



## Economic Development and Planning Committee

Tuesday, February 4, 2014, 6:00 pm  
City Hall, Council Chambers

### Committee Members

Councillor M. McFall, Chair  
Councillor D. Beatty  
Councillor M. Kalivas  
Councillor D. LeSueur  
Mayor D. Henderson, Ex-Officio

### Areas of Responsibility

Economic Development  
Planning  
Chamber of Commerce  
DBIA  
Heritage Brockville

Economic Development  
Advisory Team  
Museum Board  
Library Board  
Arts Centre  
Tourism

Page

## ***PUBLIC MEETING AGENDA***

### **Item**

2 - 7

1. 2014-010-02  
Proposed Amendment to Zoning By-law 194-94  
72, 74, 76 and 78 Murray Street  
City of Brockville  
Owners: William & Lesia Maxwell

*THAT Report 2014-010-02 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.*

8 - 23

2. 2014-011-02  
Proposed Amendment to the Official Plan  
and Zoning By-law 194-94  
1365 California Ave., City of Brockville  
Owner: 1365 California Limited  
Agents: Deborah Stagg & Lisa Cassidy, 2341246 Ontario Inc.

*THAT Report 2014-011-02 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.*

23Jan2014

**REPORT TO THE ECONOMIC DEVELOPMENT PLANNING COMMITTEE - PUBLIC MEETING – 4 February 2014**

2014-010-02

**PROPOSED AMENDMENT TO ZONING BY-LAW 194-94  
72, 74, 76 AND 78 MURRAY STREET  
CITY OF BROCKVILLE  
OWNERS: WILLIAM & LESIA MAXWELL  
FILE: D14-171**

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

**RECOMMENDED**

THAT Report 2014-010-02 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**

To provide information for purposes a public meeting being held under the Planning Act respecting an Application for Amendment to City of Brockville Zoning By-law 194-94.

**BACKGROUND**

Mr. Bob Jordan, Jordan – Bennett Geomatics Inc., acting on behalf of William and Lesia Maxwell, owners of lands described as Lots 7, 8 and 9, Part of Lots 5 and 6, Block 3, Plan 67, City of Brockville, County of Leeds, municipal address 72, 74, 76 and 78 Murray Street (as shown on **Schedule “A”**), has submitted an application for an amendment to Zoning By-law 194-94 which would, if approved, rezone the subject lands to establish a zone which permits the existing semi-detached dwellings located on the property and establishes appropriate zone provisions (lot areas, lot frontages, and building setbacks) based on existing conditions.

Over multiple years 1982, 1986, 1989 & 1990, the properties were purchased separately by the Maxwells. Due to the properties being purchased under the same ownership, they have merged and are now considered one parcel of land. The owners intend to sever the property to provide for freehold ownership of each of the four (4) semi-detached dwelling units, however, this is presently precluded because of the current zoning on the subject property.

2014-010-02  
 Proposed Amendment to Zoning By-Law 194-94  
 72, 74, 76 and 78 Murray Street, City Of Brockville  
 Owners: William & Lesia Maxwell  
 File: D14-171

Page 2

## ANALYSIS

### Zoning and Official Plan Information:

Official Plan Designation: Neighbourhood Area  
 Existing Zoning: R2 – Single Unit Residential Zone  
 Requested Zoning: R4 – General Residential Special Exception Zone

The Special Exception requests are shown on **Schedule “B”** attached to this Report.

### Site Characteristics:

Total Area: 1,244.0 m<sup>2</sup> (13,393 ft<sup>2</sup>)  
 Frontage – Murray Street: 43.9 m (144.03 ft.)  
 Average Depth: 30.48 m (100.0 ft.)

The subject land currently contains two separate semi-detached dwellings (4 dwelling units). Photos of the subject property are attached as **Schedule “C”** to this report.

### Surrounding Land Use:

North: The lands to the north are zoned R2 – Single Unit Residential, and occupied by single detached dwellings.  
 East: The land to the east (across Murray Street) is zoned OS – Open Space and is occupied by Butterfield Park.  
 South: The lands to the south (across Brennan Street) are zoned R2 – Single Unit Residential and are occupied by 1 ½ storey single detached dwellings.  
 West: The lands to the west are zoned R2 – Single Unit Residential and are occupied by 1 ½ storey single detached dwellings.

### Comments Received are summarized below.

1. Steve Allen, Supervisor of Engineering, Environmental Services Department:
  - Provided comment relating to services. Would like to bring attention to the fact that 72 and 74 Murray Street share one (1) sanitary service and one (1) water service, and one (1) sanitary service and one (1) water service for 76 and 78 Murray Street.
2. Conal Cosgrove, Director of Operations, Operations Department:
  - No comments or concerns.
3. Brent Caskenette, Chief Building Official, Planning Department:
  - No comments or concerns.

2014-010-02

Page 3

Proposed Amendment to Zoning By-Law 194-94  
72, 74, 76 and 78 Murray Street, City Of Brockville  
Owners: William & Lesia Maxwell  
File: D14-171

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4. Lynn Murray, Deputy City Clerk, Clerks Office:
  - No comments regarding the proposed applications.
5. Greg Healy, Chief Fire Prevention Officer, Brockville Fire Department:
  - No fire safety concerns at this time.

Potential Issues for Discussion:

1. Appropriateness of proposed Special Exception Zone.
2. Appropriateness of proposed severance due to servicing issues.

**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 which will include review and consideration of policies that are relevant to the requested amendment.

**FINANCIAL CONSIDERATIONS:**

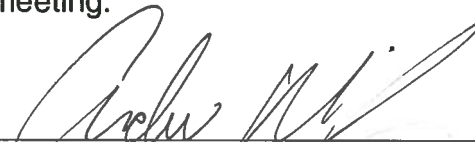
A complete application for amendment to City of Brockville Zoning By-law 194-94 has been received, along with an application for consent to sever, including all applicable fees. There are no other financial considerations at this time.

**CONCLUSION**

A Report on this matter, including a detailed analysis of the proposed amendment, 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. Pascoe Merkley, MCIP, RPP  
Director of Planning



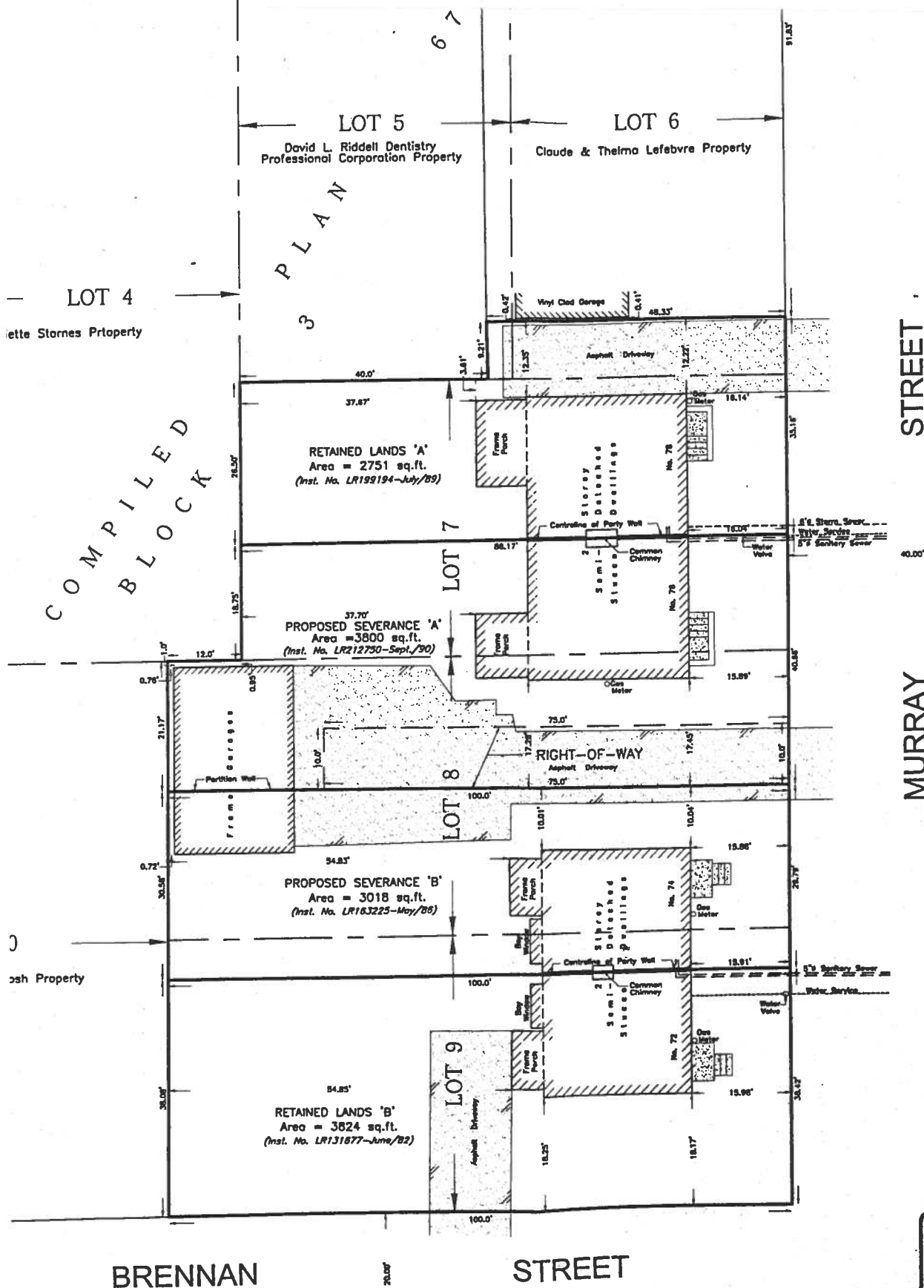
Andrew McGinnis, MCIP, RPP  
Planner II



B. Casselman  
City Manager

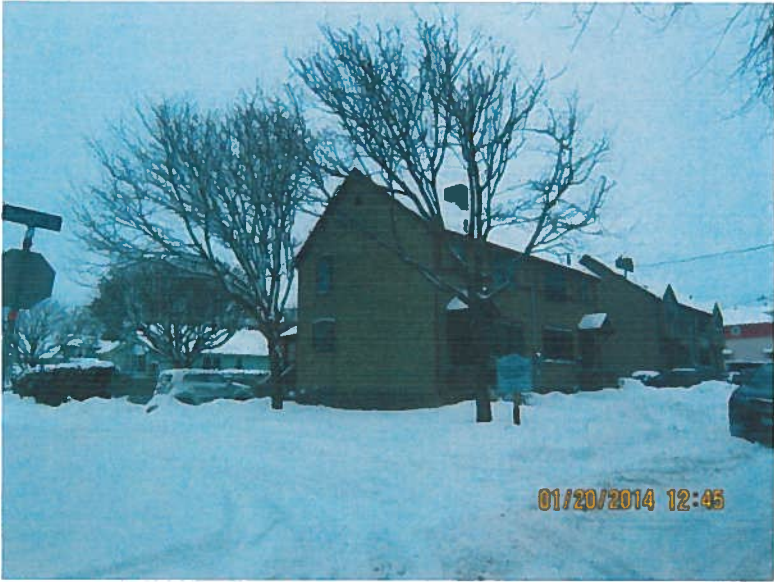
per

# SCHEDULE "A" TO REPORT 2014-010-02



## SCHEDULE "B" TO REPORT 2014-010-02

Zoning Requirements for R4 Zone					
	Required	Retained Lands "A"	Severed Lands "A"	Retained Lands "B"	Severed Lands "B"
Minimum Lot Area	270.0 m <sup>2</sup>	255.56 m <sup>2</sup>	353.0 m <sup>2</sup>	280.3 m <sup>2</sup>	355.2 m <sup>2</sup>
Minimum Lot Frontage (Exterior Lot)	12.0 m	N/A	N/A	N/A	11.71 m
Minimum Interior Side Yard (north)	1.5 m / 0.0 m	1.1 m	0.0 m	3.05 m	0.0 m
Minimum Interior Side Yard to an accessory structure	1.0 m	N/A	0.0 m	0.0 m	N/A





**27Jan2014**

**REPORT TO ECONOMIC DEVELOPMENT PLANNING COMMITTEE – PUBLIC MEETING – 4 FEBRUARY 2014**

**2014-011-02**

**PROPOSED AMENDMENT TO THE OFFICAL PLAN  
AND ZONING BY-LAW 194-94**

**1365 CALIFORNIA AVENUE, CITY OF BROCKVILLE**

**OWNER: 1365 CALIFORNIA LIMITED**

**AGENTS: DEBORAH STAGG & LISA CASSIDY,  
2341246 ONTARIO INC.**

**FILE NOS.: D09-03 & D14-172**

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

**RECOMMENDED**

THAT Report 2014-011-02 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**

To provide information for purposes of conducting a public meeting under the Planning Act respecting Applications for Amendment to City of Brockville Official Plan and Zoning By-law 194-94.

**BACKGROUND**

Deborah Stagg and Lisa Cassidy, acting on behalf of 1365 California Limited, has submitted applications for amendment to the Official Plan for the City of Brockville and to Zoning By-law 194-94 with respect to lands described as Part of Lot 9, Concession 2, City of Brockville, County of Leeds (municipal address: 1365 California Avenue), which, if approved, would permit the subject lands to be used for a "Health Club", in addition to all other uses currently permitted within the Employment Area Designation under the Official Plan and the M1 – Industrial Park Zone under Zoning By-law 194-94.

The subject lands are currently occupied by a large warehouse which currently contains a Scholastic Book Distribution Centre and was the former location of Purolator and the Connection Warehouse. The Owner of the property would like to further amend the uses permitted to include a "Health Club" as a standalone business. The current policy in the Official Plan, and the current M1 – Industrial Park Zone, permits uses accessory to any of the permitted uses in the Employment Area (example: 3M would be permitted to have a health club or fitness facility as an accessory use for their employees).



Therefore, the owner has submitted applications for amendments requesting that a "Health Club" use be permitted as a standalone business at 1365 California Avenue.

## ANALYSIS

**Schedule "A"** to this report indicates the location of the subject.

### Zoning and Official Plan Information:

Official Plan Designation:	Employment Area – OP Policy 4.7.2 (3) restricts the use of a "Health Club" as accessory to any permitted use in the Employment Area.
Proposed OP Amendment:	Amend Policy 4.7.2, as it pertains to 1365 California Avenue only, to allow a "Health Club" as a standalone business in addition to all other permitted Employment uses.
Existing Zoning:	M1 – Industrial Park Zone
Proposed Zoning:	M1-X9-5 Industrial Park Special Exception Zone (to permit a "Health Club" as a permitted use in addition to all other uses permitted within the M1 – Industrial Park Zone).

### Site Characteristics:

Total Area:	3.94 hectares (9.76 acres)
Frontage (California Avenue):	198.12 m (650.0 ft.)
Frontage (Laurier Avenue):	202.49 m (664.3 ft.)

A site plan and photos of the property are attached as **Schedule "B"** to this report.

### Surrounding Land Uses:

North:	The lands to the north are zoned M1 – Industrial Park Zone and are occupied by Hansler Smith.
East:	The lands to the east are zoned M1 – Industrial Park Zone and are currently vacant.
South:	The lands to the south (across Laurier Boulevard) are zoned M1 – Industrial Park Zone and are occupied by NewTerra.
West:	The lands to the west (across California Avenue) are zoned M1 – Industrial Park Zone and are occupied by 3M Canada and Canadian Waste Services.

Comments Received are summarized below and attached as **Schedule “C”** to this report.

1. Steve Allen, Supervisor of Engineering, Environmental Services Department:
  - Not opposed to the application.
2. Conal Cosgrove, Director of Operations, Operations Department:
  - No comments with respect to the Application.
2. Brent Caskenette, Chief Building Official, Planning Department:
  - No comments or concerns. However, the applicant should be aware that a review of complete construction drawings at the time of application for Building Permit may reveal requirements of the Ontario Building Code, not evident at this time that may affect the site development.
3. David Paul, Director of Economic Development:
  - Unable to support the subject zoning application
  - Proposed use is aligned to a resident market versus patrons of an existing industrial use within the property.
  - Position is based on the premise that retail/service and commercial uses are not compatible with production processing and warehousing.
  - The presence of such uses, at least in some cases, will deter investment attraction of potential industrial tenants within the subject plant site.
  - Final consideration is the precedent that would be established in providing further concessions for additional retail/service businesses within the John G. Broome Park that could erode the integrity of the park's primary use.
4. Lynn Murray, Deputy City Clerk, Clerks Office:
  - No comments regarding the proposed applications.
5. Greg Healy, Chief Fire Prevention Officer, Brockville Fire Department:
  - No fire safety concerns at this time.
6. Scott Fraser, Acting Chief of Police, Brockville Police Department:
  - No issue from Police.
7. Amelia Sloan, Planner, Ministry of Municipal Affairs and Housing
  - Reviewed the file and have no comments.

Potential Issues for Discussion:

1. Appropriateness of proposed Official Plan Amendment
2. Appropriateness of proposed use within the Industrial Park.

## 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 Official Plan Amendment and Zoning By-law Amendment.

## CONCLUSION

The Staff Report on this matter, including a detailed analysis of the proposed amendments, 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. Pascoe Merkley, MCIP, RPP**  
**Director of Planning**



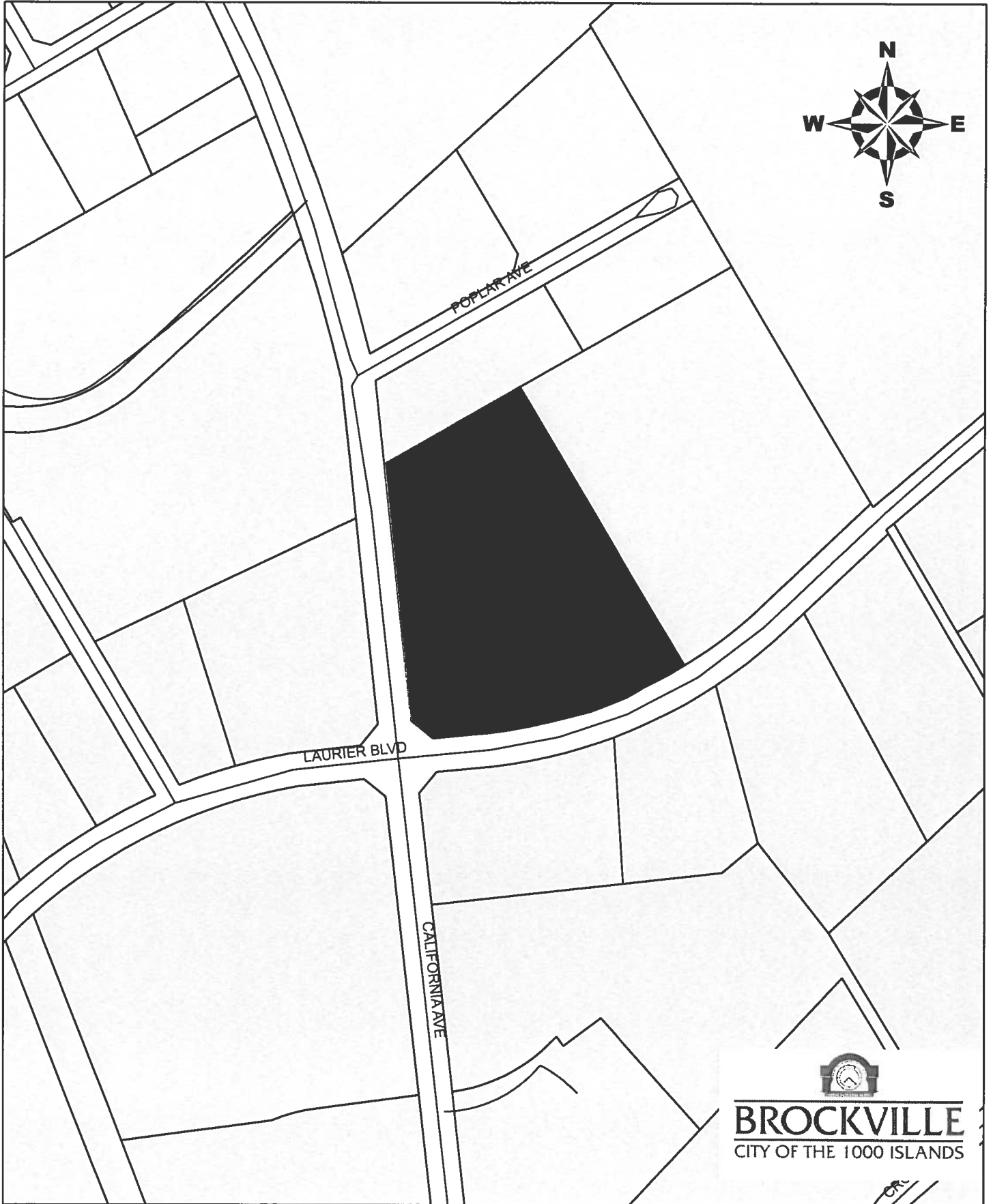
**Andrew McGinnis, MCIP, RPP**  
**Planner II**




**B. Casselman**  
**City Manager**

pcy

# SCHEDULE "A" TO REPORT 2014-011-02



0 30 60 120 180 Meters

  
**BROCKVILLE**  
CITY OF THE 1000 ISLANDS



**BENCHMARK**  
FINISHED FLOOR AT ENTRANCE  
IN NORTHWEST CORNER OF A  
ELEV. - 101.65m (GEODETIC)

**NOTE:**  
CONTRACTOR TO CONTACT UTIL  
COMPANIES TO DETERMINE THE  
LOCATION AND CONFIGURATION  
EXISTING PLANT.

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100	By	Cost	Price

All drawings, specifications and related data are the copyright property of the Engineer as required upon request. Publication of specifications, and related data, returns it to London without the Engineer's written consent.

**ASTERN**  
**ENGINEERING GROUP**  
CONSULTING ENGINEERS

**Unpublished Circles**  
285 Carroll St., Bldg. #12  
Newark, CT 07102

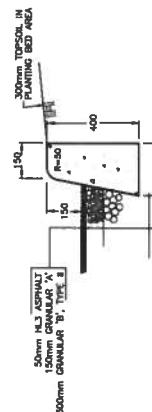
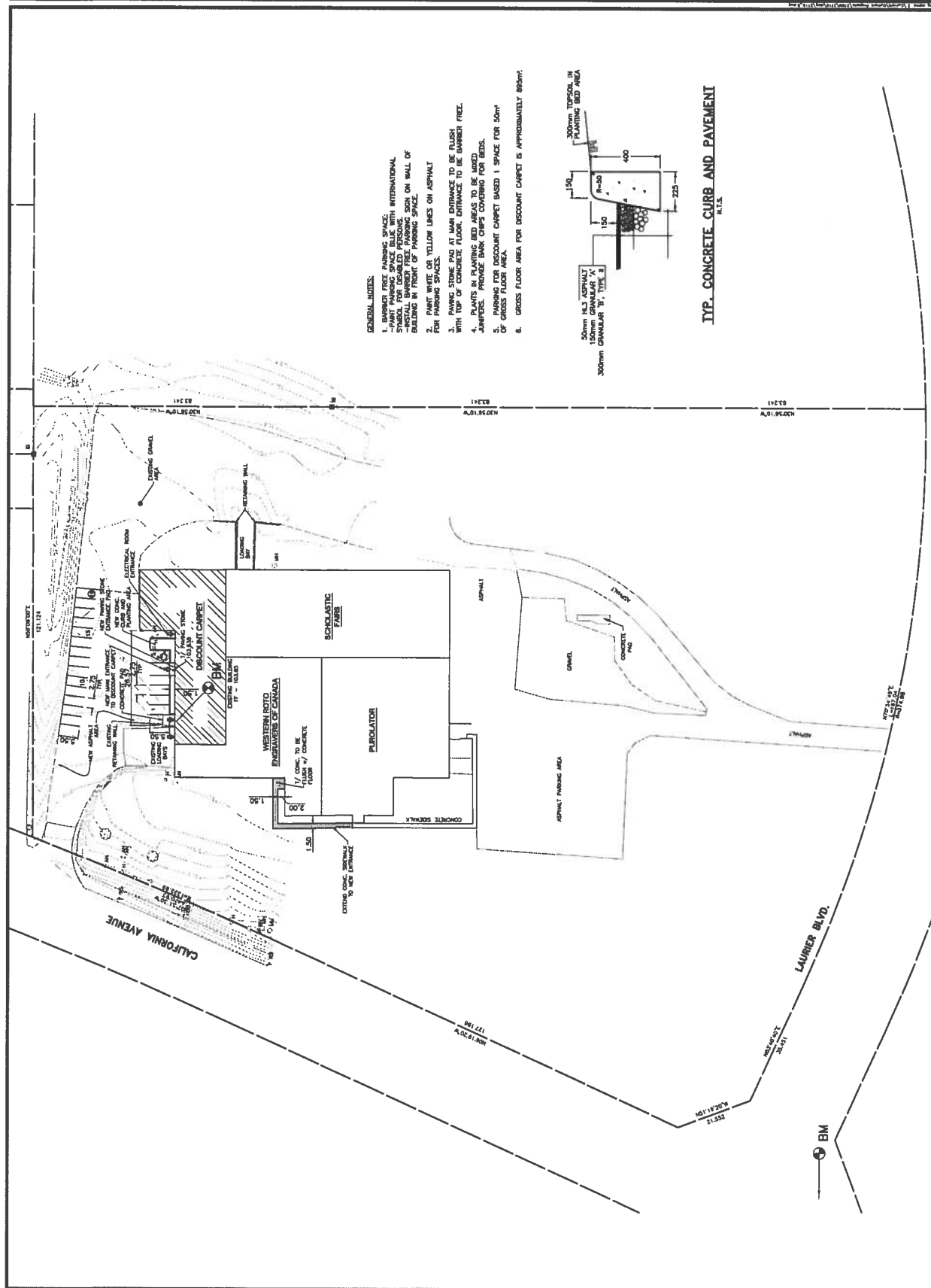
**THE DODGE GROUND  
VULCANIZER BUILD  
1385 CALIFORNIA A  
BROCKVILLE, ONTARIO**

**SITE PLAN FOR DISC  
CARPET ENTRANCE  
WESTERN ROTO ENGR  
OF CANADA**

[illegible]

GENERAL NOTES:

1. BARRIER FREE PARKING SPACES
2. PAINT PARKING SPACE BLUE WITH INTERNATIONAL SYMBOL FOR DISABLED PERSONS.
3. INSTALL BARRIER FREE PARKING SIGN ON WALL OF BUILDING IN FRONT OF PARKING SPACE.
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TYP. CONCRETE CURB AND PAVEMENT  
M.T.S.









## SCHEDULE "C" TO REPORT 2014-011-02

# Memorandum



File No. D14-172

Date: January 17, 2014

To: Loraine Bagnell  
Administrator Coordinator - Planning

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

Subject: **Application for Zoning for By – Law Amendment, 1365 California Avenue, City of Brockville.**

The Environmental Services Department has reviewed the request for zoning by-law amendment to allow a "Health Club" to be added as a permitted use" for this subject property dated January 9, 2014 and we are not opposed to the application.

A handwritten signature in dark ink, appearing to be "SEA", written over a horizontal line.

SEA:sa

## Andrew McGinnis

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**From:** Conal Cosgrove  
**Sent:** Friday, January 24, 2014 3:19 PM  
**To:** Andrew McGinnis  
**Subject:** Application for Zoning By-Law and Official Pland Amendment - 1365 California Ave.

Andrew

The Operations Department has no comments with respect to the application.

Conal

Conal Cosgrove, P.Eng.  
Director of Operations  
City of Brockville

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**CITY OF BROCKVILLE**  
**PLANNING DEPARTMENT - BUILDING SERVICES DIVISION**

**INTEROFFICE MEMORANDUM**

**TO: ANDREW MCGINNIS – PLANNER II**  
**COPY:**  
**FROM: BRENT CASKENETTE – CHIEF BUILDING OFFICIAL**  
**SUBJECT: OP AND ZONING AMENDMENTS– FILE D09-03 AND D14-172**  
**1365 CALIFORNIA AVENUE**  
**DATE: FRIDAY, JANUARY 10, 2014**

Andrew:

Our review of the proposal for the above noted subject site development has been completed and at this time would advise that we have no concerns.

The applicant should be made aware that a review of complete construction drawings at the time of application for a building permit may reveal requirements of the Ontario Building Code, not evident at this time that may affect the site development.

Regards,

A handwritten signature in black ink, appearing to read "B. Caskenette", with a long horizontal flourish extending to the right.

**BRENT B. CASKENETTE – CHIEF BUILDING OFFICIAL**  
City of Brockville, One King Street West, P.O. Box 5000, Brockville, ON K6V 7A5  
Tel. (613) 342-8772, ext. 441 – Fax (613) 498-2793 – Email: bcaskenette@brockville.com

# City of Brockville

## MEMORANDUM

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**to:** Planning Department – Andrew McGinnis  
**from:** David Paul, Director of Economic Development  
**re:** Note the Application for Zoning Attached  
**cc:** Bob Casselman  
**date:** January 14, 2014

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We are unable to support the subject zoning application enabling the inclusion of a health club operation within an M1/industrial zoning planning area. We understand the proposed use is aligned to a resident market versus patrons of an existing industrial use within the property.

The rationale for this position is based on the premise that retail/service and commercial uses are not compatible with production processing and warehousing applications particularly within the same facility. Further, the presence of such uses, at least in some cases, will deter investment attraction of potential industrial tenants within the subject plant site. We have accounts on record to validate this viewpoint.

One final consideration is the precedent that would be establish in providing further concessions for additional retail/service businesses within the John G. Broome Park that could erode the integrity of the park's primary use. Industrial clients tend to prefer uses common to their own operation with the offering of value chain businesses that can provide industrial service offerings to their supply chain.

Dave

## Andrew McGinnis

---

**From:** Lynn Murray  
**Sent:** Monday, January 13, 2014 9:27 AM  
**To:** Andrew McGinnis  
**Subject:** 1365 California Ave.

Good Morning,

Please be advised that the Clerk's department has no comments regarding the application for Zoning By-law Amendment and Official Plan Amendment on 1365 California Avenue.

Regards,

*Lynn Murray*

Lynn Murray, AMCT  
Deputy City Clerk  
City of Brockville | 1 King St. W.  
Brockville, ON | K6V 7A5  
613-342-8772 | ext. 431  
613-498-2793 | fax



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## MEMO



**DATE:** January 15, 2014

**MEMO TO:** Andrew McGinnis, Planner II

**FROM:** Greg Healy, Chief Fire Prevention Officer

**RE:** 1365 California Ave. Application for Zoning By-Law Amendment.

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After reviewing the proposal for the above noted Property, please be advised this Department has no concerns at this time.

A handwritten signature in cursive script that reads "Greg Healy".

GH

Copy to: M. Tyo, Asst. Fire Prevention Officer

## Andrew McGinnis

---

**From:** Scott Fraser <sfraser@brockvillepolice.com>  
**Sent:** Monday, January 13, 2014 8:46 AM  
**To:** Andrew McGinnis  
**Subject:** 1365 California / 72-78 Murray Street

Hi Andrew,

No issues from the police.

Scott

**Brookville Police**  
A/Chief Scott Fraser  
Desk (613) 342-0127 Ext- 4234  
Facsimile (613) 342-0452  
[sfraser@brockvillepolice.com](mailto:sfraser@brockvillepolice.com)  
[www.brockvillepolice.com](http://www.brockvillepolice.com)  
2269 Parkedale Avenue  
PO Box 2050  
Brockville, ON K6V 3G9

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## Andrew McGinnis

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**From:** Sloan, Amelia (MAH) <Amelia.Sloan@ontario.ca>  
**Sent:** Friday, January 10, 2014 9:38 AM  
**To:** Andrew McGinnis  
**Subject:** RE: Proposed Official Plan Amendment

Morning Andrew,

Thanks for passing this by me. I've reviewed the file and have no comments on my end.

Amelia

---

**From:** Andrew McGinnis [<mailto:amcginnis@brockville.com>]  
**Sent:** January 10, 2014 8:48 AM  
**To:** Sloan, Amelia (MAH)  
**Subject:** Proposed Official Plan Amendment  
**Importance:** High

Amelia,

I was speaking with Mike Elms yesterday and he advised me that I should sent this information through to you.

Please review the attached application for an Official Plan Amendment and provide comment on the proposed amendment.

Cheers,

*Andrew McGinnis*

Andrew McGinnis, MCIP, RPP  
Planner II, City of Brockville  
Mail: One King Street West, P.O.Box 5000, Brockville, ON K6V 7A5  
Tel. 613.342.8772, ext. 421  
Fax. 613.498.2793  
Email: [amcginnis@brockville.com](mailto:amcginnis@brockville.com)



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