

Decision of the Committee of Adjustment With Reasons

(Section 45(1), Planning Act, 1990)

Municipality	Municipality of Brockton
File Number	A-2021-008
Related File(s)	None
Date of Hearing	June 8, 2021
Owner / Applicant / Agent	Drew & Amy Paterson
Legal Description	PLAN 419 LOT 13 (Brant), Municipality of Brockton
Municipal Address	722 Marl Lake Rd 7
Purpose of Application	An increase to the maximum lot coverage, a decrease in the required front yard setback, and a decrease to the setback required from the water’s edge.
Variances Granted	<div><div>1. An increase to the maximum site coverage. The proposed site coverage is 17.47% whereas the permitted coverage in the zoning by-law is 15%. The Applicant is requesting to exceed the maximum lot coverage by 2.47%.</div><div>2. A decrease to the front yard setback. The proposed front yard setback is 2.4 m whereas the required front yard setback in the zoning by-law is 6 m. The applicant is requesting to reduce the front yard setback by 3.6 m.</div><div>3. A decrease to the setback from the water’s edge . The proposed setback is 12.19 m and the minimum permitted in the by-law is 15 m. The applicant is requesting relief for 2.81 m.</div></div>
Effect of Submissions	Any submissions relating to this application were considered by the Approval Authority in making its decision on this matter.

The application for Minor Variance from Comprehensive Zoning By-law 2013-26 is hereby **granted** subject to the following conditions:

1.

That any future development on the property conforms to the provisions of the Zoning By-law;
2.

That the decision applies only to the proposed development as indicated on Schedule ‘A’ attached to and forming part of this decision;
3.

That the total lot coverage for the dwelling shall be no greater than 17.47%;
4.

That the front yard setback of the proposed development shall be no less than 2.4m; and
5.

That the dwelling setback from the water’s edge shall be no less than 12.19m.

Reasons:

1. The variance maintains the intent and purpose of the Official Plan.
2. The variance maintains the intent and purpose of the Zoning By-law.
3. The variance requested is desirable for the appropriate and orderly development and use of the lands and buildings.
4. The variance is minor in nature.

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The application for Minor Variance from Comprehensive Zoning By-law 2013-26 is hereby **refused**.

Reasons (check all that apply):

- ☐ The variance does not maintain the intent and purpose of the Official Plan.
- ☐ The variance does not maintain the intent and purpose of the Zoning By-law.
- ☐ The variance requested is not desirable for the appropriate and orderly development and use of the lands and buildings.
- ☐ The variance is not minor in nature.
- ☐ The variance does not conform to the Provincial Policy Statement.

Concurrence of Committee Members for Minor Variance A-2021-008 Paterson

We, the **undersigned, concur in the Decision and reasons** given for the Decision of the Committee of Adjustment for the Municipality on June 8, 2021.

Signature	Title & Name	Absent	Present
<hr/>	Committee Member, (Kym Hutcheon)	()	()
<hr/>	Committee Member, (Dan Gieruszak)	()	()
<hr/>	Committee Member, (Steve Adams)	()	()
<hr/>	Committee Member, (James Lang)	()	()
<hr/>	Committee Chair, (Dean Leifso)	()	()
<hr/>	Committee Chair, (Tim Elphick)	()	()
<hr/>	Committee Chair, (Chris Peabody)	()	()

Certification of Committee’s Decision

I, **Fiona Hamilton** being the Secretary-Treasurer of the Committee of Adjustment for the Corporation of the **Municipality of Brockton**, certify that this is a true copy of the Committee's Decision of **June 8, 2021**

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Date	Secretary-Treasurer

Notice of Last Date of Appeal

Notice is hereby given that the last date for appealing this decision to the
Local Planning Appeal Tribunal is **June 28, 2021**
See appeal information on reverse of this form.

Notice That No Appeals Have Been Received

When signed, this certifies that no appeals have been received

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Date	Secretary-Treasurer

Appeal Information

Not later than 20 days from the Date of Decision, the applicant, the Minister or any other person or public body who has an interest in the matter may appeal to the Local Planning Appeal Tribunal (LPAT) against the decision of the Committee. If no notice of appeal is given within 20 days, the decision of the Committee is final and binding.

Anyone wishing to appeal the decision is required to submit a notice of appeal (in accordance with the LPAT guidelines and Appellant Form A1, available at <https://olt.gov.on.ca/tribunals/lpat/about-lpat/>) setting out the objection to the decision and the reasons in support of the objection.

Appeals must include a certified cheque or money order in the amount of **\$400.00** payable to the Minister of Finance.

Appeals are filed with the **Secretary-Treasurer of the Committee** at:

Fiona Hamilton
Secretary-Treasurer of the Committee of Adjustment
Municipality of Brockton
Administration Centre
100 Scott Street, P.O. Box 68
WALKERTON, ON N0G 2V0

The LPAT may dismiss all or part of an appeal after holding a hearing or without holding a hearing on the motion under Section 45(17) [Dismissal without hearing], as it considers appropriate.

For more information about this application **phone 226-909-5515**, from 8:30 a.m. to 4:30 p.m. Monday to Friday; or visit on-line at www.brucecounty.on.ca under 'Living Here', 'Housing and Property', 'Land Use Planning' by Municipality and File Number; or e-mail bcplwa@brucecounty.on.ca.

Schedule 'A'

