



**HALDIMAND COUNTY
COMMITTEE OF ADJUSTMENT
MINUTES
TUESDAY, NOVEMBER 14, 2023**

A meeting of the Committee of Adjustment was held on Tuesday, November 14, 2023 at 9:00 a.m. in the Council Chambers of the Haldimand County Administration Building.

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

MEMBERS ABSENT: Paul Makey

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

The Committee of Adjustment dealt with the following applications:

CONSENTS:

PLB-2023-073	Brad Yager	APPROVED
PLB-2023-156	Maplerow Farms Inc.	
PLB-2023-166	Melvin George and Carol Lynn Brooks	
PLB-2023-167	Brian and Margaret Kamping	
PLB-2023-168	Gregory and Melissa Dekkers	

MINOR VARIANCES:

PLA-2023-124	Eric Schaeffer and Hillary Harper
PLA-2023-145	Justin Cruse
PLA-2023-146	Heaslip Ford Sales Ltd.
PLA-2023-149	Matt Buckle
PLA-2023-153	Kyle Myers

PLA-2023-155
PLA-2023-162
PLA-2023-171

Lori-ann Veira
Donna Arlene Mark
Brad Mageran

DECLARATIONS OF PECUINARY INTEREST: Chairperson Brown declared conflict on PLA-2023-149 (neighbour of subject application)

CONSENTS:

A) PLB-2023-073 Brad Yager

Present: Brad Yager, applicant

The proposal is 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).

No comments from the applicant. Member Bowman commented that it was preferable for lots being severed to be of the size of 0.4 to 0.6 hectares (1 to 1.5 acres), as stated in the Official Plan, and wished to be on record on that fact. The planner said the proposed lot will meet all requirements, and the supervisor added that it meets the criteria for lot size in the zoning bylaw.

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 **Brad Yager**, 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). **Concession 1, Part Lot 10, Geographic Township of Rainham, known municipally as 4644 Rainham Road**

DECISION: APPROVED

- CONDITIONS:**
1. That the Haldimand County requirements, financial or otherwise, be satisfied. This will include taxes paid up to date, a parkland dedication fee in accordance with By-law 2349/22 and a fee for deed stamping in accordance with the Haldimand County User Fees By-law.
 2. 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. **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 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.

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

B) PLB-2023-156

Maplerow Farms Inc.

Present: Jason Cowie, applicant
Bill Stewart, interested party

The proposal is to sever a lot containing an existing surplus farm dwelling and accessory structure. The severed lands will have a frontage of approximately 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).

The applicant stated that he was willing to consider a reduction of the proposed severed lot if the committee would be willing to approve it. Member Ricker expressed doubt that the proposed lot could be reduced given the size of the driveway. The applicant added that the driveway is 1.7 acres (0.69 hectares) in size on its own. Deferral was discussed as an option so that staff and the applicant could explore any possibilities to reduce the size of the potential severed lot. The planner stated that, in his opinion, there did not appear to be a solution, as the size of the driveway presents a major problem in reducing the parcel size. Member Ricker said that, in his opinion, a decreased severed lot size will, in no way, add any more workable agricultural land to the retained farm. Member Ricker added that, because of that, a reduction of the severed lot did not provide an improvement to the proposed situation. Further discussion occurred on this topic.

Mr. Stewart asked about doubling the size of the driveway and fencing on either side of the drive as a potential option. The planner stated that the option presented by Mr. Stewart would not address the issues offered by the oversized proposed lot.

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 **Maplerow Farms Inc.**, 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). **Concession 1 North West of Stoney Creek Road, Part Lot 16, Geographic Township of Seneca, known municipally as 36 Sawmill Road**

DECISION: **REFUSED**

REASONS: The proposal does not conform to the intent of the Official Plan and Zoning By-law.

C) PLB-2023-166

Melvin George and Carol Lynn Brooks

Present: Brian Morris, agent

The proposal is to sever a lot for future residential development. The severed lands will have a frontage of approximately 25.8 metres (84.6 feet) and contain an area of approximately 0.058 hectares (0.14 acres). The retained parcel will contain an area of approximately 0.049 hectares (0.12 acres).

No comments from the agent or committee.

The Committee made the following decision:

PURSUANT to Subsection 53(1) of *The Planning Act*, R.S.O. 1990 (as amended), this Committee hereby makes the following decision on the application of **Melvin George and Carol Lynn Brooks**, to sever a lot for future residential development. The severed lands will have a frontage of approximately 25.8 metres (84.6 feet) and contain an area of approximately 0.058 hectares (0.14 acres). The retained parcel will contain an area of approximately 0.049 hectares (0.12 acres). **Lot 8 North of Mc Kay, Urban Area of Cayuga, known municipally as 5 Munsee Street South**

DECISION: APPROVED

CONDITIONS:

1. That the Haldimand County requirements, financial or otherwise, be satisfied. This will include taxes paid up to date, a parkland dedication fee in accordance with By-law 2349/22 and a fee for deed stamping in accordance with the Haldimand County User Fees By-law.
2. Receipt of a letter from the Planning & Development Division indicating that their requirements, regarding a lot grading plan to address surface drainage of the property, have been satisfied. Please note that the owner/developer is responsible to have the grading plans prepared/stamped/signed by a qualified Professional Engineer as per Haldimand County Design Criteria. Contact the Development & Design Technologist at 905-318-5932, ext. 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. **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 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.

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

D) PLB-2023-167

Brian and Margaret Kamping

Present: Melissa Dekkers, agent

The proposal is to sever a lot containing an existing surplus farm dwelling and accessory structure. The severed lands will have a frontage of approximately 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).

No comments from the agent. Member Ricker asked for verification that a septic evaluation can be added a condition of approval, as a septic review was not mentioned in the planning report. Both the planner and Secretary-Treasurer stated that it could be added.

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 and Margaret Kamping**, 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). **Concession 2 South of Talbot Road, Part Lot 9, Geographic Township of North Cayuga, known municipally as 529 Concession 2 Road South**

DECISION: **APPROVAL as amended**

CONDITIONS:

1. That the Haldimand County requirements, financial or otherwise, be satisfied. This will include taxes paid up to date, a parkland dedication fee in accordance with By-law 2349/22 and a fee for deed stamping in accordance with the Haldimand County User Fees By-law.
2. Receipt of a letter from the Planning 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 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.

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

6. Receipt of a copy of the registered reference plan of the severed parcel, with a frontage of approximately 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. **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 System:	NAD_1983_UTM_Zone_17N
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False_Northing:	0.00000000
Central_Meridian:	-81.00000000
Scale_Factor:	0.99960000
Latitude_Of_Origin:	0.00000000
Linear Unit:	Meter
Geographic Coordinate System:	GCS_North_American_1983
Datum:	D_North_American_1983
Prime Meridian:	Greenwich
Angular Unit:	Degree

7. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before November 14, 2025, after which time this consent will lapse.

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

E) PLB-2023-168 Gregory and Melissa Dekkers

Present: Melissa and Greg Dekkers, applicant

The proposal is to sever a lot containing an existing surplus farm dwelling and accessory structure. The severed lands will have a frontage of approximately 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).

The applicants asked that Condition 3 be removed, as there are already multiple entrances to the property. Member Ricker stated that the condition is there to ensure that the entrances are up to code, and that it will not cost the applicant anything if the existing entrances meet the requirement of the Roads Department. Member Ricker further added that the committee requests that a septic evaluation condition be added upon approval of this application. The Secretary-Treasurer said that the condition requested would be added.

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 **Gregory and Melissa Dekkers**, 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). **Concession 2 South of Talbot Road, Part Lot 7, Geographic Township of North Cayuga, known municipally as 641 Concession 2 Road South**

DECISION: **APPROVED as amended**

- CONDITIONS:**
1. That the Haldimand County requirements, financial or otherwise, be satisfied. This will include taxes paid up to date, a parkland dedication fee in accordance with By-law 2349/22 and a fee for deed stamping in accordance with the Haldimand County User Fees By-law.
 2. Receipt of a letter from the Planning 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 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.
5. That the owner's solicitor provide an undertaking to Haldimand County agreeing that if there are any changes proposed to the wording on the certificate after stamping of the certificate by the County, prior to the registration of the certificate; that the Secretary-Treasurer or designate must approve the change prior to registration of the certificate.
6. Receipt of a copy of the registered reference plan of the severed parcel, with a frontage of approximately 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. **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

7. 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.

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

MINOR VARIANCES:

A) PLA-2023-124 Eric Schaeffer and Hillary Harper

Present: Eric Schaeffer and Hillary Harper, applicant
 Brian Lutz, lawyer for owner of property to the east of the subject property

The proposal is to request relief from the exterior side yard, interior side yard (left) and rear yard provisions of the Agricultural (A) Zone of Haldimand County Zoning By-law HC 1-2020. The relief is requested to permit the existence of a dog kennel on the subject property.

The applicants were surprised that the neighbour represented by Mr. Lutz did not approach them about their concerns regarding the application rather than hiring a lawyer. The applicants stated that the kennel has existed since 2012, have not had any complaints regarding its operation, and have been complimented about the cleanliness of the operation. The County EMS have long used the kennel, and the dogs that have resided there, with the breeding of service dogs for emergency services. The applicants further stated that EMS had been gagged from providing support for their application, and they feel as though they are being persecuted for doing the right thing. The purpose of the application was so the applicants could acquire their kennel license from the County, and that Bylaw services had concerns with the setbacks as they currently exist.

Mr. Lutz stated that his clients support the recommendation of the planning report. He added that his client wishes to build on their property, and he feels that approval of this application would prevent them from doing so.

him that permits would not be an issue. He also suggested that he would be amenable to deferring the expansion of the shed and go forward with the garage based on Hydro's comments.

Mr. Stewart asked for clarification regarding distances from the septic bed to the proposed garage, which was provided by both staff and the applicant. Member Ricker asked if the Hydro email would affect what is being requested. The planner said that it may but that further study is needed to confirm the impact. A discussion continued, with the applicant reaffirming his desire to go forward with the garage.

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 **Justin Cruse**, to request relief from the total useable floor area and building height provisions of the Lakeshore Residential (RL) Zone of Haldimand County Zoning By-law HC 1-2020. The relief is requested to permit the construction of a garage on the subject property. **Concession 1, Part Lot 16, Reference Plan 18R5037 Parts 1 and 3, Geographic Township of Rainham, known municipally as 1487 Lakeshore Road**

DECISION: **DEFERRED**

REASONS: To give time to the applicant and staff to assess Hydro One's comments on the application.

C) PLA-2023-146 Heaslip Ford Sales Ltd.

Present: David McPherson, agent

The proposal is to request relief from the commercial motor vehicle length and height definition provisions of the General Commercial (CG) and Downtown Commercial (CD) Zones of Haldimand County Zoning By-law HC 1-2020. The relief is requested to permit the construction of a stand-alone repair building on the subject property.

No comments from the agent. Member Snyder asked where the existing parking will go once the building is built. Both staff and the agent stated that parking was addressed through the review process, and that there will be sufficient parking once the proposed building is in place.

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 **Heaslip Ford Sales Ltd.**, to request relief from the commercial motor vehicle length and height definition provisions of the General Commercial (CG) and Downtown Commercial (CD) Zones of Haldimand County Zoning By-law HC 1-2020. The relief is requested to permit the construction of a stand-alone repair building on the

subject property. **Plan 905, Block 18, Part Lot 19 and 20, Registered Plan 18R3869, Urban Area of Hagersville, known municipally as 18 Main Street South**

DECISION: APPROVED

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.

***CHAIRPERSON BROWN LEAVES MEETING. VICE CHAIRPERSON BOWMAN TAKES THE CHAIR**

D) PLA-2023-149 Matt Buckle

Present: Kim Hessels, agent

The proposal is to request relief from the total lot coverage provisions of the Lakeshore Residential (RL) Zone of Haldimand County Zoning By-law HC 1-2020. The relief is requested to permit the construction of a storage building on the subject property.

The agent asked why the condition for a septic evaluation is required when the septic is shown on the plan. The planner said that this was a request of Building for their review to ensure that the construction of the structure will not impact the septic system.

Member Fleck asked whether a permit has been issued for the foundation work completed, and whether an inspection has occurred. The planner said that neither had been completed as of the date of the meeting. The agent has said that a report regarding the work completed has been written by the engineer. Member Fleck than asked that the condition of sending the report to the Building department for their review be added upon approval. There was general agreement to this, and the committee expressed disappointment that work had already stated without permits.

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 **Matt Buckle**, to request relief from the total lot coverage provisions of the Lakeshore Residential (RL) Zone of Haldimand County Zoning By-law HC 1-2020. The relief is requested to permit the construction of a storage building on the subject property. **Plan 140, Lot 3, Geographic Township of Rainham, known municipally as 6 Featherstone Avenue**

DECISION: APPROVED as amended

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.
3. That the Engineering Report for the foundation already laid be submitted to the Haldimand County Building Controls and By-law Enforcement Division for approval. Please contact the Building Controls and By-law Enforcement Division at 905-318-5932, 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.

***CHAIRPERSON BROWN RETURNS TO CHAIR**

E) PLA-2023-153

Kyle Myers

Present: Kim Hessels, agent

The proposal is to request relief from the total lot coverage provisions of the Agricultural (A) Zone of Haldimand County Zoning By-law HC 1-2020. The relief is requested to permit the construction of a storage building on the subject property.

No comment from the agent or the committee.

The Committee made the following decision:

PURSUANT to Subsection 45(1) of *The Planning Act*, R.S.O. 1990 (as amended), this Committee hereby makes the following decision on the application of **Kyle Myers**, to request relief from the total lot coverage provisions of the Agricultural (A) Zone of Haldimand County Zoning By-law HC 1-2020. The relief is requested to permit the construction of a storage building on the subject property. **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**

DECISION: APPROVED

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.

F) PLA-2023-155 Lori-ann Veira

Present: Lori-Ann Veira, applicant

The proposal is to request relief from the exterior side yard provisions of the Hamlet Residential (RH) Zone of Haldimand County Zoning By-law HC 1-2020. The relief is requested to permit the construction of an inground swimming pool on the subject property.

The applicant stated that some trees were moved closer to the road, providing more coverage. No comments from the committee.

The Committee made the following decision:

PURSUANT to Subsection 45(1) of *The Planning Act*, R.S.O. 1990 (as amended), this Committee hereby makes the following decision on the application of **Lori-ann Veira**, to request relief from the exterior side yard provisions of the Hamlet Residential (RH) Zone of Haldimand County Zoning By-law HC 1-2020. The relief is requested to permit the construction of an inground swimming pool on the subject property. **Part of the Abraham Nelles Tract, Registered Plan 18R7348 Part 2, Geographic Township of Seneca, known municipally as 8 Sims Lock Road**

DECISION: APPROVED

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.

G) PLA-2023-162

Donna Arlene Mark

Present: Donna Mark, applicant
Eloise Gunther, neighbour

The proposal is to request relief from the secondary dwelling distance to principal dwelling provisions of the Agricultural (A) Zone of Zoning By-law HC 1-2020. The relief is requested to permit the construction of a secondary dwelling further away from the principle dwelling on the property.

No comment from the applicant. Ms. Gunther expressed support of the application, and expressed concern that the process that the applicant has gone through has been difficult and unnecessary, since they have approached the County prior to initiating the process to acquire the proposed secondary suite.

Committee asked staff what further information is required for this application. The planner explained the process up to this point regarding the review of this application, and added that staff wanted to make sure that there is enough space for all elements required, such as septic, as well as an accurate measurement to ensure that they do not have to approach committee in the future for additional variances. The applicant wondered about the reason why they cannot use the septic bed that they proposed. The planner stated that the Building Department has issues with the proposed septic system, and that they would have to provide the reasoning. Further discussion ensued regarding the process.

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 **Donna Arlene Mark**, to request relief from the secondary dwelling distance to principal dwelling provisions of the Agricultural (A) Zone of Zoning By-law HC 1-2020. The relief is requested to permit the construction of a secondary dwelling further away from the principle dwelling on the property. **Concession 1 North of Talbot Road, Part Lot 2, Geographic Township of North Cayuga, known municipally as 6659 Highway 3**

DECISION: **DEFERRED**

REASONS: To allow the applicant time to provide additional information to staff for review.

H) PLA-2023-171

Brad Mageran

Present: Kim Hessels, agent

The proposal is to request relief from the interior side yard (right) 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 storage building on the subject property.

No comments from the agent. Member Fleck asked verification as to where the new structure would be located. The agent stated that it would replace two existing sheds between the fence and pool.

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 **Brad Mageran**, to request relief from the interior side yard (right) 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 storage building on the subject property. **Plan 5823, Lot 65 and Part Lot 64, Urban Area of Dunnville, known municipally as 130 Cleary Avenue**

DECISION: **APPROVED**

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 October 17, 2023 meeting were adopted as presented.

A discussion occurred with Ashley Waters, Administrative Assistant for the Planning and Development Division regarding submission of mileage requests.

The meeting adjourned at 11:04 am.



Chairman



Secretary-Treasurer