



**The Corporation of the Municipality of Brockton**

**Committee of Adjustment Minutes**

**Tuesday, June 8, 2021, 6:30 p.m.**

**Electronic Meeting**

**Committee Members:** Chris Peabody, Mayor  
Dan Gieruszak, Deputy Mayor  
Steve Adams, Councillor  
Tim Elphick, Councillor  
Kym Hutcheon, Councillor  
Dean Leifso, Councillor

**Committee Members** James Lang, Councillor

**Absent:**

**Staff:** Fiona Hamilton, Secretary/Treasurer  
Dieter Weltz, Building and Planning Manager  
Sarah Johnson - Alternate Secretary/Treasurer  
Julie Steeper, Bruce County Planner

**1. Call to Order**

The Committee of Adjustment Meeting was called to order at 6:30 p.m. with Mayor Chris Peabody presiding.

**2. Acceptance of Agenda**

**Resolution** COA 21-03-01

Moved By: Steve Adams

Seconded By: Tim Elphick

That the Committee of Adjustment of the Council of the Municipality of Brockton accept the Agenda for the Public Meeting of June 8, 2021 as presented.

**Carried**

**3. Disclosure of Pecuniary Interest and General Nature Thereof**

None disclosed at this time.

**4. Acceptance of Minutes**

**4.1 Committee of Adjustment Minutes - April 13, 2021**

**Resolution** COA 21-03-02

Moved By: Kym Hutcheon

Seconded By: Dan Gieruszak

That the Committee of Adjustment adopt the minutes of the April 13, 2021 Committee of Adjustment Meeting as presented.

**Carried**

## **5. Reports**

### **5.1 Planning Report - Minor Variance Application A-2021-034**

Julie Steeper, Bruce County Planner, informed all those in attendance that they would receive updates by contacting Clerk Fiona Hamilton or the Bruce County Planning Department.

Ms. Steeper provided an overview of the application and described the characteristics of the two properties that were the subject of the lot line adjustment. Ms. Steeper confirmed that the relief should only be granted if it met the four part test required for a minor variance. Ms. Steeper reviewed the components of that test in light of the circumstances of the application.

According to Ms. Steeper, the variance would be considered minor as it had little impact on the surrounding properties. Ms. Steeper recommended approving the minor variance.

#### **Resolution COA 21-03-03**

Moved By: Dean Leifso

Seconded By: Steve Adams

That the Committee of Adjustment of the Corporation of the Municipality of Brockton has considered Bruce County Planning File A-2021-034 and any objections and submissions arising from the Public Hearing and hereby approves the application for a Minor Variance to 5 SCOTT ST - PLAN 7 PT LOT 61 RP 3R9965; PART 1; and 120 YONGE ST S PLAN 7 PT LOTS 61 TO 63 PLAN;162 PT LOT A RP 3R4199 PART;2 (Walkerton) Municipality of Brockton in accordance with the conditions as outlined on the Decision Sheet.

**Carried**

### **5.2 Planning Report - Minor Variance Application A-2021-019**

Julie Steeper, Bruce County Planner, informed all those in attendance that they would receive updates by contacting Clerk Fiona Hamilton or the Bruce County Planning Department. Ms. Steeper

Mr. Steeper provided an overview of the application to provide relief from the maximum site coverage and maximum height restriction. The application was requesting to exceed both of these provisions to facilitate the addition to a residential garage at Marl Lake Roads.

Ms. Steeper confirmed that the relief should only be granted if it met the four part test required for a minor variance. Ms. Steeper noted that the addition to the garage was generally permitted in the in-land lakes zone, and noted that while the lot coverage would be increased, there would still be adequate permeable surface for drainage, particular when viewed in light of the grading of the property towards the lake. Ms. Steeper noted that all water from the property would need to flow along its own path on that property and could not flow over the lands owned by the neighbours.

Ms. Steeper noted that despite the drainage concerns identified by the neighbour, the addition was keeping within the character of the neighbourhood and complied with the official plan.

Ms. Steeper recommended approving the minor variance and responded to questions from Council about the potential drainage situation in this area. Ms. Steeper noted that the lot grading and drainage plan would be addressed at the building permit stage.

The applicants spoke about the drainage issues in the area and how their proposal would not exacerbate those issues. Mayor Peabody provided an opportunity for members of the public to speak. Mr. David Moore participated in the meeting to reference a previous report noted that additional permeable surfaces may be allowing detrimental chemicals to drain in to the lake. Mr. Moore noted his position that the variance should not be considered as he did not believe it was minor in nature.

Ms. Steeper provided additional comments to provide guidance about when an application is no longer minor and should proceed as a zoning by-law amendment.

**Resolution COA 21-03-04**

Moved By: Tim Elphick

Seconded By: Steve Adams

That the Committee of Adjustment of the Corporation of the Municipality of Brockton has considered Bruce County Planning File A-2021-034 and any objections and submissions arising from the Public Hearing and hereby approves the application for a Minor Variance to 826 MARL LAKE RD 8 – CON 2 NDR PT LOTS 68 & 69 (Brant) Municipality of Brockton in accordance with the conditions as outlined on the Decision Sheet.

**Carried**

**5.3 Planning Report - Minor Variance Application A-2021-008**

Julie Steeper, Bruce County Planner, informed all those in attendance that they would receive updates by contacting Clerk Fiona Hamilton or the Bruce County Planning Department.

Mr. Steeper noted that the applicant was requesting to exceed the maximum lot coverage by approximately 2% and reduce the front yard setback and other setbacks. The application would permit the construction of a garage in the Marl Lakes Road area.

Ms. Steeper reviewed the four part test of a minor variance, and explained how the proposed application met the elements of the four part test. The proposed attached garage was following the driveway area, noting that the location of the septic system created challenges for any alternate location of the garage. As the amount of traffic along the road remained low, Ms. Steeper recommended approving the minor variance application.

**Resolution COA 21-03-05**

Moved By: Kym Hutcheon

Seconded By: Dan Gieruszek

That the Committee of Adjustment of the Corporation of the Municipality of Brockton has considered Bruce County Planning File A-2021-034 and any objections and submissions arising from the Public Hearing and hereby approves the application for a Minor Variance to 722 MARL LAKE RD 7 PLAN 419 LOT 13 (Brant) Municipality of Brockton in accordance with the conditions as outlined on the Decision Sheet.

**Carried**

**6. Adjournment**

**Resolution** COA 21-03-06

Moved By: Tim Elphick

Seconded By: Dean Leifso

That the Committee of Adjustment of the Council of the Municipality of Brockton hereby adjourn the Public Meeting convened under Section 45(6) of the Planning Act at 7:03 p.m.

**Carried**

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Chair - Mayor Peabody

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Clerk - Fiona Hamilton