



**LOWER TRENT**  
CONSERVATION

**LOWER TRENT REGION CONSERVATION AUTHORITY  
HEARING BOARD**

**for**

**O. Reg. 41/24 PERMIT APPLICATION #RP-25-011**

**MINUTES**

**DATE:** April 10, 2025

**TIME:** 1:00 p.m.

**LOCATION:** Administration Office, 714 Murray Street, Trenton / Virtually

**PRESENT:**

ON SITE		REMOTE SITE
Eugene (Gene) Brahaney (Chair)	Rick English	Lynda Reid
Sherry Hamilton (Vice-Chair)	Bob Mullin	Bobbi Wright
Jeff Wheeldon	Mike Ainsworth	Eric Sandford

**ABSENT:** Jim Alyea

**STAFF:** Rhonda Bateman, Chitra Gowda, Gage Comeau, Scott Robertson, Kim Stephens

**APPLICANTS:** Property Owner – James Brouwer  
Agent – Brad Graham

**GUESTS:** None

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**1. Meeting called to order by the Chair**

The meeting was called to order by Chair Brahaney at 1:00 p.m.

**2. Motion for the Board of Directors to sit as the Hearing Board**

RES: HC16/25

Moved by: Sherry Hamilton

Seconded by: Jeff Wheeldon

THAT the Board of Directors sit as the Lower Trent Conservation Hearing Board.

Carried

### **3. Opening Remarks by Chair for RP-25-011**

Chair Brahaney made the following remarks:

We are now going to conduct a hearing under Section 28.1 of the Conservation Authorities Act in respect of an application by James Brouwer, for permission for construction of a two-storey habitable 2500ft<sup>2</sup> clubhouse structure with deck, within the Shelter Valley floodplain and within 30 metres of a wetland at 1225 Shelter Valley Road, Township of Alnwick/Haldimand, Northumberland County Geographic Township of Haldimand, Concession A, Part of Lot 18-19.

The Authority has adopted regulations under section 28.1 of the Conservation Authorities Act which requires the permission of the Authority for development within an area regulated by the Authority in order to ensure no adverse effect on the control of flooding, erosion, dynamic beaches, unstable soils or bedrock, or to permit alteration to a shoreline or watercourse or interference with a wetland. This Hearing is about granting permission to develop under the Authority regulations; a separate matter from approvals under the Planning Act.

The Staff has reviewed this proposed work and a copy of the staff report has been given to the applicant.

The Conservation Authorities Act (Section 28.1 [5]) provides that:

“(5) An authority shall not refuse an application for a permit or attach conditions to a permit unless the applicant for the permit has been given an opportunity to be heard by the authority.”

While holding this hearing, the Hearing Board is to determine whether or not a permit is to be issued, with or without conditions. In doing so, we can only consider the application in the form that is before us, the staff report, such evidence as may be given and the submissions to be made on behalf of the applicant. Only information disclosed prior to the hearing is to be presented at the hearing. It is not our place to suggest alternative development methods.

It is to be noted that if the Hearing Board decision is “to refuse” or not support the proposed work within the permit submission, the Chair or Acting Chair shall notify the owner/applicant of his/her right to appeal the decision to the Ontario Land Tribunals.

The proceedings will be conducted according to the Statutory Powers Procedure Act. Under Section 5 of the Canada Evidence Act, a witness may refuse to answer any question. The procedure in general shall be informal without the evidence before it being given under oath or affirmation. If the applicant has any questions to ask of the Hearing Board or of the Authority representative, they must be directed to the Chair of the Board.

At this time, if any member of this Board has intervened on behalf of the Applicant with regards to this matter, they should recuse themselves so there is no apprehension of bias and that a fair and impartial Hearing may be conducted.

### **4. Disclosure of pecuniary interests**

There was no disclosure of pecuniary interests for this Hearing.

## **5. Staff Report and Presentation**

Gage Comeau, Manager, Watershed Management, Planning and Regulations presented the comprehensive staff report to the Hearing Board as provided in the agenda package.

Director Jeff Wheeldon asked about the rate of flow of Shelter Valley Creek. Gage Comeau responded that the flow is approximately 63.6 cubic meters per second during a 1 in 100 year event; the velocity is around 3 cubic meters per second; and the water depth is 10 to 20 centimeters. The proposed building is a considerable distance away from the stable top of bank.

Director Rick English asked about impact to egress/ingress. Gage Comeau responded that there is safe access from Shelter Valley Road to the proposed structure.

Director Mike Ainsworth noted that he has seen flooding in the general area, but not within the subject property which is approximately 20 feet away from Shelter Valley Creek. He added that he has seen ice jams occur in the Creek. Gage Comeau said that the bridge on the Creek acts as a berm, creating backflow conditions because the size of the bridge cannot accommodate higher flows.

## **6. Applicant Presentation**

The property owner James Brouwer presented the proposal as provided in the agenda package. He added that he took over the operations of the golf course from his mother in March 2025 and explained that the property has been in the family for a long time. James Brouwer said that the proposal, if approved, will help cover the operating costs and provide high-class recreation for the region at a reasonable cost.

Director Bob Mullin asked if it is intended for the operations to be seasonal. James Brouwer responded that it is intended for the operations to be year-round, including potential winter activities such as snow shoeing. He added that the clubhouse needs to be updated and could be used to host weddings in the future.

Brad Graham, the property owner's agent, added that the proposal would provide the area with a play and stay location; and that currently it is a 9-hole golf course that can offer much more with the proposed development.

Director Lynda Reid asked if the property owner has observed flooding on the property. James Brouwer responded that his mother has not had flooding issues at the clubhouse.

## **7. Additional Information Sharing**

### **a. Additional Questions from the Board**

There were no additional questions from the Board.

### **b. Comments or Questions from the Applicant**

There were no additional comments or questions from the Applicant.



**c. Comments or Questions from Staff**

There were no additional comments or questions from Staff.

**8. Deliberation (In-Camera/Closed Session)**

RES: HC17/25

Moved by: Eric Sandford

Seconded by: Rick English

THAT the Hearing Board move to closed session.

Carried

Guests and Staff left the meeting for the Hearing Board to carry out deliberation in closed session.  
Time 1:26 pm.

RES: HC18/25

Moved by: Bob Mullin

Seconded by: Jeff Wheeldon

THAT the Hearing Board move out of closed session.

Carried

Time 1:36 pm.

Guests and Staff returned to the Hearing Board meeting.

**9. Motion on the Hearing Board Decision for RP-25-011**

The Board will approve the permit with the following conditions:

- *Permit be valid for a period of 5 years to allow for the proposed development within the identified work area noted in the grading plan and flood assessment report (Jewell Engineering, dated February 28, 2025);*
- *Final grades of the filled and graded area are to be surveyed and provided to LTC confirming any floodplain changes;*
- *Side slopes of all fill material are to be graded to a 3:1 (horizontal: vertical) slope ratio;*
- *Development activities are limited to the area identified in the plans, and development activities are prohibited within the wetland features identified by Cambium Inc. (February 14, 2025 EIS);*
- *Appropriate erosion and sediment control measures are to be implemented prior to construction, maintained in good repair during the construction phase, and remain in place until all disturbed soil surfaces have become stabilized and/or revegetated to prevent the movement of sediment away from the construction site;*
- *All disturbed areas are to be revegetated (e.g., reseeded using a native seed mix) upon completion of the permitted works as soon as planting conditions permit;*
- *Local drainage is to be maintained; and,*
- *LTC staff are to be contacted and advised of when the work is being undertaken.*

RES: HC19/25

Moved by: Lynda Reid

Seconded by: Eric Sandford

THAT the permit application RP-25-011 be approved with conditions as provided by staff.

Carried

**10. Motion to adjourn the Hearing Board**

There being no further business, the meeting was adjourned.

RES: HC20/25

Moved by: Sherry Hamilton


Seconded by: Bob Mullin

THAT the Hearing Board meeting for permit application RP-25-011 be adjourned.

Carried

Time: 1:41 pm

  
Gene Brahaney, Chair

  
Rhonda Bateman, CAO/ST