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Committee Members

Councillor M. Kalivas, Chair  
Councillor J. Baker  
Councillor D. Beatty  
Councillor J. Earle  
Mayor D. Henderson,  
Ex-Officio

Areas of Responsibility

Economic Development  
Planning  
Chamber of Commerce  
DBIA  
Heritage Brockville

Museum Board  
Library Board  
Arts Centre  
Tourism

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**MOTION TO MOVE INTO CLOSED SESSION**

1. THAT pursuant to Municipal Act, 2001, Section 239 Sub. 2 (c), Council resolve itself into the Committee of the Whole, In Camera, closed to the Public to consider:
  1. a proposed or pending acquisition or disposition of land by the municipality or local board.

**DISCLOSURE OF INTEREST**

**DELEGATIONS**

1. Heritage Brockville  
Mr. Paul Bullock, Chair, will speak on the Heritage Property Tax Relief Program.

**STAFF REPORTS**

1. 2011-076-08  
Proposed Amendment to Zoning By-Law 194-94  
108 Waltham Road, Brockville  
Owner: 882604 Ontario Limited c/o Saumure Group of Companies
2. 2011-083-08  
Proposed Amendment to Zoning By-Law 194-94  
605 King Street West, City of Brockville  
Owner: Ogilvie Realty

**CONSENT AGENDA**



# HERITAGE BROCKVILLE

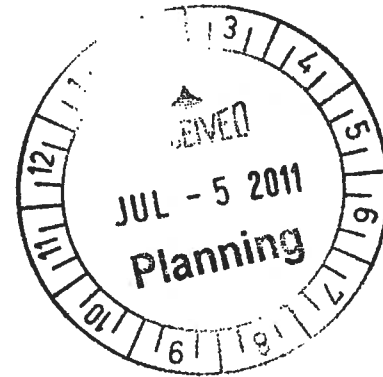
Brockville's Municipal Heritage Advisory Committee



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

July 5, 2011

Councillor M. Kalivas  
Chair, EDP Committee  
City of Brockville,  
1 King St. West,  
Brockville, ON  
K6V 7A5



**SUBJECT: Heritage Property Tax Relief Program.**

Changes to the Municipal Act, 2001 enable municipalities to provide tax relief to owners of eligible heritage properties. This legislation gives municipalities the option of passing a by-law to establish a local program to provide tax reductions or refunds to owners of eligible heritage properties. To date thirty five municipalities are taking part in this program.

Heritage Brockville proposes that a Heritage Property Tax Relief program be initiated by the City of Brockville. The purpose of this program would be to provide a financial tool to help owners maintain and restore their properties for the benefit of the entire community. Once an application is approved, a designated property owner would have their municipal and education taxes reduced by 30% for three years.

To be eligible for tax relief a building would have to meet the following conditions:

- be designated under Part IV of the Ontario Heritage Act.
- be subject to a Heritage Conservation Easement which is registered on the deed.
- be located in the Downtown or Central Waterfront as described in Schedule 2 of the Official Plan.
- agree to a monitoring strategy to help ensure that heritage property owners comply with their heritage easement agreements.

We recommend that this program be targeted to the Downtown and Central Waterfront area as these are the properties that have the largest impact on Brockville's appearance and would limit the amount of resources expended by the City.

Attached is a list of all the designated properties that could apply to this program. After consulting with the City Treasurer, the potential tax impact, if every owner applied and were approved, is \$21,300.00 per year. This scenario is highly unlikely as having an easement attached to a property is not undertaken lightly. The Province would share in the cost of the program by funding the education portion of the property tax relief.

Presently the City of Brockville has a number of programs that encourage development in the downtown core area. This would be an additional incentive to encourage owners to conserve and maintain their property. We expect that, if this program were to be accepted, it would not take effect until the next tax year. Once established, Heritage Brockville would develop information packages for potential applicants.

We will be pleased to clarify the details of this program and answer any questions at your convenience.

Sincerely yours,

A handwritten signature in cursive script that reads "Paul Bullock". The signature is written in dark ink and is positioned above the printed name and title.

Paul Bullock  
Chair, Heritage Brockville

cc: File

DESIGNATED PROPERTY TAX RELIEF PROGRAM  
DOWNTOWN & CENTRAL WATERFRONT  
ELIGIBLE DESIGNATED PROPERTIES

June, 2011

1. 10 Broad Street.  
Robertson House ( Robertson House Inn)
2. 36 Broad St.  
Thomas McQueen House ( Fraser & Bickerton Law office)
3. 14 Court House Ave.  
Thomas Fuller Building (Service Canada)
4. 22 Court House Ave.  
Alexander Morris House (The Brockville Club)
5. 41, 45 King St. W, 47 Broad St.  
Jones-Harding Block (Pizza Pizza & vacant store)
6. 95,97,99 King St. West.  
Donaldson Block (Copy Shop & The \$9.99 Store)
7. 123 Water St. West.  
Robert Shepherd Grist Mill (The Mill Restaurant)
8. 40 King St. E  
Robert Sheridan Store (Isis Clothing Store)
9. 25 Pine St.  
McNamara-Gardiner House (private residence)



**8August2011**

**REPORT TO ECONOMIC DEVELOPMENT PLANNING COMMITTEE – 16 AUGUST 2011**

**2011- 076-08**

**PROPOSED AMENDMENT TO ZONING BY-LAW 194-94,  
108 WALTHAM ROAD, BROCKVILLE  
OWNER: 882604 ONTARIO LIMITED  
C/O SAUMURE GROUP OF COMPANIES**

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

**AGENT: WENDY GIFFORD**

**FILE NO.: D14-149**

**RECOMMENDED**

**THAT** City of Brockville Zoning By-law 194-94 be amended respecting lands described as Part of Lot L, Registered Plan 332, being Part 2, Reference Plan 28R-12366, City of Brockville, County of Leeds, municipal address 108 Waltham Road, to M1-X9-4 Industrial Park Site Specific Zone to permit “clinic” as a permitted use in addition to all other M1 permitted uses.

**PURPOSE**

The purpose of this report is to provide recommendations on an application filed to amend City of Brockville Zoning By-law 194-94 respecting the property at 108 Waltham Road, Brockville to the existing M1-Industrial Park Zone to include “clinic” as a permitted use.

**BACKGROUND**

Wendy Gifford, acting on behalf of 882604 Ontario Limited, owner of lands described as Part of Lot L, Registered Plan 332, being Part 2 on Reference Plan 28R-12366, City of Brockville, County of Leeds (municipal address 108 Waltham Road located on the north side of Waltham Road between Crocker Crescent and Broome Road) has submitted an application for amendment to City of Brockville Zoning By-law 194-94.

The requested amendment to Zoning By-law 194-94 would, if approved, rezone the subject lands from M1-Industrial Park Zone to M1-Industrial Park Site Specific Zone to allow for the addition of a “clinic” as a permitted use on the subject property. Two clinics are being proposed to occupy vacant space within the existing building; one for an optometric clinic, and a second for a physiotherapy clinic.

**ANALYSIS**

**Schedule “A”** to this report is a copy of the site plan showing the location of the existing building at 108 Waltham Road, indicating the two vacant units within the building that would be occupied by the two clinics.

**Proposed Amendment to Zoning By-Law 194-94,  
108 Waltham Road, Brockville  
Owner: 882604 Ontario Limited c/o Saumure Group of Companies  
Agent: Wendy Gifford  
File No.: D14-149**

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### Official Plan and Zoning:

Official Plan Designation (In Force):	Industrial (no change proposed)
Official Plan Designation (New Plan adopted by Council June 14, 2011):	Employment Area
Existing Zoning:	M1-Industrial Park Zone
Proposed Zoning:	M1-Industrial Park Site Specific Zone (addition of a "clinic" as a permitted use)

### Site Characteristics:

Total Site Area:	7115.48 m <sup>2</sup> (1.76 acres)
Frontage - Waltham Road:	119.88 m (393.31 ft)
Average Depth:	59.88 m (196.46 ft)

The subject property is occupied by a single storey building with a floor area of 1393.4 sq. m. (15,000 ft<sup>2</sup>) which was constructed in 2009 and is currently occupied in part by the offices of the Municipal Property Assessment Corporation. The remainder of the building is vacant. Access to the portion of the building in which the clinics are proposed would be from the main west entrance. These facilities would occupy approximately 650 m<sup>2</sup> (7,000 ft<sup>2</sup>) of space in the building.

Site improvements include paved parking to the south, east and north of the building for a total of 74 vehicles including 2 barrier free spaces.

### Surrounding Land Uses:

North:	The vacant lands to the north are occupied by the City's storm water detention basin, and beyond are vacant lands with frontage on Crocker Crescent, which lands are zoned M1-Industrial Park.
East:	The lands to the east (at the northwest corner of Waltham and Broome Roads) are zoned M1-X9-2 Industrial Park Site Specific Zone and are occupied by the TSC Store (agriculture and hardware).
South:	The lands to the south (south side of Waltham Road) are zoned C7-X9-3 Power Centre Site Specific Zone and are occupied by the Wal-Mart Super Centre.
West:	The lands to the west are zoned M1-Industrial Park Zone and are occupied by a multi-tenanted building occupied by St. Lawrence Pools, Compu-Silv Computers, and Cosmo Prof (professional personal care products).



Proposed Amendment to Zoning By-Law 194-94,  
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### Public Participation

The application has proceeded through the normal review process. On July 5, 2011 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 June 15, 2011 and was circulated to property owners within 120 metres (400 feet) of the subject property. In addition, a sign was posted on the subject property advising that the lands are the subject of Application for Amendment to City of Brockville Zoning By-law 194-94. Comments from City Departments and affected agencies were also solicited.

### Comments Received

Minutes of the Public Meeting are attached as **Schedule "B"**, and reflect the discussion of issues at the Public Meeting, including the appropriateness of this location for clinic uses, and traffic issues.

**Schedule "C"** contains written submissions received.

Potential Occupants (clinic occupancies):

1. Optometrists - Dr. R. Brown and Dr. C. Chant (*letter received June 10, 2011 attached*)
  - require larger square footage (approximately 3,000 sq.ft.) to accommodate growth
  - require adequate parking
  - desire north end location
  - stable rent
2. Podium Sports Therapy Clinic (*letter dated June 10, 2011 attached*)
  - require larger space to expand business and allow for continued growth
  - desire north end location (2 existing physiotherapy clinics are located in the downtown area, and currently service large clientele from the adjacent industrial area)
  - rental space within budget

City Departments:

1. Brent Caskenette, Chief Building Official (*memo dated June 17, 2011*)

Proposed Amendment to Zoning By-Law 194-94,  
108 Waltham Road, Brockville  
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File No.: D14-149

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*"... no concerns provided that the applicant obtain the necessary permits at the time of construction."*

*"The applicant should be made aware that a review of completed construction drawings at the time of application for building permit may reveal requirements of the Ontario Building Code, not evident as part of this notice, which may affect the site development. "*

2. C. Cosgrove, Director of Operations - Mr. Cosgrove has confirmed that Waltham Road was constructed to accommodate a much higher traffic level than is currently experienced, and the additional traffic anticipated from the proposed uses would not be of concern.
3. S. Allen, Acting Supervisor of Engineering - No concerns.  
(memo dated June 27, 2011)
4. G. Healy, Fire Prevention Officer - No Concerns.  
(email dated June 28, 2011)

#### Provincial Policy Considerations:

A Provincial Policy Statement (PPS) 2005 has been issued under 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's decisions affecting planning matters "shall be consistent with" the Provincial Policy Statement. Not all policies in the PPS are relevant to the planning matter under consideration, and thus, only those relevant portions will be discussed in this report. From a review of the PPS, there are some relevant statements/policies under Part V, Section 1 "Building Strong Communities". The preamble in this section is a general statement which reads as follows:

*"Ontario's long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns. Efficient land use and development patterns support strong, liveable and healthy communities, protect the environment and public health and safety, and facilitate economic growth."*

This general statement is followed by more specific policies, promoting intensification of existing building stock with full municipal services located within settlement areas and within employment lands.

Policies referencing Employment Areas, defined in the PPS as "those areas designated in an official plan for clusters of business and economic activities including, but not

Proposed Amendment to Zoning By-Law 194-94,  
108 Waltham Road, Brockville  
Owner: 882604 Ontario Limited c/o Saumure Group of Companies  
Agent: Wendy Gifford  
File No.: D14-149

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*limited to, manufacturing, warehousing, offices and associated retail and ancillary facilities"* specify that economic development and competitiveness is to be promoted by providing for opportunities for a diversified economic base by maintaining a range and choice of suitable sites for employment uses.

The proposed clinics are to be located within an existing underutilized building with full municipal services and access to public transit, and in a building currently occupied by the Municipal Property Assessment Corporation (MPAC) and developed under terms and conditions of a Site Plan Control Agreement. In addition, the building is within the designated employment lands and is fully serviced.

Accordingly, the proposed use is consistent with various policies contained within the PPS.

Official Plan Considerations (current):

108 Waltham Road is currently designated as Industrial under the current Official Plan for the City of Brockville and falls within the boundaries for Planning District No 9.

The Official Plan contains various policies regarding Industrial District lands. Under Section VI-Land Use Policies, Sub-Section Policy 6.4.2 Detailed Development Policies, addresses such items as uses to be enclosed within the building envelope, avoidance of certain uses related to health hazards, adequate parking, high standards of development, intensification in the use of existing serviced areas, accessory retailing and display of goods and associated administrative offices.

More specifically, Policy 6.4.2.8 states

*"In addition to accessory administrative offices associated with a main use, certain office uses shall be permitted, including the offices of industrial firms located in the City or surrounding region, offices of building maintenance, security, transportation firms or other such industrial and business services, taxi dispatch office, wholesalers, research and development firms, high technology firms, and other similar types of office uses ..."*

The proposed clinic would be incorporated into the existing building footprint of 108 Waltham Road and would utilize the existing full municipal services. Accordingly, the proposed clinic is an example of intensification of an existing fully serviced but under-utilized building.

While current Policies in the Official Plan do not identify a clinic as a permitted use, the proposed site specific policy would see clinics as being permitted based upon the use

**Proposed Amendment to Zoning By-Law 194-94,  
108 Waltham Road, Brockville  
Owner: 882604 Ontario Limited c/o Saumure Group of Companies  
Agent: Wendy Gifford  
File No.: D14-149**

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being compatible with the uses on the property and being a reasonable fit with the surrounding mixed uses (commercial, retail, business and professional uses and industrial) within the neighbourhood. Accordingly, an amendment to the current Official Plan is not required.

Official Plan Considerations - new - adopted by Council on June 14, 2011, awaiting MMAH approval:

The Official Plan adopted by Council on June 14, 2001 designates the subject land as Employment Area.

The Official Plan contains various policies regarding Employment Areas, which include lands within the Broome Business Park. The intent of the Employment Area is to ensure that there are sufficient lands to accommodate a full range of employment while ensuring that land use conflicts are minimized.

According to Policy 4.7.2 Permitted Uses, the predominant use of land within Employment Areas shall be a wide range of office and industrial uses, and ancillary service commercial uses serving the Employment Area employees. The proposed clinics are office uses, and given the nature of both of the clinics proposed (physiotherapy and optometric), they likely will serve clients employed within the Broome Business Park, as well as a broader market in Brockville and surrounding area.

In addition, policies relating to "Prestige Employment" uses, including office employment uses, focus on the need for compatibility with land use and built form policies, among which are access, on-site parking, landscaping and the like. The subject land is located on a strip of land between retail uses to the south and industrial lands to the north. The sites along this corridor are limited in geographic size by both the street layout and the presence of a storm water detention pond. Accordingly, the use of these lands for transitional uses is good planning. This is further supported by the situation in which the proposed uses are to be located within an existing building with full municipal services currently occupied in part by a compatible use, being the MPAC offices, and which building is not conducive to traditional industrial uses.

Accordingly, the proposed land use is consistent with the Employment Area policies of the new Official Plan.

Zoning By-law Considerations:

The current zoning on the subject property is M1-Industrial Park Zone.

The uses currently permitted within the M1-Industrial Park Zone are as follows:

Proposed Amendment to Zoning By-Law 194-94,  
108 Waltham Road, Brockville  
Owner: 882604 Ontario Limited c/o Saumure Group of Companies  
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artists workshop, bakery, business incubator, business and professional office, catering service, commercial school, computer design and development facility, computer services, contractor's establishment, custom workshop, courier service, data processing centre, day nursery, dental laboratory, dry cleaning plant, film and recording studio, high technology retail store, home decorating store, home improvement store, industrial equipment sales, service and rental, industrial and/or automotive supply, industrial mall, industrial service, industrial use, industrial use - light, machine and welding shop, medical laboratory, newspaper plant, offices and yard of construction company, printing establishment, radio and television station, research and development establishment, service and repair shop, service use, swimming pool sales and service, testing and research laboratory, tree cutting service, transportation terminal, vocational training centre, warehouse, warehouse - mini, wholesale establishment, workplace day nursery.

The addition of clinic to the list of uses permitted on the site requires an amendment to Zoning By-law 194-94. Based upon the guidance contained within the Official Plan, office uses are to be encouraged for location within the Employment Area which includes the subject lands.

In giving further consideration to this matter, the adequacy of physical characteristics, such as access, parking, storage areas if any, and landscaping are to be determined.

Mr. Cosgrove has indicated that access to the site is more than adequate based on the site's location on Waltham Road.

There is sufficient parking on-site with a total of seventy-four (74) on-site parking spaces. MPAC has a requirement for twenty-seven (27) parking spaces ( $743 \text{ m}^2 / 8,000 \text{ ft}^2$ ) @ 3.5 spaces/100  $\text{m}^2$ ) and the proposed clinics would have a total parking space requirement of forty-four (44) parking spaces ( $650 \text{ m}^2 / 7,000 \text{ ft}^2$ ) @ 1 space/15 $\text{m}^2$ . Parking is not considered to be an issue associated with the proposed "clinic" use.

There is no need indicated for outside storage or for dedicated loading spaces to take delivery of goods or materials for the proposed clinic occupancies, and therefore there are no outdoor storage areas or loading space requirements needed to be established through the proposed zoning.

As the site is already developed, there has been landscaping installed pursuant to the Site Plan Control Agreement in place. The existing landscaping is evident on the photos of the site attached as **Schedule A-1**.

Given the nature of this developed site and building, located on Waltham Road in an area where various employment uses including offices are to be encouraged, the addition of clinic as a permitted use is supportable.

Proposed Amendment to Zoning By-Law 194-94,  
108 Waltham Road, Brockville  
Owner: 882604 Ontario Limited c/o Saumure Group of Companies  
Agent: Wendy Gifford  
File No.: D14-149

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Should the recommendations in this report be endorsed by Council, the proposed zone would read similar to the following:

***"M1-X9-4 Zone***

*In addition to the uses permitted in the M1-X9-4 Zone, clinic shall also be a permitted use in the M1-X9-4 Zone."*

**POLICY IMPLICATIONS**

A review of this application in the context of Provincial and municipal land use policy has been conducted for purposes of this report, and appears in the Analysis section.

**FINANCIAL CONSIDERATIONS**

All costs associated with the current application for amendment to City of Brockville Zoning By-law 194-94, and with the fit-up of the existing building should approval be granted for the intended uses, are the responsibility of the Owner.


**CONCLUSION**

The requested amendment to Zoning By-law 194-94 would modify the existing zoning to add "clinic" as a permitted use in a M1-Industrial Park Site Specific Zone to be in effect on the property at 108 Waltham Road.

Based on the previous discussion respecting the Provincial Policy Statement, the Official Plan (new and proposed) and Zoning By-law 194-94, the proposed amendment to Zoning By-law 194-94 represents good planning, and is supportable.

A by-law to amend Zoning By-law 194-94, consistent with the recommendation contained herein, has been prepared.

  
Maureen Pascoe Merkley  
Director of Planning

  
B. Casselman  
City Manager

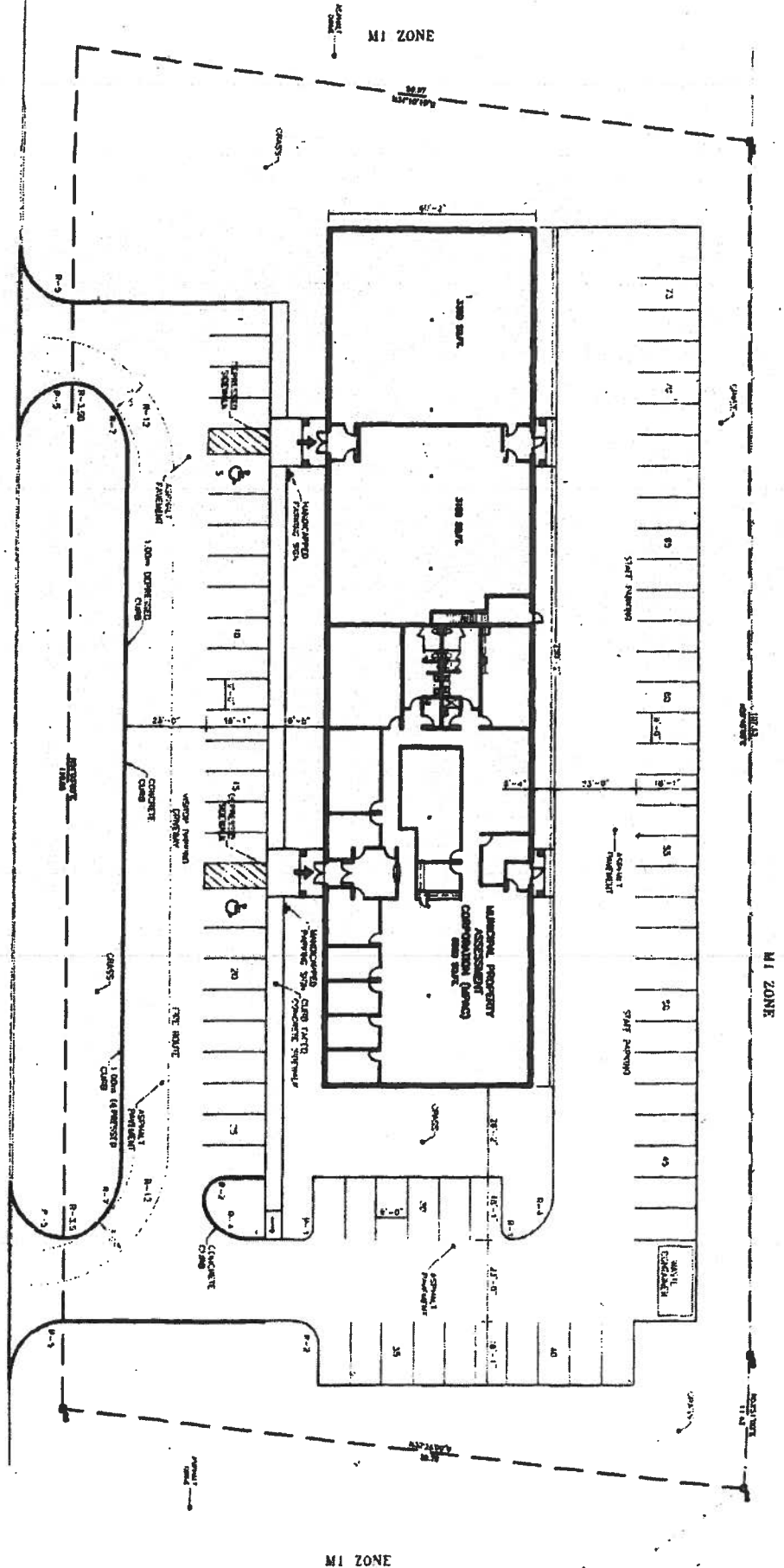
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J. Faurschou  
Planner I

# SCHEDULE "A"

## Report 2011-076-08

WALTHAM ROAD  
C7 ZONE





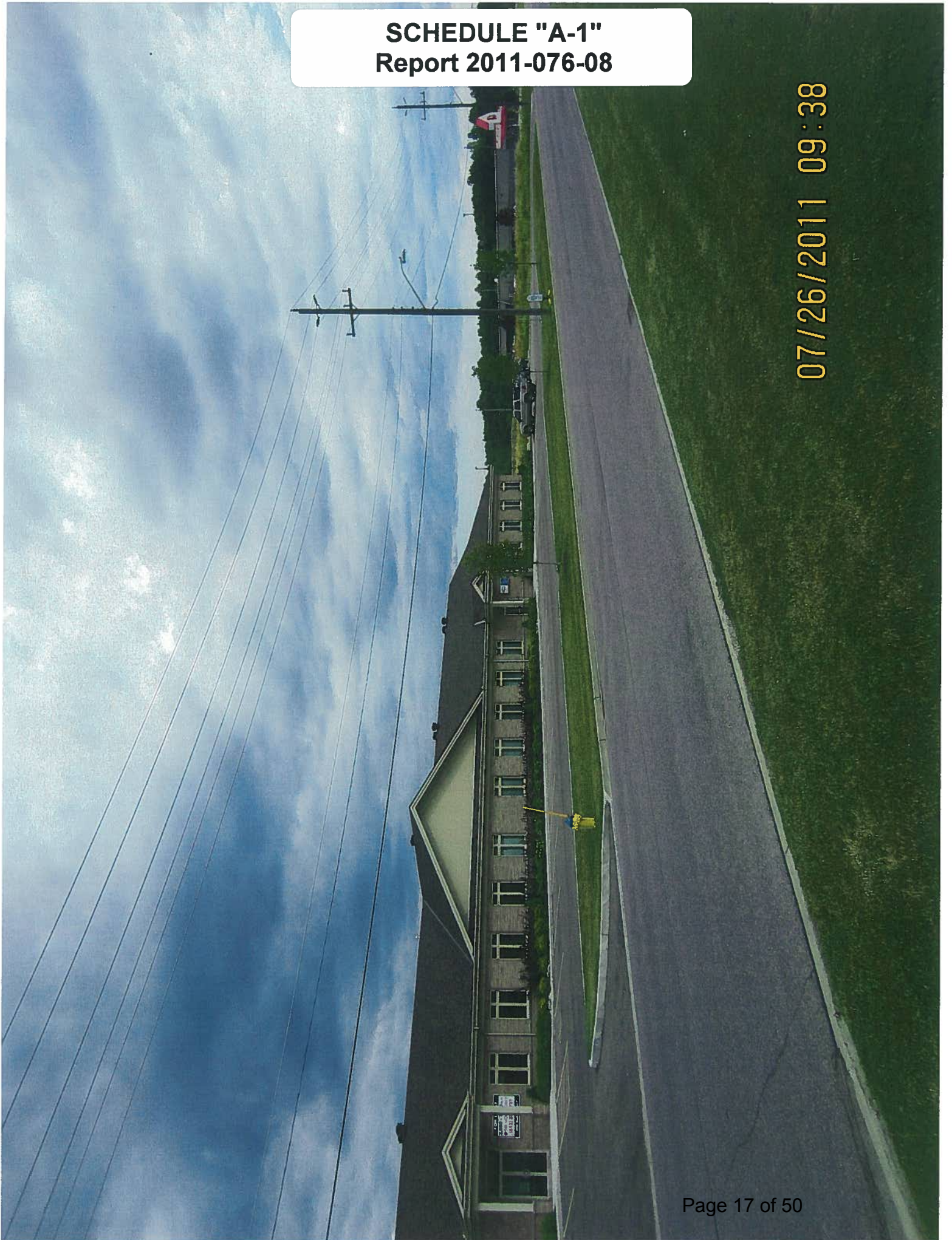
**SCHEDULE "A-1"**  
**Report 2011-076-08**

07/26/2011 09:39



**SCHEDULE "A-1"**  
**Report 2011-076-08**

07/26/2011 09:38



## **SCHEDULE "B"**

### **Report 2011-076-08**

City of Brockville

EDP Public Meeting Minutes - Tuesday, July 5, 2011

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**2. 2011-071-07**

Proposed Amendment to Zoning By-Law 194-94  
108 Waltham, Brockville  
Owner: 882604 Ontario Limited  
c/o Saumure Group of Companies  
Agent: Wendy Gifford

Moved by: Councillor

THAT Report 2011-071-07 be received as information and that a report on this matter be prepared by staff for consideration of the Economic Development Planning Committee at a future meeting.

**CARRIED**

Councillor Kalivas, Chair, announced the Public Meeting at 6:34 p.m.

Mr. J. Faurschou, Planner I, announced that Notice of the Public Meeting for Staff Report No. 2011-071-07 was given in the Recorder and Times Newspaper on June 15, 2011, and a notice was sent to surrounding property owners within 120 metres of the subject property and circulated to various agencies and departments and a sign was placed on the property.

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 the Planner to explain the purpose of the Public Meeting and the nature of the application.

Mr. J. Faurschou, Planner I, reviewed the proposed amendment to Zoning By-law 194-94 as outlined in the staff report.

The following persons spoke in support of the proposed amendments:

Mr. David Munro, from Podium Sports Therapy Centre, spoke in favour of the amendment as a potential tenant.

Ms. Wendy Gifford, Agent for the proponent, spoke in support of the application.

No persons spoke in opposition to the proposal.

Councillor Baker raised concern with the application in that this is a border property that is potentially being watered down from businesses that were intended to support industrial uses. Councillor Baker questioned whether this amendment would weaken the City's position on employment lands if it were approved.

Ms. M. Pascoe Merkley, Director of Planning, responded that the new Official Plan allows for complimentary and secondary uses to traditional employment uses. The Waltham Road area is a transitional area and these particular units are smaller in size. The Zoning By-law will be examined in the future.

Councillor Earle noted that in the past there was a recorded vote on a stop sign located at Waltham Road and Crocker. Waltham Road has become an arterial street for the commercial uses of Walmart and the Superstore and Crocker was intended to be a main street. The approval of this amendment would build up traffic on Waltham even more. What comments have been received on traffic flow?

Ms. M. Pascoe Merkley, Director of Planning, responded that the question of traffic flow will be put to engineering. The tenants will provide visitor statistics. The existing flow of traffic works well with the intention not to combine domestic traffic with transport trucks. Waltham is a local street. Crocker and Broome will continue to accommodate truck traffic.

Councillor Beatty is concerned that retail uses are creeping in to space that was intended for industrial and employment uses. These uses are consistent with having a commercial strip as a buffer between retail and industrial.

Councillor Baker agreed that creeping uses are a concern. How does the City preserve these lands for future development?

Ms. M. Pascoe Merkley, Director of Planning, responded that the province has interest in preserving employment lands. If lands are re-designated the employment lands need to be replaced. During the review of the Zoning By-law the range of uses will be examined.

The public meeting concluded at 6:50 p.m.

*Attachments to minutes (Report 2011-071-07):*

- *Request for Information form*

# REQUEST FOR INFORMATION

## Planning Applications under the Planning Act

Subject Property: 108 Waltham Road File No.: D14:149

NAME	ADDRESS (Include Postal Code)	CONTACT NUMBERS (home, work, cell, email)				INFORMATION REQUESTED			
		Home:	Work:	Cell:	Email:	Public Meeting Minutes	Planning Report	Notice of Adoption	
Wendy Gifford	91 Cornelia St. W Smiths Falls, ON K7A 5L3		613-283-0737	613-223-6071	wgifford@saumurgap.com				
Dave Munro	-Podium Sports.								



**CITY OF BROCKVILLE**  
**PLANNING DEPARTMENT - BUILDING SERVICES DIVISION**

**INTEROFFICE MEMORANDUM**

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**TO:** MAUREEN PASCOE MERKLEY – DIRECTOR OF PLANNING  
**COPY:**  
**FROM:** BRENT CASKENETTE – CHIEF BUILDING OFFICIAL  
**SUBJECT:** ZONING BY-LAW AMENDMENT – FILE D14-149  
108 WALTHAM ROAD  
**DATE:** FRIDAY, JUNE 17, 2011

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Maureen:

Our review of the Zoning By-law Amendment notice for the above noted subject site development has been completed and at this time would advise that we have no concerns, provided that the applicant obtain the necessary permits at the time of construction.

The applicant should be made aware that a review of complete construction drawings at the time of application for a building permit may reveal requirements of the Ontario Building Code, not evident as part of this notice, which may affect the site development.

Regards,



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**BRENT B. CASKENETTE – CHIEF BUILDING OFFICIAL**  
City of Brockville, One King Street West, P.O. Box 5000, Brockville, ON K6V 7A5  
Tel. (613) 342-8772, ext. 441 – Fax (613) 498-2793 – Email: bcaskenette@brockville.com

June 10, 2011

The application of rezoning for 108 Waltham Road is being requested and supported by Podium Sports Therapy Clinic. Podium Sports Therapy is a Clinic offering a variety of medical type services, including: Physiotherapy, Massage Therapy, Athletic Therapy, Orthotic services, and Osteopathy.

Our clinic has prospered in the north end of Brockville over the past five years and needs to relocate for additional space. Finding a location of 3000 square feet, with adequate parking and at a reasonable cost has proven difficult. Our search has lead us to 108 Waltham Road. It would appear to be our last opportunity to expand our business and continue to grow in the north end.

There are several reasons why we have decided to remain in the north end of Brockville:

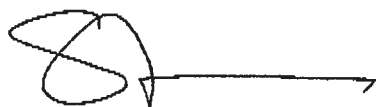
- \* 2 existing physiotherapy clinics in the downtown area
- \* large clientele from the adjacent industrial area
- \* adequate clinic space and parking within our budget

Without additional space our business will not continue to grow. We ask that council approve the zoning change to include Clinic type businesses, so Podium Sports Therapy may continue to serve the people of Brockville in the best possible manner.

Sincerely;



D.Munro BSc.Kin., BHSc.PT



S.Morrison BSc.Kin., BSc.PT

**DR R BROWN AND DR C CHANT  
OPTOMETRISTS**

2211 Parkedale Avenue

Unit # 6

Brockville, ON K6V 6B2

Tel. (613) 342-6986

Fax (613) 342-1015

To Whom It May Concern:

We have been practicing optometry in Brockville for the past seventeen years in two separate locations. We have been in our present location for nine years.

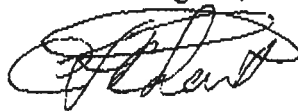
Our practice has continued to grow and we are in need of a larger square footage in order to accommodate this growth.

Our main needs involve adequate parking, north end location, stable rent and approximately 3000 square feet of rental space. None of these are available at our present location. We have employed two separate Real Estate agents and have not found anything suitable for the past year in Brockville.

The building at 108 Waltham Road fits all of our needs perfectly at this time however it is not currently zoned for our use. We are asking for you to consider a change in the present zoning at that location to enable us to relocate our practice.

I thank you for considering this application.

Kindest Regards,



Cherice Chant, OD



Russ Brown, OD





11Aug11

**REPORT TO THE ECONOMIC DEVELOPMENT PLANNING COMMITTEE –  
16 August 2011**

**2011-083-08**

**PROPOSED AMENDMENT TO ZONING BY-LAW 194-94  
605 KING STREET WEST, CITY OF BROCKVILLE  
OWNER: OGILVIE REALTY**

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

**RECOMMENDATION**

**THAT** City of Brockville Zoning By-law 194-94 be amended to rezone lands with municipal address 605 King Street West from R1 – Single Unit Residential to R4 – General Residential Site Specific Zone to permit the development of a maximum of six (6) townhouse dwelling units, accessed by a common driveway off of King Street West, and requiring a landscaped buffer adjacent to existing low density residential development to include retention of as many mature trees as possible in addition to additional plantings.

**PURPOSE**

The purpose of this report is to provide recommendations on an application for amendment to City of Brockville Zoning By-law 194-94 respecting the property at 605 King Street West.

**BACKGROUND**

Dave Poole, Eastern Engineering Group Inc., acting on behalf of Ogilvie Realty Ltd., owner of lands described as Part of Lot 17, Concession 1, City of Brockville, County of Leeds (municipal address 605 King Street West) has submitted an application for amendment to City of Brockville Zoning By-law 194-94.

The proposed amendment to Zoning By-law 194-94 would, if approved, rezone the subject lands from R1-Single Unit Residential to R4-General Residential Zone to allow for the development of six (6) townhouse dwelling units, accessed by a common driveway off of King Street West.

The lands, which are the subject of the proposed amendment, are located on the south side of King Street West between Country Club Place on the west and Chipman Road on the east, as shown on the attached **Schedule “A”**. **Schedule “B”** to this report depicts how the property is proposed to be developed with six (6) residential townhouse units accessed via a common driveway from King St. West. **Schedule “B-1”** to this report contains photos of the subject property.

**Proposed Amendment to Zoning By-law 194-94****605 King Street West, City of Brockville****Owner: Ogilvie Realty****File: D14-148**

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**Official Plan and Zoning Information**

Official Plan Designation:	Residential
Adopted Official Plan Designation:	Neighbourhood Area
Existing Zoning	R1 – Single Unit Residential
Proposed Amended Zoning	R4 – General Residential

**Site Characteristics:**

Frontage: 67.1 metres (220.28 feet)  
Depth: 38.0 metres (124.67 feet)  
Area: 2,546.0 m<sup>2</sup> (27,404.95 ft<sup>2</sup>, 0.254 ha, 0.629 acres)

The subject property is currently vacant with some perimeter vegetation and a portion of a former parking area (asphalt) from the previous use as a car dealership. A Right-of-Way (Swift Waters Road) is located along the west side of the lot.

**Surrounding Land Uses:**

North: The lands to the north (north side of King Street west - immediately across from the subject lands) are zoned R1-Single Unit Residential Zone and are occupied by older two storey residential dwellings.

East: The lands to the east (south side of King Street West) are zoned R1-Single Unit Residential Zone and are occupied by two storey single detached dwellings.

South: The lands to the south are zoned are zoned R1-Single Unit Residential Zone and are occupied by two storey single detached dwellings.

West: The lands to the west are zoned R4-X1-2 Site Specific General Residential Zone and are occupied by condominium townhouses (Country Club Place).

**Public Participation**

The application requesting a Zoning Amendment has proceeded through the normal review process. On 5 July 2011, 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 9 June 2011 and was circulated to property owners within 120.0 metres (400.0 feet) of the subject property. In addition, a sign was posted on the subject property advising that the lands are the subject of Application for Amendment to the City of Brockville Zoning By-law 194-94. Comments from City Departments and affected agencies were also solicited.

Proposed Amendment to Zoning By-law 194-94  
605 King Street West, City of Brockville  
Owner: Ogilvie Realty  
File: D14-148

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Written comments received to-date are attached as **Schedule "C"** to this report and discussed further in this report. The minutes of the Public Meeting are attached as **Schedule "D"**.

Written Comments Received (attached as **Schedule "C"**):

Internal:

1. Brent Caskenette, Chief Building Official (*memo dated June 13, 2011*)

"... no concerns provided that the applicant obtain the necessary permits at the time of construction."

"The applicant should be made aware that a review of completed construction drawings at the time of application for building permit may reveal requirements of the Ontario Building Code, not evident as part of this notice, which may affect the site development. "

2. C. Cosgrove, Director of Operations (*email dated June 17, 2011*)

No comments.

3. S. Allen, Acting Supervisor of Engineering (*memo dated June 27, 2011*)

No concerns.

4. G. Healy, Fire Prevention Officer (*email dated June 28, 2011*)

No Concerns.

External:

5. Ruth Leeder, 131 Chipman Road, Brockville, ON K6V 6Y7 (*letter dated June 27, 2011 attached*)

Opposed to rezoning for townhouse development. Property should be developed for single family homes similar to others on Chipman Road. Proposed development would be contrary to the quiet nature of the neighbourhood and would lower property values nearby.

6. Donald W. Steele, 33 Swift Waters Road, Brockville, ON, K6V 5S9 (*letter dated June 29, 2011 attached as part of the public meeting minutes*)

Opposed to rezoning for townhouse development. Property should be looked at and a new entrance proposed. Making more vehicles use the existing

entrance/exit (Swift Waters Road) will potential cause more safety concerns than are already present).

7. Keith Somerville, 133 Chipman Road, Brockville, ON, K6V 6Y7 (Letter dated July 5, 2011, *attached as part of the public meeting minutes*).

Opposed to the rezoning for townhouse development. The property should be built with Single Detached Dwellings. The proposal will be a complete loss of peace and privacy that a home owner expects to have in the rear of their home.

If this development goes forward, significant excavation will be necessary and may cause drainage issues. The proposed rear easement may have a deleterious impact on the row of 12 Walnut Trees. And, given the history of the property (car detailing business), contaminated soils will be unearthed during excavation.

Alternate designs of the development are suggested. These ideas include but are not limited to, multiple driveway entrances to eliminate the need for common driveway, thus, providing more front yard to move the homes closer to the street, and construction of a privacy wall to isolate activities on opposite sides of the wall.

## 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 1.4.3 states among others, that planning authorities shall provide for an appropriate range of housing types and densities to meet projected requirements of current and future residents of the *regional market area* by:

## Proposed Amendment to Zoning By-law 194-94

605 King Street West, City of Brockville

Owner: Ogilvie Realty

File: D14-148

- 
- a. establishing and implementing minimum targets for the provision of housing which is *affordable to low and moderate income households*.
  - b. permitting and facilitating:
    - 2. all forms of *residential intensification* and *redevelopment* in accordance with policy 1.1.3.3;
  - e. establishing development standards for *residential intensification*, *redevelopment* and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

Accordingly, as the residential townhouse units are proposed to be located on an underutilized parcel of land with full municipal services, access to public transit, and within an existing built-up area, the proposed six (6) unit townhouse complex further strengthens the area, represents intensification, and brings additional townhouse units to the City of Brockville, thereby being consistent with the policies outlined within the PPS.

#### Official Plan Considerations:

##### In-Force Official Plan:

605 King Street West is located within Planning District No. 1 and is currently designated as "Residential" under the Official Plan for the City of Brockville.

**Section IV-Goals and Objectives, Sub-Section 4.1-Residential**, identifies various residential goals and objectives which include: a variety of housing types; balance between ownership and rental accommodation and affordable housing to the residents.

**Section V-General Development Policies** addresses development which is fully serviced with municipal services and which represents logical development within the City. Furthermore, Section 5.26 Contaminated Lands and Brownfield Sites is relevant in this instance, given the previous use of the site, the potential for contamination related thereto, and the intended change to a more sensitive land use. These policies speak to various matters, including the use of conditional approvals, to ensure that site remediation, where required, is undertaken to the appropriate standards of the Ministry of the Environment (MOE), specifically the relevant sections of O. Regulation 153/04.

**Section VI-Land Use Policies, Sub-Section 6.2-Residential Districts** addresses residential development within established residential areas on full municipal services with access to public roadways and municipal facilities.

The subject lands are located within Planning District No. 1. **Section VII-Planning Districts-Detailed Development Policies, Sub-Section 7.1** addresses policies applicable to Planning District No. 1, specifically to "Ensure the stability of the residential

character of this western portion of the City and encourage the preservation and rehabilitation of homes in this area”.

The proposed development in the existing neighbourhood would utilize existing full municipal services, removes a small underutilized parcel of land located on King Street West. This proposal represents good planning by intensification of an existing fully serviced, under-utilized site within an existing built-up, predominantly residential area.

#### Adopted Official Plan:

The New Official Plan, adopted by Council June 14, 2011, provides guidance on how to manage future growth, development, and change within the City of Brockville. However, it should be noted, that the proposed Official Plan has no status at this time. The Official Plan adopted 14 June 2011, still requires approval by the Province.

The Official Plan adopted by Council June 14, 2011 designates the subject property as “Neighbourhood Area”.

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 city services and amenities, and is well planned.

**Section 2.3** outlines strategic planning themes that include a “Sustainable, Healthy, and Vital City – Objectives”, “An Economically Strong and Diverse City”, “A High Quality of City Services and Amenities”, and “A Well-Planned Responsive City”.

The proposed development concept achieves the above objectives. The project redevelops an existing, serviced, and underutilized lot within the urban area; and, is located within walking distance of a number of amenities, services, and recreational facilities that meet residents’ daily needs.

**Section 4.3.1** outlines multiple dwelling types that are to be permitted and encouraged within the Neighbourhood Area. A townhouse complex is one of the dwelling types listed. This section continues by stating, among others, that “infill and redevelopment of existing underutilized parcels shall be encouraged to continue”.

**Section 4.3.3** outlines among others that medium density residential uses shall be compatible with adjacent uses relating to height, density, massing of the building and character. The development is encouraged to have direct access to an Arterial or Collector road, be adequately serviced by parks and school faculties, provide a landscaped buffer to minimize the visual impact on adjacent uses, and may be subject to Site Plan Control.

The proposed development satisfies all the criteria required within the New Official Plan. Specifics relating to landscaping requirements and buffering from adjacent uses will be

addressed in the following subsection and examined through the Site Plan Control Approval.

#### Zoning By-law Considerations:

The subject property is currently zoned R1 – Single Unit Residential Zone. The requested amendment to R4 – General Residential Zone would allow nine (9) townhouse units if built to the maximum density permitted by the R4 – General Residential Zone. However, the proposal identifies the owner's intent to construct six (6) units.

Based on the existing zoning of R1 – Single Unit Residential and the required zoning provisions, the applicant could construct a total of four (4) single detached dwelling units.

The proposal for six (6) dwelling units is an increase of two (2) units over the current zone allowances and would have a total density of 24 units per hectare. The density range for this zone is up to 37 units per hectare.

This area has seen changes over the last few years with the approval of a nine (9) unit, townhouse development located at 590 King Street West.

The proposed zoning change, however, being an increase in density in an area predominantly single detached dwellings and zoned R1 – Single Unit Residential Zone would have minimal impact on the surrounding neighbourhood with the addition of the new residential units, as compared to the four (4) single units that are currently permitted. It is recommended, however, that a site specific zone be established to set a maximum number of residential townhouse units permitted at six (6) units.

It is also recommended, consistent with the guidelines of the new Official Plan, that a landscaped buffer be provided where this site abuts neighbouring low density residential uses and that as many mature trees be retained as part of this buffer.

#### Response to Comments Received (written and presented at the Public Meeting):

When considering comments received both by written submission and comments provided at the public meeting, the Planning Department has the following response(s).

The proposed single entrance off of King Street is consistent with discussions held with Brockville City Staff to minimize the impact of having separate driveway entrances onto King Street. This recommendation is also consistent with previous recommendations made towards redevelopment of 590 King Street West. As indicated previously in this report, the Operations Department has expressed no concern with the proposed townhouse development.

In response to concerns raised by Donald Steele, 33 Swift Waters Road, concerning the impact on the existing entrance, Mr. David Poole, Eastern Engineering, has stated that the proposed development will see an alteration to the entrance and improvement occur, providing a larger landing and stopping area.

Mr. Keith Somerville, 133 Chipman Road, raised concern with privacy, rear yard lot sizes, questions around the impact on existing vegetation, as well as contamination. The Planning Department has spoken with the applicant's agent, Mr. David Poole, Eastern Engineering regarding these concerns. The Planning Department recommends a landscaped buffer so that retention of as many trees as possible will occur during the construction. As stated previously, the newly adopted Official Plan does contain clauses relating to the buffering of multiple residential dwellings to provide a landscaped buffer to minimize the visual impact on adjacent uses.

As this property is a Brownfield Site and contaminated soil may be evident, the Planning Department will ensure that a Record of Site Condition is filed with the Ministry of the Environment and any requirement for residential development is approved prior to construction occurring.

## **POLICY IMPLICATIONS**

Policy Implications were discussed previously in this report.

## **FINANCIAL CONSIDERATIONS**

All costs associated with the development of the property are the responsibility of the Owner.

## **CONCLUSION**

Following review of the PPS, the Official Plan (currently in force as well as recently adopted Official Plan), Zoning By-law 194-94, and submissions received respecting the request for Zoning By-law amendment for 605 King Street West, it is reasonable to rezone the subject property to intensify, utilize existing services/infrastructure and provide a mix of housing types within the western portions of the City of Brockville. This is reflected in the recommendation at the beginning of this report.



Proposed Amendment to Zoning By-law 194-94  
605 King Street West, City of Brockville  
Owner: Oglvie Realty  
File: D14-148

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**M. Maureen Pascoe-Merkley, MCIP, RPP**  
**Director of Planning**

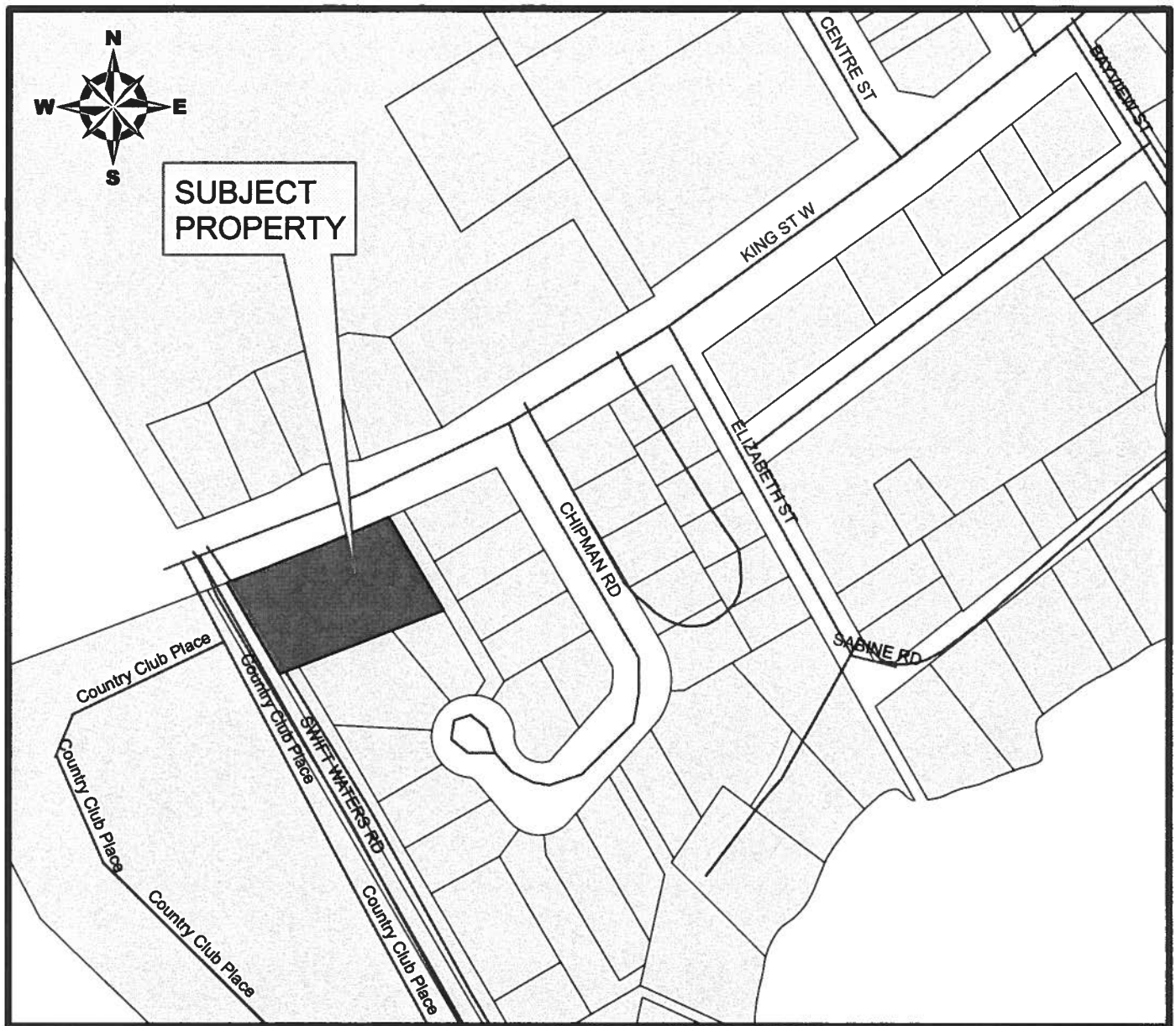


**Andrew McGinnis, MCIP, RPP**  
**Planner II**



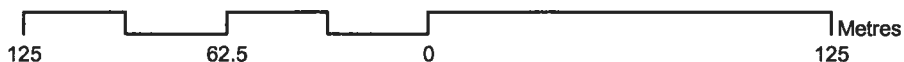
**B. Casselman**  
**City Manager**

## SCHEDULE "A" TO REPORT 2011-083-08



### PROPOSED ZONING AMENDMENT D14-148

**CURRENT ZONING:** R1 - SINGLE UNIT RESIDENTIAL  
**RECOMMENDED ZONING:** R4 - GENERAL RESIDENTIAL  
SITE SPECIFIC



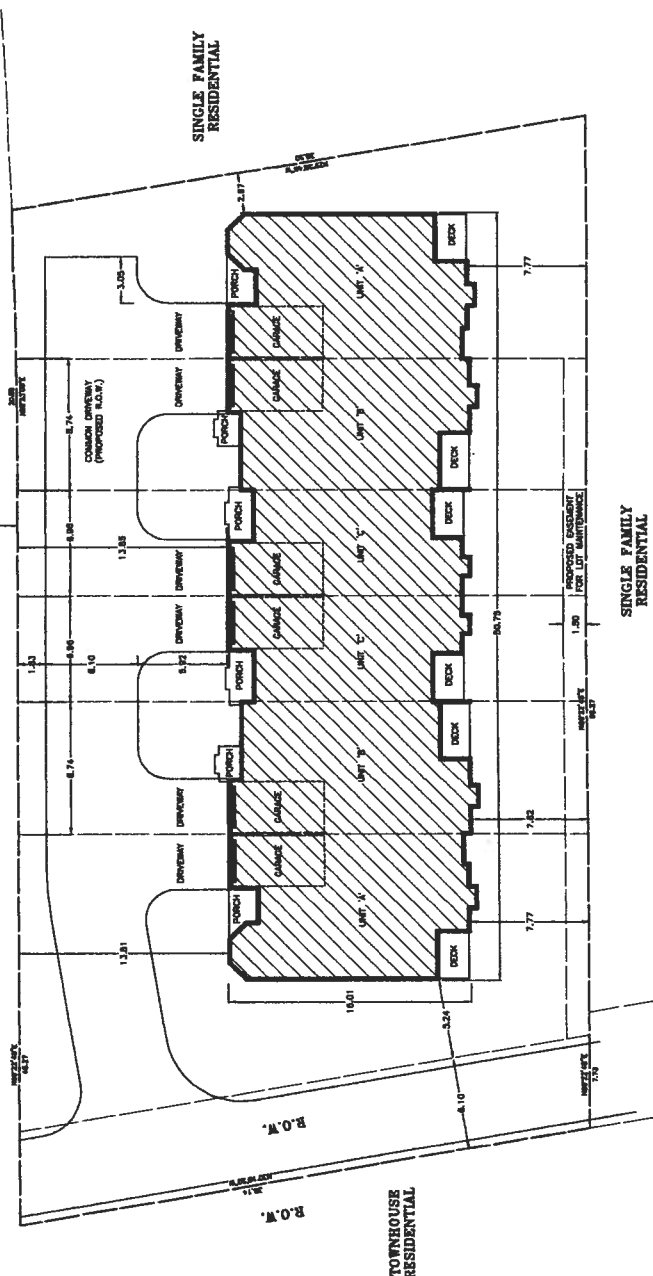
Based on TERANET Information

**SINGLE FAMILY  
RESIDENTIAL**

**KING STREET  
(PUBLIC TRAVELED ROAD)**



ZONING REQUIREMENTS		FOR R4 ZONE	REQUIRED	PROPOSED
			20.1m	20.1m
MINIMUM LOT AREA			10m	10m
MINIMUM LOT FRONTAGE			6.0m	6.00m
MINIMUM FRONT YARD			6.0m	13.01m
MINIMUM INTERIOR SIDE YARD			1.5m	2.67m
MINIMUM REAR YARD			7.3m	7.82m
MINIMUM LOT DEPTH			23.5m	37.64m
MINIMUM LANDSCAPED SPACE			30%	43%
MAXIMUM NUMBER ON UNITS			37/HECTARE	24/HECTARE
MAXIMUM HEIGHT			10.5m	8.0m



**TOWNHOUSE  
RESIDENTIAL**

**SINGLE FAMILY  
RESIDENTIAL**

**SINGLE FAMILY  
RESIDENTIAL.**

**Eastern**

REBECCAH DALLMAN  
ARNOLD DIERREND  
NOVA

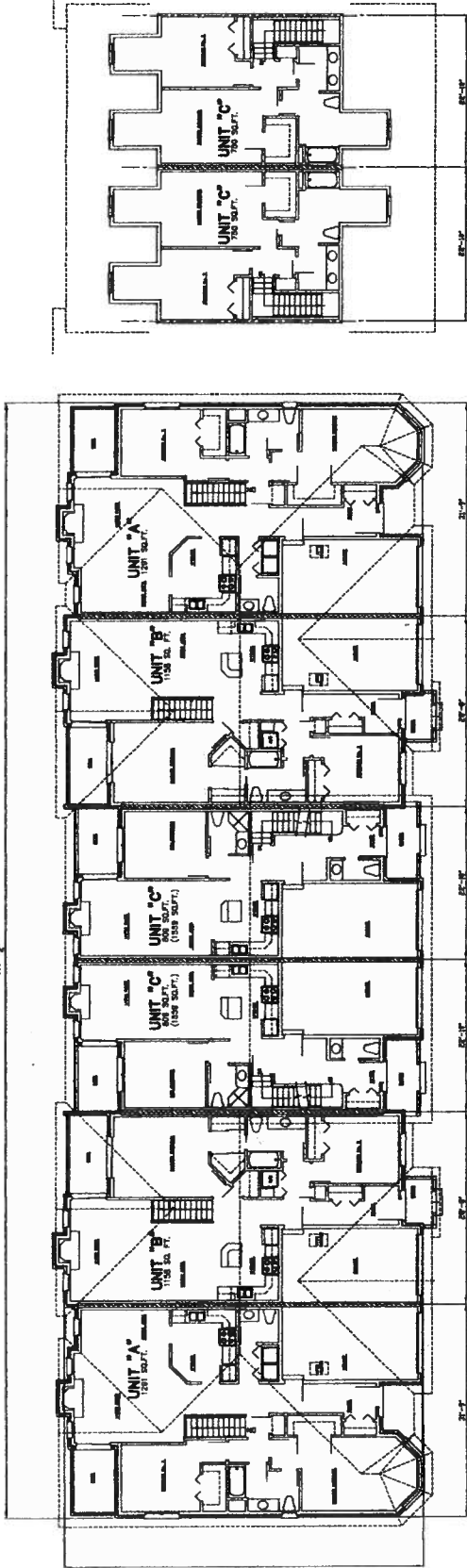
**Productive Centers**  
10 Broad St., Suite 210  
Providence, RI 02903  
Telephone: (603) 461-6000  
Fax: (603) 461-6001

**PROPOSED TOWNHOUSE  
DEVELOPMENT  
KING STREET WEST  
BROCKVILLE, ONTARIO  
OCILYTE REALTY LTD.**

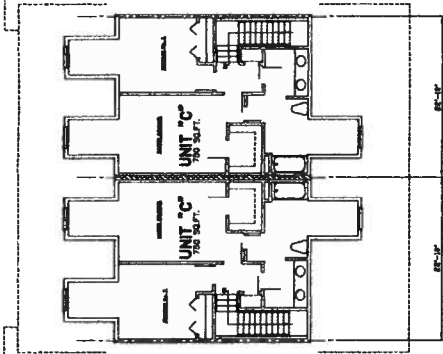
**CONCEPT SKETCH  
PLAN**

<b>Category</b>	D.G.P.	<b>Reviewed</b>		<b>Approved</b>	D.G.P.	<b>Report No.</b>	SDIO
	A.J.P.	<b>Classified</b>	D.G.P.	<b>Date</b>	24/01/11	<b>Quoted No.</b>	
<b>Particulars</b>							
Handwritten 11798							
Signature							
Date: 26-10-2010							

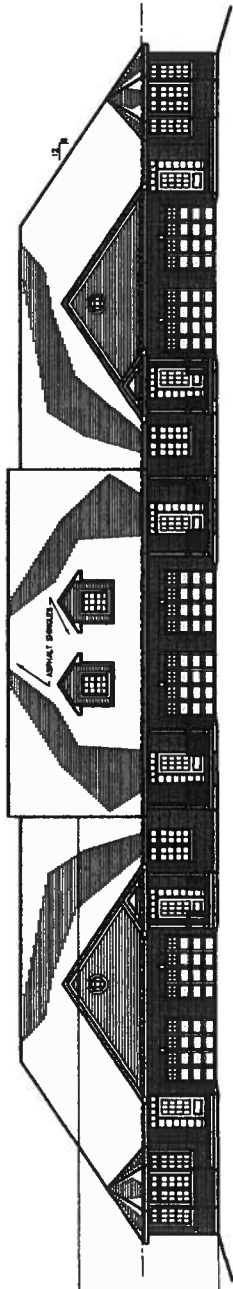
<p><b>REVISIONS</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th>No.</th> <th>By</th> <th>Date</th> <th>Description</th> </tr> <tr> <td>1</td> <td>SEP</td> <td>19/01</td> <td>FOR REVIEW</td> </tr> </table>	No.	By	Date	Description	1	SEP	19/01	FOR REVIEW	<p><b>NOTES</b></p> <p>All drawings, specifications and related documents are the property of the Engineering Group and shall remain confidential. No part of this drawing is to be reproduced or transmitted in any form or by any means electronic or mechanical, including photocopying, recording, or by any information storage and retrieval system, without prior written permission of the Engineering Group.</p> <p>The contractor shall check and verify all dimensions.</p> <p>Drawings are not to be scaled.</p>	<div style="text-align: center;"> <p><b>EASTERN ENGINEERING GROUP INC.</b> CONSULTING ENGINEERS</p> <p>1240 Highway 104, Suite 202 Burlington, Ontario L7R 4K6 Tel: (905) 633-1000 Fax: (905) 633-1001 www.easternengr.com</p> </div> <div style="text-align: center;"> <p><b>EASTERN ENGINEERING GROUP INC.</b> REGISTERED PROFESSIONAL ENGINEER CLASS OF REGISTRATION: BUILDING CORRESPONDENCE</p> <p>1240 Highway 104, Suite 202 Burlington, Ontario L7R 4K6 Tel: (905) 633-1000 Fax: (905) 633-1001 www.easternengr.com</p> </div> <div style="text-align: center;"> <p><b>PROPOSED TOWNHOUSE DEVELOPMENT</b> KING STREET WEST BURLINGTON, ONTARIO OBLIVE REALTY LTD.</p> </div> <div style="text-align: center;"> <p><b>CONCEPT FLOOR PLANS &amp; ELEVATIONS</b></p> </div> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>Scale: 1/8" = 1'-0"</td> <td>Sheet No: 910-1</td> </tr> </table>	Scale: 1/8" = 1'-0"	Sheet No: 910-1
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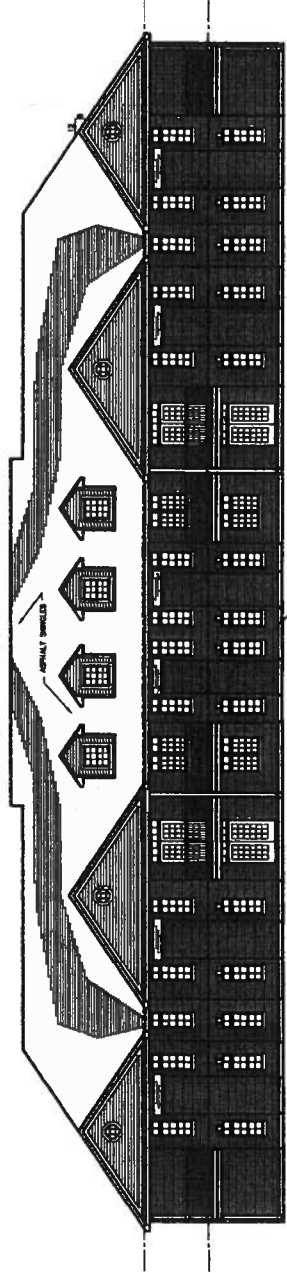
MAIN FLOOR PLAN  
SCALE 1/8" = 1'-0"



SECOND FLOOR PLAN  
SCALE 1/8" = 1'-0"



NORTH ELEVATION  
SCALE 1/8" = 1'-0"



SOUTH ELEVATION  
SCALE 1/8" = 1'-0"

## SCHEDULE "B-1" TO REPORT 2011-083-08







**CITY OF BROCKVILLE**  
**PLANNING DEPARTMENT - BUILDING SERVICES DIVISION**

**INTEROFFICE MEMORANDUM**

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**TO: MAUREEN PASCOE MERKLEY – DIRECTOR OF PLANNING**

**COPY:**

**FROM: BRENT CASKENETTE – CHIEF BUILDING OFFICIAL**

**SUBJECT: ZONING BY-LAW AMENDMENT – FILE D14-148**  
**605 KING STREET WEST**

**DATE: MONDAY, JUNE 13, 2011**

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Maureen:

Our review of the Zoning By-law Amendment notice for the above noted subject site development has been completed and at this time would advise that we have no concerns, provided that the applicant obtain the necessary permits at the time of construction.

The applicant should be made aware that a review of complete construction drawings at the time of application for a building permit may reveal requirements of the Ontario Building Code, not evident as part of this notice, which may affect the site development.

Regards,



---

**BRENT B. CASKENETTE – CHIEF BUILDING OFFICIAL**  
City of Brockville, One King Street West, P.O. Box 5000, Brockville, ON K6V 7A5  
Tel. (613) 342-8772, ext. 441 – Fax (613) 498-2793 – Email: [bcaskenette@brockville.com](mailto:bcaskenette@brockville.com)

**Lorraine Bagnell**

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**From:** Conal Cosgrove  
**Sent:** June 17, 2011 2:01 PM  
**To:** Lorraine Bagnell  
**Subject:** Application for Minor Variance - 160 Laurier Boulevard; Application for Zoning By-Law Amendment - 605 King St. West

Lorraine

The Operations Department has no comments with respect to either application.

Conal Cosgrove, P. Eng.  
Director of Operations  
City of Brockville

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# Memorandum



File No. D14-148

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Date: June 27, 2011

To: Loraine Bagnell  
Administrator Coordinator - Planning

From: Steven Allen, C.E.T.  
Acting Supervisor of Engineering

Subject: **Application for Zoning for By – Law Amendment, 605 King Street West,  
City of Brockville.**

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The Environmental Services Department has reviewed the request for zoning by-law amendment dated June 9, 2011 and does not have any concerns with this application.

SEA:sa

**Lorraine Bagnell**

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**From:** Linda McLennan  
**Sent:** June 28, 2011 2:55 PM  
**To:** Lorraine Bagnell  
**Subject:** 605 King St. W. 108 Waltham Rd. 160 Laurier

Hi Lorraine

Greg has reviewed your notices and we have no concerns with any of the above referenced.

**Linda McLennan**  
**Fire Prevention Division**  
**Brockville Fire Department**  
**PA. 613 498-1363 Fax 613 498-1411**

Information from ESET NOD32 Antivirus, version of virus signature database 6248  
(20110628)

The message was checked by ESET NOD32 Antivirus.

<http://www.eset.com>

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131 Chipman Road

Brockville, On.

K6V 6Y7

June 27, 2011

Director of Planning

City of Brockville

Brockville, On.

Dear Ms Pascoe Merkley

I am writing to oppose the proposed rezoning and townhouse development at 605 King Street West.

This property is an integral part of the Chipman Road neighbourhood and should be developed as originally intended with single family homes similar to others on the street. The development of 6 smaller residences on the property would be contrary to the quiet nature of the neighbourhood and would lower the value of existing homes nearby.

I ask the Economic Development Planning Committee to refuse the zoning change from single family residential at 605 King Street West.

Yours truly

Ruth Leeder



# SCHEDULE "D" TO REPORT 2011-083-08



## Public Meeting Economic Development & Planning Committee

Tuesday, July 5, 2011, 6:00 p.m.  
City Hall, Council Chambers

### COMMITTEE MINUTES

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#### Roll Call

##### **Committee Members:**

Councillor M. Kalivas, Chair  
Councillor J. Baker  
Councillor D. Beatty  
Councillor J. Earle

##### **Regrets:**

Mayor D. Henderson, Ex-Officio

##### **Staff:**

Mr. J. Faurschou, Planner I  
Ms. D. Livingstone, Deputy City Clerk (Recording Secretary)  
Mr. A. McGinnis, Planner II  
Ms. M. Pascoe Merkley, Director of Planning

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The Chair called the meeting to order at 6:00 p.m

#### ITEM

1. 2011-070-07  
Proposed Amendment to Zoning By-Law 194-94,  
605 King Street West, Brockville  
Owner: Ogilvie Realty Ltd.  
Agent: Eastern Engineering Group Inc.

Moved by: Councillor Beatty

THAT Report 2011-070-07 be received as information and that a report on this matter be prepared by staff for consideration of the Economic Development Planning Committee at a future meeting.

CARRIED

Councillor Kalivas, Chair, announced the Public Meeting.

Mr. A. McGinnis, Planner II, announced that Notice of the Public Meeting for Staff Report No. 2011-070-07 was given in the Recorder and Times Newspaper on June 9,

2011, and a notice was sent to surrounding property owners within 120 metres of the subject property and a sign was placed on the property.

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 the Planner to explain the purpose of the Public Meeting and the nature of the application.

Mr. A. McGinnis, Planner II, reviewed the proposed amendment to Zoning By-law 194-94 as outlined in the staff report and distributed additional correspondence received from Mr. Don Steele. *(A copy is attached to the minutes.)*

No persons present spoke in support of the proposed amendment.

The following persons spoke in opposition of the proposed amendment.

Mr. Keith Somerville (Owner; 133 Chipman Road, Brockville, K6V 6Y7) spoke in opposition of the application. *(A copy of Mr. Somerville's commentary is attached to the minutes.)*

Mr. Steven Somerville (Part owner of vacant lot adjacent to 133 Chipman Road) indicated that he is aware of the provincial government's interest in intensification and is not in opposition to the proposal because of NIMBY but rather because other development options are available. In particular, the longitudinal driveway is proposed so that the exit requires the development to be at the rear of the lot (close to Chipman Road). The driveway is also a concern because the front lots exit on the west laneway. There is also a concern with regard to twelve 75' walnut trees at the rear of the lot that will be disturbed during excavation at the southern boundary. These trees should be preserved. There is a potential for contaminated soil to be unearthed which would require long term clean up and delays. There should be a privacy wall as a buffer to established homes along the rear lot line. Mr. Somerville would like different ways of developing this property to be examined.

Mr. Patrick Leeder, (Son of Owner of 131 Chipman Road, K6V 6Y7) spoke on behalf of Mrs. Ruth Leeder who is in opposition to this proposal. Mrs. Leeder's letter was submitted and included with the staff report. *(A copy of Mrs. Leeder's letter is attached to the minutes.)*

Mr. David Poole, Agent, Eastern Engineering, responded to the concerns:

There has been an environmental report completed, however it is outdated and a new one will be undertaken. At the time the study was completed, the site was deemed a "clean site".

- The frontage of the property is approximately 194ft which would permit 4 single family dwellings and would therefore be similar in density to this proposal for six units. During City discussions, it was determined that one entrance to King Street would be preferable.
- The units are approximately 2000 sq ft, freehold, not inexpensive, and have a common maintenance contract.
- The existing right-of-way access and entrance on to King Street would be improved with this development.
- The range of value would be \$250,000-\$300,000.

Councillor Baker asked for clarification regarding the right-of-way in reference to the letter submitted by Mr. Don Steele. Mr. McGinnis replied that currently the right of way is maintained by the people who use it as an exit.

Councillor Earle asked about drainage on and from the site. Mr. Poole indicated that at this time consideration is being given to zoning and a drainage plan will be completed later on in the process. It is expected that the trees will be preserved.

Councillor Kalivas closed the public meeting. (6:27pm)

*Attachments to minutes (Report 2011-070-07):*

- *K. Somerville, correspondence to Committee*
- *D. Steele, correspondence to Committee*
- *R. Leeder, correspondence to Committee*
- *Request for Information form*

City of Brockville  
Planning Department  
One King Street West  
Brockville, Ontario  
P. O. Box 5000  
Brockville, Ontario  
K6V 7A5

D. W. Steele  
33 Swift Waters Rd.  
Brockville, Ontario  
K6V 5S9

29-Jun-11

Attn: M Maureen Pascoe Merkley  
Director of Planning

I have received your notice in regard to an amendment to City of Brockville Zoning By-Law 194-94 re Part of Lot 17, City of Brockville, County of Leeds—605 King St. West.

I object to the zoning and more particularly to the plan which shows the driveway to 605 King St. King St. exiting onto our right of way rather than onto King St. which it presently does..  
The right of way is ours, we have paid taxes on it for years and I do not recall the owners of 605 King st. paying anything toward the taxes or up keep of the road. In fact The City of Brockville had the opportunity of rectifying the right of way problem and the sewer and water system when it did the changes required for Country Club Place, but they chose to ignore the problem and the residents that face onto the right of way.

My main concern is the safety problem that exists now and will get worse with the proposed plan.  
The problem of vision exists both to the left and right of the drive way due to the shrubbery, and grass which grows there. We cannot look to the left to see oncoming traffic and also look to the right at the same time to see if there are any cars coming onto the right of way due to the proposed change.

In the winter, in order to get up the small hill, we have to speed up to get up the hill and not slide into the ditch. We have to stop on a small flat spot at the top of the hill which is just a little bigger than an automobile. In addition the snow plow dumps snow onto this small flat area of safety thus making it a necessity to speed up even more in order to get through the snow pile.. If we now have to look for cars coming from 605 king St. as well, then you will be creating a situation that is courting disaster.

There are presently two outlets onto King St. now— one at the east end of the property and one at the west end of the property where it abuts (not joins) our right of way. It would be much safer if you would have the exit from 605 King St. on the east end of the property.

Donald W. Steele

(Late entry due to mail strike but apparently on time.)



**re Proposed Zoning Change and Development Proposal  
at 605 King Street West, Brockville, Ontario**





**Presentation to City of Brockville Economic  
Development Planning Committee, July 5, 2011**

**re Proposed Zoning Change and Development Proposal  
at 605 King Street West, Brockville, Ontario**

**My name is Keith Somerville, with me is my son Steven. I am visually impaired so Steven will share the presentation with me.**

**I live at 133 Chipman Road and the adjoining Lot #4 is owned by a family partnership with Steven. These properties abut the south boundary of the subject property.**

**When my wife and I built our home at 133 Chipman Road in 1994 we knew that the subject property was zoned single family residential and had a temporary exemption for the car detailing business which operated there at that time.**

**We expected that at some time in the future one or two homes similar to others on Chipman Road would be built on the subject property and the family (or families) would become our neighbours.**

**The proposed development, however, would create six small residences on the subject property and provide six families as neighbours in the space intended for one or two families.**

**The proposed townhouse complex design has a southward facing focus, for example the two center units each have one window on the north side facing King Street and 8 windows facing my home. It is apparent that the six decks and the patio doors on the south side will make the south side of the building and the narrow strip of land adjacent to my properties the focus of family activity.**

**Any activity which I might undertake in my back yard or on the patio at the rear of my home would be subject to the oversight of the six neighbouring families. The result would be a complete loss of privacy that a homeowner expects to have in the rear rooms of his home, in his back yard and on the patio at the rear of his home.**

**I believe the proposed development would be inconsistent with the peace and privacy I should have at my home and the zoning change should be denied.**

Presentation to City of Brockville Economic  
Development Planning Committee, July 5, 2011

(cont)

Should the Committee choose to support the requested Zoning Change we would ask that consideration be given to approving a development that better reflects the subject lot dimensions and the surrounding neighborhood. Specifically, we would wish to draw your attention to the following:

- The combination of the longitudinal driveway and the size of the development has the effect of pushing this structure unreasonably close to the rear lot line.
- The type of development contemplated (rear elevation one storey lower than the front elevation) suggests that a significant amount of excavation will be necessary. This excavation is likely to cause drainage issues on both properties and when combined with the easement proposed along the South lot line may have a deleterious impact on the row of 12 large Walnut trees on our property. In addition, these 75 foot trees will effectively shade the whole of the rear area of the proposed development.
- Given the history of the subject property it is quite likely that contaminated soil will be unearthed during excavation (much like the property at 590 King Street). This would undoubtedly result in significant construction delays and unanticipated costs.

Our preference would be for the subject property to remain Single-Family Zoning, if the decision of the Committee is to permit the requested change to Multi-Family Zoning, we would ask that the Committee consider the following design changes:

- Six townhouse units may be too many for the subject lot. Consideration might be given to approving a design that better utilizes the existing lot dimensions, particularly the rear lot setback.
- Any approved development should provide sufficient area in the rear to accommodate the activity of the resident families. Deleting the longitudinal driveway and providing 3 driveways directly to King Street may not be an acceptable alternative to the Committee, but if it is not please refer again to previous bullet point.
- Eliminate the basement walkout doors and modify the basement window designs for the east and central units thereby making excavation along the rear property line and lower than my properties unnecessary.
- Include in the first phase of the development plan a privacy wall along the rear property line. The wall would run the length of the building, and be sufficiently high and substantial to isolate activities on opposite sides of the wall.

In summary, we oppose the rezoning and the proposed development because of its adverse effect on the peace and enjoyment of our properties. Additionally, I and other neighbors believe it is inappropriate to inject a multi-unit development into a mature neighborhood of single family homes like Chipman Road,