



**HALDIMAND COUNTY  
COMMITTEE OF ADJUSTMENT  
MINUTES  
TUESDAY, DECEMBER 19, 2023**

A meeting of the Committee of Adjustment was held on Tuesday, December 19, 2023 at 9:00 a.m. in the Council Chambers of the Haldimand County Administration Building.

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

<b>STAFF PRESENT:</b>	Supervisor Development Services	Alisha Cull
	Planner	John Douglas
	Secretary-Treasurer	David Scott

The Committee of Adjustment dealt with the following applications:

**CONSENTS:**

PLB-2023-177	Allan and Monika Augustine	DEFERRED
PLB-2023-185	Brian Laidlaw	APPROVED
PLB-2023-186	Huigen Bros. Dairy Farm Ltd.	APPROVED

**MINOR VARIANCES:**

PLA-2023-173	Chris Hopkins	APPROVED
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**DECLARATIONS OF PECUINARY INTEREST: None declared**

**CONSENTS:**

**A) PLB-2023-177**

**Allan and Monika Augustine**

Present: No one present

The proposal is to sever a lot for future residential development. The severed lands will have a frontage of approximately 490.58 metres (1609.5 feet) and contain an area of approximately 5.88 hectares (14.5 acres). The retained parcel will contain an area of approximately 42.65 hectares (105.4 acres).

No sign was posted. Committee decided to defer the application at the applicants cost.

The Committee made the following decision:

**PURSUANT** to Subsection 53(1) of *The Planning Act*, R.S.O. 1990 (as amended), this Committee hereby makes the following decision on the application of **Allan and Monika Augustine**, to sever a lot for future residential development. The severed lands will have a frontage of approximately 490.58 metres (1609.5 feet) and contain an area of approximately 5.88 hectares (14.5 acres). The retained parcel will contain an area of approximately 42.65 hectares (105.4 acres). **Concession 4 South of Dover Road, Part Lots 22, 23 and 24, Registered Plan 18R6608 Part 5 and Part of Parts 1, 2 and 3, Geographic Township of Dunn, known municipally as 96 Lighthouse Drive**

**DECISION: DEFERRED**

**REASONS:** To give the applicant time to post the yellow notice sign, as per the *Planning Act*.

**B) PLB-2023-185**

**Brian Laidlaw**

Present: Bruce MacDonald, agent

The proposal is to sever a lot for future residential development. The severed lands will have a frontage of approximately 20.1 metres (65.9 feet) and contain an area of approximately 809 square metres (0.2 acres). The retained parcel will contain an area of approximately 735 square metres (0.18 acres).

No comment from the agent. Member Snyder asked whether a survey of the property would be required. The planner said that it is a condition of consent that a registered plan is required to be provided and deposited with the Land Registry Office.

The Committee made the following decision:

**PURSUANT** to Subsection 53(1) of *The Planning Act*, R.S.O. 1990 (as amended), this Committee hereby makes the following decision on the application of **Brian Laidlaw**, to sever a lot for future residential development. The severed lands will have a frontage of approximately 20.1 metres (65.9 feet) and contain an area of approximately 809 square metres (0.2 acres). The retained parcel will contain an area of approximately 735 square metres (0.18 acres). **Plan 905, Block 38, Lot 10, Part of Athens Street, Urban Area of Hagersville, known municipally as 31 Sherring Street North**

**DECISION:           APPROVED**

- CONDITIONS:**
1. That the Haldimand County requirements, financial or otherwise, be satisfied. This will include taxes paid up to date, a parkland dedication fee in accordance with By-law 2349/22 and a fee for deed stamping in accordance with the Haldimand County User Fees By-law.
  2. 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 letter from the Planning & Development Division indicating that their requirements, regarding a partial lot grading plan to address surface drainage of the property, have been satisfied. Please note that grading plans must be prepared/stamped/signed by a qualified Professional Engineer as per Haldimand County Design Criteria. Contact the Development and Design Technologist at 905-318-5932, ext. 6253 for further clarification regarding required extent/limits. Please allow approximately six (6) to eight (8) weeks for completion of this process.
  4. Receipt of a letter from the Roads Operations Division indicating that they 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.
  5. Receipt of a copy of the registered reference plan of the severed parcel, with a frontage of approximately 20.1 metres (65.9 feet) and contain an area of approximately 809 square metres (0.2 acres). Also, **prior to the signing of the certificate**, an electronic version of the reference plan in AutoCAD.dwg in format shown below, indicating the consent

The AutoCad drawings need to be georeferenced for the following Coordinate System:

6. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before December 19, 2025, after which time this consent will lapse.

**C) PLB-2023-186** **Huigen Bros. Dairy Farm Ltd.**

The proposal is to sever a lot containing an existing surplus farm dwelling and accessory structures. The severed lands will have a frontage of approximately 92.31 metres (302.9 feet) and will contain an area of 0.58 hectares (1.44 acres). The retained parcel will contain an area of approximately 39.7 hectares (98.1 acres).

The Committee made the following decision:

**PURSUANT** to Subsection 53(1) of *The Planning Act*, R.S.O. 1990 (as amended), this Committee hereby makes the following decision on the application of **Huigen Bros. Dairy Farm Ltd.**, to sever a lot containing an existing surplus farm dwelling and accessory structures. The severed lands will have a frontage of approximately 92.31 metres (302.9 feet) and will contain an area of 0.58 hectares (1.44 acres). The retained parcel will contain an area of approximately 39.7 hectares (98.1 acres). **Jones Tract West Part of Lot 16, Geographic Township of North Cayuga, known municipally as 230 Richert Road**

**DECISION:           APPROVED**

**CONDITIONS:**

1. That the Haldimand County requirements, financial or otherwise, be satisfied. This will include taxes paid up to date, a parkland dedication fee in accordance with By-law 2349/22 and a fee for deed stamping in accordance with the Haldimand County User Fees By-law.
2. That the owner's solicitor provide an undertaking to Haldimand County agreeing that if there are any changes proposed to the wording on the certificate after stamping of the certificate by the County, prior to the registration of the certificate; that the Secretary-Treasurer or designate must approve the change prior to registration of the certificate.
3. That a septic evaluation for severed parcel be completed and submitted **to the Secretary- Treasurer,** who will give it to the Haldimand County Building Controls and By-law Enforcement Division for approval. (Septic evaluations must be completed prior to the issuance of the certificate. Please allow approximately six (6) months for completion of the septic evaluation.) Please contact the Building Controls and By-law Enforcement Division at 905-318-5932, for further clarification.
4. Receipt of a copy of the registered reference plan of the severed parcel, with a frontage of approximately 92.31 metres (302.9 feet) and will contain an area of 0.58 hectares (1.44 acres). Also, **prior to the signing of the certificate**, an electronic version of the reference plan in AutoCAD.dwg in format shown below, indicating the consent file number and name of the applicant, must be emailed to [dscott@haldimandcounty.on.ca](mailto:dscott@haldimandcounty.on.ca) and [astewart@haldimandcounty.on.ca](mailto:astewart@haldimandcounty.on.ca). **The draft plan must be approved by the Secretary-Treasurer prior to depositing to the Land Registry Office.**

The AutoCad drawings need to be georeferenced for the following Coordinate System:

Projected      Coordinate    NAD\_1983\_UTM\_Zone\_17N  
System:  
Projection:                      Transverse\_Mercator

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

5. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before December 19, 2025, after which time this consent will lapse.

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

#### **MINOR VARIANCES:**

**A) PLA-2023-173 Chris Hopkins**

Present: Chris Hopkins, applicant

The proposal is to request relief from the height of building and accessory building area provisions of the Residential Type 1-A (R1-A) Zone of Haldimand County Zoning By-law HC 1-2020. The relief is requested to permit the construction of a garage on the subject property.

There was debate as to whether the sign was posted within the required time. Member Ricker told the applicant that the placement of the sign is important, and that the application could have been deferred. Member Fleck asked if documentation could be changed to ask that the sign be visible. A discussion continued regarding the placement of the sign.

The Committee made the following decision:

**PURSUANT** to Subsection 45(1) of *The Planning Act*, R.S.O. 1990 (as amended), this Committee hereby makes the following decision on the application of **Chris Hopkins**, to request relief from the height of building and accessory building area provisions of the Residential Type 1-A (R1-A) Zone of Haldimand County Zoning By-law HC 1-2020. The relief is requested to permit the construction of a garage on the subject property. **Part Lot 2 East of Wigton, Urban Area of Caledonia, known municipally as 78 Wigton Street**

**DECISION: APPROVED**

**CONDITIONS:**

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.

**REASONS:**

The proposal is consistent with the Provincial Policy Statement (2020), conforms to the Province's Growth Plan (2019), conforms to the Haldimand County Official Plan and meets the criteria and intent of the Haldimand County Zoning By-law HC-1 2020.

**OTHER BUSINESS:**

The minutes of the November 14, 2023 meeting were adopted as presented.

The committee thanked the Secretary-Treasurer for his years of service to the County and the committee.

The meeting adjourned at 9:32am.



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Chairman



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Secretary-Treasurer