

Report to Council

Report Title: Lippert Limited Service Agreement

Prepared By: Dieter Wultz, Building and Planning Manager/CBO

Department: Building and Planning

Date: April 27, 2021

Report Number: BLDG2021-10 **File Number:** C11BU, L04

Attachments: Lippert Limited Service Agreement

Recommendation:

That the Council of the Municipality of Brockton hereby receives Report Number BLDG2021-10 – Lippert Limited Service Agreement, prepared by Dieter Wultz, Building and Planning Manager/CBO and in doing so approves bringing forward a By-law for the Corporation of the Municipality of Brockton to enter into agreement with Adam Lippert, Matthew Preece and Jacqueline Preece for the purposes of a Limited Service Agreement.

Report:

Background:

The subject property located at 505 Durham Street, Walkerton ON with the legal description provided in the Limited Service Agreement is serviced by Bruce Lane from Charlotte Street. The owner is in the process of preparing and filing a building permit application for the construction of a single-family dwelling at the subject property. For the purposes of zoning compliance, the Municipal Zoning By-law designation for Bruce Lane is a Class 2 street and the applicable provisions are included below.

As outlined in section 3.24 as the subject property is using Bruce Lane for ingress and egress to the property and as Bruce Lane is for the purposes of the Municipal Zoning By-law a Class 2 Street, prior to the issuance of a building permit a Limited Service Agreement is to be entered into with the Municipality.

The Limited Service Agreement is being presented to Council for the purposes of entering into agreement with the named parties. The Limited Service Agreement being presented has been prepared by staff and has been returned signed by the named parties and will form part of the requirements for compliance with the provisions of the Municipal Zoning By-law and for obtaining the required building permit.

3.23 STREET

3.23.1 Streets - Class 1

.3 For the purposes of this By-Law, a 'lane' or 'private street' shall not be considered to be a Class 1 Street regardless of the level of construction or maintenance.

3.23.2 Streets - Class 2

.1 Class 2 Streets under the jurisdiction of the Corporation are shown on Schedule 'A' and regardless of the level of construction or maintenance shall for the purposes of this By-Law mean that the Corporation is not obligated to provide municipal services such as snow plowing, provision of garbage/recycling collection, or fire protection on a year round basis.

.2 For the purposes of this By-Law, a 'lane' or 'private street' shall be considered to be a Class 2 Street.

3.24 FRONTAGE ON A STREET (BUILDING PERMITS)

.1 No person shall erect any building or structure in any zone unless the lot upon which such building or structure is to be erected:

i. fronts, and has ingress and egress upon a Class 1 Street; or

ii. is a lot on a Registered Plan of Subdivision and a "Subdivision Agreement" is in effect with the "Subdivision Agreement" providing for the assumption of the street as a Class 1 Street upon completion of the subdivision; or

iii. is within a registered Plan of Condominium.

.2 No person shall erect any building or structure, or increase the height, size or volume of existing structures, in any zone fronted by a Class 2 Street unless the owner of the lot upon which such building or structure is to be erected or increased in height, size or volume has entered into a 'Limited Service Agreement' with the Corporation.

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? | Yes |
| • Do the recommendations contribute to achieving Cultural Vibrancy? | N/A |
| • Do the recommendations contribute to achieving Economic Prosperity? | Yes |
| • 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

There are no financial impacts related to the municipal budget for the purposes of entering into an agreement for the Limited Service Agreement but this allows the construction of the home to proceed.

Reviewed By:

Trish Serratore, Chief Financial Officer

Respectfully Submitted by:

Dieter Wetz, Building and Planning Manager/CBO

Reviewed By:

Sonya Watson, Chief Administrative Officer