



PLANNING ADVISORY/COMMITTEE OF ADJUSTMENT/ PROPERTY STANDARDS COMMITTEE AGENDA

On September 28, 2015 @ 6:00 PM

At Lou Jeffries, Gananoque & T.L.T.I Recreation Centre – 600 King Street East


Item	Title/Description	Recommended Action/ Attachment	Draft Motion
1	CALL TO ORDER		Motion
2	ADOPTION OF THE AGENDA		Motion
3	HEALTH SAFETY & WELLNESS		
4	DISCLOSURE OF PECUNIARY INTEREST & THE GENERAL NATURE THEREOF		
5	PUBLIC QUESTION/COMMENT		
6	MINUTES OF COMMITTEE (ADOPTION)		
	Minutes of August 25, 2015		Motion
7	DEPUTATIONS		
	None		
8	REPORTS/NEW BUSINESS		
	Brenda Guy		
	Development Permit: <div style="display: flex; align-items: center; justify-content: center;"> <div style="text-align: left;"> <p>DP2014/03 Island Harbour (RMP Construction)</p> <p>175 St. Lawrence Street</p> <p>- multi comm/res condominium</p> </div> </div>		Motion
9	CORRESPONDENCE		
	n/a		
10	MEMBERS OF THE PRESS QUESTIONS OR COMMENTS		
11	ADJOURNMENT		



**PLANNING ADVISORY/COMMITTEE OF ADJUSTMENT/
PROPERTY STANDARDS COMMITTEE MINUTES**

On, July 28, 2015 @ 6:00 PM
At Town Hall – 30 King Street East

Item	Title/Description	
1	<p>CALL TO ORDER</p> <p>MOTION No. 2015-10 Moved by: Anne Warren Seconded by: Chris McDonald</p> <p>That Planning Advisory Committee/Committee of Adjustment appoint Brenda Guy as Chair, only for the purposes of conducting the nomination/election of Chair and Vice-Chair.</p> <p>MOTION No. 2015-11 Moved by: Chuck Marquardt Seconded by: Ken Wilson</p> <p>That Planning Advisory Committee/Committee of Adjustment appoint Chris McDonald as Chair and Kevin Wood as Vice-Chair of the Committee</p> <p>Chair: Chris McDonald Members Present: Councillor Brian Brooks Councillor Anne Warren Sheila Burtch Chuck Marquardt Ken Wilson Kevin Wood Absent Members: n/a Staff: Brenda Guy, Manager of Community Development</p>	<p>Carried.</p> <p>Carried.</p>
2	<p>ADOPTION OF THE AGENDA</p> <p>MOTION No. 2015-12 Moved by: Kevin Wood Seconded by: Brian Brooks</p> <p>Be it resolved that PAC/COA hereby adopt the August 25, 2015 agenda as posted.</p>	<p>Carried.</p>
3	HEALTH SAFETY & WELLNESS	
4	<p>DISCLOSURE OF PECUNIARY INTEREST & THE GENERAL NATURE THEREOF Councillor Warren declared pecuniary interest on the minutes of July 28, 2015 reflecting application DP2014/07 due to owning property in the immediate vicinity of the proposed development.</p>	

5	<p>PUBLIC QUESTION/COMMENT</p> <p>Two members of the public were in attendance.</p> <p>Member of the public identified concerns respect to the detail of the minutes of meeting and the recording thereof.</p>	
	<p>MOTION No. 2015-13 Moved by: Sheila Burtch Seconded by: Ken Wilson</p> <p>That Planning Advisory Committee/Committee of Adjustment recommend to Council that Public Comments regarding Waterfront Development should be reflected in the minutes.</p>	<p>Defeated.</p>
6	<p>DEPUTATIONS</p>	<p>None.</p>
7	<p>MINUTES OF COMMITTEE (ADOPTION)</p> <p>Meeting Minutes of July 28, 2015</p> <p>MOTION No. 2015-14 Moved by: Ken Wilson Seconded by: Sheila Burtch</p> <p>That PAC/COA approves the minutes dated July 28, 2015.</p>	<p>Carried.</p>
8	<p>REPORTS/NEW BUSINESS</p> <p>Brenda Guy <u>Development Permit:</u>  SP5/10 912162 Ontario Ltd. (Baril) 162 King Street E</p> <p>Ray Baril was in attendance on behalf of the application.</p> <p>Site Plan approval was issued in July 2010 for an addition at the rear of a commercial building in the downtown core. The applicant further applied for a minor variance to grant relief of setbacks due to an appeal to the Development Permit Bylaw.</p> <p>Unfortunately, the addition was not constructed and the time period outlined in the registered agreement has lapsed. The applicant is now seeking to construct. In order to reinstate the process the agreement on title will need to include an extension. The proposed construction will meet all the requirements of the Development Permit bylaw along with the approved COA decision.</p>	

	<p>MOTION No. 2015-15 Moved by: Ken Wilson Seconded by: Sheila Burtch</p> <p>That PAC/COA approves the extension of the Site Plan Agreement SP5-10 for 912162 Ontario Ltd. (Baril) at 162 King Street East.</p>	<p>Carried.</p>
9	<p>CORRESPONDENCE</p> <p>Accessibility and Health & Safety</p>	<p>Reminder.</p>
10	<p>MEMBERS OF THE PRESS QUESTIONS OR COMMENTS</p>	<p>None.</p>
11	<p>ADJOURNMENT</p> <p>MOTION No. 2015-16 Moved by: Chuck Marquardt</p> <p>That PAC/COA adjourn this regular meeting.</p>	<p>Carried.</p>



Report 2015 –PAC/COA– Community Development

Date: **Tuesday, September 22, 2015** IN CAMERA
Subject: **Island Harbour Club** OPEN COUNCIL
- DP2014-03
Author: **Brenda Guy, Manager of Community Development**

RECOMMENDATION:

It is recommended that the Planning Advisory Committee recommend to Council to approve the application and require the following conditions to be included in the Development Permit:

1. Final Grading and Landscaping Plan be prepared and approved to the satisfaction of the Town and the CRCA;
2. Final Erosion and Sediment Control Plan be prepared and approved to the satisfaction of the Town and the CRCA;
3. Final Floodproofing measures be implemented and approved to the satisfaction of the Town and the CRCA;
4. All necessary permit approval from CRCA under O.Reg 148/06;
5. Record of Site Condition under Ministry of Environment;
6. Cash-in-lieu of parkland be provided with consideration to the public piazza;
7. That the road widening as identified on SP1 be conveyed to the Town.
8. That the current Road Condition and a Road Use Agreement applies during construction to the satisfaction of the Town's Director of Public Works.
9. That the Gananoque Heritage Committee review the peer review by Bray Heritage and recommendations.
10. That signage to recognize the past use of the property as per the Archeological Report be implemented in a format approved by the Town.
11. Provisions in the Condominium Agreement shall include:
 - a. Loading and unloading will occur from Monday to Friday between the hours of 7:00 am and 12:00 pm for a maximum of 15 minutes. Signage to be provided by the condominium corporation.
 - b. The Town reserves the right to sub-lease the parking spaces within their allocated parking with passes.
 - c. Clause shall be placed in the Purchase and Sale Agreements with owners noting the Joel Stone Heritage Park may have events occurring at various times of the year.

- d. Ownership and maintenance of sidewalks on private lands as per Public Works.
- e. Purchase and Sale Agreement clauses for green space, public space and parking be incorporated.

BACKGROUND:

The Town undertook an extensive process to dispose of surplus property at 175 St. Lawrence Street with an Expression of Interest, initiated in 2011.

Four companies submitted an Expression of Interest in which all were invited to the Request for Proposal stage. Out of the four, two companies submitted an RFP to develop the property which included an Open House at the Visitors' Centre, a public meeting and a survey (online and via paper) prior to selection.

As part of the Expression of Interest the Town requested that a number of elements be included in the construction of a commercial/residential structure.

The required elements were as follows:

- Inclusion of green space
- Inclusion of public space
- Complimentary sight lines with surrounding area
- Building and landscaping designs must conform to a minimum LEED Silver Certification or similar environmental standards
- Building and landscaping designs must conform to the zoning requirements
- Creatively address and accommodate the 70 public parking spaces that now exist on the property*

*Please accommodate the parking as it best fits your development concept. The ideal development will be able to accommodate the public parking spots, however all concepts invited to respond to the RFP will be entertained.

Additionally the concept required the following:

- Approximate land use mix (ie: Proportion of retail, restaurants, public destination gathering space, residential etc.)
- Building heights
- Building density
- Type of construction
- Approximate development schedule including timing and phasing expectations

With consideration public consideration and feedback the Town selected the firm of RMP Contracting and Development and entered negotiations for a Purchase and Sale Agreement.

Negotiations began in late 2012 with an accepted agreement being entered into June 12, 2013. The property sale closed on February 25, 2014.

The terms of the purchase and sale agreements included:

- Easement for access to courtyard
- Easement for public use of courtyard
- Parking spaces to a minimum of 65 for a minimum of 75 years with the right to assign, sell or lease the spaces, or any of them, to any person at its sole discretion. If spaces are not available for any reason the Purchaser shall provide alternative/equivalent spaces at Purchaser's cost for the use of the Town

It is noted that the proposal has provided 62 public spaces. Staff held meetings with the applicant on the layout and entrances of the structure over the past year. It was determined that due to water tables and slope requirements the entrances off St. Lawrence Street were the most feasible. Initially it was anticipated that the parking garage would have a residential entrance from Market Street and a Town (public parking) entrance from Kate Street.

Additionally, due to site lines and the various street widths in the area of Kate and St. Lawrence Street in particular, the initial proposal for five units along Market and Kate Street was reduced. This also assisted in comments received from the CRCA for floodplain. In turn, Town Staff further requested road widenings to assist in the minimum road widths, which created relief requirements. Consider and discussion has occurred internally with staff for consideration of a one-way block in this area and a future report will take this into consideration by Public Works Department.

Over the course of negotiations with the applicant, consideration was taken into account that the eventual transfer to a condominium corporation. Conditions have been implemented as a result of communications between the Town and applicant.

INFORMATION/DISCUSSION

Please see the attached report by Planning Consultant Jane Almond, MCIP RPP

APPLICABLE POLICY/LEGISLATION:	Provincial Policy Statement Official Plan Development Permit Bylaw
FINANCIAL CONSIDERATIONS:	n/a
CONSULTATIONS:	Local Agencies – utilities Property owners within 120m of the property Management Team

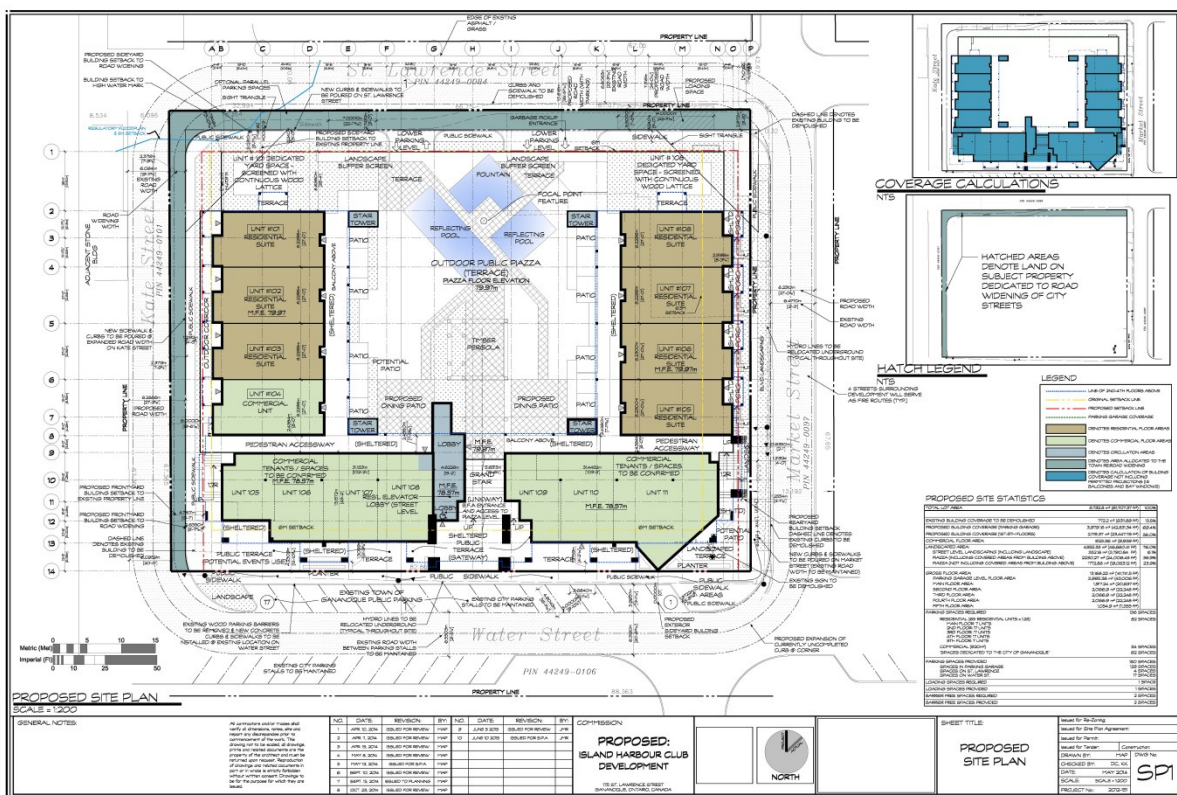
RMP Developments

Class III Development Permit Application

1.0 Project Overview

RMP Developments has applied for a Class III Development Permit in order to construct a mixed use condominium. The lands are locally known as 175 Lawrence Street and legally described as Lots 552 to 554, Plan 167, Lot 546 to 551, West of the Gananoque River, Plan 86 (amended by Plan 92), Town of Gananoque, County of Leeds.

The new building will consist of both commercial and residential uses and will provide a public piazza styled interior landscaped area open to St. Lawrence Street as illustrated in the site plan below. The eight commercial uses are proposed to front on Water Street. Residential uses will total 68.



The property is designated Lowertown in the Official Plan of the Town of Gananoque and designated Lowertown Mixed Use in the Development Permit By-Law. The proposal is a permitted use within the designation of the Development Permit By-Law and encouraged within the Official Plan.

2.0 Provincial Policy Statement

The Provincial Policy Statement, 2014 (PPS) provides direction on matters of provincial interest pertaining to land use matters and all development proposals must be consistent with the policies therein. The statement believes that long term prosperity for the province depends upon a "strong, sustainable and resilient community, a clean and healthy environment, and a strong and competitive economy." The policy statement directs development to settlement areas and protects resources throughout the province.

Section 1.0 of the statement, Building Strong Healthy Communities, stresses efficient development patterns and manages land use by:

- promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- accommodating an appropriate range and mix of residential ... institutional, recreation, park and open space,;
- avoiding development and land use patterns which may cause environmental or public health and safety concerns;
- avoiding development and land use patterns that would prevent efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;
- promoting cost-effective development patterns and standards to minimize land consumption and servicing costs;
- improving accessibility for persons with disabilities and older persons by identifying, preventing and removing land use barriers which restrict their full participation in society;
- ensuring that necessary infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities are or will be available to meet current and projected needs; and
- promoting development and land use patterns that conserve biodiversity and consider the impacts of a changing climate.

In settlement areas land must be made available through intensification and redevelopment and the statement outlines that the vitality of settlement areas are critical to the economic well being of the province. Municipalities are directed to promote a mix of densities of development, intensification and compact form while protecting resources and avoiding hazards. The PPS encourages a coordinated, integrated and comprehensive approach between government and agencies.

Section 1.4 of the statement specifically outlines policies regarding housing and directs development to areas where appropriate infrastructure exists or is planned. The policy statement outlines in the subsequent Sections 1.5 to 1.8, specific aspects of balanced communities and development. Consideration should be given to public infrastructure including parks, open spaces, trails, public service facilities, sewage, water and stormwater treatment, efficient transportation systems and energy supply. Proposed development should not create negative impacts to existing systems and infrastructures and should provide additional long term benefits to the community. Long-term economic prosperity is supported by the stated priorities and directions but also by:

- promoting opportunities for economic development and community investment readiness;
- optimizing the long term availability and use of land, resources, infrastructure, electricity generation facilities and transmission and distribution systems and public service facilities;
- maintaining and, where possible, enhancing the vitality and viability of downtowns and main streets;
- encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes;
- promoting the redevelopment of brownfield sites;
- providing for an efficient, cost-effective, reliable multimodal transportation system that is integrated with adjacent systems and those of other jurisdictions, and is appropriate to address projected needs to support the movement of goods and people;
- providing opportunities for sustainable tourism development;
- providing opportunities to support local food, promoting the sustainability of agri-food and agri-product businesses by protecting the agricultural resources, and minimizing land use conflicts;
- promoting energy conservation and providing opportunities for development of renewable energy systems and alternative energy systems, including district energy;
- minimizing negative impacts from a changing climate and considering the ecological benefits provided by nature;

- encouraging efficient and coordinated communications and telecommunications infrastructure.

The RMP development proposal can be considered to be consistent with the policies of Section 1.0 of the PPS as it will result in the re-development of an existing Brownfield site. The proposed development uses existing infrastructure and will not result in an unplanned or illogical extension of services. It provides public open space and enhances the vitality of the Lowertown and main streets, encourages a sense of place by introducing more residents into the Lowertown area.

Section 2.0, Wise Use and Management of Resources, outlines that development in Ontario must consider "conserving bio-diversity, protecting natural heritage, water agricultural, mineral and cultural heritage and archaeological resources for their economic, environmental and social benefits."

Natural heritage areas must be protected for the long term. Areas adjacent to the rivers in Gananoque have been designated as natural heritage features in the Town's Official Plan. The project will not adversely affect the natural heritage features and is designed to accentuate the natural heritage features of the adjacent lands.

Section 2.2 of the policy statement directs planning authorities to "protect, improve or restore the quality and quantity of water." The applicant has submitted a Conceptual Storm Water Plan and staff has reviewed. [Conditions of Development Permit will be drafted to ensure that sediment load and storm water will equal or improve on pre-development conditions.](#)

The applicant retained Golder and Associates to undertake a Stage I, II III and IV Archaeology Study. Recommendations of the report included recognition of the former owners Mitchell & Wilson. [Staff will recommend some signage to provide acknowledgement of the past use of the property and the contribution to Gananoque's industrial past.](#)

Section 3.0 of the PPS, Protecting Public Health and Safety directs development away from areas that could be potentially hazardous either natural or man-made. Natural hazards include those lands which are subject to the potential of flooding. Portions of the lands are within the 1:100 year floodline and development should be restricted away from these lands. The applicant has consulted with the CRCA and appropriate measures to mitigate erosion issues will be implemented and monitored throughout the development. The applicant has also provided a Wave Uprush Analysis to the CRCA for comment. [Conditions to ensure flood proofing and consistency to the requirements of the PPS will be included as conditions of Development Permit approval.](#)

The lands have also been identified as Brownfield due to past industrial uses and are subject to Environmental Site Assessments. This will result in a Record of Site Conditions that demonstrates that the lands are suitable for residential development.

The completion of a Record of Site Conditions will be a condition of Development Permit.

Comment

The applicant has submitted plans that are appropriate and desirable for the long term prosperity of the community, has protected natural and cultural resources and identified natural and manmade hazards. The proposal can be considered to be consistent with Sections 2.0 and 3.0 of the Provincial Policy Statement 2014.

3.0 Lowertown Study

The Town retained EDA group to study the Lowertown area to create a Master Plan and Implementation Strategy that was approved by Council in 2005. The purpose was to develop a plan that would support economic development and promote the revitalization of Lowertown and result in overall economic benefit to the Town. The goals and objectives of the study include:

- To create an attractive, accessible, and useable waterfront for both local residents and visitors.
- To maintain historical, architectural character and uniqueness in the Lowertown area
- To establish a realistic planning framework and policies to guide future development
- To meet the short and long term interests of the town, businesses, residents, visitors etc.
- To contribute to the legacy and quality of life associated with Gananoque
- To recognize that the development of the Lowertown is of regional as well as local significance and will provide the financial basis for maintaining the vision.

The Vision of the study is to "create a vibrant, year-round, mixed use Lowertown neighbourhood on an active waterfront where people live, work and play. Principles of the study were:

- Protect and enhance existing residential uses
- Encourage new medium density residential uses
- Protect and enhance existing viable businesses
- Encourage appropriate use, street related retail and commercial uses

- Protect and enhance existing recreation , tourism and cultural uses
- Provide opportunities for new water related recreation activities
- Encourage appropriate cultural activities and facilities

The study developed themes for specific areas of Lowertown and the subject lands as having re-development potential within the project matrix.

The study outlined an implementation strategy that included updating the Official Plan, Zoning By-law, completion of a Community Improvement Plan and the adoption of Urban Design Guidelines.

The strategy has been fully implemented with the adoption of the Official Plan 2009, the Development Permit By-law 2010 and the Community Improvement Plan 2012. Consultation and decisions made during the adoption of the higher level planning documents incorporated the recommendations for urban design that were considered important within the Lowertown Study. Previous Zoning standards and provisions remained as they were prior to the development of the Development Permit Bylaw.

Comment

The subject lands were given a high priority within the identified project matrix in the Lowertown Study. The proposal generally meets the objectives outlined within the Lowertown Study as it will re-vitalize Lowertown, provide a public piazza with waterviews, provide new commercial space and incorporates design features as shown in the study.

4.0 Official Plan

Adopted in September of 2009 and approved by the Ministry in 2010 the Town of Gananoque's Official Plan provides guidance and direction while reviewing development proposals and applications. All Council's decisions must conform with the direction of the plan.

Council's vision for the future of Gananoque is to:

"preserve and enhance the Town's unique small town heritage, preserve our historic and environmental character, and provide a high quality of life through a sustainable development pattern."

The Guiding Principles are the core of the plan's policies and the plan specifically identifies that all nine of the principles need to be evaluated against proposals prior to decision making.

The Guiding Principles include:

- We will be dedicated to maintaining and improving Lowertown through the long term implementation of the Lowertown Master Plan.
- The waterfront will be maintained and improved as a community focal point and will be enhanced through balanced, sustainable public and private development.
- We are committed to revitalizing our downtown commercial district as a mixed use pedestrian friendly area while respecting the area's architectural heritage.
- We are committed to preserving and enhancing the quality of our residential neighbourhoods through appropriate housing types, densities and transitions from adjoining land uses.
- We are committed to increasing the number and diversity of employment opportunities in the Town of Gananoque by promoting the rehabilitation of industrial properties and the introduction of a mixed use approach in our employment areas.
- We will plan for a connected system of greenways and parks facilities to serve residents and visitors.
- We are committed to increasing the diversity of arts, cultural and recreational opportunities
- We will protect our natural environment.
- We will ensure public involvement in the planning process to ensure the protection of everyone's property rights.

The Plan provides a planning framework that anticipates "a modest increase in the density and intensity of land use through the redevelopment or re-use of existing vacant or under-utilized buildings and properties." The Plan also outlines that increased density will not result in negative impacts to areas of heritage value or on an existing residential character.

Comment

The proposal has considered the Lowertown Study and the Official Plan and applied many of its' principles. Commercial space is provided within the project and the build out of the project will result in trade jobs while construction is underway and the additional residential units will require supporting service industries for the long term. The waterfront along the Gananoque River will be improved.

The proposed development is within the Lowertown designation which has been the subject of many combined efforts to facilitate its renaissance into a unique mixed use waterfront heritage district. The goal of the plan is to create a "vibrant, year-round, mixed use Lowertown neighbourhood on an active waterfront." Objectives of the designation include:

- Protect and enhance existing residential uses in a mixed use setting
- Encourage new medium and high density residential uses in a mixed use setting
- Protect and enhance existing viable businesses in a mixed use setting
- Encourage rehabilitation and or conversion of vacant industrial buildings
- Encourage appropriate new street-related retail and commercial uses
- Protect and enhance existing recreation, tourism and cultural uses in a mixed use setting
- Provide opportunities for new water-related recreation activities
- Enhance vehicular and pedestrian circulation and orientation
- Encourage appropriate cultural activities and facilities
- Protect and enhance the natural heritage qualities of the shoreline

Plan policies of this section protect natural heritage features and encourage best practices for shoreline protection while re-development occurs. Acquisition of lands for walkway and recreation opportunities is stressed. Re-development of the industrial lands for mixed medium to high density residential uses is prioritized and compatible architectural form will be reviewed when re-development proposals are presented.

Comment

The project proposal has considered these objectives and generally meets the intent of the plan.

As the subject lands are identified as part of the Natural Heritage landscape, Section 3.6 Our Environment - Planning for Sustainability, must be reviewed prior to approvals being granted. The goal of the plan is to preserve and protect these features. Objectives include protection from the negative impacts of development and the preservation of natural heritage features.

The plan also seeks to encourage the preservation of shoreline areas in order to enhance recreational possibilities. [Permits may be required under Ontario Regulation](#)

section 148/06 prior to any development. The CRCA will require this permit as a condition of Development Permit.

The plan outlines that Council may require lands to be dedicated for public access to ensure accessibility to the water. Visual access from the waterfront is considered a priority and development must compliment the natural setting.

Comment

The applicant has consulted with the CRCA and the agency has provided comments and conditions of Development Permit approval. Elevation drawings that have been provided indicate that the new construction is respectful of the cultural heritage of the lands and area.

Section 3.7, Development Constraints- Planning for Public Health and Safety, directs development away from potential hazards both natural and man-made.

The lands are considered a Brownfield due to past activities. Section 3.7.8 requires that an Environmental Site Assessment and site restoration be undertaken according to Ontario Regulation 153/06 and a Record of Site Conditions provided prior to development or land use change. [A Record of Site Conditions will be a condition to Development Permit approval.](#)

Section 4.0, Making it Work - Our Infrastructures, directs that development proposals proceed in a logical fashion and outlines minimum right-of-way widths to be provided. The applicant has undertaken a Traffic Study to research traffic impacts related to the development. The study concludes that no additional traffic signals are required.

Section 4.1.4, Water, Wastewater and Stormwater services requires the need to ensure sufficient capacity in the systems for the development to proceed. Eastern Engineering has undertaken the Stormwater and Site Servicing assessments. Town staff have confirmed there is sufficient capacity for water and wastewater and that the stormwater will be adequately handled.

Comment

The project can be considered to be consistent with the Guiding Principles of the Plan and with the goals and directions as outlined in the Lowertown section of the Town of Gananoque's Official Plan. The proposal addresses Natural Heritage concerns and protects those identified features. In addition, the project will provide additional economic and recreational opportunities, provide connections to the recreational pathways of the Town and respect cultural matters. Servicing will be provided as directed by the Plan and any existing hazards mitigated. Therefore the proposal as submitted can be considered to comply with the policies and directions of the Official Plan of the Town of Gananoque.

5.0 Development Permit By-Law

The property is designated Lowertown Mixed Use and must meet the development standards and provisions within this designation. The property has frontage on St. Lawrence, Water, Kate and Market Streets. A detailed chart outlining all relief required can found in Appendix 1 and a summery is provided below.

Development Permit relief is required as follows:

- Lot coverage to 69% to accommodate the underground parking
- Front Yard Setback to 2.63m
- Exterior Yard Setback to 0m and 3m respectively
- Rear Yard to 1.26m
- Height to 24.16 for the tower
- Loading space/location to 1
- Parking relief (7 spaces)
- Landscaping (functioning front yard)

The Development Permit By-Law defines the front lot line as the shorter lot line abutting a street and when the lot has frontage on a public street and a waterbody the front lot line shall be measured on the street line and on the water side. Due to the definition and the numerous road frontages of these lands, the front lot line is deemed to be on Kate Street (221.03').

Section 4.4, Additional Provisions must be reviewed to ensure that the provisions for condominium development have been met. Garbage must be screened or located within the interior of the buildings and the provision of open space with associated pathways, lighting and common areas is required.

Section 4.5, Design Criteria-Lowertown Mixed Use, outlines elements of design that must considered in order to meet the requirements of the Development Permit: "Priority is given to creative adaptive re-use of existing built forms that acknowledges the past through eclectic design. Architectural interest through the use of exterior cladding materials that complement the cultural heritage of the area is encouraged."

Particular attention is given to the provision of varied facades to ensure interest and character. Streetscapes are considered important and landscaping features along with

the provision for cyclists and pedestrians to gain access to the waterfront is a requirement.

The lands are within the Waterfront Overlay designation that particularly encourages the protection of the water resource and the preservation of viewscape accesses and public usage.

Section 13.4, Design Criteria-Waterfront Overlay, provides direction when reviewing development proposals within or abutting the Waterfront. Development is required to be configured to "facilitate or accommodate waterfront uses and to preserve or enhance natural viewscapes from land and water." The requirements of this section of the by-law direct development to provide:

- consistent streetscape elements both on public and private lands, and
- provide for exterior waterside walkway, and
- a layout designed to flow with the existing topography, and
- buildings should have principle entrances located on street but also include waterfront entrance along the waterfront pathways.

Comment

Originally, the proposal expected that the entire first floor would be commercial but due to marketability it has been amended to include residential uses. If the commercial had continued to remain the setbacks would be compliant for commercial.

The relief required by this proposal is primarily due to the Town's requirement in the purchase and sale agreement of the lands to provide for the lost parking opportunities. At the time of that sale the applicant provided conceptual drawings that outlined the relief required and that proposal was considered to be within acceptable parameters. The development will not exceed height with the exception of the tower in what has been described as the ship's wheelhouse. The applicant has gone to considerable lengths to inventory design elements of adjacent and neighbouring properties and included them in the project. The ship's wheel feature, lookout and flag are a few of these examples.

WATER STREET (SOUTH) ELEVATION
1/10/20

WATER STREET (SOUTH) ELEVATION - COLOR
1/10/20

ISLAND HARBOUR CLUB

A|C|K architects
www.ackarchitects.com

SOUTH ELEVATION

No.	Description	Date
1	PRELIMINARY DESIGN	2018.01.15
2	CONCEPT DESIGN	2018.02.15
3	SCHEMATIC DESIGN	2018.03.15
4	PRELIMINARY DESIGN	2018.04.15
5	CONCEPT DESIGN	2018.05.15
6	SCHEMATIC DESIGN	2018.06.15
7	PRELIMINARY DESIGN	2018.07.15
8	CONCEPT DESIGN	2018.08.15
9	SCHEMATIC DESIGN	2018.09.15
10	PRELIMINARY DESIGN	2018.10.15
11	CONCEPT DESIGN	2018.11.15
12	SCHEMATIC DESIGN	2018.12.15
13	PRELIMINARY DESIGN	2019.01.15
14	CONCEPT DESIGN	2019.02.15

MARKET STREET (EAST) ELEVATION
1/10/20

MARKET STREET (EAST) ELEVATION - COLOR
1/10/20

ISLAND HARBOUR CLUB

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EAST ELEVATION

No.	Description	Date
1	PRELIMINARY DESIGN	2018.01.15
2	CONCEPT DESIGN	2018.02.15
3	SCHEMATIC DESIGN	2018.03.15
4	PRELIMINARY DESIGN	2018.04.15
5	CONCEPT DESIGN	2018.05.15
6	SCHEMATIC DESIGN	2018.06.15
7	PRELIMINARY DESIGN	2018.07.15
8	CONCEPT DESIGN	2018.08.15
9	SCHEMATIC DESIGN	2018.09.15
10	PRELIMINARY DESIGN	2018.10.15
11	CONCEPT DESIGN	2018.11.15
12	SCHEMATIC DESIGN	2018.12.15
13	PRELIMINARY DESIGN	2019.01.15
14	CONCEPT DESIGN	2019.02.15

KATE STREET (WEST) ELEVATION
1/10/20

KATE STREET (WEST) ELEVATION - COLOR
1/10/20

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WEST ELEVATION

No.	Description	Date
1	ISSUED FOR PERMIT	2/18/2020
2	ISSUED FOR PERMIT	2/18/2020
3	ISSUED FOR PERMIT	2/18/2020
4	ISSUED FOR PERMIT	2/18/2020
5	ISSUED FOR PERMIT	2/18/2020
6	ISSUED FOR PERMIT	2/18/2020
7	ISSUED FOR PERMIT	2/18/2020
8	ISSUED FOR PERMIT	2/18/2020
9	ISSUED FOR PERMIT	2/18/2020
10	ISSUED FOR PERMIT	2/18/2020
11	ISSUED FOR PERMIT	2/18/2020
12	ISSUED FOR PERMIT	2/18/2020
13	ISSUED FOR PERMIT	2/18/2020
14	ISSUED FOR PERMIT	2/18/2020

ST LAWRENCE STREET (NORTH) ELEVATION
1/10/20

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1/10/20

ISLAND HARBOUR CLUB

A|C|K architects
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NORTH ELEVATION

No.	Description	Date
1	ISSUED FOR PERMIT	2/18/2020
2	ISSUED FOR PERMIT	2/18/2020
3	ISSUED FOR PERMIT	2/18/2020
4	ISSUED FOR PERMIT	2/18/2020
5	ISSUED FOR PERMIT	2/18/2020
6	ISSUED FOR PERMIT	2/18/2020
7	ISSUED FOR PERMIT	2/18/2020
8	ISSUED FOR PERMIT	2/18/2020
9	ISSUED FOR PERMIT	2/18/2020
10	ISSUED FOR PERMIT	2/18/2020
11	ISSUED FOR PERMIT	2/18/2020
12	ISSUED FOR PERMIT	2/18/2020
13	ISSUED FOR PERMIT	2/18/2020
14	ISSUED FOR PERMIT	2/18/2020

Staff believes that the requested relief is within acceptable parameters and meets the general intent of the by-law.

6.0 Community Improvement Plan

The Community Improvement Plan (CIP) allows municipalities to provide tax assistance, grants or loans to assist in the rehabilitation of lands and/or buildings within the defined Community Improvement Project Area. The objectives of the CIP are:

- To revitalize, intensify and strengthen residential, commercial, cultural and employment opportunities;
- To provide a safe, vibrant, pedestrian friendly environment;
- To provide an attractive and inviting environment;
- To enhance and reinforce linkages between areas and the waterfront open space system;
- A cleaner, healthier, safer and more livable environment;
- To increase employment, economic activity and investment;
- To upgrade and maintain all essential municipal services and community facilities;
- To ensure that community improvement projects are carried out with the built up area of the Town;
- To ensure the maintenance of existing building stock
- To facilitate the remediation, rehabilitation and/or redevelopment of existing Brownfield sites
- To encourage private sector investment and the strengthening of the economic base
- To enhance the visual appearance of Community Improvement Areas
- To revitalize our downtown commercial district (General Commercial Policy Area) as a mixed use area and a vibrant shopping destination;
- To encourage the continued commercial vitality and economic viability throughout all seasons of the year

- To preserve heritage resources of architectural and historical significance and encourage improvement in buildings consistent with the heritage character of the area;
- To create an attractive image of the Town that reflects the historic character and heritage of the community;
- To encourage infilling and redevelopment of vacant or under utilized land as with Brownfield sites;
- To provide incentives to promote a broad range of building and environmental rehabilitation, development and redevelopment and land acquisition consistent with the Official Plan of the town of Gananoque.

Comment

The subject lands are within Area B of the Community Improvement Plan which provides incentives to owners for Study Grants, Tax Cancellation and property Tax Increment Program to assist with environmental remediation.

The applicant is eligible and has applied for assistance under the CIP.

7.0 Staff Review

Staff (Planning and Public Works) has met on numerous occasions with the applicant and reviewed the requirements of the Town’s policy documents. Additionally, the CRCA has been involved at a very early stage.

The applicant will be required to pay cash-in-lieu of parkland. Cash-in-lieu of parkland amounts required are 5% of the value of the residential land and 2% of the value of the commercial lands. Calculations of costs involved in public piazza will be undertaken and considered by Council to determine cash-in-lieu requirements.

Staff and the planning consultant also met several times for a detailed review of the project for the development of this report.

Circulation to agencies:

Canada Post		
CAO		
CRCA		Letter dated September 18, 2015
CBO		Building Permits as required.
Eastern Ontario Power		

Economic Development		
Leeds Grenville EMS		
Fire Department		
Gananoque Accessibility Committee		That the underground parking meters be equipped and installed in a manner which is near the accessible parking space and at a height that is readily acceptable by individuals in wheelchairs.
Hydro One		
LG Health Unit	No Objection	Any operation where food is available will require HU notification prior to operation commencing.
Police Department		
Public Works		The Town will require an agreement regarding the ownership and maintenance of sidewalk on private lands. Review and confirmation of the existing Road User Agreement during construction The Town will be investigating traffic patterns and is looking at making a one-way street around the entire block.
Union Gas		
Water/Sewer		RMP use the existing 8" fire service which is connected to the Town's 14" feeder main as the new domestic line for this development
Adjacent Property Owners		

Comments received by the Gananoque Accessibility Committee are taken into consideration. However, it is noted that the placement of the parking meter installation cannot be accommodate near the accessibility parking spaces due to the entrance into the parking garage which is opposite the spaces. The spaces being located near the elevator lift. All other comments will be referred to the Public Works Department as they are not related to the application.

Additionally, it is noted that the Public Works Department will be undertaking a review of St. Lawrence, Kate, Water and Market Street for possible one-way streets.

8.0 Recommendation

Council when reviewing an application for Development Permit has the following choices outlined under the *Planning Act* in Section 70.2 and O-Reg 608/06:

- (a) refuse the application;

- (b) approve the application and issue a development permit with no conditions attached;
- (c) approve the application and require that conditions be met before issuing a development permit;
- (d) approve the application and issue a development permit with conditions attached; or
- (e) approve the application, require that conditions be met before issuing a development permit and, when the conditions have been met, issue a development permit with conditions attached. O. Reg. 608/06, s. 10 (8).

It is our recommendation that Planning Advisory Committee recommend to Council to approve the application and require the following conditions to be included in the Development Permit:

1. Final Grading and Landscaping Plan be prepared and approved to the satisfaction of the Town and the CRCA;
2. Final Erosion and Sediment Control Plan be prepared and approved to the satisfaction of the Town and the CRCA;
3. Final Floodproofing measures be implemented and approved to the satisfaction of the Town and the CRCA;
4. All necessary permit approval from CRCA under O.Reg 148/06;
5. Record of Site Condition under Ministry of Environment;
6. Cash-in-lieu of parkland be provided with consideration to the public piazza;
7. That the road widening as identified on SP1 be conveyed to the Town.
8. That the current Road Condition and a Road Use Agreement applies during construction to the satisfaction of the Town's Director of Public Works.
9. That the Gananoque Heritage Committee review the peer review by Bray Heritage and recommendations.
10. That signage to recognize the past use of the property as per the Archeological Report be implemented in a format approved by the Town.
11. Provisions in the Condominium Agreement shall include:
 - a. Loading and unloading will occur from Monday to Friday between the hours of 7:00 am and 12:00 pm for a maximum of 15 minutes. Signage to be provided by the condominium corporation.
 - b. The Town reserves the right to sub-lease the parking spaces within their allocated parking with passes.
 - c. Clause shall be placed in the Purchase and Sale Agreements with owners noting the Joel Stone Heritage Park may have events occurring at various times of the year.
 - d. Ownership and maintenance of sidewalks on private lands as per Public Works.
 - e. Purchase and Sale Agreement clauses for green space, public space and parking be incorporated.

Appendix 1 – Checklist for Development Permit Bylaw
175 St. Lawrence Street

Development Permit Checklist for ISLAND HARBOUR CLUB – 175 ST. LAWRENCE STREET				
		Min. Requirement unless otherwise noted	Proposed July 2015	✓
DP Requirement	DP Designation of Property	Lowertown Mixed	Commercial/Residential	✓
	Lot Area, As per DP	930 m2/10,011 sq.ft.	5,732 m2	✓
	Lot Frontage, As per DP	24m/78.7 ft from Kate Street	67.365m	✓
	Front Yard, As per DP	6m/19.6' Kate Street	2.63m	
	Rear Yard, As per DP	6.5 m/21.3' Market Street	1.26m	
	Interior Side Yard, As per DP	6m/3.9' St. Lawrence Water Street	n/a	-
	Exterior Side Yard, As per DP	15m/49.7' Water Street 15m/49.7' St. Lawrence Street	3.03 St. Lawrence 0m Water Street	
	Lot Coverage, As per DP (maximum)	35% Residential	69.4% w park garage 38% upper floor	
Building Height	As per DP (maximum)	20m/65.5'	18.9m 24.16m (tower only)	
Building Orientation	Bdg location along front yard, parking at side/rear		Fronting four streets	✓
Parking Spaces	Number of Parking Spaces required	Residential = 82	67	
	Number of Parking Spaces required	Commercial 5,395 sq.ft (office/retail) = 25 3,105 sq.ft. (restaurant) = 29 Total Required = 136		
	Number of Parking Spaces required	Town - 64		
	Size	2.7m/8.9' x 6m/19.7' min.	2.74 x 6m/8.98'x19.7'	✓
	Number of Accessibility Spaces	1/20 spaces – 7 spaces	7	
	Accessibility Size	1.5m/4.9' buffer each side w 2.7m/8.5 space x 6m/19.7' min.	1.5m buffer 2 Accessibility Spaces (Kate Street) in parking garage to identify buffers properly and provide a buffer on north side	
	Parking Surface	Year round use	Paved	✓
	Aisles	6m/19.7 ft min.two-way traffic 3.5m/11.5 ft min.one-way traffic	6m	✓
Entrance		6m/19.7' min.two-way traffic 3.5m/11.5' min.one-way traffic	6m	✓
Loading Area	Number of loading areas required	250 sq.m or less – 0 250 to 999 sq.m – 1 1000 to 7499 sq.m – 2 7500 sq.m+ – 2 plus 1/7500 sq.m	1 with conditions, off-site	
	Size	14m/45.9' x 3.5m/11.4'	Within St. Lawrence due to Road Widening	
	Height clearance	4.25min./13.9'	n/a	-
	Located in side or rear yard		Town Road Allowance	
	Unobstructed access to public street	6m min./19.7'	Town Road Allowance	
Open Storage	Screened		n/a	-
Garbage Storage	Fenced and Screened	Wood Metal Shrubbery	Parking garage	✓
Outside Storage/ Sales and Display	Outside Storage	No storage in front yard Min. 5m/16.4 from side/rear	n/a	-
		Abut residential Min. 10m/32.58'	n/a	-
Landscaping	Btwn non-residential and residential	3 m min./9.8'	North – South - } n/a East - West - }	✓
	Front yard setback	5m min/16.4' landscaped area within the 7m/24.7'	Water Street (functioning front yard) – 4.23m Building at 0m	
		Grass/lawns/trees/shrubs/flowers	Public Piazza - pavers, landscaped beds	

	Btwn parking and adjacent lot or street when 4 or more spaces req'd	3 m min./9.8'	North - South - East - West - } n/a	-
High Watermark	Setback from any water	30 m min./98.4' unless Breakwall = 15m min/49.2'	CRCA Comments to be implemented in conditions	✓
	Accessory Structures – permitted within 30m provided:	Boathouse/Boatport/dock – max length 8m/28.2'	n/a	-
		Stairs/landings – max width 2.5 m/8.2'	n/a	-
		Shed – max 10sq.ft/108sq.ft	n/a	-
		Max height – 4.25m/14.7'	n/a	-
Accessory Bldgs	Any rear or interior setback	1m min./3.3'	n/a	-
	Front or exterior yards, as per DP	Not further encroaching	n/a	-
	Height	4.5m max./14.8'	n/a	-
	Distance to main building	2m min./6.6'	n/a	-
	Maximum Size	Less than 20%	n/a	-
Other	Designated Heritage Site:		<input type="checkbox"/> Yes <input type="checkbox"/> No	-
	Entrance Overlay		<input type="checkbox"/> Yes <input type="checkbox"/> No	-
	Sidewalk required		<input type="checkbox"/> Yes <input type="checkbox"/> No	-
	Street Boulevard	Furniture, trees	<input type="checkbox"/> Yes <input type="checkbox"/> No	-
	Tree placement	Away from curb where less than 4m	<input type="checkbox"/> Yes <input type="checkbox"/> No	-
		6 – 8m apart	<input type="checkbox"/> Yes <input type="checkbox"/> No	-
	Waterfront Overlay		<input type="checkbox"/> Yes <input type="checkbox"/> No	✓
	Maintain existing vegetation		None to preserve	✓
	Setback from top of slope (except non res/accessory)	30m min./98.4'	Provide setback on plan	
	Tree preservation	Min. 60mm dia/3.5m in height plus	<input type="checkbox"/> Yes <input type="checkbox"/> No None to preserve	✓
		10+ grouped of 15 cm measured 1.4 from base	<input type="checkbox"/> Yes <input type="checkbox"/> No None to preserve	✓
	Maintain waterfront view – building located to side		Max space	
	Waterside walkway on multi/commercial development		n/a	-
	Pedestrian Walks	Not less than 1.2m (4ft) in width	5ft minimum being provided on all four streets	
	Utilities	All service utilities shall be underground		✓
	Amenity Space	20 sq.m	Public Piazza	✓
Section 3.2	Auto service Station, commercial garage, gasoline bar, car washing	<input type="checkbox"/> Yes <input type="checkbox"/> No	n/a	-
Section 3.10	Drive Through	<input type="checkbox"/> Yes <input type="checkbox"/> No	n/a	-
Section 9.2	Discretionary Use	<input type="checkbox"/> Yes <input type="checkbox"/> No	n/a	-