

**OFFICIAL PLAN OF THE  
CITY OF CORNWALL**

**AMENDMENT NO. 1**

**DEPARTMENT OF  
PLANNING, DEVELOPMENT  
AND RECREATION**

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**OFFICIAL PLAN FOR THE  
CITY OF CORNWALL**

**AMENDMENT NO. 1**

The attached explanatory text and Schedule A constituting **Amendment No. 1** to the Official Plan for the City of Cornwall, was adopted and approved by the Corporation of the City of Cornwall by By-law Number 2019-XX, in accordance with the provisions of Sections 17, 21 and 23 of the Planning Act, R.S.O. 1990, on the 12<sup>th</sup> day of November 2019.

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Bernadette Clement  
Mayor

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Manon Levesque  
City Clerk

I hereby certify that the enclosed document is a true copy of **Amendment No. 1** to the Official Plan for the City of Cornwall, as approved by the Council of the Corporation of the City of Cornwall on the 12<sup>th</sup> day of November, 2019.

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Manon Levesque  
City Clerk

THE CORPORATION OF THE CITY OF CORNWALL

By-law # 2019-XX

**A By-law to pass Official Plan Amendment No. 1, to redesignate approximately 0.4ha (0.98) acres of land currently designated as "Urban Residential" to "Business District" on property situated on Part of Lots 13 and 14, North Side of Seventh Street, City of Cornwall having Municipal Address of 780 Sydney Street .These applicable changes are shown on Schedules A to the Official Plan.**

The Council of the Corporation of the City of Cornwall, in accordance with the provisions of Sections 17, 21 and 23 of the Planning Act, R.S.O. 1990, hereby enacts as follows:

- 1. That Amendment No. 1** to the Official Plan for the City of Cornwall, consisting of the attached explanatory text and **Schedule A** is hereby adopted;
- 2. That** the Municipality is exempt from Ministerial approval, under Ontario Regulation 5/97 and its subsequent amendments, for Amendments where Council has been requested under Section 23 of the Planning Act to amend its Official Plan and that do not affect Provincial interests;
- 3. That** the Clerk is hereby authorized and directed to give Notice of Decision of Official Plan **Amendment No. 1**, to the persons and public bodies in the manner as prescribed in Sections 17(23) and (35) of the Planning Act; and
- 4. That** this By-law shall come into force and take effect on the day of the passing thereof.

Read a First, Second and Third Time, Signed and Sealed in Open Council this 12<sup>th</sup> day of November, A.D. 2019.

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Manon Levesque  
City Clerk

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Bernadette Clement  
Mayor

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**CONSTITUTIONAL STATEMENT**

**PART A - THE PREAMBLE**

Does not constitute part of this Amendment

**PART B - THE AMENDMENT**

The Amendment, consisting of the following text and Schedule, constitutes Amendment No. 1 to the Official Plan for the City of Cornwall.

**PART C - THE APPENDICES**

The Appendices do not constitute part of this Amendment. These Appendices may contain the background data, planning considerations and public involvement associated with this Amendment.

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## **PART A - THE PREAMBLE**

### **a.) Purpose:**

The purpose of this Amendment is to re-designate approximately 0.4ha (0.98) acres of land at 780 Sydney Street from "Urban Residential" (U. RES) to "Business District" (B.D.) Designation. The property is situated on Part of Lots 13 and 14 North Side of Seventh Street and together with an abutting 1.09 acre parcel to the immediate west will form a combined 2.07 acre (.84 hectare) site to accommodate an expansion to the Miller Hughes Car dealership .

### **b.) Location:**

The lands affected by this Amendment are legally described as Part of Lots 13 and 14 North Side of Seventh Street, municipally known as 780 Sydney Street, and constitute approximately 0.4 ha (0.98 acres) west of Sydney Street and north of Seventh Street East.

### **c.) Basis:**

The lands affected by this Amendment are designated as "Urban Residential" (U.RES), which typically promotes residential, institutional development with limited commercial. The re-designation to "Business District" represents a reasonable infill development due to it's' association with the commercial activity located directly to the west fronting on a commercial corridor.

The proposed expansion to the long standing commercial development is consistent with other existing land use activities in the general vicinity and will be extensively buffered from existing residential land uses to the south and east, located along Sydney and Sixth Street.

### **Applicable Provincial Policy Statements (PPS's)**

The Provincial Policy Statements (PPS) directs municipalities to consider development which, in part, is consistent with the following examples:

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 applicants 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.

Policy 1.1.3.4 - Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

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 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 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 and Brownfield funding in 2011 in order to achieve Ford Canada Corporate imaging program.

## **1.7 Long-Term Economic Prosperity**

1.7.1 Long-term economic prosperity should be supported by:

a) promoting opportunities for economic development and community investment-readiness;

The "PPS's" collectively promote infilling and intensification and the addition of the subject lands to the already established car dealership, will represent completion of development in a high profile location on one of Cornwall's main transportation corridors to the City. This form of infill redevelopment is consistent with the PPS.

### **Applicable Official Plan Policies:**

The parcel is presently designated 'Urban Residential' similar to the land uses located 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 (2)(4)(13) Goals General**

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

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

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 (a)(d)(e) Goals and Principles**

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

- ensure that the future development blends in with existing neighbourhoods;
- contain urban growth within the urban settlement area;
- promote the strengthening of strong established Business Districts by maintaining future development within easy reach of core areas;

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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 Commercial Designations**

##### **4.4.3 (4)(5)(6) General Policies**

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

- ensure that new commercial development and redevelopment are in accordance with acceptable site plan approval procedures and principles.
- 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.
- require commercial developments to provide appropriate landscaping adjacent to streets and within the interior of the site.

**The Official Plan Section 4.5 provides long-term land use direction for Business District activity through samples of the following policies:**

The Planning analysis concludes that the Business District designation is found in areas of concentration of retail, recreation, housing, hotels etc. Pitt Street generally between Fifth and Ninth Street is recognized as one of the Business district area. In this case, the subject lands abut the designation.

##### **4.5.2(4)(12)(13) Business District Policies**

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

- 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

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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.

- 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.

- provide for the integration of new development or redevelopment projects in the Business Districts. Ensure that the nature and scale of new development or redevelopment is compatible with existing uses or approved development or redevelopment projects on adjoining lands. Ensure that adequate pedestrian and vehicular access to the site and open space is or will be made available and seek to improve the urban design of such areas, particularly along arterial streets with reference to the Urban Design Chapter and any urban design guidelines that the city may prepare.

4.5.2 (4) - 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.

That being said, 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 a potential land use conflicts between the properties located to the south, however, we are 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.

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 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.

The "Commercial 12" zoning sub-category shall mean those areas with uses and 4.6.2.7 The City may require adequate buffering, screening or additional setback for particular uses where a General Commercial area adjoins residential areas in order to promote compatibility.

It is, therefore, the position of the City Planning Division that a re-designation is consistent with and conforms to policies found in the PPS's and for the strong majority the Official Plan. More specific regulatory direction/control is to be established in the Commercial 12 zone to be placed on-site.

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**PART B - THE AMENDMENT****a.) Introductory Statement:**

All of the part of the document entitled **PART B - THE AMENDMENT**, consisting of the following text and Schedule A constitutes **Amendment No. 1** to the Official Plan for the City of Cornwall.

**b.) Details of the Amendment:**

The Official Plan for the City of Cornwall is amended as follows:

**i.) Schedule 3 Land Use**

The applicable Land Use Schedule 3 is amended by re-designating the subject area, being approximately 0.4ha (0.98) acres on Part of Lots 13 and 14, North Side of Seventh Street, municipally located at 780 Sydney Street, City of Cornwall, more specifically as shown on Schedule A to this Amendment, from "Urban Residential" (U. RES) to "Business District (B.D.).

### **PART C - THE APPENDICES**

The following Appendices do not constitute part of **Amendment No. 1**, but are included as information supporting the Amendment.

- Appendix I - Planning Advisory Committee Report to Council Meeting November 12<sup>th</sup>, 2019.
- Appendix II - Report to Planning Advisory Committee meetings held on July 29<sup>th</sup> and October 22nd, 2019.
- Appendix III - M.M.A.H. Form "D" dated November 1<sup>st</sup>, 2019

**PART D**  
**CERTIFICATION OF COMPLIANCE WITH REQUIREMENTS FOR PUBLIC**  
**INVOLVEMENT**

**CORNWALL OFFICIAL PLAN**

**AMENDMENT NO. 1**

This is to certify that the requirement for the giving of notice for the above Amendment, as required by Section 17, subsections (16) and (17) of the Planning Act, have been satisfied.

The requirements for a Public Meeting as required by Section 17 have also been satisfied.

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Mary Joyce-Smith, MCIP, RPP  
Secretary, Planning Advisory & Hearing  
Committee & Division Manager of Planning  
Services