



**HALDIMAND COUNTY
COMMITTEE OF ADJUSTMENT
MINUTES
TUESDAY, DECEMBER 15, 2020**

A meeting of the Committee of Adjustment was held on Tuesday, December 15, 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	Justin Miller
	Secretary-Treasurer	David Scott

The Committee of Adjustment dealt with the following applications:

CONSENTS:

PLB-2020-124	Bruce and Elliot Armstrong	APPROVED
PLB-2020-145	Richard Lechner	APPROVED
PLB-2020-146	Ed Charnley	APPROVED
PLB-2020-147	Sugarcreek Farms Ltd.	APPROVED
PLB-2020-156	Carl and Evelyn Fox	APPROVED

MINOR VARIANCES:

PLA-2020-149	Oscar Jose, Emyrose and Steve Maurice	DEFERRED
PLA-2020-152	Ron Willis & Sharlene and George Gordon	APPROVED
PLA-2020-154	Bruce and Arlene Hartsell	APPROVED
PLA-2020-155	Virginia Sider	APPROVED
PLA-2020-168	Dacota and Jodie Deamude	APPROVED
PLA-2020-169	Rick Phillips and Joan Kiefer	APPROVED

DECLARATIONS OF PECUINARY INTEREST: None stated

CONSENTS:

A) PLB-2020-145 Richard Lechner

Present: Richard and Tracey Lechner, applicant

The proposal is to sever a lot containing an existing accessory structure, with future plans to construct a dwelling. The severed lands will have frontage of approximately 53.43 metres (175.3 feet) and will contain an area of approximately 0.35 hectare (0.86 acres). The applicant also proposes an access easement for the retained parcel. The proposed easement will have an area of approximately 0.05 hectares (0.13 acres).

No comments from applicant. Member Gould noted that he did not see a sign during his visit. The planner said that he had seen the sign up on the 13th during his visit. Member Bartlett asked why the easement is needed, since that the retained parcel has frontage on Warnick Road. The planner stated that it is a request of the applicant. Member Bowman asked whether there is an entrance for the severed off of North Shore Drive. The applicant said it was recommended to have the entrance off the right of way.

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 **Richard Lechner**, to sever a lot containing an existing accessory structure, with future plans to construct a dwelling. The severed lands will have frontage of approximately 53.43 metres (175.3 feet) and will contain an area of approximately 0.35 hectare (0.86 acres). The applicant also proposes an access easement for the retained parcel. The proposed easement will have an area of approximately 0.05 hectares (0.13 acres). **Concession 1, Part Lot 8, Registered Plan 18R4011 Part of Parts 1, 2 and 3, Geographic Township of Sherbrook, known municipally as 1 Mohawk Line**

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 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.
4. 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.
5. A building permit (for the proposed dwelling) is to be obtained from the Building Controls and By-law Enforcement Division prior to the signing of the certificate. Contact the Building Controls and By-law Enforcement Division at 905-318-5932, for further 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 0.35 hectare (0.86 acres). Also, **prior to the signing of the certificate**, an electronic version of the reference plan in AutoCAD.dwg in format shown below, indicating the consent file number and name of the applicant, must be emailed to dscott@haldimandcounty.on.ca and astewart@haldimandcounty.on.ca. The AutoCad drawings need to be georeferenced for the following Coordinate System:
Projected Coordinate NAD_1983_UTM_Zone_17N
System:

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

8. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before December 15, 2021, after which time this consent will lapse.

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

B) PLB-2020-146 Ed Charnley

Present: Rob Charnley, agent
Georgina Horton

The proposal is to sever a 0.76 hectare (1.89 acre) parcel of land as a boundary adjustment. The severed lands will be amalgamated with the abutting lands to the northeast (868 George Street).

No comments from agent. Chairperson Brown asked the size of the amalgamated parcel. The planner said just over 2 acres. Member Ricker stated that it is good use of 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 **Ed Charnley**, to sever a 0.76 hectare (1.89 acre) parcel of land as a boundary adjustment. The severed lands will be amalgamated with the abutting lands to the northeast (868 George Street). **Plan 1407, Part Lots 9 and 10, Geographic Township of Moulton, known municipally as 810 George Street**

DECISION: APPROVED

- CONDITIONS:**
1. That the Haldimand County requirements, financial or otherwise, be satisfied. This will include taxes paid up to date, a parkland dedication fee of \$350.00 and a fee of \$301.00 for deed stamping.

2. 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 0.76 hectare (1.89 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

4. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before December 15, 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-2020-147 Sugarcreek Farms Ltd.

Present: Rodney Ricker, agent

The proposal is to sever a parcel of land with a frontage of approximately 75.322 metres (247.1 feet) and containing an area of approximately 0.53 hectares (1.31 acres) as a vacant lot. The

retained lands, which will contain an area of approximately 3.82 hectares (9.44 acres) will be amalgamated with the abutting lands to the south (311 Moote Road).

No comment from the agent. Chairperson Brown asked about the size of the amalgamated property. The planner stated approximately 79 acres. Member Gould asked if this would create a new lot. The planner stated no; that the lot is being made smaller. Member Ricker stated that it was hard to find the sign, but as he knows the area well, he was able to find it.

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 **Sugarcreek Farms Ltd.**, to sever a parcel of land with a frontage of approximately 75.322 metres (247.1 feet) and containing an area of approximately 0.53 hectares (1.31 acres) as a vacant lot. The retained lands, which will contain an area of approximately 3.82 hectares (9.44 acres) will be amalgamated with the abutting lands to the south (311 Moote Road). **Concession 2, Part Lots 9 and 10, Registered Plan 18R5483 Parts 1 and 3, Geographic Township of Canborough, no civic address**

DECISION: APPROVED

- CONDITIONS:**
1. That the Haldimand County requirements, financial or otherwise, be satisfied. This will include taxes paid up to date, a parkland dedication fee of \$350.00 and a fee of \$301.00 for deed stamping.
 2. That the owner's solicitor provide an undertaking to Haldimand County agreeing that if there are any changes proposed to the wording on the certificate after stamping of the certificate by the County, prior to the registration of the certificate; that the Secretary-Treasurer or designate must approve the change prior to registration of the certificate.
 3. That a Record of Site Condition be submitted to the Planning and Development Division prior to the signing of the certificate. Alternatively, the County will accept evidence from a qualified professional that any associated site remediation process has been initiated along with a commitment to a completion date for the Record of Site Condition process. Contact the Planner at 905-318-5932 for further clarification.
 4. Receipt of a copy of the registered reference plan of the severed parcel, approximately 0.53 hectares (1.31 acres). Also, **prior to the signing of the certificate**, an electronic version of the reference plan in AutoCAD.dwg in format shown below, indicating the consent file number and name of the applicant, must be emailed to dscott@haldimandcounty.on.ca and

astewart@haldimandcounty.on.ca. The 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 December 15, 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-2020-156 Carl and Evelyn Fox

Present: Carl and Evelyn Fox, applicants

The proposal is to sever a lot containing an existing surplus farm dwelling. The severed lands will measure approximately 70 metres (229.7 feet) by 65 metres (213.3 feet) and will contain an area of approximately 0.45 hectare (1.11 acres).

No comment from applicants. Member Bartlett asked where the retained parcel will be accessed from. The agent said the access will be from Concession 1 Road.

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 **Carl and Evelyn Fox**, to sever a lot containing an existing surplus farm dwelling. The severed lands will measure approximately 70 metres (229.7 feet) by 65 metres (213.3 feet) and will contain an area of approximately 0.45 hectare (1.11 acres). **Concession 1 South East of Stoney Creek Road, Part Lots 15 and 16, Geographic Township of Seneca, known municipally as 118 Concession 1 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 a septic evaluation for severed parcel be completed and **submitted to the Secretary- Treasurer**, who will give it to the Haldimand County Building Controls and By-law Enforcement Division for approval. (Septic evaluations must be completed prior to the issuance of the certificate. Please allow approximately six (6) months for completion of the septic evaluation.) Please contact the Building Controls and By-law Enforcement Division at 905-318-5932, for further clarification.
 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 0.45 hectare (1.11 acres). Also, **prior to the signing of the certificate**, an electronic version of the reference plan in AutoCAD.dwg in format shown below, indicating the consent file number and name of the applicant, must be emailed to dscott@haldimandcounty.on.ca and astewart@haldimandcounty.on.ca. The AutoCad drawings need to be georeferenced for the following Coordinate System:
Projected Coordinate NAD_1983_UTM_Zone_17N
System:
Projection: Transverse_Mercator
False_Easting: 500000.00000000
False_Northing: 0.00000000
Central_Meridian: -81.00000000
Scale_Factor: 0.99960000
Latitude_Of_Origin: 0.00000000
Linear Unit: Meter
Geographic Coordinate System:GCS_North_American_1983
Datum: D_North_American_1983
Prime Meridian: Greenwich
Angular Unit: Degree

5. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before December 15, 2021, after which time this consent will lapse.

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

MINOR VARIANCES:

A) PLA-2020-149 Oscar Jose, Emyrose and Steve Maurice

Present:

The proposal is to request relief from the front yard setback and rear yard provisions of the Open Space (OS) Zone of City of Nanticoke Zoning By-law NE-1 2000. The required relief is to allow for the construction of a new single-family dwelling on the parcel.

The applicant said he is hoping to get relief from the zoning by-law to allow the construction of a dwelling on the property. Member Ricker did not see a sign during his site visit; a point that other members of the Committee concurred with. The applicant admitted to taking down the sign after 15 days of having it up. Member Bartlett reminded the applicant that the sign must be up for no less than 14 days prior to the date of the meeting in which the application was being heard, as stated in the *Planning Act*. The applicant admitted his error. Chairperson Brown stated that, because of this, the application would have to be deferred. The supervisor of Development Services reminded the Committee, and those in attendance, that no other discussion on the matter can occur, as per the *Planning Act*.

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 **Oscar Jose, Emyrose and Steve Maurice**, to request relief from the front yard setback and rear yard provisions of the Open Space (OS) Zone of City of Nanticoke Zoning By-law NE-1 2000. The required relief is to allow for the construction of a new single-family dwelling on the parcel. **Plan 19358, Lot 24, Geographic Township of Walpole, no civic address**

DECISION: DEFERRED

REASONS: To allow the applicant to meet statutory requirements under the Planning Act regarding the posting of the notice sign.

B) PLA-2020-152 Ron Willis & Sharlene and George Gordon

Present: Mike Bettioli, agent
Ron Willis, Applicant

The proposal is to demolish the existing dwelling and replace it with a larger dwelling on the same foundation. Relief is requested from the provisions of the Hazard Land (HL) Zone of Zoning By-law 1-H 86 to permit the expansion of a legal non-conforming use on the property.

The agent stated that the situation will change when the new by-law is in force. Both Chairperson Brown and Member Bartlett stated that this will be an improvement.

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 **Ron Willis & Sharlene and George Gordon**, to demolish the existing dwelling and replace it with a larger dwelling on the same foundation. Relief is requested from the provisions of the Hazard Land (HL) Zone of Zoning By-law 1-H 86 to permit the expansion of a legal non-conforming use on the property.

Concession 2 South of Talbot Road, Part Lot 31, Registered Plan 18R4967 Part 1, Geographic Township of North Cayuga, known municipally as 1888 River Road

DECISION: APPROVED

- CONDITIONS:**
1. The proposed development will be constructed substantially in accordance with the attached sketch; and
 2. That no development occur prior to receipt of formal approval from the Grand River Conservation Authority.

REASONS: The proposal is consistent with the Provincial Policy Statement (2020), conforms to the Province's Growth Plan (2019), conforms to the Haldimand County Official Plan and meets the criteria and intent of the Town of Haldimand Zoning By-law 1-H 86.

C) PLA-2020-154 Bruce and Arlene Hartsell

Present: Steve Cowan, agent

The proposal is to request relief from the front yard setback, interior side yard (right), as well as the expansion of a legal non-conforming use provisions of the Hazard Land (HL) Zone of Town of Dunnville Zoning By-law 1-DU 80. The required relief is to allow for the construction of an attached single car garage on the existing single-family dwelling on the parcel.

The agent wanted to state that they tried to bring the structure as close as possible to respect the shape of the property, and required this application. The planner added that GRCA has already issued a permit for the construction. Member Bartlett asked staff that, if we have been stringent on front yard setback, if they are truly satisfied with the proposal. The planner said that they are.

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 **Bruce and Arlene Hartsell**, to request relief from the front yard setback, interior side yard (right), as well as the expansion of a legal non-conforming use provisions of the Hazard Land (HL) Zone of Town of Dunnville Zoning By-law 1-DU 80. The required relief is to allow for the construction of an attached single car garage on the existing single-family dwelling on the parcel. **Concession 4 South of Dover Road, Part Lot 4, Registered Plan 18R2341 Parts 3 and 4, Geographic Township of Dunn, known municipally as 11 Shoreline Trail**

DECISION: **APPROVED**

CONDITIONS: 1. The proposed development will be constructed substantially in accordance with the attached sketch.

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

D) PLA-2020-155 Virginia Sider

Present: John Finkbiner, agent
 Virginia Sider, applicant

The proposal is to satisfy a condition of Consent Application PLA-2020-105 by requesting relief from the lot area, lot frontage and parking provisions of the Seasonal Residential (RS) Zone of Town of Dunnville Zoning By-law 1-DU 80.

No comments from the agent. Member Bowman asked if there was a cistern or septic on the property. The agent said no, but that there is going through the process with Building and GRCA to satisfy this, as it is a condition of the severance.

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 **Virginia Sider**, to satisfy a condition of

Consent Application PLA-2020-105 by requesting relief from the lot area, lot frontage and parking provisions of the Seasonal Residential (RS) Zone of Town of Dunnville Zoning By-law 1-DU 80. **Plan 938, Lots 25 to 27, Geographic Township of Sherbrooke, known municipally as 190 Mohawk Point Road**

DECISION: APPROVED

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

E) PLA-2020-168 Dakota and Jodie Deamude

Present: Dakota and Jodie Deamude, applicants

The proposal is to request relief from the accessory building area provisions of the Agricultural (A) Zone of Town of Dunnville Zoning By-law 1-DU 80. The required relief is to allow for the construction of a detached garage on the parcel.

No comments from the applicants. Member Snyder asked why there was no house on the property. The planner explained that it was an old air photo, prior to the house being built.

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 **Dacota and Jodie Deamude**, to request relief from the accessory building area provisions of the Agricultural (A) Zone of Town of Dunnville Zoning By-law 1-DU 80. The required relief is to allow for the construction of a detached garage on the parcel. **Plan 1407, Part Lots 10 to 12, Registered Plan 18R7543 Part 1, Urban Area of Dunnville, known municipally as 729 Cross Street West**

DECISION: APPROVED

CONDITIONS: 1. The proposed development will be constructed substantially in accordance with the attached sketch.

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

F) PLA-2020-169 Rick Phillips and Joan Kiefer

Present: Joe Phillips, agent
Rick Phillips, applicant

The proposal is to request relief from the rear yard and houses per lot provisions of the Hamlet Commercial (CHA) Zone of Town of Haldimand Zoning By-law 1-H 86. The required relief is to recognize existing deficiencies on the parcel.

No comments from agent. Member Bartlett is happy to see that business improving, and he supports the application.

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 **Rick Phillips and Joah Kiefer**, to request relief from the rear yard and houses per lot provisions of the Hamlet Commercial (CHA) Zone of Town of Haldimand Zoning By-law 1-H 86. The required relief is to recognize existing deficiencies on the parcel. **Concession 8, Part Lot 3, Registered Plan 18R774 Parts 1 and 2, Geographic Township of Rainham, known municipally as 1130 Haldimand Road 20**

DECISION: APPROVED

CONDITIONS: 1. The proposed development will be constructed substantially in accordance with the attached sketch; and
2. That the applicant receives MOECC approval for the expansion, if required.

REASONS: The proposal is consistent with the Provincial Policy Statement (2020), conforms to the Province's Growth Plan (2019), conforms to the Haldimand County Official Plan and meets the criteria and intent of the Town of Haldimand Zoning By-law 1-H 86.

G) PLA-2020-173 Carol Sorbara

Present: Carol and George Sorbara, applicant

The proposal is to request relief from the accessory building provisions of the Agricultural (A) Zone of Town of Haldimand Zoning By-law 1-H 86. The required relief is to permit the construction of an accessory structure on the parcel without an established primary use.

An email from Janice Dulyk (2557 Lakeshore Road) was read to the committee. It stated *"This is not so much a "for or against" opinion regarding this application. Rather it is a request for further information regarding the intent for construction of said 15'X30' building, before the planning and development division's approval or denial.*

The plans for construction appear rather "vague" I feel. It is a concern that this property already has no less than 3 boats, 2 sheds and a woodpile (mice) on the lot. The placement of this proposed building is planned no more than 4' from our shared property line. (as confirmed with you on the phone) That distance is a "little close for comfort". I do not wish to see another pile of wood for example in this 4' area between their structure and my property line. It also appears to be almost "lined up" east of my home/residence, so this is another concern regarding the purpose of this proposed building.

Perhaps the owners have plans for one day adding to their proposed structure, and building a new home or cottage. We have all lost a great deal of bank/water frontage on the south side of Lakeshore Road, and approximately 25 years ago, our family built a new home on the north side of the road. (with a cottage remaining on the south side of the road....for now....) Our family was required to sever the land into two lots before being allowed to construct a new residence, and attaining all of the required/appropriate building permits, etc. We now pay property taxes for both properties. (despite only inhabiting the house, cottage is seasonally used) IF there is a new building/home to be constructed on the Sorbara's back lot (north of road) without having to sever their property, than I would ask that our situation (property severance) be readdressed.

I wish to be notified of any decision made by the Haldimand County Committee of Adjustment in respect of this application, including a much more detailed account of the planned use of this proposed "accessory building".

No comment from the applicants. DR asked staff if the side yard setback with the Dulyk property was within the required setbacks. The planner said that it did. The applicant said that the structure was to replace two existing smaller sheds, that are in poor condition.

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 **Carol Sorbara**, to request relief from the accessory building provisions of the Agricultural (A) Zone of Town of Haldimand Zoning By-law 1-H 86. The required relief is to permit the construction of an accessory structure on the parcel without an established primary use. **Concession 7, Part Lot 17, Registered Plan 18R1955 Parts 1 and 2, Geographic Township of South Cayuga, known municipally as 2559 Lakeshore Road**

DECISION: **APPROVED**

CONDITIONS: 1. The proposed development will be constructed substantially in accordance with the attached sketch.

REASONS: The proposal is consistent with the Provincial Policy Statement (2020), conforms to the Province's Growth Plan (2019), conforms to the Haldimand

County Official Plan and meets the criteria and intent of the Town of Haldimand Zoning By-law 1-H 86.

PREVIOUSLY DEFERRED:

A) PLB-2020-124 Bruce and Elliot Armstrong

Present: Bruce Armstrong, applicant

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 (500 feet) and will contain an area of approximately 0.6 hectare (1.5 acres). This application was previously heard at the October 20, 2020 Committee of Adjustment meeting, and subsequently revised.

No comments from the applicant. LB appreciated the work to reduce the size of the proposed severed lot.

The Committee made the following decision:

PURSUANT to Subsection 53(1) of *The Planning Act*, R.S.O. 1990 (as amended), this Committee hereby makes the following decision on the application of **Bruce and Elliot 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 (500 feet) and will contain an area of approximately 0.6 hectare (1.5 acres). **Concession 2, Part Lot 11. Geographic Township of Rainham, known municipally as 4769 Rainham Road**

DECISION: APPROVED

- CONDITIONS:**
1. That the Haldimand County requirements, financial or otherwise, be satisfied. This will include taxes paid up to date, a parkland dedication fee 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. 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.

4. 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.
5. 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.
6. Receipt of confirmation from the Building & Municipal Enforcement Division that the former livestock barn complex straddling the proposed property lines has been demolished in accordance with the *Ontario Building Code*.
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 0.73 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

9. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before December 15, 2021, after which time this consent will lapse.

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

OTHER BUSINESS:

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

The meeting adjourned at 11:16 am.



Chairman



Secretary-Treasurer

