



COMMITTEE OF ADJUSTMENT

MEETING MINUTES

7th MEETING OF 2022

TUESDAY August 16, 2022

The seventh meeting of 2022 for the Committee of Adjustment of the Township of Brock was held on Tuesday, August 16, 2022 in the Council Chambers.

Members Present:

- George Hewitt
- Peter Prust
- William Baszytk
- Ralph Maleus
- Gloria Stewart

Regrets:

- Richard Ferguson, CBO

Others Present:

- Jonathan Pitcher, Kawartha Design, Agent of the Applicant

Staff Present:

- Luke Puckrin, Inspector / Secretary-Treasurer
- Billie Clark, Building and Planning Assistant (recording minutes)

1. **CALL TO ORDER** – Chair George Hewitt – 7:02 PM
2. **DECLARATION OF CONFLICT OF INTEREST**
3. **CONFIRMATION OF MINUTES** – 6th meeting – July 19, 2022

Resolution 1-7

MOVED BY Ralph Maleus and seconded by Bill Baszytk, that the minutes of the 6th meeting of the Township of Brock Committee of Adjustment, as held on July 19, 2022, be taken as read, confirmed, and signed by the Chair and Secretary-Treasurer.

CARRIED

4. HEARING OF APPLICATIONS

Application A-15/22 PITCHER		7:00pm
Name of Applicant / Agent:	Owner/Applicant: 2770531 Ontario Inc Agent: Jonathan Pitcher – Kawartha Lakes Drafting	
Address of Applicant / Agent:	Owner/Applicant: 61 Hackett St, East Gwillimbury ON L9N 0P8 Agent: 6-70 Bond St W, Lindsay ON K9V 3R4	
Location of Property:	15 Cameron St E, Cannington ON L0E 1E0	
Purpose of Application:	To provide relief from Zoning By-Law 287-78-PL: Section 10.18, Parking Space Requirement Table – Row (i) Residential - Apartment; to reduce the number of required parking spaces for a one-bedroom apartment from 1, to 0.	
Effect of Application:	If approved, the application would permit the establishment of a new, second, residential dwelling unit on the second floor of the existing building.	

4a) Presentation of Application A-15/22 PITCHER

- **Does the owner or agent wish to speak to the application?**

Jonathan Pitcher, Kawartha Design, Agent of the Applicant: I'm the Agent of the applicant and I am responsible for drafting plans and applying for building permits for this project. The plan is to remove the existing restaurant features and convert the first floor of the building into a retail space. On the second floor, the plan is to replace the existing 3-bedroom apartment with two small 1-bedroom apartments.

The three parking spaces at the rear of the building belong to the Township, and I was unable to determine if, historically, they had ever belonged to the property owner.

With the proposed design, we will reduce the occupancy loading to 27 persons in the retail establishment and reduce the occupancy load from 3-4 people by two for the apartment.

- **Does anyone else wish to speak to the application?**

Gloria Stewart: I have a problem with the parking requirements. I believe that not having sufficient parking is a big problem. With two bedrooms, each with two people, means that there will need to be parking for two to four cars and no place to put them.

Bill Baszyk: I understand that parking for this building was grandfathered in, and that the apartment parking is the issue. The retail parking shouldn't be an issue, because of the availability of the street parking and public parking lots in Cannington. Do you know if the property owner has any specific plans for the type of retail store they want on the ground floor?

Jonathan Pitcher: I believe they are hoping for a clothing store, but are open to other options depending on the tenant.

Bill Baszyk: Are they looking for any particular type of tenants for the upstairs apartments? Do they already have tenants in mind or will the apartments be available for anyone to rent?

Jonathan Pitcher: No, I believe the apartments will be available for anyone to try and lease.

Bill Baszyk: The Landlord Tenant Board's Residential Tenancy Agreement (Standard Form of Lease) that must now be used for all lease agreements, speaks to the provision of parking to be used by the tenant, including the number and location of spaces available. For this property, the lease needs to state that there are no parking spots available for the tenant. Is the property owner planning to include that information in the lease?

Jonathan Pitcher: Yes, that information will be included in the lease.

Ralph Maleus: It makes sense to assume that parking for the upstairs apartment was also grandfathered in, which means that it is only a net increase of one parking spot. It's too bad that the meeting about the parking pilot project in Sunderland is next week, but it shows that there is a willingness from the Township to accommodate parking limitations. Where does the owner foresee tenant parking taking place?

Jonathan Pitcher: I think the owner is planning to offer the apartments without parking. It will be up to the tenants to find parking on their own.

Peter Prust: Parking in any downtown area is a pain. Given the situation, though, I believe that the need for housing outweighs the parking issues. I know that there is no overnight parking in the public municipal lots, but it isn't being actively enforced. I am prepared to go forward as-is, but hopefully the pilot will help. The need for housing in the community outweighs parking issues.

4b) Written Submissions for A-15/22 PITCHER

Staff Comments

Luke Puckrin: This application sparked a lot of discussion within the Municipal Office. Here is the staff comment on the matter.

The use of the municipal parking lot by the tenants of this property is discouraged and would continue to be discouraged should the Committee chose to approve the application. The By-law Department maintains the right to ticket tenants using these spaces at any

time and instead encourages use of the two public parking lots in Cannington. The Township is aware that there are parking issues within the Municipality and steps are being taken to address them. A pilot permitted parking program is currently in the development stage for the Sunderland urban area to try and address similar circumstances. The expansion of this program into the Cannington and Beaverton urban areas may be considered in the future depending on the outcome of this pilot.

Luke: It is important to note that no parking is available for the tenants of this building in the municipal lot. The Municipality is not obligated to provide parking to this property. And to clarify, the net increase in parking requirements as a result of this proposal is only one space. The pilot program is a permitted parking program with a monthly pass. Depending on the success of the program, it may be implemented in Beaverton and Cannington in the future. There is an existing Cash-in-lieu of Parking policy. It is \$1000.00 per deficient parking space.

George Hewitt: Is this a one-time payment?

Luke Puckrin: The policy doesn't speak to that. Cash-in-lieu of parking contributions are placed in a municipal fund which is eventually used to purchase property for use as additional municipal public parking.

Bill Basztyk: Is the applicant or agent aware of the cash-in-lieu policy?

Jonathan Pitcher: I am aware of similar policies, but I was not aware of one for Brock. I believe my client would likely be supportive of the cash-in-lieu.

Resolution 2-7

MOVED BY Peter Prust and seconded by Bill Basztyk, that Minor Variance Application File No. A-15/22 PITCHER as made by 2770531 Ontario Inc, applicant, and Jonathan Pitcher, agent, be approved. The proposed application is considered minor in nature, within the general intent and purpose of the Official Plan and Zoning By-law, and desirable in the opinion of the Committee.

CARRIED

4c) CONFIRMATION OF DECISION for A-15/22 PITCHER

Chair called each member to confirm the decision – all members answered “yes”.

5. OTHER BUSINESS

6. ADJOURN

MOVED BY Ralp Maleus that this meeting does now close at 7:27 PM.

CARRIED

CHAIR

SECRETARY-TREASURER