City of Brockville
Council Meeting
Tuesday January 9, 2007, 7:00 p.m.
City Hall – Council Chambers

Notice and Agenda

17.1 (a) REPORT OF THE COMMITTEE OF THE WHOLE IN CAMERA

17.1 (b) MAYOR’S REMARKS

17.2 DISCLOSURE OF INTEREST

17.3 ADOPTION OF COUNCIL MINUTES
Nil

17.4 (a) MOTION TO MOVE INTO COMMITTEE OF THE WHOLE COUNCIL

17.4 (b) CORRESPONDENCE, COMMUNICATIONS AND PETITIONS
Nil

17.4 (c) DELEGATIONS
Nil
17.4 (d) **STAFF REPORTS**

2007-001-01
SITE PLAN CONTROL APPROVAL M. PASCOE MERKLEY
119 WATER STREET DIRECTOR OF PLANNING
OWNER: BROCKVILLE MOORINGS CORPORATION
AGENT: STANLEY LEVINE FILE: D11-366

RECOMMENDED

1. THAT Site Plan Approval be granted for a ten (10) storey condominium apartment building with ninety (90) residential units and associated parking on lands with municipal address 119 Water Street West, City of Brockville, said development to be in accordance with the following drawings:

   I. SITE PLAN & FLOOR PLANS – APARTMENT BUILDING FOR BROCKVILLE MOORINGS CORPORATION, Issued by Liff & Tolot, Project No. 0612, Drawing No A1, July/06 as revised.

   II. SITE GRADING PLAN – THE MOORINGS, Issued by Eastern Engineering, Project No. 3183, Drawing No 1, July 20/06 as revised.

   III. GRADING PLAN – THE MOORINGS APARTMENT PROJECT, Issued by ALTORIO DESIGN CONSULTANTS, Project No. 206-019-06, Drawing No L1, May 2006 as revised.

   IV. SERVICING PLAN – THE MOORINGS, Issued by Eastern Engineering, Project No. 3183, Drawing No 2, July 20/06 as revised.

   V. CUT AND FILL – THE MOORINGS, Issued by Eastern Engineering, Project No. 3183, Drawing No 3, July 20/06 as revised.

   VI. LANDSCAPE PLAN – THE MOORINGS APARTMENT PROJECT, Issued by ALTORIO DESIGN CONSULTANTS, Project No. 206-019-06, Drawing No L1, May 2006 as revised.

   VII. EAST ELEVATION – APARTMENT BUILDING FOR BROCKVILLE MOORINGS CORPORATION, Issued by Liff & Tolot, Project No. 0612, Drawing No A7, July/06 as revised.
VIII. EAST AND SOUTH ELEVATIONS – APARTMENT BUILDING
FOR BROCKVILLE MOORINGS CORPORATION, Issued by Liff & Tolot, Project No. 0612, Drawing No A7, July/06 as revised.

IX. WEST AND NORTH ELEVATIONS – APARTMENT BUILDING
FOR BROCKVILLE MOORINGS CORPORATION, Issued by Liff & Tolot, Project No. 0612, Drawing No A8, July/06 as revised.

X. SOUTH/NORTH SECTION – APARTMENT BUILDING FOR
BROCKVILLE MOORINGS CORPORATION, Issued by Liff & Tolot, Project No. 0612, Drawing No A9, July/06 as revised.

2. THAT for purposes of parkland dedication, following completion of construction and installation of landscape features, the Owner convey to the City of Brockville the land and walkway contiguous to but not including the shoreline stabilization elements along Buell Creek, as a connecting link along the Brock Trail.

3. THAT a By-law be adopted pursuant to Section 36 of the Planning Act, R.S.O. 1990 to remove the “H2” holding symbol on lands with municipal address 119 Water Street West.

17.4 (e) REPORTS BOARDS AND COMMITTEES

Nil

17.4 (f) NEW BUSINESS – REPORT FROM MEMBERS OF COUNCIL

DISSOLUTION OF ELECTORAL WARDS
COUNCILLOR BAKER

RECOMMENDED

WHEREAS the City of Brockville held a referendum question on the 2006 Municipal Election ballot that read:

"Do you support replacing the existing three ward system with an at large system for electing Councillors?

(Recommendation continued on the next page.)
WHEREAS the results of that reference question, although not binding due to voter turnout being less than 50%, still displayed a clear desire to change the way municipal elections are held in the future;

IT IS THEREFORE RECOMMENDED that the City of Brockville dissolve the current three ward system for election city councillors, where three candidates are selected from each of the East, Centre and West wards; and

IT IS ALSO RECOMMENDED THAT the City of Brockville introduce for the 2010 municipal election an at large system where the Mayor and nine councillors will be elected from a city wide list of candidates and where every eligible elector chooses from the same ballot containing the same list of candidates; and

FURTHER that a by-law be passed by City Council to dissolve the existing wards, that if passed would come into force at the next regular election scheduled for November 2010; and

THAT until the next regular election, the existing three ward system, under which this council was elected, would be respected.

17.4 (g) MOTION TO RETURN TO COUNCIL

17.5 ADOPTION OF REPORT OF THE COMMITTEE OF THE WHOLE COUNCIL

17.6 UNFINISHED BUSINESS

17.7 EMERGENCY BUSINESS

17.8 BY-LAWS (see attached Page No. 5 )

17.8 (a) CONFIRMATORY BY-LAW
17.9 MAYORS ANNOUNCEMENTS

Next Regular Council meeting January 23, 2007

17.10 MEDIA QUESTION PERIOD

17.11 ADJOURNMENT
17.8 BY-LAWS TO BE PRESENTED TO COUNCIL, JANUARY 9, 2007

001-2007 By-Law to Remove Certain Lands described as Part of Lots 126 and 127, Plan 331, being Parts 3, 4, 5, and 6, on Reference Plan 28R5106, City of Brockville, County of Leeds, being Pin 44183-0131, from Part Lot Control (812 and 816 MacOdrum Drive)

By-law to confirm the proceedings of the Meeting of Council held on January 9, 2007.
December 20, 2006
REPORT TO BROCKVILLE CITY COUNCIL - 09 JANUARY 2007

2007-001-01
SITE PLAN CONTROL APPROVAL
119 WATER STREET WEST
OWNER: BROCKVILLE MOORINGS CORPORATION
AGENT: STANLEY LEVINE
FILE: D11-366

M. PASCOE MERKLEY
DIRECTOR OF PLANNING
K. RHODENIZER
PLANNER II

RECOMMENDATION:

1. THAT Site Plan Approval be granted for a ten (10) storey condominium apartment building with ninety (90) residential units and associated parking on lands with municipal address 119 Water Street West, City of Brockville, said development to be in accordance with the following drawings:

I. SITE PLAN & FLOOR PLANS – APARTMENT BUILDING FOR BROCKVILLE MOORINGS CORPORATION, Issued by Liff & Tolot, Project No. 0612, Drawing No A1, July/06 as revised.

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X. SOUTH/NORTH SECTION — APARTMENT BUILDING FOR BROCKVILLE MOORINGS CORPORATION, Issued by Liff & Tolot, Project No. 0612, Drawing No A9, July/06 as revised.

2. THAT, for purposes of parkland dedication, following completion of construction and installation of landscape features, the Owner convey to the City of Brockville the land and walkway contiguous to but not including the shoreline stabilization elements along Buell Creek, as a connecting link along the Brock Trail.

3. THAT a By-law be adopted pursuant to Section 36 of the Planning Act, R.S.O. 1990 to remove the "H2" holding symbol on lands with municipal address 119 Water Street West.

ORIGIN:

An Application for Site Plan Approval has been submitted by Stanley Levine on behalf of Brockville Moorings Corporation, owner of the lands with a municipal address of 119 Water Street West, located at the southwest corner of Water St. W. and Henry St. A plan showing the location of the subject property in relation to surrounding streets has been attached as Schedule “A” to this report.

The Application is for one (1) condominium apartment building with ten (10) stories, ninety (90) residential units and associated parking.

Also, the attached letter (Schedule “B”), requesting the removal of the Holding Symbol for the property has been received from Stanley Levine on behalf of the owner Brockville Moorings Corporation.

ANALYSIS:

Site Plan Approval

The Moorings Project is a complex development located along the City’s waterfront. The subject property has a total area (not including water lot) of 4419.55 m² (47,573.2 ft²) / 0.44 hectares (1.09 acres) and currently is a vacant lot.
The developer and the Planning Department have worked closely to ensure that the development meets all the requirements of the review agencies and departments. The original application was received in the Planning Department on August 4, 2006. More than two submissions have been received as the project's design has evolved.

For convenience, reduced Site Plan, Site Grading, Servicing, Landscape and Elevation drawings have been attached as Schedules "C-1" to "C-7" respectively to this report. A larger set of drawings for the proposed development may be viewed in the Planning Department and shall be available at the time of presentation of this report to City Council.

The proposal is for a ten (10) storey, ninety (90) unit condominium apartment building. As indicated on the Elevation drawings, the façade of the building will consist of manufactured stone veneer with grey and beige tones for the ground to second floor, and a masonry veneer of grey and beige will be used for the third floor and up.

There will be three (3) levels of parking. The developer is proposing to provide 2 storeys of covered parking with the third storey being open. One hundred and fifteen (115) parking spaces are being provided including one (1) barrier free parking space.

A significant component of the project's design has involved meeting the requirements of the Cataraqui Region Conservation Authority (CRCA), as the property is bordered by the St. Lawrence River and Buell Creek. More than half of the project is located in the floodplain, therefore the developer is required to compensate for the flood storage which will be lost during full buildout of the proposed development. Furthermore, adjacent to the development, Buell Creek will be dredged, and the developer is aware that approvals are required from the CRCA to ensure that all of the CRCA's requirements are met and impact on fish habitat is minimized.

While ultimately the site will be graded to the satisfaction of the CRCA and City, and shoreline stabilization will be completed, a significant element of the development process involves preparing the site for residential development and use. Given the historical activities on the site, and given the environmental regulations which must be applied to ensure that the site is suitable for residential use, remediation must take place. The developer has opted to remove all non-compliant soil so that a Record of Site Condition can be prepared, which is required prior to the issuance of a building permit. The challenge with the remediation process is the site's proximity to Buell Creek. On this matter, the developer has worked closely with the CRCA to understand all of the issues and regulations to be met.

A detailed landscaping plan has been prepared for the site, which addresses the ecosystem along the creek, to be reinstated to create a man-made yet "natural" post-
development environment. The landscaping plan establishes the plantings to be installed, providing the site with approximately 38 planting assortments including perennials, shrubs, deciduous trees and coniferous trees.

An integral part of this plan is the proposed walkway along the creek through the site which will connect the Brock Trail from Henry Street to the bridge located behind the Shepherd Grist Mill. This walkway has a minimum width of 1.83 m (6 ft) throughout the site and will be constructed with asphalt.

As per By-law 264-85 (Conveyance of Parkland or Cash-In-Lieu thereof upon the Development or Redevelopment of Lands within the City of Brockville), the developer of the Moorings is required to convey to the City 5% of the land proposed for development for parkland or pay to the City money to the value of the land otherwise required in lieu of such parkland dedication. It is recommended, following completion of construction and installation of landscaping elements by the Developer, that the City accept the conveyance of the land and walkway to complete this link along the Brock Trail for the benefit of the public. The Owner will in the future continue to be responsible to maintain the capital improvements including the walkway. However, winter maintenance would not fall under the Owner’s responsibility. These details have been specified in the Site Plan Control Agreement.

The owner has also agreed to build a curb faced sidewalk on the west side of Henry Street from the entrance of the building to Water Street, then along the south side of Water Street to the westerly edge of the property. The City will continue the sidewalk from the Moorings property to the stop sign at the John Street intersection, a distance of approximately 13 m. A cross walk across Water Street will be provided to create a pedestrian linkage from Henry Street to John Street. This component of the project meets with the approval of BMAAC (Brockville Municipal Accessibility Advisory Committee).

The Site Plan Control Agreement has been prepared for review and execution by the Owner.

**Removal of the “H2” Holding Symbol**

An excerpt from Plate “A” to Zoning By-law 194-94, attached as Schedule “A”, indicates the location of the property and the current zoning, being H2-R9-X2-3 – Multiple Unit Site Specific Zone.

The “H2” Holding Symbol which is in place before the R9-X2-3 Zone represents a Special Design Features Holding Zone. Council may remove the H2 - Holding Symbol, once the public access features along the waterfront have been incorporated into the design of the
development. In this case, the owner has incorporated a public walkway along the creek connecting the Brock Trail from Henry Street to the bridge located behind the Shepherd Grist Mill.

With Site Plan Approval for this project, it is appropriate for Council to remove the "H2" Holding Symbol, so that development can proceed. The owner has been so advised as required under Section 26 of the Planning Act.

FINANCIAL IMPLICATIONS:

The applicant is responsible for all costs associated with development of the site, which includes ongoing maintenance of the capital improvements, including the walkway on land which will ultimately be conveyed to the City. Additionally, all legal and survey costs associated with the conveyance to the City of the walkway and lands thereon are the responsibility of the Owner.

M. Pascoe Merkley
Director of Planning

B. Casselman
City Manager
Schedule "A"
Report 2007-001-01
December 8, 2006

Kelly Rhodenizer
Planning Department
City of Brockville
One King Street West
Brockville Ontario, K6V 7A5

Dear Ms. Rhodenizer;

Re Removal of Holding Designation
The Moorings, Water and Henry Streets

This is to confirm our request that the Holding Designation applied to our site at 119 Water Street Brockville be removed at this time together with the "H" Symbol that indicates it in the City's Zoning By-Law.

Thank you for your assistance with this matter.
Yours very truly
Brockville Moorings Corporation

Pey: Stanley Levine

BROCKVILLE MOORINGS CORPORATION
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43 Okanagan Drive Ottawa, Ontario, K2H 7E9
613-826-1040 (O) 613-828-6326 (F)