



Municipality of Brockton Planning Report

Application: Zoning By-Law Amendment
File Number: Z-10-19.34
Date: May 28, 2019

To: Mayor and Council Members, Municipality of Brockton

From: Dana Kieffer, Planner for the Municipality of Brockton

Subject: Rezoning Application by Phillip Eggleston et al for a change to the Environmental Protection Special (EP-10) zone.

Recommendation:

Subject to the submissions from the Public Meeting:

The Bruce County Planning Department recommends that the Municipality of Brockton **not approve** the proposed Zoning By-law Amendment submitted by Phillip Eggleston et al, File: Z-10-19.34.

Reasons for and Nature of the Application:

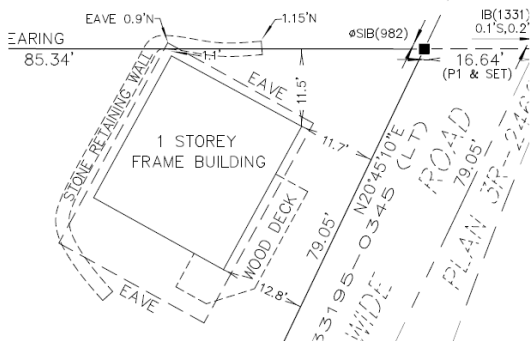
To create a special provision in the Environmental Protection zone to recognize the existing accessory structure and to permit the existing structure to have an increase in height, as it is currently constructed.

Location and Description:

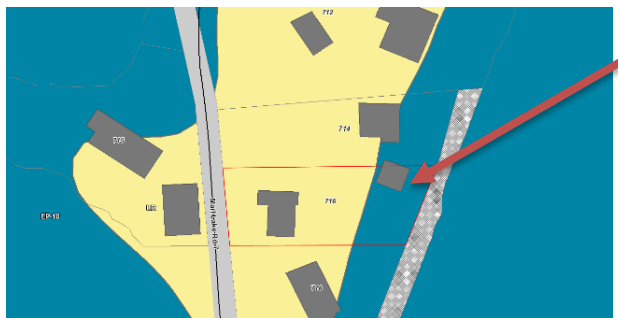
The lands are located halfway down Marl Lake Road and abut the Lake.

The municipal address is 716 Marl Lake Road 7.

The site includes a cottage to the front with a small accessory building to the rear lake side of the cottage. The accessory building is in the Environmental Protection (EP-10) Zone.



Survey



Municipality of Brockton Zoning Bylaw with buildings overlay

Background

The Planning Department received an application in January of 2019 and deemed it complete on February 7th to permit an existing accessory structure located in the Environmental Protection Special (EP-10) Zone.

This application came after a violation of building without a permit issued by Brockton.

Agency Circulation:

Brockton - The Building Department has orders against this property for building without a permit and construction in an Environmental Protection Zone, please see photos [and note the dates].





Historic Saugeen Metis - no objection or opposition

SVCA - the entire comments are attached in Appendix 7 but SVCA's comments were that the location of the detached accessory building is acceptable to SVCA staff. If the proposed zoning by-law amendment is approved, and to coincide with SVCA staff's permission to the owner with regard to the existing detached accessory building (Bunkie), as noted below, SVCA staff would recommend that the proposed zoning by-law amendment contain wording that the existing covered porch and existing deck never be enclosed or converted to habitable use."

Bruce-Grey Catholic District School Board - no comments

Public Comment:

The Planning Dept. has received one comment from Dean Haines, Ross Haines & Denise McCafferty whose cottage is to the north of the subject lands at 714 Marl Lake Road 7. Their full comments, pictures and survey cover letter are attached in Appendix 6 to this report and summarized here.

... "The neighbor in question asked our permission to extend the retaining wall that goes around the right side of the Bunkie onto our property by 2 inches, but took almost a foot. They failed to mention this was necessary so that they could construct a new roof and larger building. We would also like to address the fact that this was done without a survey and without a permit and during a time when they knew we would not be at the cottage to see these changes. The entire structure was up before we were even aware. Not once did they consider the loss of our view and property values. Like we stated previously the huge height difference has cost us several different views and it is also casting additional shade on our beach area in the afternoon. This area already had very limited amount of sunlight due to the trees.

Once the survey was done (After construction) it showed that the roof of the Bunkie now extends onto our property line by .90 feet. What gives a person the right to arbitrarily take another person's property for themselves? Is there any protection for the property

owners? Is there also a minimum distance that a building must be set back from the property line? There is also the added potential of fire spreading to our property due to the close proximity. Are there specific fire resistant materials that would be required in such cases? Another concern is whether the existing foundations are able to support this new much heavier roof.

We understood that at least two permits would have been required, one when they demolished the back of the Bunkie and another for the new build. The absence of either permit is a blatant disregard for county By-Laws and this behavior shouldn't be rewarded by allowing this application to be approved. It is our opinion that removal of all new construction would be the only fair decision."

Further, the Haines & Ms. McCafferty submitted the cover letter of a survey that they had done on their property in 2003 (attached in Appendix 6) that identified the northwest corner of the "summerhouse" on the subject lands as being 5'11" from Haines & McCafferty property line. Please note the survey submitted by the applicant wherein the northwest corner of the structure is now encroaching onto Haines & McCafferty property by 0.9'.

Planning Comment / Analysis:

The structure in is in the Hazard designation of the Bruce County Official Plan and in the Environmental Protection (EP-10) Zone of the Municipality of Brockton Zoning By-law. The designation and the zone prohibit structures to be constructed.

Hazard

As per the SVCA, the structure is in the flood plain of Marl Lake. The Provincial Policy Statement states that development and site alteration shall be directed away from hazardous lands adjacent to small inland lakes which are impacted by flooding and erosion hazards.

Legal Non-Complying/ Legal Non-Conforming/Illegal

Because no structures are permitted in the Environmental Protection Zone it can be assumed that the structure, prior to the addition, may have been legal non-conforming, legal non-complying (or both) or illegal depending on the original construction date. For the structure to be considered legal non-conforming and/or legal non-complying it would have had to have been constructed legally prior to the Zoning By-law coming into effect or a Zone change.

The Planning department has not received legal confirmation the building was legal non-complying and/or legal non-conforming. At least a portion of the structure was constructed without a permit and has an active order on it and therefore, we have no information on how the building was constructed and whether it was compliant with the Ontario Building Code.

Legal non-conforming and legal non-complying buildings are permitted to be "grandfathered" in, but there is the intent that the buildings and uses cease in the long term. The Brockton Zoning By-law reflects this:

- i. Legal Non-Conforming Uses are only permitted to strengthen to safe condition and are not permitted an increase to height, size or volume.

- ii. Legal Non-Complying buildings are permitted accessory uses, extensions or additions, but these must meet the provisions of the By-law.

The proposal represents a rebuild and height increase and due to the side yard setback, it does not meet the provisions of the by-law. The Bruce County Official Plan permits the Councils of the local municipalities to zone to permit legally existing uses' continuation, expansion, or enlargement which do not conform to the designations and provisions of the Plan. But, it does go on to require that these uses be located outside of the floodplain and floodway. The SVCA confirmed the structure was in the floodplain or floodway.

Finally, permitting the structure in the Zoning By-law by way of a special Zone would permit it in the long term which does not meet the intent of the Zoning By-law.

Encroachment

The applicants provided a survey that shows an encroachment onto the neighbour's yard of the eave on the northwest corner by 0.9". Permitting the structure in the Zoning By-law would infringe on the property rights of the neighbour and would not represent good planning.

Side Yard Setback

Planning staff identify from the survey that setback from the interior side wall to the property line is 1'1" (0.305 m).

Staff feel that a setback of 1'1" (0.305 m) does not provide enough separation between buildings and uses on adjacent properties, amenity space for maintenance and landscaping, and buffering. It would not allow the applicant to service the structure while standing on their own property.

For reference, the minimum setback for an accessory building located in the Lakeshore Residential Zone would be 1m.

Conclusion

Setting aside the legality of the structure, planning staff feel that it does not meet the principles of good planning to permit a portion of a structure that is encroaching onto the neighbour's yard, or has an interior side yard of 1'1" (0.305 m). In the opinion of Planning staff, the structure is too close and would not allow for adequate maintenance of the structure. Further, the structure's location in a floodplain means there is a significant risk of property damage in the future. Therefore, planning staff recommends that Council not approve the proposed By-law.

Should Council wish to approved the application, Planning staff have included a by-law in this package that would be in compliance with SVCA's recommendations.


Respectfully submitted,



Dana Kieffer, M.Sc.
Planner, Municipality of Brockton
County of Bruce Planning and Development Department

Appendix 1 - Background

Development Proposal	<p>To create a special provision in the 'Environmental Protection (EP-10)' zone to recognize the existing structure and to permit the existing structure to have an increase in height, as it is currently constructed.</p> <p>The applicant's Plan of Survey and other information can be obtained on-line at https://brucecounty.on.ca/living/land-use by Municipality and File Number.</p>
Related Files	none
Owner	Phillip Eggleston, Lianne Chumley, Dave German and Michelle German
Legal Description	Lot 10, Plan 419, Geographic Township of Brant, Municipality of Brockton
Municipal Address	716 Marl Lake Rd 7
Lot Dimensions	Entire Lot
Frontage	+/- 21.73 m (71.29 ft)
Width	+/- 21.73 m (71.29 ft) front / 24.09 m (79.05 ft) rear
Depth	+/- 59.29 m (194.51 ft) north / 48.68 m (159.7 ft) south
Area	+/- 1.52 ha (3.77 ac)
Uses Existing	Residential
Uses Proposed	Residential
Structures Existing	Dwelling and Bunkie
Structures Proposed	No Change
Servicing Existing	Private water and septic
Servicing Proposed	No Change
Access	Marl Lake Rd 7, a Year Round Municipal Road
County Official Plan	Inland Lake Development Areas, Hazard Lands Areas, Special Policy Area "D" (Part A)
Proposed Official Plan	No Change

Zoning By-law	'Inland Lake Residential (LR)' and 'Environmental Protection - Special (EP-10)'
Proposed Zoning By-law	'Inland Lake Residential (LR) Lakeshore Residential (LR)' and 'Environmental Protection - Special (EP-XX)'
Surrounding Land Uses	Residential
Subject Lands	

Appendix 2 - Provincial Policy Statement 2014

Apply?	Policy Area	
	1.0	Building Strong Communities
	1.1	Managing and Directing Land Use
x	1.1.3	Settlement Areas
	1.1.4	Rural Areas in Municipalities
	1.1.5	Rural Lands in Municipalities
	1.16	Territory Without Municipal Organization
	1.2	Coordination
	1.2.6	Land Use Compatibility
	1.3	Employment
	1.3.2	Employment Areas
	1.4	Housing
	1.5	Public Spaces, Recreation, Parks, Trails and Open Space
	1.6	Infrastructure and Public Service Facilities
x	1.6.6	Sewage, Water and Stormwater
	1.6.7	Transportation Systems
	1.6.8	Transportation and Infrastructure Corridors
	1.6.9	Airports, Rail and Marine Facilities
	1.6.10	Waste Management
	1.6.11	Energy Supply
	1.7	Long-Term Economic Prosperity
	1.8	Energy Conservation, Air Quality and Climate Change
	2.0	Wise Use and Management of Resources
	2.1	Natural Heritage
	2.2	Water
	2.3	Agriculture
	2.3.3	Permitted Uses
	2.3.4	Lot Creation and Lot Adjustments
	2.3.5	Removal of Land from Prime Agricultural Areas
	2.3.6	Non-Agricultural Uses in Prime Agricultural Areas
	2.4	Minerals and Petroleum
	2.4.2	Protection of Long-Term Resource Supply
	2.4.3	Rehabilitation
	2.4.4	Extraction in Prime Agricultural Areas
	2.5	Mineral Aggregate Resources
	2.5.2	Protection of Long-Term Resource Supply
	2.5.3	Rehabilitation
	2.5.4	Extraction in Prime Agricultural Areas
	2.5.5	Wayside Pits & Quarries, Portable Asphalt Plants and Portable Concrete Plants
	2.6	Cultural Heritage and Archaeology
	3.0	Protecting Public Health and Safety
x	3.1	Natural Hazards
x	3.2	Human-made Hazards

Other Provincial Interests

Ministry	Policy	Comment
MMAH	NA	
MCuI	NA	
MOE	NA	
MTO	NA	
MNR	NA	
OMAFRA	NA	

County of Bruce Official Plan

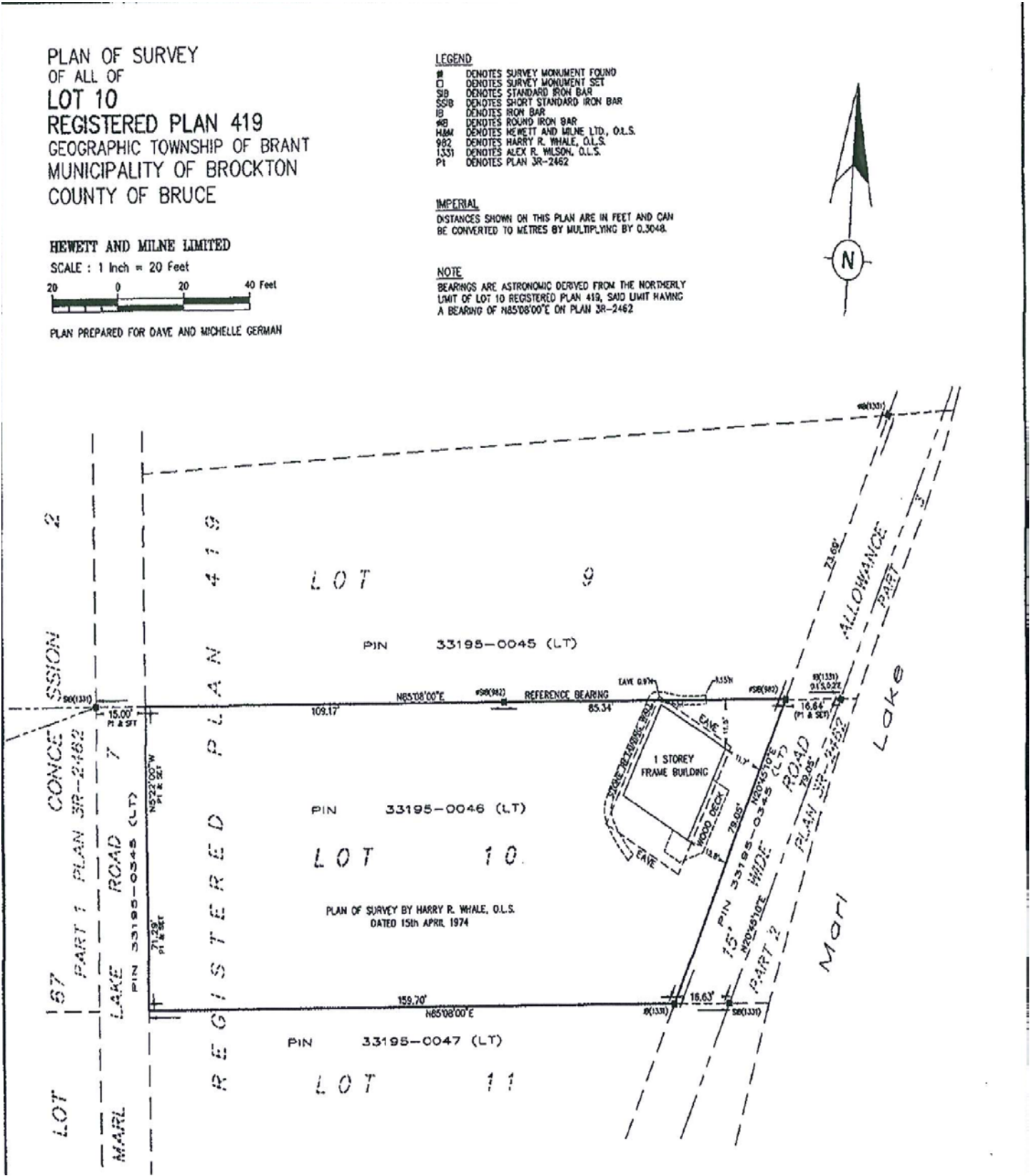
- 5.8Hazard Land Areas
- 6.7Legal Non-Conforming Use

Municipality of Brockton Zoning By-law 2013-26

- 24.0Environmental Protection (EP-10)
- 3.5Non-Complying Uses

Appendix 3 - Development Concept

Entire Site



Appendix 4 - Maps

Air Photo



Bruce County Official Plan



Brockton Zoning By-law



Appendix 5
Draft Zoning By-law
The Corporation of the Municipality of Brockton
By-law No. 2019 - xxx

Being a By-Law to Amend the Municipality of Brockton Comprehensive Zoning By-Law No. 2013-26, As Amended,

The Council of the Corporation of the Municipality of Brockton pursuant to Section 34 of the Planning Act, 1990, therefore enacts as follows:

1. That Schedule 'A' to By-Law No. 2013-26, as amended, is hereby further amended by changing the zoning symbol on Lot 10, Plan 419, geographic Township of Brant, Municipality of Brockton, from Environmental Protection Special (EP-10) to Environmental Protection Special (EP-19) as shown on Schedule 'A' attached hereto and forming a part of this By-law.
2. That By-law No. 2013-26, as amended, is hereby further amended by adding the following subsection to Section 24.5 thereof:
 - .19 Notwithstanding their 'EP' zoning, those lands delineated as 'EP-19' on Schedule 'A' to this By-law shall be used in compliance with the 'EP' zone provisions contained in this By-law, excepting however:
 - i. 'Agriculture, General', 'Cross Country Ski Facility' and 'Snowmobile Club' and 'Gun Club' shall not be permitted.
 - ii. Buildings and structures existing as of May 16, 2019, which do not comply with the provisions of this By-law are hereby recognized. All future buildings and structures, or additions to existing buildings and structures, shall comply with the provisions of this By-law.
 - iii. That the existing covered porch and existing deck shall not be permitted to be enclosed or converted to habitable use in the future.
3. That this By-law shall come into force and effect on the final passing thereof by the Council of the Municipality of Brockton, subject to compliance with the provisions of the Planning Act, R.S.O. 1990.

Read, Enacted, Signed and Sealed this _____day of _____2019.

Mayor - Chris Peabody

Clerk - Fiona Hamilton

Appendix 6- Public Comments

February 20, 2017

Corporation of the County of Bruce
Planning and Development
[30 Park Street, Box 848 Walkerton, ON N0G 2V0](#)
Re: File # Z-[10-19.34](#)

To whom it may concern,

We received the Notice of Complete Application regarding our neighbour at [716 Marl Lake Road](#) Lot 10. Please consider this letter our written request to be informed of any decision that the municipality makes regarding this property. We have read the application and are concerned with what appears to be omissions in the application. The proposal is to create a special provision in the "Environmental Protection" (EP-10) zone to recognize the **existing structure** and to permit the existing structure to have an increase in **height**, as it is currently constructed. What exactly is the maximum height allowed? Nowhere in this statement does it say increase in the footprint of the building. We are concerned that the facts are being omitted and need assurance that you are aware of all of the facts prior to making any decision. As you can see by the attached pictures the buildings' footprint was increased when the roof was constructed. We would like reassurance that the increase in square footage plus the height increase are, factored into any decision. This property has been in our family since 1952. The design we choose for the current cottage that was built 15 plus years ago was chosen mainly to allow us to utilize the views of the lake. The addition that the neighbors' have proceeded with has taken that view away; we no longer have a view from the bedroom, the driveway or the wrap around balcony. As you can see from the attached pictures all we see is a giant roof. When you choose to live on a lake the main reason is for the views of the water. We believe this has been taken away from us. This will definitely have a negative impact on our property value.

As a family we have struggled with how we should proceed with this complaint. We did not want to cause strife with our neighbors' yet we feel they have given us no choice. In writing this letter we understand that this will become a matter of public record and as such would like to add the following statement, "If someone tried to take **"your"** lake view, parts of **"your"** property and decrease **"your"** property value how would you react?" We already allow them temporary use of our property as a driveway, without this piece of our property they wouldn't have vehicle driveway access to the side/back of their property.

The neighbor in question asked our permission to extend the retaining wall that goes around the right side of the Bunkie onto our property by 2 inches, but took almost a foot. They failed to mention this was necessary so that they could construct a new roof and larger building. We would also like to address the fact that this was done without a survey and without a permit and during a time when they knew we would not be at the cottage to see these changes. The entire structure was up before we were even aware. Not once did they consider the loss of our view and property values. Like we stated previously the huge height difference has cost us several different views and it is also casting additional shade on our beach area in the afternoon. This area already had very limited amount of sunlight due to the trees.

Once the survey was done (After construction) it showed that the roof of the Bunkie now extends onto our property line by .90 feet. What gives a person the right to arbitrarily take another person's property for themselves? Is there any protection for the property owners? Is there also a minimum distance that a building must be set back from the property line? There is also the added potential of fire spreading to our property due to the close proximity. Are there specific fire resistant materials that would be required in such cases? Another concern is whether the existing foundations are able to support this new much heavier roof.

We understood that at least two permits would have been required, one when they demolished the back of the Bunkie and another for the new build. The absence of either permit is a blatant disregard for county By-Laws and this behavior shouldn't be rewarded by allowing this application to be approved. It is our opinion that removal of all new construction would be the only fair decision.

Thank-you in advance for your time.

Dean Haines, Ross Haines & Denise McCafferty
[714 Marl Lake Road 7](#) Lot 9



Bunkie Lot 10 Current. Please note how close the building is to the retaining wall. The wall was constructed a couple of summers ago. The addition was added in October 2017.



We received a request on October 6, 2017 from Dave –one of the Property owners of Lot 10 asking if he could extend the rock wall onto our property by a couple of inches. They have taken almost a foot.



Our New View of the Lake



These two pictures show the aftermath of the demolition when they removed the back end of the Bunkie. You can see in the second picture the foundation which was the corner of the old building. Note that the original building was at least 3 – 4 feet from the retaining wall. The width from the New structure to the wall is approximately 1 – 2 feet



This picture is the Bunkie prior to them purchasing the property. You can clearly see the section on the back that they removed. This is also before the deck addition on the front.



Coyne & Whale Surveying Limited

RR #1 Elmwood, Ontario N0G 1S0
Tel. (519) 369-9907
Fax (519) 369-3562

May 8, 2003

Mr. Ross Haines

220 Mulock Drive
Newmarket, Ontario
L3Y 7C5

Re: **Establishment of Boundaries**
Lot 9, Registered Plan 419 (Brant)
714 Marl Lake Road

On May 2, 2003 we attended the site and proceeded to re-establish and mark the boundaries of the above-mentioned property. During the course of our survey we were able to find and verify the steel survey monuments marking the corners of your property.

Note that the west limit along the 15' road is well out into the asphalt roadway by approximately 10'. Along the southerly limit the two sheds at the top of the hill straddle the property line. The Northwest corner of your neighbour's shed is over the property line by approximately 2'. The summerhouse on your neighbour's property at the base of the hill has the Northwest corner clear of the line by 5'-11".

Along the northerly limit the existing cottage is over the property line at its Northwest corner by 2'-10". The wire mesh fence immediately adjacent to the cottage is clear of the property line by 4'-5".

We have placed numerous stakes along the property lines and marked up the corners, which I hope should be sufficient for you to site the building. Should you wish to discuss this matter or have any questions, please contact me at your convenience.

Coyne & Whale Surveying Ltd.

Paul Coyne

Paul Coyne, B.Sc.
Ontario Land Surveyor

LOT 9.
223'-6"
53'-10" ROAD
LAKE 72' 193'-2"

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Appendix 7- SVCA Comments

Saugeen Valley Conservation Authority (SVCA) staff has reviewed the proposed zoning by-law amendment in accordance with the SVCA's mandate, the Saugeen Valley Conservation Authority Environmental Planning and Regulations Policies Manual, amended October 16, 2018, and the Memorandum of Agreement between the Authority and the County of Bruce relating to Plan Review. The purpose of the proposed zoning by-law amendment is to create a special provision in the 'Environmental Protection (EP-10)' zone to recognize the existing structure and to permit the existing structure to have an increase in height, as it is currently constructed. SVCA staff most recently conducted a site inspection to the property on May 10, 2019. The proposed zoning by-law amendment is acceptable to SVCA staff, and the following comments are offered.

Natural Hazard

In the opinion of SVCA staff, the eastern portion of the property, including the location of the detached accessory building (Bunkie) is designated Hazard Land Area in the County of Bruce Official Plan (OP), this same area is zoned Environmental Protection (EP-10) in the Municipality of Brockton Zoning By-law No. 2013-26. The Hazard Land Area designation and the EP zone generally coincide with the Hazardous Lands mapping as originally plotted by SVCA staff for the property. It is the opinion of SVCA staff that the existing detached accessory building (Bunkie) is located within the Hazard Land Area and the EP zone which is contrary to Section 5.8 of the Bruce County OP and Section 24 of the Municipality of Brockton Zoning By-law No. 2013-26.

It is the understanding of SVCA staff that section 5.8.8.3 of the Bruce County OP would apply to the existing detached accessory building (Bunkie), and that expansion or enlargement shall be discouraged. However, it is the opinion of SVCA staff that the footprint of the existing detached accessory building (Bunkie), as viewed on site May 10, 2019, may have a minor increase compared to what existed before reconstruction, except for the roof overhang on the south side, which was enlarged according to information previously provided by the owner to SVCA staff. The potential minor increase compared to what existed before reconstruction, in the opinion of SVCA staff, does not increase the risk to public safety than may currently exist and is therefore in general compliance with section 3.1., Natural Hazards Policy of the Provincial Policy Statement (PPS 2014).

Therefore, the location of the detached accessory building is acceptable to SVCA staff and is explained further in the SVCA Regulation section of this letter. If the proposed zoning by-law amendment is approved, and to coincide with SVCA staff's permission to the owner with regard to the existing detached accessory building (Bunkie), as noted below, SVCA staff would recommend that the proposed zoning by-law amendment contain wording that the existing covered porch and existing deck never be enclosed or converted to habitable use.

Natural Heritage

SVCA staff is of the opinion that the natural heritage features and areas affecting the property include fish habitat, and potentially the significant habitat of endangered species and threatened species.

Fish Habitat

Marl Lake abuts the eastern property boundary. Marl Lake is considered fish habitat by SVCA staff. Section 2.1.8 of the Provincial Policy Statement (PPS 2014) indicates that, among other things, development and site alteration shall not be permitted on the adjacent lands of fish habitat unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on fish habitat or on their ecological function. However, in the opinion of SVCA staff, negative impacts to the adjacent lands to fish habitat have likely been negligible based on the proposal, and as viewed on site, therefore the preparation of an EIS to address concerns for the adjacent lands to fish habitat is not recommended by SVCA staff at this time.

Significant Habitat of Endangered Species and Threatened Species

It has come to the attention of SVCA staff that habitat of endangered species and threatened species may be located on, and/or within lands adjacent to the property. Section 2.1.7 of the PPS 2014 indicates that development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements. It is the responsibility of the owner to ensure that endangered species and threatened species policy referred to in the PPS is appropriately addressed. Please contact the Ministry of Environment, Conservation and Parks (MECP) for information on how to address this policy.

SVCA Regulation

Virtually the entirety of the property is within the Approximate Screening Area associated with the SVCA's Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation (Ontario Regulation 169/06, as amended). This Regulation is in accordance with Section 28 of the *Conservation Authorities Act*, R.S.O. Chap. C. 27, and requires that a person obtain the written permission of the SVCA prior to any "development" in a Regulated Area or alteration to a wetland or watercourse.

“Development” and Alteration

Subsection 28(25) of the *Conservation Authorities Act* defines “development” as:

- a) the construction, reconstruction, erection or placing of a building or structure of any kind,
- b) *any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure increasing the number of dwelling units in the building or structure,*
- c) *site grading, or*
- d) *the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere.*

According to Section 5 of Ontario Regulation 169/06, as amended, alteration generally includes the straightening, diverting or interfering in any way the existing channel of a river, creek, stream or watercourse, or the changing or interfering in any way with a wetland.

To determine where the Approximate Screening Area is located associated with our Regulation on the property, please refer to the SVCA’s online mapping program, available via the SVCA’s website at <http://eprweb.svca.on.ca>. Should you require assistance, please contact our office directly.

Permission for Development or Alteration

If development or alteration including construction, reconstruction, conversion, grading, filling or excavation, is proposed on the property, the SVCA should be contacted, as permission may be required.

SVCA staff first became aware of the reconstruction of the existing detached accessory building on February 23, 2018. At that time, SVCA staff considered the works a violation of SVCA’s Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation (Ontario Regulation 169/06, as amended) as the works had occurred within the SVCA Regulated Area without first obtaining permission from the SVCA.

However, after receiving further information from the property owner on August 29, 2018, SVCA staff were able to issue comments (dated September 5, 2018) addressed to the owner, to recognize the reconstruction of the detached accessory building with increased roof overhang on the south side, and the construction of a deck on the east and south sides. In accordance with SVCA Policy 4.5.2-2, the violation of SVCA’s Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation (Ontario Regulation 169/06, as amended) was considered resolved provided the deck was never to be enclosed or converted to habitable use.

It was the understanding of SVCA staff that the existing footprint of the detached accessory building may have a minor increase compared to what existed before reconstruction, except for the roof overhang on the south side, which was enlarged according to information previously provided by the owner to SVCA staff.

Conclusion

All of the plan review functions listed in the Agreement have been assessed with respect to the application. The proposed zoning by-law amendment is acceptable to SVCA staff.