



## Economic Development and Planning Committee

Tuesday, April 7, 2015, 6:30 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

## COMMITTEE AGENDA

### Disclosure of Interest

### Motion to Move into Closed Session

*THAT pursuant to Municipal Act, 2001, Section 239, Sub. 2, (c), the Committee resolve itself into Closed Session to consider:*

1. *a proposed or pending acquisition or disposition of land by the municipality or local board;*

### Report of the Committee from Closed Session

*THAT the EDP Committee rise from Closed Session without reporting.*

### Delegations and Presentations

Nil.

### Correspondence

Nil.

### Staff Reports

6 - 72

1. 2015-027-04  
Proposed Plan of Subdivision and Proposed Amendment to City of Brockville Zoning By-Law 050-2014 Part of Lots 15, 19 and 22, Plan 206, Centre Street-Phase II, City of Brockville  
Owner: Brockville Centre Development Corporation  
Agent: PMP 7904274 Canada Inc. – Ms. Jane Almond

1. *THAT Zoning By-law 050-2014 be amended to rezone lands described as Part Lot 22, Plan 206, being Part 2, Reference Plan 28R-12501, City of Brockville, County of Leeds, being shown as Block 9 on the Draft Plan of Subdivision, to R3-8 General Residential Special Exception Zone to add "street townhouse dwelling" as a permitted use in addition to all other uses permitted within the R3-2-General Residential, Special Exception, Zone*
2. *THAT approval be granted to the Draft Plan of Subdivision on lands described as Part of Lots 15, 19 and 22, Plan 206, being Parts 2 and 5, Reference Plan 28R-12501, City of Brockville, County of Leeds, subject to the following conditions:*
  - I. *That these conditions shall apply to the Draft Plan prepared by Robert J. Jordan, O.L.S., dated 04 December 2013, showing Blocks 1 through 9, inclusive, said Blocks being delineated as to use on the aforementioned Draft Plan;*
  - II. *That such easements as may be required for services, drainage purposes and the like shall be granted gratuitously to the City and to the appropriate authority or authorities;*
  - III. *That prior to final approval of the Plan, the Owner shall enter into a Subdivision Agreement with the City of Brockville which shall specify, among other things:*
    - a. *All of the requirements, financial and otherwise, of the City of Brockville concerning the provision of roads, street lighting, easements and the installation of services, drainage facilities, and cash-in-lieu of parkland dedication, among other things;*
    - b. *The requirement of the Brockville Fire Department for an acceptable number of hydrant locations and capacity and location to ensure emergency services access and fire fighting capabilities;*
    - c. *The requirements of Canada Post with respect to the location, installation of Community Mailbox(s) and associated easement(s) and consideration of various conditions to be contained in the Subdivision Agreement as set out by Canada Post. In addition, all such work must comply with current Canada Post requirements as provided by Canada Post at the time of start of construction;*
    - d. *The requirements of Enbridge Gas Distribution Inc., with respect to the provision of easement(s), installation and clearance requirements, a composite utility plan, street grading*

*requirements, field survey information, road cross-sections, and consideration of various other conditions as set out by Enbridge Gas Distribution Inc.;*

- e. The requirements of Hydro One Distribution with respect to the installation of electrical servicing and associated easement(s);*
  - f. The requirements of Cogeco Cable Canada Inc. with respect to the provision of easement(s) and installation of Cable servicing and associated easement(s);*
  - g. The requirements of Bell with respect to the provision of easement(s) and installation of communication/telecommunication infrastructure and consideration of various other conditions as set out by Bell;*
  - h. The developer's responsibility to prepare a Tree Saving Plan and Tree Planting Schedule for each lot for review and approval by the City of Brockville prior to development of each lot.*
- IV. That prior to final approval of the Plan, lot grading, drainage, erosion and sediment control, and services plan with best management practices be prepared by a qualified Professional Engineer for the Owner, to the satisfaction of the City of Brockville and the Cataraqui Region Conservation Authority, and that appropriate text to implement its findings shall be included in the Subdivision Agreement;*
- V. That prior to final approval of the Plan, the developer shall enter into a cost sharing agreement with the City of Brockville for various storm sewer, sanitary sewers, water mains, road work, sidewalks, electrical and street lighting construction, beyond and within limits of the Plan, and engineering design. The extent of said agreement is at the discretion of the City of Brockville;*
- VI. That prior to the final approval of the Plan, a detailed Stormwater Management Brief shall be prepared by a qualified Professional Engineer for the Owner, to the satisfaction of the City of Brockville and the Cataraqui Region Conservation Authority, and that appropriate text to implement its findings shall be included in the Subdivision Agreement;*
- VII. That in conjunction with the proposed construction plan the Owner shall provide specific locations and dates (i.e. set-up and removal) for all construction/sales buildings, structures and/or trailers, outdoor toilets, etc. Said locations shall be to the satisfaction of the City of Brockville prior to placement. Any and all such temporary structures*

*shall be located only for so long as is necessary for the work in progress.*

- VIII. *That no tree clearing shall be permitted until approval of a Tree Saving Plan for each lot or block is prepared utilizing best management practices to be identified in the Subdivision Agreement and as approved by the City of Brockville.*
- IX. *That prior to Final approval of this Plan, the subject land lying within IPZ-2 shall be assessed and approved as per requirements under the Clean Water Act, 2008.*
- X. *That prior to Final approval of this Plan, a walkway connection between Centre Street and the Junic lands shall be examined and assessed for feasibility. Should such a walkway connection be determined to be feasible, the creation and or location of the said walkway shall be to the satisfaction of the City of Brockville prior to placement;*
- XI. *That prior to Final approval of this Plan, the owner shall pay any and all outstanding taxes levied against the Plan;*
- XII. *That, if final approval of the Plan is not granted within three (3) years of the date of approval of the Draft Plan, and no extensions have been granted, Draft Plan approval shall lapse in accordance with Section 51(32) of the Planning Act, R.S.O. 1990, c.P.13. It is the sole responsibility of the Owner to make such application for extension of Draft Plan approval; and*
- XIII. *That the Final Plan, as approved by the City of Brockville, must be registered within sixty (60) days of the date of final approval or the City's approval may be withdrawn in accordance with Section 51(59) of the Planning Act, R.S.O. 1990, c.P.13.*

73 - 85

- 2. 2015-029-04  
Proposed Amendment to Zoning By-Law 050-2014  
22 Perth Street, City of Brockville  
Owner: The Dawson Real Estate Group  
Agent: Joseph Madigan

*THAT Zoning By-law 050-2014 be amended to rezone lands described as Lot 13, Block 44, Plan 67, City of Brockville, County of Leeds, with municipal address 22 Perth Street, from MD – Mixed Use Downtown Zone to MD – Mixed Use Downtown Special Exception Zone, to permit residential occupancy of the ground floor space, in addition to all other uses permitted within the MD – Mixed Use Downtown Zone, be approved.*

Economic Development and Planning Committee  
April 7, 2015

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- 86 - 90      3.      2015-033-04  
Request to deem lots not registered parts of Bridlewood Subdivision  
Registered Plan 375, Brockville  
Owner: 653973 Ontario Ltd.  
Applicant: Wilson/Evely
- THAT Part Lot 4 and Lot 135, Registered Plan 375, City of Brockville, County of Leeds, be deemed not registered.*
- 91 - 94      4.      2015-034-04  
Bud's on the Bay Request for License to permit  
a patio on Broad Street road allowance
- THAT Council authorize the Mayor and City Clerk to execute a licence agreement with John Ackerman, Owner, Bud's on the Bay Restaurant for the use of a portion of land on the east side of Broad Street road allowance for a patio as per the submitted drawing.*
- 95 - 117    5.      2015-039-04  
CIP- Downtown Program Guidelines  
Facade Improvement Grant (Fig) and  
Residential or Commercial Conversion  
Rehabilitation Grant (Rccr) Programs  
and Priority for 2015 Funding
- THAT the program guidelines for the Downtown Community Improvement Plan's Façade Improvement Grant Program and Residential or Commercial Conversion/Rehabilitation Grant Program be reaffirmed with priority for 2015 funding of eligible projects to be weighted in favour of rehabilitation or improvements to older building stock.*

**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 May 5, 2015.*

**01 April 2015**

**REPORT TO THE ECONOMIC DEVELOPMENT PLANNING COMMITTEE – 07 APRIL 2015**

**2015-027-04**

**PROPOSED PLAN OF SUBDIVISION  
AND PROPOSED AMENDMENT TO CITY OF  
BROCKVILLE ZONING BY-LAW 050-2014  
PART OF LOTS 15, 19 AND 22, PLAN 206,  
CENTRE STREET-PHASE II, CITY OF BROCKVILLE  
OWNER: BROCKVILLE CENTRE DEVELOPMENT CORPORATION  
AGENT: PMP 7904274 CANADA INC. - MS. JANE ALMOND  
FILES: D14-002<sub>(050-2014)</sub> AND 08T-14502**

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

**RECOMMENDATION:**

- 1. THAT** Zoning By-law 050-2014 be amended to rezone lands described as Part Lot 22, Plan 206, being Part 2, Reference Plan 28R-12501, City of Brockville, County of Leeds, being shown as Block 9 on the Draft Plan of Subdivision, to R3-8 General Residential Special Exception Zone to add “street townhouse dwelling” as a permitted use in addition to all other uses permitted within the R3-2-General Residential, Special Exception, Zone.
- 2. THAT** approval be granted to the Draft Plan of Subdivision on lands described as Part of Lots 15, 19 and 22, Plan 206, being Parts 2 and 5, Reference Plan 28R-12501, City of Brockville, County of Leeds, subject to the following conditions:
  - i) That these conditions shall apply to the Draft Plan prepared by Robert J. Jordan, O.L.S., dated 04 December 2013, showing Blocks 1 through 9, inclusive, said Blocks being delineated as to use on the afore-mentioned Draft Plan;
  - ii) That such easements as may be required for services, drainage purposes and the like shall be granted gratuitously to the City and to the appropriate authority or authorities;
  - iii) That prior to final approval of the Plan, the Owner shall enter into a Subdivision Agreement with the City of Brockville which shall specify, among other things:
    - (a) All of the requirements, financial and otherwise, of the City of Brockville concerning the provision of roads, street lighting, easements and the installation of services, drainage facilities, and cash-in-lieu of parkland dedication, among other things;

2015-027-04

Page 2

**Proposed Plan of Subdivision****and Proposed Amendment To City of Brockville Zoning By-Law 050-2014****Part of Lots 15, 19 And 22, Plan 206****Centre Street – Phase II, City of Brockville****Owner: Brockville Centre Development Corporation****Agent: PMP 7904274 Canada Inc. - Ms. Jane Almond****Files: D14-002<sub>(050-2014)</sub> and 08T-14502**

- (b) The requirement of the Brockville Fire Department for an acceptable number of hydrant locations and capacity and location to ensure emergency services access and fire fighting capabilities;
  - (c) The requirements of Canada Post with respect to the location, installation of Community Mailbox(s) and associated easement(s) and consideration of various conditions to be contained in the Subdivision Agreement as set out by Canada Post. In addition, all such work must comply with current Canada Post requirements as provided by Canada Post at the time of start of construction;
  - (d) The requirements of Enbridge Gas Distribution Inc., with respect to the provision of easement(s), installation and clearance requirements, a composite utility plan, street grading requirements, field survey information, road cross-sections, and consideration of various other conditions as set out by Enbridge Gas Distribution Inc.;
  - (e) The requirements of Hydro One Distribution with respect to the installation of electrical servicing and associated easement(s);
  - (f) The requirements of Cogeco Cable Canada Inc. with respect to the provision of easement(s) and installation of Cable servicing and associated easement(s);
  - (g) The requirements of Bell with respect to the provision of easement(s) and installation of communication/telecommunication infrastructure and consideration of various other conditions as set out by Bell;
  - (h) The developer's responsibility to prepare a Tree Saving Plan and Tree Planting Schedule for each lot for review and approval by the City of Brockville prior to development of each lot.
- iv) That prior to final approval of the Plan, lot grading, drainage, erosion and sediment control, and services plan with best management practices be prepared by a qualified Professional Engineer for the Owner, to the satisfaction of the City of Brockville and the Cataraqui Region Conservation Authority, and that appropriate text to implement its findings shall be included in the Subdivision Agreement;

2015-027-04

Page 3

**Proposed Plan of Subdivision****and Proposed Amendment To City of Brockville Zoning By-Law 050-2014****Part of Lots 15, 19 And 22, Plan 206****Centre Street – Phase II, City of Brockville****Owner: Brockville Centre Development Corporation****Agent: PMP 7904274 Canada Inc. - Ms. Jane Almond****Files: D14-002<sub>(050-2014)</sub> and 08T-14502**

- v) That prior to final approval of the Plan, the developer shall enter into a cost sharing agreement with the City of Brockville for various storm sewer, sanitary sewers, water mains, road work, sidewalks, electrical and street lighting construction, beyond and within limits of the Plan, and engineering design. The extent of said agreement is at the discretion of the City of Brockville;
- vi) That prior to the final approval of the Plan, a detailed Stormwater Management Brief shall be prepared by a qualified Professional Engineer for the Owner, to the satisfaction of the City of Brockville and the Cataraqui Region Conservation Authority, and that appropriate text to implement its findings shall be included in the Subdivision Agreement;
- vii) That in conjunction with the proposed construction plan the Owner shall provide specific locations and dates (i.e. set-up and removal) for all construction/sales buildings, structures and/or trailers, outdoor toilets, etc. Said locations shall be to the satisfaction of the City of Brockville prior to placement. Any and all such temporary structures shall be located only for so long as is necessary for the work in progress.
- viii) That no tree clearing shall be permitted until approval of a Tree Saving Plan for each lot or block is prepared utilizing best management practices to be identified in the Subdivision Agreement and as approved by the City of Brockville.
- ix) That prior to Final approval of this Plan, the subject land lying within IPZ-2 shall be assessed and approved as per requirements under the Clean Water Act, 2008.
- x) That prior to Final approval of this Plan, a walkway connection between Centre Street and the Junic lands shall be examined and assessed for feasibility. Should such a walkway connection be determined to be feasible, the creation and or location of the said walkway shall be to the satisfaction of the City of Brockville prior to placement;
- xi) That prior to Final approval of this Plan, the owner shall pay any and all outstanding taxes levied against the Plan;



2015-027-04

Page 4

Proposed Plan of Subdivision  
 and Proposed Amendment To City of Brockville Zoning By-Law 050-2014  
 Part of Lots 15, 19 And 22, Plan 206  
 Centre Street – Phase II, City of Brockville  
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 Agent: PMP 7904274 Canada Inc. - Ms. Jane Almond  
 Files: D14-002<sub>(050-2014)</sub> and 08T-14502

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- xii) That, if final approval of the Plan is not granted within three (3) years of the date of approval of the Draft Plan, and no extensions have been granted, Draft Plan approval shall lapse in accordance with Section 51(32) of the Planning Act, R.S.O. 1990, c.P.13. It is the sole responsibility of the Owner to make such application for extension of Draft Plan approval; and
- xiii) That the Final Plan, as approved by the City of Brockville, must be registered within sixty (60) days of the date of final approval or the City's approval may be withdrawn in accordance with Section 51(59) of the Planning Act, R.S.O. 1990, c.P.13.

## PURPOSE AND BACKGROUND:

Ms. Jane Almond (PMP 7904274 Canada Inc.), acting as Agent for Brockville Centre Development Corporation, owner of lands described as Part of Lots 15, 19 and 22, Plan 206, being Parts 2 and 5, Reference Plan 28R-12501, City of Brockville, County of Leeds, has made application for a proposed Plan of Subdivision and a proposed amendment to City of Brockville Zoning By-law 050-2014.

The subject lands are located on the east side of Centre Street, approximately 40 metres south of Baxter Drive to approximately 220 metres north of Baxter Drive (north of the newly constructed dwelling units on the east side of Centre Street and south of the existing dwellings constructed on Pearl Street West). The subject lands are currently vacant. A sketch showing the location of the subject lands, the proposed Plan of Subdivision, outlined in **RED**, and the location of the land proposed to be rezoned, outlined in **GREEN**, is attached to this report as **Schedule "A-1"** to this report.

The subject lands were previously a portion of an approved draft Plan of Subdivision which lapsed in 2006.

Under the current application, Brockville Centre Development Corporation, the Owner, wishes to develop a residential subdivision on the east side of Centre Street, north of the existing development being undertaken by the same developer. The application for approval of a Plan of Subdivision indicates the creation of nine (9) Blocks for construction of twenty-two (22) dwelling units consisting of one (1) single detached dwelling unit, eight (8) semi-detached dwelling units, nine (9) triplex dwelling units and four (4) street

2015-027-04

Page 5

Proposed Plan of Subdivision  
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townhouse dwelling units. All units are proposed to have frontage on Centre Street and shall be municipally serviced.

The subject lands are currently zoned R3-2-General Residential, Special Exception Zone. A concurrent application has been filed requesting that Block 9, outlined in green on **Schedule “A-1”** to this report, be rezoned to an R3-General Residential Special Exception Zone to add “street townhouse dwelling” as a permitted use. Blocks 1 through 8, inclusive, are proposed to remain as currently zoned, being R3-2-General Residential, Special Exception Zone.

The following Report, attached as **Schedule “B”** to this Report, was submitted as part of the application process:

**“Planning Report Application for Subdivision Approval and Zoning Centre Street”**. Issued by Jane Almond, MCIP, RPP. Dated September 2014.

#### Official Plan and Zoning Information:

Official Plan Designation: *Neighbourhood Area*

Existing Zoning: *R3-2-General Residential, Special Exception Zone.*

The uses permitted in the R3-2 Zone are be those uses permitted in the R3 Zone. The zone provisions for the R3-2 Zone are the same as the R3-General Residential Zone provisions save and except that the minimum front yard setback is established at 9.0 metres for all permitted uses.

Proposed Zoning: *R3-8-General Residential, Special Exception Zone.*

The proposed amendment would, if approved, be applied to Block 9 only, and would maintain those zone provisions currently identified under the R3-2 Zone while adding “street townhouse dwelling” as a permitted use.

#### Site Characteristics:

Total Area: 0.93 hectares (2.29 acres)

Frontage, Centre Street: 292.95 metres (961.15 feet), including the existing unopened road allowance located between Lots 8 and 9.

2015-027-04

Page 6

Proposed Plan of Subdivision  
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Average Depth: 41.15 metres (135.03 feet)

#### Surrounding Land Use:

Lands to the north of the subject property are zoned R2-Single Detached Residential Zone and R3-General Residential Zone and have been developed with single detached dwellings and semi-detached dwellings. These lands are part of Brockwoods Subdivision, a previously approved subdivision.

Lands immediately east of the subject property are zoned H1-R1-Single Detached Residential Zone and are vacant lands which are the subject of current applications for: Official Plan Amendment; Zoning By-law Amendment; and approval of a 400 + unit plan of subdivision (Junic – former Phillips Cables lands).

Lands to the south of the subject property are zoned R3-2-General Residential, Special Exception Zone, and are occupied by multiple unit residential dwellings fronting on the east side of Centre Street. These lands are part of the Centre Street-Phase I Subdivision, a previously approved subdivision. The majority of these units have been built, a few are under construction and a small portion of the subdivision to the south remains vacant.

Lands to the west of the subject property are zoned R1- Single Detached Residential Zone and are occupied by existing low density residential development on partial services.

An excerpt from City of Brockville Zoning By-law 050-2014, as amended, showing current zoning on the subject land and surrounding zoning and street patterns has been attached to this report as **Schedule “C”**.

#### **ANALYSIS:**

##### Proposed Rezoning of Block 9:

The applicant has proposed that Block 9 be rezoned to an R3-General Residential Special Exception Zone to add “street townhouse dwelling” as a permitted use. Blocks 1 through 8, inclusive, are proposed to remain as currently zoned, being R3-2-General Residential, Special Exception Zone.

A “Street Townhouse Dwelling” is defined under City for Brockville Zoning By-law 050-2015 as follows:

2015-027-04

Page 7

Proposed Plan of Subdivision  
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*“Townhouse Dwelling, Street, means a townhouse dwelling on a separate lot and having legal frontage on a public street.”*

The request for this special exception zone is based on the lot dimensions, number of units, the intended freehold tenure for the units and the need to add a “Street Townhouse Dwelling” as a permitted use to the existing R3-General Residential Special Exception Zone. In addition, the lot is an existing lot lying north of an existing unopened road allowance created under the initial design for the adjacent easterly lands currently owned by Junic Construction and formerly occupied by Philips Cables. The proposed street townhouse will otherwise be consistent with those zone provisions set out under the R3-2-General Residential, Special Exception, Zone. In particular, the four unit street townhouse on Block 9 is to be severed into 4 separate holdings and all units are to face Centre Street. Accordingly, only the north end unit will abut the rear yards of Pearl Street dwellings. This unit will maintain the minimum side yard setback for new construction of not less than 1.2 metres. There is no encroachment into the adjoining rear yard of the dwelling located on the West end of Pearl Street. The street townhouse format, including design, setbacks and access is consistent with those dwellings currently built within Centre Street-Phase I and is consistent with good planning practice through the blending of dwelling types.

If supported, the proposed zoning for Block 9 would read similar to the following:

***“5.3.4.2 R3-8 Zone (East side of Centre Street)***

*The uses permitted in the R3-2 Zone shall be those uses permitted in the R3 Zone in addition to a Street Townhouse Dwelling.*

*The zone provisions for the R3-8 Zone shall be the R3-General Residential Zone provisions save and except that the minimum front yard setback shall be 9.0 metres for all permitted uses.”*

The proposed zoning is acceptable.

Proposed Draft Plan of Subdivision (Schedule “A-2”):

A Draft Plan of Subdivision was prepared as follows:

2015-027-04

Page 8

Proposed Plan of Subdivision  
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"Draft Plan of Subdivision of Part of Lots 15, 19 & 22, Registered Plan 206, City of Brockville, County of Leeds 2013". Prepared by Robert J. Jordan, O.L.S, Jordan and Bennett Geomatics, and as submitted by Eastern Engineering Group Inc., dated on 04 December 2013.

The above-noted Draft Plan of Subdivision is attached as **Schedule "A-2"** to this report.

The proposed draft Plan of Subdivision indicates the creation of nine (9) blocks to be developed for twenty-two (22) dwelling units consisting of one (1) single detached dwelling unit, eight (8) semi-detached dwelling units, nine (9) triplex dwelling units and four (4) street townhouse dwelling units. All units are proposed to have frontage on Centre Street and shall be municipally serviced.

The dwelling types proposed for Blocks 1 through 8, inclusive, are permitted under the zoned R3-2-General Residential, Special Exception Zone.

The dimensions of the proposed Blocks are as follows:

BLOCK	LOT FRONTAGE	LOT DEPTH	LOT AREA	PROPOSED USE
1	47.62 m	41.15 m	1959.56 m <sup>2</sup>	Single Detached Dwelling
2	18.84 m	41.15 m	775.26 m <sup>2</sup>	Semi-Detached Dwelling
3	18.84 m	41.15 m	775.26 m <sup>2</sup>	Semi-Detached Dwelling
4	18.84 m	41.15 m	775.26 m <sup>2</sup>	Semi-Detached Dwelling
5	18.84 m	41.15 m	775.26 m <sup>2</sup>	Semi-Detached Dwelling
6	26.80	41.15 m	1,102.82 m <sup>2</sup>	Triplex Dwelling 3 Unit Townhouse
7	26.80	41.15 m	1,102.82 m <sup>2</sup>	Triplex Dwelling 3 Unit Townhouse
8	24.80 excl. vis. triangle 29.80 incl. vis. triangle	41.15 m	1213.71 m <sup>2</sup>	Triplex Dwelling 3 Unit Townhouse
9	31.58 excl. vis. triangle 37.94 incl. vis. triangle	41.15 m	1520.67 m <sup>2</sup>	Street Townhouse 4 Unit Townhouse

Access and municipal servicing is to be from Centre Street. No access is proposed from the north unopened road allowance.

2015-027-04

Page 9

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### Public Participation:

The applications have proceeded through the normal review process. On 02 December 2014, a Public Meeting was held by the Economic Development and Planning Committee (EDP Committee-Report No. 2014-135-12). Notice of the Public Meeting was advertised in the Brockville Recorder and Times Newspaper on 30 October 2014 and was circulated to property owners within 120.0 metres of the subject property. Comments from City Departments and affected agencies were also solicited. Signs were placed on the Centre Street frontage of the subject property.

The minutes of the Public Meeting are attached as **Schedule “D”** to this report. Written comments received to-date are summarized below or are attached as **Schedule “E”** to this report.

### Correspondence Received in Response to Circulation and Notice of Public Meeting of 02 December 2014 and to-date (**Schedule “E”**):

#### Internal Comments:

1. Conal Cosgrove, Director of Operations  
 (E-Mail dated 17 November 2014)

*“The Operations Department has no comments with respect to the creation of the proposed lots on the east side of Centre Street.*

*In conjunction with the Environmental Services Department, we are discussing potential changes to the proposed reconstruction and widening of Centre Street with the engineering consultant.”*

2. Steve Allen, Supervisor of Engineering  
 (E-Mail dated 18 November 2014)

*“The Environmental Services Department has reviewed the application for subdivision on the east side of Centre Street from Baxter Drive northerly to Pearl Street and we are not opposed to the creation of the proposed 9 lots for dwellings. However, we will have further comments at the detailed design stage once all engineering for the proposed development is complete.*

2015-027-04

Page 10

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*We are in the process of making changes to the overall realignment and widening of Centre Street to avoid costly utility relocating. We are in the process of having our consultant finalize design in conjunction with this development."*

3. Chief Chris Dwyer, Brockville Fire Department  
 (E-Mail dated 21 November 2014)

*"No concerns"*

#### External Comments:

1. Mark Greene, Chief Building Official, Part VIII Program, Leeds, Grenville & Lanark District Health Unit  
 (Letter dated 21 October 2014)

No concerns.

2. Pierre Tétrault, Coordonnateur de la planification au service des Immobilisations Conseil des écoles publiques de l'Est de l'Ontario.  
 (Letter dated 27 October 2014)

No comment and no objection to Plan of Subdivision or ZBLA.

3. Peggy Deslauriers, Officer Delivery Planning, Canada Post:  
 (Letter dated 27 October 2014 attached)

Implementation comments – see attached letter for details.

4. Steve Durant, Customer Operations Manager, Brockville Area, Hydro One, Provincial Lines, Hydro One Distribution  
 (E-Mail dated 11 November 2014)

*"Hydro One has existing plant in the area.*

*Description of plant: There are overhead primary conductors in this area (across the street).*

*Hydro One Distribution has no objections to the proposed scope of work, provided that the following conditions are met:*

2015-027-04

Page 11

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Files: D14-002<sub>(050-2014)</sub> and 08T-14502**

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- *All underground locates are obtained prior to any excavation and hand dig within 1.0 m of any buried plant.*
- *No excavation within 5 feet of any poles and/or anchors.- All workers and equipment must remain at least 10 feet from all overhead primary voltage lines.”*

5. Denis De Rango, Specialized Services Team Lead, Hydro One  
(E-Mail dated 06 November 2014)

*“We have reviewed the documents concerning the above noted Draft Plan of Subdivision and have no comments or concerns at this time.”*

6. Linda Raffoul, Manager-Development & Municipal Services Control Centre, Bell  
(Letter dated 11 November 2014 attached)

Bell has identified various actions and Conditions of Draft Plan of Subdivision Approval. The full text of the comments has been attached.

7. Karolyn Bois, Planificatrice en Immobilisations, Conseil des Ecoles Catholiques du Centre Est.  
(Letter dated 27 October 2014)

*“No comment and no objection” (to D14-002 or 08T-14502).*

8. i) Stephen Bohan, Resource Planning Assistant, CRCA:  
(Letter dated 21 November 2014 attached)

Implementation comments concerning Stormwater Management (quantity, quality) and Natural Heritage (Significant Woodlands, Species at Risk). See attached letter for details.

*“Staff recommend deferral of the application for Subdivision Approval (08T-14502) and Zoning By-law (D14-002) until such time that the issue of adequate quantity and quality control is addressed to the satisfaction of the CRCA and City of Brockville.”*

8. ii) Stephen Bohan, Resource Planning Assistant, CRCA: (Received After Public Meeting of 02 December 2014) (Letter dated 29 January 2015, attached)



2015-027-04

Page 12

Proposed Plan of Subdivision  
 and Proposed Amendment To City of Brockville Zoning By-Law 050-2014  
 Part of Lots 15, 19 And 22, Plan 206  
 Centre Street – Phase II, City of Brockville  
 Owner: Brockville Centre Development Corporation  
 Agent: PMP 7904274 Canada Inc. - Ms. Jane Almond  
 Files: D14-002<sub>(050-2014)</sub> and 08T-14502

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*Items 1-6: The memo (Memo dated 19 January 2015) addresses our comments/concerns with details of local drainage characteristics and existing infrastructure.” See attached letter for details.*

*Items 7-8: “Provided the storm sewer design meets Normal quality protection (i.e. 70% suspended solids removal) as indicated (details yet to be provided), our concerns have been addressed.” See attached letter for details.*

*“Staff have no objections to the approval of the Subdivision Approval (08T-14502) and Zoning By-law (D14-002).”*

9. Debra Belfie, D.G. Belfie Planning and Development Consulting Ltd.  
 (See Letter dated 02 December 2014 attached)

The pathway recommended by the Cycling Committee to extend through the proposed Junic lands across the south end of the Centre Street-Phase II lands has not been identified.

10. Resident  
 (See attached letter dated 18 November 2014 – redacted by City Clerk Department)

Opposed to Plan of Subdivision and Amendment to Zoning By-law in regard to Block 9 on the draft Plan;

- Inappropriate to place townhouses adjacent to existing single detached dwellings.
- Gradual transition of dwelling types recommended.

11. Resident (Received After Public Meeting of 02 December 2014)  
 (See attached letter dated 10 December 2014 – redacted by City Clerk Department)

Concerns/Questions regarding:

- Location of proposed sidewalk extension on the West side of Centre Street;
- “Adequate sizing for sanitary and storm sewers to accommodate future development of acreage between houses on the north end West side of Centre Street and the Country Club.”

2015-027-04

Page 13

Proposed Plan of Subdivision  
 and Proposed Amendment To City of Brockville Zoning By-Law 050-2014  
 Part of Lots 15, 19 And 22, Plan 206  
 Centre Street – Phase II, City of Brockville  
 Owner: Brockville Centre Development Corporation  
 Agent: PMP 7904274 Canada Inc. - Ms. Jane Almond  
 Files: D14-002<sub>(050-2014)</sub> and 08T-14502

---

12. Resident (Received After Public Meeting of 02 December 2014)  
 (See attached letter dated 10 December 2014 – redacted by City Clerk Department)

Concerns/Questions regarding:

- Clarity of the Notice wording and the purpose of the Public Meeting (of 02 December 2014);
- *“The Fundamental flaw – Land for curbs, sidewalks, boulevards, etc. are to be taken from land on the North and West side of Centre Street between front lot lines and the travelled portion of the street is Municipal land, west side residents have all used and enjoyed that land and maintained that land for decades.”*
- Programs/grants available for connecting our homes to the new sewers.

Issues Raised At the Public Meeting and by Correspondence:  
(See Schedule “D” and “E”):

1. Species at Risk:

The Endangered Species Act (ESA 2007) S.O. 2007, CH. 6 came into effect on 30 June 2008. The purpose of the new Ontario legislation is to: identify species at risk based on the best available scientific information; protect species that are at risk and their habitats, and to promote the recovery of these species; and to promote stewardship activities to help protect and recover species at risk.

Under the ESA 2007 there is a strong emphasis on science-based review and assessment of species. Species thought to be at risk are assessed by The Committee on the Status of Species at Risk in Ontario (COSSARO). COSSARO is an independent body that reviews species based on the best available science, including community knowledge, and Aboriginal Traditional Knowledge.

#### SAR – Grey Ratsnake and Flooded Jellyskin

On 18 June 2014, Bowfin Environmental Consulting issued a study addressing “Grey Ratsnake and Flooded Jellyskin Survey Results for the West Phillips Cables Site-Spring 2014.” The study stated that *“no snake or flooded jellyskin SAR species were observed. No impacts to snake or flooded Jellyskin SAR is anticipated by the proposed West Phillips Cable Site subdivision.”* As this study area included the area currently under review as Centre Street-Phase II subdivision, the study was

2015-027-04

Page 14

Proposed Plan of Subdivision  
 and Proposed Amendment To City of Brockville Zoning By-Law 050-2014  
 Part of Lots 15, 19 And 22, Plan 206  
 Centre Street – Phase II, City of Brockville  
 Owner: Brockville Centre Development Corporation  
 Agent: PMP 7904274 Canada Inc. - Ms. Jane Almond  
 Files: D14-002<sub>(050-2014)</sub> and 08T-14502

---

provided in its entirety to the Ontario Ministry of Natural Resources and Forestry (OMNRF) for peer review.

On 04 August 2014, Shaun Thompson, Management Biologist, Kemptville District, OMNRF, stated *"I am satisfied that the survey effort and information provided remove the concern for the species-at-risk (Grey Ratsnake and Flooded Jellyskin) to be on site."*

#### SAR – Butternut

On 13 June 2013, Oliver K. Reichl, BES (Honours), Butternut Assessor, issued a letter in regard to his assessment of Butternut trees on the Centre Street-Phase II property. The letter was provided in its entirety to OMNRF for peer review. No retainable trees were found on-site. Accordingly, SAR-Butternut trees are not a concern under SAR.

Based on the findings of the forgoing studies and peer review by OMNRF, the matter of Species-at-Risk under The Endangered Species Act (ESA 2007) S.O. 2007, CH. 6 AR has been satisfactory addressed.

## 2. Site Contamination / Remediation:

The subject land was sampled as part of the Phase I and Phase II Environmental Site Assessments performed and assisted with the former Brockville McDowell lands. In particular, a Phase II ESA was undertaken as follows:

"Brockville McDowell-West Side of Former Philips Property, Brockville, On, Phase II Environmental Assessment, Report No. 03C181". Authored by G. G. McIntee, P. Eng., Issued by Eastern Engineering Group Inc., Prepared by St. Lawrence Testing & Inspection Co. Ltd., dated 27 August 2003.

The study area was a 41 m strip on the east side of Centre Street to be developed for residential housing. This area includes the area of the proposed subdivision. Sampling under this report was at four (4) locations within every lot from Lot 14 to 27. The findings of this report were as follows:

*"Subject to the limitations in the previous section, and based on our site inspection, site sampling and lab testing, it is our opinion that this site meets the MOE*

2015-027-04

Page 15

Proposed Plan of Subdivision  
 and Proposed Amendment To City of Brockville Zoning By-Law 050-2014  
 Part of Lots 15, 19 And 22, Plan 206  
 Centre Street – Phase II, City of Brockville  
 Owner: Brockville Centre Development Corporation  
 Agent: PMP 7904274 Canada Inc. - Ms. Jane Almond  
 Files: D14-002<sub>(050-2014)</sub> and 08T-14502

---

*Residential/Parkland criteria for a non-potable ground water condition. No further investigation is warranted.”*

3. Site Servicing.

Eastern Engineering Group Inc. issued the following report for assessment:

“Brockville Centre Development Corporation, Centre Street Development, Site Servicing Report”. Issued 13 January 2013.”

The document has been circulated for comment and approved by the City and CRCA.

The site servicing represents the logical extension of, or improvements to, municipal servicing northward on Centre Street from Centre Street-Phase I and represents a portion of an overall project which would see cost-sharing for a portion of the services fronting Centre Street-Phase II and further extension and connection to existing Brock Street servicing.

4. Stormwater Management:

A Stormwater Management Brief, was issued by Eastern Engineering Group Inc. for review. Said Stormwater Management Brief is under review but has not received final approval to-date. Accordingly, the provision of a Stormwater Management Brief, prepared by a qualified professional, to the satisfaction of the City of Brockville and the CRCA has been addressed as a condition of Draft plan approval and to be included in the Subdivision Agreement.

5. Source Water Protection:

The Source Water Protection Plan for the Cataraqui Region Conservation Authority Protection Area, developed under the Clean Water Act, 2008, received approval on 26 November 2014. The Plan will take effect on 01 April 2015 with integration into applicable legislation by May 2018.

The purpose of the Clean Water Act is to protect existing and future sources of drinking water. The Source Protection Plan applies to wellhead protection areas and intake protection zones (IPZ) that surround sources of municipal water supplies, as

2015-027-04

Page 16

Proposed Plan of Subdivision  
 and Proposed Amendment To City of Brockville Zoning By-Law 050-2014  
 Part of Lots 15, 19 And 22, Plan 206  
 Centre Street – Phase II, City of Brockville  
 Owner: Brockville Centre Development Corporation  
 Agent: PMP 7904274 Canada Inc. - Ms. Jane Almond  
 Files: D14-002<sub>(050-2014)</sub> and 08T-14502

---

well as the highly vulnerable aquifers and significant groundwater recharge areas. **Schedule “F”** to this report identifies the location of IPZ-1 and IPZ-2 areas in proximity to the proposed subdivision.

A portion of the proposed subdivision lies within IPZ-2. The IPZ-2 is defined by the movement of water and is sized to encompass a two-hour time of travel for a contaminant to reach the intake, as shown on **Schedule “F”** to this report. This area is therefore subject to review under the Clean Water Act, 2008. To-date, approvals have not been received but are under review. Accordingly, assessment under the Clean Water Act, 2008, has been addressed as a condition of Draft plan approval and to be included in the Subdivision Agreement.

6. Financial Assistance to Existing Residents to Connect to Municipal Services and Requirement for Existing Residents to Connect to Municipal Services:

Residents questioned the availability of financial assistance to existing residents to connect to municipal services. S. Allen, Supervisor of Engineering, by memo dated 12 February 2015 stated the following:

*“We are not aware of any grant programs available for homeowners to connect to the new sewer stubs that will be installed to the property line by the City. Each homeowner has the choice whether to connect to the sewers or keep their existing septic and sump-pump systems intact, thus experiencing no extra costs”.*

7. Servicing of Vacant Lands on the West Side of Centre Street:

The matter of *“adequate sizing for sanitary and storm sewers to accommodate future development of the acreage between the houses on the North end West side of Centre Street and the Country Club”* was brought forward by letter dated 10 December 2014 and submitted following the Public Meeting held on 02 December 2014.

The Environmental Services Department has confirmed that sizing of the sanitary and storm sewers on Centre Street has been designed to municipal standards. As there is no current plan under consideration for development of the vacant land noted in correspondence of 10 December 2014, the design and sizing of services for said lands will be the responsibility of the future developer.

2015-027-04  
**Proposed Plan of Subdivision  
 and Proposed Amendment To City of Brockville Zoning By-Law 050-2014  
 Part of Lots 15, 19 And 22, Plan 206  
 Centre Street – Phase II, City of Brockville  
 Owner: Brockville Centre Development Corporation  
 Agent: PMP 7904274 Canada Inc. - Ms. Jane Almond  
 Files: D14-002<sub>(050-2014)</sub> and 08T-14502**

---

Page 17

8. Drainage:

The matter of drainage from the proposed subdivision easterly on to private lands owned by Junic Construction has been an issue in the past in regard to Centre Street Phase I. Centre Street-Phase I is not part of the current application and is being addressed between the applicable parties.

Centre Street Phase II has been designed such that all drainage is directed towards Centre Street. The Environmental Services Department has confirmed that, based on the design drawings submitted by Eastern Engineering Group Inc., there are no drainage swales or drainage features located on Junic lands.

9. Lapsed Plan & Wording of Notice of Public Meeting

The matter of the status of the proposed subdivision, in terms of lapsing of the previous Plan and wording used in the Notice of Public Meeting, was brought forward by letter dated 10 December 2014 and submitted to the Planning Department following the Public Meeting held on 02 December 2014.

The previous draft Plan lapsed on 24 June 2006. The Owner of the subject lands, Rob Thompson, representing Brockville Centre Development Corporation, was made aware of this situation and the options associated therewith, prior to lapsing of the Draft approval. The Planning Act has no requirements for notification of lapsing of a draft approval.

The wording of the Public Notice for the current applications clearly stated the purpose of the meeting, the legal description of the subject land and included a map showing the subject land. The location of the north unopened road allowance is not part of the current applications.

10. Walkway between Centre Street and Junic Lands:

The Cycling Advisory Committee Report, issued on 10 December 2012, recommended a walkway connection between Centre Street and the Junic lands. The suggested location was the south side of the unopened road allowance at the north-west corner of the site. This would place it on the north side of Block 8.

2015-027-04

Page 18

Proposed Plan of Subdivision  
 and Proposed Amendment To City of Brockville Zoning By-Law 050-2014  
 Part of Lots 15, 19 And 22, Plan 206  
 Centre Street – Phase II, City of Brockville  
 Owner: Brockville Centre Development Corporation  
 Agent: PMP 7904274 Canada Inc. - Ms. Jane Almond  
 Files: D14-002<sub>(050-2014)</sub> and 08T-14502

---

However, the preliminary plan for the Junic lands placed the walkway on the south side of Block 1. This location is difficult to develop due to the rock outcrop and grade. Discussion is on-going between the two landowners, through their respective Agents, to resolve the location of a connecting walkway. Accordingly, resolution of this matter is addressed as a condition of Draft approval.

#### 11. Sidewalk Location / Use of Boulevard / Sidewalk Cost:

Residents questioned the sidewalk location, use of the City boulevard and sidewalk cost. S. Allen, Supervisor of Engineering, by memo dated 12 February 2015 stated the following:

- Sidewalk Location / Use of Boulevard:

*"Final sidewalk locations and street alignment will be determined based on proposed utility layout once provided by Hydro One. Due to existing utility poles and swales the proposed sidewalk is located on the west side of Centre Street from Baxter Drive to the north end of Centre Street."*

*"The developer is required to install new sidewalk in front of the new proposed lots on the east side of Centre Street, from Baxter Drive to the proposed street servicing the Junic property approximately 165 m northerly."*

*"The City is not taking any additional lands from what is presently owned on the west side of Centre Street by the City. Should sidewalks be installed, they would be placed within the existing standard right-of-way typical to anywhere else in the City."*

- Sidewalk Cost;

The developer is responsible for the cost for installation of all sidewalk fronting the proposed development.

The City is responsible for all costs associated with other sidewalks to be constructed as part of the reconstruction of Centre Street.

Mr. Allen also confirmed that *"All design decisions made by the City have to be reviewed for safety, conformity, practicality and financial feasibility."*

2015-027-04

Page 19

**Proposed Plan of Subdivision****and Proposed Amendment To City of Brockville Zoning By-Law 050-2014****Part of Lots 15, 19 And 22, Plan 206****Centre Street – Phase II, City of Brockville****Owner: Brockville Centre Development Corporation****Agent: PMP 7904274 Canada Inc. - Ms. Jane Almond****Files: D14-002<sub>(050-2014)</sub> and 08T-14502****12. Hydro Pole Locations:**

Centre Street-Phase I is serviced from an overhead pole line located on the east side of Centre Street and crossing to the west side of Centre Street opposite Block 1 Phase II. Each dwelling is connected to the pole with an underground lead. The pole line was not buried due to excessive relocation costs associated with the blasting and removal of rock parallel to Centre Street.

Electrical servicing details for Centre Street-Phase II is currently under review by Hydro One. Accordingly, resolution of this matter is addressed as a condition of Draft approval.

**13. Compatibility of Proposed Street Townhouse Use:**

The subject land is currently zoned as R3-2-General Residential, Special Exception Zone which permits townhouse style dwellings, among others to be developed with no amendment to the zoning. The proposed amendment would, if approved, be applied to Block 9 only, and would maintain those zone provisions currently identified under the R3-2 Zone while adding “street townhouse dwelling” as a permitted use to allow development of a larger existing lot for its highest and best use. The street townhouse format, including design, setbacks and access is consistent with those dwellings currently built within Centre Street-Phase I. In addition, the blending of townhouse dwellings, semi-detached dwellings and single detached dwellings in a neighbourhood is good planning.

Accordingly, as the existing zone provisions would permit a three unit townhouse and does not request any changes to the applicable zone provisions associated with siting and building envelope, the proposed street townhouses composed of up to four dwelling units as an added use remains compatible with the neighbourhood as per the existing zoning.

**Official Plan Considerations:**

The subject lands are designated “Neighbourhood Area” with “Significant Woodland” considerations under the Official Plan for the City of Brockville.



2015-027-04

Page 20

Proposed Plan of Subdivision  
 and Proposed Amendment To City of Brockville Zoning By-Law 050-2014  
 Part of Lots 15, 19 And 22, Plan 206  
 Centre Street – Phase II, City of Brockville  
 Owner: Brockville Centre Development Corporation  
 Agent: PMP 7904274 Canada Inc. - Ms. Jane Almond  
 Files: D14-002<sub>(050-2014)</sub> and 08T-14502

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i) “Neighbourhood Area”:

The “Neighbourhood Area” classification of land means that the predominant use of land so designated shall be for a variety of residential dwelling types consistent with various land use and built form policies identified under Policy 4.3.3. As the proposed development retains the existing R3-2 Zone residential zoning while adding an R3-8 Zone to Block 9 allowing “street townhouse dwelling” as an additional permitted use, the proposed use of land is consistent with residential development identified under the draft plan of subdivision. The proposal is consistent with the Official Plan. Accordingly, no amendment is required to the Official Plan for the City of Brockville.

ii) “Significant Woodland”

A portion of the site, being primarily at the north end of the site, is designated under the Official Plan as being a “Significant Woodland” and is shown on **Schedule “H”** to this report. This designation was based on available Draft mapping provided by OMNRF as determined by aerial photo interpretation. The significant woodland was not confirmed by OMNRF on the ground at the time at which the Significant Woodland Mapping was incorporated into the Official Plan. The following is a summary of site inspections and investigations completed following approval of the Official Plan on 09 February 2012.

On 16 December 2011, a “Tree Saving Plan for the Phillips Cable Woodlot” was prepared by Oliver K. Reichl, B.E.S.(Hons), Consulting Arborist-Ecologist, for Collet Surveying Ltd. as Agent for 6865852 Canada Inc. examining tree species identification and butternut assessment to prepare preservation recommendations. This study revealed that although 20 butternut trees were identified, none were determined to be genetically pure. Accordingly, these trees do not fall within Provincial Species at Risk (SAR) legislation.

On 20 June 2012, a study titled “*Evaluation of Significant Woodland*” was prepared by Muncaster Environmental Planning Inc. and Bowfin Environmental Consulting Inc. for Collet Surveying Ltd. as Agent for 6865852 Canada Inc. examining the quantitative and qualitative characteristics of the existing woodland and associated habitat flora and fauna.

2015-027-04

Page 21

Proposed Plan of Subdivision  
 and Proposed Amendment To City of Brockville Zoning By-Law 050-2014  
 Part of Lots 15, 19 And 22, Plan 206  
 Centre Street – Phase II, City of Brockville  
 Owner: Brockville Centre Development Corporation  
 Agent: PMP 7904274 Canada Inc. - Ms. Jane Almond  
 Files: D14-002<sub>(050-2014)</sub> and 08T-14502

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Results of the above-noted study are summarized as follows:

- The woodland should **not** be deemed significant;
- The following best management practices are recommended:
  - The removal of trees should take place outside of the breeding bird window (May 15<sup>th</sup> to July 15<sup>th</sup>) unless field survey is completed by a biologist no earlier than 5 days prior to clearing to ensure no nesting activity is occurring;
  - Clearly delineate the area to be cleared to prevent the loss of woody vegetation not intended for removal;
  - Utilize small machinery for the removal of woody vegetation and do not work under the drip line of trees not intended for removal. Do not work within 25 m of butternut trees not intended for removal;
  - No stockpiling or infilling should occur within 5 m of the drip line of the remaining woodland;
  - Minimize topsoil removal within 5 m of the drip line of the remaining woodland.

Section 1.5, 7. of the Official Plan states the following with regard to Natural Heritage and Open Space features as identified under Schedule 3 to the Plan:

Part 1, Section 1.5, Sub-section 7.

*“The boundaries of Natural Heritage and Open Space Features and Constraints identified on Schedule 3 may be further refined through an Environmental Impact Study (EIS). Where the general intent of the Plan is maintained, and subject to approval by the MNR and the Conservation Authority, minor adjustments to boundaries shall not necessitate an amendment to this Plan.”*

Based on the forgoing studies and peer review by the OMNRF, it is recommended that the conditions of Draft Subdivision Approval include conditions addressing tree preservation, protection and replacement plantings through best management practices.

2015-027-04

Page 22

Proposed Plan of Subdivision  
 and Proposed Amendment To City of Brockville Zoning By-Law 050-2014  
 Part of Lots 15, 19 And 22, Plan 206  
 Centre Street – Phase II, City of Brockville  
 Owner: Brockville Centre Development Corporation  
 Agent: PMP 7904274 Canada Inc. - Ms. Jane Almond  
 Files: D14-002<sub>(050-2014)</sub> and 08T-14502

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### Planning Act Considerations:

The Planning Act, R.S.O. 1990, c.P.13, Section 51 (24) requires the approval authority (Council) to consider the following:

*“51(24) In considering a draft plan of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to:*

- (a) *The effect of development of the proposed subdivision on Matters of Provincial Interest:*

#### Provincial Policy Statement (PPS) Considerations:

The Provincial Policy Statement (P.P.S.) 2014, issued under authority of Subsection 3(5) of the Planning Act R.S.O. 1990, and in effect at the time of the filing of the subject Application is the relevant document to be considered respecting these planning matters. The P.P.S. provides direction on matters of provincial interest related to land use planning and development. In exercising their respective authority on planning matters, decisions by both the Council of the Corporation of the City of Brockville and the Ontario Municipal Board *“shall be consistent with”* policy statements issued under the Act.

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 discussed in this report.

Part V, Section 1 is entitled “Building Strong Communities”. Section 1.1 focuses on developing strong communities through managing and directing land use to achieve efficient development and land use patterns focusing growth within established settlement areas to ensure that development occurs in areas which represent logical expansion of existing public services facilities and infrastructure and which represent efficient use of land and resources.

Part V, Section 1.4 is entitled “Housing”. Section 1.4 focuses on creating and maintaining a full range of housing forms and densities designed to be affordable to moderate and lower income households. This to be achieved in part through residential intensification and cost effective development.

2015-027-04

Page 23

**Proposed Plan of Subdivision  
 and Proposed Amendment To City of Brockville Zoning By-Law 050-2014  
 Part of Lots 15, 19 And 22, Plan 206  
 Centre Street – Phase II, City of Brockville  
 Owner: Brockville Centre Development Corporation  
 Agent: PMP 7904274 Canada Inc. - Ms. Jane Almond  
 Files: D14-002<sub>(050-2014)</sub> and 08T-14502**

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Part V, Section 1.6 is entitled "Infrastructure and Public Service Facilities" and promotes the optimization of municipal services and public health facilities as the preferred form of servicing for settlement areas. Servicing addresses water, sewage, transportation and infrastructure corridors and waste management.

Part V, Section 2 is entitled "Wise Use and Management of Resources" and deals with agricultural policies, mineral resources, natural heritage, water quantity and quality and cultural heritage and archeological resources. The site is not an agricultural site and no indication has been brought forward that the site is of archeological or cultural significance.

Part V, Section 3 is entitled "Protecting Public Health and Safety" and deals with natural hazards and man-made hazards.

All of the above-noted directives found in Part V, Sections 1, 2 and 3 of the PPS point towards support for the additional dwelling units which are being sought through this request for draft plan approval. Specifically, the proposed development is located on vacant lands within the settlement area of the City and utilizes municipal servicing. In addition, reconstruction of Centre Street, north to Brock Street, allows for the opportunity for existing dwellings to change from private well and septic to municipal servicing. Servicing will complete the looping between King Street and Brock Street.

Access to the proposed subdivision is from Centre Street which is classified as an arterial road and connects to King Street East to the south and Brock Street to the north. The area is serviced by the Red Bus North route which provides access to many parts of the City either directly or via connection to other transit routes. The proposed development is to be made up of nine (9) blocks to accommodate twenty-two (22) dwelling units consisting of one (1) single detached dwelling unit, eight (8) semi-detached dwelling units, nine (9) triplex dwelling units and four (4) street townhouse dwelling units - a variety of housing styles which achieve cost-effectiveness.

Accordingly, based on the fore-going assessment of applicable PPS policies and assessment submitted by Jane Almond, acting as Agent for the Applicant, the proposed Subdivision is consistent with the PPS.

2015-027-04  
 Proposed Plan of Subdivision  
 and Proposed Amendment To City of Brockville Zoning By-Law 050-2014  
 Part of Lots 15, 19 And 22, Plan 206  
 Centre Street – Phase II, City of Brockville  
 Owner: Brockville Centre Development Corporation  
 Agent: PMP 7904274 Canada Inc. - Ms. Jane Almond  
 Files: D14-002<sub>(050-2014)</sub> and 08T-14502

---

Page 24

*(b) Whether the proposed subdivision is premature or in the public interest;*

The proposed plan of subdivision is not premature and represents the logical extension of residential development and reconstruction of Centre Street. Reconstruction also provides opportunities for improved servicing and access to existing dwellings in the neighbourhood. The proposed plan of subdivision is in the public interest in that it represents development of new dwellings on a vacant parcel of land within an area identified for residential development within the City.

*(c) Whether the plan conforms to the Official Plan and adjacent plans of subdivision, if any;*

The subject lands are designated as “Neighbourhood Area” under the Official Plan, which identifies the area for residential development as proposed. The proposed subdivision is in conformity with the existing Official Plan and is in general conformity with the proposed residential development plan for the adjacent Junic lands which is designated as “Neighbourhood Development Area”. In addition, the development is compatible with existing residential development and reconstruction of Centre Street and the extension of municipal services will provide opportunities for improvements to adjacent properties.

*(d) The suitability of the land for the purposes for which it is to be subdivided;*

The site is located within an area of the City designated for residential development. The site is generally consistent with surrounding lands although some degree of fill and/or excavation will be required on various lots. Various easements will be required to accommodate servicing within the subdivision.

The proposed plan of subdivision therefore represents suitable efficient, orderly development of new residential dwelling types.

*(e) The number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;*

No new street is to be constructed as part of this development as the portion of

2015-027-04

Page 25

Proposed Plan of Subdivision

and Proposed Amendment To City of Brockville Zoning By-Law 050-2014

Part of Lots 15, 19 And 22, Plan 206

Centre Street – Phase II, City of Brockville

Owner: Brockville Centre Development Corporation

Agent: PMP 7904274 Canada Inc. - Ms. Jane Almond

Files: D14-002<sub>(050-2014)</sub> and 08T-14502

Centre Street fronting the proposed subdivision is an existing City owned and maintained street linking to King Street West, an arterial road, to the south and Brock Street, a collector road, to the north.

Reconstruction of the portion of Centre Street fronting Phase I-Centre Street development was completed under a cost-sharing agreement between Brockville Centre Development Corporation and the City. Similarly, that portion of Centre Street fronting the proposed Phase II-Centre Street development is also to be subject to reconstruction under a cost-sharing agreement with the City. Although the terms and conditions of a cost sharing agreement have not been finalized, the cost sharing agreement shall be included as a condition under the proposed Subdivision Agreement for Phase II-Centre Street development. Included in this agreement will be construction drawings detailing reconstruction of Centre Street from the current north end of Phase I-Centre Street development reconstruction northerly to the intersection of Centre Street and Brock Street. Said construction drawings are being prepared by Eastern Engineering for review and approval by the City of Brockville to ensure consistency with Centre Street-Phase I, Brock Street, Baxter Drive and the unopened road allowance to access the Junic lands.

Details of a cost sharing agreement shall be finalized prior to the matter being returned to Council for Final approval.

No development of the existing unopened road allowance located between Block 8 and Block 9 on the draft plan is anticipated until said road allowance is required for development of the adjacent Junic lands. However, design for the reconstruction of Centre Street shall ensure that access and grading is compatible with future construction of the north unopened road allowance.

*(f) The dimensions and shapes of the proposed lots;*

The dimensions, shapes and layout of the proposed lots, in the R3-2 Zone and the proposed R3-8 Zone, are or will be in compliance with requirements under City of Brockville Zoning By-law 050-2014 once amended in accordance with the concurrent application for Zoning By-law amendment.

*(g) The restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;*

2015-027-04  
 Proposed Plan of Subdivision  
 and Proposed Amendment To City of Brockville Zoning By-Law 050-2014  
 Part of Lots 15, 19 And 22, Plan 206  
 Centre Street – Phase II, City of Brockville  
 Owner: Brockville Centre Development Corporation  
 Agent: PMP 7904274 Canada Inc. - Ms. Jane Almond  
 Files: D14-002<sub>(050-2014)</sub> and 08T-14502

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Page 26

The basic restrictions to development are as per Zoning By-law 050-2014, as amended.

*(h) Conservation of natural resources and flood control;*

As noted earlier in this report, the subject land has not been identified as being an area with notable natural resources, Species at Risk or Butternuts and is not in close proximity to any water courses or flood prone areas. This has been confirmed by the various studies which have been completed on behalf of the applicant and peer reviewed.

*(i) The adequacy of utilities and municipal services;*

The Environmental Service Division has confirmed that adequate capacity in the existing sanitary and storm sewers and watermain is available to service the proposed subdivision. The Environmental Service Division shall review servicing plans prior to the matter being returned for consideration of final approval of Plan of Subdivision.

Similarly, utilities have not indicated any issues concerning the ability to service the area. The developer is responsible to contact the various utilities and municipal service providers and to meet all requirements for servicing by those agencies.

*(j) The adequacy of school sites;*

The proposed subdivision is located within the catchment area for the French and English public and separate school boards. The applicable School Boards have been contacted for comment. No additional school sites have been identified as being required for any school board to service the potential occupants of the subdivision.

*(k) The area of land, if any, within the proposed plan of subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;*

The proposed subdivision is being developed on lands which were previously part of the former Philips Cable site under which this condition was met. This excludes the strip of land provided to the City as parkland dedication for the purposes of the

2015-027-04

Page 27

Proposed Plan of Subdivision  
 and Proposed Amendment To City of Brockville Zoning By-Law 050-2014  
 Part of Lots 15, 19 And 22, Plan 206  
 Centre Street – Phase II, City of Brockville  
 Owner: Brockville Centre Development Corporation  
 Agent: PMP 7904274 Canada Inc. - Ms. Jane Almond  
 Files: D14-002<sub>(050-2014)</sub> and 08T-14502

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extension of the Brock Trail from Church Street to St. Lawrence Park. Therefore, no further parkland dedication can be required.

- (l) *The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and*

The physical layout of the plan is such that servicing costs for the proposed dwelling types and for street construction is optimized within the parameters of Zoning By-law 050-2014, as amended, and represents a logical extension and improvement of existing municipal services and infrastructure. Given the scale of the plan, incorporating specific energy conservation features is limited to efficient street orientation, efficient extension and use of existing services and efficient building construction. The Ontario Building Code, particularly now following amendments brought forward under the Green Energy Act, includes extensive criteria for ensuring energy efficiency in new construction. In addition, the Planning Report provided by Jane Almond has confirmed that *"The proposed build will be constructed to achieve the Energy Star standard."*

- (m) *The interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41(2) of this Act.*

The entire City of Brockville is designated as a Site Plan Control Area by By-law, as amended, passed under subsection 41(2) of the Planning Act, R.S.O. 1990 c.P. 13. However, only the 4 unit townhouse development proposal for Block 9 will be subject to Site Plan Approval.

Based upon a review of the proposed plan of subdivision in light of the criteria established under Section 51(24) of the Planning Act, the proposed plan of subdivision is consistent with the Planning Act.

### **POLICY IMPLICATIONS:**

The proposed rezoning of Block 9, R.P. 28R-12501 to R3-8 General Residential, Special Exception, Zone to add "street townhouse dwelling" as a permitted use in addition to all other uses permitted within the R3-2-General Residential, Special Exception, Zone is consistent with the PPS and Official Plan policies.



2015-027-04

Page 28

**Proposed Plan of Subdivision  
and Proposed Amendment To City of Brockville Zoning By-Law 050-2014  
Part of Lots 15, 19 And 22, Plan 206  
Centre Street – Phase II, City of Brockville  
Owner: Brockville Centre Development Corporation  
Agent: PMP 7904274 Canada Inc. - Ms. Jane Almond  
Files: D14-002<sub>(050-2014)</sub> and 08T-14502**

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The proposed Plan of Subdivision is consistent with the PPS, Official Plan policies and with provisions under City of Brockville Zoning By-law 050-2014, as amended under this report.

The recommendations in this report will ensure that appropriate conditions of approval are in place to guide completion of the design and ultimately, the development of the subject lands.

Additionally, the dwelling types anticipated by this development are consistent with the family friendly focus of the Community Strategic Plan 2009.

### **FINANCIAL IMPLICATIONS:**

All costs associated with the preparation and registration of documentation necessary for final approval and registration of the proposed Plan of Subdivision are the responsibility of the Owner. All other financial matters as specified in this report and determined through the Subdivision Agreement (i.e. cost sharing, posting of financial securities, conveyance of lands, etc.) are the responsibility of the Owner.

Financial implications for the City with regard to cost sharing of various elements of the subdivision which lie within and beyond the limits of the Plan remain to be determined following final approved design drawings and costing for said work by/on behalf of the City.

### **CONCLUSIONS:**

The application for rezoning of Block 9 on the draft plan of subdivision to R3-8 General Residential Special Exception Zone to add "street townhouse dwelling" as a permitted use in addition to all other uses permitted within the R3-2-General Residential, Special Exception Zone is consistent with the PPS and Official Plan policies, and represents good planning.

The application for approval of a draft plan of subdivision as prepared by Robert J. Jordan, Jordan and Bennett Geomatics, and as submitted by Eastern Engineering Group Inc., acting as Agent for Brockville Centre Development Corporation, owner of lands described as Part Lots 15, 19 and 22, Plan 206, being Parts 2 and 5, Reference Plan 28R-12501, City of Brockville, County of Leeds, has been given full review by City departments, external agencies and the public. It is appropriate to support the approval of the plan of subdivision, subject to conditions, as outlined in the recommendations to this report.

2015-027-04

Page 29

Proposed Plan of Subdivision  
and Proposed Amendment To City of Brockville Zoning By-Law 050-2014  
Part of Lots 15, 19 And 22, Plan 206  
Centre Street – Phase II, City of Brockville  
Owner: Brockville Centre Development Corporation  
Agent: PMP 7904274 Canada Inc. - Ms. Jane Almond  
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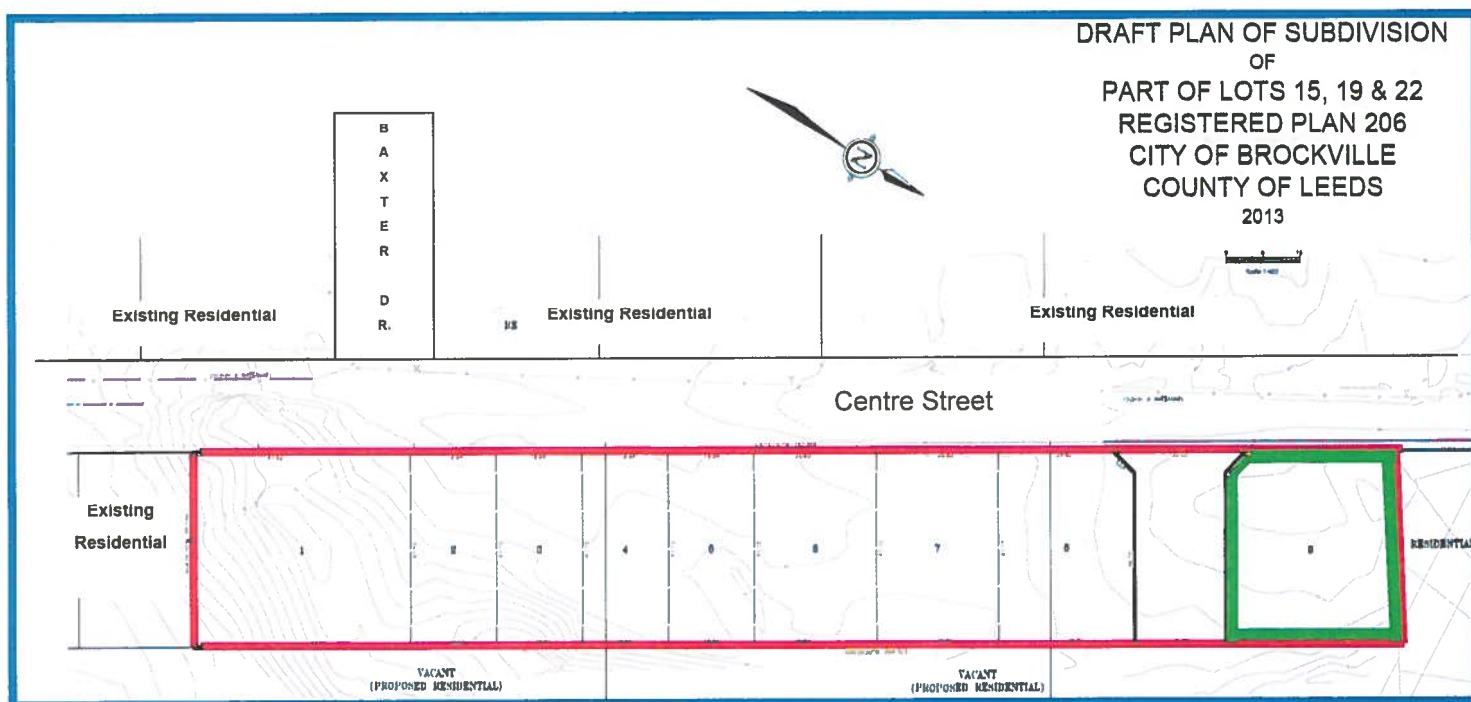
J. Faurschou, MCIP, RPP  
Planner I



M. Pascoe Merkley, MCIP, RPP  
Director of Planning

  
B. Casselman  
City Manager

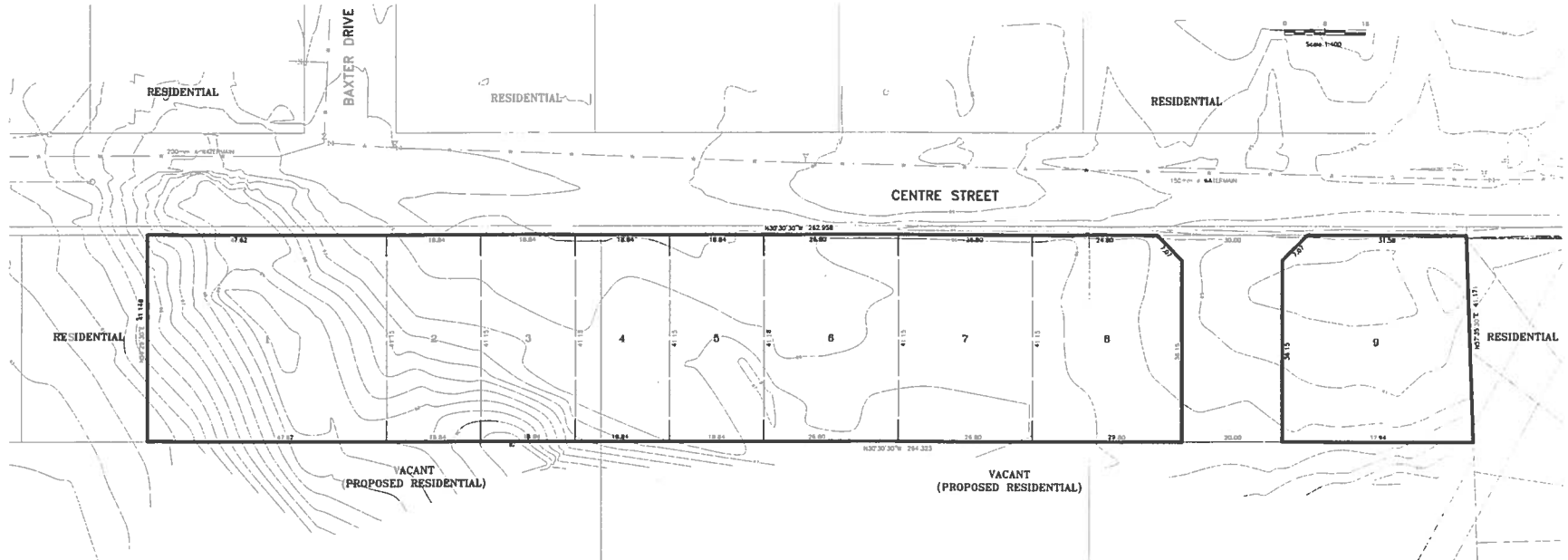
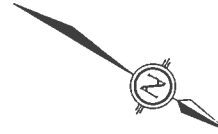
**SCHEDULE "A-1" - REPORT 2015-027-04**



Lands subject to Draft Subdivision Approval – indicated in red.

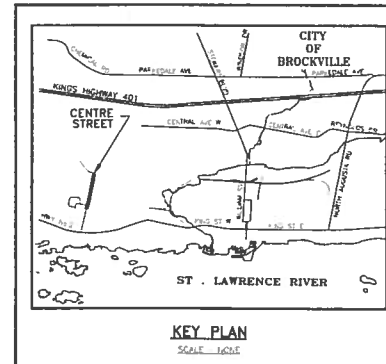
Lands subject to Zoning By-law Amendment – indicated in **green**.

DRAFT PLAN OF SUBDIVISION  
OF  
PART OF LOTS 15, 19 & 22  
REGISTERED PLAN 206  
CITY OF BROCKVILLE  
COUNTY OF LEEDS  
2013



ADDITIONAL INFORMATION

- a. - As Shown
- b. - As Shown
- c. - As Shown
- d. - Single Family, Semi-detached & Townhouses
- e. - As Shown
- f. - As Shown
- g. - As Shown
- h. - Publicly owned and operated paved water system
- i. - Topsoil, clay 3:1 graded lot with concrete base
- j. - As Shown
- k. - Storm Sewers, Sanitary Sewers, Water, Hydro



SURVEYOR'S CERTIFICATE

I certify that the boundaries of the land to be subdivided and their relationship to adjoining lands are accurately and correctly shown.

Signed *[Signature]*  
Date *December 4, 2013*



Centre Street Subdivision Phase 3  
September 2014

Page 1 of 5

## **Planning Report Application for Subdivision Approval and Zoning Centre Street**

### **1. Project Overview**

The applicant proposes to develop the subject lands for residential uses. The lands are legally described as: Part of Lot 22, registered plan 206 being Part 2 on reference plan 28R-12501 and parts of lots 15, 19 & 22 registered plan 206 being part 5 on reference plan 28R-12501, City of Brockville, County of Leeds. The development proposal represents a continuation of residential development along the eastern side of Centre Street.

The lands were previously draft approved for residential uses but unfortunately the draft approval was allowed to lapse. The lands to the south have been developed for residential uses and represent Phase I and II of the Centre Street subdivision. Dwelling types currently constructed to the south are individually owned townhouses defined in zoning by-law 050-2014 as triplex dwellings. Adjacent land uses are residential to the north, west and south. To the east lands are vacant at present but were the site of the Phillips Cable Plant.

The lands are designated as Neighbourhood Area subject to Significant Woodlands and zoned R3-2. The property enjoys frontage along Centre Street considered to be an arterial road and identified as a potential neighbourhood cycling route. The current zoning permits single, semi-detached, duplex, link and triplex dwelling types. In addition to an application for subdivision a concurrent application for zoning amendment will be necessary in order to permit the development of the subject lands as proposed.

As indicated on the draft plan:

- Block 1 as a single unit dwelling,
- Blocks 2 to 5 are proposed to be developed as semi-detached units,
- Blocks 6, 7 and 8 are proposed to be triplex dwellings as defined in zoning by-law 050-2014
- Block 9 is proposed to be developed as a townhouse dwelling, street as defined in zoning by-law 050-2014.

More specifically Block 9 is proposed to be developed as a four unit townhouse orientated to Centre Street.

The City of Brockville has adopted a new comprehensive zoning by-law and the new zoning classification for the subject lands is R3-2. This zoning classification reflects the current approved by-law and part of the subject lands require an amendment to move forward with the application for subdivision as submitted. The amendment is only required for those lands illustrated as Block 9 on the proposed draft plan.

### **2. Provincial Policy Statement 2014**

All planning decisions undertaken by an authority must be consistent with the Provincial Policy Statement 2014 adopted April 30, 2014. The Statement's vision for Ontario's land use planning system focuses on long-term prosperity for the province and individual communities by focusing growth in urban areas and protecting natural and cultural resources.

Section 1.0, Building Strong Healthy Communities directs “land use to achieve efficient and resilient development and land use patterns” in a sustainable fashion. Efficient land development is to be achieved by:

- accommodating an appropriate range and mix of housing,
- avoiding development which may cause environmental or public health and safety concerns,
- promoting cost effective development patterns,
- ensuring that the necessary infrastructure is in place,
- conservation of biodiversity.

Growth and development is directed to existing settlement and urban areas and intensification is encouraged. Development serviced by existing infrastructure for the provision of water and sewage services is preferred and stormwater management best practices is promoted.

The proposed development provides various densities of residential development that will be serviced municipally and has been considered when stormwater solutions were designed for the previous phases of the subdivision. The proposed development is consistent with policies as outlined in section 1.0 of the Provincial Policy Statement 2014.

Section 2.0, Wise Use and Management of Resources, outlines policies specifically related to resources being; conserving bio-diversity, protecting natural heritage, cultural heritage and archaeological resources. Natural heritage features are protected for the long term.

Portions of subject lands are designated as Significant Woodlands within the City of Brockville's Official Plan and required investigation to ground truth if there was any value to the vegetation currently on site. The enclosed report Evaluation of Significant Woodland and Species at Risk by Michelle Lavictoire provided sufficient information to Sean Thompson of the Ministry of Natural Resources to agree that the woodland was not of significant value. The biologist also investigated with respect to Species at Risk due to the potential presence of Barn Swallow, Chimney Swift, grey rat snake and lichen habitat. The site was visited as per MNR's instructions and no significant habitat was found. Report enclosed. In addition the lands were investigated for the potential of viable Butternut trees by Mr. Oliver Reichl, Butternut Health Assessor, with the conclusion that there were no viable trees on the subject lands.

Section 2.6, Cultural Heritage and Archaeology, protects significant built heritage resources and significant cultural heritage landscapes and directs that these resources shall be conserved.

Historical photographs were reviewed and show no development on the lands. Screening



checklists were reviewed and the lands do not trigger any requirement for further archaeological assessment. Checklists enclosed.

The development as proposed can be considered to be consistent with Section 2.0 of the Provincial Policy Statement 2014.

Section 3.0, Protecting Public Health and Safety, directs development away from natural and human made hazards. There are no hazards either natural or man made on or in the vicinity of these lands.

The development as proposed can be considered to be consistent with Section 2.0 of the Provincial Policy Statement 2014.

### **3.0 Official Plan**

The City's Official Plan designates the lands as Neighbourhood Development Area and portions of the lands are subject to Significant Woodlands. Growth is managed in the City by directing growth to existing built areas and areas where infrastructure is or where it can be logically extended.

The City supports infill and redevelopment of designated and vacant lands. The proposed development is a logical extension of the two previous phases of the Centre Street subdivision and provides connection to the newer developing residential areas to the north.

The Plan articulates Goals and Objectives in section 2.3 and outlines how growth will be accommodated by providing: quality of amenities, sustainability of the City, the community and people and the City's economy. This proposal has considered the foregoing and accommodated the City's priorities where appropriate.

Conserved and Enhanced Natural Environment is achieved through the protection of features identified in the Plan. The subject lands have been identified as Significant Woodlands. Studies have been undertaken under the direction of the MNR and conclude that the proposed development will not impact the resources.

The proposal is along the suggested cycling route within the plan and close to the St. Lawrence Park and achieves one of the City's goals of providing multi- nodal transportation methods of cycling and walking.

Goals outline that the development occurs in an orderly fashion and will be connected to all municipal infrastructure. The accompanying documents include a Site Servicing Plan and a Storm Water Management Plan that supports and provides solutions for the proposed development.

Section 3.1 focuses on the Principles of Sustainability and prioritizes green technology. The proposed build will be constructed to achieve the Energy Star standard.

Section 3.2.4.2 Neighbourhood Development Areas "are intended to accommodate the majority of new low and medium density development and includes a mix of housing forms." The plan encourages the provision of range of housing types and supports a variety of zoning standards. Compatibility with the existing neighbourhood stock is encouraged. New neighbourhood development shall occur next to existing built up areas and shall consider compatible built forms to constructed housing character. The plan also considers market viability with regard to the number of units proposed.

The development as proposed will result in four different built forms, is the extension of an existing subdivision, will be designed to be compatible with the current character of the streetscape and will provide the developer with continued inventory to meet demand.

Section 3.4.1, Urban Design, stresses the importance of promoting excellence in community design. Elements to be considered when any new development is proposed include:

- designed in keeping with traditional character
- promote efficient and cost-effective development design
- promote the improvement of the physical character
- encourage design that considers, and wherever possible continues, existing and traditional street patterns and neighbourhood structure.

Section 3.6.5 , Natural Heritage Features and Functions, outlines the protective policies of the City's plan with regard to designated features. The designated features on the subject lands



have been studied and the environmental professionals have indicated there will be no impact on the feature. The lands have also been visited at the appropriate time of the year to determine that there is no species at risk nor is there any habitat that requires protection. The Environmental Impact Study had been included as part of the development proposal package.

Given the foregoing, the proposal can be considered to comply with the policies or goals that exist within the Official Plan.

## **4.0 Zoning By-Law**

The zoning currently on the subject lands is R3-2. The proposed development complies with the zoning by-law with the exception of Block 9 where street townhouses (four units) will be developed if approved. Zoning requested is for a special exception to the special exception zone of R3-2 to R3-2-x to allow townhouse dwellings to be constructed.

The proposed townhouse will have an interior side yard of 1.5 metres, an exterior side yard of 4.5 metres, a front yard setback of 10 metres and a rear yard setback of 7.5 metres. The zoning by-law currently permits a height of 10.5 metres and the proposed units will not exceed that height. The driveway on the most southerly unit will be located as a common driveway to abutting unit so as not to impede the visibility triangle. There is an accompanying Zoning By-law Amendment application to allow for this form of residential use.

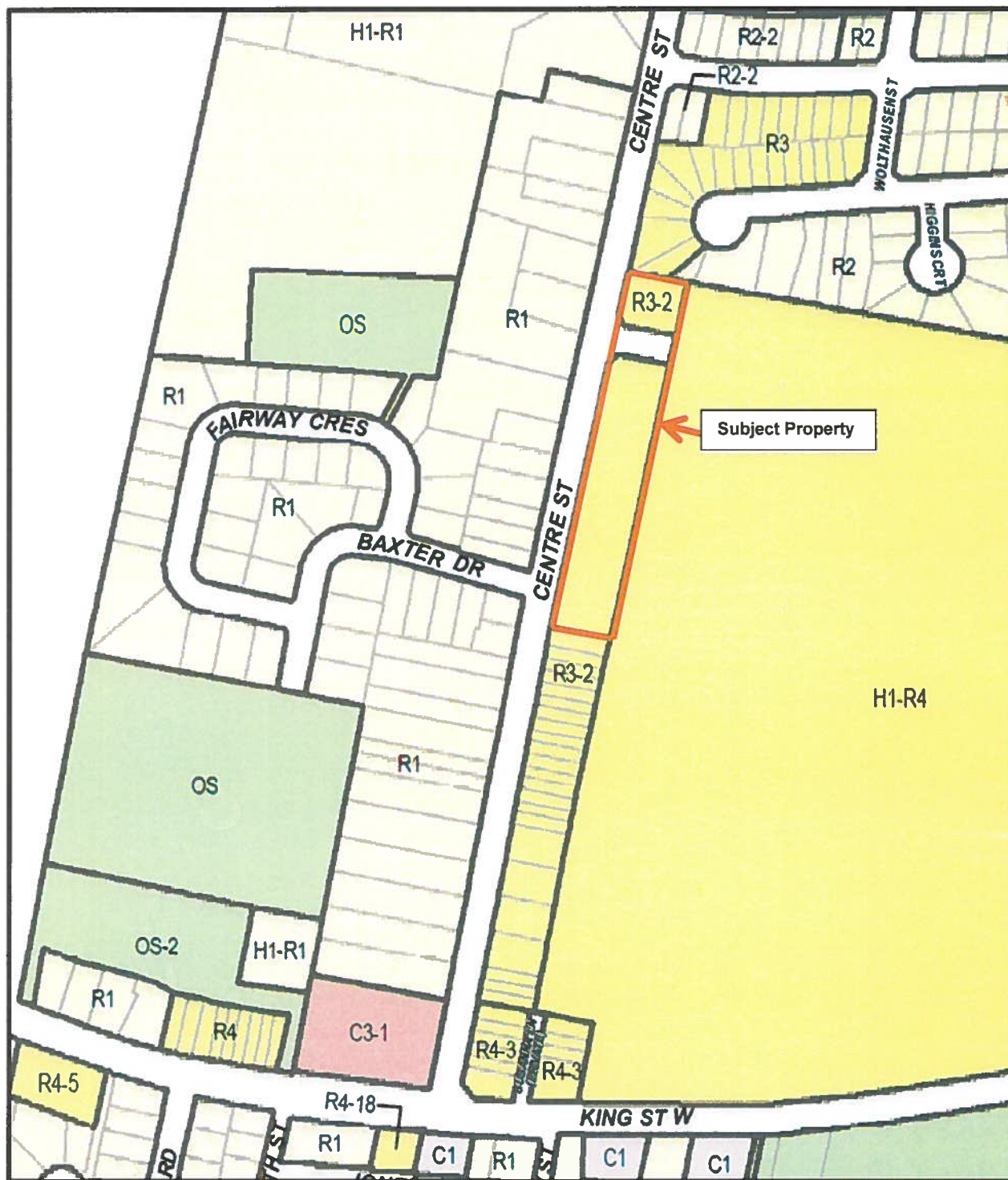
As previously indicated in this report,(sections 2.0 and 3.0), the townhouses can be supported by policies in the Official Plan and can be deemed to be consistent with Provincial Policy.

The lands to the south have been developed with 3 unit townhouses. The proposal is a logical extension of the existing streetscape and municipal services. Both the province and the City consider mixed density development, compatible form and infill to be a priority and preferred. As such the proposed zoning amendment can be considered to meet the tests of good planning.

## **5.0 Conclusion**

The proposed development is an extension of an existing subdivision and the subject lands were previously draft approved although lapsed. The development is consistent with the PPS and complies with the policies of City's Official Plan.

SCHEDULE "C" - REPORT 2015-027-04



## SCHEDULE "D" - REPORT 2015-027-04



**Public Meeting  
Economic Development &  
Planning Committee**

Tuesday, December 02, 2014, 6:00 pm  
City Hall, Council Chambers

**COMMITTEE MINUTES****Committee Members:**

Councillor J. Baker, Chair  
Councillor L. Bursey  
Councillor D. LeSueur  
Councillor Mayor D. Henderson, Ex-Officio

**Absent:**

Councillor M. Kalivas

**Other Members:**

Councillor P. Deery

**Staff:**

Mr. J. Faurschou, Planner I  
Ms. S. MacDonald, City Clerk  
Mr. A. McGinnis, Planner II  
Ms. L. Murray, Deputy City Clerk (Recording Secretary)  
Ms. M. Pascoe Merkley, Director of Planning  
Mr. D. Paul, Director of Economic Development

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

**ITEM**

1. 2014-135-12  
Proposed Plan of Subdivision and  
Proposed Amendment to City of Brockville Zoning By-law 050-2014  
Part of Lots 15, 19 and 22, Plan 206, being Parts 2 and 5, Reference Plan 28R-  
12501 Centre Street, City of Brockville  
Owner: Brockville Centre Development Corporation  
Agent: PMP 7904274 Canada Inc. - Ms. Jane Almond  
Files: D14-002 (050-2014) and 08T-14502

Moved by: Councillor Bursey

THAT Report 2014-135-12 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 for recommendation to Council.

CARRIED

Economic Development and Planning Committee (EDP) Public Planning Meeting Minutes -  
Tuesday, December 02, 2014

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Mr. Baker, Chair, introduced the public meeting and read from the prepared required comments.

Mr. Jonathan Faurschou, Planner I, announced that the Notice of Public Meeting respecting the applications for Subdivision Approval and Zoning By-law Amendment was advertised in the Brockville Recorder and Times Newspaper on October 30, 2014 and was circulated to property owners within 120.0 metres (400.0 ft.) of the subject property. In addition, a sign was posted on the subject property advising that the lands are the subject of an Application for Amendment to the City of Brockville Zoning By-law 050-2014 and Application for Subdivision Approval.

Councillor Baker, Chair, 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 Baker reviewed the procedures for the Public Meeting.

Mr. Faurschou provided an overview of the proposed zoning amendment and subdivision and introduced and provided the Committee and Staff with comments from the Operations Department dated November 27<sup>th</sup>, 2014 and a letter from Ms. Debra Belfie of D.G. Belfie Planning and Development Consulting Ltd., dated December 2<sup>nd</sup>, 2014. (attached)

The applicant Ms. Jane Almond offered a review of her presentation that spoke about existing conditions and provided an overview of the project.

Mr. John Mackey is concerned about the future of the trees on lot number one. He really does not want to see those trees cut down due to construction. He asked if the City has some type of by-law in place to ensure safety of the trees.

Mr. Faurschou replied that the City does not have such a by-law but that they do encourage developers to save as many trees as possible and if they can't, they are required to plant new ones.

Mr. Mackey also wondered if the services will be underground as he finds the above ground poles/wires etc. unsightly. Mr. Faurschou said the services are preferred to be underground where possible. The question will be examined by the Applicant, City and Hydro One.

Mr. Mackey asked if there will be consideration given to the creek behind the lots and the fact that during wet times of year, it can become swollen.

Economic Development and Planning Committee (EDP) Public Planning Meeting Minutes -  
Tuesday, December 02, 2014

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Mr. Faurschou answered that drainage will be part of the plan of subdivision and will be reviewed by Engineering down the road. Also CRCA (Cataraqui Region Conservation Authority) is consulted during this process.

Mr. Mackey asked if there will be right of ways to the backyards. The developer, Mr. Rob Thompson confirmed that right-of-ways are required for all middle units.

Mr. William Watson asked if there was flexibility in the setbacks within the by-law in order to make the streetscape more interesting.

Mr. Faurschou explained the City's setbacks are typically 6 metres. However, in this case, the minimum front yard setback is 9.0 metres. Given the depth of the lots, there is an option for the developed to stagger units while maintaining the minimum 9.0 metre setback. Mr. Thompson agreed to give this suggestion some consideration when finalizing details.

Mr. Larry Brennan explained that he has had trouble with a wet basement ever since they began the Brock Street subdivision. He is hoping that the drainage issue will be dealt with at this time. Ms. Pascoe Merkley replied that they plan to improve Centre Street in 2015 and it should be resolved at that time. He also wondered if connections to City sewer would be made available at that time. Ms. Pascoe Merkley offered that yes this would be the case and this would be by choice of the homeowner as there will be a cost to the homeowner to hook up to the sewer.

Mr. Alan Lindsay wondered how they will manage building on Lot One as there is a huge rock there. He hoped there would be no blasting as there has been blasting in the past that has been detrimental to his home.

Mr. Thompson replied that the rock will present challenges but there will hopefully be very little jack hammering and no blasting.

Mr. Gerard Asbruek wondered if the right of way could be moved southerly to line up with Baxter Drive. Mr. Thompson felt that this could pose a large problem as Baxter Drive is directly across from the large rock on lot one. Mr. Thompson and Ms. Almond stated that they would discuss the relocation with their engineer and with Junic Developments.

Referring to Mr. Watson's comment on pedestrian access from Junic lands to Centre Street, Ms. Belfie offered that her client, Junic, is interested in discussing the pathway between the two properties and provided a signed original copy of the letter from D.G. Belfie Planning and Development Consulting Ltd., dated December 2<sup>nd</sup>, 2014. Mr. Thompson and Ms. Almond stated that they would discuss the pathway location with their engineer and with Junic.

Economic Development and Planning Committee (EDP) Public Planning Meeting Minutes -  
Tuesday, December 02, 2014

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Ms. Janet Rose asked for a description of "townhouse". She wondered if they would be bungalows or multi stories.

Mr. Thompson confirmed they would be one level townhomes as were built in Phase 1 of Centre Street.

Heather Watson asked if they could install speed bumps when rebuilding Centre Street. She added that people drive very fast on this road and it is used by many pedestrians, both young and old.

Councillor Baker replied that the Operations Department is not in favour of speed bumps as they are very hard to manage when plowing snow. In addition speed bumps are generally only used on private property. He added that there are other ways to reduce the speed of traffic.

Councillor Bursey said that this was an issue in that area when he was canvassing. He had spoken with Conal Cosgrove, Director of Operations, and he was going to look into having some additional signage posted in this area.

Mr. Kevan Williams wondered if the reconstruction of Centre Street would proceed regardless of whether this subdivision was approved. Mrs. Pascoe Merkley confirmed that the road construction is planned to go ahead whether the subdivision does or not.

Councillor Baker indicated that this matter will be considered by the Economic Development and Planning Committee at a future meeting, which will make a recommendation to Council.

The meeting adjourned at 6:51 pm

*The Request for Information Sheets are on file in the Clerk's Office.*

Economic Development and Planning Committee (EDP) Public Planning Meeting Minutes -  
Tuesday, December 02, 2014

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D. G. BELFIE  
PLANNING AND DEVELOPMENT CONSULTING LTD.

Dec 2, 2014

Ms. Maureen Pascoe Merkley  
Director of Planning  
City of Brockville  
1 King Street West  
Brockville, ON  
K6V 7A5



Dear Ms. Pascoe Merkley:

**Re: Subdivision/Zoning Amendment applications – East Side of Centre Street  
Brockville Centre Development Corporation Files 08T-14802 and D14-002**

I am writing on behalf of Junic, the owners of the property at 550 King Street West, formerly the Phillips Cable site. Junic has submitted subdivision, Official Plan and Rezoning applications for their property, located immediately east of the subject property.

Through the Public Meeting process for the Junic applications, one of the recommendations received from the Cycling Advisory Committee was to extend the pathway/cycling network through this subdivision. Following the Public Meeting Junic re-examined their subdivision. A number of pathways were added to the plan so that the pathway network now extends westward from the central park, located in Block 26, through Blocks, 32, 31 and 30, as shown on the attached draft plan of subdivision. Junic believes it is important to provide this pathway connection through to Centre Street in the vicinity of Baxter Street. However, to complete the network a pathway through the Centre Street subdivision property will be required. A pathway could be located at the southern end of the Centre Street subdivision lands to connect with Junic's Block 30, as shown on the attached draft plan of subdivision. This will complete the connection through to Centre Street.

In order to provide this pathway connection, Junic is requesting the draft plan of subdivision for the Brockville Centre Development Corporation lands be amended to include the proposed pathway block. The proposed pathway may also need to be rezoned to Open Space.

Yours truly,

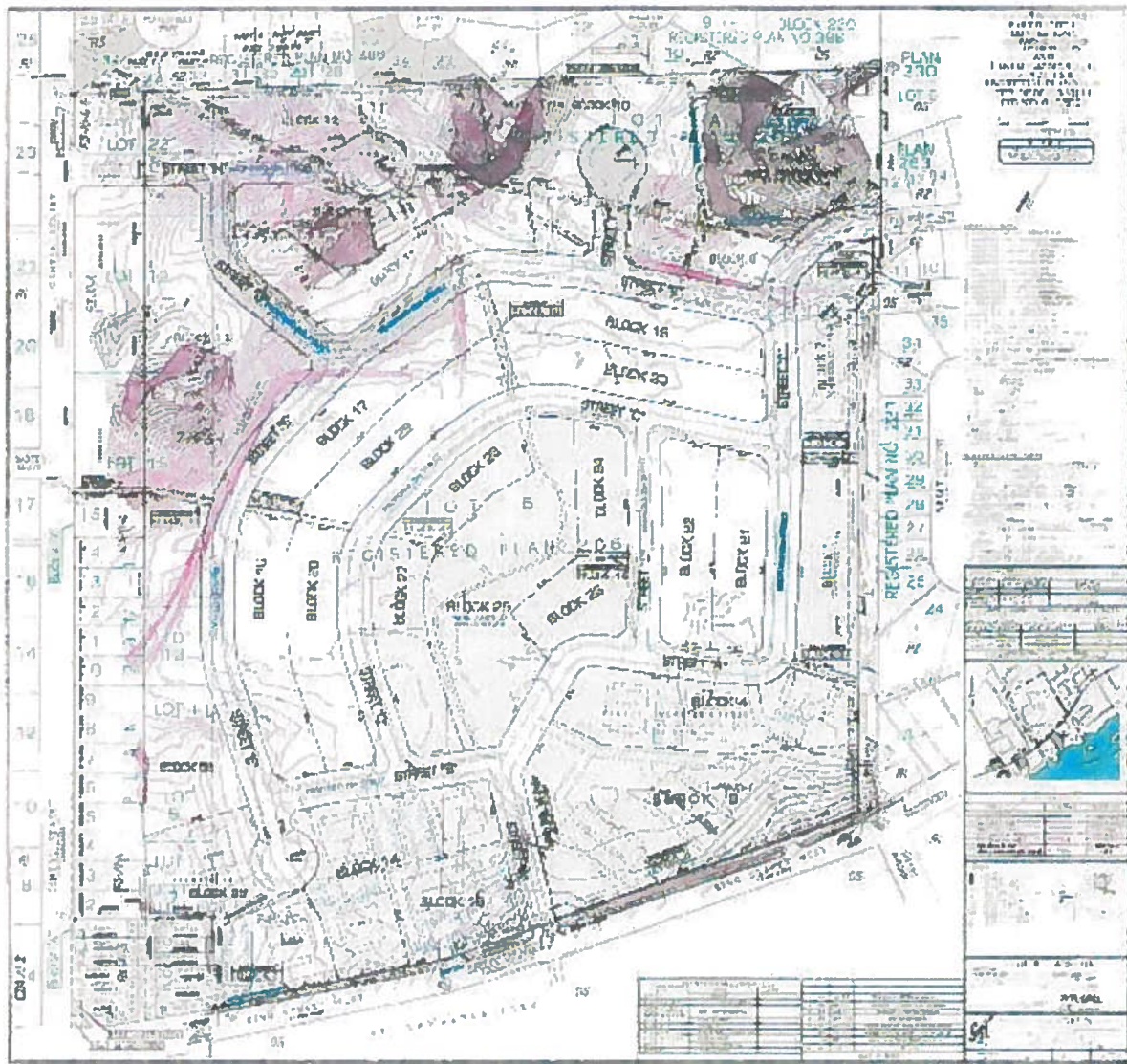
Deborah Belfie

DB:db

21 PINECONE TRAIL, STITTVILLE, ON K2S 1E1  
OFFICE: 613.836.6206 FAX: 613.836.2387 EMAIL: belfied@rogers.com



Economic Development and Planning Committee (EDP) Public Planning Meeting Minutes -  
Tuesday, December 02, 2014





Economic Development and Planning Committee (EDP) Public Planning Meeting Minutes -  
Tuesday, December 02, 2014

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**From:** Conal Cosgrove  
**Sent:** Thursday, November 27, 2014 2:59 PM  
**To:** Jon Feurschou  
**Cc:** Steve Allen  
**Subject:** FW: Centre Street Phase II - walkway

Jonathan

The latest Draft Plan that we have received for the Junik property shows a walkway connecting Street "C" on the Junik plan to the south end of Lot 1 on the Centre Street Phase II plan.

There should be a walkway connecting Centre Street to Street "B" on the Junik plan, crossing the Centre Street Phase II plan, for efficient and easy pedestrian travel through these developments. The Centre Street Phase II plan should include provision for this walkway in a location that corresponds to the Junik plan. If this location is not appropriate for the walkway on the Centre Street Phase II plan, the developer should propose an alternate location for the City's consideration.

Conal

## SCHEDULE "E" - REPORT 2015-027-04

**Jon Fauschou**

**From:** Conal Cosgrove  
**Sent:** Thursday, November 27, 2014 2:59 PM  
**To:** Jon Fauschou  
**Cc:** Steve Allen  
**Subject:** FW: Centre Street Phase II - walkway  
**Attachments:** 5723 Draft Submitted 02 September 2014.pdf; DOC.PDF; 2014-135-12 Public Mtg.pdf



Jonathan

The latest Draft Plan that we have received for the Junic property shows a walkway connecting Street "E" on the Junic plan to the south end of Lot 1 on the Centre Street Phase II plan.

There should be a walkway connecting Centre Street to Street "E" on the Junic plan, crossing the Centre Street Phase II plan, for efficient and easy pedestrian travel through these developments. The Centre Street Phase II plan should include provision for this walkway in a location that corresponds to the Junic plan. If this location is not appropriate for the walkway on the Centre Street Phase II plan, the developer should propose an alternate location for the City's consideration.

Conal

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**From:** Jon Fauschou  
**Sent:** November 27, 2014 11:29 AM  
**To:** Steve Allen; Conal Cosgrove  
**Subject:** Centre Street Phase II - walkway

Steve / Conal,

Attached is the Report and draft plan that will be going to a Public Meeting on 02 December 2014 and the last draft plan from Junic showing the proposed walkway connection to Centre Street.  
 Could you provide some comment on the walkway along the lines we spoke about yesterday?  
 Thanks,

Jonathan

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



# CATARAQUI REGION CONSERVATION AUTHORITY

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

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

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

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

November 21, 2014

Files: SUB/BR/243/2014

ZBL/BR/242/2014

## Sent by Email

Mr. Jonathan Faurschou MCIP, RPP

Planner I

1 King Street West, P.O. Box 5000

Brockville, ON K6V 7A5

Attention Mr. Faurschou:

Re: **Application for Zoning By-law Amendment D14-002**  
**Application for Subdivision Approval 08T-14502**  
**Brockville Centre Development Corporation**  
**Part Lot 17, Concession 1; Centre Street**



Staff of the Cataraqui Region Conservation Authority (CRCA) have received your request for comments on the above-noted applications, including the following documents:

- Draft Plan of Subdivision, by Eastern Engineering Group Inc., dated December 4, 2013
- Drawings 5 – 8: Plan and Profile, by Eastern Engineering Group Inc., dated December 4, 2013
- Drawing 10: Grading and Drainage Plan, Eastern Engineering Group Inc., dated December 4, 2013
- Site Servicing Report, by Eastern Engineering Group Inc., dated December
- Environmental Site Assessment (Phase One), by Morrison Hershfield., dated March 4, 2013
- Evaluation of Significant Woodland, by Bowfin Environmental Consulting Inc., dated November 2, 2012
- Planning Report Application for Subdivision Approval and Zoning Centre Street, by Jane Almond., dated September 2014
- Application for Amendment to City of Brickville Zoning By-Law 050-2014, dated September 30, 2014
- Application for Subdivision, dated September 30, 2014.

Staff provide the following comments for the City's consideration and for action/response from the applicant.

Member of



4

5

Mr. Faurschou  
November 21, 2014

SUB/BR/243/2014  
ZBL/BR/242/2014

### Site Description

The subject property is approximately 1.04 ha in size, and is currently vacant. Adjacent lands to the north, west and south consist of established residential properties; bordering lands to the east are currently vacant but are identified as previously containing industrial development (Philip Cable Plant). The topography of the site is gently sloping from northwest to southwest and the landscape consists of mature forest and associated undergrowth.

The property is designated 'Neighborhood Area' and 'Significant Woodland' in the City of Brockville Official Plan, and is zoned 'General Residential – R3-2' in Zoning By-law 194-94.

### Summary of Proposal

Currently being proposed is a second phase of the Centre Street residential development, consisting of the addition of residential lots on the east side of Centre Street (on a portion of the Phillips Cables property). Specifically, the proposal involves the subdivision of the existing 1.04 ha property into 9 residential blocks totaling up to 22 dwelling units. Dwelling types proposed include a mix of single detached (1), semi-detached (8), triplex (9) and townhouse (4) dwelling units. Proposed access would be provided via Centre Street.

### Discussion

The main interests of the CRCA in these applications are the provision of adequate stormwater management and sediment and erosion controls and the preservation and protection of natural heritage features.

### Stormwater Management

Existing homes on the west side of Centre Street currently have no sanitary or storm water servicing. Sanitary and storm sewers are proposed to service both the proposed and existing lots. The proposed storm sewer will outlet to the existing sewers on Pearl Street and Brock Street to the north. These storm sewers are tributary to Buells Creek. Generally we recommend that drainage boundaries be maintained and quantity controls be considered to mitigate potential impacts downstream. The proposed development will likely result in increased runoff to Buells Creek. *We recommend that Pre and post-development drainage areas, direction, runoff coefficients, and flows rates be determined and submitted for review.*

Since cumulative impacts are a concern, it is important that potential impact to Buells Creek be quantified so that mitigation measures can be implemented if/where necessary. It appears that accommodation is being made between proposed lots 8 and 9 for future access to the Phillips Cables property from Centre Street. Perhaps there is opportunity to run stormwater sewers from Centre Street through here, ultimately discharging to the St. Lawrence River. This could address concerns surrounding potential increases in flow to Buells Creek. *A stormwater management plan for the future development of Phillips Cables property would be helpful when planning such details.*

Mr. Faurschou  
November 21, 2014

SUB/BR/243/2014  
ZBL/BR/242/2014

### *Quantity Control*

In general quantity control to pre-development levels for 2 through 100-year event storms is required, unless it can be shown that downstream flooding & erosion is not a concern (e.g. discharging directly to a large body of water such as Lake Ontario). *We recommend that this be addressed.*

### *Quality Control*

In general quality control to at least *normal* levels (70% long-term suspended solids removal) is required unless discharging to more environmentally-sensitive waterbodies or source protection areas (e.g. Intake Protection Zones) that require more stringent protection. *We recommend that this be addressed.*

### *Additional Discussion*

A 2012 application for Draft Plan of Subdivision Approval for 414 dwelling units on the 24.7 ha Phillips Cables property (for which we recommended a stormwater management report be completed) suggests further redevelopment is likely imminent. We continue to recommend that a comprehensive plan for stormwater management be prepared for the entire Phillips Cables property that addresses our concerns, including the use and protection of a low area on the Phillips Cables property. This area, if used for stormwater control of Centre Street, should be protected and maintained (i.e. stormwater easement) during future development.

### Natural Heritage

#### *Significant Woodlands*

As a part of the subdivision review process, CRCA staff reviewed the Evaluation of Significant Woodland (Bowfin, 2012). Staff found the report's methodology for assessing the woodlands on the subject property to be appropriate and the findings and recommendations to be satisfactory.

#### *Species at Risk*

A Butternut Health Assessment was conducted by Oliver Reichl on June 13, 2013 as individual butternut trees were located on the property. Staff recommend that the proponent provide the City of Brockville and the CRCA with confirmation from Ontario Ministry of Natural Resources and Forestry that requirements under the *Endangered Species Act* have been met.

### **Recommendation**

Staff recommend deferral of the application for Subdivision Approval (O8T-14502) and Zoning By-Law (D14-002) until such time that:

- a) The issue of adequate quantity and quality control is addressed to the satisfaction of the CRCA and City of Brockville.

Thank you for awaiting our comments. Please inform this office in writing of any decisions made by the City of Brockville regarding this application. If you have any questions, please contact the undersigned at (613) 546-4228 extension 258, or via e-mail at [sbohan@crca.ca](mailto:sbohan@crca.ca). Stormwater management queries should be directed to Shawn Fairbank at extension 284 or [sfairbank@crca.ca](mailto:sfairbank@crca.ca).

Respectfully submitted,

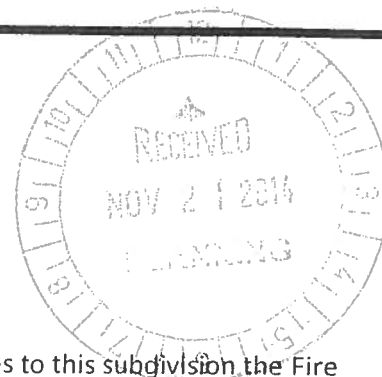


Stephen Bohan  
Resource Planning Assistant  
CRCA

**Jon Faurschou**

---

**From:** Chris Dwyre  
**Sent:** Friday, November 21, 2014 11:54 AM  
**To:** Lorraine Bagnell; Jon Faurschou  
**Subject:** RE: Planning Report for EDP



Jonathan Faurschou,

In consideration that the development has identified the extension of municipal services to this subdivision the Fire Department has no concerns.

Chris Dwyre  
Fire Chief

---

**From:** Lorraine Bagnell  
**Sent:** Friday, November 21, 2014 11:32 AM  
**To:** Bob Casselman; Chris Dwyre; Conal Cosgrove; Dave Henderson; David Dick; David Paul; Maureen Pascoe Merkley; Peter Raabe; Sandra MacDonald; Scott Fraser  
**Subject:** Planning Report for EDP

**21Nov2014**  
**REPORT TO ECONOMIC DEVELOPMENT PLANNING COMMITTEE - PUBLIC**  
**MEETING – 02 December 2014**

**2014-135-12**  
**PROPOSED PLAN OF SUBDIVISION**  
**AND PROPOSED AMENDMENT TO CITY OF**  
**BROCKVILLE ZONING BY-LAW 050-2014**  
**PART OF LOTS 15, 19 AND 22, PLAN 206,**  
**BEING PARTS 2 AND 5, REFERENCE PLAN 28R-12501**  
**CITY OF BROCKVILLE**  
**OWNER: BROCKVILLE CENTRE DEVELOPMENT CORPORATION**  
**AGENT: PMP 7904274 CANADA INC. - MS. JANE ALMOND**  
**FILES: D14-002<sub>(050-2014)</sub> AND 08T-14502**

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

Please review the attached report on the above noted matter and provide any comments or changes to Jonathan Faurshou (email [jfaurschou@brockville.com](mailto:jfaurschou@brockville.com); or call ext. 449).

Thank you,  
Lorraine

Lorraine Bagnell  
Administrative Coordinator – Planning  
City of Brockville  
(613) 342-8772, ext. 463  
[Planning@brockville.com](mailto:Planning@brockville.com)

# Memorandum



Date: November 18, 2014

To: Jon Faurschou  
Planner

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

Subject: **CENTRE STREET PROPOSED SUBDIVISION**

File No. D12-18



The Environmental Services Department has reviewed the application for subdivision on the east side of Centre Street from Baxter Drive northerly to Pearl Street and we are not opposed to the creation of the proposed 9 lots for dwellings. However, we will have further comments at the detailed design stage once all engineering for the proposed development is complete.

We are in the process of making changes to the overall realignment and widening of Centre Street to avoid costly utility relocating. We are in the process of having our consultant finalize design in conjunction with this development.

  
Steve Allen



[REDACTED]  
[REDACTED]  
Brockville, ON, [REDACTED]

Nov 18, 2014

Director of Planning,  
Planning Department – City Hall,  
One King St W,  
PO Box 5000,  
Brockville, ON, K6V 7A5

Application for Amendment to Zoning By-Law 050-2014  
File D14-002 (050-2014) East Side of Center Street

My wife [REDACTED] and I both oppose the proposed plan of subdivision and related zoning by-law amendment pertaining to the proposed construction of street townhouse dwelling units on the plot of land labelled "9" on the draft plan of subdivision of part of lots 15, 19 & 22, Registered Plan 206, City of Brockville, County of Leeds.

The proposed townhouses would be across the street from single family dwellings and would be adjacent to an existing single family dwelling. We believe it would be more appropriate that there should be a more gradual transition i.e. from single family dwellings to semi-detached dwellings to townhouses. New townhouses should not be permitted to be constructed adjoining existing single family dwellings unless that zoning was in place at the time of the construction of the single family dwelling.

[REDACTED]



Handwritten signature or initials.



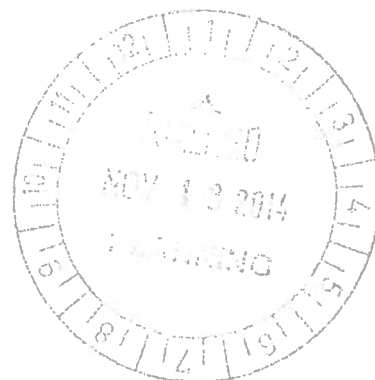
CONSEIL DES  
ÉCOLES CATHOLIQUES  
DU CENTRE-EST

Le meilleur conseil  
qui vous propose une solution

## Service des immobilisations - planification

Le 13 novembre 2014

Monsieur Jonathan Faurschou  
Service de l'urbanisme  
Ville de Brockville  
1, rue King ouest, B.P. 5000  
Brockville (Ontario) K6V 7A5



Vos références : D14-002, O8T-14502

**Objets :**  
Demande de lotissement  
Demande de modification au règlement de zonage  
Côté est de la rue centrale, à environ 40 mètres au sud de la promenade  
Baxter jusqu'à à 220 mètres au nord de la promenade Baxter (au nord de  
la nouvelle construction de logement actuel et au sud des logements  
existants construits sur Pearl Street West)

Monsieur,

Le Conseil des écoles catholiques du Centre-Est (CECCE) a revu les demandes  
susmentionnées et ne s'y oppose pas.

Espérant que ces renseignements vous seront utiles, je vous prie d'agréer, Monsieur,  
l'expression de mes sentiments distingués.

Karolyn Bois  
Planificatrice en immobilisations,

KB/cl

c.c. Dossier X5-0718 (Brockville/2014)  
Chrono

GoogleDrive/Planification/Lettres planification/KB L141113\_03

**Jon Faurschou**

---

**From:** Conal Cosgrove  
**Sent:** Friday, November 14, 2014 3:01 PM  
**To:** Jon Faurschou  
**Cc:** Steve Allen  
**Subject:** Application for Subdivision Approval and Amendment to Zoning - Brockville Centre Development Corporation (Centre Street North of Baxter Drive)

Jonathan

The Operations Department has no comments with respect to the creation of the proposed lots on the east side of Centre Street.

In conjunction with the Environmental Services Department, we are discussing potential changes to the proposed reconstruction and widening of Centre Street with the engineering consultant.

Conal

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



Date: October 27, 2014.

Reference File: O8T-14502,D14-002



City Of Brockville  
Jonathan Faurschou  
Planning Department  
1 King St West PO Box 5000  
Brockville, Ontario K6V 7A5

Thank you for contacting Canada Post regarding plans for the above mentioned new development.

Please see Canada Post's feedback regarding the proposal, below.

**Service type and location**

1. Canada Post will provide mail delivery service to the development through centralized Community Mail Boxes (CMBs).
2. Given the number and the layout of the lots in the development, we have not determined the amounts of site(s). **The CMB's location will be determined at the time of the preliminary CUP Plan.**
3. If the development includes plans for (a) multi-unit building(s) with a common indoor entrance, the developer must supply, install and maintain the mail delivery equipment within these buildings to Canada Post's specifications.

**Municipal requirements**

1. Please update our office if the project description changes so that we may determine the impact (if any).
2. Should this subdivision application be approved, please provide notification of the new civic addresses as soon as possible.

**Developer timeline and installation**

1. Please provide Canada Post with the excavation date for the first foundation/first phase as well as the date development work is scheduled to begin. Finally, please provide the expected installation date(s) for the CMB(s).

**Please see Appendix A for any additional requirements for this developer.**

Regards,

Peggy Deslauriers  
PO Box 8037 Ottawa T CSC,  
Ottawa, Ontario K1G 3H6  
Cell: 613-294-7629

**Appendix A****Additional Developer Requirements:**

- The developer will consult with Canada Post to determine suitable permanent locations for the Community Mail Boxes. The developer will then indicate these locations on the appropriate servicing plans.
- The developer agrees, prior to offering any units for sale, to display a map on the wall of the sales office in a place readily accessible to potential homeowners that indicates the location of all Community Mail Boxes within the development, as approved by Canada Post.
- The developer agrees to include in all offers of purchase and sale a statement which advises the purchaser that mail will be delivered via Community Mail Box. The developer also agrees to note the locations of all Community Mail Boxes within the development, and to notify affected homeowners of any established easements granted to Canada Post to permit access to the Community Mail Box.
- The developer will provide a suitable and safe temporary site for a Community Mail Box until curbs, sidewalks and final grading are completed at the permanent Community Mail Box locations. Canada Post will provide mail delivery to new residents as soon as the homes are occupied.
- The developer agrees to provide the following for each Community Mail Box site and to include these requirements on the appropriate servicing plans:
  - Any required walkway across the boulevard, per municipal standards
  - Any required curb depressions for wheelchair access, with an opening of at least two meters (consult Canada Post for detailed specifications)

**Bell**

Development & Municipal Services Control Centre  
 Floor 5, 100 Borough Drive  
 Scarborough, Ontario  
 M1P 4W2  
 Tel: 416-296-6291 Toll-Free: 1-800-748-6284  
 Fax: 416-296-0520



November 11, 2014

City of Brockville  
 Planning Department  
 P.O.Box 5000, 1 King Street West  
 Brockville, Ontario  
 K6V 7A5

Attention: Jonathan Faurschou

Dear Sir/Madam:

RE: Draft Plan of Subdivision  
 Centre St. and Baxter Dr.  
 Your File No: 08T-14502, D14-002  
 Bell File No: 50608

A detailed review of the Draft Plan of Subdivision has been completed.

The Developer is hereby advised that prior to commencing any work within the Plan, the Developer must confirm that sufficient wire-line communication/telecommunication infrastructure is currently available within the proposed development to provide communication/telecommunication service to the proposed development. In the event that such infrastructure is not available, the Developer is hereby advised that the Developer may be required to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure. If the Developer elects not to pay for such connection to and/or extension of the existing communication/telecommunication infrastructure, the Developer shall be required to demonstrate to the municipality that sufficient alternative communication/telecommunication facilities are available within the proposed development to enable, at a minimum, the effective delivery of communication/telecommunication services for emergency management services (i.e., 911 Emergency Services).

The following paragraph(s) are to be included as Conditions of Draft Plan of Subdivision Approval:

1. The Owner shall agree in the Agreement, in words satisfactory to Bell Canada, to grant to Bell Canada any easements that may be required for telecommunication services. Easements may be required subject to final servicing decisions. In the event of any conflict with existing Bell Canada facilities or easements, the owner/developer shall be responsible for the relocation of such facilities or easements.
2. Bell Canada requires one or more conduit or conduits of sufficient size from each unit to the room(s) in which the telecommunication facilities are situated and one or more conduits from the room(s) in which the telecommunication facilities are located to the street line.

Should you have any questions please contact Sandra Hugh-Yeun at 416-296-6590.

Yours truly



Lina Raffoul,  
Manager - Development & Municipal Services, ON



Conseil des  
écoles publiques  
de l'Est de l'Ontario

Services des Immobilisations

October 27, 2014

Jonathan Faurschou  
Planner  
City of Brockville  
Planning Department  
One King Street West  
P.O. Box 5000  
Brockville (Ontario) K6V 7A5

**SUBJECT: APPLICATION FOR SUBDIVISION APPROVAL and  
AMENDMENT TO ZONING BY-LAW 050-2014  
FILES: O8T-14502, D14-002**

Following your correspondence dated October 16, 2014, Le Conseil des écoles publiques de l'Est de l'Ontario has no comment and no objection about the above request.

Sincerely,

The Coordinator of planning

Pierre Tétrault



Siège social  
2445, boul. St-Laurent  
Ottawa (Ontario)  
K1G 6C3  
Téléphone sans frais  
1-888-33CEPEO  
Tél. : (613) 742-8960  
Télec. : (613) 747-3810  
[directeur@cepeo.on.ca](mailto:directeur@cepeo.on.ca)  
[www.cepeo.on.ca](http://www.cepeo.on.ca)

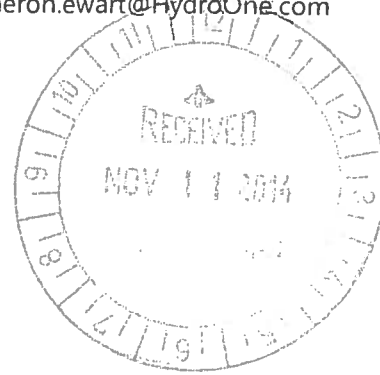


**Jon Faurschou**

**From:** steve.durant@HydroOne.com  
**Sent:** Tuesday, November 11, 2014 10:32 AM  
**To:** Steve Allen; Jon Faurschou  
**Cc:** Andrew McGinnis; Michael.Munroe@HydroOne.com; cameron.ewart@HydroOne.com  
**Subject:** RE: Hydro One Response to City Planning

Jon

File 08T-14502 Center Street

**Hydro One Plant in the Vicinity:**

HYDRO ONE DISTRIBUTION HAS EXISTING PLANT IN THE AREA.

Description of Plant: - THERE ARE OVERHEAD PRIMARY CONDUCTORS IN THIS AREA (across the street)

HYDRO ONE DISTRIBUTION HAS NO OBJECTIONS TO THE PROPOSED SCOPE OF WORK.  
 PROVIDED THAT THE FOLLOWING CONDITIONS ARE MET:

- All underground locates are obtained prior to any excavation and hand dig within 1.0 m of any buried plant.
- No excavation within 5 feet of any poles and/or anchors.
- All workers and equipment must remain at least 10 feet from all overhead primary voltage lines.
- Please call Ontario One Call 1-800-400-2255 for Hydro One locates.

Should the construction work required to complete the project affect by the location of Hydro One Distribution plant, please call our Field Business Centre in Perth at 1-888-332-2249 to schedule a site meeting or to get an estimate of any changes required.

File D11-421 Broome Road

**Hydro One Plant in the Vicinity:**

HYDRO ONE DISTRIBUTION HAS EXISTING PLANT IN THE AREA.

Description of Plant: - THERE ARE OVERHEAD PRIMARY CONDUCTORS IN THIS AREA

HYDRO ONE DISTRIBUTION HAS NO OBJECTIONS TO THE PROPOSED SCOPE OF WORK.  
 PROVIDED THAT THE FOLLOWING CONDITIONS ARE MET:

- All underground locates are obtained prior to any excavation and hand dig within 1.0 m of any buried plant.
- No excavation within 5 feet of any poles and/or anchors.
- All workers and equipment must remain at least 10 feet from all overhead primary voltage lines.
- Please call Ontario One Call 1-800-400-2255 for Hydro One locates.

Should the construction work required to complete the project affect by the location of Hydro One Distribution plant, please call our Field Business Centre in Perth at 1-888-332-2249 to schedule a site meeting or to get an estimate of any changes required.

Hydro One cannot provide information of load capacity for either location without a request as such, neither document contains information regarding service size or KVA requirements.

Thanks  
Steve Durant  
Customer Operations Manager  
Brockville Area  
HYDRO ONE  
Provincial Lines  
Cell 613 802 3940  
Bell 613 345 5944 EXT 2331  
Brockville BR1

---

**From:** Steve Allen [<mailto:sallen@brockville.com>]  
**Sent:** Thursday, November 06, 2014 2:42 PM  
**To:** DURANT Steve  
**Cc:** Jon Faurschou; Andrew McGinnis  
**Subject:** Hydro One Resonce to City Planning

Steve

Please, correspond to [jfaurschou@brockville.com](mailto:jfaurschou@brockville.com) fax 498-2793

You can respond to Jon by fax or email. What the Planning Department looking to receive from Hydro One is conformation that there is sufficient power available at the location to service the site and any Hydro One concerns or comments regarding the site development.

If you have any questions please do not hesitate to contact me or Jon Faurschou at 342-8772 ext 449

Steve

**Steven Allen, C.E.T., Dipl.M.M.**  
Supervisor of Engineering  
Engineering Division  
City Of Brockville  
1 King Street Wt.  
K6V 7A5  
613-342-8772, Ext 8223  
[sallen@brockville.com](mailto:sallen@brockville.com)  
Website: <http://city.brockville.on.ca>

**Jon Faurschou**

---

**From:** Sean.Yutronkie@HydroOne.com  
**Sent:** Thursday, November 06, 2014 2:03 PM  
**To:** Jon Faurschou  
**Subject:** Brockville- 08T-14502

Draft Plan of Subdivision No. 08T-14502

We have reviewed the documents concerning the above noted Draft Plan of Subdivision Application and have no comments or concerns at this time.

Our preliminary review considers issues affecting Hydro One's 'High Voltage Facilities and Corridor Lands' only.

For proposals affecting 'Low Voltage Distribution Facilities' the Owner/Applicant should consult their local area Distribution Supplier.

Where Hydro One is the local supplier the Owner/Applicant must contact the Hydro subdivision group.

[subdivision@Hydroone.com](mailto:subdivision@Hydroone.com) or call 1-866-272-3330.

If you have any questions please call me at the number below.

Thank you.

**Dennis De Rango**  
**Specialized Services Team Lead**  
905-946-6237



***Your Partner in Public Health***

October 21, 2014

Planning Department  
City of Brockville  
1 King St W, Box 5000  
Brockville ON K6V 7A5

Attention: Jonathan Faurschou, Planner

Dear Sir:

Re: Files O8T-14502 and D14-002  
Applicant: Brockville Centre Development Corporation / Jane Almond  
Location: East side of Centre Street  
Our File: 10081

---

Please be advised that the above subdivision and zoning applications do not involve private sewage systems, therefore, an inspection and further comment will not be required.

If you have any questions regarding this matter, please do not hesitate to contact me.

Yours truly,

THE CORPORATION OF THE LEEDS, GRENVILLE  
AND LANARK DISTRICT HEALTH UNIT

A handwritten signature in black ink, appearing to read "Mark Green".

Mark Green, BA, CPHI(C)  
Chief Building Official  
Part VIII Program  
(613) 345-5685 – Office  
(613) 345-7148 – Fax

MG/lm

An Accredited Health Unit Since 1990

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**Health ACTION Line 1-800-660-5853 • [www.healthunit.org](http://www.healthunit.org) • [contact@healthunit.org](mailto:contact@healthunit.org)**

**Jon Faurschou**

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**From:** Sean.Yutronkie@HydroOne.com  
**Sent:** Thursday, November 06, 2014 2:03 PM  
**To:** Jon Faurschou  
**Subject:** Brockville- 08T-14502

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Where Hydro One is the local supplier the Owner/Applicant must contact the Hydro subdivision group.

[subdivision@Hydroone.com](mailto:subdivision@Hydroone.com) or call 1-866-272-3330.

If you have any questions please call me at the number below.

Thank you.

**Dennis De Rango**  
**Specialized Services Team Lead**  
905-946-6237

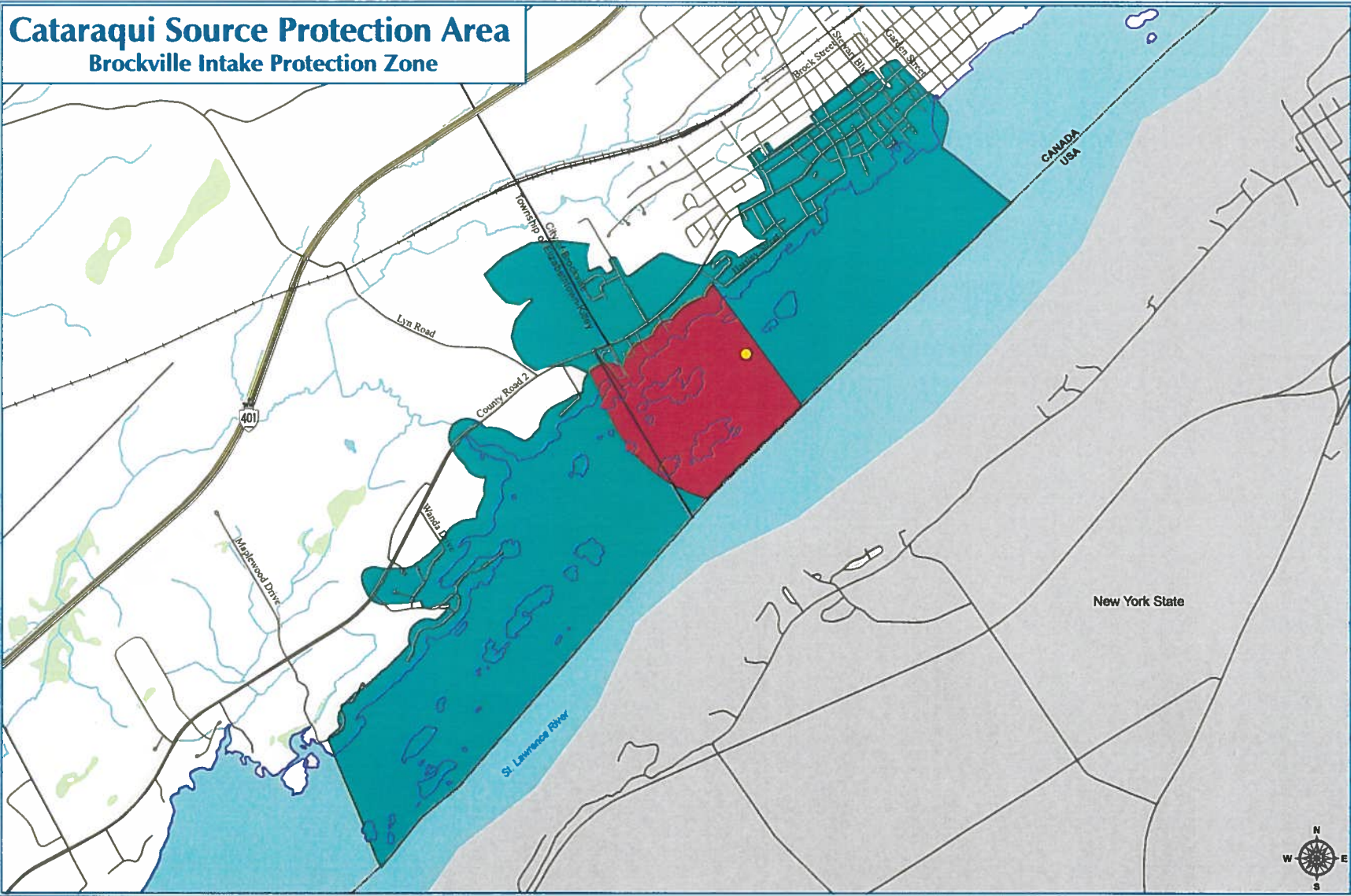


# Cataraqui Source Protection Area Brockville Intake Protection Zone

## Schedule F



- Legend**
- Drinking Water Intake
  - Cataraqui Source Protection Area
  - Railway
  - Freeway
  - Expressway / Highway
  - Collector
  - Watercourses
  - Waterbodies
  - Wetlands
  - International Boundary
  - Municipal Boundary
- Intake Protection Zone (IPZ)**
- IPZ - 1
  - IPZ - 2



Created: January 10, 2011

Scale 1:25,000  
Universal Transverse Mercator Projection  
North American Datum 83  
GWE CENTRE for WATER and ENVIRONMENT  
August 2008

CATARAQUI  
Source Protection Area

Ontario

This map was funded by the Ontario Government, and the Ministry of Environment.  
Produced by the Cataraqui Region Conservation Authority under license  
with the Ontario Ministry of Natural Resources & Forestry in 2008.  
Aerial Photography © Group A/B, 2008.  
The CRCA makes every effort to ensure that the information presented is accurate  
for the intended use of the map. There is no liability for any errors or omissions in  
all mapping products, and accuracy of the mapping cannot be guaranteed for all  
purposes. All users are advised to consult the CRCA for more information if the  
information is suitable for their purpose.  
© 2008 Cataraqui Region Conservation Authority  
Cataraqui Region Conservation Authority



CERTIFICATE OF REGISTRATION

PLAN 28M-1

I CERTIFY THAT THIS PLAN IS REGISTERED IN THE LAND REGISTRY OFFICE FOR THE LAND TITLE DIVISION OF LEEDS AT 3:10 - 01CLOCK ON THE 14th DAY OF December 2005 AND ENTERED IN THE PARCEL REGISTER FOR PARCEL 1-1 SECOND PLAN 2800-1000 AND THE PARCEL REGISTERED AS REGISTERED AS PLAN 2800-1000 (No. 550003)

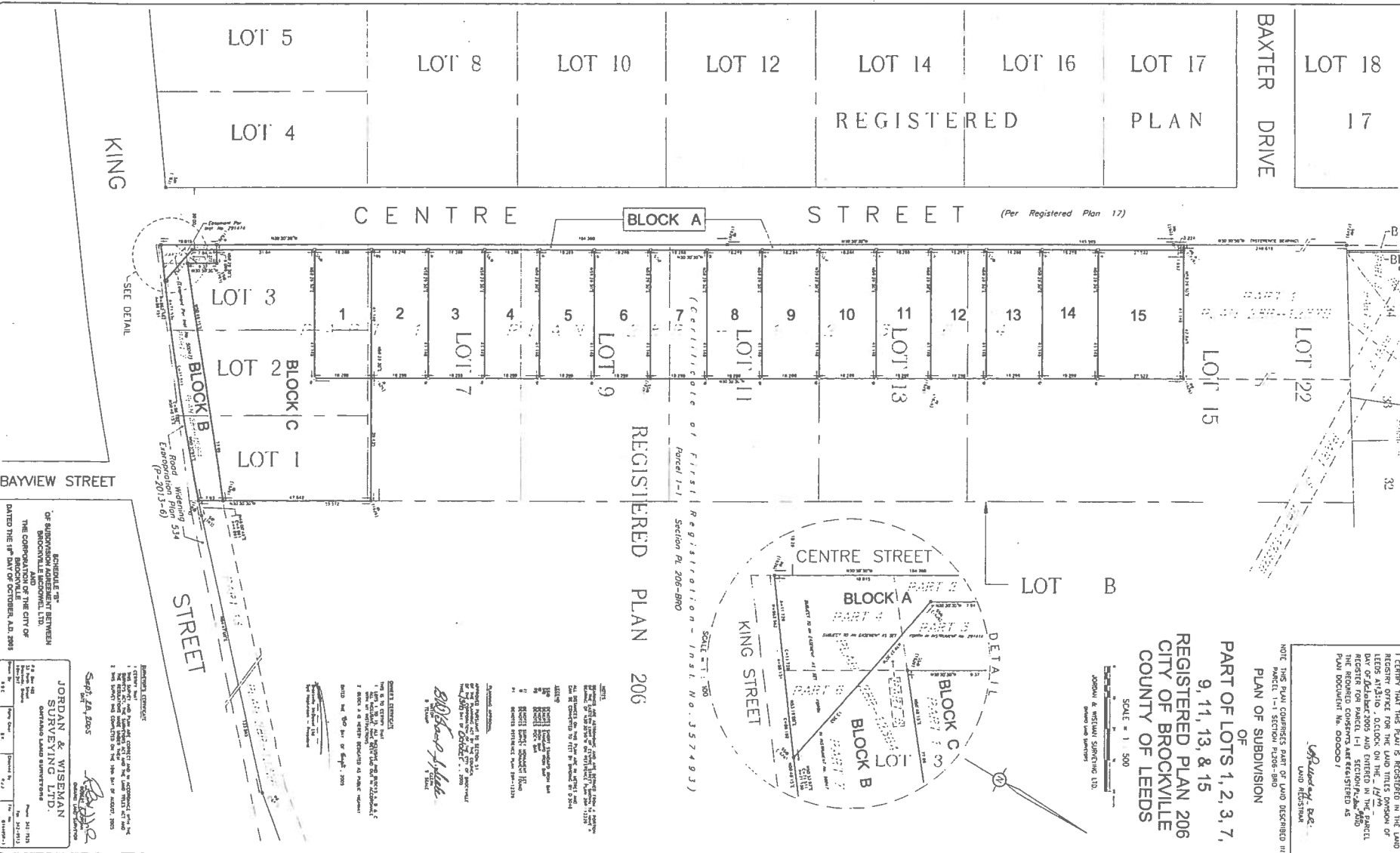
*Witnessed by:* P.C.C. LAND REGISTRATION

NOTE: THIS PLAN COMPLETES PART OF LAND DESCRIBED IN PARCEL 1-1-1 SECTION A206-BRO PLAN OF SUBDIVISION

PART OF LOTS 1, 2, 3, 7, 9, 11, 13, & 15  
REGISTERED PLAN 206  
CITY OF BROCKVILLE  
COUNTY OF LEEDS

SCALE = 1 : 500

JORDAN & WISEMAN SURVEYING LTD.  
Survey and Mapping



REGISTERED PLAN 206

(Certificate of First Registration - Inst. No. 357493)

Section PL 206-BRO

Forced 1-1

Scale 1:500

Block A

Block B

Block C

Lot 1

Lot 2

Lot 3

Lot 4

Lot 5

Lot 6

Lot 7

Lot 8

Lot 9

Lot 10

Lot 11

Lot 12

Lot 13

Lot 14

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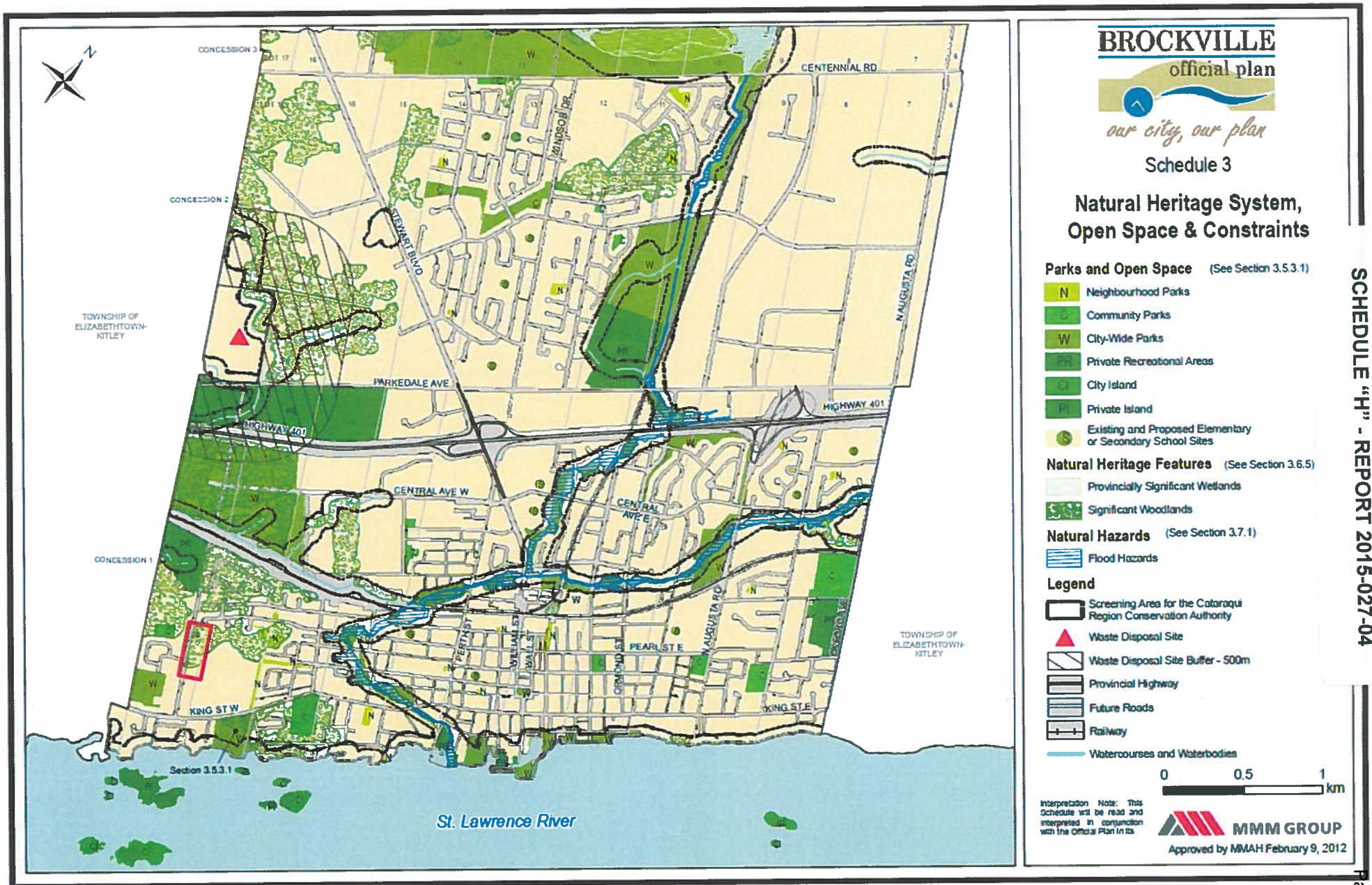
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Approximate location of Proposed Subdivision Showing Location of "Significant Woodland"



26March2015  
REPORT TO THE ECONOMIC DEVELOPMENT PLANNING COMMITTEE –  
7 APRIL 2015

2015-029-04  
PROPOSED AMENDMENT TO ZONING BY-LAW 050-2014  
22 PERTH STREET  
CITY OF BROCKVILLE  
OWNER: THE DAWSON REAL ESTATE GROUP  
AGENT: JOSEPH MADIGAN  
FILES: D14-004(050-2014)

M. PASCOE MERKLEY  
DIRECTOR OF PLANNING  
ANDREW MCGINNIS  
PLANNER II

## RECOMMENDATION

THAT Zoning By-law 050-2014 be amended to rezone lands described as Lot 13, Block 44, Plan 67, City of Brockville, County of Leeds, with municipal address 22 Perth Street, from MD – Mixed Use Downtown Zone to MD – Mixed Use Downtown Special Exception Zone, to permit residential occupancy of the ground floor space, in addition to all other uses permitted within the MD – Mixed Use Downtown Zone, be approved.

## PURPOSE

The purpose of this report is to provide recommendation on an application for amendment to City of Brockville Zoning By-law 050-2014 respecting 22 Perth Street.

## BACKGROUND

Mr. Joseph Madigan, agent for The Dawson Real Estate Group Inc, owner of lands described as Lot 13, Block 44, Plan 67, City of Brockville, County of Leeds, has filed application for amendment to 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 west side of Perth Street and south side of George Street, as shown on **Schedule "A-1"**, attached hereto. A site plan of the property is shown on **Schedule "A-2"**.

The application for amendment to Zoning By-law 050-2014 seeks to permit the property to be utilized entirely for residential purposes. The current provisions within Zoning By-law 050-2014, as amended, permit residential units to be located on the second or higher storey of commercial buildings in the Mixed Use Downtown Zone.

### Zoning and Official Plan Information:

Official Plan Designation:	Downtown and Central Waterfront Area – with Transitional Area considerations, within the Mixed Use Node.
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2015-029-04  
Proposed Amendment to Zoning By-Law 050-2014  
22 Perth Street  
Owner: The Dawson Real Estate Group Inc  
Applicant: Joseph Madigan  
Files: D14-004<sub>(050-2014)</sub>

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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).

Site Characteristics:

Total Area: 364.01 m<sup>2</sup>  
Frontage (Perth Street): 11.96 m  
Depth (along George Street): 29.5 m

The subject land is currently occupied by a two (2) storey stone and vinyl-sided building, small parking area for three (3) vehicles to the rear and grassed amenity area at the front of the building. The property also has an adjacent parking easement for an additional three (3) vehicles. The building is of historical interest by Heritage Brockville as the previous use was the “Rock School House”.

Photos of the subject property are attached as ***Schedule “B”*** to this report.

Surrounding Land Use:

North: Lands to the north, across George Street are zoned MD – Mixed Use Downtown Zone and occupied by a commercial use (Sam’s Brass Rack Billiards) and three (3) upper floor apartment units.  
South: Lands to the south are zoned MD – Mixed Use Downtown Zone and is occupied by multiple residential apartment units.  
East: Lands to the east, across Perth Street are zoned MD – Mixed Use Downtown Zone and are occupied by a commercial building (Pete’s Music Exchange) and south of that is a residential building containing three (3) residential apartments.  
West: Lands to the west are zoned R8-2 Multiple Residential Special Exception Zone and are occupied by the Marguerita Residence containing forty-five (45) residential apartments.

Public Participation

The application for amendment has proceeded through the normal review process. On 3 March 2015, 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 5 February 2015 and was circulated to property owners within 120.0 metres of the subject property. 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 050-2014. Comments from City Departments and affected agencies were also solicited. An excerpt from the Minutes of the Public Meeting is attached as

**Schedule “C”** to this report.

Comments Received are summarized below:

1. Brent Caskenette, Chief Building Official
  - No concerns at this time. However, the applicant should be aware that a Building Permit and Change of Use permit will be required to complete the work.
2. Steve Allen, Supervisor of Engineering, Environmental Services Department:
  - Not opposed to the application.
3. Conal Cosgrove, Director of Operations, Operations Department:
  - The Operations Department has no comments with respect to the application.
4. Wendy Onstein, Chair – Downtown Business Improvement Area:
  - No concerns or issues.

## **ANALYSIS/OPTIONS**

Provincial Policy Statement Considerations:

The Provincial Policy Statement 2014 (PPS) issued under section 3 of the *Planning Act* 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.

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, in part, 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, livable and healthy communities, protect the environment and public health and safety, and facilitate economic growth.”*

This general statement is followed by more specific policies relevant to this application for Zoning By-law amendment:

2015-029-04  
Proposed Amendment to Zoning By-Law 050-2014  
22 Perth Street  
Owner: The Dawson Real Estate Group Inc  
Applicant: Joseph Madigan  
Files: D14-004<sub>(050-2014)</sub>

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Section 1.1 Managing and Directing Land use to Achieve Efficient and Resilient Development and Land use Patterns, includes various policies addressing sustaining “healthy, livable and safe communities” through development/redevelopment within settlement areas which build upon existing services and amenities.

Section 1.1.3 Settlement Areas, includes such policies as 1.1.3.2 *“land use patterns within settlement areas shall be based on:*

- d) a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.”*

Furthermore, Section 1.1.3.3 also 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”*. Additional policies addressing the matter of intensification are found throughout the PPS.

Section 1.4 Housing, Subsection 3, states, among others, that “Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the *regional market area* by:

- b) permitting and facilitating:
  - 1. all forms of housing required to meet the social, health and well-being requirements of current and future residents, including *special needs* requirements; and,
  - 2. all forms of *residential intensification*, including second units, and *redevelopment* in accordance with policy 1.1.3.3;
- d) promoting densities for new housing which efficiently use land, resources, *infrastructure* and *public service facilities*, and support the use of *active transportation* and transit in areas where it exists or is to be developed; and
- 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.”

Section 1.6 - Infrastructure and Public Service Facilities addresses the efficient planning and use of existing and future infrastructure, including municipal servicing, to ensure logical and planned development.

This proposed development, requiring an amendment to City of Brockville Zoning By-law 050-2014, is a prime example of residential intensification within an older area of our community and would provide additional housing opportunities. In addition, the

proposal is utilizing existing building stock, municipal infrastructure and is within close proximity to recreational opportunities and public transit, and is therefore consistent with policies contained within the PPS 2014.

### Official Plan Considerations

The Official Plan provides guidance on how to manage future growth, development, and change within the City of Brockville.

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

Section 1.3 10) states that "this plan promotes the maintenance, improvement and conservation of the cultural heritage resources of the Downtown and Central Waterfront Area and the City's main streets as the predominant social, cultural and community focuses of the City. This Plan further promotes these areas as unique mixed commercial, office, residential areas that act as commercial, cultural, recreational and entertainment focal points of the City."

Section 1.3 14) states that "this Plan protects Brockville's cultural heritage through policies designed to maintain and enhance the City's built form heritage resources, scenic landscapes and unique character.

The above policies relating to cultural heritage help to reiterate the importance of our heritage resources and the need to promote mixed-uses in our Downtown and Central Waterfront Area. 22 Perth Street has been identified by Heritage Brockville as being of "historical interest", but is not designated, being the former "Rock School House". Accordingly, the historic value of the building needs to be considered. The application does not identify any changes to the exterior of the building.

Section 2.3 outlines strategic planning themes which include "A Sustainable, Healthy, and Vital City", "An Economically Strong and Diverse City", "A High Quality of City Services and Amenities", and "A Well-Planned Responsive City". Specifically, "A Sustainable, Healthy, and Vital City" outlines among others, that the City is to "ensure that all citizens have, equitable, accessible, affordable, energy efficient housing choices, which are supportive of a variety of lifestyles at various stages of life."

Through approved objectives, the City is also to "revitalize the Downtown and Central Waterfront Area as mixed commercial, residential, cultural, social, tourism and entertainment destinations, while recognizing and conserving its cultural heritage resources" and "provide for a variety of housing forms, tenures and levels of affordability through development, redevelopment, intensification and infilling projects."

2015-029-04  
 Proposed Amendment to Zoning By-Law 050-2014  
 22 Perth Street  
 Owner: The Dawson Real Estate Group Inc  
 Applicant: Joseph Madigan  
 Files: D14-004<sub>(050-2014)</sub>

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The subject property is designated under Schedule 1 - City Structure, of the Official Plan, as *"Downtown and Central Waterfront Area within the Mixed Use Node"*. In addition, the subject property is subject to the following constraints and considerations:

- Schedule 2 – Design Strategy – Downtown and Central Waterfront Area, of the Official Plan, identifies the subject land as being subject to Policy 4.2.3. Specifically, the property is subject to policies pertaining to the "Transitional Area" and "Intermittent Street Frontage". Policy 4.2.3 is discussed further in this report.

Section 3 addresses building a healthy and sustainable City. Through Policy 3.2.2 which describes the City Structure, it is noted that the City should direct opportunities for intensification and infill to Mixed Use Nodes and Corridors.

Section 3.5.1.2 provides information relating to affordable housing. This section states among others, that it shall be the policy of the City that housing be affordable and accessible to low and moderate income households, increase residential densities in appropriate locations, and provide for redevelopment and residential intensification, where practical. This includes the redevelopment of existing single-use and underutilized areas with full municipal services, especially where the land is in close proximity to human services.

The City shall also develop zoning provisions that are sufficiently flexible to permit a broad and varied range of housing forms, types, sizes and tenures, and are encouraged to provide opportunities for more affordable housing to be provided in the Downtown and Central Waterfront Area.

Section 4.2 of the Official Plan contains various policies applicable to the "Downtown and Central Waterfront Area". Section 4.2.2, Permitted Uses, states among others that:

*"Subject to the Land Use and Built Form policies of Section 4.2.3, the following uses shall assist in guiding the broad range of development permitted within the Downtown and Central Waterfront Area", as identified on Schedule 1, recognizing that a more definitive list shall be provided in the Zoning By-law.*

1. Existing low-density residential uses legally existing on the date of adoption of this Plan shall be permitted.
2. Medium and High density residential uses shall be permitted including triplex dwellings, fourplex dwellings, row or block townhouse dwellings, converted dwellings containing more than two dwelling units, small-scale apartments, low-rise and high-rise apartment buildings; apartment hotels; multiple-attached dwellings and other similar medium and high profile residential buildings.
3. Residential units above ground-floor commercial uses shall be permitted."

2015-029-04  
Proposed Amendment to Zoning By-Law 050-2014  
22 Perth Street  
Owner: The Dawson Real Estate Group Inc  
Applicant: Joseph Madigan  
Files: D14-004<sub>(050-2014)</sub>

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Section 4.2.3, subsection 11, states that for lands *“Within transitional areas of the Downtown and Central Waterfront Area identified on Schedule 2, the height, density and massing of the development shall be compatible with the adjacent low density residential uses through the use of appropriate transitions including but not limited to lower building heights, additional setbacks and buffers, building treatments, location of parking, and landscaping”*.

Based on policies above, review of “Schedule 1 – City Structure” and “Schedule 2 - Design Strategy – Downtown and Central Waterfront” as well as comments received, Planning staff are of the opinion that the proposal to permit the conversion of the ground floor commercial space to permit residential occupancy will have little to no impact on abutting properties. The proposed amendment will also allow the owner of the property to convert back to a commercial use on the main floor should they wish.

By providing the option of residential or commercial uses to occupy the space, this would offer a smooth transition from the central core commercial area (south) to the neighbouring residential areas (north and west).

#### Zoning By-law Considerations:

The current zoning on the property with municipal address 22 Perth Street is MD – Mixed Use Downtown Zone under City of Brockville Zoning By-law 050-2014. The requested amendment to City of Brockville Zoning By-law 050-2014 would, if approved, rezone the subject lands to MD – Mixed Use Downtown Special Exception Zone to permit the ground floor commercial space to be used for residential occupancy, in addition to all other uses permitted within the MD – Mixed Use Downtown Zone.

A review of parking standards was conducted for the proposed change. As the site contains three (3) parking spaces on-site and an easement for an addition three (3) spaces on the abutting site (directly south), no additional parking is required for the proposed conversion.

Should the recommendation above be accepted by Council, the zone would read similar to the following:

#### ***“MD-16 (22 Perth Street)***

*The uses permitted in the MD-16 Zone shall be those uses permitted within the MD – Mixed Use Downtown Zone. Furthermore, notwithstanding Subsection 3.6, an apartment unit is a permitted use on the first storey.”*

2015-029-04  
Proposed Amendment to Zoning By-Law 050-2014  
22 Perth Street  
Owner: The Dawson Real Estate Group Inc  
Applicant: Joseph Madigan  
Files: D14-004<sub>(050-2014)</sub>

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## POLICY IMPLICATIONS

A review of relevant policies in the PPS and Official Plan has been conducted as noted previously in this report.

## FINANCIAL CONSIDERATIONS


A complete application for amendment to City of Brockville Zoning By-law 050-2014 has been received, including all applicable fees. All costs associated with the requested Zoning By-law Amendment are the responsibility of the Owner.

## CONCLUSION

Following review of the PPS, the Official Plan, Zoning By-law 050-2014, as well as submissions received respecting the request for Zoning By-law amendment for 22 Perth Street, it is reasonable to create a site specific zone for the subject property to intensify, utilize existing services/infrastructure, retain the heritage nature of the existing Perth Street frontage of the building and to provide a mix of housing types within the Downtown and Central Waterfront Area within the City of Brockville.

Accordingly, it is reasonable to amend City of Brockville Zoning By-law 050-2014 whereby the subject land would be rezoned from MD - Mixed Use Downtown Zone to MD – Mixed Use Downtown Special Exception Zone. This is reflected in the recommendations at the beginning of this report.

  
M. Pascoe Merkley, MCIP, RPP  
Director of Planning

  
Andrew McGinnis, MCIP, RPP  
Planner II

  
per B. Casselman  
City Manager

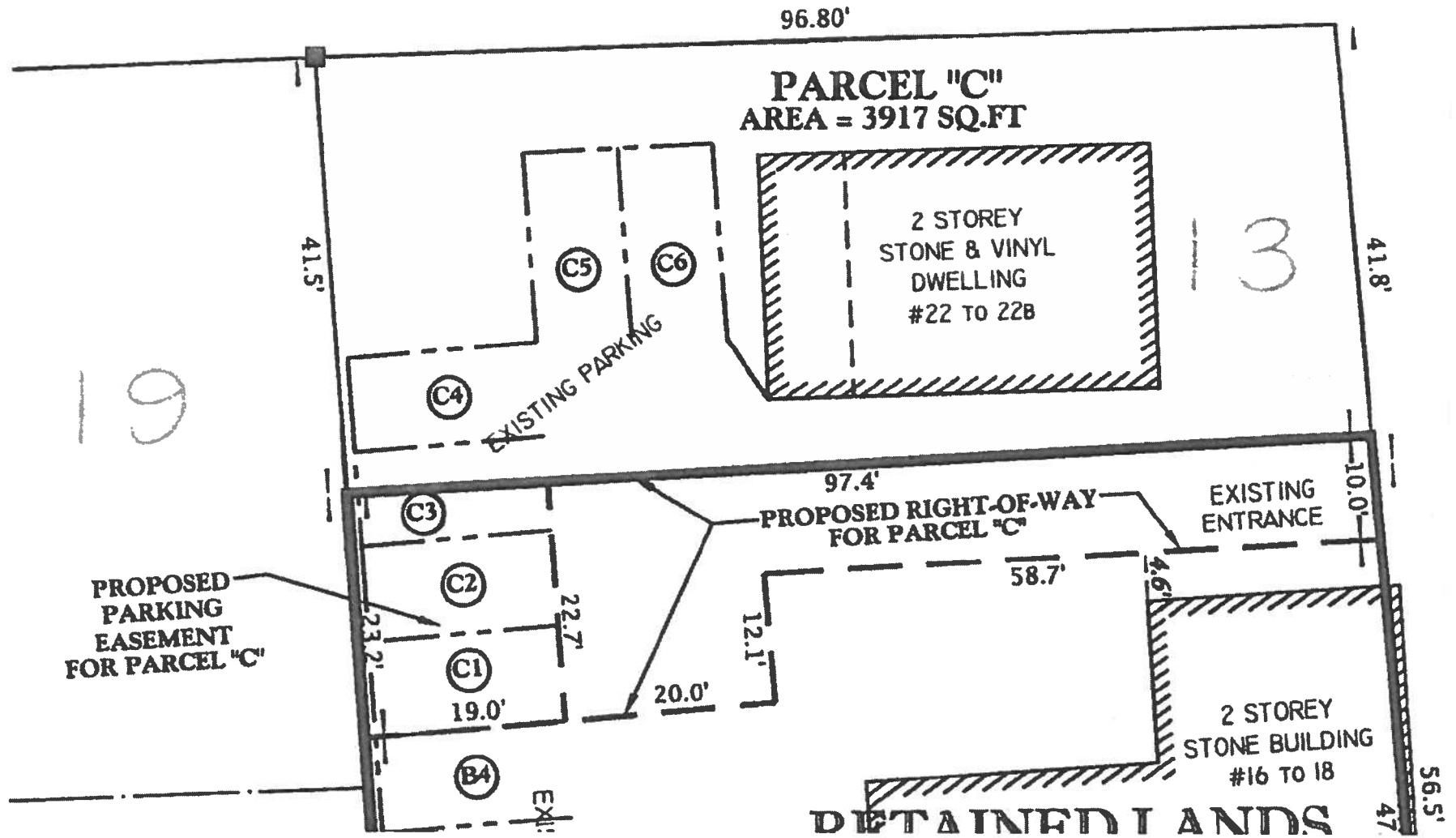


# **SCHEDULE "A-1" TO REPORT 2015-029-04**



# GEORGE STREET

SCHEDULE "A-2" TO REPORT 2015-029-04





## **SCHEDULE "C" TO REPORT 2015-029-04**



### **Public Meeting Economic Development & Planning Committee**

Tuesday, March 03, 2015, 6:00 pm  
City Hall, Council Chambers

#### **COMMITTEE MINUTES**

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

Councillor J. Baker, Chair  
Councillor L. Bursey  
Councillor M. Kalivas  
Councillor D. LeSueur

##### **Regrets:**

Mayor D. Henderson

##### **Staff:**

Mr. J. Faurschou, Planner I  
Ms. S. MacDonald, 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.

#### **Reports**

1. 2015-023-03  
Proposed Amendment to Zoning By-Law 050-2014  
Lot 13, Block 44, Plan 67  
22 Perth Street, City of Brockville  
Owner: The Dawson Real Estate Group  
Agent: Joseph Madigan

Moved by: Councillor Kalivas

THAT Report 2015-023-03 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

Mr. A. McGinnis, Planner II, announced that the Notice of Public Meeting respecting the application for Zoning By-law Amendment was advertised in the Brockville Recorder and Times Newspaper and was circulated to property owners within 120.0 metres (400.0 ft.) of the subject property. In addition, a sign was posted on the subject property

Economic Development and Planning Committee (EDP) Public Planning Meeting Minutes -  
Tuesday, March 03, 2015

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advising that the lands are the subject of an Application for Amendment to the City of Brockville Zoning By-law 050-2014.

Councillor Baker reviewed the procedures for the Public Meeting.

Mr. McGinnis offered an overview of his report for the committee.

No persons were in attendance other than the Agent, Mr. Joseph Madigan.

The meeting adjourned at 6:10 pm.

27 March 2015

**REPORT TO THE ECONOMIC DEVELOPMENT AND PLANNING COMMITTEE**

07 April 2015

2015-033-04

**REQUEST TO DEEM LOTS NOT REGISTERED**

**M. MAUREEN PASCOE MERKLEY**

**PARTS OF BRIDLEWOOD SUBDIVISION**

**DIRECTOR OF PLANNING**

**REGISTERED PLAN 375, BROCKVILLE**

**J. FAURSCHOU**

**OWNER: 653973 ONTARIO LTD.**

**PLANNER I**

**APPLICANT: WILSON/EVELY**

**FILE: 267-10**

**RECOMMENDATION:**

THAT Part Lot 4 and Lot 135, Registered Plan 375, City of Brockville, County of Leeds, be deemed not registered.

**ORIGIN:**

On 23 February 2015, Wilson/Evely, acting on behalf of 653973 Ontario Ltd., Mr. J. Malovic, requested that various lots within Registered Plan 375, known as "Bridlewood Subdivision" be deemed not registered. The letter of request, dated 23 February 2015, has been attached as **Schedule "A"** to this report.

The lots which are the subject of this request are described as follows:

- Part Lot 4, located on the south side of Fitzsimmons Drive; and
- Lot 135, located on the north side of Fitzsimmons Drive.

The subject lots are identified in yellow on **Schedule "B"** to this report.

**ANALYSIS/OPTIONS:**

The Ontario Planning Act, 1990, c.P. 13, Section 50. (4), addresses the matter of the designation of a plan or subdivision or part thereof as not being deemed registered as follows:

*"50 (4) The council of a local municipality may by by-law designate any plan of subdivision, or part thereof, that has been registered for eight years or more, which shall be deemed not to be a registered plan of subdivision for the purposes of subsection (3). R.S.O. 1990, c. P.13, s. 50 (4)."*

The underlying registered plan of subdivision for the lands subject to this application was created in 1981, and is subject to a Subdivision Agreement between Dodge and Dodge Corporation Limited and the Corporation of the City of Brockville authorized by By-law



2015-033-04  
Request to Deem Lots Not Registered  
Parts of Bridlewood Subdivision  
Registered Plan 375  
Owner: 653973 Ontario Ltd.  
Applicant: WILSON/EVELY  
File: 267-10

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234-81. This Agreement has been the subject of various amendments through the years which have addressed the on-going development of various phases of the subdivision and change of ownership from Dodge and Dodge Corporation Limited to 653973 Ontario Ltd. Accordingly, the plan of subdivision exceeds the required minimum of eight (8) years to permit a portion of the subdivision to be considered as not being registered.

On 30 January 2014, the Planning Department received a request for various lots to be deemed not to be registered. This request was successful and was enabled through By-law 024-2014.

On 23 February 2015, the Planning Department received a further request for various lots to be deemed not to be registered. These lots have been determined by the developer to be beyond the scope of his planned development at this time. In discussions with Planning Department staff, Mr. J. Malovic has expressed his concern with the on-going property tax burden from carrying certain lots in Bridlewood Subdivision which have no foreseeable development potential.

Lots Within Registered Plan 375 To Be Deemed Not Registered:

The lots which have been requested to be deemed not to be registered are described and located as follows:

- Part Lot 4, located on the south side of Fitzsimmons Drive; and
- Lot 135, located on the north side of Fitzsimmons Drive.

Part Lot 4, Plan 375 is located on the south side of Fitzsimmons Drive and is a remnant undersized and unserviced lot from the request made and approved under By-law 024-2014 and represents a housekeeping matter.

Lot 135, located on the north side of Fitzsimmons Drive, is an unserviced lot on the west end of Fitzsimmons Drive.

The request has been circulated for comment with replies as follows:

- Environmental Services Department: Steve Allen-Supervisor of Engineering:  
(E-mail dated 02 March 2015)

*"we are not opposed to the application".*

Mr. J. Malovic has acknowledged that he understands that should the lots which are the subject of this application be deemed to be not part of Plan 375, all future development of these lands will require an application for subdivision approval, including all drawings,

2015-033-04  
Request to Deem Lots Not Registered  
Parts of Bridlewood Subdivision  
Registered Plan 375  
Owner: 653973 Ontario Ltd.  
Applicant: WILSON/EVELY  
File: 267-10

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associated fees and studies applicable under legislation in place at the time of application.

## POLICY IMPLICATIONS

The Official Plan for the City of Brockville, Policy 6.4.5.1.14., addresses the matter of deeming lots not to be registered as follows:

*"14. The City may consider passing a By-law under the provisions of the Planning Act deeming old registered, undeveloped plans which are inadequate due to matters such as lot size, unsuitable access or undesirable location, not to be registered."*


Given that the lots in question consist of undeveloped lots which are not anticipated to be utilized by the developer until such time as Fitzsimmons Drive is extended westerly across lands not owned by 653973 Ontario Ltd. and which would furthermore require a new pump station due to the change of grade, the request is considered by the Planning Department to be reasonable.

## FINANCIAL CONSIDERATIONS

Financial considerations to the City of Brockville would consist of the potential for reduced taxation should reassessments by MPAC occur as expected upon completion of the deeming process.

## CONCLUSION:

It is appropriate for Council to support the deeming of Part Lot 4 and Lot 135, Registered Plan 375, City of Brockville, County of Leeds, and for the necessary by-law to be enacted.

  
J. Faurschou, MCIP, RPP  
Planner I

  
M. Pascoe Merkley, MCIP, RPP  
Director of Planning

  
per B. Casselman  
City Manager



**WILSON/EVELY**

Barristers &amp; Solicitors

W. Robert Wilson, B.A., LL.B (deceased)  
Brian G. Evely, B.A., LL.B

P.O. Box One  
3 Court Terrace  
Brockville, Ontario  
K6V 5T7  
Tel: (613) 345-1907  
Fax: (613) 345-4604  
Wilson-Evely@Bellnet.ca

February 23, 2015

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

Attention: Jonathan Faurschou

Dear Sir:

RE: 653973 ONTARIO LTD.

Joe Malovic has contacted our office and asked that we contact you regarding a request deeming certain lots within the registered plan of subdivision not to be registered. The lots that are in question are as follows:

Fitzsimmons Street - Lot 135 - PIN is part of PIN 44181-0492

Part Lot 4, Plan 375. - PIN is part of PIN 44181-0511

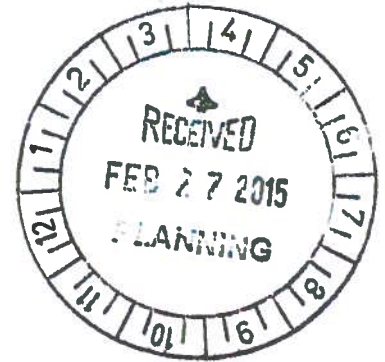
I enclose herewith our clients cheque in the amount of \$460.00 for your fee. We will register the By-Law upon receipt of same from you.

We look forward to hearing from you.

Yours very truly,

WILSON/EVELY

*Brian G. Evely jlb*  
Brian G. Evely  
BGE:jb

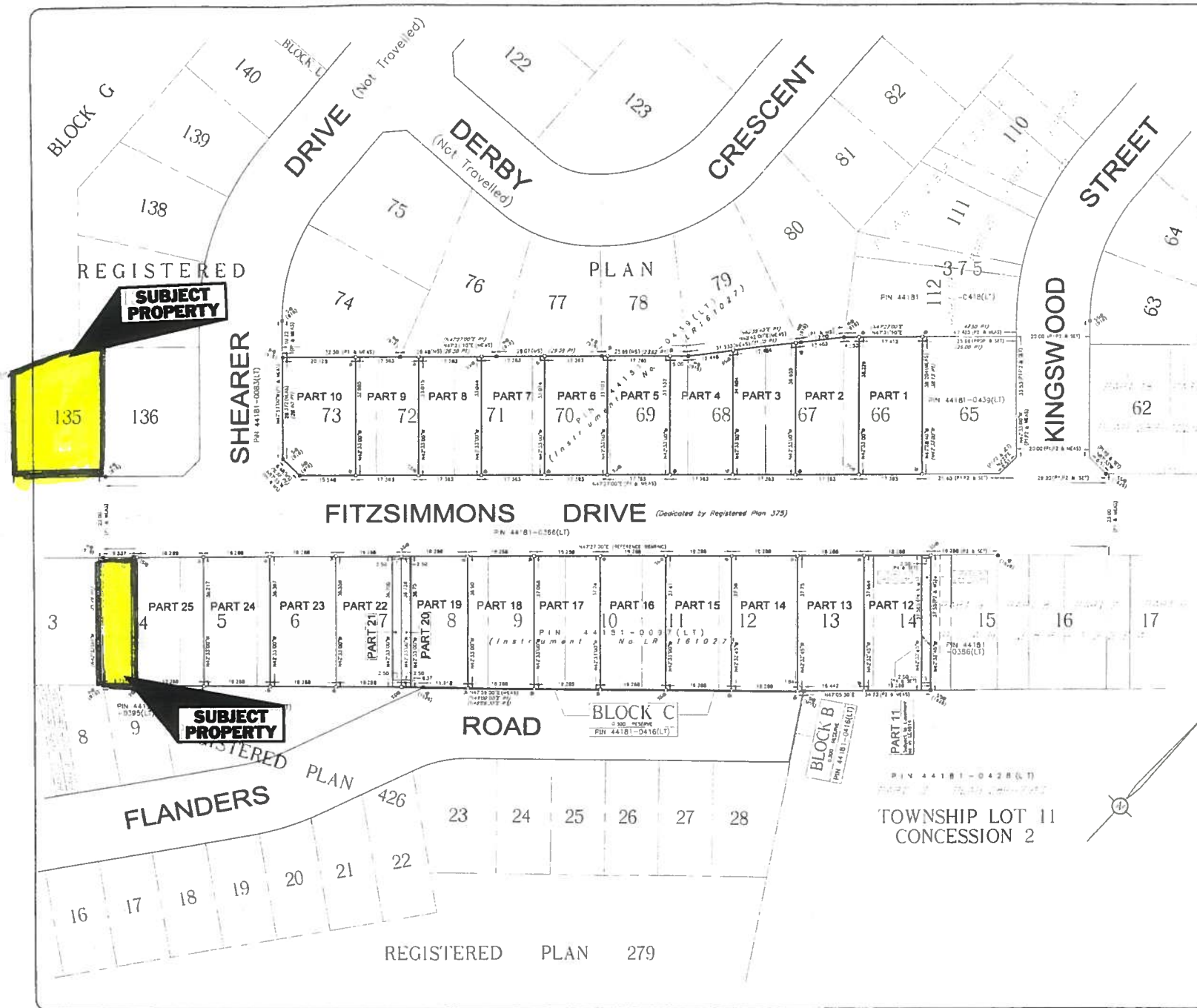


**RECEIVED PAYMENT**  
WITH THANKS

MAR 03 2015

CORPORATION OF THE  
CITY OF  
BROCKVILLE

PER \_\_\_\_\_



I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT

August 5, 2008

Robert J. Jordan, O.L.S.

PLAN 28R /3186

RECEIVED AND DEPOSITED

Aug 6, 08

W. Halladay

LAND REGISTRAR FOR THE LAND TITLES DIVISION OF LEEDS (NO. 28)

SCHEDULE			
PART	LOT	PLAN	PIN
1	PART OF 66		
2	PART OF 66 & 67		
3	PART OF 67 & 68		
4	PART OF 68 & 69		
5	PART OF 69 & 70		
6	PART OF 70		
7	PART OF 70 & 71		
8	PART OF 71 & 72		
9	PART OF 72 & 73		
10	PART OF 73		
11	PART OF 14		
12	PART OF 13 & 14		
13	PART OF 13		
14	PART OF 12 & 13		
15	PART OF 11 & 12		
16	PART OF 10 & 11		
17	PART OF 9 & 10		
18	PART OF 8 & 9		
19	PART OF 7 & 8		
20			
21	PART OF 7		
22			
23	PART OF 6 & 7		
24	PART OF 5 & 6		
25	PART OF 4 & 5		

PLAN OF SURVEY  
PART OF LOTS 4  
LOTS 5 to 1  
and  
LOTS 66 to 7  
REGISTERED PL  
CITY OF BROCK  
COUNTY OF LE

SCALE = 1 : 500

JORDAN & WISEMAN SURVEYING  
ONTARIO LAND SURVEYORS

NOTES

BEARINGS ARE ASTROLOGICAL AND ARE DERIVED FROM THE NORTH-POINTING LIST OF FITZSIMMONS ON A BEARING OF N47°17'00"E ON REGISTERED PLAN 375

ALL DISTANCES ON THIS PLAN ARE IN METERS & CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

- 1. DENOTES SHORT STANDARD IRON BAR
- 2. DENOTES STANDARD IRON BAR
- 3. DENOTES IRON BAR
- 4. DENOTES IRON BAR
- 5. DENOTES IRON BAR
- 6. DENOTES IRON BAR
- 7. DENOTES IRON BAR
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- 22. DENOTES IRON BAR
- 23. DENOTES IRON BAR
- 24. DENOTES IRON BAR
- 25. DENOTES IRON BAR

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.

2. THE SURVEY WAS COMPLETED ON JUNE 8, 2008.

Aug 5, 2008

Robert J. Jordan

ONTARIO LAND SURVEYOR

JORDAN & WISEMAN  
SURVEYING LTD.  
ONTARIO LAND SURVEYORS

P.O. Box 485  
33 Perth Street  
Brampton, Ontario  
N6Y 6Y7

Phone 343-7338  
Fax 343-6913

Drawn By: R.J.C. Pump Check: B.L. Checked By: R.J.C. File No.: 275411

SCHEDULE "B" - REPORT 2015-033-04

**March 31, 2015**

**Report to Economic Development and Planning Committee  
April 7, 2015**

**2015-034-04**

**Buds on the Bay Restaurant  
Request for Licence to Permit  
A Sidewalk on Broad Street Road Allowance**

**Sandra MacDonald  
City Clerk**

## **RECOMMENDED**

THAT Council authorize the Mayor and City Clerk to execute a licence agreement with John Ackerman, Owner, Bud's on the Bay Restaurant for the use of a portion of land on the east side of Broad Street road allowance for a patio as per the submitted drawing.

## **PURPOSE**

Mr. Ackerman has submitted a proposal for the construction of a patio area on the east side of Broad Street adjacent to his property.

## **ANALYSIS/OPTIONS**

An application was submitted by Mr. John Ackerman, Owner, Bud's on the Bay Restaurant, for the installation of a patio on the Broad Street. The patio is proposed to be a concrete slab located between the two entrances, with a metal railing installed to meet the conditions required for an outdoor liquor licensed area.

Staff are recommending the approval of a license agreement with Mr. Ackerman for the use of the Broad Street road allowance. The use of the road allowance will not infringe on the travelled roadway and have little to no impact on abutting properties. See attached drawing showing the lands subject to the licence and photos depicting the vision for the patio.

The proposal was circulated to the Operations, Environmental Services and Planning Departments for review and comment. The departments have no objections but did note that a building permit would be required for the railing and that utility services are located near the sidewalk. Included in the agreement is a provision whereby the City would not be responsible for any costs associated with the patio should it need to be removed to garner access to the services for repair and/or replacement or any damage.

## **FINANCIAL CONSIDERATIONS**

There are no financial considerations associated with this report. All costs, including legal, will be borne by the applicant.



S. MacDonald  
City Clerk



 B. Casselman  
City Manager

Attached are 2 photos, similar to what I have planned at Buds on the Bay.

The top photo is a patio similar in size and situated between the sidewalk and a building.

It also shows plants and umbrellas just as I have imagined.

The 2<sup>nd</sup> photo shows the type of railing I have planned as well as the concrete slab that I would pour between the building and the sidewalk.

A concrete slab is ideal as it would allow me to level it in such a way to keep water away from the building.

The railing would be removable so not to effect plowing of the sidewalk in the winter by City crews.

John Ackerman

Buds on the Bay







BROAD ST

SIDEWALK

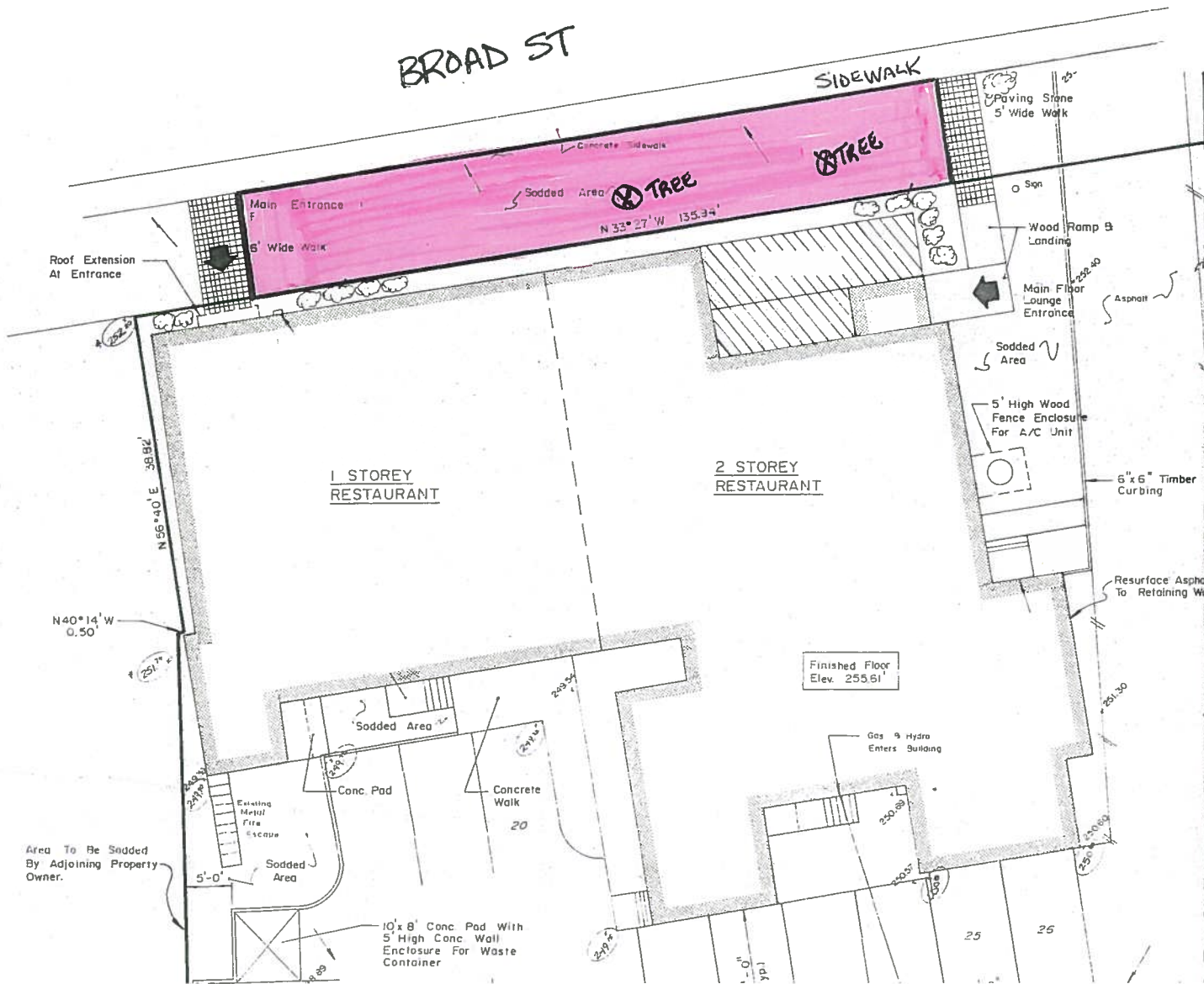


**PROPOSED PATIO AREA**  
BETWEEN THE 2 ENTRANCES  
ON BROAD STREET.

22M, 24CM LONG

4M 10CM WIDE

THERE ARE PRESENTLY 2  
TREES ON THE SODDED AREA.  
SKEPTICAL ON HEALTH OF 2 TREES  
PREFER THEY ARE REMOVED.



**31 March 2015**

**REPORT TO THE ECONOMIC DEVELOPMENT PLANNING COMMITTEE - 07 APRIL 2015**

**2015-039-04**

**CIP- DOWNTOWN PROGRAM GUIDELINES  
FAÇADE IMPROVEMENT GRANT (FIG) AND  
RESIDENTIAL OR COMMERCIAL CONVERSION/  
REHABILITATION GRANT (RCCR) PROGRAMS  
AND PRIORITY FOR 2015 FUNDING**

**M. PASCOE MERKLEY  
DIRECTOR OF PLANNING**

**RECOMMENDED**

**THAT** the program guidelines for the Downtown Community Improvement Plan's Façade Improvement Grant Program and Residential or Commercial Conversion/Rehabilitation Grant Program be reaffirmed with priority for 2015 funding of eligible projects to be weighted in favour of rehabilitation or improvements to older building stock.

**PURPOSE**

In accordance with Council's direction during 2015 budget deliberations, this report provides an opportunity for review of the guidelines for the Downtown Community Improvement Plan grant programs being funded for 2015, specifically being the following:

- Façade Improvement Grant Program (CIP-FIG); and
- Residential or Commercial Conversion/Rehabilitation Grant Program (CIP-RCCR).

**BACKGROUND**

In April 2004, Council adopted the Downtown Community Improvement Plan (CIP) with the primary goal of promoting and encouraging commercial revitalization in the downtown area and the ancillary goal of promoting the construction and rehabilitation of residential development, and the conversion of upper floor commercial buildings into residential space.

Three prior amendments have been made to the Downtown CIP, firstly in 2007 to provide integration with the newly adopted Brownfields CIP, in 2011, to modify the boundary of Priority Area No. 1 (137 George St.) and in 2012, following stakeholder consultation, to introduce the Façade Improvement Grant Program; and Residential or Commercial Conversion/Rehabilitation Grant Program to be available in Priority Area No. 1.

**Schedule "A"** to this report illustrates the Community Improvement Project Area, and Priority Areas under the Downtown CIP.

A brief description of the Façade Improvement Grant Program and Residential or Commercial Conversion/Rehabilitation Grant Program is provided below.

Façade Improvement Grant Program (CIP-FIG):

This Program will provide a grant to owners or tenants of buildings who undertake restoration and/or rehabilitation of Program Area buildings in a fashion consistent with the original design or with the City's Urban Design Guidelines and the requirements of the Ontario Building Code.

The Façade Improvement Grant Program offers a grant of up to 50% of the total cost of façade improvements where a project has a value of more than Two Thousand Dollars (\$2,000.00), said grant being not more than Ten Thousand Dollars (\$10,000.00) per annum, per property, per façade.

All commercial and mixed commercial/residential property located within Priority Area No. 1 of the Community Improvement Project Area is the target of this program.

**Schedule "B"** to this report represents Schedule B-4: Façade Improvement Grant Program to the CIP Downtown, being the detailed program guidelines and point system used to judge eligibility and for prioritizing of applications.

Residential or Commercial Conversion/Rehabilitation Grant Program (CIP-RCCR):

This Program will provide a grant to owners or tenants of buildings who choose to upgrade existing space on upper floors to create new or improved residential and/or commercial space in keeping with the original goals of the Downtown CIP.

The Residential or Commercial Conversion/Rehabilitation Grant Program provides the property owner or tenant with a grant equal to 50% of the costs for space converted or rehabilitated up to Twenty Thousand Dollars (\$20,000.00) per property subject to the approval of the Planning Department.

All commercial and mixed commercial/residential property located within Priority Area No. 1 of the Community Improvement Project Area is the target of this program.

The detailed program guidelines and point system Schedule B-5: Residential or Commercial Conversion/Rehabilitation Program have been attached as **Schedule "C"**.

Implementation

In 2013, Council provided \$80,000 to roll out these two (2) new programs. Promotional material was produced, and information was disseminated to property owners and businesses in the core area. Funding was committed for six (6) façade improvement projects and two (2) residential conversions for a total of eight (8) projects. There was no funding allocation in 2014.



## ANALYSIS

The \$50,000 set aside in the 2015 budget will leverage, at a minimum, matching investment by the private sector for eligible projects and thus will help to achieve the Downtown CIP's goals of promoting and encouraging commercial revitalization as well as residential development or rehabilitation in Priority Area No. 1.

Staff of the Planning and Economic Development Departments is preparing to trigger promotion of the Programs, in conjunction with the DBIA, to encourage applications for 2015 projects and uptake of the available funding.

From experience with 2013 funding, it can be reported that the point system developed for both of these programs is a valuable and necessary tool for determining eligibility and ranking of projects.

Feedback from Council during 2015 Budget deliberations on some of the outcomes of the 2013 funding window, however, indicates that further prioritization may be desired by Council, in order to direct funds towards the older building stock in the Priority Area.

It should be noted that both Programs contain the following stipulation:

*"The City, at its sole discretion, will select eligible projects based on the criteria in this document, including budget availability, and other applicable policy and recommendations. The City is not obligated to fund any project. Precedent will not influence the City's decision."*

To better inform staff responsible for implementing and administering these two (2) programs that Council wishes to prioritize the utilization of available funds, it is appropriate for Council to make additional recommendations to supplement the established point systems for the CIP-FIG and CIP-RCCR Programs for this year.

The simplest approach to achieve this is for Council to advise staff by resolution of its direction that priority for 2015 funding programs is to be directed towards older building stock in the Priority Area. Some additional weighting will then be developed and applied by staff in review of funding applications received this funding year. This will not necessitate any formal amendments to the Downtown CIP's program descriptions and guidelines.

## POLICY IMPLICATIONS

The Official Plan encourages the use of the Community Improvement provisions of the Planning Act to prepare Community Improvement Plans. The Downtown area is a priority for revitalization, and programs such as the Façade Improvement Grant Program and Residential and Commercial Conversion/Rehabilitation Grant Program have been developed to encourage preservation, restoration, rehabilitation and repairs.

## FINANCIAL CONSIDERATIONS

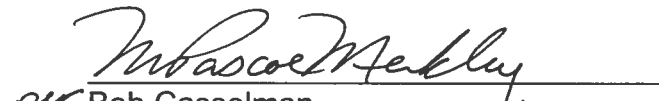
There are no additional financial considerations at this time as the CIP-FIG and CIP-RCCR Grant Programs have been approved for funding to the amount of \$50,000 for 2015.

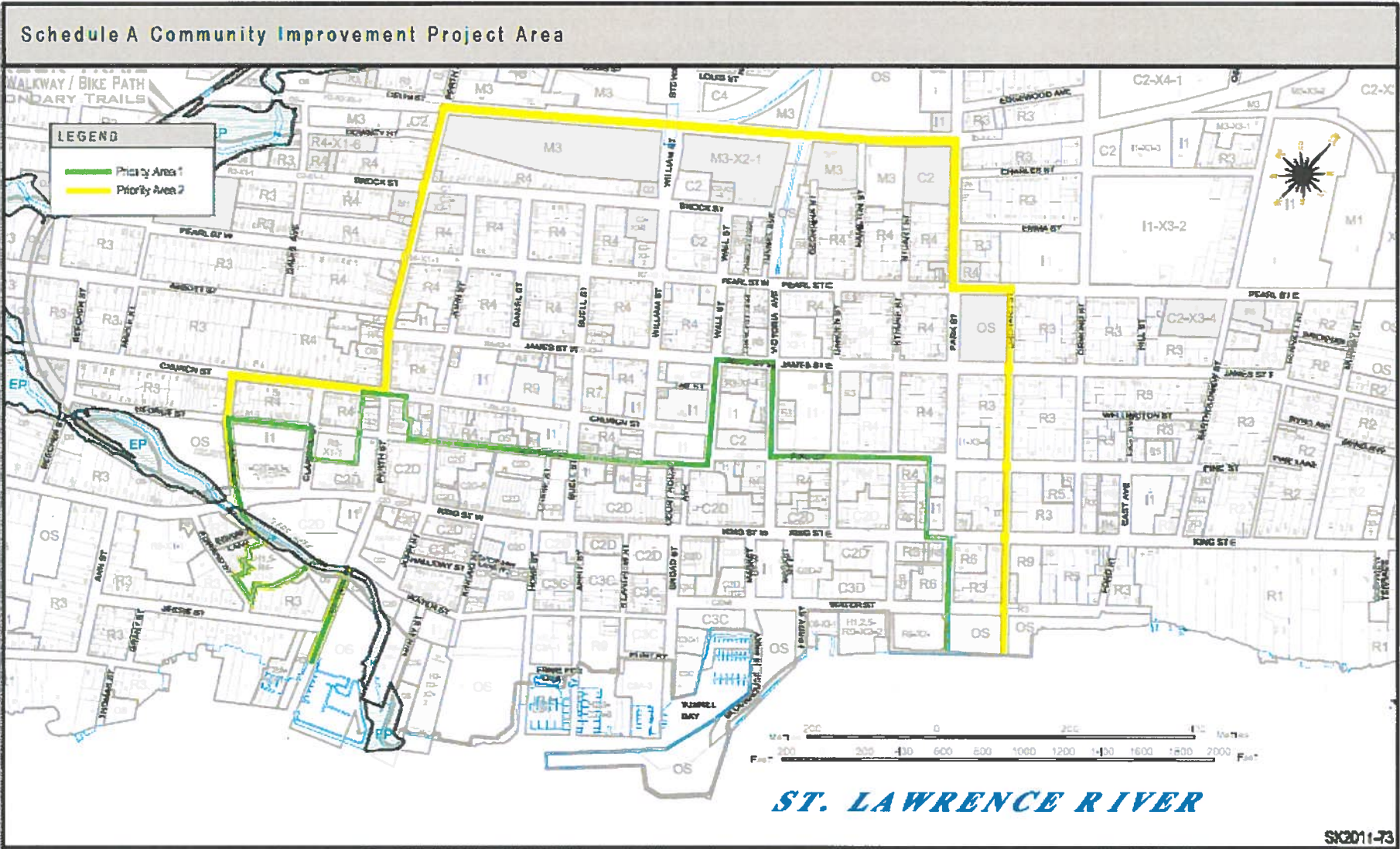
## CONCLUSION

In large measure, the detailed point system developed under both the Façade Improvement Program (CIP-FIG) and Residential and Commercial Conversion/Rehabilitation Program (CIP-RCCR) and vetted with stakeholders to rank eligible projects still has merit.

By endorsing the recommendation, Council will reaffirm the use of the point system, but will also provide direction for additional weighting to be provided to eligible projects involving older building stock in the Priority Area.

  
Maureen Pascoe Merkley, MCIP, RPP  
Director of Planning

  
per Bob Casselman  
City Manager



Schedule "A"  
To Report 2015-039-04

## Schedule "B" To Report 2015-039-04

### **SCHEDULE B-4**

### **FAÇADE IMPROVEMENT PROGRAM**

#### **Background**

This document describes the criteria to select eligible projects for Program assistance under the Façade Improvement Program in Priority Area No. 1 indicated under the Community Improvement Plan.

The Façade Improvement Program is designed to encourage restoration and rehabilitation of Program Area buildings in a fashion consistent with the original design or with the City's Urban Design Guidelines and with the requirements of the Ontario Building Code and other applicable legislation.

#### **Target Area**

All owners and tenants of commercial and mixed commercial/residential buildings located within Priority Area No. 1 (see Schedule A) of the Community Improvement Project Area will be the target of this program. These boundaries are set by the Community Improvement Plan, which establishes a framework for the City's support and implementation of programs to encourage redevelopment and revitalization in the downtown core area.

#### **Eligibility**

All owners and tenants of commercial, residential and mixed commercial/residential buildings located within Priority Area No. 1 of the Community Improvement Project Area will be eligible to participate in the Façade Improvement Program.

If the tenant would like to undertake work, the owner and tenant must enter into an agreement, independent of the City, stipulating the arrangement of the grant receipt and work to be done, independent of the City, and a copy of which shall be provided to the City.

To receive payment under this program, a Commitment and Grant Agreement must be signed with the City. The eligible owner must enter into the Commitment and Grant Agreement but, in the case of a tenant undertaking the work, the eligible owner may elect to have the grant paid to an assignee, to be specified in the Commitment and Grant Agreement.

#### **Program Description**

The program provides for program assistance to property owners or tenants who undertake a project, with a minimum overall project cost of \$2,000.00 and a maximum

grant of \$10,000.00 per property, except for corner properties which may be eligible to receive a grant of up to 50% of eligible costs to a maximum of \$20,000.00. The eligible work must improve the façade, or part thereof, of a building in the Priority Area 1 through restoration, repair or replacement of various elements of the façade.

The Façade Improvement Program is time limited, and shall operate until December 31, 2015 unless extended beyond this date by resolution of City Council. Applications will be received between February 1<sup>st</sup> and May 31<sup>st</sup> of each year. Grants will be awarded by June 30<sup>th</sup> of each year based on funding available. If the total grant request exceeds the funds available, grants will be awarded based on a point system. Applicants who did not receive the grant can reapply in future years.

Municipal taxes for the subject property must not be in arrears.

The number of front façades eligible for grant purposes is based on the number of "distinct façades". If this number is in question, the final decision will be made by the Chief Planning Officer.

Specific examples of **eligible** works include, but are not limited to:

- materials, labour, equipment, and architectural/ engineering/design/ professional fees directly associated with the façade improvements and which lead to undertaking and completion of such work within the same calendar year (**Note: Sweat equity is not eligible**);
- restoration or repointing of façade masonry, stonework, brickwork, and/or wood and metal cladding;
- repainting or cleaning of the façade, in whole or part;
- restoration or repointing of façade masonry, stonework, brickwork, and/or wood and metal cladding;
- restoration, repair or replacement of original cornices, eaves, parapets, decorative details, date labels, building name and other architectural features visible of the façade;
- restoration, repair or replacement of façade windows and/or street level exterior doors;
- restoration of the original heritage façade appearance;
- restoration of the original storefront glazing, including upper decorative glazing;
- restoration, repair or replacement of retractable awnings on the façade, where consistent with the original building design;
- restoration, repair or installation of façade exterior lighting; and
- other similar restoration, repair or improvements to the building's exterior façade as may be approved by the City's Chief Planning Officer.

Examples of **ineligible** works include, but are not limited to, the following:

- painting brick or stone;
- stucco or other overlays which serve to obscure original façade treatments;

- fixed awnings, canopies or fascia work which obscure architectural features, in whole or in part; and
- signage.

### **IMPORTANT NOTES:**

For designated buildings, substitution of original materials with a modern replication of the original finish may be considered subject to approval by Heritage Brockville and the Planning Department. Where such substitution of materials is proposed, supporting documentation in terms of compliance with applicable legislation (e.g. OBC, TSSA, CSA, MOE, ESA, ULC, etc.) and heritage support is required to be submitted for assessment.

The City, at its sole discretion, will select eligible projects based on the criteria in this document, including budget availability, and other applicable policy and recommendations. The City is not obligated to fund any project. Precedent will not influence the City's decision.

Funding will be awarded based on the following point system in the event that requests for funding exceed the funds allowed. The applicant with the highest point total will receive the highest priority.

<b>Point system for Downtown CIP Funding - Fascade Improvement Program</b>	<b>Points</b>
Note: Signage is NOT Eligible.	
<b>FRONTAGE LOCATION - KING STREET</b>	
<b>King Street - Heritage Restoration</b>	<b>Points</b>
Cornice	5
Middle Area (Between first and top storey)	5
Street Level	5
Masonry-Related (Stone and/or Brick): Repair and/or Repoint	5
Paint Masonry	-3
Non-Masonry Materials: Original Materials	5
Retrofit Materials, including Stucco, Wood, Aluminium	0
Lighting	1
Windows Only	1
Paint Only	
Heritage Colour Palette	3
Non-Heritage Colour Palette	2

<b>King Street - Heritage Replication</b>	<b>Points</b>
Cornice	4
Middle Area (Between first and top storey)	4
Street Level	4
Masonry-Related (Stone and/or Brick)	
Repair and/or Repoint	5
Paint Masonry	-3
Non-Masonry Materials	
Original Materials	5
Retrofit Materials, including Stucco, Wood, Aluminium	0
Lighting	1
Windows Only	1
Paint Only	
Heritage Colour Palette	3
Non-Heritage Colour Palette	2

<b>King Street - Non-Heritage</b>	<b>Points</b>
Cornice	2
Middle Area (Between first and top storey)	1
Street Level	2
Masonry-Related (Stone and/or Brick)	
Repair and/or Repoint	5
Paint Masonry	-3
Non-Masonry Materials	
Original Materials	5
Retrofit Materials, including Stucco, Wood, Aluminium	0
Lighting	1
Windows Only	1
Paint Only	
Heritage Colour Palette	3
Non-Heritage Colour Palette	2

<b>FRONTAGE LOCATION – SECONDARY STREET</b>	
<b>Secondary Street - Heritage Restoration</b>	<b>Points</b>
Cornice	5
Middle Area (Between first and top storey)	5
Street Level	5
Masonry-Related (Stone and/or Brick)	
Repair and/or Repoint	5
Paint Masonry	-3
Non-Masonry Materials	
Original Materials	5
Retrofit Materials, including Stucco, Wood, Aluminium	0
Lighting	1
Windows Only	1
Paint Only	
Heritage Colour Palette	3
Non-Heritage Colour Palette	2

<b>Secondary Street - Heritage Replication</b>	<b>Points</b>
Cornice	4
Middle Area (Between first and top storey)	4
Street Level	4
Masonry-Related (Stone and/or Brick)	
Repair and/or Repoint	5
Paint Masonry	-3
Non-Masonry Materials	
Original Materials	5
Retrofit Materials, including Stucco, Wood, Aluminium	0
Lighting	1
Windows Only	1
Paint Only	
Heritage Colour Palette	3
Non-Heritage Colour Palette	2



<b>Secondary Street - Non-Heritage</b>	<b>Points</b>
Cornice	2
Middle Area (Between first and top storey)	1
Street Level	2
Masonry-Related (Stone and/or Brick): Repair and/or Repoint	5
Paint Masonry	-3
Non-Masonry Materials: Original Materials	5
Retrofit Materials, including Stucco, Wood, Aluminum	0
Lighting	1
Windows Only	1
Paint Only	
Heritage Colour Palette	3
Non-Heritage Colour Palette	2

<b>FRONTAGE LOCATION - LANEWAY - PUBLIC AND/OR PRIVATE</b>	<b>0 Points Available</b>
<b>CONSULTATION WITH HERITAGE BROCKVILLE FOR DESIGN</b>	<b>Points</b>
Exempt from consultation, with Rationale by Applicant	5
Heritage Brockville Consulted	5
Heritage Brockville Design Recommendations Adopted	5
100%	5
75%	4
50%	3
25%	2
Less than 25%	1
Heritage Brockville Design Recommendations NOT Adopted	0
Heritage Brockville NOT Consulted	0
<b>ACCESSIBILITY IMPROVEMENTS</b>	<b>Points</b>
<b>Primary Access, Excluding Flanking Fascade</b>	
Heritage Style Door in Keeping with Original Building Fascade	5
Non-Heritage Style Door	4
Widen Entrance	3
Ramp	2
Lift	2
<b>Secondary Access, Excluding Flanking Fascade</b>	
Heritage Style Door in Keeping with Original Building Fascade	4
Non-Heritage Style Door	3
Widen Entrance	2
Ramp	2
Lift	2

## **Implementation**

The owner or tenant must register a "Registration of Intent" for the Program within the prescribed time period of the Plan (February 1<sup>st</sup> to May 31<sup>st</sup> of each year).

Program assistance under the Façade Improvement Program does not apply retroactively. Applications must be approved prior to the start of any proposed work or they will be ineligible for funding under the Façade Improvement Program.

A "Registration of Intent" cannot be accepted for any work which has already been completed.

Only one (1) "Registration of Intent" may be submitted per annum, per building.

An owner or tenant can participate in the Façade Improvement Program in successive years but shall not be considered for program assistance more than once per annum.

The total amount of the grant shall not exceed 50% of the project's eligible costs or \$10,000.00 per building face, except for corner and laneway properties which shall be eligible to receive a grant of up to \$20,000.00 (maximum \$10,000 per building face) per building where both building faces are the subject of the program in the same application year.

Façade Improvement Grants will be dispersed in a single lump sum on:

- submission and approval of eligible costs based on paid invoices, , as identified in the Commitment and Grant Agreement; and
- final inspection where a Building Permit has been issued or where no building permit is required, when said work has been inspected and found to be acceptable to the City.

Where the work does require a Building Permit, all such work shall be completed within one (1) year of the date of issuance of a building permit.

Where the work does not require a Building Permit, all such work shall be completed within one (1) year of the date of execution of the Commitment and Grant Agreement.

## **Application Process**

1. The owner or tenant signs a "Registration of Intent" form indicating the owner's or tenant's intent in participating in the Façade Improvement Program.

The "Registration of Intent" will contain the following information:

- the name, address, phone number and e-mail of the owner;

- the name, address, phone number and e-mail of the tenant, if applicable;
  - the municipal address of the subject property;
  - the legal description of the subject property, including the current Property Identification Number (PIN);
  - the full assessment roll number of the subject property;
  - photograph of existing façade;
  - identification of the source and amount of assistance from other programs directly related to the façade work;
  - Detailed drawings or renderings acceptable to the City's Planning Department drawn to scale, illustrating the nature, extent, location and appearance of the work to be undertaken. Such renderings will show, where applicable:
    - building materials to be used and where they will be used;
    - exterior colour(s) and location of said colours;
    - exterior lighting and details of location(s) and fixture type(s);
    - architectural detailing;
    - door and window style and detailing;
    - awning type.
  - the owner's signature, and where a tenant is undertaking the work, the tenant(s) signature and authorization from the owner for the tenant to undertake the work.
  - For projects located in Priority Area 1 which are also eligible for assistance under other Downtown CIP and/or Brownfields CIP programs, completion of a "Registration of Intent" under those Plans will be deemed to meet the registration requirements under this Plan.
2. The City, in consultation with Heritage Brockville, review the proposed project on its merits and will approve, or otherwise, program assistance in principle.

Following successful review, the City will produce a Commitment and Grant Agreement documenting the anticipated Program Assistance, including identification of assistance from other programs as may be relevant, and obligations on the part of both the owner and the City. The Commitment and

Grant Agreement represents a site specific funding agreement which will be implemented once the work is completed in full to the satisfaction of the City.

In order for a project to qualify, the proposed project must be in compliance with the City's Zoning By-law, Official Plan, the Ontario Building Code, and any applicable design guidelines established by the City.

3. On completion of the project, if the work complies with all applicable program guidelines established by the City (including verification of eligible costs), the owner and the City will implement the Commitment and Grant Agreement. At that time, the Commitment and Grant Agreement will stipulate the amount of the grant, the method used to calculate the grant and the anticipated delivery date of the grant. The grant will only be paid following confirmation that taxes owing each year specified in the Commitment and Grant Agreement have been paid in full.

### **Conditions of the Façade Improvement Grant Program**

The Commitment and Grant Agreement will state the conditions of the Façade Improvement Program, which are as follows:

1. The restoration, repair or replacement of the building façade of the building must be consistent with City's design guidelines and the original architectural design.
2. a) The Building Permit must have a minimum construction value of \$2,000.00 in order for project to qualify.  
  
b) Where a Building Permit is NOT required, the work must have a minimum construction value of \$2,000.00 in order for the project to qualify.
3. The total amount of the grant shall not exceed 50% of the eligible costs specified under this Program or \$10,000.00, whichever is the lesser.
4. Subject to the adoption by the City of a demolition control by-law, issuance of a Demolition Permit for a property which has participated in the Façade Improvement Program is at the discretion of the City for a five (5) year period following execution of the Commitment and Grant Agreement by the City. Furthermore, compliance with the Ontario Heritage Act will be required respecting any designated building which is funded under this Program.
5. If the property is demolished, in whole or in part, before the expiration of the five (5) year period following execution of the Commitment and Grant Agreement by the City, the grant may be repayable to the City reduced on a prorated basis.
6. The Façade Improvement Program will be available to owners and tenants of properties, or their assigns. The Commitment and Grant Agreement to provide assistance may be with either the registered owner or a tenant of the property with

the consent of the owner. The Commitment and Grant Agreement may provide for the grant to be paid to an assignee of the owner, as required.

7. a) Participants of the Façade Improvement Program are eligible to apply to any other financial program applicable to Priority Area 1 of the Community Improvement Project Area. All program assistance provided under this Plan in respect of sites which are also eligible for financial assistance under the City of Brockville Downtown CIP and/or the Brownfields CIP must be in accordance with the provisions of the respective Plan(s) with respect to joint access to financial assistance under the Plans.

- b) Where a property located in Priority Area 1 of this Plan is eligible for assistance under the TIERR Grant Program and Façade Improvement Grant Program and Residential or Commercial Conversion/Rehabilitation Grant Program, duplication of programs of assistance is not permitted.

A property may be eligible under more than one Plan. However, work undertaken shall be considered only under one plan. In no case shall work be applied to accessing programs of financial assistance under more than one Plan."

8. The subject property shall not be in a position of municipal tax arrears.
9. Outstanding work orders on the property must be completed by the time of completion of the project. If they are not, program assistance will be withheld.
10. Improvements made to any buildings will be in accordance with the Ontario Building Code, all applicable zoning requirements, and any applicable design guidelines, as established by the City.
11. An owner or tenant can participate in the Façade Improvement Program in successive years but shall not be considered for program assistance more than once per annum.
12. The Commitment and Grant Agreement is not transferable. Should a subject property be sold before program assistance is issued, said Commitment and Grant Agreement will be in default and cancelled immediately.
13. The Commitment and Grant Agreement can be registered on title, at the discretion and cost of the owner, to serve as notice to future purchasers or potential property interests.
14. Construction must be completed within one (1) year after the date of issuance of the building permit or where a Building Permit is not required, within one (1) year

after the date of execution of the Commitment and Grant Agreement. Extensions may be accepted by the Chief Planning Officer at its sole discretion.

15. The date of commencement of the work will be specified in the municipal by-law which sets out the basis for application of this program to a specific property.
16. The Façade Improvement Program is **not** retroactive. Any construction commenced before execution and approval of a Commitment and Grant Agreement is issued by the City is ineligible for the program.
17. All conditions of this program shall be met for the program assistance to be received. Final decisions on applications and allocation of funds have been delegated to the City Treasurer. The applicant, however, is afforded an opportunity to appeal the decision of the City Treasurer to Council through the appropriate Standing Committee.
18. Funds shall only be advanced on a 50/50 prorated basis to a maximum of Twenty Thousand Dollars (\$20,000.00) following verification by the City Treasurer that invoices have been paid for any and all eligible costs.

## Schedule "C" To Report 2015-039-04

### **SCHEDULE B-5**

#### **RESIDENTIAL OR COMMERCIAL CONVERSION/REHABILITATION PROGRAM**

##### **Background**

This document describes the criteria to select eligible projects for Program Assistance under the Residential or Commercial Conversion/Rehabilitation Program in the Priority Area No. 1 of Schedule A indicated under the Community Improvement Plan.

The Residential or Commercial Conversion/Rehabilitation Program is designed to provide an incentive to building owners or tenants to make improvements to the upper floors of residential or commercial properties in Program Area.

##### **Target Area**

All owners and tenants of commercial and mixed commercial/residential buildings **with upper stories** located within Priority Area No. 1 (see Schedule A of Downtown CIP) of the Community Improvement Project Area will be the target of this program. These boundaries are set by the Community Improvement Plan, which establishes a framework for the City's support and implementation of programs to encourage re-development and revitalization in the downtown core area.

##### **Eligibility**

All owners and tenants (with the permission of the building owner) of commercial and mixed commercial/residential buildings located within Priority Area No. 1 of the Community Improvement Project Area will be eligible to participate in the Residential or Commercial Conversion/Rehabilitation Program.

If the tenant would like to undertake work, the owner and tenant must enter into an agreement, independent of the City, stipulating the arrangement of the grant receipt and work to be done, and a copy of which shall be provided to the City.

To receive payment under this program, a Commitment and Grant Agreement must be signed with the City. The eligible owner must enter into the Commitment and Grant Agreement but, in the case of a tenant undertaking the work, the eligible owner may elect to have the grant paid to an assignee, to be specified in the Commitment and Grant Agreement.

## **Program Description**

The program provides for assistance to property owners or tenants, who undertake a project, with a grant equal to 50% of the costs for space created or rehabilitated up to a maximum Twenty Thousand Dollars (\$20,000.00) per property.

The following types of projects are considered eligible for the Residential or Commercial Conversion/Rehabilitation component of the Grant under this program:

- i) Renovations to existing residential or commercial units on upper stories to bring these units into compliance with the Ontario Building Code, Property Standards By-law and the Fire Code; or
- ii) Renovation to existing residential or commercial space on upper stories to improve the general condition of the unit(s); or
- iii) Conversion of existing vacant residential space on upper floors where one or more commercial units are created; or
- iv) Conversion of existing vacant commercial space on upper floors where one or more residential units are created.
- v) Conversion of existing residential and/or commercial space on upper floors to create a mix of commercial or residential units.

The RCCR Grant Program is time limited, and shall operate until December 31, 2015 unless extended beyond this date by resolution of City Council. Applications will be received between February 1<sup>st</sup> and May 31<sup>st</sup> of each year. Grants will be awarded by June 30<sup>th</sup> of each year based on funding available. If the total grant request exceeds the funds available, grants will be awarded based on a point system. Applicants who did not receive the grant can reapply in future years.

Municipal taxes for the subject property must not be in arrears.

Specific examples of **eligible** works include, but are not limited to:

- materials, labour, equipment, and architectural, engineering design professional fees directly associated with the conversion or improvements and which lead to undertaking and completion of such work with the same calendar year (**Note: Sweat equity is not eligible**);
- painting, new flooring, new built-in lighting, new kitchens, new bathrooms, new windows\* and new HVAC;
- non-removable chattels including built-in appliances
- fire alarms
- Windows are eligible provided the same windows have not been funded through the Façade Improvement Grant or any other grant program.



Examples of **ineligible** works include, but are not limited to, the following:

- Furnishings, appliances or other chattels
- Security systems
- “Sweat equity” labour

### **IMPORTANT NOTES:**

The City, at its sole discretion, will select eligible projects based on the criteria in this document, including budget availability, and other applicable policy. The City is not obligated to fund any project. Precedent will not influence the City’s decision.

Funding will be awarded based on the following point system, in the event that requests for funding exceed the funds allowed. The applicant with the highest point total will receive the highest priority.

Factor	Points	
Vacant	Yes - 10 points	No - 0 points
Has Applicant previously received funding from City the same property?	Yes - 0 points	No - 5 points
Accessibility Improvements	Yes - 10 points	No - 0 points
Date of original Application	Oldest - 5 points	Newest - 0 points
Plumbing systems updated (piping, valving, low flow toilets) not including fixtures	Yes - any or all - 5 points	No - 0 points
Heating systems updated	Yes - 5 points	No - 0 points
Electrical systems updated	Yes - 5 points	No - 0 points
Fire suppression systems installed	Yes - 5 points	No - 0 points

### **Implementation**

The owner or tenant must register a “Registration of Intent” for the Program within the prescribed time period of the Plan (February 1<sup>st</sup> to May 31<sup>st</sup> of each year).

Program assistance does not apply retroactively. Applications must be approved prior to the start of any proposed work or they will be ineligible for funding.

An application form will not be accepted for any work which has already been completed.

Only one (1) “Registration of Intent” may be submitted per annum, per building.

An owner or tenant can participate in the Program in successive years but shall not be considered for program assistance more than once per annum.

The total amount of the yearly grant shall not exceed 50% of the project’s eligible costs or Twenty Thousand Dollars (\$20,000.00) per building.

Grants will be dispersed in a single lump sum on:

- submission and approval, by the City, of eligible costs based on paid invoices, as identified in the Commitment and Grant Agreement; and
- final inspection where a Building Permit has been issued or where no building permit is required, when said work has been inspected and found to be acceptable to the City.

Where the work does require a Building Permit, all such work shall be completed within one (1) year of the date of issuance of a building permit.

Where the work does not require a Building Permit, all such work shall be completed within one (1) year of the date of execution of the Commitment and Grant Agreement.

### **Application Process**

1. The owner or tenant completes an application form indicating the owner's or tenant's intent in participating in the Program.

The application form will contain the following information:

- the name, address, telephone number and e-mail of the owner;
- the name, address, telephone number and e-mail of the tenant, if applicable;
- the municipal address of the subject property;
- the legal description of the subject property, including the current Property Identification Number (PIN);
- the full assessment roll number of the subject property;
- labeled photographs of the existing interior;
- identification of the source and amount of assistance from other programs directly related to the work;
- Detailed drawings or renderings acceptable to the City's Planning Department drawn to scale, illustrating the nature, extent, location and appearance of the work to be undertaken. Such renderings will show, where applicable:

**-all interior modifications to be undertaken**

- the owner's signature, and where a tenant is undertaking the work, the tenant(s) signature and authorization from the owner for the tenant to undertake the work.
  - For projects located in Priority Area 1 which are also eligible for assistance under other Downtown CIP and/or Brownfields CIP Program, completion of a "Registration of Intent" under those Plans will be deemed to meet the registration requirements under this Plan.
2. The City reviews the proposed project on its merits and will approve, or otherwise, program assistance in principle.

Following successful review, the City will produce a Commitment and Grant Agreement documenting the anticipated Program Assistance, including identification of assistance from other programs as may be relevant, and obligations on the part of both the owner and the City. The Commitment and Grant Agreement represents a site specific funding agreement which will be implemented once the work is completed in full to the satisfaction of the City.

In order for a project to qualify, the proposed project must be in compliance with the City's Zoning By-law, Official Plan, the Ontario Building Code, and any applicable design guidelines established by the City.

3. On completion of the project, if the work complies with all applicable program guidelines established by the City (including verification of eligible costs), the owner and the City will implement the Commitment and Grant Agreement. At that time, the Commitment and Grant Agreement will stipulate the amount of the grant, the method used to calculate the grant and the anticipated delivery date of the grant. The grant will only be paid following confirmation that taxes owing each year specified in the Commitment and Grant Agreement have been paid in full.

#### **Conditions of the Residential or Commercial Conversion/Rehabilitation Grant Program**

The Commitment and Grant Agreement will state the conditions of the Residential or Commercial/Rehabilitation Grant Program, which are as follows:

1. a) The Building Permit must have a minimum construction value of Two Thousand Dollars (\$2,000.00) in order for the project to qualify.
- b) Where a Building Permit is NOT required, the work must have a minimum value of Two Thousand Dollars (\$2,000.00) in order for the project to qualify.

2. The total amount of the grant shall not exceed 50% of the eligible costs specified under this Program or Twenty Thousand Dollars (\$20,000.00), whichever is the lesser.
3. Subject to the adoption by the City of a demolition control by-law, issuance of a Demolition Permit for a property which has participated in the RCCR Grant Program is at the discretion of the City for a five (5) year period following execution of the Commitment and Grant Agreement by the City. Furthermore, compliance with the Ontario Heritage Act will be required respecting any designated building which is the subject of this Program.
4. If the property is demolished, in whole or in part, before the expiration of the five (5) year period following execution of the Commitment and Grant Agreement by the City, the grant may be repayable to the City reduced on a prorated basis.
5. The Residential or Commercial Conversion/Rehabilitation Program will be available to owners and tenants of properties, or their assigns. The Commitment and Grant Agreement to provide assistance may be with either the registered owner or a tenant of the property with the consent of the owner. The Commitment and Grant Agreement may provide for the grant to be paid to an assignee of the owner, as required.
6.
  - a) Participants of the Façade Improvement Program are eligible to apply to any other financial program applicable to Priority Area 1 of the Community Improvement Project Area. All program assistance provided under this Plan in respect of sites which are also eligible for financial assistance under the City of Brockville Downtown CIP and/or the Brownfields CIP must be in accordance with the provisions of the respective Plan(s) with respect to joint access to financial assistance under the Plans.
  - b) Where a property located in Priority Area 1 of this Plan is eligible for assistance under the TIERR Grant Program and Façade Improvement Grant Program and Residential or Commercial Conversion/Rehabilitation Grant Program, duplication of programs of assistance is not permitted.

A property may be eligible under more than one Plan. However, work undertaken shall be considered only under one plan. In no case shall work be applied to accessing programs of financial assistance under more than one Plan.
7. The subject property shall not be in a position of municipal tax arrears.
8. Outstanding work orders on the property must be completed by the time of completion of the project. If they are not, program assistance will be withheld.

9. Improvements made to any buildings will be in accordance with the Ontario Building Code, all applicable zoning requirements, and any applicable design guidelines, as established by the City.
10. An owner or tenant can participate in the Residential or Commercial Conversion/Rehabilitation Program in successive years but shall not be considered for program assistance more than once per annum.
11. The Commitment and Grant Agreement is not transferable. Should a subject property be sold before program assistance is issued, said Commitment and Grant Agreement will be cancelled immediately.
12. The Commitment and Grant Agreement can be registered on title, at the discretion and cost of the owner, to serve as notice to future purchasers or potential property interests.
13. Construction must be completed within one (1) year after the date of issuance of the building permit or where a Building Permit is not required, within one (1) year after the date of execution of the Commitment and Grant Agreement. Extensions may be accepted by the Chief Planning Officer at its sole discretion.
14. The date of commencement of the work will be specified in the municipal by-law which sets out the basis for application of this program to a specific property.
15. The Residential or Commercial Conversion/Rehabilitation Program is **not** retroactive. Any construction commenced before execution and approval of a Commitment and Grant Agreement is issued by the City is ineligible for the program.
16. All conditions of this program shall be met for the program assistance to be received. Final decisions on applications and allocation of funds have been delegated to the City Treasurer. The applicant, however, is afforded an opportunity to appeal the decision of the City Treasurer to Council through the appropriate Standing Committee.
17. Funds shall only be advanced on a 50/50 prorated basis to a maximum of Twenty Thousand Dollars (\$20,000.00) following verification by the City Treasurer that invoices have been paid for Any and all eligible costs.