



Economic Development and Planning Committee

Tuesday, January 20, 2015, 5:30 pm
City Hall, Council Chambers

<u>Committee Members</u>	<u>Areas of Responsibility</u>	
Councillor J. Baker, Chair	Economic Development	Economic Development
Councillor L. Bursey	Planning	Advisory Team
Councillor M. Kalivas	Chamber of Commerce	Museum Board
Councillor D. LeSueur	DBIA	Library Board
Mayor D. Henderson,	Heritage Brockville	Arts Centre
Ex-Officio		Tourism

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COMMITTEE AGENDA

Disclosure of Interest

Delegations and Presentations

Nil.

Correspondence

Nil.

Staff Reports

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1. 2015-002-01
Final Approval for Condominium Conversion
167 Pearl Street East, City of Brockville
Owner: 1264165 Ontario Limited
Agent: R.G. Bennett, O.L.S.
 - 1) *THAT Conditions of approval respecting condominium conversion of one dwelling unit at 167 Pearl Street East, City of Brockville, be modified as follows:*
 - a) *Condition 2.4 to be modified to delete the requirement for inspection of all common elements of the building at 167 Pearl Street East by a Professional Engineer.*
 - b) *Condition 2.5 to be modified to delete the requirement for inspection and confirmation by a Professional Engineer of all repairs and improvements identified under the engineer's report.*
 - 2) *THAT Final Approval for conversion of one (1) rental residential apartment unit within 167 Pearl Street East to Condominium status be supported.*

Economic Development and Planning Committee
January 20, 2015

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2. 2015-003-01
Request for Exemption from Section 51 of the Planning Act and Proposed Condominium Plan Approval, 1109 Millwood Avenue, Brockville
Owner: Sweetwater Homes Ltd.
Agent: C. Warren Stroud-Goldman Stroud LLP
1. *THAT the request for exemption from Section 51 of the Planning Act, R.S.O. 1990, made by C. Warren Stroud respecting the condominium approval process for a phased residential condominium on lands described as Part Lots 11 and 12 being Parts 9, 10, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 R. P. 28R12669, Concession 2, City of Brockville, County of Leeds, be approved; and*
 2. *THAT, upon submission of final condominium drawings prepared by an Ontario Land Surveyor, final approval be granted for a phased residential condominium plan.*
 3. *THAT, approval for exemption shall remain in effect for ten (10) years from the date of registration of the Plan of Condominium.*

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3. 2015-007-01
Contract for Tourism Program Services

THAT the Economic Development and Planning Committee recommend that Council authorize the Mayor and City Manager to execute the contract for Tourism Program Services with the Brockville and District Chamber of Commerce for a period commencing on January 1st, 2015 and terminating December 31, 2019, with the base transfer payment subject to the specified conditions as identified in the contract agreement; and further,

THAT the funds for the Tourism program operation be expensed through account # 01-5-821301-3010

New Business - Reports from Members of Council

Nil.

Brainstorming

Consent Agenda

Adjournment

THAT the Economic Development and Planning Committee adjourned its meeting until the next regular meeting scheduled for February 3, 2015.

09 January 2015

REPORT TO ECONOMIC DEVELOPMENT PLANNING COMMITTEE – 20 January 2015

2015-002-01

FINAL APPROVAL FOR CONDOMINIUM CONVERSION

167 PEARL STREET EAST, CITY OF BROCKVILLE

OWNER: 1264165 ONTARIO LIMITED

AGENT: R.G. BENNETT SURVEYING LTD.

GRANT BENNETT, O.L.S.

FILE: 08-CD-10501

M. PASCOE MERKLEY

DIRECTOR OF PLANNING

J. FAURSCHOU

PLANNER I

RECOMMENDATION:

1. THAT Conditions of approval respecting condominium conversion of one dwelling unit at 167 Pearl Street East, City of Brockville, be modified as follows:
 - a) Condition 2.4 to be modified to delete the requirement for inspection of all common elements of the building at 167 Pearl Street East by a Professional Engineer.
 - b) Condition 2.5 to be modified to delete the requirement for inspection and confirmation by a Professional Engineer of all repairs and improvements identified under the engineer's report.
2. THAT Final Approval for conversion of one (1) rental residential apartment unit within 167 Pearl Street East to Condominium status be supported.

PURPOSE:

The purpose of this report is to provide recommendations on modifications to conditions for final approval for conversion of one (1) rental residential apartment unit within 167 Pearl Street East from rental to condominium tenure.

BACKGROUND:

On 08 February 2011, Council granted conditional approval for the proposed conversion of one (1) rental residential apartment unit within 167 Pearl Street East from rental to condominium tenure.

The conditions of approval have been listed and addressed in this report. There is a sunset clause/timeframe incorporated into the original conditional approval for meeting all conditions. The original expiry date was 08 February 2014.

Extensions have since been granted as follows:

- 14 January 2014, extension to 08 August 2014.
- 22 July 2014, extension to 08 February 2015.

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Final Approval for Condominium Conversion, 167 Pearl Street East, City of Brockville

Owner: 1264165 Ontario Limited

Agent: G. Bennett, O.L.S.

File: 08-CD-10501

ANALYSIS/OPTIONS:

The Owner is required to meet the conditions as set out under Report 2011-012-02, and to comply with regulations under the Residential Tenancies Act, S.O., 2006, Chapter 17.

The conditions set out under Report 2011-012-02 are provided in italics and addressed following each condition:

2. *THAT conditional approval be subject to the following conditions:*

2.1 *THAT written confirmation be provided, in writing, to the Planning Department that:*

- *the owners of at least 80% of the units, at the time of the sale have voted in favour of the sale; and*
- *at least 80% of persons having registered claims against the property being sold must consent, in writing, if their claims arose after registration of the declaration and description; and*
- *each of the owners of designated units having exclusive use of such common elements have consented to the sale of the unit.*

The owner has confirmed that the subject apartment is currently vacant. As such, Condition 2.1 is not applicable to obtaining final approval for condominium conversion and is therefore considered completed.

2.2 *THAT the tenant of the subject unit be given first right to purchase the unit at a price no higher than that price for which the unit is offered to the general public. Confirmation must be provided to the City of Brockville, in writing, that the tenant was given the first right to purchase his/her unit and that, if a purchase was not made, the tenant has declined the offer.*

The owner has confirmed that the subject apartment is currently vacant. As such, Condition 2.1 is not applicable to obtaining final approval for condominium conversion and is therefore considered completed.

2.3 *THAT the subject unit is to be inspected, at the expense of the Owner, by a qualified Professional Engineer, licensed in Ontario, describing the condition of the unit and listing any and all repairs and improvements required to ensure that the building complies with all applicable Provincial and Municipal regulations.*

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Final Approval for Condominium Conversion, 167 Pearl Street East, City of Brockville

Owner: 1264165 Ontario Limited

Agent: G. Bennett, O.L.S.

File: 08-CD-10501

The applicant has provided the Planning Department with a copy of the following inspection reports to satisfy condition 2.3:

- *“Structural Inspection Report, Parkland Apartments, 167 Pearl Street East, Brockville, Ontario”. Issued by Kostuch Engineering Limited, 07 December 1987.*
- *Letter: TROW to Faurschou, dated 02 November 2012.*
- *“Observation Report for Unit 4, Lennox Condominium Corporation (L.C.C. #24), 167 Pearl Street East, Brockville, Ontario” dated 02 November 2012”.*

The above-noted letter and observation report, dated 02 November 2012 satisfy the requirements of Condition 2.3:

- 2.4 *THAT all common elements of 167 Pearl Street are to be inspected, at the expense of the Owner, by a qualified Professional Engineer, licensed in Ontario, describing the condition of the building and listing any and all repairs and improvements required to ensure that the building complies with all applicable Provincial and Municipal regulations.*

The applicant has not undertaken to retain a professional engineer to inspect “all common elements of 167 Pearl Street”.

In various discussions with the applicant, Mr. Sheridan, it is apparent that since the application is for the conversion of an existing apartment unit to be added to the existing 11 residential condominium units within L.C.C. #24, and given that L.C.C. #24 is a valid operational condominium corporation responsible for all aspects of maintenance and operation of the building, common elements, parking and the grounds, the applicant has stated that it is unreasonable to hire a professional engineer to re-inspect what is to be maintained under L.C.C. #24. In addition, the letter from TROW dated 02 November 2012 states the following:

“Since this past spring, the undersigned as a representative of Trow has conducted two separate visits; one for an Environmental Site Assessment and the other as part of conducting the Reserve Fund Study for the corporation. As part of the latter site visit, Trow did note that the roofing for the building was of a recent installation and that many of the residential units as well as common area stairwells were in the process of renovation. During Trow’s site visits, no deficiencies of structural concern were observed. However, it must be noted that investigation of an intrusive nature or with

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Final Approval for Condominium Conversion, 167 Pearl Street East, City of Brockville

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regards to building code compliance and/or technical audits of the buildings common elements were not within the scope of Trow's mandate and as such were not conducted as part of either the Environmental Site Assessment or the Reserve Fund Study."

Accordingly, the applicant has requested verbally that this requirement be removed from the conditions for condominium conversion.

The Planning Department has reviewed the available information and the rationale put forward by the applicant and is in agreement. Condition 2.4 is therefore considered to have been met subject to Council approval to modify Condition 2.4 to remove the reference to inspection by a Professional Engineer.

- 2.5 *THAT all repairs and improvements identified under the engineer's report(s), as noted above, are to be made at the expense of the Owner prior to final approval with confirmation of completion by a professional engineer.*

The following items were identified as being outstanding in the EXP report dated 02 November 2012:

- Kitchenette spatial area does not meet current minimum are under the OBC.

The TROW report identified this as a potential deficiency but also noted that it was constructed prior to current OBC requirements. The EXP report also noted that the City may be willing to "grandfather" the current kitchenette configuration as the unit is an open concept design. Discussion with B. Caskenette, CBO for the City, has confirmed that the opinion of EXP is reasonable. Accordingly, this item is considered to be met.

- Electrical Outlet receptacle for the bathroom does not meet current OESC requirements.

Four-O-One Electric confirmed, in writing, that new lights a a separate GFCI receptacle were installed on 16 November 2012.

- Traps for bathroom and kitchenette do not meet OBC requirements.

Re-inspection by Reable's Plumbing, a professional plumbing company, has confirmed the following:

"With regards to LCC#24, 167 Pearl Street East, Unit #4 the EXP Report

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Final Approval for Condominium Conversion, 167 Pearl Street East, City of Brockville

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states that clean out traps are not in place according to section 7.2.3.1 of the OBC. Upon inspection of the unit I have seen that it does comply with section 7.2.3.1 part 3b of the code. The kitchen has an 1 1/2" ABS union trap with c/o plug and the basin has an 1 1/4" chrome breakable trap which are acceptable."

As of 04 December 2014, the three outstanding issues identified in the EXP Report have been resolved as noted above.

Based on the fore-going information submitted by qualified professionals, the applicant has requested verbally that the necessity of an inspection by a Professional Engineer be removed from the conditions for condominium conversion

The Planning Department has reviewed the above-noted materials, the nature of the repairs and the rationale put forward by the applicant and is in agreement. Condition 2.5 is therefore considered to have been met subject to Council approval to modify Condition 2.5 to remove the reference to "*confirmation of completion by a professional engineer*".

- 2.6 *THAT a copy of the inspection report(s), pre and post conditions, are to be provided, free of charge, to prospective purchasers before they enter into a binding agreement of purchase and sale. Confirmation must be provided to the City of Brockville, in writing, that the purchaser was provided with a copy of the report(s).*

The Owner, Mr. Sheridan, provided the Planning Department with a letter dated 14 November 2014, confirming that once the unit is available for sale, a copy of the inspection report(s), pre and post conditions, shall be provided to the purchaser before they enter into a binding agreement of purchase and sale. In addition, the Owner has confirmed that confirmation of the above shall be provided to the City of Brockville.

- 2.7 *THAT the Owner shall provide, to the existing tenant(s) of the subject unit at the date of granting of Draft condominium conversion approval, active, physical assistance, for a period of three (3) years from the date of Conditional Approval, to each tenant who must relocate as a result of the conversion, in finding alternate comparable accommodation, mutually agreed upon between the applicant and each such tenant, and pay the moving costs of each such tenant to other accommodations within Brockville. Confirmation must be provided to the City of Brockville, in writing, that each tenant was notified of this condition.*

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Final Approval for Condominium Conversion, 167 Pearl Street East, City of Brockville

Owner: 1264165 Ontario Limited

Agent: G. Bennett, O.L.S.

File: 08-CD-10501

The subject apartment is currently vacant. As such, Condition 2.7 is not applicable to obtaining final approval for condominium conversion and is therefore considered completed.

- 2.8 *THAT prior to the final approval of the Plan of Condominium by the City of Brockville the owners shall bring the lands and premises into conformity with the City of Brockville Zoning By-law 194-94, as amended, including but not limited to, lining and identification of not less than fifteen (15) on-site parking spaces, buffering between parking areas and adjacent residential use and zoned areas, refuse enclosures and landscaping.*

Minor Variance File A14/10 was approved to the effect that no equipped children's play area is required to be constructed on the subject lands and that the exterior side yard setback has been addressed.

The parking area has been confirmed as containing a minimum of fifteen (15) lined, unobstructed parking spaces.

An Encroachment Agreement has been endorsed by Council to address two decorative pillars which are located within the Pearl Street boulevard.

Accordingly, the owners have brought the lands and premises into conformity with City of Brockville Zoning By-law 050-2014, as amended, the current By-law which replaced By-law 194-94 on 10 June 2014, and have therefore met Condition 2.8.

- 2.9 *THAT all conditions of the site and buildings which are in violation of City of Brockville Zoning By-law 194-94, as amended, applicable by-laws and legislation shall be resolved to the satisfaction of the City of Brockville including, but not limited to, such items as minor variances, consents.*

The subject property has been confirmed by on-site inspection to be in compliance with City of Brockville Zoning By-law 050-2014, as amended, the current By-law which replaced By-law 194-94 on 10 June 2014. In addition, the Owner, Mr. Sheridan provided the Planning Department with a letter dated 14 November 2014, stating that "I, Jim Sheridan, confirm that no work which required permits has been undertaken on Unit 4". Accordingly, the owners therefore met Condition 2.9.

- 2.10 *THAT the municipal address for 167 Pearl Street East shall be prominently displayed on the exterior of the building and each interior residential unit shall be clearly identified in the main entrance vestibule and at each dwelling unit for emergency services access and identification.*

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Final Approval for Condominium Conversion, 167 Pearl Street East, City of Brockville

Owner: 1264165 Ontario Limited

Agent: G. Bennett, O.L.S.

File: 08-CD-10501

The subject property has been confirmed by on-site inspection that the municipal address has been posted prominently at 167 Pearl Street East and that each interior residential unit has been clearly identified with a number on the door to each unit. Accordingly, the owners therefore have met Condition 2.10.

- 2.11 *THAT the customer owned secondary underground hydro which is a non standard conductor be upgraded to the specifications of Hydro One, at the Owners expense.*

On 12 July 2013, Mr. Terry Davis-Supervising Distribution Technician for Hydro One, provided confirmation of completion of the required. Accordingly, the owners therefore have met Condition 2.11.

- 2.12 *THAT final condominium drawings prepared by an Ontario Land Surveyor shall be provided for review and comment prior to consideration for final approval of the Plan of Condominium.*

Final condominium drawings have been prepared by G. Bennett, O.L.S., - R.G. Bennett Surveying Ltd. and provided to the Planning Department for review. The drawings have been found to be acceptable. Accordingly, the owners therefore have met Condition 2.12.

- 2.13 *THAT the following shall be provided to the satisfaction of the City:*

- a) *an as-built plan identifying all services;*
- b) *a structural plan; and*
- c) *a plan identifying all private and communal elements of the condominium.*

Available drawings have been provided by the applicant.

- 2.14 *THAT should the conversion process not be completed within three (3) years of draft approval, the draft approval shall become null and void and a new application, including applicable fees, shall be required to be submitted.*

Draft approval was granted, with conditions, on 08 February 2011. Draft approval was extended on several occasions to the current expiry date of 08 February 2015. Should this report be approved by Council, Condition 2.14 shall have been met.

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Final Approval for Condominium Conversion, 167 Pearl Street East, City of Brockville**Owner: 1264165 Ontario Limited****Agent: G. Bennett, O.L.S.****File: 08-CD-10501**

FINANCIAL CONSIDERATIONS:

All costs associated with conversion of one residential unit within 167 Pearl Street East from rental residential to condominium residential tenure is the responsibility of the Developer.

All costs and actions required to amend the existing Condominium Agreement and drawings are the responsibility of the Developer.

CONCLUSION:

Subject to Council endorsing modifications to existing conditions as outlined in this report, the applicant will have met all of the draft conditions as required under Report 2011-013-02 and approved by Council Resolution of 08 February 2011. Accordingly, the Planning Department recommends final approval for conversion of one (1) additional dwelling unit at 167 Pearl St. E.

B. Casselman
City Manager

M. Pascoe Merkley
Director of Planning

J. Faurischou
Planner I

09 January 2015

REPORT TO THE ECONOMIC DEVELOPMENT PLANNING COMMITTEE -

20 January 2015

2015-003-01

**REQUEST FOR EXEMPTION FROM SECTION
51 OF THE PLANNING ACT AND
PROPOSED CONDOMINIUM PLAN APPROVAL
1109 MILLWOOD AVENUE
CITY OF BROCKVILLE**

OWNER: SWEETWATER HOMES LTD.

AGENT: C. WARREN STROUD – GOLDMAN STROUD LLP

FILES: D11-419

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

RECOMMENDATIONS:

1. **THAT** the request for exemption from Section 51 of the Planning Act, R.S.O. 1990, made by C. Warren Stroud respecting the condominium approval process for a phased residential condominium on lands described as Part Lots 11 and 12 being Parts 9, 10, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 R. P. 28R12669, Concession 2, City of Brockville, County of Leeds, be approved; and
2. **THAT**, upon submission of final condominium drawings prepared by an Ontario Land Surveyor, final approval be granted for a phased residential condominium plan.
3. **THAT**, approval for exemption shall remain in effect for ten (10) years from the date of registration of the Plan of Condominium.

PURPOSE:

The purpose of this report is to make recommendation respecting approval for:

- i) Exemption of Sweetwater Homes Ltd. from Section 51 of the Planning Act, R.S.O. 1990, being the process for condominium plan approval, for a phased condominium plan.
- ii) A residential condominium developed in two phases.

ORIGIN:

On 02 December 2014, C. Warren Stroud, acting as Agent for Sweetwater Homes Ltd., Owner of lands described as Part Lots 11 and 12 being Parts 9, 10, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 R. P. 28R12669, Concession 2, City of Brockville, County of Leeds, has requested the following:

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 REQUEST FOR EXEMPTION FROM SECTION
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 OWNER: SWEETWATER HOMES LTD.
 AGENT: C. WARREN STROUD

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- i) Exemption of Sweetwater Homes Ltd. from Section 51 of the Planning Act, R.S.O. 1990, respecting the process for approval a phased residential condominium; and
- ii) Approval for a phased residential condominium to be developed in two phases.

A copy of the letter of request has been attached as **Schedule "A"** to this report.

Official Plan and Zoning Information:

Official Plan Designation: Neighbourhood Area
 Existing Zoning: R6-Multiple Residential Zone

Site Characteristics:

The subject land is located on the north-east corner of the intersection of Millwood Avenue and Magedoma Boulevard. **Schedule "B"** identifies the location of the subject land.

The development has successfully proceeded through a complete Site Plan review and a Site Plan Control Agreement was executed on 08 September 2014 as Instrument Number LE66836 on 11 September 2014, for development of two (2) separate residential buildings, each containing twelve (12) residential units. Phase I is the southerly building. Site servicing has been completed with construction of the building underway. Phase II is the northerly building and will commence construction based on demonstrated market demand and pre-sales. **Schedule "B"** to this report is the Site Plan illustrating phasing and proposed site improvements.

Phase I and Phase II will be accessed from a common driveway off Millwood Avenue. On-site parking is provided in the lower level of each unit containing twelve (12) parking spaces in each building for a total of twenty-four (24) underground parking spaces. Additional parking is available in an exterior uncovered parking area containing ten (10) parking spaces, including two (2) barrier free parking spaces.

Vehicle and pedestrian access is from Millwood Avenue.

Total Lot Area:	5,391 m ² /0.539 Ha.
Frontage (Millwood Avenue):	60.70 m
Frontage (Magedoma Boulevard):	69.77 m
General Shape:	Irregular

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AGENT: C. WARREN STROUD

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ANALYSIS:

Subject Lands

The subject lands are described as Part Lots 11 and 12 being Parts 9, 10, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 R. P. 28R12669, Concession 2, City of Brockville, County of Leeds.

A registerable description for each condominium shall be provided upon approval of the each phase of condominium.

Exemption from Section 51 of the Planning Act, R.S.O. 1990

The Condominium Act, C.26, Section 50, provides that the Ministry of Municipal Affairs and Housing, or an approval authority such as the City of Brockville, may exempt a building or buildings from Section 51 of the Planning Act. This section of the Planning Act deals with subdivision and condominium approval, and sets out a detailed process of application submission, review by a wide assortment of public bodies and other agencies, public consultation, draft approval with conditions, leading ultimately to final approval if all conditions are met.

The exemption process is a more expedient and less expensive method of approving a condominium than proceeding through the full application process.

The matters which are to be considered when receiving a request for exemption are as follows:

- a) Is the subject building under construction?
- b) Is the property fully serviced with municipal services?
- c) Is the property correctly designated and in compliance with the Official Plan?
- d) Is the property correctly zoned and in compliance with the Zoning By-law?
- e) Is the subject property subject to an agreement with the local authority under Section 41 of the Planning Act (Site Plan Approval)?

The proposed two phase residential condominium plan complies with the above-noted criteria for exemption from the Plan of Condominium Approval process.

The process of exemption from Section 51 of the Planning Act, R.S.O. 1990 does not require public notice or a public meeting to be held.

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Proposed Phased Condominium Description:

A Phased Condominium is described as follows:

"A phased condominium permits individually owned units and common elements to be added to a condominium corporation in phases, over a maximum of 10 years. The phases occur by an amendment to the existing declaration and description to re-describe the condominium property with the additional phase. Only standard condominiums may be phased."

Phase I of the proposed development consists of one twelve (12) unit residential condominium building, access/egress driveway, nine (9) parking spaces of the ten (10) at-grade parking lot spaces, landscaping on the south half of the site and a common children's play area. The undeveloped area of the site shall be graded and seeded and sodded where required to ensure soil stability. Phase I is proposed to be ready for occupancy in August 2015.

Phase II of the proposed development consists of one twelve (12) unit residential condominium building, completion of the at-grade parking, landscaping on the north half of the site and completion of all outstanding site work. Phase II is proposed to be ready for occupancy in January 2016.

Limited Approval:

Ontario Regulation 48/01, s 55., to the Condominium Act S.O. 1998, Ch 19., limits the addition of phases to a maximum of ten (10) years from the date of registration of a phased Plan of Condominium. No additions or amendments are permitted beyond the ten year time frame.

This limited approval accommodates the time frame for development of Phase I and Phase II as the applicant has stated that *"The goal is to have the first building ready for occupancy in August 2015, and the second building ready in January 2016"*.

Clause 6 of the Site Plan Control Agreement reads as follows:

- "6. a) THAT if a building permit has not been issued for Phase 1 of the development within twelve (12) months of the date of approval of this Agreement then this Agreement will become null and void, and a new application for Site Plan Approval must be submitted and approved by the City prior to any building permit being issued.**
- 6. b) If a building permit has not been issued for Phase 2 of the development within thirty-six (36) months of the date of issuance of the Building Permit for Phase 1,**

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or if at any time, a building permit issued for Phase 2 is revoked, then this Agreement will become null and void as it pertains to Phase 2, and a new application for Phase 2 - Site Plan Approval must be submitted and approved by the City prior to any further building permit being issued."

Accordingly, Clause 6 effectively has a time line of 4 years from 2014, the date on which a Building Permit was issued for Phase I development, for initiation of Phase II development. Should Phase II not have drawn a Building Permit within the allotted time line, the applicant is required to enter into a new Site Plan Control Agreement if Phase II is to proceed.

To recognize the potential that unforeseen delays may affect the start of Phase II development and in keeping with time lines permitted under O. Reg. 48/01, s 55., to the Condominium Act S.O. 1998, Ch 19., this report recommends that approval for exemption shall remain in effect for ten (10) years from the date of registration of the phased Plan of Condominium.

FINANCIAL IMPLICATIONS:

The applicant is responsible for all costs associated with construction of the site and approval and registration of the condominium plan and subsequent phases.

Upon completion, sale and occupancy of individual condominium units, MPAC will reassess the subject property to provide for revised tax billing.

CONCLUSION:

The Planning Department is in support of the request for exemption from Section 51 of the Planning Act, R.S.O. 1990, for the processing of a phased plan of condominium on lands described as Part Lots 11 and 12, being Parts 9, 10, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 R. P. 28R12669, Concession 2, City of Brockville, County of Leeds.


The Planning Department also recommends approval of a Phased Plan of Condominium on lands described as Part Lots 11 and 12, being Parts 9, 10, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 R. P. 28R12669, Concession 2, City of Brockville, County of Leeds, upon submission of suitable final condominium drawings prepared by an Ontario Land Surveyor.

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AGENT: C. WARREN STROUD


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M. Pascoe Merkley, MCIP, RPP
Director of Planning



per B. Casselman
City Manager



J. Faurschou
Planner I

**GOLDBERG WISEMAN
STROUD &
HOLLINGSWORTH**GOLDBERG STROUD LLP
BARRISTERS & SOLICITORS

December 2, 2014

By Courier

City of Brockville
P.O. Box 5000
Brockville, Ontario
K6V 7A5

Attention: Jonathon Faurschou

Dear Mr. Faurschou:

Re: Application for Draft Plan Condominium Approval
Sweetwater Homes Ltd.
Lands: 1109 Millwood Avenue, Brockville, Ontario

And Re: Request for Exemption from s.51 of the Planning Act.
Our File No.: 91468

Please be advised that we have submitted to the City of Brockville an Application for Condominium Approval with respect to the property municipally known as 1109 Millwood Avenue, Brockville, Ontario.

Please accept this letter as a formal request for Exemption of the Application for Draft Plan (Phased) Condominium Approval from the requirements of s. 51 of the Planning Act.

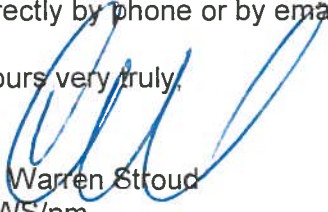
The status of the development is as follows:

1. Construction of the project is just commencing;
2. A Site Plan Agreement has been entered into with the City of Brockville;
3. A Building Permit has been issued by the City of Brockville;
4. The property is fully serviced (water/sanitary sewer) by the City of Brockville; and
5. The property is zoned R6 – Multiple Residential Zone and E.P – Environmental Protection Zone and the Official Plan Designation for the lands is Neighbourhood Area.

A cheque payable to the City of Brockville in the amount of \$1,530.00 representing the fee payable for the Exemption Request is attached hereto.

If you require any further information as a result of this exemption request, please contact me directly by phone or by email.

Yours very truly,


C. Warren Stroud
CWS/pm
Encl.

- LIGHTS TO BE 12 FOOT (3.6m) POST, COACH STYLE LANTERN 200 WATT METAL HALIDE OR LED EQUIVALENT.
- ELECTRICAL CONDUIT TO BE PLACED AS SHOWN ON PLAN.

- SANITARY 2" TO BE INSTALLED ON EXISTING 200mm SANITARY SEWER LINE. MATCH EXISTING INVERTS.
- HEADWALL TO BE AS PER PROJECT 004-030
- STREET CURBS TO BE CONTINUOUS ACROSS NEW ENTRANCE. SIDEWALK TO BE CONTINUOUS ACROSS NEW ENTRANCE. ENTRANCE CURBS TO TAP TO SIDEWALK.
- REPLACE APPROXIMATELY 1m± OF SIDEWALK. REPLACE APPROXIMATELY 20 m of CURB ON MILLWOOD AVENUE. SIDEWALK TO BE AS PER CITY STANDARD 362-4
- INSTALL ECOSYSTEM STRAIN WATER FILTER BASKET AS SUPPLIED BY WOLSELEY INC, OTTAWA (813) 822-3444 in DCB1.
- SANITARY MANHOLE COVER TO BE AS PER PROJECT 401-030 WATERMOTOR COVER
- SEDIMENT CONTROL FENCE TO BE INSTALLED AND MAINTAINED AS PER PROJECT 210.110 AT LOCATIONS SHOWN.
- OUTLET FLOW CONTROL TO BE VIA 100% TEMPEST MWF INSTALLED IN DCB OUTLET PIPE, RATED FOR FLOW OF 21.24 L/s AT HEAD OF 0.77m.
- ALL FOOTINGS, STRUCTURES AND GRASSLAND EQUIPMENT TO BE CLEAR OF SEWER EASEMENT.
- ROOF RUNOFF TO BE DIRECTED TO PLAYED AREAS. LOCATIONS WHERE ROOF DRAINAGE DROPS TO HAVE ANTI EROSION MEASURES IN PLACE ON GROUND.
- GRADING TO BE ACHIEVED WITH IMPORTED SAND AND ENVIRONMENTAL MATERIAL.

	REQUIRED	PROVIDED
MINIMUM LOT AREA	1000.0 m ²	5391 m ² DIST
MINIMUM LOT FRONTAGE	23.0 m	60.7 m EXISTING
MINIMUM LOT FRONT YARD SETBACK	8 m	15.9 m EXISTING
MINIMUM EXTERIOR SIDEYARD	8 m	6.5 m EXISTING
MINIMUM INTERIOR SIDE YARD SETBACK	5 m	8 m
MINIMUM REAR YARD	7.50 m	15.5 m
MINIMUM LOT DEPTH	25 m	68.5 m
MINIMUM LANDSCAPED OPEN SPACE	30%	63.0%
MAX. NUMBER OF DWELLING UNITS	53 MAX	24
MAXIMUM BUILDING HEIGHT	14.5 m	12.78 m
CHILDRENS PLAY AREA (24X2.5)	80 m ²	60 m ²
AMENITY AREA (INCLUDING BALCONY)	480 m ²	3518 m ²
PARKING SPACES	34	24 INTERIOR 10 EXTERIOR

BUILDING AREA	1135.6 m ²
ASPHALT AREA	695 m ²
SIDEWALK AREA	185 m ²
LANDSCAPED AREA	3395.4 m ²
LOT COVERAGE	21.0%

89.85 EXISTING GRADE
 89.05 PROPOSED GRADE
 _____ SANITARY
 _____ STORM
 — • — WATER
 ----- 100 YEAR STORM AREA
 GRASS SWALE
 ← DIRECTION OF DRAINAGE

[illegible]

CURB TAPER DETAIL
N.T.S.

N.T.S.

- CONTRACTOR TO VERIFY ALL DIMENSIONS AND ELEVATIONS PRIOR TO THE START OF CONSTRUCTION.
- CONTRACTOR TO OBTAIN ALL NECESSARY PERMITS PRIOR TO START OF CONSTRUCTION.
- REINSTATE GRASS AREAS WITH 100 mm TOPSOIL AND SEED.
- LIGHT DUTY SILT FENCE TO BE INSTALLED PRIOR TO THE START OF CONSTRUCTION AND SHALL REMAIN IN PLACE UNTIL VEGETATION HAS BEEN ACHIEVED.
- THE EROSION CONTROL MEASURES SHALL BE MONITORED DAILY AND MAINTAINED AS REQUIRED.

NOTE:
CONTRACTOR TO CONTACT UTILITY
COMPANIES TO DETERMINE TYPE,
LOCATION, AND CONFIGURATION OF
EXISTING PLANT.

CLASSES OF REGISTRATION	
BUILDING PERMITS	1 MONTH BUILDING
BUILDING ELECTRICAL	1 MONTH SEE AND BE
DETECTION IS Airing & POWER	PL: AIRING ALL IN BLDG
HOUSE	PL: AIRING ALL IN BLDG
HALL: HOUSE	PL: AIRING ALL IN BLDG

3	CJ	1/28/14	CRC/CITY COMMENTS
2	CJ	12/1/13	CITY COMMENTS
1	DP	10/7/13	SITE PLAN CONTROL SUBMISSION
No.	By	Date	Revisions

All drawings, specifications and related documents are the copyright property of the Engineer and must be returned upon request. Reproduction of drawings, specifications, and related documents in part or whole is forbidden without the Engineer's written permission.

The contractor shall check to ensure that all dimensions on the job prior to start of construction.

Drawings are not to be scaled.

EE EASTERN
ENGINEERING GROUP INC.
CONSULTING ENGINEERS

Peter + Julia Caruso Telephone: (612) 345-0002
 125 Stewart Blvd, Suite 212 Facsimile: (612) 345-0008
 St. Paul, MN 55105 Web Site: www.mosling.com

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January 7th, 2015

REPORT TO ECONOMIC DEVELOPMENT AND PLANNING – TUESDAY JAN. 20, 2015

2015-007-01

CONTRACT FOR TOURISM PROGRAM SERVICES

**DAVID C. PAUL
DIRECTOR OF ECONOMIC
DEVELOPMENT AND TOURISM**

RECOMMENDATION

THAT the Economic Development and Planning Committee recommend that Council authorize the Mayor and City Manager to execute the contract for Tourism Program Services with the Brockville and District Chamber of Commerce for a period commencing on January 1st, 2015 and terminating December 31, 2019, with the base transfer payment subject to the specified conditions as identified in the contract agreement; and further,

THAT the funds for the Tourism program operation be expensed through account # 01-5-821301-3010

PURPOSE

The purpose is to provide a revised contract for Tourism promotional service between the Brockville and District Chamber of Commerce and the City of Brockville.

BACKGROUND

- The City initiated the Tourism marketing and product development program in 1989, operating the delivery of programming with the Economic Development office.
- In 2002, the City entered into a contractual agreement with the Brockville and District Chamber of Commerce to deliver a tourism and marketing program on the basis of cost efficiencies as well as enabling more time for the City to direct efforts on economic development initiatives. The City retained the tourism product development responsibility.
- There have been 5 renewals of the tourism service contract for the Brockville and District Chamber of Commerce based on positive performance and the delivery of tourism programming with cost efficiencies in particular. The leverage of external funds for the Chamber's Regional Program Partnership has been touted as a significant asset.
- Some tourism grant initiatives are not available to municipal governments and as such, another positive benefit for the external service delivery entity.

ANALYSIS

- The Brockville and District Chamber of Commerce Tourism Office continues to provide key performance measures associated with delivery of their programming despite provincial and national decrease in tourism funding over the past four years.
- The Chamber has enhanced tracking mechanisms associated with the evaluation of program effectiveness and will continue to engage and mobilize other regionals partners outside of Brockville on a cooperative marketing basis.

-
- The ratio of gross program expenditures to the City's net contribution is considered above average. The community's per capita contribution towards tourism marketing is within the Ontario average for communities of like size.
 - The content and language of the revised Tourism contract is essentially similar to previously approved Tourism contracts with the exception of;
 - The extension of the term of the contract to five years enabling a longer term for strategic planning by the Chamber for Tourism programming which provides an additional year following the new Council term, and thus enabling the new Council to review a twelve month performance prior to consideration of another contract.
 - New language has been provided by the City's Human Resources Department to protect the City's interest associated with financial obligations associated with the termination of contract.

FINANCIAL CONSIDERATION

Funds for the Tourism Program Operation will be expensed through account # 01-5-821301-3010. The annual budget process and the specified reporting obligations noted in the contract provide for Council review of financial commitments on the Tourism programming. Transfer payment to the Chamber in 2015 represents \$181,070.38 as the base amount for the calendar year, plus incremental increase per calendar year of the term of the lessor of (i) two percent (2%) of the base amount in the immediately preceding calendar year and (ii) the percentage amount directed by the City budget guidelines as the standard annual increase for all departments for such calendar year. Payment shall be made in two equal installments on the 1st day of January and June each calendar year of the term.

CONCLUSION

The contract ratified by Council provides for the Brockville and District Chamber of Commerce to deliver tourism marketing program. The Chamber will continue to implement the recommendations associated with the Premier Ranked Report as well as the direction identified in the Economic Development Strategy.



D. Paul
Director of Economic Development



D. Dick, CA
Director of Corporate Services

B. Casselman
City Manager