



Minutes Planning Advisory and Hearing Committee

Meeting ID: 2020-03
Meeting Date: Mon September 21, 2020 07:00 PM
Location: Salon B, Cornwall Civic Complex, Lower Concourse, 100 Water St. East, Cornwall, Ontario, K6H 5T9
Chair: Elaine MacDonald, Councillor
Prepared By: Ely Daniels, Administrative Assistant

The Planning Advisory & Hearing Committee Meeting

Attendance Committee Members:

Bernadette Clément, Mayor
Elaine MacDonald, Councillor
Carilyne Hébert, Councillor
Claude E. McIntosh, Councillor
Justin Towndale, Councillor
Dean Hollingsworth, Councillor
Eric Bergeron, Councillor
Glen Grant, Councillor
Syd Gardiner, Councillor
Ron Symington, Lay Member
Amanda Brisson, Lay Member

Attendance Staff:

Dana McLean, Development Coordinator
Ely Daniels, Administrative Assistant
Karl Doyle, Senior Planner
Kaveen Fernando, Development Planner
Mark A. Boileau, General Manager, Planning,
Development and Recreation
Mary Joyce-Smith, Division Manager, Planning

Regrets:

Todd Bennett, Councillor
Maurice Dupelle, Councillor

Attendance Media:

One (1) member of the Media was present.

Attendance Public:

Nine (9) members of the Public were in attendance.

WELCOME AND CALL MEETING TO ORDER BY CHAIRMAN:

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

ROLL CALL:

Roll call was conducted by Recording Secretary Ely Daniels.

ADOPTION OF THE AGENDA - ADDITIONS AND DELETIONS:

Motion to adopt the Agenda as presented.

Moved By: Glen Grant, Councillor
Seconded By: Bernadette Clement, Mayor

MOTION CARRIED

ADOPTION OF THE MINUTES:

Motion to endorse the following Minutes with an amendment that Lay Member Ron Symington's name be reflected under Attendance of Committee Members and Lay Member Amanda Brisson's name be reflected under Regrets.

Moved By: Ron Symington, Lay Member
Seconded By: Syd Gardiner, Councillor

1 March 16, 2020 Planning Advisory and Hearing Committee Meeting

Click for detail --> 

MOTION CARRIED

DECLARATION OF CONFLICT OF INTEREST:

None

BUSINESS ARISING FROM THE MINUTES:

None

PRESENTATION(S):

PAC Secretary Mary Joyce-Smith advised that a virtual presentation would be provided by **WSP** Consultants and that a notice was posted on the City's website as well as advertised in the Saturday edition of the Standard Freeholder on September 12th, 2020. She added that this presentation was not the Statutory Public Meeting item under section 34 of the Planning Act, to be provided at a later date, and that only questions from PAC Members would be accepted.

WSP Consultant Team (Senior Project Manager, Nadia De Santi, Senior Planner, Anita Sott, and Kasper Koblauch, Bilingual Planner, provided an overview of the Draft Zoning Strategy Report which builds on the Discussion Paper (June 2020) and presents recommendations to guide in the preparation of the new City's Comprehensive Zoning By-law. The presentation detailed the reasoning for the Zoning By-law Review and the updates that are required in order for it to conform to the City's 2018 Official Plan. The consultant team each took turns speaking of the project's overall timing, the review process, the Zoning Strategy Report summarizing the legislative and regulatory planning context, and suggested recommendations on additional residential units, tiny homes, community gardens, small-scale breweries and distilleries, building heights and zones. The next steps will be the creation of the first Draft Comprehensive Zoning By-law for public review expected for December 2020, followed by another Public Open House (#3) to take place in early 2021, and finally a subsequent PAC meeting and endorsement expected for early 2021.

At this time, Chair Elaine MacDonald asked if there were any questions or comments from the PAC.

Councillor Dean Hollingsworth asked the following three questions; Clarification on access and egress for basement apartments; the reasoning behind adding a provision to require that all dwelling types including additional residential units be constructed in accordance with the Building Code. He added that it is generally understood that every building being constructed is going to have to meet those requirements anyway. Lastly he questioned the recommendation to delete the existing provision limiting building height to 90 feet and developing a maximum building height provision for each zone. He stated that since there are 32 zones, this may create confusion and significant red tape. A property located in one zone may have a different height restriction than an adjacent property situated in another zone and the different height restrictions allowed in their respective zones may cause confusion.

Lay Member Ron Symington asked whether tiny homes would be permitted throughout the City or only in certain areas/locations.

Councillor Syd Gardiner had concerns with respect to additional residential units and what controls are in place to assist firefighters in informing them of how many family members reside in a dwelling containing multiple residential units.

With respect to Councillor Hollingsworth's question regarding access and egress for basement apartments, Senior Project Manager, Nadia De Santi advised that it is typically required that there be a separate entrance being either an internal or external one

Regarding the next question as to the reasoning behind adding a provision that all buildings need to comply with the building code, when it is common knowledge, Senior Planner, Anita Sott, replied that as planners and councillors, we take it for granted, but in the case of the general public, it isn't always an assumption people make when looking at building a structure or adding a dwelling. The recommendation is being proposed because it has to be crystal clear to any resident looking into constructing an additional residential unit on their lot, that they can't just build it because it is generally permitted in the zoning by-law and that they will have to comply with the building and fire codes.

Regarding the next question with respect to developing a maximum building height provision for each zone, Sr. Project Manager, Nadia De Santi replied that instead of applying a maximum height across the city, WSP will consider the different areas where the building height makes sense given the uses, and typically what those heights could be. Through this analysis, compatibility of the uses and proposed uses through zoning will be examined. For example a 10 storey building located in one zone would not be allowed across a semi detached dwelling located in another zone. There would have to be certain provisions through setbacks, landscaping, etc. She added that building height is a subject that has to be examined in more detail and PAC and City staff will have an opportunity to review it further to see what makes sense. The intention is to enable some additional height in some locations.

With respect to the Tiny Homes question, Senior Planner, Anita Sott replied that these are already permitted throughout the City wherever appropriate residential uses are allowed through the current zoning by-law. Therefore, where a single-detached dwelling is permitted in a Residential 10 (RES 10) zone, a tiny home would also be permitted in that zone because the current zoning by-law does not require a single detached house to be of a minimum dwelling unit size.

Lay Member Amanda Brisson wanted clarification as to whether it is permitted to put an additional tiny home on a piece of land you own and already have a home on.

Senior Planner, Anita Sott replied that if you have a primary single detached dwelling on a lot, you can build a tiny home as an additional residential unit in a detached structure on that same lot, and that would be permitted under the Planning Act.

PAC Secretary Mary Joyce-Smith added that servicing concerns will also have to be addressed when looking at constructing tiny homes.

With respect to Councillor Syd Gardiner's question regarding controls in place to assist firefighters, Senior Planner Karl Doyle replied that when a building permit application is submitted, the owner must confirm whether the addition is to expand the habitable area to the primary residence or whether the expansion is to introduce a secondary living unit for an additional family.

Mayor Bernadette Clément stated that tiny homes are trendy and have a lot of potential, but questioned the reasoning behind having a general provision instead of offering something more specific for guidance.

PAC Secretary Mary Joyce-Smith added that historically Planning has looked at smaller subdivisions, homes, amenity space and also small lot singles, so it is something that is not entirely new, but we presently have to address it as it is a Ministry requirement.

Mayor Bernadette Clément stated that this must certainly be addressed as it is of interest but there needs to be more specificity and guidance.

Sr. Project Manager Nadia De Santi stated that if there are certain elements in this report that need to be looked at further, they are happy to do that. If there is a direction on any recommendation whether on tiny homes or other provisions in the report, this is the appropriate time to relay that information which will help with the first draft of the Comprehensive Zoning By-Law.

Mayor Bernadette Clément asked whether the next Open House will be virtual.

Sr. Project Manager Nadia De Santi replied that the next Open House will most likely be a virtual one.

Bilingual Planner, Kasper Koblauch added that online community engagements have proven to be successful not only to this particular project but as a whole as it enables people to become more engaged in their community. He stated that they were pleased with the results of the previous Open House (#2) as they received over 300 responses to the online survey and over 90 views to the YouTube video, compared to the first Open House which was held in person and yielded a total of 30 people.

Councillor Glen Grant had concerns with respect to the recommendation of allowing 3 total units on a lot. He asked whether there is a need for this or if the City has other options.

Senior Project Manager, Nadia De Santi replied that the allowance for 3 units on a lot comes from a recent change to the Planning Act, part of the Provincial direction for addressing affordable housing. She added that the reality maybe that it won't actually come to fruition in the City, but it is enabled through the Planning Act to address the housing supply and affordability issue that is being faced by many municipalities.

PAC Secretary Mary Joyce-Smith added that what the Province is asking the City to do is new, however, accessory apartments are currently allowed in the City's Zoning By-law.

Councillor Glen Grant asked why have a recommendation if the City's Zoning By-law already allows it?

PAC Secretary Mary Joyce-Smith clarified that the recommendation is with respect to an accessory building on a lot, currently accessory units are allowed in the main dwelling, in the unit itself. The Province is now suggesting that an additional residential unit can also be permitted in a detached building on a lot. We have to follow the Province's direction and introduce it into the By-law; and with the consultants' help, we will be able to come up with a formula to best address the parking concerns.

Lay Member Amanda Brisson emphasized that the introduction of Tiny Homes be analyzed further and suggested a regulation and testing period of 10 years in a specified area instead of giving it "carte blanche".

Senior Planner Karl Doyle replied there have been discussions and that it is crucial that the City finds a way to regulate Tiny Homes. Further discussions still needs to take place.

Councillor Syd Gardiner asked how the City plans to regulate the maximum four (4) garbage bags limit per household with respect to additional units existing in a dwelling.

Senior Planner Karl Doyle replied that this matter will be brought forth to the City's Environmental Services.

Councillor Justin Towndale stated he is looking forward to this review as the project moves forward and more public input is received. He added he understood the concerns raised by his colleagues with respect to tiny homes, but at the same time, believes there are many benefits to tiny homes. The City will have to closely look at other municipalities across the country and see what they did and how they did it. He also advised that he was in agreement with the recommendation to delete the existing provision limiting building height to 90 ft. across the City.

Following a further brief discussion, there was a motion that the Planning Advisory and Hearing Committee (PAC) receive the report as presented.

Moved By: Glen Grant, Councillor
Seconded By: Syd Gardiner, Councillor

MOTION CARRIED

REVIEW OF PUBLIC NOTICE REQUIREMENTS BY PAC SECRETARY:

PAC Secretary Mary Joyce-Smith advised that a Notice of Public Meeting was advertised in the Standard Freeholder on Saturday August 22nd, 2020 covering the Public Meeting item mentioned below, as well, a 400' radius Letter Notice was sent to landowners around the subject property on August 19th, 2020. She added that Senior Planner, Karl Doyle would provide a brief presentation for PAC and public discussion and final recommendation to Council.

PUBLIC MEETING ITEM(S) - PUBLIC HEARING:

1 Naeem Malik (Agent EVB Engineering) - Review of an application to rezone lands located at 822 Marlborough Street (former St. Matthew Secondary School) from Residential 20 (RES 20) to Residential 40 (RES 40) - (PAC File Z-02-20).

Click for detail --> 

Senior Planner Karl Doyle advised that an application had been received by owner, Mr. Naeem Malik, through his agent EVB Engineering, to allow for the conversion of the former St. Matthew Secondary School located at 822 Marlborough Street into a multi-residential development consisting of approximately 15 units. The current zoning on the lot is Residential 20 (RES 20) and this application requests a change in the zoning to Residential 40 (RES 40) to enable the conversion. Part of the redevelopment exercise will include modifying external components of the site to ensure the development works in conjunction with abutting land uses and will meet current Provincial and Municipal development standards. He advised that some concerns had been received by abutting landowners and their commentaries were recorded on file. He emphasized that all concerns will be examined during the development approval process. He added that the Planning Division supports this application to rezone the subject site to Residential 40 (RES 40) largely based on the long history of an institutional land use. He stated that the repurposing of the building to accommodate a new multi-residential development will promote intensification, in accordance with the Provincial Policy Statement and Official Plan Policy and concluded that the proposal will be subject to Site Plan Approval to ensure proper design.

At this time, Chair Elaine MacDonald asked if there were any questions or comments from the audience.

An owner of a property abutting the south parking lot (Michelle Sauve) asked if there would be additional meetings with respect to how the owners are going to address the fencing along the south side of the parking lot.

Senior Planner, Karl Doyle replied that during the site plan approval process, municipal staff will analyze the abutting land uses to ensure that whatever proposal comes forward is designed accordingly and will not cause any negative impacts to abutting land users.

Another resident of a property located on the south west portion of the proposed development (Gabrielle Dennen) asked if the rezoning will allow the owner to potentially expand further on the property. She added that the empty space that presently exists there seems to offer itself to build more.

Senior Planner, Karl Doyle replied that the purpose for the zoning change is to allow for a higher density to occur. In the future if the owner wishes to either build an addition to the existing structure or proceed with a secondary unit on the lot, under the current zoning he would be permitted, however, he would have to go through an amending site plan exercise. Therefore, the same criteria and

protections that would be applied during the first site plan application, would also be applied during the second phase.

Gabrielle Dennen stated that she is more concerned about possible future development as this change will allow for a much higher density and potentially more units to be developed. It will be a struggle to go against future development once the rezoning is in place.

Senior Planner Karl Doyle responded that the City would ensure that whatever proposal was presented in the future, it would be sympathetic to existing land uses. Historically, it has always been recommended to the applicant to notify and have discussions with surrounding landowners to gauge their support.

Chair Elaine MacDonald asked three times if there were any questions/comments from the audience and, hearing none, subsequently closed the public meeting portion of the session.

PAC DISCUSSION OF PUBLIC MEETING ITEM(S):

1 Naeem Malik (Agent EVB Engineering) - Review of an application to rezone lands located at 822 Marlborough Street (former St. Matthew Secondary School) from Residential 20 (RES 20) to Residential 40 (RES 40) - (PAC File Z-02-20).

Click for detail --> 

Chair Elaine MacDonald invited the proponent to speak of the development.

Mr. Naeem Malik addressed members of PAC and stated that he would support transforming the property into affordable housing since he recently found out that there is a shortage of homes in Cornwall. He added that when the matter of social housing was presented to him in agreement with the idea and that is the reason for this development. He concluded that for now, he has no other plans for future expansion.

Lay Member Ron Symington stated he agreed with the development however questioned the reason why the sudden shortage of rental homes in the City. He asked whether Cornwall has received a large influx of residents or is the present vacancy rate too low?

Senior Planner Karl Doyle replied that he would seek clarification from Division Manager of Economic Development Mr. Bob Peters regarding actual stats and follow up with an email.

Following a further brief discussion, it was moved, that the recommendation be approved as listed below:

(a) That the subject lands, legally described as Part of Lots 1 and 2, South Side of Ninth Street; as shown on Part 1, Plan 52R-7131, and municipally located at 822 Marlborough Street be rezoned from Residential 20 (RES 20) to Residential 40 (RES 40) to allow for the establishment of a multi-residential development; and

(b) That the property be subject to Site Plan Approval; and

(c) That an Archeological Stage 2 assessment be prepared if the undisturbed area of the subject lands is disturbed as part of the redevelopment of the site.

Moved By: Glen Grant, Councillor

Seconded By: Ron Symington, Lay Member

MOTION CARRIED

OTHER / NEW BUSINESS:

PAC Secretary Mary Joyce-Smith advised that Development Coordinator Dana McLean would provide a brief presentation for PAC discussion and final recommendation to Council with respect to the (3) funding applications related CPPEG items.

Prior to presenting the three funding CPPEG applications, Development Coordinator, Dana McLean provided information on a Brownfield application requesting an Environmental Site Assessment Phase II grant, where 12 boreholes and 4 monitoring wells will be drilled in various locations on site. Samples will be taken, tested and reviewed referencing the Ministry of the Environment Conservation and Parks (MOECP) criteria, to determine the level of contamination present and develop a Remediation Plan. As there was no PAC Meeting held in August, and due to construction scheduling, she advised that this item was forwarded directly to Council. No questions regarding this application were put forward by PAC and no motion was required.

**1 CPPEG Recommendation September 3, 2020 BR#2020-02 881 Tenth St
E**

Click for detail --> 

Development Coordinator, Dana McLean advised this was an application by Reego Realty Corp. at 881 Tenth Street East for Brownfield funding assistance in an amount up to \$15,000 for Environmental Site Assessment Phase II testing.

Following a review by CPPEG, it was moved to recommend to PAC:

That BR#2020-02 funding request by Reego Realty Corp at 881 Tenth St E, be accepted as follows:

Program 2 - Environmental Site Assessment Grant - \$15,000

2 CPPEG Recommendation September 3, 2020 HOTC#2007-11 Addendum 600-606 Montreal Rd

Click for detail --> 

Development Coordinator, Dana McLean advised this was an application by Raymond & Alain Filion Holdings Limited at 600 - 606 Montreal Road for HOTC funding assistance in an amount up to \$10,551 for their rear parking area and facade improvements.

Following a review by CPPEG, it was moved to recommend to PAC:

That HOTC#2007-11 Addendum funding request by Raymond & Alain Filion Holdings Limited at 600-606 Montreal Road, be accepted as follows:

Program 2 Building Restoration & Improvement Program -\$1,556

Program 7 - Parking & Landscape Enhancement Program - \$8,995 (Interest free loan)

Conditional to provide a lot grading plan to Engineering

3 CPPEG Recommendation September 3, 2020 HOTC#2011-22 Addendum 171-173 Montreal Rd

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Development Coordinator, Dana McLean advised this was an application by Medical Arts Pharmacy at 171 - 173 Montreal Road for HOTC funding assistance in an amount up to \$12,500 for a new parking area at the rear of the building.

Following a review by CPPEG, it was moved to recommend to PAC:

That HOTC#2011-22 Addendum funding request by Medical Arts Pharmacy at 171 - 173 Montreal Road, be accepted as follows:

Program 7 - Parking & Landscape Enhancement - \$12,500 (interest free loan)

Following a further brief discussion,

There was a motion that PAC approve the three CPPEG recommendations as presented, and recommend same to Council.

Moved By: Bernadette Clément, Mayor
Seconded By: Amanda Brisson, Lay Member

MOTION CARRIED

INFORMATION:

PAC Secretary Mary Joyce-Smith advised that the next Open House (#3), yet to be determined whether virtual or in person, regarding the rewrite of the City's Zoning By-law, is expected to be held in early 2021. A notice will be posted on the City's website as well as the Standard Freeholder newspaper and a special notice will go out to the PAC.

NEXT SCHEDULED MEETING:

PAC Secretary Mary Joyce-Smith advised that the next PAC meeting is scheduled for Monday, October 19th, 2020 but to date the Planning Division had not received any public meeting items to be addressed. She added that any PAC recommendations resulting from this meeting will be considered at the Tuesday, October 13th, 2020 Meeting of Council.

ADJOURNMENT:

Motion to adjourn the Public Meeting of PAC at 8:45 p.m.

Moved By: Carilyne Hébert, Councillor
Seconded By: Syd Gardiner, Councillor

MOTION CARRIED