

Planning Advisory and Hearing Committee

DEPARTMENT:	Planning Advisory and Hearing Committee
REPORT NUMBER:	2019-19
PREPARED BY:	Karl Doyle, Senior Planner
REPORT DATE:	July 12, 2019
MEETING DATE:	Jul 29, 2019 07:00 PM
SUBJECT:	Miller Hughes Car Dealership, Principal Shaun Maloney with concurrence from present land owner Cornwall Wesleyan Church - Rev. Larry Blaikie. An Official Plan Amendment (No. 1) from Urban Residential (U.RES) to Business District (B.D.) Designation and Zoning By-law Amendment from Institutional 10 (INS 10) to Commercial 12 (COM 12) at 780 Sydney Street, being approximately a (0.98 acre) parcel on Part of Lots 12, 13 north side of Seventh Street. This parcel will be formed with a larger (1.09 acre) lot to the immediate west to accommodate the Miller Hughes Dealership located at 711 Pitt Street, (PAC File Z-05-19, OPA No.1).

A. RECOMMENDATION(S):

That based on the proceeding report, it is recommended:

(A) That the Planning Advisory & Hearing Committee (PAC) recommends to City Council to amend the Official Plan designation at 780 Sydney Street from 'Urban Residential' (U.RES) to 'Business District ' (B.D.), and amend the Zoning By-law from Institutional 10 (INS 10) to Commercial 12 (COM12) based on;

(i) The original proposal or;

(ii) The Planning Division's design alternative, (Attachment V)

(B) That findings/recommendations of the various associated studies/reports included, be implemented to the satisfaction of the municipality and as part of the Site Plan Control approval process.

B. BACKGROUND

Planning Division received an Official Plan and Zoning By-law amendment application for the lands located at 780 Sydney Street on June 18th, 2019 . The proposal is to change the current Official Plan Designation from Urban Residential (U RES) to Business District (B.D.) and Zoning from Institutional 10 (INS 10) to Commercial 12 (COM 12) on the southerly portion of the subject lands as per the attached preliminary site plan, **(Attachment II).**

City of Cornwall's Official Plan was adopted by the City on October 23rd, 2017 and approved by the Ministry of Municipal Affairs and Housing on April 11th, 2018.

Section 22 (2.1) of the Planning Act states that "no person or public body shall request an amendment to a new Official Plan before the second anniversary of the first day any part of the plan comes into effect". This provision within the Planning Act was enacted through the Smart Growth for Our Communities Act (2015), and its intention is to provide municipalities with more control and stability over their planning documents.

Recognizing that Official Plan amendments within the two year time frame may be appropriate, the Province of Ontario Smart Growth for our Communities Act also included Section 22 (2.2) of the Planning Act, which allows Councils to permit Official Plan amendment applications so long as they have passed a Resolution to that effect. Under this provision, Councils may choose to permit Official Plan amendments on a case-by-case basis, for specific types or classes of Official Plan amendments, or for all Official Plan amendments.

The request to make an application was discussed by City Council at the June 10th, 2019 Council meeting and Resolution No. 2019-17 was passed at the subsequent Council meeting of June 24th, 2019, (Attachment III).

The property located at 780 Sydney Street was formerly owned by the Upper Canada District and French Public School Board from 1957 to 2011 and was acquired in 2011 by the Wesleyan Church of Canada. The overall property has a long standing Urban Residential (U.RES) Designation and Institutional 10 (INS 10) zoning.

An associated zoning change is being considered simultaneously, in order to change the Institutional 10 (INS 10) zoning to Commercial 12 (COM 12).

The overall institutional parcel is approximately 3.15 acres and the subject area is 0.98 acres. If the proponent is successful with the Official Plan and By-law amendment, then the intent is to subsequently proceed with a consent application in order to create the 0.98 acre site and amalgamate the additional parking lot with the existing auto dealership located on Pitt Street. This parcel will be merged with the 1.09 acre parcel to the west totalling approximately 2.07 acres.

C. SITE CHARACTERISTICS

Location:

Municipally known as 780 Sydney Street

Part of Lot 12, Concession 3, situated along the west side of Sydney Street.

Immediately east of the Miller Hughes Ford Car Dealership located at 711 Pitt Street.

Proposed Development Area on Subject Site:

Frontage along Sydney Street +/- 27.7 metres (+/- 90 ft).

Irregular Depth of +/- 45.7 metres (+/- 149 ft).

Irregular Lot Area +/- 3,965 m² (square metres) (+/- 0.98 acres/ .39 hectares).

Existing Land Use:

Institutional - Place of Worship

Surrounding Land Use:

North: Commercial - Farm Boy South: Low Density Single Family Residential East : Low Density Single Family Residential West: Commercial

Official Plan:

Present: Urban Residential (U.RES) Proposed: Business District (B.D.)

Zoning:

Present: Institutional 10 (INS 10) Proposed: Commercial 12 (COM 12)

D. COMMENTS FROM OTHER DEPARTMENTS / AGENCIES

Municipal Works:

No objection.

Building Division:

No objection, obtain building permits for fencing and infrastructure for site drainage.

Engineering Division:

We do no have any concerns related to the proposed OP and Zoning change. Engineering design items will be addressed at the Site Plan Approval stage.

Transit Division:

No objection.

Cornwall Community Police Services:

No objection.

Municipal Assessor:

No objection.

Economic Development:

Miller Hughes has been a positive economic presence in the Downtown core for decades, constantly reinvesting in their business. The proposed expansion will allow the dealership to remain competitive and will facilitate ongoing future investment. It is a good example of the benefits of supporting in fill development.

Traffic Engineer:

Sydney Street is a designated arterial roadway, and provides plenty of capacity. The no truck restriction along Sydney Street was due to vibration, particularly between Second and Fourth. Sydney is scheduled for full reconstruction up to Ninth Street by 2021. This year from Second to Fourth. Once the road and pavement structure is fully reconstructed, we will likely seek to lift the no truck restriction, as it makes no sense for an arterial roadway, (subject to Council approval). In addition the proposed use would not likely be a high traffic generator. Also, just north of this location, between Eighth and Ninth, the uses are all commercial. As always, this will be subject to Site Plan Control.

E. EVALUATION

The Planning Division has reviewed the subject application and is conditionally supportive based on the following:

Development Site:

The property fronts onto a one-way arterial street (Sydney Street) at the east limit and along a one-way connector (Eighth Street East). Located to the west is Miller Hughes Ford Ltd., an automotive dealership that has been located at 711 Pitt Street for over 60 years and has been subject to Site Plan approvals and received Brownfield funding in the past.

Located to the immediate north of the subject area is the balance of lands including the main building, Cornwall Wesleyan Church and its associated parking lot that extends onto the land that is the subject of this application.

To the south of the subject site is one (1) single detached dwelling fronting onto Sydney Street and four (4) single detached homes fronting onto Seventh Street East. There are single detached dwellings across from Sydney Street.

Applicable Provincial Policy Statements (PPS's)

i.) Policy 1.1.1. - Healthy, liveable and safe communities are sustained by:

"a.) promoting efficient development and land use patterns which sustain the financial well-being of the Province and Municipalities over the long-term

g.) ensuring that necessary infrastructure....are or will be available to meet current and projected needs..."

e.) promoting cost-effective development patterns and standards to minimize land consumption and servicing costs;

The establishment of this land use in close proximity to a long-standing commercial area is compatible with these policies if the configuration of low intensive designated parking area ancillary to the Miller Hughes development is modified to address valid concerns received from abutting land owners in respect to buffering, lighting and heavy transport access.

Policy 1.1.2 - Within settlement areas, sufficient land shall be made available through intensification and redevelopment.

The area in question is located within the settlement area, the proposed redevelopment and intensification of the lands is promoted. The low intensive commercial use will solely be used for parking of inventory (vehicles).

Policy 1.1.3.2(a)(b) - Land use patterns within settlement areas shall be based on:

(a) efficiently use land and resources;

(b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;

The property backs directly onto the Commercial Business District, there is an opportunity for a land assembly which will allow for direct access to the applicant's commercial site. There is available existing infrastructure along Sydney Street or via the Miller Hughes which will not necessitate unjustified or uneconomical expansion of infrastructure.

Land Use Compatibility - 1.2.6.1 Major facilities and sensitive land uses should be planned to ensure they are appropriately designed, buffered and/or separated from each other to prevent or mitigate adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term viability of major facilities.

Even though there is no major facility being proposed, the development site abuts sensitive land uses. When considering the nature of the proposed use of the lands, during the site plan process the City will ensure that a stringent amount of mitigation measures will be introduced to minimize any potential land use conflicts. 1.3.1 - Planning authorities shall promote economic development and competitiveness by:

b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;

d) ensuring the necessary infrastructure is provided to support current and projected needs.

If the applicant is successful in obtaining the required development approvals it will enable the existing automotive dealership to meet its present and future needs for the temporary storage of vehicles to support its continued success as an automotive franchise. This dealership has been in existence for over 60 years at 711 Pitt Street, and has limited storage area both on the dealership site and lot on the west side of Pitt Street. City Council promoted the opportunity for economic development at 711 Pitt Street by providing the automotive dealership with a grant under its Heart of the City (HOTC) Community Improvement Program (CIP) and Brownfield funding in 2011 in order to achieve Ford Canada Corporate imaging program.

Applicable Official Plan Policies:

The parcel is presently designated 'Urban Residential' similar to lands to the south and east side of Sydney Street.

Planning Principles

2.5.1 The following principles are considered to be fundamental planning concepts and form the basis for more detailed goals and policies:

2.5.1.17 A compatible Land Use pattern should be promoted

One of the major considerations for reviewing development applications or locating land uses should be compatible with adjacent land uses. In some cases the conflicts between land uses can be reduced through such measures as buffering, landscaping, screening and sensitive siting and massing of buildings. Opportunities for redevelopment of existing non compatible sites or uses to more compatible uses should be sought out and encouraged.

No major development is being planned, the proposed low intensive commercial parking use can be well incorporated into the existing property. Regulatory measures and stringent buffering and design principles will be examined during the site plan approval process in order to mitigate land use conflicts between the lands to the south.

2.6.3 Goals General

(2) Encourage the infilling and consolidation of existing urban development areas and promote the efficient utilization of existing municipal services.

(4) Encourage the revitalization and appropriate redevelopment of core established Business Districts.

(13) Encourage redevelopment, upgrading and efficient use of underutilized sites and neglected land. Environmental Site Assessments (ESA's) shall be conducted if contamination of such neglected lands is suspected and the filing of a Record of Site Condition (RSC) where required by the City or Ministry of the Environment and Climate Change (MOECC).

The proposal is in keeping with the aforementioned policies. The location of the subject site is located on the fringe area of the business core and would be considered as an extension to an established business onto vacant unfertilized lands. An ESA Phase 1 of the subject site has been submitted and the Q.P.'s recommendation is to proceed to a Phase 2 assessment.

3.2 Goals and Principles

A more consolidated and compact urban development pattern is more cost efficient for the City and its taxpayers and would:

(a) Ensure that the future development blends in with existing neighbourhoods;

(e) Promote the strengthening of strong established Business Districts by maintaining future development within easy reach of core areas;

The applications are in keeping with these policies, as highlighted by the consultant;

"One of the benefits of a compact urban form is that it would "promote strong established Business Districts by maintaining future development within easy reach of core areas." The current success of the automotive dealership at 711 Pitt Street is partly due to its proximity to the Downtown Core. According to the automobile franchise owner at 711 Pitt Street, many of the patrons of the dealership find it convenient to drop off their car and walk to work at their place of employment in the Downtown core."

4.4.3 General Policies

In order to achieve the goals for commercial land use, it will be the intention of the City to:

4.4.3(4) Ensure that new commercial development and redevelopment are in accordance with acceptable site plan approval procedures and principles.

4.4.3(5) Ensure that adjacent land uses and districts are protected from commercial development through appropriate measures such as buffering and screening, control over open storage, signs and outdoor display, diversion of illumination, maintenance of properties, massing and placement of buildings.

4.4.3(6) Require commercial developments to provide appropriate landscaping adjacent to streets and within the interior of the site.

As indicated throughout the report, the aforementioned policies support commercial activities when abutting a different land use if design principles are introduced to mitigate potential conflicts.

4.5.2 Business District Policies

In order to achieve the goals for the Business Districts, it will be the intention of the City to:

4.5.2(4) Discourage the use of land and buildings in the Business Districts for the purposes of industry, warehousing, large scale automobile sales and service, support facilities, (outdoor) storage yards and similar uses which may diminish the cohesiveness, integrity, or amenity of the Business District as an area with a high level of retail, office, institutional, Government, residential and recreational activity. The Municipality shall not pass by-laws to permit the development of such uses in the Business District.

4.5.2(12) Support initiatives undertaken by local landowners, merchants and other tenants, in developing ways to improve streetscapes, pedestrian facilities, building facades and properties in Business District areas and seek support of Senior Governments in upgrading of such areas. Such initiatives are often undertaken through activities of the Cornwall Heart of the City/Centretown Cornwall group, the Business Improvement Areas, and through the Community Improvement Plans.

The City's Official Plan Discourages the development use of land and buildings in the Business Districts for the purposes of industry, warehousing, large scale automobile sales and service, support facilities, (outdoor) storage yards and similar uses which may diminish the cohesiveness, integrity, or amenity of the Business District. Secondly, it also indicates that Municipality shall not pass By-laws to permit the development of such uses.

The Official Plan Policy discourages and does not outright prohibit the development and use of land for the above mentioned uses, the proposal is a low intensive expansion to an existing use and would not diminish the cohesiveness or integrity of the Business District. Miller Hughes Ford is an established business located in the business core. The commercial operation pre-dates the Official Policy and regulatory document. The Planning Division has concerns regarding potential land use conflicts between the properties located to the south, however, it is conditionally favourable of the low intensive commercial expansion if stringent design techniques and regulatory controls are introduced during the Site Plan Approval Process.

Planning staff has prepared an alternative design which PAC members should take into consideration prior to rendering a decision, (Attachment V).

City Council promoted the opportunity for economic development at 711 Pitt Street by providing the automotive dealership with a grant under its HOTC CIP and Brownfield funding in 2011 in order to achieve Ford Canada Corporate imaging program. The proposed expansion will bolster the functionality of the existing main operation along Pitt Street and continued financial investment in the community.

Other Analysis and Input, including Zoning:

A full circulation to City Departments and Agencies for comments has been conducted, as a result of the request to change the O.P. designation and zoning.

General (conditional) support exists for the O.P.A./rezoning action in response comments (see Section D of Report).

Zoning

The parcel is located on the fringes of the Business District (B.D.) and Commercial 12 (COM 12) zone located to the west and north.

The proposal before the Planning Advisory & Hearing Committee is to concurrently change the zoning from Institutional 10 (INS 10) to Commercial 12 (COM 12) in order to introduce an extension to the existing established automotive dealership, the stand alone parking lot will be used solely for parking of their inventory (vehicles). The designated area will not contain a building, accessory structure, storage trailer or garbage receptacle. Vehicle delivery will continue to occur along the Pitt Street corridor and will not be permitted to access the site via Sydney Street. The intended use of the lands will be low intensive in nature.

The current zoning of the lands is Institutional 10 (INS 10) which allows for a variety of land uses to establish which include, residential and institutional type uses such as; single and multi unit residential developments, boarding/rooming houses clinics, churches, hospitals, private clubs and senior residences.

The proposed zoning of the lands to Commercial 12 (COM 12) will allow for a variety of land uses to establish which include; private and public parking, automobile showroom, new and used car lots, etc.

The majority of the overall property is vacant Greenfield land which potentially could be sold and developed with any of the above mentioned land uses. Depending on the scale of a future development, building(s) and an associated parking area would have to be introduced in order to accommodate the proposal. A future development could have a more direct impact to abutting land uses. The Site Plan process and guiding policies would still apply in this scenario and City staff would examine items such as land use compatibility, massing of the building, lighting, vehicular accesses, landscaping, fencing, noise and vibration etc. Mitigation measures would be applied to the proposal in order to offset negative impacts to existing southerly residential land uses.

Public Input/Commentary

The Wesleyan Church canvassed the properties in the vicinity, included were properties on Sydney Street and Seventh Street and those properties across Sydney Street opposite of the subject site. The initial response from every individual was positive, however, the property owner located directly to the south fronting Sydney Street has changed his opinion, (Attachment IV).

The Public Notice was circulated and Planning staff has received concerns from abutting residential landowners located along the south and east limit of the subject lands. These concerns were in respect to increased nuisances as a result of the introduction of the parking area specifically; lighting, loss of privacy, noise, heavy transports, diminished land value and visual loss of green space. Planning staff takes all concerns seriously and has conveyed the concerns to the proponent and consultant. At this time, Planning staff met with 2 concerned residents to discuss the development site, and as a result of the meeting they no longer have concerns with the proposal.

Design Alternative - Option 2

Planning Staff has prepared a second option and would ask that the Planning Advisory & Hearing Committee members consider the proposed as an alternative, (Attachment V). Planning suggests a reconfiguration of the parking area towards the north and west limit of the Wesleyan Church site, and restricted access solely to the automotive dealership by removing the Sydney Street access. This alternative design will minimize the impact to the residential property facing Sydney Street as the designated parking area will be recessed at the rear of the property away from the frontage maintaining the green space and leaving ample room for future development opportunities. Staff has presented the design alternative, Option 2 to the proponent and it will be discussed in depth at a later date with the consultant and Wesleyan Church. Initial reactions from the proponent is to proceed with the original proposal as he wants access to Sydney Street.

Other Technical Reports:

Environmental Report Phase 1: The Qualified Person (QP) has concluded that an ESA Phase 2 be conducted on the development site.

Archaeological Assessment Stage 1: The consultant has recommended that a Phase 2 Archeological Assessment. As a result of the findings, the proponent will be required to proceed with a Stage 2 Archeological Assessment.

Preliminary Servicing Brief: Not received, there is adequate infrastructure in the immediate vicinity to accommodate the site.

F. CONCLUSION

The principle of commercial development is to be established through this application. Already lands to the west and north of the subject property enjoy a commercial designation and zone. The subject parcel is located on the fringe area of the Business District.

The proposed low intensive commercial expansion is consistent with the PPS and a strong majority of applicable Official Plan policies.

General conditional support exists for the proposal amongst departments and agencies and as a result of the Public Notice, a number of concerns were received mainly regarding buffering from the abutting south and east residential land uses. It is important to realize that the developments are subject to the Site Plan Control process such that review of buffering, servicing, lighting, landscaping and traffic issues are satisfactorily addressed.

Finally, the proposal represents a continued investment commitment in the municipality, which should not be detrimental to abutting residential land uses if stringent mitigation requirements are implemented during the site plan process.

ATTACHEMENTS

Attachment I - Planning Rationale



780 Sydney Rationale Revised.pdf

Attachment II - Preliminary Site Plan (Concept Plan and Buffering)



Development Concept.pdf

Attachment III - June 24th, 2019 Council Resolution #2019-17



Resolution.pdf

Attachment IV - Wesleyan Church Public Canvass



Blaikie Response Neighbours.pdf

Attachment V - Planning Division's Design Alternative



Planning Design Alternative.pdf

Approval

July 22, 2019 10:16 AM

July 22, 2019 10:22 AM

July 22, 2019 02:18 PM

July 22, 2019 02:56 PM

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Planning Rationale Report

1271450 Ontario Ltd. cob as Miller Hughes Ford Sales Ltd. Application for Amendment to Official Plan and Zoning By-law, 780 Sydney Street, Cornwall



Prepared for 12712450 Ontario Ltd. cob as Miller Hughes Ford Sales Ltd.

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1271450 Ontario Ltd. cob as Miller Hughes Ford Sales Ltd., Application for Amendment to Official Plan and Zoning By-law

1.0 **INTRODUCTION**

This Report has been prepared in support of an application by 1271450 Ontario Ltd. cob as Miller Hughes Ford Sales Ltd. for amendment to the Official Plan and Zoning By-law for part of the property at 780 Sydney Street currently owned by Cornwall Wesleyan Church. The property is under an agreement of purchase and sale for conveyance as an addition to the existing automotive dealership on the abutting property at 711 Pitt Street.

The purpose of the applications is to enable the existing automotive dealership to add about 0.4ha of land to its site for the sole purpose of providing additional temporary storage of vehicles offered for sale.

1.1 SITE LOCATION

The site is located on the west side of Sydney Street, north of Seventh Street East as shown on **Figure 1** to this Report. The site is irregular in shape, having 27 meters of frontage on Sydney Street, a depth of 106.7 meters and an area of 0.4 hectares.

Sydney Street is a three lane, one-way north bound arterial road.



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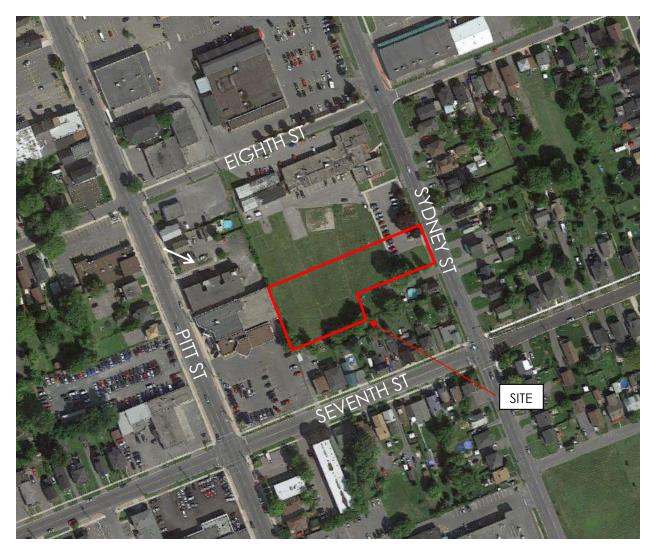


Figure 1 – Site Location

1.2 SITE CONTEXT

To the west of the land subject to this application is Miller Hughes Ford Ltd., an automotive dealership that has been located at 711 Pitt Street for over 60 years.

To the immediate north is the balance of the Cornwall Wesleyan Church property that extends to Eighth Street East. The mail building on the site is a former school. Part of the church parking lot extends onto the land that is the subject of this application.

To the south of the subject site is one single detached dwelling fronting onto Sydney Street and 4 single detached homes fronting onto Seventh Street East. Some of these dwellings have been converted to multi-family rental units.



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Across Sydney Street from the site are single detached dwellings.

At the intersection of Pitt Street and Seventh Street is a node of automotive related businesses. At the north-east corner of the intersection is the Miller Hughes Ford Dealership. At the north-west corner is automotive collision center and temporary storage of vehicles and staff parking for the Ford dealership.

At the south-west corner is another automotive dealership (Volkswagen) and at the south-east corner is automotive parts supply outlet.

1.3 DEVELOPMENT PROPOSAL

These applications to amend the Official Plan and Zoning By-law as they apply to the south end of the Wesleyan Church property are for the purpose of enabling the existing automotive dealership to expand is site onto the property for the sole intention of providing additional temporary storage of vehicles adjacent to its dealership office at 711 Pitt Street. No staff parking is proposed on these lands. A driveway is proposed onto Sydney Street from the site. Access from Sydney Street will be controlled by a locked gate and the entire property is to be enclosed with a chain link fence for security purposes. Landscaping will be provided within the fenced area to provide separation distance and screening between the parked vehicles and the existing residences on Seventh Street and Sydney Street to ensure the new use of the site is compatible with the abutting land uses. A preliminary Concept Plan below as **Figure 2A and 2B** shows how the site could be used for the temporary storage of vehicles.

In terms of process, should these applications be approved, an application for consent to sever will be submitted to convey the land from the church's ownership to the owner of the automotive dealership as an expansion to its site. In addition, applications for Site Plan approval will follow that will address the layout and landscaping of the land to be conveyed to the automotive dealership as well as an application for Site Plan approval by the church to revise its parking lot abutting Sydney Street. Currently part of its parking lot encroaches onto the land to be conveyed to the automotive dealership.



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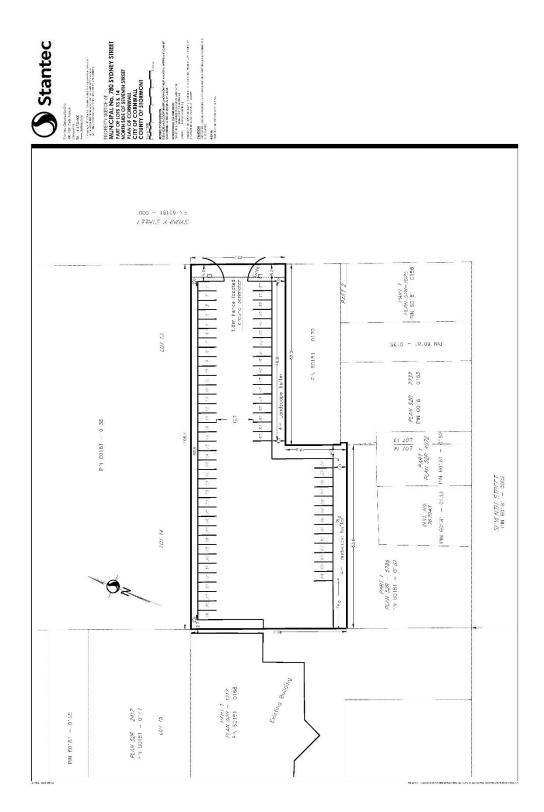


Figure 2A – Concept Plan



1271450 Ontario Ltd. cob as Miller Hughes Ford Sales Ltd., Application for Amendment to Official Plan and Zoning By-law



Figure 2A – Concept Plan



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2.0 POLICY AND REGULATORY FRAMEWORK

2.1 PROVINCIAL POLICY STATEMENT 2014

The Provincial Policy Statement 2014 (PPS) under Section 3 of the *Planning Act* sets out key Provincial interests regarding land use planning. Decisions made by all approval authorities in the Province of Ontario must be consistent with the policies of the Statement.

Section 1.0 Building Strong Health Communities

Policy 1.1.1.a) states that healthy, liveable and safe communities are sustained by promoting efficient development and land use patterns that sustain the financial wellbeing of municipalities over the long term.

Policy 1.1.1.d) promotes cost-effective land use patterns and development standards.

The applications are consistent with these policies. Having the temporary storage of vehicles located adjacent to the existing successful dealership is an efficient and cost-effective use of land.

Policy 1.1.3.1 advises that settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.

The City of Cornwall is a settlement area as defined by the PPS. Therefore, this site is in an area in which growth and intensification is promoted.

Section 1.1.3.1a) calls for municipalities to develop land use patterns that efficiently use land and services while avoiding the need for expansion of public services. This application will efficiently use land without the need to expand or upgrade public services (sewer, water, stormwater management) to accommodate the new use.

Section 1.3 of the PPS addresses employment.

Section 1.3.1 encourages municipalities to promote economic development and competitiveness by providing an appropriate range of employment uses to meet long term needs.

Section 1.3.1b) calls for municipalities to support economic development by, "providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses."



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These applications will enable the existing automotive dealership to meet its present and future need for the temporary storage of vehicles to support its continued success as an automotive franchise. This dealership has been in existence for over 60 years at 711 Pitt Street.

Section 1.6.6 of the Provincial Policy Statement addresses sewage, water and stormwater services.

Section 1.6.6.7 calls for stormwater management to be planned in such a manner that it minimizes a change in water balance or erosion. While the change of use to a parking lot will increase the amount of impervious material on the site, the release of stormwater from the parking lot into the City's storm sewer system will be on a controlled basis so as not to cause a change in the water balance in the City's storm sewer system.

Section 1.7 of the PPS addresses Long Term Economic Prosperity.

Section 1.7.1a) calls for municipalities to achieve long-term economic prosperity by "promoting opportunities for economic development and community investment readiness;"

Section 1.7.1b) urges municipalities to optimize the use of land and public service facilities.

Section 1.7.1.c) encourages municipalities to maintain, and where possible, enhance the viability of downtowns and mainstreets.

In 2011, City Council promoted the opportunity for economic development at 711 Pitt Street by providing the automotive dealership with a grant under its Heart of the City Community Improvement Program for façade improvements to the dealership building.

The use of this property for temporary vehicle storage is a means of optimizing the use of land by having the storage facility located adjacent to the dealership building.

In the City of Cornwall Official Plan, Pitt Street in this part of the City is recognized as a form of mainstreet where commercial activity is encouraged. Approval of these applications would enhance the viability of Pitt Street as a location of commercial activity.

In conclusion, approval of these applications is consistent with the policies of the Provincial Policy Statement 2014.



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2.2 CITY OF CORNWALL OFFICIAL PLAN

The site is governed by the City of Cornwall Official Plan that recently received Ministry approval in April 2018.

Schedule 1 Land Use places the site within the Business District. **Figure 3** is an excerpt of Schedule 1 showing the location of the site.

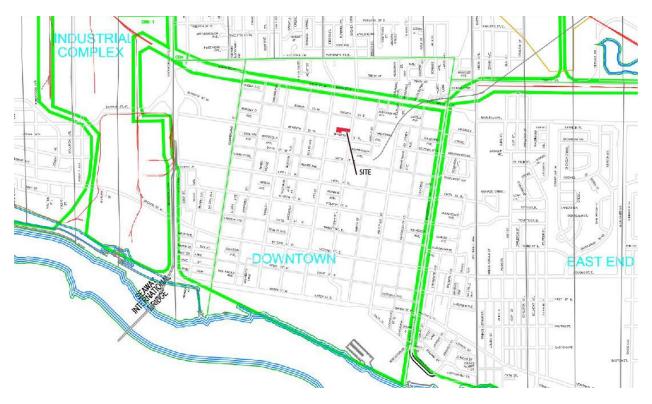


Figure 3 – Official Plan Schedule 1 Land Use

Schedule 1 Land Use designates the land subject to this application as Urban Residential while the adjacent land abutting Pitt Street with the existing automotive dealership is designated Business District.

The application to amend the Official Plan requests that the land subject to this application be redesignated from Urban Residential to Business District.

In Section 1, Scope and Type of Plan, the Official Plan is described as a Policy Plan – one of goals and policies and not a regulatory document. The Plan promotes the orderly development and redevelopment of the City.



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Section 1.5 states that the purpose of the Official Plan is to state the City's intentions toward its future development and redevelopment as a basis for future decisions, including providing the basis for changes to the Zoning By-law.

Section 1.6 speaks to the Official Plan being a 20-year plan.

Section 1.7 describes the Official Plan as being a non-static document – one that promotes the concept of continuous planning.

Section 1.7.2b) states one of the ways of achieving continuous planning is by "amendments to policies and Schedules of the Official Plan where such amendments are deemed to be in the overall interest of the City."

Section 2 of the Official Plan sets out the Basis of the Plan and Section 2.3 contains Strategic Directions including the protection and enhancement of the Downtown. The Business District designation applies to the City's Downtown area.

Section 2.4 states a number of assumptions that are relevant to these applications:

- > The City will continue as an urban major center within the Seaway Valley Region
- Most of urban growth will occur in existing designated areas
- > Cornwall will continue to operate as a regional service centre
- "People in Cornwall will continue to use the private automobile as a principal means of transportation." (Section 2.4.7)
- "The City will continue to promote, support and redevelop established Business Districts within the Community." (Section 2.4.10)

Section 2.5.1.17 states that a major consideration for reviewing development applications and proposed land uses is compatibility with adjacent land uses. The Section continues by stating that mitigation measures such as buffering, screening and landscaping can be used to reduce the potential conflicts between land uses. The Concept Plan prepared in support of this application provides an opportunity through the City's Site Plan approval process (which is required to implement the proposed change to the Official Plan and Zoning By-law) to incorporate these mitigation techniques to achieve compatibility between the proposed new use and existing adjacent land uses.

These planning applications support the achievement of three of the goals set out in Section 2.6.3 of the Official Plan. Specifically, Section 2.6.3.3 sets out the goal of expanding the City's economic base. Section 2.6.3.13 encourages "redevelopment, upgrading and efficient use of underutilized sites." Section 2.6.3.14 encourages the clustering of functionally related land uses. As stated earlier, there is well established cluster of automotive related uses at the intersection of Pitt Street and Seventh Street. For commercial development, Section 2.6.3.23 sets as a goal of ensuring the economic viability of the established Business and Commercial Districts. These applications will



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support the economic viability of the automotive dealership at 711 Pitt Street as part of the larger Business District that comprises the Downtown.

Section 3 of the Official Plan describes Growth Concepts and Policies.

Section 3.2.1 explains that the growth concept of the Official Plan is based on the principles that infilling and consolidation of existing urban areas should occur and that a more consolidated and compact urban for should be achieved. The subject applications are consistent with these principles.

One of the benefits of a compact urban form is that it would "promote strong established Business Districts by maintaining future development within easy reach of core areas." The current success of the automotive dealership at 711 Pitt Street is partly due to its proximity to the Downtown Core. Anecdotally, according to the automobile franchise owner at 711 Pitt Street, many of the patrons of the dealership find it convenient to drop off their car and walk to work at their place of employment in the Downtown core.

Section 3.3.5 refers to Schedule 1, Land Use in defining the limit of the designated growth area of the City. On Schedule 1, the site is within the Business District. Section 3.3.5.1b) describes the Downtown as one of the City's major employment areas. The dealership at 711 Pitt Street has a total of 31 full time employees.

Section 3.3.11 states that strong, established Business Districts serving the City with a hierarchy of commercial facilities and sub-districts is a vision of the Plan.

Section 3.3.15 encourages the clustering of functionally related land uses to be grouped together versus being randomly located across the City. In the Pitt Street corridor of the Business District designation, in addition to the cluster of automotive related uses at Pitt Street and Seventh Street, there is also a cluster of automotive related uses at the intersection of Pitt Street and Sixth Street where an automotive service centre and an automotive rental establishment are located. The planning applications filed for this site will support clustering of functionally related uses.

Section 4 of the Official Plan describes the Land Use designations on Schedule 1 and their respective policies.

Section 4.4 of the Official Plan addresses Commercial designations and indicated there are two commercial categories – Business District and General Commercial.

Section 4.4.2 contains a list of major goals for commercial land uses, some of which are relevant to this application;

One of the goals is to have commercially designated land that is suitably located in relation to the population to be served, adjacent land uses and transportation facilities and access. As the automotive dealership has successfully operated for over half a



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century at this location, there is no question that is appropriately located in relation to population served. The lands subject to the planning applications are compatible with adjacent land uses and are located on an arterial road.

Another goal is to concentrate businesses in geographic nodes and direct commercial development along arterial roads to these nodes. These subject planning applications reinforce to commercial activity at the Pitt Street and Seventh Street node.

In terms of General Policies for commercial designated lands, Section 4.4.3.2 contains a policy that the redevelopment of existing viable commercial areas should occur prior to the approval of new development areas. This application is supportive of expansion of an existing viable commercial area.

Another relevant policy, Section 4.4.3.5, is that adjacent land uses are to be protected from commercial development through matters that the municipality can influence through its Site Plan application process – the use of buffering and screening and diversion of site lighting spillage onto adjacent properties. Should the planning applications be approved, the City has the ability to ensure that adequate measures are in place to protect adjacent non-commercial uses through Site Plan control.

Section 4.5 is about Business Districts – the designation that applies to the automotive dealership at 711 Pitt Street and is requested to be designated on the land subject to this application. The description of the City's Business Districts is that they are characterized as being regional and city-wide centres. The portion of Pitt Street between Fifth Street and Ninth Street specifically noted in the Definition as being one of the Business Districts that has commercial continuity, older, unique and mixed land uses.

Included in the Business District Policies of Section 4.5.2 is the direction that the City should continue to encourage the Downtown Business District, in which this site is located, as a retail area for the City and the District.

There is also a policy in this Section that discourages uses that require large areas of land such as warehousing and major storage yards to locate in Business Districts. The use of 711 Pitt Street for the sale of automobiles predates the Official Plan. The sales and service building at 711 Pitt Street is a modest size building and is debatable as to whether it can be described as a large scale automobile sales and service dealership. Because of the dealership's proximity to the Downtown Core, the owner clearly prefers to expand his successful operation at this location than find another site away from the Downtown Core which is less convenient for many of its clientele.

Additional policies in Section 4.5.2 include creating a condition favourable to commercial growth by allowing greater use of property in the Central Business District. That is one of the reasons for these planning applications.



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It is also City Official Plan policy to support initiatives by local businesses to improve their facilities including grants under Community Improvement Plans. In 2011, Miller Hughes Ford received a grant from the City to improve the façade of the building as part of its planned dealership building expansion.

A final relevant commercial policy is that new development or redevelopment projects in the Business Districts should be compatible with existing development on adjacent lands. The concept plans show that with appropriate buffering, the proposed new temporary parking area for vehicles for sale is compatible with adjacent land uses.

Section 8 contains Economic Development policies. It is City policy in Section 8.3.1. to ensure there is an adequate supply of appropriately designated land to support growth. These applications request that the land supply be increased by a small amount in order to support the growth of the dealership.

Section 9.0 of the Official Plan, Urban Design addresses aesthetic issues in the City.

Section 9.3.2 looks to improve the visual qualities of the City. As no new buildings are proposed by these applications, buffering or screening is proposed between the proposed parking area and adjacent streets and existing residential land uses.

Section 14 of the Official Plan is the Implementation Section. The Section begins by stating that the Official Plan is not a static document and may be changed where conditions warrant and where the overall public interest is served.

Section 14.3 Official Plan Amendments contains a list of items, some or all of which applications requesting a change to the Official Plan, are to be evaluated against;

a) conformity with the overall intent, philosophy, goals, principles and policies of the Official Plan

This Planning Rationale Report shows that the requested change to the Official Plan to designate part of the site at 780 Sydney Street from Urban Residential to Business District is clearly in conformity with the Official Plan policies. The intent of the Official Plan is that the community is well served by appropriately located commercial uses. It is intended that Business Districts be successful areas of employment and service to the City and to the regional market. It is intended that new development be compatible with adjacent development and that, where appropriate, measures at the City's disposal, such as Site Plan Control, be used to provide appropriate buffering and landscaping where deemed necessary.

b) suitability of the location of the site or area for the proposed land use category especially in relation to other sites or locations in the City



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This site will enable a business that has successfully operated on a site for over 60 years to continue to operate and provide a higher level of service to its clientele.

c) compatibility of the land use classification with adjacent designations

Presently, all land on the west side of Sydney Street between Seventh Street and Eighth Street is designated Urban Residential and abuts lands designated Business District lands fronting onto Pitt Street that contain multiple commercial uses. These adjacent land use classifications have proven to be compatible over time. In a similar vein, it is felt that the proposed redesignation of the subject lands will also result in compatible adjacent land uses. The use of the subject site for the storage of cars does not result in the construction of new buildings nor does it result in significant activity on the property.

d) the need, and where deemed appropriate, market feasibility for the proposed use.

The existing automobile dealership at 711 Pitt Street is a highly successful business as proved by its longevity at this site. Additional temporary storage of cars on the land subject to this application will support the continued operation of the dealership at a location on the City that is supported by the policies of the Official Plan.

e) the extent to which existing designated areas are developed or are available for development

The owner of the dealership has examined alternative sites in the City and has determined that, from a business perspective it is better to continue to operate at this site where the present client base is attracted to because of convenience, than to seek an alternative location elsewhere in the City.

f) the impact of the proposed use on municipal services, treatment facilities and utilities, the transportation system, community facilities and the natural environment

The impact of the proposed Official Plan is negligible on City services. Stormwater runoff will be directed in a controlled manner to existing storm sewers. As no new buildings are proposed, there is no impact on the City's water system or on sanitary sewers. There is no significant vegetation the site that would be removed because of the approval of these applications. A locked gate at a driveway entrance onto Sydney Street from the site will limit the use of the driveway by cars.

g) the need to maintain an orderly development pattern

The approval of these planning applications will not result in a disorderly development pattern. Presently a portion the lands subject to this application are currently being used for parking purposes by the church.



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h) the economic benefits to the City

It is in the City best interests to have successful businesses operate at locations accessible to the public. The Pitt Street and Seventh Street intersection is an active and successful location of automotive related activity.

The financial investment the City made in 2011 under a Community Improvement Program grant for façade improvements is reaping economic benefits to the City as the automobile dealership is successful to the point that it needs additional temporary vehicle storage space by acquiring land from an abutting property.

i) the financial implications to the Municipality

The approval of these planning applications has no financial implications to the City in terms of the expenditure of public funds for matters such as servicing improvements or road widening. The City should receive some tax assessment increase as a result of the redesignation of land from its present institutional land use to a proposed commercial land use.

j) comments from City Departments and public agencies

At the time of writing this Report, the planning applications have not been filed with the City, and therefore, the comments from City Departments and public agencies is unknown.

k) precedents created by the amendment

We do not see any precedents created by the proposed Official Plan amendment. Presently in the immediate area of this site, the Business District designation extends to Sydney Street on some of the land between Sixth Street and Seventh Street and north of Eight Street to Ninth Street.

3.0 ZONING BY-LAW

The application for Zoning By-law Amendment that was filed concurrently with the application for Amendment to the Official Plan requests that the subject lands be rezoned from their present Institutional 10 Zoning that permits past and current uses include a church and a school to a Commercial 12 Zoning that applies the length of Pitt Street in this part of the City.

Figure 5 is an excerpt of the Zoning By-law that shows the zoning designations on this site and in the environs.



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Figure 5 – Zoning Map.

Permitted uses in the Commercial 12 Zone include an automobile showroom; a new and used car lot; a parking lot, public or private; a retail outlet for automotive supplies; a commercial garage; a vehicle rental agency.

Section 01-3-1 of the Zoning By-law requires that off-street parking required by the Zoning By-law for a permitted use must be located either on-site or within 150m of a lot containing a main use. In this instance, the proposed use is for the temporary storage of automobiles and not to provide parking to meet a Zoning By-law requirement for the size of the existing building. Nevertheless, the parking would be on-site if the planning applications are approved and the land is severed from the church property and added to 711 Pitt Street.

Section 01-3-3 requires that a landscape strip at least 3m wide be provided along a lot line abutting a street and at least 1m wide along any other property line.

The concept plan submitted showing the conceptual layout of the parking lot for the temporary storage of automobiles shows that these minimum requirements will not only be met but will be exceeded. The application for Site Plan control approval will have the final proposed landscape widths.



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Section 01-3-5 requires that a parking space measure 2.75m wide and 5.5m deep. A two-way driveway must be at least 6.7m wide. These dimensions were used in the creation of the concept plan of the temporary parking lot for automobiles that forms Figure 2 to this Report.

4.0 **CONCLUSION**

The application for amendment to the Official Plan and Zoning By-law by 1271450 Ontario Ltd. cob as Miller Hughes Ford Sales Ltd. for proposed parking lot for the temporary storage of motor vehicles has been thoroughly reviewed from a land use planning perspective.

It is our professional planning opinion that the applications should be approved for the following reasons;

1. Approval of the applications is consistent with the Provincial Policy Statement 2014.

2. The applications are in conformity with the overall intent, philosophy, goals principles and policies of the recently approved City of Cornwall Official Plan including the general criteria for evaluation of requests for change to the Land Use Schedule listed in Section 14.3.3 of the Official Plan.

3. The applications represent good land use planning.

4. It is in the public interest to approve these applications.

Respectfully submitted,

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David Krajaefski, MCIP, RPP Senior Project Manager







Stantec Geomatics Ltd. 400 - 1331 Clyde Avenue Ottawa ON Tel. 613.722.4420 www.stantec.com

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PROPERTY SKETCH of MUNICIPAL No. 780 SYDNEY STREET PART OF LOTS 13 & 14 NORTH SIDE OF SEVENTH STREET PLAN OF CORNWALL CITY OF CORNWALL COUNTY OF STORMONT Scale 1:250

METRIC CONVERSION DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

5 METRES

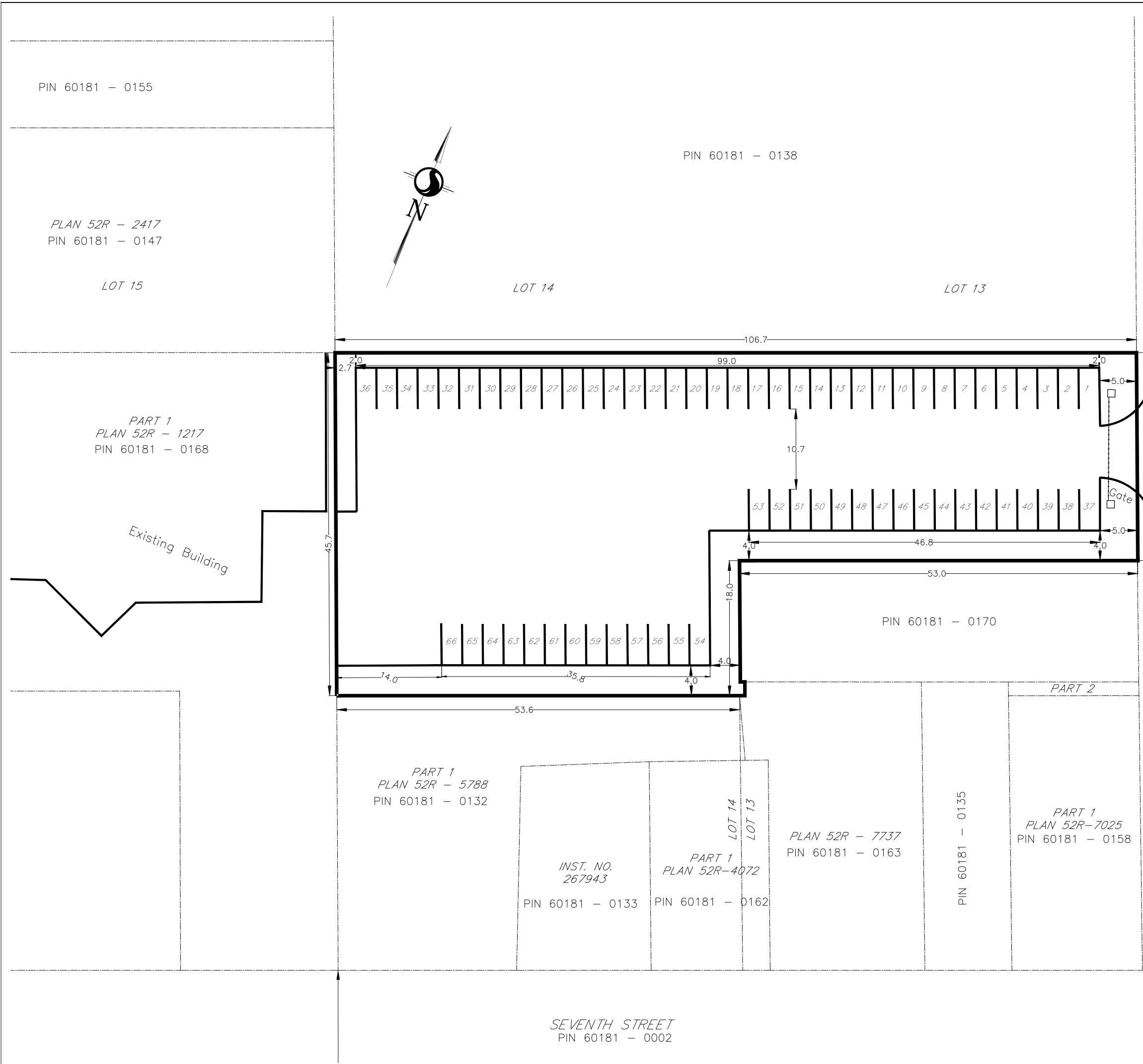
HORIZONTAL DATUM NOTE PROJECTION: MODIFIED TRANSVERSE MERCATOR (MTM, ZONE 8, CM75°00'W) DATUM: NAD 83 (ORIGINAL)

DISTANCES ON THIS PLAN MAY BE CONVERTED TO GROUND DISTANCES BY DIVIDING BY A COMBINED SCALE FACTOR OF 1.000009

CAUTION THIS PLAN IS COMPILED FROM REGISTRY OFFICE RECORDS AND SHOULD BE VERIFIED BY A FIELD SURVEY

NOTES

PARKING STALL TYPICAL 2.75m X 5.5m





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METRIC CONVERSION

DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

HORIZONTAL DATUM NOTE PROJECTION: MODIFIED TRANSVERSE MERCATOR (MTM, ZONE 8, CM75°00'W)

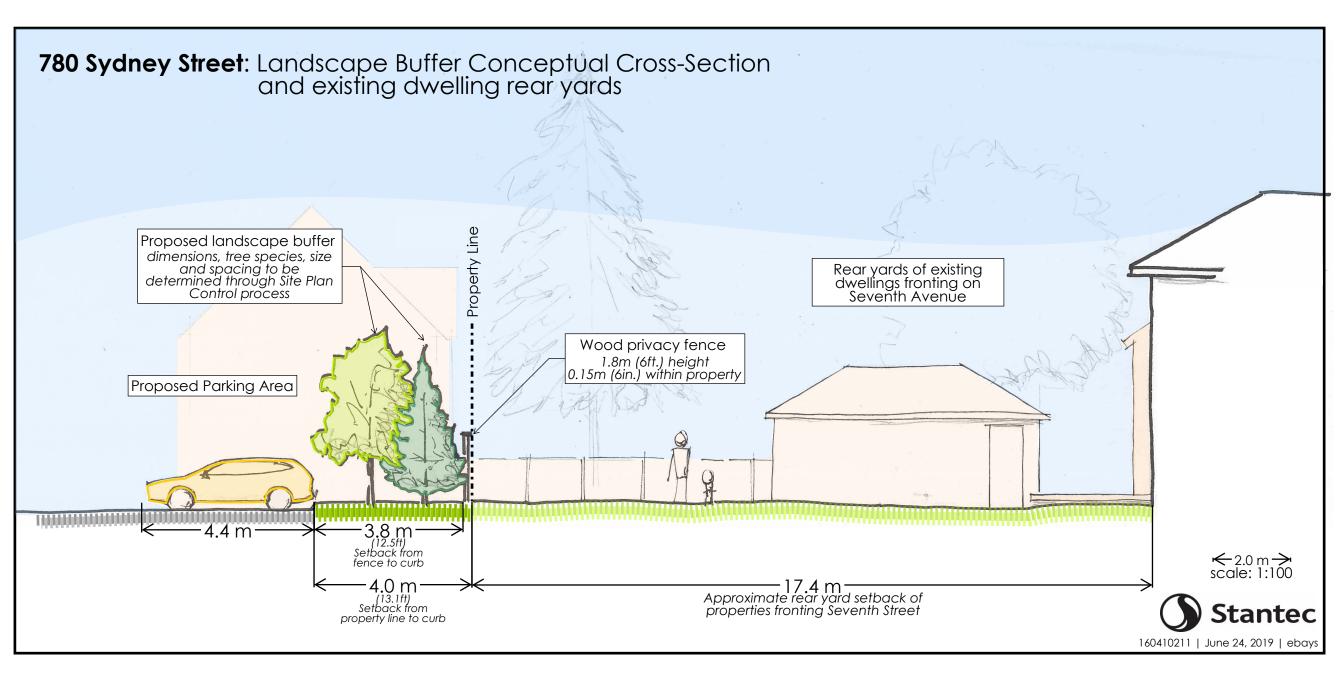
DATUM: NAD 83 (ORIGINAL)

DISTANCES ON THIS PLAN MAY BE CONVERTED TO GROUND DISTANCES BY DIVIDING BY A COMBINED SCALE FACTOR OF 1.000009

<u>CAUTION</u> This plan is compiled from registry office records and should be verified by a FIELD SURVEY

NOTES PARKING STALL TYPICAL 2.75m X 5.5m

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RESOLUTION

The Council of the Corporation of the City of Cornwall

 Resolution number:
 2019-07

 Date:
 Jun 24, 2019 07:00 PM

Council Resolution to Permit an Official Plan Amendment Application at 780 Sydney Street - Applicant Miller Hughes Ford

Whereas, the City of Cornwall's Official Plan was adopted by the City on October 23, 2017 and approved by the Ministry of Municipal Affairs and Housing on April 11, 2018; and

Whereas, Section 22 (2.1) of the Planning Act states that "no person or public body shall request an amendment to a new Official Plan before the second anniversary of the first day any part of the plan comes into effect"; and

Whereas, Section 22 (2.2) of the Planning Act, allows Councils to permit Official Plan amendment applications to proceed, so long as they have passed a Resolution to that effect; and

Whereas, a request to Council for a Resolution was submitted to allow for an Official Plan Amendment application to be submitted under Section 22(2.1)(2.2) of the Planning Act for the introduction of a parking lot in conjunction with the Miller Hughes car dealership located at 711 Pitt Street. The property is legally described as Part Lots 13 and 14, North Side of Seventh Street.

Now therefore be it resolved that the Council of the Corporation of the City of Cornwall enacts as follows:

That the request dated April 10, 2019, received from Stantec Consulting Limited, to allow for an amendment application to the City's Official Plan be received prior to the April 11 2020 moratorium date for the subject lands.

I, Manon Levesque, City Clerk, of The Corporation of the City of Cornwall, do hereby certify that the above is a true copy of Resolution Number 2019-07 enacted by Council on June **24***, 2019.*

Manon L. Levesque City Clerk

June 24th, 2019

<u>City of Cornwall</u> Planning Division 100 Water Street East, Box 877 Cornwall, Ontario K6H 5T9

From Rev. Larry Blaikie, Cornwall Wesleyan Church

Re: Neighbourhood response to the sale of Land 780 Sydney St to the Ford Dealership

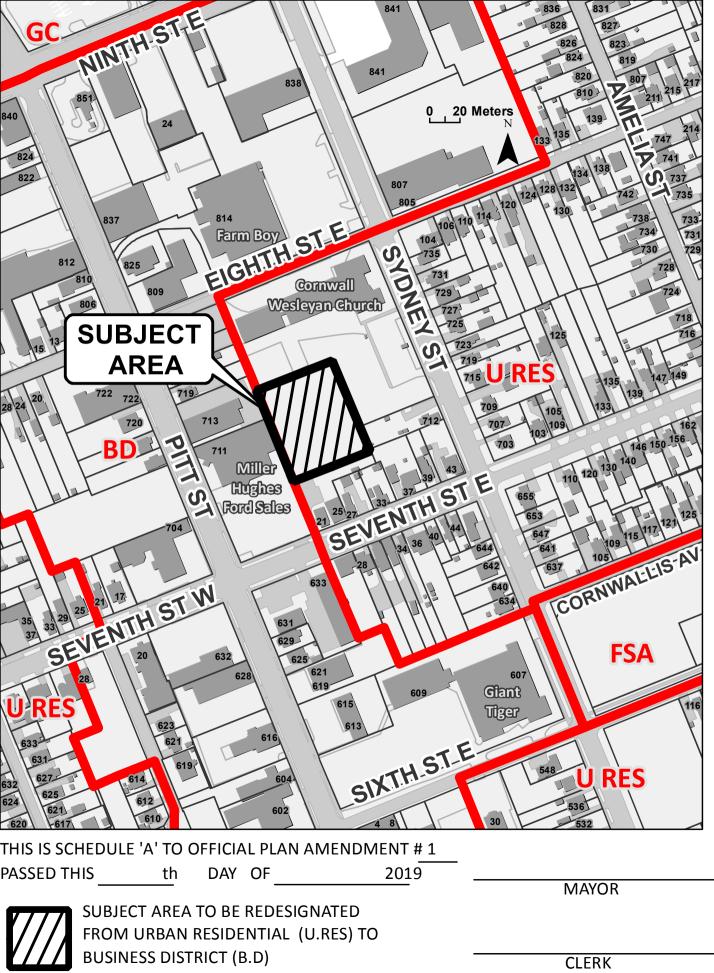
In the Fall of 2017, at the recommendation of Mr. Karl Doyle, we sent around an information flyer indicating the intent of selling the southern acre of Land at 780 Sydney Street, to the Ford Dealership for vehicle parking. The letter included a map and contact information as well as a rough idea of the acreage. In some cases people were home and we were able to chat, in other instances we just dropped off the letter in their personal mailbox. In no case did anyone contact us with concerns and those that we were able to talk to were in favor of the usage.

Houses included properties on Sydney Street and Seventh Street that were surrounding the proposed property including those across the street from the property on Sydney Street.

The initial response from every individual was positive. The only response that eventually changed was from the neighbour to the south of our property on Sydney Street. He eventually changed his comments from a great idea to commenting on how he will miss the green space and concern for the lighting.

We have not had any further official contact with the neighbors concerning this matter.

Rev Larry Blaikie Cornwall Wesleyan Church



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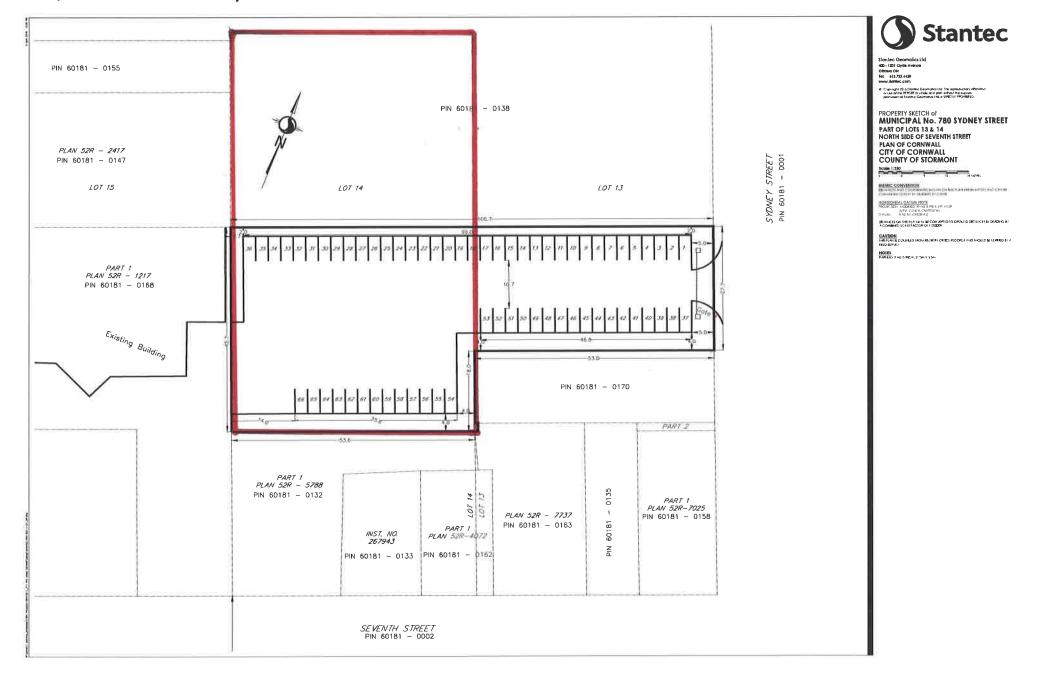
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INITIAN PROPOSAL = (0.98 Acres +/-)