



Planning Report

To: Municipality of Brockton Council

From: Monica Walker-Bolton, Sr. Planner

Date: March 8, 2022

Re: Zoning By-Law Amendment- Z-2021-096 (Clancy)

Recommendation:

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

That Committee approve Zoning By-law Amendment Z-2021-096 as attached and the necessary by-law be forwarded to Council for adoption.

Summary:

The purpose of the application is for a Zoning By-Law Amendment to facilitate an application for lot enlargement. The lot enlargement application proposes to sever an approximately 13.6 m² parcel from the property known as 217 Irishwood Lane and convey it to the adjacent property to the south. The proposed zoning by-law amendment will provide a special zone for the both the property being enlarged and the retained property to permit a reduced interior side yard setback of .97 metres.

Airphoto:



Image of Existing Structures



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) and planning policy sections.

The two existing single detached homes that have been developed on the subject properties are permitted uses in the Official Plan and Zoning By-Law. The proposed lot enlargement will more evenly divide the land separating the two houses.

The existing R2-7 Special Zone on the subject properties permits a 40% maximum lot coverage. The proposed new R2-11 Special Zone will retain the permission for a 40% maximum lot coverage and allow a reduced side yard setback minimum of .97 metres from the mutual lot line between lot 23 and lot 24.

The Municipality of Brockton has provided comments advising that a limiting distance agreement will be required to be registered on title for both properties following the consent approval.

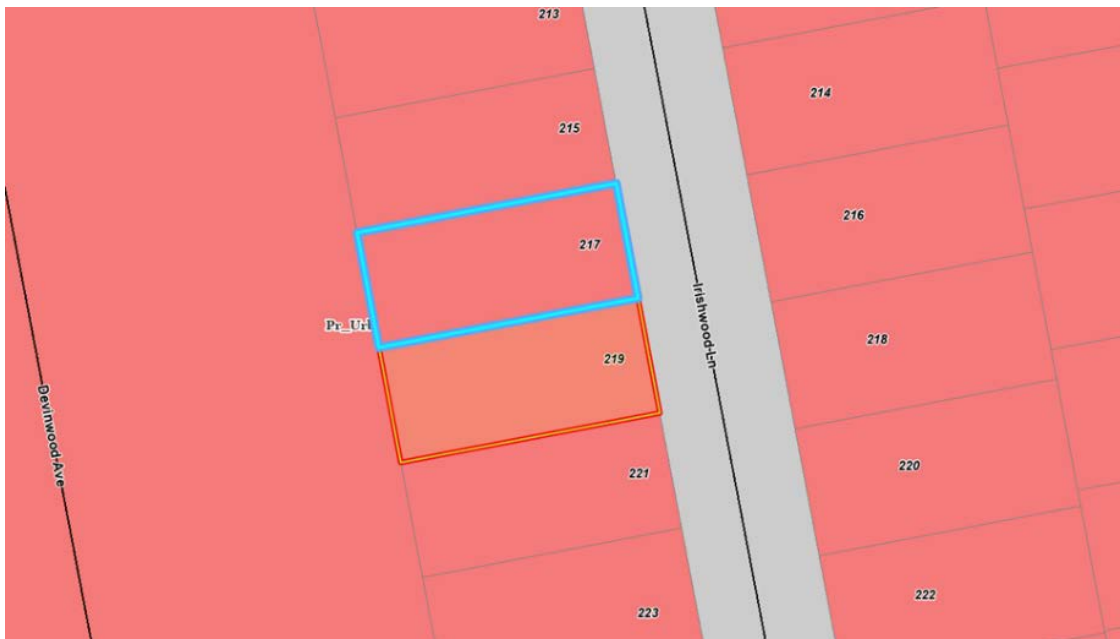
The Saugeen Valley Conservation Authority has provided comments and finds the application acceptable.

No public comments have been received. Comments may be provided at the Public Meeting.

Appendices

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

County Official Plan Map (Designated Primary Urban)



Local Official Plan Map (Designated Residential)



Local Zoning Map (Zoned R2-7 - Residential Zone 2-Special Zones)



Agency Comments

Municipality of Brockton: Provided in full below.

Saugeen Valley Conservation Authority: Provided in full below

Historic Saugeen Métis: No concerns

Preliminary Conditions of Approval

The Planning Department has reviewed the application and makes the following preliminary conditions of approval:

1. That the owner enter into an Agreement with the Municipality, if deemed necessary by the Municipality of Brockton, to satisfy all the requirements, financial or otherwise of the Municipality, which may include, but shall not be limited to, the provision of parkland (or cash-in-lieu of land), roads, installation of services, facilities, drainage and the timing and payment of a development charge.
2. That a Reference Plan (survey that is registered) be completed and a copy filed with the Municipal Clerk and a digital copy and hard copy be filed with the Approval Authority, or an exemption from the Reference Plan be received from the Approval Authority.
3. That the Municipality provide written confirmation to the Approval Authority that the municipal conditions as imposed herein have been fulfilled.
4. That, pursuant to Section 53(42) of the Planning Act, the 'Certificate of Consent' be affixed to the deed **within two years** of the giving of the Notice of Decision. (Note: Section 53(43) of the Planning Act requires that the transaction approved by this consent must be carried out within two years of the issuance of the certificate (i.e., Stamping of the deed)).
5. That the applicant pays the applicable County of Bruce consent certification fee at the time of certification of the deeds.
6. That the application is for a lot addition only; and, that the lands to be severed be merged under the same ownership as the abutting lands (PLAN 3M249 LOT 24 (Brant), Municipality of Brockton [219 IRISHWOOD LN]), as shown on the attached Schedule and that Subsection (3) or (5) of Section 50 of the Planning Act, apply to any subsequent conveyance. The lawyer shall provide an undertaking to consolidate the pins for the property parcels upon registration of the consent(s).

File Numbers: B-2021-122 & Z-2021-096

Agency: Municipality of Brockton

No Comment: _____ Title: Clerk, Fiona Hamilton Signature: 

Comments: The referenced properties will be subject to entering into a Limiting Distance Agreement under section 9.15 of the Ontario Building Code for provisions related to limiting distance and spatial separation of buildings. The Agreement will be registered on title upon completion of the consent.



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

SENT ELECTRONICALLY: mwalkerbolton@brucecounty.on.ca

February 18, 2022

County of Bruce
Planning & Development Department
30 Park Street, Box 848
Walkerton, ON N0G 2V0]

ATTENTION: Monica Walker-Bolton, Planner

Dear Ms. Walker-Bolton,

RE: Application for Consent: B-2021-122
 Application for Zoning By-law Amendment: Z-2021-096
 217 & 219 Irishwood Lane
 Roll Number: 410434000111026; 410434000111027
 PLAN 3M249 LOT 23; PLAN 3M249 LOT 24
 Geographic Township of Brant
 Municipality of Brockton [Clancy]

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) 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 consent to sever for a lot addition. The application proposes to sever an approximately 13.6 m2 parcel from the subject property and convey it to the adjacent property to the south; and the associated zoning by-law amendment will provide a special zone for the subject property and the property being enlarged to recognize a reduced interior side yard setback of .97 metres for both properties.

Staff have received and reviewed the following documents submitted with this application:



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

- 1) Request for Agency Comments, dated February 1, 2022, for file numbers: B-2021-122 and Z-2021-096.

Drinking Water Source Protection

The subject property appears to SVCA staff to not be located within an area that is subject to the local Drinking Water Source Protection Plan. To confirm, please contact Carl Seider, Risk Management Official (RMO) at rmo@greysauble.on.ca.

Recommendation

SVCA staff find the application acceptable. The subject property does not contain any floodplains, watercourses, shorelines, wetlands, valley slopes 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 County Official Plan. Additionally, the property 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.

However, SVCA staff notes the Municipality of Brockton engineering staff / CBO should be satisfied the proposed development will not impact the overall lot grading / drainage plan and SWM plan approved by the Municipality prior to Council approving these applications.

Please inform this office of any decision made by the County/Municipality with regard to this 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 at b.walter@svca.on.ca.

Sincerely,



Brandi Walter
Environmental Planning Coordinator
Saugeen Conservation

BW/

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



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



February 1, 2022

File Number: Z-2021-096

Public Meeting Notice

You're invited:

**On-line Public Meeting
to consider a Zoning By-law Amendment
Tuesday, March 8, 2022 at 7:00 pm**

A change is proposed in your neighbourhood: The purpose of the application is for a lot addition. The application proposes to sever an approximately 13.6 m² parcel from the subject property and convey it to the adjacent property to the south. An associated zoning by-law amendment will provide a special zone for the subject property and the property being enlarged to recognize a reduced interior side yard setback of .97 metres for both properties. The related Consent file is B-2021-122



217 IRISHWOOD LN; 219 IRISHWOOD LN - PLAN 3M249 LOT 23; PLAN 3M249 LOT 24
(Brant), Municipality of Brockton, Roll Numbers 410434000111026; 410434000111027

Learn more

You can view more information about the application at <https://brucecounty.on.ca/living/land-use> or 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: Monica Walker Bolton

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 meeting.

How to access the public meeting

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 meeting, 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.

Stay in the loop

If you'd like to be notified of the decision of the approval authority on the proposed applications, you must make a written request to the Bruce County Planning Department.

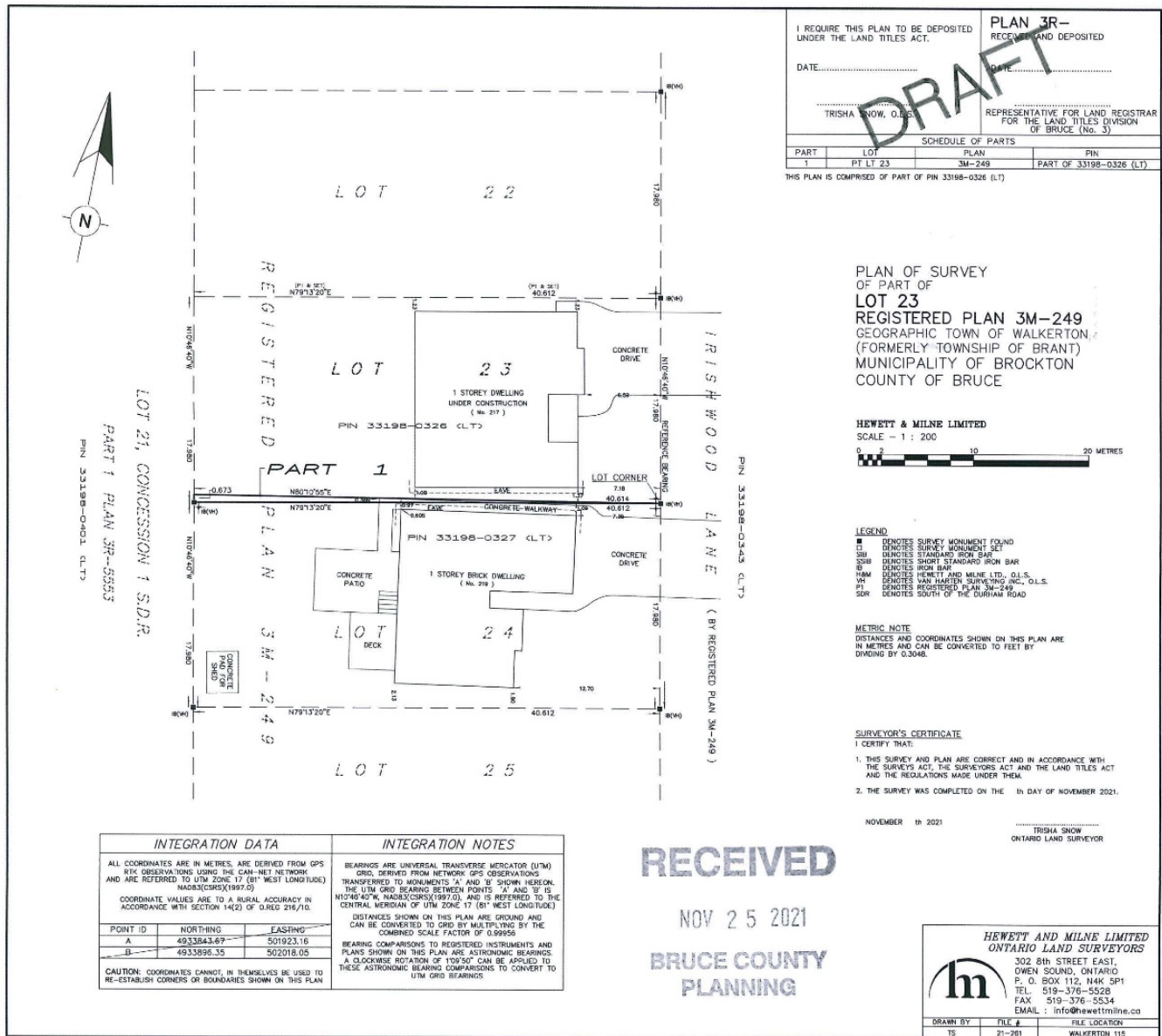
Know your rights

Section 34(11) of the [Planning Act](#) outlines rights of appeal for Zoning By-law Amendment applications. If a person or public body would otherwise have an ability to appeal the decision of the Council of the Municipality of Brockton to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the Bruce County Planning Department before the by-law is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Bruce County Planning Department before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so. For more information please visit the Ontario Land Tribunal website at

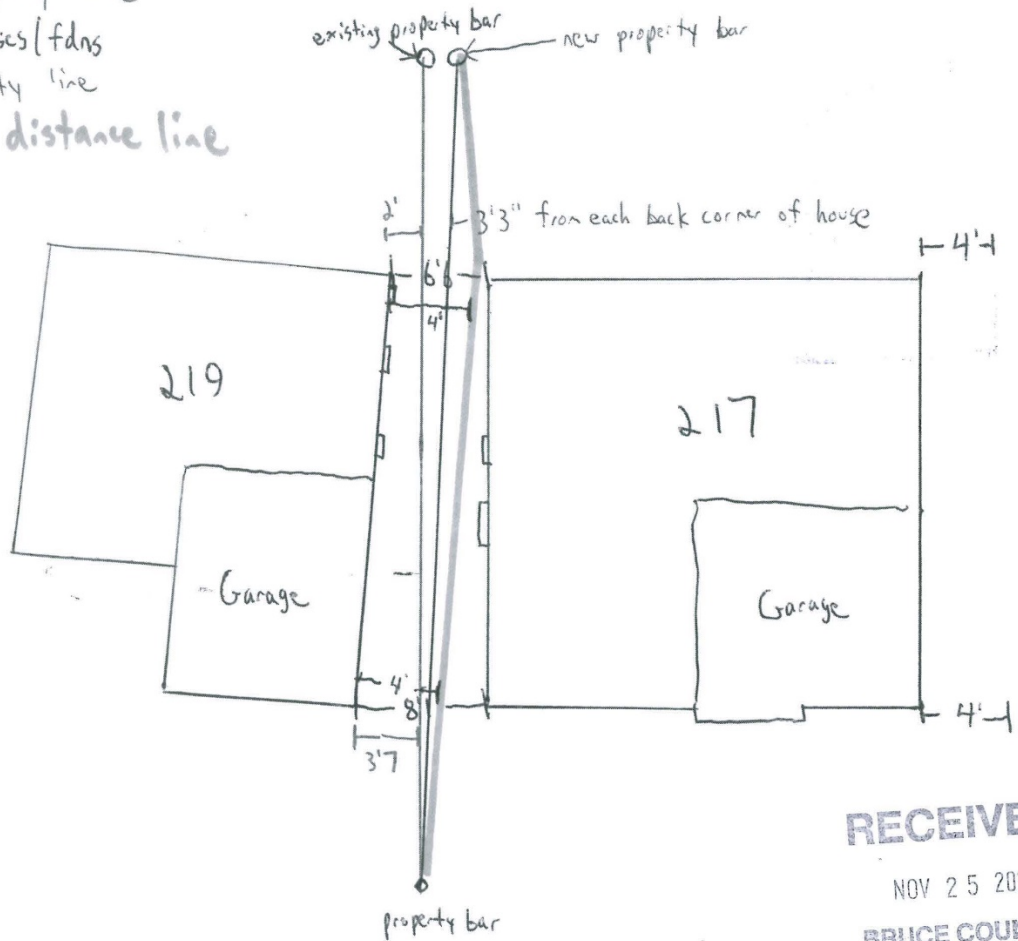
<https://olt.gov.on.ca/appeals-process/>.

Site plan - Draft Plan of Survey



Site plan - sketch

- * existing property line
- * existing houses/fdns
- * new property line
- limiting distance line



RECEIVED

NOV 25 2021

BRUCE COUNTY
PLANNING

Irishwood