



**HALDIMAND COUNTY  
COMMITTEE OF ADJUSTMENT  
MINUTES  
MONDAY, JANUARY 17, 2022**

A meeting of the Committee of Adjustment was held virtually on Monday, January 17, 2022 at 9:00 a.m. via ZOOM.

**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-2021-134	Chelsea and Rebecca Nieuwold	APPROVED as amended
PLB-2021-135	Chelsea and Rebecca Nieuwold	APPROVED as amended
PLB-2021-205	Stelco Inc.	APPROVED

**MINOR VARIANCES:**

PLA-2021-119	Mike Lovegrove	APPROVED
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**DECLARATIONS OF PECUINARY INTEREST: None**

**CONSENTS:**

**A) PLB-2021-134 and PLB-2021-135 Chelsea and Rebecca Nieuwold**

Present: Kim Barless, agent

The applicant proposes to sever two lots for future residential development. The severed lands in application **PLB-2021-134** will have a frontage of approximately 30 metres (98.4 feet) and will contain an area of approximately 0.40 hectares (0.98 acres). The severed lands in application **PLB-2021-135** will have a frontage of approximately 30 metres (98.4 feet) and will contain an area of approximately 0.36 hectares (0.88 acres). The retained parcel will contain an area of approximately 1.04 hectares (2.57 acres).

No comments from the agent. Member Bowman suggested that the lots are undersized, and that there appeared to be an out building on the proposed property line. The agent confirmed that the building is to be moved. The planner said that the moving of the building can be made a condition. The planner said that the lot size is within the allowable minimum standard for hamlet area. Member Ricker said that the application is a good fit for the community.

The Committee made the following decision:

**PLB-2021-134**

**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 **Chelsea and Rebecca Nieuwold**, to sever a lot for future residential development. The severed lands will have a frontage of approximately 30 metres (98.4 feet) and will contain an area of approximately 0.40 hectares (0.98 acres). **Concession 3, Part of the Bushby Lot, Registered Plan 18R4091 Part 3, Geographic Township of Sherbrook, known municipally as 1569 North Shore Drive**

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

- CONDITIONS:**
1. That the Haldimand County requirements, financial or otherwise, be satisfied. This will include taxes paid up to date, a parkland dedication fee of \$350.00 and a fee of \$308.00 for deed stamping.
  2. Receipt of 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, 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. That all buildings located on the proposed lot lines be moved 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 moved, for an inspection of the property.
6. Subject to the approval from the Grand River Conservation Authority.
7. Receipt of confirmation that an easement or the relocation of existing hydro lines, at the applicant's expense, has been completed. Contact Hydro One at 519-426-4446 Ext 2259 or 1-866-557-9551, for further information.
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, with a frontage of approximately 30 metres (98.4 feet) and will contain

an area of approximately 0.40 hectares (0.98 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

10. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before January 17, 2024, after which time this consent will lapse.

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

**PLB-2021-135**

**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 **Chelsea and Rebecca Nieuwold**, to sever a lot for future residential development. The severed lands will have a frontage of approximately 30 metres (98.4 feet) and will contain an area of approximately 0.36 hectares (0.88 acres). **Concession 3, Part of the Bushby Lot, Registered Plan 18R4091 Part 3, Geographic Township of Sherbrook, known municipally as 1569 North Shore Drive**

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

**CONDITIONS:**

1. That the Haldimand County requirements, financial or otherwise, be satisfied. This will include taxes paid up to date, a parkland dedication fee of \$350.00 and a fee of \$308.00 for deed stamping.
2. Receipt of 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. That all buildings located on the proposed lot lines be moved 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 moved, for an inspection of the property.
6. Subject to the approval from the Grand River Conservation Authority.
7. Receipt of confirmation that an easement or the relocation of existing hydro lines, at the applicant's expense, has been completed. Contact

Hydro One at 519-426-4446 Ext 2259 or 1-866-557-9551, for further information.

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, with a frontage of approximately 30 metres (98.4 feet) and will contain an area of approximately 0.36 hectares (0.88 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 [ds cott@haldimandcounty.on.ca](mailto:ds cott@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

10. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before January 17, 2024, after which time this consent will lapse.

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

**B) PLB-2021-205                      Stelco Inc.**

Present: Matt Schuman, agent

The proposal is to sever a parcel of land for future transferal of ownership. The severed lands will have a frontage of approximately 2292 metres (7519.7 feet) and contain an area of 790.182 hectares (1952.6 acres). The retained parcel will contain an area of approximately 923.74 hectares (2282.6 acres).

No comments from the agent, although he stated that he is happy with the recommendations. Member Bartlett wanted to clarify the location of the severed lands. The planner stated that the area is predominately in the former Township of Woodhouse. This land was previously merged, and will be split as a result of the severance. Member Snyder asked why part of the severed lands were shown separately. The planner explained that this is a result of the way that County mapping works, as the property in question straddles the boundary of two former townships. He added that there would only be one lot created, as a result of the proposed severance. Member Bowman asked why the severance was being proposed. The agent stated that it was the result of solvency process that the severance is going forward. Member Bartlett asked why the severances are not being done all at once. The agent said that it was a technical; other excess lands have not merged with the main part of the property, so they will be done at other times. The planner said that the additional applications are as a result of consultation with staff.

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 **Stelco Inc.**, to sever a parcel of land for future transferal of ownership. The severed lands will have a frontage of approximately 2292 metres (7519.7 feet) and contain an area of 790.182 hectares (1952.6 acres). The retained parcel will contain an area of approximately 923.74 hectares (2282.6 acres). **Concession 1, Part Lots 1 to 4, Concession 2, Lots 1 to 3, Part Lot 4, Concession 3, Part Lots 1 to 4, Part of Road Allowance, Plan 84 Block DD, Registered Plan 18R6313 Parts 1, 2, 4 to 21, Geographic Township of Walpole, Concession 1, Part Lots 21 to 24, Concession 2, Lots 21 and 22 Part Lots 23 and 24, Registered Plan 37R6618 Part of Part 1, Geographic Township of Woodhouse, known municipally as 2330 Haldimand Road 3**

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

**CONDITIONS:**

1. That the Haldimand County requirements, financial or otherwise, be satisfied. This will include taxes paid up to date, a parkland dedication fee of \$350.00 and a fee of \$308.00 for deed stamping.

2. That 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, which will have a frontage of approximately 2292 metres (7519.7 feet) and will contain an area of approximately 790.182 hectares (1952.6 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](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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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 January 17, 2024, after which time this consent will lapse.

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

**PREVIOUSLY DEFERRED:**

**A) PLA-2021-119                      Mike Lovegrove**

Present: Mike Lovegrove, applicant  
 Gordon Burlison, neighbour  
 Anthony Baldwin, neighbour



Jim Bird, neighbour

This application was previously deferred at the August 17, 2021 Committee of Adjustment meeting, and was subsequently revised. The proposal is to request relief from the front yard setback and rear yard provisions of the Lakeshore Residential (RL) Zone of Haldimand County Zoning By law HC-1 2020. The relief is requested to permit the construction of a single-family dwelling on the property.

Member Bartlett did not participate in the discussions for this application, as he was not present when this application was previously heard on August 17, 2021.

Mr. Burlison said that the garage will infringe on the front yard of the property. He further stated that he has concerns that the drainage plan as proposed, in particular reference to the proposed retaining wall, creates the risk of potential flooding. He concluded by asking if the dwelling would be a year round, or seasonal, dwelling. The planner said that all dimensions and the proposed drainage plan will be reviewed and approved by County staff prior to the issuance of building permits. He added that the side yard setbacks are within the requirements of the zoning bylaw.

Mr. Baldwin said that the property line dispute between the applicant and the bordering neighbours has not as of yet been resolved, so he questioned how this minor variance could be considered by the Committee. He also questioned the ability to maintain the retaining wall, if a fence is going to be built right next to it. He concluded by questioning the actual location of the proposed septic system, and added that he had doubts that this application is minor in nature, and that it does not appear to fit into the existing neighbourhood.

Chairperson Brown said that a minor variance is what is being applied for in this case, and that the Building Department must approve the plans before construction can begin. The planner added that the lot grading plan must also be approved before permits are issued. He also stated that the applicant must ensure that all work must be on his own property, and that there must not be any encroachment on neighbouring properties. The planner concluded by saying that a year round dwelling is permitted in the Lakeshore Residential zone, as long as it meets the criteria set out in the Ontario Building Code.

Mr. Bird asked for comment from staff on the property line discrepancy. The planner said that the survey submitted with the application was completed by a licensed surveyor, as were those in the possession of the neighbours, therefore County staff must accept them as being accurate. If there are differences between surveys, then this becomes a civil matter between the neighbours. A lengthy discussion continued on the validity of the surveys.

Member Ricker asked if the County had done all that could be done with regard to the survey. The Supervisor of Development Services said that staff was confident that everything that could be done regarding the survey had indeed been done on the matter. Member Gould asked if there would be anything in the property file to corroborate the survey. The planner stated that the County does not hold copies of individual property surveys, and it does not have the capacity to

do so. Member Gould then asked if a condition could be added stating that development should be in line with the sketch provided in the application. The planner said that that was a decision for the Committee to decide. Member Ricker felt that it would not be necessary to add such a condition as the Building Department would ensure that all development on the property will keep to the plan as presented.

Mr. Baldwin asked whether the surrounding properties are held to the same standards. The planner said that all properties must adhere to the same standards, and that the Building Department would ensure that these standards are followed in any development. Chairperson Brown said that he was understanding that there is a subdivision agreement for the neighbouring properties, which sets out development restrictions for these properties in question.

Both Mr. Baldwin and Mr. Bird told the Committee that the County has been served notice that the property line dispute is ongoing, and that the Committee must make decisions based on this reality. They felt that the County must do something about this. There was no further discussion on this matter.

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 **Mike Lovegrove**, to request relief from the front yard setback and rear yard provisions of the Lakeshore Residential (RL) Zone of Haldimand County Zoning By-law HC-1 2020. The relief is requested to permit the construction of a single-family dwelling on the property. **Concession 1, Part Lot 18, Geographic Township of Rainham, known municipally as 1747 Lakeshore Road**

**DECISION:**            **Member Bowman: Yes**  
                              **Member Gould: Yes**  
                              **Member Ricker: Yes**  
                              **Member Snyder: Yes**  
                              **Member Wagter: Yes**  
                              **APPROVED (5-0)**


**CONDITIONS:**    1. Approval from the County for a full lot grading plan. The lot grading plan must be prepared and stamped by a professional engineer and must be prepared in accordance with the Haldimand County Design Criteria. For more information, contact the Development and Design Technologist at 905-318-5932 ext. 6409


**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 December 21, 2021 meeting were adopted as presented.

The meeting adjourned at 10:35 am.

  
\_\_\_\_\_  
Chairman

  
\_\_\_\_\_  
Secretary-Treasurer

