

Minutes

Planning Advisory and Hearing Committee

Meeting ID: 2013-03
Meeting Date: Mon April 15, 2013 07:00 PM
Location: City Hall Council Chambers, 360 Pitt Street, Cornwall, Ontario,
K6J 3P9
Chair: CN=Glen G Grant/OU=CITYHALL/O=CityCornwall
Prepared By: Ely Daniels, Administrative Assistant

Attendance Committee Members:

Bob Kilger, Mayor
André Rivette, Councillor
Bernadette Clément, Councillor
Glen Grant, Councillor
Syd Gardiner, Councillor
David Murphy, Councillor
Denis Carr, Councillor
Denis Thibault, Councillor
Elaine MacDonald, Councillor
Maurice Dupelle, Councillor
Gerald E. Samson, Councillor

Attendance Staff:

Christopher Rogers, Chief Building Official
Dana McLean, Programs Coordinator Planning
Division
Ely Daniels, Administrative Assistant
James Fawthrop, Design and Construction Engineer
Karl Doyle, Zoning and Site Plan Coordinator
Ken Bedford, Supervisor, Planning Division
Mary Joyce-Smith, Senior Planner
Stephen Alexander, General Manager Planning,
Parks and Recreation

Attendance Media:

Greg Peerenboom, Sunmedia

Attendance Public:

Normand and Joan Leduc	1115 Larin Avenue
Wilfred Brisson	470 Eleventh St. E.
Aimé Séguin	460 Eleventh St. E.
Cecile Longtin	1121 Larin Avenue
Daniel Leduc	1112 Larin Avenue
Wayne Hargrove	526 14th Street West
Marion and John Wheaton	1116 Larin Avenue
Chris Flaro	1109 Larin Avenue
Ruth Tyo-Larose	1106 Larin Avenue

Shawn MacDonald	1119 Larin Avenue
Ed Allard	1125 Kirkman Ct.
Mrs. C. Preston	1110 Larin Avenue
Fran Lepage	1117 Larin Avenue
Garry Amelotte	1107 McConnell
Ted Naugler	1105 Larin Avenue

WELCOME AND CALL MEETING TO ORDER BY CHAIRMAN:

Chairman Grant called the meeting to order at 7:00 PM.

ADOPTION OF THE AGENDA - ADDITIONS AND DELETIONS:

That the Agenda be approved as presented.

Moved By: Gerald E. Samson, Councillor
Seconded By: André Rivette, Councillor

MOTION APPROVED

ADOPTION OF THE MINUTES:

That the Minutes of the Planning Advisory Committee Meeting (No.2013-02) dated February 19, 2013 be approved as presented.

Moved By: Denis Thibault, Councillor
Seconded By: Syd Gardiner, Councillor

MOTION APPROVED

DECLARATION OF CONFLICT OF INTEREST: None

BUSINESS ARISING FROM THE MINUTES: None

PRESENTATION(S): None


REVIEW OF PUBLIC NOTICE REQUIREMENTS BY PAC SECRETARY:

Ken Bedford advised there was a Public Meeting item for consideration by PAC. This item was advertised in the Saturday, March 16, 2013 edition of the Standard-Freeholder. An additional Notice to land owners for PAC File Z-01-13, Subdivision Folder 287, was mailed out on March 14, 2013 with respect to the Clément Court Subdivision - Draft Plan of Subdivision Review and Rezoning Application for McConnell Avenue and Eleventh Street East. A secondary mail out was also conducted on April 5th, 2013 to ensure that all land owners received said Notice.

PUBLIC MEETING ITEM(S) - PUBLIC HEARING:

Ken Bedford read the nature/request of the hearing item that was prepared by Mary Joyce-Smith. He advised that the item of business is an application for approval of a Draft Residential Plan of Subdivision and Rezoning Application by Charles Clément Construction situated on the north west quadrant of McConnell Avenue and Eleventh Street East, Cornwall, and that this development be subject to site specific exceptions to the zoning to accommodate the number of units in the townhouse blocks and rear yards on the townhouses given the configuration of the site and overall lot occupancy. He stated that Mary would be presenting the Staff Report first, followed by the Proponents and then the Public.

1 Clément Court Subdivision - Draft Plan of Subdivision Review and Rezoning Application for McConnell Avenue and Eleventh Street East, Cornwall (Subdivision # 04T-2013-01, Folder 287 and PAC File Z-01-13)

Click for detail --> 

Mary Joyce-Smith reviewed a Power Point Presentation on the proposed development of the Subdivision situated on the north west quadrant of McConnell Avenue and Eleventh Street East, Cornwall. She explained the application is a review of a Draft Plan of Subdivision and advised the City has reviewed and delegated Subdivision Approval under Section 51 of the Planning Act. The subject property had a draft plan approval in 1987 (Mr. Racine) for a similar road configuration, however the lot fabric and density was not the same with this proposal, so it was reasoned that a new draft plan be reviewed. This draft plan is to develop the site to accommodate 18 semi-detached units and 20 townhouse units on approximately 2 hectares of land. In order to develop this Subdivision, the Zoning on the site would have to be changed from Residential 20 (RES20) to Residential 20 (RES20) with site specific exceptions for an increase in units per Townhouse Block (6 to 8 units), and reduced rear yard for the townhouses together with a rear yard reduction for some of the semi-detached units. This in turn, would result in a higher effective lot occupancy. Density must be considered in the context of the municipality, however, medium density developments are considered as a concentration of low rise multi family dwellings, which commonly includes housing types ranging from 2 storey's semi detached and town house dwellings on small to medium sized lots. The actual density of a development must be considered in relation to the building types (semis/towns), parking configuration (garages), construction types (brick facade) and buffering (screening fence). Increasing density by reducing lot or unit size can reduce the per unit cost and provide more efficient use of infrastructure, while still considering compatibility with the surrounding area. Although the proposed Draft Plan is classified as a medium density development, perceptions of density are tied to both the number of units as well as the design quality of the homes. Pictures of comparable existing developments in Cornwall by the Developer were shown. She added that on April 12, 2013, a letter was received from the Provincial Ministry of Tourism and Sport requesting a Stage II Archeological Assessment be conducted on the said lands. The requirement has been incorporated into the Draft Plan Conditions. She added that RRCA has provided commentary that has been included in the Draft Plan Conditions regarding lot grading, sediment and erosion measures. The Developer will not be required to contribute to parkland for this Draft Plan and there will be one sidewalk introduced along Clément Court as per the Subdivision review requirements.

Chairman Grant asked if Mr. Charles Clément had anything further to add to Mary Joyce-Smith's report before addressing the Public.

Charles Clément introduced himself as the builder, as well as Mike Gervais. Both are involved in the planning and development of projects in different cities. He stated that the land surveyor and engineers are also in attendance at the meeting to answer any questions. He explained that whenever they submit a Subdivision or Site Plan, there are concerns from the public regarding loss of property value, surface water, density, parking, etc. He advised they always try to complete a Subdivision Plan with those issues in mind. In regards to value, resale of their units after 2 years was \$40,000 higher or more. The surrounding neighbourhoods also benefit from their developments. He stated that no one has ever lost property value.

Mike Gervais added their units range from 1,297 sq. ft. to 1,850 sq. ft. and are almost the size of a full house. They have 3 bedrooms, 2 bathrooms, the first floor is comprised of hard wood floors with ceramic floors in the entrance, bathrooms and kitchen. They don't use vinyl. Their units have good value and construction, and also come with a garage. Usually these types of units attract professional couples and young families. They come with brick frontage and lifetime warranty roof shingles. He added that in Cornwall, these units will sell for \$210,000 to \$215,000. In Rockland, their units sold for the same price, and flipped at \$240,000. These units are high in demand as they provide something brand new at an affordable price.

Charles Clément said another important issue they address is storm water retention on the subject property. He mentioned that often what occurs is run off from other projects and/or streets towards their project. Sub drains will be introduced in order to catch the water before it comes on their site. He stated that running off water from their site is not permitted. Water pressure and sewer capacity are two items which must be tested and approved in their engineering designs. Early engineering investigation indicates that a pumping station will be required, but it will not negatively affect any residents around the project.

With regards to parking, garages will be provided and the driveways are long enough to accommodate two cars back to back. There are approximately 3 parking spaces per unit and parking is also available on that street since it is a hammerhead cul-de-sac. It is an excellent location for these types of units.

Chairman Grant then addressed the public and asked for comments.

Norman Leduc resident of 1115 Larin Avenue was concerned about the proposal to introduce 48 units in that area, and further exceptions to the zoning by law to allow 8 units as opposed to 6 units in the Townhouses. He added that the request for the rear yard relief would mean that a property would be 20' ft from his property line, and was concerned there would be additional problems once back steps are introduced. He added he has had water problems for many years and was concerned about the ditch being proposed between Clément Court and Larin Avenue to direct the water north to Fly Creek. He asked what would happen when the ditch freezes over, and when the snow melts, would the water run off on the backyards of Larin Avenue properties? Would future buyers of these properties have a clause in their sale contract stating they would never be allowed to fill the ditch. He added he has visited the Fourth Street condos that Mr. Clément constructed and noticed a similar ditch between the buildings. He said the residents had problems cutting the grass, no one looks after the ditch, and they want to fill it. He stated that as far as he was concerned, he was not in favour of changing the by-law.

Ken Bedford explained that density is a range of different types of uses which are allowed in the Bylaw (RES20). It was estimated that after taking away from roads and boulevard, the actual land used for the construction is about 13 units per net acre, which is a medium density

development. The (RES20) allows for townhouses and semis and what Mr. Clément is proposing is to allow 8 units to a block, as opposed to 6 units (part of request for the zoning). He added that the rear yards Mr. Clément is proposing, are to accommodate the fact that he has to locate the roadway in a certain fashion to meet City Standards for a boulevard. He added that storm water management is something that the City looks at very seriously, which is the main reason why a preliminary servicing plan needs to be prepared by the developer and reviewed by City Engineering. Lot drainage is also a factor looked at quite seriously. Different plans are needed for lot grading and those are also reviewed and approved. He concluded that the developer needs to respect the lot grading plans when they are constructing the units.

Norman Leduc added that for privacy issues, he recommends to have a 6' ft. high wooden fence erected between the properties similar to the high wooden fence that is behind the townhouses on Eleventh Street, as well as that of the Fourth Street condominiums. He suggested this type of fence be located on the south end of the Clément Court property.

Ken Bedford replied they are supporting that recommendation, as it makes great sense for having true buffering and privacy. A chain link fence is not an option.

Garry Amelotte resident of 1107 McConnell asked whether the ditch going through the field across from his property would be modified, and whether the land would be elevated.

Ken Bedford replied that the developers are looking at storm water management on the property site as they are not allowed to spill into other areas. The main reason for a pumping station is in order to be able to manage that. He asked if the Engineers could elaborate on that question.

Chris Robichaud, P. Eng., replied that when there is a development like this, the developers are not allowed to encroach or spill storm water onto existing neighbouring properties. The water generated on the land itself has to be contained within that property and channeled out to easements or public driveways. Any potential existing water which would be exiting the land and going onto someone's property, would have to be modified as part of the design, so that the water is contained.

Jamie Fawthrop added the ditch Mr. Amelotte was referring to, is on City land and has to be retained. He added that the developers were talking about possibly purchasing that parcel of land, however the City is going to retain ownership of it. As that land is owned by the City and located outside the development area, that particular ditch would not be touched nor blocked. If there should be an issue with that ditch, the City's Municipal Works would be dealing with it.

Chris Robichaud added that in order to ensure there is no water spillage from the new development to existing properties, once a particular unit is sold, each owner will receive a copy of the purchase of sale stating that they cannot modify any of their land which would impact drainage. As far as elevating the land, they are still in the early stages. He added they are limited as to how much they can raise it.

Garry Amelotte asked whether the City will be doing anything with the "triangle" area.

Ken Bedford said the triangle has been retained for future ability to reconfigure McConnell if need be. There are no plans as of yet, but if the City was to give up that land to development, that opportunity would be lost forever.

Norman Leduc was concerned that there are too many buildings for that small area, and no one

will want to buy a bungalow, with semis and townhouses built almost at their back steps. He strongly believes the existing properties will lose value.

Chris Robichaud responded by saying he respected Mr. Leduc's opinion, however, after looking at several versions of that land fabric, they have come up with a mix and match which fits well with its' development. If possible, they would like to try and keep that design layout. He added that from past experience, things have always turned out for the best, and that no loss of property value was ever experienced. .

Ted Naugler from 1105 Larin Avenue asked what was the construction timeline.

Chris Robichaud replied that they have to go through MOE approval. Once approved, they are looking at starting construction next spring.

Garry Amelotte asked whether the fence they are proposing to build would be located along Larin Avenue only or whether it will be around the whole court.

Ken Bedford replied the developer is required to provide privacy fencing on the project site, so that all sides that don't have proper fencing would be accommodated.

Fran Lepage of 1117 Larin Avenue stated she appreciated the City building new sewers, however, wants more reassurance on the drainage as she has had issues in the past and has lived through some unpleasant events.

Chris Robichaud reiterated that their task is to make sure there is no over spillage of water from the new development to adjacent properties as they are not allowed to encroach or spill storm water onto them. He added that future homeowners will not be allowed to modify any of their land which could impact drainage.

André Barrette, Surveyor stated they will enter into a Subdivision Agreement with the City which will stay on Title. In the long term, (5 to 10 years) the drainage will be established. In the short term, proper analysis will be done such that the Subdivision will be designed to contain the water and protect the residents.

Garry Amelotte asked if there would be any sidewalks along McConnell?

Ken Bedford replied that there are no sidewalks suggested at this time.

Chairman Grant asked three (3) times if there were any other questions/comments from the audience and, hearing none, closed the public portion of the Meeting.

Questions from PAC Members:

Councillor André Rivette stated this was a very nice area and a great project. He asked whether the surface water would be draining on McConnell or Eleventh St. and whether the Conservation Authority had any problems with that. He concluded by stating that when this project is completed, the properties will increase in value, and he was all in favor of this development.

Jamie Fawthrop responded that drainage would be on Twelfth Street and that there were no concerns from the Conservation Authority.

Councillor Bernadette Clément stated that Charles Clément has done very nice work in Cornwall, and was curious about the pumping station. She asked whether it was low (underground) and what will go around it. In regards to the Density issue, she asked whether "Medium Density" is ideal.

Chris Robichaud replied that existing sanitary sewers are quite shallow, and would be too deep for what is presently in place. They are not talking about a huge infrastructure and is similar to a big man hole. Everything happens underground and the unit is self-contained.

Ken Bedford stated that traditionally we are seeing that Medium Density is being introduced in undeveloped sites.

Councillor Bernadette Clément said she was glad the developer would not be using a chain linked fence and liked the idea that they visited residents on Larin Avenue to discuss the proposed project, listen to their concerns, and generally received a positive response. She commended Charles Clément on being pro-active and concluded that sidewalks should be kept in mind.

Elaine MacDonald asked about fencing along Lemay particularly the linear Park. She is aware that sidewalks are not anticipated along McConnell, but was concerned about Pedestrian patterns on the street and access to the Cornwall Housing Development. She also added that a fence on the north side would be appropriate.

Ken Bedford replied there will be walkways as shown on the plan located at the North and South limits of the Subdivision. Sidewalks discussions have always been a struggle and fall onto the Municipality.

Elaine MacDonald asked who owned that piece of land?

Ken Bedford replied the City (Bikepath network) owned the land.

Councillor Gerald Samson stated that it is always better to look at a new property development versus vacant land, and that the selling price range of \$210,000 to \$215,000 for these units will raise the value of existing properties. He added he was glad to hear that when these properties sell, owners will not be able to modify the land. He thanked Clément Construction for their project.

Councillor Denis Thibault said he was impressed with Clément's work in Rockland and Hawkesbury, and of the fact the developers walked through the neighbourhood to get a feed

back from residents there. He concluded he looked forward to more development projects from Clément Construction.

Councillor David Murphy asked whether residents would be able to get a follow up, as the project development progresses.

Ken Bedford replied that residents are encouraged to stay in contact with the Planning Department, as it will not be a public process after this evening's meeting.

Councillor Maurice Dupelle stated that after listening to the residents, it seemed that their one big concern is the drainage of surface water. He asked whether it would be possible to provide residents with documents from the City's Engineering Department to give them reassurance and commended Clément Construction on their work.

Ken Bedford replied that the City can work with the developers and engineers to provide those documents to the residents as needed.

Councillor Syd Gardiner asked to have a clearer explanation in regards to grading and its level.

Chris Robichaud replied that the engineering for the Subdivision was still in the early stages of actual design. He added that they are required to contain the water, but as far as how they will do it, it is still too early. It is a certainty that water must be contained on their site, but a detailed design has not been completed yet.

Councillor Syd Gardiner asked how much fill, and how will residents be affected?

Chris Robichaud said they will grade within the property itself as there are high and low points. Storm water will be redirected to the street, and stated they will conform to the needs of the area.

Mayor Bob Kilger said that Clément Construction has earned a great reputation with the City's Planning Department and welcomed them to Cornwall. He added that residents always look to them to be their guardians and asked if Jamie Fawthrop can give further explanation on the pumping station, as it is unique and this would provide a greater sense of comfort and assurance amongst the residents.

Jamie Fawthrop said they would prefer not to have a pumping station, however, given the fact the site is quite shallow for this density, it is the only alternative for this development project to proceed.

Mayor Bob Kilger asked if there were any other environmental concerns, and who in the end is responsible for the upkeep of the pumping station?

Jamie Fawthrop replied the City would be responsible for the upkeep and there are no environmental concerns.

Denis Thibault asked for a motion to approve this project.

PAC DISCUSSION OF PUBLIC MEETING ITEM(S):

1 Clément Court Subdivision - Draft Plan of Subdivision Review and Rezoning Application for McConnell Avenue and Eleventh Street East, Cornwall (Subdivision # 04T-2013-01, Folder 287 and PAC File Z-01-13)

Click for detail --> 

Following a brief discussion, it was moved:

1.) That Draft Plan Subdivision approval be given to the draft plan prepared by Schultz Barrett Surveying - André P. Barrett, O.L.S., dated February 19, 2013, on Part of the East Half of Lot 7, Concession 2 comprising approximately 4.9 acres (1.992 Ha) of land, referred to as the Clément Court Subdivision. This plan will provide for 9 semi-detached lots, 4 townhouse blocks for 30 units, together with blocks for walkways and pumping station, and a municipal road dedication, subject to the fulfilment of the Draft Plan Conditions, as shown in Appendix A, attached to this report as Attachment II and subject to the associated Rezoning coming into effect.

2.) That the subject land be rezoned from Residential 20 (RES20) to Residential 20 (RES20) with site specific exceptions to Permitted Uses (Section 02-2-2e), Minimum Rear Yards (Section 02-2-3 G and Section 02-1A-3e) and Maximum Lot Occupancy (Section 02-2-3 H), as detailed in Section C of this report.

Moved By: Denis Carr, Councillor

Seconded By: Denis Thibault, Councillor

MOTION APPROVED

OTHER / NEW BUSINESS:

1 CPPEC Recommendation March 26, 2013 HOTC#2013-03 507 Pitt St

Click for detail --> 

Dana McLean advised that the applicant is requesting assistance in an amount up to \$6,750 for proposed design work by an Architect and structural review by an Engineer as per Ontario Building Code requirements.

After further discussion, a Motion to approve as presented was made.

That HOTC#2013-03 funding request by Mike Labelle at 507 Pitt St, be approved as follows:

Program 3: Project Design Grant- \$6,750


Program 5: Municipal Planning/Development Fees Grant - actual

Motion by: David Murphy, Councillor

Seconded by: André Rivette, Councillor

CARRIED

2 CPPEC Recommendation March 26, 2013 BR#2012-02 Addendum 525 Ninth St E

Click for detail --> 

Dana McLean advised that at this time, the applicant is requesting Brownfield funding assistance in an amount up to \$428,231.22 (actual costs of remediation). A request to include demolition costs as part of Program 1 for the amount of \$34,292.76.

After some discussion, a Motion to approve as presented was made.

That BR#2012-02 Addendum funding request by 1703581 Ontario Inc at 525 Ninth St E., be approved as follows:

Program 1: City of Cornwall Rehabilitation Grant - \$428,231.22
(Original approval Aug 13/12 for \$750,700)

Motion by: David Murphy, Councillor
Seconded by: André Rivette, Councillor

----- **CARRIED**

3 CPPEC Recommendation March 26, 2013 HOTC#2010-13 Addendum 632 Pitt St

Click for detail --> 

Dana McLean advised that the applicants are requesting HOTC funding assistance in an amount up to \$41,966 for the tax increment grant.

After further discussion, a Motion to approve as presented was made.

That HOTC#2010-13 Addendum funding request by 154535 Ontario Ltd at 632 Pitt St, be approved as follows:

Program 1: HOTC Rehabilitation & Redevelopment Grant - \$41,966

Motion by: David Murphy, Councillor
Seconded by: André Rivette, Councillor

----- **CARRIED**

4 Assignment of Two (2) Council / PAC Representatives on the new O.P. Review / Urban Settlement Boundary Study Steering Committee

Click for detail --> 

After further discussion, those interested in becoming part of the new O.P. Review / Urban Settlement Boundary Study Steering Committee, should submit their candidatures to Mayor Bob Kilger; same rules apply as to all other committees; and

i.) THAT, through a PAC Motion, an assignment of two named Council/PAC Members take place prior to the full start-up later this year of the subject Steering Committee; and

ii.) THAT, the Steering Committee Composition, as herein presented in this report, be endorsed by PAC/Council.

There was no need to motion and there was full consensus of the Committee Members in

attendance.

INFORMATION:

NEXT SCHEDULED MEETING:

Tuesday, May 21, 2013.

ADJOURNMENT:

That the meeting be adjourned at 8:25 PM.

**Moved By: André Rivette, Councillor
Seconded By: David Murphy, Councillor**

CARRIED

Councillor Glen Grant, Chair