



THE CORPORATION OF HALDIMAND COUNTY

Committee of Adjustment Minutes

Date: Tuesday, March 25, 2025
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
 B. Snyder, Member
 B. Wagter, Member

Staff Present K. Wheatley, Acting Supervisor, Planning & Development
 J. Cleaver, Secretary Treasurer, Committee of Adjustment
 S. VanDalen, Manager, Planning & Development
 M. Andrews, Senior Planner
 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

Member Ricker was not present.

D. Disclosures of Pecuniary Interest

No disclosures of Pecuniary Interest.

E. Approval of Previous Committee of Adjustment Meeting Minutes

1. Committee of Adjustment Minutes - January 21st, 2025

Moved By: P. Fleck, Member

Seconded By: C. Bowman, Member

That the minutes of the January 21st, 2025 Committee of Adjustment meeting be approved as circulated.

APPROVED

F. Hearings Re: Consents

1. PLB-2024-280 - Jerry Jeffery Fox

Jerry Fox (Applicant's father)

No comments or concerns from the applicant.

Member Makey asks for confirmation that the water source is within the boundary of the severed lands.

Applicants father confirms it is.

Moved By: B. Wagter, Member

Seconded By: B. Snyder, Member

THAT application PLB-2024-280 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.

APPROVED

2. PLB-2024-282 - 1000398516 Ontario Limited c/o Ken Egger

Rob Merigold (Agent)

Agent provides background on the application to adjust the boundary of the flag lot property and allow for future development.

No questions or concerns raised.

Moved By: P. Makey, Member

Seconded By: P. Fleck, Member

THAT application PLA-2024-282 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.

APPROVED

3. PLB-2025-005 - Justin Clappison

Kim Hessels (Agent)

No comments from the agent.

Moved By: B. Snyder, Member

Seconded By: B. Wagter, Member

THAT application PLB-2025-005 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.

APPROVED

4. PLB-2025-023 - Allan Williamson

Present Doug Macintosh (Agent and future architect)

Agent has no comments or concerns for the report from the agent. Plans are being completed to address water, fire, and septic issues. The intent is to preserve the woodland, and they are preparing for water assessments and the EIS.

Public has no comments.

Member Makey asked staff about the EIS assessment, referencing the woodlot and need for access through it. Wanted to understand what triggers an EIS and how to ensure it won't become a roadblock.

Mark Andrews explained that an EIS is triggered by the County's Official Plan. Although the development includes a new lot, in this case the EIS can be deferred to the O.P. stage. At that time, staff will determine the best location for the entrance and implement restoration measures to mitigate impacts.

Shannon VanDalen noted that staff have been in discussion with Forestry. The Forestry Bylaw will apply, but staff are working with Forestry to establish a final outcome for the application.

Member Fleck mentioned he lives in the general area and there are no services available. Also noted that depending on the well, there may be sulfur in the water.

Mark Andrews confirmed the subject lands are within the urban boundary, but no services exist. Water and septic would be required at the development stage.

Moved By: P. Makey, Member

Seconded By: C. Bowman, Member

THAT application PLA-2024-023 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.

APPROVED

5. PLB-2025-024 - Gordon and Brenda Winger

Gordan Winger (Applicant) Present

No comments or concerns

Moved By: P. Fleck, Member

Seconded By: B. Wagter, Member

THAT application PLB-2025-024 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.

APPROVED

6. PLB-2025-011 and PLB-2025-012 - 1000379882 Ontario Ltd

Lesely (Agent) Brian Matthews (neighbour) Beatrice Clarke (neighbour)
Lesely Caswell (neighbour) Brian Gee (neighbour) Cameron (neighbour)

Agent gave a presentation. Raised concerns about the road allowance and drainage, noting existing flooding issues due to the slope, particularly from Chippewa which floods her property for two-thirds of the year. Explained the blue posts are part of a geotechnical study for methane gas. Stated that a methane study is not required at this stage but will be at the subdivision stage. Appreciated all the comments and concerns. Responded to a neighbour's question about the traffic impact study, saying that requirements will be discussed further along in the process.

Brian Matthews gave a presentation requesting modifications to the proposal for Parts 1 and 2. Questioned why grading was not addressed for

Part 3. Commented on increased drainage issues since the addition of the community center.

Beatrice Clarke raised concern that the traffic study was not shown. Opposed opening Ottawa Street due to the potential for major traffic flow changes. Expressed concerns about quality of life, safety for seniors and children, and increased danger in the neighbourhood.

Lesely Caswell voiced concerns about road allowance and drainage, referencing ongoing flooding issues.

Brian Gee – Stated he has lived in the area for 54 years and the property was never used for residential purposes.

Cameron described the area as a park-like space used for walking dogs and as a path for schoolchildren.

Chair Brown asked the agent about three blue posts labeled “active well” and what they are for.

Agent explained the blue posts are part of a geotechnical study for methane gas.

Member Fleck expressed concern about the methane study. Referred to pages 5–6 of the Official Plan regarding redevelopment.

Member Makey asked when an EIS would be required, and whether one is planned. Inquired about differences between this application and the one in Jarvis. Expressed concern about methane and asked about the property's previous use. Noted broader concerns with lack of sidewalks, parking, etc., and suggested revisiting the proposal. Moved an amendment to 011 & 012 requiring an EIS for the application.

Mark Andrews responded that no EIS is required because the application does not meet the County's Official Plan criteria for natural heritage features. Noted the Jarvis application includes a woodlot, while this one does not.

Shannon VanDalen stated that all planning applications require several studies, including geotechnical reports, regardless of prior land use. If methane is found, the County has protocols in place to address it.

Member Bowman asked if any long-time residents know the previous use of the land.

Neighbors confirm the previous use of the land.

Moved By: P. Fleck, Member

Seconded By: B. Snyder, Member

THAT applications PLB-2025-011 and PLB-2025-012 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.

APPROVED

G. Hearings Re: Minor Variances

1. PLA-2025-015 1783576 Ontario Ltd

Nick Dyjach (planning consultant)

Nick Dyjach has no comments but open to questions.

Member Makey asked if the application is being read correctly, that the building design is not complete yet.

Agent confirmed that the building design is not complete and acknowledged that there are deficiencies that need to be addressed in the design process.

Member Makey asked if these are the final approvals.

Nick Dyjach confirmed that these will be the final approvals required.

Moved By: P. Makey, Member

Seconded By: B. Snyder, Member

THAT application PLA-2025-015 be APPROVED. The application meets the four tests of a Minor Variance, in accordance with Section 45(1) of the *Planning Act*.

APPROVED

H. Hearings Re: Previously Deferred Matters

1. PLB-2024-239 - Harold Kelly

Kim Hessels (Agent) Present

Kim Hessels has no comments.

No comments or concerns from committee members or public.

Moved By: P. Fleck, Member

Seconded By: B. Wagter, Member

THAT application PLB-2024-239 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.

APPROVED

I. Other Business

No other business discussed.

J. Adjournment

THAT this meeting is now adjourned at 10.33am.

APPROVED

Chair

Secretary-Treasurer