

Economic Development and Planning Committee

Tuesday, February 3, 2015, 6:00 pm City Hall, Council Chambers

Committee Members

Councillor J. Baker, Chair Councillor L. Bursey Councillor M. Kalivas Councillor D. LeSueur Mayor D. Henderson, Ex-Officio Areas of Responsibility

Economic Development

Planning

Chamber of Commerce

DBIA

Heritage Brockville

Economic Development

Advisory Team Museum Board

Library Board Arts Centre

Tourism

Page

PUBLIC MEETING AGENDA

Item

2 - 11 1. 2015-012-02

Proposed Amendment to Zoning By-Law 050-2014 Part of Lot 121, Block 31, Plan 67 City Of Brockville Applicant: Robert J. Jordan, OLS

THAT Report 2015-012-02 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.

12 - 23 2. 2015-013-02

Proposed Amendment to the Official Plan and Zoning By-Law 050-2014 Part of Lot 7, Block 15, Plan 67 City of Brockville Owner: Margaret and Michael Wicklum

THAT Report 2015-013-02 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.

28Jan2015

REPORT TO THE ECONOMIC DEVELOPMENT PLANNING COMMITTEE - PUBLIC MEETING – 3 FEBRUARY 2015

2015-012-02

PROPOSED AMENDMENT TO ZONING BY-LAW 050-2014 M. PASCOE MERKLEY PART OF LOT 121, BLOCK 31, PLAN 67 DIRECTOR OF PLANNING CITY OF BROCKVILLE ANDREW MCGINNIS 26 VICTORIA AVENUE PLANNER II

APPLICANT: ROBERT J. JORDAN, OLS

FILE: D14-004₍₀₅₀₋₂₀₁₄₎

RECOMMENDATION

THAT Report 2015-012-02 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.

PURPOSE

To provide information for purposes of conducting a Public Meeting under the Planning Act respecting an Application for Amendment to City of Brockville Zoning By-law 050-2014.

BACKGROUND

The Estate of Joan Patterson, represented by Robert J. Jordan, O.L.S, agent for owner of lands described as Part of Lot 121, Block 31, Plan 67, City of Brockville, County of Leeds, has filed an application for amendment to City of Brockville Zoning By-law 050-2014. The lands which are the subject of the application are located on the west side of Victoria Avenue and the south side of Pine Street, as shown on **Schedule "A"** attached hereto. **Schedule "A"** also includes a proposed site plan for the property.

Since the initial application was submitted, Raymond Wheeler, Janet Eaton and Sarah Wheeler have acquired the property that measures approximately 777.0 m² in size with frontage on Victoria Avenue of 22.74 m and 32.45 m fronting on Pine Street. The application for an amendment to Zoning By-law 050-2014 seeks to rezone this parcel from R4 – General Residential Zone to MD – Mixed Use Downtown Zone to facilitate development of a Commercial Office for a Real Estate Company as well as to retain the ability to revert back to a dwelling unit should the applicants see fit. The application also requests permission for exemption from the requirement to pave the parking area as required in the MD - Mixed Use Downtown Commercial Zone.

2015-012-02 Page 2

Public Meeting - Proposed Amendment to Zoning By-Law 050-2014 Part Lot 121, Block 31, Plan 67

Applicant: Robert J. Jordan, O.L.S

File: D14-004₍₀₅₀₋₂₀₁₄₎

ANALYSIS

Zoning and Official Plan Information:

Official Plan: Downtown and Central Waterfront Area – Transitional Area,

within the Mixed-Use Node.

Existing Zoning: R4 – General Residential Zone

Proposed Zoning: MD - Mixed Use Downtown Special Exception Zone to

permit the development of a Commercial Office for a Real Estate Company as well as to retain the ability to revert back to a residential use. In addition, exemption from the

requirement to pave the parking area is requested.

Site Characteristics:

Total Area: 777.0 m² Frontage (Victoria Ave): 22.74 m

Frontage (Pine St): 32.45 m (main access)

The subject land is currently occupied by a 2 ½ storey brick structure and small parking area. The property is currently used as a single detached dwelling.

Photos of the subject property are attached as **Schedule "B"**.

Surrounding Land Use:

North: Lands across Pine Street are zoned C2 – General Commercial

Zone and occupied by the Bank of Montreal and associated

parking.

South: Lands to the south are zoned R4 – General Residential Zone and

are occupied by a Residential Tri-plex.

East: Lands across Victoria Avenue are zoned R4 – General Residential

Zone and are occupied by Single Detached Dwellings.

West: Lands to the west are zoned C2 – General Commercial Zone and

are occupied by the Law Offices of Gregory Best.

Comments Received are summarized below and are attached as Schedule "C":

1. Sandra MacDonald, City Clerk

 Concerns that the change in use from residential (with 2 parking spaces on-site) to mixed-use for a real estate firm (with proposed 7 parking spaces). The proposed site development is intended to have 7 parking spaces for an office that has 12 agents. There are no public parking lots in

Page 3

Part Lot 121, Block 31, Plan 67 Applicant: Robert J. Jordan, O.L.S

File: D14-004₍₀₅₀₋₂₀₁₄₎

this area. This area already experiences higher than average on-street occupancy due to proximity to the courthouse.

2. Brent Caskenette, Chief Building Official

- No concern; however, the applicant will be required to apply for a Change of Use Permit. Should renovations be necessary to convert the building, a Building Permit will be required before any renovations take place.
- 3. Steve Allen, Supervisor of Engineering, Environmental Services Department:
 - This property has over 5 spaces and therefore Site Plan Control will apply. As part of the applicant parking areas in residential and commercial developments require curbing. Storm water management guidelines are to be followed, pre/post runoff for a 1:5 year storm and overland analysis for 1:100 storm.
 - Engineering would like the Zoning By-law to be followed in relation to paving of the parking area. This helps with on-site storm water management as well as pavement marking and general maintenance.
 - The storm sewer on Pine/Victoria is only 225mm diameter. This is scheduled to be upgraded in the next couple of years depending upon capital funding and approvals.
- 4. Conal Cosgrove, Director of Operations, Operations Department:
 - No comments on the proposed use of the property; however, with respect
 to the request for the gravel parking area, the entrance from Pine Street
 should be paved to the property line of 2.0 metres behind the sidewalk, to
 reduce the possibility of tracking gravel onto the road allowance.

Potential Issues for Discussion:

- 1. Appropriateness of the requested zoning.
- 2. Gravel Parking vs Paved Parking.
- 3. Future development issues, if any, concerning the conversion back to residential.
- 4. Appropriateness of retaining the option to revert to a residential use.

POLICY IMPLICATIONS

The contents of this report are provided for information purposes for the Public Meeting. Following the Public Meeting, Planning Department Staff will prepare a report which will include review and consideration of policies that are relevant to the requested amendment.

2015-012-02

Public Meeting - Proposed Amendment to Zoning By-Law 050-2014

Part Lot 121, Block 31, Plan 67 Applicant: Robert J. Jordan, O.L.S

File: D14-004₍₀₅₀₋₂₀₁₄₎

FINANCIAL CONSIDERATIONS

A complete application for amendment to City of Brockville Zoning By-law 050-2014 has been received, including all applicable fees. There are no other financial considerations at this time. However, the applicant should be aware that a Site Plan Control Agreement for the parking area will be required and all fees associated with said agreement are the cost responsibility of the Applicant.

CONCLUSION

A Report on this matter, including a detailed analysis of the proposed amendment, review and consideration of the issues raised at the public meeting and a recommendation from Planning Staff, will be prepared for consideration of the Economic Development Planning Committee at a future meeting.

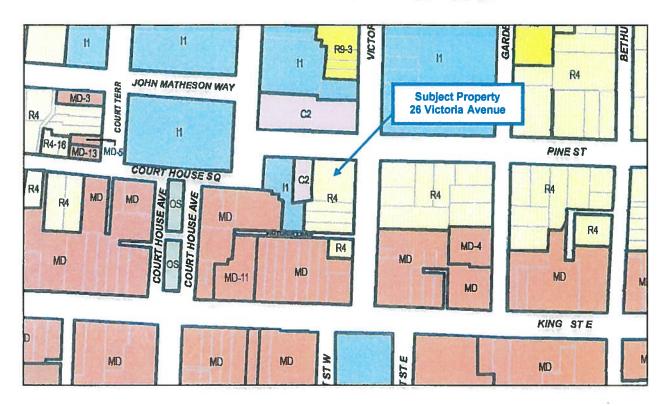
M. Pascoe Merkley, MCIP, RPP

Director of Planning

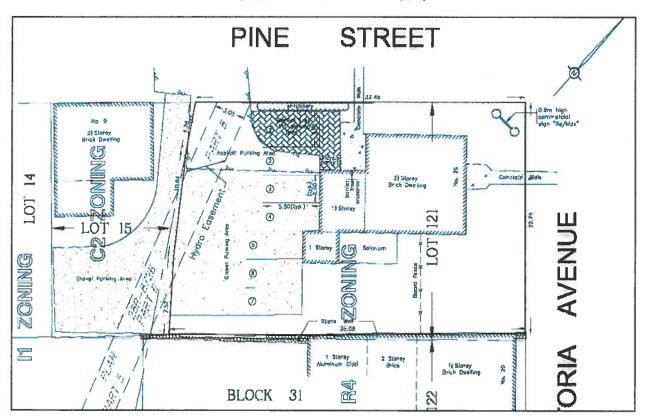
Andrew McGinnis, MCIP, RPP

Planner II

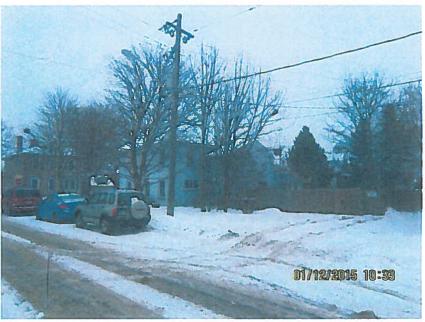
B. Casselman City Manager

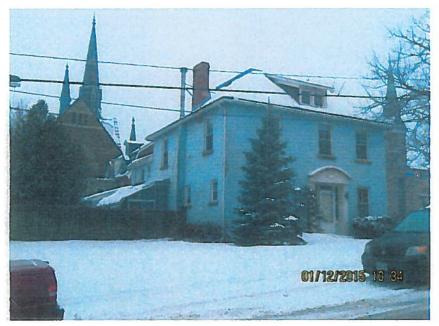


Proposed Site Plan for the Property









SCHEDULE "B" TO REPORT 2015-012-02

SCHEDULE "C" TO REPORT 2015-012-02

Andrew McGinnis

From:

Sandra MacDonald

Sent:

December-23-14 11:21 AM

To:

Andrew McGinnis

Subject:

Rezoning - 26 Victoria Ave

In response to your memo of December 18th re the above subject, the Clerk's Office has concerns that the change in use from residential (with 2 parking spaces on-site) to mixed-use for a real estate firm (with proposed 7 parking spaces). The proposed site development is intended to have 7 parking spaces for an office that has 12 agents. There are no public parking lots in this area. This area already experiences higher than average on-street occupancy due to proximity to the courthouse.

The on-street parking in the area of this property is limited to 2 hours, Monday to Friday, 9 am to 5 pm, with no re-parking within 4 hours. This is to deter business owners and employees from parking on the street to make on-street parking spaces available for clients.

If you have any questions please contact me.

Sandi

Sandra. MacDonald, AMCT City Clerk Corporation of the City of Brockville 1 King Street West P.O. Box 5000 Brockville, ON K6V 7A5 T: (613) 342-8772 ext. 461

F: (613) 498-2793

E: smacdonald@brockville.com



CITY OF BROCKVILLE PLANNING DEPARTMENT - BUILDING SERVICES DIVISION

INTEROFFICE MEMORANDUM

TO:

ANDREW MCGINNIS - PLANNER II

COPY:

FROM:

BRENT CASKENETTE - CHIEF BUILDING OFFICIAL

SUBJECT:

ZONING BY-LAW AMENDMENT- FILE D14-004

26 VICTORIA AVENUE

DATE:

MONDAY, DECEMBER 29, 2014

Andrew:

Our review of the proposal for the above noted subject site development has been completed and at this time would advise that we have no concerns.

As a minimum, the proposal will require the applicant to apply for a Change of Use permit. Should renovations be necessary to convert the building, a Building Permit will be required before any renovations take place.

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 at this time that may affect the site development.

Regards,

Brent B. Caskenette, CBCO Chief Building Official

Memorandum



File No. D14-01

Date:

January 9, 2015

To:

Andrew McGinnis, Planner II

From:

Steven Allen, C.E.T., M.M. Supervisor of Engineering

Subject:

APPLICATION FOR REZONING & OFFICIAL PLAN AMENDMENT FOR

26 VICTORIA AVENUE

The Environmental Services Department has reviewed the request for rezoning bylaw amendment at 26 Victoria Avenue to rezone the property from R24- General Residential Zone to MD – Mixed Use Downtown Special Exception, as well as, a special exemption to be made to permit a gravel parking lot. We have the following comments;

- 1. This property has over 5 parking spaces therefore Site Plan Control Application is required. As part of the application parking areas in residential and commercial developments require curbing. Storm water management guidelines are to be followed, pre/post runoff for a 1:5 year storm and overland analysis for the 1:100 storm.
- 2. By-law 3.33(b)(iii) requires the parking lot to be paved and we are in agreement with the by-law, especially for on-site storm water management pavement marking for parking spaces and general maintenance.
- 3. Site grading shall be designed and built to prevent any negative impact on surrounding properties.
- 4. The storm sewer on Pine Street and Victoria Avenue is only a 225mm diameter pipe, the Victoria Avenue storm sewer is scheduled to be upgraded in the next couple of years depending upon capital funding and approvals.

Andrew McGinnis

From:

Jon Faurschou

Sent:

January-15-15 12:33 PM

To: Cc: Andrew McGinnis Conal Cosgrove

Subject:

FW: Proposed Amendment to Zoning By-Law - D14-004 - 26 Victoria Avenue

J. Faurschou, MCIP. RPP

Planner I (Senior)
City of Brockville
P.O. Box 5000
Brockville, Ontario
K6V 7A5
Fax (613) 498-2793
Tel (613) 342-8772, ext 449

From: Conal Cosgrove

Sent: Thursday, January 15, 2015 11:58 AM

To: Jon Faurschou **Cc:** Steve Allen

Subject: Proposed Amendment to Zoning By-Law - D14-004 - 26 Victoria Avenue

Jonathan

The Operations Department has no comments with respect to the proposed uses for the property. With respect to the request for a gravel parking area, the entrance from Pine Street should be paved to the property line or 2 metres behind the sidewalk, whichever is further from Pine Street, to reduce the possibility of tracking gravel onto the road allowance. As referenced by Steve Allen, stormwater management and lot grading should be considered when considering the surface for the remainder of the parking area.

Conal

28Jan2015

REPORT TO THE ECONOMIC DEVELOPMENT PLANNING COMMITTEE - PUBLIC MEETING - 3 FEBRUARY 2015

2015-013-02

PROPOSED AMENDMENT TO THE OFFICIAL PLAN AND ZONING BY-LAW 050-2014 PART OF LOT 7, BLOCK 15, PLAN 67 CITY OF BROCKVILLE M. PASCOE MERKLEY DIRECTOR OF PLANNING ANDREW MCGINNIS PLANNER II

62 KING STREET EAST AND 31 – 33 BETHUNE STREET

OWNERS: MARGARET AND MICHAEL WICKLUM

FILES: D09-04 AND D14-003₍₀₅₀₋₂₀₁₄₎

RECOMMENDATION

THAT Report 2015-013-02 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.

PURPOSE

To provide information for purposes of conducting a public meeting under the Planning Act respecting Application for Amendment to the City of Brockville Official Plan and Application for Amendment to the City of Brockville Zoning By-law 050-2014.

BACKGROUND

Margaret Wicklum, applicant and co-owner of lands described as Part of Lot 7, Block 15, Plan 67, City of Brockville, County of Leeds, has filed applications for amendment to City of Brockville Official Plan and to the City of Brockville Zoning By-law 050-2014, which, if approved, would permit the subject lands to be used entirely for residential purposes. The lands which are the subject of the application are located on the north side of King Street East and east side of Bethune Street, as shown on **Schedule "A-1"** attached hereto. A site plan of the property is also shown on **Schedule "A-2"**.

The subject lands are currently occupied by a six unit residential apartment building. However, in accordance with both the City of Brockville Official Plan and the City of Brockville Zoning By-law 050-2014, the ground floor must be occupied by a commercial use.

The applications for amendment to the City of Brockville Official Plan and to Zoning Bylaw 050-2014 seek to permit the property to be utilized entirely for residential purposes. The current policies within the Official Plan, and the current "MD — Mixed Use Downtown Zone" provisions, permit residential units to be located only above ground-floor commercial.

2015-013-02

Public Meeting - Proposed Amendment to Official Plan and Zoning By-Law 050-2014

Part Lot 7, Block 15, Plan 67

Owners: Margaret and Michael Wicklum

Applicant: Margaret Wicklum Files: D09-04 and D14-003₍₀₅₀₋₂₀₁₄₎

· · ·

The issues with the current use of the property became apparent when 62 King Street East and 31 – 33 Bethune Street were purchased by the applicant. Approximately 15 years ago, the main floor space was utilized for commercial purposes and since has been converted to residential occupancy. Said conversion was not completed through a Building Permit or with Zoning Compliance at the time. The applications have been submitted to request the legalization the uses currently occupying the building.

ANALYSIS

Zoning and Official Plan Information:

Official Plan Designation: Downtown and Central Waterfront Area – Main Street

Area, within the Mixed Use Node – OP Policy 4.2.2 (3) restricts the use of "Residential Units" to be above

ground-floor commercial uses.

Proposed OP Amendment: Add a Site Specific Policy to Section 4.2.4, as it

pertains to 62 King Street East and 31 - 33 Bethune Street only, to allow "Residential Units" to be located

within the ground-floor area of the building.

Existing Zoning: MD – Mixed Use Downtown Zone

Proposed Zoning: MD – Mixed Use Downtown Special Exception Zone

(to permit residential occupancy of the main floor of the commercial building as well as to recognize the

existing amenity space currently on-site).

Site Characteristics:

Total Area: 539.84 m²

Frontage: 13.62 m on King Street

Depth: 39.6 m on Bethune Street

The subject land is currently occupied by a large 3 storey brick building, small parking area to accommodate 2 vehicles and grassed amenity area. The building is designated a designated heritage building and is utilized currently as a six unit residential apartment converted by a previous owner in approximately 1999.

Photos of the subject property are attached as Schedule "B".

Surrounding Land Use:

North: Lands to the north are zoned R4 – General Residential Zone and

occupied by a street townhouse development (Smart Terrace).

Page 3

2015-013-02

Public Meeting - Proposed Amendment to Official Plan and Zoning By-Law 050-2014

Part Lot 7, Block 15, Plan 67

Owners: Margaret and Michael Wicklum

Applicant: Margaret Wicklum Files: D09-04 and D14-003₍₀₅₀₋₂₀₁₄₎

South: Lands to the south, across King Street are zoned MD – Mixed Use

Downtown Zone and are occupied by multiple Business and

Professional Offices.

East: Lands to the east are zoned MD – Mixed Use Downtown Zone and

are occupied by the Brockberry Cafe.

West: Lands to the west, across Bethune Street are zoned MD – Mixed

Use Downtown Zone and are occupied by a Business and Professional Office, Commercial School and four residential

apartments.

Comments Received are summarized below and are attached as Schedule "C":

1. Sandra MacDonald, City Clerk

- Concerns that there is a shortage of parking for the proposed use.
- The continued grandfathering of reduce parking requirements for residential and commercial properties in the downtown core continues to be a problem.
- 2. Brent Caskenette, Chief Building Official
 - No concern; however, the applicant will be required to apply for a Change of Use Permit. Should renovations be necessary to convert the building, a Building Permit will be required before any renovations take place.
- 3. Steve Allen, Supervisor of Engineering, Environmental Services Department:
 - Not opposed to the application.
- 4. Conal Cosgrove, Director of Operations, Operations Department:
 - No concern with the application.
- 5. Ministry of Municipal Affairs and Housing, Amelia Sloan Planner:
 - No comments regarding the proposal.

Potential Issues for Discussion:

- 1. Appropriateness of the requested Official Plan Amendment.
- 2. Appropriateness of the requested Zoning by-law Amendment.
- 3. Parking impacts.
- 4. Recognition of special exception respecting the existing amenity area.

POLICY IMPLICATIONS

The contents of this report are provided for information purposes for the Public Meeting. Following the Public Meeting, Planning Department Staff will prepare a report which will

Page 4

Public Meeting - Proposed Amendment to Official Plan and Zoning By-Law 050-2014

Part Lot 7, Block 15, Plan 67

Owners: Margaret and Michael Wicklum

Applicant: Margaret Wicklum Files: D09-04 and D14-003(050-2014)

include review and consideration of policies that are relevant to the requested amendments.

FINANCIAL CONSIDERATIONS

A complete application for amendment to City of Brockville Official Plan and amendment to the City of Brockville Zoning By-law 050-2014 has been received, including all applicable fees. There are no other financial considerations at this time.

CONCLUSION

A Report on this matter, including a detailed analysis of the proposed amendments, review and consideration of the issues raised at the public meeting and a recommendation from Planning Staff, will be prepared for consideration of the Economic Development Planning Committee at a future meeting.

M. Pascoe Merkley, MCIP, RPP

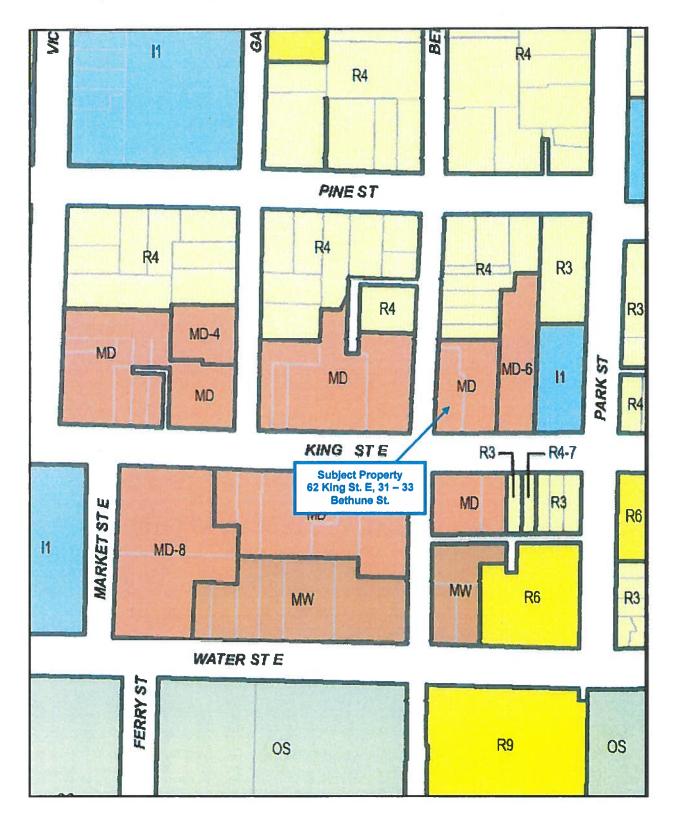
Director of Planning

Andrew McGinnis, MCIP, RPP

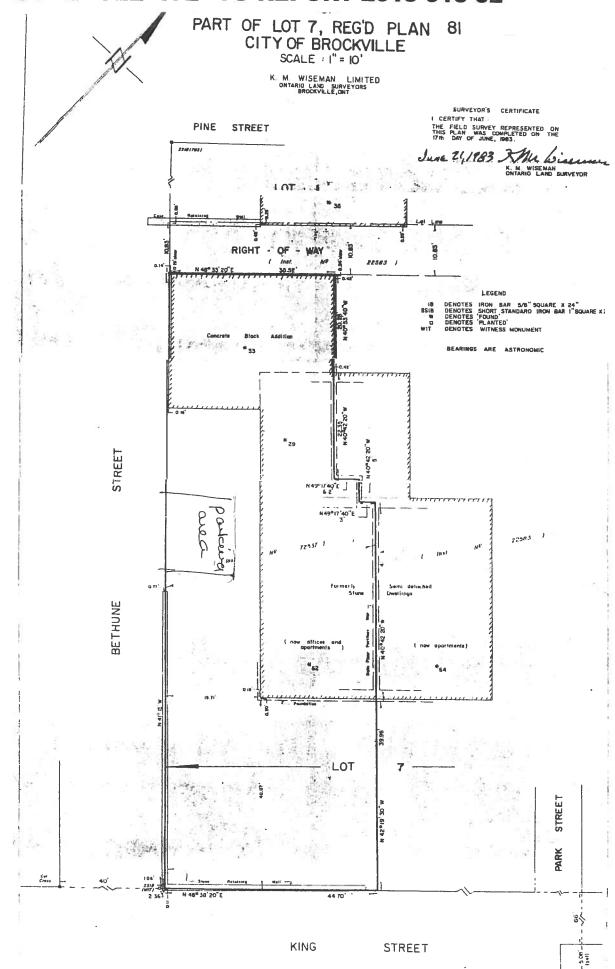
Planner II

B. Casselman City Manager

SCHEDULE "A-1" TO REPORT 2015-013-02



SCHEDULE "A-2" TO REPORT 2015-013-02



SCHEDULE "B" TO REPORT 2015-013-02





SCHEDULE "C" TO REPORT 2015-013-02

Andrew McGinnis

From:

Sandra MacDonald

Sent:

December-23-14 10:09 AM

To:

Andrew McGinnis

Subject:

Rezoning and OP amendment - 62 King St E and 31-33 Bethune Street

Andrews.

In response to your memo of December 19th re the above subject, the Clerk's Office has concerns that the current use of the site with 5 residential units and 1 commercial unit with only 2 parking spaces, will further compound the on-going shortage of on-site residential parking within the downtown, with the addition of another residential unit.

With only 2 parking spaces for 6 residential units, I would suggest that at a minimum, 2 residents would not have parking for their vehicles. There are no public parking lots in the east end of the downtown core. The onstreet parking in the area of this property is limited to 2 hours, Monday to Friday, 9 am to 5 pm, with no reparking within 4 hours of initial parking. Additionally there is no overnight on-street parking permitted from November 1st to March 31st annually.

The continued grandfathering of reduced parking requirement for residential and commercial properties in the downtown core continue to be a problem.

If you have require further information please contact me.

Sandi

Sandra. MacDonald, AMCT City Clerk Corporation of the City of Brockville 1 King Street West P.O. Box 5000 Brockville, ON K6V 7A5 T: (613) 342-8772 ext. 461

F: (613) 498-2793

E: smacdonald@brockville.com



CITY OF BROCKVILLE PLANNING DEPARTMENT - BUILDING SERVICES DIVISION

INTEROFFICE MEMORANDUM

TO:

ANDREW MCGINNIS - PLANNER II

COPY:

FROM:

BRENT CASKENETTE - CHIEF BUILDING OFFICIAL

SUBJECT:

OP AND ZONING AMENDMENTS- FILE D14-003 AND D09-04

62 KING ST EAST AND 31-33 BETHUNE ST

DATE:

MONDAY, DECEMBER 29, 2014

Andrew:

Our review of the proposal for the above noted subject site development has been completed and at this time would advise that we have no concerns.

As a minimum, the proposal will require the applicant to apply for a Change of Use permit. Should renovations be necessary to convert the building, a Building Permit will be required before any renovations take place.

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 at this time that may affect the site development.

Regards,

Brent B. Caskenette, CBCO Chief Building Official

Memorandum



File No. D14-01

Date:

January 9, 2015

To:

Andrew McGinnis, Planner II

From:

Steven Allen, C.E.T., M.M. Supervisor of Engineering

Subject:

APPLICATION FOR REZONING & OFFICIAL PLAN AMENDMENT FOR

62 KING ST E AND 31-33 BETHUNE STREET

The Environmental Services Department has reviewed the request for rezoning and official plan amendment for 62 King Street E and 31-33 Bethune Street to allow mixed residential occupancy on the main floor and we are not opposed to the application.

SEA:sa

Andrew McGinnis

From:

Conal Cosgrove

Sent:

January-22-15 2:05 PM

To:

Andrew McGinnis

Cc:

Steve Allen

Subject:

Proposed Zoning and Official Plan Amendment - 62 King Street East /31-33 Bethune

Street

Andrew

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

Conal

Andrew McGinnis

From:

Sloan, Amelia (MAH) < Amelia. Sloan@ontario.ca>

Sent:

January-22-15 3:41 PM

To:

Andrew McGinnis

Subject:

OPA D09-4

Hi Andrew,

Dan passed along the OPA document. Thank you for providing the Ministry with the opportunity to review the proposed Official Plan amendment No. D09-4 to the Official Plan of the City of Brockville.

Please accept this e-mail as notice that upon review of the proposal, our Ministry does not have any comments to provide regarding the proposed amendment.

I hope the above is helpful and please don't hesitate to contact me should you have any questions.

Best, Amelia

Amelia Sloan - Planner

MMAH MSO-East 8 Estate Lane, Rockwood House, Kingston, ON K7M 9A8 Ph | 613.545.2120