

Minutes

Planning Advisory and Hearing Committee

Meeting ID: 2014-08
Meeting Date: Mon November 17, 2014 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:

André Rivette, Councillor
Bernadette Clément, Councillor
Glen Grant, Councillor
Syd Gardiner, Councillor
David Murphy, Councillor
Denis Carr, Councillor
Elaine MacDonald, Councillor
Maurice Dupelle, Councillor

Regrets:

Bob Kilger, Mayor
Denis Thibault, Councillor
Gerald E. Samson, Councillor

Attendance Staff:

Anne-Marie Fobert-Poirier, Program Coordinator
Brock Frost, Councillor
Carilyne Hébert, Councillor
Dana McLean, Programs Coordinator Planning
Division
Ely Daniels, Administrative Assistant
Justin Towndale, Councillor
Karl Doyle, Zoning and Site Plan Coordinator
Ken Bedford, Supervisor, Planning Division
Leslie O'Shaughnessy, Mayor
Mark A. Boileau, Manager, Economic Development
Mary Joyce-Smith, Senior Planner
Maureen Adams, General Manager, Financial
Services

Attendance Media:

Ed Allard, Seaway News
Bill Kingston, Cornwall Newswatch
Greg Peerenboom, Cornwall Standard Freeholder

Attendance Public:

Dick Markell, 1607 Grant Avenue
Ron Chenier, 333 Pitt St.
Gary Jans, 840 Campbell St.
Bob Pelda, 705 Cotton Mill St.

WELCOME AND CALL MEETING TO ORDER BY CHAIRMAN:

Chairman Glen 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: André Rivette, Councillor
Seconded By: David Murphy, Councillor

MOTION APPROVED

ADOPTION OF THE MINUTES:

1 October 6, 2014 Planning Advisory and Hearing Committee Meeting

Click for detail --> 

That the Minutes of the Planning Advisory and Hearing Committee Special Meeting (No. 2014-07) of Monday, October 6, 2014 be approved as presented.

Moved By: Maurice Dupelle, Councillor
Seconded By: André Rivette, 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:

PAC Secretary Ken Bedford advised there were three public meeting items which

were advertised in the Standard Freeholder on Saturday, October 18, 2014 with respect to the following items:

- i) A review of a proposed application for a Draft Plan of Condominium Development, for one 18 unit condominium located at 1 Second Street East, with an additional 400' radius letter notice sent out to landowners on October 16, 2014.
- ii) A review to consider specific criteria revisions (textual in nature) to the Heart of the City Community Improvement Plan (CIP) under the HOTC Program 1 - Heart of the City Rehabilitation & Redevelopment Grant (Tax Increment Grant based), with an additional email sent out to community stakeholders and local developers on October 29, 2014.
- iii) A review to consider a proposed amendment to the Brownfield Community Improvement Plan (CIP) Policy Area, with an additional email sent out to community stakeholders and local developers on October 29, 2014.

PUBLIC MEETING ITEM(S) - PUBLIC HEARING:

1 Ron Chenier (Place Dominion Place) - Review of an application for a Draft Plan of Condominium Development at 1 Second Street East, containing 18 units on part of Lot 15 north side of Second Street being Part 1, 2 on 52R-3041, City of Cornwall, (File no. 04-CD-2014-03 and Condominium File No. 290.)

Click for detail --> 

PAC Secretary Ken Bedford advised that Mary Joyce-Smith would be providing the report and a power point presentation on this matter.

Mary Joyce Smith advised that this was a review of an application for Draft Plan Approval of Condominium, and that no changes to the Official Plan or Zoning would be required. She added that the plan was met favourably, however, the City's Municipal Works Department asked that a sidewalk, paved over during initial construction of the foundation, be reinstated/restored when the project is completed. She said the development meets the Provincial Policy Statement (PPS) goals, and will sustain the financial well being of the province and municipality over the long term by reutilizing a vacant serviced property. The development will continue to add to the Downtown inventory of redeveloped properties. She described the condominium as being located at the prominent corner of Pitt and Second Street, which was the historic King George Hotel site, and will include a mixture of 15 residential and 3 commercial units with on site and satellite parking, and be 4 storeys in height.

She advised the draft plan conditions will indicate requirements of agencies such as Canada Post and Bell Canada, and provided a detailed Appendix listing the City's conditions and amendments to final plan approval. She stated the Planning Act calls for 5% of value of land to be dedicated as Parkland contribution or an equivalent cash in lieu contribution, and concluded that the Ministry of Environment has acknowledged receipt of a complete submission for the Record of Site Condition (RSC), and will be providing their notification by December 19, 2014.

PAC Chair Glen Grant asked whether the proponent wished to make additional comments.

Ron Chenier thanked the committee for its' support and advised that construction will continue until the latter part of next spring, and that the units will be sold as condominiums.

PAC Chair Glen Grant asked three times whether there were any questions from the public, as there were none, he addressed the members of PAC.

Councillor Bernadette Clément asked for clarification with regards to the reinstatement of the sidewalk, as well as the availability of parking spaces.

Ron Chenier advised the sidewalk on Pitt Street would be reinstated, and that a total of 26 on-site parking spaces would be available for residents, and a total of 32 parking spaces on Third Street for the commercial component.

Councillor Elaine McDonald asked for clarification with regards to the commercial units, and whether the parking on the east side was indoor parking.

Ron Chenier replied that there are three units of ground floor commercial space. The first commercial unit is 800 sq. ft. and faces Second Street East, the second measures 1500 sq. ft., and the third 2,000 sq. ft., and both face Pitt Street. The parking located on the east side is all covered parking, the parallel parking on the north side is not covered.

Councillor André Rivette questioned whether the proponent's CPPEC application met all the criteria.

PAC Secretary Ken Bedford replied the application met the criteria and everything would remain the same until late March 2015, when construction is to begin.

PAC Secretary Ken Bedford advised there were two public meeting items with respect to the community improvement plans by Heart of the City & Brownfield. Staff will bring forth the CPPEC's work done with respect to these different types of programs. He introduced Dana McLean, Programs Administrator, Maureen Adams, CFO of the City, and Mark Boileau, Manager of Economic Development and advised they would provide their perspective on the work. He added that the public will be able to participate in an official capacity once the presentation is done.

2 CPPEC Recommended Amendment Changes to the Heart of the City Community Improvement Plan as concluded at their November 6, 2014 Regular Meeting

Click for detail --> 

Dana McLean provided an overview of the CPPEC's recommended amendment changes to the Heart of the City Community Improvement Plan as concluded at their November 6, 2014 Regular Meeting. She explained how CPPEC considered the introduction of additional criteria and funding formula for projects that are either a new construction multi-storey mixed use development, or a new construction multi-storey residential development defined to meet the needs of the community and its' improvement contributing positively to neighbourhood redevelopment objectives. The proposal would see a full commercial tax rebate over 10 years, provided the space it kept 75% per cent occupied. The residential rebate would be spread on a declining percentage over the same amount of time. She advised that the 100% cash grants (on the residential tax portion of the development would be changing, and that this program would only apply to the priority areas of the two downtown areas and their connecting link – basically one block north and south of Water Street, from Amelia Street east to Marlborough Street. She concluded that the CPPEC approach in offering the new criteria is premised on the principle of setting a controlled fiscal approach into the future, but still offering sufficient equitable incentive to developers to build such projects.

Maureen Adams provided an overview of the financial impact using a chart illustrating tax increment grants and contributions to reserves from year 2011 up to 2024. The chart only reflected the applications approved so far.

Mark Boileau advised that when discussions took place regarding mixed use projects outside the priority area, it became apparent that it was forcing a developer to put a commercial development where it shouldn't be and possibly relocating a commercial development from an area that should be focused on. There was a slight variation with a residential program because it is meant to meet the City's Housing Plan, and wasn't viewed by CPPEC that it had to be located in the priority area, only in the community improvement area.

PAC Chair Glen Grant asked three times whether there were any questions from the public.

Mr. Gary Jans of Ray-Jans Construction was concerned that the proposed amendments would hurt the profitability of building outside of those areas, which would equate to the amount of tax relief to make these types of projects viable/worthwhile. He advised that without the projects, there is no new revenue without raising property taxes on everybody else. He recommended to leave the current levels of assistance as is, and not make any amendments.

Mr. Robert Pelda, representing the shareholders of the Cotton Mill Cornwall and the Cotton Mill Lofts, stated that he believes the proposed changes to Cornwall's Heart of the City (HOTC) development incentive program would jeopardize a long-term good faith deal with the City on his multi-phased project to revitalize the Waterfront area. He added that 210 new residential homes would never have happened without the Heart of the City grant funds and stated that the shareholders and investors have put millions into the project and the proposed change would greatly change the intent of the original agreement. The next phase of the Cotton Mill has 60,000 sq. ft. of proposed commercial space. He recommended reconsidering the boundaries and the proposal in general.

PAC Chair Glen Grant addressed the members of PAC.

Councillor André Rivette stated it made sense to allow developers to build and pay reduced taxes over the next 10 years, at which time, the City would be receiving the full tax. He added that there is no physical money being paid out, with hardly any infrastructure needed at these locations. He concluded that he will vote to keep the program the same when the new council meets in January to make its' final ruling on the recommendations.

Councillor Denis Carr, who is also the administrator for Heart of the City, stated that the program was designed for those specific Downtown areas in an original agreement with the provincial government. He also made reference to other condo developments, such as the ones on Water Street, that have not asked for grants from the City. He recounted the major improvements to the two Downtown BIA areas and the sacrifices they have made and stated that the BIA paid for the fancy streetlights in Le Village, and not the City. He added that the \$40 million in new assessment for the \$5-6 million invested by the City is an eight per cent return on the investment. He warned the committee and new councillors in the audience, with dwindling transfer payments from the province, that giving

away tax money now will hurt the City down the road. He also praised Robert Pelda's project and said that the City supports it because the Waterfront is the future of this community.

Councillor Elaine MacDonald these programs have served the community well, and they must continue to serve it well.

Councillor Bernadette Clément recommended that much training will need to be provided to the new council, with respect to how this amendment will affect the financial sustainability, and that specific examples will have to be provided as the budget process is a priority. She said it will be vital that the new council understands if there is no up-front money being given out by the City as it is a tax increment grant, how does that speak to a threat to the financial sustainability. It will be important to understand those two key pieces.

Councillor Syd Gardiner asked whether Robert Pelda's project will continue to fall under the same agreement through all the phases of his development, and also questioned how fast would the money be depleted.

Dana McLean explained that the CIP gives Council discretion, and that it would be up to the new Council at that time to make its' recommendation after all the numbers have been provided.

For the record, Chair Glen Grant advised that Councillor Gerald Samson had called and was provided with the clarifications requested. He also advised he had invited the new council to attend this PAC meeting, as it would provide them with good information. He also mirrored Councillor Clément's statement that more training would be required.

3 CPPEC Recommended Amendment to the Brownfields Community Improvement Plan as concluded at their November 6, 2014 Regular Meeting

Click for detail --> 

Dana McLean requested PAC to consider a proposed Amendment to the Brownfields Community Improvement Plan (CIP) Policy Area. A map addition for lands which lie east of the current policy areas mapping line, up to the City's boundary line and to include a textual change to review properties for eligibility, on a case by case basis, that are not currently within the Policy Area Map. For example, non-residential land (old gas stations or service centres) such as those situated on Pitt Street north near Cornwall Centre Road may be considered further as being eligible under such a textual change. If PAC is in agreement, Dana McLean said she will have a list compiled of old gas station sites added to the mapping area as well.

PAC DISCUSSION OF PUBLIC MEETING ITEM(S):

1 Ron Chenier (Place Dominion Place) - Review of an application for a Draft Plan of Condominium Development at 1 Second Street East, containing 18 units on part of Lot 15 north side of Second Street being Part 1, 2 on 52R-3041, City of Cornwall, (File no. 04-CD-2014-03 and Condominium File No. 290.)

Click for detail --> 

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

That the application dated October 6th, 2014 from Ron Chenier, Place Dominion Place, for a proposed Plan of Condominium on Part of Lot 15, North Side of Second Street, as indicated on Draft Plan by Ron Jason, Ontario Land Surveyor, dated September 16th, 2014, be given draft approval, subject to the conditions contained in Appendix "A" (Attachment 3) to this technical report dated Oct 27th, and all applicable Provincial Standards (i.e. environmental posting of Record of Site Condition), and

ii. That upon final condominium drawings being prepared by an Ontario Land Surveyor, and being reviewed and confirmed, that final approval be granted to the Plan of Condominium be approved.

Moved By: Denis Carr, Councillor

Seconded By: Maurice Dupelle, Councillor

MOTION APPROVED

2 CPPEC Recommended Amendment Changes to the Heart of the City Community Improvement Plan as concluded at their November 6, 2014 Regular Meeting

Click for detail --> 

After further discussions,

It was recommended that the report go back to administration for further analysis with respect to public input commentary.

Moved By: André Rivette, Councillor

Seconded By: Bernadette Clément, Councillor

MOTION APPROVED

3 CPPEC Recommended Amendment to the Brownfields Community Improvement Plan as concluded at their November 6, 2014 Regular Meeting

Click for detail --> 

After further discussions, there was a motion

(i) That the proposed Amendments to the City's Brownfields CIP as identified in this report be considered for approval; and

(ii) That based on Council's passing of an Amending Bylaw, under Sections 17 and 28 of the Ontario Planning Act and Bill 130 Provisions staff send a copy of the Bylaw with supporting cover letter to the Ministry of Municipal Affairs and Housing (MMAH Kingston Office) for information; and

(iii) That Planning staff subsequently consolidate the Brownfields CIP based on the amendments, once the final Notice of Decision of the Municipality passes its Appeal period and it comes into force.

Moved By: Elaine MacDonald, Councillor
Seconded By: David Murphy, Councillor

MOTION APPROVED

OTHER / NEW BUSINESS:

1 CPPEC Recommendation November 6, 2014 HOTC#2014-06 Addendum 139-141 Pitt St

Click for detail --> 

Dana McLean advised this was an addendum application by Kevin & Leslie Ouderkirk (Kid's Korner) at 139-141 Pitt St for HOTC funding assistance in an amount up to \$5,188 for the exterior, new sign and facade renovations.

Following a further brief discussion, it was moved that HOTC#2014-06 Addendum funding request by Kevin & Leslie Ouderkirk at 139-141 Pitt St, be approved as follows:

Program 2: Building Restoration & Improvement Program - \$3,188
Program 4: Facade Improvement and Sign Grant - \$2,000
Program 5: Municipal Planning/Development Fees Grant - actual
Program 6: Discretionary Municipal Tipping Fees Grant - actual

Moved By: Elaine MacDonald, Councillor
Seconded By: Syd Gardiner, Councillor

MOTION APPROVED

INFORMATION:

On behalf of Administration, PAC Secretary Ken Bedford thanked the Planning Advisory Committee for four years of fine service, their perspective, and respectful debate with Staff.

PAC Chair Glen Grant expressed his gratitude and stated that Chairing the Committee had been a great experience.

NEXT SCHEDULED MEETING:

The next scheduled meeting will be held in January 2015. The date is still to be determined.

ADJOURNMENT:

That the meeting be adjourned at 8:50 PM.

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

MOTION APPROVED

Chair of PAC

That the Minutes of the Planning Advisory and Hearing Committee Meeting (No. 2014-) of Monday, November 17, 2014 be approved as presented.

Moved By: David Murphy, Councillor
Seconded By: Bernadette Clement, Councillor

MOTION APPROVED