



Haldimand County Committee of Adjustment Consent

Meeting Date: July 16, 2024
File Number: PLB-2024-129
Property Roll Number: 2810-331-001-01100-0000
Applicant: Estate of Violet Reynolds, Dawn Reynolds
Agent: Tom Flatt
Property Location: JAR PLAN 1506 BLK H PT LOT 87 PT LOT 88 PT;
11-13 Mary St, Jarvis

Recommendation

That application PLB-2024-129 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 11-13 Mary street for future residential development. The severed and retained lands will both have a frontage of 20.12 metres (65 feet) and area of 1,011 square metres (10,882 square feet).

Site Features and Land Use: The subject lands are located within the urban area of Jarvis and front onto the west side of Mary St. The lands currently contain a single detached dwelling and accessory structures. The surrounding land uses are residential and agricultural in nature.

Existing Intensive Livestock Operations: Not applicable.

Agency & Public Comments

Haldimand County Building & Municipal Enforcement: No comments received.

Haldimand County Planning & Development – Development Technologist:

Municipal Drainage re-appointment required municipal drain name JARVIS NO 1, entrance permit will be required for the severed and retained parcel, and partial lot grading plan, prior to consent or approval will be required.

Haldimand County Emergency Services: No comments received.

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

Long Point Region Conservation Authority: No comments received.

Hydro One: No comments received.

Municipal Property Assessment Corporation: No comments received.

Mississaugas of the Credit: No comments received.

Six Nations: No comments received.

Public: No comments received.

Planning Analysis

Provincial Policy Statement, 2020 (PPS)

The PPS encourages development within settlement area boundaries that creates growth opportunities. The PPS encourages intensification, including infill development within existing neighbourhoods, where other policies of the PPS can be upheld. The subject application is for lot creation in the urban area boundary of Jarvis, which provides an additional residential lot within an existing neighbourhood with adequate and appropriate infrastructure. Therefore, it Planning staff's opinion that the subject application is consistent with the PPS.

A Place to Grow, 2020

A Place to Grow generally aligns with the PPS; therefore, it is Planning Staff's opinion that the subject 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 existing urban boundary of Jarvis. The subject application is seeking to create a new lot for future residential development. The lot creation policies of the Official Plan outline the general criteria for consent applications, which are as follows:

- a) The size of any parcel of land created by consent should be appropriate for the use proposed and the intent and purpose of the Official Plan and Zoning By-law are maintained;

Comment: The frontage and size of the severed and retained lands are in keeping with the lots in the neighbourhood. The severed and retained lands are sufficiently sized to accommodate a new dwelling on the severed lands and the existing dwelling on the retained lands and to maintain the minimum required Zoning By-law provisions.

- b) The creation of new lots for development shall only be granted in accordance with relevant servicing policies contained in this Plan;

Comment: The proposed dwelling on the severed lands will need to be connected to full municipal services along Mary St through the building permit process. The existing dwelling on the retained lands are connected to full municipal services.

- c) The proposed severed and retained land fronts on an existing public road that is of a reasonable standard of construction and access would not create a traffic hazard because of limited sight lines on curves or grades. Direct access from provincial highways or arterial roads should be restricted where possible and residential lots should, where possible, have access only from collector or local roads; and

Comment: The severed and retained lands front onto Mary St, which is an adequate municipal road.

- d) Not more than five lots are being created.

Comment: Only two lots are being created as a result of this application and related application PLB-2024-128.

Further, the Official Plan contains more specific lot creation policies for new lot creation within stable residential neighbourhoods (such as this neighbourhood), which speak to

providing similarly size lot frontages and lot sizes that are in character with adjacent housing lots. It is Planning staff's opinion that the lot frontages and sizes for the severed and retained lands are in keeping with the neighbourhood and appropriately sized.

Therefore, it is Planning staff's opinion that 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 frontage of 18 metres (59 feet) for corner lots and 15 metres (49 feet) for interior lots and a minimum lot area of 540 square metres (5,812 square feet) for corner lots and 450 square metres (4,843 square feet) for interior lots. The severed lands (corner lot) and retained lands (interior lot) will both have a frontage of 20.11 metres (66 feet) and an area of 1,011 square metres (11,851 square feet). The lot creation will also maintain the minimum required interior side yard setback of 1.2 metres (4 feet) on one side and 3.0 metres (10 feet) on the other. The severed and retained lands satisfy the minimum required lot provisions. Therefore, it is Planning staff's opinion that the subject application conforms to the Zoning By-law.

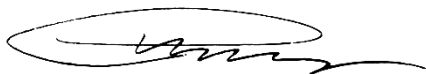
Notice Sign, Public Consultation, and Applicant Discussion

A public notice sign was posted in accordance with the *Planning Act, R.S.O. 1990, c. P.13* on June 25th, 2024.

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

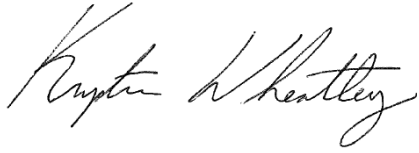
A copy of the staff report has been provided to the applicant.

Prepared by:



Chris Tang
Planner, Planning & Development
905-318-5932 ext. 6203

Reviewed by:

A handwritten signature in black ink, reading "Krystina Wheatley". The signature is written in a cursive style with a large initial 'K' and a long, sweeping underline.

Krystina Wheatley, CET
Acting Supervisor, Planning & Development
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 in accordance with By-law 2349/22 and a fee for deed stamping in accordance with the Haldimand County User Fees By-law.
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 20.12 metres (66.01 feet), and an area of 0.10 hectare (0.247 acre). 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 jcleaver@haldimandcounty.on.ca and gis@haldimandcounty.on.ca. **The draft plan must be approved by the Secretary-Treasurer prior to depositing to the Land Registry Office.**

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. 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 using municipal drain “Jarvis No1”. 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.
5. Receipt of a letter from the Roads Operations Division indicating that they will issue an entrance permit for the subject property. 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

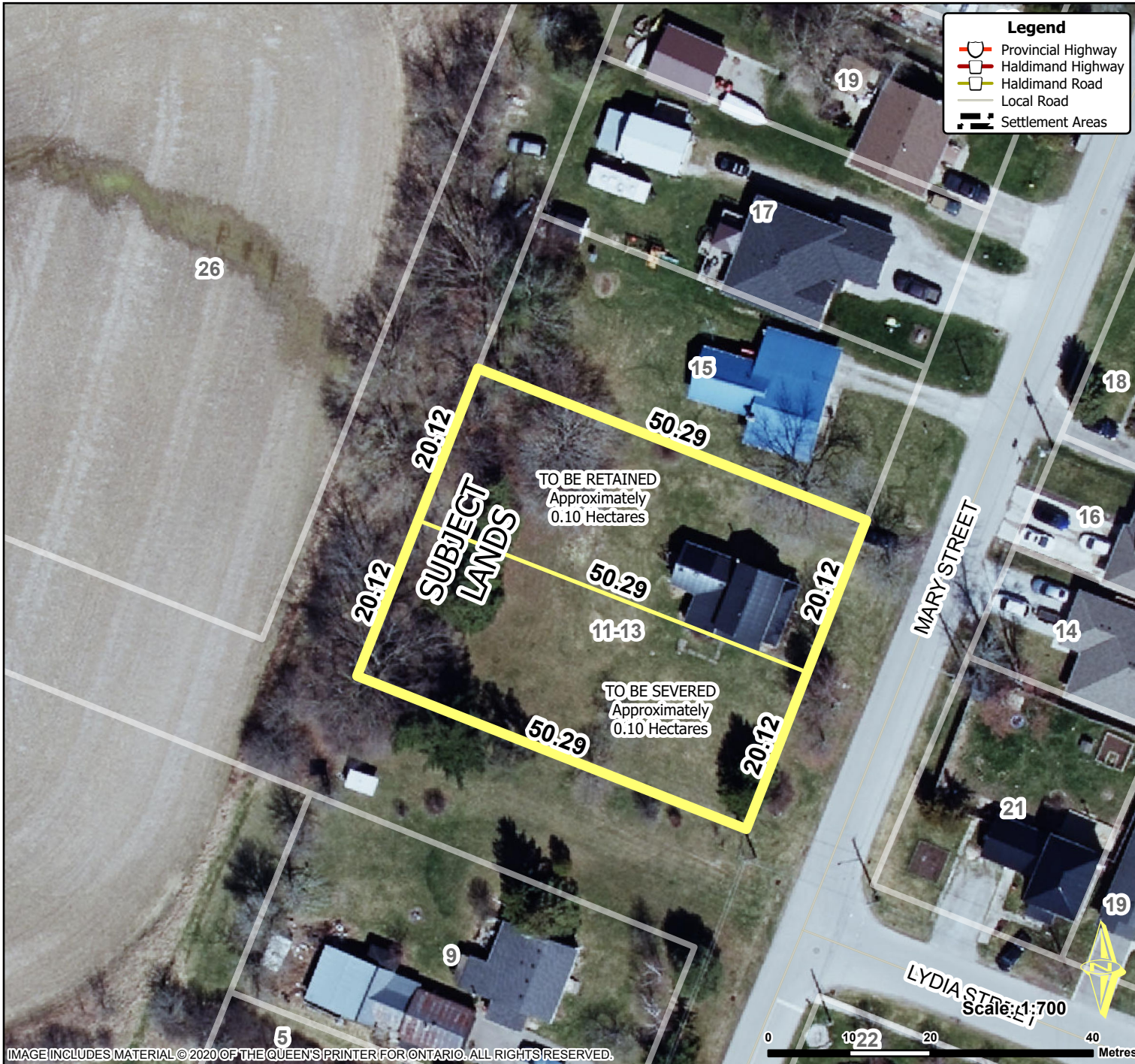
parcels. Permits may be obtained from the County's Roads Operations Division Support staff at 905-318-5932, Ext. 8601 for details.

6. That the applicant enter into an agreement with Haldimand County regarding the required lot grading plan. Contact Chris Tang, Planner at the Planning & Development Division at 905-318-5932 ext. 6203 for further clarification. As this process can take a number of months to complete, early action of this condition is essential.
7. Receipt of a letter from the Planning & Development Division indicating that their requirements, regarding a partial lot grading plan to address surface drainage of the property, have been satisfied. Please note that grading plans must be prepared/stamped/signed by a qualified Professional Engineer as per Haldimand County Design Criteria. Contact the Development and Design Technologist at 905-318-5932, ext. 6253 for further clarification regarding required extent/limits. Please allow approximately six (6) to eight (8) weeks for completion of this process.
8. That the above conditions must be fulfilled and the Document for conveyance be presented for stamping/issuance of the certificate on or before 07 16, 2026, after which time this consent will lapse.

File No. PLB-2024-129

Assessment Roll No. 2810.331.001.0110.00000

Location Map FILE #PLB-2024-129 APPLICANT: Reynolds



Location:
11-13 MARY STREET
URBAN AREA OF JARVIS
WARD 1

Legal Description:
JAR PLAN 1506 BLK H PT LOT 87 PT LOT 88

Property Assessment Number:
2810 331 001 01100 0000

Size:
0.20 Hectares

Zoning:
R1-A (Urban Residential Type 1-A), LPRCA Regulated Lands

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.

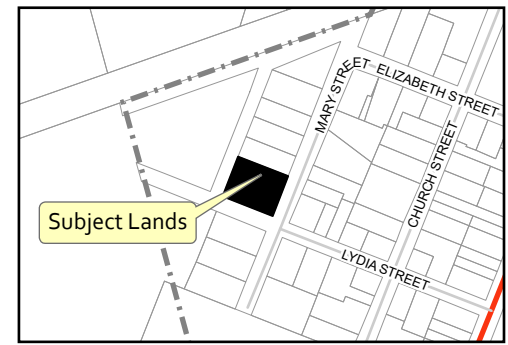
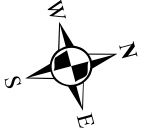


IMAGE INCLUDES MATERIAL © 2020 OF THE QUEEN'S PRINTER FOR ONTARIO. ALL RIGHTS RESERVED.

Owner's Sketch FILE #PLB-2024-129 APPLICANT: Reynolds



SCALE 1:40 (1cm=4m)

