



Economic Development and Planning Committee

Tuesday, May 7, 2013, 4:00 pm.
Council Chambers, City Hall

<u>Committee Members</u>	<u>Areas of Responsibility</u>	
Councillor M. Kalivas, Chair	Economic Development	Economic Development
Councillor J. Baker	Planning	Advisory Team
Councillor T. Blanchard	Chamber of Commerce	Museum Board
Councillor M. McFall	DBIA	Library Board
Mayor D. Henderson, Ex-Officio	Heritage Brockville	Arts Centre Tourism

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COMMITTEE AGENDA

DISCLOSURE OF INTEREST

DELEGATION(S) AND PRESENTATION(S)

4 - 20

1. Development Charges (Staff Presentation)

Mr. D. Dick, Director of Corporate Services will make a presentation to the Committee regarding development charges.

2. Mr. Michael Veenstra
Spring Valley Homes Ltd.

Mr. M. Veenstra would like to speak to the Committee regarding development charges.

CORRESPONDENCE

Nil.

STAFF REPORTS

21 - 32

1. 2013-052-05
Proposed Amendment to Zoning By-law 194-94,
119-121 James Street West, City of Brockville
Owner: Hussan (Sam) Hawas

THAT Zoning By-law 194-94 be amended to rezone lands with municipal address 119 — 121 James Street West from R4 — General Residential Zone to R4 — General Residential Special Exception Zone to establish site-specific provisions which would permit the semi-detached dwelling located on the property to be severed into two separate lots each containing one semi-detached dwelling unit.

Economic Development and Planning Committee
May 7, 2013

- 33 - 47 2. 2013-059-05
Proposed Zoning By-law Amendment
243 Perth Street, City of Brockville
Owner: A.G. Ahmed
- THAT approval be granted to amend City of Brockville Zoning By-law 194-94 to rezone lands with municipal address 243 Perth Street from II-General Institutional Zone to II General Institutional Special Exception Zone to permit "Clinic" as an additional permitted use to those uses currently permitted under the II-General Institutional Zone.*
- 48 - 79 3. 2013-063-05
Water Street Realignment Project
- THAT Council authorizes the execution of a Development Agreement between the City of Brockville and Blockhouse Square Development Ltd. (BHSD) as outlined in Schedule "A" attached to report 2013-063-05; and*
- THAT Council hereby declares City owned lands as outlined in Schedule "C" of Report 2013-063-05 to be surplus and authorizes the sale thereof; and*
- THAT Council authorizes the execution of an Agreement of Purchase and Sale between the City of Brockville and BHSD pursuant to the terms and conditions outlined in Report 2013-063-05 ; and*
- THAT Council authorizes the appointment of BHSD as Agent for the City of Brockville for site remediation, demolition of buildings, Water Street realignment, relocation of hydro services and the rezoning of City owned lands relating to this proposed development.*
4. 2012-196-12
Supplementary Report to Report 2011-056-05
Development Charges Background Study
- THAT the City retain the services of Hemsom Consulting Ltd. at a fee of \$25,000.00 plus HST to complete a Development Charges Background Study as well as to develop a proposed by-law based upon the results of the study; and*
- THAT this study be funded from the Growth Management Reserve Fund.*

Economic Development and Planning Committee
May 7, 2013

NEW BUSINESS - REPORT FROM MEMBERS OF COUNCIL

CONSENT AGENDA

MOTION TO MOVE INTO CLOSED SESSION (6:30 p.m.)

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

(1) a proposed or pending acquisition or disposition of land by the municipality or local board;

REPORT OF THE COMMITTEE FROM CLOSED SESSION

THAT the EDP Committee rise from Closed Session without reporting.

ADJOURNMENT

THAT the Economic Development and Planning Committee adjourned its meeting until the next regular meeting scheduled for June 4, 2013.

Development Charges



City of Brockville
2013

History

Methods of financing infrastructure

- real property & business taxes
- provincial grants & subsidies
- issuance of debentures
- special capital levies
- subdivision agreements
- developer cost sharing agreements
- lot levies
- development charges

Financing Infrastructure

Generally municipalities have required developers to provide or pay for onsite services such as streets, street lighting, sidewalks, water and wastewater and other public facilities within the subdivision as a condition of subdivision approval. The concept is that growth should pay for itself. DC's apply to both residential and non-residential development

Development Charges

- ∞ DC's were introduced based on the principle that growth should pay for itself.
- ∞ New development creates new demands for (indirect) infrastructure and these costs should be borne by those benefitting as opposed to existing taxpayers (Stewart , Parkdale...)
- ∞ Existing taxpayers have already paid for “their” services

Development Charges

Purpose:

- To recover the capital costs associated with residential and non-residential growth within the municipality
- The capital costs are in addition to what (direct) costs would normally be constructed as part of a subdivision (i.e. internal roads, sewers, watermains, roads, sidewalks, streetlights, etc.)
- Municipalities are empowered to impose these charges via the Development Charges Act (DCA)

DC's

Capital Cost definition has been broadened to include:

- Acquire land or interest in land
- Improve land
- Acquire, lease, construct or improve buildings, facilities and structures (includes furniture and equipment)
- Equipment and rolling stock
- Capital component of a lease for the above
- Circulation materials for Libraries
- Studies for above including a DC Background Study
- Interest on money borrowed to pay for the above

DC's

Certain Capital Costs may not be included:

- Vehicle & Equipment with avg. life of <6 yrs.
- Computer Equipment

DCA also provides for a mandatory 10% reduction of capital cost for all services except:

- Water, Wastewater and Stormwater Services
- Roads and related services (i.e. Public Works)
- Fire
- Police

DC's

The planning horizon for future capital needs is limited to 10 years for all services except:

- Water, Wastewater and Stormwater Services
- Roads and related services (i.e. Public Works)
- Fire
- Police

Capital costs must be reduced by grants, subsidies and other contributions.

DC's

The calculation of the charge requires that municipalities provide a ten year capital forecast and that growth related assets are identified. The charge is based on standards for services that are based on the average of the previous ten years. (cannot enhance the level of service through DC's, although they can expand those services)

DC By-law last no more than 5 years and is subject to public hearings

Service Standard

	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Arena Value	5,000,000	5,000,000	5,000,000	5,000,000	5,000,000	5,000,000	5,000,000	5,000,000	5,000,000	5,000,000	10,000,000
Population	10,000	11,000	12,000	13,000	14,000	15,000	16,000	17,000	18,000	19,000	20,000
Service standard	500.00	454.55	416.67	384.62	357.14	333.33	312.50	294.12	277.78	263.16	500
Average	359.39										

City council decides that an additional arena is needed.

This new arena can be financed by DC's if the standard of service is greater than the 10 year average

Presume the new arena is needed in 2010 and projected to cost \$5M.

The average standard of service for the 10 year period is 360.

The new build at \$5,000,000 based on a projected population of 20,000 would exceed the 10 year average at 500

Limitations on Service

Some forms of capital and some services can not be included in the DCA.

For example:

- Headquarters for the General Administration of the City
- Arts, Culture, Museums and Entertainment Facilities
- Tourism Facilities
- Provision of a Hospital
- Parkland Acquisition
- Waste Management Services

BMA Study

- » 86 Municipalities
- » 4,000 - 2.6M
- » 9- Eastern Ontario
- » 28 with populations <20,000
- » 18 with populations between 20,001 and 49,999
- » 6 do not have DC's of any kind (7%)
- » 2 do not have commercial DC's (9%)
- » 7 do not have industrial DC's (15%)

DC's from BMA study

	Residential	MR 3+	MR <3	Apt >2	Apt <3	Commercial	Industrial
Average	\$ 24,752	\$ 20,041	\$ 19,867	\$ 15,290	\$ 11,664	\$ 15.64	\$ 9.46
Median	\$ 20,427	\$ 15,473	\$ 15,473	\$ 12,528	\$ 9,591	\$ 12.95	\$ 8.29
Minimum	\$ 2,755	\$ 2,039	\$ 2,039	\$ 1,720	\$ 1,115	\$ 0.88	\$ 0.42
Maximum	\$ 63,417	\$ 59,080	\$ 59,080	\$ 44,912	\$ 26,432	\$ 47.36	\$ 24.85
Eastern Ontario	\$ 11,293	\$ 8,686	\$ 8,686	\$ 6,948	\$ 5,132	\$ 7.08	\$ 5.41

Eastern Ontario	Res	MR	MR	Apartments	Apartments	Comm	Ind
	3+	<3	>=2	<2			
Brockville	-	-	-	-	-	-	-
Quinte West	5,995	3,781	3,781	3,819	2,195	3.32	3.32
Kawartha Lakes	6,585	4,271	4,271	4,476	3,021	5.70	5.70
Prince Edward County	7,533	5,578	5,578	3,863	3,139	2.55	2.55
Belleville	8,890	6,178	6,178	6,300	3,617	4.89	-
Peterborough	9,548	8,256	8,256	5,568	5,568	4.26	-
Kingston	14,875	11,437	11,437	9,590	6,771	12.60	7.31
Ottawa	16,833	12,424	12,424	9,523	7,712	13.35	8.04
Port Hope	20,165	17,647	17,647	12,528	9,119	10.00	5.55
Average	11,308	8,697	8,697	6,958	5,143	7.08	5.41

MFOA

In 2005 170 municipalities representing 90% of population had DC's. Total collected about \$1B with \$2.5B in reserves
Represents about 15% of total capital funding
Grants received for infrastructure are to reduce the required DC's. Municipalities would prefer the grants to be "unconditional" to be used for rehabilitation purposes.

Per MFOA

Development Charges

Advantages of Development charges
Growth pays for itself and does not create a burden on existing taxpayers (Equitable in that the cost is being borne by those benefitting from the development)
Development charges actually speeds up development as funding is available to pay for costs of growth related development
Can provide some predictability for developers in that rates are determined by By-Law
Municipalities require a ten year capital forecast under legislation
Frees up capital for infrastructure gap for strategic and tactical assets

Development Charges

Disadvantages include:

Increase in price of new construction

Can be considered double taxation to new residents

(Those paying DC's are typically not yet taxpayers and do not have the right to "vote" whereas Taxpayers can vote on or against the level of taxes.)

If not properly implemented, can lead to urban sprawl

Administrative burden and costs associated with it

Inhibit development (no empirical evidence to support)

The Impact of Development Charges

Considered a source of revenue as well as a planning instrument. As a source of revenue it recognizes the incidence of the charge (who bears the burden), the impact on existing vs. new residents, the impact on accountability and the impact on borrowing costs. As a planning tool, it considers the impact of the charge on land use and on the timing of developments.

Can lead to smart growth through policy and direction to encourage compact growth.

DC's as a planning tool.

It is commonly understood that DC's are a fiscal tool to help with the cost of new development. They can also be utilized as a planning tool that can be used to concentrate growth in identified areas and manners.

Municipalities have the right to waive DC's. Often for rental accommodations where intensification has been established. This is acceptable practice but the waived fees cannot be raised by increasing other DC's

DEVELOPMENT CHARGE EXEMPTIONS

Council may choose to not collect development charges or to exempt certain land use(s) or designated areas from development charges. Such exemptions cannot be reflected in the development charge calculations, as costs associated with one land use cannot be transferred to other land uses, thereby unfairly burdening lands with additional growth related costs. Any forgiveness must be funded by non-development charge sources such as the general tax base.

Neighbours with DC's

Town of Prescott			
Residential DC's	\$2,933 - \$3,142		
Multi-residential	\$1,257 - \$2,514		
Non-residential	\$.09392/sq. ft. , 2,500 sq. ft.+		
Township of Elizabethtown-Kitley			
Residential	\$2,300		
Multi-residential	\$1,575		
Non-residential	\$0		
North Grenville			
Residential	\$5,118- \$17,264		
Multi-residential	\$2,156 - \$11,669		
Non-residential	\$1.50- \$5.28 sq. ft.		

DC Revenue from 1999 to 2012

	Total	
PUC Water	69,543	
PUC Electric	33,732	City has spent \$1,357,624 of these reserve funds
Growth Management	28,484	
Transportation	28,943	
WPCC Upgrade	1,493,443	
	1,550,870	DC Reserve Funds at 12/31/2011 \$193,246

DC Revenue from 1999 to 2012

- » Previous study projected DC's re WWTP at \$4M
- » Elected to charge \$1.3M of previously collected DC's
- » Balance of \$2.7M to be collected from remaining homeowners.
- » Represents charge of \$256 to 10,548 homeowners

Previous Study

Development Charges in Brockville

2008

	Residential	Multi-residential Townhouse	Multi-residential Apartment	Non-residential
Wastewater Treatment	1,266.92	1,190.92	724.37	0.28
Roads	29.37	27.61	16.79	0.04
Growth Management	44.65	41.96	25.53	0.01
	<u>1,340.94</u>	<u>1,260.49</u>	<u>766.69</u>	<u>0.33</u>

External Consultants

“Given the tight fiscal environment, the City also needs to focus on its core services, to examine opportunities for increasing revenue through fees and permits”

Western Management Consultants
(expenses – revenues)

$$\frac{\text{Levy}}{\text{Assessment}} = \text{Tax Rate}$$

Without additional sources of revenue, are we putting ourselves at a competitive disadvantage with resulting increase in tax levy and tax rate

Official Plan

Where possible, the City shall use financial mechanisms available to it under any legislative authority, including the Municipal Act, **Development Charges Act**, Planning Act and any other applicable legislation.

The City shall recover all growth-related capital costs through development charges, in accordance with Provincial legislation. The City may pass development charges by-laws that apply to the City, as a whole and/or that apply to specific geographic areas within the City.

The City reserves the right to request a Municipal Financial Impact Assessment from the proponent of any development application. The contents of such a study shall be determined by the City at the time of the request. The Study shall be prepared and shall be peer reviewed at the cost of the development proponent. Development applications or proposals that otherwise comply with the relevant policies of this Plan may be refused on the basis of financial impact and burden on the City, if suitable mitigation measures are not available.

Hemson Consultants

Municipalities have very few revenue-raising tools available to them

Foregoing DC's shifts the costs of growth-related capital works to the existing community (i.e. – taxpayers asked to subsidize new development)
Cost of growth-related capital works then relies upon:

- Property tax base
- user fees
- upper level grants

HEMSON

Hemson Consultants

Two-year freeze on DCs has not stimulated new development in a significant manner
Staff have identified capital projects that are eligible for recovery through DCs:

- Widening and servicing of Stewart Blvd
- Twinning of ice pads
- Water Pollution Control Centre (WPCC) Secondary Treatment
- Various intersection improvements and road widening's
- Up to 90% of the DC Study

HEMSON

DC's since By-Law repealed

<u>June 23, 2009 – December 31, 2009</u>		
↳ 10 New Residential Dwellings	\$13,409.40	
↳ 4 New Townhomes	\$5,041.96	
↳ Total Residential:		\$18,451.36
<u>January 01, 2010 – December 31, 2010</u>		
↳ 28 New Residential Dwellings	\$37,546.32	
↳ 8 New Townhomes	\$10,083.92	
↳ Total Residential:		\$47,630.24
↳ New Commercial (1):	\$330.00	
<u>January 01, 2011 – December 31, 2011</u>		
↳ 24 New Residential Dwellings	\$27,114.88	
↳ 23 New Townhomes	\$29,232.62	
↳ Total Residential:		\$56,347.50
↳ New Commercial (1):	\$6,167.28	
<u>January 01, 2012 – December 31, 2012</u>		
↳ 14 New Residential Dwellings	\$9,904.72	
↳ 15 New Townhomes	\$20,114.10	
↳ Total Residential:		\$30,018.82
↳ New Commercial (4):	\$15,926.13	
↳ Residential:		
	\$152,447.92	
↳ Commercial:		<u>22,423.41</u>
↳ Total Foregone Development Charges:		\$174,871.33

↳ Lost Opportunities

- TSL
- Wedgewood
- Rexall

Future Opportunities

- Junic
- Block House Square
- Way Fare
- Trinity Church
- Downtown West

RESPONSE TO SUBMISSION BY BBGROUP (M. VEENSTRA)
TO CITY COUNCIL DECEMBER 11, 2012

Q1: What is the purpose of impost fees? And which subdivisions have them?

Impost Fees, also known as lot levies, represent a monetary payment related to a municipal capital expenditure for specific infrastructure. Many impost fees in Brockville pre-date development charges which are fees payable in accordance with the Development Charges Act. The following is a list of capital projects for which impost fees are payable via previously negotiated subdivision agreements:

Capital Project	Impost Fee Payable (2013)	Subdivision Payable
North Trunk Sanitary Sewer	\$643	Wildwood
Centre Street Upgrade	\$1623	Brockwoods
Millwood Avenue Construction	\$1866	St. John's Wood Liston Ave./Steacy Gardens Morris Court Kostuch Estate
WPCC Improvements	\$1330	Shelby Lane Brockwoods Kostuch Estate

Q2: Are Development Charges planned for MacCready Village

Development charges would be applicable to the Junic lands (MacCready Village).

Q3: Knowing the builders/developers position, why did we not meet to discuss this matter in a neutral environment?

We have scheduled a meeting to discuss with the builders.

Q4: How much money does the city provide the developer to put in sewers, roads and sidewalks in a new subdivision outside of the downtown core?

The City of Brockville's position, shared by most Ontario municipalities, is to cost-share with a developer on oversizing of infrastructure where it is needed to provide capacity beyond the boundary of that subdivision. Otherwise, growth should pay for growth, and the development of new local infrastructure should be paid for by those who will receive the direct benefit.

Q5: How much money or credit does a developer have to provide to the city prior to the start of building houses in a new subdivision?

A developer is responsible to post financial security equal to the estimated costs of the installation of all municipal hard services within the subdivision, which security is returned upon completion of the work.

A new home builder constructing homes on lots within a subdivision would be responsible for payment of any applicable imposts and development charges either prior to the start of construction before the building permit is issued or, through a Deferral Agreement, at the time of occupancy of the new home.

Brockville Builders Group

- ∞ Development charges increase the cost of housing by as much as 20% and reduce affordability.
- ∞ They are added to the base price of housing and borne by the new homebuyers in their mortgages, meaning those facing the highest current interest rates must bear them.
- ∞ Application of these charges also generates added legal and administrative costs that must be passed on to consumers.

24 April 2013

**REPORT TO THE ECONOMIC DEVELOPMENT PLANNING COMMITTEE –
7 MAY 2013**

2013-052-05

**PROPOSED AMENDMENT TO ZONING BY-LAW 194-94
119 – 121 JAMES STREET WEST
CITY OF BROCKVILLE
OWNER: HUSSAM (SAM) RAWAS
FILES: D14-163**

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

RECOMMENDATION:

THAT Zoning By-law 194-94 be amended to rezone lands with municipal address 119 – 121 James Street West from R4 – General Residential Zone to R4 – General Residential Special Exception Zone to establish site-specific provisions which would permit the semi-detached dwelling located on the property to be severed into two separate lots each containing one semi-detached dwelling unit.

PURPOSE

The purpose of this report is to provide recommendations on an application for amendment to City of Brockville Zoning By-law 194-94 respecting the property at 119 – 121 James Street West.

BACKGROUND

Mr. Hussam (Sam) Rawas, owner of lands described as Lot 6, Block 35, Plan 67, City of Brockville, County of Leeds, municipal address 119 – 121 James Street West (as shown on **Schedule “A”**), has submitted an application for an amendment to Zoning By-law 194-94 which would, if approved, rezone the subject lands to establish site-specific provisions which would permit the semi-detached dwelling located on the property to be severed to create two separate lots with one (1) residential unit on each lot.

Initial discussions with Mr. Rawas started in 2010. He purchased the semi-detached dwelling at 119-121 James Street West after a devastating fire. Mr. Rawas purchased the semi-detached with stated intentions of adding an addition and reconstructing the damaged dwellings. Upon Mr. Rawas visiting the Planning Department to discuss the reconstruction, it was noted that the building was legally non-complying as it pertained to multiple setbacks. It was explained to Mr. Rawas that the non-complying setbacks could not be reduced further (a sketch of the property prior to construction is attached as **Schedule “B”**).

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**Proposed Amendment to Zoning By-Law 194-94
119 – 121 James Street West, City Of Brockville
Owner: Hussam (Sam) Rawas
File: D14-163**

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As construction proceeded, it was determined that the initial structure was unable to be repaired and needed to be removed. Mr. Rawas proceeded to construct the front portion of the building in approximately the original location, but with the rear addition completed in an angular design to facilitate setback requirements.

Upon completion of the construction, Mr. Rawas came to the Planning Department requesting a severance. It was explained that the property is drastically undersized for his intent and that further approvals from Council would be required (a sketch of the property post-construction with proposed severance line is attached as **Schedule “C”**).

Zoning and Official Plan Information:

Official Plan Designation: Neighbourhood Area

Existing Zoning: R4 - General Residential Zone

Requested Zoning: R4 – General Residential Special Exception Zone

Zoning Requirements			
	Required per R4 Zone	Proposed (Severed)	Proposed (Retained)
Minimum Lot Area	270.0 m ²	157.2 m ²	170.4 m ²
Minimum Lot Frontage	9.0 m	4.69 m	7.49 m
Minimum Front Yard	0.0 m (legally non-complying)	1.11 m	0.9 m
Minimum Interior Side Yard (east)	1.46 m (legally non-complying)	N/A	1.52 m
Minimum Interior Side Yard (west)	0.7 m (legally non-complying)	0.0 m	N/A
Minimum Rear Yard	7.5 m	8.32 m	8.5 m
Minimum Lot Depth	25.0 m	26.73 m	26.73 m
Minimum Landscaped Space	30%	38.6%	42.8%
Maximum Height	10.5 m	6.35 m	6.35 m

Site Characteristics:

Total Area: 327.75 m² (3,528.0 ft²)

Frontage, James Street West: 12.18 m (39.98 ft.)

Depth: 27.4 m (89.92 ft.)

The subject land currently contains a new/repaired semi-detached dwelling. Photos of the subject property are attached as **Schedule “D”** to this report.

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Proposed Amendment to Zoning By-Law 194-94
119 – 121 James Street West, City Of Brockville
Owner: Hussam (Sam) Rawas
File: D14-163

Surrounding Land Use:

- North: The lands to the north (north side of James Street west, immediately across from the subject lands) are zoned I1 – General Institutional, in part, and occupied by the Brockville Fire Department Station 1 and R4-General Residential Zone, in part, and occupied by the Edward Reilly building, a commercial furrier.
- East: The lands to the east are zoned R4 – General Residential Zone and are occupied by a two storey single detached dwelling and a four (4) car garage.
- South: The lands to the south are zoned R4 – General Residential Zone and are occupied by two storey single detached dwellings.
- West: The lands to the west are zoned R4 - General Residential Zone and are occupied by a duplex dwelling unit.

Public Participation

The application for Zoning By-law Amendment has proceeded through the normal review process. On 2 April 2013, 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 7 March 2013 and was circulated to property owners within 120.0 metres (400.0 ft) of the subject property. In addition, a sign was posted on the subject property advising that the lands are the subject of an Application for Amendment to the City of Brockville Zoning by-law 194-94. Comments from City Departments and affected agencies were also solicited. An excerpt from the minutes of the Public Meeting is attached as **Schedule “D”**.

Comments Received are summarized below:

1. Steve Allen, Supervisor of Engineering, Environmental Services Department:
 - Not opposed to the application.
2. Brent Caskenette, Chief Building Official, Planning Department:
 - No comments or concerns.
3. Greg Healy, Fire Prevention Officer, Brockville Fire Department:

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Proposed Amendment to Zoning By-Law 194-94
119 – 121 James Street West, City Of Brockville
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File: D14-163

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- No fire safety concerns at this time.

ANALYSIS

Provincial Policy 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 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 potential Provincial interest.

Section 1.1.3.1 states that "*Settlement areas* shall be the focus of growth and their vitality and regeneration shall be promoted".

Section 1.1.3.2 states that "Land use patterns within *settlement areas* shall be based on:

- a. densities and a mix of land uses which:
 - a. efficiently use land and resources;
 - b. are appropriate for, and efficiently use, the *infrastructure* and *public service facilities* which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion; and
 - c. minimize negative impacts to air quality and climate change, and promote energy efficiency in accordance with policy 1.8; and
- b. a range of uses and opportunities for *intensification* and *redevelopment* in accordance with the criteria in policy 1.1.3.3."

Section 1.1.3.3 states that "Planning Authorities shall identify and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including Brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs."

Section 1.4.3 states, among others, that "Planning authorities shall provide for an appropriate range of housing types and densities to meet projected requirements of current and future residents of the regional market area by:

- b. Permitting and facilitating:
 1. all forms of housing required to meet social, health and well-being requirements of current and future residents; and,
 2. all forms of residential intensification and redevelopment in accordance with policy 1.1.3.3

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**Proposed Amendment to Zoning By-Law 194-94
119 – 121 James Street West, City Of Brockville
Owner: Hussam (Sam) Rawas
File: D14-163**

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- d. Promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of alternative transportation modes and public transit in areas where it exists or is to be developed.

Section 1.6.5.4 speaks to a land use pattern, density and mix of uses that minimize the number of vehicle trips and supports the development of viable choices and plans for public transit and other alternative transportation modes.

The overall proposal represents intensification and revitalization of the existing land stock within close proximity to the Downtown core. No change to existing municipal infrastructure will be needed. The proposal will add to the mix of housing types within the area and allow for residents to select alternative means of transportation should the residents choose as they are within close proximity of the Red Bus route and the Brock Trail.

Official Plan Considerations

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

The Official Plan designates the subject property as "Neighbourhood Area".

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

Section 2.3 outlines strategic planning themes which includes "A Sustainable, Healthy, and Vital City", "An Economically Strong and Diverse City", "A High Quality of City Services and Amenities", and "A Well-Planned Responsive City".

The proposed intensification achieves the above objectives. The proposal legally intensifies an existing, serviced lot within the urban area; and, is located within walking distance of a number of amenities, services, and recreational facilities that meet residents' daily needs.

Section 3 addresses building a healthy and sustainable City. More specifically, Sections 3.2.4.1 and 3.2.4.3 outline policies for the scope of development within "Neighbourhood Areas" as focusing on low to medium density housing, infilling on existing lots of record and the rounding-out of existing development patterns while ensuring that the character of the neighbourhoods is preserved. More specifically various forms of residential intensification such as infilling and the creation of accessory dwelling units are to be encouraged, where appropriate. These general Neighbourhood

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Area policies are further refined under Section 3.2.4.3 wherein small scale residential intensification is permitted in all Neighborhood Areas where infrastructure is adequate and where there are no significant physical constraints.

The proposed development satisfies all the criteria required within the Official Plan. Change to the building footprint has occurred through reconstruction/repair of the dwelling and due to the building already being in place, there will be little to no impact on adjacent property owners.

Zoning By-law Considerations:

The current zoning on the property with municipal address 119 – 121 James Street West is R4 – General Residential Zone under City of Brockville Zoning By-law 194-94, as amended.

The requested Amendment to City of Brockville Zoning By-law 194-94 would, if approved, rezone the subject lands to permit a semi-detached dwelling currently located on the property to be severed into two separate lots with one residential unit on each. In considering the proposed zoning change, the following items were considered:

1. Lot Area and Frontage:

Zoning by-law 194-94 requires a minimum lot area of 270.0 m^2 ($2,906.3\text{ ft}^2$) for a semi-detached dwelling and a minimum lot frontage of 9.0 metres (29.5 feet) for each unit/lot. The proposed amendment is requesting reductions to these minimums. The lot frontage for the severed lands is proposed to be reduced by 47.8% (4.31 metres or 14.1 feet) and the lot area by 41.8% (112.8 m^2 or $1,214.2\text{ ft}^2$). The lot frontage for the retained lands is proposed to be reduced by 16.7% (1.51 metres or 4.95 feet) and the lot area by 36.9% (99.6 m^2 or $1,072.1\text{ ft}^2$).

The requests proposed are significant decreases to the minimum requirements. Accordingly an application for minor variance was deemed to be inappropriate. However, the proposal represents intensification which is consistent with the Official Plan, and the Provincial Policy Statement.

2. Lot Setbacks:

Zoning by-law 194-94 requires that a minimum interior side yard setback of 1.5 metres (5.0 feet) be followed with the exception of existing structures where legal non-complying status exists.

The initial building was constructed on or around 1900. After a fire in 2010, and during the re-construction phases of the project, it was noted that one (1) of the legal

2013-052-05

**Proposed Amendment to Zoning By-Law 194-94
119 – 121 James Street West, City Of Brockville
Owner: Hussam (Sam) Rawas
File: D14-163**

Page 7

non-complying setbacks was reduced further than previously existed or permitted. Mr. Rawas, is therefore requesting through this rezoning application that a minimum interior side yard of 0.0 metres (0.0 feet) for the proposed severed lands be granted from the western property line. **Schedule “C”** to this report identifies the various portions of the existing building that encroach onto the abutting property. The Zoning By-law cannot recognize portions of a building which lie beyond the limits of the property.

An agreement with the Neighbouring property has been signed and registered at the Registry Office in relation to the encroachment and the terms of the use of the existing driveway on the west.

Reductions of various zone provisions are one of the effects of residential intensification in an older area developed well before the establishment of current zone provisions for development. Regardless of the success of the application for rezoning, the setbacks currently being applied for exist and cannot be changed without removal of part or all of the existing structure. Accordingly, it is reasonable to recognize the existing conditions in a new site specific zone.

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

"R4-X2-10

The uses permitted in the R4-X2-10 Zone shall be those permitted in the R4 General Residential Zone.

The zone provisions for the R4-X2-10 Zone shall be the same as for the R4 Zone, save and except for the following:

	119 James Street West	121 James Street West
Minimum Lot Area	170.4 m ²	157.2 m ²
Minimum Lot Frontage	7.49 m	4.69 m
Minimum Interior Side Yard (west)	N/A	0.0 m
Minimum Setbacks	All existing setbacks, for the existing main building only, as of the date of passing of this amending by-law with the exception of the above noted western setback.	
Minimum Required Parking	One (1) legal parking space per unit.	

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Proposed Amendment to Zoning By-Law 194-94
119 – 121 James Street West, City Of Brockville
Owner: Hussam (Sam) Rawas
File: D14-163

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POLICY IMPLICATIONS

As noted in the Analysis section of this report, the proposed amendment to Zoning By-law 194-94 for 119 – 121 James Street West is consistent with the PPS and with the relevant policies of the City's Official Plan.

FINANCIAL CONSIDERATIONS:

All costs associated with the requested rezoning of the subject property are the responsibility of the Owner.

Should the request for establishment of a special exception zone be approved, consideration of a concurrent application for consent to sever will proceed. With a land severance, MPAC will adjust the current value assessment which potentially will alter the taxation generated from the property, when it becomes two (2) separate lots.

CONCLUSION

Following review of the PPS and the Official Plan, as well as the submissions received respecting the request for zoning amendment for 119 – 121 James Street West, it is reasonable to amend City of Brockville Zoning By-law 194-94 to permit the semi-detached dwelling located on the property to be severed into two separate lots each containing a dwelling unit with special exceptions as set out in the recommendation at the beginning of this report and as noted in the proposed site specific zoning including in this report.



M. Pascoe Merkley, MCIP, RPP
 Director of Planning



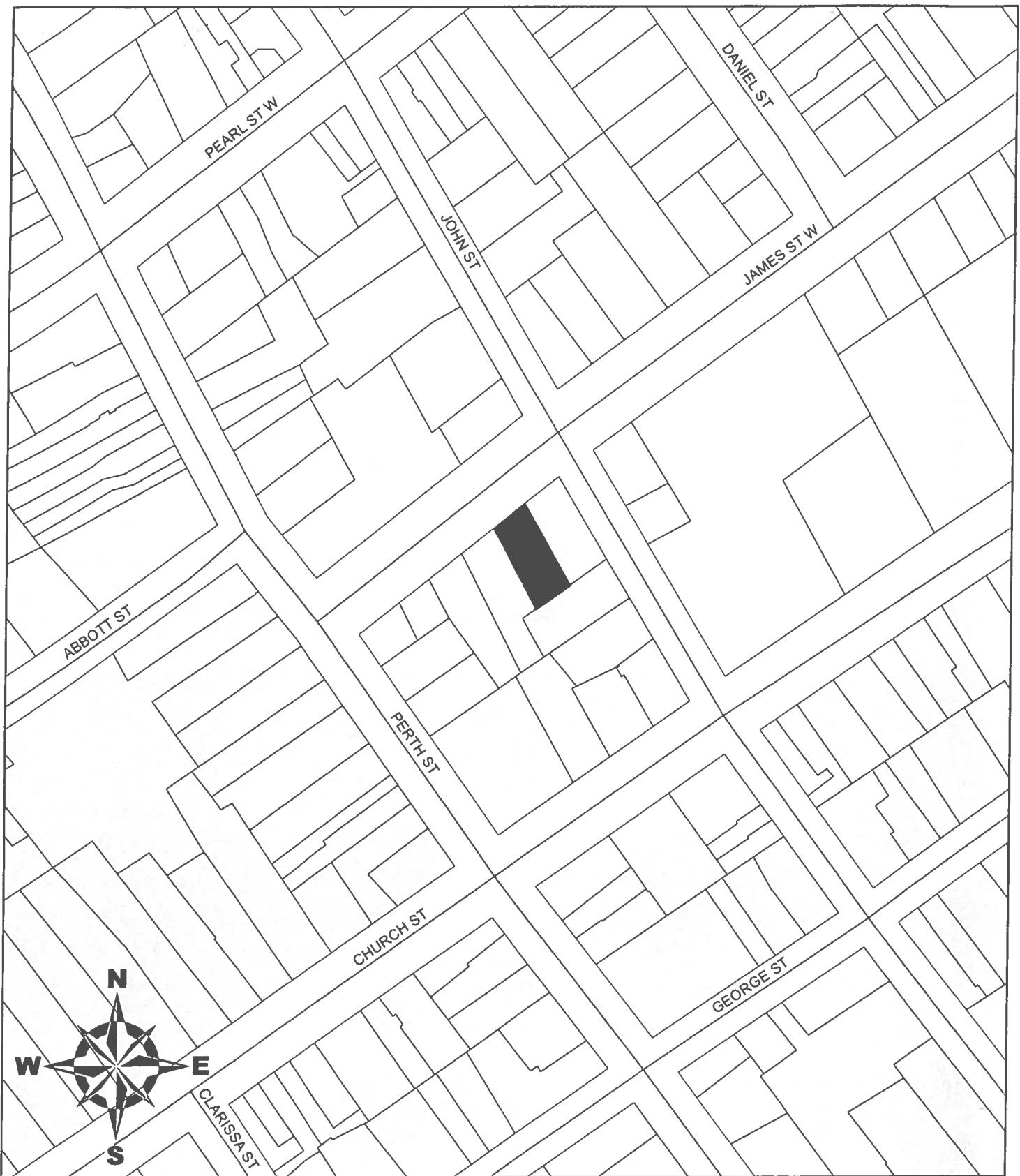
Andrew McGinnis, MCIP, RPP
 Planner II



B. Casselman
 City Manager

SCHEDULE "A" TO REPORT 2013-052-05

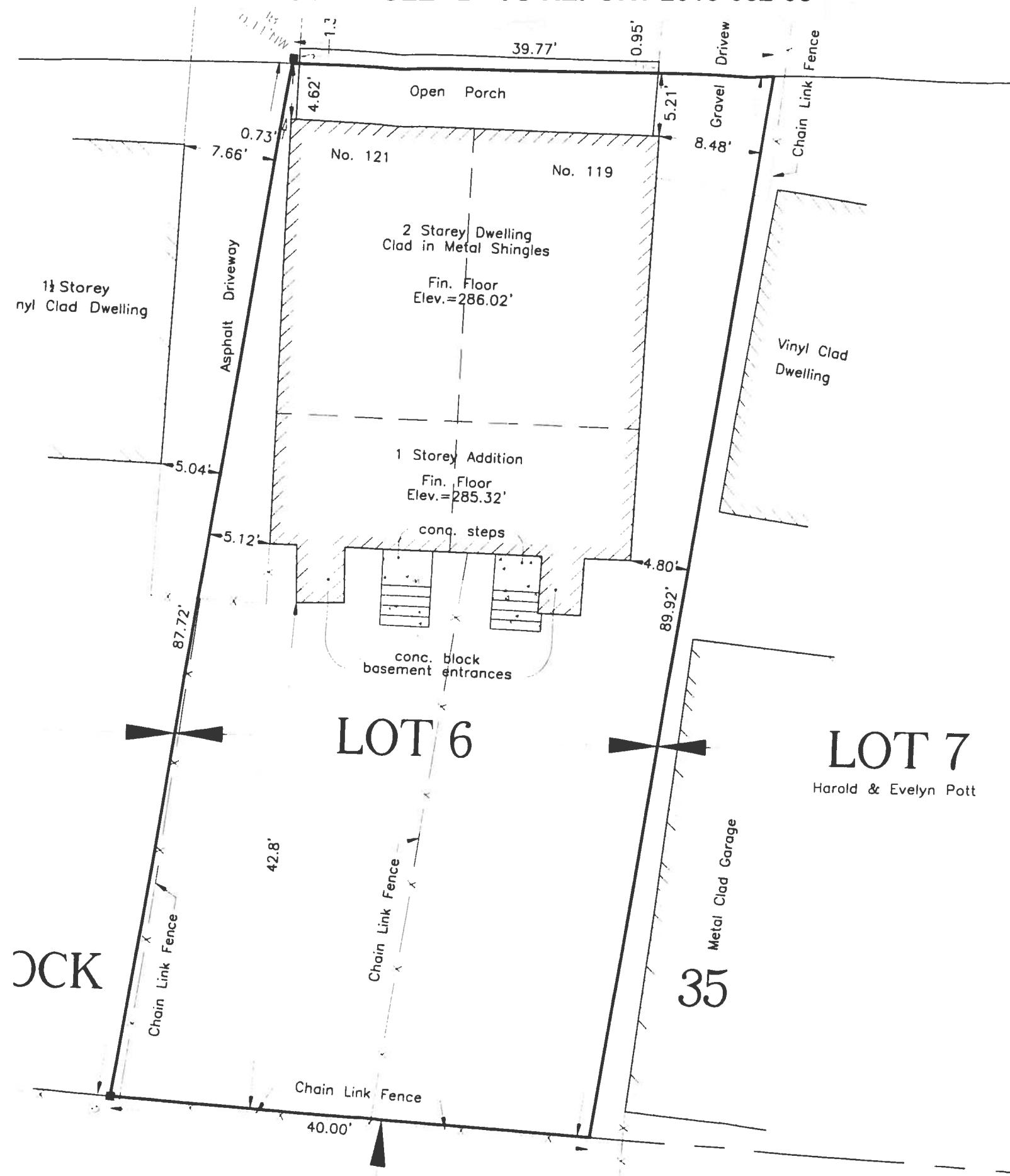
Location Map for 119 - 121 James Street West



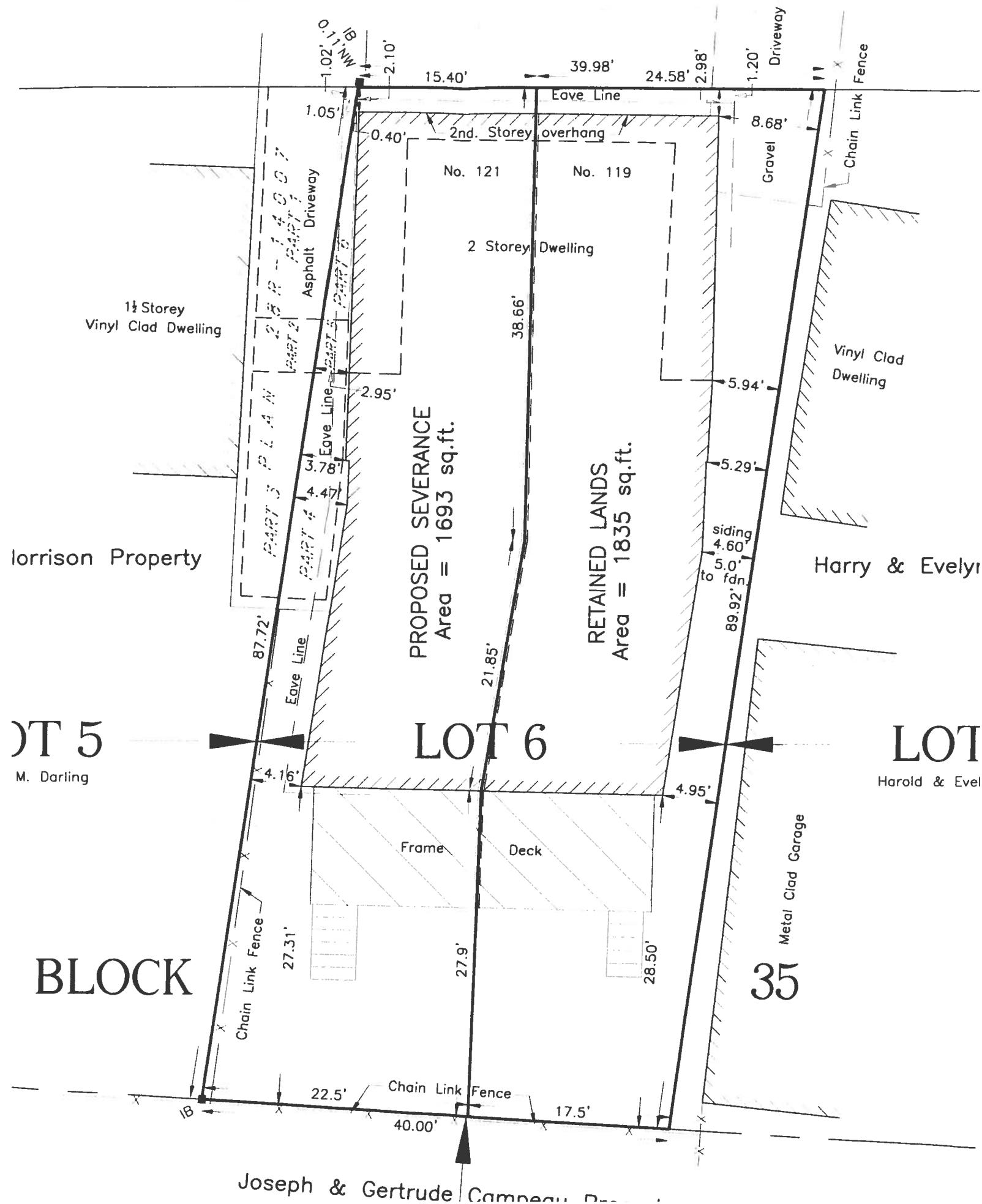
Meters
0 510 20 30 40

Based on TERANET Information

SCHEDULE "B" TO REPORT 2013-052-05



SCHEDULE "C" TO REPORT 2013-052-05



SCHEDULE "D" TO REPORT 2013-052-05



24April2013

**REPORT TO THE ECONOMIC DEVELOPMENT PLANNING COMMITTEE –
07 MAY 2013**

2013-059-05

**PROPOSED ZONING BY-LAW AMENDMENT
243 PERTH STREET
CITY OF BROCKVILLE
OWNER: A.G. AHMED
FILE: D14-162**

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

RECOMMENDATION

THAT approval be granted to amend City of Brockville Zoning By-law 194-94 to rezone lands with municipal address 243 Perth Street from I1-General Institutional Zone to I1-General Institutional Special Exception Zone to permit “Clinic” as an additional permitted use to those uses currently permitted under the I1-General Institutional Zone.

PURPOSE

The purpose of this report is to provide recommendations for amendment to City of Brockville Zoning By-law 194-94 respecting the addition of a clinic to the existing permitted uses at 243 Perth Street.

BACKGROUND

An application for Amendment to City of Brockville Zoning By-law 194-94 has been received from Dr. A.G. Ahmed, the owner of the property described as Part Lot D, Block 40, Plan 67, Parts 4 and 5, Reference Plan 28R-4758, with municipal address 243 Perth Street. The proposed amendment to City of Brockville Zoning By-law 194-94 would, if approved, rezone the subject lands from I1-General Institutional Zone to I1-General Institutional Special Exception Zone to permit a “Clinic” in addition to those uses currently permitted under the I1-General Institutional Zone.

A sketch showing the location of the subject property is attached as **Schedule “A”** and photographs of the existing building are attached as **Schedule B-1** and **Schedule B-2** to this report.

The proposed clinical offices will be located within the existing building which currently contains the “Centre for Rational and Cognitive Therapies, an Albert Ellis Institute affiliated training centre”. A description of the “Centre for Rational and Cognitive Therapies” is attached as **Schedule “C”**. The clinical offices will make use of existing office space and serve to offer a venue for the practical application of theories and practices learned at the Centre in addition to through the introduction of seven (7) new mental health practitioners.

2013-059-05

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Proposed Amendment to Zoning By-law 194-94, 243 Perth Street

Owners: A.G. Ahmed

File: D14-162

ANALYSIS:

The subject property is located on the east side of Perth Street, south of the intersection of Perth Street and Schofield Avenue. The lands are currently developed with an older building with a barrier free access ramp, paved parking lot containing fifteen (15) parking spaces, and various landscaping.

Official Plan Designation: Institutional Area

Zoning: Existing: I1-General Institutional Zone
 Proposed: I1-General Institutional Special Exception Zone to permit a "Clinic" in addition to those uses currently permitted under the I1-General Institutional Zone.

Site Characteristics:

243 Perth Street has a total area of approximately 1,539.9 m² (16,575.8 ft²) and is occupied by an older two storey brick building with a flat roof and a basement. The building is currently occupied as follows:

- Basement: Lecture room, office, catering kitchen;
- 1st Floor: Lecture room, proposed clinic offices and reception area; and
- 2nd Floor: Office and owner residence.

Surrounding Land Use:

The surrounding land uses are as follows:

North: Lands are designated "Neighbourhood Area", zoned R3--General Residential Zone, and are occupied by older residential dwelling fronting on Perth Street.

West: Lands across Perth Street, are designated as "Neighbourhood Area", zoned R3-General Residential Zone and are occupied by older dwellings.

East: Lands are designated "Neighbourhood Area", zoned R3--General Residential Zone, and are occupied by residential dwellings fronting onto Convay Crescent.

South: Lands are designated "Neighbourhood Area", zoned R3--General Residential Zone, and are occupied by residential dwellings fronting on Perth Street.

2013-059-05**Proposed Amendment to Zoning By-law 194-94, 243 Perth Street****Owners: A.G. Ahmed****File: D14-162****Page 3****Public Participation**

The application for Zoning By-law Amendment has proceeded through the normal review process. On 02 April 2013, 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 07 March 2013 and was circulated to property owners with 120 metres (400 feet) of the subject property. In addition, a sign was posted on the subject property advising that the lands are the subject of an Application for Amendment to the City of Brockville Zoning By-law 194-94. Comments from City Departments and affected agencies were also solicited. A copy of an excerpt from the minutes of the Public Meeting is attached as **Schedule "D"** to this report.

Comments Received

The following is a summary of comments received following the circulation of the Notice of Public Meeting:

Comments Received – Agencies and Departments:

1. Greg Healy, Fire Prevention Officer, Brockville Fire Department
Memo dated 14 March 2013.
"No fire safety concerns at this time."
2. Brent Caskenette, Chief Building Official, Planning Department
Memo dated 19 March 2013:
"Building Permit required for any internal renovations to create a 'Clinic'."
3. Steven Allen, Supervisor of Engineering, Environmental Services Department
Memo dated 20 March 2013:
Not opposed to requested zoning by-law amendment.

Comments Received – Public:

No written comments were received from the public prior to the meeting on 02 April 2013.

Comments Received from the Applicant (attached as **Schedule "E"):**

1. A.G. Ahmed provided additional clarification by e-mail on 28 February 2013.

2013-059-05

Proposed Amendment to Zoning By-law 194-94, 243 Perth Street

Owners: A.G. Ahmed

File: D14-162

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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 decisions affecting planning matters "shall be consistent with" the Provincial Policy Statement.

Part V of the PPS sets out various policies which describe the areas of Provincial interest. Not all policies in the PPS are relevant to the planning matter under consideration, and thus, only those relevant portions will be referenced below.

Section 1 Building Strong Communities, addresses a range of planning considerations with which to encourage a strong community. Among these considerations are managing and directing land use to achieve efficient development and land use patterns, use of existing infrastructure and service facilities, and transportation corridors.

243 Perth Street is an older existing brick building within the limits of the City of Brockville, is fully serviced with municipal services and adjacent to the Blue Bus Route. In recent years the building has been extensively renovated and made barrier free accessible from the exterior. This work has been done on behalf of the current owner to accommodate the current use of the building. The proposed addition of a clinic as secondary use to the prime use, being a psychotherapy training centre, is consistent with policies of the PPS.

Official Plan Considerations

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

The Official Plan designates the subject property as "Institutional Area".

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

Section 4.8.2 Permitted Uses, within the Institutional Area, specifically identifies institutional uses as including, among other uses, clinics and treatment facilities. The current use in 243 Perth Street, being the "*Centre for Rational and Cognitive Therapies, an Albert Ellis Institute affiliated training centre*", is consistent with the Official Plan and goes so far as to include a clinic within the permitted uses.

2013-059-05**Proposed Amendment to Zoning By-law 194-94, 243 Perth Street****Owners: A.G. Ahmed****File: D14-162****Page 5**

Accordingly, no change to the Official Plan is required to address adding a "Clinic" as an additional permitted use in the zone applicable to the property.

Zoning By-law Considerations:

243 Perth Street is currently zoned as I1-General Institutional Zone under City of Brockville Zoning By-law 194-94, as amended.

The proposed Amendment to City of Brockville Zoning By-law 194-94 would, if approved, permit a "Clinic" in addition to those uses currently permitted under the I1-General Institutional Zone.

The Zoning By-law does not identify a "clinic" within the permitted uses listed under the I1-General Institutional Zone. The I1-General Institutional Zone permits the following uses: a manse to a church, church, day nursery, hospital, nursing home, school, and a vocational training centre, all of which are traditionally non-commercial uses and which are consistent with the term "institutional".

The Zoning By-law as currently structured identifies a "clinic" as being a permitted use under a range of commercial zones. A clinic in this case being a stand-alone commercial business.

Details of the clinical operation have been provided by the applicant, and the use is described as follows:

"The request to include clinical services at the Centre for Rationale and Cognitive Therapies is to enhance the educational program by offering on site supervision to clinicians who wish to advance their therapeutic skills. The Centre would be able to offer extended clinical placement for graduate students thereby introducing new professionals to the City of Brockville." And

The addition of clinical services in mental health would result in the opportunity to have 7 new mental health professionals establish private practices in Brockville. The Centre has had inquiries from a psychiatrist, social worker and psychologist who are considering relocating to Brockville and who are specifically interested in private practice at the Centre."

Accordingly, the introduction of a clinic into the I1-General Institutional Zone is recommended, as a step towards the integration of those policies approved on 09 February 2012 in the Official Plan.

2013-059-05**Proposed Amendment to Zoning By-law 194-94, 243 Perth Street****Owners: A.G. Ahmed****File: D14-162****Page 6**

The zoning proposed for 243 Perth Street, should this recommendation be endorsed, would read as follows:

"I1-X5-2 -General Institutional Special Exception Zone

In addition to those uses permitted in an I1-General Institutional Zone, a clinic shall be permitted."

Issues and Comments brought forward at the Public Meeting:

1. Hours of Operation:

Clarification on hours of operation was requested. A.G. Ahmed confirmed that the clinic will be operated during regular office hours. Exceptions will be occasioned by seminars and similar events.

2. Clients:

Clients will be treated on an out-patient basis only with no overnight stays. The nature of client needs is a wide range. However, the Owner has stated that there is no intention to operate the clinic as a methadone clinic. The clinic is to be operated as an accessory use to the main use being the "Centre for Rational and Cognitive Therapies". The training centre is in need of a facility under which practical experience can be undertaken by students of the Centre and for clinical space to expand the overall services of the facility.

3. Parking:

A total of fifteen (15) parking spaces are available on-site. This meets the everyday needs of the facility and is sufficient to meet the requirements of the Zoning By-law. Off-site parking is required periodically to respond to events such as seminars. This parking will be street parking as per the City Street Parking regulations and parking as can be found by participants.

4. Security:

Specialized security is not required for the psychotherapy training centre or for the proposed clinic.

POLICY IMPLICATIONS

As stated in the Analysis section of this report, the proposed rezoning of 243 Perth Street is consistent with the PPS and the new Official Plan for the City of Brockville.

2013-059-05

Proposed Amendment to Zoning By-law 194-94, 243 Perth Street

Owners: A.G. Ahmed

File: D14-162

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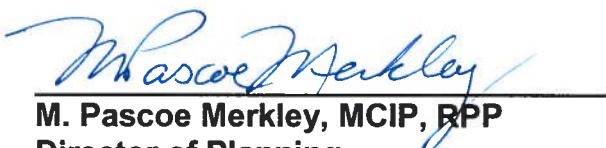
FINANCIAL CONSIDERATIONS:

All costs associated with the proposed clinic use are the responsibility of the Owner.

It is unknown whether the establishment of a clinic within this building would attract a change in current value assessment and thus a change in municipal property taxes payable.

CONCLUSION

Following review of the PPS and the Official Plan, as well as the submissions received respecting the request for zoning amendment for 243 Perth Street, it is reasonable to amend City of Brockville Zoning By-law 194-94 to allow the addition of a "Clinic" to those uses currently permitted under the I1-General Institutional Zone.



M. Pascoe Merkley, MCIP, RPP
Director of Planning

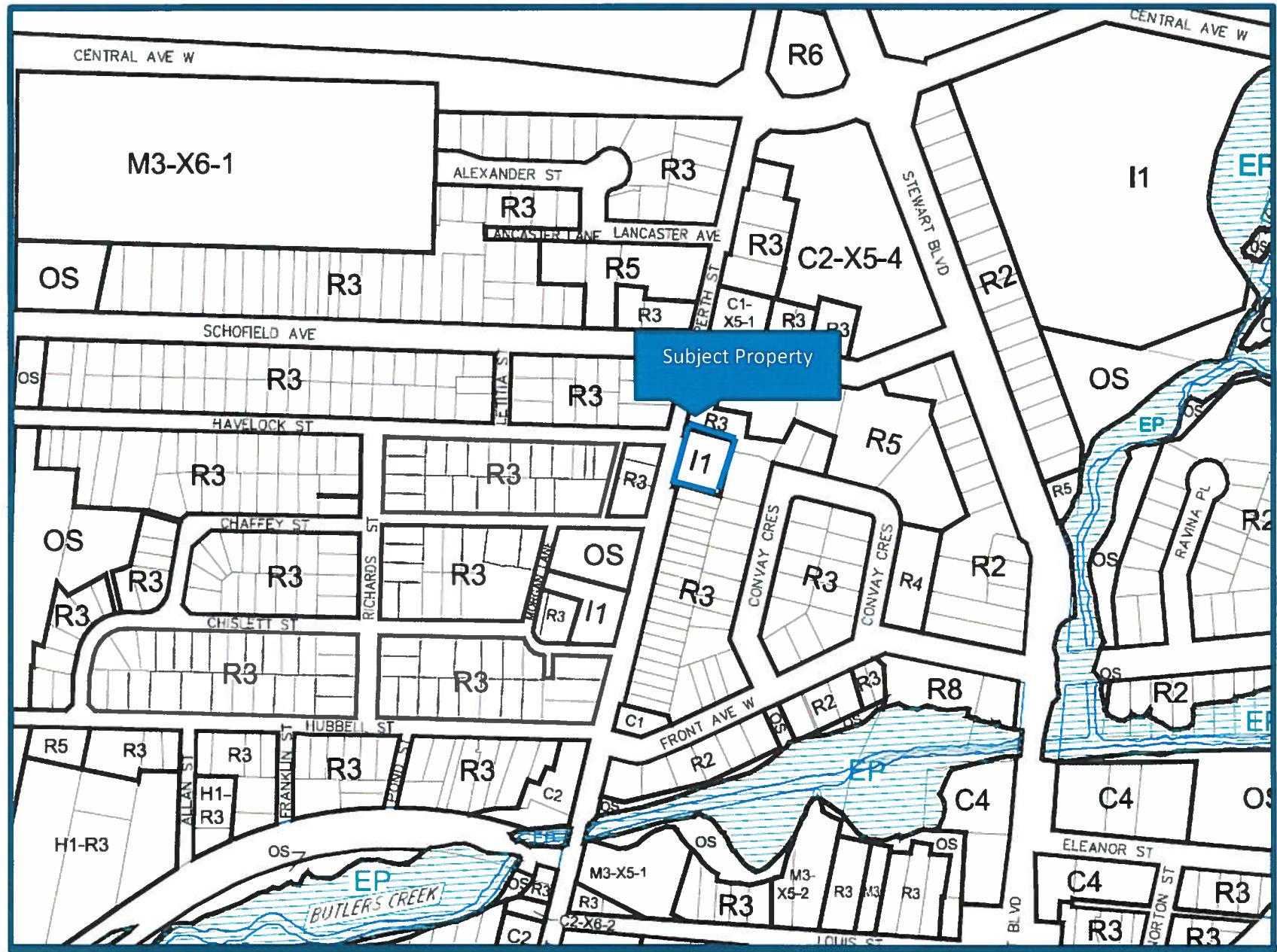


J. Faurschou, MCIP, RPP
Planner I



B. Casselman
City Manager

SCHEDULE "A" - REPORT 2013-059-05





03/20/201

SCHEDULE "B-1" - REPORT 2013-059-05



SCHEDULE "B-2" - REPORT 2013-059-05

SCHEDULE "C" - REPORT 2013-059-05

Reasons for Zoning Amendment to 243 Perth St., Brockville

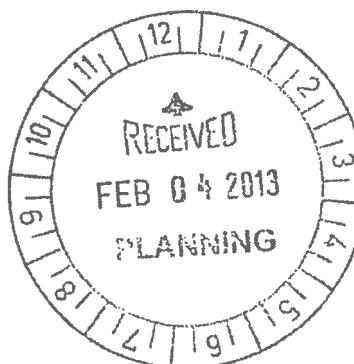
The Centre for Rational and Cognitive Therapies (the Centre) is primarily an education based institution that has the primary goal of providing education to relating to mental health. The Centre offers accredited workshops and seminars to professionals for training in psychotherapy. The Centre specializes in Rational Emotive and Behaviour Therapy and its application in mental health, corrections, the workplace and education. The Centre is affiliated with the Albert Ellis Institute in New York City. The training workshops at the Centre have been accredited by the College of Physicians and Surgeons of Ontario, the College of Psychologists of Ontario, the Ontario College of Social Workers and recognized as a learning institution by the Registered Nursing Association of Ontario.

To date the centre has hosted 5 training events that have been attended by 100 professionals employed in corrections, community mental health and hospitals. The centre has hosted monthly free workshops for the community since September 2012.

The request to include clinical services at the Centre for Rational and Cognitive Therapies is to enhance the educational program by offering on site supervision to clinicians who wish to advance their therapeutic skills. The Centre would be able to offer extended clinical placement for graduate students thereby introducing new professionals to the city of Brockville.

The Centre is consulting with an area school to provide education and support to staff who work with students who have special needs that relate to mental health or addictions. The collaboration will hopefully help at risk youth and minimize future mental health needs and enable them to find success in their future.

The addition of clinical services in mental health would result in the opportunity to have 7 new mental health professionals establish private practices in Brockville. The Centre has had enquiries from a psychiatrist, social worker and psychologist who are considering relocating to Brockville and who are specifically interested in private practice at the Centre. The services provided at the Centre are out-patient services and no clients will be accommodated on site. The fee for service professionals will provide a range of mental health services to the community of Brockville. The service will include treatment consultations, mental health and psychological assessments, individual and group psychotherapy. Graduate students attending the Centre will have the opportunity to receive supervision, immediate feedback and mentoring from the clinicians at the Centre.



SCHEDULE "D" - REPORT 2013-059-05

EDP Public Meeting Minutes -
Tuesday, April 02, 2013

Councillor Kalivas, Chair, announced the Public Meeting.

Mr. McGinnis, Planner II, announced that Notice of the Public Meeting for Staff Report No. 2013-040-04 was given in the Recorder and Times Newspaper on March 7, 2013, notice sent to various agencies and departments, a letter was sent to owners of land within 120 metres of the subject property and a sign was placed 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.

Mr. McGinnis provided a summary of the application.

The following person spoke in favour of the proposed amendment.

Mr. Rawas, the applicant, gave details on the renovations he has completed, and explained that he hopes that the committee will support his application.

Mr. Rawas provided background and a summary of the application.

No persons spoken in opposition of the proposed amendment.

The Public Meeting for Staff Report 2013-040-04 concluded at 6:15pm

The Committee agreed to have a staff report with final recommendations prepared for a future Economic Development and Planning meeting.

Note: No persons completed the Requests for Information form.

2. 2013-042-04
Proposed Zoning By-Law Amendment
243 Perth Street., City of Brockville
Owner: A.G. Ahmed

Moved by: Councillor McFall

THAT Report 2013-042-04 be received as information and that a report on this matter be prepared by staff for consideration at a future meeting of the Economic Development Planning Committee for recommendation to Council.

CARRIED

EDP Public Meeting Minutes -
Tuesday, April 02, 2013

Councillor Kalivas, Chair, announced the Public Meeting. (6:16 pm)

Mr. Faurschou, Planner I, announced that Notice of the Public Meeting for Staff Report No. 2013-042-04 was given in the Recorder and Times Newspaper on March 7, 2013, notice sent to various agencies and departments, a letter was sent to owners of land within 120 metres of the subject property and a sign was placed 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.

Mr. Faurschou provided a summary of the application.

The following persons spoke in favour of the proposed amendment:

A.G. Ahmed, the property owner, and applicant spoke in favour of his application. Dr. Ahmed explained that there isn't a facility like this in Canada. He added that in addition to the clinic this is an opportunity to bring people into the City for training and they will stay for a few days consequently putting money into the local economy. A.G. Ahmed provided background to the facility, its operational history and link to the Centre of Rational and Emotive Behavior in New York and to his involvement in the facility.

Dr. Bill Winograd, who is Mr. Ahmed's partner, echoed Mr. Ahmed's comments in favour of the application. Dr. Bill Winograd provided background to his involvement in the facility.

Dawn Adamson, Specialized Registered Nurse, The Centre for Rational and Cognitive Therapies re-affirmed the need for this type of facility in our area. She feels that this building and the current and proposed clinical uses is a perfect fit.

Starr Langstaff, Accountant, The Centre for Rational and Cognitive Therapies, spoke in favour of the facility and said the people here tonight are very passionate about this project.

The following person spoke with questions about the proposed amendment:

Ms. Heather Burton, residential at 264 Perth Street, posed various questions as to the nature of the potential clients of the proposed clinic, security, hours of operation, overnight patient care, payment, traffic and parking.

A.G. Ahmed clarified that a range of clients are treated during regular office hours, with exceptions to the hours being occasioned by seminars, etc. 15 parking spaces are available on-site which meets the every-day demands for the facility, with exceptions to the hours being occasioned by seminars, etc.

EDP Public Meeting Minutes -
Tuesday, April 02, 2013

Treatment is on an out-patient basis only with no overnight client stays.
No on-site security is in place as it is not needed.

Client payment is based on OHIP rules and regulations.

No persons spoke in opposition of the proposed amendment.

Note: Two persons completed the Request for Information form and they have been attached to the original minutes.

The meeting adjourned at 6:45 pm.

SCHEDULE "E" - REPORT 2013-059-05

Jon Faurschou

From: AG Ahmed <agahmed@me.com>
Sent: Thursday, February 28, 2013 8:12 AM
To: Jon Faurschou
Cc: Bill Winogron Winogron; Wally & Dawn Adamson; Wally & Dawn Adamson
Subject: Re: 243 Perth Street

Good morning,

Thank you for your email and ongoing counsel and assistance in this matter. We are getting the drawing modified to reflect the current number of marked parking places.

As to your other question regarding the previously approved uses for the building, as a psychotherapy training centre we will continue to provide educational training for physicians, psychologists, psychotherapists, nurses, social workers etc. Rezoning as a clinic will give us the opportunity to provide the requisite clinic experience for these clinicians under supervision to adequate. Complete their training.

The building has a one bedroom apartment on the 2nd floor where I stay when I am on call overnight or weekend at Brockville Psych. This also serves as accommodation for visiting faculty from the US or UK when we host international collaborative practica, workshops etc.

These uses of the building will certainly remain and are in fact necessary to achieve our mission of becoming a world leader in providing evidence based and experience informed psychotherapy education for multidisciplinary professionals.

Since our inception in January of 2012, we trained close to 75 professionals and we will be providing our next set of trainings for 25 registered professionals between March 25 and 28, 2013. We are really pleased with our progress and appreciative of the City's support. Please feel to contact for further clarification if required. Thanks aging for your ongoing interest and support.

Best regards,
AG Ahmed
Sent from my iPhone

APRIL 29, 2013

REPORT TO ECONOMIC DEVELOPMENT & PLANNING – MAY 7, 2013

2013-063-05

WATER STREET REALIGNMENT PROJECT

**B. CASSELMAN
CITY MANAGER**

RECOMMENDATIONS

THAT Council authorizes the execution of a Development Agreement between the City of Brockville and Blockhouse Square Development Ltd. (BHSD) as outlined in Schedule "A" attached to report 2013-063-05; and

THAT Council hereby declares City owned lands as outlined in Schedule "C" of Report 2013-063-05 to be surplus and authorizes the sale thereof; and

THAT Council authorizes the execution of an Agreement of Purchase and Sale between the City of Brockville and BHSD pursuant to the terms and conditions outlined in Report 2013-063-05 ; and

THAT Council authorizes the appointment of BHSD as Agent for the City of Brockville for site remediation, demolition of buildings, Water Street realignment, relocation of hydro services and the rezoning of City owned lands relating to this proposed development.

PURPOSE

To authorize the execution of both a Development Agreement and an Agreement of Purchase and Sale between the City of Brockville and BHSD.

BACKGROUND

Following two (2) years of stakeholder input, the Ministry of Municipal Affairs and Housing (MMAH) formally approved the City of Brockville new Official Plan on February 9, 2012. The approved Official Plan and supporting background documents included a recommendation to pursue the Realignment and Redevelopment of Water Street and adjacent City owned lands.

In June, 2012, Council provided direction to the Economic Development Office to initiate a Request for Interest (RFI) process to secure qualified investors/developers who could provide development concepts aligned to the City's vision as depicted in the City's Official Plan and Downtown and Waterfront Master Plan and Urban Design Strategy.

The RFI was completed with two (2) qualified parties showing interest (Blockhouse Square Development Inc. and RGB Group.)

On November 13, 2012, BHSD presented to Council a concept for the redevelopment of the subject lands.

Council received Report 2012-181-11 and directed staff to develop and negotiate a financial framework agreement beneficial to both parties.

In so doing, the City negotiating team comprised of the City Manager, Director of Operations, Director of Planning, Director of Corporate Services, Economic Development Director and City Solicitor have subjected the Developer's proposal to a Peer Review (MHPM), completed an independent appraisal of City owned lands (Enns, MacEacharen, Pace, Maloney Associates Inc.) and consulted with both the Water Front Economic Development Sub Committee and Heritage Brockville.

On March 20, 2013, Council directed staff to negotiate a Development Agreement between the City of Brockville and Blockhouse Square Development Ltd. for the redevelopment and realignment of Water Street.

Staff have completed negotiations pursuant to Council's direction and request Council's authorization to execute the Development Agreement as outlined in Schedule "A".

Next Steps

1. Preparation/execution of an Agreement of Purchase and Sale between the City of Brockville and BHSD.
2. Appointment of BHSD to act as City of Brockville's Agent for the purposes of rezoning, site remediation, hydro relocation, demolition of buildings, Water Street realignment of City owned lands associated with this project.
3. Environmental due diligence to be completed by BHSD.
4. Class "D" estimate for Hydro One being sought by BHSD at their cost. City of Brockville has consented to Class "D" estimate given City ownership of lands.
5. Completion of Gantt Chart outlining the project schedule.
6. Notice to tenants on City owned lands.

2013-063-05
Water Street Realignment Project

Page 3

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7. Development of temporary parking plan.
 8. BHSD to prepare application for rezoning of subject lands.
 9. BHSD to prepare application to stop up, close up and sale of that part of Water Street and Water Street parking lot being impacted by this proposed development.

FINANCIAL CONSIDERATIONS

The City's financial commitment to this project is limited to the value of City owned land and our existing Community Improvement Plans. The value of the City owned lands (\$1.29 M) has been determined through an independent appraisal.

Total Project Investment	- \$58 Million
Estimated Annual Taxation	- \$.785 Million

CONCLUSION

This is a good project for the City of Brockville, meeting many of its publicly stated corporate objectives regarding Downtown Revitalization such as densification of our downtown, Brownfield Redevelopment, and growth in assessment base.


Bob Casselman, City Manager

Schedule "A"

THIS AGREEMENT made the day of , 2013

BETWEEN:

THE CORPORATION OF THE CITY OF BROCKVILLE,

Hereinafter referred to as the "City"

- and -

BLOCKHOUSE SQUARE DEVELOPMENT LTD.,

Hereinafter referred to as "Blockhouse"

WHEREAS Blockhouse wishes to develop a mixed use project in downtown Brockville;

AND WHEREAS the City owns certain lands that Blockhouse wishes to incorporate in its project;

AND WHEREAS the City is prepared to transfer its lands to Blockhouse on certain terms and conditions to facilitate Blockhouse's project.

THE PARTIES HERETO AGREE AS FOLLOWS:

1. Blockhouse intends to develop a mixed use project, as outlined in Schedule "A" on the lands generally described as being west of Market Street West, east of Broad Street, south of King Street and north of the proposed realignment of Water Street in the City of Brockville. The area is generally depicted on Schedule "B".
2. The City owns part of the lands in Schedule "B" generally known as Water and Market Streets, Brockville, Ontario, PIN's 44162 0015, 44162 0016, 44162 0065 & Part of 44162 0029 City of Brockville, Leeds County, Ontario and as outlined in red on Schedule "C".
3. The Parties agree that the value of the City lands is \$1,290,000 and Blockhouse will submit same to the City upon closing.
4. The City agrees to reimburse the cost on a 50/50 basis of the following aspects of the project upon completion of the individual items thereto to the satisfaction to the City Engineer expressed in the form of passing the final inspection of work completed:

	Estimated Cost Share Of Each Party
Water Street realignment	\$225,000
Relocation of hydro	\$600,000
Access to King Street	\$225,000
Life lease tenant relocation	TBD
Temporary Parking (135 spaces)	TBD

5. The City acknowledges the existence of two Community Improvement Plans-Downtown/Brownfield (CIP's) and encourages Blockhouse to make application for Program Assistance under each of the CIP's.
6. The Parties specifically acknowledge that the total financial contribution by the City in Blockhouse's project is limited to the value of the City's lands, namely, \$1,290,000.00. and any Program Assistance under the CIP's.
7. The City hereby appoints Blockhouse as agent for the City with respect to obtaining a Class D estimate for necessary Hydro works. The cost associated with obtaining a Class D estimate is the responsibility of Blockhouse.
8. The City hereby appoints Blockhouse as agent for the City with respect to the rezoning of the subject lands to allow for the proposed development. The cost associated with rezoning the subject lands is the responsibility of Blockhouse.
9. The City supports in principle, the proposed development as outlined in Schedule-A
10. The Parties agree that the City will convey title of the City owned lands in Schedule "C" generally known as Water and Market Streets, Brockville, Ontario, PIN's 44162 0015, 44162 0016, 44162 0065 & Part of 44162 0029 City of Brockville, Leeds County, Ontario to Blockhouse 15 days following the successful rezoning of the subject lands.
11. The Parties agree that the conveyance of title of the City owned lands will not close until the subject lands have been rezoned. The conveyance of title from the City to Blockhouse will be further subject to both the parties entering into an Agreement of Purchase and Sale on or before May 30, 2013 and a resolution to the life lease tenancy. The Agreement of Purchase and Sale will contain amongst other items, an obligation to re-convey should Blockhouse not complete construction of the parking garage and podium within two years of the issuance of a building permit.
 - 11.1. Blockhouse reserves the right to extend without penalty or breach of contract, the completion of the above mentioned construction up-to 6 months due to unforeseen delays.
12. The Agreement of Purchase and Sale will also include a condition precedent that the City will undertake and complete the Stopping Up and Closing of those portions of Water Street and Water Street Parking lot that are the subject matter of this Agreement.
13. The application for a subject building permit must be submitted by Blockhouse to Planning Department for City approval within two years of the closing.
14. The right to re-conveyance will be at 90% of the value of the City owned part of lands in Schedule "B" - \$ 1,160,000.



15. The Purchaser accepts all liability whatsoever arising from or in connection with any environmental matters concerning the City, including but without limitation, all remedial measures to remove any contamination from the Lands, and all charges, fines or orders relating to any environmental matters.
16. Blockhouse will perform all required environmental studies and will complete mandatory site remediation work including submission of Record of Site Condition (ROSC) for MOE approval as stated in paragraph 11.
17. Blockhouse will have all plans and specifications required for a Site Plan Control Agreement for the subject project submitted to the City on or before October 30, 2013.
18. Should Blockhouse wish to proceed with certain works (Water Street realignment/ Relocation of Hydro services/Site Remediation/ demolition of City owned properties) prior to the conveyance of title, they will do so at their own risk. The City will appoint Blockhouse to act as the City's agent to complete same on City owned lands.
19. In consideration of Blockhouse receiving title from the City, Blockhouse covenants as follows:
 - 19.1. **With respect to the Water Street realignment:**
 - 19.1.1. to have all plans, specifications, permits and applications submitted to the City on or before Aug 30, 2013;
 - 19.1.2. to complete the specified works to the satisfaction of the City Engineer within 6 months from the date the necessary permits are issued by the City.
 - 19.1.3. to provide sufficient financial security in form of cash or LC, to the satisfaction of the City, as would be customary in the construction industry to assure the completion of these works.
 - 19.2. **With respect to the relocation of hydro:**
 - 19.2.1. to have all plans, specifications , permits and applications submitted to the City and Hydro One on or before Aug 30, 2013;
 - 19.2.2. to complete the specified works to the satisfaction of the Hydro One and City Engineer within 6 months from the date the necessary permits are issued by the City.
 - 19.2.3.to provide sufficient financial security, to the satisfaction of Hydro One, as would be customary in the construction industry to assure the completion of these works.



19.3. With respect to the relocation of services:

- 19.3.1. to have all plans, specifications, permits and applications submitted to the City on or before August 30, 2013;
- 19.3.2. to complete the specified works to the satisfaction of the City Engineer within 6 months from the date the necessary permits are issued by the City.
- 19.3.3. to provide sufficient financial security in form of cash or LC, to the satisfaction of the City, as would be customary in the construction industry to assure the completion of these works.

19.4. With respect to the access to King Street:

- 19.4.1. to have all plans, specifications, permits and applications submitted to the City on or before Aug 30, 2013;
- 19.4.2. to complete the specified works to the satisfaction of the City Engineer within 6 months from the date the necessary permits are issued by the City.
- 19.4.3. to provide sufficient financial security, to the satisfaction of the City in form of cash or LC, as would be customary in the construction industry to assure the completion of these works.

19.5. With respect to Life Lease tenant relocation:

- 19.5.1. Blockhouse to co-operate with the City to relocate the City's Life lease tenant on terms and conditions agreeable to Blockhouse and the City.

20. In addition, as further consideration in the conveyance of the City's lands to Blockhouse, Blockhouse covenants to provide in its project 135 public parking spaces in perpetuity.

- 20.1. The City acknowledges that Blockhouse will assign the final ownership and /or management of the 135 public parking spaces.
- 20.2. Blockhouse acknowledges that it is bound to transfer its covenants and obligations to the Assignee.

21. The Parties agree that Blockhouse will provide financial security, satisfactory to the City, customary in the industry to cover the construction costs of the 135 parking spaces contemplated in the project

- 21.1. As the parking spaces are created, the financial security with the approval of the City, may be reduced.



22. Blockhouse agrees to complete the specified works with respect to the parking spaces to the satisfaction of the City Engineer within 2 years from the date the building permit was issued by the City.
 - 22.1. Blockhouse reserves the right to extend, without penalty or breach of contract, the completion of the above mentioned parking structure up-to 6 months due to unforeseen delays.
23. This Agreement shall bind the assigns and heirs.

Dated at Brockville, Ontario this _____ day of _____, 2013.

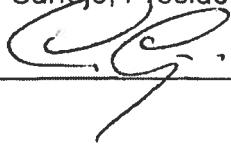
CITY OF BROCKVILLE

Per:

BLOCKHOUSE SQUARE DEVELOPMENT LTD.

Per:

Carlos Canejo, President



Mike Nero, Secretary



JULY 2006

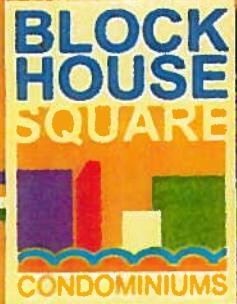


City Blockhouse Square Development (Draft)
Brockville, Ontario

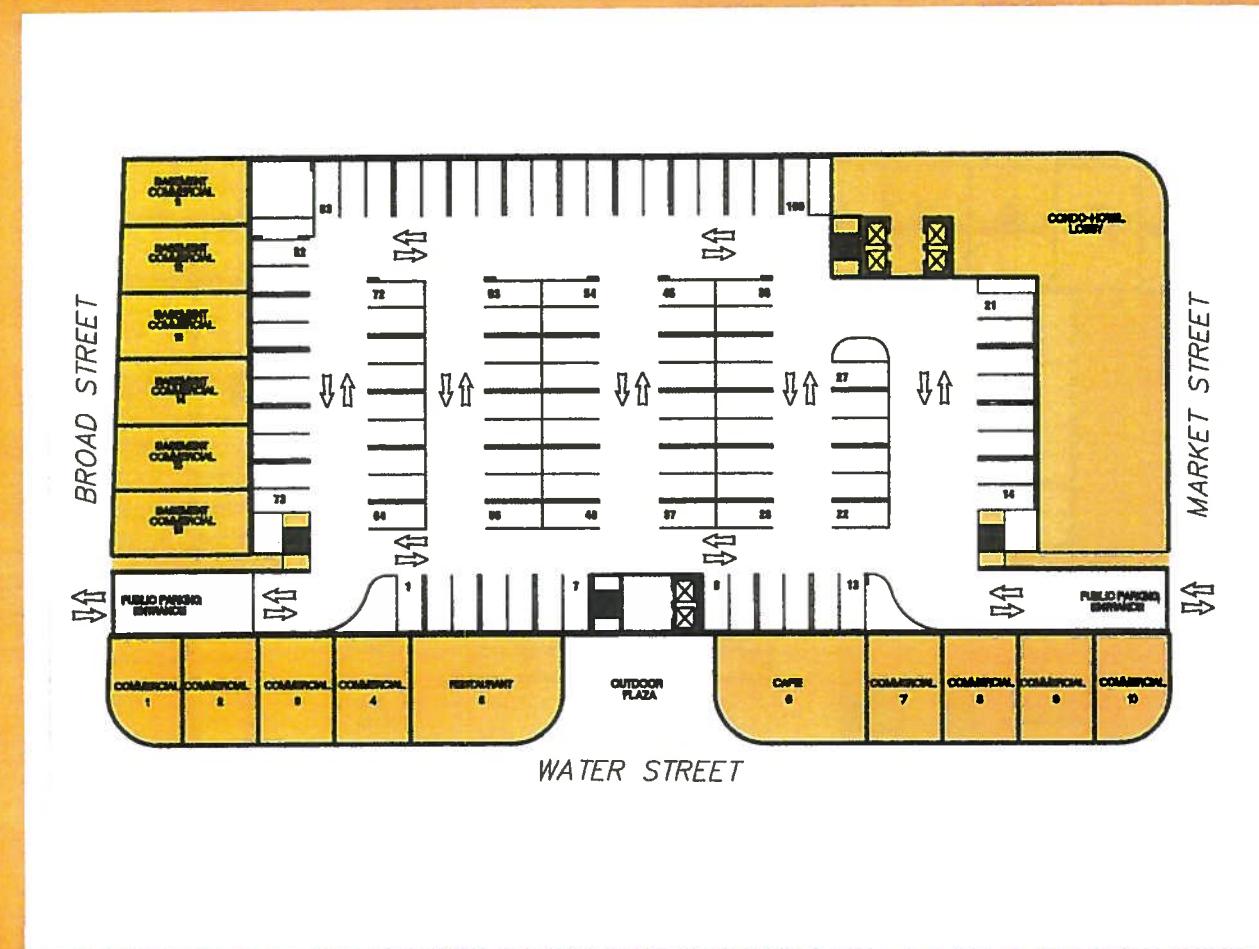
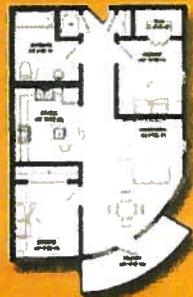
allen + chui architects inc.
urban design + architecture + planning



City Blockhouse Square Development (Draft)
Brockville, Ontario
allen + chui architects inc.
www.allen-chui.com

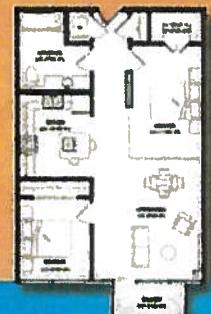


LEVEL 1



COMMERCIAL UNITS

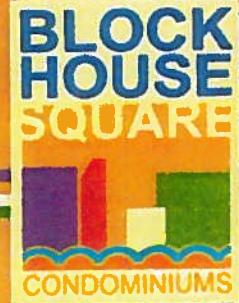
Upscale Condominium Living. Affordable by design



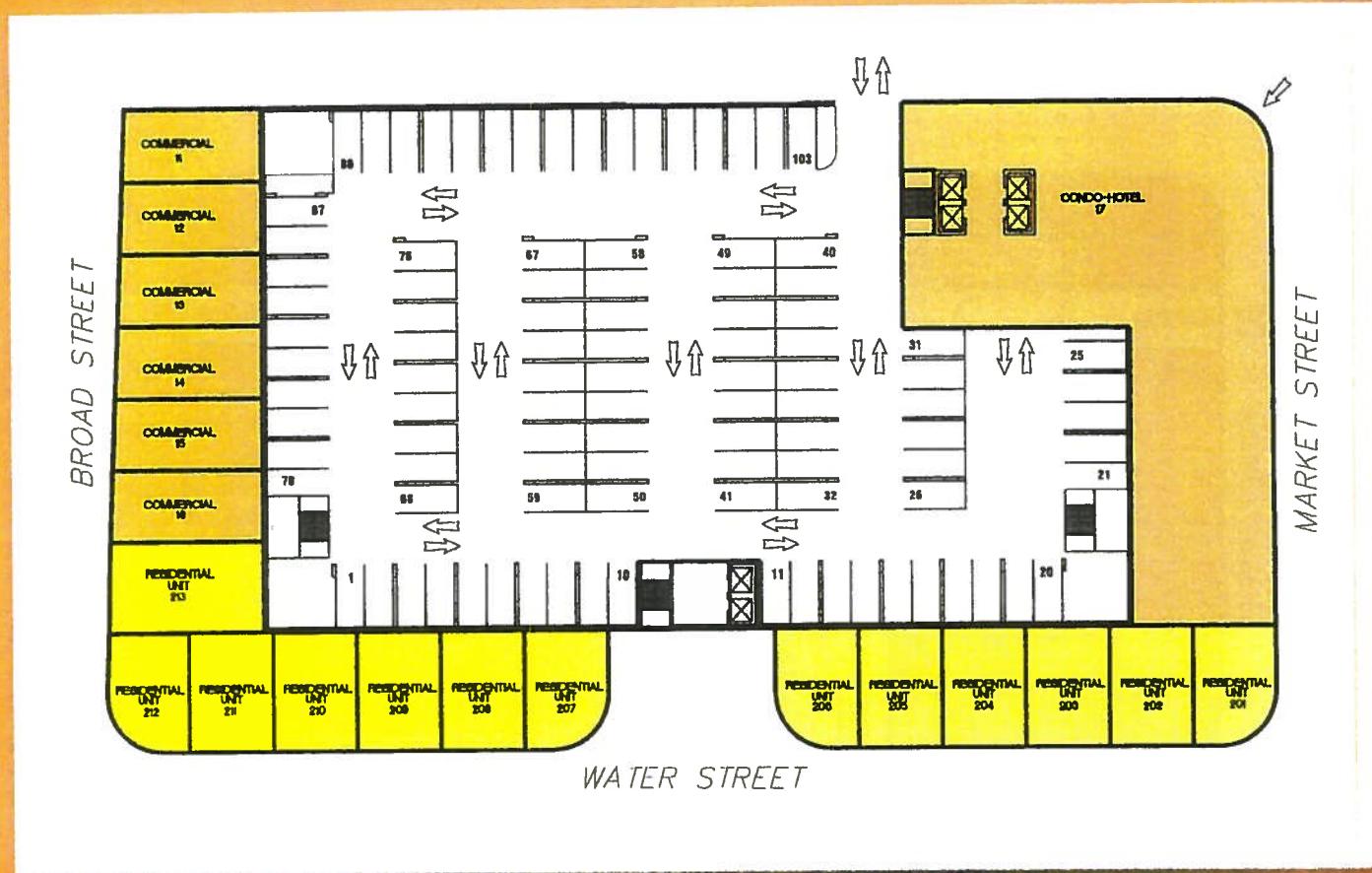
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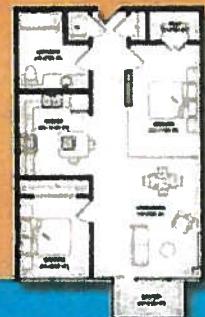
LEVEL 2

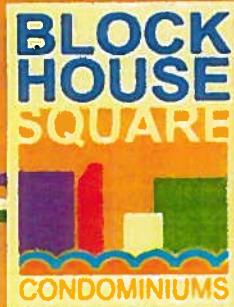


COMMERCIAL & RESIDENTIAL UNITS

Upscale Condominium Living. Affordable by design.

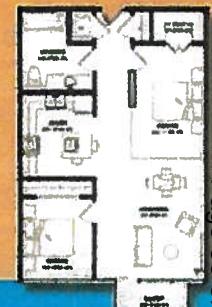
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LEVEL 3

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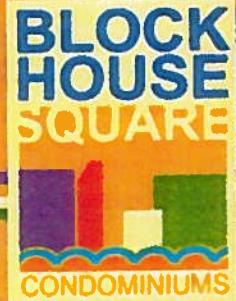


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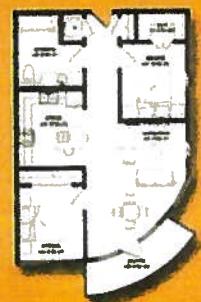


RESIDENTIAL UNITS

Upscale Condominium Living. Affordable by design

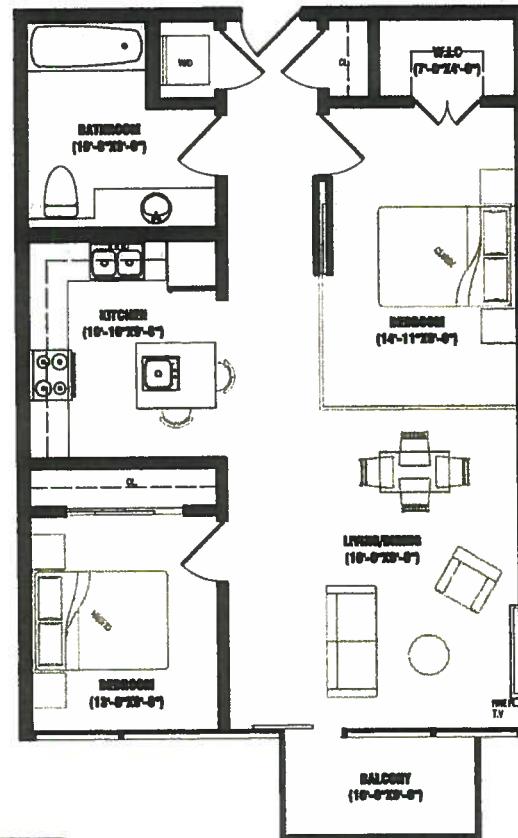


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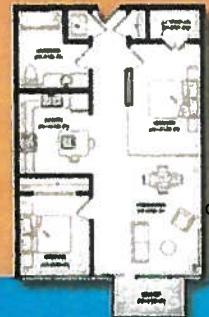
2 BEDROOM SUITE

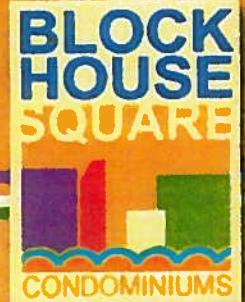
890 Sq. Ft.
2 bedroom
Private balconies
Indoor parking
Secure building
River view



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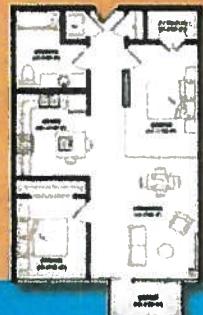
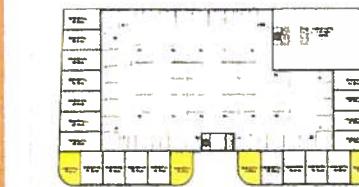
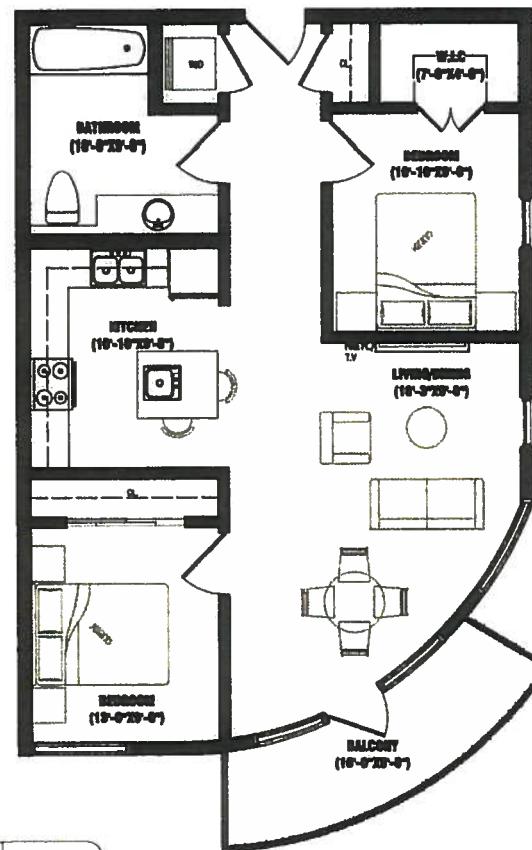


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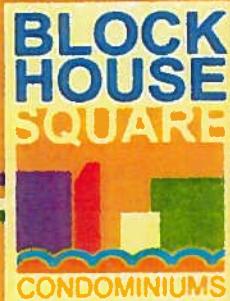
2 BEDROOM CORNER SUITE

890 Sq. Ft.
2 bedroom
Corner suite
Private balconies
Indoor parking
Secure building
Panoramic view

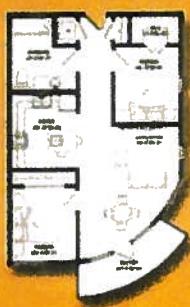


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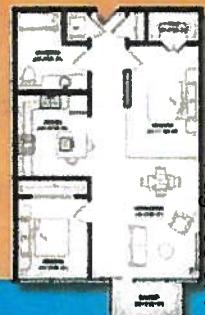
SALES STRATEGY

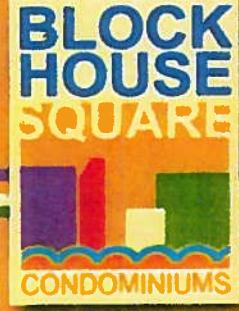


- Focus on Phase I
 - Residential & commercial occupancy
- Brockville first
- Supported with beyond Brockville investors
- Sell on “affordable”
- Leverage Downtown Brockville a “Vibrant Community”
- Sales office setup early December

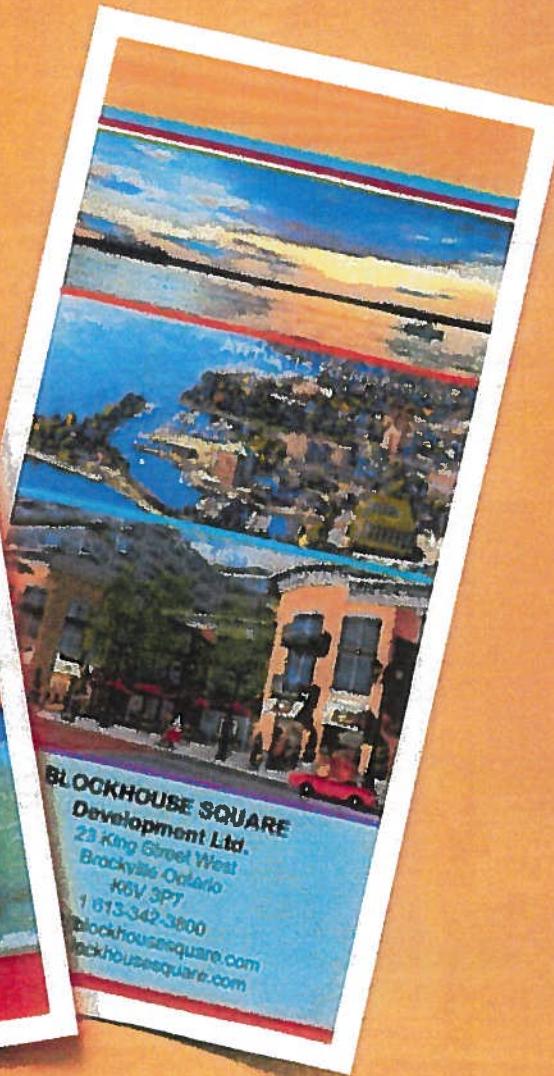
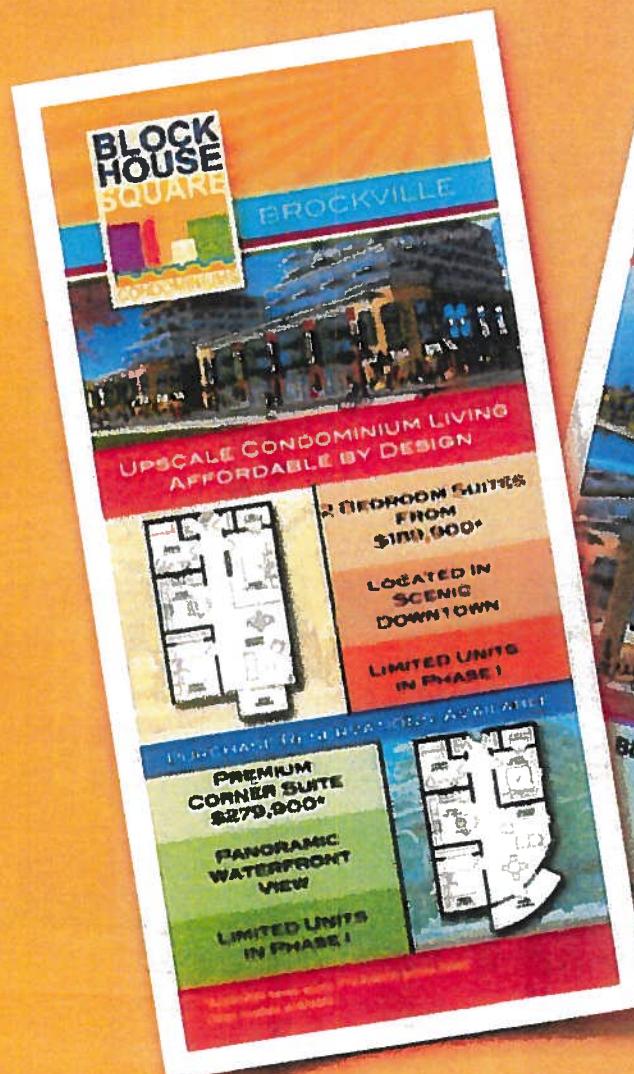
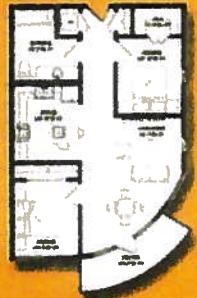
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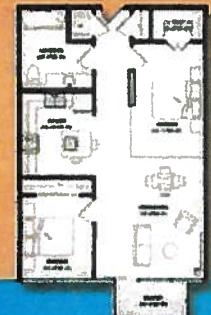


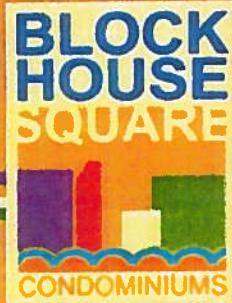
SALES STRATEGY



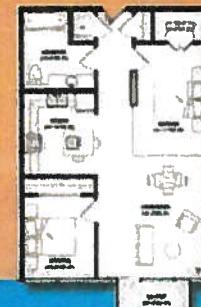
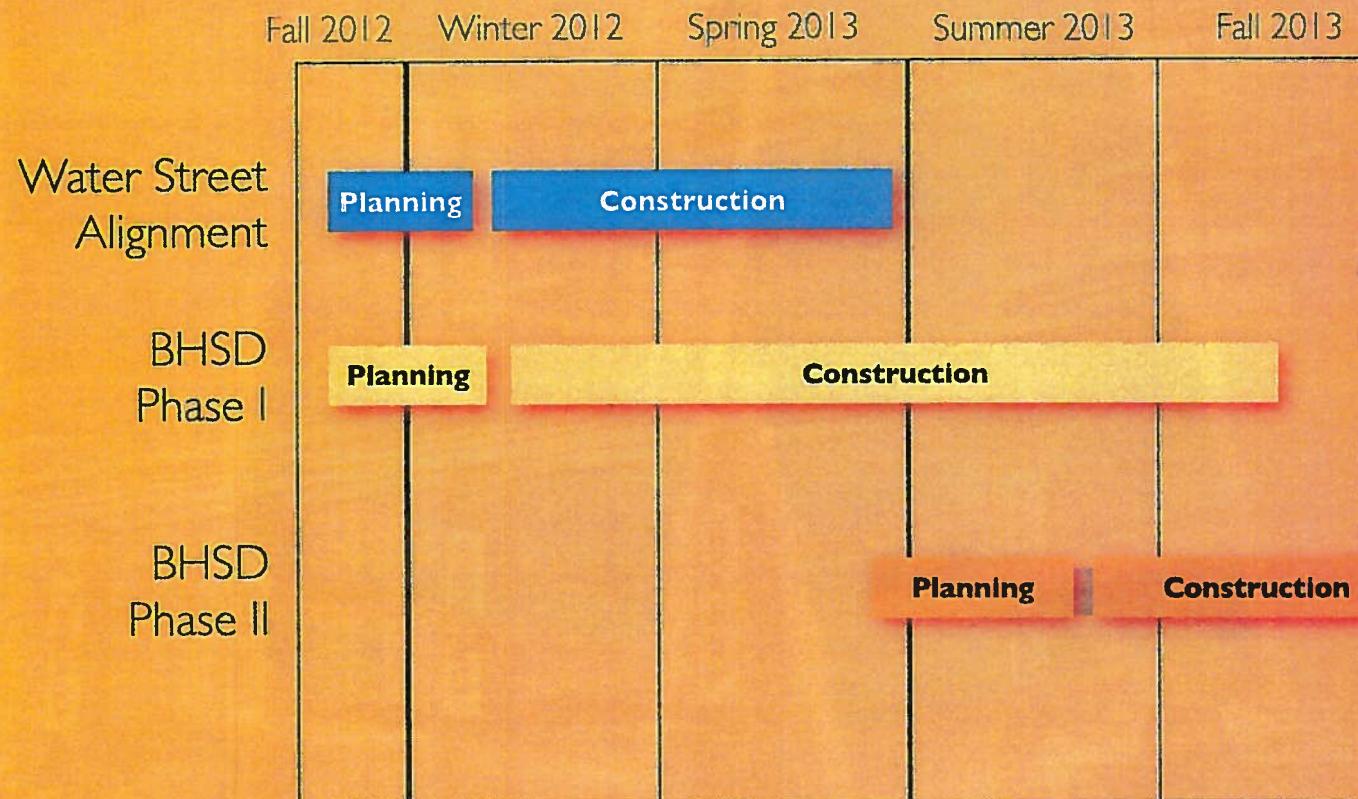
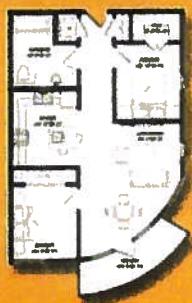
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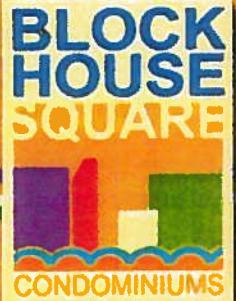
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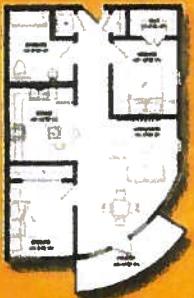


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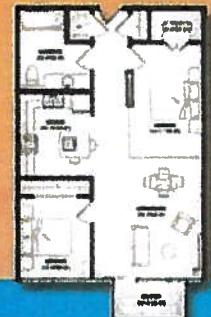
STRATEGIC FIT

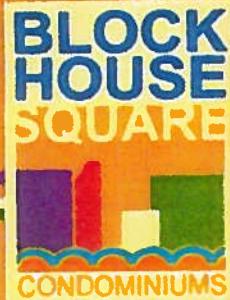


- Financial support for the straightening of Water Street
- Total economic impact (Phase I)
 - Increase tax base by 39 residence
 - Increase tax base by ~22 businesses
 - Increase of retail / commercial space
 - Job creation
 - Construction phase
 - Operations
 - Parking revenue
- Protected / indoor parking
- Increased consumer trade for Brockville / Downtown Brockville
- Revitalization of Downtown Brockville

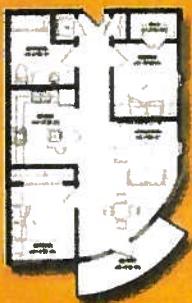
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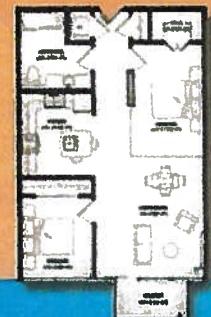
IMMEDIATE CONSIDERATIONS



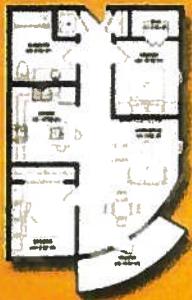
- Value of City land
- Title transfer - restrictive covenants
- Parking and parking management
 - Public vs. private use
- Timing of phasing
- Public input
- Coordination with other developments
- Tourism Office location
- Private residential relocation / lease
- Potential property remediation cost & timing
- Site compliance
- Hydro-line relocation

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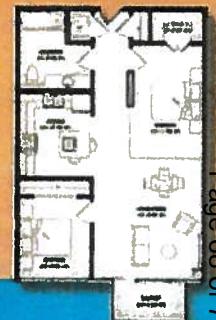
ISSUE MANAGEMENT

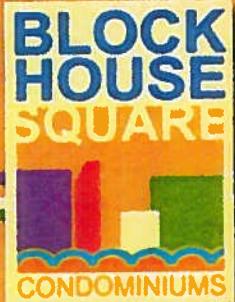


- Be proactive:
manage issues before they become problems
- Be attentive:
listen and collaborate with ALL stakeholders
- Be willing:
to find the Canadian compromise
- Be action oriented:
back-up words with action

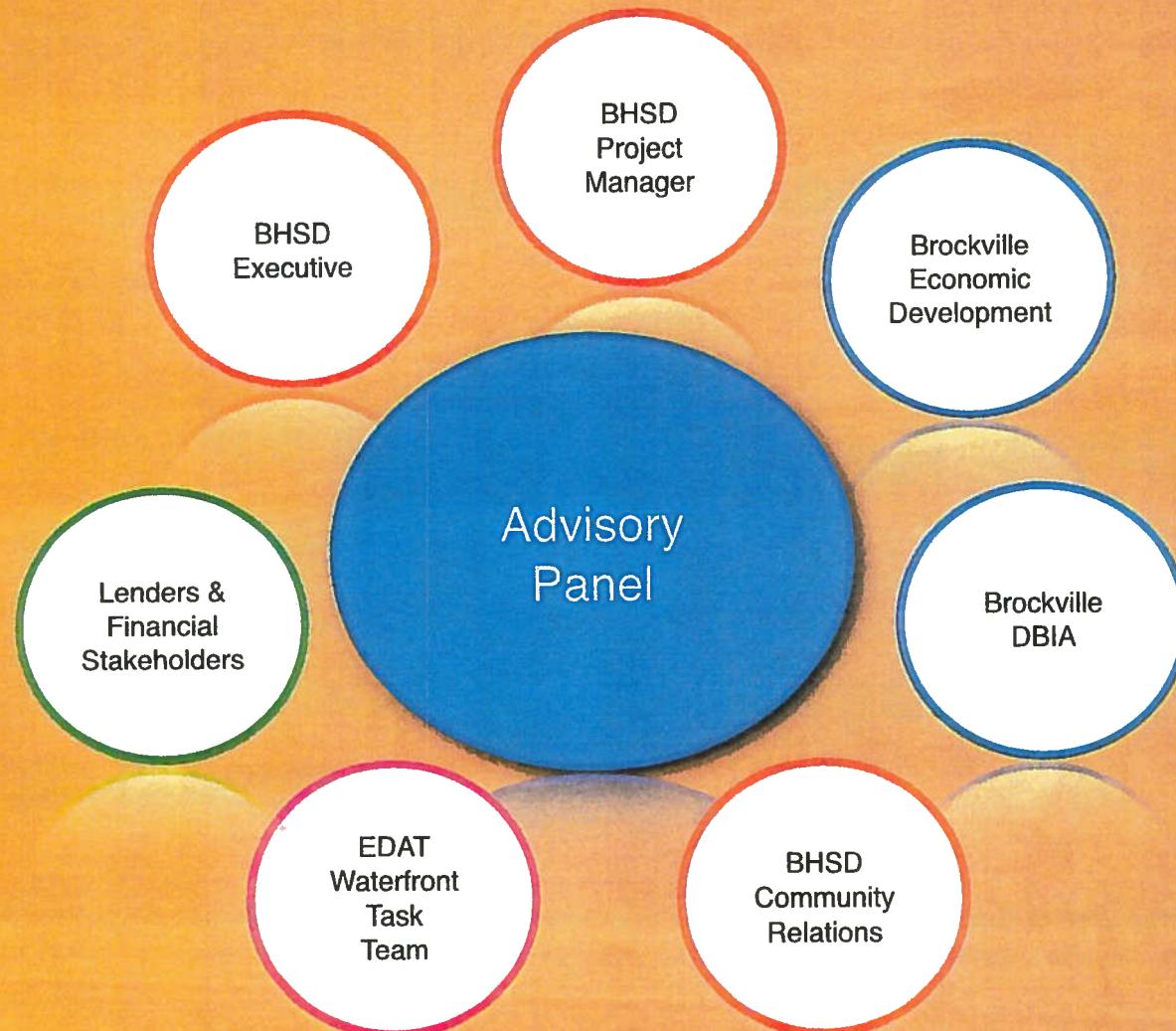
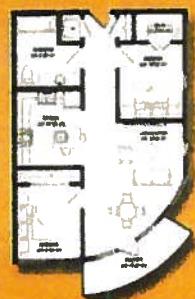
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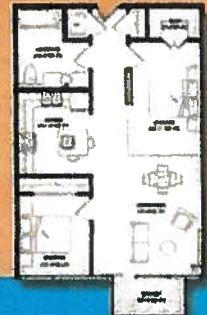


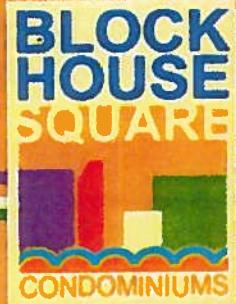
ISSUE MANAGEMENT



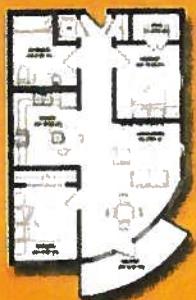
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OVERVIEW

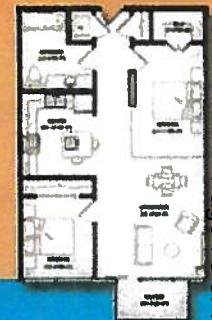


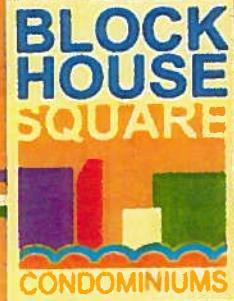
- City's "Request for Interest and Qualifications"
 - Mixed residential, commercial & parking
 - General area of Market, Water & Broad Street block
- Blockhouse Square Development Ltd (BHSD)
 - Ltd. company established
 - Leadership team assembled
 - Landmass acquired
 - Vision to paper, engineering & design
 - June 2012 submitted proposal

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10-2012

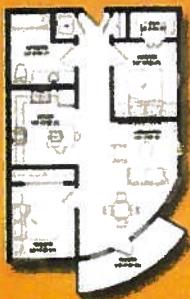
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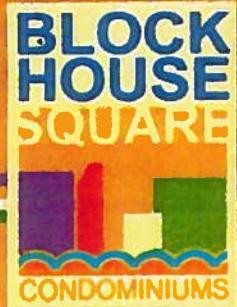
THE TEAM



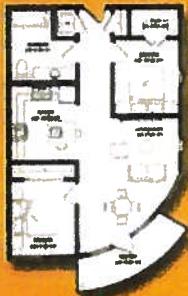
- Consortium of companies - professionals and private individuals
 - 30 year track record of success in real estate construction
 - Consortium approach provides the advantage of sourcing best in class expertise
 - Novel approach provides methods to reduce overall costs allowing reduction in square footage price



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LEADERSHIP TEAM



Carlos Canejo
President & Chair

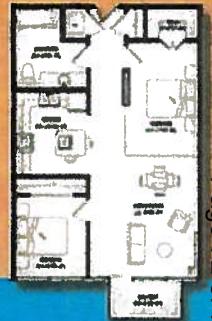
Mike Nero
CFO

Martin

Stewart Williams
Sales Coordination

James Wilson
Marketing & Communications

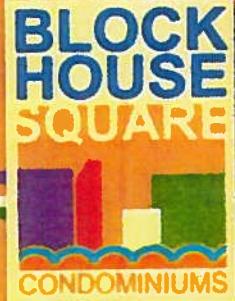
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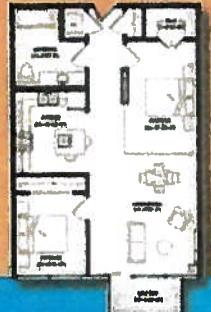
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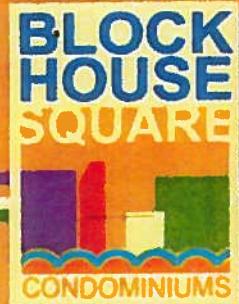


- Update
- Phased Approach
 - Phase I
 - Phase II
 - Maintain continuous workflow
- Current plan
 - Designs
 - Elevations
 - Floor plan

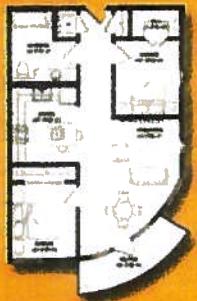
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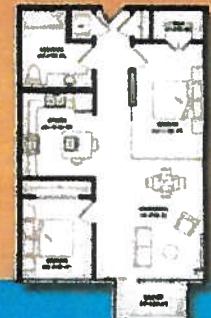




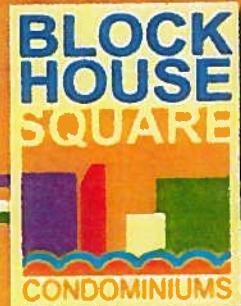
STATUS: UPDATE



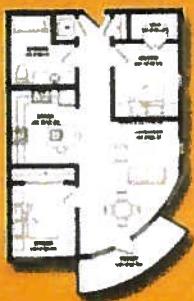
- Committed XX Pre-launch “Option to Purchase Contracts”
- Revised floor plans enhancing the unit’s purchase appeal
- Reduction in square footage costs to the buyer allowing a 2 bedroom condo to be offered at \$189,900
- \$16M in Financing remains in place contingent upon city’s support
- Preliminary engineering discussions with city has begun



Slide



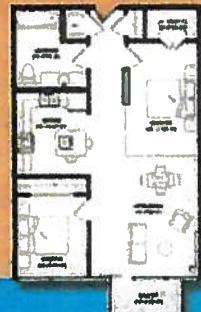
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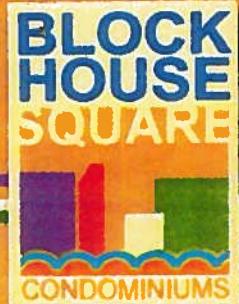


- 9 levels total:
 - Level 1 - commercial
 - Level 2 - commercial residential
 - Level 3-9 - residential
 - Level 1-9 - boutique hotel
 - Phase I
 - Water Street realignment
 - Under ground parking number of units
 - Construction of levels 1 through 3
 - Phase II
 - Construction of levels 4 through 9

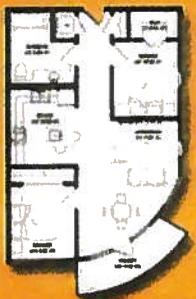
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7





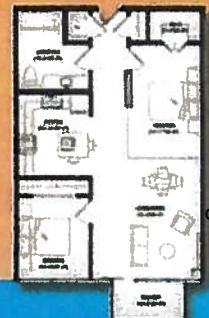
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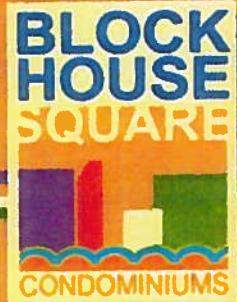


- Phase I
 - 39 residential units
 - 22 commercial units
 - ~300 underground parking spots
- 2 residential styles
 - 2 bedroom
\$189,900
 - Corner Suite 2 bedroom
\$279,900

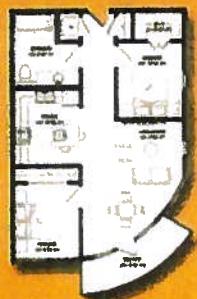
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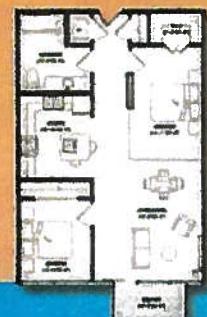
DESIGN



- Designed by award winning Architects
- Upscale lifestyle in downtown
- Maintain heritage of Brockville water front
- Stately architecture
- Leverage waterfront views
- Add to excitement of other developments

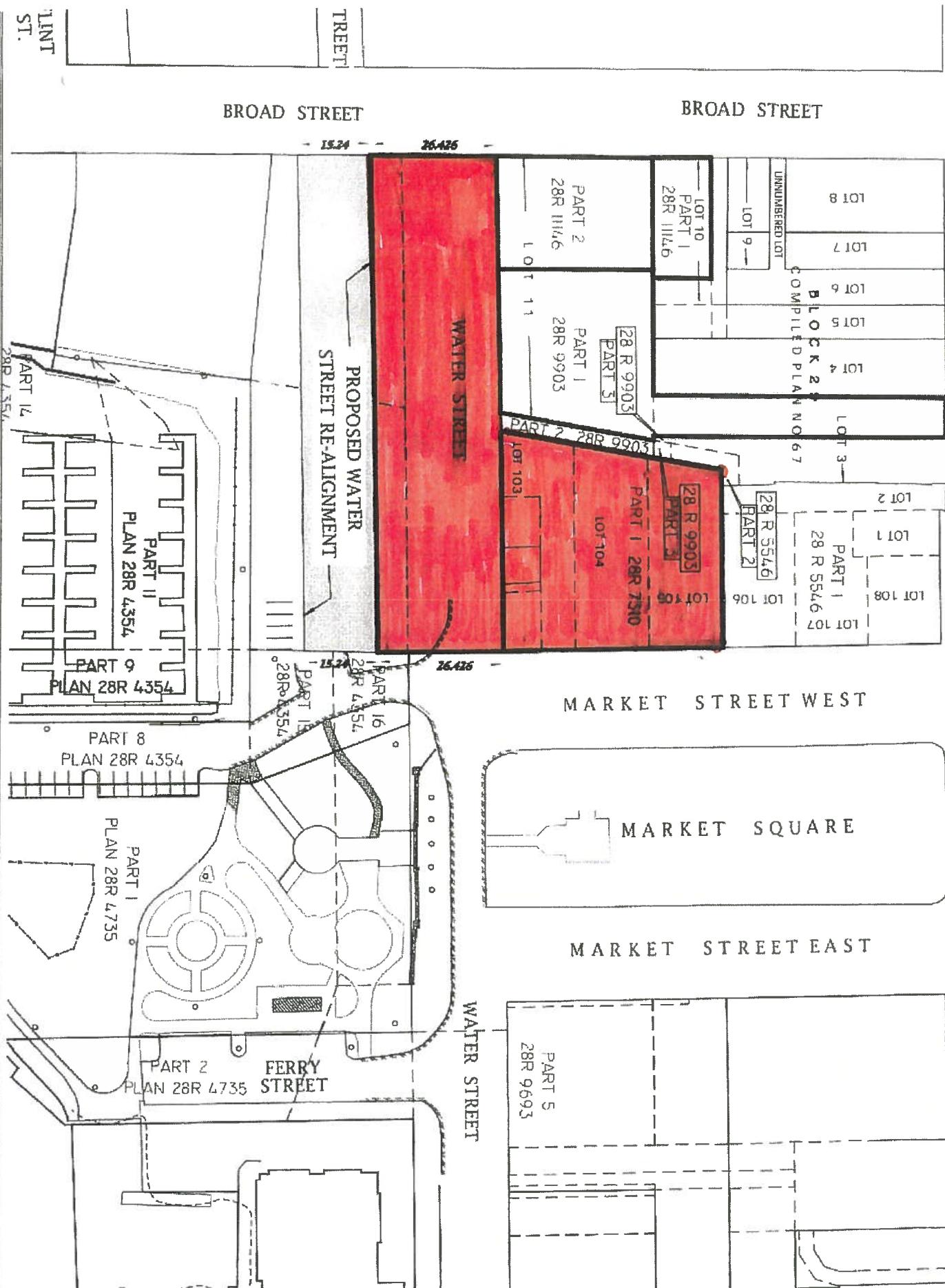
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9



KINGSTWEST

SKETCHES
PROPERTY
BETWEEN
MARKET ST.
PROPOSED
RENTAL



Schedule "C"



2

1

Schedule "C"