



COMMITTEE OF ADJUSTMENT

MEETING MINUTES

3rd MEETING OF 2020

TUESDAY JULY 21, 2020

The second meeting of the Committee of Adjustment of the Township of Brock was held on Tuesday, July 14, 2020 virtually by Microsoft Teams.

Members Present:

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

Staff Present:

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

Others Present:

- Dave Brunne (7pm session)
- Luke Morgan (7pm session)
- Nicole Brunne (7pm session)
- Bryan Sydney (7:30pm session)

1. **CALL TO ORDER** – Chair George Hewitt – 7:00 p.m.
2. **DECLARATION OF CONFLICT OF INTEREST**
3. **CONFIRMATION OF MINUTES** – 2nd meeting – July 14, 2019

Resolution 1-3

MOVED BY Peter Prust, seconded by Gloria Stewart that the minutes of the 2nd meeting of the Township of Brock Committee of Adjustment, as held on July 14th, 2020, be taken as read, confirmed, and signed by the Chair and Secretary-Treasurer.

MOTION CARRIED

4. HEARING OF APPLICATIONS

Application #1: A-4/20 BRUNNE	7:00pm
Application #2: A-5/20 SYDNEY/NOBLE	7:30pm

Application File No. A-4/20 BRUNNE

Name of Applicant / Agent:	Applicant: Luke Morgan and Nicole Brunne Agent: Dave Brunne
Address of Applicant / Agent:	Applicant: 22 Church Street South, Sunderland ON Agent: 12 Young Street, Uxbridge ON
Location of Property:	22 Church Street South, Sunderland ON
Purpose of Application:	Relief from Zoning By-law 287-78-PL: row 11 and 14, column H which requires a minimum front yard setback of 8m and a minimum rear yard setback of 8m. The applicant is requesting relief from these provisions to allow a 2.2m rear yard setback and a 4.4m front yard setback.
Effect of Application:	The effect of the application is to permit a renovation to the existing permanent dwelling house.

4a) Presentation of Application A-4/20 BRUNNE

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

Dave Brunne: The applicants have lived at this address for 5 years. The current garage was originally built as a carport and in very poor shape. We propose to remove it and replace it with a well constructed living space. This is a very shallow property and the current structure does not meet the current set-back. The only neighbour that this impacts has expressed their support for this project. The church down the street is actually closer to lot lines than this project will be.

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

Ralph Maleus: I live in Sunderland and have passed the property many times. It is very shallow and wide compared to other properties. The current 2.5m setback in the front will remain there and I am wondering if the existing house is grandfathered. Can I get clarification on the 2.5m vs. the 4.4m?

Response: The existing house is legal non-conforming so it doesn't need to be recognized through this application. This is only dealing with the renovation.

Peter Prust: This looks consistent with other properties on the street. I see no issues and have no questions.

Gloria Stewart: My questions have been answered and I'm satisfied.

Bill Basztyk: The only questions I had were asked and answered. I have no further questions.

4b) Written Submissions for A-4/20 BRUNNE

- Planning Report
- No written comments were received, however a phone call from Michael Lucas of the Grace Baptist Church was received in support of the application.

4c) Decision regarding A-4/20 BRUNNE

The Committee will consider the application after hearing all parties, advise those present of its decision, and will notify by mail as required in accordance with the *Planning Act*.

Resolution 2-3

MOVED BY Ralph Maleus, seconded by Bill Basztyk that Minor Variance Application File No. A-4/20 BRUNNE as made by Dave Brunne on behalf of Luke Morgan and Nicole Brunne 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.

MOTION CARRIED

4d) CONFORMATION OF DECISION

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

Chair Hewitt explained the appeal period. A building permit cannot be issued within 20 days, but you can work towards obtaining it. The appeal goes to the LPAT and their decision is final.

Name of Applicant / Agent:	Bryan Sydney and Michelle Noble
Address of Applicant / Agent:	28 Albert Street, Cannington, ON L0E 1E0
Location of Property:	20680 Sideroad 18A, Brock Township (Part Lot 18, Concession 11)
Purpose of Application:	Relief from Zoning By-law 287-78-PL Section 10.1 b) RELATION TO STREET in which an accessory building (garage) is not permitted to be closer to street line than the principal or main building on the lot.
Effect of Application:	The effect of the application is to permit the building of the garage closer to the street than the permanent dwelling house upon construction.

4a) Presentation of Application A-5/20 SYDNEY/NOBLE

- **Does the owner or agent wish to speak to the application?**
Bryan Sydney: We are looking to put a separate garage when we build the house. Due to the grade we need to put the garage in front. It is a very private lot.
- **Does anyone else wish to speak to the application?**
Gloria Stewart: I was out to the property. My question is, on the drawings it has house and garage on the back of the lot as well.

Response: On the drawing, it shows a garage attached to the house.

Gloria Stewart: Is the garage we are talking about for commercial use? Will it be serviced?

Response: No, for personal use storage. No, no water. There will be hydro for lights but no washroom or anything.

Peter Prust: Does the grade have to change to build it?

Response: The backyard is probably 7 or 8 feet lower in the back yard. I'm not planning on doing any more grading. Those numbers are shot from the top of the well and then took the bottom side of the basement.

Peter Prust: It is a pretty secluded situation and does not appear to have impacts on the neighbours.

Bill Baszyk: I would like to confirm the total lot size as a bit over 2 acres. You are proposing a walk out from the basement at the rear of the house. Is the house going to be a single or two-storey?

Response: [corrected as per July 28 meeting minutes] Yes, the lot is approximately 2 acres and the house will be a single storey with a walk-out basement.

Ralph Maleus: I think this is a reasonable request. I don't have any questions.

4b) Written Submissions for A-5/20 SYDNEY/NOBLE

- Planning Report

4c) Decision regarding A-5/20 SYDNEY/NOBLE

The Committee will consider the application after hearing all parties, advise those present of its decision, and will notify by mail as required in accordance with the *Planning Act*.

Resolution 3-3

MOVED BY Bill Basztyk, seconded by Peter Prust that Minor Variance Application File No. A-5/20 SYDNEY/NOBLE as made by Bryan Sydney and Michelle Noble 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.

MOTION CARRIED

4d) CONFORMATION OF DECISION for A-5/20 SYDNEY/NOBLE

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

Chair Hewitt explained the appeal period. A building permit cannot be issued within 20 days, but you can work towards obtaining it.

5. OTHER BUSINESS

- No other business was brought forward.

6. ADJOURN

MOVED BY Peter Prust that this meeting does now close at 7:38 pm.

MOTION CARRIED

CHAIR

SECRETARY-TREASURER