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<u>Committee Members</u>	<u>Areas of Responsibility</u>	
Councillor J. Baker , Chair	Economic Development	DBIA
Councillor T. Blanchard	Planning	Chamber of Commerce
Councillor L. Bursey	Heritage Brockville	Tourism
Councillor M. Kalivas	Museum Board	
Mayor D. Henderson,	Library Board	
Ex-Officio	Arts Centre	

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Page

## **DISCLOSURE OF INTEREST**

### **DELEGATION(S) AND PRESENTATION(S)**

1. Mr. Michael Veenstra (Spring Valley Homes Ltd.)  
Mr. Veenstra will address the Committee regarding his request for development fee waivers related to Wildwood Subdivision, Phase II.

### **STAFF REPORTS**

- |       |  |
|-------|--|
| 3-15  | 1. 2012-018-02<br>Request for Release from Fees and Imposts – Wildewood Subdivision - Phases 2 and 3<br>Owner; Spring Valley Homes Ltd.<br>Agent: Michael Veenstra<br>File No. 08T-955001(D) |
| 16-28 | 2. 2012-020-02<br>Proposed amendment to Sign By-law 84-89<br>Tall Ships Landing Roof Sign<br>Applicant: Simon Fuller<br>Owner: Tall Ships Landing Developments Inc.                          |
| 29-30 | 3. 2012-001-01<br>Musi Theatre Rental Contract   |
| 31-33 | 4. 2012-022-02<br>Encroachment Agreement – 56 Park Street  |
| 34-36 | 5. 2012-023-02<br>Encroachment Agreement - 80 1/2 Perth Street   |

### **CONSENT AGENDA**

**MOTION TO MOVE INTO CLOSED SESSION**

**REPORT OF THE STANDING COMMITTEE OF THE WHOLE IN  
CAMERA**

**ADJOURNMENT**

31 January 2012

**REPORT TO ECONOMIC DEVELOPMENT PLANNING COMMITTEE – 07 FEBRUARY 2012**

2012-018-02

**REQUEST FOR RELIEF FROM FEES AND IMPOSTS  
WILDWOOD SUBDIVISION, PHASE II  
CITY OF BROCKVILLE  
OWNER: SPRING VALLEY HOMES LTD.  
AGENT: MICHAEL VEENSTRA  
FILE: 08T-955001(D)**

**M. PASCOE MERKLEY  
DIRECTOR OF PLANNING  
J. FAURSCHOU  
PLANNER I**

**RECOMMENDATION:**

THAT the Owner/Developer of Phase II of Wildwood Subdivision be advised that the following requests are denied:

1. exemption from any future Development Charges;
2. exemption from the North Trunk Sanitary Sewer Impost;
3. exemption from Cash-in-lieu of Parkland Dedication;
4. exemption from any requirement to provide Lot Grading Deposits; and
5. that interest be accrued and made payable on any required deposits.

**PURPOSE:**

To report on and make recommendations respecting requests associated with conditions of approval, Wildwood Subdivision Phase II.

**ORIGIN AND BACKGROUND:**

At the Economic Development Planning Committee meeting of December 6, 2011, Michael Veenstra, acting as Agent for Spring Valley Homes Ltd, owner of lands described as Part of Lot 13 and Part of Part 1, R.P. 28R-12528, Concession 2, City of Brockville, County of Leeds, petitioned the Committee to consider various exemptions pertaining to conditions of approval of the next phase of Wildwood Subdivision, identified on a sketch attached to this report as **Schedule "A"**. Specifically, the requests are for:

- exemption from any future Development Charges;
- exemption from the North Trunk Sanitary Sewer Impost;
- exemption from cash-In-Lieu of parkland dedication;
- exemption from any requirement to provide Lot Grading Deposits; and
- interest to be accrued and made payable to the Owner on any required deposits.

The minutes of the EDP Committee meeting of December 6, 2011, attached as **Schedule "B"**, reflect the delegation and subsequent discussion on the subject, and set out the Committee's direction as follows:

REQUEST FOR RELIEF FROM FEES AND IMPOSTS  
WILDWOOD SUBDIVISION-PHASE II, CITY OF BROCKVILLE  
OWNER: SPRING VALLEY HOMES LTD.  
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FILE: 08T-955001(D)

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"Moved by: M Kalivas

THAT Planning Staff be directed to complete an impact analysis on the precedent that would be created by waiving fees and paying interest on funds related to the development of Wildwood Subdivision Phase II; and

THAT Planning Staff report back to the Committee in January or February 2012."

Related correspondence from Michael Veenstra/Spring Valley Homes is attached as **Schedule "C"**.

#### **ANALYSIS:**

On 08 November 2011, Council for the Corporation of the City of Brockville granted draft approval to a 30 lot Plan of Subdivision on the subject lands, said Draft approval being subject to various conditions. The Owner/Developer is working towards satisfying the conditions, including entering into a Subdivision Agreement with the City.

The matters raised by the Owner/Developer to the EDP Committee represent typical requirements as set out in a Subdivision Agreement, while the lot grading deposit is an optional procedure allowed through the City's Drainage By-law.

In response to the EDP Committee's direction to produce an impact analysis and comment on the precedence created by waiving fees and paying interest on deposits, the following is submitted, in consideration of each of the developer's requests.

#### **a) Development Charges Exemption:**

Development Charges are fees imposed by by-law and collected by municipalities to help offset capital costs associated with growth related capital projects. Municipalities were given the authority to impose such fees by the *Development Charges Act*, first enacted in 1989. Section 10 of the *Development Charges Act, 1997*, requires that prior to passing a DC by-law, a DC background study must be completed. A DC by-law may only be passed within the one-year period following the completion of the background study.

DC's were first implemented in Brockville in 1991 following the completion of a DC background study and public consultation. Initial DC's were a source of revenue for growth related capital projects including sanitary sewer collection and treatment, water treatment and distribution, and electric power and distribution facilities. New construction was subject to DC's unless it was associated with manufacturing.

**REQUEST FOR RELIEF FROM FEES AND IMPOSTS**  
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**FILE: 08T-955001(D)**

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Subsequent DC by-laws were passed, following the completion of background studies and public consultation, in 1999 and 2004. The latter by-law, being By-law 076-2004, established DC's for three (3) designated services which are provided by the City: wastewater treatment; transportation and growth management.

By-law 076-2004 expired on June 14, 2009. Prior to its expiry, DC's payable were as follows:

Single and Semi-detached Units	\$1,340.94 per unit
Townhouses	\$1,260.49 per unit
Apartments	\$766.69 per unit
Non-Residential (excluding industrial)	\$0.33 per sq. ft.

The reintroduction of DC's has been delayed by Council, with the most recent resolution on the matter referring the matter of the retention of a consultant to the Finance Administration and Operations Committee meeting in December 2012. New DC's cannot be collected until another DC Background Study is undertaken, and Council passes another by-law to formally establish new DC's.

Under the current circumstances, there are no Development Charges applied to any development in Brockville, thus Mr. Veenstra's request currently has no financial impact to the City. However, should there be consensus on the part of Council to reintroduce DC's, and should the new DC's be applicable to the nature of the development anticipated in the next phase of Wildwood Subdivision for any portion yet to be developed at the time that the new DC By-law comes into effect, there potentially would be a loss of DC revenue to the City if Council supports the request for exemption from any future DC's for this subdivision.

This cannot be quantified at this time, as a new DC Background Study is required to establish the DC payable, based on growth related capital costs and considering any agreed upon exemptions, and the subsequent rate must be established in a DC by-law. The DC's may exactly reflect the recommendation from the DC Background study or a lesser amount as determined by Council.

Exemptions provided under past DC by-laws related to the area-specific exemption for downtown to incent reinvestment in this area, and the exclusion for industrial development, instituted to encourage new employment in this sector.

Should Council elect to proceed with a new DC Background Study for the purpose of re-instituting DC's, part of the process would involve establishing Council's objectives, including the determination of any area or sector specific exemptions.

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At this time, without benefit of Council's determination on the potential reintroduction of DC's, Council would be ill-advised to agree to provide a carte blanche exemption from any future DC's for a specific development or developer. This would not be consistent with past practices, and would establish an unfair advantage for this developer over others.

**b) North Trunk Sanitary Sewer Impost Exemption:**

The North Trunk Sanitary Sewer impost stems from the installation of a large volume sanitary sewer to accommodate development within the north end of the City of Brockville.

In 1990, the City extended the North Trunk Sanitary Sewer from Vista Drive to Laurier Blvd, and established an impost payable on developments which would benefit from the extension of this trunk sewer. Lands within the catchment area shown on **Schedule "D"** attached hereto, include Wildwood Subdivision Phases I and II and all previous portions of Hunters Hill Subdivision, Bridlewood Subdivision, former Darling Eastern Resources Subdivision, and vacant Thousand Islands Baptist Church lands on Centennial Road.

The Bridlewood Subdivision share of the cost of the extension of the North Trunk Sanitary Sewer was previously paid up front by the developers of Bridlewood Subdivision when the trunk sewer was further extended from Laurier Blvd. along Bridlewood Drive in the early 1990's to provide sewage capacity for that subdivision. Furthermore, the City has consistently collected the impost though all of Hunters Hill Subdivision and Phase 1 of Wildwood Subdivision at the time of building permit issuance.

Currently, the North Trunk Sanitary Sewer Impost is \$618.84<sub>(2011)</sub> per unit, and is indexed to the annual increase corresponding to the rate of inflation as expressed by the Consumer Price Index.

The effect of exempting the subject development from the North Trunk Sanitary Sewer Impost would result in a net loss, at the 2011 rate, associated with the proposed thirty (30) new single detached dwelling units of \$18,565.20<sub>(2011)</sub>.

**c) Cash-In-Lieu of Parkland Exemption:**

The Planning Act R.S.O. 1990, c.P. 13, Section 51.1 allows the approval authority for plans of subdivision, in this case, the City of Brockville, to require as a condition of the approval of the subdivision the dedication of not more than 5% of the land within the subdivision for park or other recreational purposes, or alternatively, to require that a cash payment be made to the value of the land otherwise required to be conveyed. This is known as cash-in-lieu of parkland dedication.

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The requirement for either 5% dedication of land or 5% cash-in-lieu of parkland dedication is applied consistently throughout all new residential development within the City. Monies to be collected under the 5% cash-in-lieu of parkland are directed to the parkland reserve fund.

The subject lands are located immediately north of an existing park located at Block "A", Registered Plan 342, and known locally as "Dana Street Park" a park containing approximately 0.79 hectares (1.9 acres), including a play structure installed in 1996 with an anticipated replacement date of 2017 based on a twenty (20) year replacement schedule.

It has been determined that another park is not needed in the area, rather, a walkway is proposed to provide access for residents of this subdivision from the south end of Wildwood Crescent through to "Dana Street Park". The proposed subdivision has an area of 2.26Ha.(5.59 ac.) with Block "A", being the walkway from Wildwood Crescent through to Dana Street Park, having an area of 227.1 m<sup>2</sup> representing 1% of the gross area of the lands.

It is reasonable to consider the proposed Block "A" walkway as parkland dedication, however, this would represent only 1% of the land. The residual 4% should be the subject of cash-in-lieu of parkland dedication with the monies collected being directed towards the parkland reserve fund which then could be used towards future planned capital improvements. The 4% cash contribution would be based on a valuation of the lands included in the plan of subdivision as determined as of the day before the day of the approval of draft plan of subdivision, in accordance with the Planning Act.

The value of this payment has not been determined as the base value of the land has not been established at this time.

**d) Lot Grading Deposit Exemption:**

The City of Brockville has a by-law, being By-law 113-91, to regulate drainage in the City. This by-law has been amended from time to time. Lot grading requirements associated with development are established in this by-law.

In accordance with Section 7, Subsection (c) of City of Brockville Drainage By-law 113-91, as amended, residential builders are allowed to provide to the City a letter of undertaking, in the form of a "Residential Lot Grading Deferral Agreement", and a minimum refundable deposit of \$3,500.00 when it is not practical to complete the final lot grading prior to the occupancy of a residential dwelling unit. The deposit is refunded upon receipt of certification by an Ontario Land Surveyor or Professional Engineer as to compliance with the approved drainage plan or lot grading plan. A deadline for completion is established by

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the City Engineer but shall not exceed a six (6) month period from the date of occupancy. The City has the right to use all or a portion of the deposit to complete the lot grading, if necessary due to failure on the part of the builder to do so.

There are no fees charged by the City for preparation and administration of Residential Lot Grading Deferral Agreements, or for handling the deposits.

Mr. Veenstra has requested, firstly, to be relieved of the requirement to provide a deposit when lot grading is incomplete, and secondly, if the lot grading deposit requirement remains as an optional process and is invoked at the discretion of this builder, that the City shall pay interest on the monies deposited.

Speaking first to the matter of the Lot Grading Deposit, as noted above, this process has been established to relieve the builders from undue hardship when conditions are not favourable to allow completion of required lot grading. The deposit provided to the City provided a remedy when lot grading remained incomplete, in that the City had the opportunity, if necessary, to complete the lot grading using the monies deposited.

However, City staff is currently reviewing this optional process in light of recent changes to the Ontario Building Code which mandates that lot grading must be substantially completed before residential occupancy is permitted by the Chief Building Official. The implications are that builders will have no option but to complete the lot grading in a timely fashion or suffer the consequences of the potential for refusal by the Chief Building Official to allow newly constructed residential units to be occupied until this condition is met. Thus, the Drainage By-law's lot grading deferral option may, by necessity, have to be repealed, and therefore a response to Mr. Veenstra's request for exemption from the option of supplying lot grading deferral deposits would become a moot point. Staff anticipates conferring with local builders on this subject in the near future.

To offer comments on the secondary issue, being the request that interest be payable by the City on funds held as deposits, the City Treasurer advises that deposits of this nature, or funds held as holdbacks or for performance, are deposited to the City's general bank account. The City has never paid interest on deposits, which, as confirmed in consultation with Ministry of Municipal Affairs and Housing, is a common position amongst municipalities.

The purpose of a deposit received by the Planning Department is to have funds available to complete a specific task to which the developer/builder is obligated. If the developer/builder does not complete the task, the deposit monies are used to complete the task. It is important to note that the deposit monies often are not sufficient to complete the task.



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## **POLICY IMPLICATIONS:**

The new Official Plan includes policies which provide guidance on the considerations at hand.

Under Section 6.7 Financial Management, the Official Plan speaks to the City's use, where possible, of the financial mechanisms available to it under any legislative authority, including the Municipal Act, Development Charges Act, Planning Act and any other applicable legislation, and specifies that it shall recover all growth related capital costs through development charges.

Under Section 3.5.3.1 Parks and Open Space, Parkland Dedication Policies, the Official Plan states that the City shall secure the maximum benefit of the Planning Act with respect to land dedication for park development, and that parkland dedication shall be calculated on the total gross area of the land within the subdivision. Also, criteria for the acceptance of cash-in-lieu of parkland dedication is established, including the determination that it is appropriate to require cash-in-lieu when an area is already well served with parks and open space and no additional land is required.

## **FINANCIAL CONSIDERATIONS:**

The following is a summary of the financial implications of the requests respecting the next phase of Wildwood Subdivision as referenced in the Analysis section of this report.

Development Charge Exemption	No financial implications to the City at this time. Future DC's, if any, are not quantifiable until a new Background Study is produced and by-law is passed.
North Trunk Sewer Impost Exemption	Exemption for 30 lots at 2011 rates would produce a loss of revenue to the North Trunk Sewer Reserve Fund of \$18,565.20 <sub>(2011)</sub> .
Cash-in-lieu of Parkland Exemption	1% of the land will be required to be dedicated as a walkway connecting Wildwood Crescent with "Dana Street Park". Exemption from 4% cash-in-lieu of parkland dedication, based on the yet-to-be determined value of the total site area as of the day prior to the date of granting of draft

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FILE: 08T-955001(D)

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approval (08 Nov 2011) would result in loss in revenue to the Parkland Reserve Fund.

**Lot Grading Deposit Exemption**

No financial implications to the City as the Lot Grading Deferral Deposit is an optional procedure on the part of builders and deposits are fully refunded unless the City requires use of the funds to complete lot grading.

**Payment of Interest on Deposits**

The City would experience a small loss in revenue in its general account if it were to reverse its longstanding position and pay interest on deposits held.

**CONCLUSION:**

In regard to the next phase of Wildwood Subdivision, the Planning Department does not support the following requests:

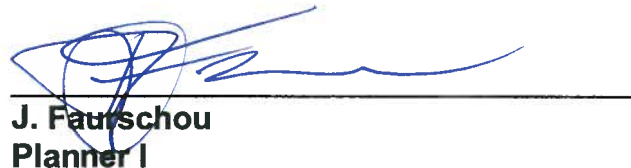
- exemption from future Development Charges;
- exemption from the North Trunk Sanitary Sewer Impost; and
- exemption from 4% Cash-In-Lieu of Parkland.


Furthermore, exemption from Residential Lot Grading Deposits may occur on a general basis because of inconsistency with new residential lot grading requirements imposed under the Ontario Building Code. As a result, staff is considering potential amendments to the Drainage By-law which will affect this builder and all others.

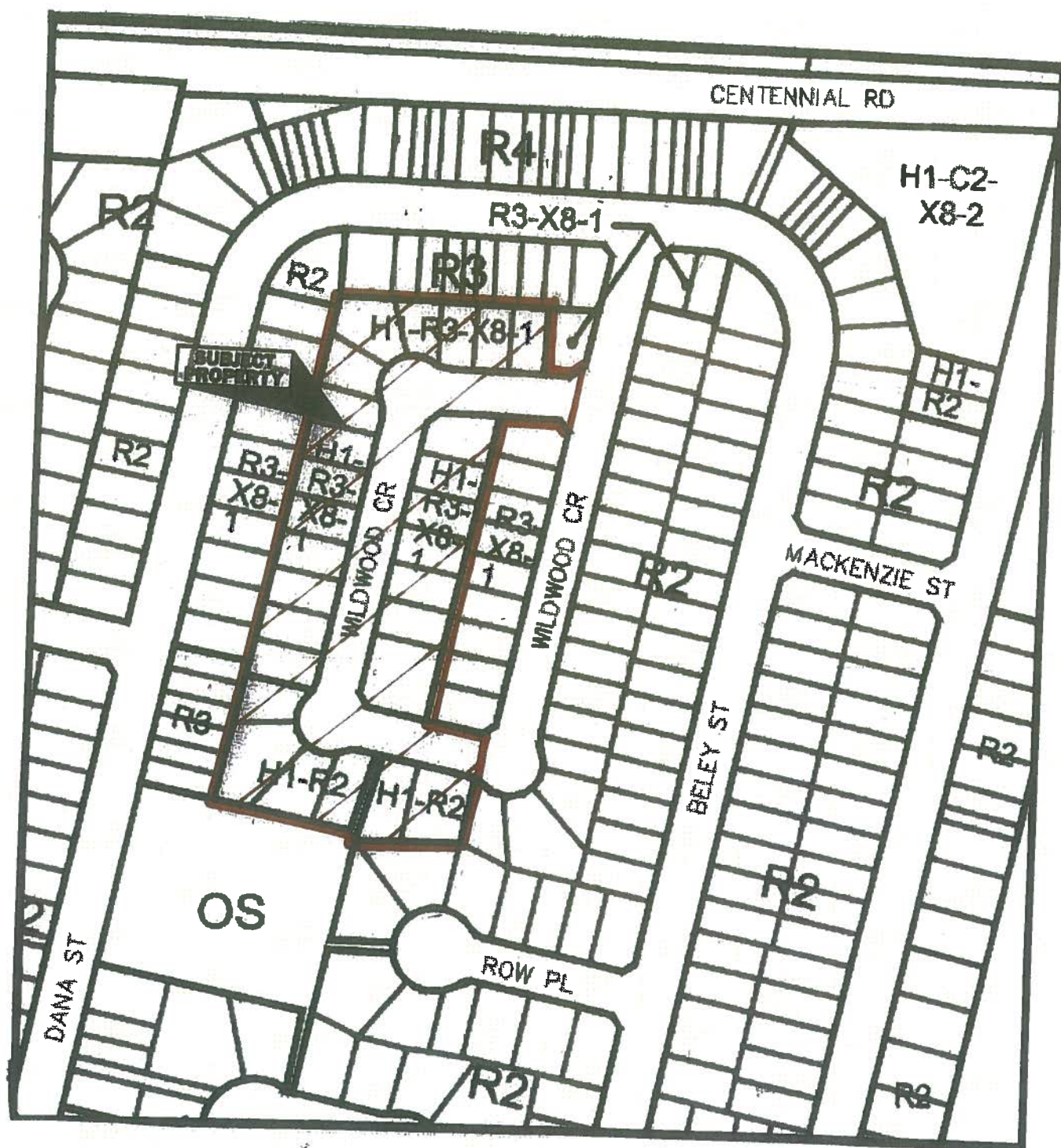
Payment of interest on deposits taken and held by the City is not recommended.

  
M. Maureen Pascoe Merkley  
Director of Planning

  
D. Cyr  
Director of Finance

  
J. Faurschou  
Planner I

  
B. Casselman  
City Manager



**Excerpt from: Plate "A" to City of Brockville Zoning By-law 194-94, as amended**



## **COMMITTEE MINUTES**

## **Economic Development & Planning Committee**

Tuesday, December 06, 2011, 6:00 p.m.  
City Hall, Council Chambers

### **Roll Call**

#### **Committee Members:**

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

#### **Staff:**

Mr. J. Faurschou, Planner I  
Ms. D. Livingstone, Deputy City Clerk (Recording Secretary)  
Mr. A. McGinnis, Planner II  
Ms. M. Pascoe Merkley, Director of Planning  
Mr. D. Paul, Director of Economic Development

#### **Others:**

Councillor Elect T. Blanchard

The Chair called the meeting to order at 6:13 p.m.

### **DISCLOSURE OF INTEREST**

Nil.

### **DELEGATIONS**

Mr. Michael Veenstra, Spring Valley Homes

Mr. Veenstra requested consideration of the Committee to waive the fees related to the second phase of Wildwood Subdivision. Mr. Veenstra has requested a waiver of Development Charges, Impost Fees, Cash-in-Lieu of Parkland, and Grading deposits as well as interest to be accrued on any funds held by the City of Brockville during the development process. The Economic Development & Planning Committee will report back on this request in January or February 2012.

Chair Baker asked Planning staff to do an impact analysis and on the precedent that would be created. Planning staff will advise Mr. Veenstra and provide a copy of the report once completed. Mayor Henderson inquired about the timing and stage of development and Ms. Pascoe Merkley, Director of Planning, noted that approval for the subdivision was granted by

Council in November. A number of the issues noted are relevant to finalizing the subdivision agreement. Mr. Veenstra has requested a pre-servicing agreement so infrastructure is likely to be built to a certain extent before the final subdivision agreement.

Moved by: M. Kalivas

THAT Planning Staff be directed to complete an impact analysis on the precedent that would be created by waiving fees and paying interested on funds related to the development of Wildwood Subdivision Phase II; and

THAT Planning Staff report back to the Committee in January or February 2012.

CARRIED.

#### **STAFF REPORTS**

1. 2011-116-12

Final Sub-division Approval 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

Agent: Collett Surveying Ltd.

Moved by: Councillor Kalivas

Seconded by: Mayor Henderson

1. THAT Council for the Corporation of the City of Brockville, acting pursuant to Section 51(6) of the Planning Act, R.S.O. 1990, grant final approval with respect to the 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.

2. THAT the Owner's request to name the street within the plan of subdivision, as red lined, "Steacy Gardens" be endorsed.

CARRIED

2. 2011-136-12

Proposed Zoning By-law Amendment

158 Perth Street, Brockville

Owner: Tory Deschamps and Erin Merkley

Moved by: Councillor Kalivas

ST-95501(D)

Dear Brockville EDP Committee members,

Spring Valley Homes is now in the crucial stages of securing financing for the servicing of 30 residential building lots on Wildwood Crescent, Phase II in the north end of Brockville.

We wish to advise that the economic climate has changed, and borrowing money for projects such as ours is no longer a simple process.

Financial institutions want zero risk and no downside to their lending portfolio.

One issue we face in any subdivision agreement is that there may be an open-ended clause creating a financial unknown.

This is a red flag.

The one we are talking about is development charges.

In order to proceed with financing, we request an elimination of this clause and a change of words to clearly say there will be no development charges.

We request this be written in any agreements pertaining to developing Wildwood Crescent.

I will gladly answer any questions related to this matter.

Thank you for your continued co-operation in moving Brockville forward.

Sincerely,



Michael Veenstra-Spring Valley Homes  
PO Box 1543 Brockville, ON  
email: [svhomes@ripnet.com](mailto:svhomes@ripnet.com) tel 613.341.1383

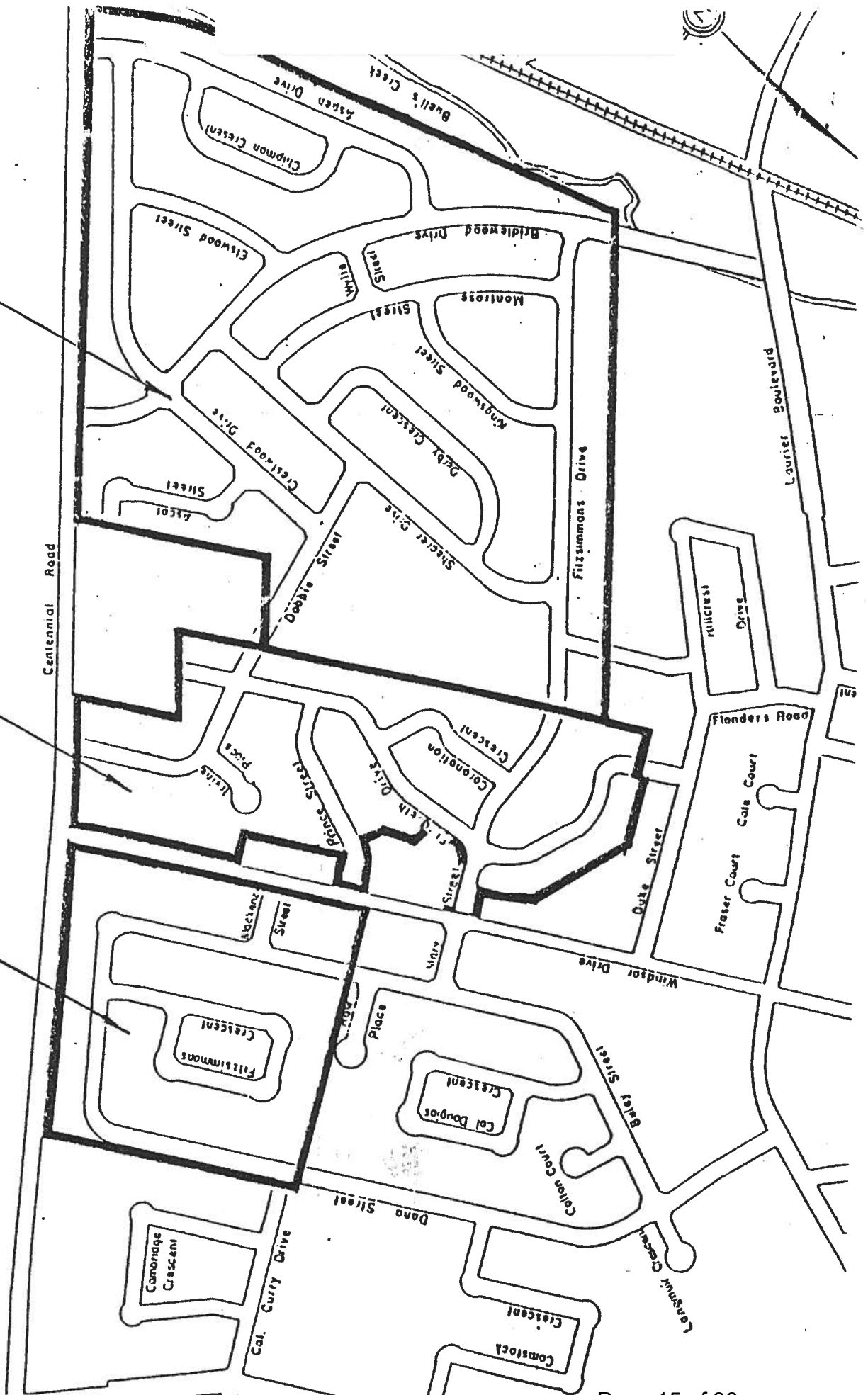




PIMM PROPERTY

DARLING PROPERTY

BRIDLEWOOD PROPERTY



**02 February 2012  
REPORT TO THE ECONOMIC DEVELOPMENT PLANNING COMMITTEE – 07  
FEBRUARY 2012**

**2012-020-02**

**PROPOSED AMENDMENT  
TO SIGN BY-LAW 84-89  
TALL SHIPS LANDING  
ROOF SIGN**

**APPLICANT: SIMON FULLER**

**OWNER: TALL SHIPS LANDING DEVELOPMENTS INC.**

**FILE: 84-89-42**

**M. PASCOE MERKLEY  
DIRECTOR OF PLANNING  
J. FAURSCHOU  
PLANNER I**

**RECOMMENDATION:**

THAT the application to amend Sign By-law 84-89 to allow Tall Ships Landing Developments Inc. to install a roof sign located on three side of the main residential tower at 15 St. Andrew Street be denied.

**PURPOSE:**

The purpose of this report is to provide recommendation on an application to consider site-specific amendments to Sign By-law 84-89 to permit a roof sign located on three sides of the main residential tower at 15 St. Andrew Street, Brockville.

**BACKGROUND:**

An Application for Amendment to City of Brockville Sign By-law 84-89 has been received from Simon Fuller, agent for Tall Ships Landing Developments Inc., Owner of the subject property. The property is located at the south west corner of Broad Street and Flint Street, opposite to Blockhouse Island and is municipally known as 6 Broad Street.

The application requests amendment to City of Brockville Sign By-law 84-89 to grant a site specific exemption to permit a roof sign located on three sides of the main residential tower at 15 St. Andrew Street.

**ANALYSIS:**

Signs within the City of Brockville are regulated under City of Brockville By-law 84-89, as amended, known as the Sign By-law.

The signage proposed by the applicant for the residential tower is to consist of three signs using two different formats described as follows:

- North (Flint Street) Face:

Reading "TALL SHIPS" measuring 6.580 m (21'-7 1/16") long by 2.2 m 7'-2 5/8" high with individual lettering with a height of 3'-6".



**Proposed Amendment to Sign By-law 84-89****Tall Ships Landing – Roof-Top Sign****15 St. Andrew Street Applicant: Simon Fuller****Owner: Tall Ships Landing Developments Inc.****File: 84-89-42**

- East (Broad Street) and West Faces:

Reading “TALL SHIPS LANDING” measuring 12.436 m (40’-9 5/8”) long by 2.2 m (7’-2 5/8”) high with individual lettering with a height of 3’-6”.

Lighting is noted in the application but not confirmed. However, lighting must be composed of overhead lighting or spotlighting, including incandescent or filtered halogen to comply with By-law 84-89, as amended.

A pictorial representation of the proposed signs and measurements is attached as **Schedule “A”** to this report.

Section 7 of Sign By-law 84-94, as amended, addresses provisions for signage in the Downtown Core Area. More specifically, subsection 7.3 h), states, among others, that signs projecting above the roofline and signs located on a roof are prohibited sign formats.

Based on available records, staff have always discouraged roof signs in the downtown core area as they can detract from the architectural features of a building, and can be intrusive to neighbouring residents.

The only roof-top sign in the downtown core area was approved on a temporary basis in 2008 (Report 2008-120-08) to be located on roof of the Tall Ships sales building located at 10 Saint Andrew Street and reads as follows:

***“10 Saint Andrew Street***

*One roof sign measuring 7.3 metres (24 feet) x 0.6 metres (2 feet) with a sign area of 4.38 m<sup>2</sup> (48.0 ft<sup>2</sup>) per side is permitted to be located on the temporary sales office for Tall Ships Landing.*

*Permission for the roof sign is granted for the temporary sale office only, and shall be removed upon the removal of the sales office from the site.”*

The Owner does have the opportunity for additional signage while complying with the parameters set out in the Sign By-law. Other signs are available and can be located on the building or on the site.

The permitted signage formats include, but are not limited to, the following:

- fascia sign (maximum 10% of the exposed building face and parallel to the building face);

**Proposed Amendment to Sign By-law 84-89****Tall Ships Landing – Roof-Top Sign****15 St. Andrew Street Applicant: Simon Fuller****Owner: Tall Ships Landing Developments Inc.****File: 84-89-42**

- A-board sign;
- ground sign which can be a maximum of 25 m<sup>2</sup> per side;
- awning, a banner at a maximum area of 2.8 m<sup>2</sup>;
- flags bearing advertising;
- mural; and
- overhanging sign.

Business signage in the surrounding neighbourhood include, but are not limited to, such sign types as:

- fascia signs;
- A-board signs;
- ground signs; and
- overhanging signs.

All of which are mounted at ground or second storey level thereby maintaining a pedestrian friendly scale.

This application has been circulated for comment with the following results:

- Environmental Services Department: no objection.
- Operations Department: No comment.
- DBIA: No objection.

*"The Board reviewed the application for amendment to the sign by-law 84-89 on Wednesday and they have no objections to the application. They also appreciate the Planning Department's request for our comments and know that planning and council will make a decision on this application."*

- Heritage Brockville:

Objection based on the following elements (see **Schedule "B"** to this report):

- Precedent setting;
- Out of character with Brockville's historic downtown and central waterfront district;
- The building is primarily a condominium development and as such does not require the scale of advertising that is being requested; and

**Proposed Amendment to Sign By-law 84-89****Tall Ships Landing – Roof-Top Sign****15 St. Andrew Street Applicant: Simon Fuller****Owner: Tall Ships Landing Developments Inc.****File: 84-89-42**

- 
- Excessive signage based on the building height and resultant high visibility being advertising in itself.

As noted by Heritage Brockville, 15 St. Andrew Street is the highest building in the City with unobstructed views from all directions, including the St. Lawrence River and the Stewart Boulevard/William Street corridor. The building is located within the historic downtown core area. Objections noted by Heritage Brockville are further elaborated elsewhere in this report.

Converse to the statement by Heritage Brockville, each application for amendment to sign By-law 84-89 is evaluated on its own merit and is not consider precedent setting.

**POLICY IMPLICATIONS:**

The current Official Plan contains various policies regarding the Commercial designations relevant to lands within the downtown and waterfront area.

Section 6.3.5 c) states, among others, that *“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.”*

Section 6.3.7 g) states, among others, that development in this area shall enhance and accentuate the waterfront, waterfront view corridors, landscaping, and streetscape design.

Similarly, the new Official Plan <sup>(Adopted by Council on June 14, 2011)</sup> identifies 6 Broad Street and area as being subject to section 4.2.4.1 SSPA-6 Broad Street and 10 Saint Andrew Street. Policies under this section stress the importance of effective built form and design, waterfront view corridors, pedestrian-oriented development and streetscape design.

In addition, section 3.4.1-Urban Design contains various references to: ensuring that new development is designed in keeping with the traditional character of the City in a manner that both preserves their traditional community image and enhances their sense of place within the City; guidelines may also be required to address related issues of residential streetscaping, landscaping, setbacks, **signage**, garage placement, and architectural treatment.

These policies are intended to guide Council's decisions, with both speaking to the desire to enhance the area. Council must be satisfied that the proposed roof sign complies with the policies listed above and warrants an amendment to the Sign By-law.

Proposed Amendment to Sign By-law 84-89

Tall Ships Landing – Roof-Top Sign

15 St. Andrew Street Applicant: Simon Fuller

Owner: Tall Ships Landing Developments Inc.

File: 84-89-42

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### FINANCIAL CONSIDERATIONS:

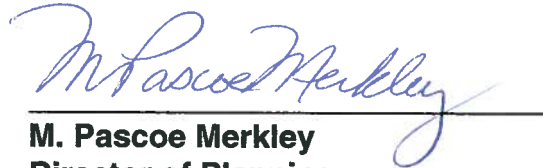
All costs for actions addressed under this report are the responsibility of the Applicant.

### CONCLUSION:

The Planning Department does not support the proposed amendment at 15 St. Andrew Street as the sign is not in keeping within the general intent of the sign by-law, it is considered to be out of character with the historic downtown area and is not consistent with Official Plan Policies for the downtown core area. In addition, although the proposed signage is not supported, alternatives have been identified to allow identification of the building.



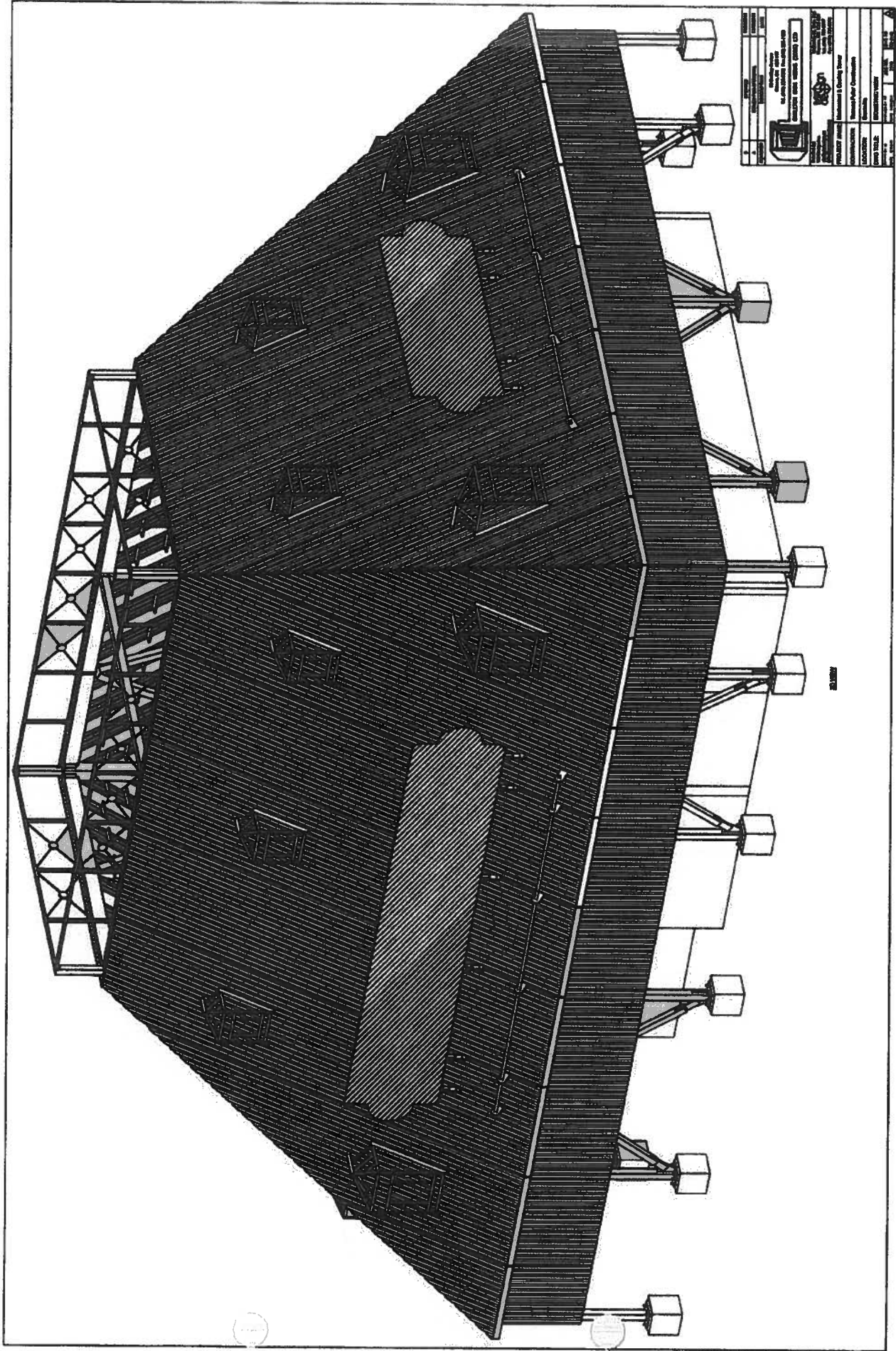
**B. Casselman**  
City Manager



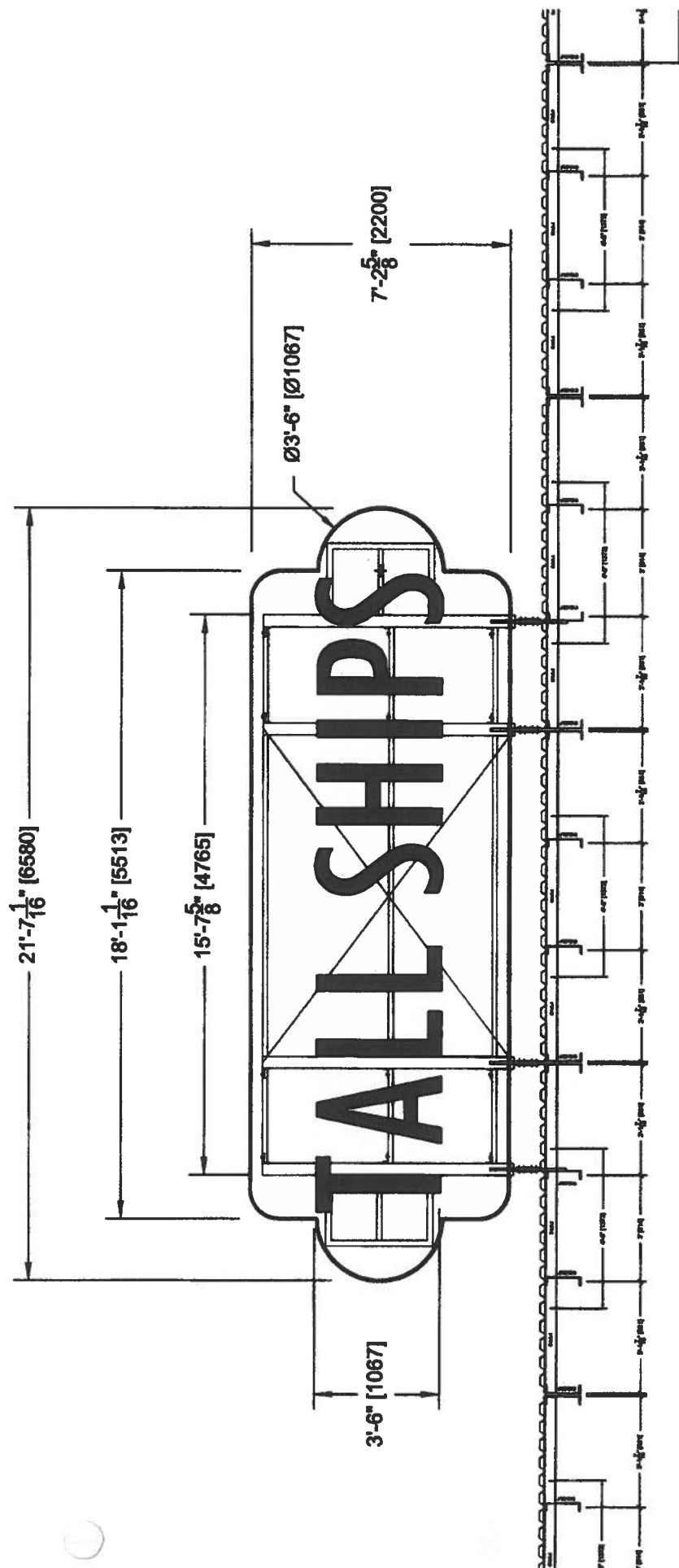
**M. Pascoe Merkley**  
Director of Planning



**J Faursehou**  
Planner I

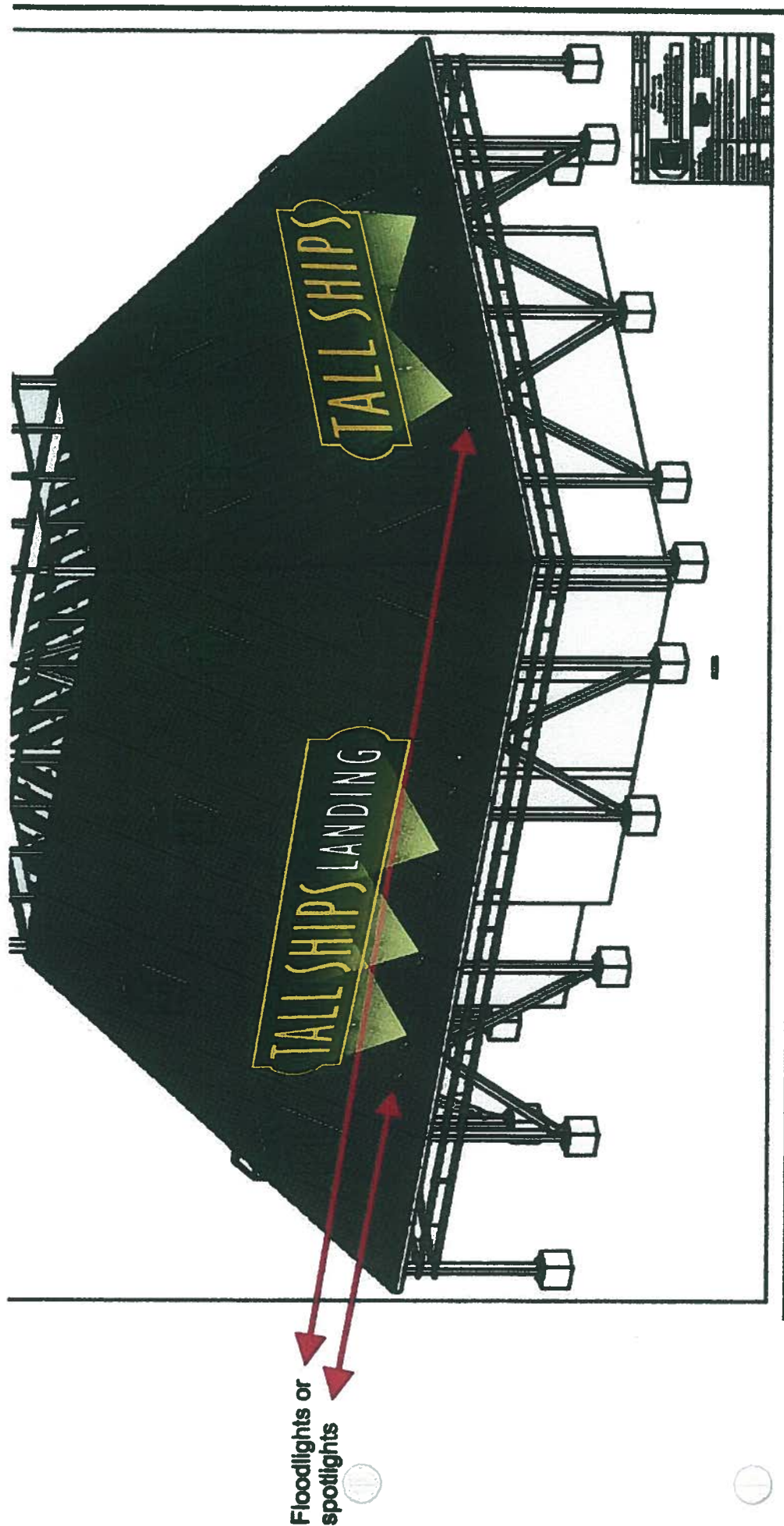


Project Name	Project No.	Sheet No.
Client Name	Client No.	Client Address
Architect Name	Architect No.	Architect Address
Engineer Name	Engineer No.	Engineer Address
Structural Engineer	Structural Engineer No.	Structural Engineer Address
Electrical Engineer	Electrical Engineer No.	Electrical Engineer Address
Mechanical Engineer	Mechanical Engineer No.	Mechanical Engineer Address
Plumbing Engineer	Plumbing Engineer No.	Plumbing Engineer Address
Fire Protection Engineer	Fire Protection Engineer No.	Fire Protection Engineer Address
Transportation Engineer	Transportation Engineer No.	Transportation Engineer Address
Other Engineer	Other Engineer No.	Other Engineer Address





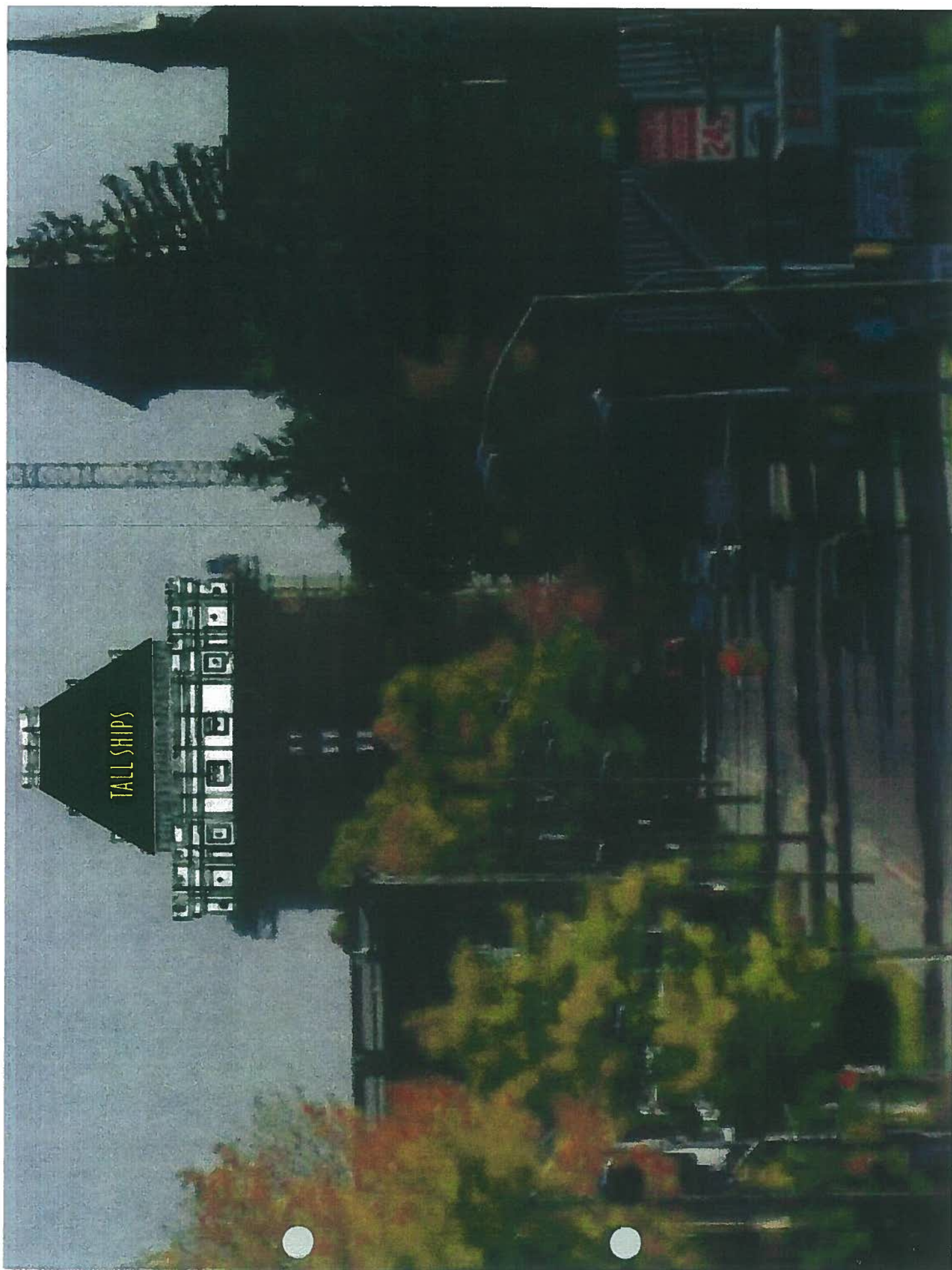




**Please Note:**

1. Number of Signs: Sign 7' x 31' 2 units 2. Sign 7" x 19' 1 unit
3. Clearance under sign 2 feet.
4. Angles and intensity of spotlight or floodlight to use still to be confirmed.
5. This is just preliminary position of signs and spotlight.







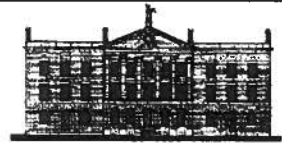






# HERITAGE BROCKVILLE

Brockville's Municipal Heritage Advisory Committee



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

Mr. J. Faurschou,  
Senior Planner,  
City of Brockville,  
Brockville, ON  
K6V 7A5

January 24, 2012

Dear Mr. Faurschou:

SUBJECT: Application for By-law Amendment from Tall Ships Landing.



Thank you for consulting Heritage Brockville regarding the amendment application to sign By-law 84-89 from the Tall Ships Landing Development Inc. We have considered it at length and recommend that the request be turned down. This recommendation is based on the following considerations:

- If the amendment to the by-law was approved, this would set a precedent that other developers would expect. Our skyline presently is defined by its buildings, not by its signage. This large sign is out of character with Brockville's historic downtown and central waterfront district.
- This building is primarily a condominium development and as such does not require the scale of advertising that is being requested. Three other condominiums in the downtown core, the Executive, the Four Winds and the Boardwalk, do not have or require roof top signage. As a commercial building, The Wedgewood is an excellent example of restrained signage that is both attractive and suitably located.
- This condominium is among the tallest buildings in Brockville. Visible from most directions, notably Hwy 401, the height already provides a large advertising advantage over other buildings in Brockville. The additional signage height is excessive. This building should stand on its own merit and does not warrant such predominant advertising.

In conclusion we feel that allowing this sign to be attached to the mechanical equipment enclosure will have a negative impact on Brockville's public realm.

Sincerely yours,

Paul Bullock  
Chair, Heritage Brockville  
cc: File

**17 Jan 12**

**REPORT TO ECONOMIC DEVELOPMENT AND PLANNING  
February 7, 2012**

**2012 -01-01  
Brockville Arts Centre – musi-theatre lease**

**D. PAUL, DIRECTOR OF ECO. DEV.  
P.DUNN, ADMINISTRATOR  
BROCKVILLE ARTS CENTRE**

**RECOMMENDED**

THAT Council authorize a five year agreement commencing January 1, 2012 between the City of Brockville and the Brockville Theatre Guild and Brockville Operatic Society with respect to the use of the musi theatre portion of the Brockville Arts Centre: and,

THAT rental payments commence January 1, 2012 shall be \$5533.31 per annum per group.

**PURPOSE**

The musi theatre area is used by both organizations for a rehearsal space, set construction and a storage space for props and wardrobe. Both organizations have staged annual community theatre productions at the Brockville Arts Centre for 50+ years. Their productions are a great source of community pride and help engage local citizens in arts and cultural activities.

**BACKGROUND**

Since 1982, Council has authorized 5 year agreements with the Brockville Theatre Guild and Brockville Operatic Society for the musi theatre portion of the Brockville Arts Centre. The rental rate in 2011 was \$5,351.37 for each group per annum. This rate was based on the cumulative total of CPI increases over the term of the previous 5 year contract.

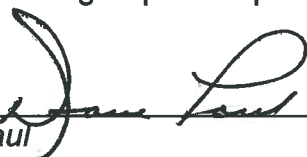
The Arts Centre Administrator has met with the user groups and has reviewed the existing agreement. Essentially, the agreement details the use of the facility by each group, maintenance responsibility, insurance and payment requirements associated with the lease.

The lease calls for a regular CPI increase to be determined in September each year for the following year's rental amount. Payments are to be paid semi annually on January 1 and July 1 of each year.

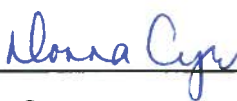
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## ANALYSIS

Based on the proposed lease agreement and other rental revenues generated from other user groups full operational cost recovery is expected.

  
\_\_\_\_\_  
D. Paul  
Director of Economic Development

\_\_\_\_\_  
P.Dunn  
Administrator–Brockville Arts  
Centre

  
\_\_\_\_\_  
D. Cyr  
Director of Finance

  
\_\_\_\_\_  
B. Casselman - City Manager

**REPORT TO ECONOMIC DEVELOPMENT & PLANNING COMMITTEE**  
**February 1, 2011**

**2012-022-02**  
**ENCROACHMENT AGREEMENT**  
**56 PARK STREET, BROCKVILLE**

**S.M. SEALE**  
**CITY CLERK**

**RECOMMENDATION**

THAT Council authorize the Mayor and Clerk to execute an encroachment agreement with Doris Stewart, 56 Park Street, Brockville, for the encroachment a portion of the porch and eaves that encroach onto the Park Street road allowance to a maximum of 0.67 metres (2.2 ft.).

**ORIGIN**

This matter arises from a request by Doris Stewart, owner of the property upon application for a building permit for renovations to the porch.


**ANALYSIS**

An application has been received in the Clerk's Office from the property owner, Doris Stewart, for the encroachment of a portion of the porch and roof at 56 Park Street. The owner contacted the Planning Department seeking a building permit to partially enclose (knee-wall) the front porch. The Planning Department upon review of the application, noted that the porch and roof were encroaching onto the road allowance. The Owner was advised that a permit could not be issued until an encroachment agreement was in place. The encroachment will be to a maximum of 0.67 metres (2.2 ft.) onto the Park Street road allowance as shown on Schedule "A" to this report.

Through circulation to various City Departments, comments from the Operations, Environmental Services and the Planning Departments indicate that there are no concerns or objections to Council granting this encroachment.

**FINANCIAL CONSIDERATION**

As per the City of Brockville Fees and Charges By-law, there is a fee for processing the encroachment agreement, which would be deposited to 01-4-011032-0603.

  
\_\_\_\_\_  
S.M. Seale  
City Clerk

  
\_\_\_\_\_  
B. Casselman  
City Manager

56 PARKS ST

Property Line

neters (0.67)

ENCLOSURES

**SUBJECT**  
**PROPERTY**

Power + 2

900

VARANDA EDGE

↓ (Encroachment: 0.67 metres)

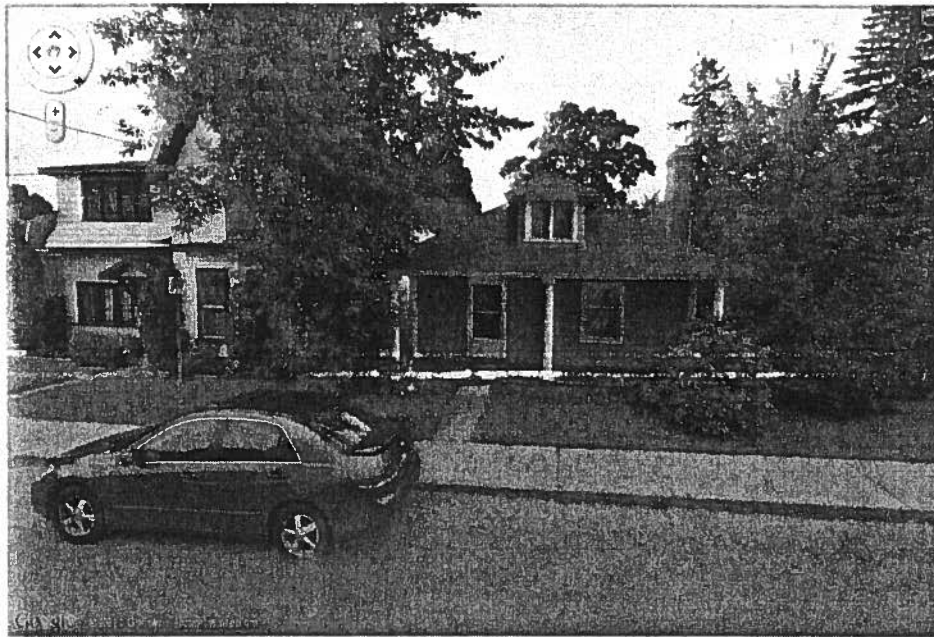
(FACROACHMENT)

Sidewalk

Park Street (Brockville, Ontario)



## 56 park st. brockville, ON



Map data ©2011 Google -



**Holiday Inn Express**  
 Discounted advance booking rates  
 Priority Club Rewards Points  
[www.ihotelsgroup.com/h/d/s](http://www.ihotelsgroup.com/h/d/s) Ad Choices

Driving Directions: **To Here -**  
**From Here**

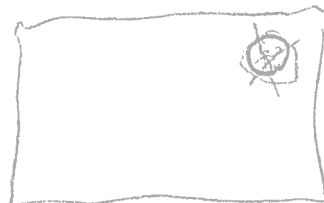
Visit our extension site [ViewofHouse.com](http://ViewofHouse.com) for Home Valuations, news, lot sizes...

To tell others about this page first position the street view so that it looks directly at your place of interest then **e-mail it to a friend**, **generate a QR code image**, or **make a website link**.



To see a **street view** move the **Stickman** icon to a spot on a **blue street**. If the map does not contain any **blue streets** then the area has not been photographed. Use the map **Google Search** bar to display area hotels, restaurants, etc. **Traffic** toggles the traffic overlay displaying real time traffic conditions and incidents. If the Stickman is not shown on the map click **Get Stickman** to move the Stickman to map center. To display a **Full Screen** street view click on the square box icon located at the upper right part of the street view.

To get driving directions or to use the driving simulator set the **start point** by moving the Stickman to appropriate spot on the map, next **click** at the destination point, then select **Route**. You can also click on individual driving steps to view a still image from the point. **Detailed Directions** displays a complete set of printable driving directions.



**REPORT TO ECONOMIC DEVELOPMENT & PLANNING COMMITTEE**  
**February 1, 2011**

**2012-023-02**  
**ENCROACHMENT AGREEMENT**  
**80 1/2 PERTH STREET, BROCKVILLE**

**S.M. SEALE**  
**CITY CLERK**

**RECOMMENDATION**

THAT Council authorize the Mayor and Clerk to execute an encroachment agreement with Travis Oran Beckwith and Carole Joan Hope Parker, 80 ½ Perth Street, Brockville, for the encroachment a portion of the existing enclosed porch and eaves that encroach onto the Perth Street road allowance to a maximum of 0.45 metres.

**ORIGIN**

This matter arises from a request by David Hain, Solicitor for the owners of the property.

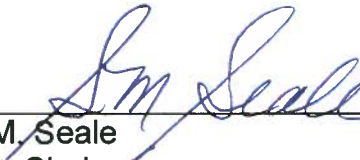
**ANALYSIS**

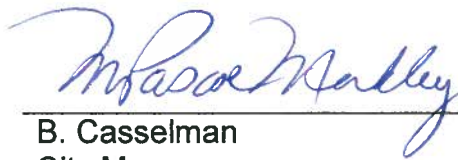
An application has been received in the Clerk's Office from the Solicitor of property owner, Mr. David Hain on behalf of Mr. Travis Beckwith and Ms. Carole Palmer, for the encroachment of an existing enclosed porch and roof located at 80 ½ Perth Street. Mr. Hain has contacted the Planning Department seeking an encroachment agreement. The encroachment is a maximum of 0.45 metres (1.47 ft) onto the Perth Street road allowance as shown on Schedule "A" to this report.

Through circulation to various City Departments, comments from the Operations, Environmental Services and the Planning Departments indicate that there are no concerns or objections to Council granting this encroachment.

**FINANCIAL CONSIDERATION**

As per the City of Brockville Fees and Charges By-law, there is a fee for processing the encroachment agreement, which would be deposited to 01-4-011032-0603.

  
\_\_\_\_\_  
S.M. Seale  
City Clerk

  
\_\_\_\_\_  
B. Casselman  
City Manager



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