

Economic Development & Planning Committee

Wednesday, May 11, 2011, 6:00 p.m.
City Hall - Council Chambers

Committee Members

Councillor M. Kalivas, Chair
Councillor J. Baker
Councillor D. Beatty
Councillor J. Earle
Mayor D.L. Henderson, Ex-
Officio

Areas of Responsibility

Economic Development
Planning
DBIA
Heritage Brockville

Museum Board
Library Board
Arts Centre
Chamber of Commerce
Tourism

PUBLIC MEETING AGENDA

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Item

3-28

1. 2011-046-05
Revisions to Proposed Amendment to
Zoning By-Law 194-94
137 George Street, Brockville
Owner: St. Lawrence Parish of the Anglican Diocese of Ontario

02May2011

REPORT TO ECONOMIC DEVELOPMENT PLANNING COMMITTEE – PUBLIC MEETING – 11 May 2011

2011-046-05

REVISIONS TO PROPOSED AMENDMENT TO ZONING BY-LAW 194-94

137 GEORGE STREET, BROCKVILLE

OWNER: ST. LAWRENCE PARISH OF THE ANGLICAN DIOCESE OF ONTARIO

FILE NO.: D14-146[R], 266-89

**M. PASCOE MERKLEY
DIRECTOR OF PLANNING**

RECOMMENDED

THAT Report 2011-046-05 be received as information and that a report on this matter be prepared by staff for consideration of the Economic Development Planning Committee at a future meeting.

PURPOSE

Rolf Baumann, RGB Group, acting on behalf of St. Lawrence Parish of the Anglican Diocese of Ontario, owner of lands described as Lots “A” and 23, Block 44, Plan 67, City of Brockville, County of Leeds, municipal address 137 George Street, submitted applications for amendments to the Official Plan for the City of Brockville, Zoning By-law 194-94 and the Community Improvement Plan (CIP) for Downtown Brockville with respect to the subject lands. The public meeting on these applications was held on February 1, 2011 by the EDP Committee.

On April 18th, 2011, a revised application for amendment to Zoning By-law 194-94, pertaining to the subject lands was received by the Planning Department. The applicant has made revisions to the original application for amendment to the Zoning By-law that would rezone the subject property from I1-General Institutional Zone into two separate site specific zones along a future severance line. The original applications for amendment to the Official Plan and CIP for Downtown Brockville remain active and are to be considered concurrently with the revised application for zoning amendment.

The proposed site specific zones under the revised application would be as follows:

R9-Multiple Residential Site Specific Zone: The development area (existing parking area and church annex) of the site is proposed to be zoned R9-Multiple Residential Site Specific Zone to permit the development of an 11 storey residential building with 94 dwelling units over two floors of structured parking for 84 vehicles. The site specific zone would address reductions in setbacks for the minimum exterior side yard, interior side yard and rear yard; an increase in maximum building height and density; a reduction in the parking requirement; and the location of parking in the proposed front yard (adjacent to Gilmour Street).

C2D-Commercial Downtown Site Specific Zone:

The area of the site occupied by the Trinity Anglican Church building is proposed to be zoned C2D-Commercial Downtown Site Specific Zone to provide for the adaptive reuse of the existing Trinity Church building. The site specific zone would recognize the existing "as-built" condition on the site with the exception of a reduction of the rear yard setback and all parking requirements.

With respect to permitted uses within the C2D Site Specific Zone, those uses permitted in the C2D Zone, with the exclusion of the following: accessory apartments; automobile leasing agency; automobile repair garage; automobile gas bar; automobile sales establishment; automobile service station; bank or trust company; convenience store; dwelling unit; grocery store; home occupation; hotel/motel; laundromat; medical laboratory; parking lot/garage; and supermarket, are requested. The following uses are requested to be added as permitted uses: church, museum/art gallery and brewpub. For the purposes of the C2D Site Specific Zone, a museum/art gallery would be defined as "a public art gallery or a public archive"; and a brewpub would be defined as "a restaurant or tavern that includes the brewing of beer as an accessory use. The brewing operation processes water, malt, hops and yeast into beer or ale by mashing, cooking and fermenting."

Specific provisions would be applicable to the brewpub use and are outlined in detail in the revisions provided by Kevin Harper of the IBI Group, attached to this report as **Schedule "A"**.

Amendment to the Official Plan

The proposed amendment to the Official Plan would change the designation from "Institutional" to "Commercial Downtown"; and would add a new site specific policy to Section 7.1 - Planning District No. 1, being clause 14), to permit a mixed use project, including but not limited to, a residential building up to eleven (11) storeys in height and containing not more than ninety-four (94) dwelling units, and to permit commercial and institution use of the existing former church building and grounds. There have been no revisions from the original application.

Amendment to the Community Improvement Plan for Downtown Brockville

The proposed amendment to the Downtown CIP would expand the Priority Area 1 boundary to include the subject lands, thus providing the opportunity for this development to access additional incentive programs. There have been no revisions from the original application.

ANALYSIS

Schedule "B" to this report is a copy of the revised site plan showing the proposed severance line and indicating the new residential building which is now shown to be separate from the existing church.

Official Plan, Zoning and CIP Downtown Information:

Official Plan Designation: Institutional

Proposed OP Designation: Commercial Downtown

New site specific policy to permit the development of a mixed use project, including but not limited to, a residential building up to eleven (11) stories in height and containing not more than ninety-four (94) dwelling units, and commercial and institutional use of the existing former church building and grounds.

Existing Zoning: I1 General Institutional Zone

Proposed Zoning: Development Site: The proposed R9 Multiple Residential Site Specific Zone would permit the development of a residential building (as noted previously) as well as establish provisions respecting exterior and interior side yard setbacks, building height, density and parking.

Church Site: The proposed C2D Commercial Downtown Site Specific Zone would reflect the existing built condition on the site with the exception of the rear yard and the parking requirement. The permitted uses are those noted previously in this report.

Existing CIP Downtown: The Downtown Community Improvement Plan (CIP) has two priority areas being Priority Area 1 and Priority Area 2. The Tax Increment Equivalent for Rehabilitation and Redevelopment (TIERR) Grant Program is one of the programs under the Downtown CIP. The intent of the TIERR Grant program is to provide a grant to owners of lands and buildings who undertake improvements or redevelopment that would

Revision to Application for Zoning By-Law Amendment
 137 George Street, Brockville
 Owner: St. Lawrence Parish of the Anglican Diocese Of Ontario
 File Nos.: D14-146[R], 266-89

result in increased assessment. The TIERR Grant Program is however only eligible to those lands within Priority Area 1. The subject lands are located in Priority Area 2 and therefore are not eligible for the TIERR Grant Program.

Proposed Amendment
 to the Downtown CIP:

The proposed amendment to the Downtown CIP would adjust the Priority Area 1 boundary to include the subject property which would then permit the developer to benefit from the TIERR Grant Program.

Site Characteristics:

Development Site:

Area:	0.22 Hectares (0.55 ac)
Frontage (George St.):	116.73 m (383.0 ft.)
Frontage (Gilmour St.):	31.9 m (104.66 ft.)
Lot Depth:	68.0 m (223.1 ft.)

Church Site:

Area:	0.10 Hectares (0.25 ac)
Frontage (Clarissa St.)	30.48 m (100.00 ft.)
Frontage (George St.):	42.19 m (138.42 ft.)
Lot Depth:	42.19 m (138.42 ft.)

The subject property contains the Trinity Anglican Church building at the eastern side of the property which fronts on Clarissa Street. The two-storey stucco annex was added to the back of the church building with a large gravel parking area behind the annex to the west.

Surrounding Land Uses:

North: The lands to the north (north side of George Street - immediately across from the subject lands) are zoned R4-General Residential Zone and are occupied by older two storey single family and duplex dwellings.

East: The lands to the east (east side of Clarissa Street) are zoned R8-X1-1 Multiple Residential Site Specific Zone and are occupied by a six (6) storey residential building (Marguerita Residence) with associated surface parking. Continuing on the east side of Clarissa Street, the lands are zone C2D General Commercial Downtown Zone and are occupied by a single family dwelling and the Ultramar Gas Bar and Mac's convenience store.

- South: The lands to the south are zoned C2D-X1-1 General Commercial Downtown Site Specific Zone and are occupied by the Leon's Furniture and Appliance Store with associated parking, and a chip wagon located in the north east corner of the property.
- West: The lands to the west (opposite side of Gilmour Street) is Rotary Park which extends from Gilmour Street to Beecher Street, between George Street to the north and Buell's Creek to the south. Rotary Park consists of an outdoor skating rink, basketball court, playground, open space and Butlers Creek with a building fronting on Gilmour Street which is occupied by the Brockville Gymnastic Academy.

Comments Received Schedule "C":

1. C. Cosgrove, Director of Operations

Comments from previous application remain the same.
Attached: original comments dated February 25, 2011.
2. Steven Allen, Environmental Services, Acting Supervisor of Engineering

Comments on revision attached - dated May 2, 2011.
Previous comments attached - dated February 23, 2011-05-02
3. Canon Michael Read, The Anglican Parish of Saint Lawrence

Comments with respect to the importance to the church for the approval of the project. Letter dated April 15, 2011 attached.
4. William and Susan Hardy, 126 George Street

Objection to the requested brewpub use and concern respecting parking and traffic flow on Clarissa Street. Letter dated April 27, 2011 attached.
5. Dave Paul, Director of Economic Development

Supportive of the revised application for amendment respecting the condominium development. Letter dated April 29, 2011 attached.
6. Greg Healy, Fire Prevention Officer - Brockville Fire Department

No fire safety concerns at this time.

Potential Issues for Discussion:

1. Appropriateness of proposed revisions to the original amendments to Zoning By-law 194-94 to allow R9 and C2D Zones.
2. Appropriateness of proposed additional uses requested for re-use of Church building.
3. Parking implications.


POLICY IMPLICATIONS

The contents of this report are provided for information purposes for the Public Meeting. Following the Public Meeting, Planning Department Staff will prepare a report for consideration of the Economic Development Planning Committee which will include review and consideration of policies that are relevant to the proposed amendments.

CONCLUSION

The Staff Report on these matters, including the revisions that have been submitted, a detailed analysis, review and consideration of the issues raised at the public meeting and a recommendation from Planning Staff, will be prepared for consideration of the Economic Development Planning Committee at a future meeting


M. Maureen Pascoe Merkley
Director of Planning


Bob Casselman
City Manager

SCHEDULE "A" - Report 2011-046-05



IBI Group
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fax 613 225 9868



April 20, 2011

M. Maureen Pascoe-Merkley, MCIP, RPP
Director of Planning
City of Brockville
1 King Street West
Brockville, ON K6V 7A5

Dear Ms. Pascoe-Merkley:

UPPER CANADA CONDOMINIUM APPROVALS – REVISED ZONING BY-LAW AMENDMENT

In our recent discussions, it was agreed that the Zoning By-law Amendment application filed by IBI Group on December 21, 2010, related to the property located at 137 George Street should be amended to better reflect and properly implement the proposed development as it stands at this time. The purpose of this letter is to outline the required amendments to the original application. As such, this letter is intended as an addendum to the original application and the supporting planning rationale report.

Original Development Concept

The proposed development involves the redevelopment of the former Trinity Anglican Church property located at 137 George Street for residential purposes. The original development concept consisted of a 7,495 m² (80,680 ft²) 11-storey residential building with 94-units over two floors of structured parking for 84 vehicles, one level at-grade and the other below-grade. Six of the units would meet the County's definition of affordable housing.

The original development concept also included the adaptive reuse of the basement level of the existing Trinity Church building (1877) for common amenities associated with the new residential building. To achieve this, a street-level glass connection serving as the main entrance would connect the new residential building to the existing church building. The original development concept did not include upgrading of the remainder of the existing church building as its use was undetermined; however, a list of potential uses was proposed, including: assembly hall; church; day nursery; museum/art gallery; private club; and theatre.

In order to permit the proposed development and to allow for other variances in the requirements of the Zoning By-law, an application was filed to rezone the entire subject property at 137 George Street from I1 General Institutional to R9-X2-x Multiple Residential (Special Exception Zone – Planning District 2).

Revised Development Concept

Since the Zoning By-law Amendment application was filed, it was been determined that while Tarion Warranty Corporation would warranty the new residential building, it would not warranty the existing church building, even if the two buildings were formally connected. Tarion could only warranty the existing church building if it was fully upgraded to Ontario Building Code standards in keeping with new construction. As noted, the original development concept included the adaptive reuse of the existing church building's basement level only.

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The proposed connection between the new residential building and the existing church building could result in the new condominium owners being held liable for the maintenance and repair of the existing church building, even if both buildings were in separate ownership. Such liability would be onerous and could essentially preclude the sale of the units in the new residential building. As such, the developer's legal counsel has advised that the existing Trinity Church building should not be connected and/or integrated with the proposed residential building and that the property at 137 George Street be severed.

Based on this recommendation, a revised development concept was prepared (see Exhibit 1). The revised development concept shows that the main entrance to the residential building will remain on George Street between the new residential building and the existing church building; however, the two buildings will not be physically linked. Instead, a lobby/common lounge area would be provided in the new building in-lieu of this area being provided in the existing church building as originally proposed. As with the tower portion of the new building, the lobby/common lounge would be built on the parking podium and would be set back 1.5 metres from the severance line. This setback meets Ontario Building Code and Ontario Fire Code requirements. No other changes associated with the development program for the new residential building are proposed.

Based on lengthy discussions with City staff on how best to proceed, it was determined that the property at 137 George Street should be split-zoned along the future severance line in order to address the unique attributes of the two parcels created – one being the site of the proposed residential building and the other being the site of the remaining Trinity Church building.

Residential Zone (Residential Development Parcel)

The site of the proposed residential development would be rezoned from I1 General Institutional to R9-X2-x Multiple Residential (Special Exception Zone – Planning District 2) to permit the development of the 11-storey residential building with 94-units over two floors of structured parking for 84 vehicles, as originally contemplated by the original planning application. However, since the total lot area would now be limited to that of the severed lot, some of the lot, yard, and open space requirements of zoning originally proposed will change.

The table below is an update of Table 2 on page 32 of the Planning Rationale prepared by IBI Group and submitted in support of the original planning approvals sought for the proposed development. The italicized text forms the basis of the revised requested Zoning By-law Amendment.

Table 1: Zoning Provisions – R9 Zone and Proposed Development on Severed Lot

<i>Key Zoning Provisions</i>	<i>R9 Zone</i>	<i>Proposed Development</i>
Minimum lot area (m ²)	1000.0	2215.7
Minimum lot frontage (m)	25.0	31.9
Minimum lot depth (m)	25.0	68.0
Minimum front yard setback (m)	8.0	13.5
Minimum exterior side yard (m)	6.0	0.0
Minimum interior side yard setback (m)	5.0	0.0
Minimum rear yard setback (m)	7.5	1.5

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Table 1: Zoning Provisions – R9 Zone and Proposed Development on Severed Lot

<i>Key Zoning Provisions</i>	<i>R9 Zone</i>	<i>Proposed Development</i>
Maximum building height (m)	22.5	37.0
Maximum residential units	n/a	94
Minimum landscaped open space (percent)	30	35
Minimum amenity area (m ² / unit)	One bedroom: 10 Two bedroom: 20 Total: 1480	One bedroom: 10 Two bedroom: 20 Total: 2884
Parking rate (spaces/unit)	1.25	1.1
Location of parking	Prohibited in front and exterior side yards	<i>Proposed in front yard (adjacent Gilmour Street)</i>

Source: IBI Group, 2011.

The RGB Group will provide off-street parking for 84 vehicles in the 94 unit building, resulting in a parking ratio of 0.90 spaces/unit. In addition, the RGB Group will provide a car share program to reduce the need for car ownership in the building and address the shortfall in the parking provided. It is understood that the City will require a parking ratio of 1.1 spaces/unit, resulting in a total requirement for 103 spaces and a shortfall in the number of parking spaces provided of 19 spaces. It is agreed that a cash-in-lieu payment will be provided the City at a rate of \$5000.00 per space, or a total of \$95,000.00 for the 19 spaces.

It is understood that the City will credit the RGB Group in the amount of \$45,000.00 for the cash-in-lieu of 9 spaces if it is determined that the car share program is successful in two years of continuous operation. The monitoring period will begin either upon initial demand for the program or upon full occupancy of the building.

Commercial Zone (Existing Trinity Church Parcel)

As noted, the original development concept included the adaptive reuse of the basement level of the existing Trinity Church building (1877) for common amenities associated with the new residential building. Although only a portion of the existing church building would have been upgraded, such integration of the church with the new development would have ensured the long term preservation and maintenance of this important heritage building. However, without full upgrade of the existing church building to the Ontario Building Code, its maintenance and repair could become an onerous liability for owners in the new residential building.

Since the long term preservation and maintenance of the existing church building can no longer be guaranteed, it is important that all avenues and opportunities for its adaptive reuse be pursued. In order to increase the likelihood of reuse, it is recommended that the site of the existing church building be rezoned from I1 General Institutional to C2D-x General Commercial Downtown (Special Exception Zone). It is also recommended that there be no parking required for the permitted uses since a significant cash-in-lieu payment would significantly reduce the likelihood of reuse.

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The table below compares the requirements of the C2D Zone with those of the existing church building. Essentially, the proposed zoning would reflect the existing built condition on the site, with the exception of the rear yard and the parking requirement. As noted, the future severance line will be flush with the rear wall of the existing church building in order to maximize the area of the severed lot for the new residential building. As noted, no parking would be required for the uses permitted in the existing church building. The italicized text forms the basis of the revised requested Zoning By-law Amendment.

Table 2: Zoning Provisions – C2D Zone and Existing Development on Retained Lot

<i>Key Zoning Provisions</i>	<i>C2D Zone</i>	<i>Existing Development</i>
Minimum lot area (m ²)	500.0	Existing
Minimum lot frontage (m)	15.0	Existing
Minimum front yard setback (m)	Build-to plane requirements	Existing
Build-to plane (m)	N/A ¹	Existing
Minimum exterior side yard (m)	N/A	Existing
Minimum interior side yard setback (m)	N/A	Existing
Minimum rear yard setback (m)	Greater of ½ height of building or 6 metres ²	0
Minimum landscaped open space (percent)	N/A	Existing
Maximum building height (m)	14 (height at frontage) 17.5 (height along angular plane)	Existing
Minimum building height (m)	N/A ¹	n/a
Floor Space Index (FSI)	N/A	n/a
Maximum lot coverage	80%	Existing
Parking rate (spaces/ m ²)	Varies by Use (refer to Section 3.7)	0

Notes: 1. Provisions based on site frontage to King Street which. These provisions are not applicable to the subject property.

2. Applicable only to sites directly abutting residential zoned properties.

Source: IBI Group, 2010.

With respect to permitted uses in the C2D-x Zone, these uses shall consist of those permitted in the C2D Zone as outlined in Section 6.2 of the City of Brockville Zoning By-law (No. 194-94), with the exclusion of the following: accessory apartments; automobile leasing agency; automobile repair garage; automobile gas bar; automobile sales establishment; automobile service station; bank or trust company; convenience store; dwelling unit; grocery store; home occupation; hotel/motel; laundromat; medical laboratory; parking lot/garage; and supermarket. Additional permitted uses include: church.

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Two newly defined additional uses are proposed as a permitted use in the C2D-x Zone. The first is museum, which is defined for the purposes of this Zoning By-law Amendment as: “a public art gallery or a public archives.” The second is brewpub, which is defined for the purposes of this Zoning By-law Amendment as: “a restaurant or tavern that includes the brewing of beer as an accessory use. The brewing operation processes water, malt, hops, and yeast into beer or ale by mashing, cooking, and fermenting.” The following provisions would be applicable to the brewpub use:

- The area used for brewing, including bottling and kegging, shall not exceed 50 percent of the total floor area of a combined restaurant and tavern and 75 percent of the total floor area of a drinking establishment without restaurant services;
- The use shall be licensed by the Alcohol and Gaming Commission of Ontario (AGCO) as required by the *Liquor Licence Act*, as amended from time to time;
- The method and frequency of ingredient material shipments to the site shall be provided; and
- The method and frequency of finished product shipments shall be provided.

Bonus Provisions

It is understood that in exchange for the provision of community benefits, RGB Group will be granted by a bonus provision the ability to build to a maximum height of 37.0 metres which exceeds the 45 degree angular plane for the subject property. The following summarizes the community benefits to be provided:

- **Affordable Housing.** The RGB Group will provide six affordable housing units as part of the proposed development. These units will be priced at a level that meets the definition of affordable as determined by either CMHC or the County of Leeds & Grenville. At this time, the estimated selling prices of the units are: \$199,999 (second floor); \$203,999 (third floor); and \$207,999 (fourth floor). The RGB Group will work with the County of Leeds & Grenville to determine potential measures for maintaining the long term affordability of these units.
- **Green Building.** The RGB Group intends to certify the proposed residential building using the Canada Green Building Council's Leadership in Energy and Environmental Design (LEED®) rating system. Since the specific level of certification cannot be determined until the detailed design of the building is complete, it is agreed that the proposed residential building will be LEED® Certified as a minimum. The RGB Group will endeavour to certify the building at the highest level feasible, the goal being LEED® Platinum.
- **Rotary Park Improvements.** The Rotary Park Committee has prepared a list of projects for the revitalization of Rotary Park. The RGB Group will contribute to the provision of between 24 and 28 public parking spaces—pending an agreed-upon final design—along the south side of George Street at Rotary Park. The RGB Group will also contribute to the construction of a footbridge over Butlers Creek and to the cleanup of the Creek in the amount of \$30,000. Finally, upon the determination by the City of the success of the proposed car share program for the new residential development, the RGB Group will also contribute its \$45,000.00 cash-in-lieu parking credit for further improvements to Rotary Park as determined by the Rotary Park Committee, as appropriate.

M. Maureen Pascoe-Merkley, MCIP, RPP

Trinity Church

As noted, the long term preservation and maintenance of the existing Trinity Church building can no longer be guaranteed by the proposed residential development of the property. However, the RGB Group is committed to preserving the existing church building by pursuing all opportunities for its adaptive reuse, as appropriate. In fact, the RGB Group intends to use a portion of the church building in the near term as its sales centre for the proposed residential building.

As such, the RGB Group is committed to the maintenance of the church building in at least its current condition to ensure public safety and support its long term adaptive reuse for a period of at least three years. In so doing, the RGB Group will ensure that the interior of the church building remains protected from the weather and is heated to an appropriate level such that interior condensation does not occur. In so doing, the RGB Group will explore all opportunities to lease the church building for the uses permitted by the proposed zoning. It is understood that uses not permitted by the proposed zoning, including residential uses, will require additional approvals by the City. In so doing, the RGB Group will explore all opportunities for grant programs and any other form of government assistance that might provide additional assistance in preserving the church building. After three years, the RGB Group may extend the preservation agreement, examine opportunities for redevelopment of the property, or sell the property.

Conclusion

This is an important project for the RGB Group as it provides the residential developer with an opportunity to build another award-winning sustainable project that makes significant contributions to the neighbourhood and the City. The project would result in the first LEED® certified building in the City. It would result in the start up of the first car share program in the City to encourage mobility while reducing car ownership. It would result in the creation of six new affordable housing units in the City. It would result in significant contributions to an improved Rotary Park, including additional public parking on George Street, a new footbridge at and cleanup of Butlers Creek, and potentially \$45,000.00 worth of additional improvements. It would also result in approximately \$1M of additional tax revenue to the City each year.

Finally, this project would provide additional opportunity for the long-term protection and adaptive reuse of the Trinity Church building. This church building is for sale because archdiocese cannot afford to maintain the building in a manner that would ensure its continued use and public safety. Without this project, the future of the church building is unknown since its current owner has no ability to explore its adaptive reuse. With this project, the future of church building will be in the hands of an owner committed to retaining it in the near term and finding the means to adaptively reuse it to ensure its long term preservation.

I trust this accurately reflects the results of our recent discussions. If you require anything further to assist in your consideration of this request, please do not hesitate to contact me directly.

Respectfully submitted,
IBI GROUP

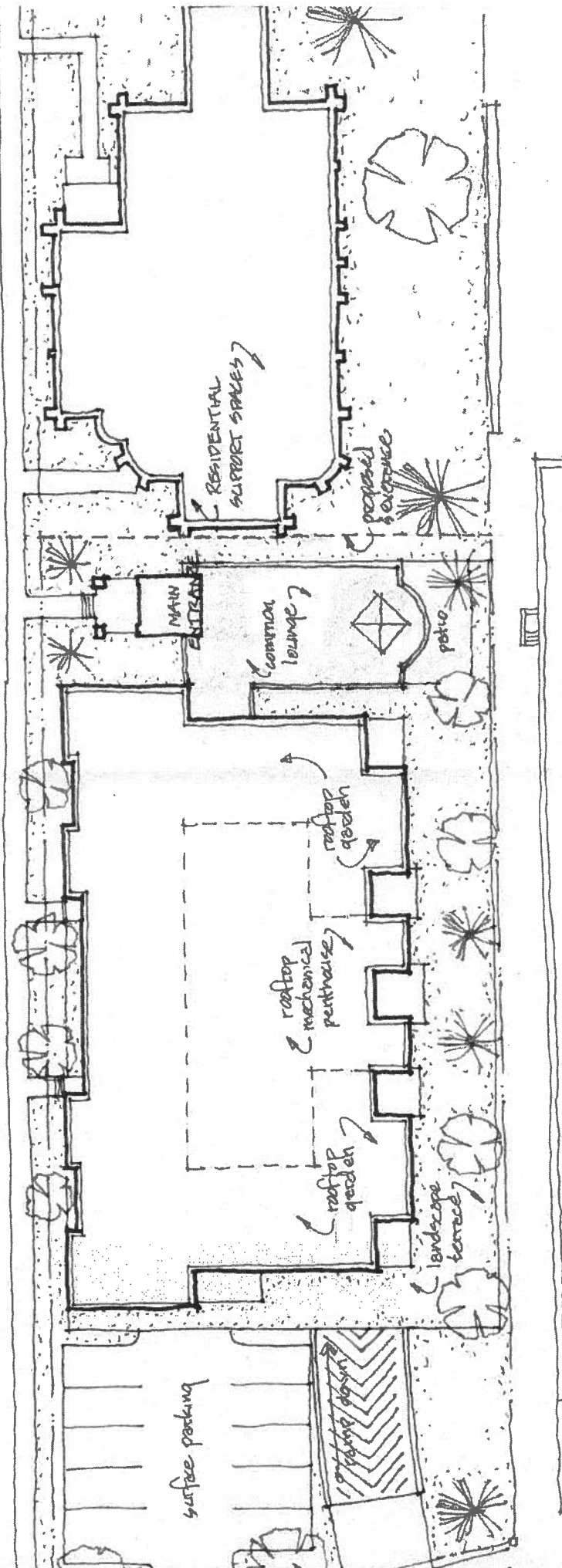


Kevin A. Harper, MCIP, RPP, LEED® AP
Associate

Cc: Rolf Baumann, President, RGB Group
Ralph Vandenberg, Vandenberg & Wildeboer Architects Inc.

MARCH 29, 2011

GEORGE STREET



APR 11 1964 N.M.N.

M. Maureen Pascoe-Merkley, MCIP, RPP

Proposed Zoning By-law Amendment

The proposed Zoning By-law Amendment would rezone the subject property at 137 George Street from I1 General Institutional into two separate zones along a future severance line. In order to permit the proposed residential development, the development area of the site would be zoned R9-X2-x Multiple Residential (Special Exception Zone – Planning District 2). In order to increase the likelihood of the adaptive reuse of the existing Trinity Church building, the site would be zoned C2D-x General Commercial Downtown (Special Exception Zone).

The changes are noted in the attached 'Plate A' of Zoning By-law 194-94 of the City of Brockville. The proposed zoning for the subject property is provided here.

R9-X2-x Zone (Residential Development Parcel)

The uses permitted in the R9-X2-x Zone shall be an apartment dwelling containing up to 94 units.

The zone provisions for the R9-X2-x Zone shall be as follows:

Minimum Lot Area	2215.7 m ² (7,269.3 ft ²)
Minimum Lot Frontage	31.9 m (104.7 ft.)
Minimum Lot Depth	68.0 m (223.1 ft.)
Minimum Front Yard Setback	13.5 m (44.3 ft.)
Minimum Exterior Side Yard Setback	0.0 m (0.0 ft.)
Minimum Interior Side Yard Setback (applies to remaining lot lines)	0.0 m (0.0 ft.)
Minimum Rear Yard Setback	1.5 m (4.9 ft.)
Maximum Building Height	37.0 m (120.0 ft.)
Minimum Landscaped Open Space (percent)	35
Parking spaces	Not less than 1.1 spaces per dwelling unit
Location of parking	Surface parking to a maximum of 10 parking spaces may be provided in the front yard (adjacent Gilmour Street) with a minimum 1.5 m (5.0 ft) planting strip.
Minimum amenity area	One bedroom: 10 m ² / unit Two bedroom: 20 m ² / unit Total: 2 884 m ²

M. Maureen Pascoe-Merkley, MCIP, RPP

C2D-x Zone (Existing Trinity Church Parcel)

The uses permitted in the C2D-x Zone shall be those uses permitted in the C2D Zone, as outlined in Section 6.2 of the City of Brockville Zoning By-law (No. 194-94), with the exclusion of the following uses: accessory apartments; automobile leasing agency; automobile repair garage; automobile gas bar; automobile sales establishment; automobile service station; bank or trust company; convenience store; dwelling unit; grocery store; home occupation; hotel/motel; laundromat; medical laboratory; parking lot/garage; and supermarket. Additional permitted uses include: church.

A museum shall also be permitted in the C2D-x Zone, which is defined for the purposes of this Zoning By-law Amendment as: "a public art gallery or a public archives." A brewpub shall also be permitted in the C2D-x Zone, which is defined for the purposes of this Zoning By-law Amendment as: "a restaurant or tavern that includes the brewing of beer as an accessory use. The brewing operation processes water, malt, hops, and yeast into beer or ale by mashing, cooking, and fermenting." The following provisions would be applicable to the brewpub use:

- The area used for brewing, including bottling and kegging, shall not exceed 50 percent of the total floor area of a combined restaurant and tavern and 75 percent of the total floor area of a drinking establishment without restaurant services;
- The use shall be licensed by the Alcohol and Gaming Commission of Ontario (AGCO) as required by the *Liquor Licence Act*, as amended from time to time;
- The method and frequency of ingredient material shipments to the site shall be provided; and
- The method and frequency of finished product shipments shall be provided.

The zone provisions for the C2D-x Zone shall be as follows:

Minimum Lot Area	Same as existing
Minimum Lot Frontage	Same as existing
Minimum Front Yard Setback	Same as existing
Build-to Plane	Same as existing
Minimum Exterior Side Yard Setback	Same as existing
Minimum Interior Side Yard Setback	Same as existing
Minimum Rear Yard Setback	0.0 m (0.0 ft.)
Minimum Landscaped Open Space (percent)	Same as existing
Maximum Building Height	Same as existing
Minimum Building Height	Same as existing
Floor Space Index (FSI)	Same as existing
Maximum Lot Coverage	Same as existing
Parking Spaces	0

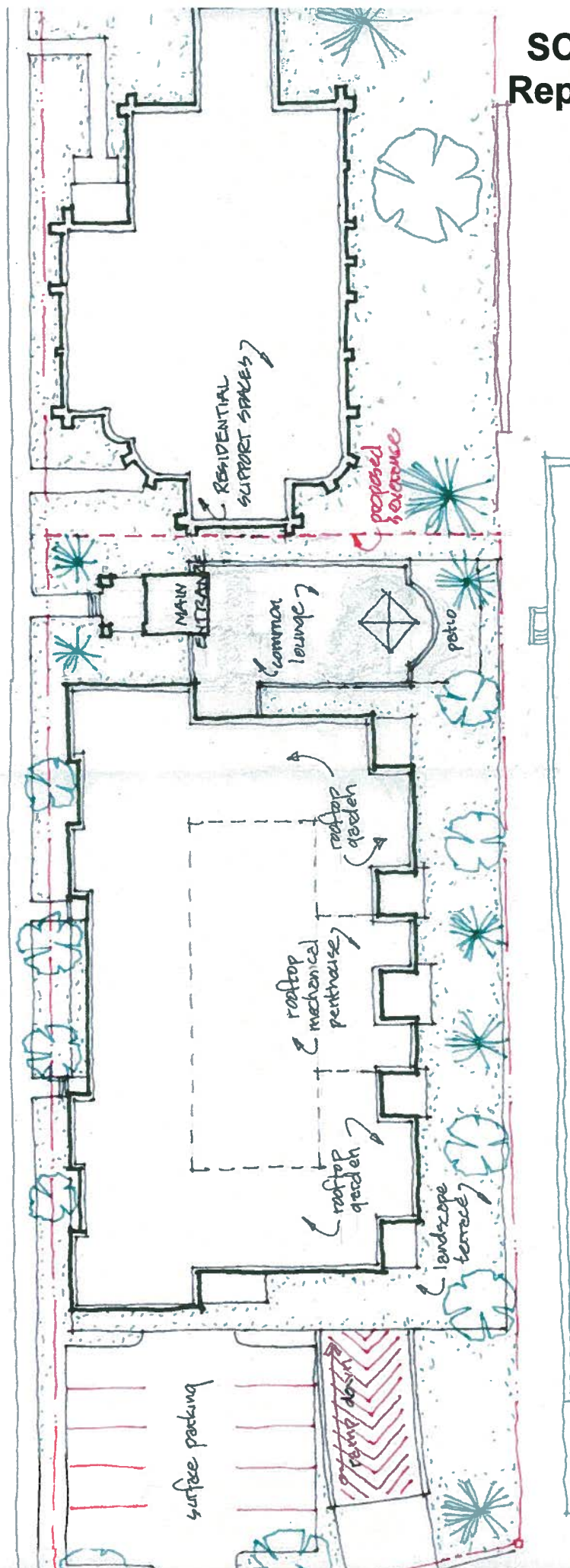
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IBI Group is a group of firms providing professional services and is affiliated with IBI Group Architects

GEORGE STREET

MARCH 29, 2011



SCHEDULE "C" - Report 2011-046-05

Comments Received respecting

Files 266-89 and D14-146[R]

MEMORANDUM



OPERATIONS DEPARTMENT

Date: April 28, 2011

File No. D00-01

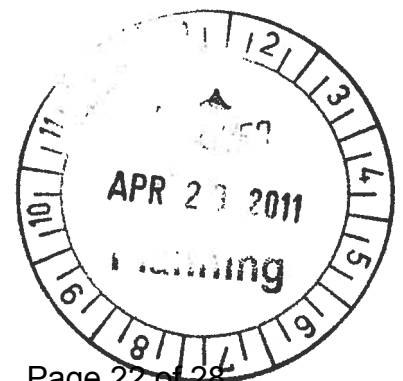
To: Lorraine Bagnell
Administrative Coordinator, Planning

From: Conal J. Cosgrove
Director of Operations

Subject: Revised Application of Amendment to the Zoning By-Law
137 George Street

The comments provided by the Operations Department in relation to the previous application for this project remain the same for the revised application.


CJC/jw



MEMORANDUM



OPERATIONS DEPARTMENT

Date: February 25, 2011

File No. D00-01

To: Jonathan Faurschou
Planner I

From: Conal J. Cosgrove
Director of Operations

Subject: 137 George Street – Upper Canada Condominiums
Traffic Options for Gilmour Street



The following are my observations on traffic options for Gilmour Street that have been discussed in relation to the Upper Canada Condominiums development proposal:

1. Two-Way Traffic

The existing pavement and right-of-way widths for Gilmour Street are insufficient to provide for two-way traffic and parallel parking on one side of the street. The road allowance would have to be widened on the east side of the street to achieve sufficient width. As this would involve a property owner who is not part of this development proposal, I am not sure of the feasibility of this.

2. One-Way Traffic Southbound

The existing pavement width would be suitable for reversing the traffic flow to one-way southbound. With access to the proposed parking area via Gilmour Street, the entering and exiting traffic would be split between George Street and King Street. There would be little or no difference in the traffic volume split in comparison to Gilmour Street being one-way northbound. The sightlines on Gilmour Street looking west across the Kingston Bridge could be a safety issue.

A handwritten signature in cursive script, appearing to read "Conal".
CJC/jw

Memorandum



Date: May 2, 2011

File No. D14-146

To: Jon Faurschou
Planner

From: Steven Allen, C.E.T.
Acting Supervisor of Engineering

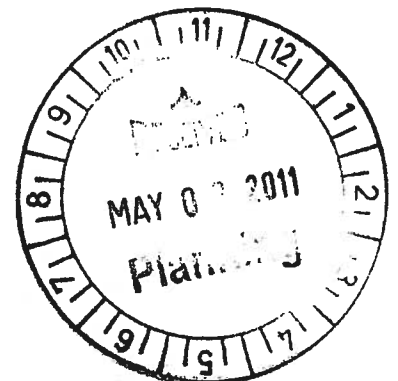
Subject: Revised Application for Zoning By – Law Amendment, 137 George Street, City of Brockville.

The Environmental Services Department has reviewed the request for zoning by-law amendment dated April 21, 2011 and have the following comments;

1. Site servicing for the Trinity Church building will need to be addressed; design flows should be submitted as soon as they are available, the existing services to Trinity Church may not be sufficient to meet the new demands for a brew pub, which would also require a sprinkler system. The existing church building may have to be serviced from the new services that are being installed to the condominium site.
2. Environmental Services Department does not have any other concerns at this time.



SEA:sa



Memorandum



File No. D13-01

Date: February 23, 2011

To: Lorraine Bagnell
Secretary/Treasurer
Committee of Adjustment

From: Steven Allen, C.E.T.
Engineering Technologist

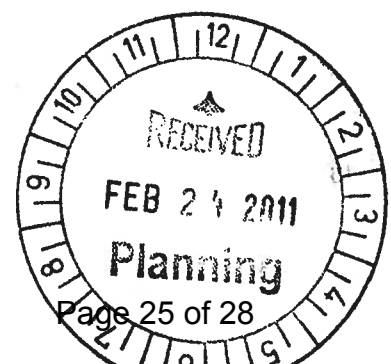
Subject: Amendments to the Official Plan, Zoning and CIP, 137 George Street,
File D14-146 – New Multiple Unit Residential Project.

The Environmental Services Department has reviewed the application for: reduced minimum exterior side yard, reduced minimum interior side yard, increased maximum building height, increased maximum density, reduced parking requirements and parking permitted in the front yard adjacent to Gilmour Street and have the following comments;

1. Design for storm sewer flows must address the increased lot use coverage. As for all new developments the post development flows must be equal to the predevelopment flows.
2. The water main on George Street east of Gilmour Street is a 50 mm line, the developer will have to connect to the main on Gilmour Street or extend the water main on George Street from Gilmour Street to the new tie for the development.
3. There are no sidewalks around this site, as part of this development sidewalks should be added due to the increased number of residents.
4. There have been several communications regarding site servicing between the Engineering staff and the IBI Group who are designing this project. As part of those discussions sewers were to be addressed in a site servicing report. We are now in procession of that report and will be reviewing it in the near future.

SEA:sa

A handwritten signature in black ink, appearing to be "S. Allen", written over a horizontal line.



The Anglican Parish Of Saint Lawrence



April 15, 2011

Dear Maureen:

I was grateful for the opportunity yesterday to meet with you and share our concerns with regard to the site of the former Trinity Church. As the present and historical stakeholders in that building it was good to have our voice heard.

I want to reiterate our position as a church community. First we are absolutely delighted the proposed project as presented by Mr. Baumann. Although it has changed slightly in the last couple of weeks our support for it remains the same. We believe it is the best possible way forward for all concerned and at the end of the day will provide something meaningful and useful to the community as a whole.

Second, we are at a point where it is critical for us to see the project and therefore the sale move forward. We are in no position to keep or maintain the building. Even with some renters presently using the building we are still experiencing financial loss. This reality is having a negative affect on our present congregation and threatens our future ministry as the site continues to drain our reserves. It took almost two years to get an offer and we never expected a developer to make any commitment to keeping the church at all. The fact that Mr. Baumann is willing to try to utilize the church building is admirable.

Our hope is that the Planning Committee and the Council will move with some speed as each month that goes by takes more of a financial drain on our ongoing ministry situation. We also do not want to lose Mr. Baumann as this would result in the building ultimately being mothballed and deteriorating as we have no reserves to maintain it. The long term affects of that for future development and or liability could result in losing the church building anyway. Mr. Baumann's plan at least gives an opportunity for the church building to find a new life in a new way in our community.

I look forward to all of us moving ahead and am happy to be present at any meetings to share this information where helpful. Thank you again for your time yesterday. I believe we are all on the same page now and that is very encouraging.

Sincerely


Canon Michael Read

Our Mission
Building God's Kingdom
Within our Community
By Sharing and Celebrating
Christ's Love

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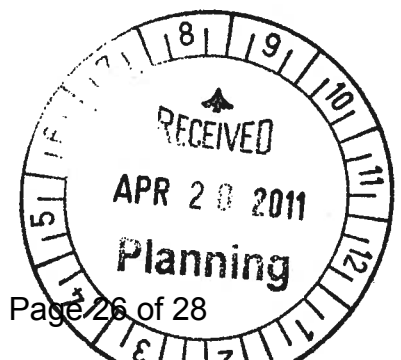
Church Address
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April 27, 2011

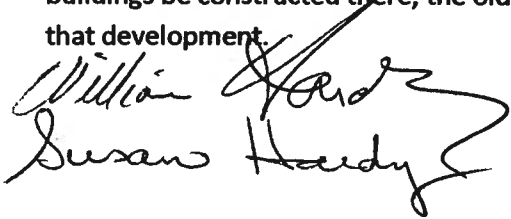
To: Director of Planning, Planning Department – City Hall

RE: Application for amendment to zoning by-law 194-94 (137 George Street – file D14-146(R))

We are unable to attend the public meeting on May 11. Therefore through this letter we must strongly object to elements of this amendment. We do not object to the general development that has been proposed but we strongly object to the “newly defined use being a “Brewpub” that has been requested. This is essentially a residential area and park on three sides. All are accustomed to having a church there. A museum or art gallery certainly would not detract to the neighbourhood. But a pub would attract an entirely different clientele to the area. Parking is now at a premium on the streets with all the current activity. In fact Clarissa is very difficult to manoeuvre with its current parking as two cars can barely get by each other. I get the impression this latest revision is an attempt to get what they want by gradually asking for more and more. Change is inevitable but I implore the planning committee to retain the general character of the neighbourhood and deny the request for an option for a “brewpub”. This changes the area and introduces an element that is not desirable. The hours of a pub are not in keeping with a residential area with the loud noises at closing time with little regard for the residents.

The original intent, we understand, was to maintain the church as part of the general development. Now this is changed. Other elements have changed and are being revised. When do the planners say you have gone too far for I believe that time is now.

We understand there are changes being considered for the Leon’s parking lot. Should other commercial buildings be constructed there, the old church building becomes very strategic in acting as a buffer to that development.



William and Susan Hardy

126 George Street



April 29, 2011

City of Brockville
Planning Department
Attn: Lorraine Bagnell

**Subject: Revised Application for Zoning By-Law Amendment, 137 George Street
(Upper Canada Condominiums)**

Dear Lorraine:

The Economic Development office is supportive of the subject application for the revised amendment associated with condominium development situated at 137 George Street.

Supportive rationale on this file relates to recommendations identified on several planning documents including the Anchor Attraction report of 2007 that suggests the rejuvenation and revitalization of Brockville's downtown core/waterfront. This is predicated on the attention to grow the residential population of the downtown core with alignment principles associated with massing and density which ultimately creates the critical mass necessary for sustainable economic benefits. We concur with the Planning rationale identified by your department and further, are encouraged by the developers willingness and flexibility associated with the retention of the Trinity Church property. We trust the spirit of flexibility will be considered to ensure a viable business proposition can be satisfied and ultimately create the outputs as earlier identified.

The completion of the Tall Ships Landing, The Brockville Landings, Buell's Creek Condominiums and the subject project/application will ultimately achieve the long term vision of a true renaissance for Ontario's oldest incorporated municipality.

We are anxious to collectively market this project with the other developments noted and are encouraged by the responsiveness from the developers to consider the community's historic and social factors on this project.

Sincerely,



David C. Paul, Ec.D. (F)
Director of Economic Development

DCP/sd

y/sdunbar/planningdeptlorraine.doc

Attached: Memorandum - Revised Application for Zoning By-Law Amendment, 137 George Street