

Haldimand County Committee of Adjustment



Minor Variance

Title: PLA-2025-101

Property Roll Number: 2810-021-002-47100-0000

Applicant: Jim Groeneveld, Martzen Groeneveld

Legal Description: DUNN Concession 5 South Drive part Lot 11 Reference Plan 18R17 Parts 1 and 2, known municipally as 262 Baygrove Line.

For consideration on: July 22, 2025

Summary

Relief is requested for the maximum permitted accessory building area under section 4.2 (Accessory Uses, Buildings and Structures to Residential Uses) of the Haldimand County Zoning By-Law HC 1-2020. The accessory buildings on site totals up to 165 square metres (1,776 square feet), whereas a maximum of 75 square metres (807 square feet) is permitted.

Recommendation

THAT application PLA-2025-101 be **APPROVED**. The application **meets** the four tests of a minor variance.

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, Supervisor of Development Engineering & GIS, Planning and Development

Details of the Submission:

Proposal: Relief is requested from the Accessory Uses, Buildings and Structures to Residential Uses, specifically lot area coverage provisions of Zoning By-law HC 1-2020 as follows:

Development Standard(s)	Required	Proposed	Deficiency
Expansion of a Legal non-conforming use (accessory building)	75 square metres (807 square feet)	165 square metres (1,776 square feet)	90 square metres (968.8 square feet)

Site Features and Land Use:

The subject lands are located in the geographic township of Dunn and fronts onto a private road known as Baygrove Line. The subject lands currently contain a residential dwelling and a number of accessory structures. Two (2) of the existing accessory structures were built in 1968 and 1976, respectively and predates the Zoning By-law for the Town of Dunnville. The surrounding land uses are generally lakeshore residential and agriculture in nature. Lake Erie is located further south of the subject lands.

The subject lands are designated “Agriculture” in the Haldimand County Official Plan and zoned “Lakeshore Residential (RL)” in the Haldimand County Zoning By-law HC 1-2020.

Existing Intensive Livestock Operations:

Not applicable.

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 “Agriculture” in the Haldimand County Official Plan. Single detached dwellings are permitted in the “Agriculture” designation. The OP does not contain policies that speak to accessory structures, therefore, accessory structures are considered to be permitted in the “Agriculture” designation as they are accessory to a permitted residential use.

It is Planning staff’s opinion that the subject application conforms to the intent and purpose of the Official Plan.

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

Planning staff comment:

The subject lands are zoned “Lakeshore Residential (RL)” Zone in the Haldimand County Zoning By-law HC 1-2020. An existing single detached dwelling, vacation home dwelling and accessory buildings are permitted in the “RL” Zone.

The applicant is seeking relief from Section 4.2, that speaks to Accessory Uses, Buildings and Structures to Residential Uses. The applicant proposes a total accessory building area of 165 square metres (1,776 square feet) whereas 75 square metres (807 square feet) is permitted. The intent of the accessory structures are to be used for personal storage.

The intent of limiting residential accessory building area is to ensure that accessory buildings remain secondary or accessory to the principle dwelling on the properties and to ensure that they do not negatively impact adjacent properties and the surrounding area. The accessory buildings are to be used for personal storage, accessory to the residential use on the subject lands. The accessory buildings on site are located far away from the road, and do not have a negative visual impact. Additionally the structures are used for purposes which are considered to be secondary and accessory to the principle dwelling on the subject lands.

Further, the minimum lot area for “RL” is 925 square metres (9,957 square feet) and the lot area for the subject lands is approximately 3,000 square metres (32,670 square feet). The existing lot is much larger than a typical “RL” zoned property and the additional accessory structures are not expected to overwhelm the property or expected to be obtrusive to the adjacent properties in the surrounding area.

It is Planning staff's opinion that the subject application maintains the general intent of the Zoning By-law.

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

Planning staff comment:

For the reasons listed above, 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.

The subject application **meets** the four tests of a minor variance.

Agency & Public Comments

Haldimand County Building & Municipal Enforcement Services:

Application is for an expansion to an already legally established non-conforming use, structure to be 4.8 meters from overhead power lines, structures to meet set backs to sewage systems in 8.2.1.6. of the Ontario Building Code.

Haldimand County Planning & Development Services – Development Technologist:

No comments or concerns with application.

Haldimand County Emergency Services:

No concerns with application.

Grand River Conservation Authority:

The GRCA has no objection to the proposed minor variance application.

Hydro One:

Hydro One has no concerns with the proposed minor variance at the property. We advise that the customer remain at least 5metres (16.4 feet) back from the Hydro One main line along Baygrove to respect limits of approach to Hydro One's line. Also, if the property owner would like any modifications be made to their existing hydro service, that they submit an upgrade request through the portal on the Hydro One website.

Mississaugas of the Credit:

No comments received.

Six Nations:

No comments received.

Public:

A total of 5 letters gathered in support of application from neighbours, and one letter of concern from neighbour with concerns regarding GRCA and potential encroachment issues.

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 July 10, 2025

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

Attachments:

1. PLA-2025-101 Location Map
2. PLA-2025-101 Owner Sketch