



Planning Report

Application: Zoning By-law Amendment
File(s): Z-40-19.36
Date: August 13, 2019
To: Council of the Corporation of the Municipality of Brockton
From: Mark Paoli; Senior Planner

Recommendation:

That the Zoning By-law Amendment Z-40-19.36 for lands zoned R1-10 and R1-11 in the Riverview Estates Subdivision be **approved** and the necessary by-law be forwarded to Council for adoption.

Summary:

The subject lands are in Walkerton, east of the Walkerton Community School, and are about 8.6 ha in a developing residential neighbourhood. The lands are part of a plan of subdivision that was approved in 2011 and is currently approximately half way built out.



The application proposes to amend the Zoning By-Law to rezone the subject lands to increase the maximum lot coverage in the site-specific Low Density Residential Zones on the subject lands from 30 % to 40 %. All other zoning regulations would remain unchanged. No change to the Environmental Protection (EP) Zone is proposed.

The proposed change is consistent with the Provincial Policy Statement and conforms to the County Official Plan and Local Official Plan, is in keeping with the intent and purpose of the local zoning by-law, and would be good land use planning.

Planning Analysis:

Stormwater

The proposed increase in coverage will increase the roof area over the lot, which in turn, increases the impervious area of the lot, increasing runoff. The developer's engineer has provided information about the stormwater management for the subdivision as follows:

“Since stormwater from the subdivision was designed to discharge directly into the Saugeen River via Block 66 without being over-controlled by a stormwater management pond, there is no post development peak flow constraints that the development needs to be meet at the downstream property boundary. As a result, the increased runoff that will be generated by the increased lot coverage will continue to meet the original stormwater management requirements for the development.

We have also reviewed the original storm sewer design for the subdivision and have confirmed that the storm sewer pipe sizes are adequate to accommodate the additional stormwater from the proposed lot coverage increase.”

Brockton staff are satisfied that the existing stormwater infrastructure is adequate to deal with the increased runoff.

Streetscape

The overall appearance of the neighbourhood along the streetscape will not change because the yards in the Zoning By-law will not be changed. The minimum side yards and front yard will not change and therefore the appearance of the house to the street will remain the same. Also, the minimum rear yard will remain unchanged, so the position of where the house could be located relative the rear lot line under the current zoning regulations will not change. The increase in coverage will result in a dwelling that is deeper on the lot.

Comparisons

In comparing the maximum coverage regulation for detached and semi-detached lots in Brockton with the regulations that apply to the same dwellings in other municipalities in Bruce County, it is noted that the Brockton regulation at 30 % is the most restrictive. Two municipalities have a coverage regulation of 35 %; three municipalities have a coverage regulation of 40 %; and one has a coverage regulation of 45 %.

In terms of newer development in Walkerton, the recently approved Clancy subdivision was zoned with 40 % maximum lot coverage and part of the JDR subdivision was recently rezoned to allow maximum 40 % lot coverage. This proposal would mean all three of these developing areas are subject to the same lot coverage regulation.

Summary

Staff are satisfied there is merit in increasing the current maximum coverage regulation to 40 % on the subject lands. This opinion is based on:

- The stormwater system can handle the increased potential runoff
- There will be no change to the streetscape
- Higher maximum lot coverage regulations that prevail in other local municipalities and in other developing subdivisions in Walkerton

Staff recommend approval of the proposed increase in coverage. The amending by-law attached to this report is premised on increasing the coverage to 40 %.

Respectfully submitted,



Mark Paoli, Senior Planner
County of Bruce, Planning and Development

Detailed Review

Section 'A': Property Information

Previous Files	Draft Plan of Subdivision 41T-2009-05.36 and Municipality of Brockton By-law 92-35 (Z-52-09.36)
Applicant	Terry Tuck, Chief Building Official/Zoning Administrator
Uses Existing	Residential Subdivision
Uses Proposed	No Change
Structures Existing	Single Detached Dwellings
Structures Proposed	No Change
Servicing Existing	Municipal water and sewers
Servicing Proposed	No Change
Access	Hinks St, Fischer Dairy Rd and Turner St
Zoning By-law	Residential (R1-10 and R1-11) and Environmental Protection
Surrounding Land Uses	Residential uses to the north; Saugeen River to the east; Agricultural uses, a school and cemetery to the south; Residential uses and a school to the west

Section 'B': Description of Proposal

The application deals with a total of 63 single detached lots. The R1-10 and R1-11 zones on the subject lands provide site-specific frontage and side yard regulations. The maximum lot coverage of 30 % from the general Low Density Zone Category currently applies. The zoning amendment proposes to increase lot coverage to 40 %.

The effect of the increase in coverage is to increase the depth of the dwelling. There would be no change to the front, side and rear yard regulations. The appearance of the dwelling from the street would not change with the increase in coverage.

A letter from the applicant's engineer supporting the increase from a stormwater management standpoint is included on the next page.



May 10, 2019

BY EMAIL

Terry Tuck, CBO
Municipality of Brockton
100 Scott Street
Walkerton, Ontario N0G 2V0

Tel: 519-881-2223 Ext. 127
Email: ttuck@brockton.ca

**Subject: Riverview Estates – Phase 4
Proposed Lot Coverage Increase
Municipality of Brockton
O/Ref.: 01301**

Dear Mr. Tuck:

The developers of the Riverview Estates – Phase 4 subdivision are requesting approval to increase the maximum coverage of the lots located in this phase from 30% to 40%. The impact of the additional 10% increase on the original stormwater management plan is that the impervious area will increase for each lot which will increase the volume of runoff generated within the subdivision.

Since stormwater from the subdivision was designed to discharge directly into the Saugeen River via Block 88 without being over-controlled by a stormwater management pond, there is no post development peak flow constraints that the development needs to be meet at the downstream property boundary. As a result, the increased runoff that will be generated by the increased lot coverage will continue to meet the original stormwater management requirements for the development.

We have also reviewed the original storm sewer design for the subdivision and have confirmed that the storm sewer pipe sizes are adequate to accommodate the additional stormwater from the proposed lot coverage increase.

If you have any questions regarding the above, please contact the undersigned at 519-506-5959 ext. 102.

Yours truly,

A handwritten signature in black ink, appearing to read "Stephen J. Cobean", written in a cursive style.

Stephen J. Cobean, P.Eng., FEC
Director

cc. Mr. Greg Williams, Heritage Seniors Communities

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Section 'C': Airphoto



Section 'D': Provincial Interests

Under the **Provincial Policy Statement (PPS)**, residential development is directed to locate in established settlement areas. The PPS directs municipalities to provide for an appropriate range and mix of housing types to facilitate all forms of housing required to meet the social, health and well-being requirements of residents (Section 1.4.3 b).

Section 'E': County Official Plan Review

The subject lands are designated 'Primary Urban Community' in the **Bruce County Official Plan**. The proposed change conforms to the County Plan.

Section 'F': Local Official Plan Review

Under the **Brockton Official Plan**, the lands are designated 'Residential'. Detached and semi-detached dwellings are permitted. Alternative development standards for residential uses are contemplated in the Plan.

Section 'G': Zoning By-law Review

The lands proposed for the increase in lot coverage are currently zoned Residential – R1-10 and R1-11. The maximum lot coverage for detached and semi-detached dwellings is 30 %.

Section 'H': Agency Comments

Municipality of Brockton: no concerns

Saugeen Valley Conservation: Provided the proposed Zoning By-law amendment does not modify the EP zone and provided the stormwater management plan can continue to function to specification while accommodating the proposed 40% lot coverage this proposal is acceptable to SVCA staff (full letter on next page).

Historic Saugeen Metis: No objection or opposition

Bruce-Grey Catholic District School Board: no comments

Section 'I': Public Comments

At the time of writing this report, no comments have been received from the Public.



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Tel 519-367-3040, Fax 519-367-3041, publicinfo@svca.on.ca, www.svca.on.ca

SENT ELECTRONICALLY ONLY (bcplwa@brucecounty.on.ca)

August 1, 2019

Corporation of the County of Bruce Planning and Development
30 Park Street
Walkerton, Ontario
N0G 2V0

ATTENTION: Candace Hamm

Dear Mrs. Hamm,

RE: Proposed Zoning By-law Amendment Z-40-19.36
Registered Plan 162 and Part Park Lots 7 and 8, and 62 (being Part 2 on 3R-3464)
Geographic Town of Walkerton
Municipality of Brockton (Municipality of Brockton Applicant)

Saugeen Valley Conservation Authority (SVCA) staff has reviewed the proposed Zoning By-law amendment in accordance with the SVCA's mandate, the SVCA 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 application is to allow 40% lot coverage in the Residential Special Zones on site. SVCA staff reviewed the related subdivision in 2011 and a detailed stormwater management plan was completed and implemented. The stormwater management plan assumed an average impervious percentage of the site of 60% including roadways, sidewalks, rooftops, and driveways (including townhouse block not included in this proposed Zoning By-law amendment). SVCA staff are not sure if the proposed 40% lot coverage would be consistent with the stormwater management report for the property at this time.

Provided the proposed Zoning By-law amendment does not modify the EP zone and provided the stormwater management plan can continue to function to specification while accommodating the proposed 40% lot coverage this proposal is acceptable to SVCA staff.

We trust this information is helpful. Should questions arise, please do not hesitate to contact our office.

Yours Sincerely,

Erik Downing
Manager, Environmental Planning & Regulations



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

Appendix 'A':
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 By-Law No. 2013-26 is amended as follows:
2. That Section 7.5.10 Special Provisions to By-law No. 2013-26, as amended, is further amended by adding the following subsection at the end:
 - iii. Maximum lot coverage shall be 40 %
3. That Section 7.5.11 Special Provisions to By-law No. 2013-26, as amended, is further amended by adding the following subsection at the end:
 - iv. Maximum lot coverage shall be 40 %
4. 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