

**Public Meeting
Economic Development &
Planning Committee**

Tuesday, June 07, 2016, 6:00 pm
City Hall, Council Chambers

COMMITTEE MINUTES

Committee Members:

Councillor P. Deery, Chair
Councillor L. Bursey
Councillor M. Kalivas
Councillor D. LeSueur
Councillor Mayor D. Henderson, Ex-Officio

Staff:

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

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

ITEM

1. 2016-074-06
Proposed Amendment to Zoning By-law 050-2014
Part Lot 14, Plan 80, Being Part 3 on Reference
Plan 28R-6942 South Side of Bayview Road
Owners: Michael Menard, Vivian Levermore,
Greg Moir, Jackie Moir
Applicant: Michael Menard

Moved by: Councillor Kalivas

THAT Report 2016-074-06 be received as information and that a report on this matter be prepared by staff for consideration of the Economic Development and Planning Committee at a future meeting.

CARRIED

Councillor Deery, Chair, introduced the public meeting and read from the prepared required comments.

Ms. Pascoe Merkley announced that notice of the Public Meeting was advertised in the Brockville Recorder and Times Newspaper on May 12, 2016 and was circulated to property owners within 120.0 metres (400.0 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 050-2014.

Councillor Deery, 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 Deery reviewed the procedures for the Public Meeting.

Ms. Pascoe Merkley provided an overview of the proposed zoning amendment.

Councillor Deery asked if there was anyone present who wished to speak in favour of the amendment.

Ms. Vivian Levermore, owner, offered a brief history of the property, stating that they had purchased the property in May 2006. She explained that at that time there was a boat hoist and catwalk in place she believes from sometime in the late 1950's or early 1960's.

Ms. Levermore respectfully requested the approval of the amendment and assured everyone present that it will not be a major difference in the use of the roadway or subject land.

Councillor Deery asked if there was anyone else present who wished to speak in favour of the amendment, seeing none, Councillor Deery asked if there was anyone present who wished to speak in opposition of the amendment.

Mr. Clinton Culic introduced himself and stated that he is legal counsel for the owner of 5 Bayview, Mrs. Kahn. Mr. Culic identified that the City can only control what happens on land and the Cataraqui Regional Conservation Authority (CRCA) is responsible for the happenings on the bed of the St. Lawrence River. He stressed that, in his opinion, this governing body (EDP Committee) cannot control what is done to the boat hoist as it is not on

shore. Mr. Culic felt the zoning should be changed to "open space zoning" and does not require a special exception zone to permit the "private marine facility".

Mr. Kalle Pugi, 6 Bayview Road, stated that he is against the zoning change. He explained that he has a 6 foot right of way across the subject lands to the river. Mr. Pugi is unhappy with the fact there are no plans illustrating the future intended use of the property. He feels it inappropriate to designate it open space. Mr. Pugi emphasized that if a boat is attached to the dock it will block his access to the river. In addition, he feels that his view to the river would not be respected. Mr. Pugi summarized his prior dealings with the current owners of the lot in question and the reasons for his position.

Mr. Ken Forrest spoke on behalf of his mother Ruth Forrest who lives at 4 Bayview Road. Mr. Forrest stated that he is a real estate broker and is currently trying to sell his mother's home. Mr. Forrest indicated that the confusion over this property, the potential severance and zoning change is holding up the sale of his mother's home. Mr. Forrest identified himself as being the representative of all the residents on Bayview Road. Mr. Forrest summarized his investigation into the history of the land in questioned, history of the walkway and the boat lift, permits and the like. Mr. Forrest summarized his reasons for his concerns and position.

Mr. Forrest stated that it is the wish of the Bayview Road property owners to have the subject lands owned by someone who lives on the street. Mayor Henderson replied that it would not be within the City's control to make this a stipulation.

Mayor Henderson asked Ms. Pascoe Merkley what the current property owner is permitted to do on these lands. Ms. Pascoe Merkley replied that in its current state it is too small to build on as it does not meet current zone provisions. The Applicants have no use to attach to this property. Although the zoning by-law states that if it abuts water a private marine facility may be permitted.

Councillor Deery asked if there was anyone else who wished to speak on this matter. As no one came forward he indicated that this matter will be considered by the Economic Development and Planning Committee at a future meeting, which will then make a recommendation to Council.

The meeting adjourned at 7:15 pm.

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