

Haldimand County Committee of Adjustment



Consent

File Number: PLB-2025-014

Property Roll Number: 2810-158-001-63100-0000

Applicant: James Neil McCallum

Agent: Michael W. Fowler

Property Location: Rainham Concession 1 Part Lot 21, Municipally Known as 26 Brookers Road

For consideration on: April 22, 2025

Summary

The applicant proposes to sever a parcel of land as boundary adjustment from 26 Brookers Rd to consolidate as one larger parcel with 1975 & 1979 Lakeshore Road. Planning staff recommend approval subject to the attached conditions as the application is consistent with the Provincial Planning Statement 2024, conforms to the Haldimand County Official Plan and the Haldimand County Zoning By-law HC 1-2020.

Recommendation

THAT application PLA-2024-014 be APPROVED, subject to the attached conditions. The application is consistent with the Provincial Planning Statement, 2024 and conforms to the intent and purpose of the Haldimand County Official Plan and Haldimand County Zoning By-law HC 1-2020.

Prepared by: Chris Tang, MCIP, RPP, Planner, Planning and Development

Reviewed by: Mark Andrews, M.A., MCIP, RPP, Senior Planner, Planning and Development

Reviewed by: Krystina Wheatley, Acting Supervisor, Planning and Development

Details of the Submission:

Proposal:

The applicant is proposing to sever approximately 500 square metres (5,382 square feet) of an underutilized and unfarmed portion of the subject lands, known municipally as 26 Brookers Road, to be added to the adjacent properties known municipally as 1975 Lakeshore Road and 1979 Lakeshore Road (the benefitting lands). 1975 Lakeshore Road is currently zoned 'Lakeshore Residential "(RL)"', with a frontage of 10.90 metres (35.8 feet) on Lakeshore Road and an area of 0.053 hectares (0.13 acres/530 square metres), and 1979 Lakeshore Road is currently zoned 'Agricultural "(A)"' Zone with a frontage of 60.96 metres (200 feet) on Lakeshore Road and an area of 0.23 hectares (0.58 acres/2,300 square metres). The two benefitting lands, and the subject lands will be consolidated into one parcel if the application is to be approved.

Site Features and Land Use:

The subject lands are located in the geographic township of Rainham, on the northeast corner of Brookers Road and Lakeshore Road. The retained lands currently contains a single detached dwelling and an active agricultural operation. The benefitting lands currently contain a single detached dwelling and accessory structure and the severed lands, which are to be added to the benefitting lands are currently vacant. The surrounding land uses are generally agriculture and lakeshore residential in nature.

The subject lands are designated "Agriculture" with a small portion within the "Riverine Hazard Lands" overlay on Schedule "D.10" (Lakeshore Nodes of Bookers Bay) in the Haldimand County Official Plan and zoned 'Lakeshore Residential "(RL)" Zone, in part and 'Agricultural "(A)" Zone, in part in accordance with Haldimand County Zoning By-law HC 1-2020.

Existing Intensive Livestock Operations:

Not applicable.

Agency & Public Comments

Haldimand County Building & Municipal Enforcement Services:

No comments received.

Haldimand County Planning & Development Services – Development Technologist:

Daylight triangle may be required dependant on the information provided by the surveyor.

Haldimand County Emergency Services:

No comments received.

Long Point Region Conservation Authority:

LPRCA staff advised that the application is consistent with Section 5.2.2 a) of the Provincial Policy Statement, 2024

Hydro One:

Hydro One Inc. has no comment or objection

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 Planning Statement, 2024 (PPS)

The severed and retained lands are located outside the rural settlement area boundary (i.e., Lakeshore Nodes) and located within prime agriculture lands. Section 4.3.3.2 of the Provincial Planning Statement,

2024 (PPS) states that lot adjustments in prime agricultural areas may be permitted for legal or technical reasons, which is defined as severances for purposes such as minor boundary adjustments that do not result in the creation of a new lot.

Planning Comment: The subject application is considered to be minor as it will consolidate the severed lands, the small lot on the northeast corner of Brookers Road and Lakeshore Road and the benefitting lands as one larger parcel. The portion of the severed lands that is to be added to the benefitting lands is not used nor viable for agricultural purposes. Additionally, the severed lands will not remove any lands from an active agriculture operation and any potential impacts on the viability of the existing agricultural operations can be mitigated.

Therefore, it is the opinion of Planning staff that the proposal is consistent with the PPS.

Haldimand County Official Plan (OP)

The subject lands are designated “Agriculture” with a small portion near the Lakeshore Road frontage within the ‘Riverine Hazard Lands’ overlay on Schedule “D.10” (Lakeshore Nodes of Brookers Bay) in the Haldimand County Official Plan. The OP states that lot creation in the “Agriculture” designation is generally discouraged and may be only permitted in limited circumstances including severances for legal or technical reasons, including minor boundary adjustments and easements that do not result in the creation of a new lot. In addition, the severance shall not compromise the functionality and/or viability of existing agricultural operations.

Planning Comment: The proposed boundary adjustment will consolidate the severed parcel from the retained lands, the existing lot on the northeast corner of Brookers road and Lakeshore Road and the benefitting lands into one larger parcel . The proposed boundary adjustment is not anticipated to have any adverse impacts on the existing farming operation and is considered minor and does not result in the creation of a new lot.

Therefore, it is Planning staff’s opinion that the proposal conforms with the intent and purpose of the Official Plan.

Haldimand County Zoning By-law HC 1-2020

The subject lands are zoned ‘Lakeshore Residential “(RL)” Zone, in part and ‘Agriculture “(A)” Zone, in part in accordance with Haldimand County Zoning By-law HC 1-2020.” The “(A)” zone requires a minimum lot area of 1,855 square metres (19,967.05 square feet) and a frontage of 36 metres (118.11 feet) for an exterior lot, and the “(RL)” zone requires a minimum lot area of 925 square metres (9,956.62 square feet) and a frontage of 24 metres (78.74 feet) for a corner lot. The resulting lot after the boundary adjustment will be approximately 3,330 square metres (0.3 hectares/0.8 acres) and a frontage of 71.86 metres (236 feet) on Lakeshore Road, which meets the minimum applicable lot frontage and area provisions of the Zoning By-law.

Considering that the consolidated lot will have two zones on the property, a Zoning By-law Amendment application will be required as a condition of consent to rezone the subject lands to the ‘Lakeshore Residential “(RL)” Zone in its entirety to ensure zoning compliance.

With the reasons listed above, it is Planning staff’s opinion that the application generally conforms with the intent and purpose of the Zoning By-law.

Notice Sign and Applicant Discussion

A public notice sign was posted in accordance with the Planning Act, R.S.O. 1990, c. P.13 on March 24, 2025.

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.

Attachments:

1. Condition Sheet
2. Location Map
3. Detail Map
4. Owner's Sketch
5. Owner's Sketch 2