



Planning Report

To: Municipality of Brockton Committee of Adjustment

From: Julie Steeper, Planner

Date: March 9, 2021

Re: Minor Variance Application- A-2020-059 (Vaughan)

Recommendation:

Subject to a review of submissions arising from the public meeting:

That Committee approve Minor Variance A-2020-059 as attached subject to the conditions on the decision sheet.

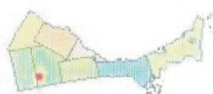
Summary:

The purpose of the application is to seek relief from the maximum site coverage for accessory buildings and for the maximum height for accessory buildings. The proposed site coverage is 7.5%, whereas the maximum site coverage permitted in the Zoning By-law is 5%. The applicant is requesting to exceed the maximum lot coverage by 2.5%. The proposed height of the accessory building is 5.7 m, whereas the maximum height in the Zoning By-law is 5 m. The applicant is requesting to exceed the maximum height by 0.7 m. If approved, the application would facilitate an addition of 12.2 m x 14.6 m to the existing shed at 51 Sideroad 15 Brant.

The property is located outside the Town of Walkerton and is south of Bruce Road 4 and east of Sideroad 15 Brant. The property is surrounded by residential and agricultural uses.

2 : ELEVATION
SCALE: 1/8" = 1'-0"

3 : ELEVATION
SCALE: 1/8" = 1'-0"



- Parkland

Notes

Planning Analysis:

The following section provides an overview of the planning considerations that were factored into the staff recommendation for this application, including relevant agency comments (attached), public comments (attached) and planning policy sections.

Four Tests of a Minor Variance

Section 45(1) of the *Planning Act* gives the authority of granting minor relief from the provisions of the Zoning By-law to the Committee of Adjustment. Such relief can only be granted if the Minor Variance passes four tests. If the Committee is not satisfied on all four tests, then the Minor Variance cannot be approved.

Does the variance maintain the intent and purpose of the Official Plan?

The Bruce County Official Plan designates the property Agricultural Areas. The proposed addition to the existing shed is accessory to the existing residential use and permitted within the agricultural designation of the County Official Plan. The application does maintain the intent and purpose of the Official Plan.

Does the variance maintain the intent and purpose of the Zoning By-law?

The subject lands are zoned General Agricultural Special 'A1-105'. The by-law identifies a maximum lot coverage of 5% for all accessory buildings or structures. Lot coverage as a percentile allows for a balance between lot size and the size permitted for structures (i.e., a larger lot can permit a larger building; smaller lot, smaller building) rather than setting a maximum size. Lot coverage is aimed at ensuring there is enough permeable surfaces on the lot for proper drainage, space for amenities and green space. In this instance, the applicant is proposing to increase the total lot coverage of all accessory buildings or structures to 7.5%. The rear yard on this property is large and there will be enough permeable surfaces maintained to allow for drainage, amenity space and green landscaping. The variance maintains the intent and purpose of the zoning by-law.

The by-law identifies that the maximum height for accessory buildings shall not be greater than 5 m. The intent of the height regulation is to control the height so that the accessory building is in keeping with the residential character of the area and is secondary to the primary use (the dwelling). In this instance, the height of the accessory building is proposed to be 5.7 m which is in keeping with the character of the area. The accessory building height is lower in relation to the residence. The variance maintains the intent and purpose of the zoning by-law.

Is the application desirable for the appropriate development of the land, building or structure?

Over time, it can be expected that a property owner will grow and replace, add to, or build new structures on their property which allow them to maximize the benefit, value and use of their property. The variance will enable the property owner to build an addition to the existing accessory structure to meet their current needs. The accessory building will be used for vehicle storage. The variances do represent an appropriate form of development for the use of the land.

Is the application minor in nature?

Whether a variance is minor is evaluated in terms of the impact the proposed development is expected to have on the surrounding neighbourhood. It is not expected that permitting the variance will have any impact on the character of the area or impact the ability of adjacent property owners to use their property for permitted uses. The construction of an accessory building in the rear yard of the residence is also in keeping with other similar lots in the neighbourhood. The variances are considered minor.

Appendices

- County Official Plan Map
- Local Zoning Map
- Agency Comments
- Public Comments
- Public Notice

County Official Plan Map (Designated Agricultural Areas)



Local Zoning Map (Zoned General Agricultural Special 'A1-105')



Agency Comments

Municipality of Brockton: No comment.

Historic Saugeen Metis: No concerns.

Saugeen Valley Conservation Authority: No concerns and provided in full below.

Public Comments

John and Noela Van Roode, are neighbors, and have no issues with the proposed addition. Their comments are provided in full below.



1078 Bruce Road 12, P.O. Box 150, Formosa ON Canada N0G 1W0
Tel 519-367-3040, Fax 519-367-3041, publicinfo@svca.on.ca, www.svca.on.ca

SENT ELECTRONICALLY ONLY: jsteeper@brucecounty.on.ca and bcplwa@brucecounty.on.ca

February 6, 2021

County of Bruce Planning & Development Department
30 Park Street
Walkerton, Ontario
N0G 2V0

ATTENTION: Julie Steeper, Planner

Dear Ms. Steeper,

RE: Proposed Minor Variance A-2020-059 (Vaughan)
51 Sideroad 15 Brant
Roll No.: 410434000204906
Part Lot 36, Concession 1 SDR, Part 1 Plan 3R10268
Geographic Township of Brant
Municipality of Brockton

Saugeen Valley Conservation Authority (SVCA) staff has reviewed the above-noted application as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020) and as a regulatory authority under Ontario Regulation 169/06 (SVCA's Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Regulation). SVCA staff has also provided comments as per our Memorandum of Agreement (MOA), dated September 2019, with the County of Bruce representing natural hazards, natural heritage, and water resources; and the application has also been reviewed through our role as a public body under the *Planning Act* as per our CA Member approved Environmental Planning and Regulations Policies Manual, amended October 16, 2018.

The purpose of the application is to allow relief from the maximum site coverage for accessory buildings and for the maximum height for accessory buildings. The proposed site coverage is 7.5%, whereas the maximum site coverage permitted in the Zoning By-law is 5%. The applicant is requesting to exceed the maximum lot coverage by 2.5%. The proposed height of the accessory building is 5.7 m, whereas the maximum height in the Zoning By-law is 5 m. The applicant is requesting to exceed the maximum height by 0.7 m. If approved, the application would facilitate an addition of 12.2 m x 14.6 m to the existing shed.

Recommendation

SVCA staff find the application acceptable. The subject property does not contain any natural hazard features or other environmental features of interest to SVCA or as per our MOA with the County of Bruce. As such, it is the opinion of SVCA staff that the application is consistent with the Natural Hazard and Natural Heritage Policies of the PPS, 2020 and the Municipality of Brockton Official Plan.



Watershed Member Municipalities

Municipality of Arran-Elderslie, Municipality of Brockton, Township of Chatsworth, Municipality of Grey Highlands,
Town of Hanover, Township of Howick, Municipality of Morris-Turnberry, Municipality of South Bruce,
Township of Huron-Kinloss, Municipality of Kincardine, Town of Minto, Township of Wellington North,
Town of Saugeen Shores, Township of Southgate, Municipality of West Grey

County of Bruce Planning & Development Department
Proposed Minor Variance A-2020-059 (Vaughan)
February 6, 2021
Page 2 of 2

Additionally, the property is not within the SVCA Regulated Area, and is not subject to Ontario Regulation 169/06, or to the policies of SVCA at this time, and as such, permission from the SVCA is not required for development on the property.

Please inform this office of any decision made by the planning approval authority with regards to the application. We respectfully request to receive a copy of the decision and notice of any appeals filed. Should you have any questions, please contact the undersigned.

Sincerely,



Michael Oberle
Environmental Planning Technician
Saugeen Conservation
MO\

cc: Fiona Hamilton, Clerk, Municipality of Brockton (via email)
Dan Gieruszak, Authority Member, SVCA (via email)

From: [REDACTED]
To: [Planning Applications Walkerton](#)
Cc: [REDACTED]
Subject: Property 51 side road 15, Brant.
Date: Friday, February 12, 2021 8:16:23 AM

** [CAUTION]: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning

We as the neighbors that live directly across from Mike Vaughan have no issues or objections to the building of an addition to his shop.

John & Noela Van Roode

Sent from my iPhone



County of Bruce
Planning & Development Department
30 Park Street, Box 848
Walkerton, ON N0G 2V0
brucecounty.on.ca
226-909-5515



February 4, 2021

File Number: A-2020-059

Public Hearing Notice

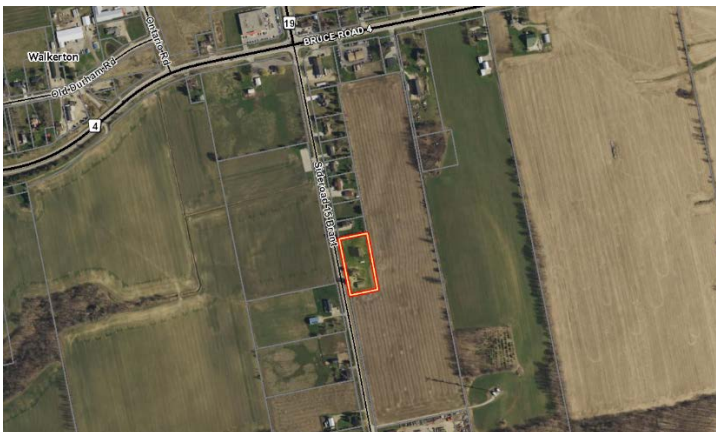
**You're invited to participate in an Online Public Hearing
Tuesday, March 9, 2021 at 6:30 pm**

As a result of the COVID-19 Pandemic, the Municipality of Brockton council meetings are being held in electronic format. For information on how to participate in the public hearing, please refer to the following page or visit the municipal website at:

<https://www.brockton.ca/en/our-services/Current-Council-Meeting-Agenda.aspx>.

Please contact the Municipality of Brockton at fhamilton@brockton.ca or 519 881 2223 ext 124 if you have any questions regarding how to participate in the meeting.

A change is proposed in your neighbourhood: The purpose of the application is to allow relief from the maximum site coverage for accessory buildings and for the maximum height for accessory buildings. The proposed site coverage is 7.5%, whereas the maximum site coverage permitted in the Zoning By-law is 5%. The applicant is requesting to exceed the maximum lot coverage by 2.5%. The proposed height of the accessory building is 5.7 m, whereas the maximum height in the Zoning By-law is 5 m. The applicant is requesting to exceed the maximum height by 0.7 m. If approved, the application would facilitate an addition of 12.2 m x 14.6 m to the existing shed.



51 Sideroad 15 Brant - BRANT CON 1 SDR
PT LOT 36 RP;3R10268 PART 1 (Brant)
Municipality of Brockton
Roll Number 410434000204906

COVID-19 Notice: All Bruce County and Municipal offices are closed to the public until further notice. Our staff would be pleased to connect with you by email or phone.

Learn more

You can view more information about the application at <https://brucecounty.on.ca/living/land-use>. Our staff would be pleased to connect with you by email (bcplwa@brucecounty.on.ca) or phone (226-909-5515). Once our offices re-open, information about the application will be available in person at the County of Bruce Planning Office noted above, between 8:30 a.m. and 4:30 p.m. (Monday to Friday).

The Planner on the file is: Julie Steeper

Have your say

Comments and opinions submitted on these matters, including the originator's name and address, become part of the public record, may be viewed by the general public and may be published in a Planning Report and Council Agenda.

1. Please contact us by email bcplwa@brucecounty.on.ca, mail, or phone (226-909-5515) if you have any questions, concerns or objections about the application.
2. You can participate in the public hearing.

To participate in the Public Hearing

Click the link below to join the webinar:

<https://us02web.zoom.us/j/83095469219?pwd=MDUvUzII SDB3K2Vvbi9qQUVzNTdRQT09>

Passcode: 612995

Or Telephone:

Dial (for higher quality, dial a number based on your current location):

Canada: +1 438 809 7799 or +1 587 328 1099 or +1 647 374 4685 or +1 647 558 0588 or +1 778 907 2071 or +1 204 272 7920

Webinar ID: 830 9546 9219

Passcode: 612995

International numbers available: <https://us02web.zoom.us/j/83095469219?pwd=MDUvUzII SDB3K2Vvbi9qQUVzNTdRQT09>

Stay in the loop

If you'd like to be notified of the decision of the Committee of Adjustment on the proposed application(s), you must make a written request to the Bruce County Planning Department on behalf of the Secretary-Treasurer for the Committee of Adjustment.

COVID-19 Notice: All Bruce County and Municipal offices are closed to the public until further notice. Our staff would be pleased to connect with you by email or phone.

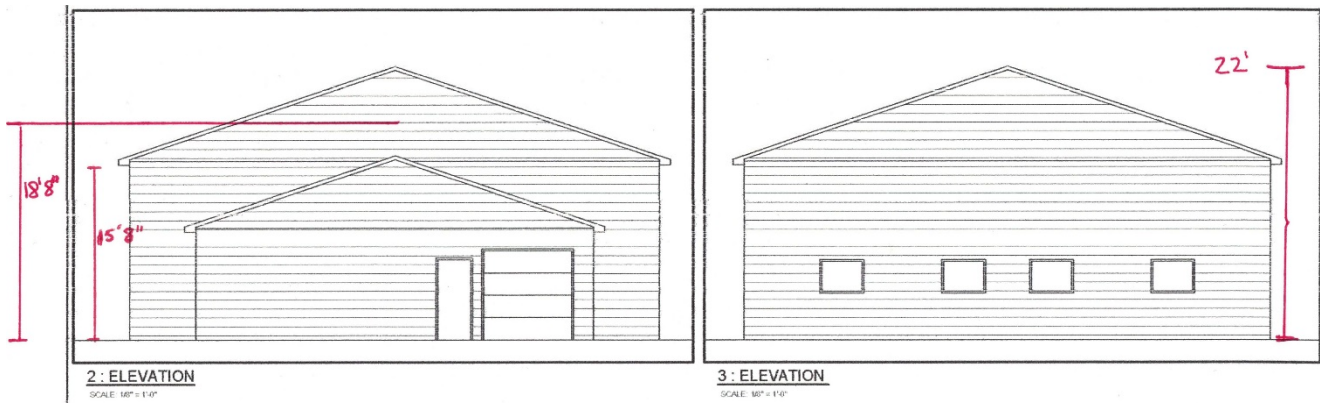
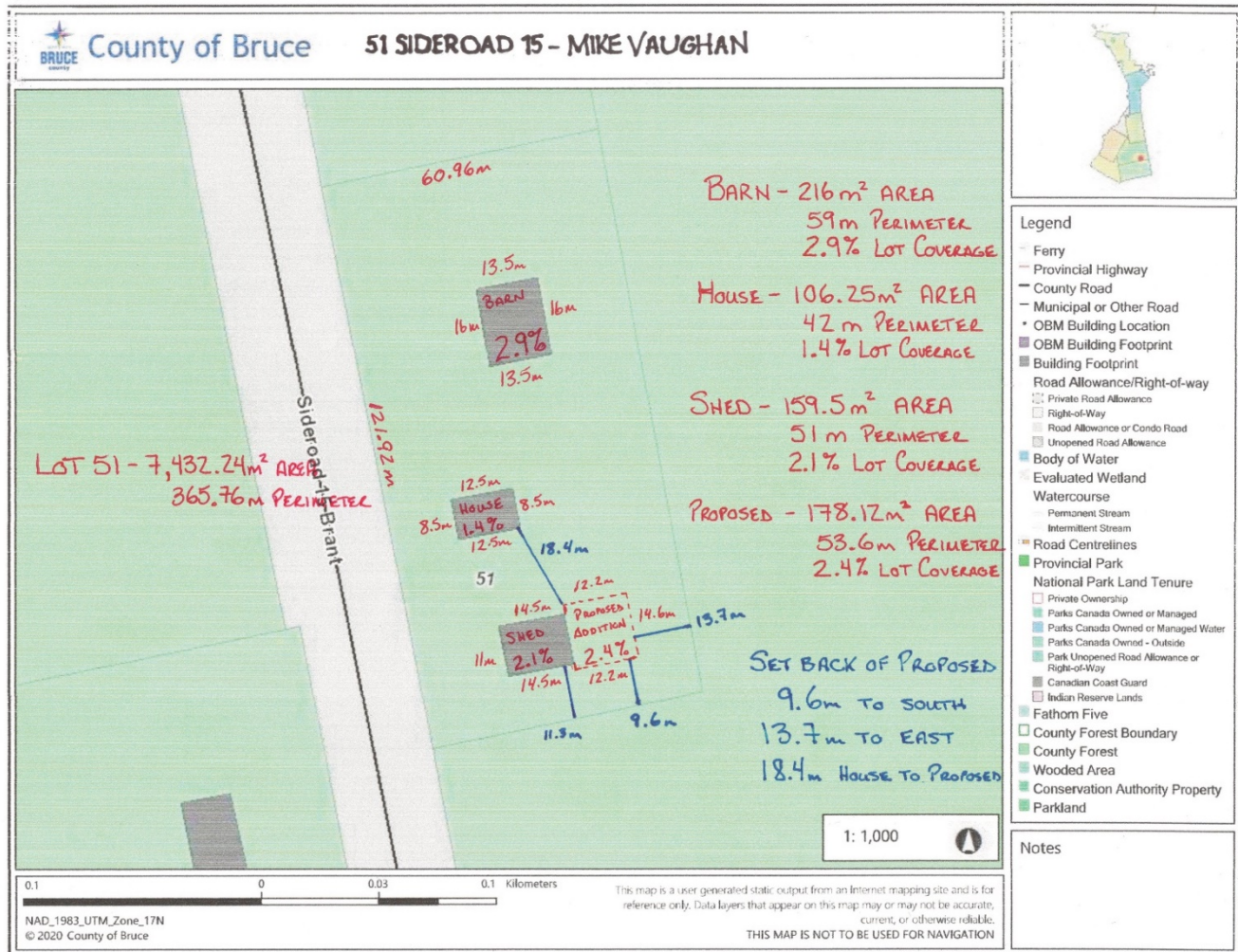
Know your rights

The applicant, the Minister or any other person or public body who has an interest in the matter may within 20 days of the making of the decision appeal to the Tribunal against the decision of the committee by filing with the secretary-treasurer of the committee a notice of appeal setting out the objection to the decision and the reasons in support of the objection accompanied by payment to the secretary-treasurer of the fee charged by the Tribunal under the Local Planning Appeal Tribunal Act, 2017 as payable on an appeal from a committee of adjustment to the Tribunal, in accordance with Section 45(12) of the Planning Act

For more information please visit the Local Planning Appeal Tribunal website at <https://elto.gov.on.ca/tribunals/lpat>.

COVID-19 Notice: All Bruce County and Municipal offices are closed to the public until further notice. Our staff would be pleased to connect with you by email or phone.

Site plan



COVID-19 Notice: All Bruce County and Municipal offices are closed to the public until further notice. Our staff would be pleased to connect with you by email or phone.