



HALDIMAND COUNTY
COMMITTEE OF ADJUSTMENT
MINUTES
TUESDAY, March 10, 2020

A meeting of the Committee of Adjustment was held on Tuesday, March 10, 2020 at 9:00 a.m. in the Council Chambers of the Haldimand County Administration Building.

MEMBERS PRESENT: Vice-Chair Leroy Bartlett
Members Don Ricker
John Gould
Brian Snyder
Brian Wagter
Carolyn Bowman

MEMBER ABSENT: Paul Brown

STAFF PRESENT: Supervisor Development Services Peter Minkiewicz
Planner Ashley Taylor
Secretary-Treasurer Laurie Fledderus

The Committee of Adjustment dealt with the following applications:

CONSENTS:

PLB-2019-201	Michael & Jacqueline Forbes	APPROVED
PLB-2019-204	John & Sharon Lane	APPROVED
PLB-2020-015	Kyle & Sandra Biloski	APPROVED
PLB-2020-024	Thomsen-Jung Farms Ltd. & T J Grain Logistics Ltd.	DEFERRED

CONSENTS & RELATED MINOR VARIANCES:

PLB-2019-205 & PLA-2019-206	Silverthorne Homes	APPROVED
PLB-2020-012 & PLA-2020-013	Albert Postma Construction Ltd.	APPROVED
PLB-2018-154 & PLA-2018-155	Michael & Michelle Wortel	APPROVED

MINOR VARIANCES:

PLA-2019-202	Ben Vint	APPROVED
PLA-2020-008	Mike Cukrovani	APPROVED
PLA-2020-009	Vince & Sabrina Casali	DEFERRED
PLA-2020-022	Kelsey Young & Mark Bazuin	APPROVED

SIGN VARIANCES:

PLA-2020-010	Grand River Home Hardware	REFUSED
PLA-2020-011	Grand River Home Hardware	REFUSED

DECLARATIONS OF PECUINARY INTEREST: None declared

CONSENTS:

A) PLB-2019-201 Michael & Jacqueline Forbes

Present: Larry Humenik, solicitor

The applicants propose to sever an irregular shaped lot containing a surplus farm dwelling. An easement in favour of the retained farmlands is also proposed, for access purposes and an easement is also proposed for hydro infrastructure.

There were concerns from Committee members regarding the large lot size. Staff explained that the proposed lot has been reduced from what was originally proposed and staff are satisfied.

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 **Michael & Jacqueline Forbes**, to sever a lot containing an existing surplus farm dwelling and establish an easement for access purposes and an easement for hydro infrastructure. **Part Lot 4, Range East of Plank Road, Geographic Township of Oneida, 5300 Highway 6 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 of \$250.00 and a fee of \$301.00 for deed stamping.
 2. 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.
 3. 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.
 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. That the owner provide the Ministry of Transportation (MTO) with a Draft Copy of the Reference Plan which defines the limits of the mutual entrance for MTO review and approval. The MTO must approve the Reference Plan prior to clearance of this condition. Please contact the MTO at 519-873-4597 for more information.
 6. That the owner provide the Ministry of Transportation (MTO) the draft copies of the deeds to ensure access rights are incorporated into the deeds. The MTO must approve the deeds prior to clearance of this condition. Please contact the MTO at 519-873-4597 for more information.
 7. That the owner submit a MTO permit application to recognize the mutual entrance. Permit applications and fees are available at the following link: <https://www.hcms.mto.gov.on.ca/PermitWizard>.
 8. That the owner provide Hydro One with a draft Copy of the reference plan which defines the limits of the hydro easement. Hydro One must approve the Reference plan prior to clearance of this condition. Please contact Hydro One for further information.
 9. Receipt of a copy of the registered reference plan of the irregular severed parcel, with a frontage of approximately 20 metres, containing an area of approximately 1.62 hectares, and showing an easement over the driveway to provide mutual access and hydro infrastructure. Also, **prior to deed stamping**, 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 lfledderus@haldimandcounty.on.ca and

astewart@haldimandcounty.on.ca. The AutoCad drawings need to be georeferenced for the following Coordinate System:

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

10. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before March 10, 2021, after which time this consent will lapse.

REASONS: The proposal is consistent with the Provincial Policy Statement (2014), conforms to the Province's Growth Plan (2019) and Haldimand County Official Plan, and meets the intent and purpose of the Town of Haldimand Zoning By-law 1-H 86.

B) PLB-2019-204 John & Sharon Lane

Present: John Lane, applicant
David Cruickshanks, prospective purchaser
Robert Graham, representative of neighbouring church

The applicants propose to sever a parcel of land to be used as lake access for a property on the north side of North Shore Drive.

Mr. Lane had no comments to make. Mr. Graham expressed his hopes that the church will be able to continue to park on the property as Mr. Lane has previously allowed 6 to 10 cars to park there. Mr. Cruickshanks responded that he has no objections to the church using the property as long as it used with respect.

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 **John & Sharon Lane**, to sever a parcel

of land to be used as lake access. **Part Lot 7, Concession 1 from Lake Erie, Geographic Township of Moulton, North Shore Drive**

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 of \$350.00 and a fee of \$301.00 for deed stamping.
 2. That the owner’s solicitor provide confirmation, to the satisfaction of the Planning & Development Division, that the severed lands will be tied to the benefitting lands on the north side of the road to ensure the severed lands and the benefitting lands, if conveyed in the future, are conveyed together.
 3. That the owner’s solicitor provide an undertaking to Haldimand County agreeing that if there are any changes proposed to the wording on the certificate after stamping of the certificate by the County, prior to the registration of the certificate; that the Secretary-Treasurer or designate must approve the change prior to registration of the certificate.
 4. Receipt of a copy of the registered reference plan of the severed parcel, approximately 38 metres by 30.4 metres, containing an area of approximately 0.11 hectare. Also, **prior to deed stamping**, 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 lfledderus@haldimandcounty.on.ca and astewart@haldimandcounty.on.ca. The AutoCad drawings need to be georeferenced for the following Coordinate System:

**Projected Coordinate NAD_1983_UTM_Zone_17N
System:**

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

5. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before March 10, 2021, after which time this consent will lapse.

REASONS: The proposal is consistent with the Provincial Policy Statement (2014), conforms to the Province's Growth Plan (2019), conforms to the Haldimand County Official Plan, and meets the criteria of the Town of Dunnville Zoning By-law 1-DU 80

C) PLB-2020-015 Kyle & Sandra Biloski

Present: Kyle Biloski, applicant

The proposal is to sever an irregular shaped parcel of land s a boundary adjustment.

Mr. Biloski explained to the Committee members that he intends to list the subject lot for sale and wishes to straighten the lot lines.

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 **Kyle & Sandra Biloski**, to sever an irregular shaped parcel of land as a boundary adjustment. **Part Lot 13, Concession 1, Geographic Township of Canborough, 395 Smithville 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 of \$301.00 for deed stamping. Also, a one (1) foot square, unencumbered, parcel of land dedicated to Haldimand County, which must be shown on the reference plan, is required from the abutting lands presently owned by Kyle Biloski and further identified as Roll No. 2810-022-001-10350, if required.
 2. That Section 50(3) or (5) of the Planning Act shall apply to any subsequent conveyance or transaction.
 3. That the severed parcels become part and parcel of the abutting lands presently owned by Kyle Biloski and further identified as Roll # 2810-022-001-10350.
 4. 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 that the one (1) foot

square parcel of land dedicated to Haldimand County is an unencumbered parcel of land. Also the solicitor will apply to consolidate the two parcels into one consolidated PIN so the two parcels can be assessed together and the consolidation information will be provided to the Secretary-Treasurer once completed.

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 irregular shaped severed parcel, approximately 0.2 hectare. Also, **prior to deed stamping**, 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 lfledderus@haldimandcounty.on.ca and astewart@haldimandcounty.on.ca. The AutoCad drawings need to be georeferenced for the following Coordinate System:

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

7. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before March 10, 2021, after which time this consent will lapse.

REASONS: The proposal is consistent with the Provincial Policy Statement (2014), conforms to the Province’s Growth Plan (2019) and Haldimand County Official Plan, and meets the criteria of the Town of Dunnville Zoning By-law 1-DU 80.

D) PLB-2020-024 Thomsen-Jung Farms Ltd. & T J Grain Logistics Ltd.

Present: Gordon Klien, solicitor
Andreas Thomsen-Jung, applicant

The proposal is to sever an irregular shaped parcel of land containing a surplus farm dwelling and accessory structure.

Staff is recommending deferral of the application to allow the applicants time to amend their proposal. Mr. Klein asked that Committee members make a decision now. The accessory structure is structurally sound and the applicants wish it to be included with the dwelling. He explained that the retained lands will be joined in title with an abutting farm

Some members agreed with the staff's recommended deferral, that if the accessory structure is not needed as a farm structure, that it should be removed.

Staff explained that Hydro One has concerns with the location of the existing hydro service and is suggesting amending the proposal to include the hydro poles or to establish an easement.

There was discussion on the merging of the retained lands with an abutting farm. Staff suggested that the proposal be amended to request a boundary adjustment. If amended, the requirement of a zoning amendment will not be required. A minor variance, however, will be required to address the deficient lot frontage on the 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 **Thomsen-Jung Farms Ltd. & T J Grain Logistics Ltd.** to sever an irregular shaped parcel of land containing a surplus farm dwelling and accessory structure. **Part Lots 5 & 6 Concession 1 Northwest of Stoney Creek Road, Geographic Township of Seneca, 174 Stoneman Road.**

DECISION: DEFERRED

REASONS: To allow the applicants an opportunity to amend their proposal.

CONSENTS & RELATED MINOR VARIANCES:

A) PLB-2019-205 & PLA-2019-206 Silverthorne Homes

Present: David Roe, agent
John Morrison, neighbouring property owner

Steve Allen, neighbouring property owner

The applicant proposes to sever a lot for residential purposes. Relief is requested from the provisions of the R1 Zone of Zoning By-law 1-DU 80 from the lot frontage on the proposed severed lands and from the lot frontage and front yard setback on the proposed retained lands.

Mr. Roe was in agreement with staff's recommendation and suggested conditions.

Mr. Morrison lives next door to the property, where the driveway is proposed. He would like to see a fence installed from front to back between the driveway and his property.

Mr. Allen has concerns with flooding and a mature poplar tree on the subject lands. He fears the tree could fall onto his property.

Staff responded to Mr. Allen's concerns regarding flooding. A lot grading plan will be required as a condition of approval and should alleviate those concerns. The tree can be removed through the permit process.

Mr. Roe responded to Mr. Morrison's concern, stating that a privacy fence is to be installed along the proposed driveway.

The Committee made the following decision:

PLB-2019-205

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 **Silverthorne Homes**, to sever a lot for residential purposes. **Lot 6, Plan 554, Urban Area of Dunnville, 304 Forest Street West**

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 of \$350.00 and a fee of \$301.00 for deed stamping.
 2. Receipt of a letter from the Planning & Development Division indicating that their requirements, regarding a lot grading and servicing plan for the severed parcel to address surface drainage of the property and water and wastewater servicing, have been satisfied. Please note that the owner\developer is responsible to have the plans prepared/stamped/signed by a qualified Professional Engineer as per Haldimand County Design Criteria. Contact the Development & Design Technologist at 905-318-5932, ext. 6409, if further clarification required. Please allow approximately six (6) to eight (8) weeks for completion of this process.

3. 3. That the applicant enter into an agreement with Haldimand County regarding the required lot grading plan. Contact the Planning & Development Division at 905-318-5932 for further clarification. As this process can take a number of months to complete, early action on this condition is essential.
4. 4. Receipt of entrance permits from the Roads Operations Division for the severed and retained lands. Permits may be obtained from the County's Kohler Roads Operations Centre. Roads Operations Division Support staff at 905-318-5932, Ext. 8601 for details.
5. That the applicant enter into an agreement with Haldimand County regarding the required lot grading plan. Contact the Planning & Development Division at 905-318-5932 for further clarification. As this process can take a number of months to complete, early action on this condition is essential.
6. That the applicant:
 - Provide a drawing and receive County approval for a drawing that proves the proposed parking arrangement is functional;
 - Remove / replace the hydro pole in front of the intended driveway to the satisfaction of Hydro One and supply proof of Hydro One's satisfaction to the County;
 - Remove any County trees in the right of way in front of the intended driveway to the satisfaction of the County (consultation with the Forestry Division is required);
 - Remove the chimney, metal structure, and air conditioning unit (and any other items) in the intended driveway area to the satisfaction of the local Building Inspector;
 - Remove / replace the gas infrastructure in the intended driveway area to the satisfaction of Union Gas and supply proof of Union Gas' satisfaction to the County; and
 - Install the driveway and parking areas to the satisfaction of the County (consultation with the Roads Operation Division is required).
 - That the applicant removes a portion of the existing dwelling infringing in the left interior side yard on the lands to be retained to the satisfaction of the local Building Inspector.
7. That the owner's solicitor provide an undertaking to Haldimand County agreeing that if there are any changes proposed to the wording on the certificate after stamping of the certificate by the County, prior to the registration of the certificate; that the Secretary-Treasurer or designate must approve the change prior to registration of the certificate.

8. Receipt of a copy of the registered reference plan of the severed parcel, approximately 11 metres by 44. 2 metres, containing an area of approximately .486 square metres. Also, **prior to deed stamping**, 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 lfledderus@haldimandcounty.on.ca and astewart@haldimandcounty.on.ca. The AutoCad drawings need to be georeferenced for the following Coordinate System:

Projected Coordinate System: NAD_1983_UTM_Zone_17N
 Projection: Transverse_Mercator
 False_Easting: 500000.00000000
 False_Northing: 0.00000000
 Central_Meridian: -81.00000000
 Scale_Factor: 0.99960000
 Latitude_Of_Origin: 0.00000000
 Linear Unit: Meter
 Geographic Coordinate System: GCS_North_American_1
 Datum: D_North_American_1983
 Prime Meridian: Greenwich
 Angular Unit: Degree

9. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before March 10, 2021, after which time this consent will lapse.

REASONS: The proposal is consistent with the Provincial Policy Statement (2014), conforms to the Province’s Growth Plan (2019) and Haldimand County Official Plan, and satisfies the general purpose and intent of the Town of Dunnville Zoning By-law 1-DU 80

PLA-2019-206

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 **Silverthorne Homes** for relief from the provisions of the R1 Zone of Zoning By-law 1-DU 80 as follows:

Development Standards	Required	Proposed	Deficiency
Lot Frontage (severed lands)	15 metres	11.05 metres	3.95 metres
Lot Frontage (retained lands)	15 metres	12.11 metres	2.89 metres
Front Yard setback (retained lands)	6 metres	3.83 metres	2.17 metres

Lot 6, Plan 554, Urban Area of Dunnville, 304 Forest Street West

DECISION: APPROVED

REASONS: The relief requested is consistent with the Provincial Policy Statement (2014), conforms to the Province's Growth Plan (2019) and Haldimand County Official Plan, and meets the general and intent of the Town of Dunnville Zoning By-law 1-DU 80. It is also considered minor in nature and appropriate and compatible development.

B) PLB-2020-012 & PLA-2020-013 Albert Postma Construction Ltd.

Present: Albert Postma, applicant

The proposal is to sever a lot for residential purposes. Relief is requested from the provisions of the R2 Zone of Zoning By-law 1-DU 80 from the lot frontage on the proposed severed lands and from the lot frontage and exterior side yard on the proposed retained lands.

It was noted that the County owns the alleyway located to the east of the subject lands.

The Committee made the following decision:

PLB-2020-012

PURSUANT to Subsection 53(1) of *The Planning Act*, R.S.O. 1990 (as amended), this Committee hereby makes the following decision on the application of **Albert Postma Construction Ltd.**, to sever a lot for residential purposes. **Lot 5, Plan 97, Urban Area of Dunnville, 167 Cross Street East**

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 of \$350.00 and a fee of \$301.00 for deed stamping.
 2. Receipt of final approval of the required minor variance (PLA-2020-013). For further information, please contact Planning Staff at 905-318-5932.
 3. Receipt of a letter from the Planning & Development Division indicating that their requirements, regarding a lot grading and servicing plan to address surface drainage of the property and water and wastewater servicing, have been satisfied. Please note that the owner\developer is responsible to have the plans prepared/stamped/signed by a qualified Professional Engineer as per Haldimand County Design Criteria. Contact the Development & Design Technologist at 905-318-5932, ext. 6409, if further clarification required. Please allow approximately six (6) to eight (8) weeks for completion of this process.

4. That the applicant enter into an agreement with Haldimand County regarding the required lot grading plan. Contact the Planning & Development Division at 905-318-5932 for further clarification. As this process can take a number of months to complete, early action on this condition is essential.
5. Receipt of a letter from the Roads Operations Division indicating that they have no objections to the future issuance of an entrance permit. In lieu of a letter, a copy of permit(s) may be provided to the Secretary-Treasurer. Entrance permits may be required for existing, severed, and / or retained parcels. Permits may be obtained from the County's Kohler Roads Operations Centre. Roads Operations Division Support staff at 905-318-5932, Ext. 8601 for details.
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, approximately 11.09 metres by 42 metres and will contain an area of approximately 465 square metres. Also, **prior to deed stamping**, 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 lfledderus@haldimandcounty.on.ca and astewart@haldimandcounty.on.ca. The AutoCad drawings need to be georeferenced for the following Coordinate System:

Projected Coordinate NAD_1983_UTM_Zone_17N

System:

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

8. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before March 10, 2021, after which time this consent will lapse.

REASONS: The proposal is consistent with the Provincial Policy Statement (2014), conforms to the Province’s Growth Plan (2019) and Haldimand County Official Plan, and satisfies the purpose and intent of the Town of Dunnville Zoning By-law 1-DU 80

PLA-2020-013

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 Albert Postma Construction Ltd. in conjunction with Consent Application PLB-2020-012. From the provisions of the, relief is requested from the provisions of the R2 Zone of Zoning By-law 1-DU 80 as follows for single detached dwellings:

Development Standards	Required	Proposed	Deficiency
Lot Frontage (severed lands)	15 metres	11 metres	4 metres
Lot Frontage (retained lands)	15 metres	13.45 metres	1.55 metres
Exterior Side yard (retained lands)	6 metres	0 metre	0 metre

Lot 5, Plan 97, Urban Area of Dunnville, 167 Cross Street East

DECISION: APPROVED

REASONS: The requested relief is consistent with the Provincial Policy Statement (2014), conforms to the Province’s Growth Plan (2019) and Haldimand County Official Plan, and meets the general intent and purpose of the Town of Dunnville Zoning By-law 1-DU 80. It is also considered minor in nature and appropriate and compatible development.

C) PLB-2018-154 & PLA-2018-155

Present: Michael Wortel, applicant

The proposal is to sever a lot for residential purposes. Relief is also requested from the provisions of the Town of Dunnville Zoning By-law from the required lot area and lot frontage on the severed lands and from the required lot frontage on the retained lands.

Mr. Wortel asked what will be required to fulfill the recommended condition for road upgrades. Staff responded that the applicant will be required to repair and replace any damages caused by the installation of servicing.

The Committee made the following decisions:

PLB-2018-154

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 **Michael & Michelle Wortel**, to sever a lot fro residential purposes. **Part Lot B, Plan 395, Urban Area of Dunnville, 600 John Street**

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 of \$350.00 and a fee of \$301.00 for deed stamping.
 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. 6407, if further clarification required. Please allow approximately six (6) to eight (8) weeks for completion of this process.
 3. Receipt of a letter from the Planning and Development Division indicating that their requirements, regarding a drainage re-apportionment agreement between both severed and retained parcels, have been satisfied. The county is responsible for maintaining municipal drains on behalf of the community of landowners involved in the drain. The cost of the drain maintenance is assessed to the landowners. The division of land requires that the assessment be re-calculated for the retained and severed parcels. A written request to initiate re-apportionment is necessary. A fee is administered with each agreement. Please allow six (6) weeks for completion of this process. Contact the Supervisor, Project and Municipal Drains at 905-318-5932, ext. 6407, for further clarification.
 4. Receipt of a letter from the Planning & Development Division indicating that their requirements, regarding road upgrades, have been satisfied. An upgrade of the road surface/cross-section/boulevard is required to ensure the roadway meets current standards. Contact the Planning & Development Division at 905-318-5932 for further clarification. As this process can take a number of months to complete, early action on this condition is essential.
 5. Receipt of final approval of the required Minor Variance (PLA-2018-155).
 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, approximately 9.9 metres (32.7 feet) by 33 metres (108.3 feet), containing an area of approximately 0.033 hectare (0.08 acre). Also, **prior to deed stamping**, 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 lfledderus@haldimandcounty.on.ca and astewart@haldimandcounty.on.ca. The AutoCad drawings need to be georeferenced for the following Coordinate System:

**Projected Coordinate NAD_1983_UTM_Zone_17N
System:**

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

8. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before March 10, 2021, after which time this consent will lapse.

REASONS: The proposal is consistent with the Provincial Policy Statement (2014), conforms to the Province’s Growth Plan (2019) and Haldimand County Official Plan, and meets the criteria of the Town of Dunnville Zoning By-law 1-DU 80.

PLA-2018-155

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 **Michael & Michelle Wortel**, for relief from the provisions of the Urban Residential Type 1 (R1 Zone of Zoning By-law 1-DU 80 on both the severed and retained lands as shown below to facilitate the severance as shown below:

SEVERED LANDS:

Development Standards	Required	Proposed	Deficiency
Lot Area	465 square metres (5005.2 square feet)	335 square metres (3,606 square feet)	130 square metres (426.5 square feet)
Lot Frontage	15 metres (49.2 feet)	9.98 metres (32.7 feet)	5.02 metres (16.5 feet)

RETAINED LANDS:

Development Standards	Required	Proposed	Deficiency
Lot Frontage	15 metres (49.2 feet)	9.8 metres (32.7 feet)	5.02 metres (16.5 feet)

Part Lot B, Plan 395, Urban Area of Dunnville, 600 John Street

DECISION: APPROVED

REASONS: The relief requested is consistent with the Provincial Policy Statement (2014), conforms to the Province’s Growth Plan (2019) and Haldimand County Official Plan, and meets the general intent and purpose of the Town of Haldimand Zoning By-law 1-DU 80. It is also considered minor in nature and appropriate and compatible development.

MINOR VARIANCES:

A) PLA-2019-202 Ben Vint

Present: Ben Vint, applicant

The applicant proposes to construct an accessory structure on the subject lands. Relief is requested from the provisions of the Hamlet Residential Zone of Zoning By-law 1-H 86 from the maximum permitted area for accessory structures.

Mr. Vint had no comments or concerns.

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 Ben Vint, for relief from the provisions of the Hamlet Residential Zone of Zoning By-law 1-H 86 as shown below:

Development Standards	Required	Proposed	Deficiency
Maximum Area for Accessory Structures	200 square metres	319.58 square metres (includes new structure & existing garden shed)	119.58 square metres

Part Lot 15, Concessions 7 North, Geographic Township of South Cayuga, 6156 Rainham Road

DECISION: APPROVED

CONDITIONS: 1. The development shall be in accordance with the attached sketch.

REASONS: The relief requested is consistent with the Provincial Policy Statement (2014), conforms to the Province’s Growth Plan (2019) and Haldimand County Official

Plan, and meets the general intent and purpose of the Town of Haldimand Zoning By-law 1-H 86. It is also considered minor in nature and appropriate and compatible development

B) PLA-2020-008 Mike Cukrovani

Present: Mike Cukrovani, applicant

The applicant proposes to construct an accessory structure 9 metres by 12.65 metres. Relief is requested from the provisions of the Agricultural Zone of Zoning By-law 1-H 86 from the Maximum permitted Area for Accessory Structures and exterior side yard.

Mr. Cukrovani had no comments or concerns.

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 Mike Cukrovani, for relief from the provisions of the Agricultural Zone of Zoning By-law 1-H 86 as follows:

Development Standards	Required	Proposed	Deficiency
Section 6.7(e) Maximum Area Accessory Structures	100 square metres	150 square metres	50 square metres
Exterior Side Yard	13 metres	6 metres	7 metres

Part Lot 1, Concession 5, Geographic Township of Oneida, 319 4th Line

DECISION: APPROVED

- CONDITIONS:**
1. Receipt of a letter from the Roads Operations Division indicating that they have no objections to the future issuance of an entrance permit. In lieu of a letter, a copy of permit(s) may be provided Permits may be obtained from the County’s Roads Operations Division Support staff at 905-318-5932, Ext. 8601 for details;
 2. The applicant confirms all tree removal requirements with the Project Manager of Forestry. Please contact Adam Chamberlin at 905-318-5932 ext. 6512; and
 3. The proof be provided that the proposed accessory structure is located at least 4.8 metres from Hydro One’s infrastructure (existing single phase circuit) on the subject lands.

REASONS: The requested relief is consistent with the Provincial Policy Statement (2014), conforms to the Province’s Growth Plan (2019) and Haldimand County Official Plan, and meets the general intent and purpose of the Town of Haldimand Zoning By-law 1-H 86. It is also considered minor in nature and appropriate and compatible development.

C) PLA-2020-009 Vince & Sabrina Casali

Present: No one present

The applicants propose to convert the existing accessory structure into a seasonal dwelling. Relief is requested from the provisions of the Seasonal Residential Zone of Zoning By-law 1-DU 80 from the lot area, front yard setback (east side), Section 6.16, Frontage on an Improved Street and to deem the east lot line as the front lot line.

Staff is recommending deferral due to concerns by the Grand River Conservation Authority.

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 **Vince & Sabrina Casali**, for relief from the provisions of the Seasonal Residential Zone of Zoning By-law 1-DU 80 as follows:

Development Standards	Required	Proposed	Deficiency
Lot Area	1855 square metres	631 square metres	1,224 square metres
Front Yard Setback (east side)	9 metres	2.46 metres	6.54 metres
Section 6.16, Frontage on Improved Street	Frontage on Public Roadway	Frontage on Private Right-of-way	Frontage on Public Roadway
The front lot line shall be deemed as the east lot line			

Part Lot 5, Concession 4 South of Dover Road, Geographic Township of Dunn

DECISION: DEFERRED

REASONS: To allow the applicants time to address the Grand River Conservation Authority’s concerns and requirements and to confirm the usable floor area of the structure.

D) PLA-2020-022 Kelsey Young & Mark Bazuin

Present: Mark Bazuin, applicant
Ben Richardson, neighbouring property

The applicants propose to construct an accessory structure 10.4 metres by 15.24 metres. Relief is requested from the provisions of the Agricultural Zone of Zoning By-law 1-H 86 from the exterior side yard and lot coverage.

Mr. Bazuin had no comments or questions.

Mr. Richardson was in attendance as he found the notice, he received, confusing and wanted to get a clearer picture of what is being proposed. Staff explained that the applicant is removing and replacing one of the existing accessory structures. The structure is to be used for residential storage.

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 **Kelsey Young & Mark Bazuin** for relief from the provisions of the Agricultural Zone of Zoning By-law 1-H 86 as follows:

Development Standards	Required	Proposed	Deficiency
Exterior Side Yard	13 metres	8.2 metres	4.8 metres
Lot Coverage	10% up to 100 square metres	183.45 square metres (existing = 25.55 square metres + proposed = 157.9 square metres)	183.45 square metres

Part Lot 31, River Range, Geographic Township of Oneida, 4420 River Road

DECISION: APPROVED

CONDITIONS: 1. The development shall be in accordance with the attached sketch.

REASONS: The relief requested is consistent with the Provincial Policy Statement (2014), conforms to the Province’s Growth Plan (2019) and Haldimand County Official Plan, and meets the general intent and purpose of the Town of Haldimand Zoning By-law 1-H 86. It is also considered minor in nature and appropriate and compatible development.

SIGN VARIANCES:

D) PLA-2020-010 & 011 Grand River Hardware Co. Ltd.

Present: No one present

The applicants propose to post an electronic message sign on the north wall of the existing hardware store. Relief is requested from the provisions of the Haldimand County Sign By-law No. 1064/10 to permit an electronic sign that displays images and text as part of a wall sign to be

located above the first storey of the existing building. The Sign By-law does not permit an electronic message board which displays images and text as part of a wall sign. The Sign By-law also does not permit a wall sign above the first storey of a building. The sign is proposed to be approximately 2.44 metres by 3.66 metres in size.

There was much discussion regarding another LED sign located in Hagersville and all issues surrounding it. Staff is recommending refusal of these applications.

The Committee made the following decision:

PLA-2020-010

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 **Grand River Hardware Co. Ltd.**, to permit the posting of an electronic message sign on the north wall of the existing hardware store. **Part Lot 2, Block 22, Plan 905, Urban Area of Hagersville, 11 Main Street South**

DECISION: REFUSED

REASONS: The proposal is not consistent with the intent and purpose of the Sign By-law or the Official Plan and Urban Design Guidelines and will alter the character of the area where they are located.

PLA-2020-011

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 Grand River Hardware Co. Ltd., to permit the posting of an electronic message sign on the south wall of the existing hardware store. **Part Lot 2, Block 22, Plan 905, Urban Area of Hagersville, 15 Main Street South**


DECISION: REFUSED


REASONS: The proposal is not consistent with the intent and purpose of the Sign By-law or the Official Plan and Urban Design Guidelines and will alter the character of the area where they are located.

OTHER BUSINESS:

The minutes of the February 11, 2020 meeting were adopted as amended.

The meeting adjourned at 10:45 a.m.


Chairman


Acting Secretary-Treasurer