



## Haldimand County Committee of Adjustment Consent

**Meeting Date:** July 16, 2024  
**File Number:** PLB-2024-128  
**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;  
11-15 Mary St, Jarvis

### Recommendation

That application PLB-2024-128 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 15 Mary Street from 11-13 Mary Street to make each lot independent again as they are merged on title, as confirmed by the applicant's lawyer. The severed lands will have a frontage of 20.11 metres (66 feet) and an area of 1,011 square metres (11,851 square feet). The retained lands will have a frontage of 40.23 metres (132 feet) and an area of 2,023 square metres (21,775 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 two single detached dwellings 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:**  
Comments received to require a full lot grading plan prior to consent approval, municipal drainage re-appointment required with the Municipal Drain name being Jarvis No 1, and an entrance permit will be required for the severed and retained parcels.

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

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

**Long Point Region Conservation Authority:** The subject lands are not subject to natural hazards. The staff of LPRCA have no objections to the concept of the application.

**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 residential development and permits lot creation within settlement area boundaries, where other policies of the PPS can be upheld. The subject applications represent lot creation in the urban area boundary of Jarvis with adequate and appropriate infrastructure. Therefore, it is 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 separate two residential lots that are merged on title. 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 the existing dwellings 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 severed and retained lands are connected to full municipal services along Mary St.

- c) The proposed severed and retained lands front 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 proposed severed and retained 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-2024-129.

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 (interior lot) will have a frontage of 20.11 metres (66 feet) and an area of 1,011 square metres (11,851 square feet). The retained lands (corner lot) will have a frontage of 40.23 metres (132 feet) and an area of 2,023 square metres (21,775 square feet). The lot creation will also maintain the minimum required interior side yard setback of 3.0 metres (10 feet). 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 25<sup>th</sup>, 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.

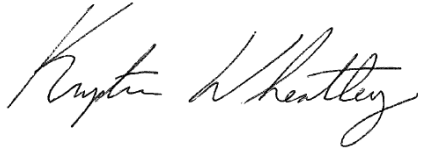
Prepared by:



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

Reviewed by:

A handwritten signature in black ink, appearing to read "Krystina Wheatley". The signature is written in a cursive style with a large initial 'K'.

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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](mailto:jcleaver@haldimandcounty.on.ca) and [gis@haldimandcounty.on.ca](mailto: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 & 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. 6253, if further clarification required. Please allow approximately six (6) to eight (8) weeks for completion of this process.
5. 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, with the Municipal Drain Jarvis No 1. 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

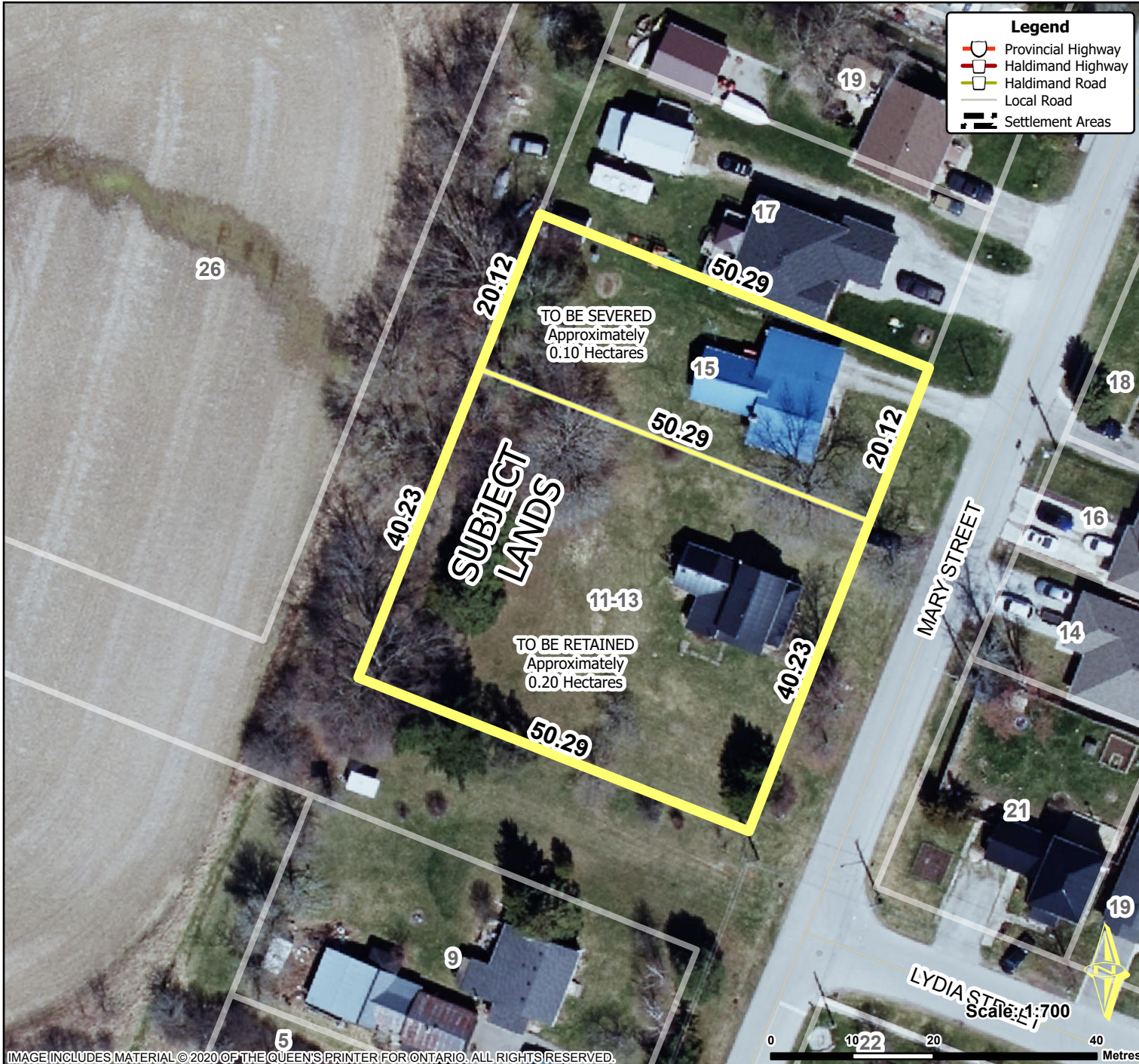
the assessment be re-calculated for the retained and severed parcels. A written request to initiate re-apportionment is necessary. A fee is administered with each agreement. Please allow six (6) weeks for completion of this process. Contact Project Manager, Municipal Drains at 905-318-5932, ext. 6424, for further clarification.

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 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 permit is required for the severed, and retained parcels. Permits may be obtained from the County's Roads Operations Division Support staff at 905-318-5932, Ext. 8601 for details.
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-2024-128***

***Assessment Roll No. 2810.331.001.0110.00000***

# Location Map FILE #PLB-2024-128 APPLICANT: Reynolds



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

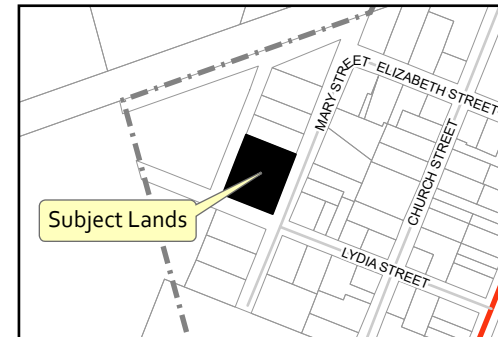
**Legal Description:**  
**JAR PLAN 1506 BLK H PT LOT 87 PT LOT 88**

**Property Assessment Number:**  
**2810 331 001 01100 0000**

**Size:**  
**0.20 Hectares**

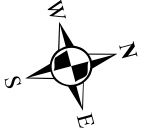
**Zoning:**  
**R1-A (Urban Residential Type 1-A), LPRCA Regulated Lands, HCOP Riverine Hazard Lands**

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.





# Owner's Sketch FILE #PLB-2024-128 APPLICANT: Reynolds



SCALE 1/4" = 1m

