

COMMITTEE MINUTES

Economic Development & Planning Committee

Tuesday, February 01, 2011, 4:30 p.m.
City Hall, Council Chambers

Roll Call

Committee Members:

Councillor M. Kalivas, Chair
Councillor J. Baker (late 5:10 p.m.)
Councillor D. Beatty
Councillor J. Earle
Mayor D. Henderson, Ex-Officio

Others:

Councillor D. LeSueur

Absent:

Mayor D. Henderson, Ex-Officio

Staff:

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

Others:

Mr. R. Zajac, Recorder and Times

The Chair called the meeting to order at 4:33 p.m.

DISCLOSURE OF INTEREST

Nil

CORRESPONDENCE

Heritage Brockville

Moved by: Councillor Beatty

THAT in accordance with the Ontario Heritage Act a Municipal Register of cultural heritage properties be established and maintained by the City Clerk; and

THAT the following properties of cultural heritage value or interest. as recommended by Heritage Brockville, be added to said Register;

Brockville Court House	1 Court House Square
First Baptist Church	Pine Street
St. Francis Xavier Church	66 Church Street
Victoria School	Wall Street
Leeds County Registry Office	Court House Building
Dunham Block	53-59 King Street West
St. Paul's Anglican Church	Pine Street
St. Lawrence Anglican Church	80 Pine Street
Brockville Arts Centre	235 King Street West
Trinity Anglican Church	137 George Street
Brockville Armouries	East Avenue
Thornton Cliffe, Hardy House	291 King Street East
St. John's United Church	70 King Street East
Sheridan Mews	King Street West

CARRIED

Councillor Kalivas asked Mr. Bullock to explain the process of how a property is listed on the Municipal Register. Mr. Bullock explained that a by-law is not needed but registration does require a resolution of council.

Councillor Earle inquired if owners are notified before their property goes on the Municipal Register. Mr. Bullock stated that this procedure is not followed at this time but could be implemented.

STAFF REPORTS

2011-012-02

Encroachment Agreement
29 Buell Street, Brockville

Moved by: Councillor Earle

THAT Council authorize the Mayor and Clerk to execute an encroachment agreement with DEGA Holdings (Ontario) Inc., 29 Buell Street, Brockville, for the encroachment a portion of the building eaves and concrete steps that encroach onto the Buell Street road allowance to a maximum of 0.61 metres (2.0 ft.).

CARRIED

2011-013-02

Proposed Condominium Conversion Part Lots A & B,
Block 3, Plan 67, being parts 1 through 8 inclusive,
Plan 28R-6949 City of Brockville,
167 Pearl Street East, Brockville
Owner: 1264165 Ontario Limited

Moved by: Councillor Beatty

1. THAT Council of the Corporation of the City of Brockville, acting pursuant to Section 51(6) of the Planning Act, R.S.O. 1990, c.P.13, grants conditional approval to conversion of one (1) rental residential apartment unit within 167 Pearl Street East to Condominium status, said lands being described as Part of Lots A and B, Block 3, Plan 67, City of Brockville; and
2. THAT conditional approval be subject to the following conditions:
 - 2.1. THAT written confirmation be provided, in writing, to the Planning Department that:
 - the owners of at least 80% of the units, at the time of the sale have voted in favour of the sale; and
 - at least 80% of persons having registered claims against the property being sold must consent, in writing, if their claims arose after registration of the declaration and description; and
 - each of the owners of designated units having exclusive use of such common elements have consented to the sale of the unit.

- 2.2 THAT the tenant of the subject unit be given first right to purchase the unit at a price no higher than that price for which the unit is offered to the general public. Confirmation must be provided to the City of Brockville, in writing, that the tenant was given the first right to purchase his/her unit and that, if a purchase was not made, the tenant has declined the offer.
- 2.3 THAT the subject unit is to be inspected, at the expense of the Owner, by a qualified Professional Engineer, licensed in Ontario, describing the condition of the unit and listing any and all repairs and improvements required to ensure that the building complies with all applicable Provincial and Municipal regulations.
- 2.4 THAT all common elements of 167 Pearl Street are to be inspected, at the expense of the Owner, by a qualified Professional Engineer, licensed in Ontario, describing the condition of the building and listing any and all repairs and improvements required to ensure that the building complies with all applicable Provincial and Municipal regulations.
- 2.5 THAT all repairs and improvements identified under the engineer's report(s), as noted above, are to be made at the expense of the Owner prior to final approval with confirmation of completion by a professional engineer.
- 2.6 THAT a copy of the inspection report(s), pre and post conditions, are to be provided, free of charge, to prospective purchasers before they enter into a binding agreement of purchase and sale. Confirmation must be provided to the City of Brockville, in writing, that the purchaser was provided with a copy of the report(s).
- 2.7 THAT the Owner shall provide, to the existing tenant(s) of the subject unit at the date of granting of Draft condominium conversion approval, active, physical assistance, for a period of three (3) years from the date of Conditional Approval, to each tenant who must relocate as a result of the conversion, in finding alternate comparable accommodation, mutually agreed upon between the applicant and each such tenant, and pay the moving costs of each such tenant to other accommodations within Brockville. Confirmation must be provided to the City of Brockville, in writing, that each tenant was notified of this condition.
- 2.8 THAT prior to the final approval of the Plan of Condominium by the City of Brockville the owners shall bring the lands and premises into conformity with the City of Brockville Zoning By-law 194-94, as amended, including but not limited to, lining and identification of not less than fifteen (15) on-site parking spaces, buffering between parking areas and adjacent residential use and zoned areas, refuse enclosures and landscaping.

- 2.9 THAT all conditions of the site and buildings which are in violation of City of Brockville Zoning By-law 194-94, as amended, applicable by-laws and legislation shall be resolved to the satisfaction of the City of Brockville including, but not limited to, such items as minor variances, consents.
- 2.10 THAT the municipal address for 167 Pearl Street East shall be prominently displayed on the exterior of the building and each interior residential unit shall be clearly identified in the main entrance vestibule and at each dwelling unit for emergency services access and identification.
- 2.11 THAT the customer owned secondary underground hydro which is a non standard conductor be upgraded to the specifications of Hydro One, at the Owners expense.
- 2.12 THAT final condominium drawings prepared by an Ontario Land Surveyor shall be provided for review and comment prior to consideration for final approval of the Plan of Condominium.
- 2.13 THAT the following shall be provided to the satisfaction of the City:
- a) an as-built plan identifying all services;
 - b) a structural plan; and
 - c) a plan identifying all private and communal elements of the condominium.
- 2.14 THAT should the conversion process not be completed within three (3) years of draft approval, the draft approval shall become null and void and a new application, including applicable fees, shall be required to be submitted.

CARRIED

2011-014-02
Draft Subdivision Approval
Part of Blocks A & B, Registered Plan 375
Aspen Drive - East Side, City of Brockville
Owner: 653973 Ontario Ltd.

Moved by: Councillor Earle

1. THAT Council of the Corporation of the City of Brockville, acting pursuant to Section 51(6) of the Planning Act, R.S.O. 1990, c.P.13, grant approval to the Draft Plan of Subdivision, as red-lined, on lands described as Part of Blocks A & B, Registered

Plan 375, Aspen Drive, City of Brockville, County of Leeds, subject to the following conditions:

- i) That these conditions shall apply to the Draft Plan, as red lined, prepared by Robert J. Jordan, O.L.S., dated 29 Sept 2010, showing Blocks 1 through 18, inclusive, said Blocks being delineated as to use on the afore-mentioned Draft Plan;
- ii) That the proposed Street "A" shown on this Draft Plan, as red lined, shall be dedicated as a public highway to be named to the satisfaction of the City of Brockville;
- iii) That such easements as may be required for services, drainage purposes and the like shall be granted gratuitously to the appropriate authority or authorities;
- iv) That prior to final approval of the Plan, the Owner shall enter into a Subdivision Agreement with the City of Brockville which shall specify, among other things:
 - All of the requirements, financial and otherwise, of the City of Brockville concerning the provision of roads, street lighting and the installation of services and drainage;
 - The requirements of Canada Post with respect to the installation of Community Mailboxes;
 - The requirements of Enbridge Consumers Gas, with respect to an overall distribution plan, installation strategy and installation standards;
 - The requirements of Hydro One Networks Inc. with respect to the installation of electrical servicing;
 - The developer's responsibility for the reinstatement of the existing temporary turn-around located at the current north terminus of Aspen Drive and conveyance of lands to adjacent landowners;
 - The developer's responsibility to create a temporary turn-around to be located at the intersection of the north terminus of Aspen Drive and the north branch of Street "A";
 - The developer's responsibility to prepare a Tree Saving Plan, Tree Planting Schedule and a Re-vegetation Plan which demonstrates how the buffer area adjacent to the creek is to be maintained and enhanced and what measures will be included to provide a natural snow barrier. Said

Plans to be provided for review and approval by the City of Brockville and the Cataraqui Region Conservation Authority; and

- Notification to landowners that any development or site alteration must be setback a minimum of five (5) metres from the regulatory floodplain of Buell's Creek and that the first finished floor (including basements and all openings) must be at or above a minimum elevation of 101.9m GSC.
- v) That prior to final approval of the Plan, lot grading, drainage, erosion and sediment control, and services plan(s) with best management practices be prepared by the Owner for inclusion in the Subdivision Agreement, to the satisfaction of the City of Brockville and the Cataraqui Region Conservation Authority. The lot grading plan must include the location of the 100 year floodplain of Buell's Creek and show a cross-section of the area between the bank and the creek;
- vi) That prior to the final approval of the Plan, a Stormwater Management Plan shall be prepared by a qualified Professional Engineer for the Owner, to the satisfaction of the City of Brockville and the Cataraqui Region Conservation Authority, and that appropriate text to implement its findings shall be included in the Subdivision Agreement;
- vii) That, if final approval of the Plan is not granted within three (3) years of the date of approval of the Draft Plan, as red lined, and no extensions have been granted, Draft Plan approval shall lapse in accordance with Section 51(32) of the Planning Act, R.S.O. 1990, c.P.13; and
- viii) That the Final Plan, as approved by the City of Brockville, must be registered within thirty (30) days of the date of final approval or the City's approval may be withdrawn in accordance with Section 51(59) of the Planning Act, R.S.O. 1990, c.P.13.

CARRIED

2011-017-02

Proposed Plan of Subdivision Lot 3 and
Part of Lots 1, 2 and 4 and Part of
Glasford Place, Registered Plan 380, City of Brockville
(Liston Avenue - South Side)
Owner: 1178420 Ontario Ltd.

Moved by: Councillor Beatty

1. THAT Council of the Corporation of the City of Brockville, acting pursuant to Section 51(6) of the Planning Act, R.S.O. 1990, c.P.13, grant approval to the Draft Plan of Subdivision as red-lined on lands described as Lot 3 and Part of Lots 1, 2 and 4 and Part of Glasford Place, Registered Plan 380, City of Brockville, County of Leeds subject to the following conditions:
 - i) That these conditions shall apply to the red-lined Draft Plan prepared by Brent Collett, O.L.S., dated October 29, 2010, showing Lots 1 through 6, inclusive, and Blocks 1 and 2, inclusive, said Blocks being delineated as to use on the aforementioned Draft Plan, as revised;
 - ii) That the proposed Street "A" shown on the red-lined Draft Plan, shall be dedicated as a public highway to be named to the satisfaction of the City of Brockville;
 - iii) That such easements as may be required for services, drainage purposes and the like shall be granted gratuitously to the appropriate authority or authorities, including an easement in favour of the City over Lot 3 to provide access from the public highway to the existing storm sewer easement located on proposed Lots 3, 4, 5 and 6.
 - iv) That prior to final approval of the Plan, the Owner shall enter into a Subdivision Agreement with the City of Brockville which shall specify, among other things:
 - All of the requirements, financial and otherwise, of the City of Brockville concerning the provision of roads, sidewalks, street lighting and the installation of services and drainage;
 - All of the requirements, financial and otherwise, of the City of Brockville concerning ensuring unobstructed access to all municipal services and easements;
 - The dedication of lands within the subdivision for public purposes;

- The elimination of the existing private equipped children's play area and easement therefore;
 - The requirements of Canada Post with respect to the installation of Community Mailboxes and the installation of a centralized mail facility for the apartment building;
 - The requirements of Enbridge Consumers Gas, with respect to an overall distribution plan, installation strategy and installation standards;
 - The requirements of Hydro One Networks Inc. with respect to the installation of electrical servicing;
 - The requirements of Bell Canada with respect to the installation of Bell servicing;
 - The requirements of Cogeco Cable Canada Inc. with respect to the installation of Bell servicing;
 - The requirements of the Fire Department to ensure emergency services access and fire fighting capabilities and access;
 - The developer's responsibility to prepare a Tree Saving Plan and Tree Planting Schedule for review and approval by the City of Brockville.
- v) That prior to final approval of the red-lined Plan, lot grading, drainage, erosion and sediment control, and services plan(s) with best management practices be prepared by the Owner for inclusion in the Subdivision Agreement, to the satisfaction of the City of Brockville and the Cataraqui Region Conservation Authority;
- vi) That prior to the final approval of the Plan, a Stormwater Management Brief shall be prepared by a qualified Professional Engineer for the Owner, to the satisfaction of the City of Brockville and the Cataraqui Region Conservation Authority, and that appropriate text to implement its findings shall be included in the Subdivision Agreement;
- vii) That, if final approval of the Plan is not granted within three (3) years of the date of approval of the red-lined Draft Plan, and no extensions have been granted, Draft Plan approval shall lapse in accordance with Section 51(32) of the Planning Act, R.S.O. 1990, c.P.13; and

- viii) That the Final Plan, as approved by the City of Brockville, must be registered within thirty (30) days of the date of final approval or the City's approval may be withdrawn in accordance with Section 51(59) of the Planning Act, R.S.O. 1990, c.P.13.

CARRIED

CONSENT AGENDA

Moved by: Councillor Earle

THAT the following items be placed on the Consent Agenda:

1. 2011-012-02
Encroachment Agreement
29 Buell Street, Brockville
2. 2011-013-02
Proposed Condominium Conversion Part Lots A & B
Block 3, Plan 67, being parts 1 through 8 inclusive, Plan 28R-6949 City of Brockville
167 Pearl Street East, Brockville
Owner: 1264165 Ontario Limited
3. 2011-014-02
Draft Subdivision Approval
Part of Blocks A & B, Registered Plan 375 Aspen Drive – East Side, City of Brockville
Owner: 653973 Ontario Limited
4. 2011-017-02
Proposed Plan of Subdivision Lot 3 and
Part of Lots 1, 2 and 4 and Part of Glasford Place,
Registered Plan 380, City of Brockville
(Liston Avenue – South Side)
Owner: 1178420 Ontario Limited

CARRIED

The meeting adjourned at 5:24 p.m.