



COMMITTEE OF ADJUSTMENT

MEETING MINUTES

4<sup>th</sup> MEETING OF 2021

TUESDAY JULY 20, 2021

The fourth meeting of 2021 for the Committee of Adjustment of the Township of Brock was held on Tuesday, July 20, 2021 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)

Others Present:

- Ali Kahi (applicant)
- Agent: Anna Van Maris, Parklane Landscapes (agent to Ali Kahi)
- Brian Sovie (applicant)
- Claudia Hamilton (agent to Brian Sovie)
- Brent Baker (applicant)  
Shane Gregory – Gregory Designs (agent to Brent Baker)

1. **CALL TO ORDER** – Chair George Hewitt – 7:10 p.m.
2. **DECLARATION OF CONFLICT OF INTEREST**
3. **CONFIRMATION OF MINUTES** – 3<sup>rd</sup> meeting – June 15, 2021

**Resolution 1-4**

MOVED BY Ralph Maleus and seconded by Bill Basztyk, that the minutes of the 3<sup>rd</sup> meeting of the Township of Brock Committee of Adjustment, as held on June 15, 2021, be taken as read, confirmed, and signed by the Chair and Secretary-Treasurer.

**CARRIED**

4. **HEARING OF APPLICATIONS**

**Application A-8/21 KAH**

<b>Name of Applicant / Agent:</b>	Applicant: Ali Kahi Agent: Anna Van Maris, Parklane Landscapes
<b>Address of Applicant / Agent:</b>	Applicant: B27240 Cedarhurst Beach Road, Beaverton ON L0K 1A0 Agent: PO Box 365 Orillia ON L3V 6J8
<b>Location of Property:</b>	B27240 Cedarhurst Beach Road, Beaverton ON L0K 1A0
<b>Purpose of Application:</b>	To provide relief from Zoning By-law 287-78-PL; Plate “C”, line 13 in Section 7, requiring an interior side yard setback of 1.2m, to

	allow for a 0.46m setback from the south property line; Plate “C”, line 11, requiring a front yard setback of 11m, to allow for a 0.46m front yard setback; relief from Section 10.1 f) of the Zoning By-law that requires an accessory building lot coverage maximum of 7.5%, to allow for lot coverage of 8.2%; and relief from Section 10.1 f) of the Zoning By-law requiring a maximum height of 4m for accessory buildings, to allow for a 4.543m maximum height for the garage.
<b>Effect of Application:</b>	To allow for the construction of a detached garage.

**4a) Presentation of Application A-8/21 KAHl**

- **Does the owner or agent wish to speak to the application?**  
**Ali Kahi:** A single story garage to serve the household. I don't have anywhere else to put it because of the septic and the well.  
**Anna Van Maris:** The relief for the height is to match the pitch of the house. The square footage of the accessory buildings is high, but the overall lot coverage is lower than permitted.  
  
**Peter Prust:** Everything makes sense from an intuitive standpoint. The lots in the area are very narrow. I talked to the neighbour. They were unaware of the proceedings. They didn't really have any issues. They were a little worried about the setback to the hedge. They were concerned about the overhang impacting the hedge.  
**Ali Kahi:** I had a word with the neighbours about the pitch. I want to preserve the hedge. There may not be an overhang on the back to preserve the hedge. This is the neighbour to the south.  
  
**Bill Baszytk:** My questions and issues were answered at the site visit. I have no further issues or questions.  
  
**Ralph Maleus:** I also attended the property. I understand the requirement for Minor Variance is to fit in the garage on the small property and the septic. My only concern is that 11m to 0.46m is a large variance. It is somewhat unusual to have a 0.46m from the front yard property line. This is practically the only place you can place it. I have no other issues.
- **Does anyone else wish to speak to the application?**  
No

**4b) Written Submissions for A-8/21 KAHl**

**Region of Durham Health Department:** The above noted application has been reviewed by this department and we have no objection to the application. I would recommend that the owner contact the Ministry of the Environment, Conservation and Parks to confirm that the clearance distance between the drilled well and the proposed garage meets their requirements.

**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, LSRCA staff recommend approval of this application with no conditions.  
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. In future, 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.

**4c) Decision regarding A-8/21 KAHl**

The Committee considered the application after hearing all parties, advised those present of the decision, and will notify as required in accordance with the *Planning Act*.

**Resolution 2-4**

MOVED BY Peter Prust and seconded by Bill Bastyk that Minor Variance Application File No. A-8/21 KAHl as made by Ali Kahi, 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) CONFORMATION OF DECISION for A-8/21 KAHl**

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

**Application A-9/21 SOVIE**

<b>Name of Applicant / Agent:</b>	Applicant: Brian Sovie Agent: Claudia Hamilton (2392919 Ontario Inc.)
<b>Address of Applicant / Agent:</b>	Applicant: 255 Concession Road 7, Sunderland ON L0C 1H0 Agent: 37 Linda Road, Pefferlaw ON L0E 1N0
<b>Location of Property:</b>	255 Concession Road 7, Sunderland ON L0C 1H0
<b>Purpose of Application:</b>	To provide relief from Zoning By-law 287-78-PL; Section 10.1 b) RELATION TO STREET that requires a 15m exterior side yard setback as per the Rural Residential Zone provision to allow for a 7.65m exterior side yard setback.
<b>Effect of Application:</b>	To allow for the construction of a detached garage.

**4a) Presentation of Application A-9/21 SOVIE**

- Does the owner or agent wish to speak to the application?**  
**Brian Sovie:** I want to put a garage up and the barn is beyond repair.  
  
**Ralph Maleus:** I visited the property. The new garage would be an improvement to the property and the area.  
  
**Bill Basztyk:** All of my questions were answered on the site visit. No issues and no objections.  
  
**Peter Prust:** I also attended the site and have no issue.
- Does anyone else wish to speak to the application?**  
No

**4b) Written Submissions for A-9/21 SOVIE**

None

**4c) Decision regarding A-9/21 SOVIE**

The Committee considered the application after hearing all parties, advised those present of the decision, and will notify as required in accordance with the *Planning Act*.

**Resolution 3-4**

MOVED BY Ralph Maleus and seconded by Peter Prust that Minor Variance Application File No. A-9/21 SOVIE as made by Brian Sovie, 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) CONFORMATION OF DECISION for A-9/21 SOVIE**

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

Application A-10/21 BAKER	
<b>Name of Applicant / Agent:</b>	Applicant: 2578874 Ontario Inc. Agent: Shane Gregory – Gregory Designs
<b>Address of Applicant / Agent:</b>	Applicant: 18 Heisey Drive, Markham ON L3P 4P7 Agent: 16 Church Street, Markham ON L3P 2L6
<b>Location of Property:</b>	24810 Thorah Park Boulevard, Beaverton ON L0K 1A0
<b>Purpose of Application:</b>	To provide relief from Zoning By-law 287-78-PL; Section 7 Plate “C” Provisions for Residential Uses, column G row 13 that requires an interior side yard setback of 5m to allow for interior side yard setbacks of 1.83m on both the north and south sides of the lot.
<b>Effect of Application:</b>	To allow for the construction of a one storey single family dwelling.

**4a) Presentation of Application A-10/21 BAKER**

- Does the owner or agent wish to speak to the application?**  
**Shane Gregory:** When we looked at the positioning of the building, between the LSRCA and the septic requirements, we wanted to take advantage of the width of the lot. The back 2/3 behind the garage bumps back to 2.6m on the north side. I understand that the owner spoke to the neighbours and they had no objections.  
  
**Peter Prust:** I attended the site. The setback requests are pretty common in the area. I don’t have any objections.  
  
**Ralph Maleus:** I visited the property. I commend you for building a one storey house. I was surprised by the 1.83m on both sides rather than moving to one side as much as possible but I have no problem with the application as is.  
  
**Bill Basztyk:** It appears to me to be a good project overall. It will improve the look of the neighbourhood. The side setbacks seem common for what we are seeing on these lots. I have no objections to the project.

- **Does anyone else wish to speak to the application?**  
No

#### **4b) Written Submissions for A-10/21 BAKER**

##### **Comments from LSRCA:**

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 involve the submission of a detailed planting plan and addressing of additional comments.

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.

#### **4c) Decision regarding A-10/21 BAKER**

The Committee considered the application after hearing all parties, advised those present of the decision, and will notify as required in accordance with the *Planning Act*.

##### **Resolution 4-4**

MOVED BY Bill Baszyk and seconded by Ralph Maleus that Minor Variance Application File No. A-10/21 BAKER as made by 2578874 Ontario Inc. (Brent Baker), 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) CONFORMATION OF DECISION for A-10/21 BAKER**

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

### **5. OTHER BUSINESS**

- The Committee approves the new format of information packages.
- Fee forms will be sent out every 6 months
- A phone list is to be created for the Committee.

### **6. ADJOURN**

MOVED BY Peter Prust that this meeting does now close at 7:48 pm.

**CARRIED**

---

CHAIR

---

SECRETARY-TREASURER