

Economic Development & Planning Committee



Tuesday, July 7th, 2009, 5:15 p.m.
City Hall - Council Chambers

<u>Committee Members</u>	<u>Areas of Responsibility</u>	
Councillor M. Kalivas, Chair	Economic Development	Vision 20/20
Councillor G. Beach	Planning	* Community Council
Councillor J. Earle	Chamber of Commerce	* Downtown Revitalization
Mayor D. Henderson,	DBIA	* Industry Advisory
Ex-Officio	Heritage Brockville	* Tourism Advisory

Page

STAFF REPORTS

- | | |
|------|---|
| 3-7 | 1. 2009-107-07
REQUEST FOR AMENDMENTS TO
CITY OF BROCKVILLE SIGN BY-LAW 84-89 |
| 9-15 | 2. 2009-108-07
SITE PLAN CONTROL APPROVAL
328 PARK STREET CITY OF BROCKVILLE
OWNER 1709873 ONTARIO INC. AGENT RANDAL DYZAK |

CONSENT AGENDA

June 25, 2009

REPORT TO ECONOMIC DEVELOPMENT AND PLANNING COMMITTEE – July 7th, 2009

2009-107-07

**REQUEST FOR AMENDMENTS TO
CITY OF BROCKVILLE SIGN BY-LAW 84-89**

**S.M. SEALE
CITY CLERK
M. PASCOE MERKLEY
DIRECTOR OF PLANNING**

RECOMMENDATION

THAT Council authorize the passing of the attached by-law [Schedule A] authorizing amendments to City of Brockville Sign By-law 84-89.

PURPOSE

To amend City of Brockville Sign By-law 84-89 to allow for approval of Short Wording.

BACKGROUND

Brockville City Council passed City of Brockville Sign By-law 84-89 on April 11th, 1989 in order to prohibit or regulate signs and other advertising devices and the posting of notices within the City of Brockville.

ANALYSIS

It has been brought forward by members of Council and the public, the concern that there is a proliferation of portable signs lacking permits and that there is a need for enforcement. In order to enforce and lay charges for contravention of Sign By-law 84-89, the City of Brockville must apply for short wording of the said by-law. On June 23rd, 2009, staff forwarded a copy of the Sign by-law, along with the proposed amendments, to the Crown Attorney's office for comment and review. The Crown Attorney's office confirmed that the amendments proposed by staff were sufficient to have short wording approved for this by-law.

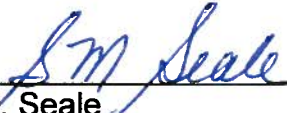
The proposed amendments, and subsequent approval of short wording, will allow staff to lay charges for erecting a sign without a permit, erecting a sign in contravention of the approved permit, or erecting a portable sign in excess of the time allotted under the Sign by-law. A synopsis of offences that staff are looking to have short wording approved for are identified in Schedule B to this report.

EXISTING POLICY

Amendments to the Sign By-law require Council's authorization.

FINANCIAL CONSIDERATIONS

There are no financial considerations associated with this report.



S.M. Seale
City Clerk



B. Casselman
City Manager



M. Pascoe Merkley
Director of Planning

THE CORPORATION OF THE CITY OF BROCKVILLE

By-Law Number XXX-2009

By-law to Amend City of Brockville Sign By-law 84-89

WHEREAS Council for the Corporation of the City of Brockville passed City of Brockville Sign By-law 84-89 on April 11th, 1989; and

WHEREAS Council for the Corporation of the City of Brockville deems it necessary to amend by-law 84-89;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF BROCKVILLE ENACTS AS FOLLOWS:

THAT Section 5, General Regulations Applicable to All Signs in All Zones, be amended by deleting Sub Section 5.1 in its entirety; and, replaced with the following:

- 5.1 (a) No person shall erect or cause to be erected, a sign or its structure, temporary or permanent, awning or other advertising device for any purpose within the City of Brockville without a permit.
- (b) No person shall erect or cause to be erected, a sign or its structure, temporary or permanent, awning or other advertising device for any purpose within the City of Brockville not in accordance with the approved permit conditions.

THAT Section 5, General Regulations Applicable to All Signs in All Zones, be amended by deleting Sub Section 5.20 (ii) Off Premises Advertising Signs section 1) and replaced with the following:

- 1) No person shall erect or cause to be erected off premises advertising signs except where such signs are permitted by amendment to this by-law.

THAT Section 5, General Regulations Applicable to All Signs in All Zones, be amended by deleting Sub Section 5.29 and replaced with the following:

Every person who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to a fine as provided for by the Provincial Offences Act, R.S.O. 1990, Chapter P.33.

This by-law shall be administered by the Chief Building Official or his/her appointed designate.

THAT Section 8 – Signs in Commercial and Industrial Zones, Sub Section 3.0, Portable Signs be amended by adding:

- 3.1 No person shall erect or cause to be erected a portable sign without first obtaining a permit.

Given under the Seal of the
Corporation of the City of Brockville
and passed this 28th Day of July, 2009

Mayor

Clerk

City of Brockville
Part I Provincial Offences Act
Sign By-law No. 84-89, as amended

SCHEDULE "B"

Column 1 Item	Column 2 Short Form Wording	Column 3 Provision creating or defining offence	Column 4 Set Fine
1	Erected a sign without obtaining a permit.	Section 5.1(a)	\$100
2	Caused to erect a sign without obtaining a permit.	Section 5.1(a)	\$100
3	Erected a sign not in accordance with approved permit	Section 5.1(b)	\$100
4	Caused to erect a sign not in accordance with approved permit	Section 5.1(b)	\$100
5	Located a temporary construction sign within a visibility triangle.	Section 5.6	\$100
6	Located a temporary project announcement sign within a visibility triangle.	Section 5.6	\$100
7	Located a portable sign within a visibility triangle.	Section 5.6	\$100
8	Located an A-board sign within a visibility triangle.	Section 5.6	\$100
9	Located a panel sign within a visibility triangle.	Section 5.6	\$100
10	Erected an off-premises sign.	Section 5.20	\$100

30 June 2009

REPORT TO ECONOMIC DEVELOPMENT PLANNING COMMITTEE – 7 July 2009

2009-108-07

**SITE PLAN CONTROL APPROVAL
328 PARK STREET, CITY OF BROCKVILLE
OWNER: 1709873 ONTARIO INC.
AGENT: RANDAL DYZAK
FILE: D11-389**

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

RECOMMENDATION:

THAT Site Plan Approval be granted for an addition, measuring 231.2 m² (2,296.0 ft²) to an existing commercial building, located at 328 Park Street. Said development shall be in accordance with the following drawings:

- i) "EXISTING CONDITIONS PLAN, SITE PLAN, SITE SERVICING", Issued by E.V. Trought Engineering, Drawing No. A1, dated 27 November 2008, as revised;
- ii) "FLOOR PLANS, ELEVATIONS", Issued by E.V. Trought Engineering, Drawing No. SP-1, dated December 2008, as revised;
- iii) "DETAILS – KEY PLAN", Issued by E.V. Trought Engineering, Drawing No. SD1, dated 24 March 2009, as revised;

PURPOSE:

The purpose of this report is to consider approval for an addition, measuring 231.2 m² (2,296.0 ft²) to 328 Park Street, located on the west side of Park Street (the former Mia's Restaurant). The proposed addition will be main floor commercial space with two (2) residential units located above.

ORIGIN:

Mr. Randal Dyzak, on behalf of 1709873 Ontario Inc., Owner of subject lands, has submitted an Application for Site Plan Approval.

ANALYSIS:

The subject property has a total area of 1824.0 m² (19,634.0 ft²) / 0.45 acres. The property is designated "Commercial General" under the Official Plan for the City of Brockville and zoned C2 – General Commercial Zone under Zoning By-law 194-94, as amended.

A plan showing the location of the commercial building, including the proposed addition has been attached as **Schedule "A"** to this report.

The building will contain one (1) commercial operator under the use of a "Business and Professional Office" and "Clinic" and house an office for Sport & Manipulative Physiotherapy. The building is proposed to have a total ground floor footprint of 380.7 m² (4,099.0 ft²) with a height of 8.1 metres (26.6 feet) with two (2) upper floor residential units.

The building is proposed to be constructed with a stucco finish and peaked roofline.

The proposal has an estimated construction value of four to six hundred thousand dollars (\$400,000.00 to \$600,000.00) and will start with a core team of four (4) employees with growth up to a possible eight (8) employees.

The parking area will be asphalt and contain 24 parking stalls, including one (1) clearly identified barrier free parking space, and one (1) loading space. The remainder of the site is proposed to be sodded and landscaped along Park Street and the north and west sides of the property.

A set of full-size drawings for the proposed development may be viewed in the Planning Department prior to the EDP meeting and shall be available at the time of presentation of this report to the EDP Committee. Schedules "A", "B" and "C", inclusive, to this report are the Existing Conditions Plan- Site Plan – Site Servicing, Floor Plans – Elevations and Detail – Key Plan respectively.

All comments have been received and addressed.

The Site Plan Control Agreement will contain various standard clauses pertaining to snow clearing, refuse and recycling collection, financial security, etc. In addition, a building permit will be required to be issued within 12 months of Site Plan Approval; otherwise, the hydraulic capacity allocated to this project will revert back to the City.

POLICY IMPLICATIONS:

The proposed development conforms to all applicable municipal policies, standards and regulations.

FINANCIAL CONSIDERATIONS:

The applicant is responsible for all costs associated with the Site Plan Control Agreement and with development of the site as proposed.

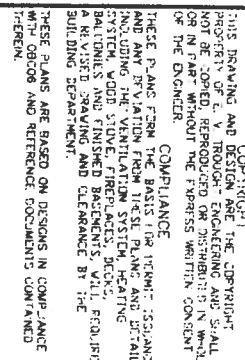
CONCLUSION:

Following review of the Official Plan and Zoning By-law, as well as the submissions received respecting the request for Site Plan Approval, it is reasonable to permit the construction of an addition, measuring 231.2 m² (2,296.0 ft²) to 328 Park Street, located on the west side of Park Street (former MIA's Restaurant). This is reflected in the recommendation at the beginning of this report.


M. Pascoe Merkley, MCIP, RPP
Director of Planning


Andrew McGinnis, B.URPI
Planner II


B. Casselman
City Manager



E. V. TROUGHT ENGINEERING
DIVISION OF 132181 CANADA INC.
tel 613 374 1746
fax 613 358 9117
1104 Cedarwood Dr. Victoria
BC V8L 2G5
can 613 595 8118
e-mail evt@lightnet.surrey.net
KOH ZWO Ontario

GENERAL NOTES:

1. FILLING REQUIRED TO BE DONE TO EXIST AND/OR PROPOSED EXISTING FOUNDATION AND/OR CONCRETE FOOTING.
2. MINIMUM RATE OF PAYMENT OF 1.5%.
3. MINIMUM QUANTITY OF SHIELD IS 0.5 K.
4. SHIELD SHALL BE USED TO PROTECT EXISTING CONCRETE WITH PROPOSED SHIELDING.
5. SHIELD HEAVILY DUTY PAVEMENT TO BE INSTALLED AT EXISTING AND/OR LOCATED ON DRAWING.
6. NEW PAVING FOR SHIELDING SHALL BE DONE DURING CONSTRUCTION OF SHIELDING.
7. ALL PAVED OF SHIELDING SHALL BE DONE TO THE EXISTING STANDARDS, REPLACEMENT IN THE PAVED LENGTH WITH NEW PAVING.
8. ALL WORKING JOINTS SHALL BE DONE TO THE EXISTING STANDARDS.
9. CONTRACTOR TO VERIFY EXISTING INVERT ELEVATIONS AND TO PROVIDE TO THE ENGINEER WITH THE DESIGN. THE ENGINEER MUST BE ADVISED.
10. CONTRACTOR TO PROVIDE PROTECTIVE CURB, PAVEMENT AND CONCRETE CURB AND CONCRETE CURB, PRIOR TO AND DURING CONSTRUCTION OF SHIELDING.
11. CONTRACTOR TO HAVE DETAILS OF ALL RELAYING OF EXISTING AND/OR PROPOSED SHIELDING TO BE DONE AT THE SITE OF EXISTING AND/OR PROPOSED SHIELDING.
12. CONTRACTOR TO HAVE DETAILS AND TO CONSTRUCTION

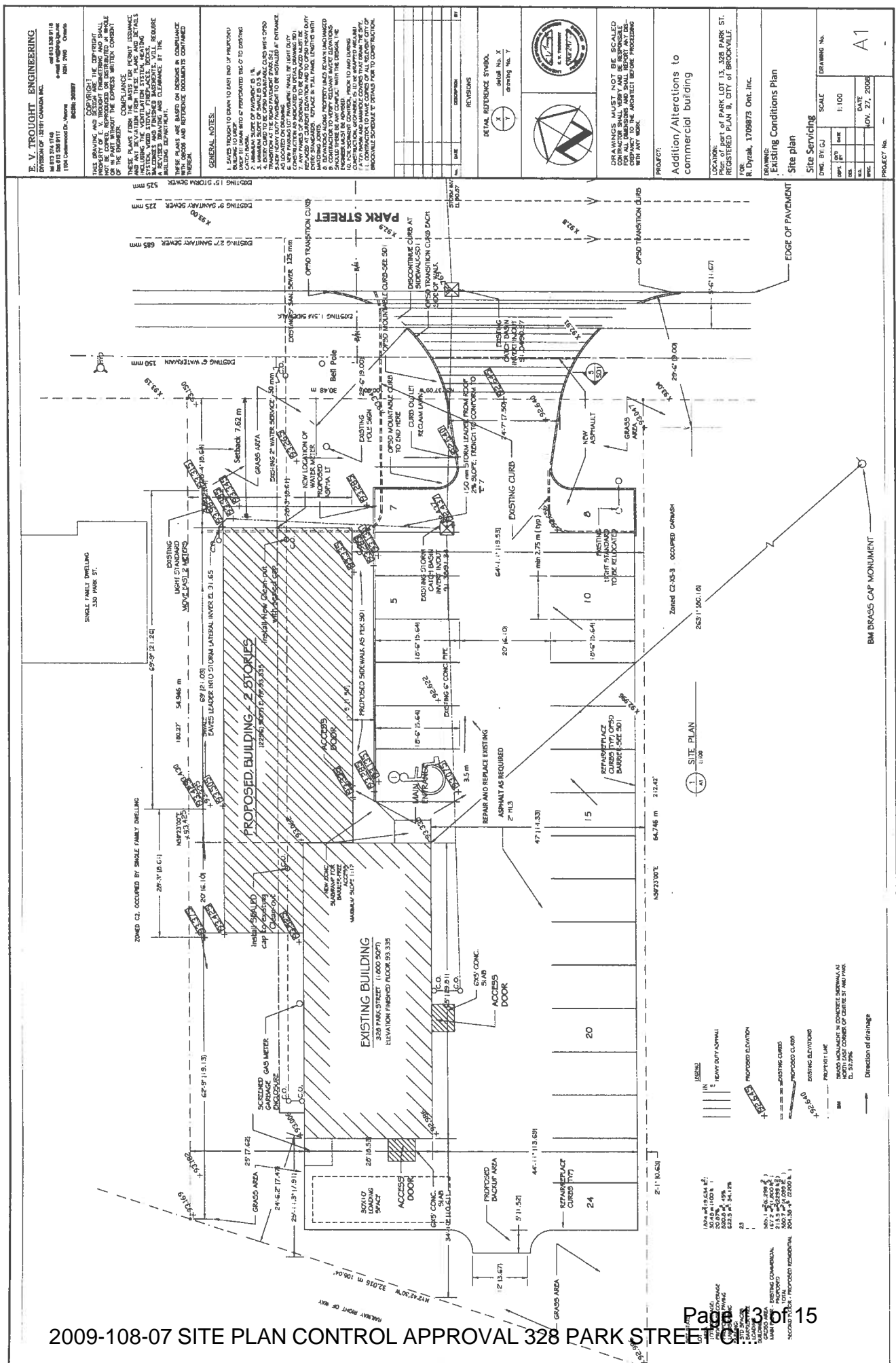
[illegible]

DETAIL REFERENCE SYMBOL

drawing No. 

SCALED
RESPONSIBLE
ANY DIS-
SEEDING

SCHEDULE "A"

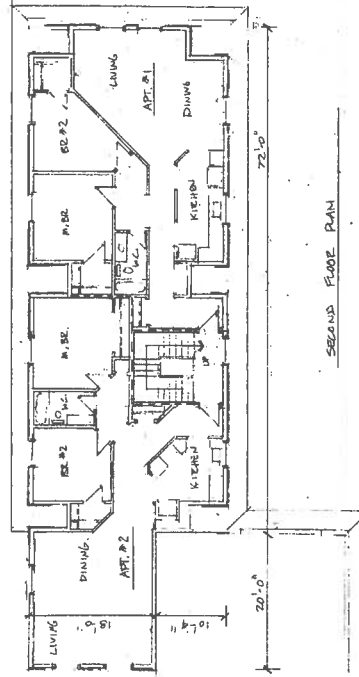
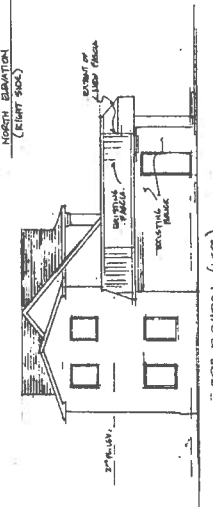
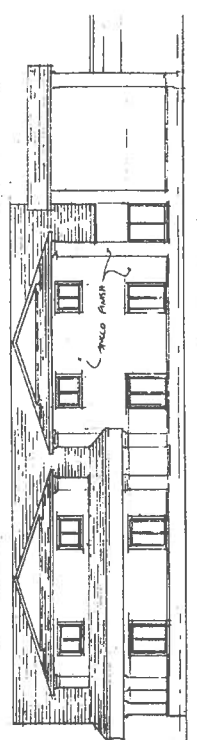
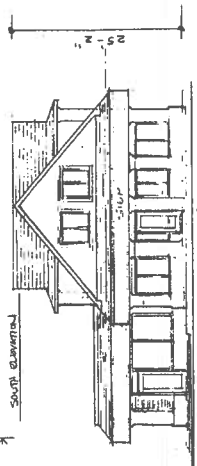
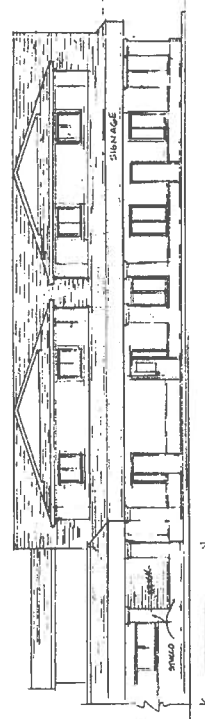


E. V. TROUGHT ENGINEERING
DIVISION OF: SEIBERT CANADA INC.

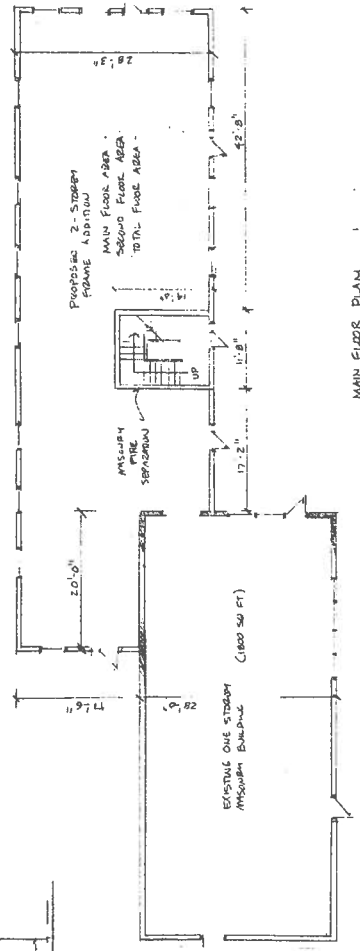
at 813.224.1746
1100 Chestnut St., Toronto
Ontario M5G 1R2

PROJECT NO. 2009-108-07

DISCLAIMER
THIS DRAWING AND DESIGN ARE THE COPYRIGHT OF E. V. TROUGHT ENGINEERING. NO PART OF THIS DRAWING OR DESIGN SHALL BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN CONSENT OF THE ENGINEER.



SECOND FLOOR PLAN



MAIN FLOOR PLAN

General Notes
These plans show the basis of permit application. Any proposed construction shall be in accordance with the approved plans. These drawings must not be used for construction without the approval of the engineer. Any discrepancy between the drawings and the approved plans shall be the responsibility of the contractor.

Detail Reference Symbols
DETAIL NO. 1
DRAWING NO. 1

No.	Date	Description	By

Project
Addition/Alterations
Commercial/Residential Bldg.

Location
Floor plans, Elevations

For
R. Dyak, 1709873 Ont. Inc.

Drawn By	Checked By	Date

SP-1

Project No.

SCHEDULE "B"

