

Subject: Limiting Distance Agreement

Department: Infrastructure Services

Division: Building

Report #: INS-2021-027

Meeting Date: 2021-05-10

Recommendations

That report INS-2021-027, Limiting Distance Agreement, be received;

And that Council Pass a Bylaw authorizing the Mayor and Clerk to sign a Limiting Distance Agreement with Krzytof Drozdowski, Betty Drozdowski and Steddy Corp.

Background and Analysis

The property at 96-98 Broadway was granted a severance on July 8, 2020 to create a new lot fronting on Armstrong Street, being 17 Armstrong Street.

The newly created lot is within the CBD zone with a required side yard setback under the Zoning Bylaw of 0.0 metres.

The new multi-use building which contains a commercial unit on the main floor and a single residential unit above, is located 0.18 metres from the eastern property line, which is permitted within the zoning restrictions. However, the Ontario Building Code requires that openings on this side of the building be protected from fire due to their proximity to the neighbouring property. Fire protection that would meet the Building Code requirements are cost prohibitive. Alternatively, a Limiting Distance Agreement between all three parties, registered on titles, may be entered into as a way to comply with the Ontario Building Code. This is the remedy chosen by the involved parties to this agreement.

This agreement is pursuant to O.Reg. 332/12: Ontario Building Code section 3.2.3.1(11) which requires that Krzystof Drozdowski, Betty Drozdowski and Steddy Corp. enter into an agreement with the Town of Orangeville regarding the limiting distance for the exposed building face, which is, located on the Steddy Corp lands. The proposed structure building face is located 0.18 metres from the property line and contains unprotected openings, which must be protected from adjacent properties or

buildings. By entering into this agreement, it ensures that no structures will be erected within 3.89 metres of the property line.

Strategic Alignment

Orangeville Forward – Strategic Plan

Priority Area: Municipal Services

Objective: Effective and Efficient

Sustainable Neighbourhood Action Plan

Theme: Corporate and Fiscal

Strategy: Create and integrate sustainability principles into Town Policies, processes and practices

Notice Provisions

Not applicable.

Financial Impact

There is no financial impact as a result of this report.

Respectfully submitted

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Attachment(s):

1. Limiting Distance Survey
2. Limiting Distance Agreement