



**HALDIMAND COUNTY  
COMMITTEE OF ADJUSTMENT  
MINUTES  
TUESDAY, JANUARY 23, 2024**

A meeting of the Committee of Adjustment was held on Tuesday, January 23, 2024 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  
Paul Makey  
Brian Snyder  
Carolyn Bowman  
Brian Wagter

**STAFF PRESENT:** Manager Shannon VanDalen  
Planner John Douglas  
Acting Secretary-Treasurer Chenxi Tang

The Committee of Adjustment dealt with the following applications:

**CONSENTS:**

PLB-2023-189	William James Stewart and Ai Jin
PLB-2023-194	1791311 Ontario Inc. (John Bacher)
PLB-2023-195	Peter and Connie Stubbs
PLB-2023-201	William James Stewart and Ai Jin

**DECLARATIONS OF PECUINARY INTEREST:**

**CONSENTS:**

**A) PLB-2023-189 and PLB-2023-201 William James Stewart and Ai Jin**

Present: William Stewart

No discussion

The applicants propose to sever two parcels of land as boundary adjustments. The severed lands in PLB-2023-189 will contain an area of approximately 0.09 hectares (0.22 acres). The severed lands in PLB-2023-201 will contain an area of approximately 0.18 hectares (0.44 acres). The retained parcel will have an approximate area of 48.4 hectares (119.6 acres). The reason for the adjustment in **PLB-2023-189** is to add space to the benefitting lands, and in **PLB-2023-201** the adjustment is to add space for a septic system for the benefitting lands. There is also a proposed partial discharge of a mortgage.

The Committee made the following decisions:

**PLB-2023-189**

**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 **William James Stewart and Ai Jin**, to sever a parcel of land as a boundary adjustment. The severed lands will contain an area of approximately 0.09 hectares (0.22 acres). The retained parcel will have an approximate area of 48.4 hectares (119.6 acres). The reason for the adjustment is to add space to the benefitting lands. **Concession 1, Part Lot 16, Geographic Township of Rainham, known municipally as 1475 Lakeshore Road**

**DECISION: Approved**

**CONDITIONS:**

1. That the Haldimand County requirements, financial or otherwise, be satisfied. This will include taxes paid up to date 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 Section 50(3) or (5) of the Planning Act shall apply to any subsequent conveyance or transaction.

4. That the severed parcels become part and parcel of the abutting lands presently owned by Maria and Vincenzo Ditrapani and further identified as Roll # 2810-158-001-54000.
5. That the solicitor acting in the transfer provide his/her undertaking in the following manner: in consideration of the Certificate by the official I undertake to ensure by a subsearch of the abstract book that at the time of the registration of the said Certificate or deed upon which it has been affixed, the name of the registered owner of the abutting lands is the same as that of the Grantee in the said deed and a copy of the transfer will be provided to the Secretary-Treasurer, once registered.
6. Receipt of a copy of the registered reference plan of the severed parcel, with a frontage of 30 metres (98.4 feet), and an area of 0.09 hectare (0.22 acre). Also, prior to the signing of the certificate, an electronic version of the reference plan in AutoCAD.dwg in format shown below, indicating the consent file number and name of the applicant, must be emailed to ctang@haldimandcounty.on.ca and gistickets@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

7. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before January 23, 2026, after which time this consent will lapse.

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

**PLB-2023-201**

**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 **William James Stewart and Ai Jin**, to sever a parcel of land as a boundary adjustment, as well as execute a partial discharge of a mortgage. The severed lands will contain an area of approximately 0.18 hectares (0.44 acres). The retained parcel will have an approximate area of 48.4 hectares (119.6 acres). The reason for the

adjustment is to add space for a septic system for the benefitting lands. **Concession 1, Part Lot 16, Geographic Township of Rainham, known municipally as 1475 Lakeshore Road**

**DECISION:**           **Approved**

- CONDITIONS:**
1. That the Haldimand County requirements, financial or otherwise, be satisfied. This will include taxes paid up to date 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 Section 50(3) or (5) of the Planning Act shall apply to any subsequent conveyance or transaction.
  4. That the severed parcels become part and parcel of the abutting lands presently owned by Maria and Vincenzo Ditrapani and further identified as Roll # 2810-158-001-54000.
  5. That the solicitor acting in the transfer provide his/her undertaking in the following manner: in consideration of the Certificate by the official I undertake to ensure by a subsearch of the abstract book that at the time of the registration of the said Certificate or deed upon which it has been affixed, the name of the registered owner of the abutting lands is the same as that of the Grantee in the said deed and a copy of the transfer will be provided to the Secretary-Treasurer, once registered.
  6. Receipt of a copy of the registered reference plan of the severed parcel, with a frontage of 30 metres (98.4 feet), and an area of 0.09 hectare (0.22 acre). Also, prior to the signing of the certificate, an electronic version of the reference plan in AutoCAD.dwg in format shown below, indicating the consent file number and name of the applicant, must be emailed to ctang@haldimandcounty.on.ca and gistickets@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

7. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before January 23, 2026, after which time this consent will lapse.

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

**B) PLB-2023-195**

**Peter and Connie Stubbs**

Present: Peter Stubbs, Kimi Stubbs

Member Bowman asks a question regarding conflict of address.

The applicants clarified the address included in the application.

Member Bowman asks a question regarding the PPS about lot adjustment.

The Planner explained the section regarding lot adjustment.

The Manager further explained the reason of the application and the zoning requirement for a lot to have livestock operation and reasons of approval.

Member Ricker asked a question regarding lot adjustment and surplus farm dwelling.

Member Makey asks if the property is located outside urban boundary

The Planner replied.

The proposal is to sever a parcel of land as a boundary adjustment. The severed lands will contain an area of approximately 2.79 hectares (6.9 acres). The retained parcel will have an approximate area of 123.83 hectares (305.9 acres). The reason for the adjustment is to add space to a proposed horse farm.

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 **Peter and Connie Stubbs**, to sever a parcel of land as a boundary adjustment. The severed lands will contain an area of approximately 2.79 hectares (6.9 acres). The retained parcel will have an approximate area of 123.83 hectares (305.9 acres). The reason for the adjustment is to add space to a proposed horse farm.  
**Concession 1, Part Lot 16, Geographic Township of Rainham, known municipally as 1475 Lakeshore Road**

**DECISION:**           **Approved**

- CONDITIONS:**
1. That the Haldimand County requirements, financial or otherwise, be satisfied. This will include taxes paid up to date 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 the owner provide a satisfactory Minimum Distance Separation Report to the Building & Municipal Enforcement Services Division demonstrating that the proposed horse barn will comply with the requirements.
  4. That Section 50(3) or (5) of the Planning Act shall apply to any subsequent conveyance or transaction.
  5. That the severed parcels become part and parcel of the abutting lands presently owned by Kimi Stubbs-Klein and further identified as Roll # 2810-152-005-28450.
  6. That the solicitor acting in the transfer provide his/her undertaking in the following manner: in consideration of the Certificate by the official I undertake to ensure by a subsearch of the abstract book that at the time of the registration of the said Certificate or deed upon which it has been affixed, the name of the registered owner of the abutting lands is the same as that of the Grantee in the said deed and a copy of the transfer will be provided to the Secretary-Treasurer, once registered.
  7. Receipt of a copy of the registered reference plan of the severed parcel, with a frontage of 178.31 metres (585.00 feet), and an area of 2.79 hectare (6.90 acre). Also, **prior to the signing of the certificate**, an electronic version of the reference plan in AutoCAD.dwg in format shown below, indicating the consent file number and name of the applicant, must be emailed to [ctang@haldimandcounty.on.ca](mailto:ctang@haldimandcounty.on.ca) and [gistickets@haldimandcounty.on.ca](mailto:gistickets@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

8. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before January 23, 2026, after which time this consent will lapse.

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

**C) PLB-2023-210**

**Wilfred and Fiona Westerveld**

Present: Paul and Sarah Westerveld

The applicants asks question regarding condition 3

The Planner clarified condition 3.

The applicants propose to sever a lot containing an existing surplus farm dwelling and accessory structures. The severed lands will measure approximately 121.7 metres by 49.35 metres and will contain an area of approximately 0.6 hectares.

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 **Wilfred and Fiona Westerveld**, to sever a lot containing an existing surplus farm dwelling and accessory structures. The severed lands will measure approximately 121.7 metres by 49.35 metres and will contain an area of

approximately 0.6 hectares. **Moulton Concession 2 Part Lot 11, known municipally as 679 DILTZ RD**

**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 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 review fee required by Niagara Peninsula Conservation Authority be paid.

5. Receipt of a copy of the registered reference plan of the severed parcel, with a frontage of 121.7 metres (399.3 feet), and an area of 0.6 hectare (1.5 acre). Also, prior to the signing of the certificate, an electronic version of the reference plan in AutoCAD.dwg in format shown below, indicating the consent file number and name of the applicant, must be emailed to ctang@haldimandcounty.on.ca and gistickets@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 January 23, 2026, after which time this consent will lapse.

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

**Previously Deferred:**

A) **PLB-2023-177** **Allan and Monika Augustine**

Present: Allan Norman and Monika Augustine

The agent provided an overview and the reason for severance.

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).

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**

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

**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 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 severed lot. 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 490.58 metres (1609.5 feet) and contain an area of approximately 5.88 hectares (14.5 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 System: NAD\_1983\_UTM\_Zone\_17N

Projection: Transverse\_Mercator

False\_Easting: 500000.00000000

False\_Northing: 0.00000000

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 December 19, 2025, after which time this consent will lapse.

**REASONS:**

**OTHER BUSINESS:**

The minutes of the December 19, 2023 meeting were adopted as presented.

The meeting adjourned at 10:15 A.M.



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Chairman

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Secretary-Treasurer