

Report to Council

Report Title: Site Plan Control By-law for Ridout and Maple Street

Prepared By: Dieter Weltz, Building and Planning Manager/CBO and Fiona Hamilton, Clerk

Department: Building

Date: June 22, 2021

Report Number: BLDG2021-15 **File Number:** C11,

Attachments: Map of Property at Ridout and Maple Street

Recommendation:

That the Council of the Municipality of Brockton hereby approves Report Number BLDG 2021-15 - Site Plan Control By-law for Ridout and Maple Street, prepared by Dieter Weltz, Building and Planning Manager/CBO and Fiona Hamilton, Clerk, and in doing so approves a Site Plan Control By-law coming forward to prohibit building on the lot located at the intersection of Ridout Street, Maple Street and Elgin Street in Walkerton.

Report:

Background:

The Municipality of Brockton currently owns a small parcel of land (about 405 sq. metres) at the intersection of Ridout Street, Maple Street and Elgin Street in Walkerton (the “Triangle Lot”). A map of the location has been attached for Council’s reference. The Triangle Lot forms a triangular peak at an area of Ridout street that is a fairly steep hill. As a result, the traffic site lines in this area are a challenge and this may be one reason why the Triangular Lot was transferred to Brockton. It would be very difficult to ever build on the Triangular Lot due to its size and the slopes on either side, and any such building would make the sight lines even more challenging.

The owner of the adjacent property would like to erect a residence on their lot. Section 9.10.15 of the Ontario Building Code restricts the number of unprotected openings (windows) a building can have on the exposed building face if it is adjacent to another property. Building faces adjacent to streets or a non-buildable lot are able to have additional windows as the limiting distance can be taken to the centerline of the street opposed to the property line. In this case, the number of windows the owner can install on their building is limited by the fact that Brockton owns the Triangular Lot that is not formally recognized as a street or part of the road allowance. However, if Brockton were to formally recognize that no buildings will be erected on the Triangular Lot, the adjacent property owner can proceed with a different, more desirable design for their windows.

Analysis:

One method of formally recognizing that no buildings will be erected on the Triangular Lot is to pass a Site Plan Control By-law indicating that building is prohibited. The benefit of this approach is that 1) Brockton is the landowner such that there would likely be no appeals; 2) there would be no cost involved in this solution and it is appropriate for the Triangular Lot and 3) the discretion to ever repeal the By-law would rest with Council in the future. As a result, staff have brought forward the draft Site Plan Approval By-law for Council's consideration. Alternatively, the Municipality could enter into an agreement with the adjacent landowner to recognize that the property line is not to be used as the line for measuring the limiting distance. This agreement however would require that a survey be completed and if a future building were to be built on the lands it would be negatively impacted by the construction requirements for spatial separation between houses. Therefore, the preferred option of passing a Site Plan Control By-law is being recommended by Staff.

Sustainability Checklist:

What aspect of the Brockton Sustainable Strategic Plan does the content/recommendations in this report help advance?

- | | |
|---|-----|
| • Do the recommendations help move the Municipality closer to its Vision? | N/A |
| • Do the recommendations contribute to achieving Cultural Vibrancy? | N/A |
| • Do the recommendations contribute to achieving Economic Prosperity? | N/A |
| • Do the recommendations contribute to Environmental Integrity? | N/A |
| • Do the recommendations contribute to the Social Equity? | N/A |

Financial Impacts/Source of Funding:

- Do the recommendations represent a sound financial investment from a sustainability perspective?
N/A

Given that Brockton owns the Triangular Lot, there is no need to register the Site Plan Control By-law on the title to the property. However, if such a registration were to be necessary, the proposal would be for the adjacent landowner receiving the benefit to cover those costs.

Reviewed By:



Trish Serratore, Chief Financial Officer

Respectfully Submitted by:



Dieter Wetz, Building and Planning Manager/CBO

A handwritten signature in dark ink, appearing to be 'Fiona Hamilton', written in a cursive style.

Fiona Hamilton, Clerk

Reviewed By:

A handwritten signature in dark ink, appearing to be 'Sonya Watson', written in a cursive style.

Sonya Watson, Chief Administrative Officer