

Committee Members

Councillor M. Kalivas, Chair  
Councillor J. Baker  
Councillor D. Beatty  
Councillor J. Earle  
Mayor D. Henderson,  
Ex-Officio

Areas of Responsibility

Economic Development  
Planning  
Chamber of Commerce  
DBIA  
Heritage Brockville

Museum Board  
Library Board  
Brockville Arts Centre  
Chamber of Commerce  
Tourism

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**DISCLOSURE OF INTEREST**

**CORRESPONDENCE**

- 3-4 1. Heritage Brockville

**STAFF REPORTS**

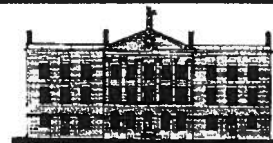
- 5-6 1. 2011-012-02  
Encroachment Agreement  
29 Buell Street, Brockville
- 7-30 2. 2011-013-02  
Proposed Condominium Conversion Part Lots A & B,  
Block 3, Plan 67, being parts 1 through 8 inclusive,  
Plan 28R-6949 City of Brockville,  
167 Pearl Street East, Brockville  
Owner: 1264165 Ontario Limited
- 31-68 3. 2011-014-02  
Draft Subdivision Approval  
Part of Blocks A & B, Registered Plan 375  
Aspen Drive - East Side, City of Brockville  
Owner: 653973 Ontario Ltd.
- 69-107 4. 2011-017-02  
Proposed Plan of Subdivision Lot 3 and  
Part of Lots 1, 2 and 4 and Part of  
Glasford Place, Registered Plan 380, City of Brockville  
(Liston Avenue - South Side)  
Owner: 1178420 Ontario Ltd.

**CONSENT AGENDA**



# HERITAGE BROCKVILLE

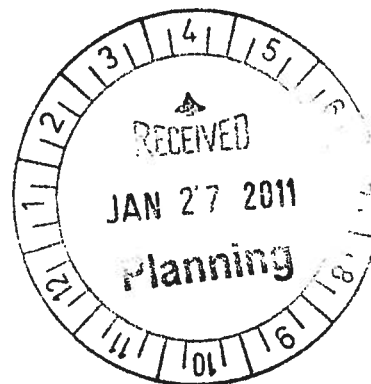
Brockville's Municipal Heritage Advisory Committee



Brockville City Hall, P.O. Box 5000, 1 King St. West, Brockville, ON, Canada K6V 7A5

January 27, 2011

Mrs. M. Pascoe Merkley,  
Director of Planning  
City of Brockville,  
1 King St. West,  
Brockville, ON  
K6V 7A5



Dear Mrs. Pascoe Merkley;

SUBJECT: Inventory of the City's Heritage Resources.

Section 27 of the Ontario Heritage Act requires the clerk of every local municipality to keep a current, publicly accessible register of properties of cultural heritage value or interest situated in the municipality. In addition our new Official Plan, in Section 3.4.3.2 (pg. 3-38), indicates that *"Heritage Brockville shall prepare and monitor an inventory of heritage resources within the City"* and *"the City shall maintain an inventory of the City's heritage resources to be used as a guide for policy formulation and Heritage Brockville shall assist in monitoring the inventory and recommending new properties to be included."*

To initiate this process we request that the attached list of buildings become a part of Brockville's Inventory of Heritage Resources, to be kept on file by the City Clerk. This list is a starting point as there will be additions made at a later date.

Municipal council's approval (normally given by resolution) is required to add cultural heritage properties that have not been designated to the register.

If any clarification is needed, please don't hesitate to contact Heritage Brockville.

Sincerely yours,

Paul Bullock  
Chair, Heritage Brockville  
151 King St E.,  
Brockville, ON  
K6V 1C1

### Inventory of Heritage Resources – City of Brockville- 2011

|                              |                      |
|------------------------------|----------------------|
| Brockville Court House       | 1 Court House Square |
| First Baptist Church         | Pine Street          |
| St. Francis Xavier Church    | 66 Church Street     |
| Victoria School              | Wall Street          |
| Leeds County Registry Office | Court House Building |
| Dunham Block                 | 53-59 King West      |
| Paul's Anglican Church       | Pine Street          |
| St. Lawrence Anglican Church | 80 Pine Street       |
| Brockville Arts Centre       | 235 King Street West |
| Trinity Anglican Church      | 137 George Street    |
| Brockville Armouries         | East Avenue          |
| ThorntonCliffe, Hardy House  | 291 King Street East |
| St. John's United Church     | 70 King Street East  |
| Sheridan Mews                | King Street West     |

**REPORT TO ECONOMIC DEVELOPMENT & PLANNING COMMITTEE**  
**February 1, 2011**

**2011-012-02**  
**ENCROACHMENT AGREEMENT**  
**BUELL STREET, BROCKVILLE**

**S.M. SEALE**  
**CITY CLERK**

**RECOMMENDATION**

THAT Council authorize the Mayor and Clerk to execute an encroachment agreement with DEGA Holdings (Ontario) Inc., 29 Buell Street, Brockville, for the encroachment a portion of the building eaves and concrete steps that encroach onto the Buell Street road allowance to a maximum of 0.61metres (2.0 ft.).

**ORIGIN**

This matter arises from a request by the solicitors of DEGA Holdings (Ontario) Inc. to facilitate a property transfer.


**ANALYSIS**

An application has been received in the Clerk's Office from Gorrell, Grenkie & Rémillard on behalf of DEGA Holdings (Ontario) Inc. for the encroachment of a portion of the building eaves and concrete steps at 29 Buell Street. The property transferred ownership in December 2010 and as a part of the due diligence is the undertaking of an encroachment agreement. The encroachment will be to a maximum of 0.61 metres (2.0 ft.) onto the Buell Street road allowance as shown on Schedule "A" to this report.

Through circulation to various City Departments, comments from the Operations, Environmental Services and the Planning Departments indicate that there are no concerns or objections to Council granting this encroachment. The Environmental Services department did note a maintenance issue regarding the eaves and are also recommending the installation of a railing to help visibly mark the steps which will be conveyed to the applicant.

**FINANCIAL CONSIDERATION**

As per the City of Brockville Fees and Charges By-law, there is a fee for processing the encroachment agreement, which would be deposited to G1240-0320-0799.

  
\_\_\_\_\_  
S.M. Seale  
City Clerk

  
\_\_\_\_\_  
B. Casselman  
City Manager

# BUILDING LOCATION SURVEY OF PART OF LOTS 38 & 39, BLOCK 31 CITY OF BROCKVILLE

SCALE: 1" = 10'

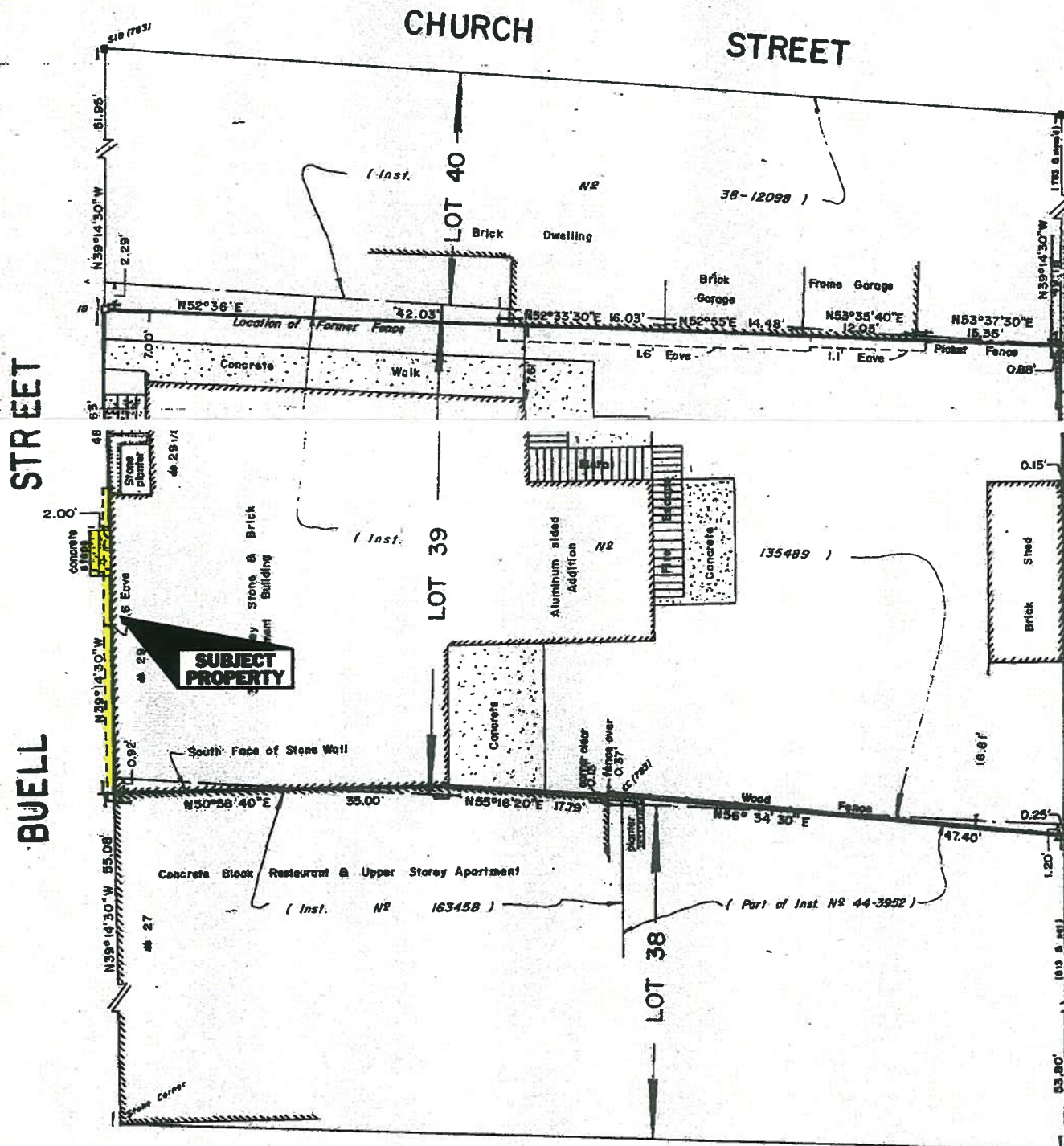
K. M. WISEMAN LIMITED  
ONTARIO LAND SURVEYORS  
BROCKVILLE, ONT.

I CERTIFY THAT:  
THE FIELD SURVEY REPRESENTED ON  
THIS PLAN WAS COMPLETED ON THE  
10th DAY OF OCTOBER, 1986

Oct. 22, 1986 *K. M. Wiseman*  
K. M. WISEMAN  
ONTARIO LAND SURVEY

**LEGEND**  
IB DENOTES IRON BAR  
CC DENOTES CUT CROSS  
SIB DENOTES STANDARD IRON BAR  
— DENOTES FENCE  
■ DENOTES 'FOUND'  
□ DENOTES 'PLANTED'

BEARINGS ARE ASTRONOMIC AND ARE  
FROM SOLAR OBSERVATION.



GEORGE

STREET

**25Jan2011**

**REPORT TO ECONOMIC DEVELOPMENT PLANNING COMMITTEE - 01 February 2011**

**2011-013-02**

**PROPOSED CONDOMINIUM CONVERSION  
PART LOTS A & B, BLOCK 3, PLAN 67 BEING  
PARTS 1 THROUGH 8, INCLUSIVE, PLAN 28R-6949  
CITY OF BROCKVILLE  
(167 PEARL STREET EAST, BROCKVILLE)  
OWNER: 1264165 ONTARIO LIMITED  
AGENT: R.G. BENNETT SURVEYING LTD.,  
GRANT BENNETT, O.L.S.  
FILE: 08CD-10501**

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

**RECOMMENDATION:**

1. THAT Council of the Corporation of the City of Brockville, acting pursuant to Section 51(6) of the Planning Act, R.S.O. 1990, c.P.13, grants conditional approval to conversion of one (1) rental residential apartment unit within 167 Pearl Street East to Condominium status, said lands being described as Part of Lots A and B, Block 3, Plan 67, City of Brockville; and
2. THAT conditional approval be subject to the following conditions:
  - 2.1 THAT written confirmation be provided, in writing, to the Planning Department that:
    - the owners of at least 80% of the units, at the time of the sale have voted in favour of the sale; and
    - at least 80% of persons having registered claims against the property being sold must consent, in writing, if their claims arose after registration of the declaration and description; and
    - each of the owners of designated units having exclusive use of such common elements have consented to the sale of the unit.
  - 2.2 THAT the tenant of the subject unit be given first right to purchase the unit at a price no higher than that price for which the unit is offered to the general public. Confirmation must be provided to the City of Brockville, in writing, that the tenant was given the first right to purchase his/her unit and that, if a purchase was not made, the tenant has declined the offer.
  - 2.3 THAT the subject unit is to be inspected, at the expense of the Owner, by a qualified Professional Engineer, licensed in Ontario, describing the condition of the unit and listing any and all repairs and improvements required to

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Agent: R.G. Bennett Surveying Ltd., Grant Bennett, O.L.S.  
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ensure that the building complies with all applicable Provincial and Municipal regulations.

- 2.4 THAT all common elements of 167 Pearl Street are to be inspected, at the expense of the Owner, by a qualified Professional Engineer, licensed in Ontario, describing the condition of the building and listing any and all repairs and improvements required to ensure that the building complies with all applicable Provincial and Municipal regulations.
- 2.5 THAT all repairs and improvements identified under the engineer's report(s), as noted above, are to be made at the expense of the Owner prior to final approval with confirmation of completion by a professional engineer.
- 2.6 THAT a copy of the inspection report(s), pre and post conditions, are to be provided, free of charge, to prospective purchasers before they enter into a binding agreement of purchase and sale. Confirmation must be provided to the City of Brockville, in writing, that the purchaser was provided with a copy of the report(s).
- 2.7 THAT the Owner shall provide, to the existing tenant(s) of the subject unit at the date of granting of Draft condominium conversion approval, active, physical assistance, for a period of three (3) years from the date of Conditional Approval, to each tenant who must relocate as a result of the conversion, in finding alternate comparable accommodation, mutually agreed upon between the applicant and each such tenant, and pay the moving costs of each such tenant to other accommodations within Brockville. Confirmation must be provided to the City of Brockville, in writing, that each tenant was notified of this condition.
- 2.8 THAT prior to the final approval of the Plan of Condominium by the City of Brockville the owners shall bring the lands and premises into conformity with the City of Brockville Zoning By-law 194-94, as amended, including but not limited to, lining and identification of not less than fifteen (15) on-site parking spaces, buffering between parking areas and adjacent residential use and zoned areas, refuse enclosures and landscaping.
- 2.9 THAT all conditions of the site and buildings which are in violation of City of Brockville Zoning By-law 194-94, as amended, applicable by-laws and legislation shall be resolved to the satisfaction of the City of Brockville including, but not limited to, such items as minor variances, consents.



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- 2.10 THAT the municipal address for 167 Pearl Street East shall be prominently displayed on the exterior of the building and each interior residential unit shall be clearly identified in the main entrance vestibule and at each dwelling unit for emergency services access and identification.
- 2.11 THAT the customer owned secondary underground hydro which is a non standard conductor be upgraded to the specifications of Hydro One, at the Owners expense.
- 2.12 THAT final condominium drawings prepared by an Ontario Land Surveyor shall be provided for review and comment prior to consideration for final approval of the Plan of Condominium.
- 2.13 THAT the following shall be provided to the satisfaction of the City:
  - a) an as-built plan identifying all services;
  - b) a structural plan; and
  - c) a plan identifying all private and communal elements of the condominium.
- 2.14 THAT should the conversion process not be completed within three (3) years of draft approval, the draft approval shall become null and void and a new application, including applicable fees, shall be required to be submitted.

#### **ORIGIN AND BACKGROUND:**

Grant Bennett, O.L.S. of R.G. Bennett Surveying Ltd., acting as Agent for 1264165 Ontario Ltd., Owner of lands described as Part Lots A & B, Block 3, Plan 67, Parts 1 through 8, inclusive, Plan 28R-6949, City of Brockville, with municipal address 167 Pearl Street East, Brockville, has made application for a proposed condominium conversion, which, if approved, would convert one (1) existing rental apartment unit within 167 Pearl Street East, an existing building containing twelve (12) apartment dwelling units, eleven (11) units of which were previously converted to condominium in 1991, File 267-27. The proposed condominium conversion would result in changes to the current applicable condominium documentation with regard to such items as: common elements, parking, children's play area, etc. No additional dwelling units are proposed.

The land which is the subject of this application for condominium conversion is also the subject of a concurrent application for minor variance, File A14/10.

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The subject lands are located on the south-east corner of the intersection of Pearl Street East and Bartholomew Street. A Site Plan and a plan showing the location of the unit proposed to be converted are attached to this report as **Schedule "A-1"** and **Schedule "A-2"**, respectively.

## **ANALYSIS:**

### Site Characteristics:

The subject land slopes gently from the north to the south. The site is fully developed with a centrally located condominium apartment building, various decorative plantings, parking at the south side and vehicular access from Bartholomew Street with a right-of-way to Bennett Street.

|                |                                        |
|----------------|----------------------------------------|
| Total Area:    | 0.20 Hectares (0.49 acres)             |
| Frontage:      | Approximately 29.71 metres (97.5 feet) |
| General Shape: | Irregular                              |

### Surrounding Land Use:

Lands north of the subject property, across Pearl St. E., are zoned I1-Institutional Zone and is occupied by an existing elementary school.

Lands north-east of the subject property are zoned I1-X3-2 Zone and is occupied by Brockville General Hospital with older single detached dwellings owned and leased out by BGH located for a short distance along Pearl St E. and Bartholomew Street.

Lands east, south-east and south of the subject property are zoned R-3 General Residential Zone and are occupied by a variety of older single detached and multiple unit dwellings.

Lands west of the subject property, across Bartholomew Street are zoned C2-X3-4 Zone and is occupied by Barclay Funeral Home.

### Right-of-Way:

Various rights-of-way are identified in the deed for the subject property. No changes to the rights-of-way are proposed as a result of the conversion.

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#### Common Elements:

167 Pearl St. E contains twelve (12) dwelling units. Eleven (11) dwelling units were previously converted to condominium status in 1991, File 267-27. The current application is for conversion of the remaining one (1) dwelling unit to condominium status. The existing condominium agreement contains various references and rights to common elements inside and outside of the building, including parking, public access areas, etc. In addition, as a condominium, the Condominium Agreement also sets out the rights, privileges and responsibilities of both the condominium corporation and the members of the corporation. The conversion of an additional dwelling unit requires that the applicable legal documentation address the additional of another unit. This is the responsibility of the Owner to address.

#### Conditions for Previous Condominium Conversion:

Various conditions were set in 1991 associated with the conversion. A review of the conditions was undertaken to determine that the requirements have remained in place. The conditions which have not been maintained include bringing the property into conformity with City of Brockville Zoning By-law (i.e. the required equipped children's play area has been removed and parking spaces have not been maintained to those standards required under the zoning by-law). The applicant has applied for and received minor variances to address the existing building setback and deletion of the children's play area. This is discussed elsewhere in this report.

#### Proposed Condominium Conversion:

The overall floor plate indicating the unit which is the subject of the application for conversion is identified on a sketch attached to this report as **Schedule "A-2"**.

The application for condominium conversion fails to address various concerns brought forward during review by the various agencies and departments. Accordingly, concerns have been addressed as conditions for approval and have been incorporated into the recommendation of this report.

#### Zoning By-law 194-94 / Minor Variance / Encroachment Agreement:

167 Pearl Street East is currently zoned as R5-Multiple Residential Zone under City of Brockville Zoning By-law 194-94. The proposed change of tenure of an existing residential unit within an existing residential apartment building is consistent with uses permitted under the R5-Multiple Residential Zone.

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A concurrent application was made to the Committee of Adjustment (File A14/10) for the following:

- Relief from the requirements to provide a children's play area; and
- Reduction of the minimum front yard setback from 8.0 metres to 5.87 metres.

The application was heard by the Committee of Adjustment on December 16, 2010. The decision of the Committee was in support of the requested minor variances. The decision came into effect on 11 January 2011.

Two decorative pillars located on the Pearl Street East right-of-way are to remain and are subject to an existing Encroachment Agreement with the City. The Encroachment Agreement is transferrable to successive Owners and is therefore not affected by the current application for condominium conversion.

#### Public Participation:

The application has proceeded through the normal review process. On 07 December 2010, 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 11 November 2010 and was circulated to property owners within 120 metres (400 feet) of the subject property. Comments from City Departments and affected agencies were also solicited.

The minutes of the Public Meeting are attached as **Schedule "B"**. Written comments received to-date are attached as **Schedule "C"** to this report.

#### Official Plan Considerations – Current Official Plan:

The subject lands are currently designated Residential under the Official Plan for the City of Brockville, and are located within Planning District No. 3.

The proposed change in tenure of an existing dwelling unit in an existing apartment building is consistent with the intent of the Official Plan as noted above. No amendment to the Official Plan is required to address the proposed development.

Policies in the Official Plan which apply to 167 Pearl St E. are intended to encourage a balance between ownership and rental accommodation and a range of residential types. The proposed conversion does not involve loss of residential stock. In addition, The

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"Residential" classification of land means that the predominant use of land so designated shall be for a variety of residential dwelling types. The policies are intended to reinforce the stability of the residential area and to minimize land use conflicts.

The change creates a change of residential tenure while maintaining existing housing stock.

167 Pearl St E. is subject to conditions set out under the Official Plan for the City of Brockville, Section 6.2.5. To-date, the conditions have not been met. Accordingly, 167 Pearl St E. does not qualify for conversion until resolution of these items.

Section 6.2.5 does not require a public meeting to be held but it does require the applicant to ensure that various responsibilities are undertaken to ensure that existing residents are not displaced without adequate assistance for relocation.

Section 6.2.5. identifies the following items as being required prior to considering conversion:

- i) *The vacancy rate for comparable rental accommodation is above 3%, or regardless of the rental rate, 75% of the existing tenants in a development have signed an agreement to purchase their units.*

The vacancy rate for residential rental accommodation is determined by the CMHC Rental Market Survey. The vacancy rate within the City of Brockville, as of October 2010, is 2.7%, down from 4.6% in October 2010. The loss of one (1) rental unit from the available market universe within the City of Brockville is not considered significant in regard to its effect on the overall vacancy rate within the City.

- ii) *All tenants shall be given notice by the developer, by Registered Mail, that the development is being considered for condominium approval:*

Notice containing all conditions as set out under the Official Plan, Section 6.2.5, shall be served as required upon conditional approval.

Confirmation of delivery shall be provided to the Planning Department to ensure that this section of the Official Plan policy is completed.

- iii) *In order to ensure that minimum standards are maintained, the proposed development is to be inspected, at the expense of the developer, by a qualified professional engineer and a report is to be submitted to the City listing any repairs*

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*and improvements required to ensure that it complies with all applicable Provincial and Municipal regulations. The submission of a report and repairs and improvements noted therein shall be made a condition of approval.*

The applicant shall undertake an engineering study for 167 Pearl St E. of the dwelling unit under consideration and of all common elements, building envelope, servicing, etc related thereto as required under Section 6.2.5 of the Official Plan.

- iv) *Confirmation that all required items under the engineering report must be provided. Confirmation is to be in the form of a follow-up report from the same professional engineer who prepared the original report in order to maintain consistency. The Owner must also be satisfied that all appropriate permits have been obtained.*

The applicant shall address all items identified in the engineering report and shall provide confirmation of completion as identified above.

The necessity to meet the requirement for compliance with Section 6.2.5 of the Official Plan has been addressed as a condition of approval.

Official Plan Considerations – Draft Plan November 2010:

The subject lands are currently designated “Neighbourhood Area” under the Draft Official Plan (August 2010) for the City of Brockville.

Policy 4.3 Neighbourhood Area identifies the long term goals, land use and built form policies for development within the Neighbourhood Area classification. The lands designated as Neighbourhood Area are described as representing “existing and neighbourhood based uses, including single and semi-detached dwellings, rowhouses, townhouses, duplexes, triplexes fourplexes, apartments and other multi-unit buildings” and “infill and redevelopment of existing and underutilized parcels shall be encouraged to continue.” In addition, “Should opportunities for intensification or redevelopment occur in the Neighbourhood Areas, the character of these neighbourhoods shall be preserved.”

Given the subject unit is an existing dwelling unit in an existing apartment building and no exterior changes to the building or footprint are proposed, the application is consistent with the language of the Neighbourhood Area designation. Accordingly, the proposed development is consistent with the Draft Official Plan (August 2010) for the City of Brockville.

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167 Pearl St E. is subject to conditions set out under the Draft Official Plan for the City of Brockville (August 2010), Policy 3.5.1.7. To-date, the conditions have not been met; however, the conditions under Policy 3.5.1.7. reflect those addressed above under the current Official Plan, Section 6.2.5 and are therefore addressed under the recommended conditions for approval.

Zoning By-law Considerations:

167 Pearl Street East is currently zoned as R5-Multiple Residential Zone under City of Brockville Zoning By-law 194-94.

The existing building, following minor variances granted under File A14/10 and an encroachment agreement for the front decorative pillars is generally in compliance with requirements under the R5 Zone. Various maintenance items such as lining of a minimum of fifteen (15) legal parking spaces and maintenance of screening of parking will be required to be undertaken to bring the parking into compliance.

Accordingly, no further amendment, beyond those addressed under Committee of Adjustment File A14/10, to City of Brockville Zoning By-law 194-94 is required.

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 Considerations:

A Provincial Policy Statement (PPS) 2005 has been issued under the authority of Section 3 of the Planning Act. The PPS 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's decisions affecting planning matters "*shall be consistent with*" the Provincial Policy Statement.

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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.

The preamble to Part V Section 1 Building Strong Communities sets the tone by suggesting that "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, liveable and healthy communities, protect the environment and public health and safety, and facilitate economic growth."

Part V, Section 1.1 is entitled Managing and Directing Land Use to Achieve Efficient Development and Land Use Patterns. Subsection 1.1.1 speaks more specifically to the promotion of efficient, cost effective development whereby land consumption and servicing costs are minimized. Subsection 1.1.2 encourages intensification and redevelopment, while Subsection 1.1.3 suggests that land use patterns within settlement areas shall be based on densities and a mix of land uses which efficiently use land and infrastructure, with intensification opportunities to be promoted.

Part V Section 1.4 Housing directs that there shall be a range of housing types and densities to efficiently use land, resources, infrastructure, public service facilities and transit where it exists. Furthermore, residential intensification is to be encouraged to minimize the cost of housing and facilitate compact form.

All of the above noted directives found in Part V Section 1 of the PPS point towards support for the conversion of an existing residential rental dwelling unit to a residential condominium dwelling unit. Thus, it can be concluded that the application is consistent with the PPS.

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

The proposed change of tenure of one existing dwelling unit is not premature as it is within an existing building. In terms of the public interest, the change of tenure does not affect the public interest.



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

The existing building conforms to the Official Plan for the City of Brockville. There are no adjacent Plans of Subdivision.

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

The site is currently developed with an apartment building. No further development is proposed. Accordingly, the land is suitable for the proposed unit conversion.

- (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;*

As no additional streets are proposed and no changes are proposed to the existing street system, the Operations Department and the Environmental Services Department have confirmed that the change of tenure of one existing dwelling unit has no effect on the existing street system.

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

The dwelling unit in question and all common elements of the building are required to be inspected by a qualified engineer and all deficiencies corrected and confirmed as corrected prior to final approval for condominium conversion. The unit itself must comply with requirements under the Ontario Building Code.

- (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;*

The developer has not indicated any restrictions to be applied to the proposed unit to be converted. Limitations on the site are limited to those identified under City of Brockville Zoning By-law 194-94, as amended, and common law as it applies to the existing rights-of-way. Similarly, the Planning Department is not aware of any restrictions placed on any adjoining lands.

Proposed Condominium Conversion, Part Lots A & B, Block 3, Plan 67  
Being Parts 1 Through 8, Inclusive, Plan 28R-6949, City of Brockville  
(167 Pearl Street East, Brockville)  
Owner: 1264165 Ontario Limited  
Agent: R.G. Bennett Surveying Ltd., Grant Bennett, O.L.S.  
File: 08CD-10501

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

The subject land has not been identified as being an area with notable natural resources. In addition, the site is located within the settled area of the City of Brockville.

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

The existing building is fully serviced with municipal services. No changes are required in relation to the change of tenure of one dwelling unit. The secondary underground hydro which is a non standard conductor is required to be upgraded at the Owners expense. Hydro One will confirm completion of the upgrading prior to the matter being returned to the Council for final approval.

*(j) The adequacy of school sites;*

The building is located within the catchment area for both the private and separate school boards. Given the small scale of the proposed condominium conversion, no additional school sites are required to service the potential occupants of the additional condominium dwelling unit.

*(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;*

Although typically development of new residential land is subject to either dedication of 5% of the total land area as public parkland or a cash-in lieu of parkland payment equal to 5% of the value of the land determined as of the day before the day of the approval of the draft Plan of Subdivision, in this instance, the subject dwelling unit is located within an existing pre-approved apartment building which was constructed on or about 1960. In 1991, the same building was the subject of a successful application from condominium conversion of 11 of the 12 dwelling units and a 5% cash-in lieu of parkland payment was made by the applicant. Given that the unit was included within the building envelope and is not a new unit or addition to the building, an additional 5% cash-in lieu of parkland payment is not recommended.

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

Given the existing building is not proposed to be changed in terms of building envelope or orientation, incorporating specific energy conservation features related

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to layout cannot be achieved. However, on-going upgrading to such elements as windows, lighting and plumbing will lead to increased energy conservation. In addition, the customer owned secondary underground hydro which is a non standard conductor is to be upgraded to the specifications of Hydro One, at the Owners expense.

- (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 located within a site plan control area designated under subsection 41(2) of this Act or subsection 114(2) of the City of Toronto Act, 2006, 1994, c. 23, s. 30, part ; 2001, c. 32, s. 31(2); 2006, c.22(3), (4).*

Although the proposed development is located within the area subject to Site Plan Control under City of Brockville By-law 33-86, as amended, the subject building was constructed prior to the requirement for a Site Plan Control Agreement and the proposed conversion does not change the building envelope. Accordingly, the matters identified under the Planning Act, R.S.O. 1990, c.P. 13, Section 51 (24)(m) are not applicable to the subject application.

Correspondence Received in Response to Circulation and Notice of Public Meeting of 07 December 2010:

1. C. Cosgrove, Director of Operations (E-mail dated December 06, 2010)  
*"The Operations Department has no concerns regarding the application for condominium conversion and the associated application for minor variance File A14/10)."*
2. E. Jones, Engineering Supervisor-Environmental Services Department (Memo dated November 19, 2010)  
*"The Environmental Services Department has reviewed the "Application for Condominium" which the applicant wishes to convert one remaining unit to condo status. There are no concerns regarding this application and no objection to this request."*
3. B. Caskenette, CBO-Planning Department, Building Division (Memo dated December 02, 2010)

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File: 08CD-10501

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*"I have reviewed the conversion for the above noted project, and would advise that this Division has no concerns at this time."*

4. G. Healey, Fire Prevention Officer-Brockville Fire Department (*Memo dated December 14, 2010*)

*"After reviewing the plan for the above noted project, please be advised that this Department has no fire safety concerns at this time."*

*We do however remind the applicant of the guidelines of the life safety, firefighting and emergency services requirements as set out in the Brockville Site Planning Standards, a copy of which should be in their possession."*

*Any concerns or clarifications regarding these standards can be addressed by having the applicant contact the Brockville Fire Department's Fire Prevention Division at 613-498-1363."*

5. Inspector Scott Fraser-Brockville Police Department (*E-mail dated November 26, 2010*)

*"No issues from the Police."*

6. Guy Hellyer, Manager Plant/Facilities, Bell Canada (*fax dated November 22, 2010*)

*"No objection with this application as long as it does not affect the existing telephone entrance cable and terminal location."*

7. S. Crawford, Planner-UCDSB (*E-mail dated December 01, 2010*)

*"In reviewing the forwarded condominium conversion form, it is not apparent that this will have any impact on the Commonwealth PS lands across the street. The change appears to be very minimal."*

*With respect to the abovementioned condo conversion, the Upper Canada District School Board has no comment at this time."*

8. Deborah Steele, C.P.H.I. (C) – Public Health Inspector - Leeds, Grenville and Lanark District Health Unit (*letter dated November 22, 2010*)

Proposed Condominium Conversion, Part Lots A & B, Block 3, Plan 67  
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 Owner: 1264165 Ontario Limited  
 Agent: R.G. Bennett Surveying Ltd., Grant Bennett, O.L.S.  
 File: 08CD-10501

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*"Please be advised that the above application does not involve a private sewage system, therefore, an inspection and further comment will not be required."*

9. Terry Davis, Supervising Distribution Technician, Hydro One Inc. (dated November 08, 2010)

*"In response to the Condominium Conversion-Circulation Form dated November 16, 2010 Hydro One Inc. concern is the customer owned secondary underground is non standard conductor and is required to be upgraded."*

10. Steve O'Connor, 81 Bartholomew Street (Letter dated November 08, 2010, see attached **Schedule "C"**)

Concerns regarding: Rights-of-way, minor variances requested, parking, garden shed.

#### Issues Raised Through the Public Participation Process:

As noted previously, the minutes of the public meeting held on 07 December 2010 appear as **Schedule "B"** to this report, while correspondence received is attached as **Schedule "C"**.

The issues raised are addressed as follows:

1. *A successful application for Minor Variance to delete the required equipped children play area and to reduce the minimum front yard setback.*

The application for minor variance (A14/10) has been successfully completed and is addressed elsewhere in this report.

2. *Potential impact of the required changes to the common elements identified in the existing eleven (11) unit condominium agreement to accommodate a twelfth (12<sup>th</sup>) condominium dwelling unit.*

The dwelling unit under consideration for conversion is currently included under the "common elements" of the existing condominium. The sale of common elements of an existing condominium are controlled under the Condominium Act, S.O. 1998, CH. 19 (amended to 2009, c. 34, Schedule E, December 15, 2009), Sections 11(5)

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and 124. Conditions for this process are as follows and have been included in the recommendations for conditional approval in this report.

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

3. *Ability to bring the property back into conformity with the conditions established for the previous condominium approval including, but to limited to, the provision of parking.*

The applicant is aware of this issue and bringing the property into conformity with the City of Brockville Zoning By-law 194-94, as amended, has been included in the recommendation for conditional approval in this report.

4. *Rights-of-Way:*

The matter of obstruction of rights-of-way but existing on-site parking was brought forward by a neighbour. Upon review, it is apparent that the rights-of-way skirt the established parking spaces and are therefore not a concern. **Schedule "D"** to this report identifies the known rights-of-way in relation to the on-site parking.

5. *Parking:*

A minimum of fifteen (15) parking spaces are required to be located on-site. The previous condominium plan identified eleven (11) numbered parking spaces and two (2) unnumbered but identified parking spaces. One additional parking is required to be accommodated on-site and appropriately identified as a condition of approval.

6. *Garden Shed / Refuse Containers Obstructing Parking:*

One on-site parking space is partially obstructed by a garden shed and various refuse containers. This is required to be rectified as a condition of approval.

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Each of the concerns and observations brought forward as a result of the correspondence received and at the public meeting have been addressed in the conditions for final condominium conversion approval and will be discussed in detail at the time at which the subdivision is presented to Council for final approval.

#### **FINANCIAL IMPLICATIONS:**

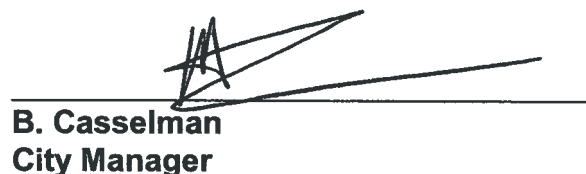
All costs associated with conversion of one (1) existing rental residential dwelling unit to condominium status, including but not limited to, the preparation and registration of documentation necessary for the final approval of the proposed Condominium, are the responsibility of the Owner.

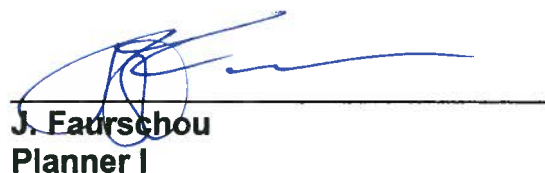
No financial deposit shall be required to be posted as the applicant is required to meet the various draft conditions prior to final approval being considered.

#### **CONCLUSION:**

The request to convert one (1) existing residential dwelling unit within an existing residential apartment building from rental tenure to condominium tenure, as proposed, is consistent with the 2005 Provincial Policy Statement, existing Official Plan policies, Draft Official Plan (November 2010) policies, City of Brockville Zoning By-law 194-94, as amended and varied. Accordingly, the Planning Department is recommending draft approval of condominium conversion subject to conditions as set out under the "Recommendations" section of this report.

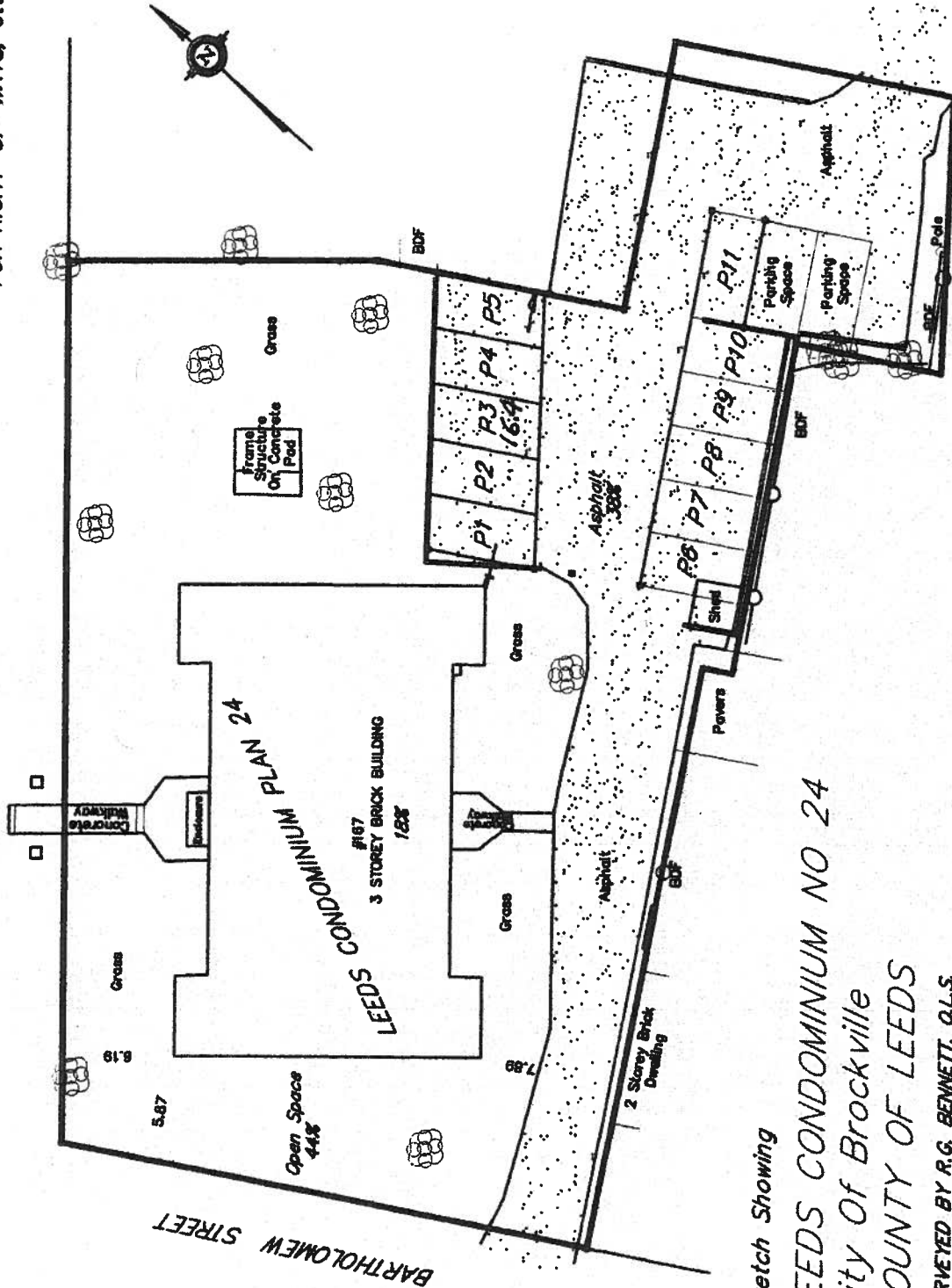
  
**M. Pascoe Merkley**  
Director of Planning

  
**B. Casselman**  
City Manager

  
**J. Faurischou**  
Planner I

SEE PLAN 28R-6949  
FOR RIGHT-OF-WAYS, etc.

PEARL STREET



Sketch Showing

LEEDS CONDOMINIUM NO 24

City Of Brockville

COUNTY OF LEEDS

SURVEYED BY R.G. BENNETT, Q.L.S.

SCALE 1:100 METRES



METRIC

DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

LEGEND & NOTES : (IF APPLICABLE)

- DENOTES FOUND MONUMENTS
- DENOTES SET MONUMENTS
- DENOTES IRON BAR
- △ DENOTES STANDARD IRON BAR
- ◇ DENOTES SHORT STANDARD IRON BAR
- CC DENOTES CUT CROSS
- WT DENOTES WITNESS
- MEAS DENOTES MEASURED
- BDF DENOTES BOARD FENCE
- ⊗ DENOTES TREE

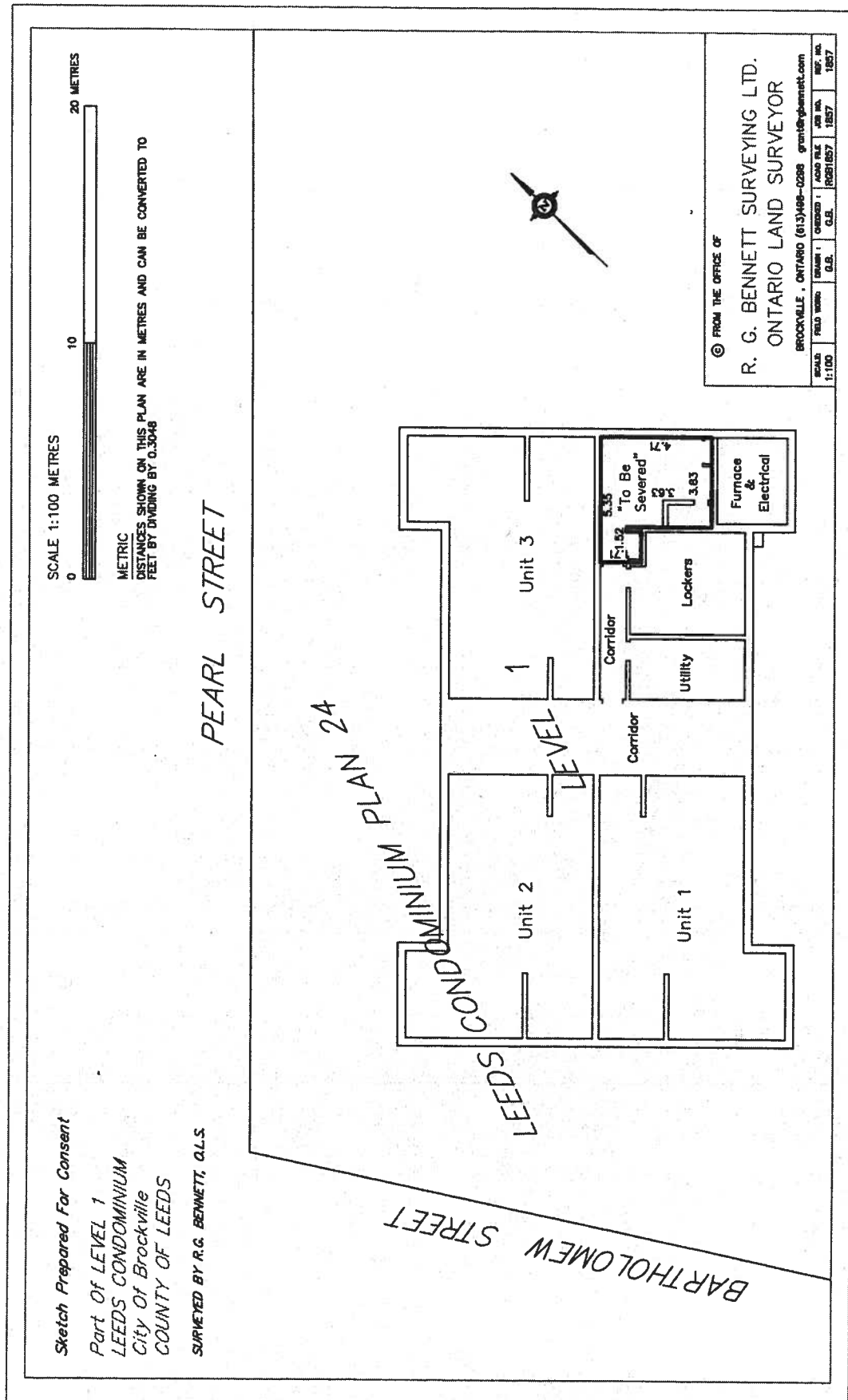
© FROM THE OFFICE OF

R. G. BENNETT SURVEYING LTD.  
ONTARIO LAND SURVEYOR

BROCKVILLE, ONTARIO (613)468-0268 grunty@rogers.com  
BUILT 1:100 FIELD 1:100 DRAWN 1:100 CHECKED 1:100 DATE 10/07/11



# SCHEDULE "A-2" - Report 2011-013-02



# SCHEDULE "B" - Report 2011-013-02

City of Brockville

**File Copy**



## **PUBLIC MEETING MINUTES**

### **Economic Development & Planning Committee**

Tuesday, December 07, 2010, 6:00 p.m.  
City Hall, Council Chambers

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#### **Roll Call**

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

Councillor M. Kalivas, Chair  
Councillor D. Beatty  
Councillor J. Earle  
Mayor D. Henderson, Ex-Officio

##### **Staff:**

Mr. C. Cosgrove, Director of Operations  
Mr. J. Fauschou, Planner I  
Ms. M. Pascoe Merkley, Director of Planning  
Mr. P. Raabe, Director of Environmental Services  
Ms. S. Seale, City Clerk (Recording Secretary)

2010-165-12

Proposed Condominium Conversion,  
Part Lots A & B, Block 3, Plan 67, Being Parts 1 Through  
8, Inclusive, Plan 28R-6949, City of Brockville (167 Pearl Street East, Brockville),  
Owner: 1264165 Ontario Limited,  
Agent: R.G. Bennett Surveying Ltd., Grant Bennett, O.L.S.

Moved by: Councillor Earle

THAT Report 2010-165-12 be received as information and that a report on this matter be prepared by staff for consideration of the Environment Planning Development Committee at a future meeting for recommendation to Council.

**CARRIED**

Councillor Kalivas, Chair, announced the Public Meeting (6:19 pm).

departments. As well, the Operations Department was requested to place a sign on the subject property.

Councillor Kalivas asked that any person wanting further notice of the passage of the proposed amendment should give their full name, address and postal code to the Secretary prior to leaving the meeting.

Councillor Kalivas reviewed the procedures for the Public Meeting.

Councillor Kalivas called on the Planner to explain the purpose of the Public Meeting and the nature of the application.

Mr. Jonathan Faurschou, Planner I, reviewed the proposed Plan of Subdivision.

The following persons spoke in support of the proposed amendments.

Mr. Malovic, Owner (1003 Kingswood Ave, K6V 0A1) was in attendance to respond to questions.

No persons spoke in opposition to the proposal.

*No persons registered a request for meeting information.*

The meeting concluded at 6:18 p.m.

2010-165-12

Proposed Condominium Conversion,  
Part Lots A & B, Block 3, Plan 67, Being Parts 1 Through  
8, Inclusive, Plan 28R-6949, City of Brockville (167 Pearl Street East, Brockville),  
Owner: 1264165 Ontario Limited,  
Agent: R.G. Bennett Surveying Ltd., Grant Bennett, O.L.S.

Moved by: Councillor Earle

THAT Report 2010-165-12 be received as information and that a report on this matter be prepared by staff for consideration of the Environment Planning Development Committee at a future meeting for recommendation to Council.

CARRIED

Councillor Kalivas, Chair, announced the Public Meeting (6:19 pm).

Mr. Jonathan Faurschou, Planner I, announced that Notice of the Public Meeting for Staff Report No. 2010-165-12 was given in the Recorder and Times Newspaper on November 18, 2010, and a notice was sent to surrounding property owners within 120 metres of the subject property and circulated to various agencies and departments.

Councillor Kalivas asked that any person wanting further notice of the passage of the proposed amendment should give their full name, address and postal code to the Secretary prior to leaving the meeting.

Councillor Kalivas reviewed the procedures for the Public Meeting.

Councillor Kalivas called on the Planner to explain the purpose of the Public Meeting and the nature of the application.

Mr. Jonathan Faurschou, Planner I, reviewed the proposed Condominium Conversion. Mr. Faurschou indicated that additional correspondence was received since the preparation of the report and agenda. Correspondence from the Chief Building Official indicated no concerns; Operations Department stated no concerns; and, correspondence from the Upper Canada District School Board confirmed no comment or concerns.

The following persons spoke in support of the proposed amendments.

Mr. Grant Bennett, Agent (46 Wall St, K6V 4S1) was in attendance to respond to questions.

No persons spoke in opposition to the proposal.

*No persons registered a request for meeting information.*

The meeting concluded at 6:31 pm.

# SCHEDULE "C" - Report 2011-013-02

11/29/2010 @ 8:32

Good Morning Jonathan

I am contacting you with concerns around the requests of Condominium conversion **08-CD-10501** of 167 Pearl St East, Brockville, Ontario. I am the current owner of 81 Bartholomew St, Brockville, Ontario, K6V 2R8. In review of the proposed changes and request notice sent to me dated 23 November 2010. I have concerns around the Right - of - Ways, from Bennett St. To Bartholomew St and how these will be honored by the new proposed condominium owners. I am also concerned with the request for minor variance file **A14/10** and what these requests are. If any of these changes are to impact my property at 81 Bartholomew St. Then I need to be aware of them before they are approved. I am new to the Bartholomew area, but when purchasing this property I was guaranteed that the Right - of - Way is in fact and in place as the parking for 81 Bartholomew utilizes this access.

One of the long time residents of the area has informed me that in fact the right of way from Bennett St to Bartholomew actually runs directly through the proposed parking spaces P6,P7,P8,P9,P10,P11 and a current garden shed that is in place at 167 Pearl St east. I was also informed that the original builder of 167 Pearl St east, (a Mr Dodge?) took it on his own decision making prowess to put those parking spaces in that location and that there may be no formal approval for his actions.

My concern is if the new owners are marketing the condominiums complete with a parking space, how is it they can sell and or guarantee a space that is in fact a Right-of-Way and not under their direct ownership or property boundaries of 167 Pearl St East?

If I may for my review I would like to request files no.

|                    |                                                         |
|--------------------|---------------------------------------------------------|
| <b>08-CD-10501</b> | <b>condominium Conversion request 167 Pearl St East</b> |
| <b>A14/10</b>      | <b>Minor Variance request 167 Pearl St East</b>         |
| <b>267-27</b>      | <b>Dated 1991 Condominium Conversion (original)</b>     |
| <b>28R-6949</b>    | <b>Rights-of-Ways</b>                                   |

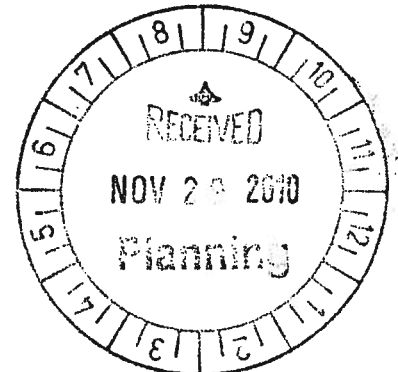
I would also like to request for my review Section 51 of the Planning Act, R.S.O. 1990 as outlined in the notice sent to me November 23rd, 2010.

I hope to contact you on November 29th as well.

Thank You in advance for your assistance in these matters.

Best Regards

Steve OConnor  
Thousand Islands Street Machine Association  
PR Officer  
81 Bartholomew St.  
Brockville, Ontario, K6V2R8  
613.865.8722  
613.246.4433 cell



# SCHEDULE "D" - Report 2011-013-02

PLAN 28R 6949  
 Approved Aug 30 1990  
 A. S. BARNETT  
 Surveyor General of the Province of Ontario

METRIC  
 DISTANCES SHOWN  
 ON THIS PLAN ARE  
 IN METRES AND CAN  
 BE CONVERTED TO  
 FEET BY DIVIDING BY  
 0.3048.

PLAN OF SURVEY  
 PART OF LOTS A AND B BLOCK 3  
 REGISTERED PLAN 67  
 CITY OF BROCKVILLE  
 COUNTY OF LEEDS  
 MALDEN/BARNETT SURVEYING LTD.  
 SCALE 1:1200

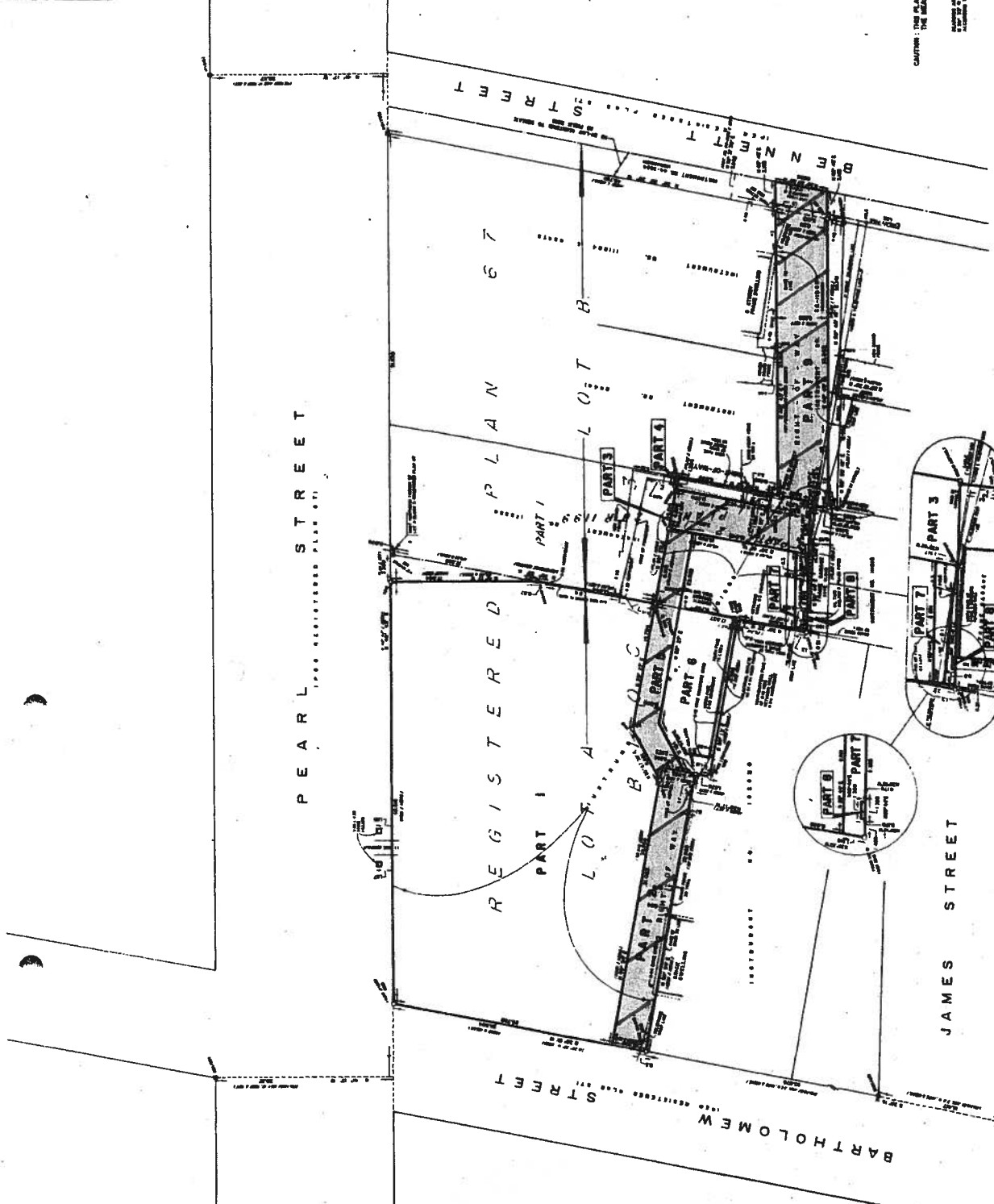
PLAN OF SURVEY  
 PART OF LOTS A AND B BLOCK 3  
 REGISTERED PLAN 67  
 CITY OF BROCKVILLE  
 COUNTY OF LEEDS  
 MALDEN/BARNETT SURVEYING LTD.  
 SCALE 1:1200

PLAN OF SURVEY  
 PART OF LOTS A AND B BLOCK 3  
 REGISTERED PLAN 67  
 CITY OF BROCKVILLE  
 COUNTY OF LEEDS  
 MALDEN/BARNETT SURVEYING LTD.  
 SCALE 1:1200

PLAN OF SURVEY  
 PART OF LOTS A AND B BLOCK 3  
 REGISTERED PLAN 67  
 CITY OF BROCKVILLE  
 COUNTY OF LEEDS  
 MALDEN/BARNETT SURVEYING LTD.  
 SCALE 1:1200

PLAN OF SURVEY  
 PART OF LOTS A AND B BLOCK 3  
 REGISTERED PLAN 67  
 CITY OF BROCKVILLE  
 COUNTY OF LEEDS  
 MALDEN/BARNETT SURVEYING LTD.  
 SCALE 1:1200

PLAN OF SURVEY  
 PART OF LOTS A AND B BLOCK 3  
 REGISTERED PLAN 67  
 CITY OF BROCKVILLE  
 COUNTY OF LEEDS  
 MALDEN/BARNETT SURVEYING LTD.  
 SCALE 1:1200



**27 January 2011**

**REPORT TO ENVIRONMENT PLANNING DEVELOPMENT COMMITTEE – 01 February 2011**

**2011-014-02**

**DRAFT SUBDIVISION APPROVAL  
PART OF BLOCKS A & B, REGISTERED PLAN 375  
ASPEN DRIVE – EAST SIDE  
CITY OF BROCKVILLE  
OWNER: 653973 ONTARIO LTD.  
AGENT: EASTERN ENGINEERING GROUP INC.  
FILE: 08T-10501**

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

**RECOMMENDATIONS:**

1. THAT Council of the Corporation of the City of Brockville, acting pursuant to Section 51(6) of the Planning Act, R.S.O. 1990, c.P.13, grant approval to the Draft Plan of Subdivision, as red-lined, on lands described as Part of Blocks A & B, Registered Plan 375, Aspen Drive, 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 29 Sept 2010, showing Blocks 1 through 18, inclusive, said Blocks being delineated as to use on the afore-mentioned Draft Plan;
  - ii) That the proposed Street “A” shown on this Draft Plan, shall be dedicated as a public highway to be named to the satisfaction of the City of Brockville;
  - iii) That such easements as may be required for services, drainage purposes and the like shall be granted gratuitously to the appropriate authority or authorities;
  - iv) 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:
    - All of the requirements, financial and otherwise, of the City of Brockville concerning the provision of roads, street lighting and the installation of services and drainage;
    - The requirements of Canada Post with respect to the installation of Community Mailboxes;
    - The requirements of Enbridge Consumers Gas, with respect to an overall distribution plan, installation strategy and installation standards;
    - The requirements of Hydro One Networks Inc. with respect to the installation of electrical servicing;

**Draft Subdivision Approval, Part of Blocks A & B, Registered Plan 375, City of Brockville****Aspen Drive, East Side****OWNER: 653973 Ontario Ltd.****AGENT: Eastern Engineering Group Inc.****FILE: 08T-10501**

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- The developer's responsibility for the reinstatement of the existing temporary turn-around located at the current north terminus of Aspen Drive and conveyance of lands to adjacent landowners;
  - The developer's responsibility to create a temporary turn-around to be located at the intersection of the north terminus of Aspen Drive and the north branch of Street "A";
  - The developer's responsibility to prepare a Tree Saving Plan, Tree Planting Schedule and a Re-vegetation Plan which demonstrates how the buffer area adjacent to the creek is to be maintained and enhanced and what measures will be included to provide a natural snow barrier. Said Plans to be provided for review and approval by the City of Brockville and the Cataraqui Region Conservation Authority; and
  - Notification to landowners that any development or site alteration must be setback a minimum of five (5) metres from the regulatory floodplain of Buell's Creek and that the first finished floor (including basements and all openings) must be at or above a minimum elevation of 101.9m GSC.
- v) That prior to final approval of the Plan, lot grading, drainage, erosion and sediment control, and services plan(s) with best management practices be prepared by the Owner for inclusion in the Subdivision Agreement, to the satisfaction of the City of Brockville and the Cataraqui Region Conservation Authority. The lot grading plan must include the location of the 100 year floodplain of Buell's Creek and show a cross-section of the area between the bank and the creek;
- vii) That prior to the final approval of the Plan, a Stormwater Management Plan 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;
- viii) 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; and



Draft Subdivision Approval, Part of Blocks A & B, Registered Plan 375, City of Brockville

Aspen Drive, East Side

OWNER: 653973 Ontario Ltd.

AGENT: Eastern Engineering Group Inc.

FILE: 08T-10501

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- ix) That the Final Plan, as approved by the City of Brockville, must be registered within thirty (30) 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.

## ORIGIN AND BACKGROUND:

Eastern Engineering Group Inc., acting as Agent for 653973 Ontario Ltd., Owner of lands described as Part of Blocks A & B, Registered Plan 375, Aspen Drive, City of Brockville, County of Leeds, has made application for a proposed Plan of Subdivision to include fourteen (14) residential blocks, three (3) 0.5 m reserve blocks, one (1) block to be conveyed to the City for O.S.-Open Space use and one new street. All residential lots have frontage on the proposed new crescent shaped street. A sketch showing the lands which are the subject of the application is attached to this report as **Schedule "A"**.

The subject lands, which are currently vacant, are located east of the Aspen Drive extension, and west of, and adjacent to Buell's Creek.

The subject lands are designated as Residential with a band along the creek being designated as Open Space. The subject lands are zoned as R3-General Residential Zone, E.P.-Environmental Protection Zone and O.S.-Open Space Zone.

## ANALYSIS:

### Site Characteristics:

The subject land slopes gently from the west to the east. Vegetation coverage is primarily open field with a limited variety of deciduous trees along the bank of Buell's Creek.

|                |                            |
|----------------|----------------------------|
| Total Area:    | 2.33 Hectares (5.75 acres) |
| Frontage:      | 160 m. (524.9 ft)          |
| Average Depth: | 86 m. (282 ft.)            |

### Surrounding Land Use:

Lands north of the subject property are zoned H1-R5-Multiple Residential Zone and are vacant.

Lands east of the subject property are zoned E.P.-Environmental Protection Zone along the creek and creekbed and O.S.-Open Space Zone and are vacant.

Draft Subdivision Approval, Part of Blocks A & B, Registered Plan 375, City of Brockville  
Aspen Drive, East Side  
OWNER: 653973 Ontario Ltd.  
AGENT: Eastern Engineering Group Inc.  
FILE: 08T-10501

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Lands to the south and south-west of the subject property are zoned R3-General Residential Zone. The lands immediately adjacent are scheduled for construction of semi-detached dwellings while the lands further south are occupied by semi-detached dwellings fronting on Aspen Drive.

Lands to the west of the subject property are zoned H1-R3-General Residential Zone and are vacant.

Proposed Draft Plan of Subdivision, as Submitted:

The proposed draft Plan of Subdivision, as submitted, identifies development of a subdivision consisting of fourteen (14) residential blocks, three (3) 0.5 m reserve blocks, one (1) block to be conveyed to the City for O.S.-Open Space use and one new street. All residential blocks have frontage on the proposed new street. The proposed draft Plan of Subdivision has been attached to this report as **Schedule "A"**.

A total of fourteen (14) residential blocks to be developed as semi-detached freehold dwelling units for a total of twenty eight (28) dwelling units are proposed for the subject lands. Semi-detached dwellings are permitted under the current R3-General Residential.

i) Residential Blocks (Blocks 1 through 14):

The fourteen (14) Blocks are located on a new "U" shaped street identified as Street 'A' on the attached draft Plan. The dwellings all front on the north and south sides of the street. No lots are proposed for the east side of the street as it abuts Buell's Creek.

The frontage of the proposed lots range from 21 metres (68.8 feet) to 26 metres (85.3 feet). Access and full municipal servicing is to be from the Aspen Drive and Street 'A'. The dimensions and layout of the proposed lots is such that development of semi-detached dwellings will be required to be compliance with the R3 Zone requirements under City of Brockville Zoning By-law 194-94, as amended.

ii) Block 15:

Block 15 is located on the east side of the site and includes Buell's Creek and various lands considered to be surplus to the needs of the developer.

iii) Blocks 16, 17 and 18:

Blocks 16, 17 and 18 are located parallel to Aspen Drive, and are 0.3 metre

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reserves intended to prevent driveway access from the proposed end lots to Aspen Drive, the designed lot front being Street 'A'.

Proposed Draft Plan of Subdivision, as Red-lined:

The proposed draft Plan of Subdivision, as revised, remains primarily as submitted and as described above. The draft plan, as submitted, has been red-lined to address concerns with lands along the creek lying adjacent to the proposed lots. Accordingly, various minor revisions have been made to the draft plan of subdivision. The proposed draft Plan of Subdivision, as red-lined, has been attached to this report as **Schedule "B"**. The changes are summarized as follows:

- The lands located east of Block 3, east and north of Block 11 and north of Block 12, between the flood plain and the rear lot lines, are not required by the City. Accordingly, these lands have been revised to add them to the adjacent lots.

Servicing of the Plan:

Access to the site is from the extension of the partially completed Aspen Drive. The dimensions and layout of the proposed fourteen (14) residential Blocks on the plan is such that development of semi-detached dwellings in an R3-General Residential Zone can occur in compliance with requirements under City of Brockville Zoning By-law 194-94, as amended.

Sanitary sewers, storm sewers and watermain to service the site shall be connected to and extended from the existing services located on Aspen Drive. Infrastructure design drawings are being prepared by the Agent, Eastern Engineering Group Inc.

Public Participation:

The application has proceeded through the normal review process. On 07 December 2010, 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 11 November 2010 and was circulated to property owners within 120 metres (400 feet) of the subject property. Comments from City Departments and affected agencies were also solicited.

The minutes of the Public Meeting are attached as **Schedule "C"**. Written comments received to-date are attached as **Schedule "D"** to this report.

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#### Official Plan Considerations – Current Official Plan:

The subject lands are currently designated Open Space and Residential under the Official Plan for the City of Brockville, and are located within Planning District No. 8.

The Residential classification of land means that the predominant use of land so designated shall be for a variety of residential dwelling types, with the more specific location of low, medium or high density residential districts to be identified either through secondary plans, through other Official Plan policy directives, or in the implementing zoning by-law. Given the language of the Planning District No. 8 policies, which state that *“Planning District No. 8 represents the major area of residential growth potential for the City during the planning period and beyond, the vacant areas in this Planning District are to be developed for residential uses by means of draft plans of subdivision”*, the proposed plan of Subdivision is in keeping with the intent of the Official Plan.

As the proposed zoning relates to new residential development under draft plan of subdivision, no amendment to the Official Plan is required to address the proposed development.

#### Official Plan Considerations – Draft Plan August 2010:

The subject lands are currently designated “Neighbourhood Development Area” under the Draft Official Plan (August 2010) for the City of Brockville.

Policies in the Section 4.4 Neighbourhood Development Area encourage new development to *“manage change in a manner that shall maintain the character of the existing development and respect the character of the adjacent or nearby Neighbourhood Areas”*. In addition, the policies recognize a variety of development formats and densities from single detached to small scale apartments. Consideration is also noted for various built form policies which would include, but not be limited to, such elements as maintaining views of natural features and landmarks, consistent massing of development, energy conservation, landscaping, open space access, waste reduction, etc.

The proposed subdivision is consistent with the surrounding subdivision thereby maintaining the character and massing present in the immediate area. In addition, the subdivision, while incomplete to-date, does contain three public park areas, one of which will be completed in the spring of 2011. Informal access to the CRCA conservation area to the north is also available. The alignment of the proposed semi-detached dwellings is roughly east-west thereby ensuring maximum exposure to sunlight. Furthermore, as there are no dwellings on the north-south portion of the street, views are maintained to Buell’s Creek. Tree plantings will be required under the Subdivision Agreement for all lots as the

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subject lands have been completely cleared. All disturbed areas in the vicinity of Buell's Creek will be required to be vegetated to the satisfaction of the CRCA. Similarly, the Subdivision Agreement will include refuse and recycling measures consistent with the City's solid waste practices for residential areas.

#### Zoning By-law Considerations:

The subject lands are currently zoned as R3-General Residential Zone, E.P.-Environmental Protection Zone and O.S.-Open Space Zone.

The portion of the site proposed for development of semi-detached dwellings is currently zoned as R3-General Residential Zone.

The lot frontages in the draft plan of subdivision range in size from 21 metres (68.8 feet) to 24 metres (78.7 feet) and lot areas are in excess of 270 m<sup>2</sup> (2,906 ft<sup>2</sup>). The proposed lots are capable of being developed for single units, semi-detached or duplex dwellings, as they meet the minimum R3 zone provisions as identified above. The proposed dwelling format, being semi-detached dwellings, is consistent with the existing semi-detached dwellings located immediately south of the site and fronting on both sides of Aspen Drive.

The portions of the site currently zoned as O.S.-Open Space Zone and E.P-Environmental Protection Zone are intended to be dedicated to the City of Brockville. These lands roughly parallel the limits of the Environmental Protection Zone. No improvements are proposed for this area in order to maintain a natural buffer between development and Buell's Creek.

No site specific conditions are required to be incorporated into the zones proposed under this application.

Given the applicant's interest in proceeding with semi-detached dwelling types to be constructed within limits set out under Zoning By-law 194-94, as amended, for the R3 Zone on Blocks 1 through 14, inclusive, the proposed rezoning is appropriate.

#### 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,*

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

Provincial Policy Statement Considerations:

A Provincial Policy Statement (PPS) 2005 has been issued under the authority of Section 3 of the Planning Act. The PPS 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's 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 discussed in this report. The preamble to Part V Section 1 Building Strong Communities sets the tone by suggesting that "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, liveable and healthy communities, protect the environment and public health and safety, and facilitate economic growth."

Part V, Section 1.1 is entitled Managing and Directing Land Use to Achieve Efficient Development and Land Use Patterns. Subsection 1.1.1 speaks more specifically to the promotion of efficient, cost effective development whereby land consumption and servicing costs are minimized. Subsection 1.1.2 encourages intensification and redevelopment, while Subsection 1.1.3 suggests that land use patterns within settlement areas shall be based on densities and a mix of land uses which efficiently use land and infrastructure, with intensification opportunities to be promoted.

Part V Section 1.4 Housing directs that there shall be a range of housing types and densities to efficiently use land, resources, infrastructure, public service facilities and transit where it exists. Furthermore, residential intensification is to be encouraged to minimize the cost of housing and facilitate compact form.

All of the above noted directives found in Part V Section 1 of the PPS point towards support for the additional dwelling units which are being sought through the request for Draft approval for Plan of Subdivision thus it can be concluded that the Plan of Subdivision is consistent with the PPS.

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

The proposed plan of subdivision is not premature and is a logical extension of the existing portion of Bridlewood Subdivision located on Aspen Drive. The proposed plan of subdivision is in the public interest in that it represents development of new freehold dwellings on a vacant parcel of land within an area previously identified for residential development under Plan 375 and included in the "Neighbourhood Development Area" as identified in the Draft Official Plan (August 2010).

*(c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;*

Lands lying to the east of the draft plan and across Buell's Creek are designated as Open Space. Lands lying to the west, north and south of the subject lands are located within Plan 375 and are designated for residential development.

The proposed plan of subdivision lies within Plan 375, known locally as Bridlewood Subdivision. The subject lands were, under Plan 375, initially intended for development as multiple residential units, such units being permitted to include any one or combination of the following dwelling formats: multiple unit buildings; townhouse dwellings; maisonette dwellings; apartment dwellings; or senior citizen dwellings. In 2006, the site was rezoned (File D14-091) to permit R3-General Residential Zone which permits development of the following dwelling types: single detached dwellings; semi-detached dwellings; duplex dwellings; link dwellings; and triplex dwellings.

Under the proposed draft plan, the new plan would see continued residential development in a semi-detached dwelling format thereby being consistent with existing planned and completed dwellings within earlier phases of Bridlewood Subdivision.

Accordingly, the draft plan is in conformity with the Official Plan for the City of Brockville and is in conformity with the general residential format of the existing plan 375 being similar in the built form and the massing of proposed development and lots.

*(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 has a general easterly slope and lies parallel with, and adjacent to, Buell's Creek and its associated flood plain. Various special design guidelines are required

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to be incorporated into the subdivision with regard to services, roadways and stormwater run-off, said special considerations being subject to approval by the City and the Cataraqui Region Conservation Authority (CRCA) prior to final approval of Plan of Subdivision. The proposed plan of subdivision therefore represents an opportunity for suitable, efficient, orderly development of new residential housing.

- (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;*

The Operations Department has confirmed that the layout of the Street 'A' road allowance, as proposed, is acceptable. The Operations Department shall review design drawings showing street location, servicing layout, width, grade, etc., prior to the matter being returned to Council for final approval of Plan of Subdivision.

Streets are required to be conveyed to the City. The proposed name for Street "A" has not been determined to-date.

Aspen Drive is classified as a "Collector" road. Upon completion of Aspen Drive northwards, traffic within this subdivision and within Plan 375 (Bridlewood Subdivision) generally is expected to access Laurier Boulevard (collector road) to the south and Centennial Road (arterial road) to the north, via Aspen Drive. The addition of traffic generated from the proposed fourteen (14) residential blocks (28 dwelling units) can be accommodated on Aspen Drive and on the surrounding road systems.

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

The dimensions, shapes and layout of the proposed fourteen (14) residential blocks (28 dwelling units) is such that development of semi-detached dwellings in an R3 Zone may be completed in compliance with requirements under City of Brockville Zoning By-law 194-94, as amended.

Discussion with respect to the conveyance of Block 15 and associated red-lined lot configurations has been addressed previously in this report.

- (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;*

The developer has not indicated any restrictions to be applied to the proposed



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subdivision. Similarly, the Planning Department is not aware of any restrictions placed on any adjoining lands.

Restrictions are limited to those identified for development under Zoning By-law 194-94, as amended, CRCA requirements and other applicable legislation including but not limited to the Ontario Building Code.

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

The subject land lies adjacent to Buell's Creek. Buell's Creek is zoned as E.P- Protection Zone under City of Brockville Zoning By-law 194-49, as amended. The limits of the E.P. Zone correspond to the limits of the flood plain. All lots are located outside of the floodplain. In addition to best management practices, the east portion of the right-of-way shall be designed such that the traveled portion of the roadway is located as close as possible to the eastern boundaries of Lots 4 and 10. Lands to the east of the travelled portion of the street shall be planted with vegetation suitable for erosion resistance and bank stability as determined by the CRCA.

The Operations Department and Cataraqui Region Conservation Authority (CRCA) shall review lot grading, drainage, erosion and sediment control plans prior to the matter being returned to the Council for final approval of Plan of Subdivision.

The majority of the site is vacant. However, where trees are present, a tree saving plan is required to be completed for each lot prior to development. Where trees are absent or proposed to be removed, a Tree Planting Schedule is required to be prepared and submitted for review and approval by the City of Brockville. This condition shall be incorporated into the Subdivision Agreement.

The subject land has not been identified as being an area with notable natural resources. In addition, the site is located within the settled area of the City of Brockville.

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

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

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Similarly, Hydro One has indicated that adequate electrical supply is available for the proposed plan of subdivision. The developer is responsible for preparing a Utility Distribution Plan for approval by Hydro One, the City and other utility providers prior to the matter being returned to Council for final approval of Plan of Subdivision.

(j) *the adequacy of school sites;*

The proposed subdivision is located within the catchment area for both the public and separate school boards. Given the small scale of the proposed subdivision, no additional school sites are required 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;*

Although typically development of new residential land is subject to either dedication of 5% of the total land area as public parkland or a cash-in lieu of parkland payment equal to 5% of the value of the land determined as of the day before the day of the approval of the draft Plan of Subdivision. In this instance, the subject lands are a re-subdivision of a block within an existing registered plan of subdivision (Plan 375). At the time that Plan 375 was approved, the owner dedicated lands for park and open space purposes (Blocks A, E and F of Plan 375). Given that the proposed development does not represent intensification of proposed land uses, and given the previous parkland dedications, no further lands need be dedicated for compliance with this subsection of the Planning Act.

However, the developer has indicated that it is intended for Block 15 on the draft plan of subdivision to be transferred to the City. The lands defined within Block 15 are composed of Buell's Creek and the western bank to the limit of the E.P. Environmental Protection Zone. No improvements are proposed for this land other than planting to ensure erosion protection.

Following staff assessment, the limits of Block 15 have been revised as shown on the red-lined plan of subdivision included in this report as **Schedule "B"**.

(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 semi-detached dwellings and street construction is optimized within the parameters of Zoning By-

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law 194-94. Given the scale of the plan, incorporating specific energy conservation features is limited to efficient street orientation and connection to existing municipal services. However, this does not negate the ability for future homeowners to incorporate available interior and/or exterior energy conservation measures.

- (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 located within a site plan control area designated under subsection 41(2) of this Act or subsection 114(2) of the City of Toronto Act, 2006, 1994, c. 23, s. 30, part ; 2001, c. 32, s. 31(2); 2006, c.22(3), (4).*

The City of Toronto Act, as amended, does not apply to the City of Brockville. Under City of Brockville By-law 33-86, as amended, *"All lands within the limits of the City are hereby designated a Site Plan Control Area, pursuant to Section 40(2) of the Planning Act, S.O. 1983"*. [Note: Section 40(2) of the Planning Act, S.O. 1983 corresponds with Section 41(2) of the Planning Act, R.S.O., 1990, c.P. 13, as amended to July 1, 2010.]. However, the Official Plan for the City of Brockville, Section 5.10(a) exempts semi-detached dwellings from Site Plan Control Approval. This exemption for semi-detached dwellings is carried forward under the draft Official Plan (August 2010) Section 6.4.6 *"except in cases where specifically required by this Plan, such as where development is proposed on identified Natural Hazard Lands or Natural Heritage Features within Parks and Open Space Areas"*.

Although the proposed development is located within the area subject to Site Plan Control under City of Brockville By-law 33-86, as amended, the semi-detached dwelling format is exempt from By-law 33-86, as amended. Accordingly, the matters identified under the Planning Act, R.S.O. 1990, c.P. 13, Section 51 (24)(m) are not applicable to the subject application.

Correspondence Received in Response to Circulation and Notice of Public Meeting of 07 December 2010 (Schedule "D"):

Internal Comments:

- C. Cosgrove, Director of Operations

*"No concerns related to the above application for subdivision approval."*

- E. Jones, Engineering Supervisor-Environmental Services Department (*Memo dated November 19, 2010*)

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*"The Environmental Services Department has reviewed the "Application for Subdivision" on the east side of Aspen Drive. We do support this application since the street pattern will be looped providing a continuous roadway which is the preferred roadway rather than the creation of two (2) dead end cul-de-sacs previously considered by the developer and opposed by Engineering and Public Works."*

- B Caskenette, CBO–Planning Department (*Memo dated December 02, 2010*)

*"Our review of the Subdivision Approval for the above noted subject site development has been completed and at this time would advise that we have no objections."*

- G. Healey, Fire Prevention Officer, Brockville Fire Department (*Memo dated 14 December 2010*)

*"After reviewing the plans for the above-noted project, we are unable to comment at this time as the submitted drawings do not indicate existing or proposed fire hydrants."*

- Inspector Scott Fraser, Brockville Police Department (*E-mail dated November 26, 2010*)

*"No issues from Police."*

#### External Comments:

- Guy Hellyer, Manager Plant/Facilities, Bell Canada (*fax dated November 22, 2010*)

*"Bell has no objection to this Plan. The developer will be responsible to provide open trench to service the development."*

- Jim Arnott, Municipal Coordination Advisor-Enbridge Gas Distribution Inc. (*letter dated November 22, 2010, see attached*)

- Sarah Crawford, Planner-Upper Canada District School Board (*E-mail dated December 16, 2010*)

*"With regards to the abovementioned applications for subdivision approval, the Upper Canada District School has no comment."*

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- Kim McCann, Senior Public Health Inspector- Leeds, Grenville and Lanark District Health Unit (letter dated November 16, 2010)

*"Please be advised that the above sub-division application does not involve a private sewage system, therefore, an inspection and further comment will not be required."*

- Sarah Jane O'Neill, Environmental Planner (Letter dated November 29, 2010, Letter dated January 07, 2011 and Letter dated January 26, 2011, see attached)
- Joe Furano, Delivery Planning Officer-Canada Post Corporation (letter dated November 26, 2011, see attached)
- T. Davis, Supervising Distribution Technician-Hydro One Networks inc. (letter dated November 8, 2010)

"In response to the Subdivision Approval-Circulation Form dated October 29, 2010, Hydro One Inc. requires the developer to supply three phase underground for this expansion. This will provide the required primary underground for future development of this property."

- G. Lafrance, Outside Plan Lead Hand-Cogeco Cable Canada Inc. (letter dated January 05, 2011)

*"Please be advised that we have reviewed the draft plan of part of Blocks "A" and "B" registered plan 375 City of Brockville, County of Leeds."*

*COGECO Cable Cornwall will be providing cable service to this area by utilizing joint trenching with Hydro One and Bell Canada pending corporate budgetary approval.*

*We would appreciate receiving information pertaining to the approximate start date of the project, to assist us in effectively forecasting our portion of the work. Easements may be required if we don't have sufficient room to place pedestals, this would be at the developers expense. If you require additional information in regards to this matter, please do not hesitate to call our office."*

#### Issues Raised Through the Public Participation Process:

As noted previously, the minutes of the public meeting held on 07 December 2010 appear as **Schedule "C"** to this report, while correspondence received which was too extensive to

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summarize under the above comments is attached as **Schedule “D”**.

The issues raised are addressed as follows:

i) Access to Future City Pathway - East Side of Buell's Creek:

Initially, the City requested an access point within the subject subdivision on which to install a new pedestrian bridge to be constructed across Buell's Creek to join the future extension of the existing Brock Trail pathway network throughout the City.

Upon further review by the Operations Department, it has been determined that a more appropriate location for such a crossing would be located north of the subject lands. The matter is therefore of no concern within the considerations for the proposed subdivision and will be addressed at a future date in a future phase of the Bridlewood Subdivision.

iii) Use of Aspen Drive:

The original subdivision plan for Bridlewood Subdivision identified Bridlewood Drive as a through street connecting Laurier Boulevard to Centennial Road. In October of 1999, various changes to the subdivision, including the stop-up and closure of Bridlewood Drive, effectively re-routed through traffic from Bridlewood Drive to Aspen Drive. The rationale behind this change was based on discouraging the use of Bridlewood Drive as a high speed “short-cut” between Centennial Road and Laurier Boulevard. The proposal was supported by the developer and has since been incorporated into the subdivision.

iv) Road Allowance / Location of the Travelled Portion of the Road:

A portion of the north-south road allowance as proposed in the original draft Plan encroaches into the flood plain of Buell's Creek. Following discussion between the applicant, CRCA, the Operations Department and the Environmental Services Department, the road allowance will remain as proposed but the travelled portion of the road surface will be located outside of the flood plain. No services are located in the portion of the right-of-way located within the flood plain. This is discussed in more detail in this report under the heading “Proposed Draft Plan of Subdivision as Revised”.

Each of the concerns and observations brought forward as a result of the correspondence received and at the public meeting have been addressed in the conditions for Final Subdivision Approval and will be discussed in detail at the time at which the subdivision is

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presented to Council for final approval.

### **FINANCIAL IMPLICATIONS:**

All costs associated with the preparation and registration of documentation necessary for the final approval of the proposed Plan of Subdivision are the responsibility of the Owner.

All costs associated with the conveyance of lands directly associated with the proposed Plan of Subdivision are the responsibility of the Owner.

All other financial matters as specified in this report shall be inserted in the Subdivision Agreement, along with other standard financial requirements, i.e. posting of financial securities, etc.

### **CONCLUSION:**

The request to permit development of semi-detached dwelling units, as proposed under the Draft Plan of Subdivision, is consistent with the existing Official Plan policies, those of the August 2010 Draft Official Plan and 2005 Provincial Policy Statement and subject to assessment of under the Building Permit review process against requirements under City of Brockville Zoning By-law 194-94, as amended. The Planning Department is recommending draft approval of the red-lined Aspen Drive Subdivision subject to conditions as set out under the Recommendations section of this report.



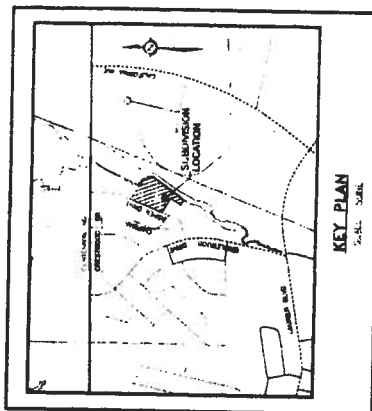
**M. Pascoe Merkley**  
Director of Planning



**B. Casselman**  
City Manager

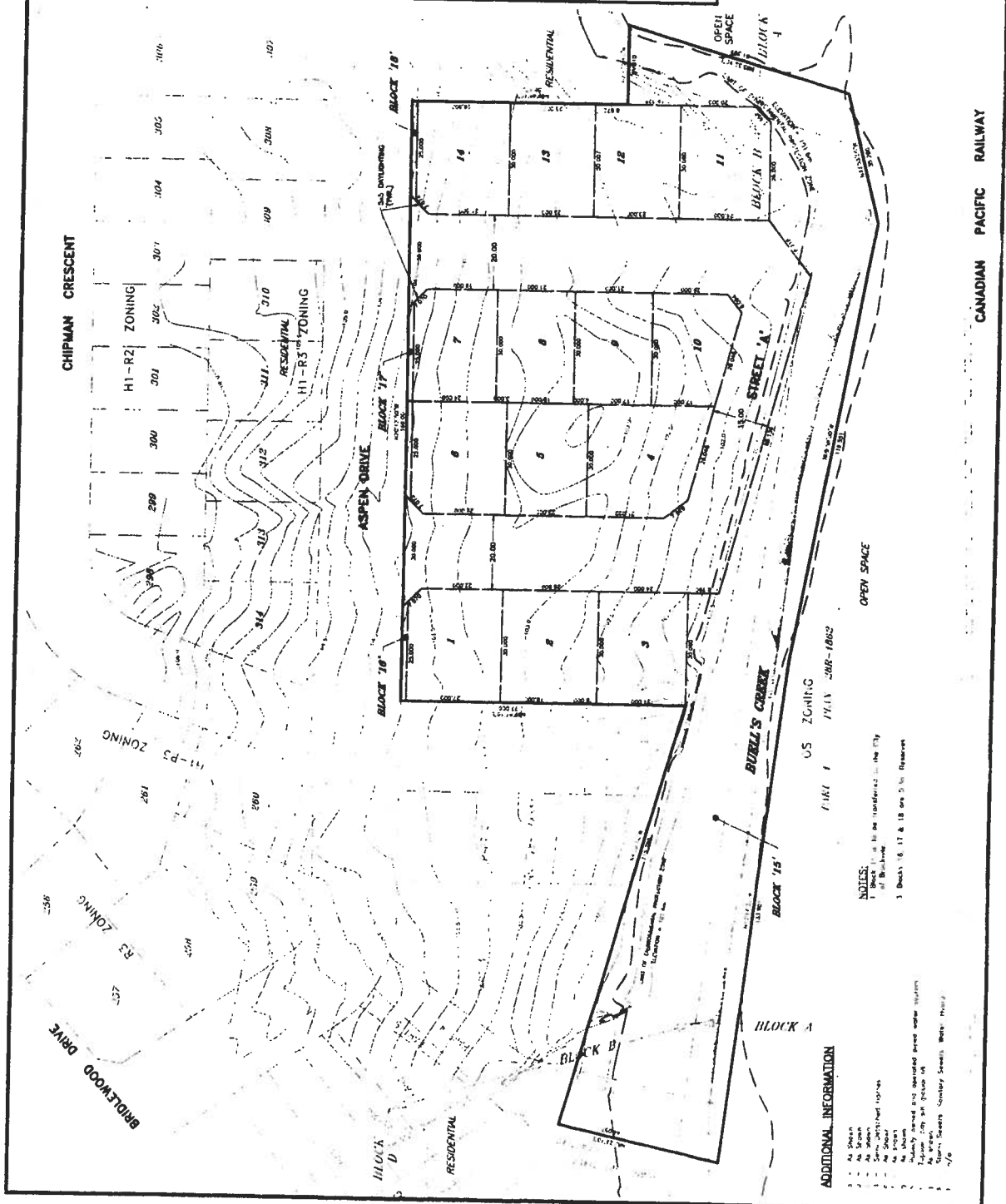
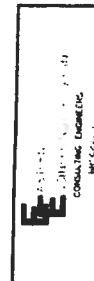


**J. Faurischou**  
Planner I

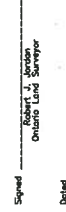


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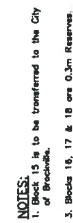
Sept 29, 2010







**ASTERN**  
**ENGINEERING GROUP INC.**  
**CONSULTING ENGINEERS**  
BOSTONVILLE



**ADDITIONAL INFORMATION**

- |    |                                                |                                                |
|----|------------------------------------------------|------------------------------------------------|
| a. | As shown                                       | Publicly owned and operated piped water system |
| b. | As shown                                       |                                                |
| c. | As shown                                       |                                                |
| d. | Self Detached Homes                            |                                                |
| e. | As shown                                       |                                                |
| f. | As shown                                       |                                                |
| g. | As shown                                       |                                                |
| h. | Publicly owned and operated piped water system |                                                |
| i. | Topical clay salt glacial fill                 |                                                |
| j. | As shown                                       |                                                |
| k. | Storm Sewers, Sanitary Sewers, Water, Hydro    |                                                |
| l. | n/o                                            |                                                |

# SCHEDULE "C" - Report 2011-014-02

File COPY



## PUBLIC MEETING MINUTES

### Economic Development & Planning Committee

Tuesday, December 07, 2010, 6:00 p.m.  
City Hall, Council Chambers

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#### Roll Call

#### Committee Members:

Councillor M. Kalivas, Chair  
Councillor D. Beatty  
Councillor J. Earle  
Mayor D. Henderson, Ex-Officio

#### Staff:

Mr. C. Cosgrove, Director of Operations  
Mr. J. Fauschou, Planner I  
Ms. M. Pascoe Merkley, Director of Planning  
Mr. P. Raabe, Director of Environmental Services  
Ms. S. Seale, City Clerk (Recording Secretary)

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The Chair called the meeting to order at 6:05 p.m.

#### ITEM

2010-163-12

Proposed Plan of Subdivision, Part of Blocks A & B,  
Registered Plan 375, Aspen Drive East Side, City of Brockville,  
Owner: 653973 Ontario Ltd.,  
Agent: Eastern Engineering Group Inc.

Moved by: Councillor Beatty

THAT Report 2010-163-12 be received as information and that a report on this matter be prepared by staff for consideration of the Environment Planning Development Committee at a future meeting for recommendation to Council.

CARRIED

Councillor Kalivas, Chair, announced the Public Meeting (6:05 pm).

Mr. Jonathan Fauschou, Planner I, announced that Notice of the Public Meeting for Staff Report No. 2010-163-12 was given in the Recorder and Times Newspaper on November 11, 2010, and a notice was sent to surrounding property owners within 200 metres of the subject property and circulated to various agencies and

departments. As well, the Operations Department was requested to place a sign on the subject property.

Councillor Kalivas asked that any person wanting further notice of the passage of the proposed amendment should give their full name, address and postal code to the Secretary prior to leaving the meeting.

Councillor Kalivas reviewed the procedures for the Public Meeting.

Councillor Kalivas called on the Planner to explain the purpose of the Public Meeting and the nature of the application.

Mr. Jonathan Faurschou, Planner I, reviewed the proposed Plan of Subdivision.

The following persons spoke in support of the proposed amendments.

Mr. Malovic, Owner (1003 Kingswood Ave, K6V 0A1) was in attendance to respond to questions.

No persons spoke in opposition to the proposal.

*No persons registered a request for meeting information.*

The meeting concluded at 6:18 p.m.

2010-165-12

Proposed Condominium Conversion,  
Part Lots A & B, Block 3, Plan 67, Being Parts 1 Through  
8, Inclusive, Plan 28R-6949, City of Brockville (167 Pearl Street East, Brockville),  
Owner: 1264165 Ontario Limited,  
Agent: R.G. Bennett Surveying Ltd., Grant Bennett, O.L.S.

Moved by: Councillor Earle

THAT Report 2010-165-12 be received as information and that a report on this matter be prepared by staff for consideration of the Environment Planning Development Committee at a future meeting for recommendation to Council.

CARRIED

Councillor Kalivas, Chair, announced the Public Meeting (6:19 pm).

# SCHEDULE "D" - Report 2011-014-02



## CATARAQUI REGION CONSERVATION AUTHORITY

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

Phone: 613 546-4228 Fax: 613 547-6474

E-mail: crca@cataraquiregion.on.ca Website: www.cataraquiregion.on.ca

January 7, 2011

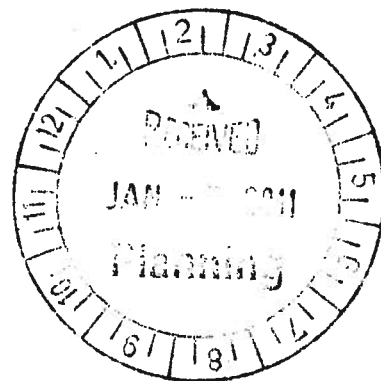
File: SUB.BR/258/2010

### Sent by Email

Mr. Jonathan Faurschou  
Planner  
City of Brockville – Planning Department  
One King Street West  
Brockville ON K6V 7A5

Dear Mr. Faurschou:

**Re: Application for Subdivision Approval (08T-10501)**  
**Aspen Drive Subdivision (east extension)**  
**City of Brockville**  
**Waterbody: Buells Creek**



Further to our previous comments dated November 29, 2010, staff of the Cataraqui Region Conservation Authority (CRCA) offer the following additional comments for the consideration of the City and for action/response by the applicant.

The following additional information was reviewed by staff:

- Letter from Eastern Engineering Group Inc. and Stormwater Design Brief, dated December 1, 2010

### Discussion

#### Natural Hazards

Staff acknowledge that it was agreed to by the applicant that all buildings will be setback a minimum of 5 m from the 100 year floodplain of Buells Creek and that all basement floors will be above 101.9 m GSC (100 year floodplain elevation plus 0.3 m floodproofing standard).

With respect to the location of the road allowance, in our previous comments staff noted that CRCA policies do not support development or site alteration within the regulatory 100 year floodplain and require a minimum 5 m setback. The applicant has stated that the roadway is not within the floodplain limit and is setback 6 m from the edge of the creek. Reducing lot widths is stated by the applicant as being undesirable as it would make development of the lots more difficult.

Staff note that, as outlined in the following stormwater management section, the applicant is proposing to construct a grass swale between the street and the creek as part of the stormwater quality control measures for the site. Although staff have not been provided with a design of the proposed swale, it is assumed that if the paved road is just outside of the floodplain limit then the



grassed swale will fall within the floodplain. CRCA policies do not support stormwater management facilities to be located within the regulatory floodplain.

It is also the understanding of staff that the subject property is zoned R3-General Residential and according to Section 5.3 of the City's Zoning By-law No. 194-94, the minimum lot frontage for semi-detached units is 18 m (60 ft). The proposed lot frontages of lots 6 to 10 range from 19 m to 22 m. Therefore, it is the opinion of staff that there are opportunities to adjust the present proposal to remove the road allowance and grassed swale from the 100 year floodplain entirely.

The applicant has noted that the CRCA approved the current layout for the previous subdivision application for the subject property. Staff acknowledge that in our comments on the previous subdivision application for this site dated September 2, 2004, we had no objection to the proposal. However, the current application is a new application and must be reviewed under current policies and regulations, which differ from those in place at the time of our previous comments.

#### Stormwater Management

A Stormwater Management Brief dated December 1, 2010 has been submitted by Eastern Engineering Group Inc. in support of the proposed Aspen Drive Subdivision.

To achieve the required Normal Level of quality control, it is proposed that Envirostream Catchbasin inserts be incorporated into the stormwater management plan. With appropriate location and grading these catchbasin inserts will provide a normal level of quality control to their catchment areas by treating the first-flush sediment volume. It is expected that the catchment area of these catchbasin inserts will include a majority of the road surface area. These units will require ongoing maintenance. The City of Brockville should confirm that these requirements fit into their maintenance schedule when the subdivision is assumed by the City.

A grassed swale is proposed between Aspen Drive and Buells Creek. It is proposed that this swale provide quality control to the portion of the road running parallel to the creek. Runoff from the north-south oriented portion of the road will be conveyed here via gutter outlets. It seems likely that this swale will be within the 100 year floodplain of Buell's Creek. Dimensions and design details of this swale have not been submitted at this stage. It is essential that fill is not placed within the floodplain to create this swale. As noted above, staff recommend adjusting the proposed lot layout to remove the road allowance and proposed swale entirely from the 100 year floodplain. It is recommended that this swale have a flat bottom of at least 0.75 m, a minimal channel slope and rock check-dams placed to reduce erosion forces. A cross-section of this swale will be required at the detailed design stage.

The storm sewers should also be designed not to surcharge during the regulatory flood. It is recommended that the storm sewers outlet above the floodplain elevation.

#### Snow Removal

CRCA staff also have concerns that during the winter, snow will be ploughed directly into or adjacent to Buells Creek. This not only introduces an additional source of road salt and sand to

the creek, but also has the ability to constrict the channel causing upstream flooding. CRCA staff recommend that a natural snow barrier be incorporated into the design via site landscaping.

### **Recommendation**

Provided that the issues concerning the location of the road allowance for Street 'A' can be addressed to the satisfaction of the City and the CRCA, staff can advise that we have no objection to the approval of subdivision application 08T-10501 with the following items required as conditions of draft plan approval:

1. That a **lot grading and drainage plan** and a **sediment and erosion control plan** be completed and approved to the satisfaction of the City of Brockville ('the City') and the Cataraqui Region Conservation Authority ('CRCA'), and be included in the Subdivision Agreement between the Owner and the City. The lot grading plan must include the location of the 100 year floodplain of Buell's Creek and show a cross section of the area between the road and the creek.
2. That a **stormwater management plan** be prepared by a qualified Professional Engineer and approved to the satisfaction of the City and the CRCA, and that appropriate text to implement its findings be included in the Subdivision Agreement.
3. That a **tree preservation/re-vegetation plan** be prepared to the satisfaction of the City and the CRCA, which demonstrates how the buffer area adjacent to the creek is to be maintained and enhanced and what measures will be included to provide a natural snow barrier.
4. That wording be included in the Subdivision Agreement, to the satisfaction of the City and the CRCA, to notify landowners that any development or site alteration must be setback a minimum of 5 m from the regulatory floodplain of Buells Creek and that the first finished floor (including basements and all openings) must be at or above a minimum elevation of 101.9 m GSC.

If there are any questions about the above, please contact the undersigned at 613-546-4228 extension 236 or by e-mail at [soneill@cataraquiregion.on.ca](mailto:soneill@cataraquiregion.on.ca).

Yours truly,



Sara Jane O'Neill, BScH, MEdes  
Environmental Planner

cc: Brian Tuthill (Applicant) – Eastern Engineering Group Inc., via email ([btuthill@easteng.com](mailto:btuthill@easteng.com))



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November 29, 2010

File: SUB/BR/258/2010

Sent by Email (jfaurschou@brockville.com)

Mr. Jonathan Faurschou

Planner

City of Brockville – Planning Department

One King Street West

Brockville ON K6V 7A5

Dear Mr. Faurschou:

**Re: Application for Subdivision Approval (08T-10501)**

**Aspen Drive Subdivision (east extension)**

**City of Brockville**

**Waterbody: Buells Creek**

Staff of the Cataraqui Region Conservation Authority (CRCA) have reviewed the above-noted application for subdivision approval and offer the following comments for the consideration of the City and for action/response by the applicant. The following information was reviewed by staff:

- Draft Plan of Subdivision of Parts 'A' & 'B', Registered Plan 375, City of Brockville, County of Leeds; prepared by Eastern Engineering Group Inc., dated September 29, 2010

**Summary of Proposal**

The draft plan of subdivision is a resubmission of the lapsed plan of subdivision 08T-04502, which had received draft plan approval on March 14, 2006 but never received final approval. The present draft plan of subdivision has a number of changes from the original application and is being reviewed as a new application under current regulations and policies.

The subject property is south of Centennial Road, west of Buells Creek and east of Aspen Drive. The property is 1.01 ha in area and currently vacant. Initial grading of the site is already underway. The draft plan proposes 14 residential lots with 28 units in total. The property is designated as 'Residential' and 'Open Space' in the City of Brockville Official Plan and zoned 'R3' and 'EP' in the implementing zoning bylaw.

The CRCA is mandated by the Province of Ontario to provide comments on applications submitted pursuant to the *Planning Act* with respect to Policy 3.1 (Natural Hazards) of the Provincial Policy Statement (2005). The CRCA comments on natural heritage (Policy 2.2) and water quality and quantity (Policy 2.2) under an agreement with the City to provide technical review on these issues. Portions of the property are also subject to *Ontario Regulation 148/06 – Development, Interference with Wetlands and Alterations to Shorelines and Watercourses* which is implemented by the CRCA pursuant to Section 28(1) of the *Conservation Authorities Act*.

Member of



## **Discussion**

The main interests of the CRCA with respect to the present application are the protection of water quality and natural heritage and the avoidance of natural hazards associated with flooding and erosion.

### **Natural Hazards**

The CRCA has floodplain mapping for the Buells Creek system (1996). The regulatory 100 year water level/floodplain of Buells Creek along the subject property is expected to reach an elevation of 101.6 m GSC. This line is shown on the submitted drawing and coincides with the limit of the Environmental Protection (EP) zone. CRCA Planning policies and CRCA policies for implementing Ontario Regulation 148/06 do not support new development or site alteration within the regulatory 100 year floodplain of Buells Creek and also requires a minimum 5 m setback. Section 3.12 of the City's zoning bylaw also stipulates that all main buildings must be no closer than 5 m from the EP zone.

The draft plan shows lots 3, 11 and 12 directly adjacent to the regulatory floodplain but the lot lines do not encroach into the floodplain. Any buildings or structures, including septic systems, on these lots must be setback a minimum of 5 m from the floodplain. All building and structures will be required to meet floodproofing standards which stipulate that all openings and finished floors (including basement floors) must be a minimum of 0.3 m above the regulatory floodplain of 101.6 m GSC. This will have to be demonstrated prior to final plan approval.

The road allowance of proposed Street 'A' appears to be partially within the regulatory floodplain and environmental protection zone. This is not supported by CRCA policies and staff recommend adjusting the lot widths of lots 6 through 10 to remove the road allowance entirely from the floodplain and environmental protection zone and meet the 5 m setback if possible.

### **Natural Heritage**

The Buells Creek system is an important corridor within the City of Brockville and provides wildlife habitat and connectivity to other natural areas within and adjacent to the City. In order to maintain the natural heritage values of this important corridor, staff recommend that the vegetation along the Buells Creek corridor be maintained through the inclusion of wording within the subdivision agreements of lots 3, 11, and 12 and the preparation of a tree preservation/revegetation plan.

### **Stormwater Management**

**Quantity Control:** Quantity control will not be required for the proposed development because the development is in the portion of the Buells Creek watershed for which the Buells Creek Detention Basin was designed to provide quantity control.

**Quality Control:** A Normal Level of Quality Control (per the MOE Stormwater Management Planning and Design Manual) is required for the site. This is consistent with comments submitted in response to the previous Draft Plan submissions for the subject property. It is noted that while the Buells Creek Detention Basin attenuates flood waters before reaching Brockville's urban core, it does not provide engineered quality control. Uncontrolled sediment from areas tributary to the Detention Basin has been shown to have an effect on the operation of the system



by reducing storage volume. With the proposed Draft Plan layout, it is not clear to staff how the appropriate level of quality control can be achieved. A Stormwater Brief describing how a normal level of stormwater quality control will be achieved on-site is needed before Draft Plan Approval can be given. This must address storm water from all road surfaces. Prior to Final Plan approval, a detailed stormwater management report quantifying the treatment provided on site will be required.

**Recommendation**

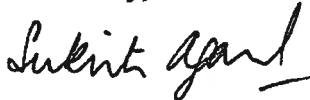
Staff request that the following items be addressed by the applicant prior to draft plan approval:

1. Adjustment of the road allowance of Street 'A' to show a setback from the regulatory floodplain and Environmental Protection Zone; and
2. A stormwater brief describing how a normal level of stormwater quality control will be implemented on site.

Once the above two items are addressed to the satisfaction of the City of Brockville and the CRCA, staff will be in a position to support draft plan approval of application 08T-10501 (Aspen Drive).

If there are any questions about the above, please contact the undersigned at 613-546-4228 extension 236 or by e-mail at [soneill@cataraquiregion.on.ca](mailto:soneill@cataraquiregion.on.ca).

Yours truly,



*for* Sara Jane O'Neill, BScH, MEdes  
Environmental Planner

cc: Brian Tuthill (Applicant) – Eastern Engineering Group Inc., via email ([btuthill@easteng.com](mailto:btuthill@easteng.com))



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January 7, 2011

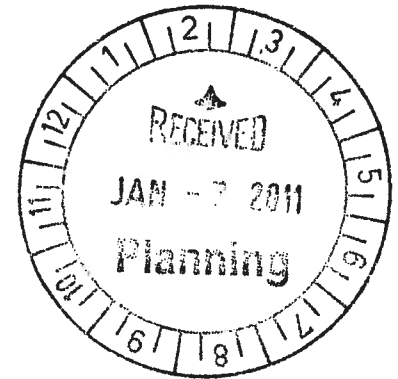
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City of Brockville – Planning Department  
One King Street West  
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Aspen Drive Subdivision (east extension)  
City of Brockville  
Waterbody: Buells Creek**



Further to our previous comments dated November 29, 2010, staff of the Cataraqui Region Conservation Authority (CRCA) offer the following additional comments for the consideration of the City and for action/response by the applicant.

The following additional information was reviewed by staff:

- Letter from Eastern Engineering Group Inc. and Stormwater Design Brief, dated December 1, 2010

**Discussion**

**Natural Hazards**

Staff acknowledge that it was agreed to by the applicant that all buildings will be setback a minimum of 5 m from the 100 year floodplain of Buells Creek and that all basement floors will be above 101.9 m GSC (100 year floodplain elevation plus 0.3 m floodproofing standard).

With respect to the location of the road allowance, in our previous comments staff noted that CRCA policies do not support development or site alteration within the regulatory 100 year floodplain and require a minimum 5 m setback. The applicant has stated that the roadway is not within the floodplain limit and is setback 6 m from the edge of the creek. Reducing lot widths is stated by the applicant as being undesirable as it would make development of the lots more difficult.

Staff note that, as outlined in the following stormwater management section, the applicant is proposing to construct a grass swale between the street and the creek as part of the stormwater quality control measures for the site. Although staff have not been provided with a design of the proposed swale, it is assumed that if the paved road is just outside of the floodplain limit then the

grassed swale will fall within the floodplain. CRCA policies do not support stormwater management facilities to be located within the regulatory floodplain.

It is also the understanding of staff that the subject property is zoned R3-General Residential and according to Section 5.3 of the City's Zoning By-law No. 194-94, the minimum lot frontage for semi-detached units is 18 m (60 ft). The proposed lot frontages of lots 6 to 10 range from 19 m to 22 m. Therefore, it is the opinion of staff that there are opportunities to adjust the present proposal to remove the road allowance and grassed swale from the 100 year floodplain entirely.

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#### Stormwater Management

A Stormwater Management Brief dated December 1, 2010 has been submitted by Eastern Engineering Group Inc. in support of the proposed Aspen Drive Subdivision.

To achieve the required Normal Level of quality control, it is proposed that Envirostream Catchbasin inserts be incorporated into the stormwater management plan. With appropriate location and grading these catchbasin inserts will provide a normal level of quality control to their catchment areas by treating the first-flush sediment volume. It is expected that the catchment area of these catchbasin inserts will include a majority of the road surface area. These units will require ongoing maintenance. The City of Brockville should confirm that these requirements fit into their maintenance schedule when the subdivision is assumed by the City.

A grassed swale is proposed between Aspen Drive and Buells Creek. It is proposed that this swale provide quality control to the portion of the road running parallel to the creek. Runoff from the north-south oriented portion of the road will be conveyed here via gutter outlets. It seems likely that this swale will be within the 100 year floodplain of Buell's Creek. Dimensions and design details of this swale have not been submitted at this stage. It is essential that fill is not placed within the floodplain to create this swale. As noted above, staff recommend adjusting the proposed lot layout to remove the road allowance and proposed swale entirely from the 100 year floodplain. It is recommended that this swale have a flat bottom of at least 0.75 m, a minimal channel slope and rock check-dams placed to reduce erosion forces. A cross-section of this swale will be required at the detailed design stage.

The storm sewers should also be designed not to surcharge during the regulatory flood. It is recommended that the storm sewers outlet above the floodplain elevation.

#### Snow Removal

CRCA staff also have concerns that during the winter, snow will be ploughed directly into or adjacent to Buells Creek. This not only introduces an additional source of road salt and sand to

the creek, but also has the ability to constrict the channel causing upstream flooding. CRCA staff recommend that a natural snow barrier be incorporated into the design via site landscaping.

### **Recommendation**

Provided that the issues concerning the location of the road allowance for Street 'A' can be addressed to the satisfaction of the City and the CRCA, staff can advise that we have no objection to the approval of subdivision application 08T-10501 with the following items required as conditions of draft plan approval:

1. That a **lot grading and drainage plan** and a **sediment and erosion control plan** be completed and approved to the satisfaction of the City of Brockville ('the City') and the Cataraqui Region Conservation Authority ('CRCA'), and be included in the Subdivision Agreement between the Owner and the City. The lot grading plan must include the location of the 100 year floodplain of Buell's Creek and show a cross section of the area between the road and the creek.
2. That a **stormwater management plan** be prepared by a qualified Professional Engineer and approved to the satisfaction of the City and the CRCA, and that appropriate text to implement its findings be included in the Subdivision Agreement.
3. That a **tree preservation/re-vegetation plan** be prepared to the satisfaction of the City and the CRCA, which demonstrates how the buffer area adjacent to the creek is to be maintained and enhanced and what measures will be included to provide a natural snow barrier.
4. That wording be included in the Subdivision Agreement, to the satisfaction of the City and the CRCA, to notify landowners that any development or site alteration must be setback a minimum of 5 m from the regulatory floodplain of Buells Creek and that the first finished floor (including basements and all openings) must be at or above a minimum elevation of 101.9 m GSC.

If there are any questions about the above, please contact the undersigned at 613-546-4228 extension 236 or by e-mail at [soneill@cataraquiregion.on.ca](mailto:soneill@cataraquiregion.on.ca).

Yours truly,



Sara Jane O'Neill, BScH, MEdes  
Environmental Planner

cc: Brian Tuthill (Applicant) – Eastern Engineering Group Inc., via email ([btuthill@easteng.com](mailto:btuthill@easteng.com))



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January 26, 2011

File: SUB/BR/258/2010

**Sent by Email**

Mr. Jonathan Faurschou  
Planner  
City of Brockville – Planning Department  
One King Street West  
Brockville ON K6V 7A5



Dear Mr. Faurschou:

**Re: Application for Subdivision Approval (08T-10501)  
Aspen Drive Subdivision (east extension)  
City of Brockville  
Waterbody: Buells Creek**

Following discussions with City of Brockville staff and the applicant and further to our previous comments dated November 29, 2010 and January 7, 2011, staff of the Cataraqui Region Conservation Authority (CRCA) offer the following additional comments for the consideration of the City.

With respect to the location of Street 'A', staff requested in our previous comments that the road allowance be moved entirely outside of the regulatory floodplain. This would require reducing the widths of Lots 6 to 10. The applicant has stated that because the Bridlewood Subdivision is designed for luxury lots, the reduction of lot widths is not feasible. Following discussions with City staff and a review of the proposed cross section of Street 'A' (Buell's Crescent), CRCA staff are willing to accept the proposed road allowance location provided that the north boulevard is reduced from 3 m to 1 m and that the travelled road AND swale are shifted as far north in the road allowance as possible to remove them both entirely from the regulatory floodplain. This will need to be shown clearly prior to final plan approval.

**Stormwater Management**

Staff reviewed the stormwater management plans for the Aspen Drive phase of the Bridlewood Subdivision dated November 2010 submitted by Eastern Engineering Group Inc. The minor system will be provided with catchbasins and municipal storm sewers. Storm sewers along the proposed Chipman Crescent and Aspen Drive will convey flows to an existing storm sewer south of the proposed development. Storm sewers along Buell's Crescent will convey flows east to two proposed outlets along Buell's Creek. The major system will be conveyed through the roadway via curb and gutter.

As stated in previous correspondence, the CRCA requests that a Normal Level of quality control corresponding to a long-term total suspended sediment removal rate of 70% be applied to the entire development area. The proposed stormwater management plan includes Envirostream

Member of



E-MAILED TO B. TUTTILL  
27. JANUARY. 2011.

catchbasin inserts along Buell's Crescent. Overland flows conveyed along Buell's Crescent will discharge via gutter outlets to a grassed swale which may also provide sediment removal via settlement.

*Stormwater Quality Control*

- 1) The minor flow system for the Aspen Drive and Chipman Crescent drainage area does not appear to be provided with quality controls. Please provide quality controls for these areas.
- 2) Please confirm that proposed catchbasin inserts conform with the City of Brockville maintenance schedule.
- 3) Please provide Envirostream catchbasin insert sizing information.
- 4) Please provide outlet swale details including bottom width, channel slope and channel bed material. To ensure sediment removal is maximized and bank erosion is minimized, rock check dams may be required to reduce flow velocities.

*Floodplain Hazard*

- 5) It is recognized that the outlets of the Buell's Crescent storm sewers are below 100-year floodplain elevation. During a flooding event the capacity of these storm sewers will be restricted at the outlet. It is recommended that backflow valves be implemented where individual lots connect to the storm sewer network (presumably just at weeping tiles along the foundation) as a precaution to avoid basement flooding.
- 6) The Grading and Drainage Plan (Drawing 1) seems to indicate overland flow routes from Chipman Crescent to portions of Aspen Drive external to the proposed phase of development. Please confirm that sufficient outlets will be provided both in the interim and during final build-out.
- 7) The Grading and Drainage Plan (Drawing 1) shows a centre-line road elevation of 101.58 m along Buell's Crescent adjacent to the creek. Road positioning should be modified so that fill placement does not occur below an elevation of 101.6 m.

Snow Removal

It is the understanding of staff that guard rails are likely to be installed at the corners of Buell's Crescent between the roadway and the creek. Although these guardrails will deter snow plowing directly into the creek, staff continue to recommend that enhanced plantings be required between Buell's Crescent and the creek to provide an additional buffer to contaminants and sediments released from the roadway. Native species should be used in this planting zone.

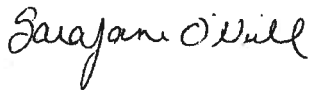
**Recommendation**

Staff can advise that we have no objection to the approval of subdivision application 08T-10501 with the following items required as conditions of draft plan approval:

1. That a **lot grading and drainage plan** and a **sediment and erosion control plan** be completed and approved to the satisfaction of the City of Brockville ('the City') and the Cataraqui Region Conservation Authority ('CRCA'), and be included in the Subdivision Agreement between the Owner and the City. The lot grading plan must include the location of the 100 year floodplain of Buell's Creek and show a cross section of the area between the road and the creek.
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If there are any questions about the above, please contact the undersigned at 613-546-4228 extension 236 or by e-mail at [soneill@cataraquiregion.on.ca](mailto:soneill@cataraquiregion.on.ca).

Yours truly,



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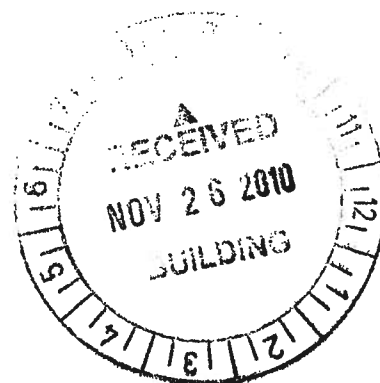
ENBRIDGE GAS DISTRIBUTION INC.

500 Consumers Road  
North York ON M2J 1P8

Mailing Address  
P.O. Box 650  
Scarborough ON M1K 5E3

NOVEMBER 22<sup>ND</sup>, 2010

**CITY OF BROCKVILLE  
PLANNING DEPARTMENT  
BOX 5000 – VICTORIA BLDG  
1 KING ST W  
BROCKVILLE ON K6V 7A5**



Dear Sirs:

**RE: ASPEN DRIVE SUBDIVISION (EXTENSION – EAST SIDE)  
653973 ONTARIO LTD.  
EASTER ENGINEERING GROUP INC. – BRIAN TUTHILL  
FILE NO.: 08T-10501**

Enbridge Gas Distribution requests that the following conditions be included in the subdivision agreement:

1. The developer is responsible for preparing a composite utility plan that allows for the safe installation of all utilities, including required separation between utilities.
2. Streets are to be constructed in accordance with composite utility plans previously submitted and approved by all utilities.
3. The developer shall grade all streets to final elevation prior to the installation of the gas lines and provide Enbridge Gas Distribution Inc. with the necessary field survey information for the installation of the gas lines.
4. It is understood that the natural gas distribution system will be installed within the proposed road allowance. In the event that this is not possible, easements will be provided at no cost to Enbridge Gas Distribution Inc.



Enbridge also requests that the owner / developer contact our Regional Sales Development department at their earliest convenience to discuss installation and clearance requirements for main, service and metering facilities.

Yours truly,

A handwritten signature in black ink, appearing to read "J. Arnott". The signature is fluid and cursive, with the first letter of the last name being a large, stylized capital 'A'.

JIM ARNOTT  
Municipal Coordination Advisor  
Distribution Asset Management  
(416) 758-7901  
(416) 758-4374 - FAX

JA:



From anywhere... De partout...  
to anyone jusqu'à vous

CANADA POST  
850 INDUSTRIAL AVENUE, UNIT 18  
OTTAWA ON K1G 3T3

POSTES CANADA  
850 AVENUE INDUSTRIAL, UNITÉ 18  
OTTAWA ON K1G 3T3

November 26, 2010

File no.:K6V10-01

Jonathan Fauschou  
Planner  
City of Brockville  
One King Street West  
P.O. Box 5000  
Brockville ON K6V 7A5

RE: Mail delivery for proposed development at Aspen Drive Subdivision  
Your file number: 08T-10501

Mr. Fauschou

I reviewed the above-mentioned development and in accordance to Canada Post Corporation policies, mail delivery will be to a centralized mail facility via community mailbox. The community mailbox will be supplied and installed by Canada Post.

I propose the following locations for the community mailboxes:

- 1) Side of Lot 4, depending which direction the house will be facing

Canada Post requires the following conditions:

At owner's expense

- 1) Inform all prospective purchasers, through a clause in all agreements of purchase and sale, as to those lots identified for potential community mailbox, mini-park and /or kiosk locations and/ or all plans used for marketing purposes shall indicate the proposed community mailbox location(s).
- 2) Provide curb depressions at the community mailbox site location(s). These are to be 2 meters in width and no higher than 25 mm.
- 3) When a grassed boulevard is planned between the curb and the sidewalk at a community mailbox location, the owner shall install a 1.0 meter walkway across the boulevard. The owner shall also ensure the walkway is handicap accessible from the roadway.

If you have any questions or need more information please do not hesitate to contact the undersigned.

Thank you



Philippe Asselin

Delivery Planning Officer

850 Industrial Avenue, unit 18

Ottawa ON K1G 3T3

Tel: 613-203-3099

Fax: 613-247-8237

e-mail: phil.asselin@canadapost.ca

285-1862

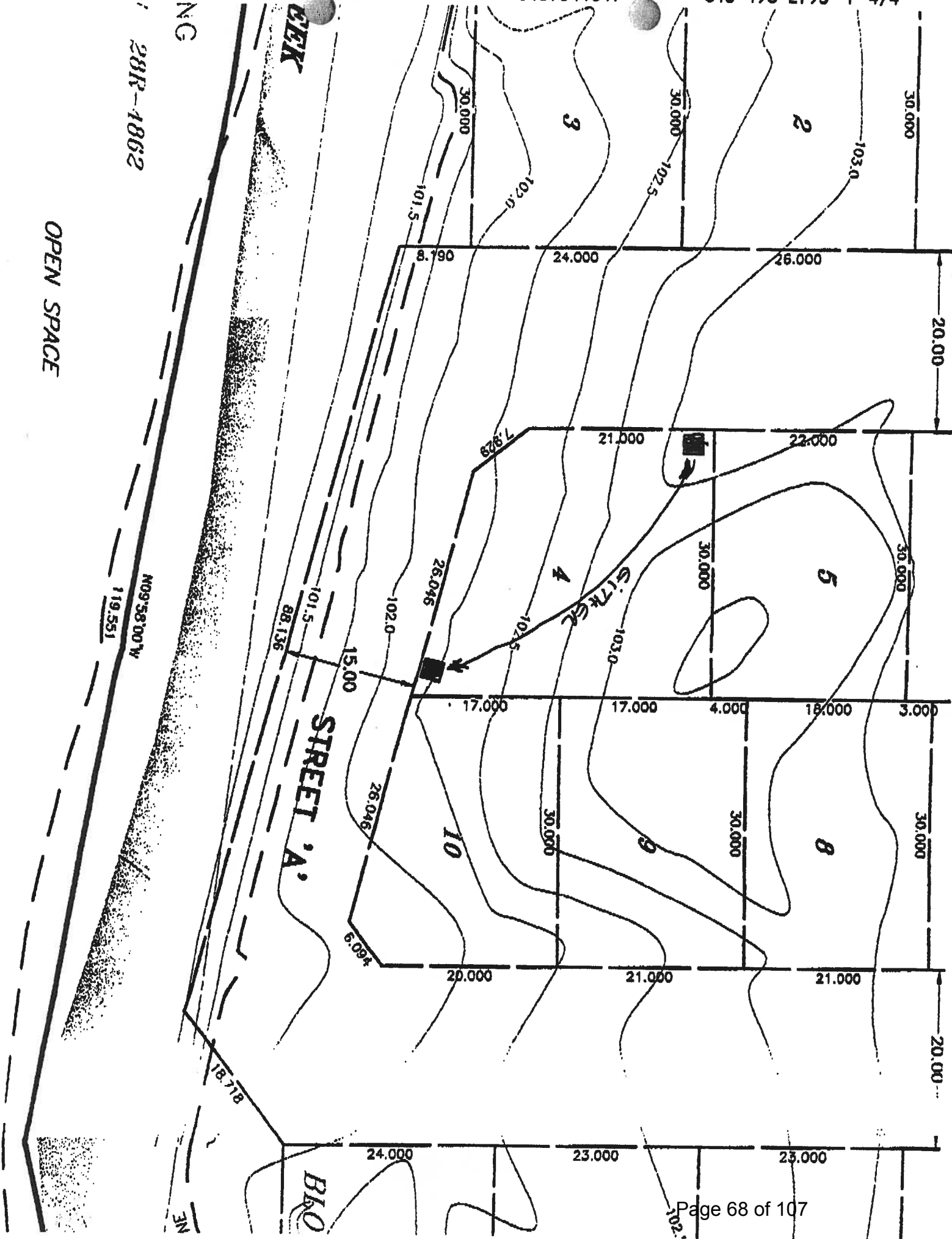
OPEN SPACE

119.551

STREET 'A'

BLO

Page 68 of 107



**26January2011**

**REPORT TO ECONOMIC DEVELOPMENT PLANNING COMMITTEE – 01 February 2011**

**2011-017-02**

**DRAFT SUBDIVISION APPROVAL**

**LOT 3 AND PART OF LOTS 1, 2 AND 4 AND**

**PART OF GLASFORD PLACE, REGISTERED PLAN 380**

**CITY OF BROCKVILLE**

**(LISTON AVENUE – SOUTH SIDE)**

**OWNER: 1178420 ONTARIO LTD.**

**AGENT: COLLETT SURVEYING LTD.**

**FILE: 08T-10502**

**M. PASCOE MERKLEY  
DIRECTOR OF PLANNING**

**J. FAURSCHOU  
PLANNER I**

**RECOMMENDATIONS:**

1. THAT Council of the Corporation of the City of Brockville, acting pursuant to Section 51(6) of the Planning Act, R.S.O. 1990, c.P.13, grant approval to the Draft Plan of Subdivision as red-lined on lands described as Lot 3 and Part of Lots 1, 2 and 4 and Part of Glasford Place, Registered Plan 380, City of Brockville, County of Leeds subject to the following conditions:
  - i) That these conditions shall apply to the red-lined Draft Plan prepared by Brent Collett, O.L.S., dated October 29, 2010, showing Lots 1 through 6, inclusive, and Blocks 1 and 2, inclusive, said Blocks being delineated as to use on the afore-mentioned Draft Plan, as revised;
  - ii) That the proposed Street "A" shown on the red-lined Draft Plan, shall be dedicated as a public highway to be named to the satisfaction of the City of Brockville;
  - iii) That such easements as may be required for services, drainage purposes and the like shall be granted gratuitously to the appropriate authority or authorities, including an easement in favour of the City over Lot 3 to provide access from the public highway to the existing storm sewer easement located on proposed Lots 3, 4, 5 and 6.
  - iv) 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:
    - All of the requirements, financial and otherwise, of the City of Brockville concerning the provision of roads, sidewalks, street lighting and the installation of services and drainage;
    - All of the requirements, financial and otherwise, of the City of Brockville concerning ensuring unobstructed access to all municipal services and easements;
    - The dedication of lands within the subdivision for public purposes;

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Agent: Collett Surveying Ltd.  
File: 08T-10502**

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- The elimination of the existing private equipped children's play area and easement therefor;
  - The requirements of Canada Post with respect to the installation of Community Mailboxes and the installation of a centralized mail facility for the apartment building;
  - The requirements of Enbridge Consumers Gas, with respect to an overall distribution plan, installation strategy and installation standards;
  - The requirements of Hydro One Networks Inc. with respect to the installation of electrical servicing;
  - The requirements of Bell Canada with respect to the installation of Bell servicing;
  - The requirements of Cogeco Cable Canada Inc. with respect to the installation of Bell servicing;
  - The requirements of the Fire Department to ensure emergency services access and fire fighting capabilities and access;
  - The developer's responsibility to prepare a Tree Saving Plan and Tree Planting Schedule for review and approval by the City of Brockville.
- v) That prior to final approval of the red-lined Plan, lot grading, drainage, erosion and sediment control, and services plan(s) with best management practices be prepared by the Owner for inclusion in the Subdivision Agreement, to the satisfaction of the City of Brockville and the Cataraqui Region Conservation Authority;
- vii) That prior to the final approval of the Plan, a 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;
- viii) That, if final approval of the Plan is not granted within three (3) years of the date of approval of the red-lined Draft Plan, and no extensions have been

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granted, Draft Plan approval shall lapse in accordance with Section 51(32) of the Planning Act, R.S.O. 1990, c.P.13; and

- ix) That the Final Plan, as approved by the City of Brockville, must be registered within thirty (30) 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.

## ORIGIN AND BACKGROUND:

Collett Surveying Ltd., acting as Agent for 1178420 Ontario Ltd., Owner of lands described as Lot 3 and Part of Lots 1, 2 and 4 and Part of Glasford Place, Registered Plan 380, City of Brockville, County of Leeds, has made application for a proposed Plan of Subdivision to develop a residential subdivision containing 20 townhouse dwelling units and an apartment building to be constructed in the future. The proposed Plan of Subdivision indicates the creation of five (5) lots for twenty (20) townhouse dwelling units, one (1) lot for an apartment building with approximately thirty (30) apartment units, one (1) public street and one (1) 0.3 metre reserve. All development will be on a new street to be accessed from Liston Avenue. All residential lots have frontage on the proposed new street. A sketch showing the lands which are the subject of the application and a sketch showing the preliminary concept for development are attached to this report as **Schedule "A-1"** and **Schedule "A-2"**, respectively. The subject lands are currently vacant.

The subject lands are located on the south side of Liston Avenue, behind the townhouses that are currently being constructed, designated as Residential under the Official Plan for the City of Brockville, and zoned as R5-X8-1 Multiple Residential Zone under City of Brockville Zoning By-law 194-94, as amended.

## ANALYSIS:

### Site Characteristics:

The subject land slopes gently from the north to the south. The majority of the site has been disturbed. Vegetation is present along the south storm sewer easement and in the south-west corner of the site.

|                |                                   |
|----------------|-----------------------------------|
| Total Area:    | 1.513 Hectares (3.73 acres)       |
| Frontage:      | Approximately 19 metres (62 feet) |
| General Shape: | Irregular triangle                |

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#### Surrounding Land Use:

Lands north of the subject property are zoned R5-X8-1 Multiple Residential Zone and are currently under construction with eight (8) townhouse dwelling units in two (2) blocks. Further north, across Liston Avenue is Shepherds Green Coop, a linear townhouse development.

Lands east of the subject property are zoned R5-X8-1 Multiple Residential Zone and are occupied by a multi storey condominium apartment building (The Camelot).

Lands south-east of the subject property are zoned R6 Multiple Residential Zone and are occupied by a multi storey multi building condominium apartment complex.

Lands south and south-west of the subject property are zoned C2-General Commercial Zone and are occupied by a variety of commercial businesses fronting Parkedale Avenue.

Lands west of the subject property are zoned R2-Single Unit Residential Zone, occupied by older single detached dwellings, and R6-Multiple Residential Zone, representing lands occupied by apartment buildings at 17 Windsor Drive.

#### Easements:

A storm sewer easement exists along the south limit of the site. The easement is to permit City access for maintenance and repair to an existing underground storm sewer.

This is an existing equipped children's play area located in the south-east corner of the site which is required for residents of "The Camelot" (21 Liston Avenue) under previous conditions of development approval (Plan 380) respecting lands on the south side of Liston Avenue.

#### Proposed Draft Plan of Subdivision, as Submitted:

The Plan of Subdivision submitted for approval indicates the creation of five (5) lots for twenty (20) townhouse dwelling units, one (1) lot for an apartment building with approximately thirty (30) apartment units, one (1) public street, one (1) block in the middle of the proposed public street designed as a "looped" street, and one (1) 0.3 metre reserve. All development would be on a new street to be accessed from Liston Avenue. All residential lots have frontage on the proposed new street. A sketch showing the lands which are the subject of the application is attached to this report as **Schedule "A-1"**. The



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subject lands are currently vacant. Townhouse and apartment dwelling units are permitted under the current R5-X8-1 Zone.

i) Residential Lots (Lots 1 through 6, inclusive):

The six (6) lots are located on a new crescent shaped street identified as "Proposed Street "A" on the attached draft Plan. The dwellings all front on the proposed public street. No residential use is proposed for the interior Block 2.

The frontage of the proposed lots range from 25 metres (82 feet) to 34 metres (111 feet). Access and full municipal servicing is to be from the Liston Avenue and Street 'A'. The dimensions and layout of the proposed lots is such that development of townhouse dwellings and apartment dwellings in an R5-X8-1 Zone may occur in compliance with requirements under City of Brockville Zoning By-law 194-94, as amended. Given that the lots will be further subdivided upon completion of dwelling construction, zoning compliance for each dwelling unit will be ensured at the time of assessment for Building Permit.

Of note, however, is the very irregular configuration of Lot 3, which extends from the south-west area of the subject lands to the south-east, behind Lots 4 and 5, linking the area which is an existing equipped children's play area for use by residents of "The Camelot" (21 Liston) and future residents of the apartment buildings proposed for Lot 3.

ii) Blocks 1 and 2:

Block 1 is a 0.3 metre (1 ft) reserve intended to prevent driveway access from the proposed new street, for the townhouse units currently under construction and fronting on Liston Avenue.

Block 2 is an island in the centre of the proposed new street. The purpose of the island is to reduce the amount of snow to be clearing in the subdivision and to provide a planting detail within the subdivision. Various plantings and street furniture have been proposed for this area. Ultimately, Block 2 will be conveyed to the City.

Proposed Draft Plan of Subdivision, as Red-lined:

The proposed draft Plan of Subdivision, as submitted, has been red-lined to address various concerns brought forward during the review process. The proposed draft Plan of

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Subdivision, as red-lined, has been attached to this report as **Schedule “B”**. The changes are summarized as follows:

- **Street Pattern:**

The street pattern has been amended to create a cul-de-sac. The effect of this revision is to simplify plowing operations and to create a public space which is not isolated on a single island as was originally proposed and which is more conducive to on-going municipal maintenance and public use.

- **Block 2:**

Block 2 has been enlarged as noted above. Block 2 will ultimately be conveyed to the City for use as a parkette/equipped children's play area.

- **Lot 3:**

The westerly “arm” originally proposed for Lot 3 to provide access to the relocated and reduced equipped children's play area has been removed as noted in the discussion relating to the red-line changes to Block 2. The surplus lands are added to the rear of lots 4 and 5 as noted below.

- **Lots 4 and 5:**

The rear lot lines of Lots 4 and 5 shall be extended through to the south property line. The subdivision agreement and subsequent Site Plan Control Agreement(s) will address a condition wherein no fences, sheds, decks, etc. will be permitted to be located on the rear yard easements to ensure continue access for maintenance, repair and/or replacement of the existing storm water pipe.

- **Equipped Children's Play Area:**

As discussed elsewhere in this report, within Plan 380, access to the equipped children's play area is limited to residents of 21 Liston Avenue and residents of future apartment buildings within the limits of the plan. The subdivision layout, as submitted, is not conducive to access by the proposed apartment for Lot 3. Anticipating future issues with maintenance of the equipped children's play area and access thereto, alternatives to the subdivision design, as submitted, were discussed internally. As a compromise, the Operations Department proposed relocation of the

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equipped children's play area to a revised and expanded Block 2. This relocation, as shown in the red-lined draft plan resolves the following concerns/issues:

- the issues related to Lot 3 and the rear lot "arm" design;
- the equipped children's play area is relocated to a more accessible location within the subdivision without requiring rights-of-way or other special access considerations;
- the Operations Department will assume the land and improvements on the revised Block 2, following confirmation of details of the improvements and equipment to be placed in the area;
- Block 2, which is to be developed with play equipment as well as a sitting area and other decorative features, becomes a public space accessible to the entire neighbourhood; and
- Recreational needs of all ages, from tots to seniors, can be accommodated now and in the future.

#### Servicing of the Plan:

Access to the site is from the completed portion of Liston Avenue. The subject lands will be connected to full municipal sanitary sewers, storm sewers and watermain. Servicing shall be connected to, and extended from, the existing services located on Liston Avenue. Preliminary infrastructure design drawings were prepared by Genivar and have been reviewed and comments provided by the Operations Department and the Environmental Services Department. Final infrastructure design drawings are required to be prepared, submitted for review and approved prior to final approval of the Plan of Subdivision.

#### Zoning By-law 194-94:

The subject lands are currently zoned as R5-X8-1 Zone.

The frontage of the proposed lots range in size from 25 metres (82 feet) to 34 metres (111 feet) and lot areas are in excess of 270 m<sup>2</sup> (2,906 ft<sup>2</sup>). Lots 1, 2, 4, 5 and 6 are capable of being developed for townhouse units and Lot 3 is capable of being developed for an apartment building. The proposed dwelling format is consistent with the existing townhouse dwellings located immediately north and north-west of the site and fronting on Liston Avenue.

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The layout of lots intended for development of residential units as proposed under the Draft Plan of Subdivision is consistent with the lands currently zoned as R5-X8-1 Zone under City of Brockville Zoning By-law 194-94.

The R5-X8-1 Zone reads as follows:

***"R5-X8-1 Zone (Liston Avenue)***

*The zone provisions for the R5-X8-1 Zone shall be the zone provisions as outlined in Plate "C" to this By-law for a particular use, save and except that the maximum required height shall be 18.5 metres (60.5 feet). Additionally, a buffer consisting of a 2.5 metre (8 foot) high pressure treated wood or cedar fence and a 3 metre (10 foot) wide planting strip along the west limit of Lots 3, 4 and 5, Registered Plan 380, commencing at the north limit of the drainage easement, is required."*

However, a successful application was made by the applicant for minor variances associated with a previous abandoned private street development. The elements of the minor variance File A06/90 which apply to the current application for plan of subdivision are summarized as follows:

| ZONE PROVISION                                                                   | REQUIRED<br>MINOR VARIANCE FILE#A06/09                                                                                                                                       |
|----------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Minimum Rear Yard Setback                                                        | 6.6 m (21.65 ft)                                                                                                                                                             |
| Minimum Width of Planting Strip on Western Property Boundary                     | 0.0 m (0.0 ft)                                                                                                                                                               |
| Maximum Allowable Fence Height Along the West and South Property Boundaries Only | 2.5 m (8.2 ft)                                                                                                                                                               |
| Maximum Allowable Fence Height in a Front Yard                                   | 1.5 m (4.92 ft) for an iron fence only.<br><br>2.0 m (6.6 ft) for the associated pillars having a minimum distance between pillars of 2.44 m (8.0 ft) measured edge to edge. |

No further amendment(s) nor variances to City of Brockville Zoning By-law 194-94 have been requested by the applicant.

Public Participation:

The application has proceeded through the normal review process. On 07 December 2010, 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

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Newspaper on 11 November 2010 and was circulated to property owners within 120 metres (400 feet) of the subject property. Comments from City Departments and affected agencies were also solicited.

Minutes of the Public Meeting are attached as **Schedule “C”**. Written comments received to-date are attached as **Schedule “D”** to this report.

#### Official Plan Considerations – Current Official Plan:

The subject lands are currently designated Residential under the Official Plan for the City of Brockville, and are located within Planning District No. 8.

The Residential classification of land means that the predominant use of land so designated shall be for a variety of residential dwelling types, with the more specific location of low, medium or high density residential districts to be identified either through secondary plans, through other Official Plan policy directives, or in the implementing zoning by-law. Given the language of the Planning District No. 8 policies, which state that *“Planning District No. 8 represents the major area of residential growth potential for the City during the planning period and beyond, the vacant areas in this Planning District are to be developed for residential uses by means of draft plans of subdivision”*, the proposed plan of Subdivision is in keeping with the intent of the Official Plan. Accordingly, no amendment to the Official Plan is required to address the proposed development.

#### Official Plan Considerations – Draft Plan August 2010:

The subject lands are currently designated “Neighbourhood Area” under the Draft Official Plan (August 2010) for the City of Brockville.

Policy 4.3 Neighbourhood Area identifies the long term goals, land use and built form policies for development within the Neighbourhood Area classification. The lands designated as Neighbourhood Area are described as representing *“existing and neighbourhood based uses, including single and semi-detached dwellings, rowhouses, townhouses, duplexes, triplexes fourplexes, apartments and other multi-unit buildings”* and *“infill and redevelopment of existing and underutilized parcels shall be encouraged to continue.”* In addition, *“Should opportunities for intensification or redevelopment occur in the Neighbourhood Areas, the character of these neighbourhoods shall be preserved.”*

Policy 4.3.3 Land Use and Built Form policies. This includes building height, density character, access, etc. The location of the apartment block complies with the siting and

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servicing requirements under Policy 4.3.3. However, insufficient information has been provided to comment on compliance with the building specific elements of the Land Use and Built Form policies for apartments in the Neighbourhood Area. As such, assessment will be applied upon submission of a formal application for site plan approval and building permit.

Tree plantings will be required under the Subdivision Agreement for all lots as the subject lands have been completely cleared. Similarly, the Subdivision Agreement will include refuse and recycling measures consistent with the City's solid waste practices for residential areas.

Given that the new residential development under draft plan of subdivision is consistent with the language of the Neighbourhood Area designation and the proposed subdivision represents intensification while maintaining the character of the neighbourhood, the proposed development conforms with the Draft Official Plan (August 2010) for the City of Brockville

#### 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 Considerations:

A Provincial Policy Statement (PPS) 2005 has been issued under the authority of Section 3 of the Planning Act. The PPS 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's decisions affecting planning matters "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.

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The preamble to Part V, Section 1 Building Strong Communities, sets the tone by suggesting that “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, liveable and healthy communities, protect the environment and public health and safety, and facilitate economic growth.”

Part V, Section 1.1 is entitled Managing and Directing Land Use to Achieve Efficient Development and Land Use Patterns. Subsection 1.1.1 speaks more specifically to the promotion of efficient, cost effective development whereby land consumption and servicing costs are minimized. Subsection 1.1.2 encourages intensification and redevelopment, while Subsection 1.1.3 suggests that land use patterns within settlement areas shall be based on densities and a mix of land uses which efficiently use land and infrastructure, with intensification opportunities to be promoted.

Part V, Section 1.4 Housing, directs that there shall be a range of housing types and densities to efficiently use land, resources, infrastructure, public service facilities and transit where it exists. Furthermore, residential intensification is to be encouraged to minimize the cost of housing and facilitate compact form.

All of the above noted directives found in Part V, Section 1, of the PPS point towards support for the additional dwelling units which are being sought through the request for Draft approval for Plan of Subdivision thus it can be concluded that the Plan of Subdivision is consistent with the PPS.

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

The proposed plan of subdivision is not premature and is a logical extension of the existing neighbourhood. The proposed plan of subdivision is in the public interest in that it represents development of new freehold 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;*

Lands lying to the north, west and east of the draft plan are designated as Residential. Those to the south are designated as Commercial, General.

The proposed plan of subdivision lies within Plan 380. The subject lands were,

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under Plan 380, initially intended for development as multiple residential units, such units being permitted to include any one or combination of the following dwelling formats: multiple unit buildings; townhouse dwellings; maisonette dwellings; apartment dwellings; retirement home; or senior citizen dwellings. Under the proposed draft plan, the new plan would see continued residential development in a freehold townhouse and future apartment dwelling format thereby being consistent with existing planned and completed dwellings within earlier contemplated development under Plan 380. In 1991, the site was rezoned under By-law 251-91 to R5-X8-1 Zone which permits development of the following dwelling types: multiple unit dwellings; townhouse dwellings; maisonette dwellings; rooming , boarding lodging house; apartment; senior citizen dwelling; and retirement home.

Accordingly, the draft plan is in conformity with the Official Plan for the City of Brockville and is in conformity with the general residential format of the existing plan 380 being similar in the built form and the massing of proposed development and lots.

*(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 has a general southerly slope. Various concerns are required to be incorporated into the subdivision with regard to services, roadways, and run-off quality and quantity, said concerns being subject to approval by the City and the Cataraqui Region Conservation Authority (CRCA) prior to final approval of Plan of Subdivision. The proposed plan of subdivision therefore represents an opportunity for suitable, efficient, orderly development of new residential housing.

*(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;*

The Operations Department-Engineering Division has confirmed that the layout of Street 'A' as proposed is acceptable. The Operations Department-Engineering Division shall review design drawings showing layout, width, grade, etc., prior to the matter being returned to Council for final approval of Plan of Subdivision.

Streets are required to be conveyed to the City. The proposed name for Street "A" has not been determined to-date.



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Liston Avenue is classified as a “Collector” road. The proposed new street will feed directly on to Liston Avenue. The Operations Department has confirmed that the additional traffic generated from the proposed subdivision can be accommodated on Liston Avenue and on the surrounding road systems.

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

The dimensions, shapes and layout of the proposed five (5) lots for twenty (20) townhouse dwelling units, one (1) lot for an apartment building with approximately thirty (30) apartment units, in an R5-X8-1 Zone may be completed in compliance with requirements under City of Brockville Zoning By-law 194-94, as amended.

Discussion with respect to the conveyance of Block 1 and redesigned Block 2, and red-lined lot configurations has been addressed previously in this report.

*(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;*

The developer has not indicated any restrictions to be applied to the proposed subdivision. Similarly, the Planning Department is not aware of any restrictions placed on any adjoining lands.

Restrictions are limited to those identified for development under Zoning By-law 194-94, as proposed to be amended.

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

The subject land lies west of the Buell’s Creek detention basin. Although all lots are located outside of the floodplain and detention basin, various best management practices are required to be included in the Subdivision Agreement subject to approval by the CRCA and the Environmental Services Department:

The Environmental Services Department and Cataraqui Region Conservation Authority (CRCA) shall review lot grading, drainage, erosion and sediment control plans prior to the matter being returned to the Council for final approval of Plan of Subdivision.

The majority of the site is vacant or occupied by scrub and immature trees. However, where trees are present, a tree saving plan is required to be completed for

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each lot prior to development. Where trees are absent or proposed to be removed, a Tree Planting Schedule is required to be prepared and submitted for review and approval by the City of Brockville. This condition shall be incorporated into the Subdivision Agreement. In addition, all disturbed areas will be required to be stabilised with suitable plantings.

The subject land has not been identified as being an area with notable natural resources.

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

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

Similarly, Hydro One has indicated that adequate electrical supply is available for the proposed plan of subdivision. The developer is responsible for preparing a Utility Distribution Plan for approval by Hydro One, the City and other utility providers prior to the matter being returned to Council for final approval of Plan of Subdivision.

*(j) the adequacy of school sites;*

The proposed subdivision is located within the catchment area for both the public and separate school boards. Given the small scale of the proposed subdivision, no additional school sites are required 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;*

Although typically development of new residential land is subject to either dedication of 5% of the total land area as public parkland or a cash-in lieu of parkland payment equal to 5% of the value of the land determined as of the day before the day of the approval of the draft Plan of Subdivision, in this instance, the subject lands are a re-subdivision of a block within an existing registered plan of subdivision (Plan 380). At the time that Plan 380 was approved, the owner paid a cash-in-lieu of parkland payment and assigned an equipped children's play area for

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use by apartments within Plan 380. Given that the proposed development does not represent intensification of proposed land uses, and given the previous parkland contribution, no further lands need be dedicated for compliance with this subsection of the Planning Act.

The original Draft Plan of Subdivision indicates that the developer has proposed to significantly reduce the original equipped children's play area while remaining within the minimum area required for such a children's play area as set out under City of Brockville Zoning By-law 194-94, as amended.

The red-lined Draft Plan of Subdivision identifies a new location for the equipped children's play area in a red-lined Block 2. The new location retains the Plan 380 commitment for an equipped children's play area while improving the location, access and maintenance of the site. This matter is discussed in greater detail under Item 6 of the "Issues Raised Through the Public Participation Process" section of this report.

While no further parkland dedication is required to be provided, it is recommended that the City accept the dedication of Block 2 as indicated on the red-lined plan for public use.

- (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 an apartment and townhouses and street construction is optimized within the parameters of Zoning By-law 194-94. Given the scale of the plan, incorporating specific energy conservation features is limited to efficient street orientation and connection to existing municipal services. However, this does not negate the ability for the developer to incorporate available interior and/or exterior energy conservation measures in construction.

- (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 located within a site plan control area designated under subsection 41(2) of this Act or subsection 114(2) of the City of Toronto Act, 2006, 1994, c. 23, s. 30, part ; 2001, c. 32, s. 31(2); 2006, c.22(3), (4).*

The City of Toronto Act, as amended, does not apply to the City of Brockville. Under City of Brockville By-law 33-86, as amended, "All lands within the limits of the City

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*are hereby designated a Site Plan Control Area, pursuant to Section 40(2) of the Planning Act, S.O. 1983". [Note: Section 40(2) of the Planning Act, S.O. 1983 corresponds with Section 41(2) of the Planning Act, R.S.O., 1990, c.P. 13, as amended to July 1, 2010.].*

The Official Plan for the City of Brockville, Section 5.10(a) requires the developer to enter into a Site Plan Control Agreement for all townhouse blocks containing three (3) or more dwelling units and for all apartment buildings. This requirement is carried forward under the draft Official Plan (August 2010) Section 6.4.6.

The proposed development is located within the area subject to Site Plan Control under City of Brockville By-law 33-86, as amended. All multiple residential development surrounding the site has been developed under separate Site Plan Control Agreements. Preliminary design concepts indicate that the townhouse units will be similar to those constructed on the south and west sides of Liston Avenue. Accordingly, the design of the townhouses will be consistent with the neighbourhood. Similarly, at the time of development for the proposed apartment building, consistency of design with adjacent apartment buildings will be considered in order to create cohesive neighbourhood and to consider the matters identified under the Planning Act, R.S.O. 1990, c.P. 13, Section 51 (24)(m).

Correspondence Received in Response to Circulation and Notice of Public Meeting of 07 December 2010 (Schedule "D"):

Internal Comments:

1. C. Cosgrove, Director of Operations (*Memo dated November 22, 2010*)

*"The Operations Department has the following comments with regards to this application for subdivision approval."*

Concerns identified:

- *"With the higher traffic and pedestrian volumes expected to be associated with the proposed apartment building, a sidewalk should be included on the outside of the cul-de-sac, starting at Liston Avenue across the frontages of Lots 1 through 6.*
- *Due to the need for access to the existing large diameter storm sewer, fences, and backyard structures should be prohibited on Lots 4 and 5.*

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- *Due to the short distances between the proposed driveways, on-street parking for visitors will be minimal.*
- *It is assumed, based on the Draft Plan of Subdivision, that the lands to the rear of Lots 4 and 5 and lands to the south of the apartment building will be privately held as part of Lot 3. The proposed configuration is not conducive to municipal ownership or maintenance.*
- *It is assumed, based on the Draft Plan of Subdivision, that the driveway to the east of the apartment building, and the parking area to the south of the apartment building, will be privately held as part of Lot 3. The proposed configuration is not conducive to municipal ownership or maintenance."*

Additional comments received on 23 December 2010:

Concerns identified:

- *"Names 1 (Willow Bend Drive) and 3 (Meadow Oaks Place) depend on the type of tree to be planted in the circle. The Operations Department does not want willow trees due to their higher risk of failure and the disruptive nature of the roots on underground utilities and other infrastructure.*
- *The island in the middle of the cul-de-sac will result in higher maintenance costs (summer and winter). However, given the property configuration and the type of development being proposed, we are willing to recommend approval of this part of the design, with assumption and maintenance by the City.*
- *The proposed access for the tot-lot is not acceptable for municipal ownership and maintenance. We do not have any suggestions for alternative configurations at this time."*

[Note: The red-lined plan which is submitted for approval does incorporate an alternative configuration acceptable to City Staff.]

Additional comments received on 19 January 2011:

Concerns Identified:

- *The existing curb and gutter on Liston Avenue across the proposed street entrance is to be removed.*

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- *A new entrance catchbasin should be installed on the east side of the intersection of the new street with Liston Avenue to avoid water ponding in the intersection.*
- *A sidewalk is required on the west side of the new street from Liston Avenue to the future driveway entrance for Block 6.*

2. E. Jones, Engineering Supervisor-Environmental Services Department (Memo dated November 30, 2010)

*"The Environmental Services Department has reviewed the Application for Subdivision to create 20 townhouses and a 30 unit apartment building and provides the following concerns:"*

Concerns identified:

- *"There does not appear to be any public access to the tot-lot located in the south/east corner of the subdivision. How will individuals access this tot-lot?"*
- *There is no access to the existing storm sewer drainage easement to allow City access for repairs, maintenance and replacement of the system. The only access to the easement, located in the rear yards of Proposed Lots 3, 4 and 5 would be the driveway to the apartment building, which will be privately owned.*
- *Engineering drawings including a stormwater management plan are to be submitted for review and approval by Operations and Environmental Services Departments.*
- *Due to recent basement flooding in this area of recently completed residential subdivisions on the east side of Millwood Avenue and the fact that high flows occur in the storm water system, especially during heavy rainfall events and during spring runoff periods, it is suggested that no habitable living space be constructed below the 100 year flood elevation as determined by the CRCA. This would suggest that no basements be constructed for any of the townhouses."*

3. Brent Caskenette, CBO-Planning Department (Memo dated December 02, 2010)

*"Our review of the Subdivision Approval drawings for the above-noted subject site development has been completed and at this time would advise that we have*

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*concerns regarding fire access routes and location of fire access routes as insufficient information on the design of the three and a half storey apartment building is provided to determine access route needs and design.*

*The applicant should review his proposed design of the apartment with a qualified designer to ensure the need (or no need) for a fire access route."*

4. Greg Healey, Fire Prevention Officer, Brockville Fire Department (*Memo dated December 15, 2010*)

*"After reviewing the plans for the above-noted project, please be advised this department is unable to provide comments at this time due to the following:*

- 1. Existing hydrants are identified on the drawings but no new hydrants are shown:*
- 2. No Fire Department connection is indicated on the proposed apartment building."*

5. Inspector Scott Fraser, Brockville Police Department (*E-mail dated November 26, 2010*)

*"No issues from Police."*

External Comments:

1. Guy Hellyer, Manager Plant/Facilities, Bell Canada (*fax dated November 22, 2010*)

*"Bell has no objection to this Plan. The developer will be responsible to provide open trench to service the development."*

2. Jim Arnott, Municipal Coordination Advisor-Enbridge Gas Distribution Inc. (*letter dated November 30, 2010*)

*"Enbridge Gas Distribution requests that the following conditions be included in the subdivision agreement:*

- 1. The developer is responsible for preparing a composite utility plan that allows for the safe installation of all utilities, including required separation between utilities.*
- 2. Streets are to be constructed in accordance with composite utility plans previously submitted and approved by all utilities.*

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3. *The developer shall grade all streets to final elevation prior to the installation of the gas lines and provide Enbridge Gas Distribution Inc. with the necessary field survey information for the installation of the gas lines.*
4. *It is understood that the natural gas distribution system will be installed within the proposed road allowance. In the event that this is not possible, easements will be provided at no cost to Enbridge Gas Distribution Inc.*

*Enbridge also requests that the owner/developer contact our regional Sales Development department at their earliest convenience to discuss the installation and clearance requirements for main, service and metering facilities."*

3. Guy Lafrance, Outside Plan Lead Hand-Cogeco Cable Canada Inc. (letter dated January 05, 2011)

*"Cogeco Cable Cornwall will be providing cable service to this area by utilizing joint trenching with Hydro One and Bell Canada pending corporate budgetary approval.... Easements may be required if we don't have sufficient room to place pedestals, this would be at the developer's expense."*

4. Sarah Crawford, Planner-Upper Canada District School Board (E-mail dated December 16, 2010)

*"... the Upper Canada District School has no comment."*

5. Mark Greene, B.A., C.P.H.I.(C) – Chief Building Official, Part VIII Program - Leeds, Grenville and Lanark District Health Unit (letter dated November 16, 2010)

*"Please be advised that the above sub-division application does not involve a private sewage system, therefore, an inspection and further comment will not be required."*

6. Carol Jackson, Manager – Shepherds Green Co-operative Homes Inc. (letter dated November 22, 2010, see attached)

*"We are pleased that the property in question is being developed. We have a few concerns that I would like to bring to your attention." (see attached letter for details of concerns).*



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Concerns identified:

- Street / visitor parking;
- Obstruction of street during construction.

7. Bendale Property Management, on behalf of Leeds Condo Corp. No. 31 "The Camelot" (21 Liston Avenue) (Letter dated December 6, 2010, see attached)

"The Board is aware that the Tot Lot is to be relocated and/or decreased in size considerably. The Board has no objection to these changes. The demographics of the residents at L.C.C. #31 results in little to no interest in the current Tot Lot and its reduction in size or removal is not a concern to the Corporation."

8. Sarah Jane O'Neill, Cataraqui Region Conservation Authority (CRCA) (Letter dated December 10, 2010, see attached).

Due to the length and detail of the CRCA comments, the concerns are summarized as follows with the full text being included in this report in **Schedule "D"**.

*"The main interests of the CRCA in this application are the provision of adequate stormwater management, floodproofing and erosion and sediment control."*

Concerns identified:

- Stormwater Management: Stormwater calculations and conditions are to be addressed to the satisfaction of the CRCA.
- Floodproofing: Given the proximity of the development to Buells Creek and the proposal for underground parking for the apartment and basements for the townhouse units, the applicant is required to demonstrate that they meet current floodproofing standards prior to approval of such underground work.
- Sediment and Erosion Control: The applicant is required to demonstrate how appropriate sediment and erosion control measure swill be implemented prior to final plan approval.

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9. Joe Furano, Delivery Planning Officer-Canada Post Corporation (E-mail dated December 17, 2010, see attached).

Given that the Canada Post comments include conditions relating to installation of mailboxes, the standards are included in this report as Schedule “D” and the project specific elements are given as follows:

- *The apartment buildings will receive mail delivery to the centralized mail facility via lock box assembly or mailroom.”*
- *The centralized mail facility is to be supplied and installed at the owner expense. The centralized mail facility is to be installed at Canada Post standards.*
- *The townhouses will receive mail delivery to a centralized mail facility via community mailbox. The community mailbox will be supplied and installed by Canada Post.*

10. T. Davis, Supervising Distribution Technician-Hydro One Networks inc. (E-mail dated January 25, 2011)

“Hydro One Inc. will have no issue servicing this area.”

#### Issues Raised Through the Public Participation Process:

As noted previously, the minutes of the public meeting held on 07 December 2010 appear as **Schedule “C”** to this report, while correspondence received which was too extensive to summarize under the above comments is attached as **Schedule “D”**.

The issues raised are addressed as follows:

1. Appropriateness of proposed development of townhouse dwellings within the overall subdivision / appropriateness of proposed future development of an apartment building within the overall subdivision.

The proposed plan is composed of townhouses and a future apartment building. The current zoning was tailored to permit these development formats and to blend with the adjacent residential uses in the Liston Avenue and Windsor Drive area. The entire Plan is connected to municipal services and accessed by a municipal

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roadway. Accordingly, the proposed development is appropriate within the overall subdivision.

2. Layout and future maintenance of street.

In regard to the layout and future maintenance of the street, the red-lined draft plan has resolved various issues, including but not limited to, anticipated additional maintenance costs of the island shown in the original plan, concerns with the location and access for the tot-lot and the irregular eastern “arm” of Lot 3. The revised layout of the street has been approved by the Operations Department.

3. Pedestrian access from the proposed new public street and the future apartment building to the sidewalk system on Liston Avenue.

A sidewalk will be required to be constructed on the west side of the new street from Liston Avenue to Lot 3.

4. Availability of on-street parking.

The availability of on-street parking is of importance. Given the limited area, the applicant has chosen to pair driveways where possible to maximize on-street parking. Approximately twelve (12) on-street parking spaces could be generated using a minimum length of parking space of 6.0 m. and basing the spacing on the Sketch of the Site Plan submitted by the applicant.

5. Access for all residents of the proposed subdivision to the equipped children’s play area.

As shown on the red-lined draft plan, relocating the equipped children’s play area to Block 2 and realigning various lot lines has resulted in relocating the required tot-lot to a more central location acceptable to the Operations Department. This ensures that the equipped children’s play area is available to a wider range of residents than originally intended under Plan 380 and transfers the responsibility for on-going maintenance from a private entity (21 Liston Avenue and the undeveloped Lot 3) to the municipality. In addition, the new location ensures privacy and security for those lots in the immediate vicinity of the original equipped children’s play area location and access along Lot 3 south of Lots 4 and 5. The revised layout of the subdivision has been approved by the Operations Department.

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6. Maintaining access to existing easement across rear of lots 4 and 5 and bisecting Lot 3.

An easement in favour of the City will be required over Lot 3, located so as to coincide with the future driveway for access to the existing storm sewer easement.

7. Maintaining access to existing residential dwelling units during construction.

The Operations Department has confirmed that the Operations Department will ensure that the contractor shall obtain the appropriate permit(s) and shall carry out road closure, when required, following standards set out by the city, including sufficient notice to existing residents, signage and signal persons.

8. Specialized Street Lighting:

The applicant has proposed special street lighting within the limits of the plan. A resolution satisfactory to the City of Brockville must be attained prior to consideration for final plan approval.

9. Fire Access Route for Proposed Apartment Building:

B. Caskenette, CBO, brought forward concerns with regard to the fire access and design of the proposed apartment building. The concerns address development of Lot 3 and do not affect the overall design of the plan of subdivision. Accordingly, they will be addressed in more detail at the time of site plan approval and application for building permit.

10. Fire Protection:

The Fire Department has brought forward concerns regarding ensuring standards for fire protection for the subdivision. Although sufficient water supply has been confirmed by the Environmental Services Department, final supply and hydrant locations remain to be determined to the satisfaction of the Environmental Services Department and the Fire Department prior to consideration for final plan approval.

Each of the concerns and observations brought forward as a result of the correspondence received and at the public meeting have been addressed in the conditions for Final Subdivision Approval and will be discussed in detail at the time at which the subdivision is presented to Council for final approval.

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### **FINANCIAL IMPLICATIONS:**

All costs associated with the preparation and registration of documentation necessary for final approval of the proposed Plan of Subdivision are the responsibility of the Owner.

All other financial matters as specified in this report shall be inserted in the Subdivision Agreement, along with other standard financial requirements, i.e. posting of financial securities, etc.

### **CONCLUSION:**

The request to permit development of townhouse dwelling units and a future apartment building, as proposed under the red-lined Draft Plan of Subdivision, is consistent with the existing Official Plan policies, those of the August 2010 Draft Official Plan and 2005 Provincial Policy Statement and subject to assessment under the Site Plan Control Agreement and Building Permit review processes against requirements under City of Brockville Zoning By-law 194-94, as amended. The Planning Department is recommending draft approval of the Liston Avenue Subdivision subject to conditions as set out under the Recommendations section of this report.

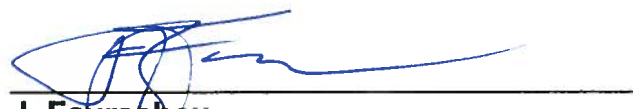
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**B. Casselman**  
City Manager

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**M. Pascoe Merkley**  
Director of Planning

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**J. Faurschou**  
Planner I

**CUTHBERTSON AVENUE**

**LISTON AVENUE**

**LOT 12 CONCESSION 2**

**R6-ZONING**

**REGISTERED PLAN NO. 228**

**LOT 15**  
P.M. 44177-0012

**LOT 14**  
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**LOT 13**  
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**LOT 12**  
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P.M. 44177-0109

**LOT 113**  
P.M. 44177-0110

**LOT 114**  
P.M. 44177-0111

**LOT 115**  
P.M. 44177-0112

**LOT 116**  
P.M. 44177-0113

**LOT 117**  
P.M. 44177-0114

**LOT 118**  
P.M. 44177-0115

**LOT 119**  
P.M. 44177-0116

**LOT 120**  
P.M. 44177-0117

**LOT 121**  
P.M. 44177-0118

**LOT 122**  
P.M. 44177-0119

**LOT 123**  
P.M. 44177-0120

**LOT 124**  
P.M. 44177-0121

**LOT 125</**

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# SCHEDULE "C" - Report 2011-017-02



**BROCKVILLE**  
CITY OF THE 1000 ISLANDS

## **PUBLIC MEETING MINUTES**

## **Economic Development & Planning Committee**

Tuesday, December 07, 2010, 6:00 p.m.  
City Hall, Council Chambers

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### **Roll Call**

#### **Committee Members:**

Councillor M. Kalivas, Chair  
Councillor D. Beatty  
Councillor J. Earle  
Mayor D. Henderson, Ex-Officio

#### **Staff:**

Mr. C. Cosgrove, Director of Operations  
Mr. J. Faurschou, Planner I  
Ms. M. Pascoe Merkley, Director of Planning  
Mr. P. Raabe, Director of Environmental Services  
Ms. S. Seale, City Clerk (Recording Secretary)

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The Chair called the meeting to order at 6:05 p.m.

### **ITEM**

2010-163-12

Proposed Plan of Subdivision, Part of Blocks A & B,  
Registered Plan 375, Aspen Drive East Side, City of Brockville,  
Owner: 653973 Ontario Ltd.,  
Agent: Eastern Engineering Group Inc.

Moved by: Councillor Beatty

THAT Report 2010-163-12 be received as information and that a report on this matter be prepared by staff for consideration of the Environment Planning Development Committee at a future meeting for recommendation to Council.

**CARRIED**

Councillor Kalivas, Chair, announced the Public Meeting (6:05 pm).

Mr. Jonathan Faurschou, Planner I, announced that Notice of the Public Meeting for Staff Report No. 2010-163-12 was given in the Recorder and Times Newspaper on November 11, 2010, and a notice was sent to surrounding property owners within 200 metres of the subject property and circulated to various agencies and

2010-166-12

Proposed Plan of Subdivision, Lot 3 and  
Part of Lots 1,2 and 4 and Part of Glasford Place,  
Registered Plan 380, City of Brockville (Liston Avenue – South Side),  
Owner: 1178420 Ontario Ltd.,  
Agent: Collett Surveying Ltd.

Moved by: Councillor Beatty

THAT Report 2010-166-12 be received as information and that a report on this matter be prepared by staff for consideration of the Environment Planning Development Committee at a future meeting for recommendation to Council.

CARRIED

Councillor Kalivas, Chair, announced the Public Meeting (6:31 pm)

Mr. Jonathan Faurschou, Planner I, announced that Notice of the Public Meeting for Staff Report No. 2010-166-12 was given in the Recorder and Times Newspaper on November 11, 2010, and a notice was sent to surrounding property owners within 120 metres of the subject property and circulated to various agencies and departments. As well, the Operations Department was requested to place a sign on the subject property.

Councillor Kalivas asked that any person wanting further notice of the passage of the proposed subdivision should give their full name, address and postal code to the Secretary prior to leaving the meeting.

Councillor Kalivas reviewed the procedures for the Public Meeting.

Councillor Kalivas called on the Planner to explain the purpose of the Public Meeting and the nature of the application.

Mr. Jonathan Faurschou, Planner I, reviewed the proposed Plan of Subdivision. Mr. Faurschou distributed additional correspondence received after the printing of the report and agenda. The additional correspondence was distributed to the Committee and is attached to the minutes.

The following persons spoke in support of the proposed amendments.

Mr. Brent Collett, Agent (51 King St East) was in attendance to respond to questions.

No person spoke in opposition to the proposal.

*No persons registered a request for meeting information.*

The meeting adjourned at 7:01 pm.

**SCHEDULE "D" - Report 2011-017-02**

SHEPHERD'S GREEN CO-OPERATIVE HOMES INC.  
42A LISTON AVENUE  
BROCKVILLE, ONTARIO  
K6V 7A6  
(513) 498-1669

November 22/10.

City of Brockville  
Planning Dept.

Attn: John Faurischou

Dear John;

This letter follows the discussion I had with you on Friday November 19/10 regarding the proposed subdivision on the south side of Liston Avenue.

We are pleased that the property in question is being developed. We have a few concerns that I would like to bring to your attention.

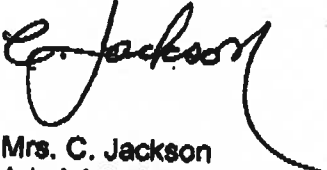
We are concerned about the parking. This is a very dense community and street parking has always been a problem. Many of our residents have visitors who must park on the street. The addition of these new homes will create an even bigger problem in this neighbourhood. I realize that the city is not responsible for providing parking on the street however, this should be taken into consideration when you review the density of population that now exists.

Another concern speaks to the problems we have had during the current phase of construction. The contractor has shown little consideration to our residents. He has blocked off access to our homes on many occasions without notice. In many cases he is digging holes in the middle of the street and people can not remove their vehicles because they were not informed. There have only been a couple of occasions where some people were advised but not everyone concerned.

We appreciate that new construction can pose problems with inconvenience however we feel that there has been a serious lack of communication and consideration. We hope that in the future this will improve.

Thank you for your time and attention to these matters.

Sincerely,

  
Mrs. C. Jackson  
Administrator

E-MAILED TO B. ALLETT  
ON 02 DECEMBER 2010

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P.O. Box 290, Kingston, ON K7L 4V8

December 06, 2010

Maureen Pascoe Merkley  
Director of Planning  
City of Brockville

Dear Ms. Pascoe Merkley:

I am writing on behalf of Leeds Condominium Corporation No. 31 (L.C.C. #31) located at 21 Liston Avenue, Brockville. The Board of Directors has previously discussed the issue of the Tot Lot located adjacent to their property.

The Board is aware that the Tot Lot is be relocated and/or decreased in size considerably. The Board has no objection to these changes. The demographics of the residents at L.C.C. #31 results in little to no interest in the current Tot Lot and its reduction in size or removal is not a concern to the Corporation.

If you require any additional information, please contact me directly.

Yours Truly,

Gary Bennett BA, MPA, RCM, ACCI, AIHM  
Bendale Property Management  
c.c. Board of Directors



## 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

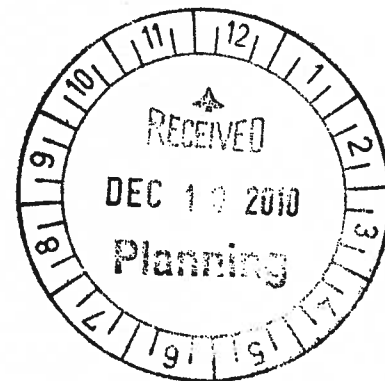
December 10, 2010

SUB/BR/257/2010

Jonathan Faurschou, Planner I  
City of Brockville – Planning Department  
One King Street West  
P.O. Box 5000  
Brockville ON K6V 7A5

Dear: Mr. Faurschou,

**RE: Application for Subdivision Approval 08T-10502  
Liston Avenue Subdivision (South Side)  
Lot 3 & Pt. Lots 1, 2, 4, and Glasford Place; RP 380  
City of Brockville**



Staff of the Cataraqui Region Conservation Authority (CRCA) have reviewed the above-noted application for subdivision approval and offer the following comments for the consideration of the City and for action/response by the applicant.

The following documents have been submitted to the CRCA in support of this application:

- Draft Plan of Subdivision being Lot 3 and Part of Lots 1, 2, and 4, and Part of Glasford Place, Registered Plan No. 380, City of Brockville, County of Leeds; Prepared by Collett Surveying Ltd, Revision #5 dated Oct. 27/10.
- Sketch Illustrating Site Plan of above; Prepared by Collett Surveying Ltd, Revision #5 dated Oct. 27/10.
- Sketch Illustrating Proposed Landscape Plan for above; Prepared by Collett Surveying Ltd, Revision #2 dated Oct. 27/10.

### Summary of Proposal & Site Description

The area proposed for development is approximately 1.5 ha in area, not including the proposed street. The subdivision proposal is for the creation of five townhouse lots (20 units in total) and one apartment lot (30 units in total) on a cul-de-sac accessed from Liston Avenue. The subject lands are undeveloped but surrounded by existing residential and commercial development. Local storm sewers discharge to the western outlet of the Buells Creek Detention Basin, a structure that provides flood control for the City of Brockville. It is owned by the City of Brockville but operated by the CRCA. The western outlet, just upstream of Magedoma Drive, is maintained to address sediment accumulation and to manage the flood waters it is designed to control.

Member of



Page 1 of 3

E-MAILED TO B. COLLETT

ON 10. DEC 2010 10:02

CF

### **Discussion**

The main interests of the CRCA in this application are the provision of adequate stormwater management, floodproofing and erosion and sediment control.

#### **Stormwater Management**

One of the CRCA's main interests with respect to any development on the subject site is the application of appropriate stormwater controls. Consistent with previous comments regarding the development of this site, the CRCA requires the application of a "normal" level of quality control consistent with the MOE SWM Planning and Design Manual for all development draining into Buells Creek. Calculations will be required that demonstrate a 70% long-term sediment removal efficiency is being provided by the proposed stormwater management system. The CRCA will also require that post-development peak flows from the site be controlled to flow rates no greater than those calculated for pre-development conditions for storm events from the 2-year through the 100-year return period. Calculations demonstrating that the total post-development peak flow rates from the subject site do not exceed those of pre-development conditions will be required to be submitted for review.

CRCA staff request the preparation of a stormwater management brief outlining how the above noted criteria is proposed to be met for the present application. Detailed design is not required at this stage, however staff must be confident that the proposed lot layout can accommodate the necessary stormwater management measures to meet the above noted criteria. As previously mentioned, the area just north of the Magedoma Drive culvert provides engineered flood protection to the City and it is essential that the detention basin not receive uncontrolled runoff from new development.

#### **Floodproofing**

The submitted sketches illustrating site plan and the proposed landscape plan indicate that the proposed apartment building on Lot 3 will have underground parking. Although detailed design is not required at this stage, staff note that due to the proximity of Buells Creek at Magedoma Drive, an underground parking lot is not likely to be supported unless it can be demonstrated to meet current floodproofing standards. Similarly, staff note that the inclusion of basements for the proposed townhouse units is also not likely to be supported unless it can be demonstrated that they meet current floodproofing standards.

#### **Sediment and Erosion Control**

Demonstration of how appropriate sediment and erosion control measures will be implemented will be required prior to final plan approval.

### **Recommendation**

Staff recommend deferral of Application for Subdivision Approval 08T-10502 until a stormwater management brief is submitted by the applicant outlining how the above noted stormwater quality and quantity criteria will be met to the satisfaction of the City and the CRCA.

Mr. Jonathan Faurschou (Subdivision 08T-10502 – Liston Avenue)  
December 10, 2010

SUB/BR/257/2010

If you have any general questions, please contact the undersigned at (613) 546-4228 extension 236, or via e-mail at [soneill@cataraquieregion.on.ca](mailto:soneill@cataraquieregion.on.ca). Stormwater management queries should be directed to Peter Hebert at extension 284, or by e-mail at [phebert@cataraquieregion.on.ca](mailto:phebert@cataraquieregion.on.ca). Please inform this office in writing of any decisions made regarding this application.

Sincerely,



Sara Jane O'Neill, BScH, MEdes  
Environmental Planner  
ext. 236

Peter Hebert, EIT  
Water Resources Technician  
ext. 284

cc: Collett Surveying Ltd., via email ([ols@collettsurveying.on.ca](mailto:ols@collettsurveying.on.ca))





From anywhere... De partout...  
to anyone jusqu'à vous

CANADA POST  
1424 CALEDON PLACE BOX 25  
OTTAWA ON K1A 0C1

POSTES CANADA  
1424 PLACE CALEDON BOITE 25  
OTTAWA ON K1A 0C1

Dec 17/10

J. Faurschou, MCIP, RPP  
Planner I (Senior)  
City of Brockville  
P.O. Box 5000  
Brockville, Ontario  
K6V 7A5

RE: Mail delivery for proposed development at Proposed Liston Avenue Subdivision,  
File 08T-10502

Mr J. Faurschou,

I reviewed the above-mentioned development and in accordance to Canada Post Corporation policies, mail delivery will be as follow:

- 1) The apartment buildings will receive mail delivery to a centralized mail facility via lock box assembly or mailroom.

The centralized mail facility is to be supplied and installed at the owner expense. The centralized mail facility is to be installed at Canada Post standards.

- 2) The townhouses will receive mail delivery to a centralized mail facility via community mailbox. The community mailbox will be supplied and installed by Canada Post.

I propose the following locations for the community mailboxes: ACROSS FROM CENTER ISLAND  
BEHIND 1<sup>ST</sup> TOWN HOME IN PHASE 2.

Review the enclosed map for the exact locations. Community mailbox locations may be revised if changes are made to subdivision.

Canada Post requires the following conditions:

At owner's expense

- 1) Inform all prospective purchasers, through a clause in all agreements of purchase and sale, as to those lots identified for potential community mailbox, mini-park and /or kiosk locations and/ or all plans used for marketing purposes shall indicate the proposed community mailbox location(s).
- 2) Provide curb depressions at the community mailbox site location(s). These are to be 2 meters in

width and no higher than 25 mm.

- 3) When a grassed boulevard is planned between the curb and the sidewalk at a community mailbox location, the owner shall install a 1.0 meter walkway across the boulevard. The owner shall also ensure the walkway is handicap accessible from the roadway.

If you have any questions or need more information please do not hesitate to contact the undersigned.

Thank you



Joe Furano  
Delivery Planning Officer  
Tel: 613-325-4192  
Fax: 613-734-1647

e-mail: [joe.furano@canadapost.ca](mailto:joe.furano@canadapost.ca)

