



## Haldimand County Committee of Adjustment Minor Variance

**Meeting Date:** July 16, 2024  
**File Number:** PLA-2024-125  
**Property Roll Number:** 2810-157-001-06500-0000  
**Applicant:** David & Linda Link  
**Property Location:** SOUTH CAYUGA CON 4 PT LOT 30 RP 18R597 PART 1,  
known municipally as 20 Mount Olivet Road

### Recommendation

That application PLA-2024-125 be approved. The application meets the four tests of a minor variance.

### Details of the Submission

**Proposal:** Relief is requested from the provisions of the “Agriculture (A)” zone of Zoning By-law HC 1-2020 as follows:

<b>Development Standard(s)</b>	<b>Required</b>	<b>Proposed</b>	<b>Deficiency</b>
Exterior Side Yard	13.0 m ( 42.65 ft)	3.5 m (11.48 ft)	9.5 m (31.16 ft)
Rear Yard	9.0 m (29.52 ft)	1.0 m (3.2 ft)	8.0 m (26.24 ft)
Accessory Height	6.5 m (21.32 ft)	7.1 m (23.29 ft)	0.6 m (1.96 ft)
Accessory Lot Coverage	200.0m <sup>2</sup> (2,152.8 ft <sup>2</sup> )	337m <sup>2</sup> ( 3627.44 ft <sup>2</sup> )	137m <sup>2</sup> (1474 ft <sup>2</sup> )

Relief is requested from the Exterior Side Yard, Rear Yard, Accessory Building Height, and Accessory Lot. The relief is to add fabric roof structures for weather-protected storage of farm equipment and to add a fabric-roofed farm equipment repair structure.

## Site Features and Land Use:

The subject lands are located in the geographic township of South Cayuga. The subject lands are a corner lot; they front onto the north side of Haldimand Road 20 and flank the east side of Mount Olivet Road. The front lot line is Haldimand Road 20 and the exterior lot line flanks Mount Olivet Road. The rear lot line (north property line) is directly opposite the front lot line and the interior lot line (east property line) is directly opposite the exterior lot line. The subject lands currently contain a single detached dwelling, accessory structures, machinery parts, and cargo containers. The surrounding land uses are generally agricultural in nature.

**Existing Intensive Livestock Operations:** Not applicable.

## Agency & Public Comments

**Haldimand County Building & Municipal Enforcement Services:** Discussed the concerns of the hydro post set backs with building, building staff have no concerns

**Haldimand County Planning & Development Services – Development Technologist:** Had concerns about the setbacks with the hydro post, this has been addressed to building and there are no concerns

**Haldimand County Emergency Services:** No comments received

**Grand River Conservation Authority:** No comments received

**Hydro One:** No comments received

**Municipal Property Assessment Corporation:** No comments received

**Mississaugas of the Credit:** No comments or concerns

**Six Nations:** No comments received

**Public:** No comments received

## Planning Analysis

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

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

**Planning staff comment:** The subject lands are designated “Agricultural” in the Haldimand County Official Plan. Single detached dwellings, residential accessory structures, and farm related structures are permitted uses within the “Agriculture”

designation. Therefore, it is Planning staff's opinion that the subject application conforms to the intent of Official Plan.

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

**Planning staff comment:** The subject lands are zoned "Agriculture (A)" in the Haldimand County Zoning By-law HC 1-2020. The subject application is seeking relief to permit an accessory structure with roof fabrics over the existing cargo containers for weather-protected storage of farm equipment and to add a fabric-roofed farm equipment repair structure adjacent to the current repair shop for weather-protected repairs, with a reduced exterior side and rear yards, and increased accessory structure height and lot coverage.

The purpose of the exterior side yard setback is to provide adequate setback from the lot line abutting the road to ensure road safety and maintenance are maintained, utility and telecommunication space is preserved, and to provide a consistent built line along the road. The cargo containers under which the accessory structure with roof fabrics will be installed were previously permitted via minor variance application PLA-2023-132 and no concerns with these items were raised during the previous or current minor variance applications. The exterior side yard setback will not be further reduced by this application; this application maintains the exterior side yard setback permitted via minor variance application PLA-2023-132. As such, planning staff have no concerns with the requested relief for the exterior side yard setbacks.

The purpose of the rear yard setback is to provide adequate space for grading and drainage and building separation between abutting lots. The north property line is the rear lot line. However, the north property line functions as an interior lot line. The abutting property to the north consists of farm field and no development, including a single family dwelling, residential accessory structures, and farm structures, exist north of the subject lands. As such, planning staff have no concerns with the requested relief for the rear yard setbacks

The purpose of limiting the height of accessory building and accessory lot coverage is to ensure the accessory structures remain accessory to the primary use on the property and to make sure they do not negatively impact the character of the area. The subject lands are located within the agricultural area of the County. The proposed accessory buildings will be used for farm equipment, accessory to the primary dwelling on the property. Further, the large farm-related buildings are expected and are located in the agricultural area. The subject lands are surrounded by agricultural lands, including ground mounted solar farms. The

accessory structures will not impact the character of the area. As such, planning staff have no concerns with the requested relief for the accessory building and accessory lot coverage.

Therefore, it is Planning staff's opinion that the subject application maintains the intent of the Zoning By-law.

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

**Planning staff comment:** The subject lands are zoned "Agriculture (A)" where accessory structures, such as a repair shops and the existing cargo containers are permitted. The proposed accessory structures are not anticipated to negatively impact surrounding properties or the character of the agricultural area. Therefore, it is Planning staff's opinion that the subject application is appropriate and desirable development.

4. Is the application minor?

**Planning staff comment:** For the reasons listed above, it is Planning staff's opinion that the subject application is minor.

Overall, it is Planning staff's opinion that the subject application meets the four tests of a minor variance.

## Notice Sign and Applicant Discussion

A public notice sign was posted in accordance with the *Planning Act, R.S.O. 1990, c. P.13* and was viewed on property by planning staff on July 2<sup>nd</sup>, 2024.

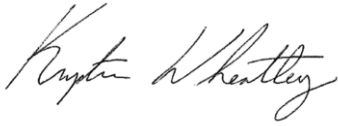
A copy of the staff report has been provided to the applicant.

Prepared by:



Ryan Michtics  
Student Assistant, Planning & Development  
905-318-5932 ext. 6210

Reviewed by:

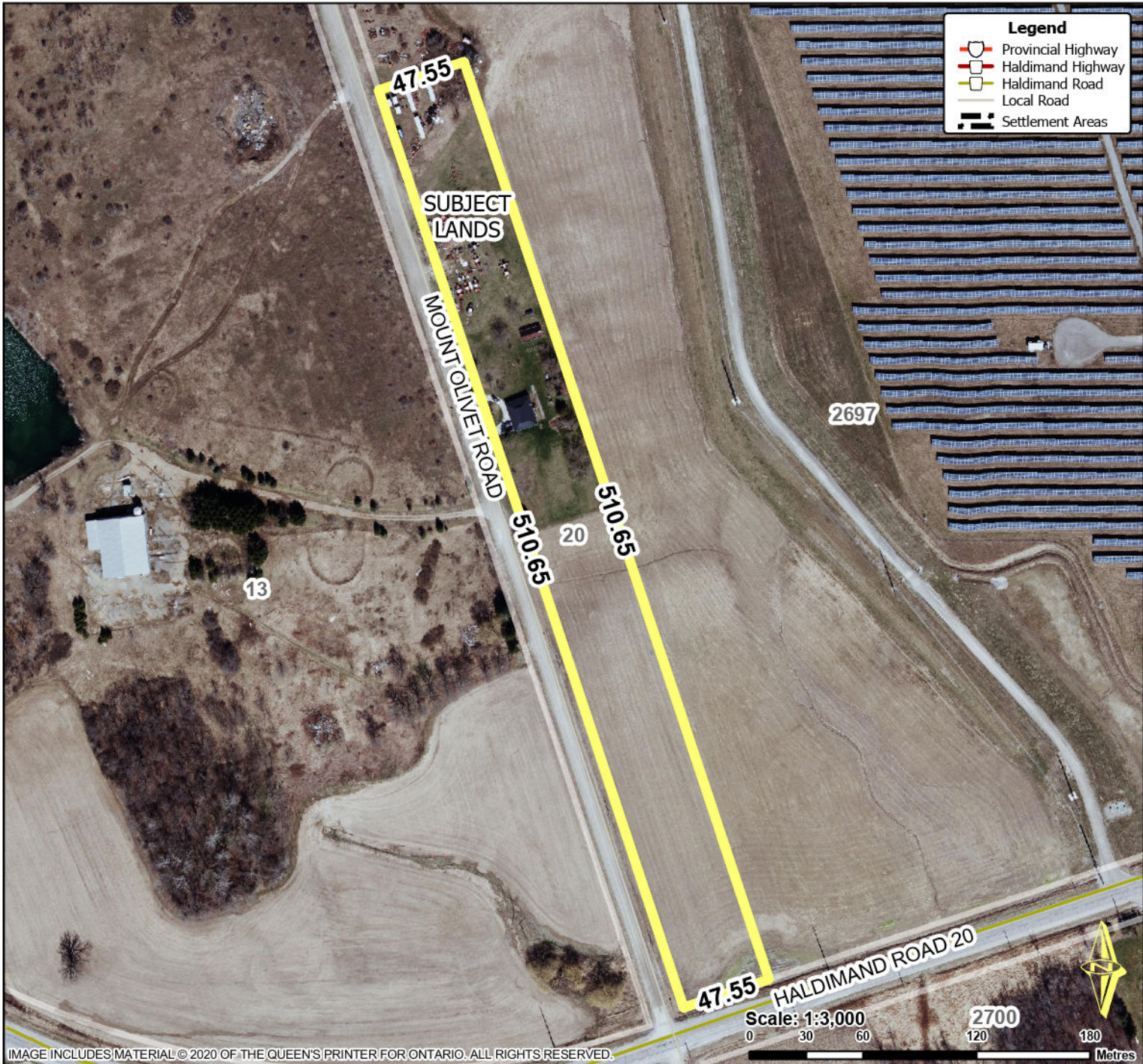


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Krystina Wheatley, CET  
Acting Supervisor, Planning & Development  
905-318-5932 ext. 6208



# Location Map FILE #PLA-2024-125 APPLICANT: LINK



**Legend**

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

Location:  
**20 MOUNT OLIVET ROAD  
 GEOGRAPHIC TOWNSHIP OF  
 SOUTH CAYUGA  
 WARD 2**

Legal Description:  
**SOUTH CAYUGA CON 4 PT LOT 30 RP  
 18R597 PART 1**

Property Assessment Number:  
**2810 157 001 06500 0000**

Size:  
**2.42 Hectares**

Zoning:  
**A (Agricultural)**

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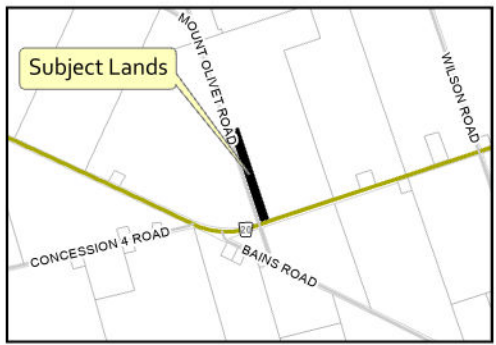


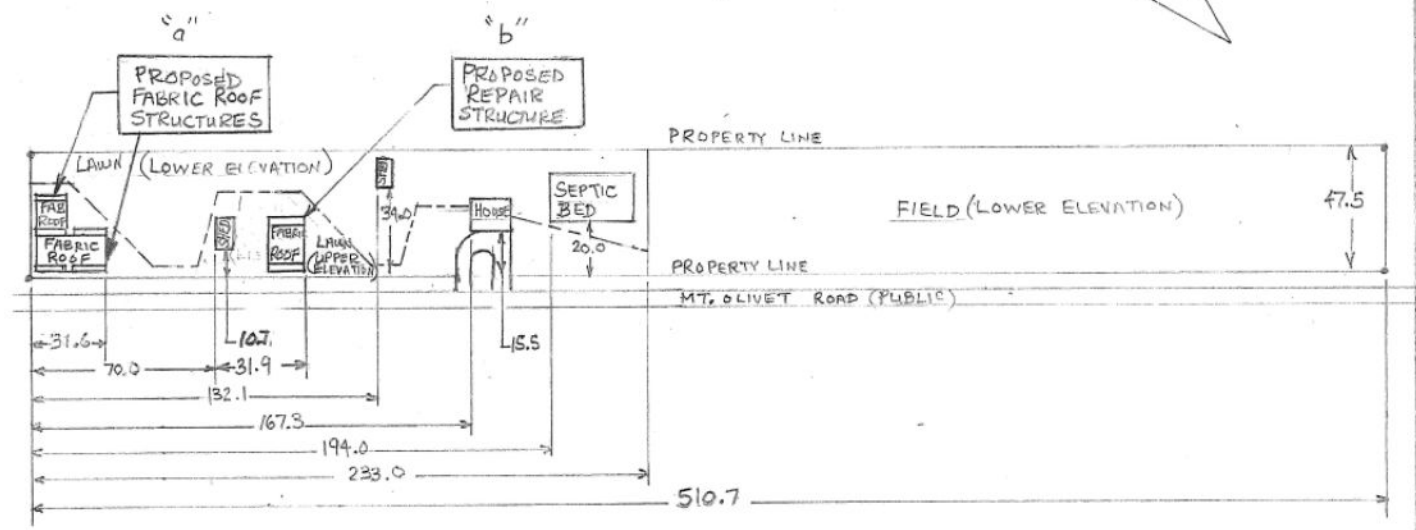
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# Owner's Sketch 1 of 2 FILE #PLA-2024-125 APPLICANT: LINK



AGRICULTURAL LOT DIAGRAM PLAN  
(ENTIRE PROPERTY SHOWN)



# Owner's Sketch 2 of 2 FILE #PLA-2024-125 APPLICANT: LINK



## AGRICULTURAL LOT DIAGRAM PLAN (NORTHERN ENLARGEMENT OF PROPERTY)

