



Economic Development & Planning Committee

Tuesday, June 2nd, 2009 – 6:00 p.m.

City Hall, Council Chambers

Committee Members

Councillor M. Kalivas, Chair
Councillor G. Beach
Councillor J. Earle
Councillor Mayor D.L. Henderson, Ex-Officio

Areas of Responsibility

Economic Development
Planning
DBIA
Heritage Brockville

PUBLIC MEETING AGENDA

Page

Item

3-28

1. 2009-079-06
PROPOSED OFFICIAL PLAN AND
ZONING BY-LAW AMENDMENTS,
PARKEDALE AVENUE,
PARK LOT 17, PLAN 9, PART 1, REFERENCE PLAN 28R-11781,
CITY OF BROCKVILLE, COUNTY OF LEEDS,
OWNER: COUNSEL BROCKVILLE LAND LIMITED,
APPLICANT: FOTENN CONSULTANTS INC.
FILES:266-86 AND D14-135

19May09

**REPORT TO ECONOMIC DEVELOPMENT PLANNING COMMITTEE – PUBLIC
MEETING – JUNE 2, 2009**

2009-079-06

**PROPOSED OFFICIAL PLAN AND ZONING
BY-LAW AMENDMENTS, PARKEDALE AVE.,
PARK LOT 17, PLAN 9, PART 1, REFERENCE
PLAN 28R-11681, CITY OF BROCKVILLE,
COUNTY OF LEEDS
OWNER: COUNSEL BROCKVILLE LAND LIMITED
APPLICANT: FOTENN CONSULTANTS INC.
FILE NOS.: 266-86 and D14-135**

**M. PASCOE MERKLEY
DIRECTOR OF PLANNING**

RECOMMENDED

THAT Report 2009-079-06 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

FoTenn Consultants Inc., acting on behalf of Counsel Brockville Land Limited owner of lands described as Park Lot 17, Plan 9, Part 1, Reference Plan 11781, City of Brockville, County of Leeds, (located on the south side of Parkedale Avenue, east of the CP tracks and west of Commerce Court – 2211 Parkedale Avenue) has submitted applications for amendment to the Official Plan for the City of Brockville and Zoning By-law 194-94 with respect to the subject lands.

The proposed amendments would, if approved, allow the subject lands to be developed for an interdisciplinary family health centre with associated uses.

ANALYSIS

Schedule "A" to this report indicates the location of the subject lands and shows both the current zone of the subject lands and the adjacent lands.

Schedule "B" to this report is a site plan for the proposed development of the subject property.

Schedule "C" to this report is the Planning Report prepared by FoTenn Consultants Inc.

Proposed Official Plan and Zoning By-Law Amendments,
Parkdale Ave., Park Lot 17, Plan 9, Part 1, Reference Plan 28R-11681,
City Of Brockville, County Of Leeds
Owner: Counsel Brockville Land Limited
Applicant: FoTenn Consultants Inc.
File Nos.: 266-86 And D14-135

Zoning and Official Plan Information:

Official Plan Designation: Industrial

Proposed OP Designation: Commercial/General

New site specific policy to permit the development of a medical clinic with an associated overnight care facility, senior citizens' dwelling, community health and resource centre, respite care facility and other commercial uses on the subject lands.

The site specific policy would require that the appropriate zoning, with "Holding" provision, be implemented with respect to the residential component of the proposed development; and further, that development of residential uses would not occur until issues respecting environmental condition of the lands and adjacent sources of noise are addressed to the satisfaction of the City.

Existing Zoning: M1-Industrial Park Zone and EP-Environmental Protection Zone

Proposed Zoning:
(*M1 portion*) C2-General Commercial Site Specific Zone to reflect the proposed development of the family health centre and associated uses.

The proposed amendment would allow a senior citizens' dwelling, community health and resource centre and respite care as permitted uses in addition to the uses permitted in the C2 Zone; would set a maximum building height of 18.9 metres; and would add two new definitions to Section 2.0 of Zoning By-law 194-94 for "Community Health and Resource Centre" and "Respite Care".

Site Characteristics:

Total Area: 2.81 hectares (6.95 acres)
Frontage (Parkdale Ave): 65.0 m (213.25 ft.)
Average Depth: 220.0 m (721.78 ft.)

**Proposed Official Plan and Zoning By-Law Amendments,
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File Nos.: 266-86 And D14-135**

The majority of the subject property is vacant with the exception of a small storage building at the west side of the property adjacent to the rail line and a large gravel parking lot that exists within the northern portion of the property. The east portion of the property is occupied by a watercourse and a forested area. The storage building is proposed to be demolished.

Surrounding Land Uses:

North: The lands to the north (north side of Parkdale Avenue - immediately across from the subject lands) are zoned M1-Industrial Park Zone and are occupied by warehousing for Will's Transfer.

The lands to the north west (north side of Parkdale Avenue) are zoned I3 – St. Lawrence College/Special Education Zone and occupied by the college and associated uses.

The lands to the north east (corner of Parkdale Avenue and Ormond Street) are zoned C7-X9-2 Power Centre Site Specific Zone and are occupied by Commerce Court, a plaza which includes dentist offices, Government of Ontario drivetest offices, medical lab, optometrists, sports therapy clinic and other commercial uses.

East: The lands to the east (east side of Ormond Street) are zoned C7-Power Centre Zone and are occupied by Meyers Transport.

South: Highway 401 is immediately south of the subject lands.

West: The CP rail line runs immediately west of the subject lands, with the Brockville Police Station on the west side of the rail line.

Comments Received Schedule "D":

1. Eric Jones, Engineering Associate, City of Brockville (*see attached memo dated May 20, 2009*)

The following comments were provided:

- Noise from abutting Highway 401, Parkdale Avenue and abutting Canadian Pacific Railway not conducive for senior living;
- Restriction of left in and out traffic movements required for the development of this site;
- An updated traffic study is recommended due to the proposed use of the site which would generate high traffic volumes;

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- An updated Stormwater Management Plan to ensure conformance with the quantity and quality control for the developed area; and to ensure that the site will be maintained at pre-development levels.
2. Dan Ethier, Planner, MMAH, Municipal Services Office – Eastern Region
MMAH has no comments with respect to the site-specific development.
3. CRCA (*see attached email dated May 20, 2009*)

Main interests of CRCA with respect to this proposal:

- avoidance of natural hazards (flood risk associated with Buell's Creek) and the provision of adequate stormwater management;
- confirmation of the 5.0 m setback for the development and site alteration from the regulatory (1:100 year) flood plain; and
- a stormwater management report is required to establish pre- and post-development flows to ensure that post-development flows do not exceed pre-development flows, to identify the flow path(s) of runoff for both the major and minor events, and to establish how water quality objectives will be achieved.

CRCA have no objections to the applications in principle; however, as Ontario Regulation 148/06 applies to the subject lands, CRCA requests the opportunity to review the Site Plan Control application and stormwater management report prior to site plan approval.

Potential Issues for Discussion:

1. Appropriateness of proposed amendments and potential uses.
2. Conditions associated with potential residential use on the site.
3. Traffic.

POLICY IMPLICATIONS

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

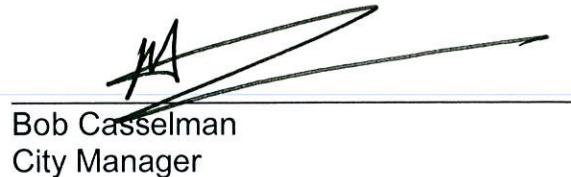
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CONCLUSION

The Staff Report on these matters, 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

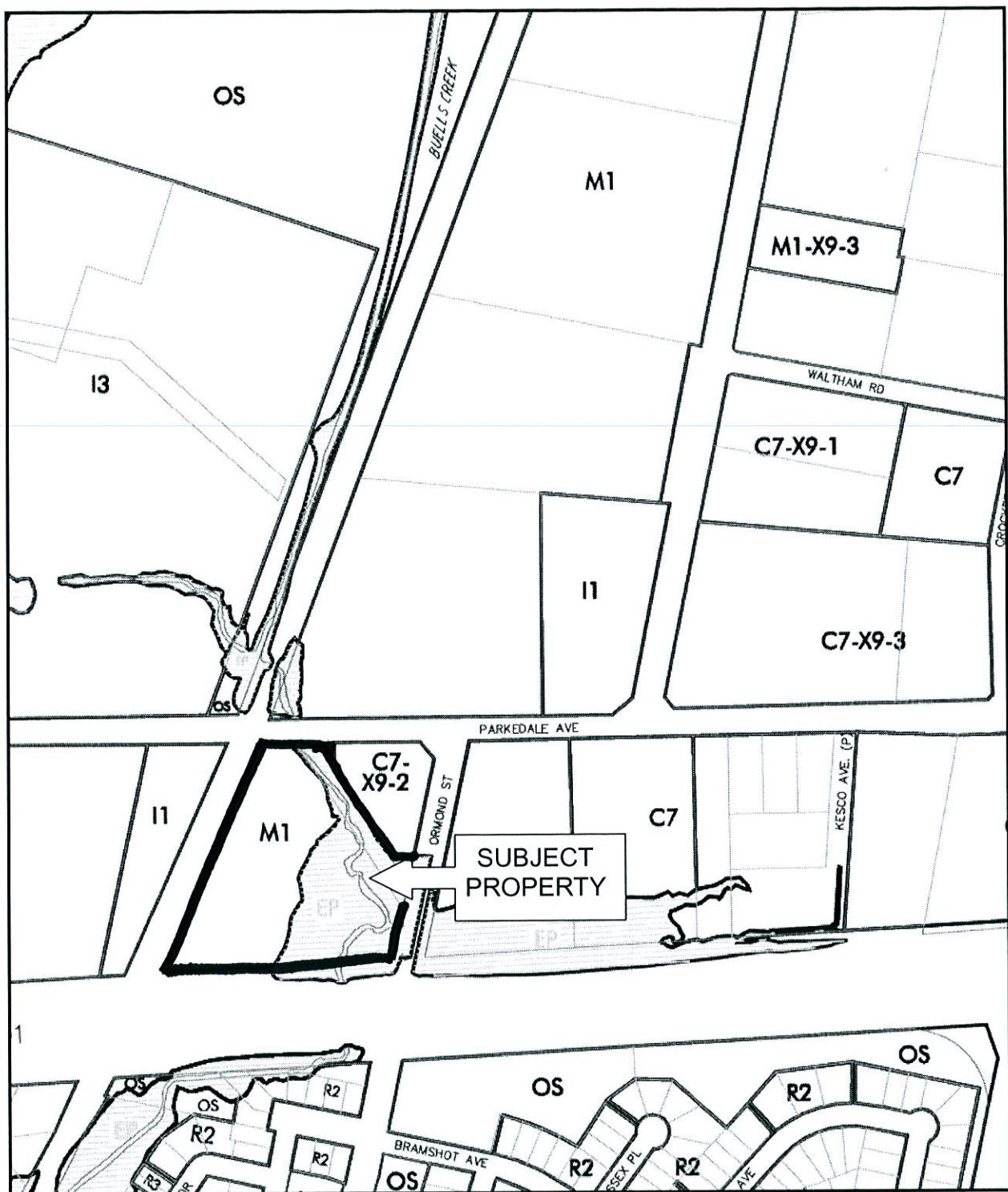


M. Maureen Pascoe Merkley
Director of Planning

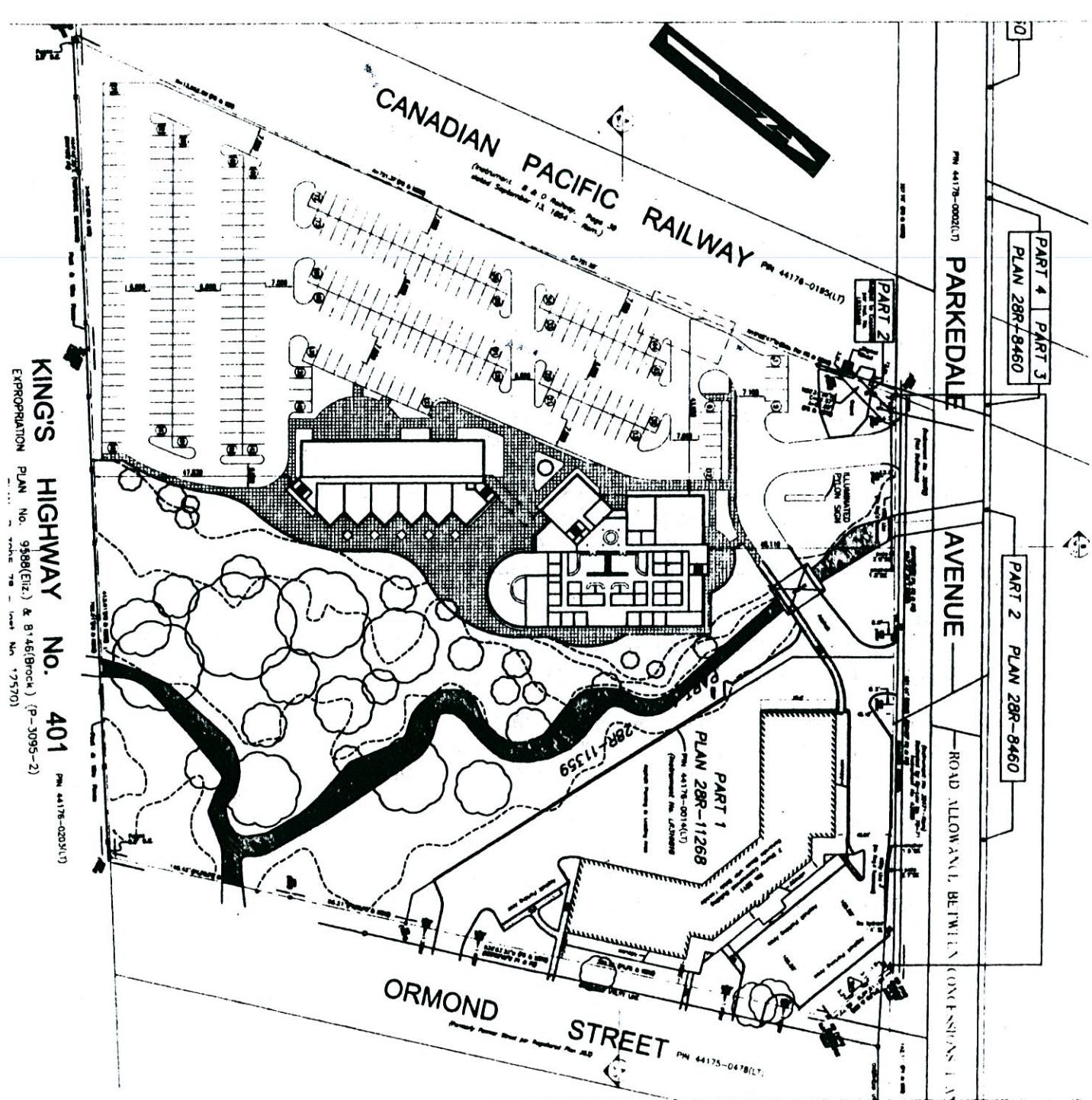


Bob Casselman
City Manager

SCHEDULE "A" to REPORT 2009-079-06



SCHEDULE "B" to REPORT 2009-079-06



SCHEDULE "C" to REPORT 2009-079-06



May 1, 2009

M. Maureen Pascoe Merkley, MCIP, RPP
Director of Planning
City of Brockville
P.O. Box 5000
Brockville, Ontario
K6V 7A5

**Re: Official Plan and Zoning By-law Amendments
Community & Primary Health Care – 2213 Parkedale Avenue**

FoTenn Consultants has been retained by Community & Primary Health Care (CPHC) to act as agent on their behalf for the submission of Official Plan and Zoning By-Law Amendment applications for lands at 2213 Parkedale Avenue.

The following materials are submitted in support of both applications:

- Application fee of \$2,885.00 for Official Plan and Zoning By-Law amendment applications
- One copy of both the Official Plan Amendment and Zoning By-Law Amendment applications

Subject Property

The subject property is approximately 28,133.5 square metres in size and is located immediately north of Highway No. 401, southwest corner of the intersection of Parkedale Avenue and Ormond Street. The property has approximately 65 metres of frontage on Parkedale Avenue and is bounded to the west by the Canadian Pacific Railway line, to the east by Ormond Street and to the south by Highway No. 401.

The majority of the subject property is vacant with the exception of a small storage building at the west side of the property adjacent to the rail line and a large gravel parking lot that exists within the northern portion of the property. The east portion of the property is occupied by a watercourse and a forested area. The storage building is proposed to be demolished.

FoTenn Consultants Inc.
The Woolen Mill, 4 Cataraqui Street
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T: 613.542.5454
www.FoTenn.com

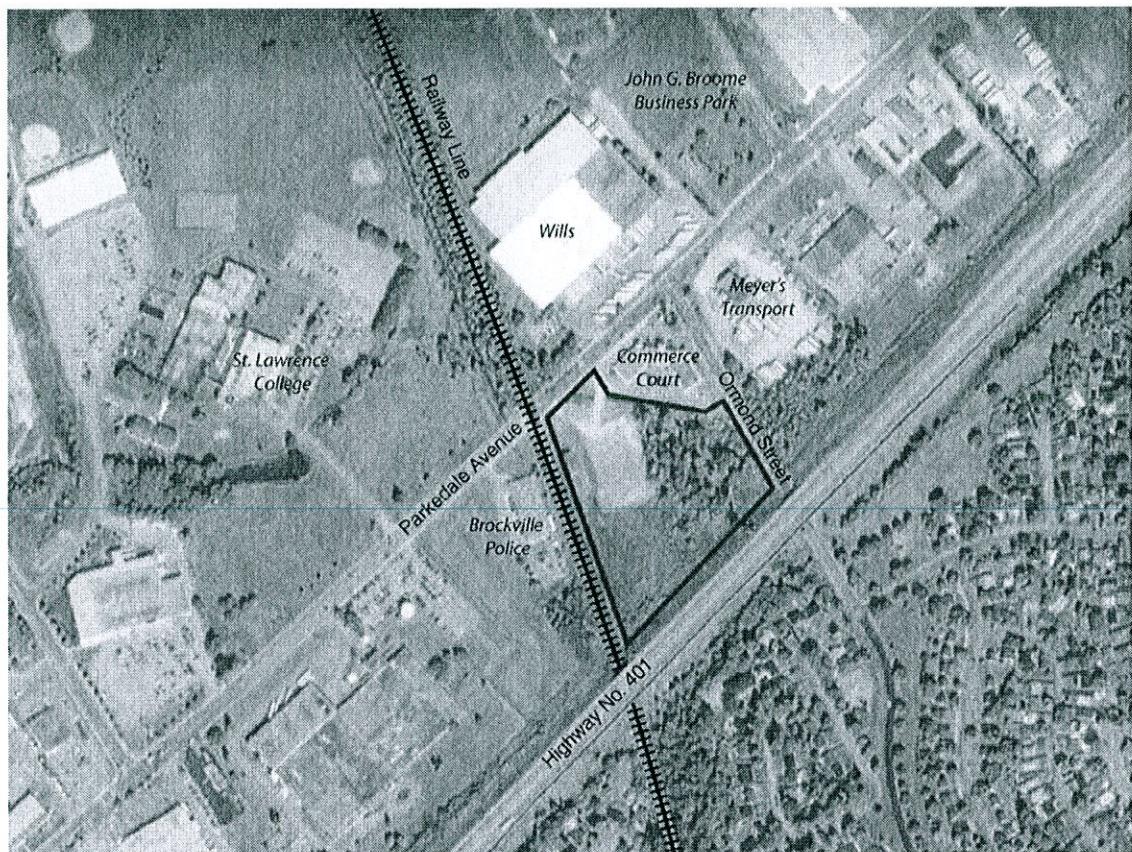


Figure 1: Subject Site

Adjacent Uses

North: St. Lawrence College, Wills (north side of Parkedale Avenue)

Northeast: Commerce Court plaza including dentistry, Government of Ontario Drivetest, medical labs, optometrists, sports therapy clinic and other commercial uses

South: Highway 401

East: Meyers Transport (east side of Ormond Street)

West: Via Rail line and Brockville Police (west side of rail line)

Proposed Development

An interdisciplinary family health centre with associated uses is proposed to be developed on the subject property. The centre will consist of family health services together with amenities, day care, overnight care, commercial services, restaurant/tea room and gift shop in the first phase and a seniors building with meeting rooms in a second phase. The development will provide a fully integrated health care facility that encompasses all level of care and a full spectrum of health care programs within the community. These include doctors, nurse practitioners, other interdisciplinary



health professionals, health services, social support services, cultural, social or recreational programs or life/work skills training programs and respite care providing ambulatory services (which distinguish it from a hospital).

Although the Site Plan Application is to be submitted at a later date, preliminary plans have been prepared and show the first phase will have a total of 57,600 sq. ft. of space with the second phase having an additional 50,000 sq. ft. of space (**see attached site plan**).

A landscaped buffer will be provided along the perimeter of the property and around the perimeter of the new building, with the flood plain associated with the creek left in a natural state. Parking will be situated on the west and south areas of the site and access will be provided from two driveways; one a right in/right out onto Parkedale Avenue and the other a full access turn onto Parkedale Avenue from the adjacent commercial building to the east.

Submitted Planning Applications

Official Plan Amendment

An application has been submitted to amend the Official Plan to permit the development of a medical clinic with an associated overnight care facility and commercial use on the subject lands. The amendment proposes to redesignate the subject lands, which are identified as 'Industrial' within Schedule "A" of the Official Plan to a 'Commercial' designation permitting medical care services and onsite overnight care facilities.

The following outlines the proposed Official Plan amendments:

- a) Schedule "A" *Future Land Use* is here hereby amended by deleting 'Industrial' and replacing it with 'Commercial – General' as shown on Schedule ____ attached to this Amendment.
- b) On those lands designated 'Commercial – General' located at 2213 Parkedale Avenue, residential uses shall be zoned appropriately and the 'Holding' provision applied to any implementing zoning by-law. Development of residential uses shall not occur until the following have been completed to the satisfaction of the City:
 - a. **Record of Site Condition:** A record of site condition shall be prepared to summarize the environmental condition of the subject property, based on site investigations. The record of site condition must be prepared in accordance with Ontario Regulation 153/04 and must demonstrate that residential uses can be accommodated on-site according to appropriate standards.
 - b. **Noise:** The proponent/developer shall ensure that applicable sound level criteria are met subject to review and approval by the City of Brockville and the Ontario Ministry of the Environment, as appropriate. These responsibilities include the following:
 - i. Assessing outdoor and indoor acoustical environments;
 - ii. Determining feasibility of the project including constraints applicable before any project action is taken or construction commitment is made;
 - iii. Ensuring that the required control measures are incorporated in the development.



The required control measures shall be specified in the relevant Site Plan Agreement with the City.

Zoning By-Law Amendment

A Zoning By-Law Amendment application has been submitted to amend Zoning By-Law 194-94 to support the proposed development. It is proposed that the M1 zone be replaced with a site-specific commercial zone. The following text outlines the proposed amendments:

- a) Deleting the 'M1' zone and replacing it with the 'C2 – xx' zone as shown on Schedule _____ attached to this Amendment.
- b) Adding the following new subsection to Part 8.0 – Special Exception Zones – Section 8.9- Planning District No. 9:
 - i) C2-Xx-x Zone (2213 Parkedale Avenue)

In addition to the uses permitted in the C2 zone, a senior citizens dwelling, community health and resource centre and respite care shall be permitted.

The maximum height shall be 18.9 metres.

- c) Adding the following new definitions to section 2.0 Definitions:

Community Health and Resource Centre, means a place where members of the public are provided with health services, social support services, cultural, social or recreational programs or life/work skills training programs.

Respite Care, means the provision of temporary, flexible, 24 hour support care for a client who requires care or supervision that is normally provided by his or her caregiver at home. Respite care provides the caregiver with relief from demands of the client's care.

POLICY AND REGULATORY FRAMEWORK

2005 Provincial Policy Statement

The Provincial Policy Statement, 2005 provides direction on matters of provincial interest related to land use planning and development. Local planning decisions "shall be consistent with" the policies of the Provincial Policy Statement, 2005.

The proposal is consistent with the Provincial Policy Statement with respect to the following:

- Promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipality over the long term (Section 1.1.1a); and
- Providing for an appropriate mix and range of employment to meet long-term needs (1.3.1a).



Official Plan for the City of Brockville

Industrial Lands

According to Schedule "A" Future Land Use of the Official Plan for the City of Brockville, the subject property is designated 'Industrial' (see Figure 2).

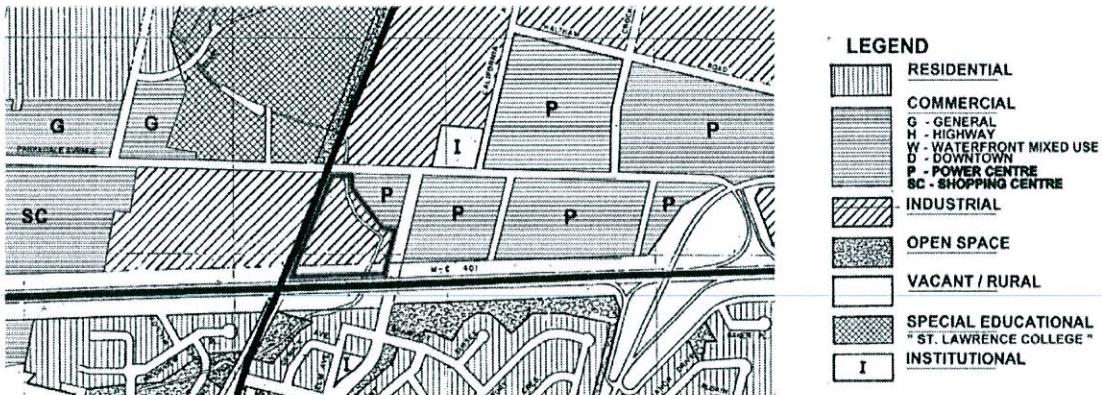


Figure 2: Official Plan Land Use Designation, excerpt from Schedule "A" Future Land Use

The purpose of the industrial land use designation is to allow for a range of industrial business activities as well as commercial retail and service activities that are related or complementary to the primary industrial land uses.

The lands bounded by Highway No. 401 to the south, the railway line to the west, Centennial Road to the north and North Augusta Road to the east (see Figure 3) comprise the largest contiguous block of industrial land within the City of Brockville.



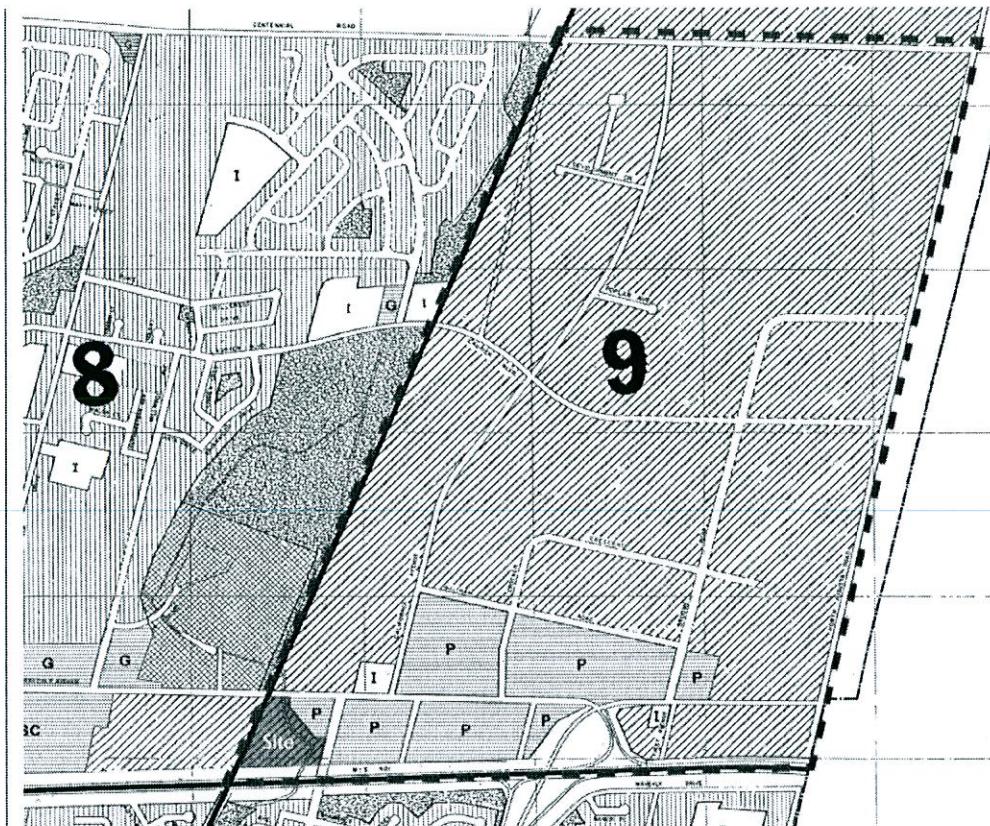


Figure 3: Schedule "A" Future Land Use: Planning District No. 9

This block of land is consistent with the boundary of Planning District No. 9 as defined within the Official Plan. The Official Plan divides the whole planning area into nine different Planning Districts with the purpose of treating specific areas with policy provisions unique to the issues present in each geographical area.

Planning District No. 9 is identified as the major industrial area within the City of Brockville. The policies associated with the area provide site-specific direction for certain locations within the District. A general policy direction within the District is that no new residential development is permitted in order to avoid conflicts between industrial and residential uses.

Physical Constraints to Development

Section 5.9 of the Official Plan outlines policies regarding physical constraints to development. Schedule "B" Physical Constraints identifies the location of constraints due to ecological significance or environmental hazards such as flooding or topographical limitations. According to Schedule "B", the subject lands do contain an Environmental Protection designation associated with the Buells Creek floodplain (see Figure 4).



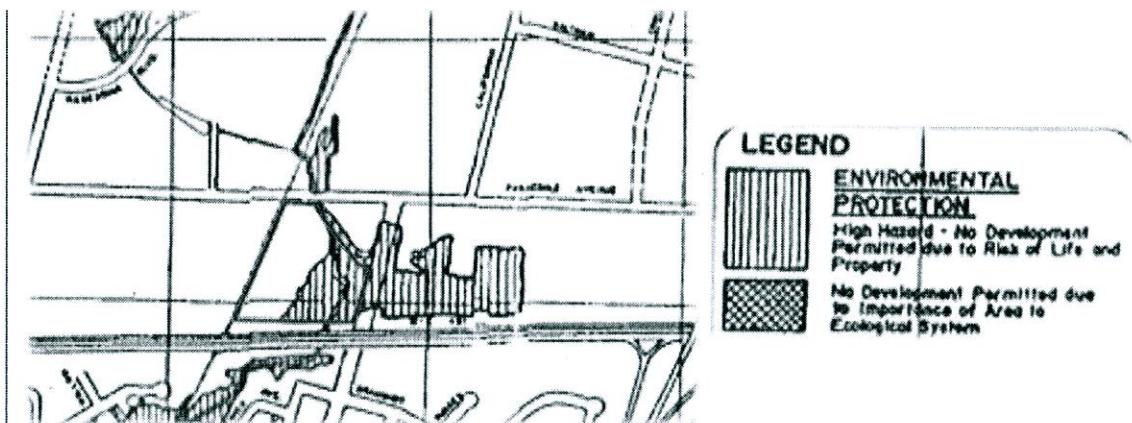


Figure 4: Physical Constraints On-Site, excerpt from Schedule "B" Physical Constraints

According to the Official Plan regarding lands identified as Environmental Protection, prior to development Section 5.9.3 of the Plan must be addressed.

Section 5.9.3.1 states no development is permitted within areas identified as Environmental Protection except uses associated with passive outdoor recreation, conservation or soils or wildlife or scientific study. In addition, Sections 5.9.3.2 and 5.9.3.3 state no alteration of the existing drainage pattern or any cut and fill grading is permitted in the Environmental Protection area. Accordingly, the proposed development must respect the floodplain boundary and tailor the development on the site accordingly.

Section 5.9.3.4 states building setbacks will be required from the Environmental Protection feature boundary, in this case the Buells Creek floodplain. The Cataraqui Region Conservation Authority has identified a 5 m setback from the floodplain is typically required.

Noise Impacts

The Official Plan provides direction for the establishment of new residential uses near sources of potentially obnoxious levels of noise. Section 5.16 of the Official Plan states when reviewing residential development applications for sites near freeways and railways or near industrial and commercial uses, a noise impact assessment may be required in order to ensure appropriate sound levels are maintained according the Ministry of the Environment's noise level criteria.

The proposed development site is bound to the west by a railway line and to the south by Highway No. 401. Accordingly, the development of the subject site will need to be supported by a noise impact assessment that determines Ministry of the Environments guidelines can be met.

Zoning By-Law (194-94)

The following general provisions from Zoning By-Law 194-94 require consideration with respect to the proposed development:

Parking Space Requirements

The Zoning By-Law provides specific direction for the number of required parking spaces for various uses including commercial development, clinic (medical, dental), offices, restaurants, retirement



home and senior citizens' dwelling. The proposed development will have to provide the appropriate number of spaces for the uses which are developed on the site in accordance with the zoning.

Setback from Environmental Protection Zone

As illustrated within the zoning map a portion of the subject site is designated Environmental Protection (see Figure 5). This designation is associated with the floodplain of Buells Creek. Section 3.12 states the main building of a development may not be located closer than 5 m (16.5 ft) to the boundary of the Environmental Protection zone.

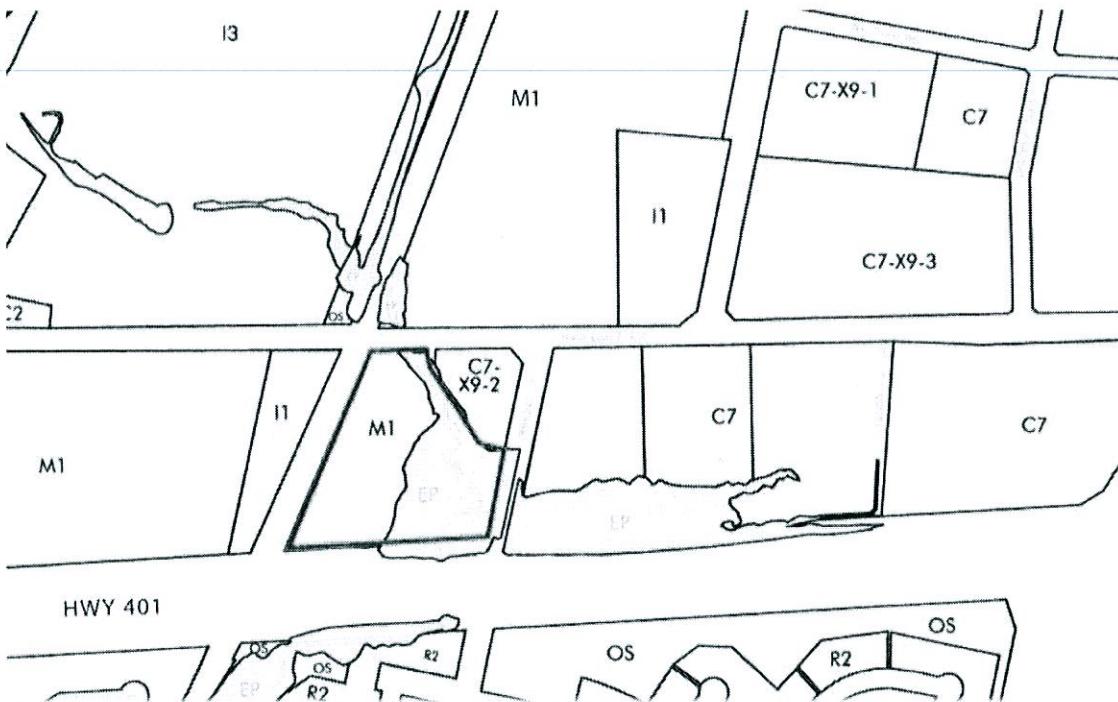


Figure 5: Zoning By-Law (194-94), excerpt of subject lands

Highway No. 401 Setback Requirements

The southern boundary of the subject site abuts the Highway No. 401 right-of-way. The Zoning By-Law provides setback requirements for development adjacent to the highway allowance. Section 3.28 states residential buildings must be at least 7.6 m (25 ft) from the right-of-way and all other development must be setback at least 13.7 m (45 ft).

Permitted Uses

The subject lands are zoned M1 – Industrial Park and EP – Environmental Protection within Zoning By-Law 194-94. The M1 zone provides a variety of light industrial, service and office uses. Permitted uses that are related to this application include:

- Bakery



- Business and Professional Office
- Day Nursery
- Dental Laboratory
- Medical Laboratory
- Service Use

The proposed uses of a medical clinic, senior citizens dwelling, senior citizens day care, community health and resource centre and respite care facility are not permitted according to the existing zoning.

The applicant is proposing to rezone the lands to a site-specific C2 zone. Related permitted uses in the C2 zone are:

- Bakery
- Bake Shop
- Business/Professional Offices
- Clinic
- Commercial Use
- Day Nursery
- Dental Laboratory
- Delicatessen
- Hotel/Motel
- Medical Laboratory
- Personal Service Establishment
- Restaurant – Eat-In
- Restaurant – Outdoor Patio
- Senior Citizens Day Care
- Service Use

The proposed C2 zone includes **Clinic**, **Commercial Use** and **Senior Citizens Day Care** as permitted uses. In order to permit the establishment of a senior citizens dwelling, community health and resource centre or a respite care facility a site-specific zoning designation is required.

The following zoning regulations apply to development within the C-2 Zone:

- Minimum lot area: 600 m²
- Minimum lot frontage: 20 m
- Minimum front and yard: 7.5 m
- Minimum exterior side yard: 6 m
- Minimum Interior Side Yard: 2 m
- Minimum Rear Yard: 7.5 m
- Minimum Landscaped Open Space: 15%
- Maximum Building Height: 13.5 m
- Maximum Lot Coverage: 40%

The text to the zone provisions for the C2 zone states:

- i) No open storage shall be permitted



- ii) Where a Restaurant – Outdoor Patio is provided in association with a restaurant, the patio may be located in any yard, but not within a required yard.
- iii) Total commercial space on any lot in the C2 and C2A Zones is limited to a gross leasable area of not more than 7,500 square metres (80,700 square feet).

Ontario Regulation 153/04 – Records of Site Condition

According to Ontario Regulation 153/04, a Record of Site Condition must be filed prior to a change in property use from commercial or industrial to residential. A Record of Site Condition summarizes the environmental condition of a site and contains certain statements that the site is suitable for the intended use. The Record of Site Condition must be filed before construction (not before zoning). Since the proposed use includes a type of residential use ie a seniors' residence, a Record of Site Condition will be required to be completed and filed prior to this use proceeding.

Rationale for Official Plan and Zoning By-law Amendments

It is requested that the land use designation for the subject property be amended from Industrial to Commercial within Schedule "A" to the Official Plan for the City of Brockville. The purpose of this amendment is to permit the development of a family health centre with associated accessory commercial uses as well as an overnight medical care facility.

The Zoning Amendment requested for the subject property would rezone the lands from M1 – Industrial Park to a site-specific C2 – General Commercial. The purpose of the site-specific zone is to add a senior citizens dwelling, community health and resource centre and respite care to the list of permitted uses. New definitions are also proposed to be added to the Zoning By-law in order to provide clear guidance on the type of facilities being proposed.

The Official Plan and Zoning By-law amendments are considered reasonable and appropriate for the subject property for the following reasons:

1. Consistent with existing land use pattern

The subject site exists within Planning District No. 9, a geographical planning district defined within the Official Plan. The Plan identifies District No. 9 as the major industrial location within the City. The large majority of land in District No. 9 is designated Industrial with a smaller portion of the lands in the southern area of the district designated Commercial. While the subject lands are currently designated Industrial, they are located within the Commercial designated portion of the District. An amendment to the Official Plan to designate the subject lands Commercial would not create a land use pattern that is inconsistent with the existing established land use pattern.

In addition, the subject site exists within a block of land that is created by the boundaries of the railway line, Highway No. 401, Ormond Street and Parkedale Avenue. Figure 3 of this report illustrates the northeastern portion of this block is designated Commercial. The development of a commercial use on the subject lands would complement and complete the existing land use pattern within District No. 9 with commercial uses located in the southern portion of the District adjacent to the Highway No. 401 right-of-way.



2. Compatible with adjacent development

The proposed family health centre and the uses allowed in the Commercial General and C2 zones would be compatible with other zoning and land uses in the area, particularly the adjacent plaza and educational facilities (St. Lawrence College) to the north of the subject property.

The subject property is appropriate for the uses proposed because of its size; it is readily accessible by Parkedale Avenue; and, it has good connectivity to the greater community from Highway 401 (North Augusta Road and Stewart Boulevard exits) and Ormond Street. The proposed Official Plan designation will ensure that sensitive uses do not proceed until appropriate noise and site condition studies are completed.

Ministry of the Environment regulations for land use compatibility require separation distances between industrial uses and commercial facilities. The development of an industrial activity on the subject lands would be limited as a result of the separation distance imposed by the existing adjacent commercial use (Commerce Court plaza). A more appropriate development on the subject lands would consist of office or commercial uses.

3. Built form consistent with Official Plan

According to the current Official Plan and zoning, the property is intended to be used for light industrial, retail commercial, office and service uses. The proposed use is similar to these uses but would more appropriately be designated Commercial General to capture the true nature of the development.

Higher-level office/administrative uses are permitted within lands designated Industrial. The Official Plan indicates that freestanding office type buildings are intended to be developed within the industrial district. The proposed development consists of an office style building with an associated over-night care facility. Accordingly, the form of the proposed building is in keeping with the intent of the Official Plan designation for the area.

The proposed development includes an overnight medical care facility. While the Official Plan policies for Planning District No. 9 indicate no new residential uses shall be permitted, hotel/motel uses are permitted on the Commercial lands within the southern portion of the district. The overnight care facility associated with the proposed development is not intended to provide long-term care for clients but rather short-term respite care and overnight accommodation for clients accessing medical care services provided on site. Accordingly, the development of the proposed overnight medical care facility would be consistent with a hotel/motel type of use and could be considered to be in keeping with the Official Plan policies for the Commercial designations within the southern portion of Planning District No. 9.

The proposal is consistent with trends in the area and is a good transition from the St. Lawrence Campus and Brockville Police to the north and west to the plaza and Power Centre commercial uses to the east. The direct effect of the change from Industrial to Commercial for the type of use proposed on the surrounding area due to traffic will be minimal. The aesthetics of the area will be improved with a modern, new building, landscaping, parking and the maintenance of the area in the EPA zone.



4. Proposal recognizes environmental constraints

The subject site is impacted by an environmental constraint to development as illustrated in Schedule "B" to the Official Plan. The floodplain associated with Buells Creek occupies a portion of land reducing the developable area of the site.

The site plan prepared by the applicant recognizes the presence of the watercourse and floodplain and directs development away from these flood-prone areas. In addition, the forested portion of the site exists within the floodplain area. The proposed development will not require the removal of the tree stand which contributes to the conservation of green spaces and wildlife habitat.

As noted earlier, due to the Industrial designation and past use of the property, and the applicant's proposal to include a seniors' residence, a record of site condition will be required prior to any residential use being developed on the site. The seniors' residence would be considered residential, or a sensitive use, according to O. Reg. 153/04.

5. A noise impact study will support the development

The development site is located in close proximity to two potentially obnoxious noise sources, Highway No. 401 and the railway line. The Official Plan requires a noise study to be completed to ensure Ministry of the Environment guidelines can be met with respect to noise occurrences. Before the development achieves final approval, the applicant will conduct a noise impact study that assesses the potential impacts of the highway and railway line. The site plan agreement will include noise attenuation measures based on the findings of the noise report.

Conclusions

The proposed Official Plan and Zoning By-law Amendments represent good planning for the following reasons:

- The proposed development is consistent with the existing commercial designations within the southern portion of Planning District No. 9;
- The proposed development is compatible with adjacent commercial development;
- The form of the proposed building is consistent with the building style intended within the Official Plan for the area;
- The overnight care facility is consistent with the zoning provisions in the area that permit hotel/motel uses;
- The proposed building layout recognizes the environmental constraints on the site;
- A Record of Site Condition will be prepared prior to development of residential uses;
- Noise impacts from the railway line and Highway No. 401 will be assessed and attenuation measures will be included at the site plan stage; and



- The site is readily accessible from Highway No. 401 and local roads for emergency vehicles as well as residents throughout the region;

I look forward to discussing these applications further with you once you have had an opportunity to review the submissions. Please do not hesitate to contact me at 613-542-5454 if you have any questions concerning the applications.

Sincerely,



Margo Watson



Attachments:

1) Conceptual Site Plan

2) Site Plan Rendering

SCHEDULE "D" to REPORT 2009-079-06



Memorandum

File No. D11-340

Date: May 20, 2009

To: M. Maureen Pascoe Merkley
Director of Planning

From: E. J. Jones
Engineering Associate

Subject: Parkedale Avenue, Park Lot 17, Plan 9, Part 1, RP 28R-11781
(east of the CP tracks and west of Commerce Court – 2211 Parkedale Ave.)
Your Files: Nos. 266-86 and D14-135



The Operations Department has reviewed the notice of the proposed amendments to the Official Plan and Zoning By-law to allow the lands located on the south side of Parkedale Avenue, east of the CP tracks and west of Commerce Court -2211 Parkedale Avenue, to be developed for an interdisciplinary family health centre with associated uses to include a senior citizen's dwelling, community health and resource centre and respite care. The following are concerns relative to this proposed site development:

1. Noise from abutting Highway 401, Parkedale Avenue and the abutting Canadian Pacific Railway would not be conducive for senior residents living in this area. Noise mitigation should be part of building design using sound proofing designs and materials.
2. As noted previously, when the developer was requesting approval to expand the parking lot including a bridge crossing the creek for use by the Commerce Court with a future tentative commercial plaza development on this site, access to the site from Parkedale Avenue was recommended to be restricted to left turn in and out due to the close proximity of the CP Railway tracks, creek crossing and the four-lane traffic on Parkedale Avenue.

The restriction of left in and out traffic movements are recommended to be a requirement for development of this site.

On November 9, 2004 City Council passed a resolution 2004-264-11 restricting/prohibiting left out turning movements onto Parkedale Avenue and to discontinue left in turning movements and make any necessary physical modifications to the driveway ramp to preclude such egress.

SCHEDULE "D" to REPORT 2009-079-06

Memo to M. Maureen Pascoe Merkley
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An updated traffic study is recommended due to the proposed use of the site since it appears that the proposed use of the site would generate high traffic volumes in and out of the site which is a concern previously noted and discussed.

3. April 2005 a Stormwater Management Plan was prepared for this site development. As part of the final design of the site, there should be an updated stormwater plan to ensure conformance with the quantity and quality control for the developed area to ensure that the site will be maintained at pre-development levels. CRCA review is recommended.



EJJ:bk

SCHEDULE "D" to REPORT 2009-079-06



CATARAQUI REGION CONSERVATION AUTHORITY
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May 20, 2009

OPA-BR

Sent by Fax and Email

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

Dear Ms. Pascoe Merkley:

**Re: Application for Official Plan and Zoning Bylaw Amendments
Community and Primary Health Care
2213 Parkedale Ave / Buell's Creek**

Staff of the Cataraqui Region Conservation Authority (CRCA) have reviewed the above-noted application for Official Plan and Zoning Bylaw Amendments and offer the following comments. The site was inspected by staff prior to the date of the subject application.

Summary of Proposal

The application involves a proposal to amend the Official Plan designation and zoning to allow the development of an interdisciplinary family health centre with associated uses. The proposed Official Plan amendment would redesignate the lands from Industrial to Commercial/General and would create a new site-specific policy to permit the development of a medical clinic with an associated overnight care facility, senior citizens' dwelling, and other associated uses on the subject lands. The site specific policy would require that the appropriate zoning, with "Holding" provision, be implemented with respect to the residential component of the proposed development. This development would not occur until issues respecting the environmental conditions of the lands and adjacent sources of noise are addressed to the satisfaction of the City.

It is staff's understanding that the current Environmental Protection (EP) designation and zoning will remain in place.



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Ms. Maureen Pascoe Merkley (2213 Parkedale Ave)
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Site Description

The lands are located at the corner of Parkedale Avenue and Ormond Street and are bounded by the Canadian Pacific Railway line to the west and Highway 401 to the south.

In the Official Plan of the City of Brockville, the subject property is currently designated 'Industrial' and is zoned 'Business Park' ('C7'), with a portion along its eastern property line designated and zoned 'Environmental Protection' ('EP'). At this location the subject property contains a section of Buell's Creek, and the EP designation and zoning corresponds to the regulatory (1:100 year) floodplain associated with the creek.

Discussion

The main interests of the CRCA in the proposal are the avoidance of natural hazards (flood risk associated with Buell's Creek) and the provision of adequate stormwater management.

Flooding Hazard

As the submitted Planning Rationale Report states (Fotenn 2009), the City of Brockville Official Plan and Zoning Bylaw prohibit development within areas zoned as Environmental Protection (EP). Section 3.12 of the Zoning By-Law also requires a minimum 5 m setback from the 'EP' zone for the siting of any main building. This zoning corresponds to the 1:100 year flood plain of Buell's Creek. CRCA Planning and Regulations policy also requires a 5 m setback for development and site alteration from the regulatory (1:100 year) flood plain.

The submitted Site Plan (Domus Architects March 02-09) does not identify the 1:100 year flood plain, nor does it demonstrate that the 5 m setback has been met by the proposed siting of development on the subject property. Staff believe there is adequate space to accommodate the proposed development and to meet this setback. This can be confirmed at the time of site plan control when detailed drawings are submitted. Staff request the opportunity to review this application in order to ensure compliance with the CRCA's Regulation controlling Development, Interference with Wetlands and Alterations to Shorelines and Watercourses (Ontario Regulation 148/06), made pursuant to Section 28 of the *Conservation Authorities Act*.

Stormwater Management

A stormwater management report will need to be prepared to establish pre- and post-development flows to ensure that post-development flows do not exceed pre-development flows, to identify the flow path(s) of runoff for both the major and minor events, and to establish how water quality objectives will be achieved. According to Ministry of the Environment guidelines, the level of quality control that will be required will be Level 2,

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"Normal Protection", which corresponds to the long-term average removal of 70% of suspended solids. Staff will need to review this report prior to site plan approval in order to ensure compliance with CRCA Planning and Regulations policies and O. Reg 148-06.

Recommendation

Staff have no objection to the Official Plan and Zoning Bylaw amendments in principle, and thus to approval of the subject application, based on our consideration for natural hazard, natural heritage, and water quality and quantity protection policies. However, Ontario Regulation 148/06 applies to this site, so staff will need to review the associated Site Plan Control application. Please inform this office of any decision made regarding this application.

If you have any questions about our comments, please contact the undersigned at 1-877-956-2722 extension 236, or via e-mail at agummo@cataraquieregion.on.ca.

Yours truly,



Andrea Gummo, MPI
Environmental Planner

cc. Margo Watson, Fotenn Consultants Inc, by email.
Dominic A. Meffe, Domus Architects, by email.