

Minutes

Planning Advisory and Hearing Committee

Meeting ID: 2016-05
Meeting Date: Mon May 16, 2016 07:00 PM
Location: City Hall Council Chambers, 360 Pitt Street, Cornwall, Ontario, K6J 3P9
Chair: Maurice Dupelle, Councillor
Prepared By: Ely Daniels, Administrative Assistant

Attendance Committee Members:

André Rivette, Councillor
Elaine MacDonald, Councillor
Maurice Dupelle, Councillor
Carilyne Hébert, Councillor
Claude E. McIntosh, Councillor
Mark A. MacDonald, Councillor
Denis Carr, Councillor

Attendance Staff:

Ely Daniels, Administrative Assistant
John St Marseille, General Manager, Infrastructure and Municipal Works
Ken Bedford, Supervisor, Planning Division
Mark A. Boileau, General Manager, Economic Development, Planning, Parks and Recreation
Mary Joyce-Smith, Senior Planner
Kaveen Fernando, Planning Student

Regrets:

Leslie O'Shaughnessy, Mayor
Bernadette Clément, Councillor
David Murphy, Councillor
Justin Towndale, Councillor

Attendance Media:

Greg Peerenboom, Standard Freeholler

Attendance Public:

There were 18 gallery members present.

WELCOME AND CALL MEETING TO ORDER BY CHAIRMAN:

Chair Maurice Dupelle called the meeting to order at 7:00 p.m.

ROLL CALL:

Roll Call was conducted by the Recording Secretary.

ADOPTION OF THE AGENDA - ADDITIONS AND DELETIONS:

As there were no additions or deletions, the Agenda was approved as presented.

Moved By: Carilyne Hébert, Councillor
Seconded By: André Rivette, Councillor

Motion Carried

ADOPTION OF THE MINUTES:

1 April 18, 2016 Planning Advisory and Hearing Committee Meeting

Click for detail --> 

That the Minutes of the Planning Advisory and Hearing Committee Meeting (No.2016-04) of Monday, April 18, 2016 be approved as presented.

Moved By: Carilyne Hébert, Councillor
Seconded By: André Rivette, Councillor

Motion Carried

DECLARATION OF CONFLICT OF INTEREST:

None

BUSINESS ARISING FROM THE MINUTES:

PAC Secretary Ken Bedford advised there was one item with regards to the matter of the Harbour Rezoning and Official Plan Amendment initiative which has had two formal public meeting sessions; one in March and the other in April. A request was made at the previous PAC, that a Draft Bylaw be brought back to the May PAC for review. He added that Mary Joyce-Smith, Senior Planner, would provide a brief presentation for PAC discussion and final recommendation to Council.

1 Harbour Lands - Review of a City initiative for an Official Plan Amendment from Open Space (O.SP) to Business District (B.D.) and a corresponding rezoning from Manufacturing 20 (MFR20) to Cotton Mills District Redevelopment (CMDR) or some version thereof. The property is legally described as Part of Lot 7, Con. 1, as shown on Reference Plan 52R-3083. The site is municipally known as 5, 540, 570 and 580 Harbour Road, and commonly known as the Harbour Lands.

Click for detail --> 

Mary Joyce-Smith advised that in both previous reports, potential changes to the Official Plan Policy (i.e. Land Use Designation) and Regulatory Controls (i.e. Zoning) in the Harbour Area, coincide and are in support of the present Port Divestiture efforts (i.e. clause 9 of the MOU), and actual redevelopment projects to the east at the Cotton Mills. The amendments in the Official Plan Designation and Zoning being proposed, will serve to promote the whole site as having potential for future mixes of commercial, recreational, open space and residential components. She added that this is consistent/compatible with recent development in the area, and moving away from Industrial land use. The change to a Business District (BD) Designation and some version of the Cotton Mills District Redevelopment (CMDR) zone will help to complete the total transformation activity of the site, away from past historic uses towards future sustainable activity consistent with existing development to the east and of an environmentally compatible nature. She stated that Planning Division has taken a balanced approach in promoting the development of the site, and has attempted to respect various concerns provided through the public input process. As a result, Planning was able to design a Bylaw that is complimentary to the concerns identified in both submissions, while at the same time, providing reasonable zoning standard opportunity for the redevelopment of the subject lands. These standards are designed to mitigate any negative impact to the surrounding neighbourhood with a number of appropriate standards found in other zones throughout the City's Comprehensive Zoning Bylaw No. 751-1969, as amended.

PAC Chair Maurice Dupelle asked if there were any questions from PAC.

Councillor Elaine MacDonald asked whether there would be any difference in terms of the environmental condition of the land if it is an Open Space designation, as opposed to Business District.

Mary Joyce-Smith replied that the environmental question is dealt with before any specific land use is being entered into and would be subject to applicable Provincial Legislative standards.

Councillor Denis Carr asked whether Planning had received many inquiries regarding the potential changes to both Official Plan Policy and Zoning in the Harbour Area.

PAC Secretary Ken Bedford replied that there had been minimal responses received from the public notifications sent. He added that this has been an elongated process (two public meetings), with a low amount of participants (approximately half a dozen), and all had been generally positive to date.

Councillor Mark MacDonald stated that the City is going through this process to make the land more marketable and increase the land's developability potential. He asked whether dollar figures were known. He also asked for clarification as to whether future chemical tanks would no longer be allowed if support was given for the proposed changes.

Ken Bedford replied that specific numbers were not available, however, the changes would allow more viable projects to be proposed. He added that the whole idea is to introduce more compatible (non- Industrial) use to the area. Therefore, a change in zoning, as recommended by Staff, would turn the tanks into a legal non-conforming use, and the removal of the tanks would eliminate the possibility of a future re-introduction of those through the Zoning Bylaw.

Following a further brief discussion, the following motion was adopted:

That the Planning Advisory Committee (PAC) recommends to City Council to:

- i.) Amend the Official Plan designation at 5, 540, 570 and 580 Harbour Road, commonly known as the Harbour Lands, from 'Open Space' (O.SP) to 'Business District' (B.D.); and
- ii.) Amend the Zoning on 5, 540, 570, and 580 Harbour Road from Manufacturing 20 (MFR20) to Cotton Mills District Redevelopment (CMDR) with site specific special standards / provisions, as identified in this report.

Moved By: André Rivette, Councillor

Seconded By: Claude E. McIntosh, Councillor

Motion Carried

PRESENTATION(S):

I. Pointe Maligne / Lookout Point Park Design Concept (also as a Non-Legislated Public Meeting item).

PAC Secretary Ken Bedford introduced the subject of the Pointe Maligne/Lookout Point Park Concept Design work, which was recommenced under the direction of the City's Waterfront Committee and Administration in late fall of 2015, using MMM Group Landscape / Urban Designers from Ottawa (the original Consultants from 2010-2011). Earlier in 2015, the City Council had passed a Resolution supporting the idea of having the Pointe Maligne Park upgrade / improvement form the basis of a 'Canada 150' 'celebration project' in 2017. MMM Group created two varied concepts for review by the Waterfront Committee in late 2015/early 2016. The process was to develop a preferred concept to present to

Stakeholders and the Public for feedback. This PAC public meeting facilitates a further opportunity for input, in addition to that of the Waterfront Committee's work. Mr. Bedford, through the PAC Chair, then passed the floor to Mr. Todd Bennett and Mr. Jonathan Loschmann.

Todd Bennett, Chair of the Waterfront Committee advised that the Waterfront Committee supports the preferred Concept 'A' and conducted its' due diligence in working with the Consultant and Staff to come up with this proposed design. He added that Pointe Maligne has been the Waterfront Committee's main focus since the beginning of its' new term. The concerns expressed at a recent Stakeholders' meeting were very similar to those of the Waterfront Committee, but added that Jonathan Loschmann had done a great job addressing them, and commended him on his determination and confidence to see the project through. He added that a tour to Blockhouse Island in Brockville became the inspiration for this park design project, and when Brockville's planners were asked if they would do it all over again, they replied "absolutely and without a doubt". He then introduced Mr. Jonathan Loschmann of MMM Group (Landscape Architects / Designers) (Ottawa office).

Jonathan Loschmann of MMM Group provided a power point presentation with regards to a Concept Design / Estimated Costing (Concept 'A') for the Pointe Maligne/Lookout Point Park upgrade and advised that the proposed project has been cited as a good opportunity to improve riverfront green space and would accommodate pedestrian and vehicular traffic that maximizes varied users access to waterfront views. It would encompass natural surroundings, aided by historical interpretive elements that reflect natural and local history. If the project is approved by the City, the intent is to seek matching 50/50 grant funding from the Canadian Heritage Legacy Fund, which is allocating Federal tax revenue for Canada's 150th birthday in 2017. Although originally anticipated combined City/Federal funding of \$480,000 (\$240,000 each) falls short of the expected budget presented, Jonathan Loschmann recommended to proceed with the biggest cost item, and let that one implementation drive the rest of the development rather than looking at other considered future design elements. He stated there are two key points to the cost estimation that are relevant to the City of Cornwall; the first is the real potential for community partnership engagements to bring some of those expenditures down, and the other is the potential for the Canadian Heritage Legacy Fund application, as Cornwall's Waterfront has a real and true possibility of becoming a flagship project for this site.

Chair Maurice Dupelle asked if there were any questions / comments from the public.

The following were concerns and comments offered by members of the public:

- Encourage more people to walk to Pointe Maligne instead of driving there
- Promote more bicycles instead of cars
- Pursue full budget amount in order to incorporate other important elements such as lighting, Legion building retrofit, new washroom & canteen
- The fewer concrete/asphalt, the better
- Very busy area with a high volume of kids - safety concerns
- More parking spaces would increase idling cars (winter); carbonization
- It is a dead end until the implementation of the next phase of the project
- Pointe Maligne design is an envisioned redevelopment and a great opportunity to create a change, and do something different for the area

The Chair asked a second and third time for further questions or comments from the audience and, hearing none, subsequently closed the public meeting portion of the session and opened the floor to PAC.

Councillor André Rivette said that since 1987 it has been the Waterfront Committee's goal to bring people to its' Waterfront. He emphasized that the project be handled right and to take full advantage of the Heritage funding application, as this will be a once in a lifetime opportunity to develop something great there. He added that it is important to make the area accessible to everyone; those with accessibility issues and seniors included, and stated that Council had voted unanimously for this Pointe Maligne project to advance.

Councillor Carilyne Hébert thanked Jonathan Loschmann for his presentation and said it was exciting to see what the future could hold for the Waterfront. She echoed comments made by the public and said she would prefer to see the design targeting more pedestrians versus vehicles, however, she also agreed that seniors and others who struggle with mobility issues, should have easier access to the area. She would support a reduction of parking spaces from 12 to 6, and making them handicapped only.

Councillor Elaine MacDonald said that although she is a big advocate of walking and biking, she was thrilled that vehicles would be accommodated on this site. She added that this is the one feature she enjoys when she visiting Blockhouse Island in Brockville. A person can drive right close to the river and a picnic table, park at a meter, and never have to wait for a space, and they have a lot more parking spaces than this Concept A design.

Councillor Elaine MacDonald added that for the most part Lamoureux Park is empty, and is a huge expense of empty green. She reiterated the need to bring more people there, and believes the design will not prohibit pedestrians there, and fully trusts the Waterfront Committee and their expertise to steer the project in the right direction. She asked for clarification on who were the Stakeholders.

PAC Secretary Ken Bedford replied that the Stakeholders were comprised of various immediate users of the area such as, the Ball Park, Marina and Federal Government, etc. The Stakeholders meeting was held to commence discussion about the conceptual design of Pointe Maligne, and both the Stakeholders, and now the public have offered valid points to consider while moving forward with the project. He reiterated that the Canadian Heritage Legacy Fund application needs to be sent this summer, in order for the City to take full advantage of the funding support.

Councillor Denis Carr stated that the Waterfront is a very important feature in the City of Cornwall and that the parks should be protected against vehicular traffic. There have been tremendous improvements made in Lamoureux Park lately, and the park is being used and enjoyed by many. He added that what is lacking is proper signage to let people know where key areas such as the Waterfront and Pointe Maligne are located and how they can be accessed.

Councillor Claude McIntosh stated that Pointe Maligne is an isolated area, and the lighting feature would be paramount. The lighting cost should be included in the project and the City should apply for the maximum grant. He concluded that there are some issues to overcome but that he would support the project.

Councillor Mark MacDonald commended the Waterfront Committee on their efforts to move the project forward and stated that Council has to do everything it can do expedite this project. With regards to parking, it is needed for those with accessibility issues, and the City should be looking at exploring all funding opportunities.

Following a further brief discussion, the following motion was adopted:

That PAC recommend to City Council, Support-in-Principle for the Waterfront Committee preferred MMM Group Concept 'A' Design and associated opinion of Probable Cost, related to the Pointe Maligne / Lookout Point Park Upgrade project, and subsequently to be used to form the basis of a comprehensive 'Canada 150' Canadian Heritage Legacy Fund project application.

In addition, possible refinement of the preferred concept leading to more detailed design drawings can continue to take place based, in part, on various recent public, stakeholder and PAC input(s).

Moved By: André Rivette, Councillor

Seconded By: Carilyne Hébert, Councillor

Motion Carried

II. Cornwall Sediment Strategy Update Briefing:

Representatives of the Ministry of the Environment and Climate Change (MOECC) - Mr. Andrew Morley, Great Lakes Advisor, Program Services Section, Eastern Region, and Mr. Matt Windle of the St. Lawrence River Institute of Environmental Sciences, provided power point presentations with respect to an update and review of studies undertaken from 2013 to 2015, which provide a snapshot of the Cornwall Sediment Strategy. As a result of the work completed, they stated that the contaminated sediments in three identified zones are considered stable and do not pose a significant ecological risk in their present undisturbed state. The research undertaken provided the best possible mapping on contaminants that could show gaps in data and assess the status of such contamination and trends. A strategy review through 2015 - 2016 will ensure the effectiveness of its controls and develop new recommendations to improve the strategy by utilizing new scientific measures and input from stakeholders.

Councillor Denis Carr asked whether any contact had been made with the current owners of former Industrial properties.

Mr. Andrew Morley replied that to date they had received responses from some Industrial property owners such as AkzoNobel who owned the former ICI Canada Inc. property as well as parts of the Courtaulds property. He added they had reached out to Domtar to let them know about the review. AkzoNobel is actively engaged and they will continue to reach out to Domtar.

Councillor Claude McIntosh asked who would be responsible for the cost of doing artificial capping of contaminated sediments if it had to be done and also if there was a possibility that mercury could still be seeping in from factories that have shut down, or whether mercury still exists in the soil and leaking into the St. Lawrence River.

Mr. Andrew Morley replied that there isn't a straight forward answer to the question, but that under the strategy, if someone was to disturb the sediment in one of those zones, they would be responsible for the remediation costs. As a general principle, the person that owns it is responsible for paying. With regards to mercury still seeping out, there has been some work done in terms of ensuring that certain discharge points from those different properties have been blocked off. Some of them are going through a Record of Site Condition process at the Provincial level which would require a variety of sampling to be done, such as soil, ground water, etc. A number of those properties are going through that process.

Following a further brief discussion, it was:

Moved By: André Rivette, Councillor
Seconded By: Elaine MacDonald, Councillor

That PAC receive the report.

Motion Carried

REVIEW OF PUBLIC NOTICE REQUIREMENTS BY PAC SECRETARY:

PAC Secretary Ken Bedford advised that this next item is a Planning related matter; the annual Housekeeping exercise for the Comprehensive Zoning Bylaw. He added that a Notice was placed in the Standard Freeholder on Saturday, April 16th, and fulfills the Planning Act Requirement for Public Notice.

PUBLIC MEETING ITEM(S) - PUBLIC HEARING:

1 Proposed Modifications to the Comprehensive Zoning By-law No. 751, 1969, as amended (P.A.C. File Z-03-16, Housekeeping No.23)

Click for detail --> 

Mary Joyce-Smith reviewed her power point presentation and advised that the last Housekeeping exercise had taken place in the spring of 2015. As in the past, Planning Division staff collects comments and suggestions from various City staff responsible for interpreting, implementing and enforcing the City's Zoning By-law. Previous to this report, various City Division staff documented their particular issues and submitted them to the Planning Division for consideration. Planning Division staff reviewed the various issues and discussed any changes that may be required with the relevant Division. Through these discussions and review, it is a general consensus of all staff concerned, that the

modifications presented in this report further strengthen, clarify, and refine sections of the Comprehensive Zoning By-law. She stated that the Planning Division is supportive of all proposed amendments to the Bylaw and Schedules and no formal objections to this Housekeeping initiative had been received in the Planning office as of this Public Meeting.

Chair Maurice Dupelle asked if there were any questions / comments from the public.

A member of the public expressed the following concerns;

- the rooming house definition should be consistent in saying more than 3 furnished rooms for a rooming house, as he feels that the semi-detached wording in the rooming house conversion definition should allow for more than 3 tenants; and
- a single family dwelling should allow for more than 5 tenants since the current definition allows for up to 20; and
- the parking requirements should be addressed using the rule minimum 3 parking spaces are required; one for the principle residents, 2 for the additional 4 first rooms, and each room rented requires either an additional parking space or cash in lieu of, to a maximum of 4 cash in lieu spaces
- the word "typically" should be removed from the definitions to make the By-law clear.

The member of the public also indicated he would supply a written summarized list of his concerns / comments to Planning staff.

Chair Maurice Dupelle asked a second and third time for further questions or comments from the audience and, hearing none, subsequently closed the public meeting portion of the session.

PAC DISCUSSION OF PUBLIC MEETING ITEM(S):

Following a brief discussion, the following motion was adopted:

That PAC recommend to Council to approve the Housekeeping items contained in Section E, Evaluation of the Housekeeping No. 23 Report, with the exception of all the items relating to the Rooming and Boarding House issues, and subsequently report back to PAC with respect to the public input commentary for the Rooming and Boarding House matters.

Moved By: Denis Carr, Councillor
Seconded By: Carilyne Hébert, Councillor

Motion Carried

OTHER / NEW BUSINESS:

None

INFORMATION:

PAC Secretary Ken Bedford introduced Planning Summer Student, Kaveen Fernando. He added that the Ryerson University Planning Degree student attendee is welcomed in the Planning Division, and has already shown great progress in his first two weeks.

NEXT SCHEDULED MEETING:

The next scheduled meeting will be held on Monday, June 20th, 2016.

ADJOURNMENT:

That the meeting be adjourned at 9:35 P.M.

Moved By: André Rivette, Councillor

Seconded By: Carilyne Hébert, Councillor

Motion Carried

Maurice Dupelle, Chair

That the Minutes of the Planning Advisory and Hearing Committee Meeting (No. 2016-05) of Monday, May 16, 2016 be approved as presented.

Moved By: Claude E. McIntosh, Councillor

Seconded By: Elaine MacDonald, Councillor

MOTION APPROVED

