



Haldimand County Committee of Adjustment Consent

Meeting Date: October 19, 2021

File Number: PLB-2021-131, PLB-2021-132 and PLB-2021-133

Property Roll Number: 2810-025-001-36500

Applicant: Jim and Kim Barnes

Property Location: Concession 3, Part Lot 6, Geographic Township of Sherbrook, known municipally as 1567 North Shore Drive

Recommendation

That applications PLB-2021-131, PLB-2021-132 and PLB-2021-133 be approved, subject to the attached conditions. The application is consistent with the Provincial Policy Statement, 2020 and A Place to Grow, 2020, and conforms to the intent of the Haldimand County Official Plan and Haldimand County Zoning By-law HC 1-2020.

Details of the Submission

Proposal: The applicant proposes to sever three lots for future residential development. The severed lands in application PLB-2021-131 will have a frontage of approximately 69.97 metres (229.6 feet) and will contain an area of approximately 0.47 hectares (1.16 acres). The severed lands in application PLB-2021-132 will have a frontage of approximately 39.17 metres (128.5 feet) and will contain an area of approximately 0.19 hectares (0.46 acres). The severed lands in application PLB-2021-133 will have a frontage of approximately 109.95 metres (360.7 feet) and will contain an area of approximately 0.22 hectares (0.55 acres). The retained parcel will contain an area of approximately 24.1 hectares (59.54 acres).

Site Features and Land Use: The subject lands are currently vacant and comprised of active agricultural lands. The lands to be severed are located within the Hamlet of Stromness, and front onto North Shore Drive. The retained lands are located outside of the Hamlet and have road frontage on North Shore Road and Rymer Road. The proposed severed lots will abut agricultural uses to the east, residential uses to the west, and an existing trucking and excavating business to the north.

Existing Intensive Livestock Operations: Not applicable.

Agency & Public Comments

Haldimand County Building & Municipal Enforcement Services: No comments.

Haldimand County Planning & Development Services – Development & Design Technologist: Full lot grading plan required. Drainage re-apportionment agreement required. Entrance permit required for severed parcels.

Haldimand County Emergency Services: No issues.

Haldimand County Water and Wastewater Engineering & Compliance: No comments received.

Grand River Conservation Authority: The Grand River Conservation Authority (GRCA) has no objection to the proposed severances.

Hydro One: No comments received.

Municipal Property Assessment Corporation: No comments received.

Mississaugas of the Credit: No comments received.

Six Nations: No comments received.

Public: No comments received.

Planning Analysis

Provincial Policy Statement, 2020 (PPS)

The Provincial Policy Statement (PPS) states that settlement areas, including hamlets, shall be the focus of growth and development and their vitality and regeneration shall be promoted. The PPS states that development directed to rural settlement area should give consideration to rural character, scale of the development and service levels. The proposed lot creation is complimentary to the existing development within Stromness and will round out the existing development within the settlement boundary. The subject lots will accommodate low density residential uses on private services.

It is Planning staff's opinion the subject application is consistent with the PPS.

A Place to Grow, 2020

A Place to Grow directs limited development to existing settlement areas in rural areas with a defined boundary, such as Stromness. The subject applications are proposing the creation of three new residential lots within the Hamlet of Stromness. The lots are of

sufficient size to accommodate onsite servicing and low density residential development.

It is Planning staff's opinion the subject application complies with A Place to Grow.

Haldimand County Official Plan (OP)

The subject lands are designated Hamlet and Riverine Hazard Lands. The Haldimand County Official Plan permits and encourages lot creation within the Hamlet designation for residential infilling. The subject applications are proposing three new residential lots within the Hamlet of Stromness. The proposed lots have frontage on a public road and sufficient area to accommodate appropriate private services. The Official Plan requires that proximity to Hazard Lands be considered prior to approving development within Hamlets.

Comments from the Grand River Conservation Authority (GRCA) have indicated that they have no objections to the proposed lot creation. It is the opinion of Planning staff that the proposed lots can be developed in a safe and appropriate manner, based on conversations with the GRCA.

Haldimand County Zoning By-law HC 1-2020

The subject lands are zoned 'Agricultural (A)'. The 'Agricultural' zone requires a minimum lot area of 1,855 square metres (0.458 acres) and a frontage of 30 metres (98.43 feet). The subject lots range in area from 0.19 hectares (0.46 acres) to 0.47 hectares (1.16 acres) with frontages ranging from 39.17 metres (128.51 feet) to 109.95 metres (60.73 feet). The proposed lots comply with the minimum lot requirements.

The 'Agricultural' zone permits single detached dwellings. The 'Agricultural' zone has larger required setbacks from lot lines than the 'Hamlet Residential (RH)' zone and is generally intended to accommodate a range of uses outside of settlements areas within the County. As a condition of consent, the severed lands need to be re-zoned to 'Hamlet Residential (RH)'. The re-zoning will serve two purposes. Firstly, the 'Agricultural Zone' permits a wide range of uses that may not be compatible within the Hamlet. Second, the setbacks of the 'Hamlet Residential (RH)' zone will allow for more consistent development standards within the Hamlet.

Planning staff are satisfied the subject applications comply with the Zoning By-law.

Notice Sign, Public Consultation, and Applicant Discussion

A public notice sign was posted in accordance with the *Planning Act, R.S.O. 1990, c. P.13* on October 4, 2021.

The applicant has satisfied the public consultation requirements as per the Provincial legislation.

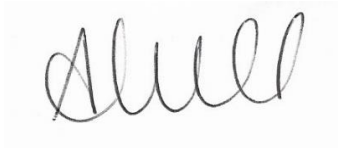
Staff have contacted the applicant and discussed the recommendations as set out in this report. Staff have confirmed with the applicant that he/she understands the nature of and content contained within the recommendations as well as any requirements/conditions relating to such. A copy of the staff report has been provided to the applicant.

Prepared by:



Neil Stoop, MSc., RPP
Planner
905-318-5932 ext. 6202

Reviewed by:



Alisha Cull, BES, MCIP, RPP
Supervisor, Development Services
905-318-5932 ext. 6208

IF APPROVED, THIS APPLICATION WILL BE SUBJECT TO THE FOLLOWING 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 a letter from the Planning & Development Division indicating that their requirements, regarding a lot grading plan to address surface drainage of the property, have been satisfied. Please note that the owner/developer is responsible to have the grading plans prepared/stamped/signed by a qualified Professional Engineer as per Haldimand County Design Criteria. Contact the Development & Design Technologist at 905-318-5932, ext. 6409 or 6413, if further clarification required. Please allow approximately six (6) to eight (8) weeks for completion of this process.
3. Receipt of a letter from the Planning and Development Division indicating that their requirements, regarding a drainage re-apportionment agreement between both severed and retained parcels, have been satisfied. The county is responsible for maintaining municipal drains on behalf of the community of landowners involved in the drain. The cost of the drain maintenance is assessed to the landowners. The division of land requires that the assessment be re-calculated for the retained and severed parcels. A written request to initiate re-apportionment is necessary. A fee is administered with each agreement. Please allow six (6) weeks for completion of this process. Contact Project Manager, Municipal Drains at 905-318-5932, ext. 6424, for further clarification.
4. Receipt of a letter from the Roads Operations Division indicating that they have no objections to the future issuance of an entrance permit. In lieu of a letter, a copy of permit(s) may be provided to the Secretary-Treasurer. Entrance permits may be required for existing, severed, and / or retained parcels. Permits may be obtained from the County's Roads Operations Division Support staff at 905-318-5932, Ext. 8601 for details.
5. Receipt of final approval of the required 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.
6. That an application for a new civic address be submitted for the retained (or severed) parcel. Contact the Planning & Development Division at 905-318-5932, ext. 6212 for details.
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, with a frontage of approximately 69.97 metres (229.6 feet) and will contain an area of approximately 0.47 hectares

(1.16 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 August 17, 2021, after which time this consent will lapse.

File No. PLB-2020-131

BARNES, Jim and Kim

Assessment Roll No. 2810-025-001-36500

IF APPROVED, THIS APPLICATION WILL BE SUBJECT TO THE FOLLOWING 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.
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(1.16 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:

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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 August 17, 2021, after which time this consent will lapse.

File No. PLB-2020-132

BARNES, Jim and Kim

Assessment Roll No. 2810-025-001-36500

IF APPROVED, THIS APPLICATION WILL BE SUBJECT TO THE FOLLOWING CONDITIONS:

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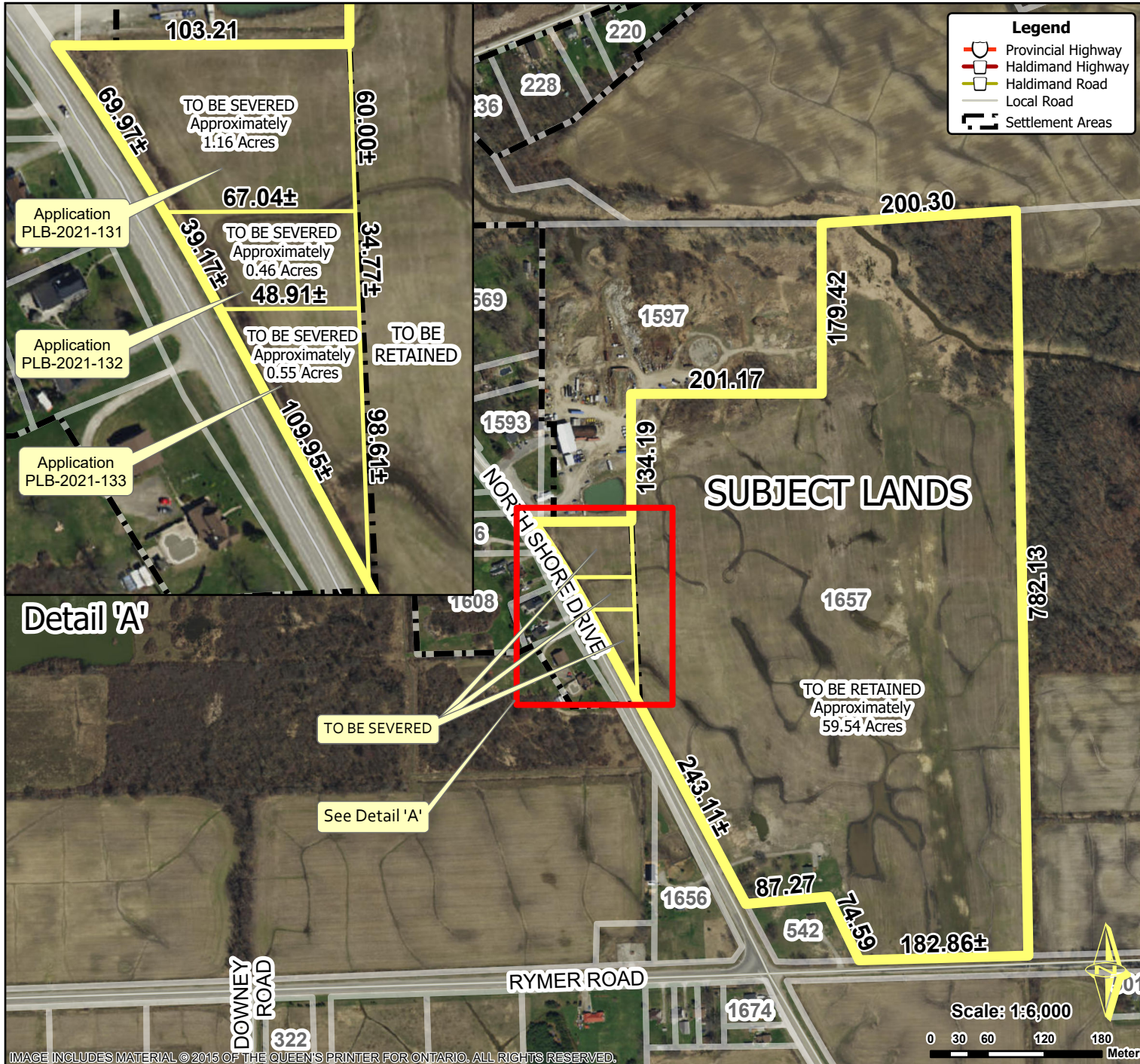
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Datum:	D_North_American_1983
Prime Meridian:	Greenwich
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9. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before August 17, 2021, after which time this consent will lapse.

File No. PLB-2020-133
BARNES, Jim and Kim
Assessment Roll No. 2810-025-001-36500

Location Map FILE #PLB-2021-131, 132 & 133 APPLICANT: Barnes



Location:
1657 NORTH SHORE DRIVE
GEOGRAPHIC TOWNSHIP OF SHERBROOKE
WARD 5

Legal Description:
SHERBROOKE CON 3 PT LOT 6

Property Assessment Number:
2810 025 001 36500 0000

Size:
61.71 Acres

Zoning:
A (Agricultural) & HL (Hazard Lands) Overlay

HALDIMAND COUNTY, ITS EMPLOYEES, OFFICERS AND AGENTS ARE NOT RESPONSIBLE FOR ANY ERRORS, OMISSIONS OR INACCURACIES WHETHER DUE TO THEIR OWN NEGLIGENCE OR OTHERWISE. DO NOT USE FOR OPERATING MAP OR DESIGN PURPOSES. ALL INFORMATION TO BE VERIFIED.

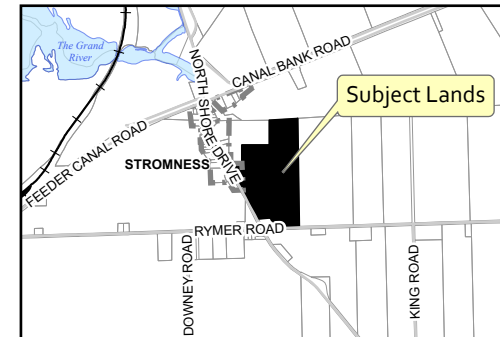
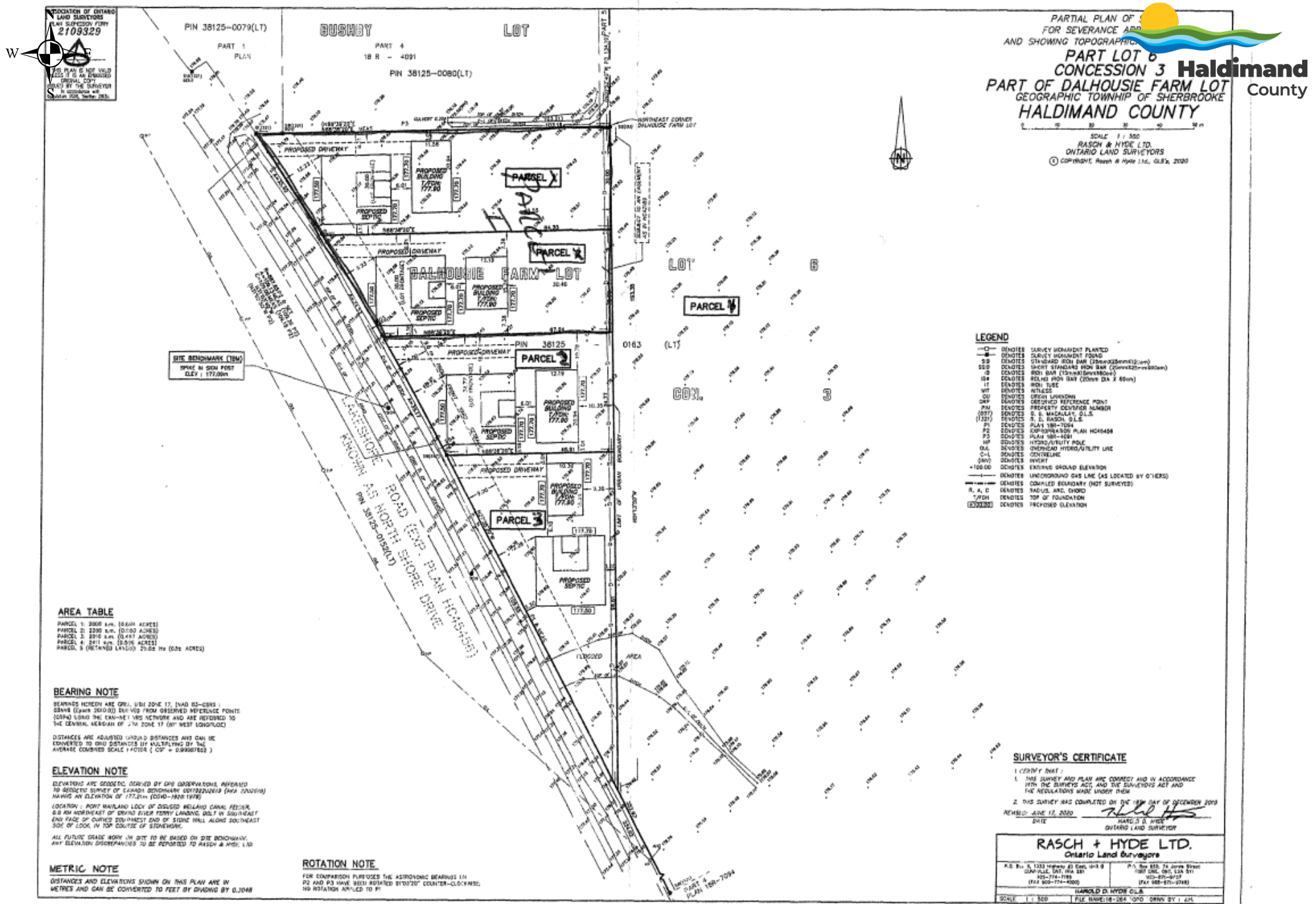


IMAGE INCLUDES MATERIAL © 2015 OF THE QUEEN'S PRINTER FOR ONTARIO. ALL RIGHTS RESERVED.

Owner's Sketch 1 of 2 FILE #PLB-2021-131, 132 & 133 APPLICANT: Barnes



PARTIAL PLAN OF
FOR SEVERANCE ADJ
AND SHOWING TOPOGRAPHICAL
**PART LOT 6
CONCESSION 3 Haldimand County**
PART OF DALHOUSIE FARM LOT
GEOGRAPHIC TOWNSHIP OF SHERBROOKE
HALDIMAND COUNTY

SCALE 1 : 500
RASCH & HYDE LTD.
ONTARIO LAND SURVEYORS
© COPYRIGHT: Rasch & Hyde Ltd., O.L.S.'s, 2020

- LEGEND**
- DENOTES SURVEY MONUMENT PLANTED
 - DENOTES SURVEY MONUMENT FOUND
 - S— DENOTES STANDARD IRON BAR (Diameter=30mm±0.5mm)
 - SSB— DENOTES SHORT STANDARD IRON BAR (Diameter=19mm±0.5mm)
 - B— DENOTES IRON BAR (Diameter=30mm±0.5mm)
 - ISB— DENOTES IRON BAR (Diameter=19mm±0.5mm)
 - R— DENOTES REINFORCED CONCRETE (20mm DIA X 80mm)
 - WIT— DENOTES WIRE TIE
 - RFB— DENOTES REFERENCE POINT
 - CU— DENOTES CROWN LUMINOUS
 - REF— DENOTES REFERENCE POINT
 - PM— DENOTES PROPERTY IDENTIFIER NUMBER
 - (987)— DENOTES S. & M. MAGNETIC D.L.S.
 - (123)— DENOTES R. L. MAGNETIC D.L.S.
 - P1— DENOTES COP-DRAWING PLAN NUMBER
 - P2— DENOTES PLAN 180-1004
 - P3— DENOTES HYDRO/UTILITY POLE
 - HP— DENOTES OVERHEAD HYDRO/UTILITY LINE
 - DL— DENOTES CENTERLINE
 - C-L— DENOTES CENTERLINE
 - DWO— DENOTES INVERT
 - 100.00— DENOTES KNOWN GROUND ELEVATION
 - DENOTES UNDERGROUND GAS LINE (AS LOCATED BY OTHERS)
 - DENOTES COMPAILED EADARARY (NOT SURVEYED)
 - R, A, C DENOTES RADUS, AREA, CHORD
 - TYPH— DENOTES TOP OF FOUNDATION
 - (300.00)— DENOTES PREVIOUS ELEVATION

SURVEYOR'S CERTIFICATE

I, CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT AND THE SUBSTITUTES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THIS SURVEY WAS COMPLETED BY THE 15th DAY OF DECEMBER 2020

DATE: JUNE 17, 2020
DATE: _____
DATE: _____

HAROLD D. HYDE
ONARIO LAND SURVEYOR

RASCH & HYDE LTD.
Ontario Land Surveyors

P.O. Box 5, 1333 Highway 40 East, Unit 8
GAINVILLE, ONT. N0A 2S1
502-774-1188
(416) 902-774-8000

P.O. Box 825, 24 Jervis Street
1001 QUEEN ST. EAST, SUITE 511
TORONTO, ONT. M5E 1B7
(416) 968-8711-8788

HAROLD D. HYDE O.L.S.
FILE NAME: 18-058-050-0001 BY: J.H.

SCALE: 1 : 500

AREA TABLE

PARCEL 1	2000 S.M.	10.64% ACRES
PARCEL 2	2290 S.M.	10.00% ACRES
PARCEL 3	2970 S.M.	13.47% ACRES
PARCEL 4	2411 S.M.	10.56% ACRES
PARCEL 5 (RETAINED)	14100 S.M.	26.62 Ha (66% ACRES)

BEARING NOTE

BEARINGS HEREON ARE GIVEN IN THE ZONE 17 (NAD 83-CRS) SYSTEM (Datum 2011.00) DERIVED FROM OBSERVED REFERENCE POINTS (OSRP) USING THE CAN-MET VRS NETWORK AND ARE REFERRED TO THE CENTRAL MERIDIAN OF ZONE 17 (87° WEST LONGITUDE).

DISTANCES ARE ADJUSTED (SHOUL) DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY THE AVERAGE CORRECTION SCALE FACTOR (COP = 0.99998752).

ELEVATION NOTE

ELEVATIONS ARE GEODETIC, DERIVED BY GPS OBSERVATIONS REFERRED TO GEODETIC SURVEY OF CANADA BOUNDARY 100122020203 (GNA 2011.00) HAVING AN ELEVATION OF 177.21m (CGVD-1984-1998).

LOCATION: 7007 HALDIMAND COUNTY OF DUNDAS WILSON CANAL FEEDER, 6.5 KM NORTHEAST OF DUNDAS FISH FERRY LANDING, SOUTH BY SOUTHEAST END ROAD OF QUINCY SETTLEMENT END OF SIDING TRAIL ALONG SOUTHEAST SIDE OF LOOK IN TOP COURSE OF SIDING.

ALL FUTURE GRADE WORK ON THIS TO BE BASED ON THIS BENCHMARK. ANY BENCHMARK DISAPPEARANCES TO BE REPORTED TO RASCH & HYDE LTD.

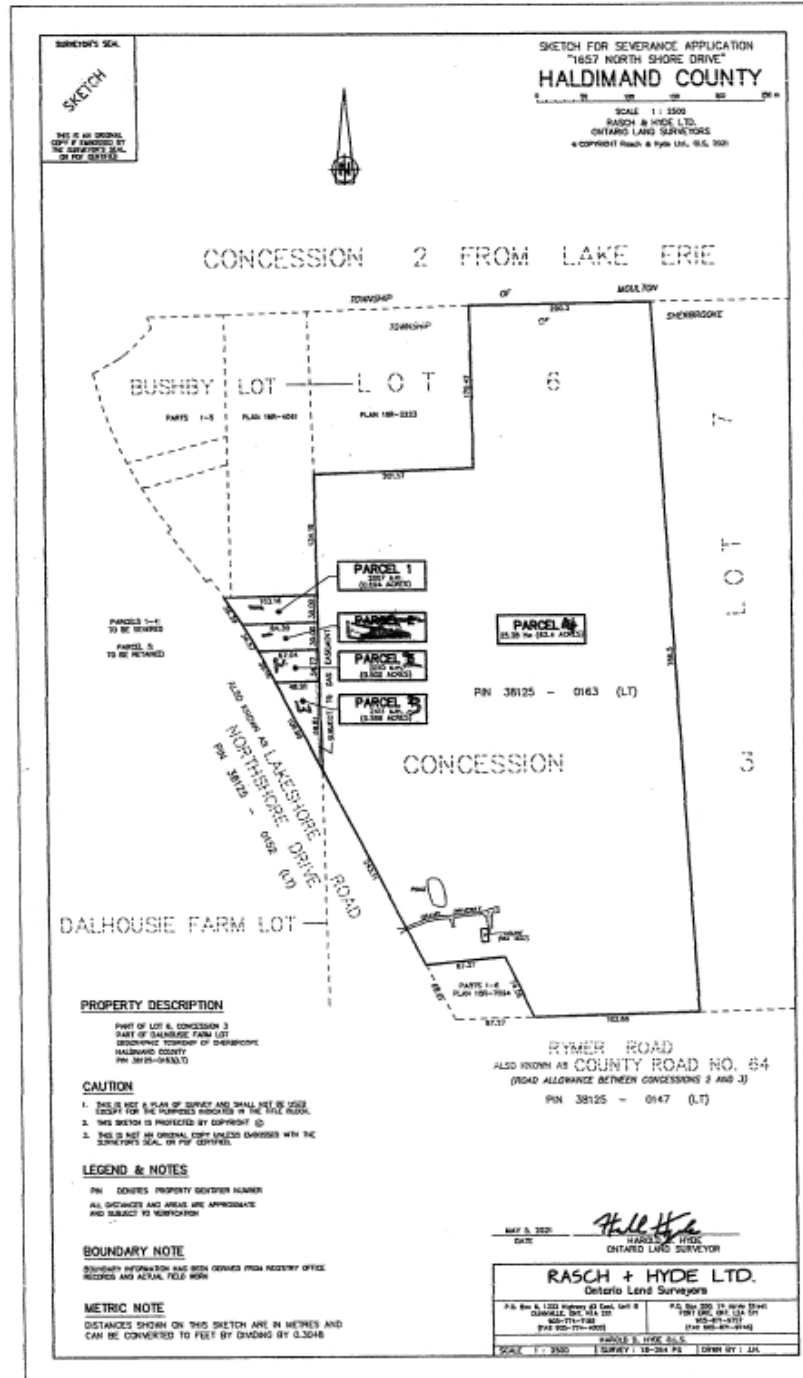
METRIC NOTE

DISTANCES AND ELEVATIONS SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

ROTATION NOTE

FOR COMPARISON PURPOSES THE ASTROLOGIC BEARINGS IN P2 AND P3 HAVE BEEN ROTATED 910°20' COUNTER-CLOCKWISE. NO ROTATION APPLIED TO P1.

Owner's Sketch 2 of 2 FILE #PLB-2021-131, 132 & 133 APPLICANT: Barnes





Haldimand County Committee of Adjustment Consent

Meeting Date: October 19, 2021

File Number: PLB-2021-166

Property Roll Number: 2810-155-003-11000

Applicant: Hedley Farms Inc.

Property Location: Concession 1 South of Talbot Road, Part Lots 20 and 21, Geographic Township of North Cayuga, known municipally as 415 Concession 2 Road South

Recommendation

That application PLB-2021-166 be approved, subject to the attached conditions. The application is consistent with the Provincial Policy Statement, 2020 and A Place to Grow, 2020, and conforms to the intent of the Haldimand County Official Plan and Haldimand County Zoning By-law HC 1-2020.

Details of the Submission

Proposal: The applicant proposes to sever a lot containing a surplus farm dwelling and accessory structure. The severed lands will have a frontage of approximately 7 metres (23 feet) and will contain an area of approximately 0.6 hectares (1.48 acres). The two retained parcels will contain an area of approximately 59.5 hectares (147 acres).

Site Features and Land Use: The subject lands are located in the geographic township of North Cayuga, fronting onto the north side of Concession 1 Road South. The subject lands are approximately 60.7 hectares (150 acres) in size and contain a dwelling, a garage and a barn. Other previously existing structures have been removed.

If approved, the severed lands will be approximately 0.6 hectares (1.48 acres) in size with a frontage of 7 metres. The severed lot will contain the existing dwelling and shop. The retained lands will account for the remaining 59.5 hectares (147 acres) of land. The existing barn is proposed to be removed as part of this application.

Existing Intensive Livestock Operations: Not applicable.

Agency & Public Comments

Haldimand County Building & Municipal Enforcement Services: No comments so far as the severance goes but a minor variance would be required for relief of frontage.

Haldimand County Planning & Development Services – Development & Design Technologist: No comments or concerns.

Haldimand County Emergency Services: No comments received.

Haldimand County Water and Wastewater Engineering & Compliance: No objections - Municipal Water and Sanitary Sewer are not available to service this property.

Hydro One: No comments received.

Municipal Property Assessment Corporation: No comments received.

Mississaugas of the Credit: No comments received.

Six Nations: No comments received.

Public: No comments received.

Planning Analysis

Provincial Policy Statement, 2020 (PPS)

The subject property is located within the prime agricultural area of the County and is subject to the policies under 2.3.4 of the PPS. Section 2.3.4 discourages lot creation in prime agricultural areas and indicates that it may only be permitted in specific instances. The PPS permits lot creation for a residence surplus to a farm operation provided it is limited to a minimum size to accommodate appropriate sewage and water services and that future development on the retained lands is restricted such that new dwelling cannot be constructed.

The proposed lot is an appropriate size and is able to accommodate the existing dwelling, garage and appropriate servicing. The retained lot will automatically be re-zoned to remove a dwelling as a permitted use.

It is the opinion of Planning staff that the application conforms to the PPS.

A Place to Grow, 2020

A Place to Grow does not provide surplus farm dwelling criteria. As such, the proposal conforms to A Place to Grow.

Haldimand County Official Plan (OP)

The OP builds onto the PPS surplus farm dwelling policies, providing further details. The OP states that a severance may be granted for a habitable farm dwelling of a minimum age of 10 years, calculated from the date of occupancy of the dwelling made surplus through farm consolidation where it is part of a farm holding containing two or more habitable dwellings and where each farm is located within the County. No new residential dwellings shall be permitted on the retained lands.

The applicants have demonstrated conformity with the above policies, and the retained lands will be automatically rezoned to remove a dwelling as a permitted use. In addition, the OP directs that the creation of a surplus farm dwelling lot be based on the following:

- a) The severance shall generally be 0.4 hectares (1 acre) to 0.6 hectares (1.5 acres) in size and shall minimize the amount of agricultural land or productive forest taken out of production. Consideration of varying the size of the parcel includes ensuring farm fields are not fragmented, environmental and topographical features are recognized and the location of the surplus farm dwelling in relation to the existing farm building and structures;

Planning Comment: The subject application is seeking to create a lot with an area of 0.6 hectares (1.48 acres) and will not remove land from active production.

- b) No severance shall be granted unless the proposed lot can be serviced by an on-site sanitary sewage system designed and installed per the *Ontario Building Code*;

Planning Comment: The site is serviced by an existing on-site sanitary sewage system.

- c) No severance shall be granted unless it is shown that it will not adversely affect the operation or viability of the farm operation on the remaining lands;

Planning Comment: The proposed lot creation will not adversely affect the operation or viability of the farm.

- d) Severances that do not meet the Minimum Distance Separation (MDS) formulae, as amended shall not be permitted;

Planning Comment: The proposed lot creation will comply with the MDS formulae.

- e) Severances shall not be permitted within 300 metres from licensed pits and 500 metres from licensed quarries and must be well removed from waste disposal sites and other potential land use conflicts;

Planning Comment: The subject lands are not located within 300 metres of a licensed pit or 500 metres from a licensed quarry, and are well removed from waste disposal sites and other potential land use conflicts.

- f) The lot created by severance shall be located with safe and direct access to a permanently maintained public road; and

Planning Comment: The subject lands have existing safe access from Concession 1 Road South.

- g) Potential impacts on natural environment areas and/ or cultural resources shall be assessed and addresses, where necessary.

Planning Comment: The application, as proposed, is not anticipated to have a negative impact on natural or cultural resources.

It is the opinion of Planning staff that the subject application conforms to the policies of the Official Plan.

Haldimand County Zoning By-law HC 1-2020

The subject lands are zoned Agricultural 'A' in the Zoning By-law. The proposal complies with the minimum lot area provisions of the Zoning By-law. A minor variance application is required as a condition of consent, as the proposed severed lot will have deficient frontage on an improved street.

The retained lands will be automatically rezoned to remove a dwelling as a permitted use.

It is the opinion of Planning staff that subject application complies with the Zoning By-law, subject to the conditions attached.

Notice Sign, Public Consultation, and Applicant Discussion

A public notice sign was posted in accordance with the *Planning Act, R.S.O. 1990, c. P.13* on September 14, 2021.

The applicant has not satisfied the public consultation requirements as per the Provincial legislation.

Staff have contacted the applicant and discussed the recommendations as set out in this report. Staff have confirmed with the applicant that he/she understands the nature of and content contained within the recommendations as well as any requirements/conditions relating to such. A copy of the staff report has been provided to the applicant.

Prepared by:



Neil Stoop, MSc., RPP
Planner
905-318-5932 extension 6202

Reviewed by:



Alisha Cull, BES, MCIP, RPP
Supervisor, Development Services
905-318-5932 ext. 6208

IF APPROVED, THIS APPLICATION WILL BE SUBJECT TO THE FOLLOWING 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. That an application for a new civic address be submitted for the retained (or severed) parcel. Contact the Planning & Development Division at 905-318-5932, ext. 6212 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. 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, which will have a frontage of approximately 7 metres (23 feet) and will contain an area of approximately 0.6 hectares (1.48 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 October 19, 2021, after which time this consent will lapse.

File No. PLB-2021-166

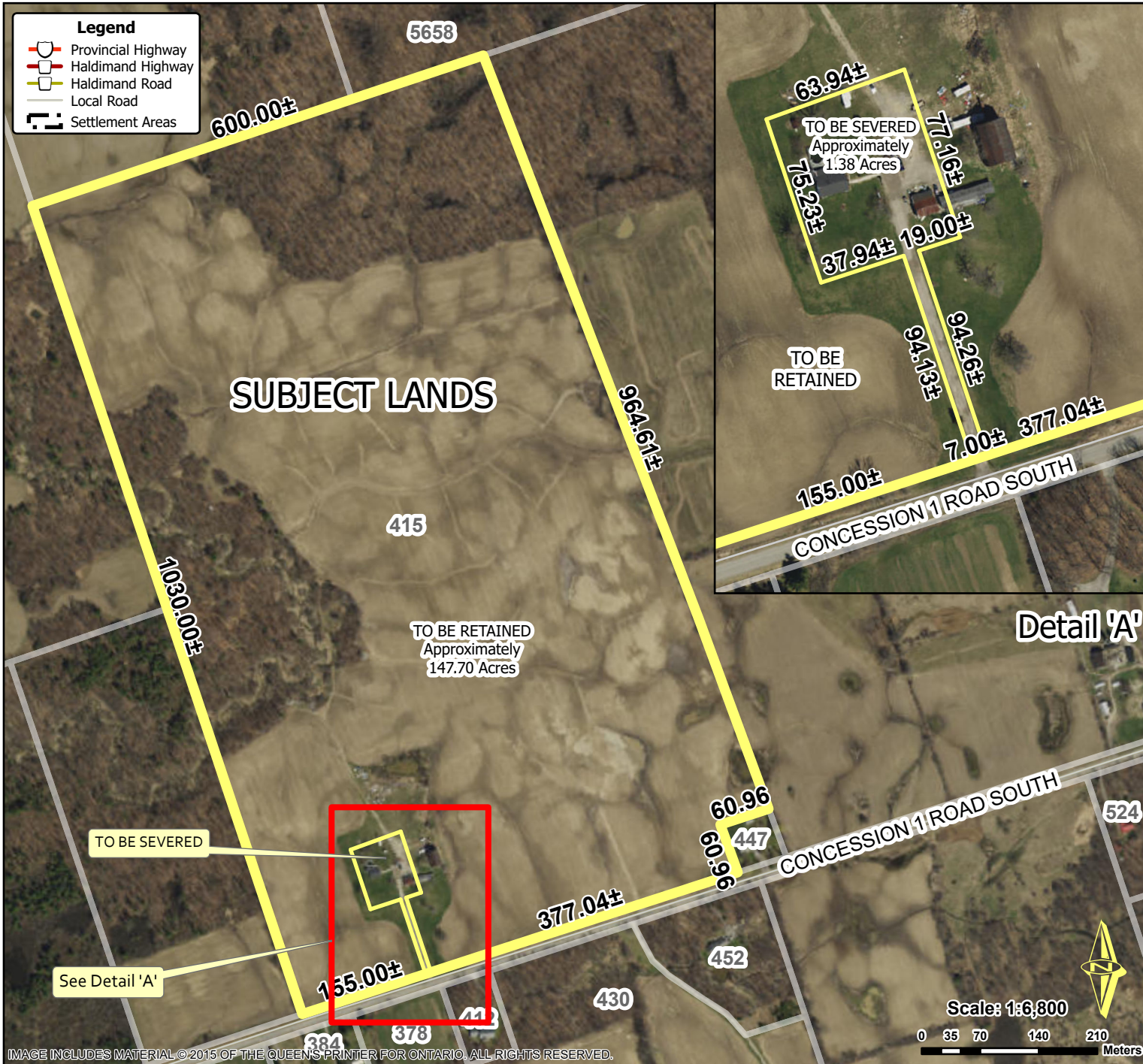
HEDLEY FARMS INC.

Assessment Roll No. 2810-155-003-11000

Location Map FILE #PLB-2021-166 APPLICANT: Hedley Farms Inc.



- Legend**
- Provincial Highway
 - Haldimand Highway
 - Haldimand Road
 - Local Road
 - Settlement Areas



Location:
 415 CONCESSION 1 ROAD SOUTH
 GEOGRAPHIC TOWNSHIP OF
 NORTH CAYUGA
 WARD 2

Legal Description:
 NCAY CON 1 STR PT LOT 21 PT LOT 20

Property Assessment Number:
 2810 155 003 11000 0000

Size:
 149.08 Acres

Zoning:
 A (Agricultural) & HL (Hazard Lands) Overlay

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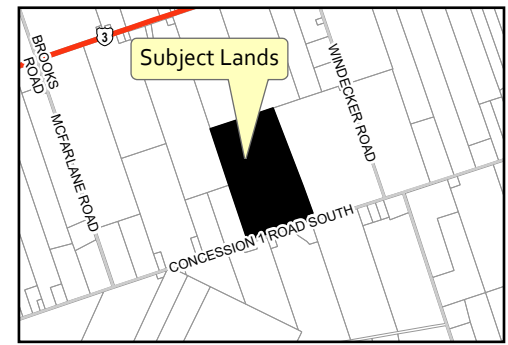
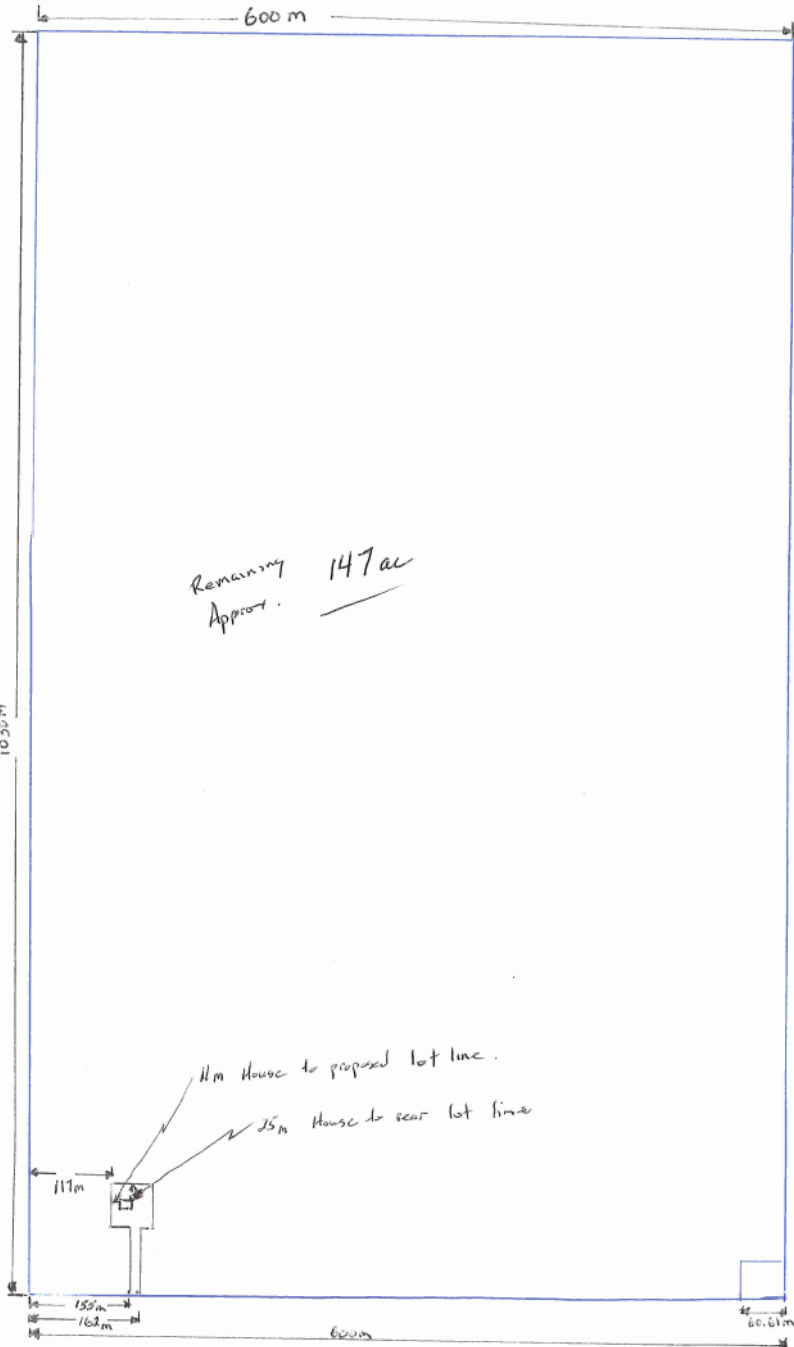


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Owner's Sketch 1 of 3 FILE #PLB-2021-166 APPLICANT: Hedley Farms Inc.



415 (3m) 1 STR.



Owner's Sketch 2 of 3 FILE #PLB-2021-166 APPLICANT: Hedley Farms Inc.

415 Con 1S, Cayuga, ON



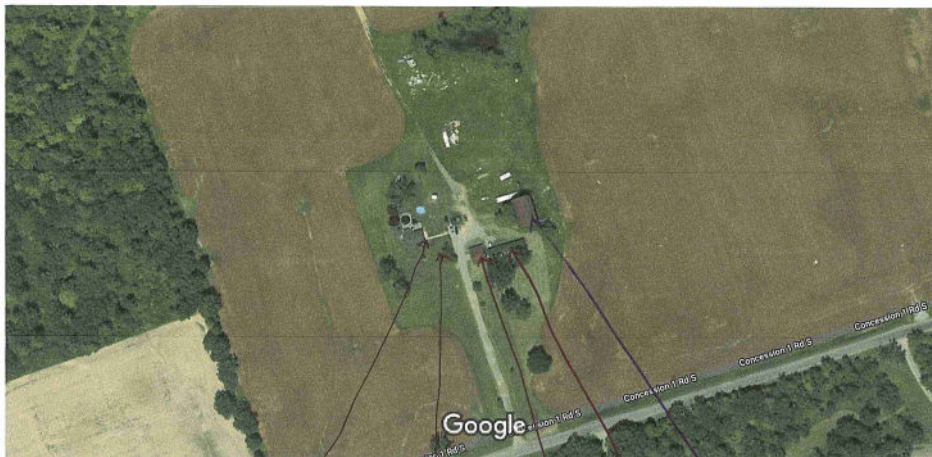
Haldimand
County



Legend

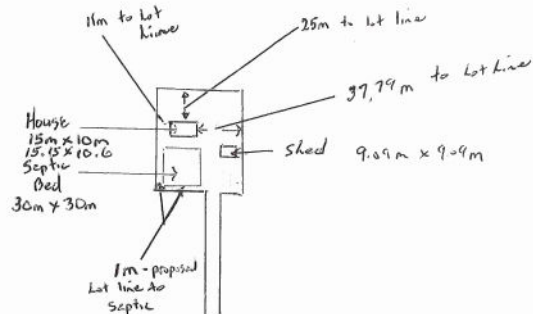
This map should not be relied on as a precise indicator of routes or locations, nor as a guide to navigation. The Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) shall not be liable in any way for the use or any information on this map, of, or reliance upon, this map.

Owner's Sketch 3 of 3 FILE #PLB-2021-166 APPLICANT: Hedley Farms Inc.



Imagery ©2021 Maxar Technologies, U.S. Geological Survey, Map data ©2021 50 m

House
 Septic Bed.
 Existing GARAGE will be on several parcel
 Shed = gone
 BARN to be removed.





Haldimand County Committee of Adjustment Minor Variance

Meeting Date: October 19, 2021
File Number: PLA-2021-137
Property Roll Number: 2810-021-003-05500
Applicant: Richard Cole
Agent: John Verdonk
Property Location: Concession 4 South of Dover Road, Part Lot 24,
Registered Plan 18R5138 Parts 1 and 2, Geographic
Township of Dunn, known municipally as 45 Lighthouse
Drive

Recommendation

That application PLA-2021-137 be approved, subject to the following conditions:

1. A partial lot grading plan shall be submitted to and approved by Haldimand County's Planning and Development Division Development & Design Technologist prior to the issuance of a building permit. Please contact the Planning and Development Division at 905-318-5932 for further clarification).

The application meets the four tests of a minor variance.

Details of the Submission

Proposal: Relief is requested from the provisions of the Lakeshore Residential (RL) Zone of Haldimand County Zoning By-law HC 1-2020 as follows:

Development Standards	Required	Proposed	Deficiency
Front Yard Setback	7 metres (23 feet)	5.94 metres (19.5 feet)	1.06 metres (3.5 feet)
Interior Side Yard (left)	1.2 metres (3.9 feet)	0.53 metres (1.74 feet)	0.67 metres (2.16 feet)

The relief is requested to permit the renovation of the cottage on the property.

Site Features and Land Use: The subject lands are located in the Lakeshore area of the geographic township of Dunn, currently in the Hamlet of Port Maitland. The subject lands have 34.14 metres of frontage on the south side of Lighthouse Drive, extending to Lake Erie, with an area of 0.202 hectares (0.5 acres). The lands currently contain a dwelling and a detached garage. The existing structures are at a reduced setback to the east property line. The properties to the east and west are residential in nature, with agricultural uses to the north and Lake Erie to the south.

Existing Intensive Livestock Operations: Not applicable.

Agency & Public Comments

Haldimand County Building & Municipal Enforcement Services: No comments.

Haldimand County Planning & Development Services – Development & Design Technologist: Partial Grading Plan requested for the West Side of the Property where the proposed addition is going to take place – concern that the neighbouring property is fairly close to where the proposed construction is to take place.

Haldimand County Emergency Services: No comments received.

Haldimand County Water and Wastewater Engineering & Compliance: No comments.

Hydro One: No comments received.

Municipal Property Assessment Corporation: No comments received.

Mississaugas of the Credit: No comments received.

Six Nations: No comments received.

Public: No comments received.

Planning Analysis

A minor variance is required to meet four tests under Section 45(1) of the *Planning Act*:

1. Does the application conform to the general intent of the Official Plan?

Planning staff Comment: The subject property is designated “Hamlet” in the Haldimand County Official Plan. Low density residential uses and related accessory uses are permitted within the Hamlet Designation.

It is the opinion of Planning staff that the subject application conforms to the general intent of the Official Plan.

2. Does the application conform to the general intent of the Zoning By-law?

Planning staff comment: The subject property is zoned Lakeshore Residential in the Haldimand County Zoning By-law. The property is also subject to the Lakeshore Hazard Lands Overlay and regulated by the Grand River Conservation Authority. The application is seeking relief from the required front yard setback to permit a setback of 5.94 metres, where 7 metres is required. The relief will facilitate the reconstruction of the existing garage with an addition that will connect the garage to the existing dwelling. The proposed garage will align with the garage on the neighbouring property. The intent of a front yard setback is to ensure ample separation between the travelled road and infrastructure that may exist in the road allowance. The proposed reconstructed garage will align with the front yard setback for the garage on the neighbouring lot.

The application will also recognize the existing deficient side yard setback of 0.53 metres. The proposed additions will not further reduce the existing legal non-complying setback. While the setback is not being reduced, part of the proposed addition will be located at a setback less than the typically required 1.2 metres.

It is the opinion of Planning staff that the subject application maintains the general intent of the Zoning By-law.

3. Is the application desirable for the appropriate development of the lands in question?

Planning staff comment: The subject application is proposing the reconstruction of the existing garage, with an addition to connect it to the existing dwelling. The requested relief from the required front yard will accommodate the connection of the garage to the dwelling, and a minor reduction of the existing setback from the road. The proposed reduced setback will align with the garage on the adjacent property.

It is the opinion of Planning staff that the subject application is desirable for the appropriate development of the property.

4. Is the application minor?

Planning staff comment: For the reasons outlined above it is the opinion of Planning staff that the application is minor.

The subject application meets the four tests of a minor variance.

Notice Sign and Applicant Discussion

A public notice sign was posted in accordance with the *Planning Act, R.S.O. 1990, c. P.13* on October 4, 2021.

Staff have contacted the applicant and discussed the recommendations as set out in this report. Staff have confirmed with the applicant that he/she understands the nature of and content contained within the recommendations as well as any requirements/conditions relating to such. A copy of the staff report has been provided to the applicant.

Prepared by:



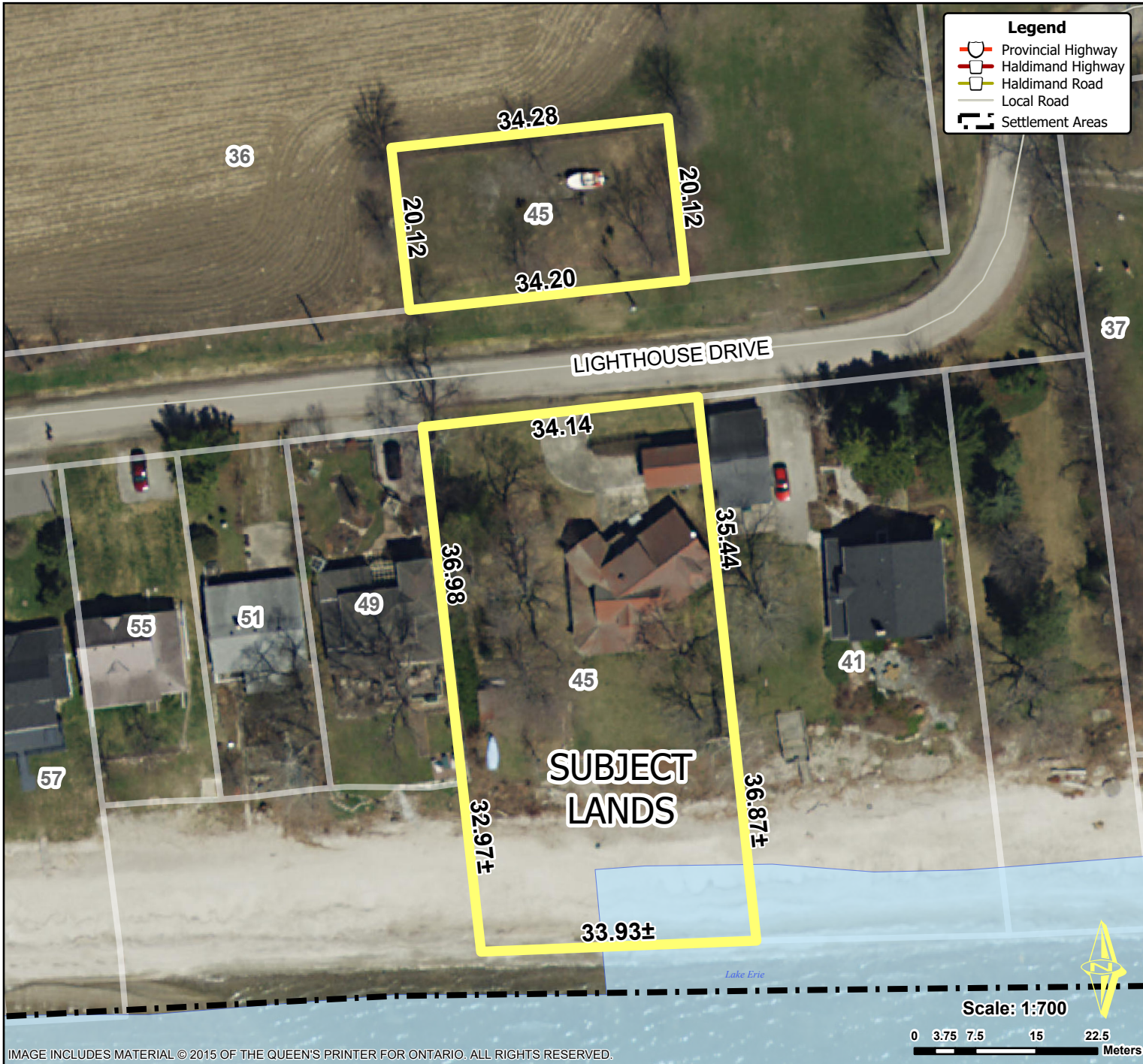
Neil Stoop, MSc., RPP
Planner
905-318-5932 extension 6202

Reviewed by:



Alisha Cull, BES, MCIP, RPP
Supervisor, Development Services
905-318-5932 ext. 6208

Location Map FILE #PLA-2021-137 APPLICANT: Cole



Location:
45 LIGHTHOUSE DRIVE
GEOGRAPHIC TOWNSHIP OF DUNN
WARD 5

Legal Description:
DUN CON 4 SDR PT LOT 24

Property Assessment Number:
2810 021 003 05500 0000

Size:
0.5 Acres

Zoning:
RL (Lakeshore Residential), A (Agricultural) & HL (Hazard Lands) Overlay

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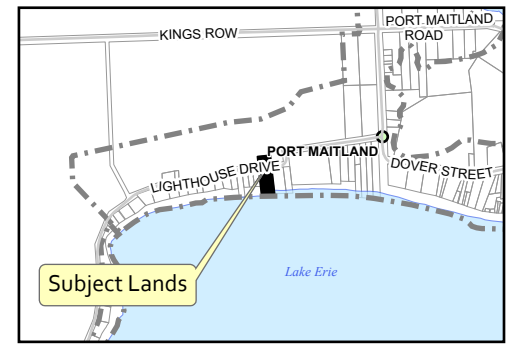
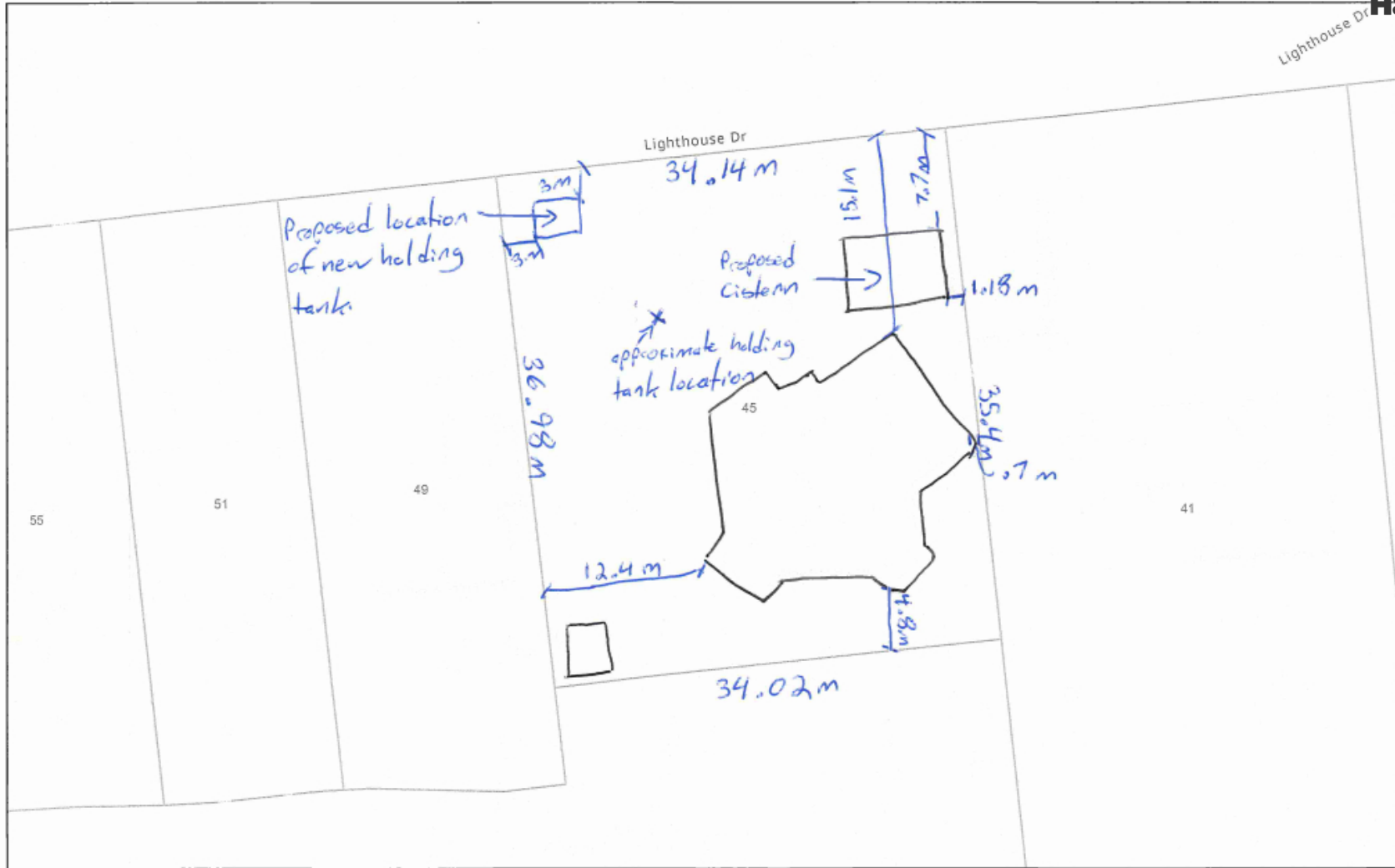


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Owner's Sketch 2 of 4 FILE #PLA-2021-137 APPLICANT: Cole

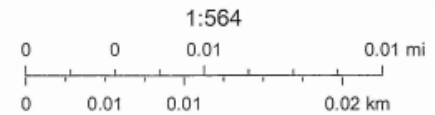


ArcGIS Web Map



6/28/2021, 6:28:24 PM

Parcels



Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS,

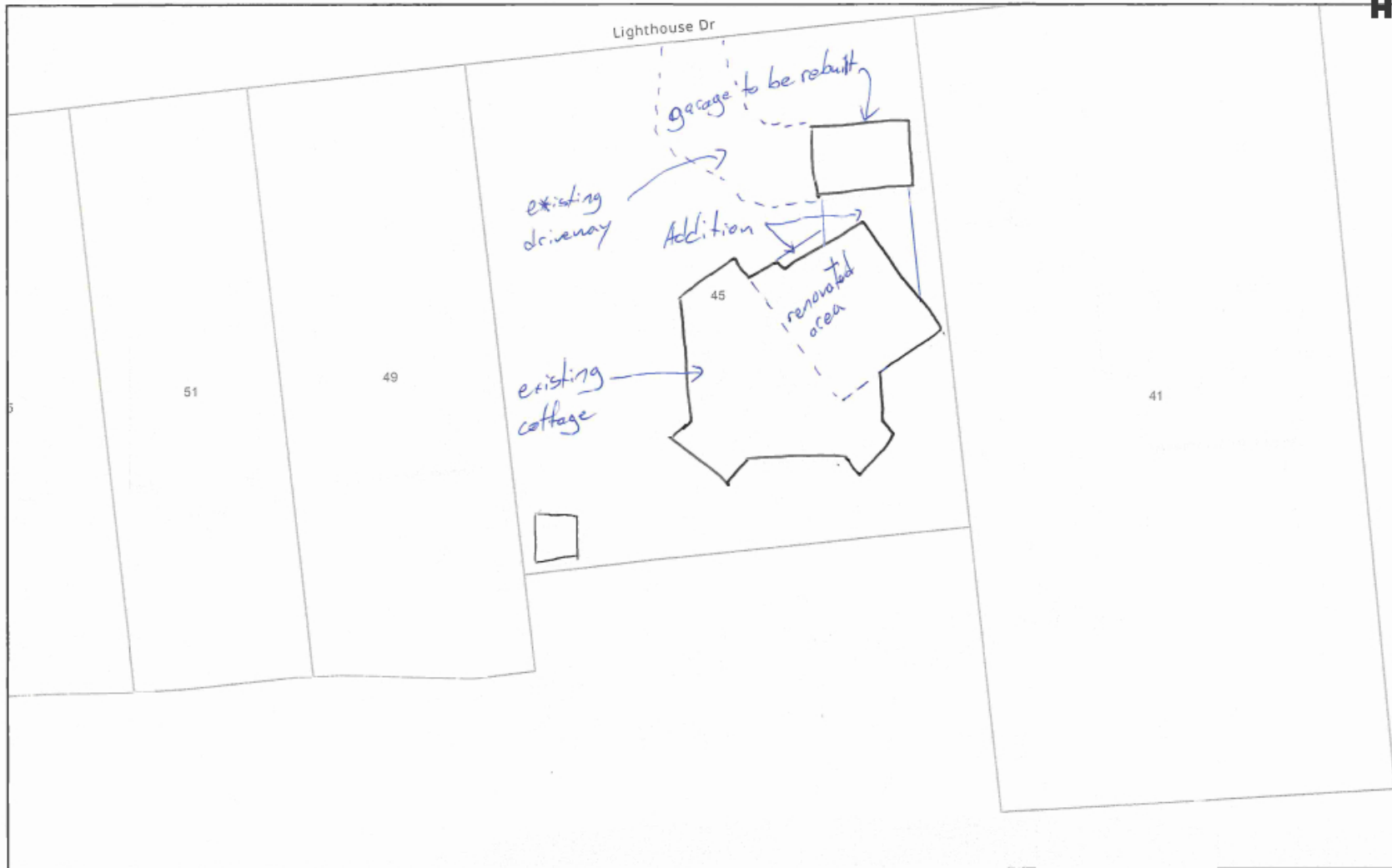
Web AppBuilder for ArcGIS

Haldimand County, Province of Ontario, Parks Canada, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, NPS, US Census Bureau, USDA, NRCan | none |

Owner's Sketch 3 of 4 FILE #PLA-2021-137 APPLICANT: Cole

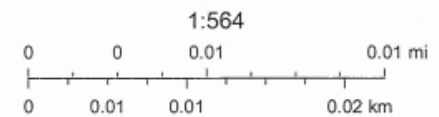


ArcGIS Web Map



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 Parcels

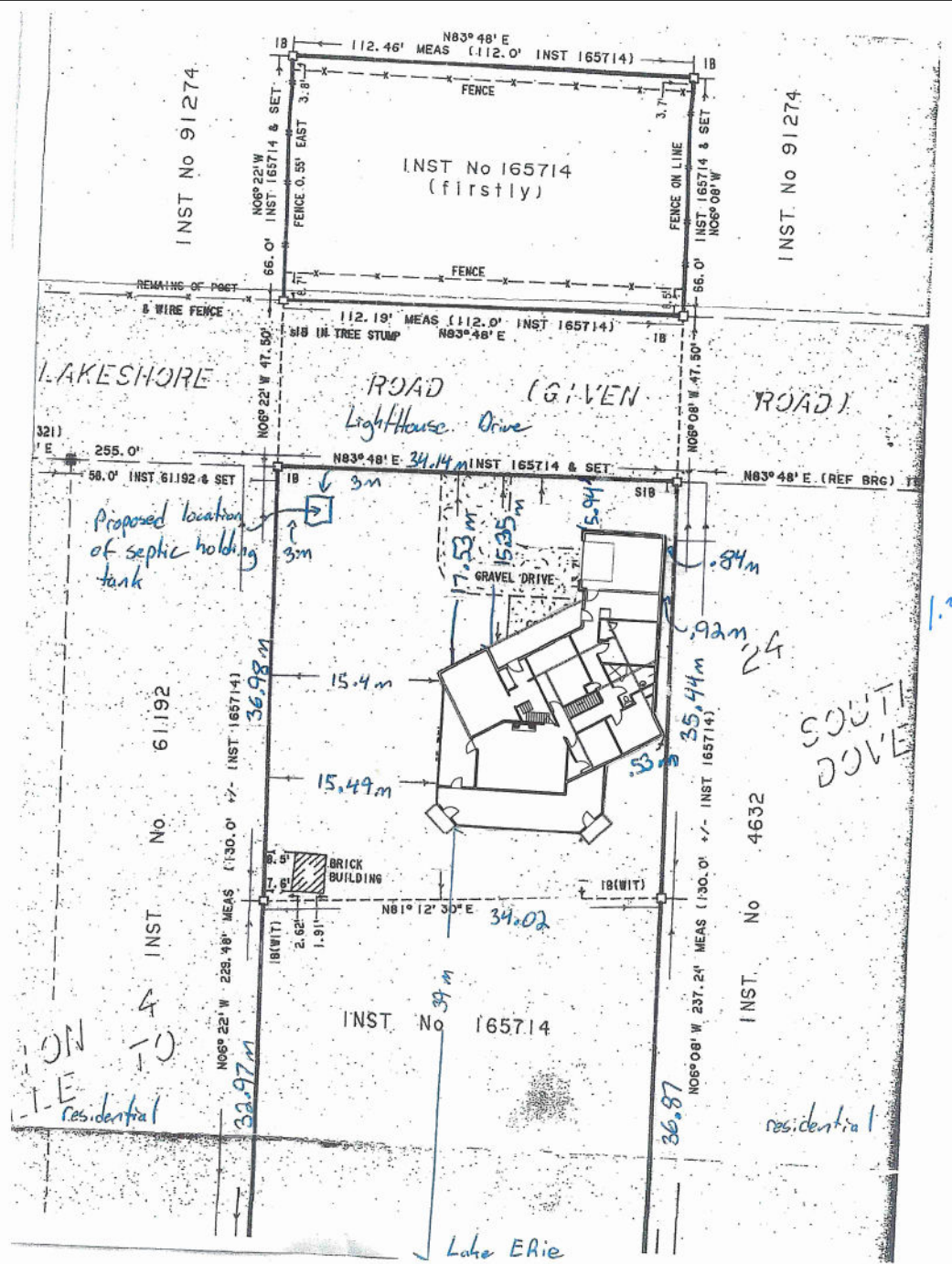


Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS,

Web AppBuilder for ArcGIS

Haldimand County, Province of Ontario, Parks Canada, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, NPS, US Census Bureau, USDA, NRCAN | none |

Owner's Sketch 4 of 4 FILE #PLA-2021-137 APPLICANT: Cole





Haldimand County Committee of Adjustment Minor Variance

Meeting Date: October 19, 2021
File Number: PLA-2021-156
Property Roll Number: 2810-151-003-02635
Applicant: George Wozny
Agent: Josh Putt (Zen Construction)
Property Location: Plan 83, Lot 8, Urban Area of Caledonia, known municipally as 3 Lamb Court

Recommendation

That application PLA-2021-156 be approved. The application meets the four tests of a minor variance.

Details of the Submission

Proposal: Relief is requested from the provisions of the Residential Type 1-A (R1-A) Zone of Zoning By-law HC 1-2020 as follows:

Development Standards	Required	Proposed	Deficiency
Interior Side Yard (right)	0.9 metres (2.95 feet)	0.483 metres (1.58 feet)	0.417 metres (1.37 feet)

The relief is requested to permit the construction of a deck on the property.

Site Features and Land Use: The subject lands front onto Lamb Court in the urban area of Caledonia. The property extends from Lamb Court to the Grand River. The lands currently contain a single detached dwelling with an attached garage. Surrounding land uses are residential in nature.

Existing Intensive Livestock Operations: Not applicable.

Agency & Public Comments

Haldimand County Building & Municipal Enforcement Services: No comments or concerns.

Haldimand County Planning & Development Services – Development & Design Technologist: No comments or concerns.

Haldimand County Emergency Services: No comments received.

Haldimand County Water and Wastewater Engineering & Compliance: No objections - Municipal Water and Sanitary Sewer are available to service this property.

Grand River Conservation Authority: No objections to the proposal.

Hydro One: No comments received.

Municipal Property Assessment Corporation: No comments received.

Mississaugas of the Credit: No comments received.

Six Nations: No comments received.

Public: No comments received.

Planning Analysis

A minor variance is required to meet four tests under Section 45(1) of the *Planning Act*.

1. Does the application conform to the general intent of the Official Plan?

Planning staff Comment: The application is seeking relief to permit the construction of a deck along the side of the existing dwelling. The subject lands are designated residential and are subject to riverine and floodway hazard overlay. The proposed deck is attached to the existing dwelling. Existing doors on the dwelling will be used to access the proposed deck.

The Grand River Conservation Authority (GRCA) has indicated no objection to the subject application and indicate that Conservation Authority permits are not required for the construction of the deck.

It is the opinion of Planning staff that the subject application conforms to the general intent of the Official Plan.

2. Does the application conform to the general intent of the Zoning By-law?

Planning staff comment: The subject lands are zoned Urban Residential Type 1 (R1-A) subject to special provision HAL 36.8. The subject application is requesting 0.417 metres of relief to permit an interior side yard setback of 0.483 metres where 0.9 metres is permitted under special provision HAL 36.8. The requested relief will accommodate a walkway and stairs attached to a proposed deck.

The area of the required relief is between the existing dwelling and a row of mature vegetation on a slope. The intent of an interior side yard setback is to ensure access around the structures on the property and to ensure separation between structures on adjacent properties. The proposed deck will improve the access around the dwelling as it will act as level access between the dwelling and the vegetation. The deck is not located alongside any structures on the adjacent property. Further, due to the location of the slope, natural separation exists between the proposed deck and suitable building envelopes on the adjacent property for any structures.

It is the opinion of Planning staff that the subject application maintains the intent of the Zoning By-law.

3. Is the application desirable for the appropriate development of the lands in question?

Planning staff comment: The subject application will facilitate the construction of a deck attached to the dwelling on the subject lands. The deck will act as a level walkway along the side of the dwelling providing access to the rear yard of the property. Further, the deck will be accessed from existing doors on the dwelling.

It is the opinion of Planning staff that the subject application is desirable and appropriate development of the lands.

4. Is the application minor?

Planning staff comment: For reasons listed above, it is the opinion of Planning staff that the application is minor.

The subject application meets the four tests of a minor variance.

Notice Sign and Applicant Discussion

A public notice sign was posted in accordance with the *Planning Act, R.S.O. 1990, c. P.13* on September 30, 2021.

Staff have contacted the applicant and discussed the recommendations as set out in this report. Staff have confirmed with the applicant that he/she understands the nature of and content contained within the recommendations as well as any requirements/conditions relating to such. A copy of the staff report has been provided to the applicant.

Prepared by:



Neil Stoop, MSc., RPP
Planner
905-318-5932 extension 6202

Reviewed by:



Alisha Cull, BES, MCIP, RPP
Supervisor, Development Services
905-318-5932 ext. 6208

Location Map FILE #PLA-2021-156 APPLICANT: Wozny



Location:

**3 LAMB COURT
URBAN AREA OF CALEDONIA
WARD 3**

Legal Description:

CAL PLAN 83 LOT 8

Property Assessment Number:

2810 151 003 02635 0000

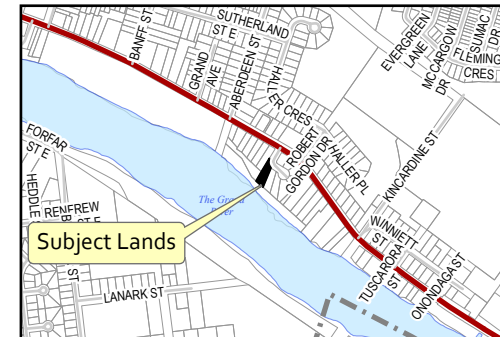
Size:

0.28 Acres

Zoning:

**R1-A (Urban Residential Type 1) & HL
(Hazard Lands) Overlay**

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Owner's Sketch 1 of 2 FILE #PLA-2021-156 APPLICANT: Wozny



Haldimand County

NOTES
 Street Address: 3 Lamb Cr.
 Legal Address: CAL PLAN 83 LOT 8
 Zone Code(s): R1 - A
 Zone Name: Urban Residential Type 1
 Hazard Lands: Regulated Lands (Source GRGC)
 Special Provision(s): 36.8



4690 Highway #6
 Hagersville, ON
 NOA 1H0
 289-284-1151
 www.yourzenspace.ca

DATE	REVISION	INITIAL

CLIENT
 George Wozny

ADDRESS
 3 Lamb Cr
 Caledonia, ON
 N3W 1E2

DRAWING NAME
 Property Line Layout

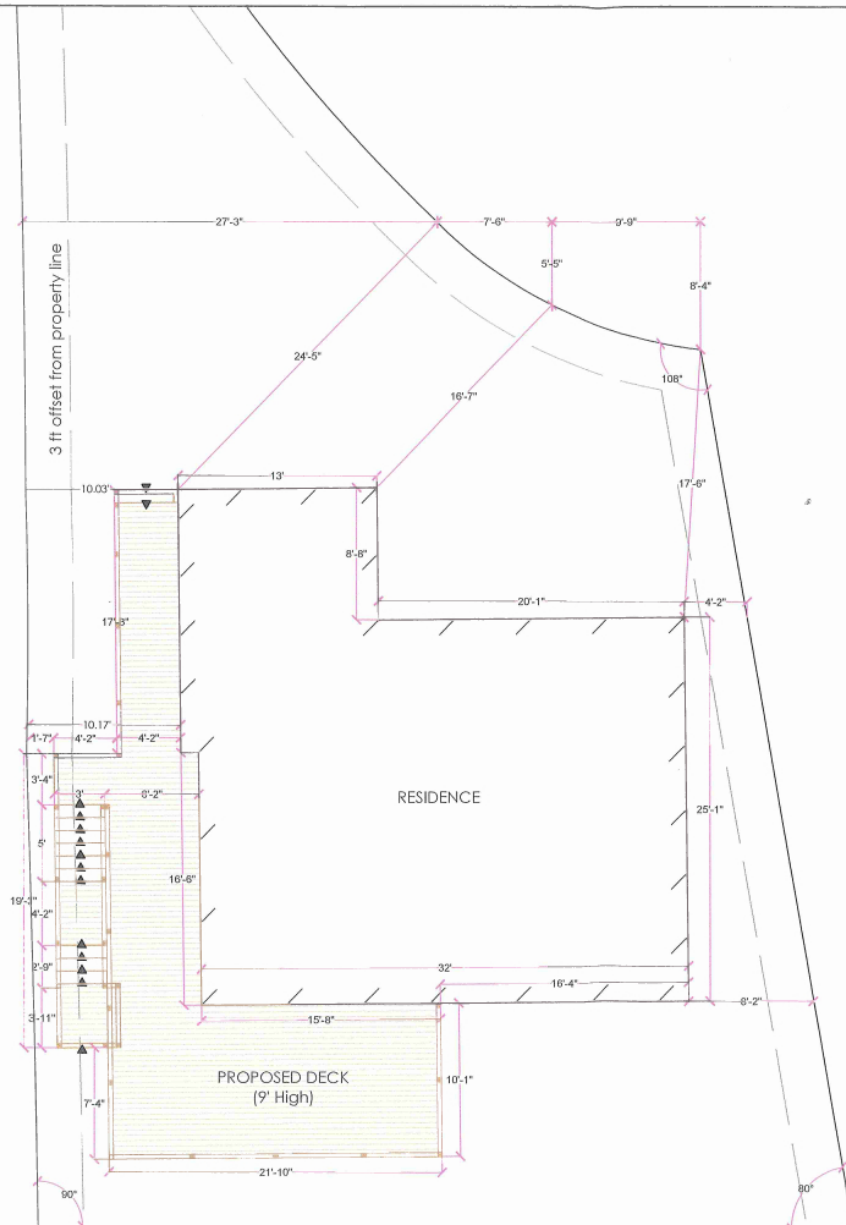
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DATE
 August 2021

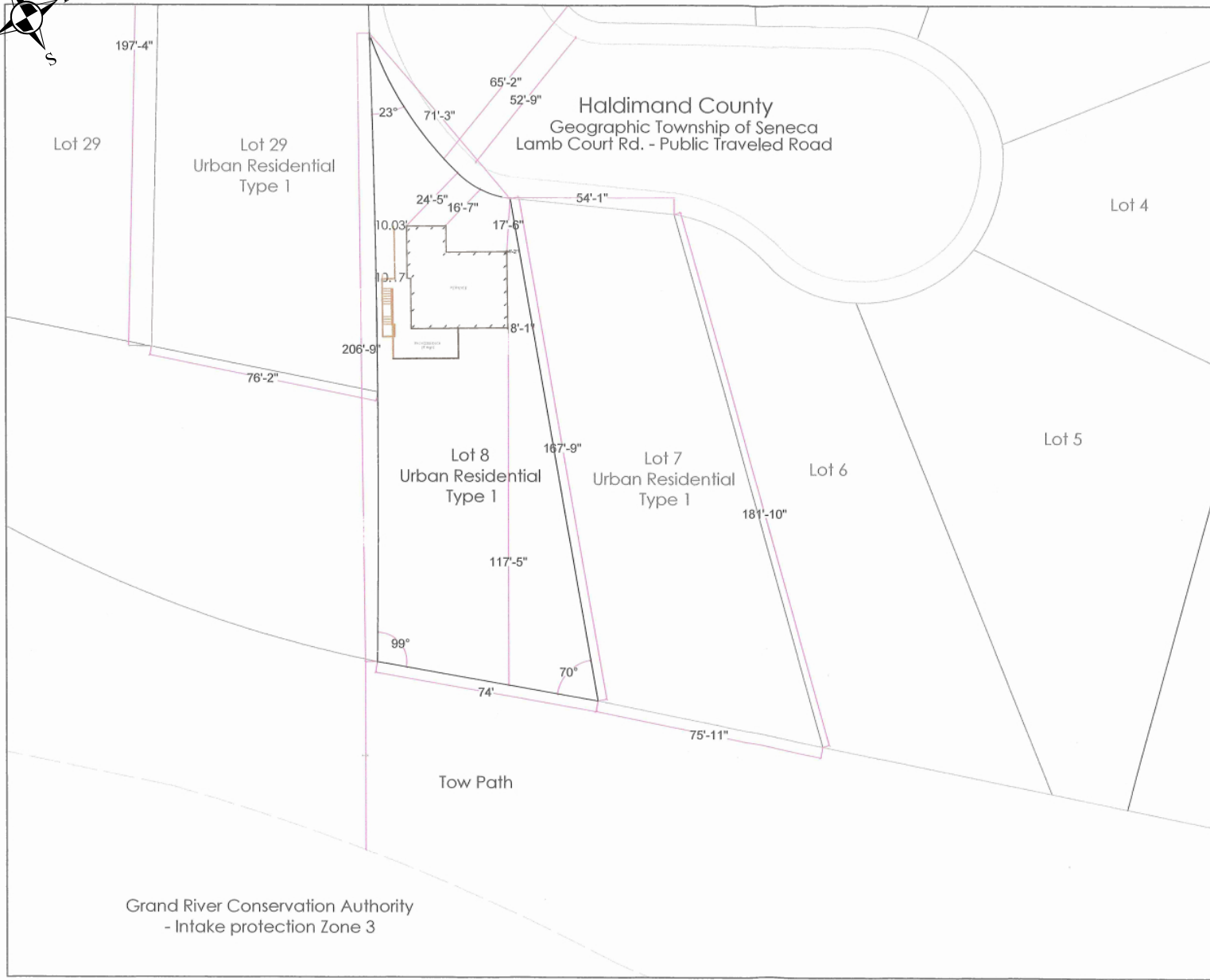
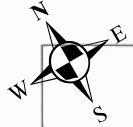
APPROVED BY
 Josh Putt

SCALE
 Scale 1" 0" = 1' 1/8"

DRAWING #
 01



Owner's Sketch 2 of 2 FILE #PLA-2021-156 APPLICANT: Wozny



**Haldimand
County**

NOTES



4690 Highway #6
Hagersville, ON
N0A 1H0
289-284-1151
www.yourzenspace.ca

DATE	REVISION	INITIAL

CLIENT
George Wozny

ADDRESS
3 Lamb Cr
Caledonia, ON
N3W 1E2

DRAWING NAME
Property Lots

DRAWN BY
CT

DATE
August 2021

APPROVED BY
Josh Putt

SCALE
Scale 1' 0" = 1' $\frac{1}{32}$ "

DRAWING #
02



Haldimand County Committee of Adjustment Minor Variance

Meeting Date: October 19, 2021
File Number: PLA-2021-157
Property Roll Number: 2810-021-002-29100
Applicant: Massimo Assogna
Property Location: Concession 4 South of Dover Road, Part Lot 4, Geographic Township of Dunn, known municipally as 3124 Lakeshore Road

Recommendation

That application PLA-2021-157 be approved, subject to the following conditions:

1. That no development occur prior to receipt of a permit from the Grand River Conservation Authority; and
2. A full lot grading plan shall be submitted to and approved by Haldimand County's Planning and Development Division Development & Design Technologist prior to the issuance of a building permit. Please contact the Planning and Development Division at 905-318-5932 for further clarification).

The application meets the four tests of a minor variance.

Details of the Submission

Proposal: Relief is requested from the provisions of the Lakeshore Residential (RL) Zone of Zoning By-law HC 1-2020 as follows:

Development Standards	Required	Proposed	Deficiency
Front Yard Setback	7.0 metres (23 feet)	2.84 metres (9.32 feet)	4.16 metres (13.68 feet)
Rear Yard	7.5 metres (24.6 feet)	5.4 metres (17.7 feet)	2.1 metres (6.9 feet)

The relief is requested to permit the replacement of a cottage on the property.

Site Features and Land Use: The subject lands are located in the Lakeshore Node of Blott Point, on a through lot with frontage on Lakeshore Road to the north and Shoreline Trail to the south. Surrounding land uses include Lakeshore Residential uses to the east, west and south and agriculture land to the north. The subject lands are a parallelogram and are 0.15 acres (0.61 hectares) in size. The parcel currently contains a shed and the previous cottage to be rebuilt has been removed.

Existing Intensive Livestock Operations: No livestock were observed on or near the property during site inspection on Tuesday, September 28, 2021.

Agency & Public Comments

Haldimand County Building & Municipal Enforcement Services: No comments or concerns.

Haldimand County Planning & Development Services – Development & Design Technologist: Full lot grading plan required.

Haldimand County Emergency Services:

Haldimand County Water and Wastewater Engineering & Compliance: No objections - Municipal Water and Sanitary Sewer are not available to service this property.

Grand River Conservation Authority: No objection to the proposal. A Grand River Conservation Authority permit will be required for the proposed cottage and additional technical details may be required as part of a complete permit application. Early pre-consultation with Grand River Conservation Authority staff is recommended prior to the submission of a permit application for the cottage replacement.

Hydro One:

Municipal Property Assessment Corporation:

Mississaugas of the Credit:

Six Nations:

Public: No comments received.

Planning Analysis

A minor variance is required to meet four tests under Section 45(1) of the *Planning Act*:

1. Does the application conform to the general intent of the Official Plan?

Planning staff Comment: The subject lands are located in the Lakeshore Node of Blott Point and designated 'Resort Residential'. Seasonal dwellings are the preferred form of development in these areas. The applicant is requesting to recognize relief of the front and rear yard setbacks associated with the proposed cottage. Staff have not received any concerns regarding restrictions to visibility that may result from re-building the cottage in the proposed location as there is a neighbouring shed and large tree closer to the road. Thus the proposal will not further reduce visibility. The Grand River Conservation Authority (GRCA) requires permits be obtained and technical details for submission, but has not identified any other concerns with the proposed development. Further, cottage development in Haldimand County is typically compact and has lesser yard setbacks. Staff are of the opinion that the proposal maintains the intent of the Official Plan.

2. Does the application conform to the general intent of the Zoning By-law?

Planning staff comment: The subject lands are zoned Lakeshore Residential (RL). The RL Zone permits vacation home dwellings provided all zone provisions can be satisfied. The purpose of the front yard setback is to ensure conformity of the built line and streetscape in the neighbourhood, to ensure safety and access to the road and to ensure maintenance and operation of any infrastructure is not interfered with. The proposed cottage is to replace the previous cottage, therefore improving the streetscape with an updated structure. Given the odd shape/angle of the lot, and neighbouring accessory structures and trees closer to the road, the proposed cottage will not interfere with the existing streetscape. The set back is also intended to accommodate parking in front of dwellings. The Zoning By-law requires vacation homes to have 2 parking spaces. Further, every parking space shall be based upon a rectangular shape having a width of 3.0 metres and a depth of 5.8 metres. Nonetheless, applicants have advised that there is adequate parking on other areas of the property.

3. Is the application desirable for the appropriate development of the lands in question?

Planning staff comment: The subject lot is an existing lot of record in a Lakeshore Node of Blott Point. Development of vacation home dwellings is intended to be directed to Lakeshore Nodes. The proposed development will increase the setback from the neighbouring lot to the east from the previous cottage footprint. Overall, it is Planning staff's opinion that the proposal is considered appropriate for the neighbourhood.

4. Is the application minor?

Planning staff comment: The proposal seeks to replace a previous cottage which had similar deficiencies. Cottage development in Lakeshore areas is typically compact and has lesser yard setbacks. The shape of the subject lands make it difficult to maintain the built line of the street scape while adhering to the required setbacks. As the rear yard backs onto a private road with no exit, there are very little concerns of traffic safety as a result of the proposed deficiency. Further, the proposed structure will have no impact on the visibility of Shoreline Trail. Overall, it is Planning Staff's opinion that the proposal is considered minor.

The subject application meets the four tests of a minor variance.

Notice Sign and Applicant Discussion

A public notice sign was posted in accordance with the *Planning Act, R.S.O. 1990, c. P.13* on September 22, 2021.

Staff have contacted the applicant and discussed the recommendations as set out in this report. Staff have confirmed with the applicant that he/she understands the nature of and content contained within the recommendations as well as any requirements/conditions relating to such. A copy of the staff report has been provided to the applicant.

Prepared by:



Jessica Easson, BBA
Planning Technician
905-318-5932 extension 6212

Reviewed by:

A handwritten signature in black ink, appearing to read "Alisha Cull", is centered within a light gray rectangular box.

Alisha Cull, BES, MCIP, RPP
Supervisor, Development Services
905-318-5932 ext. 6208

Location Map FILE #PLA-2021-157 APPLICANT: Assogna



Location:
3124 LAKESHORE ROAD
GEOGRAPHIC TOWNSHIP OF DUNN
WARD 5

Legal Description:
DUN CON 4 SDR PT LOT 4

Property Assessment Number:
2810 021 002 29100 0000

Size:
0.15 Acres

Zoning:
RL (Lakeshore Residential) & HL (Hazard Lands) Overlay

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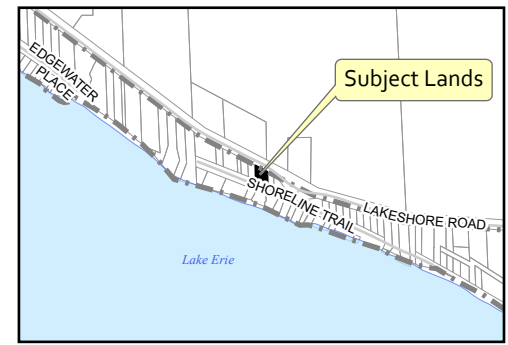


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Haldimand County Committee of Adjustment Minor Variance

Meeting Date: October 19, 2021

File Number: PLA-2021-161

Property Roll Number: 2810-153-004-13300

Applicant: Henry and Marjolein Eising

Property Location: Broken Front Concession, Part Lot 34, Registered Plan 18R6209 Parts 1 to 6, Geographic Township of Oneida, known municipally as 4288 River Road

Recommendation

That application PLA-2021-161 be approved. The application meets the four tests of a minor variance.

Details of the Submission

Proposal: Relief is requested from the provisions of the Agricultural (A) Zone of Zoning By-law HC 1-2020 as follows:

Development Standards	Required	Proposed	Deficiency
Height of Building	6.5 metres (21.3 feet)	8.53 metres (28 feet)	2.03 metres (6.7 feet)

The relief is requested to permit the construction of a detached garage on the property.

Site Features and Land Use: The subject lands front onto the north side of River Road in the geographic township of Oneida. The lands currently contain a detached dwelling. The property contains a mix of mature vegetation and open lawn. The surrounding land uses are agricultural in nature, with rural residential uses on the south side of River Road.

Existing Intensive Livestock Operations: Not applicable.

Agency & Public Comments

Haldimand County Building & Municipal Enforcement Services: No comments or concerns.

Haldimand County Planning & Development Services – Development & Design Technologist: No comments or concerns.

Haldimand County Emergency Services: No comments received.

Haldimand County Water and Wastewater Engineering & Compliance: No objections - Municipal Water and Sanitary Sewer are not available to service this property.

Grand River Conservation Authority: No objection to the proposal.

Hydro One: No comments received.

Municipal Property Assessment Corporation: No comments received.

Mississaugas of the Credit: No comments received.

Six Nations: No comments received.

Public: No comments received.

Planning Analysis

A minor variance is required to meet four tests under Section 45(1) of the *Planning Act*.

1. Does the application conform to the general intent of the Official Plan?

Planning staff Comment: The subject lands are designated “Agriculture” in the Official Plan and subject to the Hazard Lands Overlay. A single detached dwelling and related accessory structures are permitted uses in the “Agriculture” designation. Further, comments received from the Grand River Conservation Authority (GRCA) indicate no objections to the proposal and note that GRCA permits are not required, as the development is located outside of the identified hazard.

Staff are satisfied the application conforms to the general intent of the Official Plan.

2. Does the application conform to the general intent of the Zoning By-law?

Planning staff comment: The subject application is seeking 2.03 metres of relief to permit a detached garage with a height of 8.53 metres where 6.5 metres is permitted. The intent of a maximum height provisions is to limit the impact on neighbouring properties and to ensure the structure maintains the general character of the area. The proposed structure is well removed from neighbouring residential uses, and is largely surrounded by agricultural areas. Further, the proposed height of 8.53 metres is less than the permitted height of 11 metres for principal structures in the “Agricultural (A)” zone. The proposed increase in height is not anticipated to negatively impact neighbouring properties or disrupt the character of the area.

It is the opinion of Planning staff that the subject application maintains the intent of the Zoning By-law.

3. Is the application desirable for the appropriate development of the lands in question?

Planning staff comment: The subject application is seeking relief to facilitate the construction of a detached garage with workspace in a loft area, for personal use. This is a permitted accessory use in the “Agricultural (A)” zone. The applicant is not proposing any habitable space in the garage and is seeking additional height to increase workspace, without expanding the footprint of the structure.

It is the opinion of Planning staff the subject application is desirable and appropriate development.

4. Is the application minor?

Planning staff comment: The proposed garage will separated from nearby residential uses and surrounded predominantly by farmland. Further, the proposed height is less than the maximum permitted height for a dwelling on the subject lands. For these reasons, and reasons listed above, it is the opinion of Planning staff that the subject application is minor.

The subject application meets the four tests of a minor variance.

Notice Sign and Applicant Discussion

A public notice sign was posted in accordance with the *Planning Act, R.S.O. 1990, c. P.13* on October 4, 2021.

Staff have contacted the applicant and discussed the recommendations as set out in this report. Staff have confirmed with the applicant that he/she understands the nature of and content contained within the recommendations as well as any requirements/conditions relating to such. A copy of the staff report has been provided to the applicant.

Prepared by:



Neil Stoop, MSc., RPP
Planner
905-318-5932 extension 6202

Reviewed by:



Alisha Cull, BES, MCIP, RPP
Supervisor, Development Services
905-318-5932 ext. 6208

Location Map FILE #PLA-2021-161 APPLICANT: Eising



- Legend**
- Provincial Highway
 - Haldimand Highway
 - Haldimand Road
 - Local Road
 - Settlement Areas



Location:
4288 RIVER ROAD
GEOGRAPHIC TOWNSHIP OF ONEIDA
WARD 4

Legal Description:
OND CON BF PT LOT 34 RP 18R6209
PARTS 1 TO 6

Property Assessment Number:
2810 153 004 13310 0000

Size:
1.85 Acres

Zoning:
A (Agricultural) & HL (Hazard Lands) Overlay

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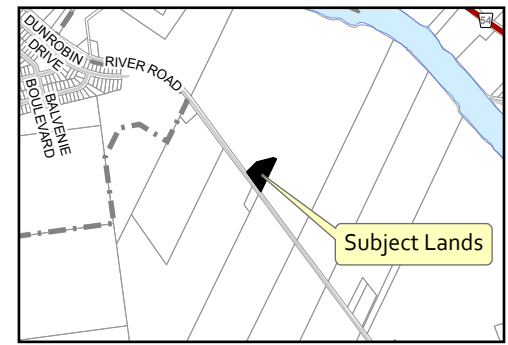


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Haldimand County Committee of Adjustment Minor Variance

Meeting Date: October 19, 2021
File Number: PLA-2021-167
Property Roll Number: 2810-158-001-46600
Applicant: Mark and Betty Ann Gowland
Property Location: Concession 1, Part Lot 13, Registered Plan 18R6480 Parts 5 and 6, Geographic Township of Rainham, known municipally as 1203 Lakeshore Road

Recommendation

That application PLA-2021-167 be approved, subject to the following condition:

1. A partial lot grading plan shall be submitted to and approved by Haldimand County's Planning and Development Division Development & Design Technologist prior to the issuance of a building permit. Please contact the Planning and Development Division at 905-318-5932 for further clarification); and
2. That no development occur prior to receipt of a permit from the Long Point Region Conservation Authority.

The application meets the four tests of a minor variance.

Details of the Submission

Proposal: Relief is requested from the provisions of the Lakeshore Residential (RL) Zone of Zoning By-law HC 1-2020 as follows:

Development Standards	Required	Proposed	Deficiency
Height of Building	4.5 metres (14.8 feet)	5.1 metres (16.7 feet)	0.6 metres (2.1 feet)

The relief is requested to permit the construction of a detached garage on the property.

Site Features and Land Use: The subject lands are located in the Lakeshore Residential Node of Featherstone Point and front onto the north side of Lakeshore Road. The parcel is 0.15 hectares (0.37 acres) in size and currently contains a dwelling and shed.

Existing Intensive Livestock Operations: No livestock were observed on or near the property during site inspection on Tuesday, September 28, 2021.

Agency & Public Comments

Haldimand County Building & Municipal Enforcement Services: No comments or concerns.

Haldimand County Planning & Development Services – Development & Design Technologist: Partial lot grading plan required to verify garage storm drainage doesn't flow onto neighbouring property.

Haldimand County Emergency Services: No comments received.

Haldimand County Water and Wastewater Engineering & Compliance: No objections - Municipal Water and Sanitary Sewer are not available to service this property.

Long Point Region Conservation Authority: A permit from the Long Point Region Conservation Authority is required prior to any development within the Regulation Limit. The garage does not seem to be within the Regulation Limit. Therefore, it does not require a permit. The (proposed) addition is within the Regulation Limit and requires a permit prior to development.

Hydro One: No comments received.

Municipal Property Assessment Corporation: No comments received.

Mississaugas of the Credit: No comments received.

Six Nations: No comments received.

Public: No comments received.

Planning Analysis

A minor variance is required to meet four tests under Section 45(1) of the *Planning Act*.

1. Does the application conform to the general intent of the Official Plan?

Planning staff Comment: The subject lands are designated “Resort Residential” and “Agriculture” in the Haldimand County Official Plan. Development in the Lakeshore area shall be directed towards resort residential nodes and the subject lands are located within the Lakeshore Residential node of Featherstone point. Most of the property is located within Long Point Region Conservation Authority (LPRCA) Regulated lands and includes some Lakeshore Hazard lands. While development and site alteration should not be permitted in Lakeshore Hazard lands, the proposed garages lies outside of the hazard area. Further, the LPRCA have indicated no concerns with regards to the proposed garage. Lastly, the proposed detached garage is accessory to the primary dwelling and does not offend the Official Plan.

2. Does the application conform to the general intent of the Zoning By-law?

Planning staff comment: The subject lands are zoned Lakeshore Residential (RL) in the Haldimand County Zoning By-law HC-1-2020. The purpose of the maximum height of a residential accessory structure size is to ensure that residential accessory structures remain secondary to the principal use of the property (in this case, Lakeshore Residential), that they are an appropriate size and scale for the neighborhood or area, and that there is appropriate lot grading around the structures, etc. The accessory structure is an appropriate size for the subject lands, and will match the principal dwelling. The height of the structure and area it will occupy will not overwhelm the lot from an aesthetic and functional perspective. The subject lands also back onto prime agricultural areas where taller and larger agricultural structures are permitted. The proposed building will be shorter than the adjacent agriculture buildings to the north and east. Overall, it is Planning staff’s opinion that the proposal generally satisfies the intent and purpose of the Zoning By-law.

3. Is the application desirable for the appropriate development of the lands in question?

Planning staff comment: The proposed detached garage is to serve as an accessory use, secondary to the primary residential use. Accessory structures are permitted in residential zones, subject to the provisions in section 4.2 of the Haldimand County Comprehensive Zoning By-Law. The proposed accessory structure is located on the north side of the property, behind the primary dwelling such that it will not have an affect on the Lakeshore Road streetscape.

4. Is the application minor?

Planning staff comment: The relief requested is 0.6 metres (2.1 feet) for a total height of 5.1 metres (16.7 feet). The proposed height is shorter than what is permitted in the neighboring Agriculture zone which permits accessory structures to be 6.5 metres in height. It is Planning staff's opinion that the deficiencies requiring relief are minor given the size of the property and the primary residential dwelling. In the proposed location, the structure should not adversely affect surrounding properties. The proposed structure is set at the back on the property behind the house and backing onto agriculture lands. The detached residential accessory structure will not be prominently visible from the road and will not appear out of character for the area. Overall it is Planning staff's opinion that the application is considered minor and will not have a negative affect on the adjacent properties or overwhelm the subject lands.

The subject application meets the four tests of a minor variance.

Notice Sign and Applicant Discussion

A public notice sign was posted in accordance with the *Planning Act, R.S.O. 1990, c. P.13* on October 4, 2021.

Staff have contacted the applicant and discussed the recommendations as set out in this report. Staff have confirmed with the applicant that he/she understands the nature of and content contained within the recommendations as well as any requirements/conditions relating to such. A copy of the staff report has been provided to the applicant.

Prepared by:



Jessica Easson, BBA
Planning Technician
905-318-5932 extension 6212

Reviewed by:

A handwritten signature in black ink, appearing to read "Alisha Cull", is centered within a light gray rectangular box.

Alisha Cull, BES, MCIP, RPP
Supervisor, Development Services
905-318-5932 ext. 6208

Location Map FILE #PLA-2021-167 APPLICANT: Gowland



Legend

- Provincial Highway
- Haldimand Highway
- Haldimand Road
- Local Road
- Settlement Areas



Location:
1203 LAKESHORE ROAD
GEOGRAPHIC TOWNSHIP OF RAINHAM
WARD 2

Legal Description:
RNH CON 1 PT LOT 13 RP 18R6480
PARTS 5 AND 6

Property Assessment Number:
2810 158 001 46600 0000

Size:
0.37 Acres

Zoning:
RL (Lakeshore Residential) & HL (Hazard Lands) Overlay

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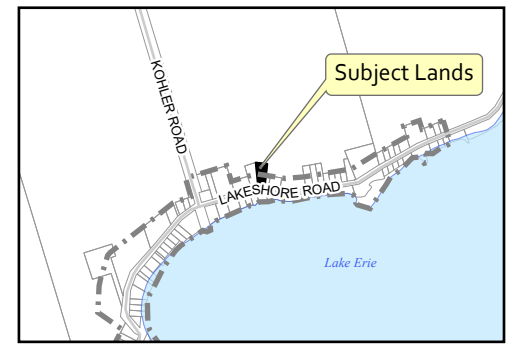


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