

**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*

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*

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,

# **SCHEDULE "B" - Report 2011-070-07**

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

