



Minutes
Cornwall City Council

Meeting #: 1
Date: Tuesday, February 16, 2021, 7:00 PM
Location: Zoom

Attendance
Committee

Members: Elaine MacDonald, Councillor, Chair
Carilyne Hébert, Councillor
Claude E. McIntosh, Councillor
Dean Hollingsworth, Councillor
Eric Bergeron, Councillor
Glen Grant, Councillor
Justin Towndale, Councillor
Maurice Dupelle, Councillor
Todd Bennett, Councillor
Amanda Brisson, Lay Member
Ronald Symington, Lay Member

Regrets: Bernadette Clément, Mayor
Syd Gardiner, Councillor

Attendance Administration: Mark A. Boileau, General Manager, Planning, Development and Recreation
Ely Daniels, Administrative Assistant
Kaveen Fernando, Development Planner
Mary Joyce-Smith, Division Manager, Planning
Dana McLean, Development Coordinator
Lindsay Parisien, Development Planner

Chair: Elaine MacDonald, Councillor
Prepared By: Ely Daniels, Administrative Assistant

1. Call Meeting to Order

Chair Elaine MacDonald called the meeting to order at 7:00 p.m.

2. Roll Call

Roll call was conducted by Recording Secretary Ely Daniels.

3. Declaration of Conflict of Interest

None

4. Adoption of Agenda

Motion to adopt the Agenda as presented.

Moved By: Claude E. McIntosh, Councillor

Seconded By: Glen Grant, Councillor

Motion Carried

5. Adoption of Minutes

That the Minutes of December 21, 2020 be approved as presented.

Moved By: Ronald Symington, Lay Member

Seconded By: Claude E. McIntosh, Councillor

Motion Carried

6. Business Arising from Minutes

None

7. Presentations

Proposed First Draft Comprehensive Zoning By-law and Zoning Map, City of Cornwall.

1. Presentation – First Draft Comprehensive Zoning By-law and Zoning Map, 2021-32-Planning, Development and Recreation

- a. That PAC endorse the First Draft of the Zoning By-law document and Zoning Map prepared as part of the City's Comprehensive Zoning By-law Review and recommend same to Council.

8. Review of Public Notice Requirements by PAC Secretary

PAC Secretary Mary Joyce-Smith advised that there was no specific notice requirement for the presentation by WSP Consultants (non-Planning Act item). The first draft Zoning By-law was posted on the City's website and advertised in the Saturday edition of the Standard Freeholder on January 23rd, 2021. A virtual Public Open House and Online Survey were also conducted from February 1st to February 19th, 2021. She added that this presentation is not the Statutory Public Meeting item under Section 34 of the Planning Act, and that only questions from members of PAC would be accepted.

WSP Consultant Team (Senior Project Manager, Nadia De Santi, Senior Planner, Anita Sott, and Kasper Koblauch, Bilingual Planner) each took turns in providing an overview of the First Draft Zoning By-law and Zoning Map. The First Draft was prepared in accordance with the recommendations set out in the Zoning Strategy Report presented at the September 21, 2020 PAC meeting. The presentation touched on key changes/improvements made to the document's format and structure, including a walk through of how to navigate the Zoning By-law document and Zoning Map to find information. This contains a revised Definitions section, which includes modernized terms and a definition for every permitted use in the Zoning By-law, as well as illustrations for certain definitions. They described how some Zones were consolidated and others removed to now reflect a total of 26 Zones, down from 32 in the City's existing Zoning By-law. The presentation also touched on proposed Maximum Building Heights which still require further adjustments based on feedback received from PAC, public, and City staff. The consultants also addressed proposed zoning provisions related to accessory uses, buildings and structures, additional residential units, community gardens, tiny homes, and pop-up shops. Community engagement is ongoing, project updates are posted on the City's website, public comments are directed to Planning, and future Public Open Houses and updates are shared through the City's social media, project website, community bulletins, and local newspapers. The consultants advised that an "As We Heard It" Summary Memo summarizing the Online Public Open House #3 survey responses is expected to be posted on the City's website on March 1st, 2021.

The Second Draft Zoning By-law and Zoning Map will be made available on the City's website, and a Statutory Public Open House is expected to be held, in Spring 2021.

At this time, Chair Elaine MacDonald requested that a motion to move the recommendation be put forth, followed by PAC questions and discussion.

A motion was made to move the recommendation provided.

Moved By: Carilyne Hébert, Councillor

Seconded By: Glen Grant, Councillor

Councillor Claude McIntosh asked for clarification regarding driveway widths and what would happen in a double car garage scenario. The existing By-law indicates that a driveway can be as wide as the garage, and asked if this is preserved in the new By-law?

Senior Planner, Anita Sott, replied that following discussions with City staff, it was determined that the existing provision has the potential to result in driveways of an unlimited width, depending on the width of a development's garage, which can result in impacts on landscaped areas and stormwater management due to excessive hardscaping. As a result, the provision permitting a driveway to be as wide as the garage was removed, however the First Draft Zoning By-law does permit for 6 m wide driveways. Anything wider would be a potential minor variance application for the Committee of Adjustment's consideration.

Councillor McIntosh also questioned whether marijuana would be permitted to grow in a Community Garden.

Senior Planner, Anita Sott, replied that the growing of marijuana falls under Provincial and Federal regulations. She added that growing a maximum of 4 plants is allowed per residential dwelling on private property only, and therefore, marijuana is not permitted to be grown as part of a Community Garden.

Councillor McIntosh indicated that due to the many restrictions imposed on Tiny Homes, such as water, sewer, setbacks, etc., there will not be many residential lots in the City able to accommodate them.

PAC Secretary Mary Joyce-Smith replied that Tiny Home inquiries have currently been directed to the Building Department for Ontario Building Code review. As it presently stands, there are no minimum lot area requirements in the existing By-law or the First Draft Zoning By-law to accommodate Tiny Homes, but a building permit is required for a Tiny Home under the Building Code.

Councillor Todd Bennett suggested whether it would be more feasible to have Tiny Homes constructed in a specific subdivision.

Mary PAC Secretary Mary Joyce-Smith replied that the interest in Tiny Homes is minimal right now.

General Manager of the Planning, Development and Recreation Department, Mark Boileau added that nothing has changed in the sense that you could build Tiny Homes previously, but it was not actually a term used in the By-law. You would be permitted to build a Tiny Home, including on a small lot, provided you met all the required setbacks and other zoning requirements; the only difference is that we are speaking of it now.

Councillor Dean Hollingsworth stated that the Maximum Height Chart was not clear in the Draft Zoning Bylaw, and suggested it needs to be improved for the public to understand how high they can build. He suggested that a chart or reference piece at the beginning of each section would be beneficial.

PAC Secretary Mary Joyce-Smith replied that staff is presently reviewing the areas in the City that can support increased building heights.

For clarification, Senior Project Manager, Nadia De Santi added that the Maximum Building Height is addressed in each Zone and will be revised based on the feedback provided, and that as part of the project they will also create a user-friendly guide on how to use the Zoning By-law.

Lay Member Ron Symington questioned the PAC's process with respect to endorsing the First Draft Zoning By-law even though there are still unanswered questions raised. He asked if the issues and comments previously submitted would be reviewed by City staff and consultants and dealt with in the Second Draft Zoning By-law.

Senior Project Manager, Nadia De Santi confirmed that the Zoning By-law will be updated with all comments received thus far and any others that come forward by the end of the week. When they return to PAC, they will demonstrate how information was received and addressed, and advise how changes were made. She reiterated that this is an acknowledgment / acceptance of the First Draft Zoning By-law and Zoning Map, and that staff and WSP are cognizant of the revisions to be made and changes that will occur in the Second Draft.

Councillor Carilyne Hébert advised that she supports Tiny Homes and sees them as a great opportunity to potentially address the affordable housing crisis in the community. She stated, “Tiny Homes will make home ownership accessible to lower income households and young people who are struggling”. She added she is not in support of mapping out part of the community and only allowing Tiny Homes to be built there. She added that she would continue to support Tiny Homes and is encouraged by Community Gardens provisions.

Councillor Justin Towndale echoed Councillor Hébert’s comments and is supportive of Tiny Homes being built across the City providing they meet all regulations of the Building Code. He emphasized the importance of having ongoing discussions with respect to Tiny Homes and reiterated how the City must get it right. He also echoed Councillor’s Hollingsworth concerns regarding Maximum Building Heights and stated that nothing has really changed and understands there are ongoing discussions with more comments to follow.

Chair Elaine MacDonald asked if a Tiny Home can be a primary residence on a lot or is it usually a secondary dwelling like a Granny Flat for example. She also asked for clarification on how land ownership works with Tiny Homes if they are a secondary residence.

Senior Planner, Anita Sott replied that they can be both. The Province permits Tiny Homes as a form of an additional residential unit, and there are provisions in the First Draft Zoning By-law that would permit an additional residential unit as a detached structure on a lot. Therefore, one can have a Tiny Home as an additional residential unit, and they could also be the primary dwelling unit in a Zone where a single detached house is permitted.

With respect to land ownership if it is an additional residential unit, it would be owned by the primary property owner. The Zoning Bylaw does not address tenure of dwellings. If a property owner was seeking to develop a separate lot for a Tiny Home or an additional residential unit, it would have to go through a consent process with Committee of Adjustment and have that approved as a separate lot.

Senior Project Manager, Nadia De Santi added that along with the consent process, they would have to meet minimum lot area, lot frontage, all setback requirements, etc., so it would be very unlikely.

Lay Member Ron Symington asked for clarification regarding Granny Flats and whether they would still require a Temporary Use By-law.

Senior Planner, Anita Sott, replied that the Planning Act allows for Garden Suites, sometimes referred to as Granny Flats. The distinction between Garden Suites under the Planning Act and additional residential units is that Garden Suites are defined as a Temporary Use that Council approves with a Temporary Use By-law up to a max. of 20 years with a possibility for extension, but that is distinguished from additional resident units which are intended to be permanent residential dwellings on a lot.

Senior Project Manager, Nadia De Santi added that there would also have to be an agreement between the owner of the Garden Suite and the municipality for the time it is in use. The Planning Act has very special requirements for Garden Suites and they have been reflected in the Zoning By-law.

Councillor Maurice Dupelle thanked the WSP Consultant Team for their presentation and echoed Councillors Towndale and Hebert's comments with respect to Tiny Homes. He emphasized how important it is to have an open mind and vision in welcoming Tiny Homes and be viewed as an all-inclusive community.

Following a further brief discussion, Chair Elaine called for a vote and it was moved that the recommendation be approved as listed below:

Moved By: Carilyne Hébert, Councillor
Seconded By: Glen Grant, Councillor

(a) That PAC endorse the First Draft of the Zoning By-law document and Zoning Map prepared as part of the City's Comprehensive Zoning By-law review and recommend same to Council.

Motion Carried

9. Public Meeting Item(s) - Public Hearing

None

10. PAC Discussion of Public Meeting Item(s)

None

11. Other / New Business

PAC Secretary Mary Joyce-Smith advised that Development Coordinator Dana McLean would provide a brief presentation for PAC discussion and final recommendation to Council with respect to the following (4) CPPEG funding applications.

1. CPPEG Recommendation 150 Pitt/26 Second St W, 2021-26-Planning, Development and Recreation

That HOTC#2021-03 funding request by 1727846 Ontario Inc at 150 Pitt St/ 26 Second St W, be accepted as follows:

- Program 2 Building Restoration & Improvement Program in the amount of \$41,250
- Program 3 Project Design Grant in the amount of \$7,500
- Program 4 Façade Improvement and Sign grant in the amount of \$12,000
- Program 5 Municipal Planning/Development Fees Grant based on actual costs
- Program 6 Discretionary Municipal Tipping Fees Grant based on actual weigh bill receipts

2. CPPEG Recommendation 134 Montreal Rd, 2021-27-Planning, Development and Recreation

That HOTC#2021-04 funding request by Sarah Irwin & Shawn Smith at 134 Montreal Rd, be accepted as follows:

- Program 2 Building Restoration & Improvement Program in the amount of \$3,000
- Program 5 Municipal Planning/Development Fees Grant based on actual costs
- Program 6 Discretionary Municipal Tipping Fees Grant based on actual weigh bill receipts

3. CPPEG Recommendation 213-217 Pitt St, 2021-28-Planning, Development and Recreation

That HOTC#2007-08 Addendum funding request by Marc & Christine Champagne at 213-217 Pitt St, be accepted as follows:

- Program 3 Project Design Grant in the amount of \$3,000
- Program 5 Municipal Planning/Development Fees Grant based on actual costs
- Program 6 Discretionary Municipal Tipping Fees Grant based on actual weigh bill receipts

4. CPPEG Recommendation 780 Sydney St, 2021-29-Planning, Development and Recreation

That HOTC#2020-02 funding request by Wesleyan Church of Canada at 780 Sydney ST, be accepted as follows:

- Program 3 Project Design Grant in the amount of \$2,000
- (Outside the Priority Area, therefore 50% of the allowable amount)
- Program 5 Municipal Planning/Development Fees Grant based on actual costs
- Program 6 Discretionary Municipal Tipping Fees Grant based on actual weigh bill receipts

Following a further brief discussion by the PAC, it was:

Recommended that CPPEG items 1 through 4 be approved and endorsed by the PAC, as proposed, and recommend same to Council.

Moved By: Maurice Dupelle, Councillor

Seconded By: Amanda Brisson, Lay Member

Motion Carried

12. Information

None

13. Next Scheduled Meeting

PAC Secretary Mary Joyce-Smith advised that the next PAC meeting will be held on Monday, April 19th, 2021 as no public meeting items had been received for review.

14. Note

Any PAC recommendations resulting from this meeting will be considered at the Monday, February 22nd, 2021 Meeting of Council. The Clerk's Department may be contacted at 613-932-6252 to verify that the report and resultant documents to which you have an interest is included in the Agenda of the above date.

Councillor Elaine MacDonald, Chair