



**HALDIMAND COUNTY
COMMITTEE OF ADJUSTMENT
MINUTES
TUESDAY, OCTOBER 20 , 2020**

A meeting of the Committee of Adjustment was held on Tuesday, October 20, 2020 at 9:00 a.m. in the Council Chambers of the Haldimand County Administration Building.

MEMBERS PRESENT:

Chair	Paul Brown
Members	Don Ricker
	John Gould
	Brian Snyder
	Brian Wagter
	Carolyn Bowman
	Leroy Bartlett

STAFF PRESENT:

Supervisor Development Services	Peter Minkiewicz
Planner	Ashley Taylor
Secretary-Treasurer	David Scott

The Committee of Adjustment dealt with the following applications:

CONSENTS:

PLB-2020-111	Barry and Patricia Koeppe	APPROVED
PLB-2020-117	Ardross Farms Ltd.	APPROVED
PLB-2020-118	Allan Krenz	APPROVED
PLB-2020-119	Greg and Melissa Dekkers	APPROVED
PLB-2020-123	2231322 Ontario Ltd.	APPROVED
PLB-2020-124	Bruce and Elliott Armstrong	DEFERRED
PLB-2020-126	Jordan Lofthouse	APPROVED

CONSENTS & RELATED MINOR VARIANCES:

PLB-2020-120 & PLA-2020-121	Rudi Rolsma	APPROVED
-----------------------------	-------------	----------

MINOR VARIANCES:

PLA-2020-113	John Van Reenan	APPROVED
PLA-2020-125	Maplerow Farms Inc.	APPROVED

DECLARATIONS OF PECUNIARY INTEREST: Member Leroy Bartlett declared a conflict on application PLB-2020-126.

CONSENTS:

A) PLB-2020-111 Barry and Patricia Koeppe

Present: Kim Hessels, agent
 Jeff Koeppe, son of owner

The proposal is to sever a vacant lot for residential purposes. The severed lands will measure approximately 52.67 metres (172.8 feet) by 92.60 metres (303.8 feet) and will contain an area of approximately 0.49 hectare (1.21 acres).

The agent questioned why the recommendation was for deferral. The planner stated that there was concern that the lots could be reconfigured in a way that better matches the lot pattern. This would encourage building at the middle of the lot, and there could be opportunities for future infill opportunities. Staff believes that the proposal is not the best use of the land. The agent said that there is no way of predicting the future. The applicant only wishes to sever the lot along Lakeshore Road, and that no development is being proposed.

Chair Brown expressed concerned about the long strip on the east. The agent stated that this was to maintain a frontage along Lakeshore Road. The planner mentioned that if approved, a ZBA would be required. She reiterated that the frontage is required, but the shape, as currently configured would encourage haphazard development, which the committee and staff have little control over. Member Gould asked if the ZBA would be required. The planner said that due to deficient lot frontage, it would be. Member Gould pointed out similar lot down the road from the proposal.

Mr. Koeppe stated that they are trying to minimize the impact of the proposal on the neighbours. They would like to maintain ownership, and that they would want to maintain the property surrounding their cottage. Member Gould asked if there would be need for MV if approved. The planner stated that it could be either a MV or ZBA, but that the applicants are opting for the ZBA route, to change it to RS zoning. There would also probably require an archeological study to ensure compliance. Member Gould asked if a MV would be required despite the ZBA. The Planner stated that it would not be likely, as the Lakeshore Road frontage would be considered the front of the lot. The agent expressed concern of the archeological study. The planner stated that a freeze on the property could be placed on the property during the ZBA so that future developers would have to complete one.

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 **Barry and Patricia Koeppe**, to sever a vacant lot for residential purposes. The severed lands will measure approximately 52.67 metres (172.8 feet) by 92.60 metres (303.8 feet) and will contain an area of approximately 0.49 hectare (1.21 acres). **Concession 1, Part Lot 5, Geographic Township of Rainham**

Motion to defer the application: DEFEATED (3 votes to 4)

DECISION: 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 \$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 the applicant enter into an agreement with Haldimand County regarding the required lot grading plan. Contact Ashley Taylor, Planner at the Planning & Development Division at 905-318-5932 ext. 6201 for further clarification. As this process can take a number of months to complete, early action of this condition is essential.
 4. Receipt of confirmation that any underground services are contained within the parcel to which they serve. Please contact the Building Division at 905-318-5932, Ext. 6214 for details.
 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 Roads Operations Division Support staff at 905-318-5932, Ext. 8601 for details.

6. Receipt of final approval of the required Zoning By-law Amendment application (Zoning By-law Amendments can take three to four months, therefore, your application must be submitted as soon as possible). For further information, please contact Ashley Taylor, Planner at 905-318-5932 ext. 6201.
7. Receipt of clearance from the Ministry of Heritage, Sport, Tourism and Culture Industries for an archaeological assessment, or establishment of a Holding (H) provision on the subject lands to prohibit building permits from being issued until such time as clearance from the Ministry is granted. Please contact Ashley Taylor, Planner at 905-318-5932 ext. 6201.
8. That an application for a new civic address be submitted for the retained and severed parcels. Contact the Planning & Development Division at 905-318-5932, ext. 6220 for details.
9. 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.
10. Receipt of a copy of the registered reference plan of the severed parcel, approximately 52.67 metres by 92.60 metres and will contain an area of approximately 0.49 hectare. Also, **prior to the signing of the certificate**, an electronic version of the reference plan in AutoCAD.dwg in format shown below, indicating the consent file number and name of the applicant, must be emailed to dscott@haldimandcounty.on.ca and astewart@haldimandcounty.on.ca. The 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

11. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before October 20, 2021, after which time this consent will lapse.

REASONS: Committee feels that the proposal conforms to the intent of the Official Plan and Zoning By-Law.

B) PLB-2020-117 Ardross Farms Ltd.

Present: David Laing, representative

The proposal is to sever a lot containing an existing surplus farm dwelling. The severed lands will measure approximately 75 metres (246 feet) by 75 metres (246 feet) and will contain an area of approximately 0.56 hectare (1.38 acres).

No comment from the representative. Member Ricker asked who would sign off on the cutting off of the u-shaped drive. The planner stated that staff would sign off on the condition. Member Ricker asked how two houses could be built on the same lot. The planner stated that the condition could pre-date the rule, and that it would be legal non-conforming.

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 **Ardross Farms Ltd.**, to sever a lot containing an existing surplus farm dwelling. The severed lands will measure approximately 75 metres (246 feet) by 75 metres (246 feet) and will contain an area of approximately 0.56 hectare (1.38 acres). **Concession 1 South of Talbot Road, Part Lots 44 and 45, Geographic Township of North Cayuga, known municipally as 4294 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. That the owner provide 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 ext. 6201.

3. Receipt of confirmation that the primary electrical service is located within the severed and retained property or a new service has been installed, at the applicant's expense. Contact Hydro One at 519-426-4446 Ext 2259 or 1-866-557-9551, for further information.
4. That a septic evaluation for severed and retained parcels be completed and submitted to the Secretary-Treasurer, who will give it to the Haldimand County Building Controls and By-law Enforcement Division for approval. (Septic evaluations must be completed prior to the issuance of the certificate. Please allow approximately six (6) months for completion of the septic evaluation.) Please contact the Building Controls and By-law Enforcement Division at 905-318-5932 ext. 8300, for further clarification.
5. That the owner provide proof that the u-shaped driveway connecting the severed and retained parcels be permanently stopped up or disconnected to the satisfaction of the County. Please contact the Secretary Treasurer of the Committee of Adjustment at 905-318-5932 ext. 6220, for further clarification.
6. That the owner provide confirmation from the Ministry of Transportation that he / she has satisfied all Ministry of Transportation requirements.
7. 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.
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 75 metres by 75 metres and will contain an area of approximately 0.56 hectare. Also, **prior to the signing of the certificate**, an electronic version of the reference plan in AutoCAD.dwg in format shown below, indicating the consent file number and name of the applicant, must be emailed to dscott@haldimandcounty.on.ca and astewart@haldimandcounty.on.ca. The 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 October 20, 2021, after which time this consent will lapse.

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

C) PLB-2020-118 Allan Krenz

Present: Cynthia Clark, agent
Allan Krenz, applicant

The proposal is to sever a 0.17 hectare (0.42 acre) parcel of land as a boundary adjustment. The severed lands will be amalgamated with the abutting lands to the east.

Applicant had no comment. Chair Brown asked how big the resulting property would be. The planner said that the new lot would be approximately one acre, which is within the zoning 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 **Allan Krenz**, The applicant proposes to sever a 0.17 hectare (0.42 acre) parcel of land as a boundary adjustment. The severed lands will be amalgamated with the abutting lands to the east. **Dochstader Tract, Part Lot 7, Registered Plan 18R2282 Part 1, Geographic Township of Canborough, known municipally as 113 Jarden 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 \$250.00 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 stamping of the certificate by the County, prior to the registration of the certificate; that the Secretary-Treasurer or designate must approve the change prior to registration of the certificate.
 3. Receipt of a copy of the registered reference plan of the severed parcel, approximately 0.17 hectare. Also, **prior to the signing of the certificate**, an electronic version of the reference plan in AutoCAD.dwg in format shown below, indicating the consent file number and name of the applicant, must be emailed to dscott@haldimandcounty.on.ca and astewart@haldimandcounty.on.ca. The 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
 4. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before October 20, 2021, after which time this consent will lapse.

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

D) PLB-2020-119 Greg and Melissa Dekkers

Present: Kim Hessels, agent

The proposal is to sever a lot containing an existing surplus farm dwelling and accessory structure. The severed lands will measure approximately 102 metres (334.6 feet) by 72.7 metres (238.5 feet) and will contain an area of approximately 0.74 hectare (1.83 acres).

No comment from the agent. Member Ricker asked what the plan is for the laneway and buildings. The agent stated that the building will stay with the retained. Member Snyder asked as to why MTO needs to comment if there is access to the retained. The planner stated that it is necessary to ensure that the access is still okay for use.

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 **Greg and Melissa Dekkers**, to sever a lot containing an existing surplus farm dwelling and accessory structure. The severed lands will measure approximately 102 metres (334.6 feet) by 72.7 metres (238.5 feet) and will contain an area of approximately 0.74 hectare (1.83 acres). **Concession 1 South of Talbot Road, Part Lot 40, Geographic Township of North Cayuga, known municipally as 4540 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. That a septic evaluation for severed parcel be completed and submitted to the Secretary- Treasurer, who will give it to the Haldimand County Building Controls and By-law Enforcement Division for approval. (Septic evaluations must be completed prior to the issuance of the certificate. Please allow approximately six (6) months for completion of the septic evaluation.) Please contact the Building Controls and By-law Enforcement Division at 905-318-5932 ext. 8300, for further clarification.
3. That the owner provide 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 ext. 6201.
4. Receipt of confirmation that the primary electrical service is located within both properties or a new service has been installed, at the applicant's expense. Contact Hydro One at 519-426-4446 Ext 2259 or 1-866-557-9551, for further information.

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 provide receipt of a road entrance permit from the Ministry of Transportation, and that the owner provide confirmation from the Ministry of Transportation that he / she has satisfied all Ministry of Transportation requirements.
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 102 metres by 72.7 metres and will contain an area of approximately 0.74 hectare. Also, **prior to the signing of the certificate**, an electronic version of the reference plan in AutoCAD.dwg in format shown below, indicating the consent file number and name of the applicant, must be emailed to dscott@haldimandcounty.on.ca and astewart@haldimandcounty.on.ca. The 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
9. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before October 20, 2021, after which time this consent will lapse.

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

Present: Bruce McDonald, agent

The proposal is to sever a vacant lot for residential purposes. The severed lands will measure approximately 18.6 metres (61 feet) by 25.15 metres (82.5 feet) and will contain an area of approximately 467.79 square metres (5,035.2 square feet).

The agent stated that buildings have been removed and moved as requested, and wanted confirmation that a new MV would not be required when the new by-law comes into effect. This was confirmed by the planner.

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 **2231322 Ontario Ltd.**, to sever a vacant lot for residential purposes. The severed lands will measure approximately 18.6 metres (61 feet) by 25.15 metres (82.5 feet) and will contain an area of approximately 467.79 square metres (5,035.2 square feet). **Lot 10 North of Norton, Urban Area of Cayuga, known municipally as 8 Norton 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 application (minor variances can take three months or four months, therefore, your application must be submitted as soon as possible). For further information, please contact Ashley Taylor, Planner at 905-318-5932, ext. 6201.
 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, have been satisfied. Please note that the owner\developer is responsible to have the grading and servicing 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. 6413, 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 Ashley Taylor, Planner at the Planning & Development Division at 905-318-5932 ext. 6201 for further clarification. As this process can take a number of months to complete, early action of this condition is essential.
5. 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.
6. That the driveway and garage located on the lands be retained be relocated to the satisfaction of the Development & Design Technologist and Building Inspector. Please contact the Development & Design Technologist at 905-318-5932, Ext. 6413, to discuss and to fulfill the condition. A road entrance permit will be required from the Roads Operations Division.
7. 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.
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 18.6 metres by 25.15 metres and will contain an area of approximately 467.79 square metres. Also, **prior to the signing of the certificate**, an electronic version of the reference plan in AutoCAD.dwg in format shown below, indicating the consent file number and name of the applicant, must be emailed to dscott@haldimandcounty.on.ca and astewart@haldimandcounty.on.ca. The 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 October 20, 2021, after which time this consent will lapse.

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

F) PLB-2020-124 Bruce and Elliott Armstrong

Present: Bruce and Elliott Armstrong, applicants

The proposal is to sever a lot containing an existing surplus farm dwelling and accessory structures. The irregular-shaped severed lands will have frontage of approximately 153.8 metres (504.6 feet) and will contain an area of approximately 0.73 hectare (1.8 acres).

Elliott Armstrong stated that there is an existing entrance for the retained parcel. He added that the request for oversized lot is to follow a ditch along the one proposed lot line which deems the farm land to its south to be inaccessible for farming. Further, he stated that the barn to be torn down (due to excess of accessory structures) is in good condition, and that he does not understand why previous applications have been approved with similar amount of accessory structure area, and this proposal is not being recommended for approval.

Member Snyder asked why they can cross the ditch further up, so why they can't do the same in the severed parcel. Elliot Armstrong stated that it is not as passible at this point, particularly in the spring. Member Ricker asked what is happening to the building on the retained land. Most will be torn down, with the exception of one to the north of the severed lands, which will be kept for storage, and a hay barn in the south-west corner of the property.

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 **Bruce and Elliott Armstrong**, to sever a lot containing an existing surplus farm dwelling and accessory structures. The irregular-shaped severed lands will have frontage of approximately 153.8 metres (504.6 feet) and will contain an

area of approximately 0.73 hectare (1.8 acres). **Concession 2, Part Lot 11, Geographic Township of Rainham, known municipally as 4769 Rainham Road**

DECISION: DEFERRED

REASONS: To give the applicants time to amend their proposal to meet Provincial and County policy.

Member Bartlett left due to conflict of interest.

G) PLB-2020-126 Jordan Lofthouse

Present: Ed McCarthy, agent

The proposal is to sever a lot containing an existing surplus farm dwelling and accessory structure. The severed lands will measure approximately 72 metres (236.2 feet) by 83.18 metres (272.9 feet) and will contain an area of approximately 0.597 hectare (1.47 acres).

No comments from agent. Member Ricker asked for clarification as to why the severed lot is further back than the neighbouring property. The agent stated that it was to accommodate the septic.

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 **Jordan Lofthouse**, to sever a lot containing an existing surplus farm dwelling and accessory structure. The severed lands will measure approximately 72 metres (236.2 feet) by 83.18 metres (272.9 feet) and will contain an area of approximately 0.597 hectare (1.47 acres). **Concession 3, Part Lot 17, Geographic Township of Walpole, known municipally as 839 Concession 2 Walpole**

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 Secretary- Treasurer, who will give it to the Haldimand County Building Controls and By-law Enforcement Division for approval. (Septic evaluations must be completed prior to the issuance of the certificate. Please allow approximately six (6) months for completion of the septic evaluation.) Please contact the Building Controls and By-law Enforcement Division at 905-318-5932 ext. 8300, for further clarification.

3. That the owner provide proof that the u-shaped driveway connecting the severed and retained parcels be permanently stopped up or disconnected to the satisfaction of the County. Please contact the Secretary Treasurer of the Committee of Adjustment at 905-318-5932 ext. 6220, for further clarification.
4. That the owner provide a survey demonstrating that all buildings (including the silo on the severed lands) satisfy the minimum Zoning By-law setback requirements. Any non-conforming buildings must be removed or a minor variance application must be approved. Please contact the Secretary-Treasurer of the Committee of Adjustment at 905-318-5932 ext. 6220, for further clarification.
5. 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.
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 72 metres by 83.18 metres and will contain an area of approximately 0.597 hectare. Also, **prior to the signing of the certificate**, an electronic version of the reference plan in AutoCAD.dwg in format shown below, indicating the consent file number and name of the applicant, must be emailed to dscott@haldimandcounty.on.ca and astewart@haldimandcounty.on.ca. The AutoCad drawings need to be georeferenced for the following Coordinate System:

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

8. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before October 20, 2021, after which time this consent will lapse.

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

Member Bartlett returned to the meeting.

CONSENTS & RELATED MINOR VARIANCES:

A) PLB-2020-120 & PLA-2020-121 Rudi Rolsma

Present: David Glenney, agent
 Rudi Rolsma, applicant

The proposal is to create a lease and an easement over the entire property at 217 Queen Street, to benefit the establishment on 223 Queen Street, for the purpose of building a patio, accessibility ramp, and to provide additional parking for the business. The included lands will measure approximately 9.85 metres (32.3 feet) by 51 metres (167.3 feet) and will contain an area of approximately 0.54 hectare (1.34 acre).

In **PLA-2020-121**, relief is requested from the parking provisions of the CG Zone of Zoning By-law 1-DU 80 on the subject lands.

Three emails were received on this application prior to the meeting (from the Dunnville Business Improvement Area, Jo-Ann Cole and Charlene Rimagos), and were read aloud.

The agent stated that the washroom situation will be addressed during the site plan and building permit issuance phase. He further stated that the air conditioning issue will have to be addressed by the owner of that property. Member Gould asked if we were dealing with the applications together or separate. Chair Brown stated that they would be dealt with together. Member Gould further asked for clarification for the request in the minor variance application. Staff stated that parking is difficult given the situation on the ground. Member Gould asked for clarification that the application was not referring to the construction of the building. The planner stated that all construction issues would be dealt with through the Site Plan process, including the washroom issue. The air conditioning process too can be dealt with through site plan. Member Ricker asked whether the portable washrooms exist currently on site. Mr. Rolsma stated that they are not present on the property currently. Member Ricker wanted to place a timeline on the provision on the permanent washrooms. The planner stated that she believes that the OBC would not allow portable bathrooms, and that, going forward, they would not be allowed, and the plan is to address that there are suitable provision of washrooms.

Member Bartlett asked whether the air conditioning units on the neighbouring property are encroaching. This was confirmed that they are, and that they would have to be moved. Member Bartlett asked if a new survey has been prepared to confirm this. The planner said that this is based on best estimate.

Member Gould thought that the issue of washroom and air conditioning units was outside the realms of these applications. The supervisor said that, as the portable washrooms are in the site plan as provided, so that it is fair plan in terms of the discussion, and that they must be rectified going forward.

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 **Rudi Rolsma**, to create a lease and an easement over the entire property at 217 Queen Street, to benefit the establishment on 223 Queen Street, for the purpose of building a patio, accessibility ramp, and to provide additional parking for the business. The included lands will measure approximately 9.85 metres (32.3 feet) by 51 metres (167.3 feet) and will contain an area of approximately 0.54 hectare (1.34 acre). **Plan 69, Part Lot 7, Registered Plan 18R6065 Parts 1, 2 and 3, RP 18R6068, Urban Area of Dunnville, known municipally as 217 and 223 Queen 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 partial lot grading plan to address surface drainage of the property, have been satisfied. Please note that grading plans must be prepared/stamped/signed by a qualified Professional Engineer as per Haldimand County Design Criteria. Contact the Development and Design Technologist at 905-318-5932, ext. 6409 for further clarification regarding required extent/limits. Please allow approximately six (6) to eight (8) weeks for completion of this process.
 3. Proponent must address the provision of adequate permanent washroom facilities to the satisfaction of the Building Department. Please contact Building & Municipal Enforcement Services at 905-318-5932 extension 8300, to clear this condition prior to the signing of the certificate.
 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 9.85 metres (32.3 feet) by 51 metres (167.3 feet) and will contain an area of approximately 0.54 hectare (1.34 acre). Also, **prior to the signing of the certificate**, an electronic version of the reference plan in AutoCAD.dwg in format shown below, indicating the consent file number and name of the applicant, must be emailed to dscott@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

6. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before October 20, 2021, after which time this consent will lapse.

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

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 **Rudi Rolsma**, to request relief from the parking provisions of the CG Zone of Zoning By-law 1-DU 80 on the subject lands. **Plan 69, Part Lot 7, Registered Plan 18R6065 Parts 1, 2 and 3, RP 18R6068, Urban Area of Dunnville, known municipally as 217 and 223 Queen Street**

DECISION: **APPROVED**

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.

MINOR VARIANCES:

A) PLA-2020-113

John Van Reenan

Present: Mike Dwyer, agent

The proposal is to request relief from the useable floor area maximum and occupation of a required front yard provisions (both for accessory structures) of the Residential Type 4-H (R4-H) Zone of Town of Haldimand Zoning By-law 1-H 86 for the construction of an accessory structure.

No comment from the agent or the committee.

The Committee made the following decision:

PURSUANT to Subsection 45(1) of *The Planning Act*, R.S.O. 1990 (as amended), this Committee hereby makes the following decision on the application of **John Van Reenan**, to request relief from the useable floor area maximum and occupation of a required front yard provisions (both for accessory structures) of the Residential Type 4-H (R4-H) Zone of Town of Haldimand Zoning By-law 1-H 86 for the construction of an accessory structure. **Lots 7 and 8 South of Brant, Lots 8 and 9 North of Tuscarora, Urban Area of Cayuga, known municipally as 24 Ottawa Street South**

DECISION: APPROVED

- CONDITIONS:**
1. The proposed development will be constructed substantially in accordance with the attached sketch; and
 2. A building permit shall not be issued until Site Plan approval is granted.

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.

B) PLA-2020-125

Maplerow Farms Inc.

Present: Jason Cowie, agent

The proposal is to request relief from the lot frontage provisions of the Agricultural (A) Zone of the Town of Haldimand Zoning By-law 1-H 86 for the subject lands. The purpose of this application is to satisfy a condition of Consent Application PLB-2020-032.

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 2234919 **Ontario Ltd.**, to request relief from the lot area, lot frontage, interior side yard (left) and rear yard provisions of the Seasonal Residential (RS) Zone of Town of Haldimand Zoning By-law 1-H 86 to recognize existing deficiencies on the subject property. **Concession 1, Part Lot 16, Geographic Township of Rainham, known municipally as 1555 Lakeshore Road**

DECISION: **APPROVED**

- CONDITIONS:**
1. Approval from Hydro One is received and provided to the Building Division prior to the issuance of a building permit. The Hydro poles and wires that currently reside over the property will be required to be relocated to allow for proper clearances to the new building structure.
 2. Prior to issuance of a building permit for a new single family dwelling, the applicant prove to the Building Division that the previous dwelling had legal non-conforming status as a dwelling for year round living to qualify the new dwelling for year round living status. If proof cannot be provided, a cottage is the permitted use under current Town of Haldimand Zoning By-law 1-H 86 regulations.
 3. Approval from the Building Division be granted for an appropriate septic system prior to issuance of a permit for the new dwelling, or as part of the overall permitting process.

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.

OTHER BUSINESS:

The minutes of the September 22, 2020 meeting were adopted as presented.

The meeting adjourned at 11:48 am.

Paul Brown

Chairman

David Keith

Secretary-Treasurer