



COMMITTEE MINUTES

Economic Development & Planning Committee

Tuesday, April 05, 2011, 3:00 p.m.
City Hall, Council Chambers

Roll Call

Committee Members:

Councillor M. Kalivas, Chair
Councillor D. Beatty
Councillor J. Earle

Absent:

Councillor J. Baker
Mayor D. Henderson, Ex-Officio

Staff:

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

Others:

Mr. R. Zajac, Recorder and Times

The Chair called the meeting to order at 3:06 p.m.

DISCLOSURE OF INTEREST

Nil

CORRESPONDENCE

IBI Group
Upper Canada Condominium Approvals
137 George Street

Mr. Rolf Baumann, President, RGB Group and Mr. Kevin Harper, Associate, IBI Group were in attendance at the meeting.

Ms. Pascoe Merkley distributed two additional documents; an email from Fuller Group of Companies providing comments regarding the Upper Canada Condominium project; and, a summary of Site-Specific Parking Requirements or Ratios listing.

Ms. Pascoe Merkley provided an overview of the recent developments concerning the project.

Mr. Harper indicated that no changes have been made to the original applications submitted for the project in December 2010.

Mr. Baumann stated that he is prepared to file the legal instrument for the preservation of the Trinity Church.

Mr. Harper said the agreement of purchase and sale with the Parish expires at the end of May 2011.

Mr. Casselman indicated that clarity was needed with respect to the legal instrument regarding severance and maintenance of the church and asked what elements would be included in the agreement/instrument.

Councillor Beatty stated that the "car share" proposal that could result in less parking requirements needs to be included in the agreement with a defined number of years to operate and not necessarily cash-in-lieu of parking. He also stated that the agreement should also include wording to provide for maintenance of Trinity Church.

STAFF REPORTS

2011-035-04

Pre-servicing Agreement

Lot 3 and Part of Lots 1, 2, 4 and Part of Glasford Place,
Registered Plan 380

Concession 2, City of Brockville (Liston Avenue Subdivision)

Owner: 1178420 Ontario Ltd.

Agent: Paul Veenstra

Moved by: Councillor Earle

THAT the Mayor and Clerk be authorized to enter into a Pre-servicing Agreement between the Corporation of the City of Brockville and 1178420 Ontario Ltd. for the installation of services on lands described as Lot 3 and Part of Lots 1, 2 and 4 and Part of Glasford Place, Registered Plan 380, City of Brockville, County of Leeds, in advance of the final approval and registration of the final plan of subdivision and subject to the following conditions being met by the applicant and approved by the City:

- a) the servicing design is finalized; and
- b) MOE certificates of approval have been issued; and
- c) all other outstanding issues have been resolved.

CARRIED

The meeting adjourned at 4:26 pm.

Maureen Pascoe Merkley

From: Deborah Jackett-Simpson [djsimpson@fuller.ca]
Sent: April 5, 2011 1:28 PM
To: Maureen Pascoe Merkley; Andrew McGinnis
Subject: FW: Trinity Church, Brockville

As submitted. Thank you

For Simon

From: Simon Fuller
Sent: April 5 2011 1:18 PM
To: Mike Kalivas; 'dbeaty@canarm.ca'; 'jearle@brockville.com'; 'jwbaker@rogers.blackberry.net'
Cc: jfaurschou@brockville.com; 'themayor@brockville.com'
Subject: Trinity Church, Brockville

Gentlemen

With reference to the proposal from the RGB Group of Ottawa now under consideration by the city, for the redevelopment of Trinity Anglican Church and its associated property, and on the understanding that the Trinity Anglican Church will be unconsecrated, and having met with the developer's principal, we write to support the general notion of a rezoning and redevelopment of the entire property provided it is done in a manner that assures the restoration, preservation and adaptive re-use of the historic church building.

- 1) **PROJECT MERITS:** We support and encourage the merits of developing smaller (under 1,000 sq ft) environmentally responsible residential condominiums on the site
- 2) **HEIGHT LIMIT:** We encourage an exceedance of the current height limit, provided that it results in a "point block" development (respecting angular plains and increased setbacks of the tower (above the 3rd floor) from the street.
- 3) **HEIGHT BONUSES:** The community should derive bonusing from any floors built above the current height limit; such cash bonuses should be permitted to be used to offset the costs of the heritage restoration of the architectural elements of the church
- 4) **DOWNTOWN CIP:** We support the notion that this property should be included in the Downtown Community Improvement Plan, such that development charges and permit fees should be waived, and the incremental municipal taxes for the 1st 5 years should be made available to the developer provided that the city is satisfied that at least 2/3rds of the present value of those funds are reinvested in the restoration and preservation of the historical architectural features of the church and its adaptive re-use. This should be a condition precedence to the developer being allowed to have the property included in the CIP. The adaptive reuse of the historic church should be a mandatory component of the site's redevelopment
- 5) **CASH IN LIEU OF PARKING:** With regards to the requirement for parking, the ratio of 1.1 parking spots for every living unit should be maintained, along with the requirement for 4 parking spots for every 1,000 sq ft of adaptive reuse of the church that does not comprise residential units. Alternatively, if the residential units comply with requirements for seniors' residences, the ratio of parking per living unit might be deemed to comply with the ratio of .5 parking spots per senior dwelling unit.

NOTE 1: Through our involvement with the Wall Street Village Church and the United Counties Affordable Housing Programme, we previously tabled before council a proposal for the provision

of 85 affordable housing units for mobility impaired seniors, and under the present by-law were short by a half a dozen parking spots. Council re-affirmed their requirement to have all of the parking required under the bylaw provided for. They would not accept cash in lieu of parking for any of the shortage. We trust that committee and council will maintain the principles established under their review and conditions placed upon the Wall Street Village housing project, and uphold the provision of adequate parking for the existing church building and new development. NOTE 2: Although the provision of a car sharing programme should be encouraged, it should not be taken as a substitute for the provision of adequate parking under the zoning. Brockville is a rural municipality with greater travelling distances and a reduced access to public transportation as would be found in a more densely populated urban city where typical reductions in parking for residential units can be encouraged (i.e. in Toronto). The application of the zoning requirement for parking should be fairly applied to all developments and therefore cash in lieu of parking for the residential portion should not be permitted on this project.

- 6) **AFFORDABLE HOUSING IN LIEU OF HEIGHT BONUS:** We encourage the provision of affordable housing for Brockville's downtown but would ask that the city's consideration of same would be based upon an evaluation of the cost per square foot rather than the capital cost per unit. Providing a residential unit under \$200,000 that is less than 500 sq ft in size should not be considered as affordable housing, or a benefit for the community in lieu of a cash bonus for increased height. Affordable housing in high rise construction should be expected at a cost of less than \$200.00 per sq ft.
- 7) **LAND SEVERANCE:** We understand from reading today's paper that it is the intention of the developer to seek permission to sever the land under the church building from the balance of the property and to seek relief from any requirement for cash in lieu of parking to be applied in the future to the church building. We are strongly opposed to this notion. We understand currently that the church, together with all its lands, complies with the parking requirements under the bylaw for its assembly occupancy uses. Any redevelopment of the lands surrounding the church building and any severance should not be allowed to result in the isolation of the church with the result that the remaining lands under the church no longer conform to the bylaw. This would create a future barrier to any economically viable redevelopment of the church.

Although it is unfortunate that the original intended use of the church is coming to an end, and the church as a registered heritage structure is in imminent need of restoration and preservation, the size and location of the land surrounding the church building, and the inclusion of this land in the Downtown CIP provide for an economically viable opportunity to restore, preserve and readapt this historic structure with the proceeds from the redevelopment of the balance of the land. Our Group of Companies knows firsthand that the costs of a historic restoration and adaptive reuse far exceeds the cost of new construction, as evidenced from our restoration of the Dominion Post Office on Court House Avenue. In our opinion, knowing that the land remaining under the church will be too small to provide adequate parking to support any economically viable adaptive reuse of the church, and knowing that there will be no market for a future purchaser willing to risk the restoration costs and the inefficiencies of an adaptive reuse of the existing building on its own, by allowing the land under the church to be severed from the profitable land to be redeveloped as a condominium, the city will be relegating the church to a decade of decay, eventually resulting in the condemning of the structure and its ultimate demolition.

By the city including this property in the Community Improvement Plan area and requiring a height bonus, they are providing the means to the developer to utilise the bonus and the majority of the new property taxes (to be generated from the new development in the first 5 years) to recoup the upfront investment that needs to be made to restore, preserve and readapt the use of the historic church building. By allowing the severance of the church from the developable land, none of these financial incentives will be available to any future purchaser of the church to offset its restoration and adaptive reuse costs that could not be recouped from the proceeds of any redevelopment of the church building on its own.

This morning's paper suggests that this severance is being requested as a requirement of Tarion and that the church may be adapted to a residential use in the future. From our experience, existing buildings can be adapted together with new construction to meet the requirements of

Tarion. Natural severances will occur at the establishment of the condominium corporation and shared services agreement can be used between two or more condominium corporations to operate common elements. Although it may involve some additional legal fees and a more elaborate set of condominium documents, we are confident that the legal parameters should not prevent the city from insisting that as part of any redevelopment of this property, the restoration and adaptive reuse of the church be a mandatory prerequisite to the property being brought into the Community Improvement Plan. Further, we believe that such a condition imposed as part of applying the CIP to this site would be un-appealable to the Ontario Municipal Board.

The developer should be granted all of the height that they feel the market can bear, in order to provide them with the necessary financial incentive and means to make this a quality development containing an adequate parking structure and a quality restoration and adaptive reuse of the historic Trinity Church building. There are many examples within the city of Ottawa and the historic parts of old Montreal that we are aware of, where the economically viable restoration and reuse of historic structures has resulted from allowing more latitude in the density and zoning of the adjoining lands. But the key to those successful projects has been rooted in never letting the historic structure be divorced from the redevelopment lands.

We thank the committee and council for their consideration of our comments.

Simon Fuller
Fuller Group of Companies



Fuller Group of Companies

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SITE-SPECIFIC PARKING REQUIREMENTS OR RATIOS
Taken from Zoning By-law 194-94, as amended

April 2011

LOCATION/ADDRESS	PARKING REQUIREMENT OR RATIO	PERMITTED USE
86-88 George St.	1 space per unit	Semi-detached dwelling
69 King St. E	2 spaces	1 apt. unit + 6 room rooming house
6 Court Terrace	1 space per unit	3 apt. units or 2 apt. units + main floor business office
10 John St.	1 space per unit	26 unit condo
33 Pearl St. W.	1 space per unit	4-plex
31 Pearl St. W.	4 spaces	4-plex
6 Broad St.	1.1 spaces per residential unit	Mixed use condo to be built in 3 phases
119 Water St. W.	1.08 spaces per unit (pending approval)	106 unit condo (pending approval)