



COMMITTEE OF ADJUSTMENT

MEETING MINUTES

2nd MEETING OF 2021

TUESDAY MAY 18, 2021

The second meeting of 2021 for the Committee of Adjustment of the Township of Brock was held on Tuesday, May 18, 2021 virtually by Microsoft Teams.

Members Present:

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

Staff Present:

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

Others Present:

- Ahmed Ali (applicant's agent)
- Emad Ali (applicant)

1. **CALL TO ORDER** – Chair George Hewitt – 7:04 p.m.
2. **DECLARATION OF CONFLICT OF INTEREST**
3. **CONFIRMATION OF MINUTES** – 1st meeting – March 16, 2021

Resolution 1-2

MOVED BY Peter Prust and seconded by Ralph Maleus, that the minutes of the 1st meeting of the Township of Brock Committee of Adjustment, as held on March 16, 2021, be taken as read, confirmed, and signed by the Chair and Secretary-Treasurer.

CARRIED

4. HEARING OF APPLICATIONS

Application A-3/21 ALI

Name of Applicant / Agent:	2688263 Ontario Inc.
Address of Applicant / Agent:	5250 Satellite Drive, Unit 38, Mississauga ON L4W 5G5
Location of Property:	B24410 Thorah Park Boulevard
Purpose of Application:	Relief from Zoning By-law 287-78-PL, Plate "C", line 13 in Section 7, requiring an interior side yard setback of 5m, to allow for a 3.47m setback from the south property line and a 1.6m setback from the north property line. Additionally, as per Section 10.1 f) that requires an accessory building to be 3m from the property line, relief is sought to allow a 2m setback from the north property line.
Effect of Application:	The effect of the application is to permit the construction of a detached dwelling and boat house.

4a) Presentation of Application A-3/21 ALI

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

Emad: We are planning to build my house and it is very challenging with a 15m lot width. This helps with the size and aesthetics.

Gloria Stewart: I don't have any questions. I am wondering if there was any fill that needed to be put in.

Bill Baszyk: I notice on the plan that there is an existing septic bed and tank. I notice the tank is up off the ground and then a new proposed tank and filter bed is proposed. I take it you will remove the existing and replace it?

Ahmed: Yes, that is correct.

Bill: Are you proposing a fence between your lot and Lot 63?

Ahmed: Yes, we are.

Ralph Maleus: I visited the site and entered the property. Usually we deal with relief from the setback on one side. I can't recall one being on both sides. In my judgement, I think the house is just too big for that lot size.

Peter Prust: I attended the lot. Is the neighbour involved for stabilizing the gully?

Ahmed: There are two holes. Where the previously proposed dwelling was and then there is a trench to the water and armoured stone at the shoreline. We are proposing to set back the house to align somewhat with previous excavation. We are proposing a boathouse to cover most of that gully and then backfill the rest.

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

4b) Written Submissions for A-3/21 ALI

- Planning Report.

Region of Durham Health Department

"the above note application has been reviewed by this department and we have no objection to the approval. This letter is not an approval for a building permit for a private sewage system and we cannot confirm the area allocated for the system on the site plan is sufficient. The Health Department will conduct a review once a complete building permit application for the sewage system has been submitted."

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 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 proposed development. A permit from the Lake Simcoe Region Conservation Authority will be required prior to development or site alteration taking place.

4c) Decision regarding A-3/21 ALI

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 2-2

MOVED BY Bill Basztyk and seconded by Peter Prust that Minor Variance Application File No. A-3/21 ALI as made by Ahmed and Emad Ali (on behalf of 2688263 Ontario Inc.), 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-3/21 ALI

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

5. OTHER BUSINESS

No other business was brought forward.

6. ADJOURN

MOVED BY Ralph Maleus that this meeting does now close at 7:38pm.

CARRIED

CHAIR

SECRETARY-TREASURER