



Economic Development and Planning Committee

Tuesday, April 1, 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

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PUBLIC MEETING AGENDA

Item

2 - 20

1. 2014-040-04
Proposed Amendment to Zoning By-law 194-94
Lot 28, Part of Lot 29, Block A, Plan 214
City of Brockville
Owner: Nathan Richard
File: D14-173

THAT Report 2014-040-04 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.

24March2014

REPORT TO THE ECONOMIC DEVELOPMENT PLANNING COMMITTEE - PUBLIC MEETING – 1 APRIL 2014

2014-040-04

**PROPOSED AMENDMENT TO ZONING BY-LAW 194-94
LOT 28, PART OF LOT 29, BLOCK A, PLAN 214
CITY OF BROCKVILLE
OWNER: NATHAN RICHARD
FILE: D14-173**

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

RECOMMENDED:

THAT Report 2014-040-04 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 an Application for Amendment to City of Brockville Zoning By-law 194-94.

BACKGROUND

Mr. Nathan Richard, owner of lands described as Lot 28, Part of Lot 29, Block A, Plan 214, City of Brockville, County of Leeds, being Parts 2, 4, 5 and 6, RP 28R-10956, vacant lot on Elizabeth 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 from R1 – Single Family Residential Zone to R3 – General Residential Special Exception Zone to permit the lands to be developed with a semi-detached dwelling and to be severed into two separate lots upon completion. Due to the lot being undersized, special exception is being requested as it pertains to lot frontage. This exception is outlined within the Analysis/Options Section below.

ANALYSIS/OPTIONS

Zoning and Official Plan Information:

Official Plan Designation:	Neighbourhood Area
Existing Zoning:	R1 – Single Unit Residential Zone
Proposed Zoning:	R3 – General Residential Special Exception Zone

The proposed rezoning request from R1 – Single Family Residential Zone to R3 – General Residential Special Exception Zone would permit the proposed property to be

2014-040-04

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Proposed Amendment to Zoning By-Law 194-94

Lot 28, Part of Lot 29, Block A, Plan 214, City Of Brockville

Owner: Nathan Richard

File: D14-163

developed with uses not currently permitted within the R1 –Single Family Residential Zone, subject to meeting the applicable provisions and standards. Uses permitted within each zone are outlined below. Uses permitted within the R3 – General Residential Zone that are not permitted within the current R1 – Single Unit Residential Zoning are italicized and underlined.

<u>R1 – Single Unit Residential Zone</u>	<u>R3 – General Residential Zone</u>
Single Unit Dwelling	Single Unit Dwelling
Converted Dwelling	<i><u>Semi-Detached Dwelling</u></i>
Group Home	<i><u>Duplex Dwelling</u></i>
Home Occupation	<i><u>Link Dwelling</u></i>
Private Home Day Nursery	<i><u>Triplex Dwelling</u></i>
Bed and Breakfast	Converted Dwelling
	Group Home
	Home Occupation
	Private Home Day Nursery
	Bed and Breakfast

The application proposes that a semi-detached dwelling be built on an undersized parcel. The R3 – General Residential Zone requires a minimum lot front of 18.0 metres (60.0 feet) for a semi-detached dwelling to be constructed. The applicant is requesting a reduction to that requirement from 18.0 metres (60.0 feet) to 16.9 metres (55.74 feet).

In addition to the above request, the applicant is also seeking a request for reduction to the required minimum lot frontage for a semi-detached dwelling that is proposed to be severed, from 9.0 metres (29.52 ft) to 7.85 metres (25.7 ft). This reduction is being requested in order to sever the parcel for resale in the future. The chart below shows the minimum requirements for a semi-detached dwelling in an R3 – General Residential Zone (underlined is the requested reduction) should the semi-detached dwelling be proposed to be severed.

Zoning Requirements for R3 Zone			
	Required	Proposed (Severed)	Proposed (Retained)
Minimum Lot Area	270.0 m ²	273.02 m ²	318.1 m ²
Minimum Lot Frontage	9.0 m	<u>7.85 m</u>	9.14 m
Minimum Front Yard	6.0 m	6.7 m	13.4 m
Minimum Interior Side Yard (north)	1.50 m (0.0 m for common wall)	1.53 m	0.0 m (common wall)
Minimum Interior Side Yard (south)	1.50 m (0.0 m for common wall)	0.0 m (common wall)	1.6 m
Minimum Rear Yard	7.5 m	12.49 m	7.96 m
Minimum Lot Depth	25.0 m	34.78 m	34.78 m
Minimum Landscaped Space	30%	49.8%	44.7%
Maximum Height	10.5 m	10.5 m	10.5 m

2014-040-04
Proposed Amendment to Zoning By-Law 194-94
Lot 28, Part of Lot 29, Block A, Plan 214, City Of Brockville
Owner: Nathan Richard
File: D14-163

Site Characteristics:

Total Area:	591.12 m ² (6,362.9 ft ²)
Frontage – Elizabeth Street:	16.9 m (55.7 ft.)
Depth:	34.78 m (114.11 ft)

The subject land is currently vacant and contains a large rock outcrop to the mid-rear of the property. There is also an existing sanitary easement that runs from the southern neighbours property (11 Elizabeth Street) north across the front of the subject lands toward Elizabeth Street (on an angle). The proposed site plan is attached as **Schedule “B”** to this report. Photos of the subject property are attached as **Schedule “C”**.

Surrounding Land Use:

North:	The lands to the north are zoned R1 – Single Unit Residential, and occupied by a Single Detached Dwelling.
East:	The lands to the east are zoned R1 – Single Unit Residential and are currently vacant.
South:	The lands to the south are zoned are zoned R1 – Single Unit Residential Zone and are occupied by a two storey single detached dwelling (currently under reconstruction).
West:	The lands to the west (across Elizabeth Street) are zoned R1 – Single Unit Residential Zone and are occupied by two (2) storey single detached dwellings.

Comments Received are summarized below and concerns have been attached to this report as **Schedule “D”**.

1. Steve Allen, Supervisor of Engineering, Environmental Services Department:
 - Not opposed to the application; however, should the semi-detached be severed into two (2) properties, both properties must have separate sewer and water services.
2. Conal Cosgrove, Director of Operations, Operations Department:
 - No comment with respect to the application
3. Brent Caskenette, Chief Building Official, Planning Department:
 - A Building Permit will be required.
 - Separate services shall be provided for each property.
 - Setbacks to be confirmed at time of permit.
4. Greg Healy, Fire Prevention Officer, Brockville Fire Department:
 - No fire safety concerns at this time.

5. Scott Fraser, Acting Chief of Police, Brockville Police Department
 - No issue with the re-zoning request.
6. Michael Dakin, Resource Planner, Cataraqui Region Conservation Authority
 - No objection to the proposal.
7. Neighbour
 - Opposed to the application
 - No semi-detached dwellings on the south side of King Street in this vicinity (Sabine Rd, Clarke Cres., Elizabeth St., Bayview Avenue and Chipman Road.)
 - The lot does not have sufficient frontage. The mass of the project is not in keeping with the neighbourhood.
 - The design only shows garages facing the street (no entrances, etc.)
 - The development will have a negative effect on surrounding property values.
8. Seven (7) separate Neighbour's
 - Opposed to the amendment.
 - This is not the proper or best use of the property.
 - Land should be restricted to a single family dwelling.
 - Concerns with additional units and parking.
 - The development will have a negative effect on surrounding property values.
9. Neighbour
 - Opposed to the application.
 - The development will have a negative effect on surrounding property values.
 - Making money at the expense of the existing residents is no reason to change zoning.
 - Not a large lot and should not have two (2) residences on it.
 - The development will make the streetscape look like a parking lot, something that does not fit with the existing neighbourhood.
10. Neighbour
 - Opposed to the application.
 - Elizabeth Street is a quiet subdivision consisting entirely of Single Detached Dwellings.
 - Permitting the development of a semi-detached dwelling would be detrimental to the neighbourhood and to property values.
 - The design only shows garages facing the street. This type of development is used to fill in highly congested areas of large cities and is not suitable for the area.

- The proposal is far outside the norm for this area.

11. Neighbour

- Opposed to the application.
- Two additional dwellings would put a strain on the congestion we already have on this small street.
- Surrounded by Single Detached Dwellings and should remain this way.

12. Neighbour

- Object to the rezoning application.
- Not in keeping with the area as stated within the Official Plan, Section 6.4.8, Subsection 3(v).
- Elizabeth Street is a single family neighbourhood with single family unit dwelling types.
- Rezoning alone will not serve the applicant. Request is also being for a severance and special exception for a reduced frontage.
- Additional dwelling will add unnecessary traffic pressure to the neighbourhood.
- The proposed design is not in keeping with the character of the neighbourhood.

13. Neighbour

- Opposed to the proposed amendment
- Permitting the development of a semi-detached dwelling would be detrimental to the neighbourhood and to property values.
- Double the noise, double the vehicles compared to a single.
- Increased congestion will cause problems with parking and snow removal.
- The proposed design is not in keeping with the character of the neighbourhood.

14. Neighbour

- Opposed to the application
- The owner purchased the property knowing that it was R1.
- Motivate purely to make a profit.
- Sets a bad precedent for changing zoning within other R1 neighbourhoods.

Potential Issues for Discussion:

1. Appropriateness of proposed Rezoning and Special Exception Zone.
2. Appropriateness of proposed design.
3. Neighbourhood impacts, if any.

2014-040-04
Proposed Amendment to Zoning By-Law 194-94
Lot 28, Part of Lot 29, Block A, Plan 214, City Of Brockville
Owner: Nathan Richard
File: D14-163

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, 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.



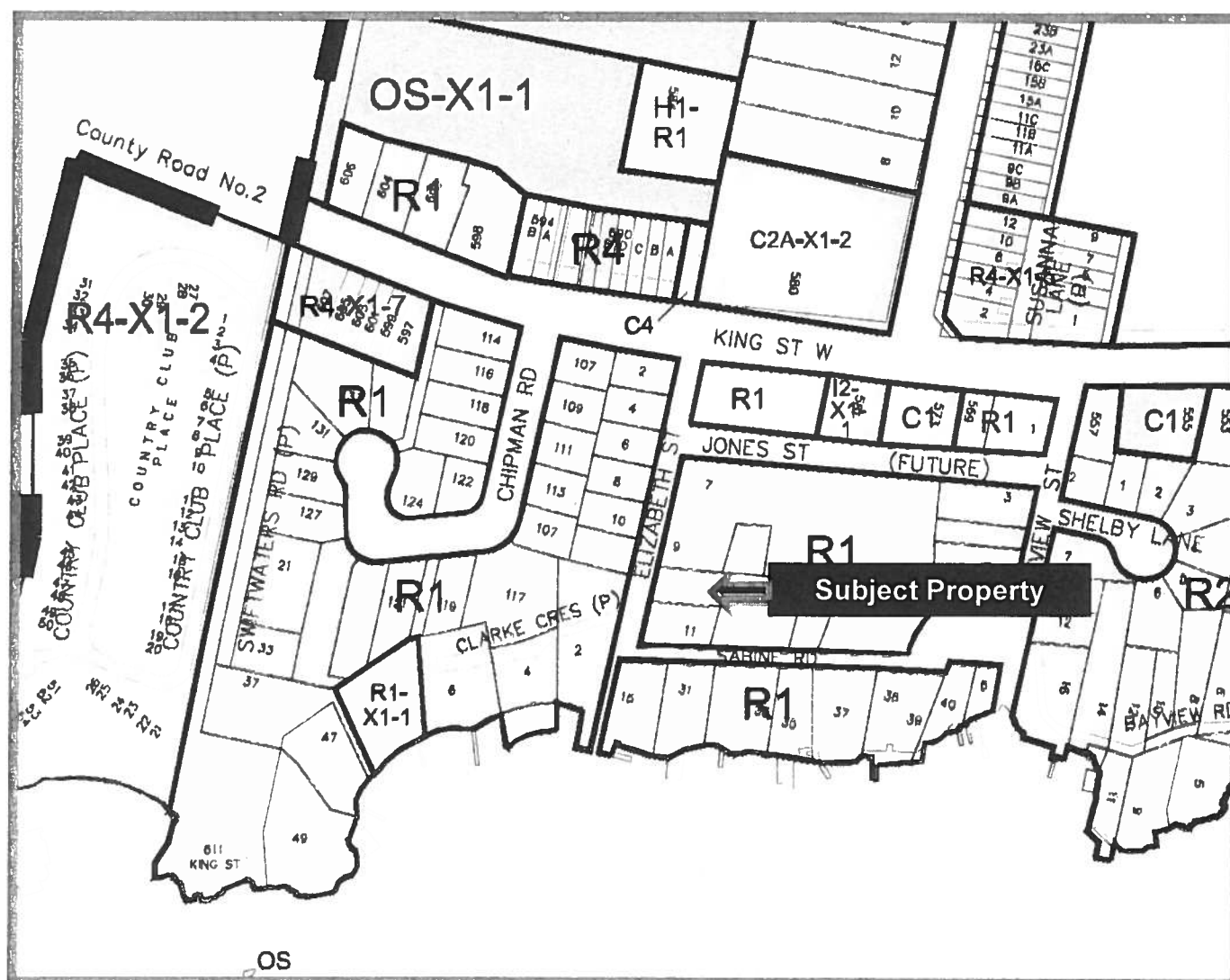
M. Pascoe Merkley, MCIP, RPP
Director of Planning

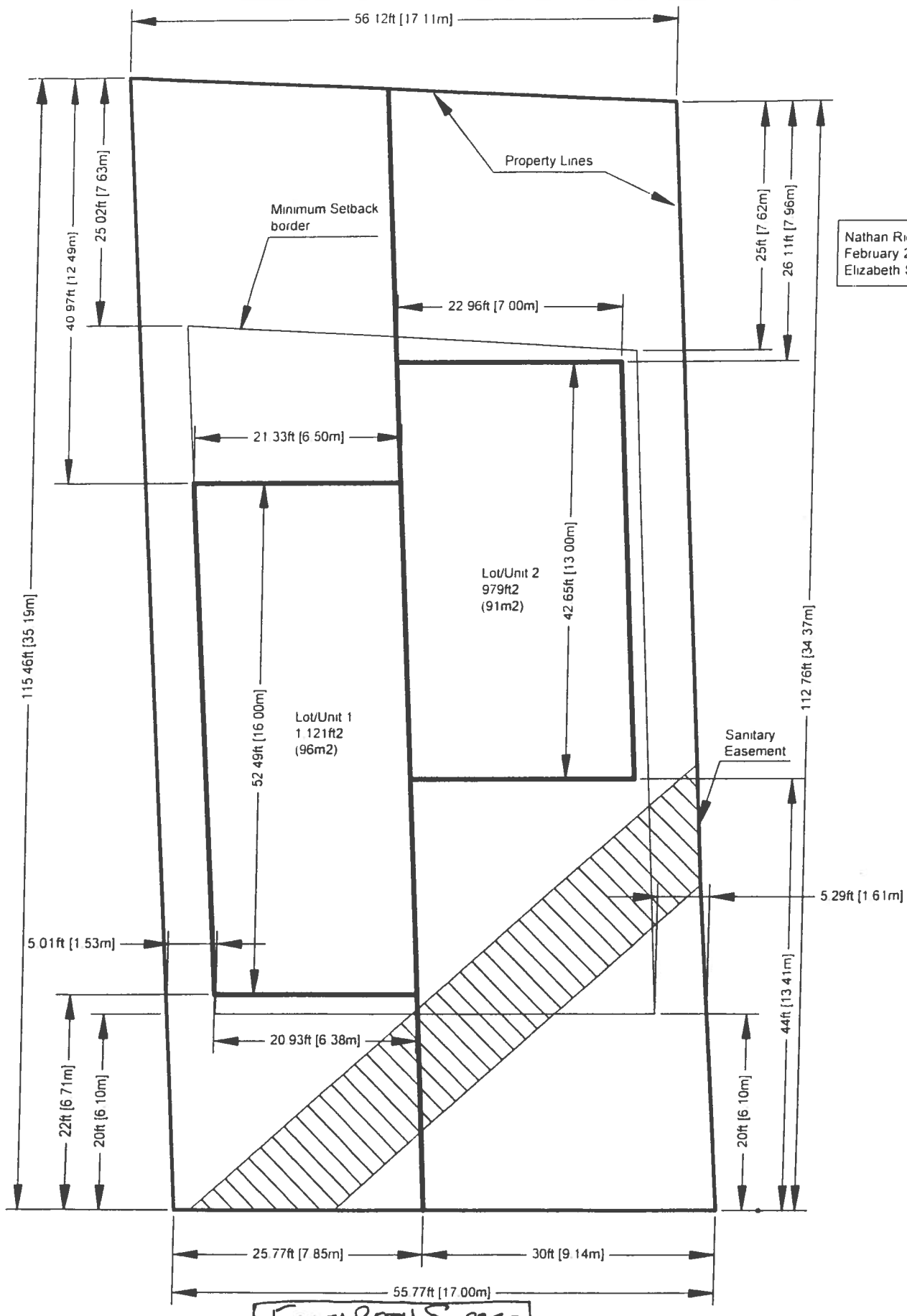


Andrew McGinnis, MCIP, RPP
Planner II



B. Casselman
City Manager





Nathan Richard
February 2014
Elizabeth Street Lot

SCHEDULE "C" TO REPORT 2014-040-04



SCHEDULE "D" TO REPORT 2014-040-04

Memorandum



Date: March 5, 2014 File No. D14-173

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, Lot 28 and Part Lot 29, Block A, Plan 214, City of Brockville.**

The Environmental Services Department has reviewed the request for zoning by-law amendment to allow R3 zoning instead of R1 zoning. This rezoning request is to permit the applicant to build a semi-detached dwelling. We are not opposed to the application but have the following comment, if the semi-detached dwelling is to be severed into two properties both properties must be serviced with sewers and water.



SEA:sa



CITY OF BROCKVILLE
PLANNING DEPARTMENT - BUILDING SERVICES DIVISION

INTEROFFICE MEMORANDUM

TO: ANDREW MCGINNIS – PLANNER II
COPY:
FROM: BRENT CASKENETTE – CHIEF BUILDING OFFICIAL
SUBJECT: ZONING BY-LAW AMENDMENT– FILE D14-173
ELIZABETH STREET
DATE: MARCH 10, 2014

Andrew:

Our review of the proposal for the above noted subject site development has been completed and at this time would advise of the following:

- A Building Permit will be required for each new residence.
- Per OBC, separate services shall be provided for each lot and shall not cross property boundaries and shall be connected to municipal services.
- Lot/Unit 1 – the side yard setback (1.53 m) plus the house width (6.38 m) exceeds the property width (7.85 m) as noted. Totals 7.91 metres and does not correspond to the request of 7.85 metres. Building width at front of unit is 6.38 metres and 6.50 metres at the rear. The 1.53 m side yard setback is not being maintained. Inconsistent figures and measurements should be addressed prior to permit application.

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

Director of Planning

City Hall, One King Street West

Brockville, ON K6V 7A5.



PROPOSED AMENDMENT TO CITY OF BROCKVILLE ZONING BY-LAW 194-94

(Elizabeth Street, Brockville— File No. D14-173)

I am opposed to the request for the change of zoning from R1 Single Unit Residential to R3 General Residential as well as to the request for Special Exception Zoning to allow for the construction of a semi-detached dwelling.

Currently there are no semi-detached dwellings on the south side of King Street in this vicinity (Sabine Road, Clarke Crescent, Elizabeth Street, Bayview Avenue and Chipman Road)

Furthermore in a R3 Zone the minimum frontage for a semi-detached dwelling is 60 feet requiring 30 feet frontage for each unit.

The owner does not have sufficient frontage for such a project. The mass of the proposed project is not in keeping with the proportions of the neighboring homes.

The sketch of potential parking and ground floors is vague at best and indicates no front entrances (or any entrances) for each proposed unit and leaves only garage doors facing the street.

This project will negatively affect the property value of other homes in the area by changing the landscape /streetscape of the community.

As a last point, construction so close to the sanitary easement may prove problematic and I would like to be assured that the property owner would assume all responsibility for any damages to this sanitary easement.



March 6, 2014

City of Brockville
The Economic Planning Committee
1 King St W
Brockville, Ontario
K6V 7A5
Re: Elizabeth Street Brockville
File D14-173



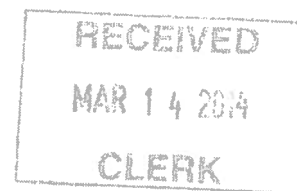
Dear Sir

Please accept this letter as our formal notice of opposition the proposed amendment regarding a zoning change on Elizabeth Street. We feel this not the proper and best use of the property, the parcel of land in question should be restricted to one single family dwelling as is every other property on the street. In addition to keeping new construction in line with what exists already we have additional concerns with parking issues that would be created by adding two additional households. This winter really highlighted how congested that corner can get and adding additional households beyond what is approved now would be unwise. We also have concerns with the negative impact a semi/row house would have on our property values as we have a significant investment at stake here.

Should you have any questions or if you need to speak with us please feel free to call.

Yours truly,





March 7, 2014

City of Brockville
The Economic Planning Committee
1 King St. W
Brockville, ON

Re: Elizabeth Street, Brockville
File D14-173

This letter is my formal notice of objection to the proposed amendment to City of Brockville zoning by-law 194-94 (Elizabeth St. –File No. D14-173). [REDACTED]

[REDACTED]

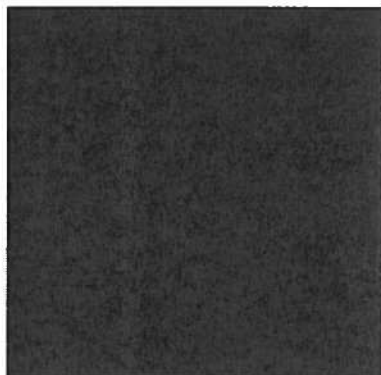
MPAC told me that the reason my property taxes are above average is because I live on the river and in an R1 single family zone. Changing the zoning to R3 General Residential Special Exception Zone so close to my property would cause my property's value to seriously decline. When I purchased my property in an R1 zone a city representative assured me that R1 was the best protection for my property values. Other than making money for the owner of the subject property at the expense of the existing residents, I see no reason that the area zoning should be changed.

The subject property was at one time joined with lot 11 on the diagram [REDACTED]

[REDACTED] This is not a large lot and should not have two residences on it.

The planned structure will fill almost the entire width of the lot, and the Elizabeth St. side will be almost all driveway, looking more like a parking lot, something that does not fit with the existing neighbourhood properties, all of which are single family residences with grass lawns.

Yours truly,



March 10, 2014

City of Brockville
Director of Planning
1 King St W, PO Box 5000
Brockville, Ontario
K6V 7A5

Re: Elizabeth Street Brockville
File D14-173



Dear Sir,

Please accept this letter as our formal notice of opposition to the proposed amendment regarding a zoning change on Elizabeth Street.

Elizabeth Street is a quiet subdivision consisting entirely of single-family dwellings. Most of the residents of the street are retired, or soon to be retired, people enjoying the peacefulness of a typical Brockville neighbourhood.

To build a semi-detached row-house here would be detrimental to the neighbourhood and to our property values.

We built our home here on Elizabeth street, investing a lot of our money, because it was a beautiful, quiet, single-family dwelling area where we wanted to retire. We hope to stay here for a long time.

In addition to our opposition to a duplex, the sketches provided by the builder appear to show that the front of the property would consist solely of two double garage doors and two driveways. This kind of ugly row-house is used to fill in highly congested areas of large cities and is not suitable for the area. Building it closer to the street, as proposed in the zoning amendment, would make the ugly building stand out even more.

I don't understand why the City of Brockville would even consider this zoning change which is far outside the norm for this area.

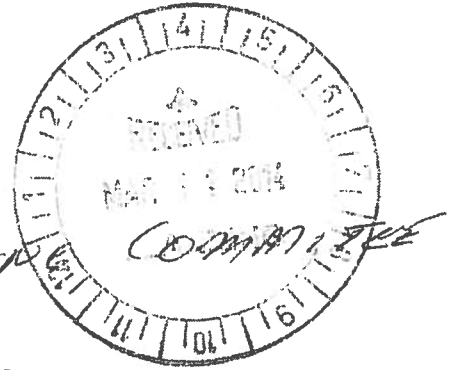
Should you have any questions or if you need to speak with us please feel free to call.

Yours truly,

[Redacted signature block]

MARCH 11 2014

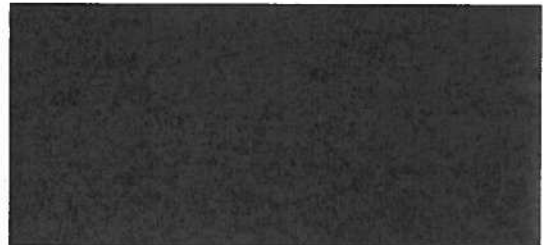
CITY OF BROCKVILLE
THE ECONOMIC PLANNING
1 KING ST WEST
BROCKVILLE ONTARIO
K6V 5S7



RE: ELIZABETH ST. BROCKVILLE
FILE D14-173

PLEASE ACCEPT THIS LETTER AS A
FORMAL NOTICE OF OPPOSITION TO
THE PROPOSED AMENDMENT
REGARDING A ZONING CHANGE ON
ELIZABETH ST. I FEEL THAT A TWO
FAMILY RESIDENCE WOULD PUT A
STRAIN ON THE CONGESTION WE
ALREADY HAVE ON THIS SMALL
STREET.

I HAVE LIVED ON ELIZABETH ST
FOR 20 YRS & HAVE WATCHED IT
GROW TO FIVE TIMES WHAT IT
WAS. AS YOU KNOW ALL HOUSES
ON ELIZABETH ST SABINA & CHARL
ARE SINGLE FAMILY DWELLING. THAT
SHOULD REMAIN THAT WAY IN MY
HUMBLE OPINION.





[REDACTED]

March 17, 2014

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

**Re: Proposed Amendment to City of Brockville Zoning By-Law 194-94 Elizabeth Street, Brockville
File No. D14-173**

Attention: Director of Planning

Dear Ms. Pascoe Merkley,

This letter is in response to the proposed amendment to rezone subject property on Elizabeth Street from existing R1 Single Unit Residential to R3 General Residential Special Exception Zone filed by Nathan Richard (Applicant).

[REDACTED] we respectfully object to this rezoning application for the following reasons:

- Proposed rezoning conflicts with the intent of Brockville's official plan which sets out a 20-year growth management regime for the City through to 2031. As stated in the Brockville Approved Official Plan, Section 6.4.8 subsection 3(v) ...
 - o *"the proposed expansion does not increase its incompatibility with the surrounding area"*
 - Elizabeth Street is a single family neighborhood with single unit dwelling types
- Proposed property is the product of a previous severance already granted to Keith Somerville
 - o City of Brockville have already served an "infill" mandate for this property
- Rezoning alone will not serve Applicant's requirement
 - o Applicant is also requesting, or planning to request
 - Additional property severance, and
 - Special exception for reduced lot from 30 feet to 25.8 feet
- According to Zoning By-Law 194-94 Part 5.0 Section 5.3, both Semi/Link and Duplex dwelling types require:
 - o Minimum lot frontage of 60 feet, (if severed, fails to comply with 5.3.1 (e)) , and
 - o Minimum exterior side yard of 15 feet (fails to comply) , and
 - o Minimum interior side yard of 5 feet.
- Only the 5 foot side yard requirement will be met with this proposal
- Overhang on southwest corner of proposed unit 1 may infringe on existing sanitary easement
- Elizabeth Street is narrow and guest parking requirements resulting from one additional dwelling will add unnecessary pressure to the neighborhood
- Aesthetically, the proposed semi-detached dwelling will present two (2) double garages to Elizabeth Street; the equivalent of four (4) garage doors in a row. This will not be in keeping with the character of the neighborhood.

Sincerely,

[REDACTED]

March 17, 2014

Ms. Maureen Pascoe Merkley
Director of Planning
City of Brockville
1 King Street West
P.O. Box 5000
Brockville, ON K6V 7A5



RE: Proposed zoning by-law amendment, File No D14-173

Description: Lot 28 and Pt. Lot 29, Block A, Plan 214, designated as Parts 2, 4, 5 and 6,
Reference Plan 28R-10956, City of Brockville, County of Leeds

Dear Ms Merkley:

We hereby wish to state our opposition to the proposed zoning amendment.

The inclusion of a semi-detached dwelling in the middle of an area with nothing but single-family homes will reduce the property value of all properties in the neighbourhood.

A semi-detached residence will double the noise and traffic of a single detached residence.

On street parking for visitors is already a problem on Elizabeth Street, impeding traffic and interfering with snow removal operations in the winter. The proposed rezoning will doubly increase this problem.

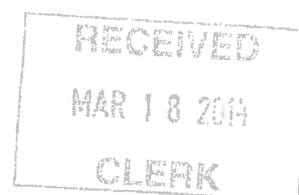
The subject property exists as a result of a previous rezoning amendment. The granting of a further amendment would result in a gross exception to the general zoning of the entire local community.

This proposed construction with a frontage consisting of nothing but garage doors and two double-width driveways would not be in keeping with the character of the neighbourhood.

We therefore object to the proposed amendment.

Respectfully yours,





ELIZABETH STREET, BROCKVILLE.

**Re: Lot 28 and Part Lot 29, Block A, Plan 214 designated at
Parts 2, 4, 5 and 6, Reference Plan 28R-10956 City of Brockville.**

I am writing to object to the proposed change to the above property from R 1 single unit Residential to R 3 for the purpose of building a semi detached dwelling on the above lot.

The Lot in question is prime land with a view of the river. This is not the place to build a semi detached dwelling in between other older detached homes on Elizabeth Street. There is plenty of other vacant land in Brockville for the developer to build a semi-detached home. The developer bought the lot on Elizabeth Street knowing that it was zoned R1 single unit residential. He is motivated purely to make more profit. This will ruin our residential neighbourhood and sets a bad precedent for changing the zoning in other established R 1 single unit residential Streets in Brockville.



DATED March 18th 2014.