

The Corporation of the City of Cornwall
Regular Meeting of Council
By-law Explanatory Note

Department: Planning, Development and Recreation
Division: Planning
Report Number: 2020-279-Planning, Development and Recreation
Prepared By: Mary Joyce-Smith, Division Manager
Meeting Date: February 12, 2020
Subject: **Hold Removal - Cornwall Camping**

Purpose

The purpose is to assess the appropriateness of the proposal for an autobody repair garage and associated car parking in connection with the neighbouring property Nissan to set up in the former Cornwall Camping building.

Background / Discussion

Site Context:

The subject site is situated along the east side of Brookdale Avenue and is found just south of the newly developed Nissan and KIA dealerships. In 1997, Cornwall Camping petitioned the city for an Official Plan Amendment and Zoning change in support of their business on a 4.46 parcel area. The area in question is described as part of Part 18 on Plan 52R-3892, (see Attachment 1), being a parcel measuring 330 feet along Brookdale and 587 feet in depth. The lands were originally designated and zoned as Rural Area (RA). The development application was to change the designation to General Commercial (GC) and change the Zoning to Highway Commercial with a partial "Hold."

Description of the Proposal:

With the request to include an automotive garage and associated parking for Nissan, Planning has come to the rational that the original "Hold" was put in place to ensure that premature development did not occur and that the Brookdale corridor be preserved for appropriate development. Since that time in 1997, Planning would argue that the intent of the "Hold" has been met. The actual "Hold" has four provisions which Planning believes have essentially been complied with:

Excerpt from Bylaw 13-1997, (see Attachment 2):

The Holding (H) Category should not be removed until such time that the following items are completed to the satisfaction of Council.

- i) Installation and hook-up of full Municipal services along Brookdale Avenue*
- ii) Completion of a Market Impact Study*
- iii) Completion of a Traffic Impact Study*
- iv) Entering into an Agreement identifying landowner responsibility for paying for installation of services as mentioned.*

Planning would state that when this “Hold” was instituted, the area was undeveloped and there was a very severe concern to ensure that when and if services were extended, that the individual landowners would connect to the municipal services available.

To fast forward 23 years later, Planning recognizes that the North Brookdale corridor has become an important gateway into development and has experienced extensive commercial development over the last two decades. It is important to realize that all of the developments on Brookdale have been subject to Site Plan Approval(s) including the subject property, and that those approvals have introduced a special provision to address the responsibility for individuals to pay for the installation of services.

Planning Analysis:

It is the professional opinion therefore that items (i) and (iv) of the Hold as described in Bylaw 13-1997 have been met. With respect item (ii) being a Market Impact Study, Planning believes that this is with reference to the entire area being developed with a more intensive commercial use in the future. It appears that the area in question has developed into more of a car plaza, and therefore a market impact study is not warranted. A Traffic Impact Study (iii) would have been addressed with the development of the Nissan and KIA commercial dealerships directly to the north. Until we receive a development proposal for the subject site, a TIA and or brief could be given and evaluated at time of a future Site Plan application. It is therefore the professional opinion of this Planner that a Traffic Impact Study and or brief could be given and reviewed at the Site Plan Approval process stage of any future development of the subject lands.

Conclusion:

This justification has provided an historic background about the initial “Hold” provision requirements. It is the opinion of this Planner that the “Hold” requirements have essentially been fulfilled and that the removal of the “Hold” at this point is a technical requirement. As per the Planning Act Section 36, a Holding Provision Bylaw must be removed by an amendment to the Bylaw. It is to be noted that once a new development or major modifications to the land is submitted, then a Site Plan approval application will be required, and all necessary studies and drawings will be evaluated at that time.

Report Approval Details

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| Document Title: | Note-Hold Removal-2020-279-Planning, Development and Recreation.docx |
| Attachments: | - Attachments.pdf |
| Final Approval Date: | Feb 14, 2020 |

This report and all of its attachments were approved and signed as outlined below:

Mark A. Boileau - Feb 13, 2020 - 9:35 AM

Maureen Adams - Feb 14, 2020 - 3:25 PM