



Economic Development and Planning Committee

Tuesday, February 5, 2013, 4:15 pm.
City Hall, Council Chambers

Committee Members

Councillor M. Kalivas, Chair
Councillor J. Baker
Councillor T. Blanchard
Councillor M. McFall
Mayor D. Henderson,
Ex-Officio

Areas of Responsibility

Economic Development
Planning
Chamber of Commerce
DBIA
Heritage Brockville

Economic Development
Advisory Team
Museum Board
Library Board
Arts Centre
Tourism

Page

COMMITTEE AGENDA

DISCLOSURE OF INTEREST

DELEGATION(S) AND PRESENTATION(S)

Nil

CORRESPONDENCE

Nil

STAFF REPORTS

4 - 21

1. 2013-014-02
Proposed Amendment to Zoning By-Law 194-94
36-46 King Street West
Owner: King Street West Inc.

THAT the City of Brockville Zoning By-Law 194-94 be amended:

1. *to add a definition of "Self-Service Storage Facility" to Part 2.0 - Definitions; and*
2. *to rezone lands with municipal address 36-46 King Street West from C2D - General Commercial Downtown Zone to C2D - General Commercial Downtown Special Exception Zone to Permit a Self-Service Storage Facility as a permitted use in addition to all other uses permitted within the C2D - General Commercial Downtown Zone, with no part of the Self-Service Storage Facility to be permitted on the main level closer than 15.0 meters to the King Street building face.*

- 22 - 43 2. 2013-015-02
New Comprehensive Zoning By-Law
Terms of Reference
1. *THAT the Terms of Reference for the New Comprehensive Zoning By-law contain in the Request for Proposals (RFP) attached as Schedule "A" to Report 2013-015-02 be approved; and*
 2. *THAT the RFP be widely distributed to planning consultants for response.*
- 44 - 56 3. 2013-018-02
Final Approval, Plan of Sub-division, Part Lot 13, Con. 2
City of Brockville, Hunters Hill Sub-division, Wildwood Cres. - Phase II,
Removal of H1-Holding Symbol, Dedication of 0.3 Metre Reserve
Extension of Draft Plan Approval-Phase III
Owner: Spring Valley Homes Ltd., Agent: B. Collett
1. *THAT Council for the Corporation of the City of Brockville, acting pursuant to Section 51 (6) of the Planning Act, R.S.O. 1990, grants final approval to Hunters Hill Subdivision-Wildwood Phase II, specifically with respect to being described as Part Lot 13, Con 2, being Part of Part 1, Reference Plan 28R12528, City of Brockville, County of Leeds; as shown on Schedule "A".*
 2. *THAT following the provision of notification in accordance with Section 36 of the Planning Act, a by-law be passed to remove the "H1" Holding symbol from Block "A" and Lots 1 through 20, inclusive, on Hunters Hill Subdivision-Wildwood Crescent, Phase II.*
 3. *THAT a By-law be enacted to dedicate Block A and Block B, Plan 28M-3 as a public highway and to name same Wildwood Crescent.*
 4. *THAT draft approval on Phase III, being described as Part of Lot 13, Conc. 2, being Part of Part 1, Reference Plan 28R-12528, save and except Plan 28M-3, City of Brockville, County of Leeds; as shown on Schedule "A", be extended to 08 November 2017.*

NEW BUSINESS - REPORT FROM MEMBERS OF COUNCIL

Nil

CONSENT AGENDA

ADJOURNMENT

THAT the Economic Development and Planning Committee adjourned its meeting until the next regular meeting scheduled for March 5, 2013.

28Jan2013

**REPORT TO THE ECONOMIC DEVELOPMENT PLANNING COMMITTEE - 5
FEBRUARY 2013**

2013-014-02

**PROPOSED AMENDMENT TO ZONING BY-LAW 194-94
36-46 KING STREET WEST
CITY OF BROCKVILLE
OWNER: KING STREET WEST INC.
APPLICANT: RICHARD HARRISON
FILE: D14-161**

**M. PASCOE MERKLEY
DIRECTOR OF PLANNING
ANDREW MCGINNIS
PLANNER II**

RECOMMENDATION:

THAT City of Brockville Zoning By-law 194-94 be amended:

- i) to add a definition of "Self-Storage Facility" to Part 2.0 – Definitions; and
- ii) to rezone lands with municipal address 36-46 King Street West from C2D – General Commercial Downtown Zone to C2D – General Commercial Downtown Special Exception Zone to permit a Self-Service Storage Facility as a permitted use in addition to all other uses permitted within the C2D – General Commercial Downtown Zone, with no part of the Self-Service Storage Facility to be permitted on the main level closer than 15.0 metres to the King Street building face.

PURPOSE

The purpose of this report is to provide recommendations for amendment to City of Brockville Zoning By-law 194-94 respecting a proposed new use for the property at 36 – 46 King Street West.

BACKGROUND

Richard Harrison, acting as Agent for King Street West Inc. (c/f The Regional Group of Companies), owner of lands described as Part of Lot 17, and Lots 1 and 2, Block 31, Plan 67, City of Brockville, County of Leeds, municipal address 36-46 King Street West, (former Liquidation World) has submitted an application for an amendment to Zoning By-law 194-94 which would, if approved, rezone the subject lands to permit a mini-warehouse use in addition to the other uses permitted in the C2D General Commercial Downtown Zone. The lands that are the subject of this application are shown on the attached map as **Schedule "A"** to this report.

Zoning and Official Plan Information:

Official Plan Designation: Downtown and Central Waterfront Area within the Mixed Use Node.

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 Applicant: Richard Harrison
 File: D14-161

Existing Zoning:	C2D – General Commercial Downtown
Requested Zoning:	C2D – General Commercial Downtown Special Exception Zone to permit a mini-warehouse facility in addition to the other uses permitted in the C2D Zone.

Site Characteristics:

Total Lot Area:	1,278.8 m ² (13,765.0 ft ²)
Lot Frontage – King Street W:	32.06 m (105.2 ft.)
Lot Frontage – Victoria Lane:	17.37 m (57 ft.)
Average Lot Depth:	39.98 m (132.2 ft.)

Proposed Site Development:

The proposed redevelopment of the existing building on the site would include the creation of four new retail spaces accessed from the King Street frontage, ranging from 81.3 m² (875.0 ft²) to 131.5 m² (1415.0 ft²) in size. The remainder of the first floor and the entire second floor is proposed to house anywhere from 125 to 225 storage units, each being approximately 4.6 m² (50.0 ft²) in area. Access to the storage units will be from three points of the building (two pedestrian corridors at both ends of the building located on the King Street frontage and a loading space located off of the laneway at the rear of the site for vehicular access. It is the intent of the owner to install an internal freight elevator to facilitate access for customers. An overview of the proposal submitted by the applicant is attached as **Schedule “B”** to this report.

The King Street frontage is proposed to have a reconstructed façade (see **Schedule “C”** attached to this report).

Surrounding Land Use:

The adjacent lands to the subject property are zoned C2D General Commercial Downtown Zone.

The lands are occupied as follows:

North:	1 Court House Square – Nesbitt Burns and Skintastic 7 Court House Square – Brockville Loyal Orange Lodge
North West:	21 Court House Avenue - Stewart Corbett Law Offices
West:	Parking Lot (off of Court House Avenue) 9 Court House Avenue – Commercial Office/ Retail Building 48 King Street West – Cummings Cossitt Insurance

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East: Boboli Restaurant on the main floor with upper floor residential.
 This building is the former George Houston Liquor Store and is of historical interest.

Public Participation

The application for Zoning By-law Amendment has proceeded through the normal review process. On 10 January 2013, a Public Meeting was held by the Economic Development and Planning Committee. Notice of the Public Meeting was advertised in the Brockville Recorder and Times Newspaper on 20 December 2012 and was circulated to property owners with 120.0 metres (400.0 ft) of the subject property. In addition, a sign was posted on the subject property advising that the lands are the subject of an Application for Amendment to the City of Brockville Zoning by-law 194-94. Comments from City Departments and affected agencies were also solicited. A copy of an excerpt from the minutes of the Public Meeting is attached as **Schedule "D"** to this report.

Comments Received are summarized below or are attached to this report as **Schedule "E"**:

1. Steve Allen, Supervisor of Engineering, City of Brockville:
 No concern with the proposed use, however concern is expressed regarding parking and loading zones that will be required to support the development.
2. Brent Caskenette, Chief Building Official, City of Brockville:
 No concern. However, a Building Permit is required for any changes.
3. Conal Cosgrove, Director of Operations, City of Brockville:
 No concern with the proposal, assuming that there is no vehicular access to the building from King Street.
4. David Paul, Director of Economic Development, City of Brockville (*letter dated Dec. 21, 2012 attached*):
 No concern with the application. This redevelopment will only improve the downtown.
5. Cameron Moorhead, Bell Aliant:
 No objection to the proposal. However, the Owner will need to contact Bell should the Bell service need to be relocated.
6. Paul Bullock, Heritage Brockville (*letter dated Jan. 9, 2013 attached*):
 No concern with the proposed use. However, would encourage the owner to replace the proposed stucco with red brick and divide the space up to create the image of four (4) distinct store fronts.

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7. Ogie's Deli, Scotia Bank and Ritchie's Wholesale Ltd. (*undated letter attached*):
Strong support and request for approval of the proposal.

ANALYSIS

Provincial Policy Considerations:

A Provincial Policy Statement (PPS) 2005 has been issued under the authority of Section 3 of the Planning Act. The PPS provides policy direction on matters of Provincial interest related to land use planning and development. Section 3 of the Planning Act further directs that Council decisions affecting planning matters "shall be consistent with" the Provincial Policy Statement.

Part V of the PPS sets out various policies which describe the areas of Provincial interest. Not all policies in the PPS are relevant to the planning matter under consideration, and thus, only those relevant portions will be referenced below.

Section 1.1.3.3 states that "Planning Authorities shall identify and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including Brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs."

Section 1.3.1 states that "Planning authorities shall promote economic development and competitiveness by:

- a) providing for an appropriate mix and range of employment (including industrial, commercial and institutional uses) to meet long-term needs;
- b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;
- c) planning for, protecting and preserving *employment areas* for current and future uses; and
- d) ensuring the necessary *infrastructure* is provided to support current and projected needs.

Accordingly, the conversion of the existing building to retail and self-storage is proposed to be located within an underutilized building with full municipal services and access to public transit, and within an existing built-up area. The proposed use further strengthens the area, represents intensification, and brings additional employment area to the City of Brockville, thereby being consistent with the policies within the PPS.

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Official Plan Considerations

The New Official Plan, approved the Ministry of Municipal Affairs on February 09, 2012, provides guidance on how to manage future growth, development, and change within the City of Brockville.

The Official Plan designates the subject property as "Downtown and Commercial Waterfront Area" within the "Mixed Use Node".

The New Official Plan's goals are to create a sustainable City in terms of health and vitality, that is economically viable and diverse, has high quality municipal services and amenities, and is well planned.

Section 2.3 outlines strategic planning themes which includes "A Sustainable, Healthy, and Vital City", "An Economically Strong and Diverse City", "A High Quality of City Services and Amenities", and "A Well-Planned Responsive City".

The proposed rezoning achieves the above objectives. The proposal intensifies an existing, serviced lot within the downtown core; and, is located within walking distance of many large-scale residential apartments and has access to major transportation nodes both vehicular and pedestrian.

Section 3 addresses building a healthy and sustainable City. More specifically, Section 3.2.2.1 states among others that development within the Mixed Use Nodes and Corridors needs to be transit supportive and accommodate a range of uses. This section continues by envisioning the Downtown and Central Waterfront Area as being the primary focus for the greatest mix of commercial, retail, and service opportunities. More specifically, the Downtown and Central Waterfront Area is the primary mixed-use Node and is intended to accommodate residential, office, commercial, community services, cultural activities, main street shops and boutiques, and related uses and activates that reinforce the existing character of the downtown area.

The proposed additional use of a self-storage facility will act as an enhancement to the area, as it will provide a service which currently does not exist within the downtown area. There will be increased foot traffic within the downtown core, and a slight increase to vehicular traffic according to the applicant's planning rationale. As well, there will be a benefit to the entire downtown which will see a redevelopment of a store front that has been a distraction for many years, and the future storefront tenancies will add new economic activity along King St.

Section 3.2.6 outlines policies for the scope of development within the "Downtown and Central Waterfront Area", focusing on intensification and redevelopment, revitalization of the Downtown and Central Waterfront Area and which place an emphasis on the

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urban design and architecture being consistent with the guidelines contained within the Downtown Waterfront Master Plan and Urban Design Strategy (DWMPUDS). A review of this proposal in light of the contents of the DWMPUDS appears later in this report.

Section 3.4.3.6 states, among others, that the City shall ensure that development and site alteration on land adjacent to a designated heritage resource is evaluated and that it is demonstrated that the heritage attributes of the designated heritage resource shall be conserved. Mitigative measures and/or alternative development approaches may be required to conserve the heritage attributes of the heritage resource affected by the adjacent development or site alteration.

Although not designated, Boboli Restaurant is the former George Houston Liquor Store and is of historical interest. Since the redevelopment of this property will be subject to Site Plan Control Approval, City Staff will have the opportunity to work with the owner to ensure that sensitive redevelopment is achieved. Heritage Brockville has also offered to meet to discuss the propose replacement of the façade.

The general Downtown and Central Waterfront Area policies are further refined under Section 4.2.2 where a full range of commercial and retail uses, business and professional offices, eating establishments, service and similar types of uses are to be permitted.

Section 4.2.3 continues with Land Use & Built Form Policies and states, among others, that any new development must not negatively impact abutting properties and the planned function of the area. The development must also have regard to the height and massing of the adjacent properties and provide for an appropriate transition with the building face being provided in a continuous manner.

With respect to potential impacts from this proposal, on-site parking and loading facilities are very limited on this property, and there is no doubt that re-use of this currently empty building will create more localized demand for existing on-street parking and loading facilities. Like many downtown businesses, there will be some dependence on municipal on- and off- street parking facilities and loading spaces for customers. Such public facilities are available in front of or near to this property on King St. W. Since there is no anticipated change to the size of the building, the only assessment should be of the nature and potential intensity of the new use being proposed.

We have been advised by the applicant that the proposed self-service storage use of the scale proposed within this building is expected to generate 2 to 4 vehicle trips per hour. Director of Operations Conal Cosgrove agrees that such trip generation will have little to no impact on parking, particularly since three (3) entrances to the storage locker areas are being proposed. Patrons of the storage units will have the option of utilizing King Street entrances as well as Victoria Lane, which is capable of accepting small delivery vehicles.

Dealing with the physical changes to the building and need to ensure appropriate massing and transition, the size of the building remains as it currently exists. Although the façade has been proposed to be changed and comment has been provided by Heritage Brockville, the owner has informed of its preference to replace the façade in the manner proposed (attached as **Schedule "C"** to this report), incorporating multiple features from adjacent properties and providing a continuous transition and improvement from the current situation. Further dialogue will be encouraged.

The façade design debate aside, the proposal provides an opportunity for enhancement of a vacant downtown building that has been a distraction for a number of years, and the proposed re-use and redevelopment is consistent with relevant policies of the Official Plan.

Downtown & Waterfront Master Plan and Urban Design Strategy

The Downtown and Waterfront Master Plan and Urban Design Strategy (DWMPUDS), provides guidance on how to manage future growth, development, and change within the downtown and waterfront area of the City.

The DWMPUDS establishes community planning and urban design principals to maintain the downtown and waterfront as a healthy, livable and sustainable destination in the City.

Section 3.0 of the strategy speaks directly to the current conditions and Planning Framework within the Downtown and Central Waterfront Area of the Official Plan. More specifically, the plan recommends reinforcement of the existing scale and character of the downtown area along with articulation of building facades being encouraged. This articulation is also reiterated within Section 4.2.4 which outlines the specific Urban Design and Built Form Guidelines within the Downtown and Central Waterfront Area and directs that a high level of architecture treatment and design be consistent in order to enhance building articulation through the use of distinguished elements (i.e., cornices, moldings, etc.), material, and colours are also to be consistent within the Downtown and Central Waterfront Area. This section also continues by stating that building facades should be articulated at close spacings with entrances, windows, canopies, porches, etc. to enliven the street.

As noted previously, Heritage Brockville has requested that the design of the building façade be examined and split to create the image of multiple buildings and façades. Although the design of the proposed façade has utilized multiple features from abutting properties (i.e., matching cornices and moldings), articulation of the façade along the building frontage is not being proposed. Further review of the proposed façade will occur at the time of filing of the Site Plan Control Application.

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Zoning By-law Considerations:

36 – 46 King Street West is currently zoned as C2D – General Commercial Downtown Zone under City of Brockville Zoning By-law 194-94, as amended.

The property was the former site of the retail store “Woolworths”, then “Liquidation World” with upper storey offices, and has been vacant for many years. During this time multiple ideas and design concepts have come forward but nothing has materialized.

The proposed Amendment to City of Brockville Zoning By-law 194-94 would, if approved, permit the conversion of the building to allow the use of a self-storage facility as a permitted use in addition to all commercial use permitted within the C2D – General Commercial Downtown Zone.

Staff is of the opinion that the current definition of Mini-Warehousing does not meet the intent of what is actually being requested, as the definition is more geared towards a new structure or storage building complex. Therefore, staff proposes that a new definition and use be created within Section 2.0 of Zoning By-law 194-94 as follows:

“Self-Service Storage Facility means a building or area within a building that provides separate storage units not exceeding 15.0 sq.m.(160 sq.ft.) each for rent by individuals or businesses. The units are designed to allow private access by the tenant for dead storage of personal property, goods and wares. Use of the storage units for human habitation is prohibited”.

It would be appropriate, however, for such a use to be restricted to certain areas within the building, to leave available the storefronts on King St. W. for more animated tenant occupancies. Therefore, the special exception zone should include provisions restricting the location of the self-service storage units.

Due to the property’s location being within the Downtown Core, Zoning By-law 194-94 typically would not require the creation of any new or additional parking spaces, as the proposal will not alter the size of the building. With the low volume of traffic anticipated for the self-service storage facility, there is no prevailing argument which would necessitate moving away from these existing parking considerations.

The creation of a special exception zone for 36 – 46 King Street W. is therefore recommended. Should this recommendation be endorsed, the new zone would read as follows:

“C2D-10 – General Commercial Downtown Special Exception Zone

The uses permitted in the C2D-10 Zone shall be those permitted in the C2D-General Commercial Downtown Zone with the addition of a Self-Service Storage Facility.

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No part of a Self-Service Storage Facility is to be located on the first storey within 15.0 m (50.0 ft.) of the King Street building face."

POLICY IMPLICATIONS

As stated in the Analysis section of this report, the proposed rezoning of 36 – 46 King Street West is consistent with the PPS and the Official Plan for the City of Brockville. Further consideration of the guidelines contained in the Downtown & Waterfront Master Plan and Urban Design Strategy will take place at the time that a Site Plan Control Application is filed.

FINANCIAL CONSIDERATIONS:


All costs associated with the redevelopment of the subject property are the responsibility of the Owner, although the subject property's location within the Priority Area 1 of the Downtown community Improvement Plan allows for potential access to incentive program funding. To-date, the owner has not forwarded the requisite Registration of Intent to the Planning Department.

CONCLUSION

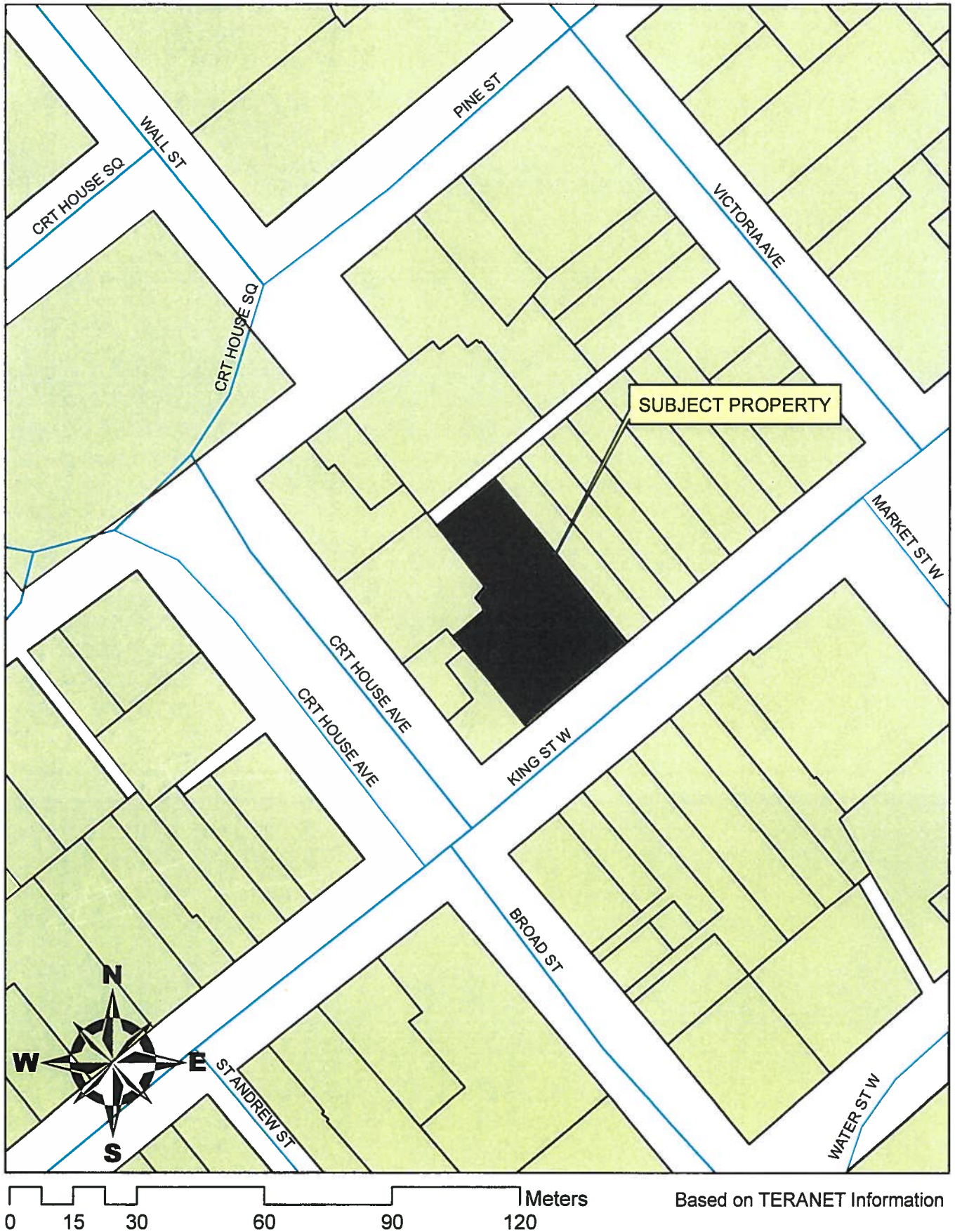
Following review of the PPS, Official Plan, Downtown & Waterfront Master Plan and Urban Design Strategy as well as the submissions received respecting the request for zoning amendment for 36 – 46 King Street West, it is reasonable to amend City of Brockville Zoning By-law 194-94 to allow self-service storage as a permitted use with its location restricted within the building on the subject property. All other C2D – General Commercial Downtown uses would also be permitted. This conclusion is reflected in the recommendation section at the beginning of this report.


M. Pascoe Merkley, MCIP, RPP
Director of Planning


Andrew McGinnis, MCIP, RPP
Planner II


B. Casselman
City Manager

36 - 46 KING STREET WEST



SCHEDULE "B-1"

Report 2013-014-02

Richard W. Harrison & Associates
Consultancy in Urban Planning & Land Development

His Worship Mayor D. Henderson B Sc., MBA. and Members of Council
City of Brockville
One King Street West P.O. Box 5000
Brockville On
K6V 7A5
Attention M. Maureen Pascoe Merkley, MCIP, RPP Director of Planning

Re: Application for Amendment to the Zoning Bylaw
36 – 46 King Street West
Former Woolworths Building
Project No. RWH 5-1-PL1

Your Worship:

I am pleased to submit an application with requisite fee to amend the zoning by-law for 36-46 King Street West, the site of the former Woolworth's store on King Street. My client is The Regional Group Of Companies (COB King Street West Inc.) (KSW) and is an experienced and diversified real estate development firm located in Ottawa. It has a significant portfolio in eastern Ontario including this site which it has owned since 2002. You are well aware the building is vacant today and has been for some time.

During the past several months KSW has received numerous enquiries for retail leasing of the store front on King with a common theme that generally smaller spaces are not readily available on Brockville's prime 'Main Street'. In addition KSW has identified an excellent market opportunity for the leasing of space for mini-storage in the downtown area. With the recent activity in condominium apartment development in Town there is and will be a significant demand for storage by condo owners. Typically the storage space offered in condominium buildings does not match demand. A facility in the downtown, nearly within walking distance of recent developments, will be a beneficial addition to the variety of space available for lease in Brockville.

It is these enquiries and this opportunity that have prompted my client to make this application.

Representatives of KSW and I have met with your Economic Development Office and the Planning Department in November in order to properly frame our application. We believe this redevelopment will be an excellent addition to the economic activity in the downtown and that the proposed additional use is quite consistent with the Official Plan and a compatible use for the area.

The proposed redevelopment will see the creation of four new retail spaces on and accessed from the King Street frontage. They range from 875 square feet to 1415 square feet in retail space. The remainder of the first floor and the entire second floor will be converted into approximately 225 storage space units, each being 5 feet by 10 feet in area. These units will be accessed from three points of the building.

SCHEDULE "B-2"

Report 2013-014-02

There will be two pedestrian corridors at both ends of the building on the King Street frontage and a loading space located off the laneway at the rear of the site for vehicular access. The owner intends to install an internal freight elevator to facilitate its customers.

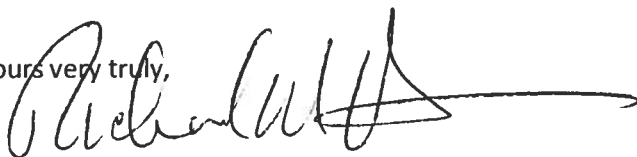
The King Street frontage will have a reconstructed façade designed by Pye and Richards, Architects of Ottawa. As you will see from the attached elevations, the architect has been most careful to capture the architectural flavour of the historic downtown by way of sympathetic materials and the repetition of the window and cornice treatment of the Cummings Cossitt building next door.

During our discussions with your staff we were requested to investigate vehicular traffic resulting from our proposal. I have consulted with the IBI Group, Traffic Engineers also from Ottawa. I am advised and have observed as an urban planner that storage facilities are one of the least impactful of land uses from a traffic perspective. According to the Trip Generation Model of the Institute of Traffic Engineers, these facilities have an AM Peak of 0.14/1000 sq. ft. and a PM Peak of 0.26 / 1000 sq. ft. In layman's terms this equates to approximately 2 to 4 vehicle trips per hour which is considered negligible by the traffic industry. In any case, the conversion of approximately 15000 sq. ft. of existing zoned retail space to mini warehouse space will see a dramatic reduction in the traffic potential of this building.

In summary it is my opinion that this proposal complies with all of the policy and urban design considerations of the Official Plan. Is consistent with the Provincial Policy Statement, represents 'good planning' and will add much needed economic activity and vitality to the City's downtown.

I look forward to deliberations and presentation of this proposal in more detail to your Committee and to Council. In the interim, if Council or staff have any questions please do not hesitate to contact the undersigned.

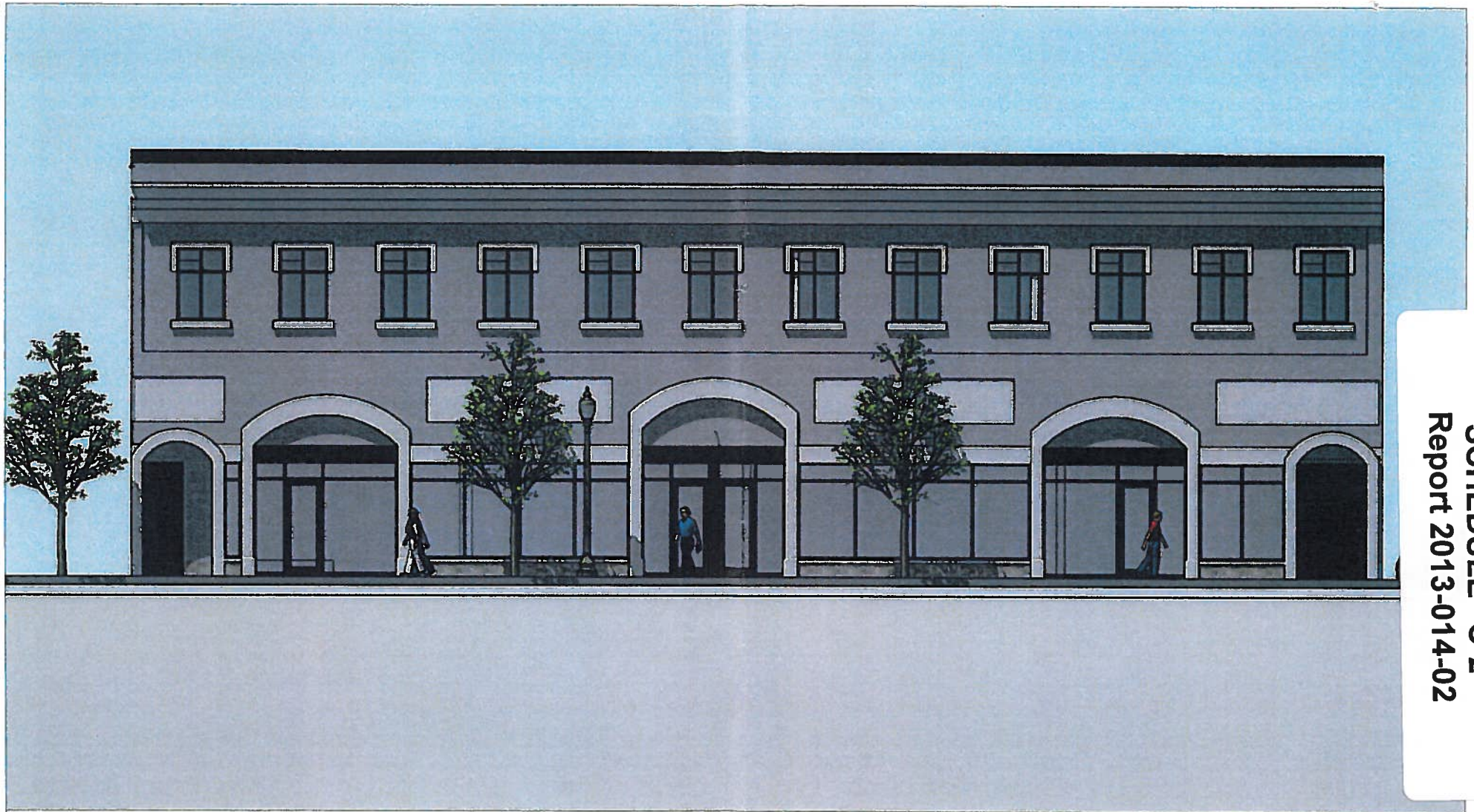
Yours very truly,

A handwritten signature in black ink, appearing to read 'Richard W. Harrison', followed by a long horizontal line extending to the right.

Richard W. Harrison, MCIP, RPP



36-42 KING STREET - BROCKVILLE
PROPOSED VIEW



SCHEDULE "C-2"
Report 2013-014-02



**36-42 KING STREET - BROCKVILLE
PROPOSED ELEVATION**

P&R

DECEMBER 2012

SCHEDULE "D"

Report 2013-014-02

EDP Public Meeting Minutes, Thursday, January 10, 2013

2. 2013-009-01
Proposed Amendment to Zoning By-Law 194-94
36-46 King Street West, City of Brockville

Moved by: Councillor Blanchard

CARRIED

Councillor Kalivas, Chair, announced the Public Meeting.

Mr. McGinnis, Planner II, announced that the notice of the Public Meeting for Staff Report 2013-009-01 was given in the Recorder and Times Newspaper on December 20, 2012 and was circulated to property owners within 120.0 metres (400.0 ft.) of the subject property. Comments from City Departments and affected agencies were also solicited.

Councillor Kalivas asked that any person wanting further notice of the passage of the proposed amendment should give their full name, address and postal code to the Secretary prior to leaving the meeting.

Councillor Kalivas reviewed the procedures for the Public Meeting.

Councillor Kalivas called on Mr. McGinnis to explain the purpose of the Public Meeting and the nature of the application.

Mr. McGinnis reviewed the proposed amendment to Zoning By-Law 194-94.

The following persons spoke in support of the proposed amendment:

Mr. Richard Harrison, Agent, spoke in favour of the amendment. He stated that previous store owners have found the space too large. He said that the building has been an "eye sore" for many years. He explained how the building would be laid out. He said that behind the building there is a loading space with a "right of way" to the west. This type of storage business would generate between 2 to 4 visits per hour at the busiest time. He stated that mini storage is one of the most benign uses of a building. He said that this business will draw people from the downtown and would support the area merchants.

No person spoke in opposition of the proposed amendment.

The Public Meeting for Staff Report 2013-009-01 concluded.(6:30 p.m.)

Note: No persons completed the Requests for Information form.

SCHEDULE "E-1"
Report 2013-014-02

HERITAGE BROCKVILLE

Brockville=s Municipal Heritage Advisory Committee



Brockville City Hall, P.O. Box 5000, 1 King St. West, Brockville, ON, Canada K6V 7A5

Ms. L.Bagnell,
Administrative Coordinator, Planning,
City of Brockville,
Brockville, ON
K6V 7A5

Jan. 9, 2013

Dear Ms.Bagnell,

SUBJECT: Proposed Amendment to By-Law 194-84

Heritage Brockville is pleased to see that there are plans being advanced for the vacant building at 36-46 King St. West. To this committee it makes sense to divide this large space into four new retail spaces facing King Street.

Unfortunately the proposed façade design does not add to the narrow brick-faced stores that presently line King Street. Stucco has, in the past, been used to cover up building detail after a fire or renovation. We would encourage the owners to replace the stucco with red brick and divide the space up to create the image of four distinct store fronts.

We would welcome the owners to our next meeting on Tuesday February 5, 2013 at 7:00 pm in City Hall.

Sincerely yours,

Paul Bullock,
Chair Heritage Brockville,
151 King St. East,
Brockville, ON
K6V 1C1

cc: File

SCHEDULE "E-2"
Report 2013-014-02



December 21, 2012

City of Brockville
Planning Department

Subject: Zoning Bylaw 194-94/Regional Group Application/36-46 King Street West

We are supportive of the subject proposal on the redevelopment of the former Woolworths/Liquidation World building structure into smaller individual retail/commercial units with mini storage units at the rear of the building.

The current structure is a blight on the City's main street and has been the focal point of significant complaints in recent years as well as subject of at least two university papers associated with negative examples of downtown structures and the impact associated with a damaging stigma regarding the vitality of community downtowns.

The Economic Development and the Planning offices have endeavoured to encourage redevelopment with the Regional Group for over five years with several meetings and communications in Brockville and Ottawa on same. This single development will ultimately provide a significant boost to the downtown appearance and the need for revitalization has been well supported by downtown businesses and the DBIA.

Sincerely,

A handwritten signature in black ink, appearing to read "David C. Paul".

David C. Paul, Ec.D. (F)
Director of Economic Development

DGP/sd

y/sdunbar/planningdept2012.doc

SCHEDULE "E-3"
Report 2013-014-02

To Whom It May Concern:

Re: Proposed Amendment to Zoning By-Law 194-94
36-46 King Street West

The following businesses in the area of the above mentioned properties wish to voice their strong approval of this amendment. This represents a much needed improvement to our downtown core and can only result in increased foot traffic.

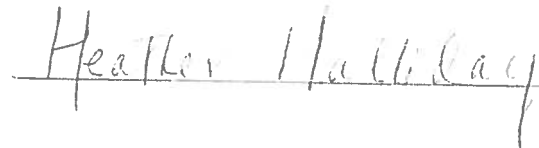
The façade of the proposed building matches that of the adjacent Cummings-Cossitt building and is in keeping with the historical downtown architecture.

You are respectfully requested to grant approval to this proposal without delay.

Phyllis Ogilvie (Ogie's Deli)



Heather Halliday (Scotia Bank)



John Hickling (Ritchie's Wholesale Ltd.)



31Jan13

**REPORT TO THE ECONOMIC DEVELOPMENT PLANNING COMMITTEE –
5 FEBRUARY 2013**

2013-015-02

**NEW COMPREHENSIVE ZONING BY-LAW
TERMS OF REFERENCE**

**M. PASCOE MERKLEY
DIRECTOR OF PLANNING**

RECOMMENDATION

1. That the Terms of Reference for the New Comprehensive Zoning By-law contained in the Request for Proposals (RFP) attached as Schedule "A" to Report 2013-015-02 be approved; and
2. That the RFP be widely distributed to planning consultants for response.

PURPOSE

To approve the Terms of Reference for the New Comprehensive Zoning By-law.

ORIGIN

The Official Plan for the City of Brockville was approved on February 9, 2012. In accordance with Section 26(9) of the Planning Act, within three years, the zoning by-law is required to be updated to ensure conformity with the official plan.

ANALYSIS

A zoning by-law is considered the primary tool used by municipalities to manage and direct the physical changes anticipated in an Official Plan.

With the approval last year of our new Official Plan, the City must initiate the project to update our zoning by-law. This is a significant undertaking, since a comprehensive zoning by-law sets out land use and development regulations for every parcel of land in the municipality.

It is appropriate to seek out and engage a planning consulting firm to complete the task of producing a new/updated zoning by-law. A Request for Proposals has been prepared to provide the terms of reference and to guide the potential bidders.

The expectations for the project are specified, including the necessity for the consultant to design a formal community consultation process.

A Steering Committee of senior staff is recommended to manage the project, with the Director of Planning as Project Co-ordinator.

POLICY IMPLICATIONS

The policies of Section 6.4.2 of the Official Plan deal with the Zoning By-law. Specifically dealing with the preparation of a Comprehensive Zoning By-law, Section 6.4.2 (1) states the following:

"The City shall prepare, and Council shall adopt within 3 years after the adoption of this Plan, a Comprehensive Zoning By-law that shall be in conformity with the principles, policies and land use designations contained in this Plan."

FINANCIAL CONSIDERATIONS

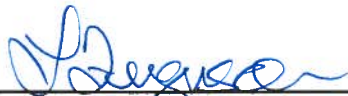
City Council has set aside monies received from the Federal Gas Tax as a source of funding for this project.

CONCLUSION

Our Comprehensive Zoning By-law must be made consistent with the new Official Plan. To launch this project, it is recommended that the Terms of Reference and Request for Proposals document attached to this report be approved



M. Pascoe Merkley, MCIP, RPP
Director of Planning



L. Ferguson
Acting Director of Finance



B. Casselman
City Manager

SCHEDULE "A" TO REPORT 2013-015-02



REQUEST FOR PROPOSAL

COMPREHENSIVE ZONING BY-LAW REVIEW

(RFP No.)

for the

CITY OF BROCKVILLE

ISSUE DATE: _____

CLOSING: _____ **at 2:00 p.m. Local Time**

At the City of Brockville
Victoria Building, City Hall
1 King Street West
Brockville, Ontario K6V 7A5
Attention: Sandra M. Seale, City Clerk
Tel: (613) 342-8772 ext. 461
Fax: (613) 498-2793
E-mail: smseale@brockville.com

1. BACKGROUND

The City of Brockville is a community of 21,870 residents (2011 Census) situated on the St. Lawrence River in the beautiful 1000 Islands region. Brockville is both a designated safe community as chosen by the World Health Organization, and is within UNESCO's Frontenac Arch Biosphere.

Brockville boasts an enviable location between the major cities of Toronto and Montreal, and within close proximity to Ottawa, our nation's capital, and adjacent to two (2) US border crossings, making access to major destinations and markets on the Windsor to Quebec City corridor and to the US Northeast easy. The City is bisected by Highway 401 and the CN Mainline, with connection to a secondary CP line.

Although small in geographic area, Brockville serves as a regional hub for a significant proportion of Leeds and Grenville residents and for visitors to the area.

Brockville is the oldest municipal corporation in Ontario. With a rich cultural and architectural history, the City provides a combination of historic buildings, an attractive downtown, a bustling retail area and service commercial sector, a variety of affordable accommodation, and access to extraordinary recreation, education and community amenities. It is clear that Brockville contains uniquely distinguishable features in its streets and transportation corridors, buildings, open spaces including several of the 1000 Islands, and land use patterns.

Brockville has been a strong centre for manufacturing, but has faced the challenges of manufacturing downsizing, economic restructuring, and shifting demographics.

However, Brockville's small town urban lifestyle with its active recreational, arts and cultural communities continue to make it an attractive place to live, work and do business.

City of Brockville Official Plan

The City of Brockville has a very contemporary Official Plan, approved by the Ministry of Municipal Affairs and Housing (MMAH) on February 9, 2012. The approval was uncontested, receiving no appeals to the Ontario Municipal Board.

The Official Plan is based on a planning horizon extending through to the year 2031, and has been prepared in conformity to the Provincial Policy Statement (PPS).

The Plan is premised on sustainability principles, and is based on background information and analysis relating to growth management including transportation, housing, community facilities and servicing; land use; economic development; commercial and industrial activities; urban design; cultural heritage resources, and the natural environment. This information was developed and presented in background reports and strategies. These include:

1. "Foundation for the Official Plan" report (Foundation Report), adopted by City Council on June 23, 2009.
2. "Land Use and Growth Management Strategy", adopted by City Council on December 15, 2009;
3. "Downtown and Waterfront Master Plan and Urban Design Strategy", adopted by City Council on December 15, 2009;
4. "Economic Development Strategy", adopted by City Council on March 23, 2010; and
5. a discussion report on preparing a Sustainability Plan for the City. NOTE: City Council has since adopted the City of Brockville Sustainability Plan on October 9, 2012.

The goals and objectives of the Official Plan, aligned to the following strategic planning themes, form the basis of the detailed policies of the Official Plan:

1. A Sustainable, Healthy and Vital City
2. An Economically Strong and Diverse City
3. A High Quality of City Services and Amenities
4. A Well-Planned and Responsive City

More specifically, the Official Plan:

- manages change and promotes efficient use of resources for a strong, liveable and healthy community;
- promotes compact built form and an appropriate mix of land uses and densities which minimizes the consumption of land and maximizes the use of existing infrastructure;
- identifies areas for intensification and re-development in a manner that is sensitive to the character of surrounding residential neighbourhoods;
- promotes transit-supportive development patterns;
- provides for an appropriate mix of housing types and densities to meet projected requirements, including housing which is affordable for low to moderate income households;
- provides for a healthy mix of employment uses and supply of employment lands in suitable locations to meet projected targets;
- promotes active communities through the development of complete streets (pedestrians and cyclists) and generous public open space areas;
- promotes energy conservation and efficiency to minimize impacts to air quality and climate change;
- protects natural, cultural heritage, water and other resources for current and future generations;

- maintains and enhances the viability and vitality of our downtown, and establishes appropriate urban design considerations;
- promotes the redevelopment of brownfields;
- plans for infrastructure demand, management and investment; and,
- provides the tools necessary to appropriately implement these planning directives.

City of Brockville Zoning By-law 194-94

A Comprehensive Zoning By-law covering the entire municipality was approved by Brockville City Council in 1994. It has since been the subject of over 150 amendments. The City of Brockville maintains an office consolidation of Zoning By-law 194-94 and all of its amendments.

As the primary tool to implement the Official Plan, it is necessary to review and update the Zoning By-law to ensure its conformity with the new Official Plan. This not only reflects best practices, it is also mandated in Section 27(9) of the Planning Act, R.S.O. 1990, c.P.13. The City of Brockville is therefore proposing to undertake a review and update to its Comprehensive Zoning By-law.

Consultation with staff and the public is considered integral in highlighting the current regulations that work well and those that require a significant overhaul. The goal is to create a superior, progressive regulatory document which appropriately implements the principles and policies of the new Official Plan and Downtown and Waterfront Master Plan and Urban Design Strategy, while meeting the needs of the community.

2. OBJECTIVES AND SCOPE OF WORK

The City of Brockville is seeking proposals from qualified planning consultants to prepare a new comprehensive zoning by-law for City Council approval which is consistent with the new Official Plan, the PPS and any other relevant Provincial policy and regulations. This process is intended to review and update the current Zoning By-law to reflect new policy and regulatory initiatives addressed in the new Official Plan, as well as consider emerging issues and trends in sustainable community planning and development.

More particularly, the Consultant is to:

- Prepare and provide a new Zoning By-law for Council approval which is consistent with the new Official Plan, the PPS and any other relevant Provincial policies and regulations;
- Ensure that the document includes innovative approaches to encouraging intensification and redevelopment with the urban area in keeping with the new Official Plan and PPS and considering the appropriate historical and neighbourhood contexts;

- Complete extensive consultations with municipal staff, and other stakeholder groups as deemed necessary to ensure that the new Zoning By-law is reflective of local expertise and knowledge;
- Conduct and attend any associated open houses and public meetings including the statutory public meeting to be held under the Planning Act;
- Receive and consider all input and submissions;
- Review and recommend appropriate zones and permitted uses that reflect the policies and land use designations of the Official Plan;
- Review the existing zoning regulations, and create new regulations where necessary, with consideration given to new and innovative development guidelines, and the Downtown and Waterfront Master Plan and Urban Design Strategy, and opportunities to encourage affordable housing;
- Reduce the number of special exception zones, eliminating or consolidating where possible;
- Provide an up-to-date and contemporary set of definitions to reflect appropriate municipal standards;
- Review and recommend appropriate parking requirements, giving particular consideration to the unique characteristics of the Downtown and Central Waterfront Area;
- Produce a document which is easily understood and organized in a manner that can be navigated by a variety of users, including Council, staff, developers and the public;
- Prepare and provide the necessary maps/schedules in AutoCAD (.dwg) and GIS file format or as further specified by the City;
- Represent the City before the Ontario Municipal Board if so requested by the municipality.

Although the above describes the basic scope of work that should be undertaken, it is expected that the successful Consultant will take this as a minimum and compile a team and propose a workplan that achieves the purpose of this assignment.

3. PROPOSED WORKPLAN

The Zoning By-law Review will be conducted with the benefit of a comprehensive public engagement and consultation program that will promote input and foster consensus with stakeholders, including Council, the Steering Committee, other municipal staff and advisory committees, governmental agencies, the private sector and non-governmental organizations.

It is expected that the Zoning By-law Review will be undertaken in three (3) major stages, although this is simply a guide and the exact work-plan may be subject to refinement based on submissions received and further discussions with the successful Consultant. A general overview of the stages is outlined below:

1. STAGE 1: BACKGROUND RESEARCH AND BY-LAW REVIEW

There are several background reports developed as part of the Official Plan process. In addition, a number of other municipal documents have been prepared over the last 10-15 years and are available as a resource for the successful Consultant.

Stage 1 will consist of the Consultant collecting and reviewing all relevant background information and undertaking appropriate initial notification and consultations with the public, municipal staff and advisory committees, agencies and other interested stakeholders. This task will enable the Consultant to understand Brockville's land use planning context and the current issues, trends, facts, assumptions, opportunities and constraints affecting Brockville's planning and regulatory environment.

This stage will also include a detailed review of the current Zoning By-law leading to the preparation of a **Discussion Paper(s) and/or Background Report**. This documentation will provide a concise inventory of available data and input received during the community consultation program, and will form the basis for the preparation of a draft Zoning By-law.

It is expected that at least **one (1) stakeholder consultation session** will occur in the early stage of the project, and **one (1) public open house** will occur at the end of this Stage.

2. STAGE 2: PREPARATION OF DRAFT ZONING BY-LAW

This stage will involve further analysis of the key findings identified during Stage 1, which will form the basis for the preparation of a draft Zoning By-law. A **Summary Report**, which outlines the key recommendations for consideration, and a **Draft Zoning By-law** will be prepared.

One (1) public open house will be conducted within this Stage to inform the stakeholders and public of the information produced to date and to seek further input.

3. STAGE 3: BY-LAW REFINEMENT & FINAL ENACTMENT

Based on the feedback obtained during the prior Stages, the Consultant will refine the draft By-law for final consideration by the Steering Committee and Council. A formal **Statutory Public Meeting of Council** will be convened to review the final Zoning By-law prior to final enactment.

4. PUBLIC PARTICIPATION/COMMUNITY CONSULTATION

Public and other stakeholder involvement is key to the success of this project. The Consultant shall design a formal community consultation process which outlines the method(s) and tools for engaging stakeholders in the community and maximizing input at each stage of the project, including but not limited to community consultation sessions, public open houses, technical working groups, newsletters, surveys, notices, web materials, posters, and mail/hand-outs. Written explanatory briefs and other summary documentation shall be encouraged to assist members of the public in its understanding of the project.

Regular meetings are expected with the Steering Committee throughout the course of this project, and consultations should be held with key stakeholders, including municipal staff, public agencies, municipal advisory committees, the business community, the development community and community interest groups. Specifically, in Stage 1, the Consultant will be required to organize and convene **one (1) stakeholder consultation session** near the beginning of the project to gather community feedback and enhance the Consultant's understanding of the community's interests, and hold **one (1) public open house** to present background findings. In Stage 2, **one (1) public open house** will be required to present the Summary Report and draft Zoning By-law. Finally, Brockville City Council will convene the **Statutory Public Meeting** towards the end of the project in Stage 3, once the draft Zoning By-law has been refined by the Consultant based on earlier community consultation and input.

Additional meetings may be required depending on the outcome of the public consultation sessions and direction given by Council. Accordingly, the Consultant shall include a flat rate fee (as an additional cost item) for any additional meetings as may be directed by the City. The Consultant shall be responsible for scheduling of meetings, preparation of notices and agendas, presentation materials and meeting minutes. The City of Brockville will provide assistance with organizing meeting room/hall bookings and set-up, and will cover all hall rental costs, as well as advertising and notification.

5. SCHEDULE

It is anticipated that Zoning By-law Review process will take approximately 10 to 12 months following award of contract. General adherence to the following schedule is expected, which may be modified by the City based on discussions with the Consultant:

Item	Task	Date
1	Approve and distribute RFP	February - March 2013
2	Consultant Selection Process, Council Awards Contract, Steering Committee/Consultant First Meeting	April – May 2013
3	<u>Stage 1:</u> Project Initiation and Public Notice, Background Research & By-law Review, Community Consultations/Public Open House, Technical Paper/Background Report to Advisory Committee	May – September 2013
4	<u>Stage 2:</u> Summary Report & Draft By-law to Steering Committee, Public Open House	October 2013 – December 2013
5	<u>Stage 3:</u> By-law Refinement, Final Report & By-law Amendment to Steering Committee, Statutory Public Meeting	January – April 2014
6	Council Approval	May – June 2014

6. DELIVERABLES

All reports will be delivered in the following format:

- 1 unbound camera-ready copy;
- 1 CD (pdf) and any related colour photos, graphics and maps in City-compatible software (AutoCAD, Word, Excel, PowerPoint, jpg, etc.);
- Any mapping in transferable format for Municipal use (AutoCAD; GIS file format);
- 1 hard copy print and CD of presentation boards and materials;

All of the documentation shall be prepared in a format which will enable it to be placed on the municipal web site. It is expected that newsletters, brochures and other forms of communication will also be required to inform the public, which shall be prepared in full colour. Presentations shall be provided in PowerPoint format wherever possible.

7. PROJECT ADMINISTRATION

The study process will be managed on behalf of the City by a Steering Committee, comprised of the Director of Planning, Director of Operations, Director of Environmental Services or their designates and other municipal staff to be determined, which will act as the Steering Committee for the project. The Consultant may wish to establish one or more Advisory Groups to accommodate a wider cross-section of the community (ie. municipal advisory committees, public agencies, community organizations). Alternative or innovative approaches to the administration of the project will be entertained.

The Director of Planning shall act as Project Co-ordinator, and shall be the day-to-day contact to the Consultant. The Project Co-ordinator will provide the Consultant with relevant resource materials, including related studies and reports, and key stakeholder/interest group contact lists. Other municipal Departmental staff are available to assist and provide input where required.

The Steering Committee will meet with the Consultant at the outset to define and approve the work plan and roles, and regularly thereafter to monitor and review progress, and to provide direction and input as required. The Steering Committee shall review all draft Reports and associated documentation to ensure compliance with the RFP prior to a recommendation and final deliverables being brought forward to Cobourg Municipal Council.

8. PROPOSAL REQUIREMENTS

Written proposal documents shall contain the following information:

- The Consultant's understanding of the assignment, including an explanation of the approach and methodology to be used to achieve the objectives of the RFP, and an assessment of any anticipated difficulties in performing tasks and the proposed approach for overcoming these;

- A work plan/project schedule, including a detailed description and costing of all tasks and sub-tasks, timelines, milestones, deliverables, meetings and key dates proposed to meet the requirements of the RFP. If the Consultant feels it is advisable to perform additional work at the proposal stage, the nature, extent and estimated cost of such work shall be identified separately;
- A listing of all consulting team members, complete with their qualifications, experience and applicable skills;
- An upset cost for the project (***submitted in a separate envelope***), including a breakdown of all hourly rates and predicted person hours attributed to each team member by task, and all other costs and related disbursements;
- A list of three (3) relevant or similar Comprehensive Zoning By-law projects undertaken by the consulting team, including the initial cost estimate, tasks completed, timeline to completion, final cost and project reference.

The Proponent shall submit five (5) bound copies (one of which shall be signed and marked as an original) and one (1) unbound print-ready copy in 8½" X 11" format. The maximum proposal length shall be twenty-five (25) pages, exclusive of CV's, references and project experience materials. Proposals are to be clearly marked with the RFP title and number (see RFP cover).

9. CONSULTANT EXPECTATIONS

While the Consultant will work with the Steering Committee and stakeholders in compiling and reviewing information throughout the process, it is expected that the Consultant will provide sound, objective and defensible analysis and reports based on technical and professional judgement.

The documentation arising out of the Zoning By-law Review process shall be consistent with/conform to all Provincial legislation and municipal by-laws and policies, such as the Planning Act, Provincial Policy Statement (PPS), and Brockville Official Plan, and in accordance with sound planning principles. The Consultant shall be expected to attend hearings of the Ontario Municipal Board (OMB), Courts and/or tribunals to present evidence and provide opinions in defense of the documentation it supplies as part of the Zoning By-law Review process, if requested by the City.

The lead Consultant and applicable representatives shall attend all meetings required during the project, and present the project recommendations and amendments to Council prior to adoption. The Consultant Team's representatives attending meetings shall be thoroughly versed and knowledgeable with respect to the proposed topics of discussion and shall have the authority to make the necessary decisions and commitments with respect to matters agreed upon at the meetings. The Consultant will also be required to provide all documentation, including reports, maps, drawings, and amendments, in electronic form, and the City shall have the right to reproduce further copies.

10. CONSULTANT EVALUATION AND SELECTION

The City of Brockville uses a value-based approach to selecting consultants and will evaluate each proposal based on its own merit, giving specific attention to completeness of detail, experience of the project team and other factors as set out in the criteria listed in **Appendix "I"** attached which states the weight or value assigned to each category.

The assigned weight of each criterion is multiplied by the appropriate degree of satisfaction to yield the total points. Summation of the total points for each criterion yields a total score, which represents the overall degree of satisfaction with each proposal.

The review and selection of a proposal(s) will be conducted by the Steering Committee. The evaluation will be based on the prescribed criteria (but not solely limited thereto) and any other relevant information provided by the Consultant(s). The City reserves the right to prioritize and weigh the importance of each criterion confidentially. Selected proponents may be short listed for interviews at the discretion of the City.

11. SUMMARY OF AVAILABLE MUNICIPAL RESOURCES

The following is a partial list of municipal background information resources available in the municipal offices of the City of Brockville, and may also be found on the City's website:

- Zoning By-law 194-94, as amended (Office Consolidation);
- City of Brockville Official Plan, approved by MMAH Feb 9, 2012
- City of Brockville Sustainability Plan, Oct. 2012
- Economic Development Strategy, March 2010,
- Downtown and Waterfront Master Plan and Urban Design Strategy, Dec. 2009;
- Land Use and Growth Management Strategy, Dec. 2009;
- Foundation of the Official Plan, June 2009;
- Community Strategic Plan, 2009
- Downtown Parking Study, 2008
- Community Improvement Plan for Downtown Brockville (Revised 2012)
- Brownfields Community Improvement Plan (2007)
- Affordable Housing Strategy for the United Counties of Leeds and Grenville (2004)
- Commercial Market Analysis (2000)
- Traffic Operations and Transportation Planning Study (1991)

12. CONTRACT DOCUMENTS AND ORDER OF PRECEDENCE

The Contract document shall consist of:

- the agreement (if any)
- the purchase order, or acceptance letter
- the Request for Proposal document, and
- the Respondent's Proposal and any subsequent changes.

These documents and portions thereof, take precedence in the order in which they are named above, notwithstanding the chronological order in which they are issued or executed.

Change notices, appendices and addenda to any contract document shall be considered part of such documents.

If a written Contract cannot be negotiated within thirty (30) days of notification of the successful Consultant, the City may, at its sole discretion at any time thereafter, terminate negotiations with that Consultant and either negotiate a Contract with the next qualified Consultant or choose to terminate the Request for Proposal process and not enter into a Contract with any of the Consultants.

13. TERMS AND CONDITIONS

Acceptance of Proposals

- a. The City of Brockville reserves the right to accept or reject any or all of the proposals submitted in response to this Request for Proposal and may award the work to other than the lowest cost proposal. Proposals will be assessed in light of the evaluation criteria. The City of Brockville reserves the right to interview any number of respondents regardless of their score. This Request for Proposal should not be construed as an agreement to purchase services. The City will be under no obligation to receive further information, whether written or oral, from any Proponent.
- b. Proposals must be completed with due care. All Proposals must conform to the instructions in this Document. If a Proposal does not conform in every way, even in ways which may seem to Proponents to be innocuous, that Proposal may be rejected by the City as improper, and may not be considered at all.

Definition of Contract

Notice in writing to a Proponent of the acceptance of its proposal by the City and the subsequent full execution of a written Contract will constitute a Contract for the goods or services, and no Proponent will acquire any legal or equitable rights or privileges relative to the goods or services until the occurrence of both such events.

Liability for Errors

While the City has used considerable efforts to ensure an accurate representation of information in this Request for Proposal, the information contained in this Request for Proposal is supplied solely as a guideline for Proponents. The information is not guaranteed or warranted to be accurate by the City, nor is it necessarily comprehensive or exhaustive. Nothing in this Request for Proposal is intended to relieve Proponents from forming their own opinions and conclusions with respect to the matters addressed in this Request for Proposal.

Agreement with Terms

By submitting a proposal, the Proponent agrees to all the terms and conditions of this Request for Proposal. Proponents who have obtained the Request for Proposal electronically must not alter any portion of the document, with the exception of adding the information requested. To do so will invalidate the proposal.

Modification of Terms

The City reserves the right to modify the terms of the Request for Proposal at any time at its sole discretion.

Ownership of Proposals and Freedom of Information

All documents, including proposals, submitted to the City become the property of the City. The Proponent hereby consents to disclosure of any information contained in their Proposal document, pursuant to the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M. 56 **except as expressly provided by the Proponent in confidence.**

Use of Request for Proposal

This document, or any portion thereof, may not be used for any purpose other than the submission of proposals.

Confidentiality of Information

Information pertaining to the City obtained by the Proponent as a result of participation in this project is confidential and must not be disclosed without written authorization from the City.

Registration with Workers' Safety Insurance Board

The Contract shall contain a provision that the Consultant and any approved sub-Consultants must be registered with the Workers' Safety Insurance Board (WSIB), in which case WSIB coverage must be maintained for the duration of the Contract. Prior to receiving any payment, the Contractor may be required to submit a WSIB Clearance Letter indicating that all WSIB assessments have been paid.

Employer/Employee Relation

If applicable, the employees of the Consultant shall be and remain the employees of the Consultant which will be solely responsible for the arrangement of relief, substitutions, pay, supervision, discipline, Unemployment Insurance, Canada Pension, Worker's Safety

Insurance, leave, uniform, and all other matters arising out of the relationship between employer and employee.

The employees of the Consultant are to be properly dressed and of clean appearance, of good official deportment and of satisfactory physical capacity to perform their duties under any emergency, able to understand, speak and write fluently in the English language and have the ability to perform basic mathematical functions. Employees of the Consultant shall be courteous in their relationship with the general public.

The Proponent shall not utilize the services of any employee found not to be suitable by the City for any reason, in the opinion and at the sole discretion of the Director of Planning and/or her designate.

The City will be responsible for giving instruction, with respect to the routine, type, extent and method of execution of duties to be performed.

Business Registration

The successful Proponent shall be required to register to conduct business in Ontario.

Purchasing By-law # 090-2005

Proposals will be called, received, evaluated, accepted and processed in accordance with the City's Purchasing Policy. By submitting a proposal for this contract, the Proponent agrees to be bound by the terms and conditions of such Policy and any amendments thereto, as fully as if it were incorporated herein.

Laws of Ontario

Any Contract resulting from this Request for Proposal will be governed by and will be construed and interpreted in accordance with the laws of the Province of Ontario. The Respondent shall comply with the relevant federal, provincial and municipal statutes, regulations and by-laws pertaining to the work and its performance.

Arbitration

All disputes arising out of or in connection with the Contract must, unless the parties otherwise agree, be referred to and finally resolved by arbitration pursuant to the Commercial Arbitration Act.

Indemnity

The Consultant will indemnify and save harmless the City, its employees and agents from and against all claims, demands, losses, damages, costs and expenses made against or incurred, suffered or sustained by the City at any time or times (either before or after the expiration or sooner termination of this Contract) where the same or any of them are based upon or arise out of or from anything done or omitted to be done by the

Consultant or by any servant, employee, officer, director or sub-Consultant of the Consultant pursuant to the Contract excepting always liability arising out of the independent acts of the City.

Insurance

While the Proponent will be responsible for maintaining adequate insurance to cover all claims, such policy shall name the City thereunder and shall save the City from all litigation arising from such claims, the Proponent shall, at his own expense, maintain the following minimum insurance. Such insurance shall be entirely comprehensive for all phases of the work pertaining to this Request for Proposal.

The Comprehensive Liability Insurance shall not be less than the following:

- Public Liability: \$2,000,000.00 for death or injury to one person and property damage arising from any one accident,
- Professional Liability: \$1,000,000, and
- Contingent Liability: To same limits as established to cover the Proponent's direct liability.

The successful proponent shall file with the Clerk's Office, a letter from an insurance company(ies), informing the City that the coverage required by the Contract is in effect before the commencement of services and that the policy(ies) of insurance shall not be altered, cancelled or allowed to lapse without 30 days written notice to the City.

Contract Award

Provided that at least one of the Proposals received meets the approval of the evaluation committee, a recommendation for award will be made on the basis of the evaluation.

- a) On approval of the evaluation committee's recommendation by Council, the Successful Respondent will be required to enter into a formal contract agreement.
- b) Written notification to the Successful Respondent and the issue of a Purchase Order shall result in a binding contract between the City and the Successful Respondent unless otherwise stated and will result in the execution of a formal contract agreement.

Contract Administrator

A Contract administrator will be assigned by the City to oversee the Contract awarded to the successful Proponent. In addition, the Consultant will be expected to name a counterpart project manager. The Consultant's project manager will be responsible for providing scheduled status reports to the Contract administrator or a designate.

Compliance with the A.O.D.A.

Pursuant to the Accessibility for Ontarians With Disabilities Act, 2005, Regulation 191/11 (the Act), the Contractor shall ensure that all of their employees, agents, volunteers, or

others who will be involved in providing service on behalf of the City, receive training about the provision of goods and services provided to people with disabilities.

The Contractor shall submit to the City, if requested, documentation describing its accessible training policies, practices and procedures, and a summary of the contents of training, together with a record of the dates on which training was provided and the attendees.

The City reserves the right to require the Contractor, at the Contractor's expense, to amend their training policies, practices and procedures, if the City deems them not to be in compliance with the requirements of the above-noted Regulation.

The Contractor shall only assign those employees who have successfully completed training, in accordance with Section 5 of the Integrated Accessibility Standards (IASR), to provide services on behalf of the City.

14. GENERAL

- 1) Any potential conflict of interest shall be identified and described in detail. If a conflict of interest does exist, the City, may at its discretion, withhold the assignment from the Consultant until the matter is resolved to the satisfaction of the City.

If, during the conduct of the assignment, the Consultant is retained by another client giving rise to a potential conflict of interest, then the Consultant shall so inform the City and if a significant conflict of interest is deemed to exist by the City, then the Consultant shall:

- i) refuse the new assignment; OR
 - ii) take such steps as are necessary to remove the conflict of interest.
- 2) The Consultant shall be expected to enter into an agreement with the City of Brockville pertaining to the products expected and the total upset cost of the work.
- 3) The City of Brockville will not bear any cost involved in the preparation or submission of proposals received as a result of this Request for Proposal, site inspections, interviews, or any other services that may be requested as part of the evaluation process.
- 4) All information collected and all sketches, drawings, digital files and documents generated by the study shall become the property of the City of Brockville.
- 5) Revised proposals will not be called if only minor changes are contemplated.
- 6) The Consultant shall be required to assume responsibility for all services offered in their proposal regardless of whether or not the Consultant performs them in-house. The Consultant shall be totally responsible for adherence by sub-consultants to all provisions of the contract. The Consultant shall be the sole point of contact for contractual matters, including payment of any or all charges resulting from the contract.

- 7) All Respondents will be informed in writing of the results of this Request for Proposals.
- 8) All proposals submitted in response to this Request for Proposals shall become the property of the City of Brockville.
- 9) The proposal must be signed by the person(s) authorized to sign on behalf of the Consultant and to bind the Consultant to statements made in response to this Request for Proposal.
- 10) By submission of a clear and detailed written notice, the Consultant may amend or withdraw its proposal prior to the closing date and time. Upon closing time, all proposals become irrevocable. By submission of a proposal, the Consultant agrees that should its proposal be deemed successful, the Consultant would enter into a Contract with the City.
- 11) The Consultant will not change the wording of its proposal after closing and no words or comments will be added to the proposal unless requested by the City for purposes of clarification.
- 12) In the event the Consultant desires to take exception to any of the terms or conditions or items set forth in this Request for Proposals, said exceptions must be clearly identified in the response to the Request for Proposal. Exceptions or deviations must not be added to the Proposal pages, but must be a separate document accompanying the Consultant's Proposal.
- 13) While the City has used considerable efforts to ensure an accurate representation of information in this Request for Proposal, the information contained in this Request for Proposal is supplied solely as a guideline for Consultants.
- 14) The Consultant shall be expected to commence work on this project immediately following receipt of formal notification of award of the project.

16. CLARIFICATION OF THIS REQUEST FOR PROPOSAL/ CONTACT PERSON

Questions related to this Request for Proposals and/or any matters relating to it shall be directed **in writing via e-mail only no later than 2:00 pm on** _____ to:

Maureen Pascoe Merkley, MCIP, RPP
 Director of Planning/Project Co-ordinator
 The Corporation of the City of Brockville
 1 King Street West, P.O. Box 5000
 Brockville, Ontario K6V 7A5

Phone: (613) 342-8772 ext. 444
 Fax: (613) 498-2793
 E-mail: mpmerkley@brockville.com

All enquiries and responses will be recorded and shall be distributed as an Addendum by the Director of Planning to all proponents who have completed the "*RFP Sign-Out Form*" (attached to this RFP as **Appendix "II"**) on the Friday of each week leading up to the proposal deadline. Respondents who do not file the *RFP Sign-Out Form* shall not receive any Addenda and are not entitled to receive any further notifications regarding this Request for Proposal. The submission of an *RFP Sign-Out Form* is for Addenda notification purposes only and in no way obligates the proponent to submit a proposal in response to this Request for Proposal.

Any information obtained from any source other than the Director of Planning in written format is not official and should not be relied upon. Neither the City of Brockville, nor its employees, or agents shall be responsible for any information or instructions provided to the respondent, with the exception of information provided by the Director of Planning. The release of general information currently available to the public (on-line or otherwise), such as reports/studies outlined in Section 11 and other similar documentation, shall be provided where requested by the respondent and shall not form part of the record, unless there are specific questions relating to the documentation provided, in which case the above procedure shall be followed.

Respondents are encouraged to report all discrepancies, errors, departures from good practice, and points considered to be ambiguous or conflicting in writing to the Director of Planning by 2:00 pm on _____ so that the City may issue instructions, clarifications or amendments by Addendum to all respondents who have submitted an *RFP Sign-Out Form* prior to the closing date.

The City of Brockville, without liability, cost or penalty, reserves the right to alter any details in this RFP at any time prior to the closing date. In the event that this RFP is amended via Addendum, the remainder of the RFP that has not been modified shall remain intact and unchanged. Addenda may be required for:

- Corrections to the RFP and related forms;
- Clarification of all or part of the RFP;
- Extension of the submission deadline;
- Retraction or cancellation of the RFP;
- Responses to bidder's questions;
- Other additions to, deletions from or alterations to the requirements contained within the RFP.

Addenda will be made available or sent by the following:

- Electronic mail (e-mail); or
- Facsimile.

Respondents shall acknowledge receipt of each and every Addendum (if applicable) to this RFP solicitation by a written acknowledgement within their proposal submission.

17. PROPOSAL DEADLINE

Written proposals will be accepted at the following address until **2:00 pm,**_____

The Corporation of the City of Brockville

c/o Sandra M. Seale, City Clerk

Victoria Building, City Hall

1 King Street West

Brockville, Ontario K6V 7A5

Phone: (613) 342-8772 ext. 461

Fax: (613) 498-2793

E-mail: smseale@brockville.com

Note: Only hard copies will be accepted. Late proposals will not be accepted and will be returned unopened to the Consultant.

APPENDIX "I"**PROPOSAL EVALUATION MATRIX**Unit Points (B)

Poor	1 – 3
Fair	4 – 6
Good	7 – 8
Excellent	9 – 10

ITEM	CRITERIA	ASSIGNED WEIGHT (A)	UNIT POINTS AWARDED (B)	TOTAL POINTS (A X B)	REMARKS
1	Quality of the Proposal <ul style="list-style-type: none"> - Compliance with RFP terms of reference - Understanding of assignment and tasks required - Suitability of proposed workplan to meet RFP - Proposal format, organization and quality 	30			
2	Project Team Experience and Qualifications <ul style="list-style-type: none"> - Personnel to be assigned to the project (senior staff participation) - Proponent's knowledge, skills and expertise - Relevant past municipal Zoning By-law experience - Demonstrated communication and presentation skills - Satisfactory referrals 	20			
3	Financial <ul style="list-style-type: none"> - Appropriate allocation of resources to various tasks and phases to meet RFP requirements 	20			
4	Project Management <ul style="list-style-type: none"> - Capacity of the proponent to undertake this assignment effectively and work within the RFP guidelines - Proposed timelines and schedule 	15			
5	Public Participation/Consultation Component <ul style="list-style-type: none"> - Proposed methods for engaging public - Demonstrated skills in leading successful public consultation programs 	15			
TOTAL		100			

APPENDIX "II"

CITY OF BROCKVILLE
COMPREHENSIVE ZONING BY-LAW REVIEW
CLOSING DATE: _____ 2013 AT 2:00 PM
(RFP No. _____)

RFP SIGN-OUT FORM

Submit to:	Maureen Pascoe Merkley, Director of Planning/Project Co-ordinator E-mail: mpmerkley@brockville.com Fax: (613) 498-2793
Proponent:	
Address:	
Contact:	
Telephone:	
E-mail:	
Fax:	
I hereby acknowledge receipt of the RFP for the above-referenced project and wish to receive any Addenda in accordance with the terms of the RFP:	
Signature:	
Title:	
Date:	

25Jan2013

**REPORT TO THE ECONOMIC DEVELOPMENT PLANNING COMMITTEE –
05 FEBRUARY 2013**

2013-018-02

**FINAL APPROVAL, PLAN OF SUBDIVISION
PART LOT 13, CON. 2, CITY OF BROCKVILLE
HUNTERS HILL SUBDIVISION
WILDWOOD CRESCENT – PHASE II
REMOVAL OF H1-HOLDING SYMBOL
DEDICATION OF 0.3 METRE RESERVE
EXTENSION OF DRAFT PLAN APPROVAL-PHASE III
OWNER: SPRING VALLEY HOMES LTD.
AGENT: B. COLLETT, COLLETT SURVEYING LTD.
FILE: 08T-955001(D)**

**M. PASCOE MERKLEY
DIRECTOR OF PLANNING
J. FAURSCHOU
PLANNER I**

RECOMMENDATION:

1. THAT Council for the Corporation of the City of Brockville, acting pursuant to Section 51 (6) of the Planning Act, R.S.O. 1990, grants final approval to Hunters Hill Subdivision-Wildwood Phase II, specifically with respect to being described as Part Lot 13, Con 2, being Part of Part 1, Reference Plan 28R12528, City of Brockville, County of Leeds; as shown on Schedule "A".
2. THAT following the provision of notification in accordance with Section 36 of the Planning Act, a by-law be passed to remove the "H1" Holding symbol from Block "A" and Lots 1 through 20, inclusive, on Hunters Hill Subdivision-Wildwood Crescent, Phase II.
3. THAT a By-law be enacted to dedicate Block A and Block B, Plan 28M-3 as a public highway and to name same Wildwood Crescent.
4. THAT draft approval on Phase III, being described as Part of Lot 13, Conc. 2, being Part of Part 1, Reference Plan 28R-12528, save and except Plan 28M-3, City of Brockville, County of Leeds; as shown on Schedule "A", be extended to 08 November 2017.

PURPOSE:

The purpose of this report is to make recommendation respecting:

- final approval for Hunters Hill Subdivision-Wildwood Phase II;
- removal of the "H1" Holding symbol from Block "A" and Lots 1 through 20, inclusive;
- dedication of Block A and Block B, Plan 28M-3 as a public highway and to name same Wildwood Crescent;
- extension of the date on which the draft approval for build out of Hunters Hill Subdivision-Wildwood expires.

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Final Approval of Plan of Subdivision - Hunters Hill Subdivision
Wildwood Crescent - Phase II, Part Lot 13, Con. 2, City of Brockville
Removal of H1-Holding Symbol
Dedication of 0.3 Metre Reserve
Extension of Draft Plan Approval
File: 08T-955001(D)

ORIGIN:

Michael Veenstra, acting as Agent for Spring Valley Homes Ltd., Owner of the subject lands described as Part of Lot 13, Conc. 2, being Part of Part 1, Reference Plan 28R-12528, save and except Plan 28M-3, City of Brockville, County of Leeds, has requested final approval for Hunters Hill Subdivision-Wildwood Crescent, Phase II as shown on Schedule "A" attached to this report. The applicant has advised that the area shall be developed as single detached dwellings.

Hunters Hill Subdivision has been developing in phases since 1995.

The most recent phase of development, being Hunters Hill Subdivision-Wildwood Crescent, Phase I, was approved in 2006 and has for the most part now been built out.

The next phase of the Hunters Hill Subdivision-Wildwood Crescent, being Phase II, now before Council for final approval is consistent with the previously approved Draft Plan.

Associated with the application for final approval of Subdivision for Hunters Hill Subdivision-Wildwood Crescent, Phase II, is the need to lift the H1-Holding symbol from the subject property and to release two 0.3 metre reserves on Wildwood Crescent, one at the north end and one at the south end of the extension of Wildwood Crescent. In addition, as there is a parcel remaining within those lands under draft approval, the applicant has also requested an extension of draft approval. Each item shall be dealt with separately in the following report.

ANALYSIS:

Final Subdivision Approval

Michael Veenstra, representing the current owner of the lands, being Spring Valley Homes Ltd., has indicated that he is ready to proceed with development of Hunters Hill Subdivision-Wildwood Crescent, Phase II, as shown on **Schedule "A"** to this report.

Draft approval was granted for Hunters Hills Subdivision-Wildwood Crescent, Phase II and Phase III by Council on 08 November 2011 (Report 2011-119-11). The draft conditions have been attached as **Schedule "B"** to this report.

In order to facilitate the construction of the subdivision, a Pre-Servicing Agreement was considered and approved by Council on 13 March 2012 (Report 2012-044-03). The Pre-

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Final Approval of Plan of Subdivision - Hunters Hill Subdivision
 Wildwood Crescent - Phase II, Part Lot 13, Con. 2, City of Brockville
 Removal of H1-Holding Symbol
 Dedication of 0.3 Metre Reserve
 Extension of Draft Plan Approval
 File: 08T-955001(D)

Servicing Agreement was executed on 30 March 2012 and work has been proceeding since that time.

The next step in the process is to obtain final approval for Hunters Hill Subdivision-Wildwood Crescent, Phase II.

A Subdivision Agreement has been prepared and has been reviewed and confirmed as acceptable on 23 January 2013 by the Owner. The Subdivision Agreement shall be forwarded to the Owner for execution upon approval of Council. The Subdivision Agreement addresses all of the draft conditions set out under Resolution of Council. The draft conditions are addressed as follows:

- "1. i) That these conditions shall apply to the Draft Plan prepared by W. B. Collett, O.L.S., dated 05 August 2011, showing one street, Block A, and Lots 1 through 30, inclusive, said Blocks and Lots being delineated as to use on the afore-mentioned Draft Plan";*

The above noted description applies to what is shown on **Schedule "B"** as Phase II and Phase III.

Phase II applies to Block "A", being a sidewalk to access the southerly parklands, Lots 1 through 20, inclusive, for residential development and build-out of Wildwood Crescent.

Phase III applies to the build-out of the remaining ten (10) lots fronting on Wildwood Crescent which will occur at an undetermined date in the future. Development of this block of land will be subject to the process for Final approval as is currently being done for Phase II.

Accordingly, the plan in question addresses only those lands included in Phase II.

- "2. That the proposed Street shown on this revised Draft Plan, shall be dedicated as a public highway to be named "Wildwood Crescent";*

The single street involved in this portion of development is an extension and completion of the existing Wildwood Crescent. This street will be fully constructed and dedicated in its entirety as a public highway named "Wildwood Crescent". This is specified under the Subdivision Agreement, General Conditions, Clause 15.

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Final Approval of Plan of Subdivision - Hunters Hill Subdivision
 Wildwood Crescent - Phase II, Part Lot 13, Con. 2, City of Brockville
 Removal of H1-Holding Symbol
 Dedication of 0.3 Metre Reserve
 Extension of Draft Plan Approval
 File: 08T-955001(D)

"3. *That such easements as may be required for services, drainage purposes and the like shall be granted gratuitously to the appropriate authority or authorities, including an easement in favour of the City of Brockville for storm drainage*";

The requirements referring to conveyances/easements are identified in the Subdivision Agreement under General Conditions, Clause 17.

"4. *That, prior to final approval of the Plan, the Owner shall enter into a Subdivision Agreement with the City of Brockville which shall specify, among other things*":

- *"All of the requirements, financial and otherwise, of the City of Brockville concerning the provision of roads, street lighting, easements and the installation of services and drainage"*;
- *"The requirement of the Brockville Fire Department for an acceptable number of hydrant locations and capacity and to ensure emergency services access and fire fighting capabilities"*;
- *"The requirements of Canada Post with respect to the installation of Community Mailboxes and associated easement(s)"*;
- *"The requirements of Enbridge Gas Distribution Inc., with respect to installation and clearance requirements, a composite utility plan, street grading requirements, field survey information, current road cross-sections, associated easement(s) and various conditions to be contained in the Subdivision Agreement as set out by Enbridge Gas Distribution Inc."*;
- *"The requirements of Hydro One Networks Inc. with respect to the installation of electrical servicing and associated easement(s)"*;
- *"The requirements of Cogeco Cable Canada Inc. with respect to the installation of Cable servicing and associated easement(s)"*;
- *"The requirement of Bell with respect to the installation of Bell servicing"*;
- *"Block A, being a public walkway, shall be opened to the public upon completion of Lots 1, 2, 3, 4 and 20 or upon assurance of safe pedestrian access"*.

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Final Approval of Plan of Subdivision - Hunters Hill Subdivision
 Wildwood Crescent - Phase II, Part Lot 13, Con. 2, City of Brockville
 Removal of H1-Holding Symbol
 Dedication of 0.3 Metre Reserve
 Extension of Draft Plan Approval
 File: 08T-955001(D)

The above-noted requirements are identified in the Subdivision Agreement as follows:

Financial Security: Identified under Subdivision Agreement, General Conditions, Clause 32. Clause 32 requires the developer to provide a cash deposit or Irrevocable Standby Letter of Credit in the value of 100% of the work to be performed.

In addition, Clause 34 requires the developer to provide a Cash-in-Lieu of Parkland Dedication in the amount of six thousand five hundred and sixty dollars (\$6,560.00) representing four percent (4%) of the appraised value of the land, minus five thousand dollars (\$5,000.00) approved by Council on 14 February 2012 (Report 2012-018-02).

Clause 35 requires the developer to provide a North trunk Sanitary Sewer contribution in the amount of (\$631.22) per dwelling unit as a contribution to towards the cost of extending the north trunk sanitary sewer. This contribution shall be increased by the Consumer price Index on an annual basis.

Clause 36, in accordance with Council's direction on 14 February 2012, acknowledges that the development will remain free of development charges until 30 November 2014 following which the development shall be subject to those development charges, if any, which are applicable.

Municipal Services: Identified under Subdivision Agreement, General Conditions, Clause 2 and various design drawings referred to therein. In addition, Environmental Compliance Approvals have been issued for sanitary sewers and storm sewers (No. 5887-8TYKR9) and water (No. WD-2012-04).

Electrical: Identified under Subdivision Agreement, General Conditions, Clause 21 and confirmed by Hydro One on 17 January 2013.

Natural Gas: Identified under Subdivision Agreement, General Conditions, Clause 19 and confirmed by Enbridge Gas on 19 December 2012.

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Final Approval of Plan of Subdivision - Hunters Hill Subdivision
 Wildwood Crescent - Phase II, Part Lot 13, Con. 2, City of Brockville
 Removal of H1-Holding Symbol
 Dedication of 0.3 Metre Reserve
 Extension of Draft Plan Approval
 File: 08T-955001(D)

Community Mailboxes: Identified under Subdivision Agreement, General Conditions, Clause 18 and signed off by Canada Post on 11 January 2013.

Cable: Identified under Subdivision Agreement, General Conditions, Clause 20 and signed off by Cogeco Cable on 15 January 2013.

Bell Canada: Identified under Subdivision Agreement, General Conditions, Clause 22 and signed off by Bell Canada on 16 January 2013.

- "5. *That prior to final approval of the Plan, lot grading, drainage, erosion and sediment control, and services plan with best management practices be prepared by a qualified Professional Engineer for the Owner, to the satisfaction of the City of Brockville and the Cataraqui Region Conservation Authority, and that appropriate text to implement its findings shall be included in the Subdivision Agreement*";

Identified under Subdivision Agreement, General Conditions, Clause 2 and Schedule "C", Clauses 1, 2 and 3. On 27 February 2012, CRCA staff stated that "Staff have no objection to the approval of application 08T-95501(D)". See **Schedule "C"** to this report.

- "6. *That prior to the final approval of the Plan, a detailed Stormwater Management Brief shall be prepared by a qualified Professional Engineer for the Owner, to the satisfaction of the City of Brockville and the Cataraqui Region Conservation Authority, and that appropriate text to implement its findings shall be included in the Subdivision Agreement*";

Identified under Subdivision Agreement, Schedule "C", Clauses 1 and 3. On 27 February 2012, CRCA staff stated that "Staff have no objection to the approval of application 08T-95501(D)". See **Schedule "C"** to this report.

- "7. *That in conjunction with the proposed construction plan the Owner shall provide specific locations and dates (i.e. set-up and removal) for all construction/sales buildings, structures and/or trailers, outdoor toilets, etc. Said locations shall be to the satisfaction of the City of Brockville prior to placement. Any and all such temporary structures shall be located only for so long as is necessary for the work in progress.*"

Subdivision Agreement, Schedule "D" requires the developer to provide a time frame for construction. This will include such elements as construction/sales buildings,

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Final Approval of Plan of Subdivision - Hunters Hill Subdivision
 Wildwood Crescent - Phase II, Part Lot 13, Con. 2, City of Brockville
 Removal of H1-Holding Symbol
 Dedication of 0.3 Metre Reserve
 Extension of Draft Plan Approval
 File: 08T-955001(D)

structures and/or trailers, outdoor toilets, etc. However, Clause 26 prohibits the placement of a construction trailer within the limits of Hunters Hill Subdivision-Wildwood Crescent, Phase II.

- "8. That no tree clearing be permitted until approval of a Tree Saving Plan for each lot or block is approved by the City of Brockville".*

Identified under Subdivision Agreement, Clause 25 and Schedule "C", Clause 8. The subject land was previously cleared of the majority of trees. Accordingly, as development occurs, it is required to plant one (1) tree in the front boulevard and one (1) tree in the rear yard of each dwelling unit where no trees exist. Where trees remain, the measures to be taken to protect the tree must be provided. These steps are confirmed as part of the Planning Department review of each application for building permit.

- "9. That the Owner shall be responsible for all costs involved with lands required to be dedicated, conveyed or granted, including but not limited to, easement(s) over, or under, to the City of Brockville and/or the appropriate authority or authorities";*

The responsibility of the owner for all costs involved with lands required to be dedicated, conveyed or granted, including but not limited to, easement(s) over, or under, to the City of Brockville and/or the appropriate authority or authorities are identified in the Subdivision Agreement under General Conditions, Clause 17.

- "10. That prior to Final approval of this Plan, the owner shall pay any and all outstanding taxes levied against the Plan";*

Mrs. D. Smith, Revenue Accountant-City of Brockville, on 14 January 2013 confirmed that there are no outstanding taxes levied against the subject lands.

- "11. That, if final approval of the Plan is not granted within three (3) years of the date of approval of the Draft Plan, and no extensions have been granted, Draft Plan approval shall lapse in accordance with Section 51(32) of the Planning Act, R.S.O. 1990, c.P.13. It is the sole responsibility of the Owner to make such application for extension of Draft Plan approval"; and*

Approval of Draft Plan of Subdivision was given by Resolution of Council, Report Number 2011-119-11 on 08 November 2011. Draft approval on the remaining undeveloped lands identified on the draft plan will lapse unless final approval is granted by 08 November 2014 or extensions have been granted by City Council.

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Final Approval of Plan of Subdivision - Hunters Hill Subdivision
 Wildwood Crescent - Phase II, Part Lot 13, Con. 2, City of Brockville
 Removal of H1-Holding Symbol
 Dedication of 0.3 Metre Reserve
 Extension of Draft Plan Approval
 File: 08T-955001(D)

"12. That the Final Plan, as approved by the City of Brockville, must be registered within thirty (30) days of the date of final approval or the City's approval may be withdrawn in accordance with Section 51(59) of the Planning Act, R.S.O. 1990, c.P.13".

Staff will ensure that the developer is notified that registration of the plan is to occur within 30 days of the date of the final approval.

The final plan of subdivision shall not be executed by the Mayor and Clerk until execution of the Subdivision Agreement by all parties. The subdivision Agreement shall be registered on title prior to the endorsement of the plan.

Removal of "H1" Holding Symbol

A request by Michael Veenstra of Spring Valley Homes Limited to lift the H1-Holding Symbol on Hunters Hill Subdivision-Wildwood Crescent, Phase II was received on 23 January 2013.

The subject property is currently zoned H1-R2 Single Unit Residential Site Specific Zone and H1-R3-X8-1 General Residential Site Specific Zone under City of Brockville Zoning By-law 194-94, as amended. The H1 prefix refers to the need to ensure that full municipal servicing is in place to service the lands.

Council may remove the H1-Holding symbol, once design details respecting servicing are designed to the satisfaction of the City. In this case, it is appropriate for Council to remove the "H1" Holding Symbol as it applies to Phase II development being Block "A" and Lots 1 through 20, inclusive, so that building permits can be issued, given that design drawings to service the subject lands have been approved by the City of Brockville and installation approved under the Pre-Servicing Agreement is currently in place.

Should the EDP Committee endorse the recommendation for Council to remove the H1 Holding symbol on those lands within Hunters Hill Subdivision-Wildwood Crescent, Phase II, a Notice of Council's intent to pass a by-law pursuant to Section 36 of the Planning Act R.S.O. 1990 shall be sent to the property owner, and the necessary by-law will be prepared.

Dedication of 0.3 Metre Reserves - Block A and Block B, Plan 28M-3

A copy of Plan 28M-3, identifying the location of Block A and Block B is attached to this report as **Schedule "E"**. Block A and Block B are 0.3 metre reserves located at the north and south ends of the proposed extension of Wildwood Crescent and were placed so as to

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**Final Approval of Plan of Subdivision - Hunters Hill Subdivision
Wildwood Crescent - Phase II, Part Lot 13, Con. 2, City of Brockville
Removal of H1-Holding Symbol
Dedication of 0.3 Metre Reserve
Extension of Draft Plan Approval
File: 08T-955001(D)**

prevent further development into the Wildwood Crescent area during construction of Wildwood Phase I and prior to final approval of future phases of the plan of subdivision.

Under the previously approved Pre-Servicing Agreement, the full length of Wildwood Subdivision was approved and is under construction.

With the granting of final approval, it is appropriate for there to be unimpeded public access for the extension of municipal services and roadways. Therefore, the 0.3 metre reserves can be dedicated as part of the road allowance upon which they abut, namely Wildwood Crescent. The necessary by-law shall be prepared.

Extension of Draft Plan Approval:

Draft Plan approval for Phases II and III of the Wildwood portion of Hunters Hill Subdivision was granted on 08 November 2011 (Report 2011-117-11) with a sunset date of 08 November 2014.

Condition No. 11 of the draft approval stated that, if final approval of the Plan was not granted within three (3) years of the date of approval of the Draft Plan, and no extensions have been granted, Draft Plan approval shall lapse. The deadline for granting of final approval is 08 November 2014.

The Applicant has requested that this date be extended to 08 November 2017 to permit time to complete Phase II while retaining the ability to engage in development of Phase III without the need to re-apply for a new draft plan of subdivision.

The Environmental Services Department, Operations Department and Planning Department have no concerns with extension of draft approval to 08 November 2017.

FINANCIAL IMPLICATIONS:

The applicant is responsible for all costs associated with Final Approval of Hunters Hill Subdivision–Wildwood Crescent, Phase II, and for removal of the H1-Holding Symbol and for removal of Block A and Block B, Plan 28M-3 and dedication of same as Wildwood Crescent. In addition, an ISLOC is required to ensure completion of the subdivision. Other financial responsibilities of the applicant are detailed within the Subdivision Agreement.

All costs associated with extension of Draft approval to 08 November 2017 shall be the responsibility of the applicant.

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**Final Approval of Plan of Subdivision - Hunters Hill Subdivision
Wildwood Crescent – Phase II, Part Lot 13, Con. 2, City of Brockville; and
Removal of H1-Holding Symbol; and
Dedication of 0.3 Metre Reserves - Block A and Block B, Plan 28M-3
File: 08T-955001(D)**

The City of Brockville does not have any financial responsibility concerning development of the subdivision.

CONCLUSION:

Based on the fore-going information and evaluation, the Planning Department has no objection to recommending Final Approval of Hunters Hill Subdivision – Wildwood Crescent - Phase II, subject to execution of the Subdivision Agreement by all parties.

Furthermore, the Planning Department has no objection to recommending the following:

- removal of the H1 Holding Symbol from Block “A” and Lots 1 through 20, inclusive;
- dedication of the 0.3 metre reserves described as Block A and Block B, Plan 28M-3 as public highways and naming same Wildwood Crescent; and
- extension of draft approval to 08 November 2017.



M. Pascoe Merkley, MCIP, RPP
Director of Planning



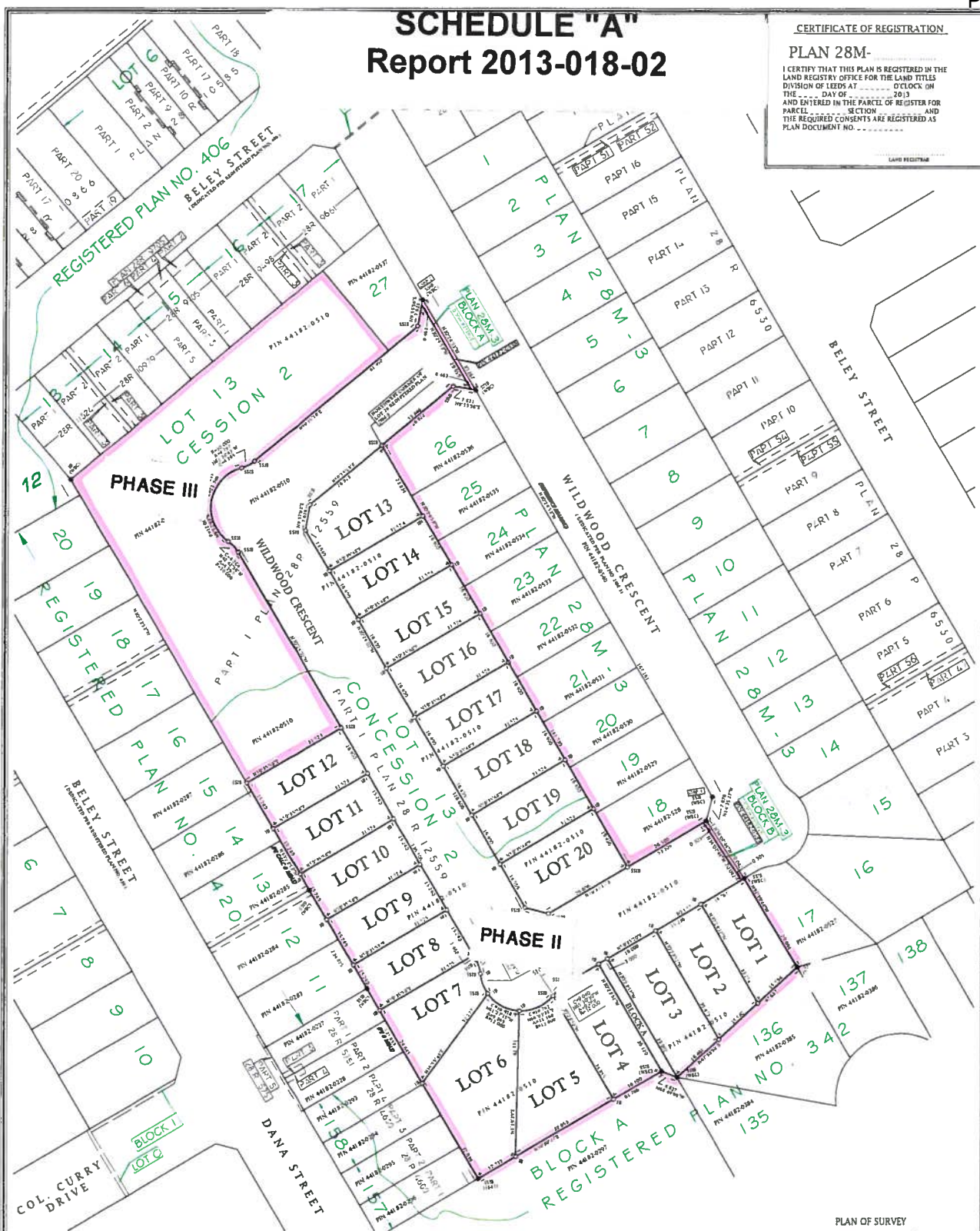
B. Casselman
City Manager



J. Faurschou, MCIP, RPP
Planner I

PLAN 28M-

LAND MEETING



SURVEY INTEGRATION NOTES

- 1 THE INFORMATION PROVIDED ON THIS SURVEY COMPLIES WITH SECTION 141(1)(b) SUCH THAT THE COORDINATES ARE ACTUAL LVL AT THE 99% CONFIDENCE LEVEL, TO 0.01 METERS IN URBAN AREAS
- 2 COORDINATES HAVE BEEN DIRECTLY OBSERVED USING GPS
- REAL TIME NETWORK (RTN) COORDINATES FROM SURESTA NETWORK
- 3 DISTANCES ON THIS PLAN ARE HORIZONTAL GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY THE APPROPRIATE CORRECTION SCALE FACTOR OF 0.9999418
- 4 THE COORDINATE 0011124000 CANNOT BE USED, THEREFORE BE USED TO ESTABLISH THE CORNER OF SOLIDWORKS IS SHOWN ON THIS PLAN

SURVEY NOTES:

1. BEARING DATA WTM GRID DERIVED FROM GPS PRECISE POINT POSITIONING OFF
OCELOT SURVEY ON OCELOTION GRID AND OCELOTION GRID TO THE CENTRAL WEIR DAM
N307°43'37" MAGN 6'42" AND ARE REFERRED TO THE CENTRAL WEIR DAM IN
UTM ZONE 18N (79°W)
2. SHORT STANDARD BROW SAILS (SBS) WERE USED DUE TO INSUFFICIENT
OVERLAP
3. DISTANCES AND COORDINATE ELLIPSOIDS ON THIS PLAN ARE IN METERS AND
CAN BE CONVERTED TO FEET BY DIVIDING BY 3048

BEARINGS ARE UTM GRID DERIVED FROM GPS PRECISE POINT POSITIONING (PPP) OBSERVATIONS. FOR BEARING COMPARISONS A ROTATION FACTOR WAS APPLIED TO CONVERT TO TRUE BEARINGS. SEE NOTE BELOW.		
PLAN ID	BEARING ROTATION	DIRECTION

P1	03087	CLOCKWISE
P2	03087	CLOCKWISE

[illegible]

ALL COORDINATES ARE IN METERS AND RELATED TO THE 1984 UTM ZONE 18N
MADRID CS1 AND HAVE A RELATIVE ACCURACY TO MEET THE REQUIREMENTS OF
URBAN AREA AT A 99% CONFIDENCE LEVEL. GROUND SURVEILLANCE POINT (GSP) IS

POINT NO	POINT DESC	NORTHING	EASTING
----------	------------	----------	---------

087 01	CHW:ES	4940418 123	441204 446
087 02	CHW:ES	4940418 225	441181 452

THE COORDINATE (S) ILLUSTRATED CANNOT THEMSELVES BE USED TO

BE EXACTLY THE COURSES OR BOUNDARIES SHOWN ON THIS PLAN

OWNER'S CERTIFICATE

THIS IS TO CERTIFY THAT

- LOTS 1 TO 20 INCLUSIVE HAVE BEEN LAID OUT
IN ACCORDANCE WITH MY INSTRUCTIONS

THE STREET RANLY WILDWOOD CREEK
AS A PUBLIC HIGHWAY

DATED THE
DAY OF FEBRUARY
2012

PLANNING APPROVAL

APPROVED PURSUANT TO SECTION 51 OF THE
COUNCIL OF THE CORPORATION OF THE CITY OF

ON THIS DAY OF FEBRUARY 2012

_____	_____
MAYOR	CITY

D. HENDERSON

Table 1

LEGEND

- | | |
|---|---------------------------------|
|  | DENOTES PLANTED MONUMENT |
| | DENOTES POLING MONUMENT |
|  | DENOTES STANDARD HIGH BAR |
| | DENOTES SHORT STANDARD HIGH BAR |
|  | DENOTES IRON BAR |
|  | DENOTES CONCRETE MONUMENT |

- | | |
|-----------|---------------------|
| RB | DENOTES ROCK BAR |
| CC | DENOTES CUT CROSS |
| IF | DENOTES IRON PIPE |
| WT | DENOTES WITNESS |
| FM | DENOTES FIELD NOTES |
| — Fence — | DENOTES FENCE |

PLAN OF SURVEY
PART OF LOT 13
CONCESSION 2
GEOGRAPHIC TOWNSHIP OF
ELIZABETHTOWN
CITY OF BROCKVILLE
COUNTY OF LEEDS

SCALE = 1 : 500

SURVEYOR'S CERTIFICATE

I CERTIFY THAT

1 THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATION MADE UNDER THEM

2 THE SURVEY WAS COMPLETED ON THE DAY OF 2011

1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 26

W. B. KELLEY
CHICAGO, ILL. 60604

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TEL. 612-342-2611 OR 1-800-267-4411
E-MAIL: info@pvtch.com

VISIT OUR WEB SITE AT WWW.COLLETTILEVELLING.COM		
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SCHEDULE "C"

Report 2013-018-02



CATARAQUI REGION CONSERVATION AUTHORITY

1641 Perth Road, P.O. Box 160 Glenburnie, Ontario K0H 1S0

Phone: (613) 546-4228 Toll-free (613 area code): 1-877-956-CRCA

Fax: (613) 547-6474 E-mail: crca@cataraquiregion.on.ca

Websites: www.cleanwatercataraqui.ca & www.cataraquiregion.on.ca

February 27, 2012

File: SUB/BR

Sent by Email

Mr. Jonathan Faurschou
Planner
City of Brockville – Planning Department
One King Street West
Brockville ON K6V 7A5

Dear Mr. Faurschou:

Re: Application for Subdivision Approval (08T-95501D)
Wildwood Crescent, Phase II
City of Brockville
Waterbody: Buells Creek

Staff of the Cataraqui Region Conservation Authority (CRCA) have reviewed the above-noted application for subdivision approval and offered initial comments August 29, 2011. Staff have recently been circulated on the following drawings for Wildwood subdivision phase II:

- Lot Grading and Drainage Plan, Plan and Profile Drawings and Utility Plan – prepared by Genivar, revised January 30 2012

Discussion

CRCA staff requested to review the following upon their completion:

- Grading and Drainage Plan
- Stormwater Management Plan
- Erosion and Sediment Control Plan

Based on previous approvals for the subject development, and constraints associated with existing infrastructure built around the subdivision, staff are satisfied that the above requirements have been addressed.

Recommendation

Staff have no objection to the approval of application 08T-95501D. If there are any questions about the above, please contact the undersigned at 613-546-4228 extension 236 or by e-mail at macisaac@cataraquiregion.on.ca.

Yours truly,

Christie MacIsaac
Environmental Planner

Member of

