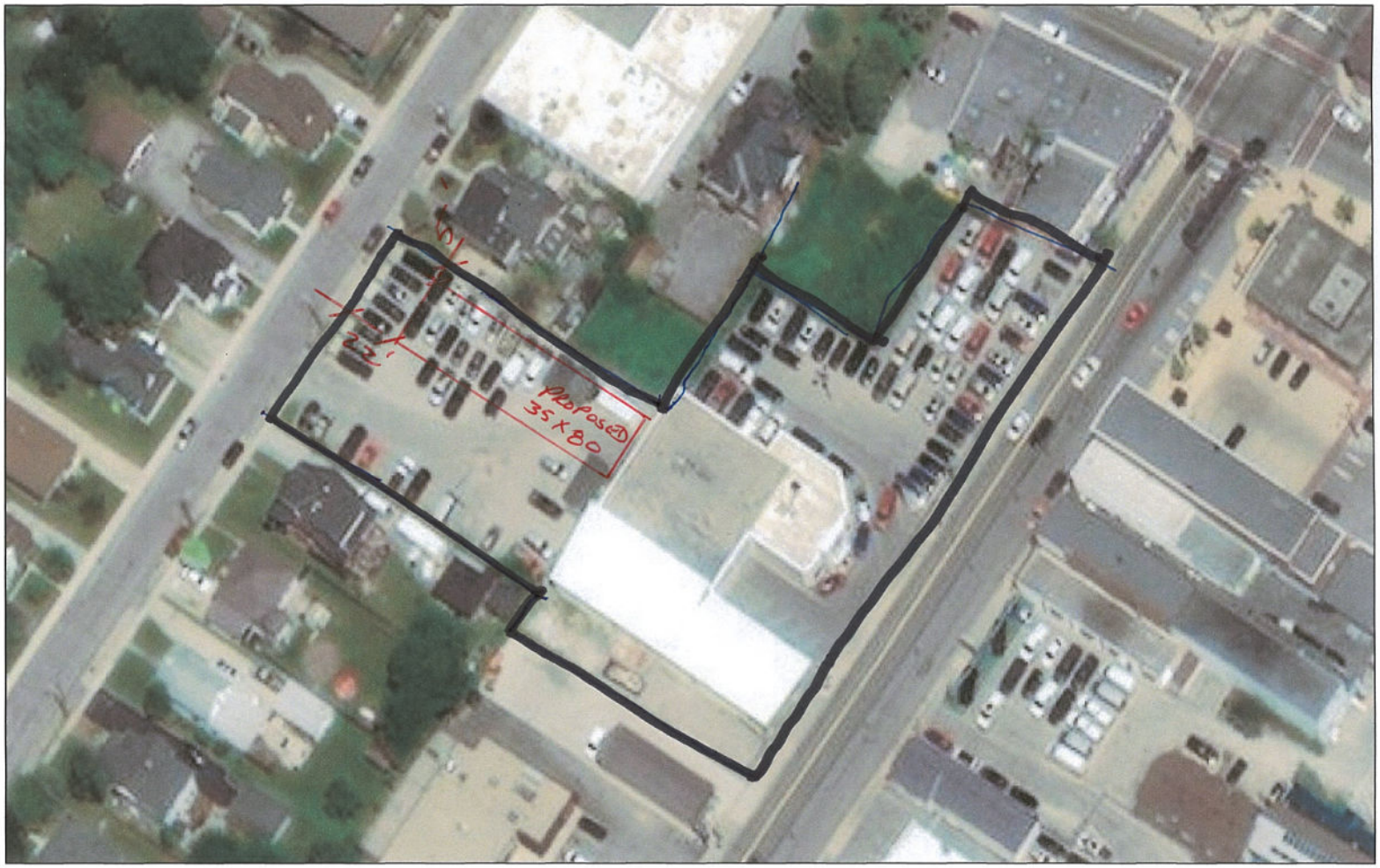
PREPARED BY HALDIMAND COUNTY PLANNING & DEVELOPMENT DIVISION, GIS SECTION. Sep 2023

Path: T:\Planning and Economic Development\PD\GIS\Applications\2023\PLA\PLA-2023-146 (Heaslip Ford Sales Ltd.)\PLA2023146\PLA2023146.aprx

Owner's Sketch 1 of 5 FILE #PLA-2023-146 APPLICANT: Heaslip Ford Sales Ltd.

Haldimand County

Zoning



8/8/2022, 8:50:34 PM

1:1,128

0 0.0075 0.015 0.03 mi

0 0.015 0.03 0.06 km

Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

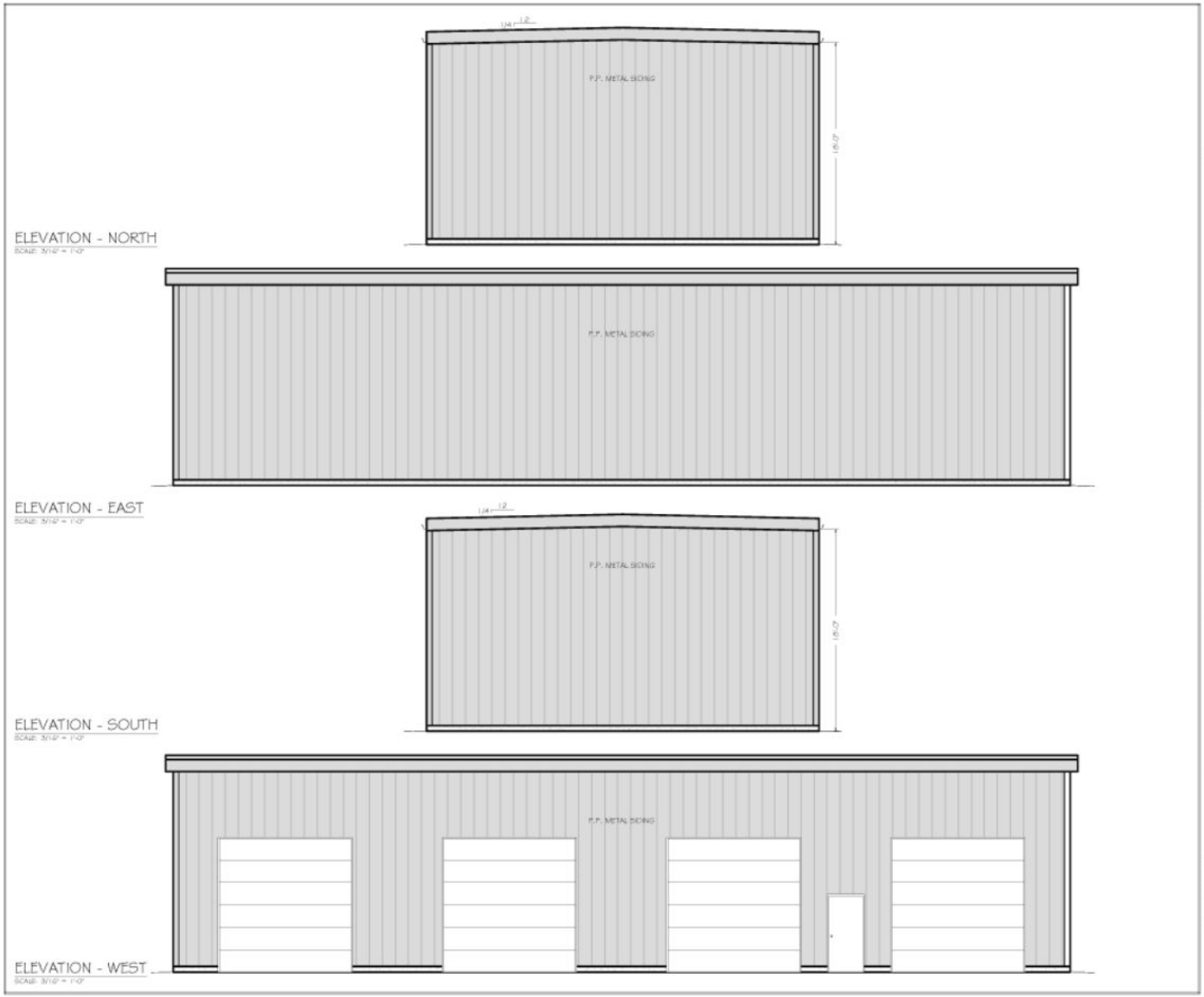
Haldimand County

PREPARED BY HALDIMAND COUNTY PLANNING & DEVELOPMENT DIVISION, GIS SECTION. Sep 2023

Path: T:\Planning and Economic Development\PD\GIS\Applications\2023\PLA\PLA-2023-146 (Heaslip Ford Sales Ltd.)\PLA2023146\PLA2023146.aprx

Owner's Sketch 2 of 5 FILE #PLA-2023-146 APPLICANT: Heaslip Ford Sales Ltd.

Haldimand County



KAS ENGINEERING

1333 HIGHWAY #3
DUNNVILLE, ONTARIO
N1A 2W7
phone: (905) 774-4307

THE DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY OF THE ENGINEER TO BE USED ONLY FOR THE PROJECT FOR WHICH THEY WERE ISSUED.

COPYRIGHT 2023

REGISTERED PROFESSIONAL ENGINEER
May 2023
D. V. GLENNEY
PROVINCE OF ONTARIO

5			
4			
3			
2			
1			
0	ISSUED FOR PRE-CON MEETING	MAY 19/23	MG
#	PURPOSE OF ISSUE	DATE OF ISSUE	BY

HEASLIP FORD

AUTOMOTIVE REPAIR GARAGE

18 MAIN ST
HAGERSVILLE, ON
N0A 1H0

DRAWING

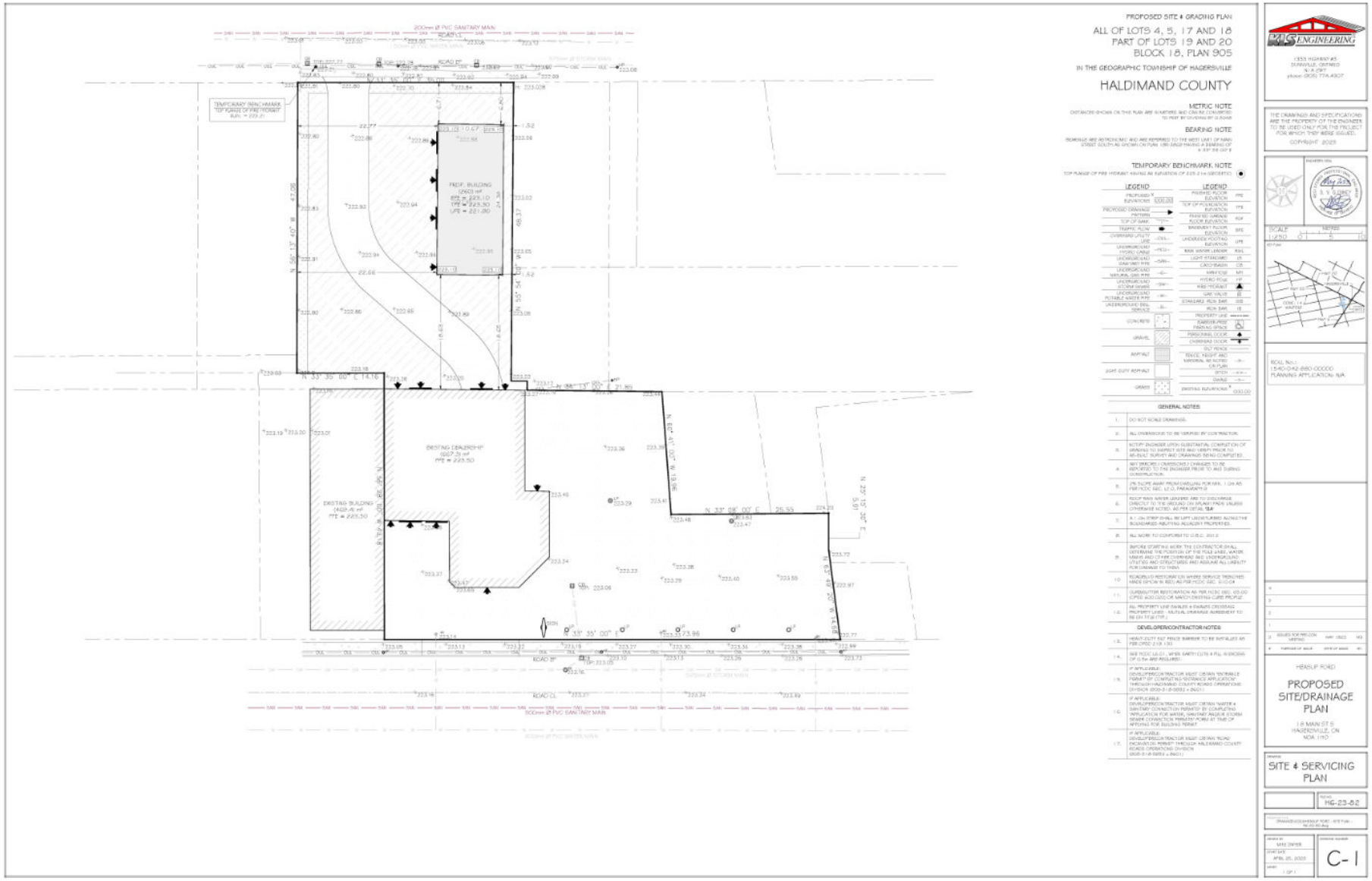
ELEVATIONS

SCALE	FILE NUMBER
AS NOTED	H6-23-82

DRAWN BY: MIKE DWYER
DATE: MAY 17, 2023
SHEET NUMBER: 1 OF 1
DRAWING NUMBER: S-1

Owner's Sketch 3 of 5 FILE #PLA-2023-146 APPLICANT: Heaslip Ford Sales Ltd.

Haldimand County

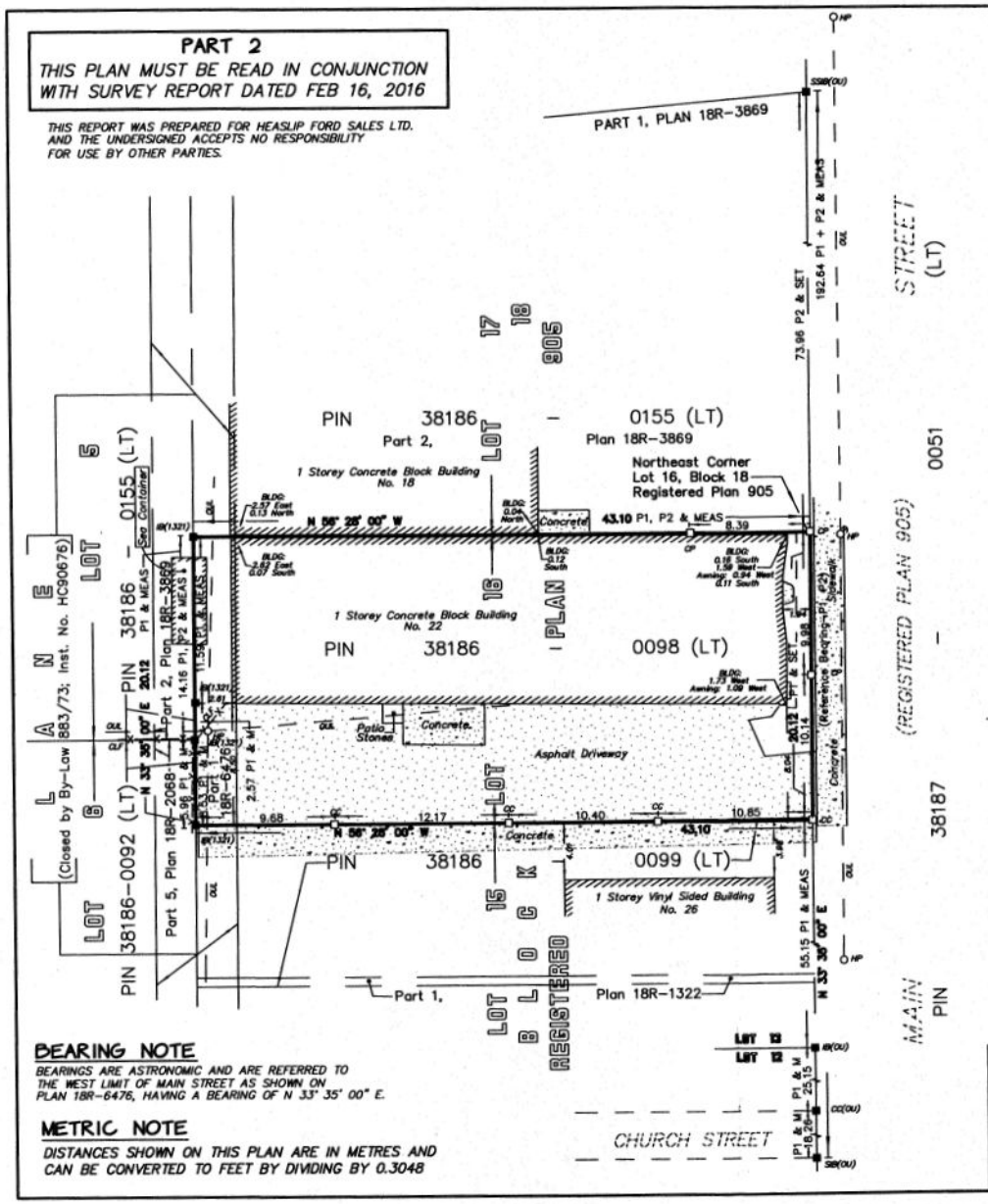


Owner's Sketch 4 of 5 FILE #PLA-2023-146 APPLICANT: Heaslip Ford Sales Ltd.

Haldimand County

PART 2
THIS PLAN MUST BE READ IN CONJUNCTION WITH SURVEY REPORT DATED FEB 16, 2016

THIS REPORT WAS PREPARED FOR HEASLIP FORD SALES LTD. AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES.



BEARING NOTE

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE WEST LIMIT OF MAIN STREET AS SHOWN ON PLAN 18R-6476, HAVING A BEARING OF N 33° 35' 00" E.

METRIC NOTE

DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

SURVEYOR'S REAL PROPERTY REPORT
PART 1 : PLAN SHOWING

ALL OF LOT 16
PART OF LANE
BLOCK 18
REGISTERED PLAN 905

Geographic Village of Hagersville

HALDIMAND COUNTY

0 5 10 15 20 25 Metres

Scale 1 : 250
Rasch & Hyde Ltd.
Ontario Land Surveyors

LEGEND

—O—	DENOTES	SURVEY MONUMENT PLANTED
—■—	DENOTES	SURVEY MONUMENT FOUND
SIB	DENOTES	STANDARD IRON BAR (25mmX25mmX120cm)
SSIB	DENOTES	SHORT STANDARD IRON BAR (25mmX25mmX60cm)
IB	DENOTES	IRON BAR (15mmX15mmX60cm)
IB Ø	DENOTES	ROUND IRON BAR (20mm DIA X 60cm)
IT	DENOTES	IRON TUBE
WIT	DENOTES	WITNESS
CC	DENOTES	CUT CROSS
CP	DENOTES	CONCRETE PIN
OU	DENOTES	ORIGIN UNKNOWN
PIN	DENOTES	PROPERTY IDENTIFIER NUMBER
(1321)	DENOTES	RASCH & HYDE O.L.S.
P1	DENOTES	PLAN 18R-6476
P2	DENOTES	PLAN 18R-3869
HP	DENOTES	HYDRO/UTILITY POLE
OUL	DENOTES	OVERHEAD UTILITY/HYDRO LINE
CLF	DENOTES	CHAIN LINK FENCE
M/MEAS	DENOTES	MEASURED
⟶	DENOTES	GUY ANCHOR

SURVEYOR'S CERTIFICATE

I CERTIFY THAT :

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
2. THIS SURVEY WAS COMPLETED ON THE 8th DAY OF FEBRUARY 2016

FEBRUARY 16, 2016
DATE

HAROLD D. HYDE
ONTARIO LAND SURVEYOR

© COPYRIGHT
Rasch & Hyde Ltd., OLS's, 2016

ASSOCIATION OF ONTARIO LAND SURVEYORS
PLAN SUBMISSION FORM
1963898

THIS PLAN IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR In accordance with Regulation 1026, Section 29(3).

RASCH + HYDE LTD.
Ontario Land Surveyors

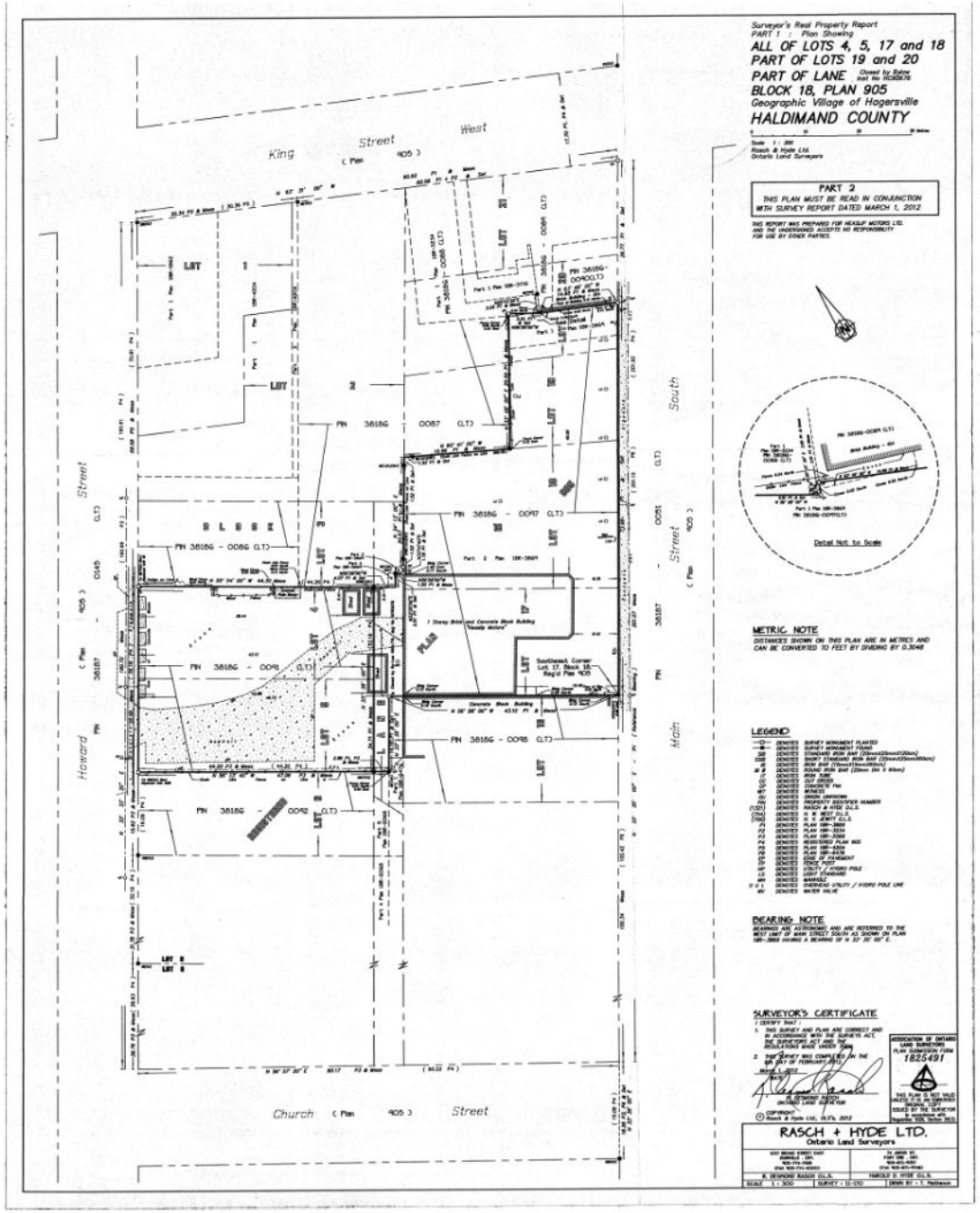
P.O. Box 6, 1333 Highway #3 East, Unit B
DUNNVILLE, ONT, N1A 2X1
905-774-7188
(FAX 905-774-4000)

P.O. Box 550, 74 Jarvis St.
FORT ERIE, ONT, L2A 5Y1
905-871-9757
(FAX 905-871-9748)

HAROLD D. HYDE O.L.S. | R. DESMOND RASCH O.L.S. (RET)

SCALE 1 : 250 | SURVEY : 16-010 | DRWN BY : A. Wasylin

Owner's Sketch 5 of 5 FILE #PLA-2023-146 APPLICANT: Heaslip Ford Sales Ltd.



Haldimand County
Committee of Adjustment
Minor Variance

Meeting Date: November 14, 2023

File Number: PLA-2023-149

Property Roll Number: 2810-158-001-60164

Applicant: Matt Buckle

Agent: Kim Hessels

Property Location: Plan 140, Lot 3, Geographic Township of Rainham, known municipally as 6 Featherstone Avenue

Recommendation

That application PLA-2023-149 be approved. The application meets the four tests of a minor variance. Approval is subject to the following conditions:

1. That a septic evaluation for severed parcel be completed and submitted to the Haldimand County Building Controls and By-law Enforcement Division for approval. (Septic evaluations must be completed prior to the issuance of the certificate. Please allow approximately six (6) months for completion of the septic evaluation.) Please contact the Building Controls and By-law Enforcement Division at 905-318-5932, for further clarification.
2. Receipt of a letter from the Planning and Development Division, indicating that their requirements, regarding surface drainage of the property, have been satisfied. Typically the county would require a full lot grading to be designed, in lieu of that, the proponent shall provide the Planning and Development Division with a letter assuring that all storm water from this parcel will be discharged toward the roadway, or a large body of water (lake, river, stream or other conveyance system), not adjacent properties. This is required as the new development as proposed, has the potential to increase the volume or rate of the storm runoff and may impact abutting landowners. A sample form letter can be provided. Contact the Development & Design Technologist at 905-318-5932, ext. 6253, for further clarification.

Details of the Submission

Proposal: Relief is requested from the accessory building maximum usable floor area provision of the Lakeshore Residential (RL) Zone of Zoning By-law HC 1-2020 as follows:

Development Standard(s)	Required	Proposed	Deficiency
Usable Floor Area	75 square metres (807 square feet)	126.9 square metres (1366 square feet)	51.9 square metres (559 square feet)

The relief is requested to permit the construction of a storage building on the subject property.

Site Features and Land Use: The subject lands currently contain a dwelling and a small shed. The lands are located on the north side of Featherstone Avenue, west of Sweets Corners Road in the lakeshore node of Featherstone Point. The lot abuts active farmland to the north, with residential dwellings to the east, west, and south.

Existing Intensive Livestock Operations: Not applicable.

Agency & Public Comments

Haldimand County Building & Municipal Enforcement Services: Require septic evaluation that mantle is not disturbed by the new building.

Haldimand County Planning & Development Services – Development Technologist: Direct runoff to watercourse assurances (in lieu of grading plan). There should be a positive drainage of the water runoff towards the right-of-way.

Haldimand County Emergency Services: No comments received.

Haldimand County Water and Wastewater Engineering & Compliance: No comments received.

Hydro One: No comments received.

Municipal Property Assessment Corporation: No comments received.

Mississaugas of the Credit: No comments received.

Six Nations: No comments received.

Public: No comments received.

Planning Analysis

A minor variance is required to meet four tests under Section 45(1) of the *Planning Act*:

1. Does the application conform to the general intent of the Official Plan?

   Planning staff comment: The subject lands are designated “Resort Residential Node” in the Haldimand County Official Plan. The “Resort Residential Node” designation permits residential dwellings and related accessory buildings. The subject application will facilitate the construction of a garage and storage area.

   It is the opinion of Planning staff that the subject application conforms to the Official Plan.

2. Does the application conform to the general intent of the Zoning By-law?

   Planning staff comment: The subject lands are zoned “Lakeshore Residential (RL)” in the Zoning By-law. The subject application is seeking relief to permit the construction of a garage. The application is seeking 51.9 square metres (559 square feet) of relief to permit a total usable floor area of 126.9 square metres (1366 square feet) where 75 square metres (807 square feet) is permitted.

   The intent of the maximum usable floor area provision is to ensure that the accessory structure will remain secondary to the primary use of the property. In this case, the requested relief is to provide sufficient space for storage of seasonal vehicles, as well as other storage needs. No other deficiencies will result from the construction of the proposed garage. The accessory structure will remain secondary to the primary residential use of the property.

   It is Planning staff’s opinion that the subject application maintains the intent of the Zoning By-law.

3. Is the application desirable for the appropriate development of the lands in question?

   Planning staff comment: The subject application will facilitate the construction of a garage. The proposed garage is intended to accommodate personal storage and is permitted on the subject lands. The increased usable floor area will not impact adjacent residential uses and is not anticipated to negatively impact the agricultural use to the north.

It is the opinion of planning staff that the subject application is appropriate and desirable for the lands in question.

4. Is the application minor?

   Planning staff comment: The subject application will result in an increased usable floor area of an accessory structure on the subject property. The proposed garage are for personal use and will not negatively impact the function of the subject lands or adjacent parcels.

   It is the opinion of Planning staff that the subject application is minor.

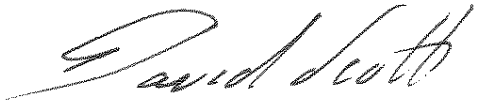
The subject application meets the four tests of a minor variance.

Notice Sign and Applicant Discussion

A public notice sign was posted in accordance with the *Planning Act, R.S.O. 1990, c. P.13* on September 26, 2023.

Staff have contacted the applicant and discussed the recommendations as set out in this report. Staff have confirmed with the applicant that he/she understands the nature of and content contained within the recommendations as well as any requirements/conditions relating to such. A copy of the staff report has been provided to the applicant.

Prepared by:



_____

David Scott, MPLAN
Secretary-Treasurer, Committee of Adjustment
905-318-5932 ext. 6220

Reviewed by:

_____

Alisha Cull, BES, MCIP, RPP
Supervisor, Planning & Development
905-318-5932 ext. 6208

Location Map FILE #PLA-2023-149 APPLICANT: Buckle

IMAGE INCLUDES MATERIAL © 2020 OF THE QUEEN'S PRINTER FOR ONTARIO. ALL RIGHTS RESERVED.

Haldimand County

Location:

6 FEATHERSTONE AVENUE
GEOGRAPHIC TOWNSHIP OF RAINHAM
WARD 2

Legal Description:

RNH PLAN 140 LOT 3

Property Assessment Number:

2810 158 001 60164 0000

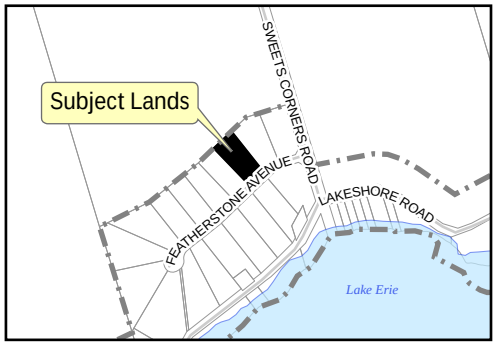
Size:

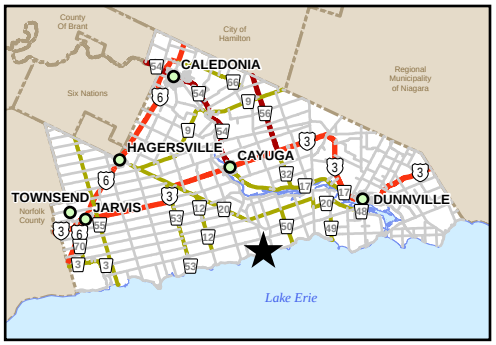
1.1 Acres

Zoning:

RL (Lakeshore Residential)

HALDIMAND COUNTY, IT'S EMPLOYEES, OFFICERS AND AGENTS ARE NOT RESPONSIBLE FOR ANY ERRORS, OMISSIONS OR INACCURACIES WHETHER DUE TO THEIR OWN NEGLIGENCE OR OTHERWISE. DO NOT USE FOR OPERATING MAP OR DESIGN PURPOSES. ALL INFORMATION TO BE VERIFIED.

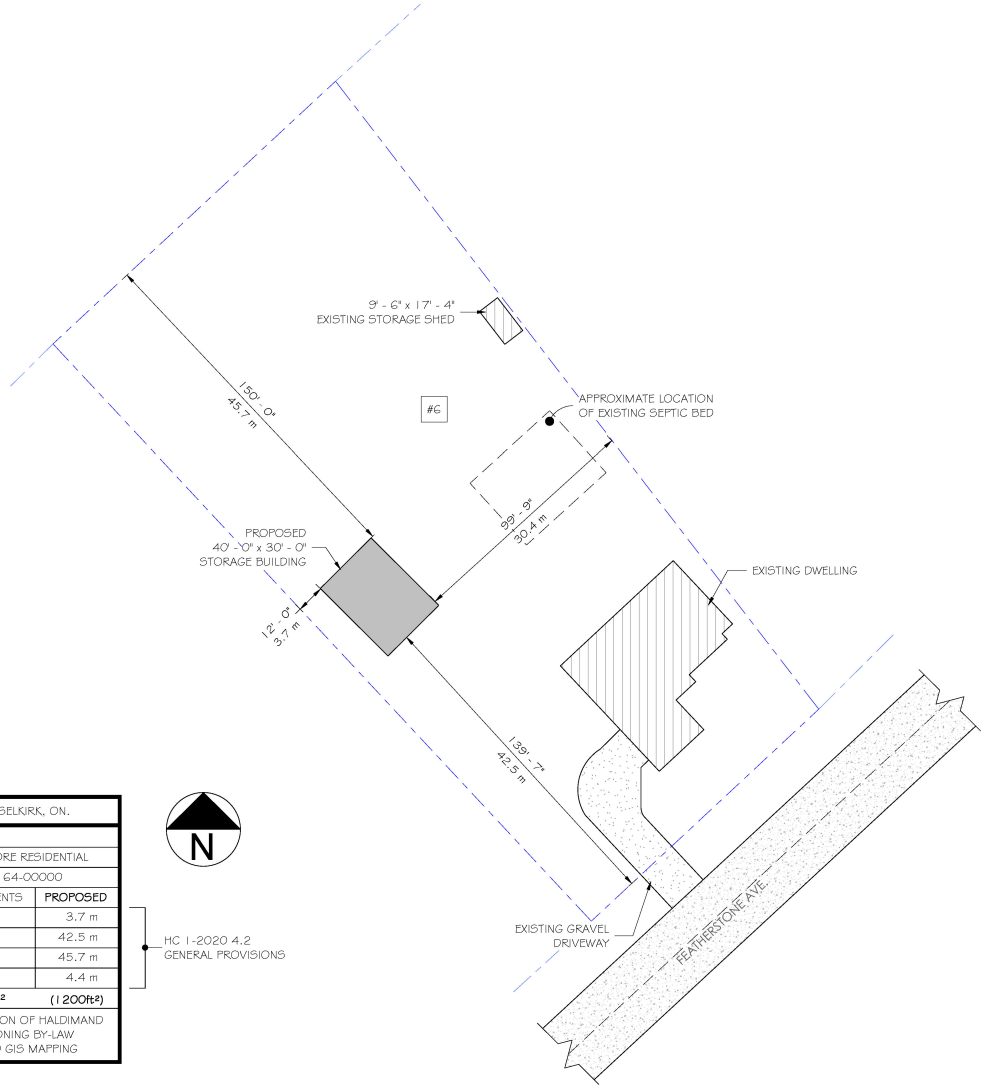




PREPARED BY HALDIMAND COUNTY PLANNING & DEVELOPMENT DIVISION, GIS SECTION. Oct 2023

Path: T:\Planning and Economic Development\PD\GIS\Applications\2023\PLA\PLA-2023-149 (Buckle)\PLA2023149\PLA2023149.aprx

Owner's Sketch 1 of 2 FILE #PLA-2023-149 APPLICANT: Buckle



6 FEATHERSTONE AVENUE - SELKIRK, ON.		
LOT AREA	1.10 ACRES	
ZONING	RL: LAKESHORE RESIDENTIAL	
ROLL NUMBER	1580-016-164-00000	
ZONE PROVISIONS	REQUIRMENTS	PROPOSED
MIN. SIDE YARD	1.0 m	3.7 m
MIN. FRONT YARD	1.0 m	42.5 m
MIN. REAR YARD	1.0 m	45.7 m
MAX. BUILDING HEIGHT	4.5 m	4.4 m
BLDG FOOTPRINT	111.4 m²	(1200ft²)
IDENTIFIED USING THE CORPORATION OF HALDIMAND COUNTY COMPREHENSIVE ZONING BY-LAW No. HC 1-2020 & HALDIMAND GIS MAPPING		

HC 1-2020 4.2
GENERAL PROVISIONS

KLS ENGINEERING
1333 HIGHWAY #3
DUNNVILLE, ONTARIO
N1A 2W7
phone: (905) 774-4307

THE DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY OF THE ENGINEER TO BE USED ONLY FOR THE PROJECT FOR WHICH THEY WERE ISSUED.

COPYRIGHT 2023

REGISTERED PROFESSIONAL ENGINEER
D. V. GLENNEY
PROVINCE OF ONTARIO

SITE PLAN UPDATE	4	AUG. 21/23	BB
REV'D AS PER OWNER	3	AUG. 17/23	BB
TRUSS LAYOUT	2	AUG. 9/23	BB
ISSUED FOR PERMIT	1	JULY 26/23	BB
PRINTS ISSUED/REVISIONS	NO.	DATE	BY

MATT BUCKLE

STORAGE BUILDING

6 FEATHERSTONE AVE.,
SELKIRK, ON.,
N0A 1P0

DRAWING
SITE PLAN

SCALE: As indicated

B37-23-237

DRAWING FILE:
G:\SHARED\Drawings\2023\B37-23-237\B37-23-237 - MATT BUCKLE - STORAGE BUILDING - B37-23-237\B37-23-237 - MATT BUCKLE - STORAGE BUILDING - B37-23-237.DWG

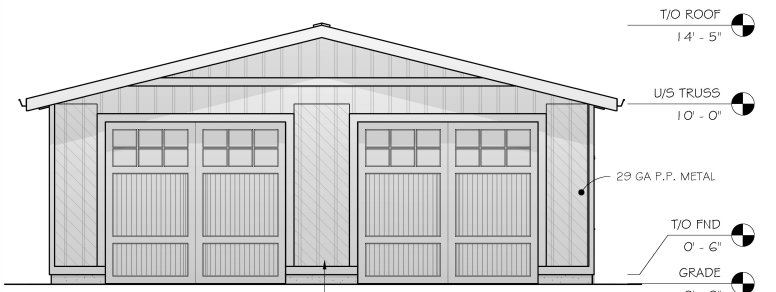
DRAWN BY: B. BENNETT

DATE: JULY 26, 2023

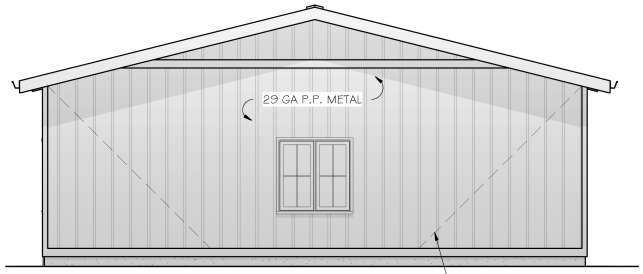
SHEET: 1 OF 1

DRAWING NUMBER: C-1

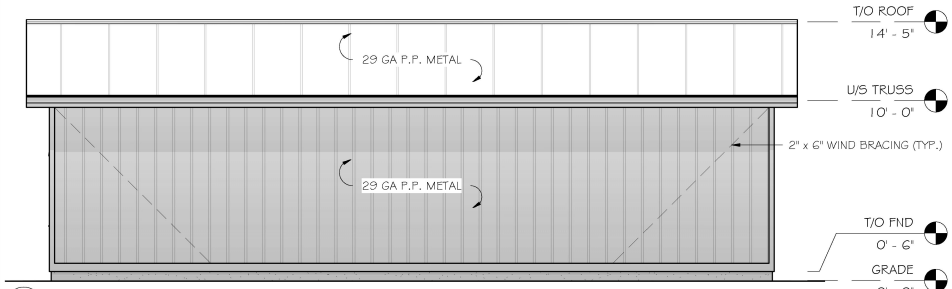
Owner's Sketch 2 of 2 FILE #PLA-2023-149 APPLICANT: Buckle



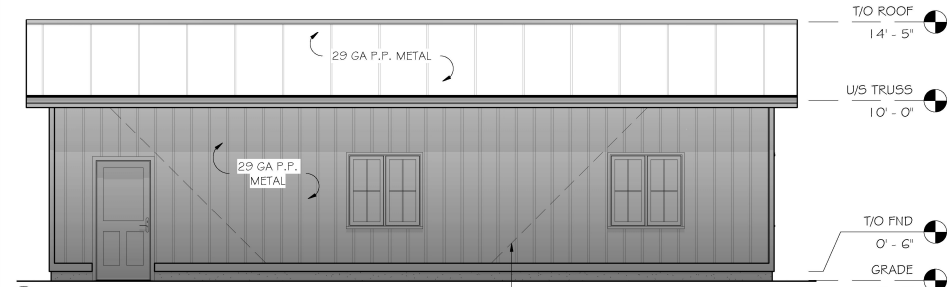
4/2 FRONT
1/4" = 1'-0"



1/2 REAR
1/4" = 1'-0"



3/2 SIDE.
1/4" = 1'-0"



2/2 SIDE
1/4" = 1'-0"

GENERAL NOTES:

- DO NOT SCALE DRAWINGS.
- ALL DIMENSIONS TO BE VERIFIED BY CONTRACTOR
- ANY ERRORS / OMISSIONS TO BE REPORTED TO ENGINEER PRIOR TO CONSTRUCTION
- ALL WORK TO CONFORM TO O.B.C. 2012
- FIRE STOP IN CONCEALED ATTIC SPACE NOT TO EXCEED 98'-0" O.C.
- NOTIFY ENGINEER 48 HRS. IN ADVANCE FOR INSPECTION OF FOOTING EXCAVATION AND FRAMING.
- REMOVE ALL TOP-SOIL AND ORGANIC MATERIAL.
- ALL FOOTINGS TO BE ON UNDISTURBED SOIL AND MIN. OF 4'-0" BELOW LINE OF FINISHED GRADE
- SOIL BRG. CAPACITY TO SUSTAIN A MIN. 3000 P.S.F.

CONCRETE NOTES:

- ULTIMATE COMPRESSIVE STRENGTH @ 28 DAYS
- 32 MPA FOR SLAB ON GRADE
- 25 MPA FOR WALLS AND FOOTINGS
- SLUMP 3" +-1"
- MAX WATER CEMENT RATIO .45 (USE WATER REDUCING AGENT TO IMPROVE WORKABILITY NO WATER TO BE ADDED ON SITE) USE VIBRATORY EQUIPMENT TO ACHIEVE UNIFORM DENSITY
- AIR ENTRAINMENT 5% - 8%
- REINFORCING STEEL TO HAVE MIN. YIELD STRENGTH OF 400 MPA WITH MIN. 3" COVER
- MINIMUM SPLICE LENGTH (10M - 18") (15M - 24")

LUMBER NOTES:

- ALL LUMBER TO BE GRADE #2 OR BETTER
- LUMBER EXPOSED TO MOISTURE TO BE PRESSURE TREATED
- ALL LUMBER SET IN THE GROUND TO BE RATED FOR **"GROUND CONTACT"**
- ALL FASTENERS IN CONTACT WITH PRESSURE TREATED MATERIAL TO BE COMPATIBLE WITH PRESSURE TREATED CHEMICALS
- ALL STEEL SIDING IN CONTACT WITH PRESSURE TREATED WOOD TO BE ISOLATED WITH A LAYER OF ICE & WATER SHIELD OR EQUAL.
- SUBMIT ENGINEERED TRUSS DRAWINGS
- TRUSS BRACING AND STRAPPING AS SPECIFIED BY ENGINEERED TRUSS DRAWING
- TRUSS TIE DOWN TO SUSTAIN UPLIFT SHOWN ON TRUSS DESIGN AND TO BE CONTINUOUS ON FOUNDATION WALL
- ALL LINTELS TO BE 2 - 2" x 10" UNLESS OTHERWISE SPECIFIED

SPECIFIED ROOF TOP CHORD LOADS: *NANTICOKE (JARVIS)*

- SNOW LOAD = 1.5 kPa (31.3 psf)
- RAIN LOAD = 0.4 kPa (8.4 psf)
- HOURLY WIND PRESSURE (1/50) = 0.48 kPa
- DEAD LOAD = 0.20 kPa (4.2 psf)

KLS ENGINEERING
1333 HIGHWAY #3
DUNNVILLE, ONTARIO
N1A 2W7
phone: (905) 774-4307

THE DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY OF THE ENGINEER TO BE USED ONLY FOR THE PROJECT FOR WHICH THEY WERE ISSUED.

COPYRIGHT 2023

REGISTERED PROFESSIONAL ENGINEER
D. V. CLENNEY
PROVINCE OF ONTARIO

ISSUED/REVISIONS	NO.	DATE	BY
TRUSS LAYOUT	2	AUG. 9/23	BB
ISSUED FOR PERMIT	1	JULY 26/23	BB

MATT BUCKLE

STORAGE BUILDING

6 FEATHERSTONE AVE.,
SELKIRK, ON.,
N0A 1P0

DRAWING
ELEVATIONS & VIEWS

SCALE 1/4" = 1'-0"

B37-23-237

DRAWING FILE:
B37-23-237 - MATT BUCKLE - STORAGE BUILDING - 6 FEATHERSTONE AVE - SELKIRK - ON - DRAWINGS - 2 - ELEVATIONS

DRAWN BY B. BENNETT
DATE JULY 14, 2023
SHEET 2 OF 5

DRAWING NUMBER S-2

Haldimand County
Committee of Adjustment
Minor Variance

Meeting Date: November 14, 2023

File Number: PLA-2023-153

Property Roll Number: 2810-155-003-08410

Applicant: Kyle Myers

Agent: Kim Hessels

Property Location: Concession 1 South of Talbot Road, Part Lot 17, Registered Plan 18R6890 Part 1, Geographic Township of North Cayuga, known municipally as 5848 Highway 3

Recommendation

That application PLA-2023-153 be approved. The application meets the four tests of a minor variance.

Details of the Submission

Proposal: Relief is requested from the accessory building maximum usable floor area provisions of the Agricultural (A) Zone of Zoning By-law HC 1-2020 as follows:

Development Standard(s)	Required	Proposed	Deficiency
Usable Floor Area	200 square metres (2152.8 square feet)	222.9 square metres (2399.3 square feet)	22.9 square metres (246.5 square feet)

The relief is requested to permit the construction of a storage building on the subject property.

Site Features and Land Use: The subject lands are located in the geographic township of North Cayuga and front onto the south side of Highway 3. The lands currently contain a single detached dwelling and accessory structures. The surrounding land uses are generally agricultural in nature, with Skydive Ontario located to the west.

Existing Intensive Livestock Operations: Not applicable

Agency & Public Comments

Haldimand County Building & Municipal Enforcement Services: No comments or concerns.

Haldimand County Planning & Development Services – Development Technologist: No comments or concerns.

Haldimand County Emergency Services: No comments received.

Haldimand County Water and Wastewater Engineering & Compliance: No comments received.

Ministry of Transportation: No comments received.

Hydro One: No comments received.

Municipal Property Assessment Corporation: No comments received.

Mississaugas of the Credit: No comments received.

Six Nations: No comments received.

Public: No comments received.

Planning Analysis

A minor variance is required to meet four tests under Section 45(1) of the *Planning Act*:

1. Does the application conform to the general intent of the Official Plan?

   Planning staff comment: The subject lands are designated “Agriculture” in the Haldimand County Official Plan. Single and semi-detached dwellings and accessory buildings are permitted uses within the Agriculture designation.

   It is the opinion of Planning staff that the subject application conforms to the general intent of the Official Plan.

2. Does the application conform to the general intent of the Zoning By-law?

   Planning staff comment: The subject lands are zoned “Agricultural (A)” in the Haldimand County Zoning By-law HC 1-2020. The subject application is seeking relief to permit an accessory building with a total accessory building area of 222.9 square metres (2399.3 square feet) where 200 square metres (2152.8 square feet) is permitted. The intent of the accessory building is to be used as a storage building.

The intent for limiting the area of accessory buildings is to ensure they remain accessory to the primary use on the property and to ensure they do not negatively impact the character of the area. The proposed storage building will be used for personal storage, accessory to the dwelling on the property. Further, the structure will not impact the character of the area and is not anticipated to negatively impact neighbouring properties.

It is the opinion of Planning staff that the subject application maintains the intent of the Zoning By-law.

3. Is the application desirable for the appropriate development of the lands in question?

   Planning staff comment: Accessory structures are permitted in the Agricultural designation. The proposed accessory structure is not anticipated to negatively impact surrounding property and does not require the removal of trees.

   It is the opinion of Planning staff that the subject application is appropriate and desirable development.

4. Is the application minor?

   Planning staff comment: For the reasons listed above, it is the opinion of Planning staff that the subject application is minor.

The subject application meets the four tests of a minor variance.

Notice Sign and Applicant Discussion

A public notice sign was posted in accordance with the *Planning Act, R.S.O. 1990, c. P.13* on September 26, 2023.

Staff have contacted the applicant and discussed the recommendations as set out in this report. Staff have confirmed with the applicant that he/she understands the nature of and content contained within the recommendations as well as any requirements/conditions relating to such. A copy of the staff report has been provided to the applicant.

Prepared by:

_____

Chris Tang
Planning Technician, Planning & Development
905-318-5932 ext. 6210

Reviewed by:

_____

Alisha Cull, BES, MCIP, RPP
Supervisor, Planning & Development
905-318-5932 ext. 6208

Location Map FILE #PLA-2023-153 APPLICANT: Myers

IMAGE INCLUDES MATERIAL © 2020 OF THE QUEEN'S PRINTER FOR ONTARIO. ALL RIGHTS RESERVED.

Haldimand County

Location:
5848 HIGHWAY 3
GEOGRAPHIC TOWNSHIP OF
NORTH CAYUGA
WARD 2

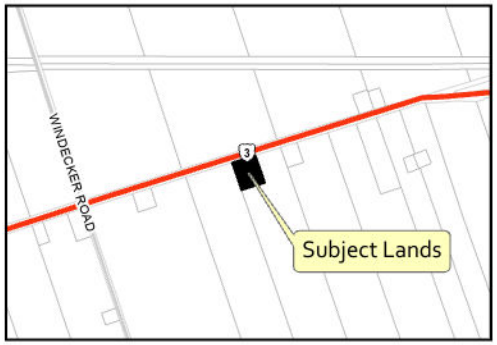
Legal Description:
NORTH CAYUGA CON 1 STR PT LOT 17 RP 18R6890 PART 1

Property Assessment Number:
2810 155 003 08410 0000

Size:
2.81 Acres

Zoning:
A (Agricultural)

HALDIMAND COUNTY, IT'S EMPLOYEES, OFFICERS AND AGENTS ARE NOT RESPONSIBLE FOR ANY ERRORS, OMISSIONS OR INACCURACIES WHETHER DUE TO THEIR OWN NEGLIGENCE OR OTHERWISE. DO NOT USE FOR OPERATING MAP OR DESIGN PURPOSES. ALL INFORMATION TO BE VERIFIED.

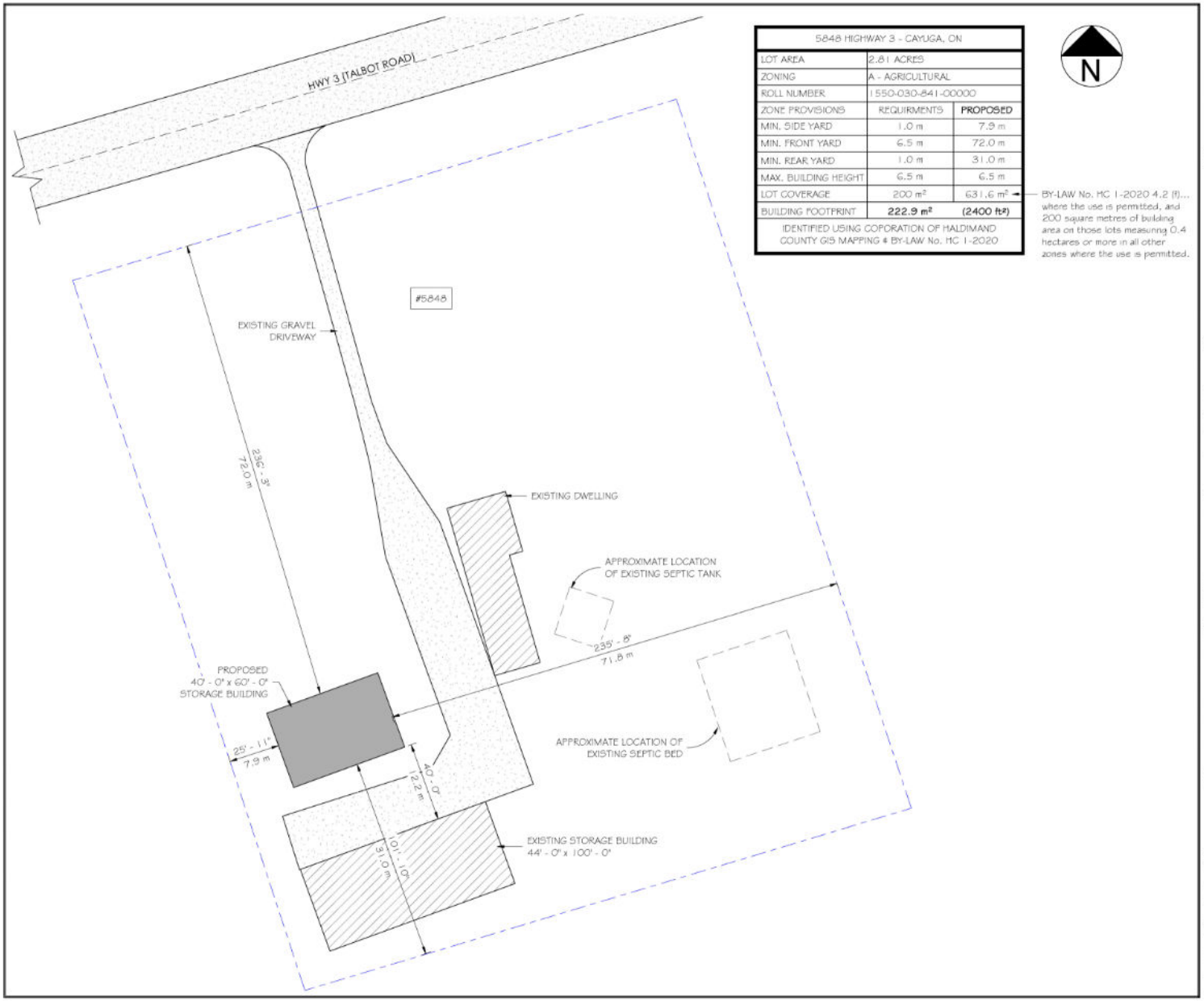


PREPARED BY HALDIMAND COUNTY PLANNING & DEVELOPMENT DIVISION, GIS SECTION. Sep 2023

Path: T:\Planning and Economic Development\PD\GIS\Applications\2023\PLA\PLA-2023-153 (Myers)\PLA2023153\PLA2023153.aprx

Owner's Sketch 1 of 2 FILE #PLA-2023-153 APPLICANT: Myers

Haldimand County



5848 HIGHWAY 3 - CAYUGA, ON		
LOT AREA	2.81 ACRES	
ZONING	A - AGRICULTURAL	
ROLL NUMBER	1550-030-841-00000	
ZONE PROVISIONS	REQUIRMENTS	PROPOSED
MIN. SIDE YARD	1.0 m	7.9 m
MIN. FRONT YARD	6.5 m	72.0 m
MIN. REAR YARD	1.0 m	31.0 m
MAX. BUILDING HEIGHT	6.5 m	6.5 m
LOT COVERAGE	200 m²	631.6 m²
BUILDING FOOTPRINT	**222.9 m²**	**(2400 ft²)**
IDENTIFIED USING COPORATION OF HALDIMAND COUNTY GIS MAPPING & BY-LAW No. MC 1-2020		

BY-LAW No. MC 1-2020 4.2 (f)... where the use is permitted, and 200 square metres of building area on those lots measuring 0.4 hectares or more in all other zones where the use is permitted.

N

KLS ENGINEERING
1333 HIGHWAY #3
DUNNVILLE, ONTARIO
N1A 2W7
phone: (905) 774-4307

THE DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY OF THE ENGINEER TO BE USED ONLY FOR THE PROJECT FOR WHICH THEY WERE ISSUED.

COPYRIGHT 2023

D. V. CLONEY

VINTS CUSTOM CARPENTRY

PRINTS ISSUED/REVISIONS	NO.	DATE	BY
REV'D AS PER COUNTY	3	MAY 17/23	BB
ISSUED FOR PERMIT	2	MAY 3/23	BB
ISSUED FOR REVIEW	1	APR. 28/23	BB

KYLE MYERS

STORAGE BUILDING

5848 HWY #3,
CAYUGA, ON.,
N0A 1E0

DRAWING: SITE PLAN

SCALE: As indicated

V27-23-148

DRAWN BY: B. BENNETT

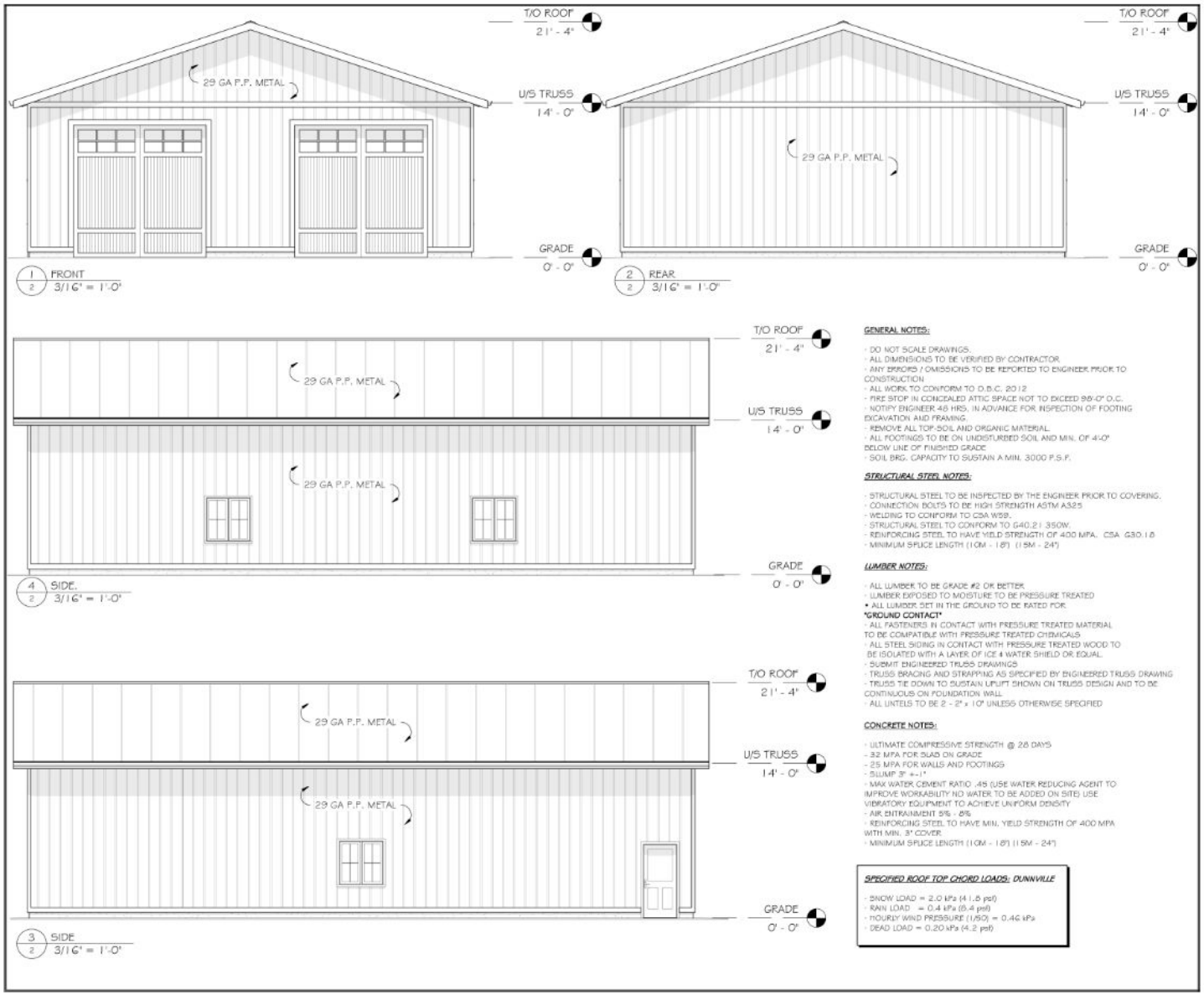
DATE: APR. 20, 2023

SHEET: 1 OF 1

DRAWING NUMBER: C-1

Owner's Sketch 2 of 2 FILE #PLA-2023-153 APPLICANT: Myers

Haldimand County



GENERAL NOTES:

- DO NOT SCALE DRAWINGS.
- ALL DIMENSIONS TO BE VERIFIED BY CONTRACTOR.
- ANY ERRORS / OMISSIONS TO BE REPORTED TO ENGINEER PRIOR TO CONSTRUCTION
- ALL WORK TO CONFORM TO O.B.C. 2012
- FIRE STOP IN CONCEALED ATTIC SPACE NOT TO EXCEED 98'-0" O.C.
- NOTIFY ENGINEER 48 HRS. IN ADVANCE FOR INSPECTION OF FOOTING EXCAVATION AND FRAMING.
- REMOVE ALL TOP-SOIL AND ORGANIC MATERIAL.
- ALL FOOTINGS TO BE ON UNDISTURBED SOIL AND MIN. OF 4'-0" BELOW LINE OF FINISHED GRADE
- SOIL BRG. CAPACITY TO SUSTAIN A MIN. 3000 P.S.F.

STRUCTURAL STEEL NOTES:

- STRUCTURAL STEEL TO BE INSPECTED BY THE ENGINEER PRIOR TO COVERING.
- CONNECTION BOLTS TO BE HIGH STRENGTH ASTM A325
- WELDING TO CONFORM TO CSA W59.
- STRUCTURAL STEEL TO CONFORM TO G40.21 350W.
- REINFORCING STEEL TO HAVE YIELD STRENGTH OF 400 MPA. CSA G30.18
- MINIMUM SPLICE LENGTH (10M - 18") (15M - 24")

LUMBER NOTES:

- ALL LUMBER TO BE GRADE #2 OR BETTER
- LUMBER EXPOSED TO MOISTURE TO BE PRESSURE TREATED
- ALL LUMBER SET IN THE GROUND TO BE RATED FOR:

"GROUND CONTACT"

- ALL FASTENERS IN CONTACT WITH PRESSURE TREATED MATERIAL TO BE COMPATIBLE WITH PRESSURE TREATED CHEMICALS
- ALL STEEL SIDING IN CONTACT WITH PRESSURE TREATED WOOD TO BE ISOLATED WITH A LAYER OF ICE & WATER SHIELD OR EQUAL.
- SUBMIT ENGINEERED TRUSS DRAWINGS
- TRUSS BRACING AND STRAPPING AS SPECIFIED BY ENGINEERED TRUSS DRAWING
- TRUSS TIE DOWN TO SUSTAIN UPLIFT SHOWN ON TRUSS DESIGN AND TO BE CONTINUOUS ON FOUNDATION WALL
- ALL LINTELS TO BE 2 - 2" x 10" UNLESS OTHERWISE SPECIFIED

CONCRETE NOTES:

- ULTIMATE COMPRESSIVE STRENGTH @ 28 DAYS
- 32 MPA FOR SLAB ON GRADE
- 25 MPA FOR WALLS AND FOOTINGS
- SLUMP 3" +-1"
- MAX WATER CEMENT RATIO .45 (USE WATER REDUCING AGENT TO IMPROVE WORKABILITY NO WATER TO BE ADDED ON SITE) USE VIBRATORY EQUIPMENT TO ACHIEVE UNIFORM DENSITY
- AIR ENTRAINMENT 5% - 8%
- REINFORCING STEEL TO HAVE MIN. YIELD STRENGTH OF 400 MPA WITH MIN. 3" COVER
- MINIMUM SPLICE LENGTH (10M - 18") (15M - 24")

SPECIFIED ROOF TOP CHORD LOADS: DUNNVILLE

- SNOW LOAD = 2.0 kPa (41.8 psf)
- RAIN LOAD = 0.4 kPa (8.4 psf)
- HOURLY WIND PRESSURE (1/50) = 0.46 kPa
- DEAD LOAD = 0.20 kPa (4.2 psf)

KLS ENGINEERING
1333 HIGHWAY #3
DUNNVILLE, ONTARIO
N1A 2W7
phone: (905) 774-4307

THE DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY OF THE ENGINEER TO BE USED ONLY FOR THE PROJECT FOR WHICH THEY WERE ISSUED.

COPYRIGHT 2023

REGISTERED PROFESSIONAL ENGINEER
May 2023
D. V. GUNNEY
PROVINCE OF ONTARIO

VINTS CUSTOM CARPENTRY

ISSUED FOR PERMIT	2	MAY 3/23	BD
ISSUED FOR REVIEW	1	APR. 28/23	BD
PRINTS ISSUED/REVISIONS	NO.	DATE	BY

KYLE MYERS

STORAGE BUILDING

5848 HWY #3,
CAYUGA, ON.,
N0A 1E0

DRAWING: ELEVATIONS

SCALE: As indicated | V27-23-148

DRAWN BY: B. BENNETT
DATE: APR. 20, 2023
SHEET: 2 OF 5
DRAWING NUMBER: S-2

Haldimand County
Committee of Adjustment
Minor Variance

Meeting Date: November 14, 2023

File Number: PLA-2023-155

Property Roll Number: 2810-152-003-17392

Applicant: Lori-Ann Veira

Agent: Brett J Tonin

Property Location: Part of the Abraham Nelles Tract, Registered Plan 18R7348 Part 2, Geographic Township of Seneca, known municipally as 9 Sims Lock Road

Recommendation

That application PLA-2023-155 be approved. The application meets the four tests of a minor variance.

Details of the Submission

Proposal: Relief is requested from the exterior side yard provision of the Hamlet Residential (RH) Zone of Zoning By-law HC 1-2020 as follows:

Development Standard(s)	Required	Proposed	Deficiency
Exterior Side Yard	9 metres (29.5 feet)	2.97 metres (9.7 feet)	6.03 metres (19.8 feet)

The relief is requested to permit the construction of an inground swimming pool on the subject property.

Site Features and Land Use: The subject lands are located within the hamlet of Sims Lock and front onto the east side of Sims Lock Road. The subject lands currently contain a dwelling. The surrounding land uses are primarily residential in nature with a large open space area to the rear.

Existing Intensive Livestock Operations: Not applicable.

Agency & Public Comments

Haldimand County Building & Municipal Enforcement Services: No other concerns other than deficiencies applied for in application.

Haldimand County Planning & Development Services – Development Technologist: No comments or concerns.

Haldimand County Emergency Services: No comments received.

Haldimand County Water and Wastewater Engineering & Compliance: No comments received.

Grand River Conservation Authority: No comments or concerns.

Hydro One: No comments received.

Municipal Property Assessment Corporation: No comments received.

Mississaugas of the Credit: No comments received.

Six Nations: No comments received.

Public: No comments received.

Planning Analysis

A minor variance is required to meet four tests under Section 45(1) of the *Planning Act*:

1. Does the application conform to the general intent of the Official Plan?

   Planning staff comment: The subject lands are designated “Hamlet” in the Haldimand County Official Plan. Residential dwellings and related accessory uses are permitted in the “Hamlet” designation.

   It is the opinion of Planning staff that the subject application conforms to the general intent of the Official Plan.

2. Does the application conform to the general intent of the Zoning By-law?

   Planning staff comment: The subject lands are zoned “Hamlet Residential (RH)”. The zoning by-law permits residential dwellings and related accessory uses. The required exterior side yard in the zone is 9 metres (29.5 feet). The subject application is seeking 6.03 metres (19.8 feet) of relief to permit a side yard setback of 2.97 metres (9.7 feet).

The intent of limiting the setback is to ensure that uses on the property are located sufficiently away from other properties and roads. The proposed pool will be separated from Haldimand Highway 54 by fencing, as well as a number of trees that currently line the property.

It is the opinion of Planning staff that the subject application maintains the intent of the Zoning By-law.

3. Is the application desirable for the appropriate development of the lands in question?

   Planning staff comment: The subject application will facilitate the construction of a pool on the property. The new pool will result in a decreased exterior side yard setback and will be hidden from the street by fencing and a number of trees. The lot is triangular in shape, resulting in the exterior side yard functioning as the rear yard. Due to this configuration, as well as the location of the septic system, it would be challenging to locate the proposed pool outside of the required setback.

   It is the opinion of Planning staff that the subject application is desirable and appropriate development.

4. Is the application minor?

   Planning staff comment: The subject application is proposing to construct a pool with reduced side yard setback. The pool will be for personal use on the subject lands and will be well buffered from adjacent uses.

   It is the opinion of Planning staff that the subject application is minor.

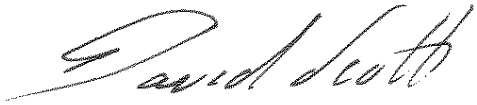
The subject application meets the four tests of a minor variance.

Notice Sign and Applicant Discussion

A public notice sign was posted in accordance with the *Planning Act, R.S.O. 1990, c. P.13* on September 26, 2023.

Staff have contacted the applicant and discussed the recommendations as set out in this report. Staff have confirmed with the applicant that he/she understands the nature of and content contained within the recommendations as well as any requirements/conditions relating to such. A copy of the staff report has been provided to the applicant.

Prepared by:



_____

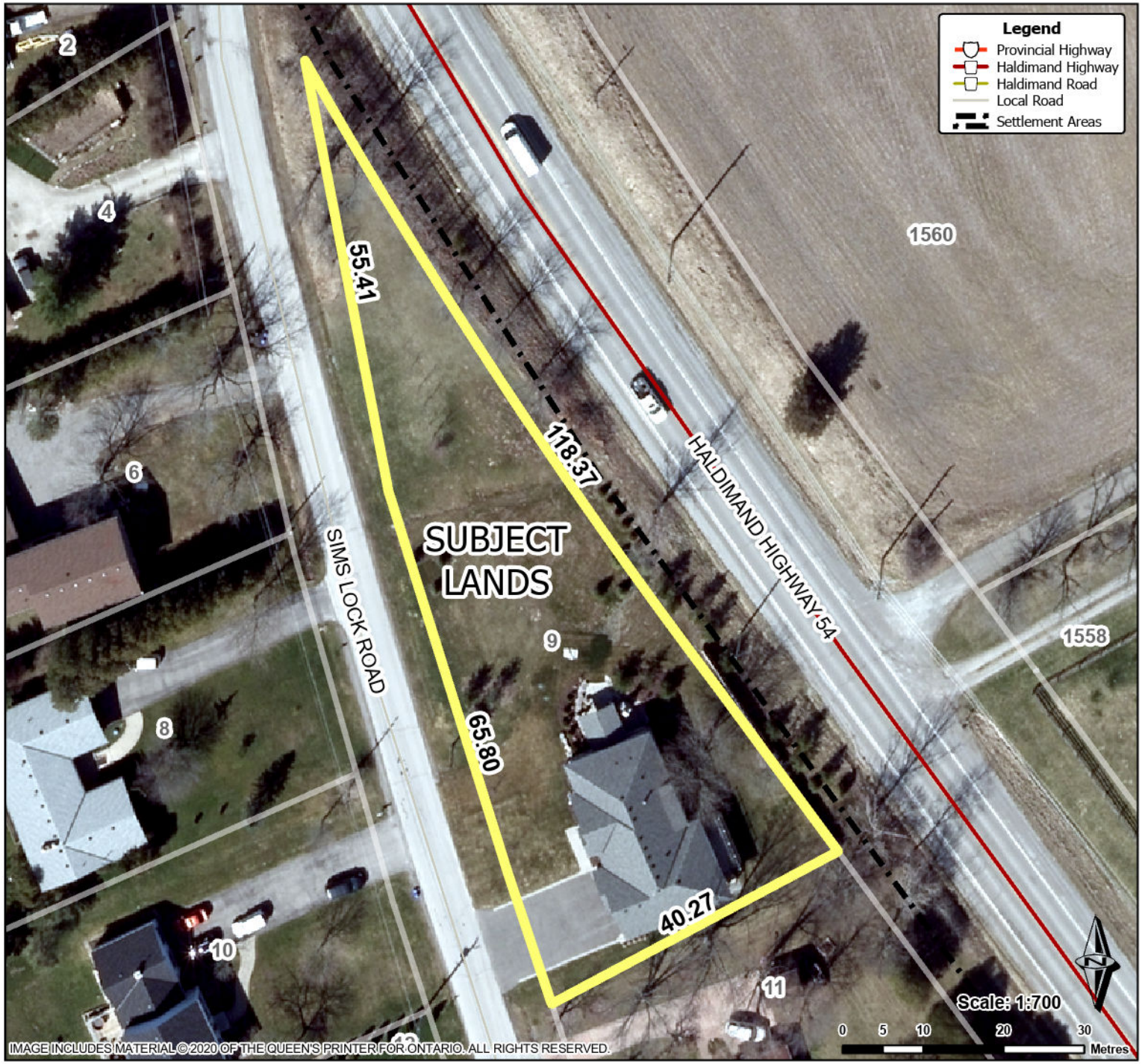
David Scott, MPLAN
Secretary-Treasurer, Committee of Adjustment
905-318-5932 ext. 6220

Reviewed by:

_____

Alisha Cull, BES, MCIP, RPP
Supervisor, Planning & Development
905-318-5932 ext. 6208

Location Map FILE #PLA-2023-155 APPLICANT: Veira



Haldimand County

Location:

9 SIMS LOCK ROAD
GEOGRAPHIC TOWNSHIP OF SENECA
WARD 4

Legal Description:

SENECAPT PT THE ABRAHAM NELLES TRACT RP 18R7348 PART 2

Property Assessment Number:

2810 152 003 17392 0000

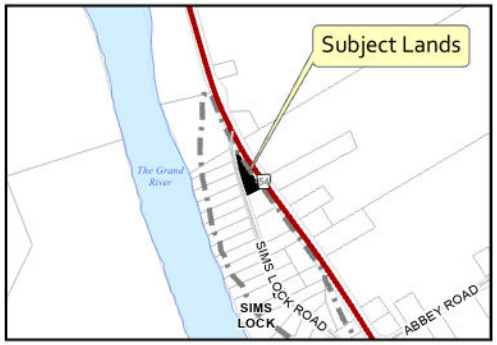
Size:

0.61 Acres

Zoning:

RH (Hamlet Residential)

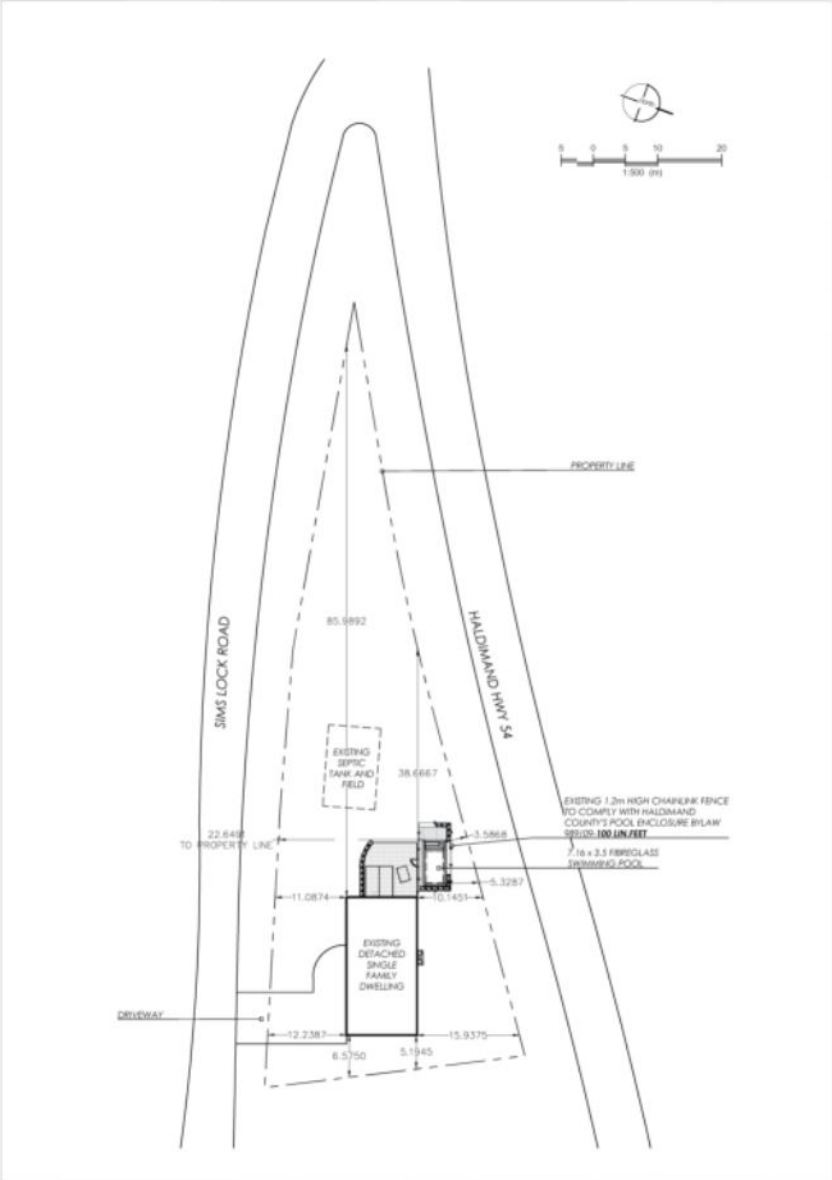
HALDIMAND COUNTY, IT'S EMPLOYEES, OFFICERS AND AGENTS ARE NOT RESPONSIBLE FOR ANY ERRORS, OMISSIONS OR INACCURACIES WHETHER DUE TO THEIR OWN NEGLIGENCE OR OTHERWISE. DO NOT USE FOR OPERATING MAP OR DESIGN PURPOSES. ALL INFORMATION TO BE VERIFIED.



PREPARED BY HALDIMAND COUNTY PLANNING & DEVELOPMENT DIVISION, GIS SECTION. Sep 2023

Path: T:\Planning and Economic Development\PD\GIS\Applications\2023\PLA\PLA-2023-155 (Veira)\PLA2023155\PLA2023155.aprx

Owner's Sketch FILE #PLA-2023-155 APPLICANT: Veira



PROJECT
9 Sims Lock Road
Haldimand County

CLIENT
Veira Residence

Minor Variance

BOULDER DESIGN
POOL & LANDSCAPE CONSTRUCTION
Greater Hamilton Area
t. 905.439.8354
www.BoulderDesign.ca

Haldimand County
Committee of Adjustment
Minor Variance

Meeting Date: November 14, 2023

File Number: PLA-2023-162

Property Roll Number: 2810-155-005-02100

Applicant: Donna Arlene Mark

Property Location: Concession 1 North of Talbot Road, Part Lot 2, Geographic Township of North Cayuga, known municipally as 6659 Highway 3

Recommendation

That application PLA-2023-162 be deferred to allow the applicant time to provide additional information.

Details of the Submission

Proposal: The applicant is proposing to add a secondary suite to the subject property. As per the application and Zoning Deficiency Form, relief is requested from the maximum setback provision for secondary suites of Zoning By-law HC 1-2020 as follows:

Development Standard(s)	Required	Proposed	Deficiency
Setback from Primary Residence to Secondary Suite	30 metres (98.4 feet)	60 metres (196.8 feet)	30 metres (98.4 feet)

The relief is requested to permit the construction of a secondary dwelling further away from the primary dwelling on the property.

Given its distance from the principal dwelling, the proposed accessory dwelling would require its own septic system and water supply (cistern). The septic evaluation submitted

with the application shows the location of the septic system and cistern for the existing dwelling but does not show the location of a new septic system or cistern for the proposed accessory dwelling. Staff require a more accurate and readable site plan showing the location of the proposed accessory dwelling, septic system, cistern, as well as the dimensions of the proposed dwelling. The sketch showing the proposed location of the dwelling will need to demonstrate that there is sufficient space in the location proposed and that the proposal is outside lands regulated by the Niagara Peninsula Conservation Authority (NPCA).

Site Features and Land Use: The subject property is approximately 39.96 hectares (98.74 acres) in area and has approximately 334 metres (1,095 feet) of frontage on the north side of Highway 3. A significant portion of the subject property is regulated by the NPCA, particularly in the front third and rear fifth of the property.

There is a pocket of land along Highway 3, outside the NPCA regulated lands, where two large agricultural buildings and several cargo containers are located. The existing principal dwelling and a large accessory structure are located in the front third of the property, set back approximately 190 metres (623 feet) from the front lot line, situated in a pocket of high ground between lands regulated by the NPCA.

The subject property is used primarily for agricultural purposes, although there is an area to the west of the large accessory structure that is used for the storage of older vehicles (condition not known). The natural hazard lands and associated drainage features appear to be largely in a naturalized state and not farmed.

The existing single detached dwelling is serviced by private septic and cistern.

Surrounding land uses are predominantly agricultural.

Existing Intensive Livestock Operations: Not applicable.

Agency & Public Comments

Haldimand County Building & Municipal Enforcement Services: Trailer to conform to Ontario Building Code Year Round Living CSA Z240.2.1 as per Ontario Building Code 9.1.1.9. also to follow Secondary Suite 40% Primary up to 100 square metres gross area. New septic system to be installed or designed system to existing.

Haldimand County Planning & Development Services – Development Technologist: No comments.

Haldimand County Emergency Services: No comments received.

Niagara Peninsula Conservation Authority: No comments received.

Ministry of Transportation: Based on the proposed work to place a secondary dwelling (trailer) beyond 45 metres from Ontario Ministry of Transportation (MTO) property line, MTO has no concerns with this zoning provision. Please note that any changes to the property plan (ex. changes to location of the trailer) will require further MTO review and approval.

Hydro One: No comments received.

Municipal Property Assessment Corporation: No comments received.

Mississaugas of the Credit: No comments received.

Six Nations: No comments received.

Public: No comments received.

Planning Analysis

A minor variance is required to meet four tests under Section 45(1) of the *Planning Act*:

1. Does the application conform to the general intent of the Official Plan?

   Planning staff comment: The subject property is designated "Agriculture" on Schedule A.1 of the Haldimand County Official Plan.

   The following Official Plan policies for secondary suites applies to this application:

   > Section 5.O. SECONDARY SUITES
   > 1. Secondary Suites, where permitted in this Plan will be subject to the following criteria and the regulations of the Zoning By-law:
   > a) The unit is clearly subordinate to the primary residential unit in the dwelling;
   > b) Adequate on-site parking for both residential units is provided;
   > c) Adequate servicing capacity exists;
   > d) The secondary suite complies with Provincial building and fire code requirements; and
   > e) The exterior appearance of the dwelling is not significantly altered to accommodate the unit.

   Staff do not have sufficient information at this time to determine if policies 5.O.1.a), and c) can be met. The applicant needs to provide a more accurate sketch/drawings showing the proposed location and dimensions of the accessory dwelling, the septic system and the cistern. The applicant will also need to provide a septic evaluation/design for the proposed accessory dwelling.

Given the information currently available, staff cannot determine if the application maintains the general intent and purpose of the Official Plan, and are recommending deferral of the application until that information can be provided.

2. Does the application conform to the general intent of the Zoning By-law?

   Planning staff comment: The subject property is zoned “Agricultural” (A) and “Wetland (W)” (at the north and south ends of the property) with Natural Environment Lands and Natural Hazard overlays.

   Secondary Suites are addressed under section 4.55 and Table 4.55 of Haldimand County Zoning By-law HC 1-2020. Based on a review of the information available with the application, the Building Division determined that the proposed secondary suite was located approximately 60 metres from the principle dwelling, exceeding the distance permitted.

   > Table 4.55 – General Provisions
   > iv) The secondary suite shall be located within 30 metres of the primary residence or farm building cluster, if located on a farm.

   This was the only deficiency identified at that time. Additional review will be required once the additional required information is provided by the applicant.

3. Is the application desirable for the appropriate development of the lands in question?

   Planning staff comment: Until the additional information required by staff, particularly the septic evaluation/design for the proposed accessory dwelling, staff cannot say whether the application is desirable for the appropriate development of the subject property.

4. Is the application minor?

   Planning staff comment: Until the additional information required by staff, particularly the septic evaluation/design for the proposed accessory dwelling, staff cannot say whether the proposal is minor.

The subject application is premature until the additional required information is provided.

Notice Sign and Applicant Discussion

A public notice sign was posted in accordance with the *Planning Act, R.S.O. 1990, c. P.13* on October 18, 2023.

Staff have contacted the applicant and discussed the recommendations as set out in this report. Staff have confirmed with the applicant that he/she understands the nature of and content contained within the recommendations as well as any requirements/conditions relating to such. A copy of the staff report has been provided to the applicant.

Prepared by:

_____

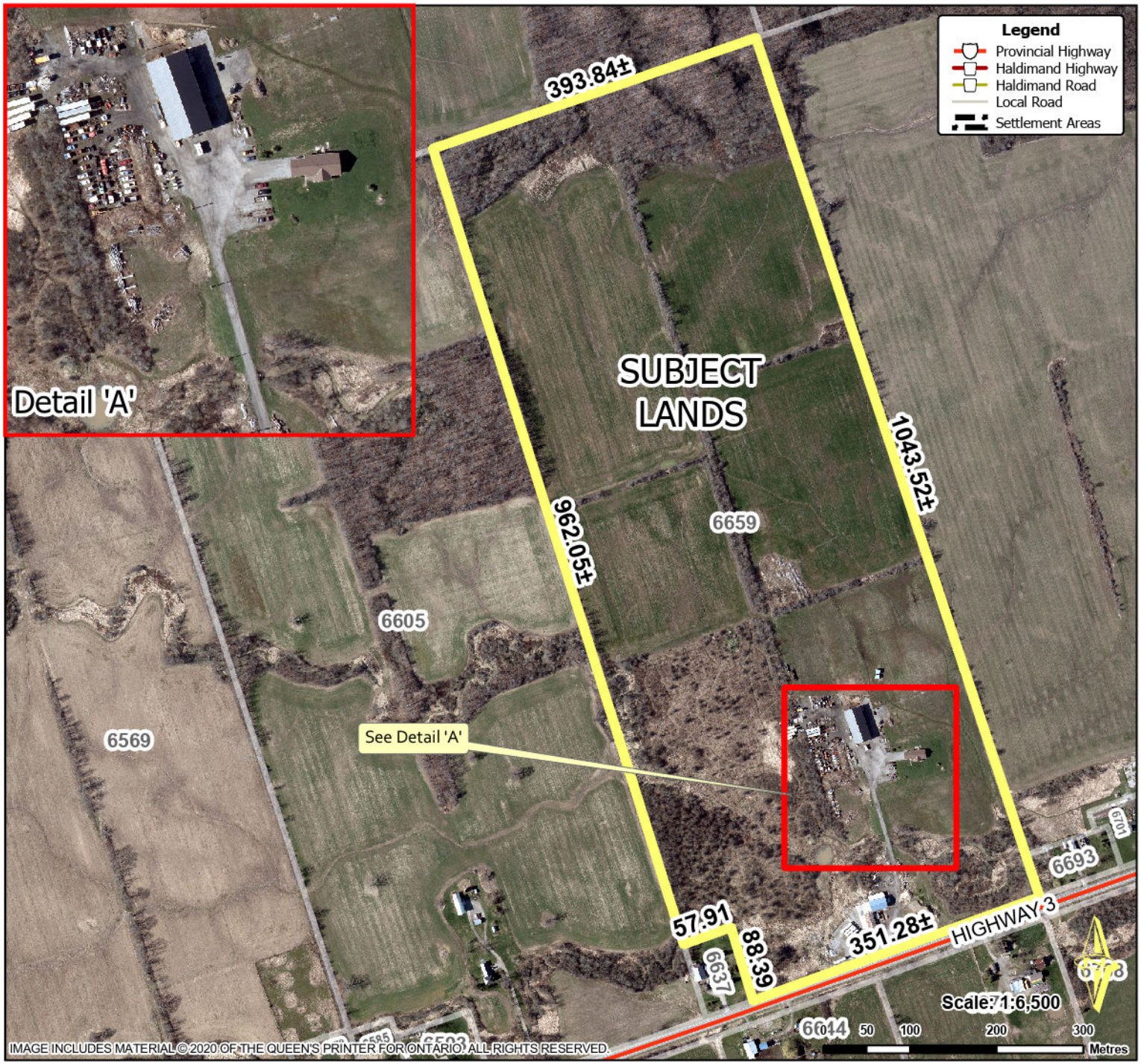
John Douglas, MCIP, RPP
Senior Planner
905-318-5932 ext. 6252

Reviewed by:

_____

Alisha Cull, BES, MCIP, RPP
Supervisor, Planning & Development
905-318-5932 ext. 6208

Location Map FILE #PLA-2023-162 APPLICANT: Mark



Haldimand County

Location:

6659 HIGHWAY 3
GEOGRAPHIC TOWNSHIP OF NORTH CAYUGA
WARD 4

Legal Description:

NCAY CON 1 NTR PT LOT 2

Property Assessment Number:

2810 155 005 02100 0000

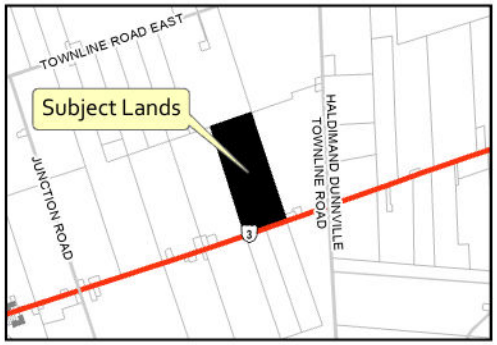
Size:

98.74 Acres

Zoning:

A (Agricultural), W (Wetlands), NPCA Regulated Lands & NPCA Wetlands

HALDIMAND COUNTY, IT'S EMPLOYEES, OFFICERS AND AGENTS ARE NOT RESPONSIBLE FOR ANY ERRORS, OMISSIONS OR INACCURACIES WHETHER DUE TO THEIR OWN NEGLIGENCE OR OTHERWISE. DO NOT USE FOR OPERATING MAP OR DESIGN PURPOSES. ALL INFORMATION TO BE VERIFIED.



PREPARED BY HALDIMAND COUNTY PLANNING & DEVELOPMENT DIVISION, GIS SECTION. Oct 2023

Path: T:\Planning and Economic Development\PD\GIS\Applications\2023\PLA\PLA-2023-162 (Mark)\PLA2023162\PLA2023162.aprx

Owner's Sketch FILE #PLA-2023-162 APPLICANT: Mark

N
W E
S

Haldimand County

Haldimand County GIS

9/7/2023, 9:08:23 AM

Parcels

Existing Parcel

1:2,257

0 0.0275 0.055 0.11 mi

0 0.0425 0.085 0.17 km

PREPARED BY HALDIMAND COUNTY PLANNING & DEVELOPMENT DIVISION,
GIS SECTION. Oct 2023

Path: T:\Planning and Economic Development\PD\GIS\Applications\2023\PLA\PLA-2023-162 (Mark)\PLA2023162\PLA2023162.aprx

Haldimand County
Committee of Adjustment
Minor Variance

Meeting Date: November 14, 2023

File Number: PLA-2023-171

Property Roll Number: 2810-024-005-25600

Applicant: Brad Mageran

Agent: Kim Hessels

Property Location: Plan 5823, Lot 65 and Part Lot 64, Urban Area of Dunnville, known municipally as 130 Cleary Avenue

Recommendation

That application PLA-2023-171 be approved. The application meets the four tests of a minor variance.

Details of the Submission

Proposal: Relief is requested from the interior side yard provision of the Residential Type 1-A (R1-A) Zone of Zoning By-law HC 1-2020 as follows:

Development Standard(s)	Required	Proposed	Deficiency
Interior Side Yard (right)	1.0 metre (3.3 feet)	0.61 metres (2.0 feet)	0.39 metres (1.3 feet)

The relief is requested to permit the construction of a storage building on the subject property.

Site Features and Land Use: The subject lands are located in the urban area of Dunnville and front onto the south side of Cleary Avenue. The lands currently contain a single detached dwelling and accessory structures. The surrounding land uses are residential in nature.

Existing Intensive Livestock Operations: Not applicable

Agency & Public Comments

Haldimand County Building & Municipal Enforcement Services: No other concerns other than deficiencies applied for in application.

Haldimand County Planning & Development Services – Development Technologist: Municipal drain drainage re-apportionment agreement required.

Haldimand County Emergency Services: No comments received.

Haldimand County Water and Wastewater Engineering & Compliance: No comments received.

Grand River Conservation Authority: No comments or concerns.

Hydro One: No comments received.

Municipal Property Assessment Corporation: No comments received.

Mississaugas of the Credit: No comments received.

Six Nations: No comments received.

Public: No comments received.

Planning Analysis

A minor variance is required to meet four tests under Section 45(1) of the *Planning Act*:

1. Does the application conform to the general intent of the Official Plan?

   Planning staff comment: The subject lands are designated “R1-A” in the Haldimand County Official Plan. Single and semi-detached dwellings and accessory buildings are permitted uses within the Agriculture designation.

   It is the opinion of Planning staff that the subject application conforms to the Official Plan.

2. Does the application conform to the general intent of the Zoning By-law?

   Planning staff comment: The subject lands are zoned “Residential Type 1-A (R1-A)” in the Haldimand County Zoning By-law HC 1-2020. The subject application is seeking relief to permit an accessory building with an interior side yard of 0.61 metres (2.0 feet) where 1.0 metres (3.3 feet) is required. The intent of the accessory building is to be used as a storage building.

The intent for limiting the setbacks of accessory buildings is to ensure that they do not negatively impact the character of the area and that sufficient space is maintained between the structure and the property line for access and maintenance. The proposed storage building will be used for personal storage, accessory to the dwelling on the property. The proposed setback will allow for the building to be accessed without trespassing on a neighbouring property. Further, the structure will not impact the character of the area and is not anticipated to negatively impact neighbouring properties.

It is the opinion of Planning staff that the subject application maintains the intent of the Zoning By-law.

3. Is the application desirable for the appropriate development of the lands in question?

   Planning staff comment: Accessory structures are permitted in the Residential Type 1-A (R1-A) zone. The proposed accessory structure is not anticipated to negatively impact surrounding property and does not require the removal of trees.

   It is the opinion of Planning staff that the subject application is appropriate and desirable development.

4. Is the application minor?

   Planning staff comment: For the reasons listed above, it is the opinion of Planning staff that the subject application is minor.

The subject application meets the four tests of a minor variance.

Notice Sign and Applicant Discussion

A public notice sign was posted in accordance with the *Planning Act, R.S.O. 1990, c. P.13* on October 24, 2023.

Staff have contacted the applicant and discussed the recommendations as set out in this report. Staff have confirmed with the applicant that he/she understands the nature of and content contained within the recommendations as well as any requirements/conditions relating to such. A copy of the staff report has been provided to the applicant.

Prepared by:

_____

Chris Tang
Planning Technician, Planning & Development
905-318-5932 ext. 6210

Reviewed by:

_____

Alisha Cull, BES, MCIP, RPP
Supervisor, Planning & Development
905-318-5932 ext. 6208

Location Map FILE #PLA-2023-171 APPLICANT: Mageran

Haldimand County

Location:

130 CLEARY AVE
URBAN AREA OF DUNNVILLE
WARD 6

Legal Description:

PLAN 5823 LOT 65 PT LOT 64

Property Assessment Number:

2810 024 005 25600 0000

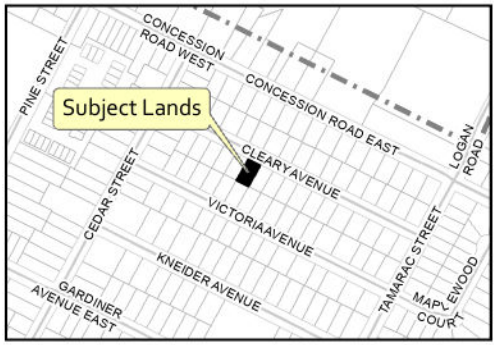
Size:

0.14 Acres

Zoning:

R1-A (Urban Residential Type 1-A)

HALDIMAND COUNTY, IT'S EMPLOYEES, OFFICERS AND AGENTS ARE NOT RESPONSIBLE FOR ANY ERRORS, OMISSIONS OR INACCURACIES WHETHER DUE TO THEIR OWN NEGLIGENCE OR OTHERWISE. DO NOT USE FOR OPERATING MAP OR DESIGN PURPOSES. ALL INFORMATION TO BE VERIFIED.



PREPARED BY HALDIMAND COUNTY PLANNING & DEVELOPMENT DIVISION, GIS SECTION. Oct 2023

Path: T:\Planning and Economic Development\PD\GIS\Applications\2023\PLA\PLA-2023-171 (Mageran)\PLA2023171\PLA2023171.aprx

Owner's Sketch 1 of 2 FILE #PLA-2023-171 APPLICANT: Mageran

Haldimand County

130 CLEARY AVE, DUNNVILLE, ON		
ZONING	R1-A	
ROLL NUMBER	0240-052-560-00000	
ZONING PROVISIONS	REQUIRED	PROPOSED
MIN. SIDE YARD	1.0 m	0.61 m
MIN. REAR YARD	1.0 m	1.73 m
BLDG HEIGHT	4.5 m	4.3 m

KLS ENGINEERING
1333 HIGHWAY #3
DUNNVILLE, ONTARIO
N1A 2B7
phone: (905) 774-4307

THE DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY OF THE ENGINEER TO BE USED ONLY FOR THE PROJECT FOR WHICH THEY WERE ISSUED.
COPYRIGHT 2023

SCALE 1:150 METERS 0 1 5

THIS SITE PLAN IS BASED ON INFORMATION OBTAINED FROM:
HALDIMAND COUNTY GIS MAPPING

4			
3			
2			
1	ADDED DIMS.	JUL 20/23	LP
0	ISSUED FOR PERMIT	JUL 13/23	LP
#	PURPOSE OF ISSUE	DATE OF ISSUE	BY

BRAD MAGERAN

STORAGE BUILDING

130 CLEARY AVE
DUNNVILLE, ON
N1A 1A3

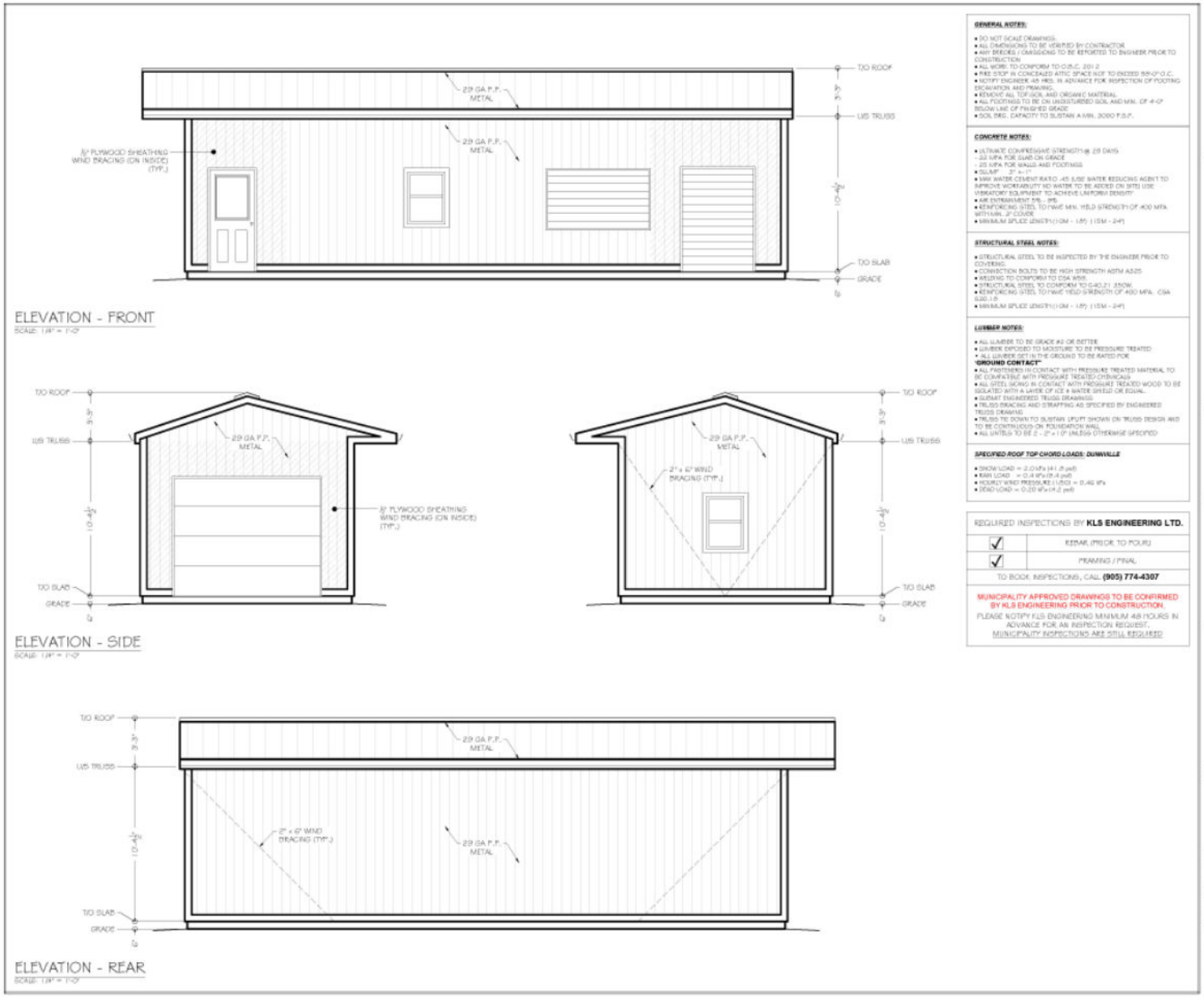
SITE PLAN

AS NOTED | FILE NO. M19-23-260

DRAWING FILE: DRAWING 2023\MAGERAN, BRAD - STORAGE BUILDING - SITE PLAN - M19-23-260.dwg

DRAWN BY: L.PLACCO
START DATE: JULY 20, 2023
SHEET: 1 OF 1
DRAWING NUMBER: C-1

Owner's Sketch 2 of 2 FILE #PLA-2023-171 APPLICANT: Mageran



GENERAL NOTES:

- DO NOT SCALE DRAWINGS.
- ALL DIMENSIONS TO BE VERIFIED BY CONTRACTOR
- ANY ERRORS / OMISSIONS TO BE REPORTED TO ENGINEER PRIOR TO CONSTRUCTION
- ALL WORK TO CONFORM TO O.B.C. 2012
- FIRE STOP IN CONCEALED ATTIC SPACE NOT TO EXCEED 59'-0" O.C.
- NOTIFY ENGINEER 48 HRS. IN ADVANCE FOR INSPECTION OF FOOTING EXCAVATION AND FRAMING.
- REMOVE ALL TOP SOIL AND ORGANIC MATERIAL
- ALL FOOTINGS TO BE ON UNDISTURBED SOIL AND MIN. OF 4'-0" BELOW LINE OF FINISHED GRADE
- SOIL BRG. CAPACITY TO SUSTAIN A MIN. 3000 P.S.F.

CONCRETE NOTES:

- ULTIMATE COMPRESSIVE STRENGTH @ 28 DAYS
  - 32 MPA FOR SLAB ON GRADE
  - 25 MPA FOR WALLS AND FOOTINGS
- SLUMP : 2" +- 1"
- MAX WATER CEMENT RATIO .45 USE WATER REDUCING AGENT TO IMPROVE WORKABILITY NO WATER TO BE ADDED ON SITE USE VIBRATORY EQUIPMENT TO ACHIEVE UNIFORM DENSITY
- AIR ENTRAINMENT 5% - 8%
- REINFORCING STEEL TO HAVE MIN. YIELD STRENGTH OF 400 MPA WITH MIN. 2" COVER
- MINIMUM SPLICE LENGTH (10M - 1.8ft) (15M - 2.4ft)

STRUCTURAL STEEL NOTES:

- STRUCTURAL STEEL TO BE INSPECTED BY THE ENGINEER PRIOR TO COVERING.
- CONNECTION BOLTS TO BE HIGH STRENGTH ASTM A325
- WELDING TO CONFORM TO CSA W59.
- STRUCTURAL STEEL TO CONFORM TO G40.21 350W.
- REINFORCING STEEL TO HAVE YIELD STRENGTH OF 400 MPA. CSA G30.18
- MINIMUM SPLICE LENGTH (10M - 1.8ft) (15M - 2.4ft)

LUMBER NOTES:

- ALL LUMBER TO BE GRADE #2 OR BETTER
- LUMBER EXPOSED TO MOISTURE TO BE PRESSURE TREATED
- ALL LUMBER SET IN THE GROUND TO BE RATED FOR "GROUND CONTACT"
- ALL FASTENERS IN CONTACT WITH PRESSURE TREATED MATERIAL TO BE COMPATIBLE WITH PRESSURE TREATED CHEMICALS
- ALL STEEL SIDING IN CONTACT WITH PRESSURE TREATED WOOD TO BE ISOLATED WITH A LAYER OF ICE & WATER SHIELD OR EQUAL.
- SUBMIT ENGINEERED TRUSS DRAWINGS
- TRUSS BRACING AND STRAPPING AS SPECIFIED BY ENGINEERED TRUSS DRAWING
- TRUSS TIE DOWN TO SUSTAIN UPLIFT SHOWN ON TRUSS DESIGN AND TO BE CONTINUOUS ON FOUNDATION WALL
- ALL UNTRUS TO BE 2 - 2" x 10" UNLESS OTHERWISE SPECIFIED

SPECIFIED ROOF TOP CHORD LOADS: DUNNVILLE

- SNOW LOAD = 2.0 kPa (41.8 psf)
- RAIN LOAD = 0.4 kPa (8.4 psf)
- HOURLY WIND PRESSURE (1/50) = 0.46 kPa
- DEAD LOAD = 0.20 kPa (4.2 psf)

REQUIRED INSPECTIONS BY **KLS ENGINEERING LTD.**	
✓	REBAR (PRIOR TO POUR)
✓	FRAMING / FINAL

TO BOOK INSPECTIONS, CALL **(905) 774-4307**

MUNICIPALITY APPROVED DRAWINGS TO BE CONFIRMED BY KLS ENGINEERING PRIOR TO CONSTRUCTION.

PLEASE NOTIFY KLS ENGINEERING MINIMUM 48 HOURS IN ADVANCE FOR AN INSPECTION REQUEST.
MUNICIPALITY INSPECTIONS ARE STILL REQUIRED

KLS ENGINEERING
1353 HIGHWAY #5
DUNNVILLE, ONTARIO
N1A 2W7
phone: (905) 774-4307

THE DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY OF THE ENGINEER TO BE USED ONLY FOR THE PROJECT FOR WHICH THEY WERE ISSUED.

COPYRIGHT 2023

D. V. GLENCY

5			
4			
3			
2			
1			
D	ISSUED FOR REVIEW	JUL 20/23	LF
P	PURPOSE OF ISSUE	DATE OF ISSUE	BY

BRAD MAGERAN

STORAGE BUILDING

130 CLEARY AVE
DUNNVILLE, ON
N1A 1A3

DRAWING: ELEVATIONS

SCALE	FILE NUMBER
AS NOTED	M19-23-260

DRAWN BY	DRAWING NUMBER
L. FIACCO	S-1
DATE: JULY 20, 2023	
SHEET NUMBER: 1 OF 5	