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Proposed Zoning By-Law Amendment
107-119 King Street West, Brockville
Owner: Scott Hilhorst (c/o Cal Kirkpatrick, Colonnade
Development Inc.)
Applicant: Richard Harrison, MCIP, RPP
(David McManus Engineering - Division of Trow Associates Inc.)
File No.: D14-144

18Nov2010

**REPORT TO THE ECONOMIC DEVELOPMENT AND PLANNING COMMITTEE –
NOVEMBER 22, 2010**

2010-157-11

**PROPOSED ZONING BY-LAW AMENDMENT
107 - 119 KING STREET WEST, BROCKVILLE**

OWNER: SCOTT HILHORST (c/o Cal Kirkpatrick,
Colonnade Development Inc.)

APPLICANT: RICHARD HARRISON, MCIP, RPP
(David McManus Engineering - Division of Trow Associates Inc.)

FILE NO.: D14-144

**M. PASCOE MERKLEY
DIRECTOR OF PLANNING**

RECOMMENDATION:

THAT the request to amend City of Brockville Zoning By-law 194-94 respecting lands with municipal address 107 to 119 King St. West, described as Lots 85 to 91 inclusive, and Part of Lots 82, 83, 84, 92 and 93, Block 30, Plan 67, being Parts 1, 2 and 3 on Reference Plan 28R-5445, City of Brockville, County of Leeds, to create a site-specific C2D-General Commercial Downtown Zone to facilitate development of a single storey retail pharmacy with lower level office or clinic space with limited on-site parking and loading spaces be denied due to inconsistency with the Downtown and Waterfront Master Plan and Urban Design Strategy adopted by Council on December 15, 2009.

PURPOSE:

The purpose of this report is to provide recommendation on an application filed October 1, 2010 to amend Zoning By-law 194-94 respecting lands described as Lots 85 to 91 inclusive, and Part of Lots 82, 83, 84, 92 and 93, Block 30, Plan 67, being Parts 1, 2 and 3 on Reference Plan 28R-5445, City of Brockville, County of Leeds, located on the south side of King Street West at the south east corner of Home Street. The requested amendment would create a C2D General Commercial Downtown Site Specific Zone which would allow those uses permitted in the C2D Zone with site specific zone provisions for a building height of 7.5 metres, one (1) loading space and 37 parking spaces for the proposed development for a pharmacy and offices on the subject lands .

BACKGROUND:

Richard Harrison, Applicant, acting on behalf of Colonnade Development Inc. which represents Mr. Scott Hilhorst, the owner of the subject lands, has submitted the application for amendment to City of Brockville Zoning By-law 194-94. The site is proposed to be developed for a commercial building consisting of a retail pharmacy (Shoppers Drug Mart) on the main floor (King St. level), offices or clinic on the lower

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(Home St.) level, and associated parking and loading area. Tenancy for the lower level space has not been determined.

Schedule "A" to this report indicates the location of the subject lands and shows both the current zone of the subject lands and the adjacent lands.

Schedule "B1" to this report is a site plan showing the development of the property and the lower floor plan.

Schedule "B2" to this report is a plan for the proposed main floor of the development.

Schedule "B3" to this report are elevation drawings of the proposed commercial building.

Schedule "C" to this report is a copy of the Planning Rationale Report prepared by Richard Harrison from David McManus Engineering.

ANALYSIS

Description of Proposal:

The preliminary plans for a proposed commercial building have been prepared and filed with the application for rezoning. The concept for development indicates a single storey building to be constructed along the King St. frontage, with main level containing a pharmacy 1894 m² (20,400 sq. ft.) in size. Due to the slope of the site from King St. southward, the lower level in the building is proposed to contain approximately 930 m² (10,000 sq.ft.) of offices or a clinic.

A 37 space paved parking lot would be developed south of the building, with driveway access from Home St. A single loading space would be available.

The proposed uses are permitted by the zoning currently in effect. The reason for the application for amendment to the Zoning By-law to create a site-specific zone is threefold:

- Reduction in the minimum building height required. A single storey building (2 storeys at the rear) is proposed with a height of 7.5 m, while the C2D zone in effect on the northerly 1/3 of the site establishes a minimum height of 10.5 m, to be in the form of a 3 storey building.

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- Reduction in the minimum number of parking spaces to be provided for the uses proposed. The development proposes a total of 37 parking spaces, whereas Zoning By-law 194-94 would require a total of 114 spaces based upon the retail and office occupancy. Should the lower level space be occupied as a clinic, the required parking would be in the order of 157 parking spaces.
- Revision in the required loading spaces, from two (2) being required based upon the size of the retail space, to one (1) loading space proposed to be provided.

Site Characteristics:

The site has a total area of 3,416.6 m² (0.844 acres), with frontage on the south side of King Street West of 42.78 m (140.35 ft.) and an average depth of 70.0 m (229.65 ft.).

The subject property is in fact an assembly of several properties fronting both King St. W. and Home St. Previously the location of a number of commercial and residential buildings, destruction by fire and demolition has left the lands clear of buildings. These now vacant lands are leased to the City of Brockville and are used as a public parking lot with capacity for up to 75 vehicles and 15 boat trailers (seasonally). The northerly parking area is surfaced with asphalt and is occupied by the customary parking lot machine. The remainder of the subject property is a gravel parking area used primarily for boat trailer parking in season.

In its current state, these lands have often been viewed as a “missing tooth” along King St., creating retail discontinuity and a fragmented streetscape. Despite their high occupancy rates as public parking noted in the Parking Characteristics Report of July 2008, their development potential has also been clearly stated in several studies and reports. Particularly noteworthy is the reference in the Anchor Attraction Report, which identifies this as one of 13 downtown sites with great urban development potential which should be capitalized to create added value to the community.

Surrounding Land Uses:

This centrally located site is surrounded primarily by commercial buildings, mixed commercial/residential buildings, and some residential uses as follows:

North: Lands to the north (122 King Street West - immediately across from the subject lands) are occupied by Shoppers Drug Mart and Cronks Cycle Shop.

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Lands to the northwest (138 King Street West) are occupied by Tim Horton's. Lands to the northeast (north side of King Street West) are occupied by a real estate office and upper floor residential.

East: Lands to the east (103 King Street West) are occupied by a business office for Manpower and a take out restaurant (2-4-1 Pizza) with the upper levels occupied by IOOF. Lands to the east (fronting on Apple Street) are occupied by residential dwellings.

South: Lands to the south (fronting on Home Street and Water Street) are occupied by residential dwellings.

West: Lands to the west (133 King Street West at Home Street) are occupied by an office building containing TD Canada Trust and other office uses on upper and lower levels. A very comparable property to the subject, this site was redeveloped in 1987. The commercial building is two storeys on King St., and increases to three storeys at the south elevation. Parking provided on-site is 42 spaces. At the time of development, not all required parking could be accommodated on the site, therefore the City accepted a cash payment in lieu of parking for 30 parking spaces.

Public Participation

The application has proceeded through the normal review process. On November 2, 2010 a Public Meeting was held by the Economic Development and Planning Committee. Notice of the Public Meeting was advertised in the Brockville Recorder and Times Newspaper on October 7, 2010 and was circulated to property owners within 120 metres (400 feet) of the subject property. In addition, a sign was posted on the subject property advertising that the lands are the subject of an Application for Amendment to City of Brockville Zoning By-law 194-94. Comments from City Departments and affected agencies were also solicited.

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

Written Comments Received Schedule "D":

Internal:

1. City of Brockville - Operations Department (*email dated October 18, 2010*):
No concerns.

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2. Environmental Services, Eric Jones, Engineering Supervisor (*memo of October 25, 2010 attached*)
Concern expressed with the reduction of on-site parking to 37 spaces and the loss of parking in the downtown core.
3. City of Brockville – Sandra M. Seale, City Clerk (*memorandum dated November 12, 2010 attached*)
Concern expressed with the loss of spaces from the municipal parking space inventory. It would be desirable for the development to include sufficient parking for the uses proposes.
4. Paul Bullock, Heritage Brockville (*letter dated November 5, 2010 attached*)
Mr. Bullock expressed Heritage Brockville's interests in being involved in the design process for the building façade.

External:

1. Margaret and George Hamilton, 2 Sherman Lane (undated letter received October 21, 2010): No objections.
2. Ruth Dwyer, 22 Apple Street, Brockville, ON (letter dated October 22, 2010 attached)

Concerns expressed with respect to:

- a) increased truck traffic on Apple Street (especially in the area of the intersection of Apple and Water Streets; and
 - b) possible access to the parking area from Apple Street which would increase traffic on Apple Street.
3. David Pound, 7 Sherman Lane, Brockville (letter dated October 25, 2010 attached)

Mr. Pound takes exception to the following requests:

- a) reduction of the on-site parking to 37 spaces; and
- b) reduction of the minimum height of the building to 7.5 metres.

Second Letter from David Pound (*letter dated November 1, 2010 attached*) seeks clarification on his interpretation of the parking impact.

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4. Colin Williams, 43 Pineview Rd., Brockville (*email received October 29, 2010 - copy attached*)

Mr. Williams expressed his disappointment that the proposal did not include a second and third storey of residential units although he commented that this would add to the parking deficiency. He also commented on the loss of both vehicle and large boat trailer parking from the site.

5. Robert Millar, 7 Grant Street, Brockville (*email dated November 9, 2010 - copy attached*)

Mr. Millar commented that this development was a case for a "Public/Private Partnership". Mr. Millar's letter outlines matters that could be considered between the developer and the City with respect to a proposal for the subject site.

Issues Raised at the Public Meeting (Minutes Attached as Schedule "F"):

On November 2, 2010 a Public Meeting was held by the Economic Development Planning Development Committee. The minutes of the Public Meeting are attached as **Schedule "F"** to this report. The following items were raised:

- Lose of municipal parking.
- Inadequate parking on-site.
- Opposition to footprint of building.
- Proposed false second floor does not meet the standards for downtown.
- Would like to see a taller building with upper floor residential units.
- Appropriateness of Shoppers Drug Mart moving across the street, creating a vacant building on the opposite side of the King Street. The City was encouraged not to rush into development.

Provincial Policy Statement Considerations:

A Provincial Policy Statement (P.P.S.) has been issued under the authority of Section 3 of the Planning Act and came into effect on 01 March 2005. The PPS provides policy direction on matters of Provincial interest related to land use planning and development. In exercising its authority on planning matters, the decision of the Council for the City of Brockville "shall be consistent with" policy statements issued under the Act.

Part V of the P.P.S. contains various policies. Those relevant to the subject application are found in Section 1.0 "Building Strong Communities". Within this Section are statements on managing and directing land use to achieve efficient development and land use patterns. More specifically, Subsection 1.1 speaks to healthy, liveable and

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safe communities which are to be sustained by promoting efficient development, by accommodating a mix of land uses to meet long-term needs, and promoting cost-effective development standards to minimize land consumption and servicing costs, among other things. Intensification and redevelopment are to be encouraged. Additionally, Subsection 1.7 states that long-term economic prosperity should be supported by optimizing the use of land, and by maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets.

While it is safe to say that redevelopment of this prominent and underutilized site on our main street should be encouraged, the nature of the development proposed does not optimize the use of the land, and thus is not entirely consistent with the Provincial interests as stated in the policy directives contained in the P.P.S.

Current Official Plan Considerations:

The subject land is designated as "Commercial Downtown" under the current Official Plan for the City of Brockville and located within Planning District No. 2.

Section 5 addresses a variety of general development policies of the Official Plan. Policy 5.4 - Infilling, encourages infilling of vacant areas where municipal services are readily available. The subject lands conform to this requirement.

Section 6 - Land Use Policies establishes detailed development policies for each land use category. Policy 6.3.5 - Commercial Downtown, is a designation designed to encourage and enhance the central business district as a major focus of economic activity within the City. The Commercial Downtown district is intended to provide a variety of compatible and complimentary uses. The policies included in 6.3.5 address the following:

- Permitted Uses: *"The uses permitted in the Commercial Downtown District include a broad range of commercial uses including but not limited to retail stores, service uses, restaurants, business and professional offices, banks and financial institutions, theatres marinas, recreational uses, mixed commercial/residential buildings, and residential uses..."*

The range of permitted uses stated in the OP Policy includes retail stores and business and professional offices which are the proposed uses for the subject lands.

- Built Form: *"Recognizing the built environment within the Commercial Downtown area is primarily of a human scale and of pedestrian orientation, new development will be designed to reinforce the existing scale and character of the area."*

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With respect to the elevations of the proposed commercial building, the developer has attempted to incorporate the appearance of a two storey façade using fenestration details, however, the lack of upper level activity is of concern.

- Heritage Theme and Conservation: *"In order to maintain and enhance the historical character of the downtown area, development within the area, including signage installation, should proceed on the basis of a heritage design theme."*

Input from Heritage Brockville reveals that better integration with King St. is needed, particularly noting that the adjacent three storey building is ignored. The Chair of Heritage Brockville has offered the Committee's expertise and local knowledge to assist the development interests (See Schedule "E").

- Parking: *"Major new development should be encouraged to provide on-site parking as part of the development. However, at Council's discretion, off-street parking may or may not be required. Alternatively, cash-in-lieu of parking may be considered at a rate to be determined for each parking space not provided."*

The proposed commercial development has requested reduced on-site parking from 114 required parking spaces (157 if a clinic occupies the lower level space) to 37 parking spaces. As stated in the subject policy, on-site parking is being provided; however, not in the amount required for a building of this size based on the current rates established in Zoning By-law 194-94.

- Enhancement: *"The City is committed to the enhancement of the downtown area, and will continue to support beautification and infrastructure improvements. Initiatives designed to encourage private sector investment and improvements will also be pursued."*

Council clearly intends to encourage reinvestment downtown specifically by providing incentives through the Community Improvement Plan for Downtown Brockville. This development could take advantage of program assistance, as it falls within Priority Area 1.

Policy 7.2.2 - Downtown Commercial Core Area, states that the primary objective of the policies related to the Downtown Commercial Core is to ensure the continuing importance of the central business district of the City of Brockville as a major centre for shopping, governmental, institutional, cultural and business services for the residents of Brockville and its environs. It also states that private investment is to be encouraged where such investment will meet the objectives set out for this area. This policy can be achieved by encouraging the developer to make optimum use of this strategic site.

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Proposed Official Plan Considerations:

For the past two years, the citizens of Brockville have been engaged with Council in a process led by Planning Consulting firm MMM Group Limited to create a new Official Plan for the City. The process is very near complete, as the new Official Plan has evolved to a final draft which has been released for public review and discussion at a statutory public meeting. Adoption of the final document is expected in January 2011. It is valuable to review this application in light of not only the contents of the soon-to-be adopted Official Plan but more so to the Downtown and Waterfront Master Plan and Urban Design Strategy, created as background to the Official Plan and adopted by Council on Dec. 15, 2009.

i) Downtown and Waterfront Master Plan and Urban Design Strategy (DWMPUDS)

Section 4.2 of the DWMPUDS sets out Built Form and Urban Design Guidelines for the Downtown and Central Waterfront Area including but not limited to building setbacks, heights, massing, streetscape animation, parking, landscaping treatments and historical sensitivities related to facades. Some of the salient guidelines are listed below.

<i>Land Use:</i>	<i>Main streets are to accommodate a mix of land uses which provides for ground floor animation use such as retail, and residential or office uses above the ground floor.</i>
<i>Building Height:</i>	<i>Guidelines provide for a consistent building height to maintain the continuity of the street and consistent roof lines while ensuring a pedestrian scale. For Main Streets (King St. included), the minimum height at the street edge is to be 2 storeys. The minimum ground floor height is to be 4.5 m.</i>
<i>Parking:</i>	<i>Entrances to parking areas should be from secondary streets (Home St.). Parking requirements may be reduced in mixed commercial/residential developments on the basis of residential tenants sharing parking with business operators.</i>
<i>Architectural Character:</i>	<i>Harmoniously integrate and preserve similar styles, details and scale to enhance continuity of built form.</i>
<i>Heritage Preservation:</i>	<i>New developments should be respectful and reinforce existing architectural styles and themes through special architectural treatments to buildings.</i>

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ii) Proposed Official Plan

There are many relevant principles and policies articulated in the new Official Plan to provide guidance on planning decisions such as the proposal contemplated here. Of relevance are the following:

3.2.2.1 Mixed Use Nodes and Corridors

Based on the Land Use and Growth Management Strategy, adopted by Council on Dec. 15, 2009, Mixed Use Nodes such as the Downtown and Central Waterfront Area are to provide the framework to create opportunities for intensification, redevelopment and infill. Of the three Mixed Use Nodes in the City, the Downtown and Central Waterfront Area is to be the primary focus, where a mix of uses is to be accommodated, and where the existing character is to be reinforced.

3.2.6.1 Mixed Use and Commercial Areas and 3.2.6.1 Downtown and Central Waterfront Area

To be more adaptable, mixed use nodes including the Downtown and Central Waterfront Area are to move towards a more flexible, mixed use form, to provide for a range of commercial and residential uses at higher densities. Growth is to be directed through infill, intensification, and redevelopment of vacant sites. Furthermore, the City is to ensure the highest quality of urban design and architecture in the Downtown and Central Waterfront Area, consistent with the guidelines contained in the DWMPUDS.

3.4.1 Urban Design

The City is to maintain and improve the physical design characteristics of the urban area by ensuring consistency with the DWMPUDS, to ensure that development is designed in keeping with the traditional character of the City, while promoting efficient and cost-effective development to minimize land consumption.

3.4.2 Community Improvement

The Planning Act provides the City with tools to be used to proactively stimulate community improvement, rehabilitation and revitalization.

3.4.3 Cultural Heritage Resources

Cultural heritage resources, which include not only buildings but areas of settlement and streetscapes, are an important component of the City's history and community identity, and are to be conserved.

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4.2.1 Downtown and Central Waterfront Area

Goals of encouraging intensification and redevelopment of vacant and underutilized sites is reiterated, while identifying that a full range of commercial and retail establishments are permitted, among other things. Land Use and Built Form policies for the Downtown and Central Waterfront Area state that:

- *new development shall be consistent with the approved DWMPUDS;*
- *the height and massing of buildings shall have regard to the height and massing of buildings on any adjacent property;*
- *all required parking shall be provided on site or in a shared facility. Appropriate parking standards are to be established in the Zoning By-law;*
- *Development on main streets shall contribute to pedestrian animation at the ground floor level and provide streetscape elements that improve the look, feel and vibrancy of the street;*
- *Buildings on King St. are to have 100% continuous building frontage; and*
- *A consistent building height of 2 to 3 storeys shall be provided at the street edge to maintain the continuity of the street and consistent roof lines, and ensure that buildings are presented at a pedestrian scale.*

5.2.3 (3) Parking

All new development or redevelopment in the Downtown and Central Waterfront Area shall be encouraged to provide sufficient parking on site to accommodate the proposed use. If parking cannot be provided, the City may collect cash-in-lieu of parking.

6.4.2 Zoning By-law

The Zoning By-law shall include adequate development standards consistent with the Official Plan, establish zones and permitted uses that reflect the policies and land use designations of the Plan, and may regulate minimum and maximum height

Response to the Requested Zoning Amendments

Building Height:

As evidenced from the above overview, there is succinct language in the adopted DWMPUDS and in the final draft of the new Official Plan which is consistent with the DWMPUDS, establishing how new development is to be incorporated into our historic downtown. The establishment of a clear set of guidelines has been of utmost importance in undertaking the production of the new Official Plan.

While the development proposed meets many of the urban design guidelines, the minimum building height along the King St. frontage is not adhered to. Specifically, the

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project as currently proposed fails to meet the minimum requirement for a 2 to 3 storey building placed at the edge of King St. This project does not appropriately contribute to the continuity of our main street, and does not provide for consistent roof lines. Despite the attempt to create an appearance of a two storey building using a second row of windows above those at street level, the development project remains out of sync with the City's established objectives aimed at achieving good urban design.

We are aware of several examples where Shoppers Drug Mart stores have been built either using a two storey model (Aurora; Danforth Ave. in Toronto) or where the retailer is situated in a 2 or 3 storey building with upper levels available for other tenancies such as medical offices (Kingston; Dundas; Kitchener).

While we very much wish to encourage Shoppers to update and expand its presence in our downtown, we would implore the developer to find opportunities to meet the minimum building height and building storeys sought for this King St. location.

Parking:

The development of a commercial building containing 1894 m² (20,400 sq. ft.) of retail space and 930 m² (10,000 sq. ft.) of office or clinic space is proposed.

Zoning standards established in Zoning By-law 194-94 are typically to be applied to each of the uses proposed within the mixed use development at rates as follows:

Retail Uses:	5 spaces per 100 m ² (1,076 sq. ft.) of gross leasable area
Offices:	2 spaces per 100 m ² (1,076 sq. ft.) of gross leasable area if located above or below the first storey
Clinic:	1 space per 15 m ² (162 sq. ft.) of gross leasable area

The applicant is not specifically seeking a reduction in the rates to be applied to the proposed leasable area, but rather is suggesting that a maximum of 37 parking spaces can be accommodated on the site based on the preliminary design for this development.

In his report attached as Schedule "C", Mr. Harrison identifies other Shoppers Drug Mart pharmacies located in several other municipalities, and notes that these facilities, which he believes are comparable, have dedicated parking ranging from 10 to 49 spaces. This appears to be simply a statement of fact. Mr. Harrison submits that the 37 parking spaces proposed here is a reasonable and practical approach. It should be noted that his submission is not entirely justified, as it is not based on any evidence of identified need by the retailer. We cannot speak for Shoppers Drug Mart, however, from our observations of Shoppers' Drug Mart facilities elsewhere and from our experience with

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the recent development of a Rexall pharmacy just north of the downtown core, it is our estimation that 35 to 50 parking spaces would be desirable to meet the needs for the retail component of this project. With 37 parking spaces proposed, there is seemingly no additional on-site parking available for the office/clinic use proposed.

We have prepared a table identifying the parking requirements in other municipalities as established in their respective zoning by-laws, and applied their standards to determine the amount of parking that such a project would mandate. This comparison is attached hereto as **Schedule "F"**. In some municipalities, parking rates are reduced for downtown locations. The resulting calculations indicate that this project would dictate that as many as 152 parking spaces are to be provided, to as few as zero, in the case of downtown Kingston.

We do note that the circumstances of developing in a downtown area are very different that that of developing on greenfield sites, although this is not a perspective that prevails through to the establishment of parking standards for the downtown area in our zoning by-law. However, we do recognize and agree with Mr. Harrison that few downtown buildings have or would be able to meet the current standards of Zoning By-law 194-94.

From a review of policy, the DWMPUSD only addresses the potential for reduction of required parking where shared parking can be arranged in mixed commercial/residential buildings, which is not applicable with respect to the current proposal for commercial occupancy. More clearly, the new Official Plan suggests that new development in the Downtown and Central Waterfront Area should supply sufficient parking on site to accommodate the proposed uses.

We are unable to conclude whether the quantum of parking proposed for this development project is sufficient, as the occupancy of some of the proposed space is not yet known. It would seem on the surface that the City may be able to justify asking for more than 37 parking spaces proposed. If that were the case, the option of seeking cash-in-lieu of parking should be considered. Where there is potential that the parking demanded by customers, clients and employees is not met on-site, the resultant spillage into municipal on- or off-street parking facilities causes the insufficiency to become a municipal issue.

Further complicating this equation is the notion expressed earlier in this report, that the site is being underdeveloped, and more particularly that the building at King St. should be at minimum 2 or 3 storeys. More floor space, if added as upper storeys, would command more parking, at least as is currently dictated by our zoning by-law standards for parking.

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A solution to the parking question can be found. In the writer's opinion, the first order of business is to ensure that the building meets all of the urban design criteria before tackling the specifics of parking availability.

Loading Spaces:

Based upon information from the applicant and the development interests, it seems that one loading space is all that will be needed for receipt of deliveries to the retailer proposed, and therefore it would be appropriate to acknowledge that only one loading area is required.

POLICY IMPLICATIONS

The Community Strategic Plan, adopted in 2009, establishes under the Amenities pillar the #1 strategic priority being the revitalization of downtown. A Strategic Initiative to be accomplished in the short term is the establishment and implementation of a downtown revitalization and waterfront development plan, which indeed has been completed in the form of the Downtown and Waterfront Master Plan and Urban Design Strategy. It is now incumbent upon the City's administration and Council to encourage the development community to contribute to the implementation of the Strategy, as well as the other policies noted elsewhere in this report.

FINANCIAL IMPLICATIONS:

Planning decisions should be based upon sound planning rationale and not on anticipated property tax generated from development.

It is hoped that the development interests will modify the proposal to better mesh with the City's stated urban design objectives. If this occurs in the appropriate timeframe, and the site is developed, the TIERR Grant tax incentive and building permit fee waivers under the Community Improvement Plan for Downtown Brockville would be applicable. In future years, additional tax revenue would be realized by the City.

CONCLUSION

The City of Brockville is keenly interested in downtown revitalization. However, it is inappropriate to support the requested amendments to Zoning By-law 194-94 to allow for development of this prominent downtown site unless the proposed building is designed so as to be consistent with the City's urban design guidelines. Parking

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requirements for any resubmitted design should be reviewed at that time. Therefore, the requested amendments to Zoning By-law 194-94 should be denied.



M. Pascoe Merkley, MCIP, RPP
Director of Planning

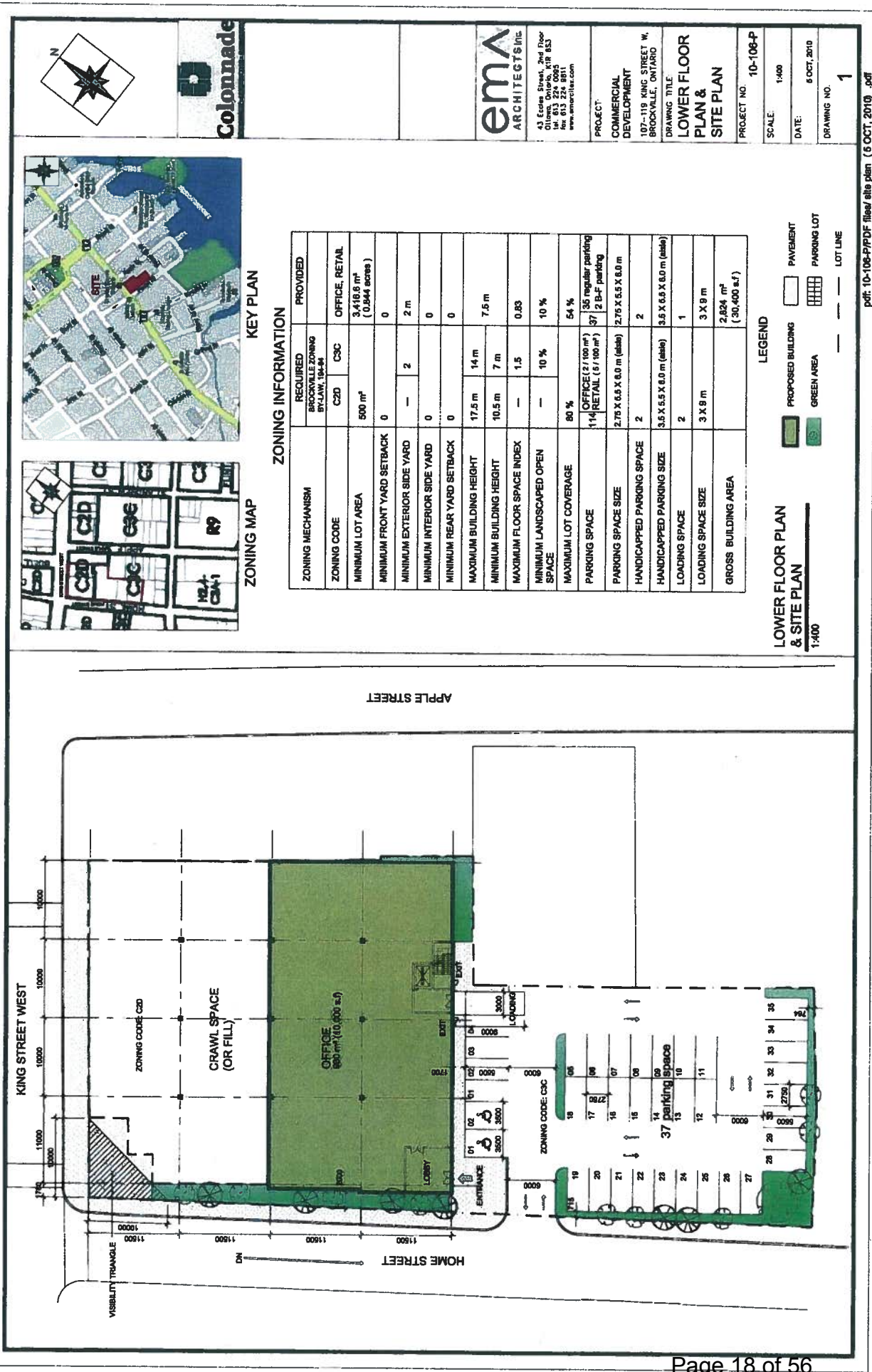


B. Casselman
City Manager



Subject Property: 107 - 119 King Street West

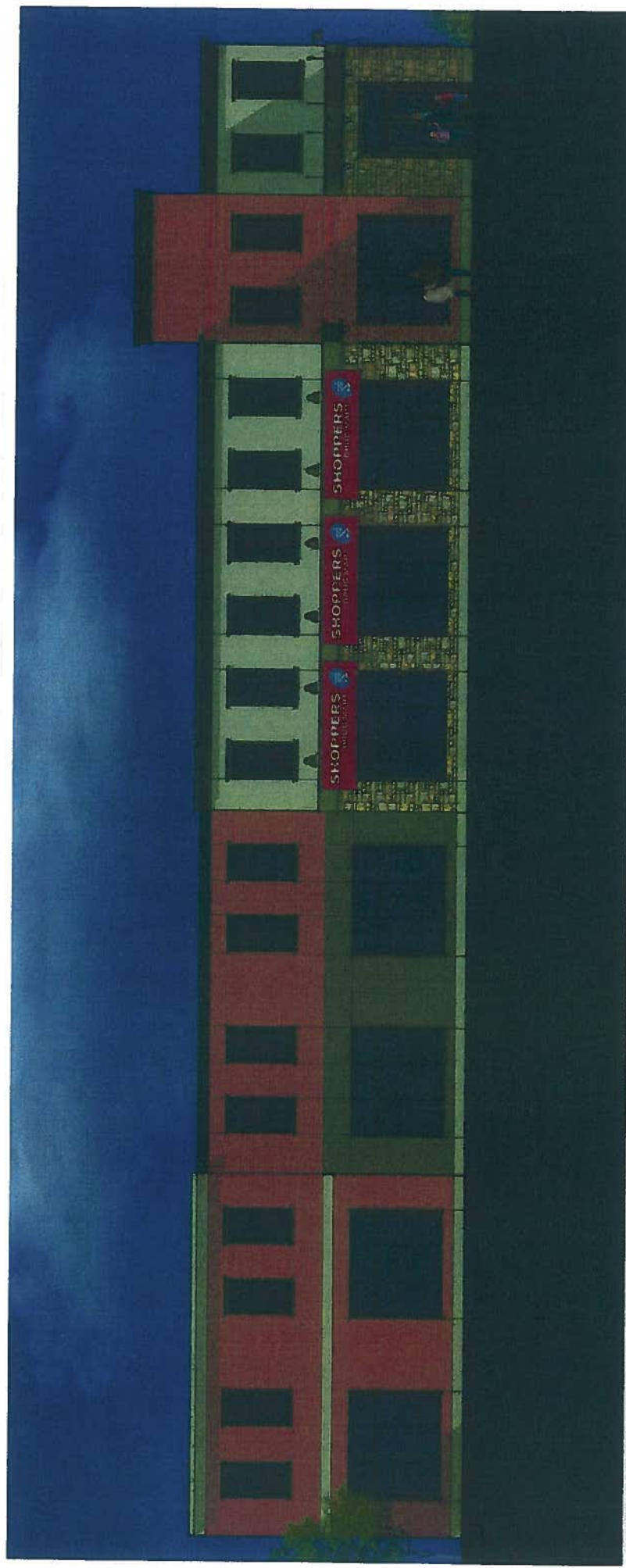
SCHEDULE "A" - Report: 2010-157-11



SCHEDULE "B2" - Report 2010-157-11



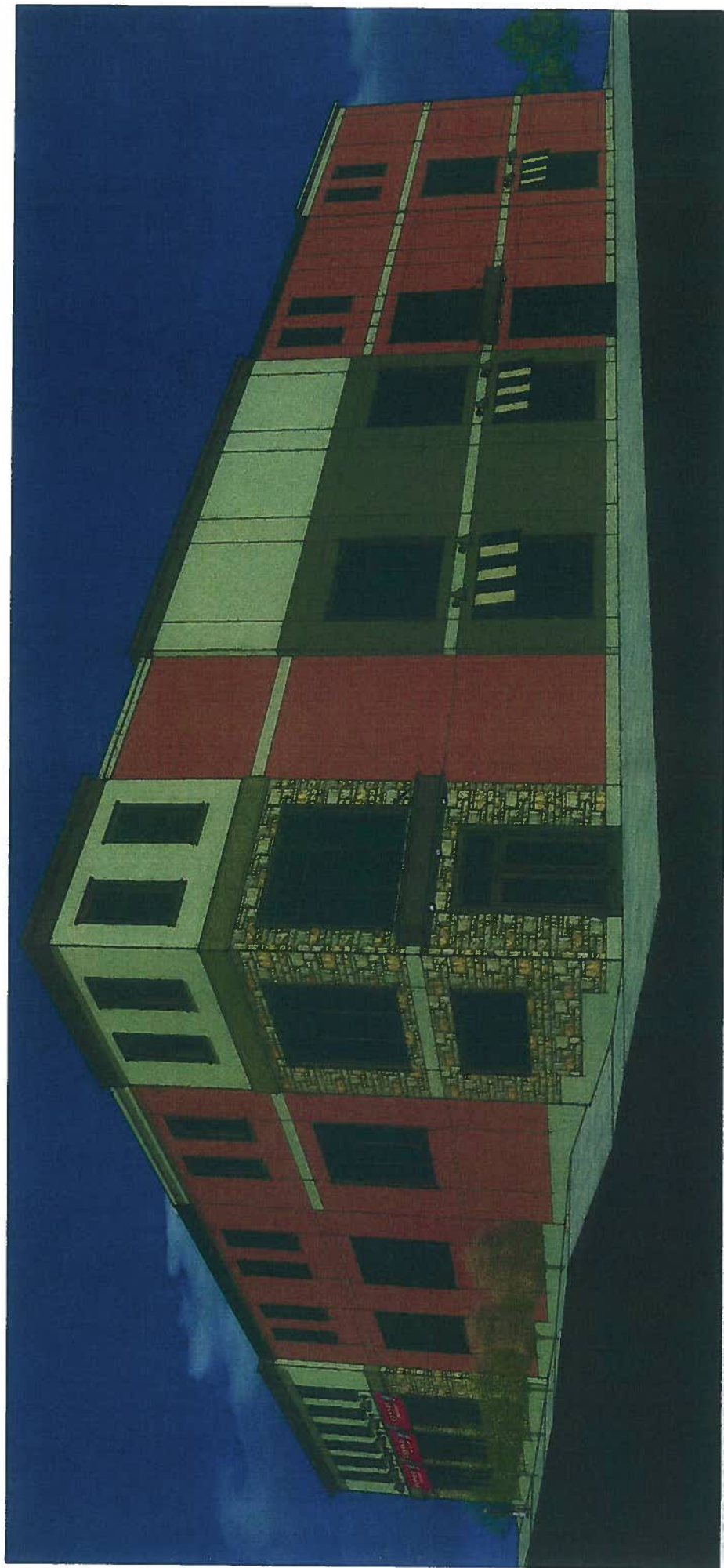




CONCEPT KING STREET WEST | MAIN ELEVATION OCT 28 2010









SCHEDULE "C" - Report 2010-157-11

**PLANNING RATIONALE FOR
ZONING BY-LAW AMENDMENT
107-119 KING STREET WEST
CITY OF BROCKVILLE
DME Project No. 11145**

**Prepared for:
Colonnade Development Incorporated**

Prepared by:



**David McManus Engineering
100-2650 Queensview Drive
Ottawa, Ontario K2B 8H6**

October, 2010

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1.0 INTRODUCTION

1.1 Purpose

David McManus Engineering (DME) was retained in October 2010 to prepare a Planning Report in support of an application by Colonnade Development Incorporated for lands owned by Mr. Scott Hilhorst at 107-119 King Street West, City of Brockville.

The purpose of this report is to provide the planning rationale to amend the certain provisions of the Zoning By-Law 194-94 to permit development of these lands for a retail pharmacy and medical clinic.

1.2 Background

The subject lands are located on the south side of King Street in proximity to the geographic centre of Brockville's commercial downtown core. These lands are designated as "Commercial Downtown" in the existing Official Plan and as "Downtown and Central Waterfront Area" in the City's proposed new Official Plan. They are currently zoned as Commercial C2D and C3C.

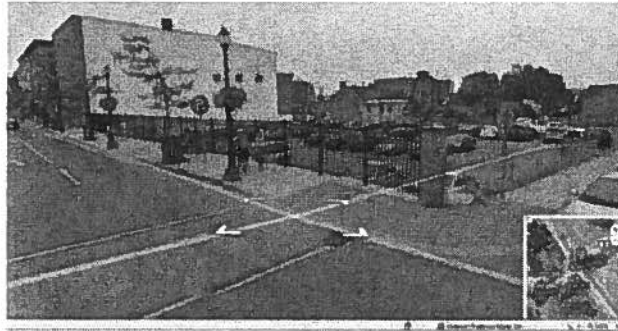
The proposed land uses, as discussed in this report, comply with Provincial Policy of the City of Brockville, existing and proposed, and are a desirable addition to the City's commercial core

1.3 Location and Surrounding Uses

The subject lands are located at the southeast corner of King Street West and Home Street. The legal description is Lots 85 to 91, Block 30, Plan 67 and Lots 82, 83, 84, 92, 93 Plan 67 described as Parts 1, 2 and 3 on 28R-5445, City of Brockville, County of Leeds. The lands are municipally known as 107 to 109 King Street West and are comprised of approximately 3746 square meters.

The site is currently vacant and contains a municipal parking lot through an agreement between the City of Brockville and the land owner. Surrounding land uses are primarily retail and service commercial with some residential uses to the south as indicated on Figure 1.

**Figure 1 - View of Subject Site
From King Street and Home Street, Brockville**



1.4 Site Characteristics

The site is approximately 2 meters below the elevation of King Street and relatively flat with a total relief of approximately 3 meters in elevation from a high point near the northwest corner of the property. The property is devoid of any significant vegetation and is asphalt paved in the northern portion and gravel in the south. There are no existing buildings or structures and no unusual physical or environmental constraints which could affect development.

1.5 Pre-consultation Details

The proponent met with and has had several conferences with City of Brockville Staff during September 2010 to discuss this application.

2.0 THE APPLICATION

The Application is for a site specific amendment to the performance standards of the C2D and C3C provisions of Zoning Bylaw 194-94. It would permit the development of a pharmacy (1894 m²/20,400 square feet) on the street level and office uses (930 m²/10,000 square feet) on the lower level. Specifically, the requested amendments are:

- to amend the zoning on the site from C2D and C3C to a site specific C2D zone
- a reduction to the parking standard from 114 spaces to 37 spaces
- a reduction to the loading space standard from 2 spaces to 1
- a reduction of the minimum height of the building in the C2D zone from 10.5 meters to 7.5 meters.

The Design Architect advises that “in conjunction with the Urban Design Guidelines, Colonnade Developments and its consultants have worked together to create an infill project that takes its design cues from the tradition of Downtown Brockville. The design uses traditional cladding elements like stone and brick in period appropriate hues to integrate with its heritage neighbours. The large generous windows of the ground floor, and the glazing above, respect the proportions and sizing of storefronts found throughout the central commercial core. In each structural bay, the walls including parapets, have been expressed in various materials, heights and colour, in an effort to respond to the massing and material variation seen along King Street.

By using the nearby buildings like 116 King Street West as a general reference for design, the proposed building is being developed with an overall height of 7.5 metres. While this is not required for the proposed building function, the height is considered critical to respect the roofline of neighbouring buildings, as well as respecting the directions given in the downtown development guidelines. The full height storefront glazing at the street level will bring a sense of new life to the corner of King and Home Street, by encouraging people to see the activities going on inside. With the addition of traditional materials and massing, including the

glazing above the storefront level, a sense of true belonging on the street will be created”.

Figure 2 – Zoning Bylaw 194-94



3.0 **EXISTING PLANNING POLICY FRAMEWORK**

3.1 **Provincial Policy Statement**

The Provincial Policy Statement provides policy direction on matters of Provincial interest related to land use planning and development. It was issued under Section 3 of the Planning Act and came into effect on March 1, 2005. The salient policies applicable to the subject application are outlined in the following tables:

PROVINCIAL POLICY STATEMENT EXCERPT	
1.0	<i>BUILDING STRONG COMMUNITIES</i>
	<i>Ontario's long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns. Efficient land use and development patterns support strong, liveable and healthy communities, protect the environment and public health and safety, and facilitate economic growth.</i>
1.1	<i>MANAGING AND DIRECTING LAND USE TO ACHIEVE EFFICIENT DEVELOPMENT AND LAND USE PATTERNS</i>
1.1.1	<i>Healthy, liveable and safe communities are sustained by:</i>
	<ul style="list-style-type: none"><i>a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;</i><i>b) accommodating an appropriate range and mix of residential; employment (including industrial, commercial and institutional uses); recreational and open space uses to meet long-term needs;</i><i>c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;</i><i>d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;</i><i>e) promoting cost-effective development standards to minimize land consumption and servicing costs;</i><i>f) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs.</i>
1.1.2	<i>Sufficient land shall be made available through intensification and redevelopment and, if necessary, designated growth areas, to accommodate an appropriate range and mix of employment opportunities, housing and other land uses to meet projected needs for a time horizon of up to 20 years. However, where an alternate time period has been established for specific areas of the Province as a result of a provincial planning exercise or a provincial plan, that time frame may be used for municipalities within the area.</i>

The proposed development complies with and enhances these policies by being appropriately designed and provides an additional commercial space in the downtown core of Brockville. It will utilize existing infrastructure without requiring any extension.

PROVINCIAL POLICY STATEMENT EXCERPT

1.1.3 Settlement Areas

1.1.3.1 Settlement areas shall be the focus of growth and their vitality and regeneration shall be promoted.

1.1.3.2 Land use patterns within settlement areas shall be based on:

a) densities and a mix of land uses which:

- efficiently use land and resources;*
- 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*
- minimize negative impacts to air quality and climate change, and promote energy efficiency in accordance with policy 1.8*

1.1.3.3 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.

Intensification and redevelopment shall be directed in accordance with the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety.

The proposed development is within a settlement area and provides additional commercial uses that are adjacent to and compatible with existing development. It will be serviced by existing systems.

PROVINCIAL POLICY STATEMENT EXCERPT

1.3 EMPLOYMENT AREAS

1.3.1 *Planning authorities shall promote economic development and competitiveness by:*

- a) providing for an approximate mix and range of employment (including industrial, commercial and institutional uses) to meet long term needs;*
- b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;*
- c) planning for, protecting and persevering employment areas for current and future uses; and*
- d) ensuring the necessary infrastructure is provided to support current and projected needs.*

The proposed development provides an appropriate addition to the retail and service commercial inventory in Brockville.

PROVINCIAL POLICY STATEMENT EXCERPT

1.6 INFRASTRUCTURE AND PUBLIC SERVICE FACILITIES

1.6.1 *Infrastructure and public service facilities shall be provided in a coordinated, efficient and cost-effective manner to accommodate projected needs.*

Planning for infrastructure and public service facilities shall be integrated with planning for growth so that these are available to meet current and projected needs.

1.6.2 *The use of the existing infrastructure and public service facilities should be optimized, wherever feasible, before consideration is given to developing new infrastructure and public service facilities.*

1.6.4 *Sewage and Water*

1.6.4.1 *Planning for sewage and water services shall:*

- a) direct and accommodate expected growth in a manner that promotes the efficient use of existing:*
 - 1. Municipal sewage services and municipal water services.*

1.6.4.2 *Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas. Intensification and redevelopment within settlement areas on existing municipal sewage services and municipal water services should be promoted, wherever feasible.*

The proposed development is to be serviced by existing infrastructure. No new or extended systems will be required.

In conclusion, approval of this application for Zoning By-Law amendment would be consistent with the Provincial Policy Statement.

3.2 City of Brockville Official Plan

The City of Brockville Official Plan (OP) was adopted by City Council on August 11, 1987. There are no outstanding amendments or appeals of the Plan to the Ontario Municipal Board that would affect the subject application.

The City of Brockville is currently in the final stages of adopting a new Official Plan and accordingly this report will address conformity with both the existing and proposed Official Plan.

The existing Official Plan designates the subject property as Commercial Downtown. The salient policies applicable to the subject application are outlined in the following tables:

CITY OF BROCKVILLE OFFICIAL PLAN EXCERPT	
IV	Goals and Objectives
4.2	Commercial Goals
	<i>To plan for a pattern of commercial development that provides for a full range of commercial goods and services, at appropriate locations, to meet the needs of the residents and businesses of Brockville and the surrounding area.</i>
	<i>To anticipate and accommodate emerging trends in the commercial sector, consistent with the City's goals and objectives for development</i>
	<i>To encourage transit and pedestrian supportive commercial development wherever possible, while also providing for automobile-oriented commercial development at appropriate locations.</i>
	<i>To preserve and enhance the unique character and distinctive role of the downtown as a major commercial, business and employment centre for the region</i>
	<i>To encourage a mix of compatible commercial, residential and other land uses at appropriate locations</i>
	<i>To encourage the built form of commercial development to be consistent with sound urban design objectives and principles.</i>

Objectives

To identify locations, and to establish policies, to guide commercial development required both to meet the present and future needs of the City and the surrounding area, and resulting from emerging trends in the commercial sector.

To provide opportunities for mixed use developments incorporating complimentary and compatible commercial and no-commercial uses.

To promote and maintain high aesthetic, urban design and functional standards for commercial development through the use of urban design guidelines, particularly within the downtown and in emerging commercial areas.

To facilitate the safe and efficient movement of pedestrians and vehicles within commercial areas and on adjacent roads.

To strengthen the role of the downtown as a multi-functional centre serving the immediate area as well as the greater region by encouraging a wide range of business and commercial uses, and by enhancing opportunities for commercial and tourism development within the downtown and waterfront area.

To maintain the historical character of the downtown by enhancing and protecting the architectural heritage of the built environment wherever possible, while encouraging a heritage design theme for new commercial development and signage.

The subject application is consistent with these policies.

CITY OF BROCKVILLE OFFICIAL PLAN EXCERPT

6.3 Commercial Districts

6.3.5 Commercial Downtown

The Commercial Downtown designation is designed to encourage and enhance the central business district as a major focus of economic activity within the City. It represents a concentration of pedestrian oriented commercial uses in a traditional setting. This designation also recognizes the proximity of the waterfront and includes it as an extension of the life and form of the downtown core area. As such, the Commercial Downtown District is intended to provide a unique shopping and leisure designation for residents and visitors, where a variety of compatible and complimentary uses will be permitted.

a) Uses permitted

The uses permitted in the Commercial Downtown District shall include a broad range of commercial uses including but not limited to retail stores, service uses, restaurants, business and professional offices, banks and financial institutions, theatres, marinas, recreational uses, mixed commercial/residential buildings, and residential uses consistent with Policy 7.2.2.7.

b) Built Form

Recognizing that the built environment within the Commercial Downtown area is primarily of a human scale and of pedestrian orientation, new development will be designed to reinforce the existing scale and character of the area. Generally, the design guidelines recommended in the Waterfront Development Study will be followed and implemented through zoning controls, in order for the City to predict the scale and mass of buildings. Density for commercial, residential and mixed use

developments may be controlled using a ration of floor space to the lot area. The articulation of building facades will be encouraged.

c) Heritage theme and conservation

In order to maintain and enhance the historical character of the area, development within the area, including signage installation, should proceed on the basis of a heritage design theme. Furthermore, Council shall consider the designation of the area as a Heritage conservation District, in accordance with Policy 5.17 of this Plan

d) Parking

Vehicular parking standards for the Commercial Downtown Area will be established in the implementing zoning by-law. Major new development should be encouraged to provide on-site parking as part of the development. However, at Council's discretion, off street parking may or may not be required. Alternatively, cash-in-lieu of parking may be considered at a rate to be determined for each parking space not provided.

It is approximate to monitor the adequacy of parking facilities within the Commercial Downtown area. From time to time, council should undertake parking studies to determine the long term parking needs of the downtown.

Parking areas shall be prohibited between the front of main buildings and the street. Access points to parking facilities shall be limited in number and designed in such a manner so as to minimize the danger to pedestrians.

e) Open Storage

Open storage shall be prohibited, except where required for marina uses.

The subject application is consistent with these policies and assists the City in achieving its overall commercial land uses. It will provide a modern full serve pharmacy and other commercial use complementary to downtown Brockville. The building materials will be compatible with heritage themes expressed in the general area. On-site parking for 37 vehicles will be provided. The quantum of parking is consistent with existing policy and is appropriate within the context of a "downtown commercial core".

The existing and proposed Official Plans both acknowledge the practical difficulties of trying to achieve "Greenfield" parking standards within the urban core. In built up urban areas throughout Southern Ontario, the provision of parking in downtown is often considered on a site by site basis. In Brockville, policy further permits Council the discretion to determine parking required for each application as opposed to meeting a general standard. It is likely that no individual existing site within Brockville's commercial core on King Street meets the current zoning standards with respect to parking. Often, as would in the case of this application, the parking standard would consume the entire property such that no development would be possible. The Official Plan also encourages

applicants to provide on-site parking as part of the development. Therefore, within the spirit of that policy, this application provides 37 spaces (including handicapped) plus one loading bay for the proposed pharmacy facility. As part of our design approach to this site we have canvassed other pharmacy uses in similar circumstances in Eastern Ontario. We have determined that the proposed parking is consistent and comparable with the needs of these facilities in other communities. These include Shoppers Drug Mart stores of similar size including:

Bank and Summerside in Ottawa	12 parking spaces
Glebe in Ottawa	10 parking spaces
Westboro Station in Ottawa	25 parking spaces
Main Street in Trenton	10 parking spaces
Princess and Division in Kingston	30 parking spaces
Main and Washburn in Picton	49 parking spaces

In my opinion the operation of existing sites such as these by a pharmaceutical entity is the best representation of the level of parking required to satisfy the use. On balance, it is our submission that the provision of 37 spaces for the subject site is a reasonable and practical approach.

3.3 City of Brockville Proposed Official Plan

The City's proposed Official Plan designated the subject property as "Downtown and Central Waterfront Area". The policies applicable to this application are authored in the following tables:

CITY OF BROCKVILLE PROPOSED OFFICIAL PLAN EXCERPT
<p>3.2.2 CITY STRUCTURE</p> <p>3.2.6.1 Downtown and Central Waterfront Area</p> <p><i>It shall be the policy of the City that:</i></p> <ul style="list-style-type: none"> 2) <i>As a first priority, The City shall promote and direct growth through infill, intensification and redevelopment of vacant and/or underutilized land to the Downtown and Central Waterfront Area.</i> 4) <i>The City shall ensure the highest quality of urban design and architecture in the Downtown and Central Waterfront Master Plan, in accordance with the Downtown and Waterfront Master Plan and Urban Design Strategy (DWMPUDS). The City shall be satisfied with all development and redevelopment is consistent with the guidelines contained within the DWMPUDS.</i>

4.2 Downtown & Central Waterfront Area

4.2.1 Introductions

The Downtown and Central Waterfront Area reflects the historical City of Brockville as a service and cultural centre. This Area represents the broadest diversity of land uses, greatest level of activity and highest quality of design that reflects the historical character and culture of the City of Brockville. Achieving the desired mix of uses shall be achieved by encouraging intensification and the redevelopment of existing vacant and underutilized sites where it is feasible and practical.

4.2.2 Permitted Uses

Subject to the Land Use and Built Form Policies of Section 4.2.3, the following uses shall assist in guiding the broad range of development permitted within the Downtown and Central Waterfront Area, as identified on Schedule 1, recognizing that a more definitive list shall be provided in the zoning By-law:

- 7. Commercial uses such as business and professional offices, eating establishments, service and convenience retail and similar types of uses shall be permitted.*
- 8. Development along Main Streets, Secondary Main Streets and Water Street as identified on Schedule 2, shall reinforce the linkages to the waterfront and preserve and enhance views, contribute to pedestrian animation on the ground floor level, and provide streetscape elements that improve look, feel and vibrancy of the Main and Secondary Streets and Water Street.*

The proposed use is consistent with and complements the objectives and policies of the new Official Plan. As the processing of this application advances, further material will be provided to the City with respect to urban design and architecture.

4.0 SUMMARY AND OPINION

The proposed redevelopment of this site is based on a mixed commercial concept of retail and service floor space. The uses comply with the Provincial Policy Statement and the applicable policies of both the existing and proposed Official Plan. Those policies recognize that development in the commercial core is a balance of use, design and functionality of any given site. In that regard, the Official Plan permits Council to establish parking requirements and height considerations that are specific to the proposal and the site. In my opinion the

requested amendments to the zoning by law are appropriate for the proper development of these lands, that the project is an excellent addition to the commercial vitality of the downtown and represents good planning

Respectfully submitted:
David McManus Engineering.

Richard W. Harrison, MCIP, RPP.
Planning Manager, Land Development
Infrastructure Services

Memorandum



Date: October 25, 2010

File No. D00-01

To: M. Maureen Pascoe Merkley
Director of Planning

From: E. J. Jones
Engineering Supervisor

Subject: 107-119 King St. W.
File: D14-144
Proposed Pharmacy and Medical Clinic

The Environmental Services Department has reviewed the proposal for a retail pharmacy and a medical clinic at the south east corner of Home Street and King Street West.

A reduction of on-site parking to 37 spaces is a concern since any loss of parking in the downtown core would not be acceptable since parking availability in this area is an on-going issue. The existing site is used as a municipal parking lot and the south end of the site is used for storage of boat trailers and vehicles. The area is heavily used and the loss of parking would be a concern to present users of this site.

The reduction in the minimum height of the building to 7.5 metres is not a concern.

A handwritten signature in cursive script, appearing to read "E. J. Jones".
EJJ:wg



HERITAGE BROCKVILLE

Brockville's Municipal Heritage Advisory Committee



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

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

November 5, 2010

Dear Mrs. Pascoe-Merkley;

SUBJECT: New Development on 1107 - 119 King St. West

Heritage Brockville Committee members attended the EDP meeting last Tuesday, November 2, 2010 and obtained the drawings supplied by Colonnade Development Inc. After discussing these drawings at our regular monthly meeting, we conclude that we have some ideas to offer the developer to assist his proposed building better integrate itself into King Street.

It was noted that there was no visual reference made to the adjacent three storey building. The official plan speaks to this on page 4-4 where it states that *"the height and massing of the building shall have regard to the height and massing of the buildings on any adjacent property."*

In the past we were involved with the modifications to the Tim Horton's building. After meeting with their representatives they inserted windows on the King Street elevation and build a parapet wall to hide their heating and cooling equipment. This resulted in a more appealing building on our main street. We hope to repeat that process.

Can we be involved in the design process for this building's facade?

Sincerely yours,

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

cc: File





INTEROFFICE MEMO CLERK'S DEPARTMENT

TO: Maureen Pascoe Merkley, Director of Planning
c.c. DBIA Parking Committee

FROM: Sandra M. Seale, City Clerk

SUBJECT: 107-119 King Street West, Zoning By-law Amendment (File No. D14-144)

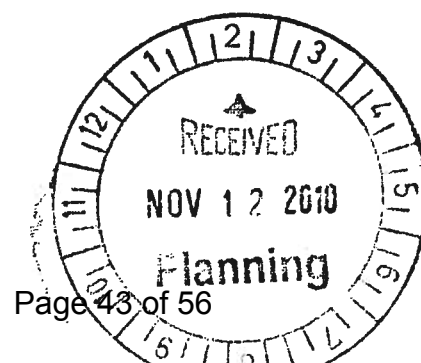
DATE: November 12, 2010

The Clerk's Department has reviewed the proposal for development of the property at the south east corner of Home Street and King Street West, known municipality as 107-119 King Street West and provides the following comments:

The development of this site will negatively impact the municipal parking space inventory in the downtown area by up to 75 vehicles parking spaces and 15 boat trailer parking spaces (seasonally). It is not expected that developer create additional parking spaces to replace the "public" parking that will be lost, but it is desirable for the development of the site include sufficient parking for the needs of the proposed retail pharmacy and medical clinic including parking for customers, patients and employees. It is recognized that the "needs" of a development may be different than the "requirements" under the Zoning by-law, but the parking provided should be sufficient to accommodate the majority of the "needs".

The Parking Characteristics Report prepared for the City of Brockville in July 2008 does identify this area within the central business district to have the high accumulation of on-street parking and off-street lot parking occupancy.

In the presentation made by Mr. Richard Harrison on November 2nd at the EDP Public meeting, he made mention of Shoppers Drug Mart store of similar size located in Ottawa, Trenton, Kingston and Picton and indicated the parking proposed in this development is consistent and comparable. It is important to note that 4 of the 6 comparables are located in municipalities where there common use of public transportation and cycling and where pedestrian oriented higher density neighbourhoods are located, which significantly affect the use of personal vehicles and the need for parking.



Planning Dept.
Re. File D14-144
107-119 King St. W.

I am concerned with the increased truck traffic on Apple Street, especially in the area of the intersection of Apple Street and Water Street.

I am also concerned with the ability for parking access from Apple Street which would also add to increase traffic on Apple Street.

Ruth Dwyer

Ruth Dwyer
22 Apple St.
Brockville, ON

I would like to receive a copy of the minutes and the decision of Council.

7 Sherman Lane
Brockville, Ontario
K6V 7M1
613-865-9792
dpound@cogeco.ca

October 25, 2010

M. Maureen Pascoe Merkley
Director of Planning
Planning Department – City Hall
One King Street West
Brockville, Ontario
K6V 7A5



Reference: File No. D14 – 144

Dear Director,

I am writing to express my objection to the requested Zoning By-law Amendment in reference to File No. D14 – 144: for the proposed development of a retail pharmacy and a medical clinic at 107 – 119 King Street West.

I take exception with two of the requests:

1. reduction of the on-site parking to 37 spaces; and
2. reduction of the minimum height of the building to 7.5 metres.

My reasons follow:

Parking

1. The Application states that the parking requirement is for 114 spaces. The proposal is for 37 spaces – a reduction of 77 spaces.
2. Planning personnel have advised me that the 114-space requirement is based on **office** usage. However, the Application states that, rather than office usage, the use will be as a medical clinic. Again, Planning personnel have advised me that a medical clinic would require approximately 50 additional spaces – that is, approximately 164 spaces. Consequently, more accurately, the request is for a reduction of 127 spaces from what is required.
3. The parking lot operated currently by the City at that location has 34 marked spaces and approximately 12 unmarked spaces. With the loss of this lot, the City will lose 46 off-street parking spaces.
4. If the request to reduce the required parking spaces to 37 is granted, the consequence will be a net deficit of 173 off-street parking spaces. Applying the parking-space economics reported for the Maritime Discovery Centre – that is, a cost to the City of \$20,000 per space – this deficiency, since the spaces are “required”, would result in a “cost” to the City of \$3,460,000 if it acted to mitigate this shortfall.
5. The Application argues that there are limitations to the property which make it unreasonable for the developer to provide the proscribed number of spaces. However, unlike the property at 18/20 King Street West which Mr. Hilhorst recently sold – which does have logistical/surface area limitations on parking, the property at 107 – 119

King Street West has no such limitations. My expectation is that the property can easily accommodate a parking structure that would provide all of the necessary spaces – and that the only limitation is the developer's reluctance to incur the cost of meeting the City's requirements.

Height

6. My reading of the August 2010 version of the City of Brockville Official Plan is that the City has set an objective to maintain the integrity of the historical nature, scale and visual presence of the King Street streetscape.
For example, in Section 4.2.3:
 - Point 1: "New development in the Downtown . . . shall ensure . . . that the proposed uses do not negatively impact the planned function of the area."
 - Point 20: "A consistent building height of two to three storeys shall be provided at the street edge to maintain the continuity of the street . . ."
7. My perusal of the Application identified no substantive rationale for a reduction of height from that specified within the context of the Official Plan.
Neither did I find the Application sympathetic to the spirit of the requirements of the Plan.

In summary, I believe that:

- A. Approval to reduce the number of parking spaces to 37 would be a dis-service to the residents of Brockville – denying us 173 off-street parking spaces in the heart of the downtown.
Furthermore, it would transfer the significant cost of mitigating this deficiency from the developer to the City.
- B. Approval to reduce the minimum building height would be contrary to the Official Plan and would directly work against the City's stated objectives for King Street.

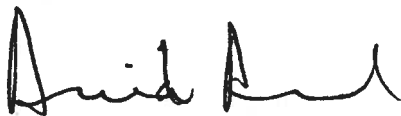
In conclusion, I suggest that, if approval of these requests is necessary for the developer to proceed with the proposed project, then such a development is not consistent with the policies of the City and will not assist the City in its overall objectives for commercial land uses.

Perhaps the proposed development is not appropriate within the context of the downtown commercial core of Brockville.

For your information, it is my intention to attend the Public Meeting scheduled for November 2.

I will be grateful if your office would keep me apprised of the status of this Application: for example, when it will be brought before City Council, and if it is adopted or refused.

Sincerely,

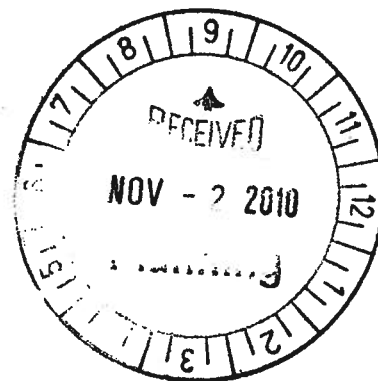


David Pound

7 Sherman Lane
Brockville, Ontario
K6V 7M1
613-865-9792
dpound@cogeco.ca

November 1, 2010

M. Maureen Pascoe Merkley
Director of Planning
Planning Department – City Hall
One King Street West
Brockville, Ontario
K6V 7A5



Reference: File No. D14 – 144

Dear Director,

Further to my letter to you of October 25 regarding the above-referenced file, it is unlikely that I will be able to attend the Public Meeting on November 2nd as I must be in Ottawa that day to deal with an unexpected family medical situation and may not be able to return in time. Unfortunately, there is one additional observation/comment which I intended to put forward at the Meeting.

In the context of my earlier noted "deficiency of 173 parking spaces", I would appreciate your consideration of the following while assessing the request for reduced number of parking spaces:

- Within the area bounded by -
- Perth/St. Paul streets on the west,
 - George/Pine streets on the north,
 - Victoria/ Market West streets on the west, and
 - Water Street on the south,

by my count, there are approximately 247 designated on-street parking spaces.

Furthermore, the City parking lots within this area provide approximately 217 parking spaces.

- These lots are located at
- George and Buell streets, behind Shoppers,
 - George Street, west of the car dealership,
 - Water Street, at the foot of Market Street West,
 - Market Street West, south of the Registry office, and
 - Water and Perth street, south of Reliable furniture.

If my assessment that, if approval is granted for a reduction to 37 parking spaces, there will be a net deficiency of 173 spaces is not correct, I would be grateful if your office would contact me to explain where I have erred in my reasoning.

Sincerely,

David Pound

107-119 King Street West - Rezoning Application - File D14-144

Comments received from Colin Williams, October 29, 2010 at 9:29 a.m., via email:

“Shoppers Drug Mart

It's a shame that the 2nd floor and even a third level are not for residential use. The second level could affordable units, having a smaller floor area and the 3rd floor housed upscale units, and the whole building turned into a condominium building. Many of the residential units would have a fairly good, although somewhat distant, river view across Hardy Park and Ernie Fox Quay. The downside to incorporating several; residential units into the building is that it would be even more deficient in the provision of on-site parking.

Another important consideration, I suggest, should be the loss of both vehicle and large boat trailer parking. The Buell St Parking is often full.

I trust that this is of help to you.”

Colin Williams

Lorraine Bagnell

From: Robert A. Millar [ram@millarTECH.ca]
Sent: November 9, 2010 1:59 PM
To: Barb Robinson
Cc: Lorraine Bagnell
Subject: Development Proposal at King St / Home St.
Attachments: ram.vcf

Mayor and City Council,

If there ever was a case for a "Public / Private Partnership", this development is it. The city needs a parking lot, wants more residential units downtown, wants densification of the core, and more high rise development farther back from the river-front; the developer wants changes to the Zoning By-law and the potential for greater return on investment.

How about proposing that the developer consider some deal so that:

- the city offers to give:
 - payment for some of -- a public parking lot, extra services to a larger building
 - sharing income from parking lot,
 - zoning by-law changes (compatible with new OP)
- the developer gives:
 - a larger building that includes:
 - an underground parking garage for the tenants of the building,
 - an at grade parking lot for the public (at the same grade as the existing Daily lot).
 - retail stores on the King St. level
 - 2 levels of offices
 - 4 or 5 levels of apartments/condos -- balconies &/or a tiered design for roof patios, could give spectacular views of the St. Lawrence River from 3 sides (at least until all the waterfront high-rises get built!!).
 - for a total of up to 8 stories above King St.
 - an exterior design more in keeping with historical street-scape (at least something better than a red-brick facade)
- the developer gets:
 - zoning by-law changes required,
 - extra city services at minimal extra cost,
 - extra parking for customers at minimal cost plus a small revenue stream,
 - a more saleable, up-scale development with potential for greater return on investment.
- the city gets:
 - replacement for Daily public parking lot,
 - additional tax revenue,
 - progress toward vision of Downtown Plan as set out in new OP,
 - better utilization of prime downtown land,
 - example for other developers to do more than just minimal buildings along King St.

Respectfully submitted for your consideration

Robert A. Millar

7 Grant St., Brockville, ON, K6V5K8

SCHEDULE "E" - Report 2010-157-11 (6 pages)



Public Meeting Economic Development & Planning Committee

COMMITTEE MINUTES

Tuesday, November 02, 2010, 6:00 P.m.
City Hall, Council Chambers

Roll Call

Committee Members:

Councillor J. Baker, Chair
Councillor M. Kalivas
Councillor S. Williams
Mayor D. Henderson, Ex-Officio

Others:

Councillor

Staff:

Ms. T. Brons, Administrative Coordinator, Clerk's Office (Recording Secretary)
Mr. J. Faurschou, Planner I
Ms. M. Pascoe Merkley, Director of Planning
Ms. S. Seale, City Clerk

Others:

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

ITEM

2010-144-11

Proposed Zoning By-Law Amendment

107-119 King Street West, Brockville

Owner: Scott Hilhorst (c/o Cal Kirkpatrick-Colonnade Development Inc.)

Applicant: Richard Harrison, MCIP, RPP

(David McManus Engineering - Division of Trow Associates Inc.)

File No.: D14-144

Councillor J. Baker, Chair announced the Public Meeting.

Ms. M. Pascoe-Merkley, Director of Planning, announced that Notice of the Public Meeting for Staff Report 2010-144-11 was provided in the Recorder and Times Newspaper on October 7, 2010, a notice was mailed out to surrounding property owners of the subject property and a sign was posted on the subject property.

Councillor Baker 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 Baker provided an overview of the Public Meeting procedures and the nature of the application.

Ms. M. Pascoe-Merkley, Director of Planning, provided an overview of the Application for Zoning By-Law Amendment filed by Richard Harrison of David McManus Engineering, acting on behalf of Colonnade Development Incorporated, who represent Scott Hillhorst, the owner of lands described as Part Lot 17, Plan 9, Part 1, Reference Plan 11781, City of Brockville, County of Leeds, (located on the south side of King Street West at the south east corner of Home Street and King Street West).

The proposed amendment would, if approved, allow the subject lands to be developed for a commercial building (main floor retail (pharmacy), and lower level offices) with reduced parking, loading spaces and building height allowances.

Ms. M. Pascoe-Merkley noted the potential issues for discussion as:

1. Appropriateness of proposed parameters for development (reduced parking and loading spaces; reduced minimum building height.
2. Access to loading space from Apple Street.
3. Loss of public parking.

The following persons spoke in support of the proposed amendments:

Mr. Richard Harrison, 393 King Street West, Brockville, ON, K6V 3S7

The Applicant, Mr. Harrison of David McMannus Engineering, representative of Owner Scott Hilhorst (c/o Kirkpatrick-Colonnade Development Inc.) provided an overview of the application.

Mr. Harrison indicated that most buildings in the downtown core do not meet the parking standards set out by the City and noted that most small municipalities in Ontario struggle with parking issues. The applicant noted that other Shoppers Drug Mart facilities with similar sized facilities were canvassed and reported that they have proven to operate without problems.

Mr. Harrison commented that the proposed full service, King Street location Shoppers Drug Mart would promote economic growth in Brockville. The applicant commented that he feels that from a functional aspect, the application does not offend the Official Plan and would provide a good use for the site.

The applicant indicated that in an effort to comply with the Official Plan and the height

requirements contained therein, the design of the building incorporates the appearance of a second floor, with a non-functional second floor.

Mr. Harrison also noted that one loading space would meet the needs of the pharmacy.

Councillor Baker, Chair, asked the Applicant to explain the reasoning behind spending money to create the appearance of a second floor rather than actually building an actual second floor. Mr. Harrison indicated that the developer is trying to balance the project and that the economic return of having rental space on additional floors would not provide a reasonable return. The applicant added that he feels the proposed plan satisfies the guidelines and is less costly to build.

Councillor Baker asked about the proposed material to be used on the exterior of the King Street building. The applicant indicated that the design of the building is meant to mirror the development that already exists on King Street and the plan is intended to make the new building disappear onto King Street.

Councillor Kalivas asked if the comparables made concerning parking considered stand alone Shoppers Drug Mart pharmacies. Mr. Harrison indicated that most of the comparables were made with stand alone stores.

Councillor Kalivas questioned the amount of parking spaces behind the current King Street Shoppers Drug Mart. It was indicated that more parking would be available with this project..

Councillor Kalivas asked what number of parking spaces the surrounding buildings currently have, for example, the TD Canada Trust Building. It was indicated that the requirements are less than 37 parking spaces.

Councillor Williams asked if Apple Street was being considered as a possible exit/entrance. The applicant noted that there is an opportunity for this, but has not been discussed as the owner's land on Apple Street is not for sale at this time.

Councillor Williams questioned the allotment of crawl space in the drawing and asked why this space is not being considered for storage space. The applicant noted that that part of the crawl space will be used for loading to bring the product up to the floor.

Councillor Baker asked the Director of Planning to explain why the proposed building requires 2 loading spaces. M. Pascoe Merkley noted that the City Zoning By-Law requires the 2 loading spaces due to the size of the building.

The following persons spoke against the proposed amendments:

Hannelore Walther - 33 Edward Street, Brockville, ON K6V 5K3

Ms. Walther noted that she is not opposed to the proposed building in principle but she is opposed to the loss of parking and the footprint of the building. Ms. Walther asked if there was a particular reason why the building had to be so broad and suggested that the building be not as deep to allow for more parking spaces. Ms. Walther commented that as more development occurs in the downtown/waterfront areas more parking will be required.

Mr. Harrison noted that he is not aware of any pharmacies with a second floor and the floor plan being proposed is being used across the country. Mr. Harrison also commented that even if the building were to have a second floor there would still be a problem with parking spaces.

Mr. Doug Grant - 8 Orchard Street, Brockville, ON, K6V 2J3

Mr. Grant noted that he is not opposed to the development but would like it to be more acceptable to Brockville standards and commented that the Official Plan requires that special treatment be given to King Street properties.

Mr. Grant stated that the drawings presented at tonight's public meeting should have been printed in the newspaper for the public to see.

Mr. Grant suggested creating underground parking spaces and commented that he feels people would love to live on the second and third floors.

Mr. Grant commented that he feels the proposed false second floor does not meet the standards of downtown Brockville. Mr. Grant noted that streetscape is very important to the City of Brockville and the one-storey buildings that do exist in Brockville are disliked by the community and commented that there is only one main street in Brockville and it should be considered to be the jewel of the City.

Raul Cirne, 49 Fairway Crescent, Brockville, ON, K6V 3V1

Mr. Cirne noted that he has concerns with the quality of the report being considered for the proposed amendment and commented that the exact size needs to be known before making a decision.

Colin Williams, 43 Pineview Road, Brockville, ON, K6V 6K3

Mr. Williams commented that he would like to see a taller building with upper floor residential units with smaller units on the second floor and up-scale units above that.

Mr. Henry Noble, 404 Queensgrove Road, Brockville, ON, K6V 5T3

Mr. Noble commented that he has difficulty understanding the logic of moving the Shoppers Drug Mart across the street which would then create a vacant building on the one side of the street. Mr. Noble indicated he does not feel that at this point in time it is good for the City to approve this type of development.

Mr. Noble indicated the proposed development would only add to the strain that already exists with the current parking in the area.

Mr. Noble stated that he would like a guarantee from the Applicant, that if the rules are changed for the development then the promises of the developer are kept and not changed. He continued to add that the piece of property in question is very valuable and in another few years times will have changed in Brockville therefore he does not feel that the City should be rushing into this.

Mr. Noble also commented that if the building is built without adequate parking, the parking would spill over onto the streets.

Councillor Baker requested clarification of the Director of Planning with respect to the building height requirements, parking reduction and loading spaces. M. Pascoe-Merkley, Director of Planning reiterated that as long as the developer complied with the height requirements the only concern remaining would be parking and noted that the height requirement is measured in meters not the number of stories.

Mr. Harrison commented that he is of the opinion that the parking standards in Brockville are reflective of suburban standards rather than urban. Mr. Harrison further commented that the proposed amendments, if approved, would not be subject to further change by the developer.

Councillor Baker asked Mr. Grant if he would prefer the appearance of a taller building with a gap in between the next building, or a longer building which is not as high. Mr. Grant noted that he feels the City needs to complete research on ideas on how to protect heritage and recommended the City take time to find out what the people of Brockville want.

Ms. M. Pascoe-Merkley, Director of Planning noted that the Applicant has requested that staff provide this report to the existing Council and have requested that this application be taken directly to the next meeting of Council.

Mayor Henderson commented that the correct protocol set out by the Planning Act has been followed with respect to this application.

Councillor Baker, Chair, noted that this Application will be brought back to the Economic Development and Planning Committee with intentions of forwarding it to the Council meeting of November 23, 2010.

Moved by: Councillor Kalivas

THAT Report 2010-144-11 be received as information and that a report on this matter be prepared by staff for consideration of at a future Economic Development and Planning Committee meeting.

CARRIED

The meeting adjourned at 7:30 p.m.

SCHEDULE "F" - Report 2010-157-11

PARKING SPACES REQUIRED BY OTHER MUNICIPALITIES

Area Proposed in m ²	1895.16 m2	929 m2	
Municipality	Retail	Clinic or Office	
Perth	1 per 18.6	3 per doctor	1 per 18.6
Required	101.9		49.9
Total			152
Port Hope	1 per 20	1 per 16.9	1 per 30
Required	94.75	54.97	30.96
Total		150	126
Cornwall	0.5 per 28	0.5 per 28	0.5 per 28
Required	33.84	16.58	16.58
Total		51	51
Carleton Place	1 per 20	6 per doctor	1 per 20
Can enter agreement to remove the requirements	94.7		46.45
			142
Smiths Falls	1 per 25	1 per 30	1 per 34
Required	75.8	30.96	27.32
Total		107	104
Orillia	1 per 30	5 per doctor	1 per 30
Required	63.17		30.96
Total			95
Orangeville	1 per 20 / 2	1 per 20 / 2	1 per 20 / 2
Required	47.37	23.22	23.22
Total		71	71
Owen Sound	1 per 40	1 per 40	1 per 40
Required	47.38	23.22	23.22
Total		70.6	70.6
North Bay	1 per 56	1 per 56	1 per 56
Required	33.85	16.58	16.58
Total		51	51
Kingston - Requires 0 for new Commercial	0	0	0