



**HALDIMAND COUNTY
COMMITTEE OF ADJUSTMENT
MINUTES
MONDAY, APRIL 19, 2021**

A meeting of the Committee of Adjustment was held on Monday, April 19, 2021 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 Alisha Cull
Planner Ben Kissner
Secretary-Treasurer David Scott

The Committee of Adjustment dealt with the following applications:

CONSENTS:

PLB-2021-022	Alan & Grace Strobosser	APPROVED
PLB-2021-042	Van Der Molen Farms Inc.	DEFERRED
PLB-2021-044	Hagersville Market Ltd.	APPROVED
PLB-2021-046	Tom & Debbie Sheppard	APPROVED
PLB-2021-052	Dave & Dale Lang	APPROVED

CONSENTS & RELATED MINOR VARIANCES:

PLB-2021-027 & PLA-2021-028	Juri Holdings Inc.	APPROVED
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MINOR VARIANCES:

PLA-2019-076	15 Talbot Inc.	APPROVED
PLA-2021-012	Spencer Garner Killman	APPROVED
PLA-2021-013	Carmen Giammichele &	APPROVED

	Rachel Vandendool	
PLA-2021-015	Tares & Joanne Bobiak	APPROVED
PLA-2021-017	Garden Communities (Hagersville) Inc.	DEFERRED
PLA-2021-018	Aisha Ijaz	DEFERRED
PLA-2021-020	Stephen Elgersma	APPROVED
PLA-2021-035	Paul & Cheryl Taylor	APPROVED
PLA-2021-036	Rick & Tracey Lechner	APPROVED
PLA-2021-037	Raymond & Cynthia Bendle	APPROVED
PLA-2021-038	Jonathon & Jodi Kutyba	APPROVED
PLA-2021-045	McClung Properties Ltd.	DEFERRED
PLA-2021-048	Craig Horsley	APPROVED
PLA-2021-049	Frontline Capital Leasing Inc.	APPROVED
PLA-2021-051	Tilstra Bros. Farms Ltd.	DEFERRED
PLA-2021-061	2039882 Ontario Limited	APPROVED

SIGN VARIANCES:

PLA-2021-050	Mukesh Grover	DEFERRED
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DECLARATIONS OF PECUNIARY INTEREST:

CONSENTS:

A) PLB-2021-022 Alan and Grace Strobosser

Present: Alan and Grace Strobosser, applicants

The proposal is to sever a lot containing an existing surplus farm dwelling and accessory structure. The severed lands will be approximately 60 metres (196.9 feet) by 115 metres (377.3 feet) and will contain an area of approximately 0.64 hectares (1.6 acres).

Chairperson Brown asked if the sign had been posted. It was confirmed that the sign was posted on March 28, 2021. Member Bartlett asked where the entrance to the retained was to be located. The applicant said that an entrance existed beside their neighbour, Jim Phibbs, place (Note: located at 1132 Concession 9 Walpole). Member Ricker asked if the accessory structures were going to stay in place. The applicant stated that only the large one will remain, to be used for storage. Member Ricker asked about the setback of that structure to the proposed rear lot line. The applicant said that it would be 20 metres from the lot line. Member Gould asked if a minor variance would be required to address any deficiencies. The planner said that any would be addressed in the zoning by-law amendment, which would be a condition of approval.

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 **Alan and Grace Strobosser**, to sever a lot containing an existing surplus farm dwelling and accessory structure. The severed lands will be approximately 60 metres (196.9 feet) by 115 metres (377.3 feet) and will contain an area of approximately 0.64 hectares (1.6 acres). **Concession 9, Part Lot 15, Registered Plan 18R5429 Parts 3 to 5, Geographic Township of Walpole, known municipally as 1148 Concession 9 Walpole**

DECISION: **Member Bartlett: Yes**
 Member Bowman: Yes
 Member Gould: Yes
 Member Ricker: Yes
 Member Snyder: Yes
 Member Wagter: Yes
 APPROVED (6-0)

- 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 \$308.00 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. 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 zoning amendment to freeze development on retained lands (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.

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 0.64 hectares (1.6 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

7. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before April 19, 2022, after which time this consent will lapse.

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

B) PLB-2021-042 Van Der Molen Farms Inc.

Present: Ed McCarthy, agent

The proposal is to sever a lot containing an existing surplus farm dwelling and accessory structure. The severed lands will be an irregular parcel with a frontage of approximately 67.98 metres (223 feet) and will contain an area of approximately 0.43 hectares (1.06 acres).

The agent asked that the application be deferred to give the applicants time to adjust their proposal. 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 **Van Der Molen Farms Inc.**, to sever a lot containing an existing surplus farm dwelling and accessory structure. The severed lands will be an irregular parcel with a frontage of approximately 67.98 metres (223 feet) and will contain an area of approximately 0.43 hectares (1.06 acres). **Concession 9, Part Lot 14, Geographic Township of Walpole, known municipally as 587 Concession 8 Walpole**

DECISION: **Member Bartlett: Yes**
 Member Bowman: Yes
 Member Gould: Yes
 Member Ricker: Yes
 Member Snyder: Yes
 Member Wagter: Yes
 DEFERRED (6-0)

REASONS: To give the applicant the opportunity to revise their proposal, at their request.

C) PLB-2021-044 Hagersville Market Ltd.

Present: Ed McCarthy, agent

The proposal is to sever a lot containing an existing building. The severed lands will measure approximately 14.5 metres (47.6 feet) by 26 metres (85.3 feet) and will contain an area of approximately 0.0377 hectares (0.09 acres).

No comments from the agent. Member Ricker asked what buffering will occur between the severed and retained parcels. The agent said that the situation as it currently exists will remain.

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 **Hagersville Market Ltd.**, to sever a lot containing an existing building. The severed lands will measure approximately 14.5 metres (47.6

feet) by 26 metres (85.3 feet) and will contain an area of approximately 0.0377 hectares (0.09 acres). **Plan 1109, Part Lot 24, Registered Plan 18R5847 Part 2, Urban Area of Hagersville, known municipally as 8 Sherring Street South**

DECISION:
Member Bartlett: Yes
Member Bowman: Yes
Member Gould: Yes
Member Ricker: Yes
Member Snyder: Yes
Member Wagter: Yes
APPROVED (6-0)

- 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 \$308.00 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 0.0377 hectares (0.09 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

4. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before April 19, 2022, after which time this consent will lapse.

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

D) PLB-2021-046 Tom and Debbie Sheppard

Present: Tom and Debbie Sheppard, applicants
Liza Kallay, previous owner of the property

The proposal is to sever a lot containing an existing surplus farm dwelling. The severed lands will be approximately 60.96 metres (200 feet) by 76.2 metres (250 feet) and will contain an area of approximately 0.46 hectares (1.14 acres).

No comments from the applicants. The previous owner stated that, though she has no problem with the application per se, she does not understand why, when she owned the property and wanted to sever the property, she was told by someone in the Hagersville office, that she would not be able to do so. The planner explained, in response to her comments, the criteria for surplus farm dwelling severances, and stated why the applicants were able to apply, whereas she was not. He further stated that, since he was not the person she had talked to, he could not respond to specifics of her conversation with staff at that time.

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 **Tom and Debbie Sheppard**, to sever a lot containing an existing surplus farm dwelling. The severed lands will be approximately 60.96 metres (200 feet) by 76.2 metres (250 feet) and will contain an area of approximately 0.46 hectares (1.14 acres). **Concession 3, Part Lot 20, Geographic Township of Walpole, known municipally as 1077 Concession 2 Walpole**

DECISION:
Member Bartlett: Yes
Member Bowman: Yes
Member Gould: Yes
Member Ricker: Yes
Member Snyder: Yes
Member Wagter: Yes
APPROVED (6-0)

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 \$308.00 for deed stamping.
2. Receipt of final approval of the required zoning amendment to remove the special provision permitting a second dwelling on the severed and retained lands (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. Subject to the approval from the Long Point Region Conservation Authority.
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 0.46 hectares (1.14 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

6. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before April 19, 2022, after which time this consent will lapse.

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

E) PLB-2021-052 Dave and Dale Lang

Present: Dave and Dale Lang, applicants

The proposal is to sever a lot containing an existing surplus farm dwelling and accessory structures. The severed lands will be approximately 44.49 metres (146 feet) by 163.8 metres (537.4 feet) and will contain an area of approximately 0.74 hectares (1.84 acres).

There were no comments from the applicants. Member Bowman asked for clarification of the area of the proposed severed parcel. Both the applicant and the planner clarified the area to be 1.84 acres. Member Bowman asked which of the accessory buildings would remain. The applicant said that the driveshed and garage would remain, and that all the others will be torn down. Member Bartlett asked for confirmation as to where the entrance will be to the retained lands. This was provided.

Member Ricker had issues with the application, as it pertains to a house located in the centre of a farm, and asked for verification of MDS. The planner stated that the applicant had confirmed in their application that no livestock activity exists on the property, or within 500 feet of the property. Member Ricker then mentioned that it appeared that facilities exists on the property to house livestock, and that, for him, made it had to support the application. The applicant gave assurance that all livestock buildings and facilities are to be either demolished or repurposed. Member Bartlett asked if livestock uses could be restricted on the property. The planner said that the required zoning by-law amendment, as a condition of severance, would freeze residential development on the retained lands, so there would not be conflict.

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 **Dave and Dale Lang**, to sever a lot containing an existing surplus farm dwelling and accessory structures. The severed lands will be approximately 44.49 metres (146 feet) by 163.8 metres (537.4 feet) and will contain an area of approximately 0.74 hectares (1.84 acres). **Concession 5, Part Lots 19, Geographic Township of Oneida, known municipally as 650 5th Line**

DECISION: **Member Bartlett: Yes**
 Member Bowman: Yes

Member Gould: Yes
Member Ricker: Yes
Member Snyder: Yes
Member Wagter: Yes
APPROVED (6-0)

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 \$308.00 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. 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 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.
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 0.74 hectares (1.84 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

7. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before April 19, 2022, after which time this consent will lapse.

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

CONSENTS & RELATED MINOR VARIANCES:

A) PLB-2021-027 & PLA-2021-028 Juri Holdings Inc.

Present: Richard Schilstra, agent

In **PLB-2021-027**, The applicant proposes to sever the existing right-of-way from the parcel and add it to the property to the east (2134 Lakeshore Road). The severed land will measure approximately 6.4 metres (21 feet) by 30 metres (98.4 feet) and will containing an area of approximately 0.02 hectares (0.05 acres), while the retained parcel will have a frontage of approximately 8.96 metres (29.4 feet) and will containing an area of approximately 0.07 hectares (0.18 acres) . In **PLA-2021-028**, Relief is requested from the lot frontage provisions of Haldimand County Zoning By-law HC-1 2020. The relief is requested recognize deficiencies on the properties as a result of application PLB-2021-027.

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 **Juri Holdings Inc.**, to sever the existing right-of-way from the parcel and add it to the property to the east (2134 Lakeshore Road). The

severed land will measure approximately 6.4 metres (21 feet) by 30 metres (98.4 feet) and will containing an area of approximately 0.02 hectares (0.05 acres), while the retained parcel will have a frontage of approximately 8.96 metres (29.4 feet) and will containing an area of approximately 0.07 hectares (0.18 acres). **Concession 1, Part Lot 23, Geographic Township of Rainham, known municipally as 2130 Lakeshore Road**

DECISION: **Member Bartlett: Yes**
Member Bowman: Yes
Member Gould: Yes
Member Ricker: Yes
Member Snyder: Yes
Member Wagter: Yes
APPROVED (6-0)

- CONDITIONS:**
1. That the Haldimand County requirements, financial or otherwise, be satisfied. This will include taxes paid up to date, and a fee of \$308.00 for deed stamping.
 2. 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.
 3. That Section 50(3) or (5) of the Planning Act shall apply to any subsequent conveyance or transaction.
 4. Receipt of confirmation that the subject lands have been transferred into the name of Richard and Julie Schilstra, prior to the signing of the certificate by the Secretary-Treasurer.
 5. That an easement be given to the Long Point Region Conservation Authority for access to the shoreline for maintenance of natural features on the property. Contact the Long Point Region Conservation Authority for further details.
 6. Receipt of final approval of the concurrent minor variance PLA-2021-028. For further information, please contact Planning Staff at 905-318-5932.
 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 0.02 hectares (0.05 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

9. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before April 19, 2022, 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 **Juri Holdings Inc.**, to request relief from the lot frontage provisions of Haldimand County Zoning By-law HC-1 2020. The relief is requested recognize deficiencies on the properties as a result of application PLB-2021-027. **Concession 1, Part Lot 23, Geographic Township of Rainham, known municipally as 2130 Lakeshore Road**

DECISION: **Member Bartlett: Yes**
 Member Bowman: Yes
 Member Gould: Yes
 Member Ricker: Yes
 Member Snyder: Yes
 Member Wagter: Yes
 APPROVED (6-0)

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), complies with A Place to Grow (2020), conforms to the Haldimand County Official Plan, and meets the general intent and purpose of the Haldimand County Zoning By-law HC 1-2020.

MINOR VARIANCES:

A) PLA-2021-012 Spencer Garner Killman

Present: Spencer Killman, applicant

The proposal is to request relief from the accessory building area provisions of the Urban Residential Type 1-A (R1-A) Zone of Haldimand County Zoning By-law HC-1 2020. The relief is requested to permit the construction of a garage on the property for storage.

An email was received from Lynn Atkinson at 48 Church Street in Jarvis. In it she stated 'I'm writing to you to express my concerns about the building of this garage so close to my dwelling. Distance of garage from my house is 1.2 meters my sump pump is there, our bedrooms are there, this swatch of property is so narrow and has poor drainage my little house has to hold back water from multiple dwellings I'm on a higher grade. Since I've lived here 2077 Main St has been sold 4 times rented out once this is the 5th owner. Every time it was sold I would worry about what the new owners would do with that patch of narrow land or I hoped they would be nice I never knew his name until I saw it written on county correspondence. How will I be able to fix my foundation, noise from garage our bedrooms are right there, where will the snow and water go if it comes off the roof of this huge garage its 20x40ft on they north side of my home mould and moss will be all over my house 1.2 m between the 2 buildings, and what happens to my house if there's a garage fire? I invite you to veiw this piece of property in person. These are stressful times and now for me and my other neighbours it has been amplified and so is the above neighbours dirt bike and lawn mower lol! Of all the places to build a garage why there, why so big, why close to my dwelling his property is 140ft long? '

Another email was received from Shirley Whitford (another neighbour of the subject property). She stated 'According to the plan he is wanting a 1.2 meters variance between our property and our neighbors property. Not only do we feel this is too close we are worried about the drainage. There are at least 4 properties where water flows towards this area. This area is full of water in the spring you can't walk back there without getting soak and wet.

The plan is to build it between two buildings. This will cause no natural light coming thru our neighbors window or our garage, where my husbands spends a lot of his time.

It is stated that he is going to use this garage for storage. If he plans also to work on his equipment in this garage it will cause noise. Our neighbors bedroom is right there. We are dealing with the same issue with our neighbor on the corner (Spencer Garner Killman's Stepfather) Noise coming from his garage late at night, just outside our bedroom window.

Again we stress that this area is too narrow to build any building. Please reconsider your approval of this plan.

The applicant has other areas on this property. Why not up closer to his house? ‘

There was no comment from the applicant. Member Ricker asked whether the side yard setbacks meet the provisions of the zoning by-law. The planner said that they do. Chairperson Brown asked if the size of the building could possibly be reduced. The applicant said that it could. Chairperson Brown then asked what would be done about possible noise coming from the new building. The applicant said that insulation would be installed, which would mitigate the situation.

Member Ricker said that he felt bad for the neighbours over their concerns, but the applicant is meeting the provisions regarding setbacks from the property line, so they are doing all that they can. Member Bartlett expressed concern about possible drainage issues. The applicant said that he would be installing eavestroughs to address any issues.

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 **Spencer Garner Killman**, to request relief from the accessory building area provisions of the Urban Residential Type 1-A (R1-A) Zone of Haldimand County Zoning By-law HC-1 2020. The relief is requested to permit the construction of a garage on the property for storage. **Plan 1506, Block BB, Lot 22 and Part Lot 42, Urban Area of Jarvis, known municipally as 2077 Main Street North**

DECISION:
Member Bartlett: Yes
Member Bowman: Yes
Member Gould: Yes
Member Ricker: Yes
Member Snyder: Yes
Member Wagter: Yes
APPROVED (6-0)

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), complies with A Place to Grow (2020), conforms to the Haldimand County Official Plan, and meets the general intent and purpose of the Haldimand County Zoning By-law HC 1-2020.

B) PLA-2021-013 Carmen Giammichele & Rachel Vandendool

Present: Carmen Giammichele, applicant

Rachel Vandendool, applicant

The proposal is to request relief from the location of an animal kennel provisions of Haldimand County Zoning By-law HC-1 2020. The relief is requested to permit the establishment of a kennel on the property.

No comments from the applicants. Member Bowman asked to verify the measurement on the minor variance chart, which was given. Member Bartlett asked why the Ministry of Transportation did not approve an entrance on previous land division applications. The supervisor said that the Ministry of Transportation is circulated for all application on provincial highways, and that an entrance permit would be required prior to any building permitting process. The planner added that an entrance permit may not have been required at the time of the surplus farm dwelling severance, but this is an application for change of use. Member Ricker said that his reading is that the entrance is only a suggestion. Member Gould asked whether a permit could be made a condition. It was stated that it may be suggested when they go through Building approval, and is not necessary.

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 **Carmen Giammichele and Rachel Vandendool**, to request relief from the location of an animal kennel provisions of Haldimand County Zoning By-law HC-1 2020. The relief is requested to permit the establishment of a kennel on the property. **Concession 8, Part Lot 2, Registered Plan 18R7089 Part 1, Geographic Township of Rainham, known municipally as 3874 Highway 3**

DECISION: **Member Bartlett: Yes**
 Member Bowman: Yes
 Member Gould: Yes
 Member Ricker: Yes
 Member Snyder: Yes
 Member Wagter: Yes
 APPROVED (6-0)

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), complies with A Place to Grow (2020), conforms to the Haldimand County Official Plan, and meets the general intent and purpose of the Haldimand County Zoning By-law HC 1-2020.

C) PLA-2021-015 Tares & Joanne Bobiak

Present: Tares Bobiak, applicant

The proposal is to request relief from the rear yard, accessory build in front yard and accessory building height provisions of the Lakeshore Residential Zone (RL) Zone of Haldimand County Zoning By-law HC-1 2020. The relief is requested to permit the construction of an attached garage with breezeway on the property.

The applicant supported the finding of the planners report. Member Ricker asked if construction had occurred yet. The applicant said that it had not as of yet. Member Ricker then asked about the side yard setback deficiency, and how it was relevant to the work to be done. The planner said that all deficiencies much be recognized, and dealt with through 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 **Tares & Joanne Bobiak**, to request relief from the rear yard, accessory build in front yard and accessory building height provisions of the Lakeshore Residential Zone (RL) Zone of Haldimand County Zoning By-law HC-1 2020. The relief is requested to permit the construction of an attached garage with breezeway on the property. **Concession 1, Part Lot 18, Registered Plan 18R5454 Part 1, Geographic Township of Walpole, known municipally as 1020 South Coast Drive**

DECISION: **Member Bartlett: Yes**
 Member Bowman: Yes
 Member Gould: Yes
 Member Ricker: Yes
 Member Snyder: Yes
 Member Wagter: Yes
 APPROVED (6-0)

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), complies with A Place to Grow (2020), conforms to the Haldimand County Official Plan, and meets the general intent and purpose of the Haldimand County Zoning By-law HC 1-2020.

D) PLA-2021-017 Gardens Communities (Hagersville) Inc.

Present: No one present representing the application

The proposal is to request relief from the exterior side yard provisions of the Urban Residential 1-B (R1-B) Zone of Haldimand County Zoning By-law HC-1 2020. The relief is requested to permit the construction of a single family dwelling on the property.

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 , to request relief from the exterior side yard provisions of the Urban Residential 1-B (R1-B) Zone of Haldimand County Zoning By-law HC-1 2020. The relief is requested to permit the construction of a single family dwelling on the property. **Range East of Plank Road, Lot 30, Plan 18M61 Part 13, Urban Area of Hagersville, known municipally as 176 Athens Street**

DECISION:
Member Bartlett: Yes
Member Bowman: Yes
Member Gould: Yes
Member Ricker: Yes
Member Snyder: Yes
Member Wagter: Yes
DEFERRED (6-0)

REASONS: To allow the applicant time to erect the notice sign, as per the *Planning Act*.

E) PLA-2021-045 McClung Properties Ltd.

Present: No one present representing the application

The proposal is to request relief from the exterior side yard provisions of the Urban Residential 1-B (R1-B) Zone of Haldimand County Zoning By-law HC-1 2020. The relief is requested to permit the construction of a single family dwelling on the property.

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 , to request relief from the exterior side yard provisions of the Urban Residential 1-B (R1-B) Zone of Haldimand County Zoning By-law HC-1 2020. The relief is requested to permit the construction of a single family dwelling on the property. **Range 1, Part of Block S, Lot 9, Plan 18M63 Lot 3, Geographic Township of Seneca, Urban Area of Caledonia, known municipally as 90 Whithorn Crescent**

DECISION:
Member Bartlett: Yes
Member Bowman: Yes
Member Gould: Yes
Member Ricker: Yes

Member Snyder: Yes
Member Wagter: Yes
DEFERRED (6-0)

REASONS: To allow the applicant time to erect the notice sign, as per the *Planning Act*.

F) PLA-2021-018 Aisha Ijaz

Present: No one present representing the application

The proposal is to request relief from the parking and entrance provisions of Haldimand County Zoning By-law HC-1 2020. The relief is requested to permit the establishment of a basement apartment within the existing dwelling on the property.

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 **Aisha Ijaz**, to request relief from the parking and entrance provisions of Haldimand County Zoning By-law HC-1 2020. The relief is requested to permit the establishment of a basement apartment within the existing dwelling on the property. **Plan 18M49, Lot 71, Urban Area of Caledonia, Geographic Township of Seneca, known municipally as 14 Larry Crescent**

DECISION: **Member Bartlett: Yes**
Member Bowman: Yes
Member Gould: Yes
Member Ricker: Yes
Member Snyder: Yes
Member Wagter: Yes
DEFERRED (6-0)

REASONS: To allow the applicant time to erect the notice sign, as per the *Planning Act*.

G) PLA-2021-020 Stephen Elgersma

Present: Stephen Elgersma, applicant

The proposal is to request relief from the accessory building area provisions of the Agricultural (A) Zone of Haldimand County Zoning By-law HC-1 2020. The relief is requested to permit the construction of an accessory structure on the property for storage.

The applicant supported the finding of the planners report. Member Bartlett asked for verification of the buildings being construction, as per the owners sketch. The applicant said that the accessory building is being torn down and replaced.

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 **Stephen Elgersma**, to request relief from the accessory building area provisions of the Agricultural (A) Zone of Haldimand County Zoning By-law HC-1 2020. The relief is requested to permit the construction of an accessory structure on the property for storage. **Concession 3, Part Lot 7, Registered Plan 18R6881 Part 1, Geographic Township of Moulton, known municipally as 554 Hines Road**

DECISION: **Member Bartlett: Yes**
 Member Bowman: Yes
 Member Gould: Yes
 Member Ricker: Yes
 Member Snyder: Yes
 Member Wagter: Yes
 APPROVED (6-0)

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), complies with A Place to Grow (2020), conforms to the Haldimand County Official Plan, and meets the general intent and purpose of the Haldimand County Zoning By-law HC 1-2020.

H) PLA-2021-035 Paul & Cheryl Taylor

Present: Paul Taylor, applicant
 Cheryl Taylor, applicant
 Patrick Leeney, neighbour

The proposal is to request relief from the lot frontage, height of building and accessory building area provisions of the Lakeshore Residential Zone (RL) Zone of Haldimand County Zoning By-law HC-1 2020. The relief is requested to permit the construction of an accessory building for storage purposes on the property.

The applicants had no issues with the planning report. Member Bowman asked how many accessory buildings currently exist on the property. The applicants said that one shed currently exists, but that it would be removed.

Mr. Leeney asked whether the old garage was to be removed. The applicants said no. Member Ricker asked for confirmation of where the two garages would be, as only one was clear on the

sketch. The applicants stated that the original garage will remain, and it is shown lighter on the sketch.

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 **Paul & Cheryl Taylor**, to request relief from the lot frontage, height of building and accessory building area provisions of the Lakeshore Residential Zone (RL) Zone of Haldimand County Zoning By-law HC-1 2020. The relief is requested to permit the construction of an accessory building for storage purposes on the property. **Plan 8600 Lot 2 to 3, Geographic Township of Moulton, known municipally as 2734 North Shore Drive**

DECISION: **Member Bartlett: Yes**
 Member Bowman: Yes
 Member Gould: Yes
 Member Ricker: Yes
 Member Snyder: Yes
 Member Wagter: Yes
 APPROVED (6-0)

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), complies with A Place to Grow (2020), conforms to the Haldimand County Official Plan, and meets the general intent and purpose of the Haldimand County Zoning By-law HC 1-2020.

I) PLA-2021-036 Rick and Tracey Lechner

Present: Rick Lechner, applicant
 Tracey Lechner, applicant

This application is a condition of Consent Application PLA-2020-145, approved at the December 15, 2020 Committee of Adjustment meeting. Relief is requested from the accessory building height and area provisions of the Lakeshore Residential (RL) Zone of Haldimand County Zoning By-law HC-1 2020. The relief is requested to permit the construction of a single family dwelling on the property.

No comments from the applicants or 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 **Rick and Tracey Lechner**, to request relief from the accessory building height and area provisions of the Lakeshore Residential (RL) Zone of Haldimand County Zoning By-law HC-1 2020. The relief is requested to permit the construction of a single family dwelling on the property. **Concession 1, Part Lot 8, Registered Plan 18R4011 Parts 1, 2 and 3, Geographic Township of Sherbrook, known municipally as 1 Mohawk Line**

DECISION: **Member Bartlett: Yes**
 Member Bowman: Yes
 Member Gould: Yes
 Member Ricker: Yes
 Member Snyder: Yes
 Member Wagter: Yes
 APPROVED (6-0)

REASONS: The proposal is consistent with the Provincial Policy Statement (2020), complies with A Place to Grow (2020), conforms to the Haldimand County Official Plan, and meets the general intent and purpose of the Haldimand County Zoning By-law HC 1-2020.

J) PLA-2021-037 Raymond and Cynthia Bendle

Present: Raymond Bendle, applicant
 Cynthia Bendle, applicant

The proposal is to request relief from the front yard setback provisions of the Lakeshore Residential Zone (RL) Zone of Haldimand County Zoning By-law HC-1 2020. The relief is requested to permit the construction of an existing single family dwelling on the property.

There were no comments from the applicants. They verified that the sign was posted when received. Member Bartlett asked about the concerns expressed by Long Point Region Conservation Authority. The planner said that Building would be able to address the concerns through their permitting process. Chairperson Brown asked about whether a Class 4 septic system would be required. The planner verified that it would be required.

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 **Raymond and Cynthia Bendle**, to request relief from the front yard setback provisions of the Lakeshore Residential Zone (RL) Zone of Haldimand County Zoning By-law HC-1 2020. The relief is requested to permit the construction of an existing single family dwelling on the property. **Concession 1, Part Lot 5, Geographic Township of Rainham, known municipally as 470 Lakeshore Road**

DECISION: **Member Bartlett: Yes**
 Member Bowman: Yes
 Member Gould: Yes
 Member Ricker: Yes
 Member Snyder: Yes
 Member Wagter: Yes
 APPROVED (6-0)

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), complies with A Place to Grow (2020), conforms to the Haldimand County Official Plan, and meets the general intent and purpose of the Haldimand County Zoning By-law HC 1-2020.

K) PLA-2021-038 Jonathon and Jodi Kutymba

Present: Gord Winger, agent
 Jonathon Kutymba, applicant

The proposal is to request relief from the accessory building area and accessory building height provisions of the Agricultural Zone (A) Zone of Haldimand County Zoning By-law HC-1 2020. The relief is requested to permit the construction of a new storage garage on the property.

No comment from the agent. Chairperson Brown requested clarification regarding the comments from Six Nations. This was provided to Chairperson Brown’s satisfaction.

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 **Jonathon and Jodi Kutymba**, to request relief from the accessory building area and accessory building height provisions of the Agricultural Zone (A) Zone of Haldimand County Zoning By-law HC-1 2020. The relief is requested to permit the construction of a new storage garage on the property. **Concession 14, Part Lot 7, Registered Plan 18R6862 Part 1, Geographic Township of Walpole, known municipally as 2528 Haldimand Road 55**

DECISION: **Member Bartlett: Yes**
 Member Bowman: Yes
 Member Gould: Yes
 Member Ricker: Yes
 Member Snyder: Yes

Member Wagter: Yes
APPROVED (6-0)

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), complies with A Place to Grow (2020), conforms to the Haldimand County Official Plan, and meets the general intent and purpose of the Haldimand County Zoning By-law HC 1-2020.

L) PLA-2021-048 Craig Horsley

Present: Henry Leyenhorst, agent

The proposal is to request relief from the lot area, houses per lot, accessory building area provisions, as well as those provisions governing the establishment of a main use on a property and the provision of frontage on an improved street of the Lakeshore Residential (RL) Zone of Haldimand County Zoning By-law HC-1 2020. The relief is requested to permit the construction of a new storage garage on the property.

No comments from the agent. Member Bartlett asked about the two sheds currently on the property. The agent stated that both sheds will be torn down. Member Bowman asked if the minor variance is for the new garage only. It was stated that it was for that purpose. Member Gould asked if a primary residence currently exists on the property. The agent verified that one does not currently exist.

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 **Craig Horsley**, to request relief from the lot area, houses per lot, accessory building area provisions, as well as those provisions governing the establishment of a main use on a property and the provision of frontage on an improved street of the Lakeshore Residential (RL) Zone of Haldimand County Zoning By-law HC-1 2020. The relief is requested to permit the construction of a new storage garage on the property. **Concession 5 South of Dover Road, Part Lot 11, Geographic Township of Dunn, no civic address**

DECISION:
Member Bartlett: Yes
Member Bowman: Yes
Member Gould: Yes
Member Ricker: Yes
Member Snyder: Yes
Member Wagter: Yes

APPROVED (6-0)

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

REASONS: The proposal is consistent with the Provincial Policy Statement (2020), complies with A Place to Grow (2020), conforms to the Haldimand County Official Plan, and meets the general intent and purpose of the Haldimand County Zoning By-law HC 1-2020.

M) PLA-2021-049 Frontline Capital Leasing Inc.

Present: Jason Schulenberg, representative of Frontline Capital Leasing Inc.

The proposal is to request relief from the front yard setback and rear yard provisions of the Hamlet Residential (RH) Zone of Haldimand County Zoning By-law HC-1 2020. The relief is requested to permit the construction of a new single family dwelling on the property.

A phone call from Laurie McKnight, a neighbour of the subject property, was received by the Planning Department, expressing concerns about grading and drainage. These were addressed by Planning staff.

No comments from the applicant 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 **Frontline Capital Leasing Inc.**, to request relief from the front yard setback and rear yard provisions of the Hamlet Residential (RH) Zone of Haldimand County Zoning By-law HC-1 2020. The relief is requested to permit the construction of a new single family dwelling on the property. **Concession 1 from Canborough, Part Lot 21, Registered Plan 18R7886 Part 2, Geographic Township of Moulton, known municipally as 33 Oswego Park Road**

DECISION:

- Member Bartlett: Yes**
- Member Bowman: Yes**
- Member Gould: Yes**
- Member Ricker: Yes**
- Member Snyder: Yes**
- Member Wagter: Yes**

APPROVED (6-0)

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), complies with A Place to Grow (2020), conforms to the Haldimand County Official Plan, and meets the general intent and purpose of the Haldimand County Zoning By-law HC 1-2020.

N) PLA-2021-051 Tilstra Bros. Farms Ltd.

Present: Kim Hessels, agent

The proposal is to request relief from the MDS provisions of the Agricultural Zone (A) Zone of Haldimand County Zoning By-law HC-1 2020. The relief is requested to permit the expansion of the existing dairy barn on the property.

The agent expressed frustration that she had not heard from the Niagara Peninsula Conservation Authority about their concerns in the planning report. She wanted to say that they have revised mapping, and that the manure storage is constructed of concrete, and that the setbacks are fine. The planner said that the NPCA comment may have been late coming, so that until the concerns are addressed to NPCA's satisfaction, it is prudent to defer the application.

Discussion ensued about other possible alternatives to deferral. It was determined that a NPCA permit would not be required, so deferral seems to be needed (possibly to the May meeting). Various members asked why the applicants could not address MDS setbacks. The agent said that there is a municipal ditch going through the property that is a concern.

Member Gould asked the agent asked if moving the proposal would place the it in NPCA regulated land. The agent said that she was not sure, but that it would be likely. Member Bartlett stated that he would like to know what NPCA would say to moving things, and whether or not there is room for an adjustment, before the committee decides on the application. Member Ricker said that he feels that the operation needs to be within MDS regulations. Chairperson Brown asked as to whether this application could be brought to the May meeting. The planner said that it could, but that NPCA comments would need to be received very soon.

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 **Tilstra Bros. Farms Ltd.**, to request relief from the MDS provisions of the Agricultural Zone (A) Zone of Haldimand County Zoning By-law HC-1 2020. The relief is requested to permit the expansion of the existing dairy barn on the property. **Concession 2, Part Lot 10, Geographic Township of Canborough, known municipally as 145 Lane Road**

DECISION: **Member Bartlett: Yes**
 Member Bowman: Yes
 Member Gould: No
 Member Ricker: Yes
 Member Snyder: Yes
 Member Wagter: Yes
 DEFERRED (5-1)

REASONS: To give the applicant time to address the concerns of the Niagara Peninsula Conservation Authority (NPCA).

O) PLA-2021-061 2039882 Ontario Limited [Shelter Cove]

Present: Mario Bevacqua, representative for Shelter Cove

The proposal is to request relief from the maximum useable floor area per dwelling unit provisions of the Hamlet Residential (RH) Zone of Haldimand County Zoning By-law HC-1 2020. The relief is requested to permit the construction of larger residential dwelling units as is currently permitted on the property.

The representative provided a background of the request, emphasizing that people are requesting bigger units. The Building department stated that either a zoning amendment or minor variance would be required to allow this. Member Ricker asked whether other setbacks will be impacted by this request. The planner said that as long as there are no other changes, that there would be no other implications. Member Bartlett noted that there are varying sizes of lots, and asked whether there would be future changes. The representative said that the lots are not finalized, and that, when development happens, a survey will be submitted to the County for approval. Member Bartlett said that he wants hard facts to make a decision, not vague ideas. He added that he would be more comfortable with more concrete information.

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 **2039882 Ontario Limited**, to request relief from the maximum useable floor area per dwelling unit provisions of the Hamlet Residential (RH) Zone of Haldimand County Zoning By-law HC-1 2020. The relief is requested to permit the construction of larger residential dwelling units as is currently permitted on the property. **Concession 1, Part Lot 19, Registered Plan 18R5301 Parts 1 and 2, Geographic Township of Walpole, known municipally as 38 Cheapside Road**

DECISION: **Member Bartlett: Yes**
 Member Bowman: Yes
 Member Gould: Yes
 Member Ricker: Yes

Member Snyder: Yes
Member Wagter: Yes
APPROVED (6-0)

REASONS: The proposal is consistent with the Provincial Policy Statement (2020), complies with A Place to Grow (2020), conforms to the Haldimand County Official Plan, and meets the general intent and purpose of the Haldimand County Zoning By-law HC 1-2020.

SIGN VARIANCES:

A) PLA-2021-050 Mukesh Grover

Present: No one present

The applicant proposes to post electronic message signs on both the west and east walls of the existing store. Relief is requested from the provisions of the Haldimand County Sign By-law No. 1064/10 to permit two electronic signs that display images and text as part of a wall sign to be located above the first storey of the existing building. The proposed signs are permitted to be approximately 2.4 metres (8 feet) by 1.5 metres (5 feet) in size.

The applicant stated that the sign is for their own personal use, and not to advertise for others. They own the dental office in the building, and they have had comments from people that they were unaware that business was there. Because of this, they feel that they need to advertise their business.

Chairperson Brown asked if one sign would be permitted under the by-law. The planner responded that such a sign is not permitted. Member Ricker said that although he understood the need to advertise, he also understood why the County does not permit this type of sign. Member Bartlett stated that there is a reason why the by-law is worded in the way that it is, and that this sign is not acceptable in this situation. Member Ricker asked if the could defer the application to allow for the applicant to revise their proposal to consider a more acceptable type of signage. Staff is recommending refusal of these applications.

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 **Mukesh Grover**, to permit the posting of electronic message signs on both the west and east walls of the existing store. **Plan 905, Block 16, Part Lot 1, Urban Area of Hagersville, known municipally as 27 King Street West**

DECISION: **Member Bartlett: No**
Member Bowman: Yes
Member Gould: No
Member Ricker: No

Motion to Refuse **Member Snyder: No**
 Member Wagter: No
 DEFEATED (1-5)

Member Bartlett: Yes
Member Bowman: Yes
Member Gould: Yes
Member Ricker: Yes
Member Snyder: Yes
Member Wagter: Yes
DEFERRED (6-0)

REASONS: To permit the applicant to work with staff to revise their proposal to better reflect the requirements of Haldimand County Sign By-Law 1064/10 (as amended).

PREVIOUSLY DEFERRED:

A) PLA-2019-076 15 Talbot Inc.

Present: Diana Morris, agent

This application was deferred from the June 11, 2019 Committee of Adjustment meeting. Relief is requested from the provisions of the General of the General Commercial Zone of Zoning By-law 1-H 86 from maximum permitted dwelling units, distance for parking from residential use and parking space width. The applicants propose to construct a residential building on the subject lands.

The agent reviewed the history of the application. The proponents have no issue, and they support, the finding and recommendation of the planning report.

Member Ricker asked if there will be any fencing around the property. The agent said that this will be addressed through the site plan process, as well as other landscaping. Member Ricker asked if a similar sized parking stall are found elsewhere in the County. The planner said no, but that staff have no issue with the proposed stall size. Member Bartlett also stated that he was unaware of similar parking size elsewhere.

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 **15 Talbot Inc.**, to request relief from the provisions of the General of the General Commercial Zone of Zoning By-law 1-H 86 from maximum permitted dwelling units, distance for parking from residential use and parking space width. **Cayuga Plan East of Grand River, Lot 3 and Part Lot 2 south of Talbot Street, 15 Talbot Street West**


DECISION: Member Bartlett: Yes
Member Bowman: Yes
Member Gould: Yes
Member Ricker: Yes
Member Snyder: Yes
Member Wagter: Yes
APPROVED (6-0)

REASONS: The proposal is consistent with the Provincial Policy Statement (2020), complies with A Place to Grow (2020), conforms to the Haldimand County Official Plan, and meets the general intent and purpose of the Haldimand County Zoning By-law HC 1-2020.

OTHER BUSINESS:

The minutes of the March 9, 2021 meeting were adopted as presented.

The meeting adjourned at 3:00pm



Chairman



Secretary-Treasurer