



**HALDIMAND COUNTY  
COMMITTEE OF ADJUSTMENT  
MINUTES  
TUESDAY, JULY 28, 2020**

A meeting of the Committee of Adjustment was held on Tuesday, July 28, 2020 at 9:00 a.m. in the Council Chambers of the Haldimand County Administration Building.

<b>MEMBERS PRESENT:</b>	Chair Members	Paul Brown Don Ricker John Gould Brian Snyder Brian Wagter Carolyn Bowman Leroy Bartlett
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<b>STAFF PRESENT:</b>	Supervisor Development Services Planner Acting Secretary-Treasurer	Peter Minkiewicz Justin Miller David Scott
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The Committee of Adjustment dealt with the following applications:

**CONSENTS:**

PLB-2020-016	1008613 Ontario Inc.	APPROVED
PLB-2020-027	John Ricker	APPROVED
PLB-2020-028	Schilstar Holdings Inc.	APPROVED
PLB-2020-031	William John & Betty Vanderheide	APPROVED
PLB-2020-033	Huigen Bros. Farms	REFUSED
PLB-2020-034	Wilfred & Fiona Westerveld	DEFERRED
PLB-2020-038	Maplerow Farms Inc.	APPROVED
PLB-2020-040	David & Pamela Bergin	APPROVED
PLB-2020-041	Pine Ridge Gardens Inc.	APPROVED
PLB-2020-042	Mark Tiersma	APPROVED
PLB-2020-045	Minor Bros. Farm Supply	APPROVED
PLB-2020-046	Mark McCutcheon	APPROVED
PLB-2020-047	Mark McCutcheon	APPROVED

PLB-2020-048	Mark McCutcheon	APPROVED
PLB-2020-049	Mark McCutcheon	APPROVED

**MINOR VARIANCES:**

PLA-2020-006	Glenn & Rudy Weston	APPROVED
PLA-2020-009	Vince & Sabrina Casali	APPROVED
PLA-2020-043	Floyd Roadhouse & Sarah-Jane Smith	APPROVED
PLA-2020-082	Robin Laing	APPROVED

**SIGN VARIANCES:**

PLA-2020-035	Dr. Luay Al-Kazely	DEFERRED
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**DECLARATIONS OF PECUNIARY INTEREST: None**

**CONSENTS:**

**A) PLB-2020-016 1008613 Ontario Inc.**

Present: Victoria Young, agent

The proposal is to sever a lot containing an existing semi-detached dwelling unit. The severed lands will measure approximately 10.07 metres by 45.4 metres and will contain an area of approximately 455 square metres.

The agent wanted to clarify that the semi is completed, as opposed to vacant land that is referred to in some parts of the report. There were no questions or comments from the 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 **1008613 Ontario Inc.**, to sever a lot containing an existing semi-detached dwelling unit. The severed lands will measure approximately 10.07 metres by 45.4 metres and will contain an area of approximately 455 square metres. **Part Lot 12, South Side Chippewa Street, Urban Area of Cayuga, 1 Chippewa 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 \$250.00 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. 6409, 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 & 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.
4. Receipt of a letter from the Roads Operations Division indicating that they have no objections to the future issuance of an entrance permit for both the severed and retained lands. 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. 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, approximately 10.33 metres by 45.4 metres and will containing an area of approximately 469 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 [dscott@haldimandcounty.on.ca](mailto:dscott@haldimandcounty.on.ca) and [astewart@haldimandcounty.on.ca](mailto: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

7. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before July 28, 2021, after which time this consent will lapse.

**REASONS:** The proposal is consistent with the Provincial Policy Statement (2020), 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-2020-027     John Ricker**

Present: John Ricker, applicant  
Rodney Ricker, agent

The proposal is to sever a parcel of land, approximately 16 hectares in size, to be merged in title with an abutting farm parcel to the north. A lot, approximately 209 metres by 216 metres, containing an existing surplus farm dwelling and accessory structures, will be retained.

No comments from the applicant. Member asked why the County is speaking on 3 and 4 as opposed to MTO. Staff stated that the conditions should be changed to reflect provincial comment requirement. It was stated that the size seems large. The drainage can be considered as line because of its size. It was asked why, if this is a boundary adjustment that this has a surplus farm dwelling. The Supervisor of Development Services stated that the intent is the same, and the effect is as well.

A member requested that the severed property could be reduced, as County policy states that new lots of this type should be no more than 1.5 acres. The Supervisor of Development Services stated that we would ask the applicant for a justification as to the size. There is an understanding that some of the land is unfarmable, so it doesn't offend policy, but that the decision rests with the committee. The agent confirmed that logic, in addition to the fact the land is not accessible from the farm parcel. It is not advisable for farm access over the drain or highway. It was asked if there is access from the benefitting land. The agent said it is possible, but difficult. It was asked where access to the land would be. The agent stated it is accessed from the back of the land.

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 Ricker**, to sever a parcel of land, approximately 16 hectares in size, to be merged in title with an abutting farm parcel to the north. A lot, approximately 209 metres by 216 metres, containing an existing surplus farm dwelling and accessory structures, will be retained. **Part Lot 11, Concession 3, Part Clement Tract, Part Gore Lot, Geographic Township of Canborough, 7480 Highway 3**

**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 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 Project Manager, Municipal Drains at 905-318-5932, ext. 6415, for further clarification.
  3. Receipt of a letter from the Ontario Ministry of Transportation indicating that they have no objections to the future issuance of an entrance permit for the retained parcel. 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.
  4. Receipt of a letter from the Ontario Ministry of Transportation indicating that their requirements, regarding road upgrades, have been satisfied, if required. An upgrade of the road surface/cross-section/boulevard is required to ensure the roadway meets current standards.
  5. That Section 50(3) or (5) of the Planning Act shall apply to any subsequent conveyance or transaction.
  6. That the severed parcels become part and parcel of the abutting lands presently owned by Sugarcreek Farms Limited and further identified as Roll # 2810-002-04150. If the title of the retained lands is merged with the title of an adjacent farm holding, the zoning by-law to restrict a new residential dwelling on the retained lands will not be required
  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 retained parcel, approximately 209 metres by 216 metres, containing an area of 3.8 hectares. 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 [dscott@haldimandcounty.on.ca](mailto:dscott@haldimandcounty.on.ca) and [astewart@haldimandcounty.on.ca](mailto: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

9. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before July 28, 2021, after which time this consent will lapse.

**REASONS:** The proposal is consistent with the Provincial Policy Statement (2020), conforms to the Province's Growth Plan (2019) and Haldimand County Official Plan, and meets the intent and purpose of the Town of Dunnville Zoning By-law 1-DU 80.

**C) PLB-2020-028 Schilstar Holdings Inc.**

Present: Lawrence Schilsra, president

The proposal is to sever a lot containing an existing surplus farm dwelling and accessory structure. The severed lands will measure approximately 79.25 metres by 76.2 metres and will contain an area of approximately 0.57 hectare.

No comments from applicant. Member stated that the property is well cleaned out. Member stated a discrepancy in the planning comment of the report. The Supervisor of Development Services stated is that it 'will freeze', no effect on the intent of the report. It was repeated in a number of reports, but no effect on those recommendations in those as well. Staff is aware of the error and will be avoided in the future.

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 **Schilstar Holdings Inc.**, to sever a lot containing an existing surplus farm dwelling and accessory structure. The severed lands will measure approximately 79.25 metres by 76.2 metres and will contain an area of approximately 0.57 hectare. **Part Lot 9, Concession 2, Geographic Township of Sherbrook, 1891 Northshore 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. 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 recalculated 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 Project Manager, Municipal Drains at 905-318-5932, ext. 6415, for further clarification.
3. Receipt of a letter from the Roads Operations Division indicating that they have no objections to the future issuance of an entrance permit for the retained parcel. 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 an application for a new civic address be submitted for the retained (or severed) parcel. Contact the Planning & Development Division at 905-318-5932, ext. 6220 for details.
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, approximately 79.25 metres by 76.2 metres, containing an area of approximately 0.57 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 [dscott@haldimandcounty.on.ca](mailto:dscott@haldimandcounty.on.ca) and [astewart@haldimandcounty.on.ca](mailto: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 July 28, 2021, after which time this consent will lapse.

**REASONS:** The proposal is consistent with the Provincial Policy Statement (2020), conforms to the Province's Growth Plan (2019) and Haldimand County Official Plan, and meets the intent and purpose of the Town of Dunnville Zoning By-law 1-DU 80.

**D) PLB-2020-031 William John & Betty Vanderheide**

Present: William Vanderheide, applicant

to sever a lot containing an existing surplus farm dwelling. The severed lands will measure approximately 57 metres by 106 metres and will contain an area of approximately 0.6 hectare.

No comment from the applicant. A member asked why the lot was deep. The applicant stated that it was for the future construction of a shed.



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 **William John & Betty Vanderheide**, to sever a lot containing an existing surplus farm dwelling. The severed lands will measure approximately 57 metres by 106 metres and will contain an area of approximately 0.6 hectare. **Part Lots 7 & 8, Concession 3, Geographic Township of Dunn, 940 King's Row**

**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 an application for a new civic address be submitted for the retained (or severed) parcel. Contact the Planning & Development Division at 905-318-5932, ext. 6220 for details.
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 57 metres by 106 metres and will contain an area of approximately 0.6 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 [dscott@haldimandcounty.on.ca](mailto:dscott@haldimandcounty.on.ca) and [astewart@haldimandcounty.on.ca](mailto: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

5. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before July 28, 2021, after which time this consent will lapse.

**REASONS:** The proposal is consistent with the Provincial Policy Statement (2020), conforms to the Province's Growth Plan (2019) and Haldimand County Official Plan, and meets the intent and purpose of the Town of Dunnville Zoning By-law 1-DU 80.

**E) PLB-2020-033 Huigen Bros. Farms**

Present: Kim Hessels, agent

The proposal is to sever a vacant lot for residential purposes. The severed lands will measure approximately 50.4 metres by 81.5 metres and will contain an area of approximately 0.57 hectare.

No comments from the agent. A member asked if the property is part of the farm. The agent stated that it was, but it was never farmed, and cannot be farmed, due to access. There used to be a farmhouse on the property. It was asked that if there have been a surplus farm dwelling severance on this property before, is this property frozen from residential development? The agent says that previous surplus farm dwelling severances do not affect this application. It was asked if a previous surplus farm dwelling severance would freeze the zoning on the property. The planner said that it would. The planner said that there is no evidence of the freezing having been put in place, as the mapping may not be up-to-date, but that previous surplus farm dwelling severance would be automatically placed on the parcel.

The Committee made the following decision:

**PURSUANT** to Subsection 53(1) of *The Planning Act*, R.S.O. 1990 (as amended), this Committee hereby makes the following decision on the application of **Huigen Bros. Farms**, to sever a vacant lot for residential purposes. The severed lands will measure approximately 50.4 metres by 81.5 metres and will contain an area of approximately 0.57 hectare. **Part Lot 4, Concession 4 South of Dover Road, Geographic Township of Dunn, Lakeshore Road**

**DECISION: REFUSED**

**REASONS:** The proposal is not consistent with the Provincial Policy Statement (2020), does not conform to the Province's Growth Plan (2019) and Haldimand County Official Plan, and does not meet the intent and purpose of the Town of Dunnville Zoning By-law 1-DU 80.

**F) PLB-2020-034 Wilfred & Fiona Westerveld**

Present: Wilfred Westerveld, applicant

The proposal is to sever a lot containing an existing surplus farm dwelling and accessory structures. The severed lands will measure approximately 198 metres by 133 metres and will contain an area of approximately 2.5 hectares.

The applicant requested information as to whether a deferral means that they would be able to meet the planner to provide information on their application. Staff confirmed this, and want the applicant to look at the opportunity to adjust the size. The applicant stated that the size is as the result of setbacks stated by the Ministry of Agriculture, Food and Rural Affairs from municipal drain from a dairy operation, making the severed land as unusable; plus they want to provide a home for their children.

A member asked if staff was aware of the setback requirements, and whether this information could be provided to the committee, as this may be new to committee members. This was concurred with by other members. The planner said that there are setback requirements based on the type of operation, and that it needs to be provided. It was suggested that this information needs to be provided to the Committee so that they can make an informed decision on the application. The applicant stated that the setbacks are due to nutrient management, not the ability to farm the land.

A member asked why the applicant would have to provide Niagara Peninsula Conservation Authority information regarding the 100-year flood plain mapping. The planner stated that the information in the mapping is not as accurate as in urban areas, so the conservation authority can ask the applicant to verify that their development is regarding the flood plain.

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 & Fiona Westerveld**, to sever a lot containing an existing surplus farm dwelling and accessory structures. The severed lands will measure approximately 198 metres by 133 metres and will contain an area of approximately 2.5 hectares. **Part Lot 11, Concession 2, Geographic Township of Moulton, 679 Diltz Road**

**DECISION: DEFERRAL**

**REASONS:** To give applicant time to consult staff with further information on application, and to investigate opportunities to reduce the size of the lot.

**G) PLB-2020-038      Maplerow Farms Inc.**

Present: Jason Cowie, agent

The proposal is to sever a vacant lot for residential purposes. The severed lands will measure approximately 46.63 metres by 66 metres and will contain an area of approximately 0.31 hectare.

No comment from the agent. A member stated that this application should be approved. The surrounding area is residential, and the property in question cannot be farmed. They continued by saying that if the Committee says yes, that other levels of government can stop it if necessary. Other members expressed similar sentiments.

Another member expressed that this is the creation of an estate lot. As it can still be cared for by the owner, and it is not located in a settlement area. For these reasons, the application should be refused, as per staff's recommendation.

Another member sees it as an hamlet expansion, which makes sense when looking at the situation as it exists on the ground. Discussion continued on these points. It was pointed out that provincial policy is strongly expressed against lot creation in agricultural areas, and that approving this application is setting a dangerous precedent. Furthermore, it was acknowledged that a previous application affecting the property (PLB-2019-029) had frozen residential development on the land.

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 vacant lot for residential purposes. The severed lands will measure approximately 46.63 metres by 66 metres and will contain an area of approximately 0.31 hectare. **Part Lot 3, Range 3 West of Plank Road, Geographic Township of Seneca, 449 Mines Road**

**DECISION:** A motion to accept staff's recommendation to refuse the application was defeated by four votes to three (4-3).

Motion to approve the application:

**APPROVED (4 votes to 3)**

- 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 all conditions of approval for Consent application PLB-2019-029 be completed, certificate signed and the transfer of the lands be completed prior to the completion of this application. Proof of

registration of the transfer is to be provided to the Secretary-Treasurer prior to the signing of the certificate.

3. 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.
4. That proof be provided that all existing buildings on the retained lands meet the required setbacks of the Agricultural Zone of Zoning By-law 1-H 86.
5. Receipt of a letter from the Roads Operations Division indicating that they have no objections to the future issuance of an entrance permit for the severed parcel. 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.
6. Receipt of final approval of the required minor variance (Minor Variances can take three months, therefore, your application must be submitted as soon as possible). For further information, please contact Planning Staff at 905-318-5932.
7. That an application for a new civic address be submitted for the retained (or severed) parcel. Contact the Planning & Development Division at 905-318-5932, ext. 6220 for details.
8. 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.
9. Receipt of a copy of the registered reference plan of the severed parcel, approximately 46.63 metres by 66 metres, containing an area of approximately 0.31 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 [dscott@haldimandcounty.on.ca](mailto:dscott@haldimandcounty.on.ca) and [astewart@haldimandcounty.on.ca](mailto: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

10. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before July 28, 2021, after which time this consent will lapse.

**REASONS:** The committee believes that this is the best land use.

**H) PLB-2020-040 David & Pamela Bergin**

Present: David Bergin, applicant  
Dorothy DeKlerk, neighbour

The proposal is to sever a lot for residential purposes. The severed lands will measure approximately 28.2 metres by 30.5 metres. A letter was received by Peter, Dorothy, Nathan and Sheryl DeKlerk (neighbours living across the street from the subject property) expressing concern that the proposal was not in character with the Oswego Park community, and would have adverse impacts in terms of parking, servicing, privacy and lot sizes.

The applicant had no comments. The neighbour reiterated her opposition as stated in her letter.

It was stated that the planning report covered all bases. A member asked if there were any smaller lots currently. The planner stated that there are no lots smaller than the one being proposed, but there is capacity for more lots. A member asked if Oswego Park could be expanded. The planner said that currently it could not due to the fact that it is not currently designated as a hamlet, but that during the ongoing Official Plan review, this may change, as the lands may be given the status of Hamlet. Further discussion ensued.

The neighbour stated that the proposal would have visual impacts, parking and it would be close to the stop sign. The planner stated that the conditions in the report should make the development acceptable.

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 **David & Pamela Bergin**, to sever a lot for residential purposes. The severed lands will measure approximately 28.2 metres by 30.5 metres. **Part Lot 21, Concession 1 C, Part 36, 18R-23, Geographic Township of Moulton, 35 Oswego Park 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 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. 6409, if further clarification required. Please allow approximately six (6) to eight (8) weeks for completion of this process.
  3. That proof be provided that all existing buildings on the subject lands will meet the required setbacks of Zoning By-law 1-DU 80.
  4. 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 Roads Operations Division Support staff at 905-318-5932, Ext. 8601 for details.
  5. Receipt of final approval of the required minor variance (Minor Variances can take three months, therefore, your application must be submitted as soon as possible). For further information, please contact Planning Staff at 905-318-5932.
  6. That the applicant enter into an agreement regarding municipal services extension and servicing allocation. Municipal services (watermain, sanitary sewer main) within the road allowance must be extended to service the newly created lot, and Servicing Allocation (water and waste water) has been allocated for the severed property. 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.
  7. That an application for a new civic address be submitted for the severed parcel. Contact the Planning & Development Division at 905-318-5932, ext. 6220 for details.

8. 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.
9. Receipt of a copy of the registered reference plan of the severed parcel, approximately 28.2 metres by 30.5 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 [dscott@haldimandcounty.on.ca](mailto:dscott@haldimandcounty.on.ca) and [astewart@haldimandcounty.on.ca](mailto: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 July 28, 2021, after which time this consent will lapse.

**REASONS:** The proposal is consistent with the Provincial Policy Statement (2020), conforms to the Province's Growth Plan (2019) and Haldimand County Official Plan, and meets the intent and purpose of the Town of Dunnville Zoning By-law 1-DU 80.

**I) PLB-2020-041 Pine Ridge Gardens Inc.**

Present: Dan Lindeboom, standing for the applicant

The proposal is to sever a lot containing an existing surplus farm dwelling and accessory structure. The severed lands will measure approximately 53 metres by 74 metres and will contain an area of 0.4 hectare.



The applicant's representative stated that Condition 4 is not normally included in surplus farm dwelling severance, and wondered if it could be removed. The planner stated that in talking to the development technician, it can be.

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 **Pine Ridge Gardens Inc.**, to sever a lot containing an existing surplus farm dwelling and accessory structure. The severed lands will measure approximately 53 metres by 74 metres and will contain an area of 0.4 hectare. **Part Lot 4, Concession 3 Cross, Geographic Township of Moulton, 365 Booker Road**

**DECISION: APPROVED as amended (Condition 4 removed)**

- 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 confirmation that the subject lands, including the proposed severed and retained parcels, have been transferred into the name of Pine Ridge Gardens Inc., prior to the signing of the certificate by the Secretary-Treasurer.
  3. 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.
  4. 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 Project Manager, Municipal Drains at 905-318-5932, ext. 6415, for further clarification.
  5. That an application for a new civic address be submitted for the retained parcel. Contact the Planning & Development Division at 905-318-5932, ext. 6220 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 53 metres by 74 metres and will contain an area of 0.4 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 [dscott@haldimandcounty.on.ca](mailto:dscott@haldimandcounty.on.ca) and [astewart@haldimandcounty.on.ca](mailto:astewart@haldimandcounty.on.ca). The AutoCad drawings need to be georeferenced for the following Coordinate System:

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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 July 28, 2021, after which time this consent will lapse.

**REASONS:** The proposal is consistent with the Provincial Policy Statement (2020), conforms to the Province's Growth Plan (2019) and Haldimand County Official Plan, and meets the intent and purpose of the Town of Dunnville Zoning By-law 1-DU 80.

**J) PLB-2020-042      Mark Tiersma**

Present: Mark Tiersma, applicant

The proposal is to sever a lot containing a surplus farm dwelling and accessory structure. The severed lands will measure approximately 100 metres by 60 metres and will contain an area of 0.6 hectare.

No comments from the applicant. No comments from the 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 **Mark Tiersma**, to sever a lot containing a surplus farm dwelling and accessory structure. The severed lands will measure approximately 100 metres by 60 metres and will contain an area of 0.6 hectare. **Part Lot 3, Concession 1 South of Talbot Road, Geographic Township of North Cayuga, 1383 Concession 1 Road 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. That an application for a new civic address be submitted for the retained parcel. Contact the Planning & Development Division at 905-318-5932, ext. 6220 for details.
4. That the owner's solicitor provide an undertaking to Haldimand County agreeing that if there are any changes proposed to the wording on the certificate after stamping of the certificate by the County, prior to the registration of the certificate; that the Secretary-Treasurer or designate must approve the change prior to registration of the certificate.
5. Receipt of a copy of the registered reference plan of the severed parcel, approximately 100 metres by 60 metres containing an area of 0.6 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 [dscott@haldimandcounty.on.ca](mailto:dscott@haldimandcounty.on.ca) and [astewart@haldimandcounty.on.ca](mailto: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

6. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before July 28, 2021, after which time this consent will lapse.

**REASONS:** The proposal is consistent with the Provincial Policy Statement (2020), 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.

**K) PLB-2020-045      Minor Bros. Farm Supply**

Present: Mike McLachlin, agent

The proposal is for an easement in favour of abutting lands known as 28 Mill Ave. and used for access purposes. The proposed easement will measure approximately 1.7 metres by 9.31 metres.

The agent stated that this is a long standing situation that needs to clean up access to the road. Mill Ave. is a road allowance that has been recently purchased from the County by Minor Bros., creating a land lock situation for the residential property. This proposed easement will serve to clarify this.

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 **Minor Bros. Farm Supply**, proposing an easement in favour of abutting lands known as 28 Mill Ave. and used for access purposes. The proposed easement will measure approximately 1.7 metres by 9.31 metres. **Part Lot 14, Concession 1, Geographic Township of Canborough, 22 Mill Ave.**

**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.
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 signing 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 easement, approximately 1.7 metres by 9.31 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 [dscott@haldimandcounty.on.ca](mailto:dscott@haldimandcounty.on.ca) and [astewart@haldimandcounty.on.ca](mailto:astewart@haldimandcounty.on.ca). The AutoCad drawings need to be georeferenced for the following Coordinate System:

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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

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4. That the above conditions must be fulfilled and the Document for easement be presented for stamping/issuance of the certificate on or before July 28, 2021, after which time this consent will lapse.

**REASONS:**

The proposal is consistent with the Provincial Policy Statement (2020), conforms to the Province’s Growth Plan (2019) and Haldimand County Official Plan, and meets the intent and purpose of the Town of Dunnville Zoning By-law 1-DU 80.

**L) PLB-2020-046, 047, 048 & 049 Mark McCutcheon**

Present: Mark McCutcheon, applicant

The proposal is to sever four lots for residential purposes. The severed lands in applications PLB-2020-046, 047 & 048 will each measure approximately 30 metres by 61 metres and will contain an area of approximately 1,830 square metres. The severed lands in application PLB-2020-049 will measure approximately 37 metres by 61 metres and will contain an area of approximately 2,257 square metres. Two letters were received regarding this application. The first, from Nicholas and Taylor Barker (who live next door to the proposed lots) expressed concern that the proposal would ruin their current view of farmland, would cause years of loud construction, dust and there would be a loss of property value. A second letter, from Cavan Harrison, who is opposed to the proposal due to the zoning and the size of 3 of the 4 lots, which he deems to be too small and not compatible with the zoning; and the presence of lands regulated by the Grand River Conservation Authority. He also wondered why his initial expression of concern was not reflected in the planner's report. The Secretary Treasurer stated that Mr. Harrison's comments had been received after the report had been written.

The applicant wanted to know if the buildings to be removed are only on the proposed severed land, as opposed to the condition sheet, which emphasized that building on both the severed and retained land were to be demolished. Staff said that the condition as stated in the conditions was erroneous, and that Condition 9 would be amended to reflect that only the buildings on the severed lands would be torn down.

A member asked if the driveway to the left of the proposed severed lands would be wide enough to handle farm equipment. The applicant said that it would be. The planner verified that the driveway would remain with the retained parcel.

A member asked if there was a plan for drainage. The applicant said that this has been looked into, and would be addressed. Another question was asked as to whether the retained lands were to be located outside the hamlet boundary. Staff confirmed that it is. Concern was expressed about the lot sizes proposed. Staff explained that any deficiencies will be addressed within a zoning bylaw amendment application, which will be a condition of the severance. The applicant stated that staff gave him direction to have lots of 30 metres wide. A member asked if there could be an application in the future for the available frontage along Concession 14 for the retained parcel. The applicant stated that he was under the understanding that this land is GRCA regulated land, so that they could not be severed.

The Committee made the following decision:

**PLB-2020-046**

**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 **Mark McCutcheon**, to sever one lot for residential purposes, which will each measure approximately 30 metres by 61 metres and will contain an area of approximately 1,830 square metres. **Part Lot 7, Concession 15, Geographic Township of Walpole, 517 Concession 14**

**DECISION: APPROVED as amended (Condition 9 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 of \$350.00 and a fee of \$301.00 for deed stamping.
2. 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.
3. 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.
4. 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. 6409, if further clarification required. Please allow approximately six (6) to eight (8) weeks for completion of this process.
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. Receipt of a letter from the Roads Operations Division indicating that they have no objections to the future issuance of an entrance permit for the severed parcel. 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.
7. 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.

8. That an application for a new civic address be submitted for the severed parcel. Contact the Planning & Development Division at 905-318-5932, ext. 6220 for details.
9. That all agricultural buildings on the severed lands be removed to the satisfaction of the Building Controls and By-law Enforcement Division. Contact the building inspector for an inspection, once removed, at 905-318-5932.
10. 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.
11. Receipt of a copy of the registered reference plan of the severed parcel, approximately 30 metres by 61 metres containing an area of approximately 1,830 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 [dscott@haldimandcounty.on.ca](mailto:dscott@haldimandcounty.on.ca) and [astewart@haldimandcounty.on.ca](mailto: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

12. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before July 28, 2021, after which time this consent will lapse.

**REASONS:** The proposal is consistent with the Provincial Policy Statement (2020), conforms to the Province's Growth Plan (2019) and Haldimand County Official Plan, and meets the intent and purpose of the City of Nanticoke Zoning By-law NE-1 2000.

**PLB-2020-047**



**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 **Mark McCutcheon**, to sever one lot for residential purposes, which will each measure approximately 30 metres by 61 metres and will contain an area of approximately 1,830 square metres. **Part Lot 7, Concession 15, Geographic Township of Walpole, 517 Concession 14**

**DECISION: APPROVED as amended (Condition 9 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 of \$350.00 and a fee of \$301.00 for deed stamping.
2. 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.
3. 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.
4. 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. 6409, if further clarification required. Please allow approximately six (6) to eight (8) weeks for completion of this process.
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. Receipt of a letter from the Roads Operations Division indicating that they have no objections to the future issuance of an entrance permit for the severed parcel. 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.
7. 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.

8. That an application for a new civic address be submitted for the severed parcel. Contact the Planning & Development Division at 905-318-5932, ext. 6220 for details.
9. That all agricultural buildings on the severed lands be removed to the satisfaction of the Building Controls and By-law Enforcement Division. Contact the building inspector for an inspection, once removed, at 905-318-5932.
10. 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.
11. Receipt of a copy of the registered reference plan of the severed parcel, approximately 30 metres by 61 metres, containing an area of 1,830 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 [dscott@haldimandcounty.on.ca](mailto:dscott@haldimandcounty.on.ca) and [astewart@haldimandcounty.on.ca](mailto: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

12. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before July 28, 2021, after which time this consent will lapse.

**REASONS:** The proposal is consistent with the Provincial Policy Statement (2020), conforms to the Province's Growth Plan (2019) and Haldimand County Official Plan, and meets the intent and purpose of the City of Nanticoke Zoning By-law NE-1 2000.

**PLB-2020-048**

**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 **Mark McCutcheon**, to sever one lot for residential purposes, which will each measure approximately 30 metres by 61 metres and will contain an area of approximately 1,830 square metres. **Part Lot 7, Concession 15, Geographic Township of Walpole, 517 Concession 14**

**DECISION: APPROVED as amended (Condition 9 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 of \$350.00 and a fee of \$301.00 for deed stamping.
  2. 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.
  3. 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.
  4. 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. 6409, if further clarification required. Please allow approximately six (6) to eight (8) weeks for completion of this process.
  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. Receipt of a letter from the Roads Operations Division indicating that they have no objections to the future issuance of an entrance permit for the severed parcel. 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.
7. 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.
8. That an application for a new civic address be submitted for the severed parcel. Contact the Planning & Development Division at 905-318-5932, ext. 6220 for details.
9. That all agricultural buildings on the severed lands be removed to the satisfaction of the Building Controls and By-law Enforcement Division. Contact the building inspector for an inspection, once removed, at 905-318-5932.
10. 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.
11. Receipt of a copy of the registered reference plan of the severed parcel, approximately 30 metres by 61 metres, containing an area of 1,830 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 [dscott@haldimandcounty.on.ca](mailto:dscott@haldimandcounty.on.ca) and [astewart@haldimandcounty.on.ca](mailto: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

12. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before July 28, 2021, after which time this consent will lapse.

**REASONS:** The proposal is consistent with the Provincial Policy Statement (2020), conforms to the Province's Growth Plan (2019) and Haldimand County Official Plan, and meets the intent and purpose of the City of Nanticoke Zoning By-law NE-1 2000.

**PLB-2020-049**

**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 **Mark McCutcheon**, to sever one lot for residential purposes, which will each measure approximately 37 metres by 61 metres and will contain an area of approximately 2,257 square metres. **Part Lot 7, Concession 15, Geographic Township of Walpole, 517 Concession 14**

**DECISION: APPROVED as amended (Condition 9 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 of \$350.00 and a fee of \$301.00 for deed stamping.
2. 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.
3. 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.
4. 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. 6409, if further clarification

required. Please allow approximately six (6) to eight (8) weeks for completion of this process.

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. Receipt of a letter from the Roads Operations Division indicating that they have no objections to the future issuance of an entrance permit for the severed parcel. 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.
7. 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.
8. That an application for a new civic address be submitted for the severed parcel. Contact the Planning & Development Division at 905-318-5932, ext. 6220 for details.
9. That all agricultural buildings on the severed lands be removed to the satisfaction of the Building Controls and By-law Enforcement Division. Contact the building inspector for an inspection, once removed, at 905-318-5932.
10. 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.
11. Receipt of a copy of the registered reference plan of the severed parcel, approximately 37 metres by 61 metres, containing an area of 2,257 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 [dscott@haldimandcounty.on.ca](mailto:dscott@haldimandcounty.on.ca) and [astewart@haldimandcounty.on.ca](mailto: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

12. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before July 28, 2021, after which time this consent will lapse.

**REASONS:** The proposal is consistent with the Provincial Policy Statement (2020), conforms to the Province’s Growth Plan (2019) and Haldimand County Official Plan, and meets the intent and purpose of the City of Nanticoke Zoning By-law NE-1 2000.

**MINOR VARIANCES:**

**A) PLA-2020-006 Glenn & Rudy Weston**

Present: Rudy and Glenn Weston, applicants

The applicants are requesting relief from the provisions of the Vacation Residential Zone of Zoning By-law NE-1 2000 from the maximum permitted area for accessory structures. No new structures are proposed and this application has been submitted to recognize the existing buildings on the property.

Applicants had no comment about the report. No questions 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 **Glenn & Rudy Weston**, requesting relief from the provisions of the Vacation Residential Zone of Zoning By-law NE-1 2000 from the maximum permitted area for accessory structures. No new structures are proposed and this application has been submitted to recognize the existing buildings on the property. **Part Lot 13, Concession 1, Geographic Township of Walpole, 522 South Coast Drive**

**DECISION: APPROVED**

**CONDITIONS:**

1. The development shall be in accordance with the attached sketch; and
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. 6409, for further clarification.

**REASONS:**

The requested relief is consistent with the Provincial Policy Statement (2020), conforms to the Province’s Growth Plan (2019) and Haldimand County Official Plan, and meets the general intent and purpose of the City of Nanticoke Zoning By-law NE-1 2000. It is also considered minor in nature and appropriate and compatible development.

**B) PLA-2020-009 Vince & Sabrina Casali**

Present: Vince Casali, applicant

The proposal is 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 for lot area and front yard setback, as well as the provision of frontage on an improved street.

The applicant stated that they have a permit from the GRCA, as well as a septic evaluation, both conditions set out in the report. 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 **Vince & Sabrina Casali**, 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 for lot area and front yard setback, as well as the provision of frontage on an improved street. **Part Lot 5, Concession 4 South of Dover Road, Geographic Township of Dunn**

**DECISION: APPROVED**



- CONDITIONS:**
1. A permit be obtained from the Grand River Conservation Authority; and
  2. That a septic evaluation be completed and submitted to the Haldimand County Building Controls and By-law Enforcement Division for approval. Alternatively, a permit for a new system can be applied for. (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.

**REASONS:** The requested relief is consistent with the Provincial Policy Statement (2020), 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) PLA-2020-043 Floyd Roadhouse & Sarah-Jane Smith**

Present: Floyd Roadhouse, applicant

The proposal is to enlarge the existing garage. Relief is requested from the provisions of the R1-A Zone of Zoning By-law 1-H 86 from the maximum lot coverage and maximum height permitted for accessory structures.

No comments from applicant. It was asked whether the old shed has been torn down. FR stated that no, but that it would be once approval has been received, and permits received.

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 **Floyd Roadhouse & Sarah-Jane Smith**, to enlarge the existing garage. Relief is requested from the provisions of the R1-A Zone of Zoning By-law 1-H 86 from the maximum lot coverage and maximum height permitted for accessory structures. **Part Lot 2, Block 7, Plan 905, RP 18R-3260, Urban Area of Hagersville, 28 Jane Street**

**DECISION: APPROVED**

- CONDITIONS:**
1. The development shall be in accordance with the attached sketch; and
  2. That a demolition permit be obtained to remove the existing 3 metre X 4.9 metre (10 foot by 16 foot) shed. Contact the Building & By-law Enforcement Division at 905-318-5932 for further information.
  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. 6409, for further clarification.

**REASONS:** The requested relief is consistent with the Provincial Policy Statement (2020), 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.

**D) PLA-2020-082 Robin Laing**

Present: Robin Laing, applicant  
Doug Fowler, agent

This application is filed in conjunction with Consent Application PLB-2019-051. In this application, relief is requested from the provisions of the Vacation Residential Zone of the City of Nanticoke Zoning By-law NE-1 2000 for lot area and lot frontage for Part 1, and for lot area, lot frontage and rear yard setback for Part 2 . There is an existing cottage on Part 1 and a cottage is proposed on Part 2.

The agent has no comment on the report. A member asked if there is sufficient room for a septic system on the proposed properties. The agent said that there is, but that it will restrict the size of the new cottage. They will also work with neighbours to ensure proper drainage.

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 **Robin Laing**, relief is requested from the provisions of the Vacation Residential Zone of the City of Nanticoke Zoning By-law NE-1 2000 for lot area and lot frontage for Part 1, and for lot area, lot frontage and rear yard setback for Part 2 . There is an existing cottage on Part 1 and a cottage is proposed on Part 2. **Lots 93 & 94, Plan 21074, Geographic Township of Walpole, 33 Lakeside Drive**

**DECISION: APPROVED**

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

2. The development shall be in accordance with the approved lot grading plan prepared for PLB-2019-051.

**REASONS:** The requested relief is consistent with the Provincial Policy Statement (2020), conforms to the Province's Growth Plan (2019) and Haldimand County Official Plan, and meets the general intent and purpose of the City of Nanticoke Zoning By-law NE-1 2000. It is also considered minor in nature and appropriate and compatible development.

**SIGN VARIANCES:**

**A) PLA-2020-035                      Dr. Luay Al-Kazely**

Present:        Joe Bouget, agent

The applicant proposes to locate a portable sign on the property. The Haldimand County Sign By-law permits portable signs to be located on a property for 45 days. The applicant wishes to have the sign on the property for 12 months of the year.

A member asked what the proposed duration for the temporary sign would be. The agent stated that it would be out permanently. It was asked whether this would be a reapplied for every year. The planner said no, it would be permanent.

It was stated that they feel that the sign by-law is not in place to allow this type of permanency. The Supervisor of Development Services agreed that that was not the intent, and that they should have to apply for renewal on a yearly basis. Staff is recommending approval of this application. It was asked why they are recommending approval. The planner stated that if it meets the 4 test of minor variance, then staff can recommend approval. A member asked why they require a sign like this. It was articulated that it help draws business for the client.

Discussion ensued regarding how many days should be permissible for approving such a sign before renewal; as well as whether a permanent sign would be more suitable for the applicant's needs.

The Supervisor of Development Services suggested that a deferral might be in order, so that the applicant can provide a rationale that would follow the six tests as included in the Sign By-Law.

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 **Dr. Luay Al-Kazely**, to locate a portable sign on the property. The Haldimand County Sign By-law permits portable signs to be located on a property for 45 days. The applicant wishes to have the sign on the property for 12 months of

the year. **Part Lot 1, Range West of Caledonia Townsend Road, Geographic Township of Oneida, 370 Argyle Street South, Caledonia**

**DECISION: DEFERRED**

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

**OTHER BUSINESS:**

The minutes of the March 10, 2020 meeting were adopted as amended.

**APPOINTMENT OF NEW SECRETARY TREASURER**

BE IT HEREBY RESOLVED:

That David Scott be appointed as Secretary-Treasurer of the Haldimand County Committee of Adjustment (including Sign Variance , Property Standards and Dog Muzzle Committees), effective immediately.

**DECISION: APPROVED**

The meeting adjourned at 2:56 pm.



Chairman



Acting Secretary-Treasurer