
Schedule "E" to Report 2017-097-09

~~circulated to property Owners within 120.0 metres (400.0 feet) of the subject property and various Agencies and Departments. In addition, signs were posted on the subject property advising that the lands are the subject of an Application for Amendment to the City of Brockville's Official Plan and Amendment to City of Brockville Zoning By-law 050-2014.~~

Councillor LeSueur, Chair, asked that any person wanting further Notice of the passage of the proposed amendment should give their full name, address, e-mail and postal code to the Secretary prior to leaving the meeting. Councillor LeSueur identified that "Request for Information Sheets" were located at the back of the room.

Councillor LeSueur reviewed the procedures for the Public Meeting.

A. McGinnis provided an overview of the proposed amendment to the Official Plan and amendment to the Zoning By-law.

Councillor LeSueur asked who will be paying for the servicing of the lots. A. McGinnis replied that it is his understanding that this is a cost to the applicant.

Dave Annable of Annable Designs who is the Agent for the application offered details about the plans for two single detached dwellings.

No persons were in attendance at the meeting to speak against the application.

The meeting adjourned at 6:46 pm.

~~No person completed the Request for Information form.~~

The Chair called the meeting to order at 6:47 pm.

3. 2017-050-05
Proposed Amendment to the Official Plan
and Amendment to Zoning By-law 050-2014,
Draft Secondary Plan for the Brockville
Employment Lands (Parkedale Avenue West,
Stewart Boulevard and Victoria Road), City of Brockville

Moved by: Councillor Baker

THAT Report 2017-050-05 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.

CARRIED

Councillor LeSueur, Chair, introduced the Public Meeting and read from the prepared required comments.

J. Faurschou announced that Notice of the Public Meeting was advertised in the Brockville Recorder and Times Newspaper on April 6, 2017 and was circulated to property Owners within 120.0 metres (400.0 feet) of the subject property. Notice was sent to various Agencies and Departments. Also a Public Open House was advertised and held on April 5, 2017 at the Brockville Memorial Centre. Signs were posted on the subject property advising that the lands are the subject of an Application for Amendment to the City of Brockville's Official Plan and Amendment to Zoning By-law 050-2014. E-mails were sent to those who had previously expressed interest in receiving additional information, reports and notice of meetings. Letters were hand delivered to local addresses and mailed to those with out of town addresses, for those parties who had previously expressed interest in receiving additional information, reports and notice of meetings but who failed to provide an e-mail address.

Councillor LeSueur, Chair, asked that any person wanting further Notice of the passage of the proposed amendment should give their full name, address, e-mail and postal code to the Secretary prior to leaving the meeting. Councillor LeSueur identified that "Request for Information Sheets" were located at the back of the room.

Councillor LeSueur reviewed the procedures for the Public Meeting.

J. Faurschou provided an introduction to the report and then introduced Greg Bender from the MMM Group who provided a visual presentation addressing the background and overview of the Brockville Employment Lands and the proposed amendments. J. Faurschou completed the introduction of the Matter before the EDP Committee.

Councillor LeSueur stated that they will hear all the questions first then Greg Bender will respond to them all at once.

Greg Bender offered to respond to as many questions as possible, but did not want to detract from the Planning Departments process of responding in a formal manner.

Emily Snowden of 3126 Parkedale Avenue explained that she had just bought this house on Parkedale and wondered if there would be an increase in traffic. She also asked about special habitat lands behind her property. Jonathan Faurschou noted that the Clerk does not record the meeting minutes verbatim and as such to ensure accuracy, asked her to submit something formal in writing to his office so they can keep track of enquiries, and he will respond to her in writing.

Garth McGill of 3162 Parkedale Avenue introduced Mr. Michael Wright of Wright Consulting Services who will speak on behalf of "Citizens for Progress without Hardship" (CPH). Michael Wright circulated and reviewed a "Planning Statement" he authored. Some points Michael singled out were the buffer area from the landfill, status of the landfill, development of lands abutting the Trans Northern Pipeline, the golf course being deemed "Future Employment", MOECC concerns/issues, whether the MMAH was circulated and if so the status of MMAH comments, inconsistencies in numbers in background reports, inconsistencies with OP policies.

Garth McGill of 3162 Parkedale Avenue read from a prepared comment sheet, a copy of which was provided to the Clerk.

Rani Tolton of 2525 Victoria Road submitted a petition containing 138 signatures. She wondered if the buffer around the landfill had been officially reduced from 500m to 30m by the MOECC? R. Tolton asked if the hydrogeological study was complete and if not, why not. R. Tolton questioned the validity of the traffic study and various numbers and calculations used in the background studies. R. Tolton gave an opinion on the City decision in the past to use a "pristine" creek and wetland for a landfill and her opinion that the City has been aware of issues associated with the former landfill site. R. Tolton questioned why Council is even considering use of the lands for development. R. Tolton suggested lack of clarity in the process and suggested there was potential pecuniary interest for individuals in seeing the process completed.

Anne Clapperton of 110 Victoria Road asked why the Brockville Employment Lands have been proposed for the west side of the City. She suggested generally industrial areas are located on the east side of cities as normal winds go from the west to the east. She asked if lands which were located in the Township of Elizabethtown-Kitley were considered for the development.

She also asked what public consultation will take place when it comes time to actually develop the lands.

In response to Mr. Wright, Greg Bender explained that the golf course lands are being brought into the urban boundary. Mr. Bender explained that although the Official Plan identified the golf course lands as protected for future employment, it does not mean that they are being looked at for development right now. An Official Plan has a horizon of 20 years.

Greg Bender explained that the City has received correspondence from the MOECC supporting reduction of the buffer to 30 m but no final decisions have been made. He confirmed that Trans Canada Pipelines do require setbacks from their infrastructure and they are a stakeholder. He believes the City may have received their comments.

Greg Bender said the site would have to be development-ready and a groundwater study done, but it is up to the City as to when that would be done. He deferred the balance of the questions to City staff in order that they may deal with them in a formal manner.

In regard to the use of projections, Greg Bender stated that projections rely on the data available at the time the projections were undertaken. He has yet to see projections that are 100% accurate. He added that they are to be used as a guide and they need to be updated as studies are undertaken and Official Plans are updated. Greg Bender stated that they would review the numbers in the background studies to ensure they are consistent.

Jonathan asked that anyone with concerns or questions submit them in writing to the Planning department to ensure accuracy and so that they may be properly reviewed.

Councillor Baker spoke about the environmentally protected lands and stated that at this time the City is not allowed to develop those lands, but should that ever change he would be in favour of developing those lands. Councillor Baker provided the background and history on the purchase of the Mitchell house and land. Councillor Baker identified the lack of large lot vacant land within the City limits and explained that as Brockville has a limited land area, infill is the path which is left for new development. The current public process is the way for the City to maximize the usable land in the City.

Mel McKay of 3118 Parkedale Avenue stated that they had bought their home 16 years ago as a future place to live out their retirement, now they could potentially have industry in front and behind their home.

Councillor LeSueur, Chair, reminded those present that any person wanting further Notice of the passage of the proposed amendment should give their full name, address, e-mail and postal code to the Secretary prior to leaving the meeting. Councillor LeSueur identified that "Request for Information Sheets" were located at the back of the room.

The meeting adjourned at 7:57 pm.

The Request for Information Sheets are on file in the Clerk's Office.



**Planning Statement Of
Wright Consulting Services
As Authored By:**

**Michael Wright
Principal Planner**

Prepared for:

**Citizens for Progress without Hardship
Brockville Ontario**

May 2, 2017

Table of Contents

	Pages
1. Project Overview	3
2. Review of Affected Land Use Documents And Compliance Issues	3-5
3. Professional Opinion	5-6

Section 1.0 Project Overview

The City undertook a study entitled "Employment Lands Review" which identified a need for employment land, particularly large parcels of land. To implement this study, a Secondary Plan was undertaken for lands in the City's northwest quadrant.

It was noted that this area was the last remaining developable land which could accommodate large-scale development.

Section 2.0 Review of Affected Land Use Documents and Compliance Issues

2.1 Provincial Policy Statement (2014)

Section 1.3.1 of the PPS asks that the City promote economic development by "providing opportunities for a diversified economic base and maintaining a range of suitable sites for employment uses which support a wide range of economic activities and ancillary uses" [1.3.1 (b)]. In this instance, a portion of the subject lands is being designated as General Employment.

2.2 The Planning Act

Section 3(5) of the Planning Act (Appendix 3) asks that a decision of Council shall be consistent with the policy statements issued under subsection (1). In this respect, Council is to embrace the policy of its Official Plan regarding planning matters, and in this instance, introduce Section 4.7.4.4 – Northwest Employment Area to Section 4.7.4 – Site Specific Policy Area.

2.3 City of Brockville Official Plan

The Official Plan does not designate the subject site as Employment Area as depicted on Schedule 'B' of the Official Plan. An Amendment to the Official Plan is required to allow a wide range of land uses dedicated light industrial uses, ancillary retail and commercial uses and accessory uses directly related to the permitted uses. The Official Plan through the adopted and approved official plan amendment will provide direction in determining the zoning by-law which will describe the Employment Area to be created.

The Employment Land Review discussed features such as the golf course, the City's former waste disposal site, the presence of the Trans Northern Pipeline route and a substantially vegetated site as an attribute for future development.

Several studies were undertaken to support the proposal that a secondary plan be prepared to identify those areas to be designated as General Employment in the Secondary Plan and subsequently zoned as such in a zoning by-law amendment.

Review of the reports, subsequent correspondence by the affected agencies and the secondary plan and zoning by-law amendment raise the following observations:

1. The City's zoning by-law (3.48) states that no development or redevelopment occur on a lot abutting the pipeline without the written consent of Trans-Canada. This may require a setback from the pipeline. No such consent to the knowledge of the writer has been obtained.
2. The presence of the landfill site and the ECA Certificate asks that a 500m buffer be in place. MOECC Guideline D-4 discusses this matter in greater detail and states that the Certificate has not been amended to reduce the setback to 30 metres.
3. The statement "access to Highway No. 401" is misleading in that no such access is available to the proposed employment area.
4. It is understood that 37 acres or thereabouts have been described "endangered species habitat", would be removed from the developable area.
5. An additional 47 acres or thereabouts have been classed as environmentally sensitive, again reducing the developable area.
6. The golf course has been deemed "Future Employment" – is this feasible?

2.4 City of Brockville Zoning By-law No. 050-2014

To implement the Secondary Plan, an amendment to the City's zoning by-law is necessary. A review of the proposed zoning by-law amendment found inconsistencies as to the designation (Park and Open Space Area) and the implementing zoning by-law amendment (Environmental Protection).

It is suggested that the "Park and Open Space" designation implies a significantly different use from the Environmental Protection zone found in the zoning by-law.

3.0 Professional Opinion

Having visited the site and the surrounding properties as well as reviewing the abovementioned studies and Site Plan, the writer undertook to review the various land use documents to determine if the proposal met and satisfied the policy contained therein.

To summarize, it is necessary that several agencies such as CRCA, MOECC and MNR need to be satisfied that the proposal meets their policy, guidelines and legislation. This is directed to the environmentally sensitive areas, endangered species habitat, the landfill buffer area and reduction(?) and surface groundwater issues.

The Ministry of Municipal Affairs and Housing should submit their comments on the proposed amendments and their compliance with provincial policy (PPS 2014).

Why was there no examination as to expansion in the north-east quadrant?

A review should be undertaken to ensure that the policy and land designations are consistent with what is proposed in the implementing zoning by-law amendment.

Should abutting uses such as the golf course be considered for future development if such is not to happen soon or not at all?

It should be noted that the City of Ottawa undertook an employment lands review as to the existing situation. It was felt that there was a surplus of such lands within the environs of the City. The outcome was that the employment market has changed in eastern Ontario and that large parcels of land within some of the industrial parks was considered surplus and, therefore removed.

Thus, it is the writer's opinion that the proposal does not meet the tests and policy found in the City of Brockville's land use documents (official plan and zoning by-law) and should not be approved as submitted.

Respectfully Submitted

Per:

WRIGHT CONSULTING SERVICES

A handwritten signature in black ink, appearing to read "M. Wright", written over the printed name.

Michael Wright
Principal Planner

G. Michael Wright

CURRICULUM VITAE

EDUCATION: McMaster University, B.A. (Hons.), Geography, 1970
University of Ottawa, Graduate Studies (Geography), 1974

PROFESSIONAL QUALIFICATIONS: Eligibility for Membership in the Canadian Institute of Planners

PROFESSIONAL EXPERIENCE:

2000 TO 2107 **Wright Consulting Services**
President and Principal Planner

- **Principal Planner** involved in the development of private sector projects such as residential subdivisions, commercial sites, residential infill projects and industrial re-use projects (HABUs);
- **Project Planner** responsible for the preparation and submission of technical information for approval of landfill sites for private sector clientele;
- **Project Director** for site plans and approval of aggregate licenses for private sector clientele;
- **Expert Witness** at provincial tribunals on behalf of public and private sector clientele on matters such as aggregate licenses, landfill sites, official plan policy, zoning by-laws, residential subdivisions, residential infill projects and appeals from Committee of Adjustment and Land Division Committee and Council decisions on behalf of public and private sector clientele;
- **Principal Planner** responsible for the acquisition of land use permits from Crown agencies for private sector clientele.

1996 to 1999 **Cumming Cockburn Limited [now IBI]**
Director of Planning (Ottawa)

1991 to 1996 **Cumming Cockburn Limited [now IBI]**
Senior Planner (Ottawa)

- **Project Director** responsible for the co-ordination of municipal planning programmes involving the review and approval of subdivision, business parks, industrial parks and commercial development on behalf of municipal clientele;
- **Project Co-Ordinator** responsible for the preparation and submission of technical documentation and planning reports for municipal landfill sites;
- **Expert Witness** at provincial tribunals in behalf of public and private sector clientele on urban and rural planning issues such as country lot subdivisions, landfill sites, pits and quarries licenses, HABUs sites, land assembly sites, official plans, secondary plans, zoning by-laws and appeals from Committee of Adjustment, County Land Division Committee and Council decisions;
- **Project Planner** for the preparation of municipal land use planning documents inclusive of official plans, secondary plans, zoning by-laws, site plan agreements, development charges and general advisory services to municipal Councils and Committees.

1987 to 1991

**G. M. Wright & Associates Limited
President and Principal Planner**

- **Principal Planner** involved in the co-ordination of municipal planning programmes on behalf of municipal clientele;
- **Project Planner** involved in the preparation of official plans, zoning by-laws, secondary plans, subdivision and site plan agreements, development charges by-laws and housing policy statements for municipal clientele;
- **Project Planner** involved in the design, submission and approval of country lot subdivisions for private sector clientele in Eastern Ontario;
- **Expert Witness** at provincial tribunals on behalf of private and public sector clientele regarding rural planning issues such as official plans, zoning by-laws, pits and quarries licenses, landfill sites, among others;

1981 to 1987

**W. D. Buchanan Limited
Senior Planner**

- **Project Planner** responsible for processing of residential, commercial and industrial projects on behalf of private sector clientele in Eastern Ontario;
- **Project Planner** responsible for the preparation of municipal land use planning documents inclusive of official plans, zoning by-laws, site plan and subdivision agreements and housing policy statements;
- **Project Planner** to provide land use planning advisory services to public and private sector clientele;
- **Expert Witness** at provincial tribunals on land use planning issues for public and private sector clientele.

1980 to 1981

G. M. Wright, Planning Consultant (Ottawa)

- **Project Planner** for northern native community development plans in Northern Ontario and Northwest Territories.

1974 to 1979

**J. L. Richards & Associates Limited
Senior Planner**

- **Project Planner** involved in the municipal and federal land use planning projects in Eastern Ontario and Northwest Territories.

1970 to 1972

Environment Canada

- **Project Planner** involved in river basin land use planning projects and oil and gas development throughout Western Canada and the Northwest Territories.

Back in September 2015 in front of a group of adjacent industrial park property owners, Mayor Henderson stated ***“If the city does a good job of mitigation” then loss of property values should not be an issue*** and ***“the process will identify the items and determine most cost effective mitigation” for items of concern - noise abatement (similar to those along 401), berms and tree barriers.***

At the same meeting the City manager said in response to “Are you going to provide City water if something happens to the wells/septic systems as a result of the business park”, with ***“if something should happen the City would have to assess its level of liability”.***

From the proposed draft by-law and Official Plan amendments we now learn reality! Words and actions don't always match. The end result: means residents living around the north-west industrial park will not have noise abatement, berms or buffer areas adjacent to their back yards. It seems the City has abandoned their words of assurances in favour of maximizing space leaving residents exposed to the hardships of many things such as parking lots with idling diesel trucks/reefer refrigeration units and back up beepers or stacks of outside storage right next to their back yards. There is no transitional zones, no buffers, no mitigation to protect property values.

As well the amendments allows the City to skip out of any requirements to conduct groundwater testing to access the risks to local residents who rely on domestic wells. The Mayor's statement “if the City does a good job of mitigation”...has a very hollow ring.

From City resident's perspective there is a very dangerous precedent being set here. Anyone close to any open vacant former commercial or industrial land could end up with the same disregard of citizens rights. Good planning insures transition zones between residential areas/industrial zones. These proposed amendments automatically puts industry and residents at odds.

“It's the right thing, but in the wrong place”, was my observation some 20 months past when hearing of the pending industrial park in the north-west quadrant. Now that prognosis seems to be ringing true, a few of the outstanding items:

- some 47 acres classed as undevelopable and ½ million dollars + wasted and,
- phase 3 (8 acres) on Parkedale is isolated and extremely costly to service (1 million?) and,
- cost unknown to replace habitat of some 37 acres classed as endangered species habitat and,
- incomplete financial forecasting to support financial viability.

Our municipality has little to show for its \$2.4 million invested thus far. How did this happen one might ask? One simple answer might be found in of one of the requirements from the MMM Group Dec 2016, Secondary Report which says the City is required to demonstrate ***“the land is physically suitable for expansion when considering hazard lands and natural heritage”***. With respect to this question recently Mr. Greg Bender MMM consultant was asked: how much of the area had he walked over, the answer was ZERO!

Now - if one concludes that most if not all senior City staff are also at the ZERO level of site suitability investigation the present situation becomes understandable. Site selection on the basis of maps and drive past analysis can be misleading and unreliable.

