



**COMMITTEE OF ADJUSTMENT**

**MEETING MINUTES**

2<sup>nd</sup> MEETING OF 2022

TUESDAY MARCH 15, 2022

The second meeting of 2022 for the Committee of Adjustment of the Township of Brock was held on Tuesday, March 15, 2022 virtually by Microsoft Teams.

**Members Present:**

- George Hewitt
- Peter Prust
- William Basztyk
- Ralph Maleus

**Staff Present:**

- Richard Ferguson, CBO
- Debbie Vandenakker, Planner / Secretary-Treasurer (recording minutes)

**Regrets:**

- Gloria Stewart

**Others Present:**

- Elliot Warner, applicant
- Anthony Bartolini (Warner application agent)
- David Seaman (Seaman/Johnson application agent)
- Peter Johnson, applicant

1. **CALL TO ORDER** – Chair George Hewitt – 7:02 p.m.
2. **DECLARATION OF CONFLICT OF INTEREST**
3. **CONFIRMATION OF MINUTES** – 1<sup>st</sup> meeting – February 15, 2022

**Resolution 1-2**

MOVED BY Bill Basztyk and seconded by Peter Prust, that the minutes of the 1<sup>st</sup> meeting of the Township of Brock Committee of Adjustment, as held on February 15, 2022, be taken as read, confirmed, and signed by the Chair and Secretary-Treasurer.

**CARRIED**

**4. HEARING OF APPLICATIONS**

**Application A-2/22 WARNER**

<b>Name of Applicant / Agent:</b>	Elliot Warner
<b>Address of Applicant / Agent:</b>	65 Bellhouse Place, Brooklin, ON L1M 0G6
<b>Location of Property:</b>	31 Centre Street, Sunderland ON L0C 1H0
<b>Purpose of Application:</b>	To provide relief from Section 8 of Zoning By-law 287-78-PL, Plate D, Column M, Row 14 that requires a 12m rear yard set-back to allow for a 1.4m rear yard set-back; as well as relief from Section 10.1c. that requires 1.5m distance between accessory buildings to allow for a 0.8m distance between accessory buildings.
<b>Effect of Application:</b>	To permit the construction of an accessory structure within the C3-2 portion of the subject property.

**4a) Presentation of Application A-2/22 WARNER**

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

**Anthony Bartolini:** I’m representing the application for my friend Elliot (the owner of the property). The owner purchased a prefabricated building and then realized he needed a minor variance.

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

Bill Basztyk: It looks fairly straight forward. When I went on the property, I saw two buildings fronting on Highway 12. One of them is the butcher shop and the north building is under renovation. So your desire is to put the steel building behind where the meat shop is?

Elliot Warner: Yes, that is correct.

Bill Basztyk: Any issues with the neighbours?

Elliot Warner: No, there are no issues.

Peter Prust: I noticed the area is largely an equipment storage area. It is not obvious where the property line ends.

Elliot Warner: I own the section behind as well. Originally, we wanted to put the structure in the back, but we would have to change the zoning.

Peter Prust: It appears consistent with the area.

Ralph Maleus: I visited the property. I don’t have any issue with it. I am in support of this application.

George Hewitt: Will the building sit on gravel or cement?

Elliot Warner: It will be sitting on a cement slab. We will be getting a permit for the slab.

George Hewitt: Do you anticipate any remedial issues from water run-off?

Elliot Warner: The run-off will just stay on our property to the back.

**4b) Written Submissions for A-2/22 WARNER**

**Township of Brock Building Department**

“The Building Department has no objection to the application. Please be aware that separation distances between buildings may have increased OBC requirements to be met at the building permit stage.”

**Resolution 2-2**

MOVED BY Peter Prust and seconded by Bill Basztyk that Minor Variance Application File No. A-2/22 WARNER as made by Elliot Warner, be approved. The proposed use 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**

**4d) CONFIRMATION OF DECISION for A-2/22 WARNER**

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

**Application A-3/22 SEAMAN/JOHNSON**

<b>Name of Applicant / Agent:</b>	Applicant: Peter Johnson & Charlotte Kanya-Forstner Agent: David Seaman
<b>Address of Applicant / Agent:</b>	Applicant: 46 Tennis Crescent, Toronto ON M4K 1J3

	Agent: 12 Trotter Court, Barrie ON L4N 5S4
<b>Location of Property:</b>	24690 Thorah Park Boulevard
<b>Purpose of Application:</b>	To provide relief from Section 7 of Zoning By-law 287-78-PL, Plate C, Column G, Row 13 Interior Side Yard that requires a 5m set-back to allow for a 1.87m interior side yard set-back.
<b>Effect of Application:</b>	To permit the construction of a new single detached dwelling with attached garage.

**4a) Presentation of Application A-3/22 SEAMAN/JOHNSON**

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

**David Seaman:** Provided a review of the supporting documentation to the information package provided to Committee members. The setback is needed to facilitate the construction of the new home. All other provisions of the by-law are met. 5m on each side made it difficult to design and construct a functional new home. The existing home actually provides an improvement to the side yard setback.

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

Ralph Maleus: I visited the site. This is a typical set-back and appears minor in nature. What about your septic?

David Seaman: A preliminary septic design was completed and sent to Durham Region Health. We also did a geotechnical report. We still need to go through the permitting process with Durham Region health.

Peter Prust: It's very consistent with the neighbourhood. I support this application.

Bill Basztyk: The garage is located on the south side of the property, but the driveway is on the north. Is the idea to run the driveway across the property or adjust the driveway.

David Seaman: The driveway will be relocated.

Peter Johnson: Our preference is to have a straight driveway rather than crossing the lot, but we are flexible if needed.

Bill Basztyk: So that means the cedars will need to be cut down?

Peter Johnson: The cedar hedges we love and want to keep. We will try to maintain as much of it as possible. If we need a new gap, we will fill in the existing driveway gap.

Bill Basztyk: Where do you draw your water?

Peter Johnson: Currently from the lake but we are looking at well options.

David Seaman: A well permit will be submitted to LSRCA on the entire project. The building, septic and well. They have an application process that will address the well.

George Hewitt: How deep will you need to go for the well?

Peter Johnson: Apparently there is a lot of shale, so we are hoping for good water.

**4b) Written Submissions for A-3/22 SEAMAN/JOHNSON**

**Durham Region Health**

"The above noted application has been reviewed by this department and we have no objection to the approval. This letter is not an authorization for a building permit for the private sewage system. The approval for the sewage system design will be completed at the building permit stage."

**Lake Simcoe Region Conservation Authority**

"Based upon our review of the submitted information in support of the application, it is determined that the proposal is generally consistent and in conformity with the natural heritage and natural hazard policies of the applicable Provincial, Regional and Local plans. On this basis, we recommend that any approval of this application be subject to the following condition:

- a) The Owner shall obtain a permit from the LSRCA for site alteration and development on lands within an area governed by Ontario Regulation 179/06

under the *Conservation Authorities Act*. Please note that this will include providing elevations of the basement slab and footings with this submission.

Given the above comments, it is the opinion of the LSRCA that:

1. The application has demonstrated consistency with Section 3.1 of the Provincial Policy Statement.
2. Ontario Regulation 179/06 does apply to the subject property. A permit from the Lake Simcoe Region Conservation Authority will be required prior to development or site alteration taking place within the LSRCA regulated area.
3. That the Owner has paid all development fees to the LSRCA in accordance with the approved Fees Policy under the *Conservation Authorities Act* related to this minor variance application.”

### **Resolution 3-2**

MOVED BY Ralph Maleus and seconded by Peter Prust that Minor Variance Application File No. A-3/22 SEAMAN/JOHNSON as made by Peter Johnson and Charlotte Kanya-Forstner, be approved. The proposed use 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**

### **4d) CONFIRMATION OF DECISION for A-3/22 SEAMAN/JOHNSON**

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

### **5. OTHER BUSINESS**

### **6. ADJOURN**

MOVED BY Bill Basztyk that this meeting does now close at 7:35 pm.

**CARRIED**

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CHAIR

  
SECRETARY-TREASURER