



**The Corporation of the City of Cornwall  
Planning Advisory and Hearing Committee**

**File Number: Folder 309 (04T-2020-01) & Z-04-20**

**Applicant: Marc Brisson / EVB Engineering**

Department: Planning, Development and Recreation  
Division: Planning  
Report Number: 2020-398-Planning, Development and Recreation  
Prepared By: Lindsay Parisien, Development Planner  
Meeting Date: December 21, 2020  
Subject: PAC Report - Belfort Draft Plan of Subdivision for Phase 2  
with associated Zoning By-law Amendments - (Marc Brisson /  
EVB)

**Purpose**

Review of an application for a Draft Residential Plan of Subdivision (Folder 309 04T-2020-01), and Rezoning application from Manufacturing 20 (MFR 20) to Residential 20 with Exceptions (RES 20 EXC) along with the removal of the Holding Category (H) (Z-04-20), being Part of the East ½ of Lot 5 and Part of Lot 4, Concession 1, situated south of Belfort Crescent and east of Walton Street.

**Recommendation**

Based on the proceeding discussion, it is recommended:

(a) That approval be given to the Draft Plan of Subdivision prepared by K. Adams Surveying LTD. O.L.S., Ontario Land Surveyor., dated June 10th, 2020, on the lands located on the East ½ of Lot 5 and Part of Lot 4, Concession 1, and comprising approximately of 2.38 Ha (5.9 acres) of land, referred to as Belfort Subdivision Phase 2. This plan will provide for 21 Single Detached Dwelling lots and 10 Semi-Detached Dwelling lots (20 units), Blocks 1 & 2 will accommodate a pedestrian link and a .03m R.O.W reserve. This Draft Plan will be subject to the fulfilment of the Draft Plan Conditions, as shown in Appendix A, attached to this report and subject to the associated Zoning Amendments coming into effect; and

(b) That the subject lands be rezoned from Manufacturing 20 with a Hold (MFR 20 (H)) to Residential 20 with Exceptions (RES 20 EXC), as detailed in this report.; and

(c) That lands located on the East ½ of Lot 5 and Part of Lot 4, Concession 1, and comprising approximately of 2.38 Ha (5.9 acres) of land, referred to as Belfort Subdivision Phase 2, be rezoned from Manufacturing 20 with a Hold (MFR 20 (H)) to Residential 20 with Exceptions (RES 20 EXC); the following site-specific exceptions will apply;

Single Detached Dwellings:

Minimum Side Yard Setbacks = 1.21 metres

Minimum Rear Yard Setback = 8 metres, and a Lot Occupancy of 38%

Semi-Detached Dwellings:

Minimum Side Yard Setbacks = 1.21 metres

Minimum Rear Yard Setback = 8 metres

## **Background**

The property is a vacant Brownfield site, and slopes from north to south towards the St. Lawrence River. There is a Hydro easement running north/south along the eastern boundary of the property. The easement also contains a main storm sewer, which ultimately outlets to the St. Lawrence River. The easement is proposed to be linear park space in future phase(s). Access to the subdivision is to be provided via Walton Street (west side) for Phase 1, and then connections to Montreal Road and Second Street will be added in subsequent phases by an extension of Nick Kaneb Drive, being a north-south arterial road.



The overall subdivision will be expanded to the south and east and the owner continues to work with the City to solidify the final design. (See Draft Plan attached to this report). Walton Street will be extended across the entire Phase 2 Subdivision, and the remaining easterly section of Walton Street to Danis Avenue will be connected during Phase 3 of the development. An extension of the Nick Kaneb Drive north/south arterial will also be implemented in the future.

The remaining phases will consist of a variety of land uses including a mix of single detached, semi-detached, townhome, and apartment/condominium residential, as well as retail and service or office commercial. The higher density residential uses will be clustered around a central neighbourhood park, located along Nick Kaneb Drive, south of Walton Street.

As a result of the site's former use, the majority of the area to the southeast of the proposed Nick Kaneb Drive extension has only been remediated to the point where it is suitable for commercial uses. Sufficient remediation of the remainder of the site will continue to be undertaken to allow for the establishment of residential uses.

In 2011, the City of Cornwall approved the registration for Phase 1 of the Belfort Subdivision with an approved lot fabric consisting of single lots, small lot singles and semi-detached dwellings. At that time, the property was subject to an Official Plan Amendment No. 23 in 2011 to designate the majority of the Courtaulds lands including Phase 1 to Urban Residential (U.RES) and rezoned the first phase to Residential 20 with Exceptions (RES 20 EXC). This was the initial beginning of the redevelopment of this Brownfield site. The first Phase of this subdivision is now completed, and the developer is anxiously waiting to commence the second Phase.

## **Site Characteristics**

### **Location:**

East ½ of Lot 5 and Part of Lot 4, Concession 1

East of St. Felix Street

South of Walton Street

### **Size:**

2.38 Ha (5.9 acres)

Frontage along Walton Street



## **Existing Land Use:**

Vacant Lands

## **Surrounding Land Uses:**

### **North:**

Belfort Subdivision Phase 1 - Residential 20 with Exceptions (RES 20 EXC)

### **East:**

Vacant lands, Manufacturing 20 with a Hold (MFR 20 (H))

### **South:**

Vacant lands, Manufacturing 20 with a Hold (MFR 20 (H))

### **West:**

Residential Land Uses, Medium Density, Residential 20 (RES 20)

## **Official Plan:**

Urban Residential (U RES)

Comprehensive Redevelopment Area (CRA) (South/East)

Business District (BD) (South)

## **Zoning:**

Existing - Manufacturing 20 Hold (MFR 20 (H))

Proposed - Residential 20 with Exceptions (RES 20 EXC)

## **Discussion**

This report will examine three planning issues related to the total site:

Draft Plan of Subdivision Approval

Removal of the Holding category

Rezoning Application

The Draft Plan will be reviewed in respect of the criteria that is considered by a Subdivision Approval Authority, as detailed in the applicable sections of the Provincial Policy Statement (PPS), the Planning Act, Section 51 (24)., and the City's Official Plan.



The accompanying amending Zoning By-law applications are to consider a change from Manufacturing 20 (MFR 20) with a Hold (MFR 20 (H)) to Residential 20 with Exceptions (RES 20 EXC) together with this Draft Plan of Subdivision.

As part of the 2011 Official Plan Amendment No. 23 and associated Zoning By-law amendment included a Holding Category (H) which was applied to the remaining Manufacturing zoned lands. The Hold was applied as an interim measure pending approval of subsequent Residential (including Commercial) Plans of Subdivision.

A secondary objective, but equally important, in applying such an (H) category is to ensure that the Ministry of the Environment (MOECP) "D" Series Guidelines for separation distances between a sensitive land use and Industrial use are not violated. This will become increasingly more important in later subdivision phases, as the separation distance is reduced to one of the last Manufacturing 20 (MFR 20) zoned sites in the area to the south along Montreal Road.

### **Provincial Policy Statement (PPS) 2020 Section:**

The Provincial Policy Statement (PPS) includes Provincial Policy direction on various matters related to Land Use planning. Section 3 of the Planning Act requires that all land use planning matters are consistent with the PPS.

This review will examine several policies of the PPS in relation to this development application, Belfort Subdivision Phase 2.

### **Provincial Policy - 1.1 Managing and Directing Land Use to Achieve Efficient Development and Land Use Patterns**

- 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 Municipality over the long term;
  - c) avoiding development and land use patterns which may cause environmental or public health concerns;
  - g) ensuring that necessary infrastructure and public service facilities are or will be available to meet the current and projected needs;

## **1.4 Housing**

- 1.4.3 c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;
- 1.4.3 d) promoting densities for new housing which efficiently use land, resources, infrastructure, and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed.
- 1.4.3 f) establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

### **Related Commentary from Municipality on Provincial Policy Matters:**

Phase 2 is a low-density residential area situated east of Riverview Subdivision and immediately south of the Belfort Estate Subdivision Phase 1. The subject site is located within the City's Urban Settlement Boundary Area and has access to the City's street network and full municipal services. This phase is a welcomed addition to the area and will further progress the overall planned development. Traditionally, 10 units per acre is a low-density subdivision while 15-20 units per acre is a medium density. Therefore, Phase 2 development as proposed, represents a regular low-density subdivision compared to other similar developments in Cornwall.

The developer plans to introduce single detached and semi-detached dwellings that are aesthetically pleasing and consistent with the first phase. The requested site-specific exceptions promote compact form and intensification principles that are consistent with the built form in the first phase. The proposed plan meets the objectives of servicing, as municipal water and sanitary storm sewers are readily available to service the proposed phase. Other services such as transit, fire, underground infrastructure, and utilities will be available to this development.

## **Zoning:**

The accompanying amending Zoning By-law applications are to consider a change from Manufacturing 20 (MFR 20) with a Hold (MFR 20 (H)) to Residential 20 with Exceptions (RES 20 EXC). As a result of the zoning change it will bring the development area in conformity with the Urban Residential (U RES) designation.

The Developer is requesting the following site-specific exceptions apply to the Second Phase;

### Single Detached Dwellings

Minimum Side Yard Setbacks = 1.21 metres (current 1.5 m) (decrease .29 m)

Minimum Rear Yard Setback = 8 metres (current 10 m) (decrease 2 m)

Lot Occupancy of 38% (current maximum 35%) (increase 3%)

### Semi-Detached Dwellings

Minimum Side Yard Setbacks = 1.21 metres (current 1.5 m) (decrease .29 m)

Minimum Rear Yard Setback = 8 metres (current 10.5 m) (decrease 2.5 m)

Planning staff are of the opinion that the Zoning By-law amendment along with the zoning provision adjustments for the Second Phase are appropriate and consistent with the development approvals that were provided for the first Phase. As part of the Zoning By-law No.751.1969 as amended review exercise, residential zones will include zoning standards that will be inline with accepted and contemporary design principles.

In addition to the site-specific exceptions, this amending application will also consider the removal of the Holding category on the zone for the Second Phase. The original Hold as mentioned was put in place to ensure that appropriate development proposal was provided. Also, when considering applications to remove Holding (H) symbols, items that are evaluated prior to rendering a decision on the appropriateness of the proposed development include: servicing, access points, as well as transportation systems. (14.7.5).

As is evidenced in the Preliminary Site Servicing Report prepared by EVB Engineering, it concludes that the proposed development can be serviced by extending existing municipal water and sanitary infrastructure along the proposed Walton Street expansion.



In terms of access points and effective transportation system, the proposed Plan includes one centralized access (Walton Street) which links to St. Felix and provides access to two main arterial streets being Second Street east to the north and Montreal Road to the south. It is critical to note that the 31 lots being proposed, consisting of both single detached and semi-detached dwellings will have a minor impact on Walton and surrounding street. Staff will include a Draft Plan Condition which will require the developer to complete the east portion of Walton Street to provide a secondary access during Phase 3.

The proposed development includes a 25.0 metre collector street corridor with a 10.0-metre-wide asphalt roadway and 1.5m metre sidewalks on both sides. Landscaping and tree planting will be provided in accordance with City development standards. The proposed residential building models will be consistent with Phase 1. The larger building envelopes will accommodate on-site parking along with ample amenity space.

Planning would comment that the Urban Residential Designation and low-density Residential zoning for these lands was established in 2011. Planning Division is of the opinion that the requirements of Policy 14.7.5 have been addressed and the removal of the Holding category is appropriate for the second Phase. The remaining lands will maintain the Holding category and may only be removed once subsequent phases have been evaluated and a recommendation is provided.

### **Draft Plan of Subdivision Approval Analysis:**

Planning Division staff has reviewed the subject application for Draft Plan Approval in respect of the criteria that is considered by a Subdivision Approval Authority, as detailed in the Planning Act, Section 51(24). As well, the applicable sections of the Provincial Policy Statement (PPS) and the City's Official Plan have been used to establish staff support for the proposal.

The Draft Plan of Subdivision has been circulated to all legislated agencies and internal departments of the City of Cornwall. Their comments have been reviewed and incorporated into this technical report. Those comments that need to be recognized as conditions have been included in the Draft Plan Conditions and are found in Appendix A to this report (See Draft Plan Conditions attached to this report). Upon completion of all the Draft Plan Conditions, the Developer must then arrange to enter into a Subdivision Agreement with the Municipality and the final stage of the process involves the registration of the Plan of Subdivision. The Subdivision Agreement covers the Developer's responsibilities





in matters related to road construction, installation of municipal services / utilities, parkland contribution and drainage issues, for example.

The Developer intends to introduce 21 single detached dwellings and 10 semi-detached dwellings in this Phase of the Subdivision and includes a 25.0 metre collector street corridor (Walton Street) with a 10.0-metre-wide asphalt roadway and 1.5m metre sidewalks on both sides.

The proposed zoning for the Subdivision is Residential 20 with Exceptions (RES 20 EXC), while the Official Plan Designation is Urban Residential. The proposed Plan of Subdivision will establish a total of 41 residential units.

- 21 lots being for single detached dwelling units
- 10 lots being for semi-detached dwelling units
- Blocks 1 & 2 will accommodate a pedestrian link and a .03m R.O.W reserve
- New municipal road with full underground municipal services utilities

Planning staff would comment that this Subdivision plan adheres to the City's Official Plan policy direction for subdivisions and follows the document's Strategic Direction (Section 2.3.1) to achieve the Twenty-year Vision by supporting redevelopment of Brownfield sites with particular emphasis on the former Courtaulds Site.

Section 14.10.2 states that, "...No Plan of Subdivision shall be recommended for approval unless it is in conformity with the provisions of the Planning Act; and

a) can be supplied with adequate services such as water supply, sewage disposal, storm water quality and quantity management, fire protection, roads, utilities, schools and other community facilities and services; and;

b) promotes a compact and consolidated development pattern in urban sections of the Municipality and protects the rural character in the remainder of the City, and;

c) can be serviced economically without imposing a burden upon the taxpayer and does not place an adverse impact upon the transportation system, adjacent land uses and the natural environment, and;

d) can be integrated with adjacent lands, subdivisions, and streets.

f) is designed in accordance with accepted and contemporary design principles.

**Lot Layout:**

The City's Official Plan outlines various policies in the Housing Section which supports the Subdivision, particularly:

**Policy Section 5.2.3.** Encourage attractive, well designed, climate resilient, sustainable and innovate residential subdivision and housing projects demonstrating strong architectural design and sense of place.

**Policy Section 5.2.4.** Ensure that all residential development is suitably located and designed.

**Policy Section 5.3.16** Ensure that well designed residential subdivisions are developed consistent with contemporary planning principles. In particular:

g) encourage plan of subdivision which:

iii) are designed with regard to accepted urban design practices/standards;

ix) provide safe and sufficient access points and intersections;

x) encourage developers to consider single loaded street adjacent to arterials or other alternatives to reverse frontages lots, in order to improve functionality and aesthetics of new subdivisions along major arterial roadways;

xiii) provide suitable buffers adjacent to major streets, railway lines or incompatible land uses;

xvii) provide continuous park and walkway systems;

xviii) take natural drainage and contours into account and retain as much of the existing tree cover, drainage courses and other natural features as is possible;

xx) encourage active transportation;

The subdivision lot frontages located along a collector street will include sidewalks on both sides of the right-of-way. The proposed lots will accommodate single detached and semi-detached dwellings and will exceed applicable minimum frontage and lot area zoning requirements.

The City will be introducing a future bike path that will be located to the north and run in an east/west direction. Pedestrian linkage has been included to ensure connectivity to subsequent phases. The Subdivision is located within walking distance to main public transit routes located to the south and north, Second Street east and Montreal Road.

### **Parkland Dedication:**

Phase 1 of the Belfort Subdivision dedicated a Block for a park and is considered to be more of a minor park, the major centralized park will be dedicated in subsequent phases. City staff has included a requirement to introduce the centralized park as part of the third Phase of the Subdivision. City staff will continue to work with the developer and consultants to solidify the extent of the parkland locations and design for the overall subdivision. (See Parks Plan attached to this report).

### **Sidewalks / Fencing:**

The need for a sidewalk is generated through the Engineering Division Subdivision Manual Standards. The planned asphalt roadways will be constructed to the City's 25m Collector street standards and consist of a 10.0-metre-wide asphalt roadway and 1.5m metre sidewalks on both sides of Walton Street.

### **Other Technical Reports:**

**Environmental Status:** Correspondences from the Ministry of the Environment, Conservation and Parks (MECP) dated June 6<sup>th</sup>, 2019 and November 12<sup>th</sup>, 2020 along with some correspondence from the Qualified Person (QP) dated August 27<sup>th</sup>, 2020 has concluded that there are no environmental issues in respect to the subject site and therefore the residential development may proceed. (See Letter from MECP and memo of June 19<sup>th</sup>, 2020 attached to this report).

**Archaeological Assessments:** Both a Stage 1 & 2 Archeological Assessment was conducted on the overall lands in 2010, the Qualified Person (QP) concluded that no further assessment was required.

**Preliminary Servicing Brief:** A detailed preliminary servicing and stormwater management report has been completed based on the draft plan. The document will be further reviewed during the subdivider's agreement stage with the City's Engineering Division.

## **COMMENTS FROM OTHER DEPARTMENTS / AGENCIES**

### **Ministry of the Environment, Conservation and Parks (MECP):**

I received on October 23, 2020, a request from the City that the ministry review and comment on the above noted subdivision plan. I apologize that I could not provide comments by November 6, 2020. I have conducted a cursory review of the proposed plan for the Belfort Estates next phase of development with respect to environmental issues. Based on my review it appears that the Developer has addressed the comments of my June 6, 2019, letter to Mr. Brisson. In particular, the development does not encroach on the area that has been identified as requiring additional monitoring to be conducted by the Developer, and the proposed development will result in a minimum of 50 meters buffer between the nearest residential property (yard or structure) and the Closed (Former Courtaulds) Landfill. I have not had an updated Technical Support review and am relying on comments made in 2019. (See letter from MECP and memo of June 19<sup>th</sup>, 2020 attached to this report).

### **Municipal Works:**

No comments

### **Building Division:**

No comments

### **Parks and Recreation:**

No comment regarding Phase 2. The planned centralized park located along Walton Street and Belfort Street will be dedicated as part of Phase 3 of the Subdivision. City staff will continue to work with the property owner and consultants to develop a functional centralized park that will consider an appropriate design.

### **Engineering Division:**

The Engineering Division has reviewed the proposed Subdivision Application and has provided commentary which has been included in the Draft Plan Conditions. In particular, the Developer will agree to address the Engineering Division comments regarding the servicing plan prior to entering into a Subdivision Agreement with the City of Cornwall.



**Transit Division:**

Transit has no concerns or objections.

**Mohawk Council of Akwesasne:**

We have no comment at this time.

**Canada Post:**

The following commentary was received from Canada Post and has been included in the Draft Plan Conditions.

1. Canada Post will provide mail delivery service to the subdivision through centralized Community Mailboxes (CMBs).
2. Given the number of changes in the layout of the lots in the subdivision, we have determined the amounts of 1 sites (total of 2 modules). The CMB's location will be beside LOT 31 at the entrance of subdivision. This location must be indicated on the appropriate servicing plan.

Canada Post also asked that they be provided with the new civic addressing for the subdivision and further updated should the project description change. They also asked that the Developer provide them with the excavation date for the first foundations and expected dates for the installation of the CMB(s).

**Union Gas:**

It is Enbridge Gas Inc.'s (operating as Union Gas) request that as a condition of final approval that the owner/developer provide to Union the necessary easements and/or agreements required by Union for the provision of gas services for this project, in a form satisfactory to Enbridge.

**Social Housing Services:**

No comments

**Cornwall Community Police Services:**

No issues or concerns from the Cornwall Police Department.

**Municipal Assessor:**

No comments



**Economic Development:**

Economic Development is supportive of the expansion of the Belfort Subdivision for the next Phase and the continued development of the area.

**Traffic Engineer:**

No comments

**Raisin Region Conservation Authority:**

The Authority has provided commentary in support of Phase 2 of the Belfort development and are request that the following to be included to the Draft Plan conditions:

The subdivision agreement shall provide that the final approved Storm Water Management Plan(s) the lot grading and drainage plan, and the sediment and erosion control measures prepared by the developer shall be implemented.

**St. Lawrence Seaway Management Corporation:**

No comments

**Heritage-Patrimoine Cornwall:**

The Committee does not have any problems or concerns with the proposed residential development.

**Public Commentary:**

To date, the City's Planning Division has not received a Public inquiry regarding the submitted applications for the subject site, the public was notified in accordance with legislated requirements set out in the Ontario Planning Act.



## **Conclusion**

Planning Division staff has reviewed the Draft Residential Plan of Subdivision and the associated Rezoning applications along with all supporting documentation to facilitate Belfort Phase 2. A project of this nature maximizes the use of services, includes appropriate low/medium density residential land uses, and is well integrated with the abutting-built environment. The proposal adheres to such general principles of sustainable land use planning, as promoted in the P.P.S. and City's O.P. documents.

Therefore, the lands are appropriate for immediate development as set out in the Draft Plan by K. Adams Surveying LTD. O.L.S., subject to Draft Plan approval conditions, which have been revised in the Technical Report "A" attached to this report. The applicant must agree to adhere to each of these conditions prior to Council granting final approval.





## Report Approval Details

Document Title:	Belfort Subdivision Phase 2 - 2020-398-Planning, Development and Recreation.docx
Attachments:	<ul style="list-style-type: none"><li>- Belfort Park's Plan.pdf</li><li>- Draft Plan - Belfort Estate Development.pdf</li><li>- Belfort Phase 2 - Draft Plan Conditions.docx</li><li>- Letter from Ministry - Belfort Estate - PAC Z-04-20.pdf</li><li>- 2019 Memo from MECP.pdf</li></ul>
Final Approval Date:	Dec 17, 2020

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

**Mary Joyce-Smith - Dec 15, 2020 - 1:59 PM**

**Mark A. Boileau - Dec 15, 2020 - 3:15 PM**

**Maureen Adams - Dec 17, 2020 - 1:45 PM**