

# Decision of the Committee of Adjustment With Reasons

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

Municipality	Municipality of Brockton
File Number	A-2024-048
Related File(s)	B-2024-065
Date of Hearing	March 18, 2025
Owner / Applicant / Agent	1221058 Ontario Inc – Dana Kieffer, Cobide Engineering
Legal Description	PLAN 3M225 BLK 10 PLAN 162;PT ROAD AND RP 3R9411 PARTS;4 AND 5 & PLAN 162 PARK PT LOT 41 (Town of Walkerton), Municipality of Brockton
Municipal Address	310 DURHAM ST W & 6 SPITZIG AVE
Purpose of Application	The purpose of this application is for a Minor Variance. It is proposed to recognize the existing building's setbacks on the subject lands. The reduced setbacks include, 5.8m to an exterior roadway and 6.3m to an abutting lot, wherein a setback of 7.5m is required. If approved, this will legally recognize all existing setbacks and facilitate the related Consent for new lot creation.
Variances Granted	The existing buildings and structures and recognized to comply with the provisions of the Zoning By-law.
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. The variance granted by this decision applies only to the development as shown on Schedule 'A', attached to and forming part of this decision.
2. Any future development on the property must conform to the provisions of the zoning bylaw.

**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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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 **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-2024-048 Spitzig

We, the undersigned, **concur in the Decision and reasons** given for the Decision of the Committee of Adjustment for the Municipality on March 18, 2025.

Signature	Title & Name	Absent	Present
<hr/>	Committee Member, (Carl Kuhnke)	( )	( )
<hr/>	Committee Member, (Gregory McLean)	( )	( )
<hr/>	Committee Member, (Kym Hutcheon)	( )	( )
<hr/>	Committee Member, (Steve Travale)	( )	( )
<hr/>	Committee Member, (Mitch Clark)	( )	( )
<hr/>	Committee Member, (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 **March 18, 2025**.

Date

Secretary-Treasurer

## Notice of Last Date of Appeal

Notice is hereby given that the last date for appealing this decision to the Ontario Land Tribunal is **April 7, 2025**.  
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

Date

Secretary-Treasurer

# Appeal Information

**Not later than 20 days** from the Date of Decision, only the applicant, the Minister, a specified person (being a utility and transportation company) or public body that has an interest in the matter may appeal to the Ontario Land Tribunal (OLT) 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 OLT guidelines and Appeal Form A1, available at <https://olt.gov.on.ca/appeals-process/> 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 specified by the OLT 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 OLT 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](http://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](mailto:bcplwa@brucecounty.on.ca)**.

# Schedule 'A'

