



**THE CORPORATION OF
HALDIMAND COUNTY**

Committee of Adjustment Minutes

Date: Tuesday, November 12, 2024
Time: 9:00 A.M.
Location: Haldimand County Administration Building - Council Chambers

Members Present P. Brown, Chair
C. Bowman, Member
P. Fleck, Member
P. Makey, Member
D. Ricker, Member
B. Snyder, Member
B. Wagter, Member

Staff Present J. Cleaver, Secretary Treasurer, Committee of Adjustment
S. VanDalen, Manager, Planning & Development
K. Wheatley, Supervisor, Planning & Development
C. Tang, Planner

A. Call to Order

Chair Brown called the meeting to order at 9:00 a.m.

B. Land Acknowledgement

Member Makey read the Land Acknowledgement.

C. Roll Call

All members of the Committee were present.

D. Disclosures of Pecuniary Interest

None.

E. Approval of Previous Committee of Adjustment Meeting Minutes

1. Committee of Adjustment Minutes - October 15th, 2024

Moved By: P. Fleck, Member

Seconded By: P. Makey, Member

That the minutes of the October 15th, 2024 Committee of Adjustment meeting be approved as circulated.

APPROVED

F. Hearings Re: Consents

1. PLB-2024-190 and PLB-2024-191 - Nancy Ann Siddall

Present: Kim Hessels (Agent)

Kim Hessels (Agent) replies to neighbours letter of concern for potential over development, and drainage issues - saying that the parcels being severed are where the Hamlet Boundary ends, so currently they would not be able to create any additional new lots, and that they cannot speak for the future but as of right, no additional lots are able to be created. As for the drainage and water issues, Kim Hessels (Agent) advises she will reach out to the neighbour to address these concerns.

Moved By: D. Ricker, Member

Seconded By: P. Fleck, Member

THAT application PLB-2024-190 and PLB-2024-191 be approved, subject to the attached conditions. The applications are consistent with the Provincial Planning Statement 2024 and conform to the Haldimand County Official Plan and Haldimand County Zoning By-law HC 1-2020.

APPROVED

2. PLB-2024-193 - Nancy Ann Siddall

Present: Kim Hessels (Agent)

No comments for application.

Moved By: P. Makey, Member

Seconded By: B. Wagter, Member

THAT application PLB-2024-193 be approved, subject to the attached conditions. The application is consistent with the Provincial Planning Statement 2024 and conforms to the Haldimand County Official Plan and Haldimand County Zoning By-law HC 1-2020.

APPROVED

3. PLB-2024-205 - Jose and Marilyn Matias

Present: Rick Beaudet (neighbour) , Jose Matias (applicant)

Jose Matias (Applicant) addresses the committee to say that they had been told everything with the application looked generally good as long as GRCA approved, however on the Thursday prior to the meeting got a phone call that there were additional comments provided making the application no longer supportable through planning staff without additional documents.

Mr.Beaudet (Neighbour) Addresses the committee explaining that Jose Marias has owned and lived on the subject lands for over 25 years and has never cut a live tree on the property in his time being there. He explains that Jose had met with a total of three planners previously, and had contacted all the external agencies that was recommended to have the application go forward as complete. He explains that the plan had been adjusted to be satisfactory to the needs to the planning division and external agencies, and that the applicant was misguided with direction in regard to the woodlots.

Chairman Brown asks if the subject lands are within the boundary or the hamlet of Kohler

Chris Tang confirms the subject lands are within the Hamlet of Kohler
Chairman Brown asks if the EIS had been completed for this application, Chris Tang responds that it had not been completed, and that staff recommend refusal because it is highly unlikely for the EIS to support this application.

Member Makey asks the planning staff if the application were to go forward today what would the steps look like

Shannon VanDalen replies that if the application were to go forward, we would require a condition for EIS to be conducted to provide direction on the potential impacts the application may have on the woodlot.

Member Fleck asks planning staff if there is any policy for trees 3" in diameter need to be replaced to maintain integrity of woodland

Member Makey asks for clarification on the requirements for the removal of trees within the County.

Shannon VanDalen confirms that the County does not have any forestry bylaw for what constitutes significant woodlot and replacement required (whether this be tree replacement or payment), developments are circulated to forestry who then make comments based on how significant the woodlot is.

Member Makey asks planning staff if because the significant lands are owned by the applicant, could it not be his responsibility to replace the trees on his property.

Shannon VanDalen replies that she is not an arborist and cannot speak on that comment, but does know that it has happened in the past.

Member Ricker asks planning staff how the refusal came up last minute when the application has been discussed for the last year and a half.

Shannon Vandalen replies that this was a comment that came up from our forestry division, we were informed that the lands were part of a natural system and significant woodlot.

Member Fleck requests national resources to attend future meeting for this application

Shannon VanDalen responds that national resources is not typically involved in applications, it is the forestry comments through public works - for the meeting of this application going forward however we can have forestry in attendance.

Resolution refusal

Moved By: B. Snyder, Member
Seconded By: P. Fleck, Member

THAT application PLB-2024-205 be refused as it is inconsistent with the Provincial Policy Statement 2024 and does not conform to the Haldimand County Official Plan and the Haldimand County Zoning By-law HC 1-2020.

DEFEATED

Resolution Deferred

Moved By: P. Makey, Member
Seconded By: D. Ricker, Member

APPROVED

G. Hearings Re: Minor Variances

- 1. PLA-2024-215 - Neil Covlin

Neil Covlin (Present)

Member Fleck comments that there was no sign posted.

Moved By: P. Fleck, Member
Seconded By: B. Wagter, Member

THAT application PLA-2024-215 be deferred to allow applicant time to post yellow sign. The application meets the four tests of a minor variance.

DEFERRED

THAT the meeting be adjourned at 10.23 am.

Chair

Secretary-Treasurer