

**FIRST BEAVERTON INC. AND SECOND BEAVERTON INC.**

**ZONING BY-LAW AMENDMENT**

**PART LOT 15, CONCESSION 5 (THORAH)**  
**(municipally known as 0 and 157 Main Street)**

**TOWNSHIP OF BROCK**

**3034-2021**  
**File No. 9-2019-PL**  
**June 2021**

**NOTICE OF THE PASSING  
OF A ZONING BY-LAW BY THE  
CORPORATION OF THE TOWNSHIP OF BROCK**

**TAKE NOTICE** that the Council of the Corporation of the Township of Brock passed By-law No. 3034-2021 on the 28<sup>th</sup> day of June, 2021, circulating the Notice of Passing on the 2<sup>nd</sup> day of July, 2021 pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, as amended. All written/oral submissions made in respect of this application were considered by Council as contained within the staff report/resolution.

**AND TAKE NOTICE** that any person or agency who, **before the by-law was enacted, made oral submissions at a public meeting or written submissions to Council**, may appeal to the Local Planning Appeal Tribunal (LPAT) in respect of the By-law by filing with the Clerk of the Corporation of the Township of Brock not later than **4:30 p.m. on the 22<sup>nd</sup> day of July, 2021** a notice of appeal on the prescribed form available in the office of the Clerk or from the LPAT website at [www.elfto.gov.on.ca](http://www.elfto.gov.on.ca) together with a certified cheque in the amount of \$1,100.00 payable to the Minister of Finance.

**The grounds for an appeal are restricted to: a) inconsistency with a Provincial Policy Statement; b) fails to conform with or conflicts with a Provincial Plan; or c) fails to conform with an applicable Official Plan. A notice of appeal must explain how the by-law is inconsistent with a Provincial Policy Statement, fails to conform with or conflicts with a Provincial Plan, or fails to conform with an applicable Official Plan.**

**PLEASE NOTE** that only individuals, corporations and public bodies may appeal a zoning by-law to the LPAT. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

**NO PERSON** or public body shall be added as a party to the hearing of the appeal unless, before the by-law was passed, the person or public body made oral submissions at a public meeting or written submissions to the Council or, in the opinion of the LPAT, there are reasonable grounds to add the person or public body as a party. Additional information regarding public participation at LPAT, is available through the LPAT Support Centre at 1-866-448-2248.

An explanation of the purpose and effect of the By-law, describing the lands to which the By-law applies, and a Key Map showing the location of the lands to which the By-law applies, are attached.

The complete By-law is available in the office of the Clerk during regular office hours (8:30 a.m. – 4:30 p.m.) and on the Township website: [www.townshipofbrock.ca](http://www.townshipofbrock.ca).

Dated at the Corporation of the Township of Brock this 2<sup>nd</sup> day of July, 2021.

Clerk's Department  
[clerks@brock.ca](mailto:clerks@brock.ca)  
P.O. Box 10, Cannington, Ontario, L0E 1E0  
705-432-2355 (Telephone), 705-432-3487 (Fax)

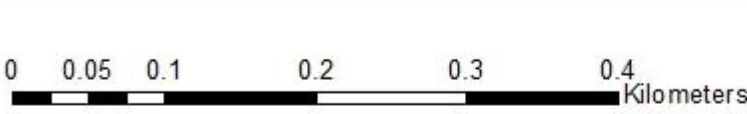
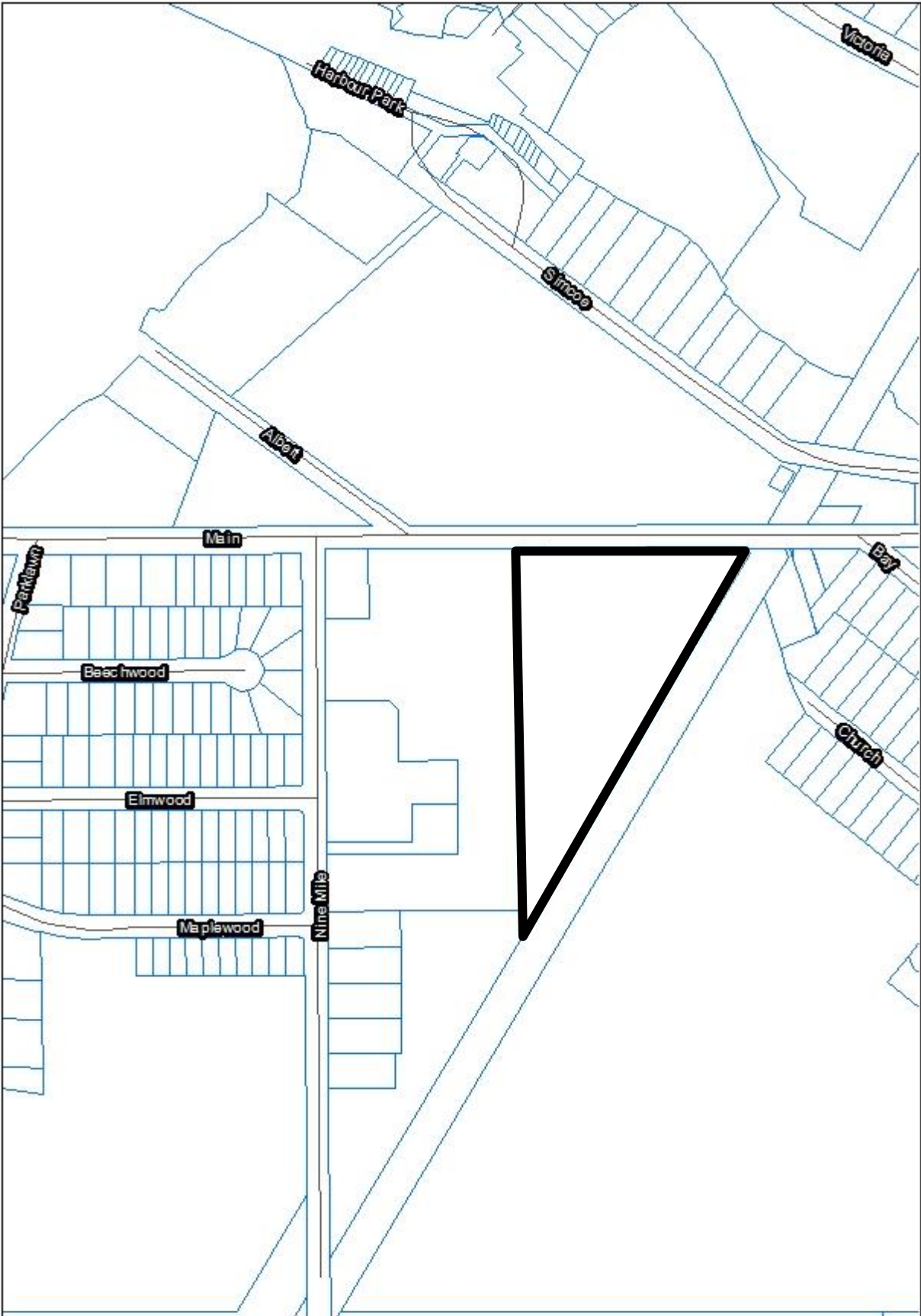
## **EXPLANATORY NOTE**

### **TO ZONING BY-LAW NO. 3034-2021 PASSED BY THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF BROCK**

- LANDS AFFECTED:** This By-law applies only to certain land located on the south side of Main Street and east of the CN Rail line. The property is described as part of Lot 15, Concession 5 (Thorah), 0 and 157 Main Street. The general location of the subject land is shown on the Key Map attached hereto.
- PRESENT ZONING:** Zoning By-law No. 287-78-PL, as otherwise amended, places the subject land in the Development (D) Zone and Residential Type One (R1) Zone category.
- PROPOSED ZONING:** The amendment, upon approval, will rezone the land to the Residential Type One Twenty-Seven (R1-27) Zone, Residential Type Three Exception Fourteen (R3-14) Zone, Open Space Exception Seven (OS-7) Zone, and Environmental Protection (EP) Zone categories.
- PURPOSE & EFFECT:** The purpose and effect of By-law Number 3034-2021 is:
1. To permit the development of 27 single detached dwelling units and 25 townhome dwelling units in a plan of subdivision (R1-27 and R3-14).
  2. To identify and protect a woodland feature within the eastern portion of the subject lands (EP).
  3. To identify stormwater management facilities within the plan of subdivision (OS-2).
  4. Recognize site-specific lot areas and setbacks (R1-27 and R3-14).
  5. Recognize setbacks of habitable buildings to the CN Railway right-of-way (R1-27 and R1-14).

# Key Map

## To Zoning By-law No. 3034-2021



Subject Lands

**The following is a copy of  
Zoning By-law No. 3034-2021 of the  
Corporation of the Township of Brock**

**ZONING BY-LAW NUMBER 3034-2021**  
**OF THE**  
**CORPORATION OF THE TOWNSHIP OF BROCK**

**BEING A BY-LAW UNDER THE PROVISIONS OF SECTION 34 OF THE PLANNING ACT, R.S.O., 1990, AS AMENDED, TO AMEND ZONING BY-LAW NUMBER 287-78-PL, AS OTHERWISE AMENDED, OF THE CORPORATION OF THE TOWNSHIP OF BROCK, WITH RESPECT TO CERTAIN LAND LOCATED WITHIN PART OF LOT 15, CONCESSION 5, MUNICIPALLY KNOWN AS 157 and 0 MAIN STREET, IN THE TOWNSHIP OF BROCK, REGION OF DURHAM.**

**WHEREAS** the Council of the Corporation of the Township of Brock has received a formal application to amend By-law Number 287-78-PL, as otherwise amended, with respect to the above-noted lands;

**AND WHEREAS** the By-law hereinafter set out is in conformity with the approved Official Plans for the Regional Municipality of Durham and the Township of Brock;

**AND WHEREAS** the Council of the Corporation of the Township of Brock conducted a public meeting on the 5<sup>th</sup> of March, 2020, pursuant to Section 34 (12) of the *Planning Act*, R.S.O. 1990, as amended;

**NOW THEREFORE** the Council of the Corporation of the Township of Brock **ENACTS** as follows:

1. **THAT** Plate “A3” of By-law Number 287-78-PL, as otherwise amended to the contrary, is hereby further amended by changing the Zone classification on those lands located within part of Lots 14 and 15, Concession 5 (Thorah), from the Development (D) Zone and Residential Type One (R1) Zone category to the Residential Type One Exception Twenty-Seven (R1-27) Zone, the Residential Type Three Exception Fourteen (R3-14) Zone, the Open Space Exception Seven (OS-2) Zone, and the Environmental Protection (EP) Zone categories in accordance with Schedule “A” attached hereto and forming part hereof.
2. **THAT** Section 9.9, entitled “Residential Type One (R1) Zone Category Exceptions” is hereby amended by inserting the following clauses which shall read as follows:

“9.9.27     RESIDENTIAL TYPE NO. 1 EXCEPTION TWENTY-SEVEN (R1-27)  
ZONE

- a) Notwithstanding the provisions of Plate “C”, entitled “PROVISIONS FOR RESIDENTIAL USES” of Zoning By-law Number 287-78-PL, as otherwise amended to the contrary, within the Residential Type One Exception Twenty-Seven (R1-27) Zone, located within part of Lot 15,

Concession 5 (Thorah), the following provisions shall apply:

- i) Minimum Lot Area: 320 square metres
- ii) Minimum Lot Frontage: 10.0 metres
- iii) Minimum Front Yard Setback: Dwelling - 3.5 metres  
Garage – 6.0 metres
- iv) Minimum Interior Side Yard Setback: 1.2 metres (on both sides)
- v) Minimum Exterior Side Yard Setback: 3.0 metres
- vi) Rear Yard Setback (min): 7.0 metres
- vii) Lot Coverage (max): 55 percent
- viii) Minimum setback from CN Railway right-of-way for habitable buildings 30.0 metres
- ix) Maximum Height: 10.0 metres
- x) Minimum Sight Triangle 5.0 metres
- xi) Maximum Encroachment into Front or Exterior Side Yard for stairs: 2.5 metres

b) In all other respects, the provisions of the Residential Type One (R1) Zone and By-law Number 287-78-PL shall apply and be complied with.”

3. **THAT** Section 9.11, entitled “Residential Type Three (R3) Zone Category Exceptions” is hereby amended by inserting the following clauses which shall read as follows:

“9.11.14 RESIDENTIAL TYPE THREE EXCPETION FOURTEEN (R3-14) ZONE

- a) Notwithstanding the provisions of Plate “C”, entitled “PROVISIONS FOR RESIDENTIAL USES” of Zoning By-law Number 287-78-PL, as otherwise amended to the contrary, within the Residential Type Three Exception Fourteen (R3-14) Zone, located within part of Lot 15, Concession 5 (Thorah), the following provisions shall apply for a row townhouse dwelling unit:
  - i) Minimum Lot Area for dwelling units with two walls attached to adjoining units: 180 square metres
  - ii) Minimum Lot Frontage for dwelling units with two walls attached to adjoining units: 6.0 metres
  - iii) Minimum Lot Area for a dwelling unit where one wall is attached to an adjoining unit and the other wall abuts an interior side yard: 220 square metres
  - iv) Minimum Lot Frontage for a dwelling unit where one wall is attached to an adjoining unit and the other wall abuts an interior side yard: 7.5 metres
  - v) Minimum Lot Area for a dwelling unit where one wall is attached to an adjoining unit and the other wall abuts an exterior side yard: 300 square metres

|        |  |  |
|--------|--|--|
| vi)    | Minimum Lot Frontage for a dwelling unit where one wall is attached to an adjoining unit and the other wall abuts an exterior side yard: | 10.5 metres                                  |
| vii)   | Front Yard Setback (min):  | Dwelling - 3.5 metres<br>Garage – 6.0 metres |
| viii)  | Party Wall Setback:  | 0.0 metres                                   |
| ix)    | Interior Side Yard Setback (min):  | 1.2 metres (on both sides)                   |
| x)     | Exterior Side Yard Setback (min):  | 3.0 metres                                   |
| xi)    | Rear Yard Setback (min):   | 7.0 metres                                   |
| xii)   | Lot Coverage (max):  | 40 percent                                   |
| xiii)  | Maximum no. of parking spaces per lot of which one (1) space must be provide within the attached garage                                  | 2  |
| xiv)   | Minimum setback from CN Railway right-of-way for habitable buildings:  | 30.0 metres                                  |
| xv)    | Maximum Height:  | 10.0 metres                                  |
| xvi)   | Minimum Sight Triangle:  | 5.0 metres                                   |
| xvii)  | Maximum Encroachment into Front or Exterior Side Yard for Unenclosed, Covered or Uncovered Porches:                                      | 1.5 metres                                   |
| xviii) | Maximum Encroachment into Front or Exterior Side Yard for stairs:  | 2.5 metres                                   |

- b) In all other respects, the provisions of the Residential Type Three (R3) Zone and By-law Number 287-78-PL shall apply and be complied with.”

4. **THAT** Section 9.2, entitled “Open Space (OS) Zone Category Exceptions” is hereby amended by inserting the following clauses which shall read as follows:

“9.2.2 OPEN SPACE EXCEPTION SEVEN (OS-2) ZONE

- a) Notwithstanding the uses permitted within the Open Space (OS) Zone, of By-law Number 287-78-PL, as otherwise amended to the contrary, within the Open Space Exception Seven (OS-2) Zone, located within part of Lot 15, Concession 5 (Thorah), the use shall be restricted to a storm water management facility.

3. **THAT** Zoning By-law No. 287-78-PL, as otherwise amended, is hereby amended to give effect to the foregoing, but Zoning By-law No. 287-78-PL, as otherwise amended, shall in all other respects remain in full force and effect.



4.           **THAT** Zoning By-law No. 3034-2021 shall come into force on the date it is passed by the Council of the Corporation of the Township of Brock subject to the applicable provisions of the *Planning Act*, R.S.O., 1990, as amended.

**THIS BY-LAW READ TWICE THIS 28<sup>th</sup> DAY OF JUNE, A.D., 2021.**

\_\_\_\_\_  
Mayor  
John Grant

\_\_\_\_\_  
Deputy Clerk  
Deena Hunt

**THIS BY-LAW READ A THIRD TIME AND FINALLY PASSED THIS 28<sup>th</sup> DAY OF JUNE, A.D., 2021.**

\_\_\_\_\_  
Mayor  
John Grant

\_\_\_\_\_  
Deputy Clerk  
Deena Hunt

Schedule "A"

To Zoning By-law No. 3034-2021

