



Haldimand County Committee of Adjustment Consent

Meeting Date: November 15, 2021

File Number: PLB-2021-150

Property Roll Number: 2810-332-006-00500

Applicant: Sydney Smith and Michael Almas

Property Location: Concession 13, Part Lot 4, Geographic Township of Walpole, known municipally as 262 Concession 13 Walpole

Recommendation

That application PLB-2021-150 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 parcel of land as a boundary adjustment. The severed lands will contain an area of approximately 19.42 hectares (48 acres). The property is to provide additional agricultural land for the benefitting lands. The retained parcel will contain an existing dwelling and accessory structures, will have a frontage of 62 metres (203 feet), and contain an area of approximately 0.806 hectares (1.99 acres).

Site Features and Land Use: The subject lands are located in the geographic township of Walpole, and within the prime agricultural area of the County. The subject lands are approximately 50 acres in size and contain a dwelling and old farm buildings of varying condition.

If approved, the retained lands will be approximately 0.806 hectares (1.99 acres) in size with approximately 62 metres (203 feet) of frontage on Concession 13 Walpole. The retained lot will contain the existing dwelling and the old farm buildings. The severed lands will account for the remaining 46.71 acres of land, predominantly made up of actively farmed area. The severed lands will be merged with the adjacent lands currently under active agricultural production. The proponents will be required to obtain a Zoning By-law

Amendment to prohibit the construction of a residential dwelling in order to provide consistency with the adjacent farmlands.

Existing Intensive Livestock Operations: Not applicable.

Agency & Public Comments

Haldimand County Building & Municipal Enforcement Services: The existing septic system will need to be plotted on the site plan and the plot will need to show the distance from the tile bed to the proposed property lines.

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

Haldimand County Emergency Services: No issues.

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

Haldimand County Forestry: No concerns with the proposed severance. The treed area located within the agricultural field, along the western property boundary, is most likely Woodlands regulated under the Forest Conservation By-law.

Hydro One: No comments.

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 2.3.4.2 permits lot adjustments for legal or technical reasons including minor boundary adjustments in prime agricultural areas provided that no new lots are created. The subject application will not result in a new lot being created as the severed lands will be added to the adjacent farm. The subject application meets the qualifications of a surplus farm dwelling as well. Staff are of the opinion that the requirement of the adjacent farm owner purchasing the property

to sever and resell the surplus home back to the original owners is unnecessary and instead supports the application as a boundary adjustment.

It is the opinion of Planning staff that the subject application is consistent with the PPS.

A Place to Grow, 2020

A Place to Grow does not provide criteria for agricultural boundary adjustments. As such, the proposal conforms to A Place to Grow.

Haldimand County Official Plan (OP)

The OP builds onto the PPS policies by permitting,

“severances for legal or technical reasons including minor boundary adjustments, easements or rights-of-way or other purposes that do not create an additional separate lot or in agricultural areas do not compromise the functionality and/or viability of a farm.”

The proposed application represents a minor boundary adjustment and also meets the requirements of a surplus farm dwelling, if the receiving farmer currently owned the property in its entirety. Further, the bulk of the land will be merged with the adjacent farmland, therefore no additional lands will be removed from active or potential production impacting the functionality of the farm.

Staff are of the opinion that the boundary adjustment is appropriate for technical reasons such that the lands will be merged with a farmer who owns other farms within the County and meets the criteria of a surplus farm dwelling. By proceeding with a boundary adjustment, staff are eliminating the preferred purchase of the property as a whole and then the re-sale of the proposed retained/surplus dwelling back to the original owner.

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

Haldimand County Zoning By-law HC 1-2020

The subject lands are zone Agricultural ‘A’ in the Zoning By-law. The proposal complies with the Zoning By-law provisions.

Notice Sign, Public Consultation, and Applicant Discussion

A public notice sign was posted on November 2, 2021 in accordance with the *Planning Act, R.S.O. 1990, c. P.13*.

The applicant has satisfied the public consultation requirements as per County Policy.

Staff have contacted the applicant and discussed the recommendations as set out in this report. Staff have confirmed with the applicant that they understand 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:



Alicia West, BA
Planner
905-318-5932 ext. 6210

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, and a fee of \$308.00 for deed stamping. Also, a one (1) foot square, unencumbered, parcel of land dedicated to Haldimand County, which must be shown on the reference plan, is required from the abutting lands presently owned by Ferdinand Haupt. and further identified as Roll # 2810-332-006-00400, if required.
2. That Section 50(3) or (5) of the Planning Act shall apply to any subsequent conveyance or transaction.
3. 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.
4. That the severed parcels become part and parcel of the abutting lands presently owned by Ferdinand Haupt and further identified as Roll # 2810-332-006-00400.
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 the solicitor acting in the transfer provide his/her undertaking in the following manner: in consideration of the Certificate by the official I undertake to ensure by a subsearch of the abstract book that at the time of the registration of the said Certificate or deed upon which it has been affixed, the name of the registered owner of the abutting lands is the same as that of the Grantee in the said deed and that the one (1) foot square parcel of land dedicated to Haldimand County is an unencumbered parcel of land. Also the solicitor will apply to consolidate the two parcels into one consolidated PIN so the two parcels can be assessed together and the consolidation information will be provided to the Secretary-Treasurer once completed.
7. That the owner's solicitor provide an undertaking to Haldimand County agreeing that if there are any changes proposed to the wording on the certificate after stamping of the certificate by the County, prior to the registration of the certificate; that the Secretary-Treasurer or designate must approve the change prior to registration of the certificate.
8. Receipt of a copy of the registered reference plan of the severed parcel, approximately 19.42 hectares (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

9. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before November 15, 2022, after which time this consent will lapse.

File No. PLB-2021-150

SMITH, Sydney and ALMAS, Michael

Assessment Roll No. 2810-332-006-00500

Location Map FILE #PLB-2021-150 APPLICANT: Smith/Almas



Location:
 262 CONCESSION 13 WALPOLE
 GEOGRAPHIC TOWNSHIP OF WALPOLE
 WARD 1

Legal Description:
 WAL CON 13 PT LOT 4

Property Assessment Number:
 2810 332 006 00500 0000

Size:
 50.0 Acres

Zoning:
 A (Agriculture)

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.

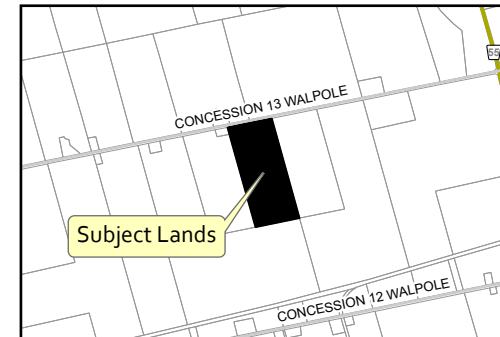


IMAGE INCLUDES MATERIAL © 2015 OF THE QUEEN'S PRINTER FOR ONTARIO. ALL RIGHTS RESERVED.

Owner's Sketch 1 FILE #PLB-2021-150 APPLICANT: Smith/Almas



Concession 13 Walpole

Existing farm access to remain



Existing Property line to be adjusted

New boundary adjustment for 224 Concession 13

Proposed boundary line around existing surplus farm dwelling + barn

Ferdinand & Anita Haupt
Roll#
332006004000000

Michael Almas &
Sydney Smith
Roll#
3320006005000000

Owner's Sketch 2 FILE #PLB-2021-150 APPLICANT: Smith/Almas



130m
62m

With the dimensions shown, it allows us to retain the existing water well, and all current dwellings and mature forestry, leaving the land remaining to support residential use.

Well



Haldimand County Committee of Adjustment Consent

Meeting Date: November 15, 2021
File Number: PLB-2021-176
Property Roll Number: 2810-025-002-28800
Applicant: Godrie Farms Inc.
Agent: Kim Hessels
Property Location: Concession 3, Part Lot 13, Geographic Township of Sherbrook, known municipally as 298 Dickhout Road.

Recommendation

That application PLB-2021-176 be deferred to allow the staff an opportunity to confirm livestock are not housed on the property. The application is consistent with the Provincial Policy Statement, 2020 and A Place to Grow, 2020. However, it does not conform to the intent of the Haldimand County Official Plan and does not comply with the 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 structures. The severed lands will have a frontage of approximately 54 metres (177.2 feet) and contain an area of approximately 0.65 hectares (1.61 acres). The retained parcel will contain an area of approximately 23.2 hectares (57.33 acres).

Site Features and Land Use: The subject lands are located in the geographic township of Sherbrooke, fronting onto Dickhout Road. The subject lands are approximately 21.7 hectares (53.73 acres) in size and contain a dwelling and a barn.

If approved, the severed lands will be approximately 0.65 hectares (1.61 acres) in size with 54 metres of frontage. The retained lands will account for the remaining 21 hectares (52.12 acres) of land. The existing dwelling and barn are located on the proposed severed lot, and no structures exist or are proposed on the retained.

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: Municipal Drain (Broad Creek), drainage re-apportionment agreement required. Entrance Permit for the retained parcel will also be required.

Haldimand County Emergency Services: No comments.

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

Civic Addressing: Applicants are encouraged to apply for a Vacant Lot/Farm 911 sign for the retained parcel. A Vacant Lot/Farm 911 sign helps Emergency Services locate your parcel in the event that Emergency Services are required. For more information, please visit <https://www.haldimandcounty.ca/the-farm-911-emily-project/>.

Grand River Conservation Authority: No comments.

Hydro One: No comments.

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 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 a new dwelling cannot be constructed.

The proposed lot is able to accommodate appropriate servicing. Should the application be approved as proposed, a Zoning By-law amendment application will be required as a condition of consent.

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. A Zoning By-law amendment application will be required to limit residential development on the retained lot. 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 0.65 hectares (1.61 acres). The increased size has been requested to include a barn on the severed lands. When staff conducted site visits, the barn housed a variety of livestock animals. Based on the current use of the barn, staff do not believe it is appropriate to include the structure as accessory to a dwelling.

- 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 Dickhout Road. An entrance permit will be required for the retained lands, if one has not been previously obtained.

- 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 does not conform to the policies of the Official Plan. Staff are recommending the application be deferred to address concerns related to the inclusion of the current barn.

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 and frontage provision of the Zoning By-law. Should the application be approved, a Zoning By-law amendment application will be required to remove a dwelling as a permitted use on the retained lands.

The Zoning By-law requires a lot to have an area of at least 2 hectares to keep livestock. The proposed lot will not be of an appropriate size to keep livestock, which were seen on site. Further, it is the opinion of Planning staff that the existing barn and its current use to house livestock is not an appropriate or permitted use as an accessory structure.

It is the opinion of Planning staff that the subject application does not comply with the provisions of the Zoning By-law and the subject application should be deferred to provide an opportunity to address the concerns.

Notice Sign, Public Consultation, and Applicant Discussion

A public notice sign was not posted in accordance with the *Planning Act, R.S.O. 1990, c. P.13*.

The applicant has satisfied the public consultation requirements as per the County Policy.

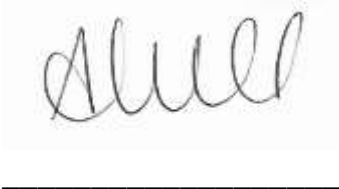
Staff have contacted the applicant and discussed the recommendations as set out in this report. Staff have confirmed with the applicant that he/she understands the nature of and content contained within the recommendations as well as any requirements/conditions relating to such. A copy of the staff report 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 \$350.00 and a fee of \$308.00 for deed stamping.
2. Receipt of a letter from the Planning and Development Division indicating that their requirements, regarding a drainage re-apportionment agreement between both severed and retained parcels, have been satisfied. The county is responsible for maintaining municipal drains on behalf of the community of landowners involved in the drain. The cost of the drain maintenance is assessed to the landowners. The division of land requires that the assessment be re-calculated for the retained and severed parcels. A written request to initiate re-apportionment is necessary. A fee is administered with each agreement. Please allow six (6) weeks for completion of this process. Contact Project Manager, Municipal Drains at 905-318-5932, ext. 6424, for further clarification.
3. Receipt of a letter from the Roads Operations Division indicating that they have no objections to the future issuance of an entrance permit. In lieu of a letter, a copy of permit(s) may be provided to the Secretary-Treasurer. An entrance permit is required for the retained parcel. Permits may be obtained from the County's Roads Operations Division Support staff at 905-318-5932, Ext. 8601 for details.
4. That all buildings located on the severed lands be decommissioned from livestock use to the satisfaction of Building Controls and By-law Enforcement Division. Please contact the Building Inspector at 905-318-5932, when the buildings have been decommissioned for an inspection of the property. Please contact the Building Controls and By-law Enforcement Division at 905-318-5932, for further clarification.
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, with a frontage of approximately 54 metres (177.2 feet) and contain an area of approximately 0.65 hectares (1.62 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 November 15, 2022, after which time this consent will lapse.

File No. PLB-2021-176

GODRIE FARMS INC.

Assessment Roll No. 2810-025-002-28800

Location Map FILE #PLB-2021-176 APPLICANT: Godrie Farms Ltd



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



Location:
 298 DICKHOUT ROAD
 GEOGRAPHIC TOWNSHIP OF SHERBROOKE
 WARD 5

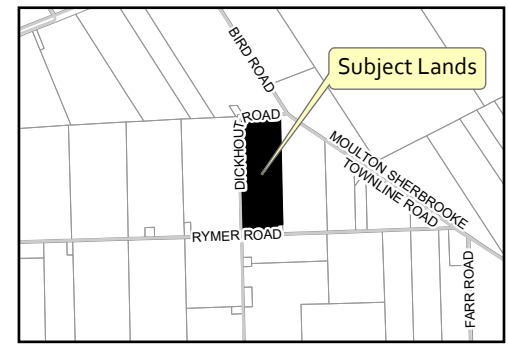
Legal Description:
 SHB CON 3 PT LOT 13

Property Assessment Number:
 2810 025 002 28800 0000

Size:
 53.73 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.



Owner's Sketch FILE #PLB-2021-176 APPLICANT: Godrie Farms Ltd

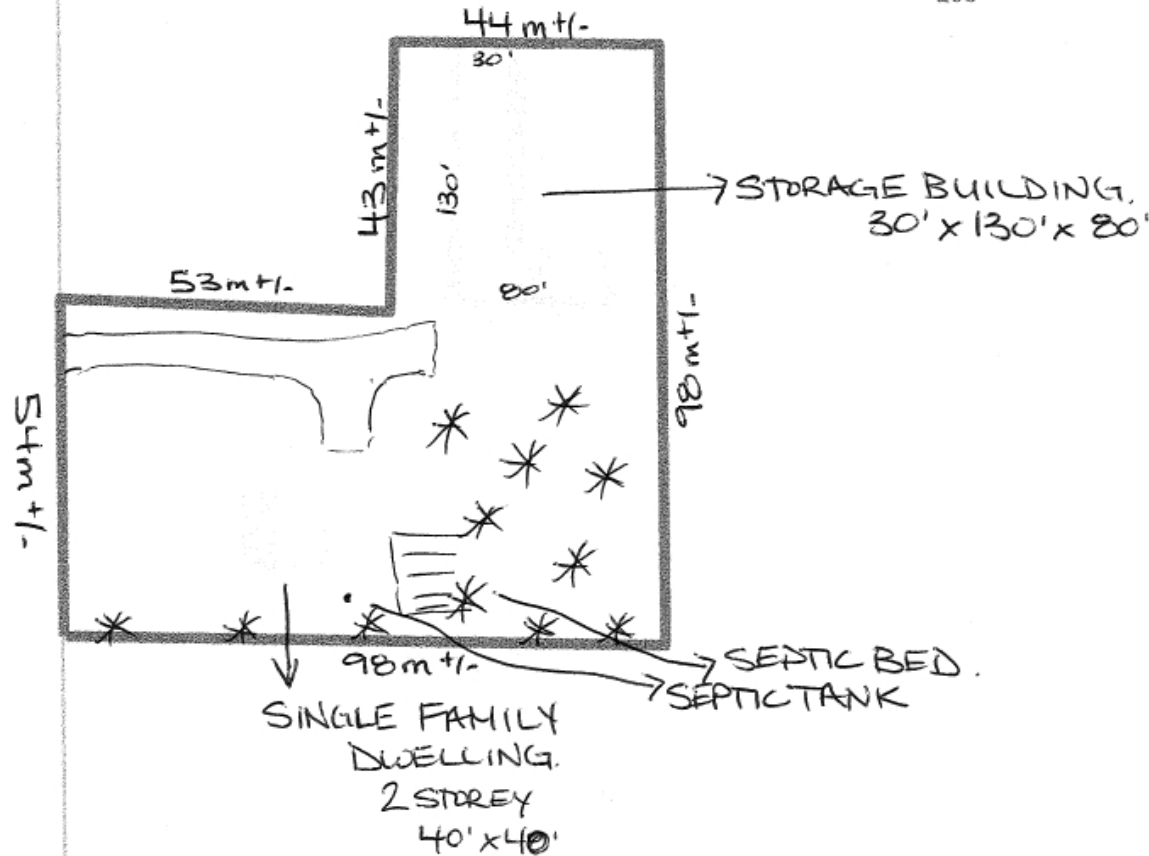


298 DICKHOUT RD, LOWBANKS ROLL# 0250022880000



Dickhout Rd

298



Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community, none, Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community



Haldimand County Committee of Adjustment Consent

Meeting Date: November 15, 2021
File Number: PLB-2021-177
Property Roll Number: 2810-155-004-10720
Applicant: Robert Sutor
Agent: Larry Hanson
Property Location: Tract Jones, Part Lot 3, Registered Plan 18R3193, Part 1, Geographic Township of North Cayuga, known municipally as 2050 Haldimand Road 17.

Recommendation

That application PLB-2021-177 be deferred to allow the applicant time to amend the application.

Details of the Submission

Proposal: The applicant proposes to sever a parcel of land as a boundary adjustment. The severed lands will contain an area of approximately 0.75 hectares (1.85 acres) with a frontage approximately 30 metres (98.42 feet). The retained parcel will have an approximate area of 13.42 hectares (33.16 acres). The property is to provide additional space to improve access for the benefiting lands.

Site Features and Land Use: The subject lands are located in the geographic township of North Cayuga and front onto Haldimand Road 17. The subject lands are approximately 14.1 hectares (35 acres) in size. The application is proposing to boundary adjust approximately 0.75 hectares (1.85 acres) of land to the adjacent farm property. The subject lands currently contain a single detached dwelling and related accessory structures.

The benefitting lands are located to the east and currently contain a dwelling and related accessory structures. The benefitting lands are subject to an additional consent application (PLB-2021-178) to sever a dwelling made surplus through farm amalgamation.

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: No comments.

Haldimand County Emergency Services: No comments

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

Grand River Conservation Authority: No comments.

Hydro One: No comments.

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 PPS is intended to be read in its entirety and all relevant policies applied to each situation. All planning decisions are to be consistent with the policies of the PPS.

The subject lands are located within the prime agricultural area of the County. Section 2.3 of the PPS outlines the policies that apply to prime agricultural areas. Section 2.3.1 states that “Prime agricultural areas shall be protected for long term use for agriculture.” The subject application will result in farmland being removed from active production.

Boundary adjustments are subject to the policies under 2.3.4 of the PPS. Section 2.3.4.2 permits lot adjustments for legal or technical reasons. The PPS defines legal or technical reasons as, “severances for purposes such as easements, corrections of deeds, quit claims, and minor boundary adjustments, which do not result in the creation of a new lot.” The subject application will not result in a new lot; however, it is the opinion of Planning staff that it does not meet the intent of PPS policies.

The applicant is requesting the boundary adjustment as the existing driveway located on the benefitting lands is too narrow for modern farming equipment. In the letter of explanation submitted by the applicant as part of a complete application, it is indicated that an additional 9.1 metres (30 feet) is the minimum additional width required to remedy the concerns with the drive way. The application is seeking an adjustment to add 30 metres (98.4 feet) of frontage. The adjustment as proposed includes more land than is required to remedy the technical concerns related to the driveway.

It is the opinion of Planning staff that the subject application is not consistent with the PPS. Staff recognize that access issues exist and recommend deferral of the application to provide an opportunity for the applicant to amend the application.

A Place to Grow, 2020

A Place to Grow builds on the policies of the PPS and speaks to the long-term protection of agricultural areas and the strengthening of the agricultural system. The subject application aims to improve the access of one farm parcel for long term use, at the expense of a neighbouring parcel. Addressing the access issues is important to the long term protection of the agricultural use; however, the impact on adjacent farm parcels should be minimized.

It is the opinion of Planning staff the subject application does not conform to A Place to Grow.

Haldimand County Official Plan (OP)

The subject lands and the benefitting lands are designated 'Agriculture' in the OP. The OP permits severances for legal or technical reasons including minor boundary adjustments so long as the functionality of the farm is not impacted long term. The subject application will result in approximately 0.75 hectares (1.85 acres) of land being adjusted to the adjacent property. While this will address the current concerns regarding access, it is the opinion of Planning staff that a smaller boundary adjustment would also resolve the access issues, while having a lesser impact on the adjacent lot.

It is the opinion of Planning Staff that the subject application does not conform to the policies of the Official Plan. Staff are recommending deferral of the application to allow the applicant an opportunity to amend the application.

Haldimand County Zoning By-law HC 1-2020

The subject lands and the benefitting lands are zoned 'Agricultural (A)' zone. Both of the resulting lots will comply with the required area and frontage provisions of 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 13, 2021.

The applicant has satisfied the public consultation requirements as per the County Policy.

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. Also, a one (1) foot square, unencumbered, parcel of land dedicated to Haldimand County, which must be shown on the reference plan, is required from the abutting lands presently owned by HANSON FARMS LIMITED and further identified as Roll # 2810-155-004-10700-0000, if required.
2. That the owner's solicitor provide an undertaking to Haldimand County agreeing that if there are any changes proposed to the wording on the certificate after stamping of the certificate by the County, prior to the registration of the certificate; that the Secretary-Treasurer or designate must approve the change prior to registration of the certificate.
3. That Section 50(3) or (5) of the Planning Act shall apply to any subsequent conveyance or transaction.
4. That the severed parcels become part and parcel of the abutting lands presently owned by HANSON FARMS LIMITED and further identified as Roll # 2810-155-004-10700-0000.
5. That the solicitor acting in the transfer provide his/her undertaking in the following manner: in consideration of the Certificate by the official I undertake to ensure by a subsearch of the abstract book that at the time of the registration of the said Certificate or deed upon which it has been affixed, the name of the registered owner of the abutting lands is the same as that of the Grantee in the said deed and that the one (1) foot square parcel of land dedicated to Haldimand County is an unencumbered parcel of land. Also the solicitor will apply to consolidate the two parcels into one consolidated PIN so the two parcels can be assessed together and the consolidation information will be provided to the Secretary-Treasurer once completed.
6. Receipt of a copy of the registered reference plan of the severed parcel, with approximately 30 metres (98.42 feet) of frontage and an area of approximately 0.75 hectares (1.85 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

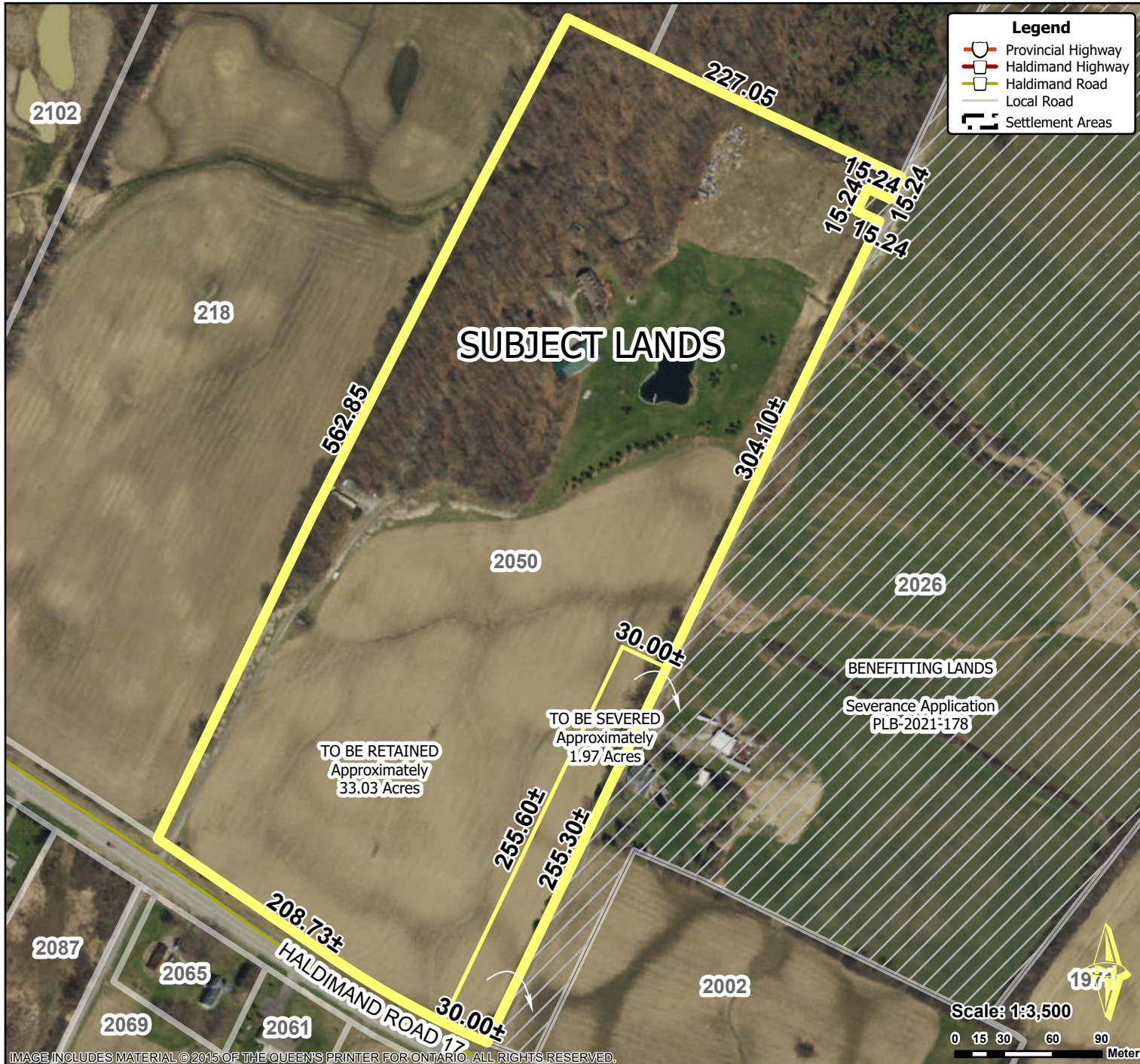
7. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before November 15, 2022, after which time this consent will lapse.

File No. PLB-2021-177

SUTOR, Robert

Assessment Roll No. 2810-155-004-10720

Location Map FILE #PLB-2021-177 APPLICANT: Sutor



Location:
250 HALDIMAND ROAD 17
GEOGRAPHIC TOWNSHIP OF
NORTH CAYUGA
WARD 2

Legal Description:
NCAY TRACT JONES PT LOT 3 RP 18R3193
PART 1

Property Assessment Number:
2810 155 004 10720 0000

Size:
35 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.

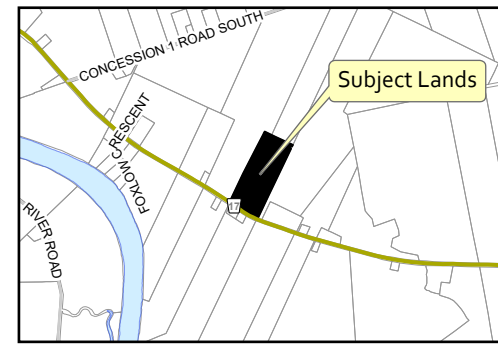
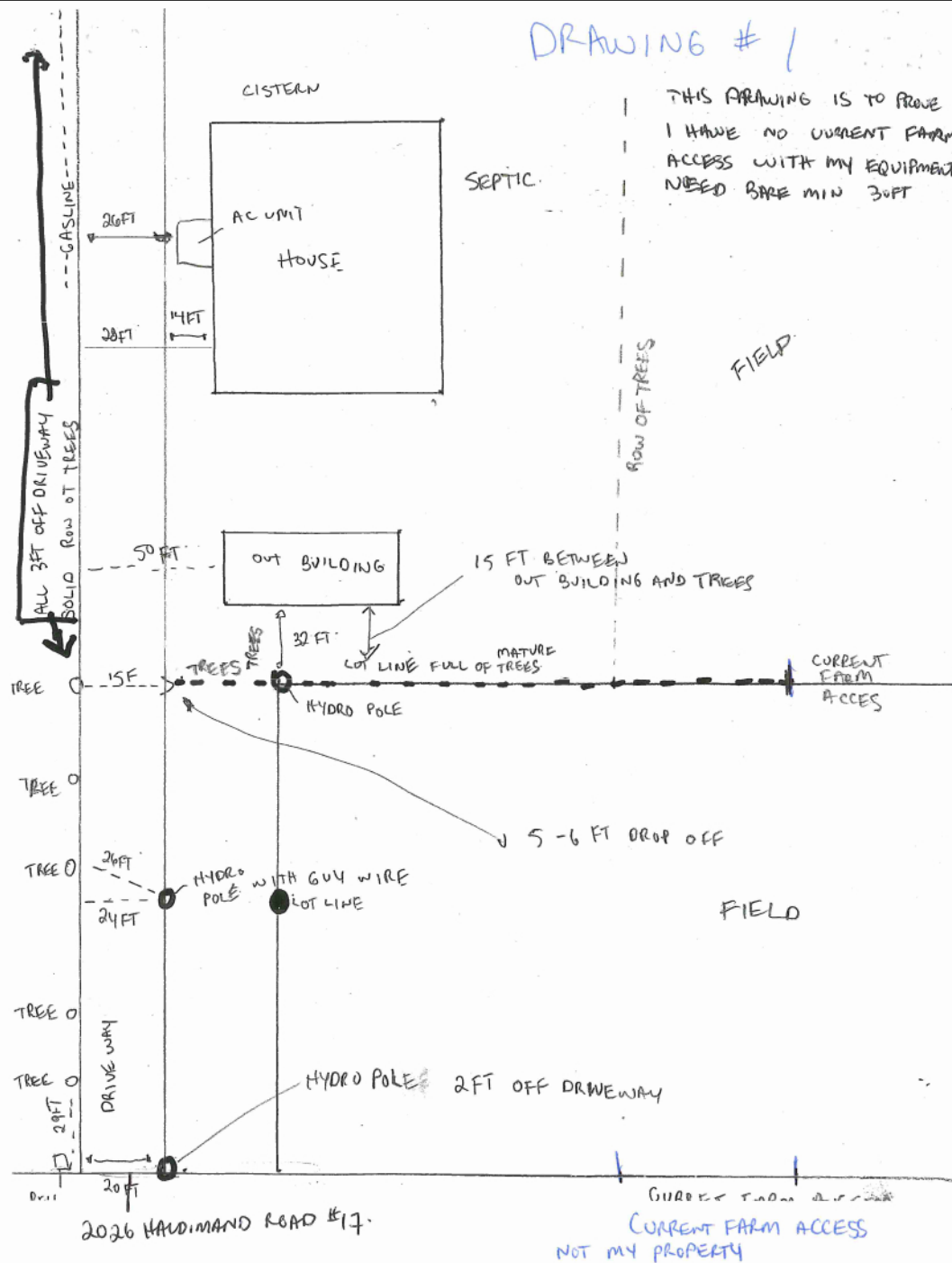


IMAGE INCLUDES MATERIAL © 2015 OF THE QUEEN'S PRINTER FOR ONTARIO. ALL RIGHTS RESERVED.

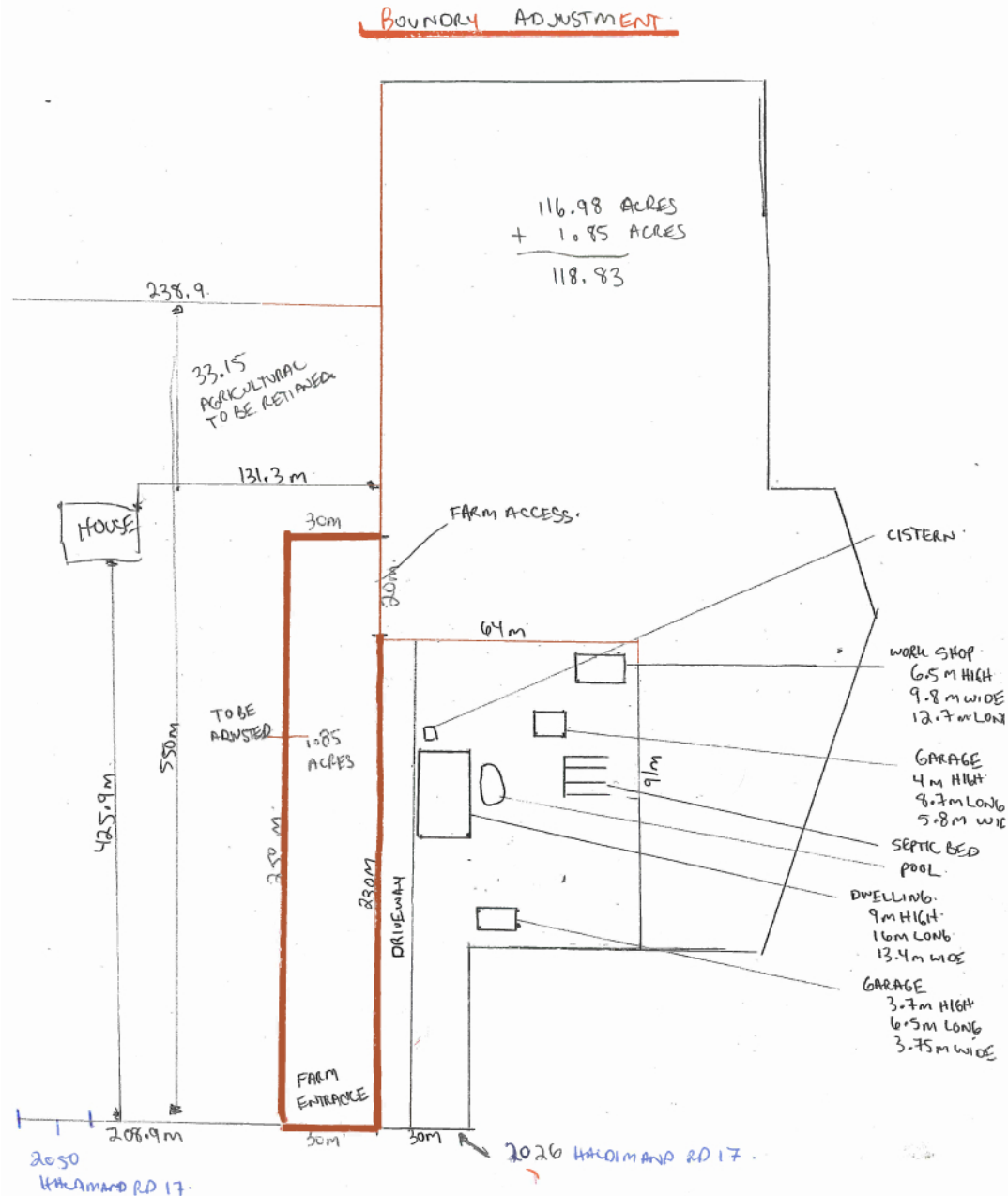
Owner's Sketch 1 of 2 FILE #PLB-2021-177 APPLICANT: Sutor



DRAWING # 1



Owner's Sketch 2 of 2 FILE #PLB-2021-177 APPLICANT: Sutor





Haldimand County Committee of Adjustment Consent

Meeting Date: November 15, 2021

File Number: PLB-2021-178

Property Roll Number: 2810-155-004-10700

Applicant: Larry Hanson

Property Location: Tract Jones East, Grand River, Part Lots 3 and 6, and Registered Plan 18R6823, Part 1, Geographic Township of North Cayuga, known municipally as 2026 Haldimand Road 17.

Recommendation

That application PLB-2021-178 be deferred, pending a decision on the related application for boundary adjustment (PLB-2021-177). The application as proposed is dependent on the approval of the related application, as submitted. The following report will evaluate the subject application as submitted, with the understanding that the lot fabric may be impacted by application PLB-2021-177, which may change the following analysis.

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 three accessory structures. The severed lands will have a frontage of approximately 30 metres (98.42 feet) and contain an area of approximately 0.99 hectare (2.46 acres). The retained parcel will contain an areas of approximately 47.34 hectares (116.98 acres).

Site Features and Land Use: The subject lands are located in the geographic township of North Cayuga, fronting onto Haldimand Road 17. The subject land contains a dwelling and related accessory structures including two garages and a workshop. The subject lands are approximately 48.5 hectares (120 acres) in size.

If approved, the severed lands will be approximately 1 hectare (2.57 acres) in size and have approximately 30.5 metres of frontage. The severed lot will contain the dwelling as well as the garages and workshop. The retained lands have a proposed area of approximately 47 hectares (116.87 acres) and a frontage of 30 metres, if the related boundary adjustment is approved.

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: Entrance permit required for retained parcel.

Haldimand County Emergency Services: No comments.

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

Civic Addressing: Applicants are encouraged to apply for a Vacant Lot/Farm 911 sign for the retained parcel. A Vacant Lot/Farm 911 sign helps Emergency Services locate your parcel in the event that Emergency Services are required. For more information, please visit <https://www.haldimandcounty.ca/the-farm-911-emily-project/>.

Grand River Conservation Authority: No comments.

Hydro One: No comments.

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 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 a new dwelling cannot be constructed.

The proposed lot is able to accommodate appropriate servicing. Should the application be approved as proposed a Zoning By-law amendment application will be required as a condition of consent.

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. A Zoning By-law amendment application will be required to limit residential development on the retained lot. 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 1 hectare (2.57 acres). The increased size is required due to the location of the dwelling relative to the road. In some cases reduced frontages can be considered to decrease the area of the lot, however the existing lot fabric would not make this feasible in this case.

- 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 Haldimand Road 17. An entrance permit will be required for the retained lands, if one has not already been obtained.

- 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.

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 and frontage provisions of the Zoning By-law. Should the application be approved as proposed, a Zoning By-law amendment application will be required to remove a dwelling as a permitted use on the retained lands.

It is the opinion of Planning Staff that the subject application complies with the Zoning By-law. As previously noted, the proposed lot fabric is dependent on the approval of a related boundary adjustment. The results of that application may impact the frontage and area of the proposed severed and retained lots.

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 13, 2021.

The applicant has satisfied the public consultation requirements as per the County Policy.

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 concurrent application (PLB-2021-177) be completed (certificate signed and transfer registered) prior to the completion of this application.
3. 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.
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. 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, with a frontage of approximately 30 metres (98.42 feet) and contain an area of approximately 0.99 hectare (2.46 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 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

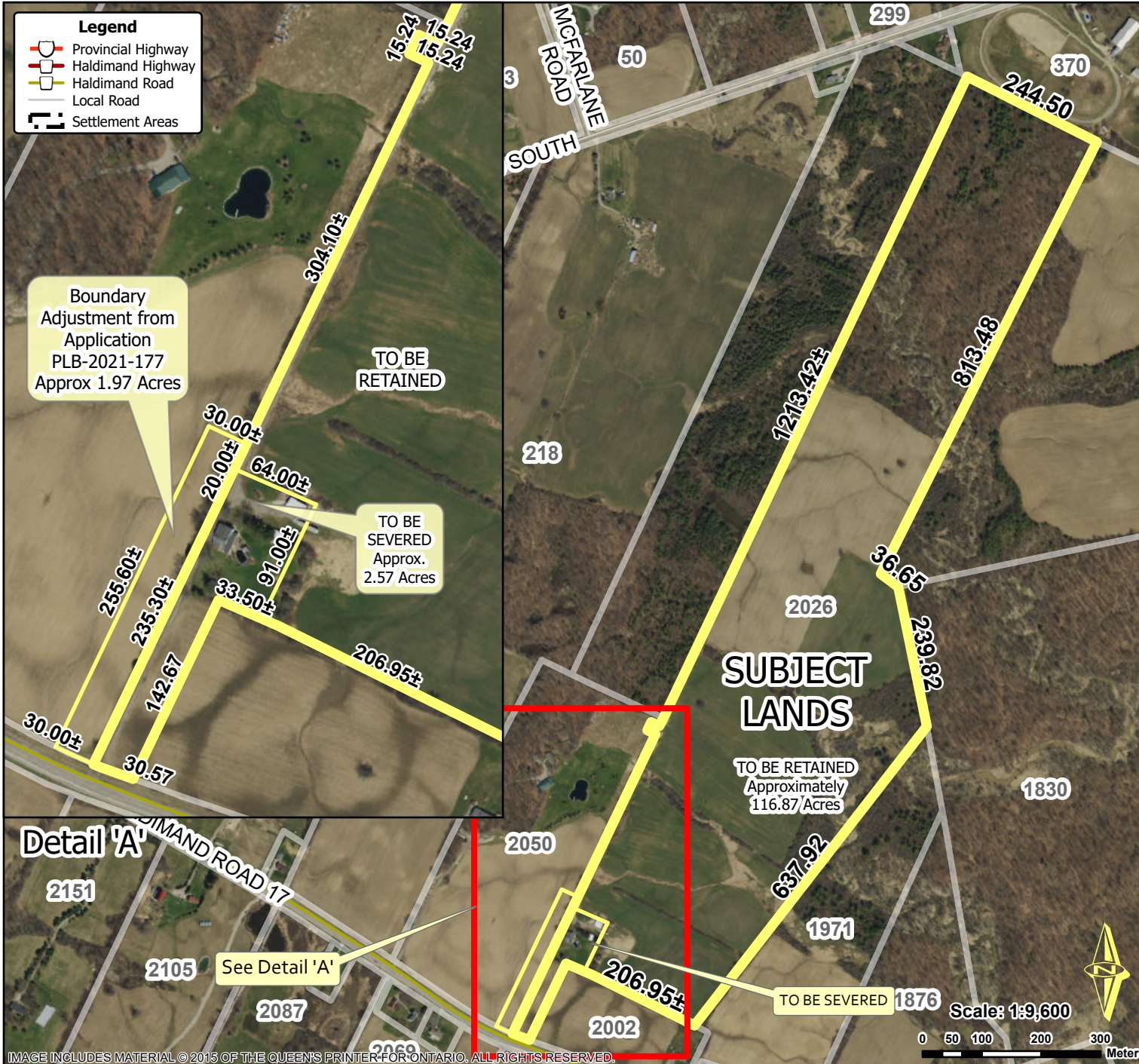
7. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before November 15, 2022, after which time this consent will lapse.

File No. PLB-2021-178

HANSON, Larry

Assessment Roll No. 2810-155-004-10700

Location Map FILE #PLB-2021-178 APPLICANT: Hanson



Location:
2026 HALDIMAND ROAD 17
GEOGRAPHIC TOWNSHIP OF
NORTH CAYUGA
WARD 2

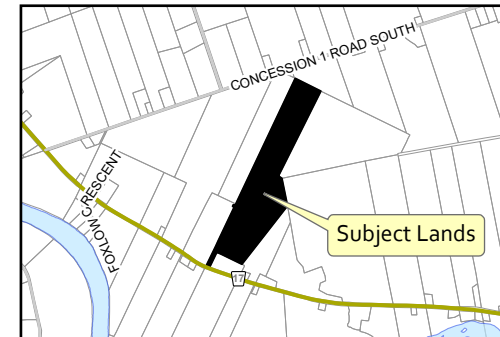
Legal Description:
NORTH CAYUGA TRACT JONES E GRAND
RIVER PT LOTS 3 AND 6 AND RP 18R6823
PART 1

Property Assessment Number:
2810 155 004 10700 0000

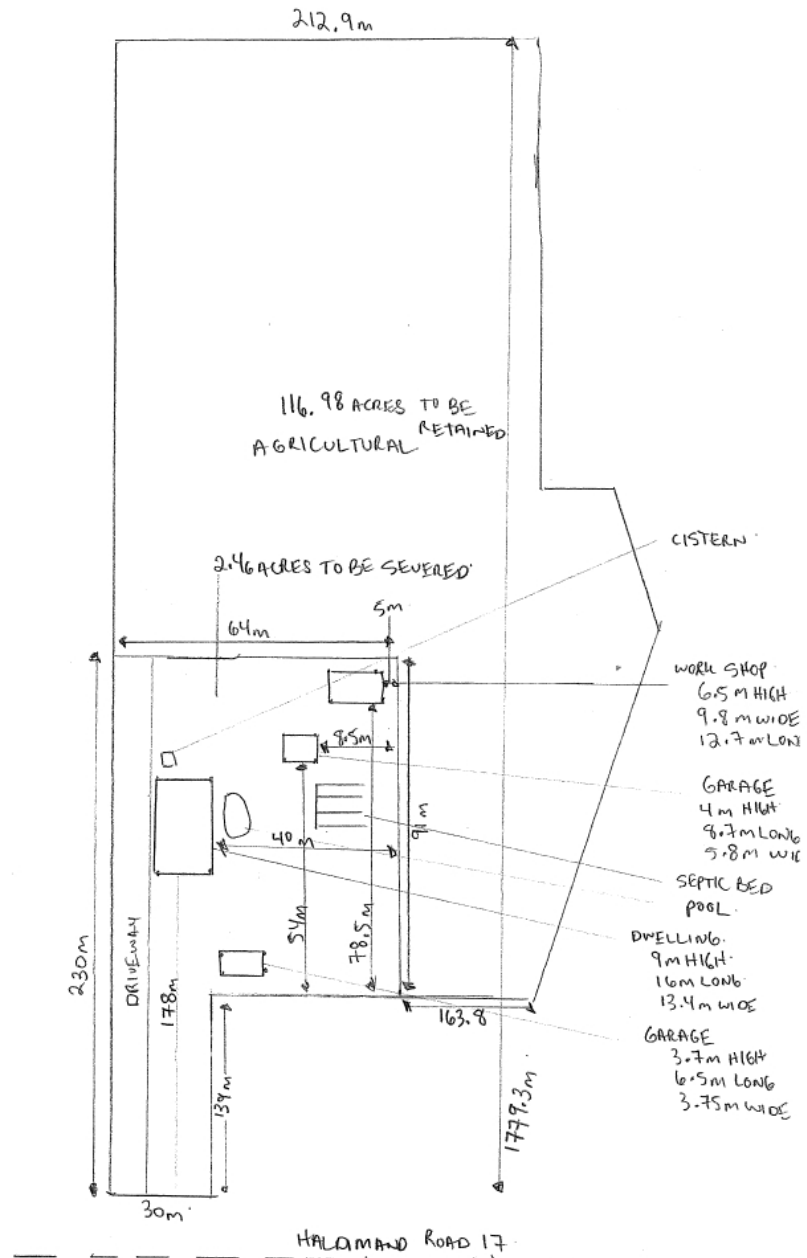
Size:
119.44 Acres

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.



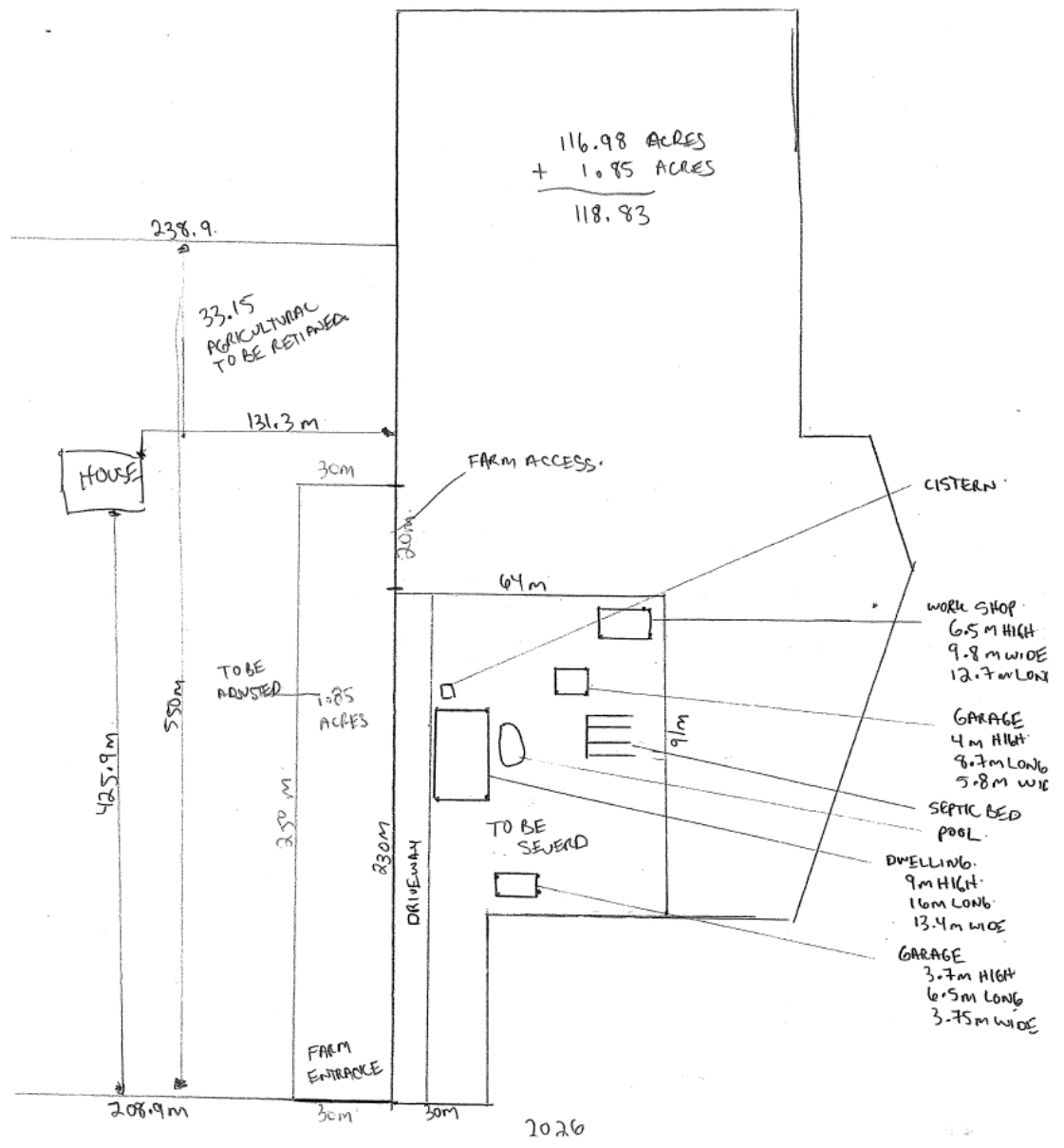
Owner's Sketch 1 of 3 FILE #PLB-2021-178 APPLICANT: Hanson



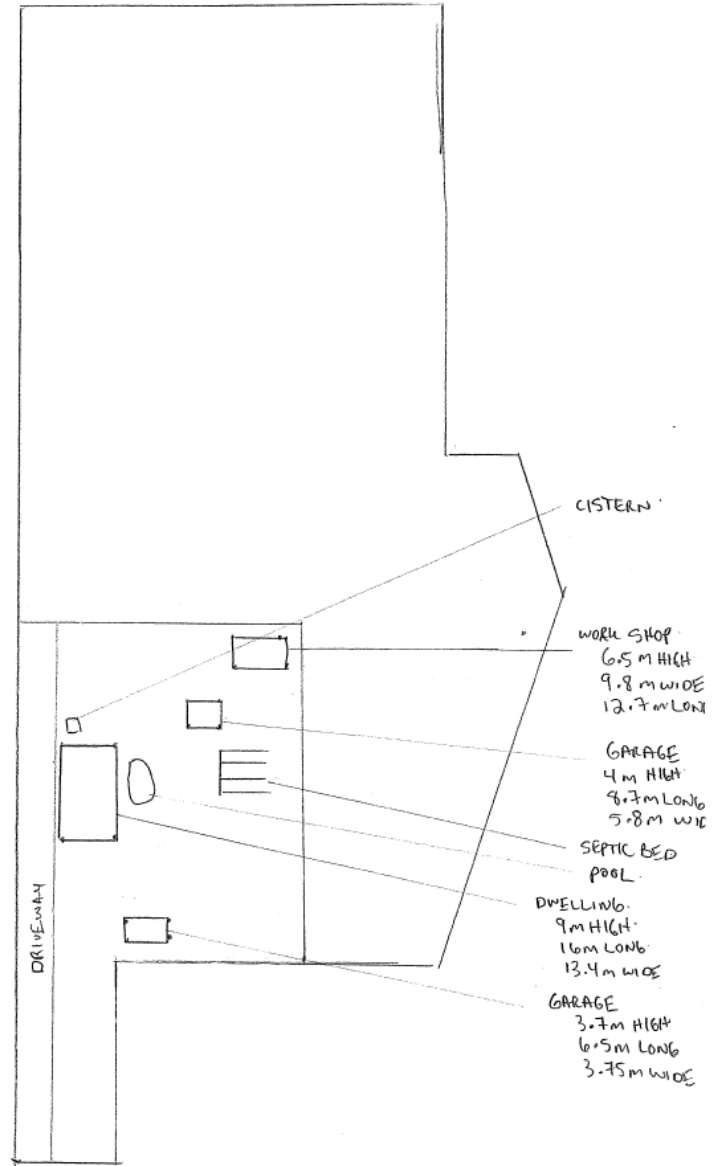
Owner's Sketch 2 of 3 FILE #PLB-2021-178 APPLICANT: Hanson



BOUNDARY ADJUSTMENT



Owner's Sketch 3 of 3 FILE #PLB-2021-178 APPLICANT: Hanson





Haldimand County Committee of Adjustment Consent

Meeting Date: November 15, 2021
File Number: PLB-2021-179
Property Roll Number: 2810-158-002-02600
Applicant: Marlyne Joan Cronk
Agent: C. Edward McCarthy
Property Location: Concession 1, Part Lot 2, Geographic Township of Rainham, known municipally as 99 Lakeshore Road.

Recommendation

That application PLB-2021-179 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 parcel of land for future residential development. The severed lands will have a frontage of approximately 33 metres (108.2 feet) and contain an area of 0.13 hectares (0.33 acres). The retained parcel will contain an area of approximately 25.5 hectares (63 acres).

Site Features and Land Use: The subject lands are part of a 25.63 hectare (63.33 acre) farm parcel containing a dwelling and related farm structures, partially located in the Resort Residential Node of Hemlock Creek. The frontage of the subject lands along Lakeshore Road is located within the Hemlock Creek node. The surrounding land uses are primarily resort residential in nature, with agricultural uses to the north.

Should the application be approved a 0.13 hectare (0.33 acre) vacant lot will be created with frontage on Lakeshore Road, primarily located within the node boundary. The retained lot will be approximately 25.5 hectares (63 acres) in size and will continue under active agricultural production.

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: Entrance permit required for the severed parcel.

Haldimand County Emergency Services: No comments.

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

Long Point Region Conservation Authority: The proposed severed lot is partially located within the erosion hazard allowance. There is a building envelope outside of any hazards. The southern portion of the proposed severed lot is within the Regulation Limit. A permit is required prior to development within the Regulation Limit.

Hydro One: No comments.

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 PPS states that settlement areas, such as Resort Residential Nodes, 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 areas should give consideration to the rural character, scale of development and service levels. The proposed lot is located predominantly inside the boundary of Hemlock Creek. A portion to the rear is located outside of the node to align with the existing hydro lines. By aligning with the hydro lines the lot can be serviced appropriately without the need to create easements. Further, the area of land outside of the node would be too narrow to accommodate modern farming equipment due to the location of the power lines.

The proposed lot creation is complimentary to the existing development within Hemlock Creek and represents infill development within the existing settlement boundary. The subject lot 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 the rural area with a defined boundary such as Hemlock Creek. The subject application is proposing the creation of a new lot in Hemlock Creek. The resulting lot will be of sufficient size to accommodate on-site 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 predominantly designated Resort Residential Node in the OP. A narrow portion to the rear is designated Agricultural. The OP supports limited development and infilling within existing Resort Residential Nodes, such as Hemlock Creek. The subject application is proposing the creation of a new infill residential lot in Hemlock Creek. The proposed lot will have frontage on a public road and sufficient area to accommodate servicing. The proposed lot has been extended outside of the node boundary to accommodate electrical servicing using the existing infrastructure. Further, the limited amount of Agricultural designation included in the lot would be unpractical for agriculture due to the location of the powerlines.

It is Planning staff's opinion the subject application conforms to the lot creation policies of the OP.

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 (0.45 acres) and frontage of 30 metres. The proposed retained lot will comply with the minimum lot requirements of the Zoning By-law. The proposed severed lot has an area of approximately 1 335 square metres (0.33 acres) and a frontage of 33 metres. As a condition of consent the severed lot will be required to re-zoned to 'Lakeshore Residential (RL)'. The severed lot will comply with the minimum required lot provisions of the RL zone.

Planning staff are satisfied the subject application complies 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 15, 2021.

The applicant has satisfied the public consultation requirements as per the County Policy.

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. 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.
3. Receipt of a letter from the Roads Operations Division indicating that they have no objections to the future issuance of an entrance permit. In lieu of a letter, a copy of permit(s) may be provided to the Secretary-Treasurer. Entrance permits may be required for existing, severed, and / or retained parcels. Permits may be obtained from the County’s Roads Operations Division Support staff at 905-318-5932, Ext. 8601 for details.
4. That an application for a new civic address be submitted for the severed parcel. Contact the Planning & Development Division at 905-318-5932, ext. 6212 for details.
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, with a frontage of approximately 33 metres (108.2 feet) and contain an area of 0.13 hectares (0.33 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:

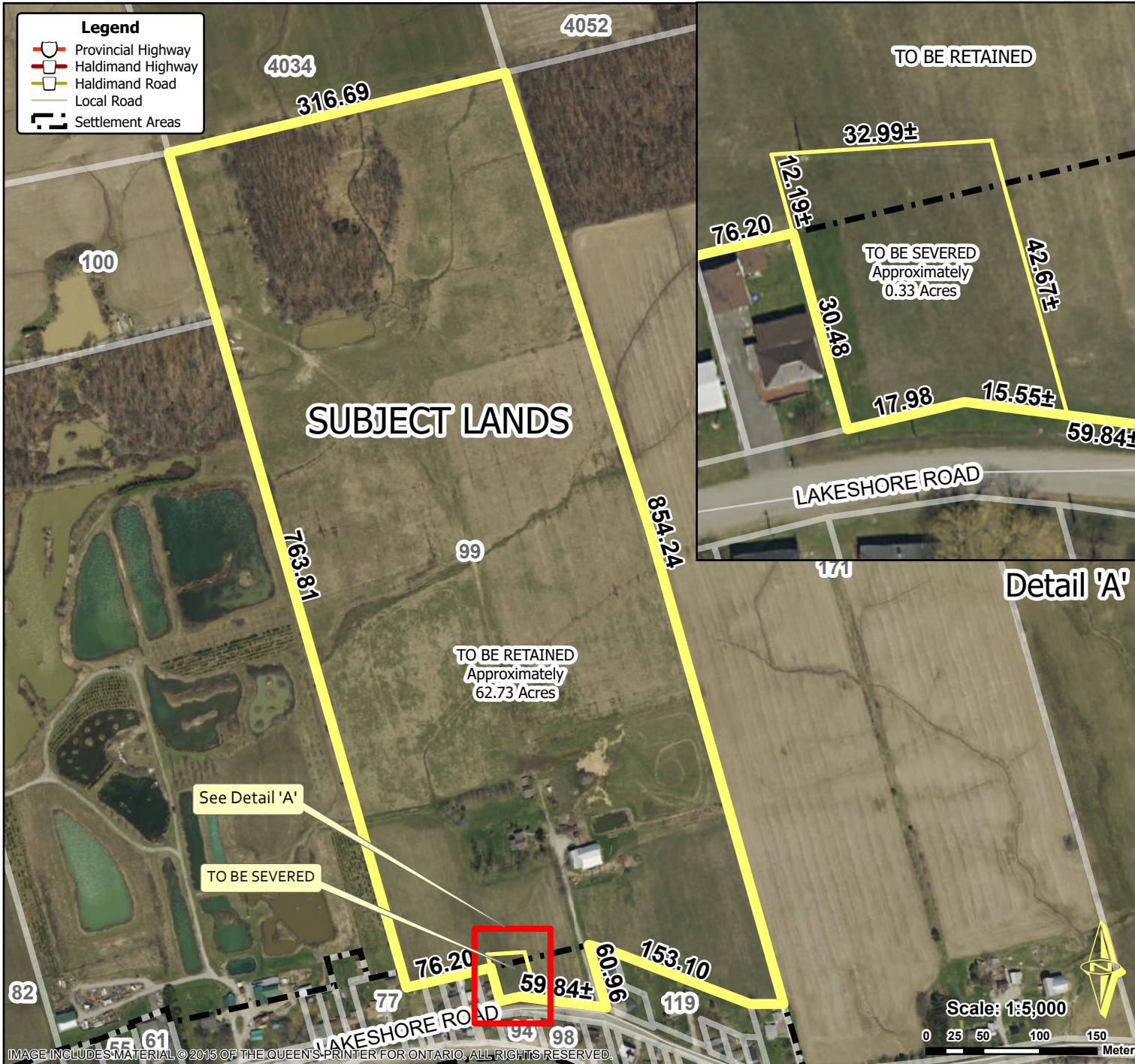
Projected Coordinate System:	NAD_1983_UTM_Zone_17N
Projection:	Transverse_Mercator
False_Easting:	500000.00000000
False_Northing:	0.00000000
Central_Meridian:	-81.00000000
Scale_Factor:	0.99960000
Latitude_Of_Origin:	0.00000000
Linear Unit:	Meter
Geographic Coordinate System:	GCS_North_American_1983
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 November 15, 2022, after which time this consent will lapse.

***File No. PLB-2021-179
CRONK, Marlyne Joan
Assessment Roll No. 2810-158-002-02600***

Location Map FILE #PLB-2021-179 APPLICANT: Cronk



Location:
99 LAKESHORE ROAD
GEOGRAPHIC TOWNSHIP OF RAINHAM
WARD 2

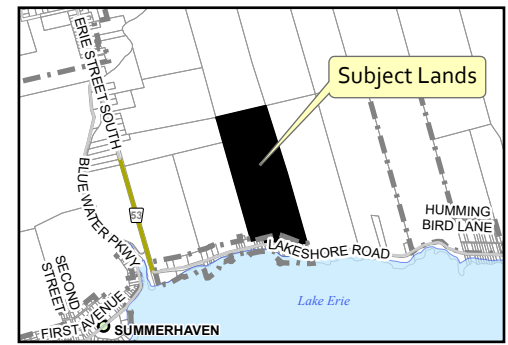
Legal Description:
RNH CON 1 PT LOT 2

Property Assessment Number:
2810 158 002 02600 0000

Size:
63.06 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.

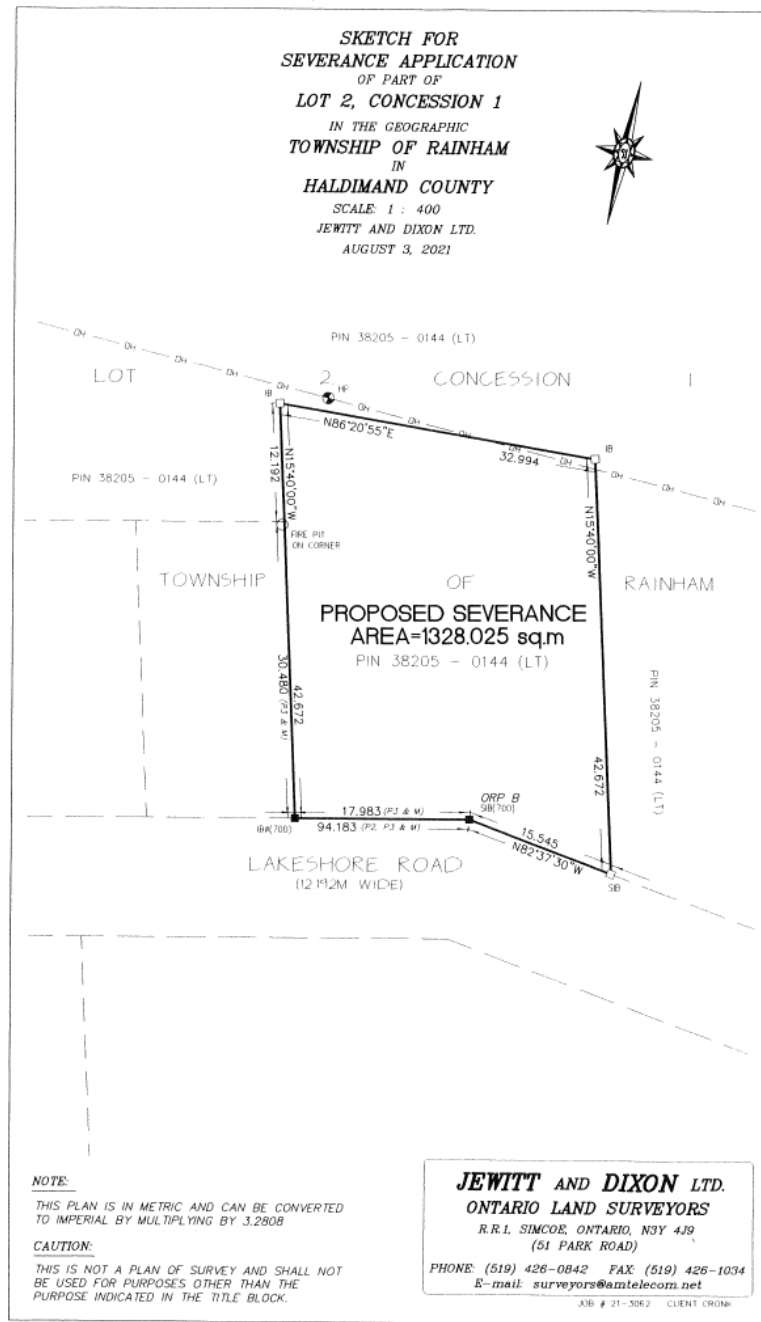


Owner's Sketch 1 of 2 FILE #PLB-2021-179 APPLICANT: Cronk



Sketch #1

SKETCH FOR
SEVERANCE APPLICATION
OF PART OF
LOT 2, CONCESSION 1
IN THE GEOGRAPHIC
TOWNSHIP OF RAINHAM
IN
HALDIMAND COUNTY
SCALE: 1 : 400
JEWITT AND DIXON LTD.
AUGUST 3, 2021

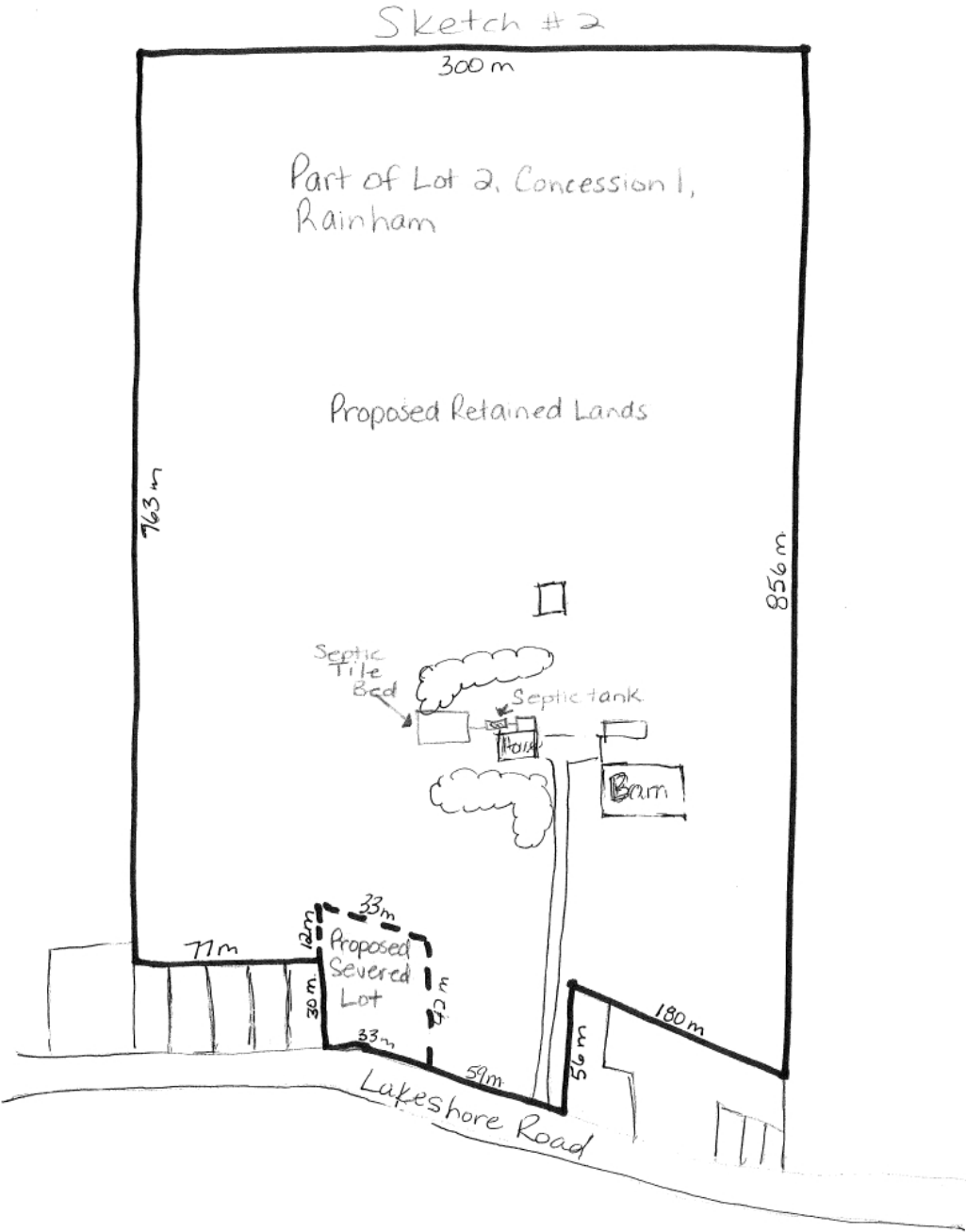


NOTE:
THIS PLAN IS IN METRIC AND CAN BE CONVERTED TO IMPERIAL BY MULTIPLYING BY 3.2808

CAUTION:
THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED FOR PURPOSES OTHER THAN THE PURPOSE INDICATED IN THE TITLE BLOCK.

JEWITT AND DIXON LTD.
ONTARIO LAND SURVEYORS
R.R.1, SIMCOE, ONTARIO, N3Y 4J9
(51 PARK ROAD)
PHONE: (519) 426-0842 FAX: (519) 426-1034
E-mail: surveyors@amtelecom.net
JOB # 21-5062 CLIENT CRONK

Owner's Sketch 2 of 2 FILE #PLB-2021-179 APPLICANT: Cronk





Haldimand County Committee of Adjustment Consent

Meeting Date: November 15, 2021

File Number: PLB-2021-180

Property Roll Number: 2810-154-001-00300

Applicant: Daniel and Emily Dawdy

Agent: Don Medeiros

Property Location: Plan 905, Block 2, Lot 16, Urban Area of Hagersville, known municipally as 139 King Street West.

Recommendation

That application PLB-2021-180 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: Applicant proposes to sever a lot for future residential development of townhouses. The severed lands would have a frontage of approximately 15.09 metres (49.5 feet) and contain an area of approximately 0.65 hectares (1.6 acres).

Site Features and Land Use: The subject lands are located in Hagersville and currently contain a dwelling on private services and related accessory structures. The property currently fronts onto King Street West, near the Hagersville urban boundary. The proposed severed lot would have frontage on Jane Street and is currently vacant. The surrounding land uses are residential in nature, with vacant lands for future residential development within the Hagersville urban boundary.

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: No comments.

Haldimand County Emergency Services: No comments.

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

Haldimand County Forestry: The treed area across 139 King Street West and 143 King Street West may be Woodlands regulated by the County's Forest Conservation By-law. Any future development of the proposed severance will require further evaluation to determine the extent of any Woodlands and the likely impacts of any proposed development.

Hydro One: No comments.

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, such as Hagersville, shall be the focus of growth and development and their vitality and regeneration shall be promoted. The proposed lot creation is to facilitate future residential development in the settlement area. The development is complimentary to the character of the area.

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

A Place to Grow, 2020

A Place to Grow to grow echoes the policies of the PP. As such, it is Planning staff's opinion that the application is consistent with A Place to Grow.

Haldimand County Official Plan (OP)

The subject lands are designated Residential in the Haldimand County Official Plan and are within the built boundary of Hagersville. The subject application is seeking to sever the existing dwelling from the vacant portion of the lot in order to facilitate future residential development. The proposed severed and retained lots have frontage on a public road. Appropriate servicing for the proposed development will be established and considered as part of future planning applications.

It is Planning staff's opinion the subject application conforms to the Official Plan.

Haldimand County Zoning By-law HC 1-2020

The subject lands are zoned 'Urban Residential Type 1-A (R1-A)'. The R1-A zone requires a minimum lot area of 450 square metres and a frontage of 15 metres. The retained lot is proposed to have approximately 3399 square metres (0.84 acres) of area and 72 metres (236.2 feet) of frontage. The proposed severed lot will have 6717 square metres (1.66 acres) of area and 15 metres (49.2 feet) of frontage on the end of Jane Street.

Future planning applications are anticipated on the subject lands to facilitate further residential development.

It is Planning staff's opinion the subject application complies with the Haldimand County 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 27, 2021.

The applicant has satisfied the public consultation requirements as per the County requirements.

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 the owner’s solicitor provide an undertaking to Haldimand County agreeing that if there are any changes proposed to the wording on the certificate after stamping of the certificate by the County, prior to the registration of the certificate; that the Secretary-Treasurer or designate must approve the change prior to registration of the certificate.
3. Receipt of a copy of the registered reference plan of the severed parcel, with a frontage of approximately 15.09 metres (49.5 feet) and contain an area of approximately 0.65 hectares (1.6 acres). Also, **prior to the signing of the certificate**, an electronic version of the reference plan in AutoCAD.dwg in format shown below, indicating the consent file number and name of the applicant, must be emailed to dscott@haldimandcounty.on.ca and astewart@haldimandcounty.on.ca. The AutoCad drawings need to be georeferenced for the following Coordinate System:

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

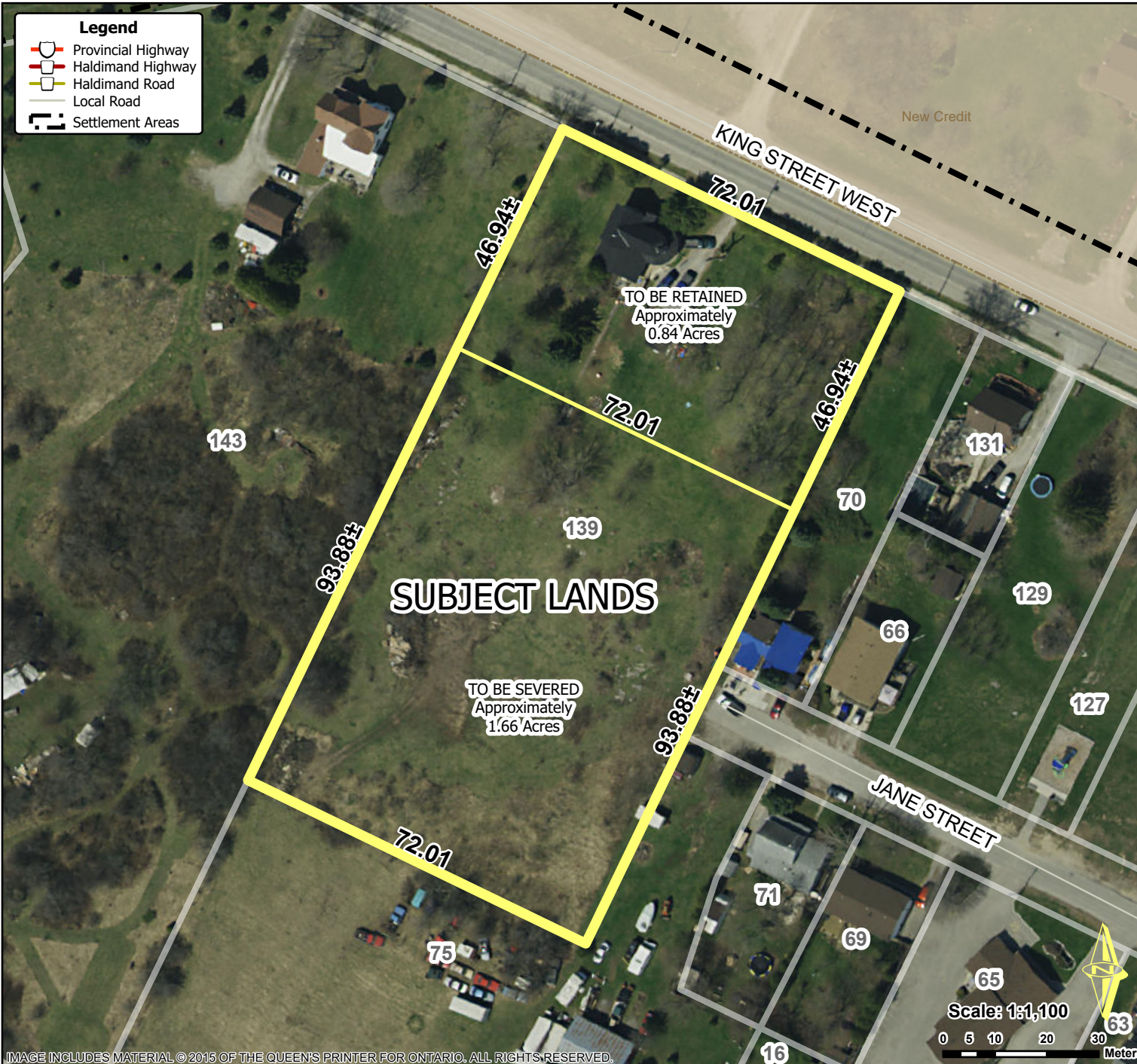
4. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before November 15, 2022, after which time this consent will lapse.

***File No. PLB-2021-180
DAWDY, Daniel and Emily
Assessment Roll No. 2810-154-001-00300***

Location Map FILE #PLB-2021-180 APPLICANT: Dawdy



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



Location:
**139 KING STREET WEST
 URBAN AREA OF HAGERSVILLE
 WARD 4**

Legal Description:
HAG PLAN 905 BLK 2 LOT 16

Property Assessment Number:
2810 154 001 00300 0000

Size:
2.51 Acres

Zoning:
R1-A (Urban Residential Type 1-A)

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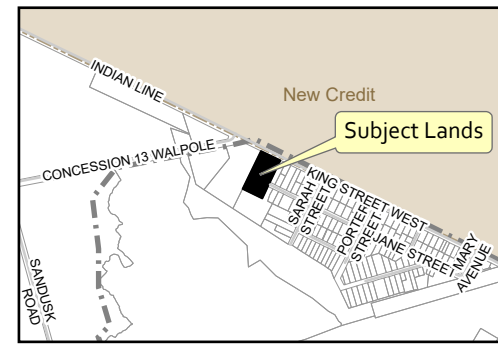
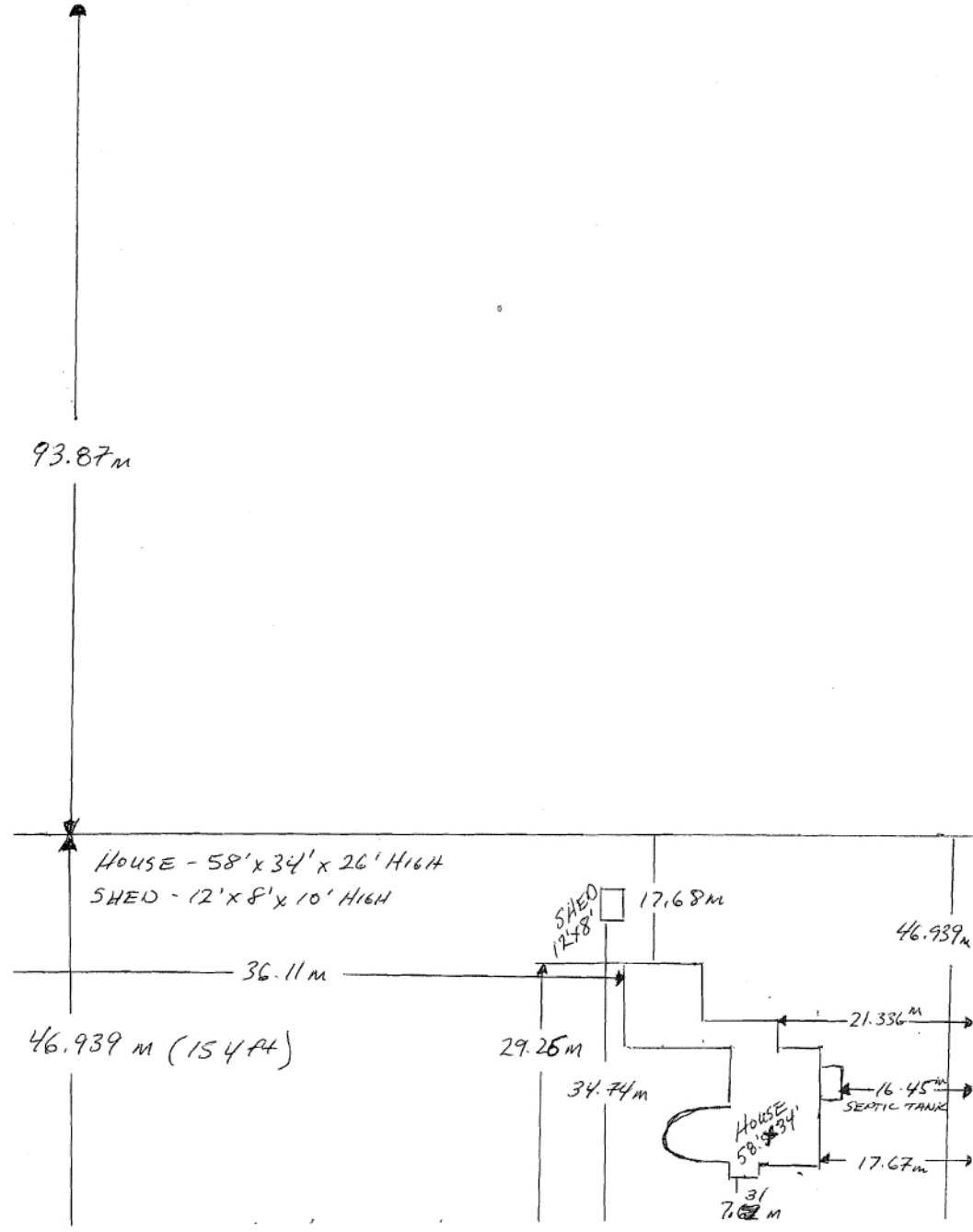


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Owner's Sketch FILE #PLB-2021-180 APPLICANT: Dawdy





Haldimand County Committee of Adjustment Consent

Meeting Date: November 15, 2021
File Number: PLB-2021-148
Property Roll Number: 2810-332-002-71700
Applicant: William Jacob Cronk
Agent: Michael Sullivan (LandPro Planning Solutions)
Property Location: Concession 1, Part Lot 16, Geographic Township of Walpole, known municipally as 333 Brooklin Road

Recommendation

That application PLB-2021-148 be refused. The application is not consistent with the Provincial Policy Statement, 2020 and A Place to Grow, 2020, and does not conform to the intent of the Haldimand County Official Plan.

Details of the Submission

Proposal: The applicant proposes to sever a parcel of land as a boundary adjustment. The severed lands will contain an area of approximately 2.79 hectares (6.89 acres). The property is to provide additional space and to provide access for the benefitting lands.

Site Features and Land Use: The subject lands are located in the geographic township of Walpole within the prime agricultural area of the County. The subject lands are approximately 46.25 acres in size fronting onto to Brooklin Road. The subject lands contain a dwelling and related accessory structures. The Sandusk Creek and related hazard lands are also located on the property.

The benefitting lands in the subject application are approximately 0.77 hectares (1.9 acres) in size with frontage on Brooklin Road. The benefitting lands are currently vacant with the driveway for the adjacent farm land on the property. The property is also impacted by the hazard lands associated with Sandusk Creek.

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: Entrance permit required for the severed parcel, if one has not yet been issued.

Haldimand County Emergency Services: No issues.

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

Long Point Region Conservation Authority: A permit must be obtained prior to any development within the Regulation Limit.

Hydro One: No concerns.

Municipal Property Assessment Corporation: No comments received.

Mississaugas of the Credit: No comments received.

Six Nations: No comments received.

Public: A letter was received (prior to the first submission) from Brian and Rebecca VanBenthem expressing concern or access and traffic, should the consent be granted.

Planning Analysis

Provincial Policy Statement, 2020 (PPS)

The PPS is intended to be read in its entirety and all relevant policies applied to each situation. All planning decisions are to be consistent with the policies of the PPS.

The subject lands are located within a prime agricultural area of the County. Section 2.3 of the PPS outlines the policies that apply to prime agricultural area. Section 2.3.1 states that “Prime agricultural areas shall be protected for long term use for agriculture.” The subject application will result in farmland being removed from active production.

Boundary adjustments are subject to the policies under 2.3.4 of the PPS. Section 2.3.4.2 permits lot adjustments for legal or technical reasons. The PPS defines legal or technical reasons as, “severances for purposes such as easements, corrections of deeds, quit claims, and minor boundary adjustments, which do not result in the creation of a new lot.” The subject application will not result in a new lot being created, however,

it does not represent a minor application, or an easement, correction of deed or quit claim.

It is the opinion of Planning staff that the subject application is not consistent with the PPS.

A Place to Grow, 2020

A Place to Grow builds on the policies of the PPS and speaks to the long-term protection of agricultural areas and the strengthening of the agricultural system. The subject application does not strengthen the agricultural system or serve for long term protection of agriculture.

It is Planning staff's opinion the subject application does not conform to a place to grow.

Haldimand County Official Plan (OP)

The subject lands and the benefitting lands are designated 'Agriculture' in the Haldimand County Official Plan. The OP permits severances for legal or technical reasons, including minor boundary adjustments so long as the viability and functionality of the farm is not impacted long term. The subject application will result in approximately 2.79 hectares (6.89 acres) of land that is currently part of a farm being boundary adjusted to a small vacant property for rural residential use. The lands to be adjusted are made up of a creek and related hazard lands as well as lands in active agricultural production.

It is the opinion of Planning staff that the subject application does not conform to the Official Plan.

Haldimand County Zoning By-law HC 1-2020

The subject lands and the benefitting lands are zoned 'Agriculture (A)' zone. Both of the resulting lots will comply with the required frontage and area provisions of the Zoning By-law.

Notice Sign, Public Consultation, and Applicant Discussion

A new public notice sign not was posted in accordance with the *Planning Act, R.S.O. 1990, c. P. 13*.

The applicant has satisfied the public consultation requirements as per the County Policy.

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, and a fee of \$308.00 for deed stamping. Also, a one (1) foot square, unencumbered, parcel of land dedicated to Haldimand County, which must be shown on the reference plan, is required from the abutting lands presently owned by William Jacob Cronk. and further identified as Roll # 2810-332-002-71850, if required.
2. That Section 50(3) or (5) of the Planning Act shall apply to any subsequent conveyance or transaction.
3. That the severed parcels become part and parcel of the abutting lands presently owned by William Jacob Cronk and further identified as Roll # 2810-332-002-71850.
4. 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. 6413, if further clarification required. Please allow approximately six (6) to eight (8) weeks for completion of this process.
5. That an application for a new civic address be submitted for the benefiting lands. Contact the Planning & Development Division at 905-318-5932, ext. 6212 for details.
6. 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.
7. That the solicitor acting in the transfer provide his/her undertaking in the following manner: in consideration of the Certificate by the official I undertake to ensure by a subsearch of the abstract book that at the time of the registration of the said Certificate or deed upon which it has been affixed, the name of the registered owner of the abutting lands is the same as that of the Grantee in the said deed and that the one (1) foot square parcel of land dedicated to Haldimand County is an unencumbered parcel of land. Also the solicitor will apply to consolidate the two parcels into one consolidated PIN so the two parcels can be assessed together and the consolidation information will be provided to the Secretary-Treasurer once completed.
8. That the owner's solicitor provide an undertaking to Haldimand County agreeing that if there are any changes proposed to the wording on the certificate after stamping of the certificate by the

County, prior to the registration of the certificate; that the Secretary-Treasurer or designate must approve the change prior to registration of the certificate.

9. Receipt of a copy of the registered reference plan of the severed parcel, approximately 2.79 hectares (6.89 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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Central_Meridian:	-81.00000000
Scale_Factor:	0.99960000
Latitude_Of_Origin:	0.00000000
Linear Unit:	Meter
Geographic Coordinate System:	GCS_North_American_1983
Datum:	D_North_American_1983
Prime Meridian:	Greenwich
Angular Unit:	Degree

10. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before November 15, 2022, after which time this consent will lapse.

File No. PLB-2021-148
CRONK, William Jacob
Assessment Roll No. 2810-332-002-71700

Location Map FILE #PLB-2021-148 APPLICANT: Cronk



Location:
333 BROOKLIN ROAD
GEOGRAPHIC TOWNSHIP OF WALPOLE
WARD 1

Legal Description:
WAL CON 1 PT LOT 16

Property Assessment Number:
2810 332 002 71700 0000

Size:
46.25 Acres

Zoning:
A (Agriculture), LPRCA Regulated Lands,
HCOP Riverine Hazard Lands, MNR
Unevaluated Wetland

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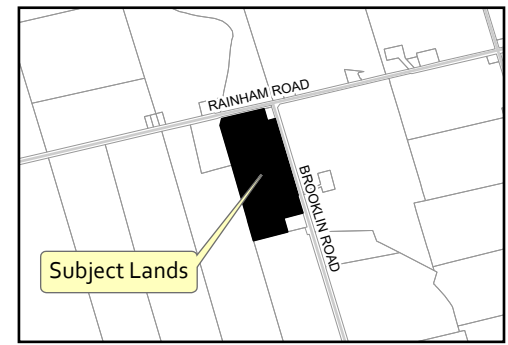
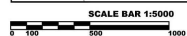
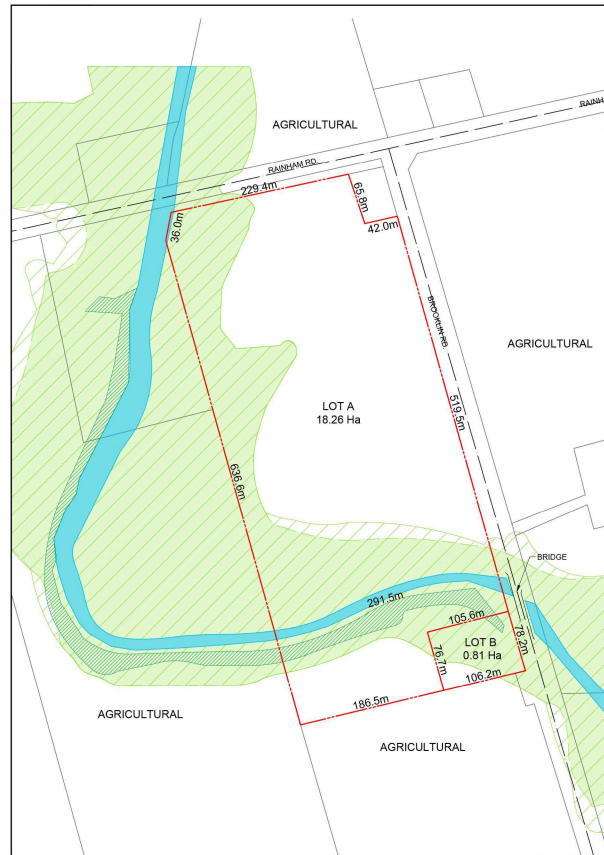


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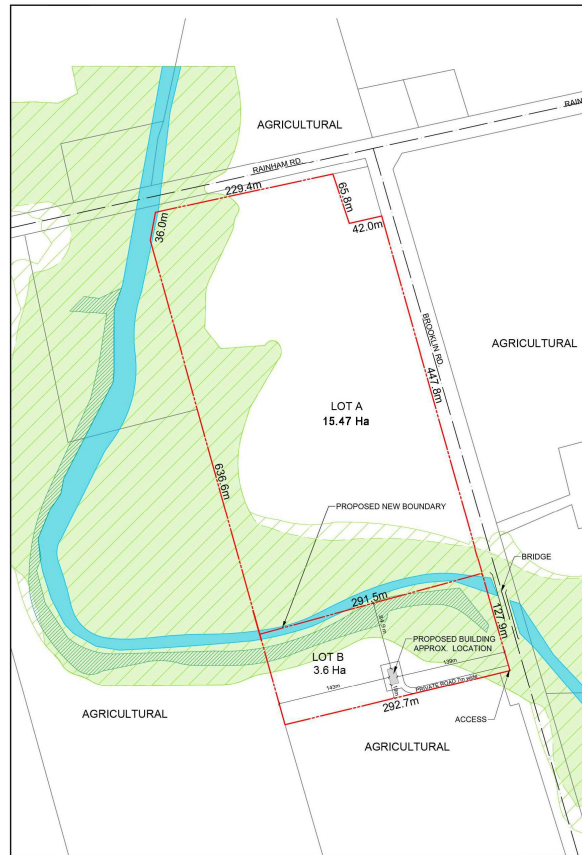
Owner's Sketch FILE #PLB-2021-148 APPLICANT: Cronk



ACTUAL SITUATION



PROPOSED BOUNDARY ADJUSTMENT



KEY MAP N.T.S.

LEGEND:

- PROPERTY LINE
- Long Point Region Conservation Authority - Ontario Regulation 178/6
- Riverine Hazard Lands - Haldimand County OP
- Unevaluated Wetland
- Watercourse

PROPOSED SEVERANCE

ACTUAL SITUATION

TOTAL AREA	18.26 Ha / 45.12 Acres
LOT B	0.81 Ha / 2.00 Acres

PROPOSED SEVERANCE

LOT A	15.47 Ha / 38.28 Acres
LOT B	3.6 Ha / 8.85 Acres

TOTAL AREA	19.07 Ha / 47.12 Acres
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CONCEPTUAL PLAN BOUNDARIES ADJUSTMENT 333 BROOKLIN RD., HALDIMAND COUNTY

PART LOT 16, CONCESSION 1, HALDIMAND COUNTY

DATE: SEPT. 27, 2021

SCALE: 1 / 5000

