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

Page

DISCLOSURE OF INTEREST

MOTION TO MOVE INTO CLOSED SESSION (5:30pm)

STAFF REPORTS

- | | |
|-------|--|
| 3-5 | 1. 2012-100-06
Quotation Q2012-06
One Crew Van for ERT Police Services |
| 7-21 | 2. 2012-097-06
Proposed Changes to Sign By-Law 84-89
Portable Sign Regulations |
| 23-28 | 3. 2012-098-06
Proposed Amendment to Sign By-Law 84-89,
2399 Parkedale Avenue, City of Brockville
Thousand Islands Mall |
| 29-34 | 4. 2012-099-06
Proposed Amendment to Sign By-Law 84-89
1515 Kensington Parkway, City of Brockville
Ecole Ange Gabrielle |
| 35-41 | 5. 2012-101-06
Conditional Permit Agreement with Ogilvie Realty Ltd.
605 King Street West, City of Brockville |

NEW BUSINESS - REPORT FROM MEMBERS OF COUNCIL

CONSENT AGENDA

**30MAY2012
REPORT TO EDP COMMITTEE – JUNE 5, 2012**

**2012-100-06
QUOTATION Q2012-06 - ONE CREW
VAN FOR ERT, POLICE SERVICES**

**C.J. COSGROVE, P. ENG.
DIRECTOR OF OPERATIONS
L. MACARTHUR
DEPUTY POLICE CHIEF
C.G. MCCANN
FLEET SUPERVISOR
A.J. ROSSETTI
FINANCIAL ADMINISTRATIVE ANALYST**

RECOMMENDATION

THAT the quotation from Riverside Ford, Brockville, Ontario, in the amount of thirty-two thousand seven hundred sixty-five dollars and forty-eight cents (\$32,765.48) for the purchase of one Ford E350 Crew Van for the Emergency Response Team (ERT), Police Services, be accepted and;

THAT the necessary funds be expensed from the Fleet Capital Account 9101010-9902022-9361.

ORIGIN

The purchase of a crew van for the EMT and other administrative duties for the Police Services is an approved item in the Fleet Management Program, Item 6.1 in the 2012 Capital Budget.

ANALYSIS

In May 2012 Quotation Q2012-06 for one crew van was received with the following results:

1. Riverside Ford Sales Limited, Brockville, Ontario	\$32,765.48
2. Donnelly Ford Lincoln, Ontario	\$32,880.74
3. Edwards Ford, Kingston, Ontario	\$33,345.17

The amounts quoted include HST. Quotations have been verified and meet City specifications. These vehicles are at 2012 pricing until June 15, 2012; therefore to avoid a price increase for the next model year we recommend that we place this order before the above date.

POLICY

As per Purchasing By-Law 090-2005, Council approval is required when bids received are over the budgeted amount.

FINANCIAL ANALYSIS

The approved Capital Budget was \$20,000 for a used vehicle. The low quote submitted by Riverside Ford, Brockville, Ontario meets the specifications and requirements for Police Services was \$32,765.48 (including HST). The cost of this new vehicle compared to the original budget is an over expenditure of \$9,475.80 (after tax rebate).

The total approved value of the 2012 Police Services Fleet Budget is \$163,538. Including the recommended net cost of \$32,765.48 (including tax rebates) for the crew van, the total saving for the equipment purchased to date is \$20,336.31. Please see chart below.

Items	Approved Budget	Actual Cost (After Full Tax Rebate)	Variance (+/-)
Front Line Patrol Vehicle	\$40,173.	\$36,177.72	\$ 3,995.28
Administration Vehicle	37,962	19,637.17	18,324.83
Traffic Radar Vehicle	37,962	30,470.00	7,492.00
Crew Van (ERT Vehicle)	20,000	29,475.80	-9,475.80
Refurbishing Unit 40897B	12,068	12,068	0.00
Specialized Equipment	15,373	15,373	0.00
Total	163,538	115,760.69	20,336.31


Note: Purchase of specialized equipment has not been completed as well as the refurbishing of unit 40897B, therefore no variance to report at this time.


D. Cyr
Director of Finance


Deputy Chief L. MacArthur
Police Services



B. Casselman
City Manager



C. J. Cosgrove
Director of Operations



C. McCann
Fleet Supervisor



A. J. Rossetti
Financial Administrative Analyst

30 May 2012

**REPORT TO THE ECONOMIC DEVELOPMENT PLANNING COMMITTEE -
5 JUNE 2012**

2012-097-06

**PROPOSED CHANGES TO SIGN BY-LAW 84-89
PORTABLE SIGN REGULATIONS**

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

RECOMMENDATION:

THAT Sign By-law 84-89 be amended respecting portable sign regulations to revise the number of signs per property, the distance between signs, the condition and quality of signs, the timeline of portable sign installation permitted in Commercial and Industrial Zones to increase from 90 to 180 days, and other modifications pertaining to signs in Institutional and Rural Zones, as specifically outlined in the Conclusion to Report 2012-097-06.

ORIGIN:

On 04 Oct 2011, Ms. Nancy Hauk, Owner/Operator of Magnetsigns, put forward a suggestion at the Economic Development and Planning Committee Meeting that an Ad Hoc Committee be struck to review Sign By-law 84-89 as it pertains to portable sign regulations within the City of Brockville.

Council subsequently created an Ad Hoc Committee on Portable Signage to review the regulations and report back to the EDP Committee at a later date.

Membership on the Ad Hoc Committee on Portable Signage is: Nancy Hauk (Magnetsigns); Mitch Provost (SmartCentres); Louise Severson (Severson Cleaners); Arnold Dixon (Kia Brockville); Gary Gzik (BizExel); and Brenda Clark (DBIA). Support to the Ad Hoc Committee has been provided by Andrew McGinnis, Planner II.

On 01 May 2012, Nancy Hauk presented the Ad Hoc Committee's recommendations to the EDP Committee for its consideration. The recommendations put forward by the Ad Hoc Committee relate to the number of signs permitted on a property, the distance between signs, the condition of the sign, as well as the possibility of permitting portable signs for a twelve (12) month period.

Attached hereto as **Schedule "A"** is a copy of the presentation made by Ms. Hauk on behalf of the Ad Hoc Committee on 01 May 2012.

The EDP Committee sent the information back to staff for review and recommendations. Staff has completed a review of the current by-law regulations in comparison to the Ad Hoc Committee's requested changes, the findings of which are contained further in this report.

ANALYSIS:

Various sections of the Municipal Act provide municipalities with the authority to pass by-laws to control signage and other advertising devices. Signs within the Corporation of the City of Brockville are regulated under City of Brockville By-law 84-89, as amended, known as the Sign By-law.

The current portable sign regulations came into effect in 2000. The following is a full breakdown of the current regulations pertaining to portable signs.

Existing Regulations: Portable Signs

Section 2.30 of By-law 84-89, as amended, defines a *“Portable Sign”* as *“a temporary sign which is specifically designed or intended to be readily moved from one location to another, and which does not rely on a building or fixed foundation for its structural support, and includes a mobile or an inflatable sign, but does not include a ground sign, A-board sign or panel sign.”*

Section 5 – General Regulations Applicable to All Signs in All Zones and more specifically, Section 5.17 states that *“Portable signs, where permitted in this by-law, shall:*

- (a) be restricted in size to 5 square metres (53 sq.ft.) per sign face (maximum 2 sign faces), with inflatable sign limited to a maximum height and width of 2.5 metres (8.2 ft.);*
- (b) not be located in a visibility triangle;*
- (c) be set back from ingress/egress driveways and side lot lines a distance of 5 metres (17 ft.), to be increased to 10 metres (33 ft.) from side lot lines which abut residential uses;*
- (d) be limited to one (1) such sign on any property, except that on properties with frontage of 92 metres (300 ft.) or greater, two (2) portable signs are permitted; and*
- (e) be located only on the ground.”*

Section 8 - Signs in Commercial or Industrial Zones, subsection 3 states *“Portable signs are permitted subject to the general regulations of this By-law. Portable signs are permitted for a maximum of 30 calendar days. Furthermore, the proprietor of any business shall be limited to three (3) permits per calendar year for any business location.”*

Section 9 - Signs in Institutional Zones, subsection 3 states *“Portable signs may be permitted by resolution of Council only, for a maximum period of 15 calendar days, subject to the general regulations of this By-law.”*

With respect to sign permit fees, these are established annually through the User Fee By-law. Currently, the fee payable for a sign permit, including portable signs, is \$60.00⁽²⁰¹²⁾.

For information and review purposes, staff compiled portable sign regulation information from other comparable municipalities which were selected based on population size as well as being comparables used by the City of Brockville Human Resources Department for job description and wage comparisons. A list of the cities/towns used and the respective portable sign regulations in effect was provided to the Ad Hoc Committee and is attached to this report as **Schedule “B”**.

Review of Existing Regulations: Portable Signs

Section 2 - Definitions

As previously stated, Section 2.30 of Sign By-law 84-89 defines a “*Portable Sign*” as “*a temporary sign which is specifically designed or intended to be readily moved from one location to another, and which does not rely on a building or fixed foundation for its structural support, and includes a mobile or an inflatable sign, but does not include a ground sign, A-board sign or panel sign.*” The Ad Hoc Committee on Portable Signage confers with the above definition and proposes no change.

Section 5 – General Regulations Applicable to all signs in all zones

The chart below outlines what has been proposed by the Ad Hoc Committee on Portable Signage as it relates to Section 5.17 Portable Signs.

	CURRENT	AD HOC COMMITTEE PROPOSED AMENDMENTS
a)	5.0 sq. m (53 sq ft.) per sign face (max 2 faces)	None
b)	Not to be located within the visibility triangle	None
c)	Set back from ingress/egress & side lot line a minimum of 5 metres	None
d)	1 sign on properties < 92 m (300 ft) frontage 2 signs on properties > 92 m (300 ft) frontage	1 sign on properties < 76.2 m (250 ft) frontage 2 signs on properties 76.2 m (250 ft) to 182.8 m (600 ft) frontage 3 signs on properties 182.8 m (600 ft) to 304.8 m (1000 ft) frontage 4 signs on properties > 304.8 m (1000 ft) frontage
e)	Located on the ground	Be located on the ground with a minimum distance between signs of 23 m (75 ft)
f)	None	Cannot contain advertising outside the sign frame
g)	None	Be of professional quality, clearly legible & current
h)	None	No more than one (1) sign per business.

Section 8 – Signs in Commercial and Industrial Zones - Subsection 8.3

Subsection 8.3 of Sign By-law 84-89 states that “portable signs are permitted for a maximum of 30 calendar days. Furthermore, the proprietor of any business shall be limited

to three (3) permits per calendar year for any business location". These permits can be issued separately or combined under one (1) permit for 90 consecutive days.

The Ad Hoc Committee on Portable Signage proposes the following:

- a) *Portable signs are to be permitted for a maximum of 90 calendar days.*
- b) *Consecutive permits will not be granted if another business on the property applies for a permit within the required timeframe.*
- c) *New permit applications cannot be submitted more than 60 days in advance. If there is currently a sign on the property, a new permit application cannot be submitted less than 10 days prior to end of term*
- d) *Permit renewal cannot be submitted more than 9 days prior to end of term.*

The above proposal would provide a place of business with the opportunity of having a portable sign for 365 days per year. This is obtainable should no other business in the complex apply for use of the portable sign.

Example 1 (based on the Ad Hoc Committee's recommendation):

Three (3) businesses share one (1) property with a frontage of 150.0 meters (492.1 feet).

Businesses 1 and 2 apply for (\$60.00²⁰¹² fee) and obtain permits for 90 days (Jan-Feb-March). Prior to the expiration of the Jan-Feb-March permits, Businesses 1 and 2 reapply for a renewal but not more than nine (9) days prior to the end of the term. [Note: The reason for the nine (9) day time frame is so as not to create a monopoly on the use of a portable sign. This time frame will provide Business 3 the opportunity to apply for April-May and June.] In this case, Business 3 decides not to have a portable sign until later in the year. Therefore, Businesses 1 and 2 are granted a second permit (\$60.00²⁰¹² fee) for 90 days (April-May-June). The same situation occurs for July-August-September. Businesses 1 and 2 have now each had a portable sign in place for 270 days.

Prior to mid-September, Business 3 applies for (\$60.00²⁰¹² fee) and is granted a permit for Oct-Nov-Dec. Now only one (1) additional permit is permitted on a property with a frontage of 150.0 metres (492.1 feet). Business 2 submits an application (\$60.00²⁰¹² fee) but not more than nine (9) days prior to the end of the September term. Business 2 is granted a forth permit and now has had a portable sign for 365 days. Business 1 can no longer apply for Oct-Nov-Dec.

Based on the above, permits could be granted for a time period of 365 days provided all the time frames are adhered to and fees are paid. Should a business apply for and obtain permits totalling 365 days, the fees applied would total \$240.00.

Planning staff has examined the proposed amendment relating to the time frame permitted and suggest that the proposed change in regulation is inconsistent with the definition of

“Portable Sign” that was agreed to/confirmed by the Ad Hoc Committee. The definition refers to a temporary sign, and by permitting the sign for a full 365 days, is contrary to the general intent of the definition. In addition, monitoring who can apply and when, would be difficult to administer, particularly with the City’s current software.

Alternatively, Planning staff recommends an amendment to the current By-law regulation from 90 days to a total of 180 calendar days. This doubles the time allotment currently permitted but still meets the intent of the definition. The applicant will still be required to apply for permits at \$60.00²⁰¹² per application. A permit could be issued for 30, 60 or 90 days. Following the expiration of the first application, an additional permit could then be issued for the same time frame up to a maximum of 180 days.

Example 1 (based on the Staff recommendation):

A business wants a portable sign for March, April, June, July, September and November. The total fees would be \$240.00²⁰¹². Four (4) separate permits would need to be issued for a total of 180 days.

Example 2 (based on the Staff recommendation):

A business wants a portable sign for March, April, May, July, August and September. The total fees would be \$120.00²⁰¹². Two separate 90 day permits would be issued provided all regulations are complied with for a total of 180 days.

Section 9 – Signs in Institutional Zones – Subsection 9.3

Subsection 9.3 of Sign By-law 84-89 currently states that “Portable signs are permitted by resolution of Council only, for a maximum period of 15 calendar days, subject to the general regulations of this By-law”.

The Portable Sign By-law Ad-Hoc Committee proposed that:

- a) Portable signs be permitted for a maximum of 90 calendar days at which time they will be subject to renewal; and,
- b) Portable Signs are only permitted in institutional zones for advertising purposes for churches, schools and institutions.

Staff has reviewed the proposed amendment to Section 9.3 and recommend a maximum of 90 days (no renewal) be permitted for institutional zones.

Section 10 – Signs in Rural Zones

While the Ad Hoc Committee did not address Section 10 – Signs in Rural Zones, staff has observed that the current regulations would permit the installation of portable signs on any

property in the City where Rural Zones are in effect. While it is reasonable for there to be opportunities for commercial uses in the Rural Zones to utilize portable signage, the current regulations are not limited to only commercial uses.

Planning staff believes that Section 10 should be modified to allow portable signs only for commercial uses located in the Rural Zones, and further, that similar regulations to those recommended for Institutional Zones (Section 9) be applicable to portable signage use in the Rural Zones.

CONCLUSION:

Planning staff has reviewed the conclusions brought forward by the Ad Hoc Committee on Portable Signage, and concur with many of the recommendations. However, there are concerns with allowing the potential for portable signs to be left in place for 365 days a year, as this is inconsistent with the general intent of portable signs as temporary installations.

Therefore, staff recommends that amendments be brought forward to City of Brockville Sign By-law 84-89 so that the following regulations are applicable to portable signage:

Section 2 - Definitions, Subsection 2.30

“Portable Sign” means a temporary sign which is specifically designed or intended to be readily moved from one location to another, and which does not rely on a building or fixed foundation for its structural support, and includes a mobile or an inflatable sign, but does not include a ground sign, A-board sign or panel sign.”

Section 5 - General Regulations, Subsection 5.17 Portable Signs

Portable signs, where permitted in this by-law, shall:

- (a) be restricted in size to 5 square metres (53 sq.ft.) per sign face (maximum 2 sign faces), with inflatable sign limited to a maximum height and width of 2.5 metres (8.2 ft.);*
- (b) not be located in a visibility triangle;*
- (c) be set back from ingress/egress driveways and side lot lines a distance of 5 metres (17 ft.), to be increased to 10 metres (33 ft.) from side lot lines which abut residential uses;*
- (d) be limited to one (1) sign on any property with a frontage less than 76.2 metres (250.0 feet), be limited to two (2) signs on properties with frontage measuring between 76.2 metres (250.0 feet) and 182.8 metres (600.0 feet), be limited to three (3) signs on properties with frontage between 182.88 metres (600.00 feet) and 304.8 metres (1000.0 feet), and be limited to a maximum of four (4) signs on properties with frontage greater than 304.8 metres (1000.0 feet);*

- properties with frontage greater than 304.8 metres (1000.0 feet);*
- (e) be located only on the ground with a minimum distance between signs of 23 metres (75.0 feet);*
 - (f) the sign shall not contain advertising outside of the sign frame;*
 - (g) the sign shall be of professional quality, clearly legible & current;*
 - (h) no more than one (1) sign per business shall be permitted; and,*
 - (i) two businesses shall not be permitted to share the same sign.*

Section 8 - Signs in Commercial and Industrial Zones, Subsection 8.3 Portable Signs

Portable signs are permitted subject to the general regulations of this By-law.

- a) Portable signs are permitted for a maximum of 30 to 90 calendar days;*
- b) The proprietor of any business shall be limited to 180 days per calendar year;*
- c) Consecutive permits will not be granted if another business on the property applies for a permit within the required timeframe;*
- d) New permit applications cannot be submitted more than 30 days in advance; and,*
- e) Permit renewal cannot be submitted more than 10 days prior to end of term.*

Section 9 - Signs in Institutional Zones, Subsection 3. Portable Signs

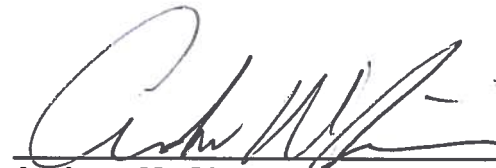
Portable signs are permitted for a maximum of 90 calendar days, subject to the general regulations of this By-law.

Section 10 - Signs in Rural Zones

Signs for commercial uses located in the rural zones shall be subject to regulations contained in Section 9 – Signs in Institutional Zones.



M. Maureen Pascoe Merkley, MCIP, RPP
Director of Planning



Andrew McGinnis, MCIP, RPP
Planner II



Bob Casselman
City Manager

PORTABLE SIGNS



**Ad Hoc Committee
May 2012**



RELEVANT BYLAW SECTIONS

Section 2 – Definitions

Section 5 – General Regulations applicable to all signs in all zones

Section 8 – Signs in Commercial and Industrial Zones

Section 9 – Signs in Institutional Zones

RECOMMENDATIONS — Section 2.30

CURRENT

“Portable Sign”, means a temporary sign which is specifically designed or intended to be readily moved from one location to another, and which does not rely on a building or fixed foundation for its structural support, and includes a mobile or an inflatable sign, but does not include a ground sign, A-board or panel sign. (By-law 50-2000)

PROPOSED AMENDMENT

none

RECOMMENDATIONS — Section 5.17

CURRENT		PROPOSED AMENDMENT
a)	5.0 sq m (53 sq. ft) per sign face (max 2 faces); inflatable signs 2.5 m high & wide	none
b)	Not be located in visibility triangle	none
c)	Set back from ingress/egress & side lot 5	none
d)	1 sign on properties < 92 m (300ft) 2 signs on properties > 92 m (300ft)	1 sign on properties < 76.2m (250ft) 2 signs = 76.2m - 182.88m (600ft) 3 signs = 182.88m – 304.8m (1000ft) 4 signs > 304.8m (1000ft)
e)	located on the ground	Be located on the ground with a distance between signs of 23m (75ft)
f)	none	Can not contain advertising outside the sign frame
g)	none	Be of professional quality, clearly legible & current
h)	none	No more than one sign per business

RECOMMENDATIONS — Section 8.3

CURRENT

Portable signs are permitted for a maximum of 30 calendar days. Furthermore, the proprietor of any business shall be limited to three (3) permits per calendar year for any business location. (By-law 50-2000)

PROPOSED AMENDMENT

- a) *Portable signs are permitted for a maximum of 90 calendar days.*
- b) *Consecutive permits will not be granted if another business on the property applies for a permit within the required timeframe.*
- c) *New permit applications cannot be submitted more than 60 days in advance. If there is currently a sign on the property, new permit application cannot be submitted less than 10 days prior to end of term*
- d) *Permit renewal can not be submitted more than 9 days prior to end of term.*

RECOMMENDATIONS — Section 9.3

CURRENT

Portable signs are permitted by resolution of Council only, for a maximum period of 15 calendar days, subject to the general regulations of this By-law. (By-law 50-2000)

PROPOSED AMENDMENT

- a) Portable signs are permitted for a maximum period of 90 calendar days at which time they will be subject to renewal.
- b) Signs only allowed in institutional zones for advertising purposes for churches, schools and institutions. Portable signs will only be permitted on the property of the church, school or institution.



SUMMARY

The recommendations from the Ad Hoc Committee are meant to;

“Encourage the growth and development of businesses by recognizing their choice to use portable signs to advertise, yet maintain public space by regulating the number of signs as well as their size, location and quality.”

SCHEDULE "B" – Report 2012-097-06

City/Town	Population	Timeframe per annum	Area	Fee
Perth	5,907	60 days		\$75/60 days
Port Hope	16,390	60 days	48.4 ft ² per side	\$50/60 days
Port Colborne	18,599	30 - 120 days	64.5 ft ² per side	\$15/15 days
Owen Sound	21,753	21 days (x4) with 60 days between permits	40 ft ² per side	\$50/21 days
Brockville	21,957	30 - 90 days	53 ft² per side	\$60/up to 90 days
Orangeville	26,925	365 days	37.5 ft ² per side	\$75.00 per month
Orillia	30,259	30 - 90 days	71.8 ft ² per side	\$50.00 for the first 32.3 ft ² of sign area or part thereof and \$10.00 for each additional 10.0 ft ² .
Stratford	30,461	21 days (x6) with 21 days between permits	10.7 ft ² per side - lettering must be black and white	\$188.00
Woodstock	35,480	30 days	no size limit	\$50
Cornwall	45,965	30 days	Average Size	Unavailable
Belleville	48,821	1 - 90 days	50 ft ² per side	\$10 per week/\$15.50 for 30 days whichever is lesser
Waterloo	97,475	30 - 90 days (x2)	35 ft ² per side	\$40/30 days
Guelph	114,943	30 days (x4)	45 ft ² per side	\$65/30 days
Kingston	117,207	30 - 90 days (subject to renewal)	60 ft ² per side	\$53/30 days
Markham	261,573	14(x3) or 21(x2) (90 days between permits)	64.5 ft ² per side - lettering must be black and white	\$52/7 days
Hamilton	504,599	14 - 84 days (with only 45 consecutive and 14 days between each permit)	48.5 ft ² per side	\$65/14 days \$100/28 days \$150/45 days

**29 MAY 2012
REPORT TO THE ECONOMIC DEVELOPMENT PLANNING COMMITTEE
5 JUNE 2012**

**2012-098-06
PROPOSED AMENDMENT TO SIGN BY-LAW 84-89
2399 PARKEDALE AVENUE
1000 ISLANDS MALL
OWNER: STRATHALLEN CAPITAL CORP.**

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

RECOMMENDATION:

THAT City of Brockville Sign By-law 84-89 be amended to allow a replacement ground sign to be constructed at 2399 Parkedale Avenue, City of Brockville, to include an electronic message board, with a maximum sign area of 15.4 m² (165.0 ft²) per side.

PURPOSE:

The purpose of this report is to report on an application for Amendment to City of Brockville Sign By-law 84-89, received from Eskerod Signs, acting as Agent for Strathallen Capital Corp., owner of the 1000 Islands Mall identified municipally as 2399 Parkedale Avenue, City of Brockville.

The application requests that City of Brockville Sign By-law 84-89 be amended to permit a new ground sign with electronic message board to be erected on the Parkedale Avenue frontage of the 1000 Islands Mall as a replacement for the existing ground sign. The sign location and sign format are discussed in more detail elsewhere in this report.

BACKGROUND:

Currently the 1000 Island Mall is utilizing a number of advertising options that are affixed to the building in addition to the existing ground sign located on Parkedale Avenue. In the past, the mall has also utilized the advertising option of multiple portable signs for this location.

The proposed sign as designed is not permitted under Sign By-law 84-89, as amended. Amendments to Sign By-law 84-89 are required to be granted by Council for the Corporation of the City of Brockville. The application is for the following amendments:

- To permit an Illuminated sign of an animated and/or flashing nature; and,
- To permit a maximum sign area of 30.65 square metres (330.0 square feet).

ANALYSIS:

Various sections of the Municipal Act provide municipalities with the authority to pass by-

Proposed Amendment to Sign By-law 84-89**Applicant: Eskerod Signs****Owner: Strathallen Capital Corp.**

laws to control signage and other advertising devices. Signs within the Corporation of the City of Brockville are regulated under City of Brockville By-law 84-89, known as the Sign By-law.

Currently the 1000 Islands Mall is utilizing an existing ground sign located on the Parkedale Avenue frontage. The owners are proposing to remove and replace the existing sign twenty feet to the west along Parkedale Avenue.

Schedules “A” and “B” to this report identify the proposed sign location and a photograph of the existing property. This sign is to be used to identify tenants within the 1000 Island Mall and to provide an area for periodic messages. The sign placement will not overhang the City lands (Parkedale Avenue).

The proposed sign is composed of a double support column system and a double faced electronic message board. The sign frame is proposed to be a navy blue and the advertising colouring will resemble the businesses being displayed. **Schedule “C”** to this report illustrates the proposed sign, including dimensions for the proposed sign. Construction materials and construction details are subject to review and approval under the Ontario Building Code.

The proposed sign is composed of two distinct sections. The upper section identifies the mall and its tenants and the lower section provides an area for changeable messages. Should Council approve the proposed amendment to allow this sign type, off-site advertising is not permitted on the digital board or otherwise.

The 1000 Island Mall is located very close to one (1) of the busiest intersections within the City. The property is zoned C6-X8-1 – Shopping Centre Special Exception Zone. The proposed sign meets all by-law regulations relating to location. However, the sign exceeds the maximum size allotment and it is to be of an illuminated and flashing display nature.

The proposed sign design and location has been circulated to the Operations Department, Environmental Service Department and Building Department. No objections were received. However, based on the drawing submitted for review, the sign is supported on columns that will require an engineer to review and stamp prior to the building permit application being reviewed.

In addition, By-law 84-89, as amended, Part 5, Section 5.10 states that *“Illuminated or luminous signs of an animated and/or flashing nature shall not be permitted.”*

To-date, there have been six (6) electronic message signs authorized within the City as amendments to the Sign By-law as follows:

- 125 Stewart Boulevard, Brockville Shopping Centre (1999)
- 555 Stewart Boulevard, 1000 Islands Toyota (2001)

Proposed Amendment to Sign By-law 84-89**Applicant:** Eskerod Signs**Owner:** Strathallen Capital Corp.

- 2510 Parkedale Avenue – Thousand Island Secondary School (2004)
- 2288 Parkedale Avenue, St. Lawrence College (2006)
- 90 Pearl Street East, Brockville Collegiate Institute
- 103 Broome Road, Pro Oil Changers (2012)

The above-noted signs were evaluated from safety, traffic, visibility, driver distraction and overhead clearance concerns and the final locations were tailored to resolve the concerns brought forward.

POLICY IMPLICATIONS:


None.

FINANCIAL CONSIDERATIONS:

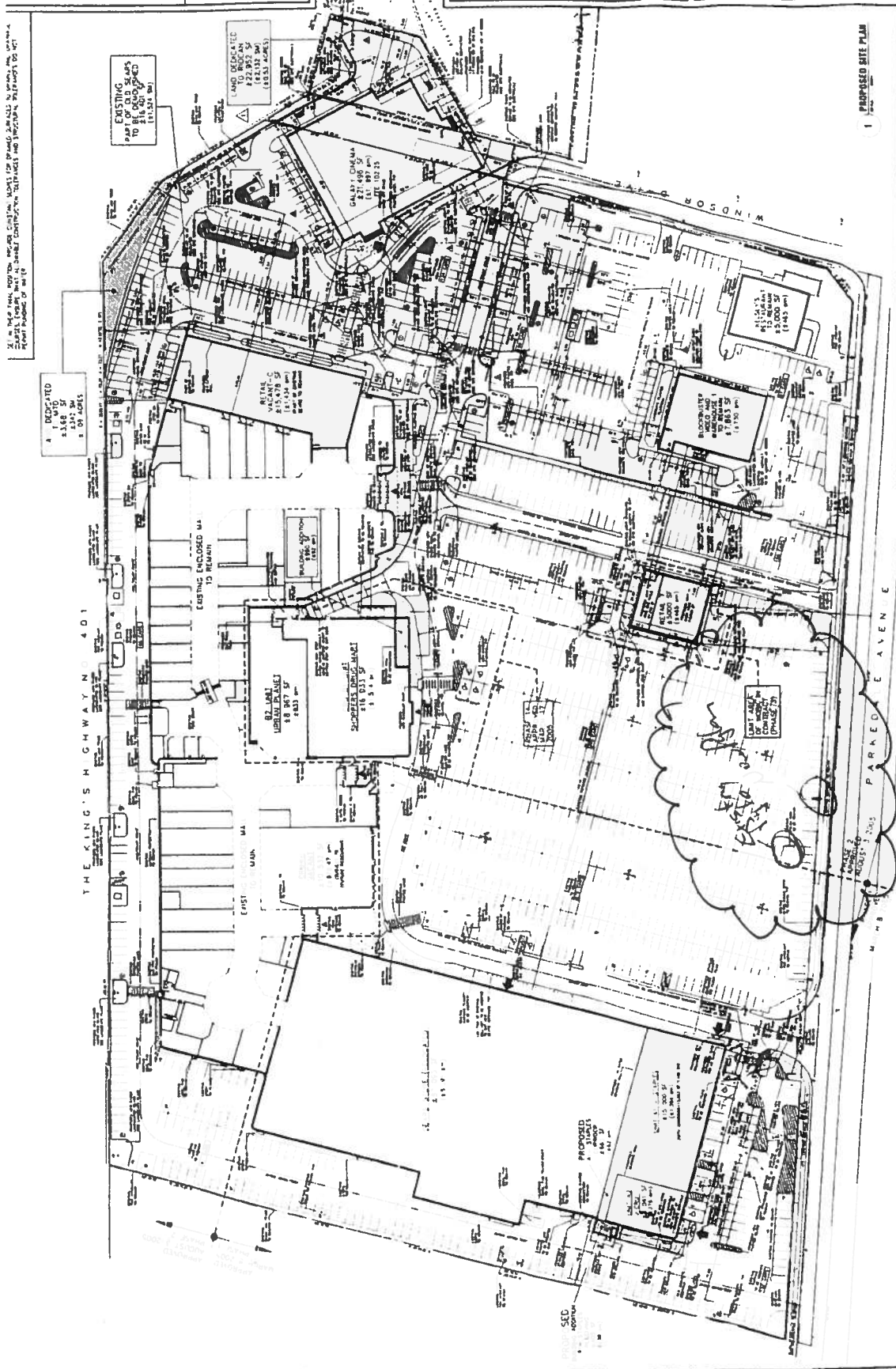
All costs associated with this application and further requirements are the responsibility of the Applicant.

CONCLUSION:

The Planning Department, Operations Department and Environmental Services Department all have no objections to the proposed amendments to City of Brockville Sign By-law 84-89. The proposed location would not pose any problems in terms of sightlines. This conclusion is provided in the recommendations section of this report.


M. Maureen Pascoe Merkley, MCIP, RPP
Director of Planning
Andrew McGinnis, MCIP, RPP
Planner II
Bob Casselman
City Manager

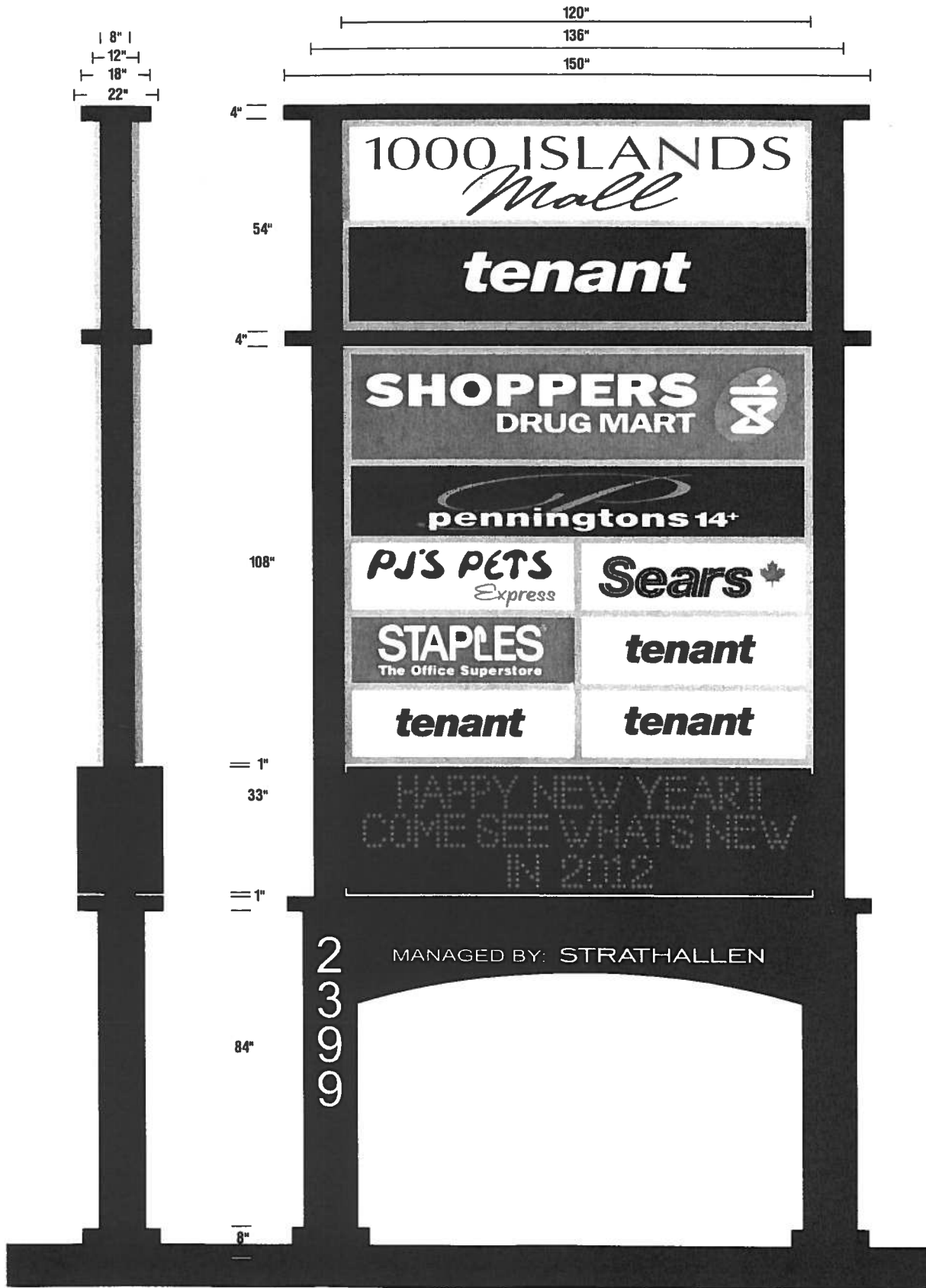
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[illegible]

SCHEDULE "B" TO REPORT 2012-098-06



SCHEDULE "C" TO REPORT 2012-098-06



This design is the property of Eskerod Signs. All rights to it's use are reserved.

**ESKEROD
SIGNS**

CLIENT 1000 ISLANDS MALL

ADDRESS PARKDALE AVENUE/ BROCKVILLE

SIGN TYPE BSH-DM - CLEAR

SIZE SEE ABOVE

SCALE NOT TO SCALE

DATE APRIL 23 / 12

DWG NO. 2000-41-23-12

29 MAY 2012

REPORT TO THE ECONOMIC DEVELOPMENT PLANNING COMMITTEE

5 JUNE 2012

2012-099-06

PROPOSED AMENDMENT TO SIGN BY-LAW 84-89

1515 KENSINGTON PARKWAY

ÉCOLES ANGE-GABRIEL

**OWNER: CONSEIL DES ÉCOLES CATHOLIQUES
DU CENTRE-EST**

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

RECOMMENDATION:

THAT City of Brockville Sign By-law 84-89 be amended to permit a ground sign with a maximum allowable sign area of 7.1 square metres (76.0 square feet) located at 1515 Kensington Parkway, City of Brockville.

PURPOSE:

The purpose of this report is to provide recommendation on an application to consider a site-specific amendment to Sign By-law 84-89 respecting the property with municipal address 1515 Kensington Parkway, City of Brockville.

The application requests that City of Brockville Sign By-law 84-89 be amended to permit a ground sign to have a maximum allowable area of 7.1 square metres (76.0 square feet) located at Écoles Ange-Gabriel.

BACKGROUND:

An application for Amendment to City of Brockville Sign By-law 84-89 has been received from Ms. Josée Dubois, agent for Conseil des écoles catholiques du Centre-Est, owners of the subject property located at 1515 Kensington Parkway, City of Brockville.

During discussions over the fall of 2011 relating to the proposed additions at the school, it was brought to the attention of the Planning Department that the sign in question had been installed in 2005 without receiving the proper permits and approvals. The proposed amendment is to legalize the existing oversized ground sign.

The proposed sign as designed is not permitted under Sign By-law 84-89, as amended. Amendments to Sign By-law 84-89 are requested to be granted by Council for the Corporation of the City of Brockville. The application is for the following amendments:

- To permit a maximum ground sign area of 7.1 square metres (76.0 square feet).

Proposed Amendment to Sign By-law 84-89**Applicant: Ms. Josée Dubois****Owner: Conseil des écoles catholiques du Centre-Est**

ANALYSIS:

Various sections of the Municipal Act provide municipalities with the authority to pass by-laws to control signage and other advertising devices. Signs within the Corporation of the City of Brockville are regulated under City of Brockville By-law 84-89, known as the Sign By-law.

The application requests that City of Brockville Sign By-law 84-89 be amended to grant a site specific exemption to permit an oversized ground sign as per the standards set out in Sign By-law 84-89. The sign is located on the east side of Kensington Parkway, just north of the entrance to Écoles Ange-Gabriel. **Schedules “A” and “B”** to this report identify the sign location and associated photos. The sign details are shown on **Schedule “C”** to this report.

The sign currently identifies “Ange-Gabriel” on both sides.

The sign is composed of a double support column system and a double faced advertisement board. The sign frame is a navy blue and the advertising colouring is white and green (see **Schedule “C”**).

The property is zoned I1 – General Institutional Zone and designated as Neighbourhood Area under the City of Brockville Official Plan. The proposed sign meets all by-law regulations relating to location. However, the sign exceeds the maximum area currently permitted within the Sign By-law.

The sign design and location have been circulated to the Operations Department, Environmental Service Department and Building Department. No objections were received. However, a sign permit will be required to legalize the sign should Council approve the proposed amendment.

POLICY IMPLICATIONS:

None.

FINANCIAL CONSIDERATIONS:

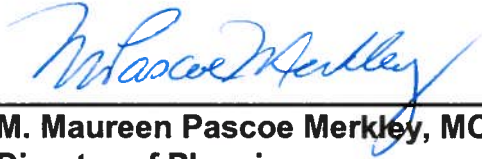
All costs associated with this application and further requirements are the responsibility of the Applicant.

CONCLUSION:

The Planning Department, Operations Department, Environmental Services Department

Proposed Amendment to Sign By-law 84-89**Applicant: Ms. Josée Dubois****Owner: Conseil des écoles catholiques du Centre-Est**

and Building Department all have no objections to the proposed amendment to City of Brockville Sign By-law 84-89. The proposed location would not pose any problems in terms of sightlines. This conclusion is provided in the recommendations section of this report.



M. Maureen Pascoe Merkley, MCIP, RPP
Director of Planning



Andrew McGinnis, MCIP, RPP
Planner II



Bob Casselman
City Manager

SCHEDULE "A" TO REPORT 2012-099-06

CONSEIL DES ÉCOLES CATHOLIQUES DU CENTRE-EST
Le meilleur conseil
pour mieux vous servir

BD 2006

REV.3	2010.08.31	CLASSE MOBILE
REV.2	2008.09.30	CLASSES MOBILES
REV.1	2008.10.27	NORMALISATION
NO	DATE	REVISION

ACADEMIE CATHOLIQUE ANGE-GABRIEL
1515, PROM. KENSINGTON
BROOKVILLE, ONTARIO
K6V 6H8

PLAN DE SITE
J.B.

DATE: 2008.10.27
FICHE: AAO_300_011
ÉCHELLE: 1:750
FONTE: 12

LEGÈNDE

- BOISÉ
- LAMPADAIRE
- BONNE FONTAINE
- EGOUT SANITAIRE
- EGOUT PLUVIAL
- ROBINET LATÉRAL
- PRISE BANCOUSE
- PRISE EXTÉRIEURE
- LUMIÈRE EXTÉRIEURE
- TRANSFORMATEUR ÉLECTRIQUE
- STATIONNEMENT POUR HANDICAPÉS
- DÉFENSE DE STATIONNEMENT
- SIGNALISATION STROBE
- POURTELLE
- DÉGRÈGE
- ENDIGÈNE SCOLAIRE DU CÉLÈBRE
- CHAMPION
- NOUVEAU SUPÉRIEUR
- NOUVEAU INFÉRIEUR
- COMPTOIR
- TELLER
- ARBUSTE
- FLIEUR
- BANC
- BALLON-PANIER AU LAIR
- JEU DE BALLE
- SUPPORT À BICYCLETES
- BALLON-PANIER
- STRUCTURE DE JEU
- VOIE DE POMPES
- BÂTIMENT
- TE PAVÉ ASPHALTE
- TERREAU GRAVIER
- GRAVIER SABLE DE L'AUTRE
- PALLIS
- BETON
- ENTRÉE
- BORNE
- ENTRÉE AVEC ACCÈS POUR HANDICAPÉS

AIRES TOTALES DES PAVÉS BRUTE	13 900.00 m ²
AIRES TOTALES DES PAVÉS NETS	13 900.00 m ²
AIRES TOTALES DES PAVÉS BRUTE	13 900.00 m ²
AIRES TOTALES DES PAVÉS NETS	13 900.00 m ²
AIRES TOTALES DES PAVÉS BRUTE	13 900.00 m ²
AIRES TOTALES DES PAVÉS NETS	13 900.00 m ²
AIRES TOTALES DES PAVÉS BRUTE	13 900.00 m ²
AIRES TOTALES DES PAVÉS NETS	13 900.00 m ²

LIÈRE DE PROPRIÉTÉ

- LIÈRE DE PROPRIÉTÉ
- LIÈRE DE JARDIN D'ENFANTS
- EAU FROID DOMESTIQUE
- EGOUT SANITAIRE
- EGOUT PLUVIAL
- ENTRÉE ÉLECTRIQUE
- VALVE D'EAU PRINCIPALE
- ENTRÉE TÉLÉPHONIQUE
- ENTRÉE DU CÂBLE
- BORNE D'EGOUT SANITAIRE
- BORNE D'EGOUT PLUVIAL
- COMPTEUR DE GAZ NATUREL
- LECTEUR DE CARTE
- BOUTON POUSSON
- BONNETTE

LIÈRE DE PROPRIÉTÉ

- LIÈRE DE PROPRIÉTÉ
- LIÈRE DE JARDIN D'ENFANTS
- EAU FROID DOMESTIQUE
- EGOUT SANITAIRE
- EGOUT PLUVIAL
- ENTRÉE ÉLECTRIQUE
- VALVE D'EAU PRINCIPALE
- ENTRÉE TÉLÉPHONIQUE
- ENTRÉE DU CÂBLE
- BORNE D'EGOUT SANITAIRE
- BORNE D'EGOUT PLUVIAL
- COMPTEUR DE GAZ NATUREL
- LECTEUR DE CARTE
- BOUTON POUSSON
- BONNETTE

SCHEDULE "B" TO REPORT 2012-099-06



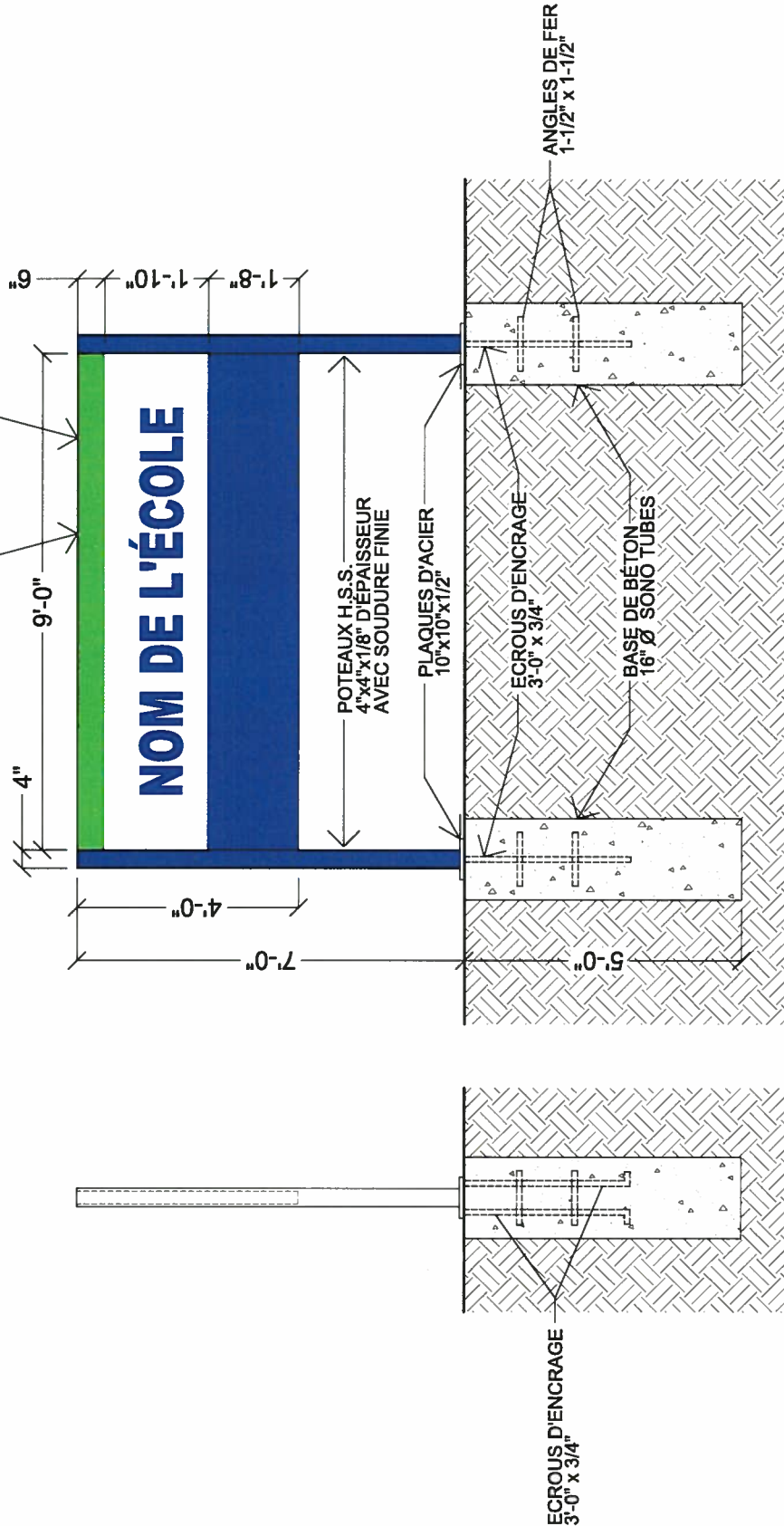
Détails d'installation (dessin A - 1/2)



SCHEDULE "C" TO REPORT 2012-099-06

CECLFCE

LES SECTIONS A, B ET C DOIVENT
SE RETROUVER SUR LES DEUX
CÔTÉS DE L'ENSEIGNE.
(VOIR LES DÉTAILS DE TOUTES
LES ENSEIGNES EN QUESTION)



NOTE: LE PRÉSENT DESSIN EST RÉSERVÉ À L'USAGE INTERNE DU CECLFCE. L'ENTREPRENEUR EST RESPONSABLE DE VÉRIFIER TOUTES LES DIMENSIONS ET DE RAPPORTER AU CHARGÉ DE PROJET TOUTE ERREUR OU OMISSION AVANT DE PROCÉDER AUX TRAVAUX.

TITRE:	PLAN A1
DESIGNÉ PAR:	D.F.
DATE:	2008.03.16
FOIHER:	ENSEL_EXT
COPIER:	NO
FOIHER:	A-14

30May2012

REPORT TO ECONOMIC DEVELOPMENT PLANNING COMMITTEE – 5 JUNE 2012

2012-101-06

**CONDITIONAL PERMIT AGREEMENT
WITH OGILVIE REALTY LTD.,
605 KING STREET WEST,
CITY OF BROCKVILLE**

**M. PASCOE MERKLEY
DIRECTOR OF PLANNING**

RECOMMENDATION:

THAT the Mayor and Clerk be authorized on behalf of the City of Brockville to enter into a Conditional Permit Agreement with Ogilvie Realty Ltd. respecting the construction of a proposed 6 unit townhouse project at 605 King St. West.

PURPOSE:

The purpose of this report is to provide a recommendation on a matter which will facilitate the commencement of construction associated with the proposed townhouse development at 605 King St. West.

BACKGROUND:

A 6 unit townhouse project is proposed for 605 King St. West by the owner of the property, Ogilvie Realty Ltd.

In 2011, the subject lands were the subject of an Application for Zoning Amendment to establish the R4-X1-6 General Residential Zone which would permit 6 residential units.

Site Plan Control Approval was granted on 5 April 2012 for this project.

The Owner's contractor has submitted an application for a building permit for construction.

The Owner is aware that, in order for the Chief Building Official ("CBO") to be in a position to issue a permit for this residential development, there must be compliance not only with the Ontario Building Code, but also with other "applicable law" as specified under the Building Code Act, including pertinent sections of both the Environmental Protection Act ("EPA").

Given that there is a change of use from its former use as an automobile service station and sales garage to residential units, considered a more sensitive land use under the EPA, a Record of Site Condition ("RSC") must be filed in the Environmental Site Registry and an acknowledgement issued by Ministry of the Environment ("MOE"). In

this regard, however, it is permissible for the CBO to issue a conditional building permit before the RSC is filed and acknowledged if:

- the zoning is correct and there is compliance with other applicable law listed in the Building Code;
- the CBO is of the opinion that unreasonable delays in construction would occur if a conditional permit is not issued; and
- the applicant agrees in writing with the municipality to
 - i. assume all risks;
 - ii. obtain all necessary approvals in the time specified or as soon as is practicable;
 - iii. file plans and specifications of the complete building in the time specified;
 - iv. remove the building and/or restore the site if approvals aren't obtained; and
 - v. comply with any other conditions specified.

The Owner is requesting the City to enter into a Conditional Permit Agreement to facilitate the issuance of a building permit for building foundations for the interim period between the filing of the RSC and its acknowledgement by Ministry of the Environment (MOE).

ANAYLSIS:

Section 168.4 of the Environmental Protection Act (Ontario) requires that, prior to the issuance of a building permit, a RSC must be filed with the Environmental Site Registry where land use is changing to a more sensitive type (industrial/commercial to residential, for example).

Environmental reporting on the condition of the lands at 605 King St. W. has been completed, and an initial filing for an RSC has been done by the Owner's environmental consultant, Inspec-Sol, however, the City has been informed that additional information is required by the MOE.

Issuance of a building permit to commence construction would therefore be considered premature. However, Section 8(3) of the Building Code Act, 1992, Chapter 23, S.O. 1992 allows for the issuance of conditional permits and agreements.

Entering into a Conditional Permit Agreement with Ogilvie Realty Ltd. for the construction of the foundations only for the proposed residential building is considered to be within the scope of Section 8(3) of the Building Code Act and as such, a

Conditional Permit Agreement between the Corporation of the City of Brockville and the Owner, Ogilvie Realty Ltd. is recommended.

A Conditional Permit Agreement has been prepared, and has been forwarded to the Owner. A copy of the text of the agreement is attached hereto as **Schedule "A"** for Council's perusal.

POLICY IMPLICATIONS:

Under the Sustainability pillar of the City's Strategic Plan, the City's policies and decision making processes are to be guided by the desire to maximize environmental benefits while minimizing and mitigating negative environmental impacts.

Also, the Official Plan sets out policies to encourage the rehabilitation and redevelopment of brownfield sites.

FINANCIAL CONSIDERATIONS:

The Owner will be providing an Irrevocable Standby Letter of Credit to provide security for compliance with the requirements of the both the Conditional Permit Agreement and Site Plan Control Agreement.

CONCLUSION:

It is appropriate for the City, through the Mayor and Clerk, to enter into a Conditional Permit Agreement with Ogilvie Realty Ltd. to facilitate issuance of a permit for building foundations for the 6 unit townhouse project in the interim period while the RSC is being filed and acknowledged.


M. Maureen Pascoe Merkley
Director of Planning


B. Casselman
City Manager

THIS AGREEMENT made this _____ day of _____, 2012

BETWEEN: THE CORPORATION OF THE CITY OF BROCKVILLE,
(the "Corporation"),

OF THE FIRST PART

- and -

OGILVIE REALTY LTD.
(the "Owner"),

OF THE SECOND PART

WHEREAS the Owner is the owner of the lands located at 605 King Street West, Brockville, Ontario as described in Schedule "A" (the "Site");

AND WHEREAS the Owner has applied for a building permit to construct the foundation of a residential townhouse building at the Site as shown on plans in Schedule "B" attached hereto;

AND WHEREAS Section 8(3) of the *Building Code Act, 1992*, Chapter 23, S. O. 1992 allows the issuance of conditional permits and agreements relating thereto.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the mutual covenants hereinafter contained the parties hereto hereby covenant and agree as follows:

1. The Chief Building Official of the Corporation will issue a building permit for construction of a building foundations in accordance with the plans in Schedule "B".
2. A building permit for subsequent stages of construction will not be issued by the Chief Building Official of the Corporation until the Owner has filed a Record of Site Condition ("RSC") in the Environmental Site Registry pursuant to Section 168.4 of the *Environmental Protection Act (Ontario)* and has subsequently received written acknowledgement of the filing of the RSC in the Environmental Site Registry.
3. The Owner assumes all risks in commencing construction at the Site and hereby releases, acquits and forever discharges the Corporation and its councillors, officers, representatives and employees of and from any and all actions, causes of action, claims, demands, damages, costs and expenses on account of any and all known and unknown damages resulting, or that may result from, the issuance of a foundation permit or the construction of a building foundation at the Site.
4. The Owner will take the necessary actions to file an RSC as soon as practicable.
5. The Owner will, at the Owner's expense, remove the foundations and restore the site to an appropriate grade as established by the Corporation by July 31, 2013 if an RSC is

not filed and/or building permits are not issued for the remainder of the building by June 30, 2013.

6. As security for compliance with the Owner's obligations under Section 5, the Owner shall provide the Corporation with an Irrevocable Standby Letter of Credit in the amount of Forty-Three Thousand Four Hundred and Thirty-One Dollars [\$43,431] (the "**Security**").
7. In the event that the Owner defaults on its obligations under Section 5, the Corporation and its employees and contractors may enter onto the Site to restore the site to a satisfactory condition and may use the Security to pay for all costs associated therewith.
8. The Owner shall indemnify and save harmless the Corporation and its councillors, officers, representatives and employees from all actions, causes of actions, claims, demands, damages, costs and expenses of every nature and kind whatsoever arising out of the said issuance of the foundation permit.
9. This agreement shall remain in full force and effect until such time as the acknowledgement referenced in Section 2 is provided to the City, at which time this agreement shall become null and void and shall have no further force and effect.

IN WITNESS THEREOF the Corporation has caused its Corporate Seal to be affixed as attested to by the hands of its proper Officers in that behalf and the Owner has hereunto set his hand and seal.

SIGNED, SEALED AND DELIVERED

) THE CORPORATION OF THE CITY OF
) BROCKVILLE

PER:

MAYOR

PER:

CLERK

) **OGILVIE REALTY LTD.**

PER:

Name:

Title:

"I have authority to bind the Corporation."

SCHEDULE "A"
TO AGREEMENT BETWEEN
THE CORPORATION OF THE CITY OF BROCKVILLE
AND
OGILVIE REALTY LTD.

DATED THE ____ DAY OF _____, 2012

DESCRIPTION OF LANDS:

(municipal address 605 King Street West, Brockville)

**PART OF LOT 17, CONCESSION 1, TOWNSHIP OF ELIZABETHTOWN,
COUNTY OF LEEDS, NOW WITHIN THE CONFINES OF THE CITY OF
BROCKVILLE**

P.I.N: 171680

[illegible]