



**HALDIMAND COUNTY  
COMMITTEE OF ADJUSTMENT  
MINUTES  
TUESDAY, OCTOBER 19, 2021**

A meeting of the Committee of Adjustment was held on Tuesday, October 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	Neil Stoop
Secretary-Treasurer	David Scott
Planning Technician	Jessica Easson

The Committee of Adjustment dealt with the following applications:

**CONSENTS:**

PLB-2021-131	Jim and Kim Barnes	APPROVED
PLB-2021-132	Jim and Kim Barnes	APPROVED
PLB-2021-133	Jim and Kim Barnes	APPROVED
PLB-2021-166	Hedley Farms Inc.	APPROVED

**MINOR VARIANCES:**

PLA-2021-137	Richard Cole	APPROVED
PLA-2021-156	George Wozny	APPROVED
PLA-2021-157	Massimo Assogna	APPROVED
PLA-2021-161	Henry and Marjolein Eising	APPROVED
PLA-2021-167	Mark and Betty Ann Gowland	APPROVED

**DECLARATIONS OF PECUINARY INTEREST: None Declared**

**CONSENTS:**

**A) PLB-2021-131, PLB-2021-132 and PLB-2021-133 Jim and Kim Barnes**

Present: Jim Barnes, applicant

The proposal is 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).

No comments from the applicant. Member Bowman asked that the dimensions noted in condition 8 were supposed to be the same for each application. The Secretary-Treasurer said that they should reflect the measurements in each application, and they would be changed to reflect proper dimensions.

The Committee made the following decision:

**PLB-2021-131**

**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 **Jim and Kim Barnes**, to sever a lot for future residential development. The severed lands 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). **Concession 3, Part Lot 6, Geographic Township of Sherbrook, known municipally as 1567 North Shore Drive**

**DECISION: APPROVED**

- CONDITIONS:**
1. That the Haldimand County requirements, financial or otherwise, be satisfied. This will include taxes paid up to date, a parkland dedication fee of \$350.00 and a fee of \$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 recalculated for the retained and severed parcels. A written request to initiate re-apportionment is necessary. A fee is administered with each agreement. Please allow six (6) weeks for completion of this process. Contact Project Manager, Municipal Drains at 905-318-5932, ext. 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](mailto:dscott@haldimandcounty.on.ca) and [astewart@haldimandcounty.on.ca](mailto:astewart@haldimandcounty.on.ca). The AutoCad drawings need to be georeferenced for the following Coordinate System:

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

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

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

**PLB-2021-132**

**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 **Jim and Kim Barnes**, to sever a lot for future residential development. The severed lands 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). **Concession 3, Part Lot 6, Geographic Township of Sherbrook, known municipally as 1567 North Shore Drive**

**DECISION:** **APPROVED**

- CONDITIONS:**
1. That the Haldimand County requirements, financial or otherwise, be satisfied. This will include taxes paid up to date, a parkland dedication fee of \$350.00 and a fee of \$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 recalculated for the retained and severed parcels. A written request to initiate re-apportionment is necessary. A fee is administered with each agreement. Please allow six (6) weeks for completion of this process. Contact Project Manager, Municipal Drains at 905-318-5932, ext. 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 39.17 metres (128.5 feet) and will contain an area of approximately 0.19 hectares (0.46 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](mailto:dscott@haldimandcounty.on.ca) and [astewart@haldimandcounty.on.ca](mailto:astewart@haldimandcounty.on.ca). The AutoCad drawings need to be georeferenced for the following Coordinate System:

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

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

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

**PLB-2021-133**

**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 **Jim and Kim Barnes**, to sever a lot for future residential development. The severed lands 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). **Concession 3, Part Lot 6, Geographic Township of Sherbrook, known municipally as 1567 North Shore Drive**

**DECISION:** **APPROVED**

- CONDITIONS:**
1. That the Haldimand County requirements, financial or otherwise, be satisfied. This will include taxes paid up to date, a parkland dedication fee of \$350.00 and a fee of \$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 recalculated for the retained and severed parcels. A written request to initiate re-apportionment is necessary. A fee is administered with each agreement. Please allow six (6) weeks for completion of this process. Contact Project Manager, Municipal Drains at 905-318-5932, ext. 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 109.95 metres (360.7 feet) and will contain an area of approximately 0.22 hectares (0.55 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](mailto:dscott@haldimandcounty.on.ca) and [astewart@haldimandcounty.on.ca](mailto:astewart@haldimandcounty.on.ca). The AutoCad drawings need to be georeferenced for the following Coordinate System:

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

9. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before October 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-2021-166 Hedley Farms Inc.**

Present: Allan Hedley, applicant

The proposal is 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 retained parcel will contain an area of approximately 59.5 hectares (147 acres).

The applicant asked clarification of the MV condition. The planner said it is to recognize deficient frontage. DR asked for clarification about structure to be torn down, and access to farm portion, to which the applicant answered.



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 **Hedley Farms Inc.**, 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). **Concession 1 South of Talbot Road, Part Lots 20 and 21, Geographic Township of North Cayuga, known municipally as 415 Concession 2 Road South**

**DECISION:           APPROVED**

**CONDITIONS:**

1. That the Haldimand County requirements, financial or otherwise, be satisfied. This will include taxes paid up to date, a parkland dedication fee of \$250.00 and a fee of \$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](mailto:dscott@haldimandcounty.on.ca) and [astewart@haldimandcounty.on.ca](mailto:astewart@haldimandcounty.on.ca). The AutoCad drawings need to be georeferenced for the following Coordinate System:

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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, 2022, after which time this consent will lapse.

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

**MINOR VARIANCES:**

**A) PLA-2021-137 Richard Cole**

Present: John Verdonk, agent  
Richard Cole, applicant

The proposal is to request relief from the front yard setback and interior side yard (left) provisions of the Lakeshore Residential (RL) Zone of Haldimand County Zoning By-law HC-1 2020. The relief is requested to permit the renovation of the cottage on the property.

No comments from agent or applicant. DR asked if the deficiencies are existing. The planner said the side yard is existing. The front yard one is needed as the garage will be attached to the dwelling.

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 **Richard Cole**, to request relief from

the front yard setback and interior side yard (left) provisions of the Lakeshore Residential (RL) Zone of Haldimand County Zoning By-law HC-1 2020. The relief is requested to permit the renovation of the cottage on the property. **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**

**DECISION: APPROVED**

**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).

**REASONS:** The proposal is consistent with the Provincial Policy Statement (2020), conforms to the Province's Growth Plan (2019), and Haldimand County Zoning By-law HC-1 2020.

**B) PLA-2021-156 George Wozny**

Present: George Wozny, applicant

The proposal is to request relief from the interior side yard (right) provisions of the Residential Type 1-A (R1-A) Zone of Zoning By-law HC-1 2020. The relief is requested to permit the construction of a deck on the property.

No comment from applicant 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 **George Wozny** to request relief from the interior side yard (right) provisions of the Residential Type 1-A (R1-A) Zone of Zoning By-law HC-1 2020. The relief is requested to permit the construction of a deck on the property. **Plan 83, Lot 8, Urban Area of Caledonia, known municipally as 3 Lamb Court**

**DECISION: APPROVED**

**REASONS:** The proposal is consistent with the Provincial Policy Statement (2020), conforms to the Province's Growth Plan (2019), and Haldimand County Zoning By-law HC-1 2020.

**C) PLA-2021-157 Massimo Assogna**

Present: Massimo Assogna, applicant

The proposal is to request relief from the front yard setback and rear yard provisions of the Lakeshore Residential (RL) Zone of Zoning By-law HC-1 2020. The relief is requested to permit the replacement of a cottage on the property.

No comment from applicant 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 **Massimo Assogna**, to request relief from the front yard setback and rear yard provisions of the Lakeshore Residential (RL) Zone of Zoning By-law HC-1 2020. The relief is requested to permit the replacement of a cottage on the property. **Concession 4 South of Dover Road, Part Lot 4, Geographic Township of Dunn, known municipally as 3124 Lakeshore Road**

**DECISION:**           **APPROVED**

- 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).

**REASONS:**       The proposal is consistent with the Provincial Policy Statement (2020), conforms to the Province's Growth Plan (2019), and Haldimand County Zoning By-law HC-1 2020.

**D) PLA-2021-161 Henry and Marjolein Eising**

Present: Henry Eising, applicant

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

No comment from applicant 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 **Henry and Marjolein Eising**, to request relief from the height of building provisions of the Agricultural (A) Zone of Zoning By-law HC-1 2020. The relief is requested to permit the construction of a detached garage on the property. **Broken Front Concession, Part Lot 34, Registered Plan 18R6209 Parts 1 to 6, Geographic Township of Oneida, known municipally as 4288 River Road**

**DECISION: APPROVED**

**REASONS:** The proposal is consistent with the Provincial Policy Statement (2020), conforms to the Province's Growth Plan (2019), and Haldimand County Zoning By-law HC-1 2020.

**E) PLA-2021-167 Mark and Betty Ann Gowland**

Present: None present

The proposal is to request relief from the height of building provisions of the Lakeshore Residential (RL) Zone of Zoning By-law HC-1 2020. The relief is requested to permit the construction of a detached garage on the property.

No comments from 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 **Mark and Betty Ann Gowland**, to request relief from the height of building provisions of the Lakeshore Residential (RL) Zone of Zoning By-law HC-1 2020. The relief is requested to permit the construction of a detached garage on the property. **Concession 1, Part Lot 13, Registered Plan 18R6480 Parts 5 and 6, Geographic Township of Rainham, known municipally as 1203 Lakeshore Road**

**DECISION: APPROVED**

**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); and
2. That no development occur prior to receipt of a permit from the Long Point Region Conservation Authority.

**REASONS:** The proposal is consistent with the Provincial Policy Statement (2020), conforms to the Province's Growth Plan (2019), and Haldimand County Zoning By-law HC-1 2020.

**OTHER BUSINESS:**

The minutes of the September 21, 2021 meeting were adopted as presented.

A discussion occurred regarding the deputation in front of the October 26th Council in Committee meeting regarding committee member remuneration.

The meeting adjourned at 9:50 am.



Chairman



Secretary-Treasurer