

Minutes

Planning Advisory and Hearing Committee

Meeting ID: 2017-02
Meeting Date: Tue April 18, 2017 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
Bernadette Clément, Councillor
David Murphy, Councillor
Elaine MacDonald, Councillor
Maurice Dupelle, Councillor
Carilyne Hébert, Councillor
Claude E. McIntosh, Councillor
Justin Towndale, Councillor
Mark A. MacDonald, Councillor
Denis Carr, Councillor
Jack Lindsay, PAC Member
Ronald Symington, PAC Member

Attendance Staff:

Dana McLean, Development Coordinator
Ely Daniels, Administrative Assistant
Ken Bedford, Division Manager, Planning Services
Mark A. Boileau, General Manager, Planning,
Development and Recreation
Mary Joyce-Smith, Senior Planner
Tracey Bailey, General Manager, Financial Services

Regrets:

Leslie O'Shaughnessy, Mayor

Attendance Media:

Alan Hale, Cornwall Standard-Freeholder

Attendance Public:

There was 1 gallery member 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 Recording Secretary, Ely Daniels.

ADOPTION OF THE AGENDA - ADDITIONS AND DELETIONS:

Motion to adopt the Agenda as presented.

Moved By: André Rivette, Councillor
Seconded By: Denis Carr, Councillor

Carried

ADOPTION OF THE MINUTES:

Motion to endorse the following Minutes as presented.

1 February 21, 2017 Planning Advisory and Hearing Committee Meeting

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Moved By: Bernadette Clément, Councillor
Seconded By: Jack Lindsay, PAC Member

Carried

DECLARATION OF CONFLICT OF INTEREST:

There was no declaration of conflict of interest.

BUSINESS ARISING FROM THE MINUTES:

There was no business arising from the Minutes.

PRESENTATION(S):

There was no presentation.

REVIEW OF PUBLIC NOTICE REQUIREMENTS BY PAC SECRETARY:

PAC Secretary, Ken Bedford advised that there is one public meeting item which was given due notice with respect to PAC File **Z-01-17**, commonly referred to as **Housekeeping No. 25** (Planning Division initiated) being a Planning Act matter under Section 34. A primary newspaper notice appeared in the Saturday, February 25th, 2017 edition of the Standard Freeholder (Page A3) with a supplemental notice appearing in the Saturday, March 25th, 2017 edition (page A4).

He added that the regular scheduled PAC meeting of March 20th was rescheduled to April 18th and that a Notice of the rescheduling was posted in the Saturday, March 4th, 2017 edition of the Standard Freeholder (page A9).

Also, the Notice was posted on the City of Cornwall website as of February 22nd, 2017, which fulfills the Planning Act requirement for Public Meeting Notice. Three supplemental mail-out notices were sent to directly affected landowners (two Zoning Schedule corrections and one Subdivision standards clarification) on February 28th (1300 Notre Dame Street), March 7th (Brookdale Avenue, part of Plan 52R3892) and March 8th (Pinewood Subdivision).

PUBLIC MEETING ITEM(S) - PUBLIC HEARING:

1 Proposed Modifications to the Comprehensive Zoning By-law No. 751, 1969, as amended (PAC File Z-01-17, Housekeeping No. 25)

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Senior Planner, Mary Joyce-Smith advised that the Housekeeping exercise is a tool used by the municipality to maintain a current and relevant Zoning Bylaw. Pending approval of the Official Plan, the municipality is required to produce a new Zoning Bylaw within a 3 year period. She advised that presently there is no definition in the Zoning Bylaw for a "Vehicle Rental Agency" "permitted use". Planning's introduction of this new definition will provide an exclusion to the leasing of heavy equipment such as, transport tractor trailers, backhoe loaders, etc. This Permitted Use will be introduced to the applicable Commercial zones.

Coun. André Rivette asked for a clarification on the type and size of trucks that would be excluded.

Senior Planner, Mary Joyce-Smith replied that the exclusion would only affect larger transport trucks and heavy commercial equipment.

As well, she stated that a new definition for the "Logistics/Distribution Centre" will be introduced to Industrial zones such as MFR30 and MFR40 zones. Also, due to a potential need to adhere to Provincial and Federal requirements, a statement would be added to the General Section of the uses listed in the Manufacturing zones stating that all listed uses subject to such legislation, must be in receipt of a valid approval, prior to consideration for a Building Permit application.

"Accessory Structures" would also be introduced in the General Provisions of the zones throughout the Zoning Bylaw to capture other larger structures that are not deemed a 'building' but rather a structure such as a dog house, or large tree house, etc.

She then listed the following modifications/amendments that are being proposed such as:

- A change in the Parking Section proposing that applicable landscaping (to achieve a residential character consistent with abutting residential properties) would be required **if** a legal non-conforming Commercial use is converted into a Residential use in a Residential zone; and
- A statement that would define that a developer would have to submit a modified Site Plan approval application if 4 or more technical parking spaces are required to accommodate a use; and
- Recognize a lot area discrepancy for a total of 7 lots in the Registered Plan of Subdivision by Doug Campbell (52M-39); and
- A mapping discrepancy to the property at 1300 Notre Dame Street, will be amended to reflect the proper Commercial zoning; and
- A mapping change as a result of topographical Survey work conducted for the Brookdale Avenue site to remove the Exception to the Community Commercial-Shopping Centre (CC-SC) zone parcel from the Schedule, and introduce a statement to reflect the change to the text of the Zoning Bylaw Section 01-13iii.

The Chair, Councillor Maurice Dupelle, then asked 3 times for comments from the audience. There were no submissions/comments from the audience.

No further comments were received on this item, and the Public Meeting portion was then closed by the Chair.

PAC DISCUSSION OF PUBLIC MEETING ITEM(S):

1 Proposed Modifications to the Comprehensive Zoning By-law No. 751, 1969, as amended (PAC File Z-01-17, Housekeeping No. 25)

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Following a further brief discussion by PAC members, there was a motion that PAC recommends to Council to approve the Housekeeping items contained in Section E: Evaluation, of the Housekeeping No. 25 Report.

MOVED BY: André Rivette, Councillor

SECONDED BY: Bernadette Clément, Councillor

Motion Carried

OTHER / NEW BUSINESS:

PAC Secretary, Ken Bedford advised there were 3 funding applications related CPPEG items for PAC to consider and that Development Coordinator, Ms. Dana McLean would provide a power point presentation on those items. He added that there was an additional item under CPPEG with respect to the HOTC Community Improvement Plan Funding Reserve Review and that the Chief Financial Officer Ms. Tracey Bailey, is present to assist in those discussions as well.

1 CPPEG Recommendation March 9, 2017 HOTC#2017-02 28 First St W

Click for detail --> 

Dana McLean advised this is an application by Nourish Body Mind Soul at 28 First Street West for HOTC funding assistance in an amount up to \$500 to assist with funds for a new fascia sign and replacement of the insert of a freestanding sign.

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

That HOTC#2017-02 funding request by Nourish Body Mind Soul at 28 First Street West, be approved as follows:

Program 4 - Facade Improvement and Sign Grant- \$500

Program 5 - Municipal Planning/Development Fees Grant- actual

2 CPPEG Recommendation March 9, 2017 HOTC#2016-10 Addendum 900 Montreal Rd

Click for detail --> 

Dana McLean advised this is an addendum application by 2556819 Ontario Inc. at 900 Montreal Road for HOTC funding assistance in an amount up to \$16,894 to assist with further interior renovations, design work and facade.

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

That HOTC#2016-10 addendum funding request by 2556819 Ontario Inc. at 900 Montreal Road, be approved as follows:

Program 2 - Building Restoration & Improvement Program - \$8,460

Program 3 - Project Design Grant- \$1,274

Program 4 - Facade Improvement and Sign Grant - \$7,250

Program 5 - Municipal Planning/Development Fees Grant- actual

3 CPPEG Recommendation April 6, 2017 HOTC#2017-03 221-225 Pitt St

Click for detail --> 

Dana McLean advised this is an application by Cailuan Inc. at 221-225 Pitt Street for HOTC funding assistance for a new fascia sign.

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

That HOTC#2017-03 funding request by Cailuan Inc at 221-225 Pitt Street, be approved as follows:

Program 3 - Project Design Grant - \$500

Program 4 - Facade Improvement and Sign Grant - \$544.86

Program 5 - Municipal Planning/Development Fees Grant- actual

Following a brief discussion by PAC, it was:

MOVED BY: David Murphy, Councillor

SECONDED BY: André Rivette, Councillor

That the three (#1 through to #3) recommended CPPEG items be approved and endorsed by PAC, as proposed, and recommend same to Council.

Motion Carried

4 Heart of the City Community Improvement Plan Funding Reserve

Click for detail --> 

Dana McLean stated that further to previous discussions with CPPEG and PAC with respect to the over-commitment of HOTC Reserve funds, they are proposing the following fiscal recommendations to help provide continued financial incentives to property owners/tenants to develop/refurbish their property, based on the Program criteria.

a.) That the \$193,457 withdrawn from the HOTC Reserve for expenditures

related to the Pitt Street Parking Lot and the George Assaly Lane be reimbursed over the next 6 years through the budget process; and

b) That \$200,000 be set as the HOTC target reserve balance as 1 full year of operations in reserve; and

c) That a total annual budget of \$130,000 be set for Program 2- Building Restoration & Improvement, Program 3- Project Design Grant and Program 4- Facade Improvement and Sign Grant, to be reviewed after 3 years; and

d) That Program 5 Municipal Planning/Development Fees have a maximum of \$2,000 per application; and

e) That a separate report be prepared for Council approval should PAC revise any recommended approval by CPPEG and the funding source to be determined prior to the recommendation to Council; and

f) That if required, monies from the Downtown Reserve Fund of \$3.5M be used to offset a negative balance in the HOTC Reserve for the singular purpose of reconciliation; and

g) That the non-refundable portion of tax revenue collected through the Tax Increment Grant component (Program 1) be contributed to the HOTC Reserve to the end of the 10 year term.

The Chair, Councillor Maurice Dupelle, opened the floor to PAC.

Coun. Mark MacDonald commented that the Program is a successful one and that the Downtown is looking good and continues to take shape. In his opinion, however, he stated that more focus is needed in Le Village and hopes that the Program will continue to be supported.

Coun. Claude MacIntosh stated that if the developers of Pitt and Second or the former Courtaulds started their project/development tomorrow, would the grant previously approved to them, still be available.

Dana McLean replied that the funding would no longer be there as the Program gives developers one year from the application date to start construction, after that, they would have to come back and reapply.

Coun. Bernadette Clément stated it is clear that the Program is successful and that larger projects which have made use of it have been catalysts for other new development initiatives in the City. She also mirrored the sentiments of Councillor Mark MacDonald and emphasized that there is a need to be more creative when focusing on Le Village.

Dana McLean replied that there have been some changes in property ownership

in Le Village, and that is where the City will see things start to change.

Coun. Elaine MacDonald also agreed that the Downtown is looking super, but asked whether the City had any mechanisms in place to fix/repair the sidewalk on the corner of Pitt Street and Second, while the City waits for the developer to commence. She asked whether any complaints had been received.

PAC Secretary Ken Bedford replied that there were two mechanisms in place, the first would be through a Site Plan Control Agreement where the issue would be an element of the project when the development recommenced. The other would be that any funding under the CIP would require that there would be a component of that dedicated towards the sidewalk improvement. He added that he had not personally heard of any complaints, and that unfortunately people may have grown accustomed to it.

Coun. Denis Carr stated that the City has benefited greatly from the larger project proponents/developers who have made use of the funding Program, such as the Cotton Mills. It is a very important project and one of the keys to the future of this community. He emphasized that without these Programs, many projects and renewal efforts would never have happened and he assured that positive things will begin to happen in future for Le Village.

PAC Member, Jack Lindsay also agreed that good things have happened and are still happening in the Downtown area. He asked how would people approach the City and/or whether the City had a department in charge of attracting and making property owners in Le Village aware of the advantages of the Funding Program.

Dana McLean replied that much effort has gone into Le Village area, and that letters were sent to owners, intern Planning students from the HOTC/Centretown Group have gone door to door, and awareness of the Program was discussed at Le Village BIA meetings, etc. The students provided the City with great feedback, however, often financial capabilities of property owners there are not the same as those located in the Downtown.

Coun. André Rivette suggested that the City should consider adopting a policy which would impose an extra property tax on residential and other buildings that are sitting empty to compel their owners to redevelop their vacant buildings. He stated it is important to make them aware that they need either to redevelop or pay an extra tax.

PAC Secretary Ken Bedford said municipal staff through CPPEG have already been examining ways the City could target certain properties in Cornwall for

“strategic rehabilitation,” and how taxes or other incentives could be used to influence those decisions. Talks are still ongoing.

Coun. Bernadette Clément stated that besides being unsightly, vacant buildings in Le Village also pose a fire hazard; and that is an issue that the City’s Property Standards Committee is already working on with the Fire Department to address. What the City needs to do, is start thinking outside the box to find ways to make it less expensive to redevelop and convince landlords in Le Village that they should do it sooner rather than later.

Following a brief discussion by PAC, it was:

MOVED BY: Denis Carr, Councillor
SECONDED BY: André Rivette, Councillor

That CPPEG item (#4) suggested HOTC CIP Funding Reserve / Balance recommendations be approved and endorsed by PAC, as proposed, and recommend same to Council.

Motion Carried

5 Final Official Plan (O.P.) Review Update prior to the Mandated Planning Act Public Meeting.

Click for detail --> 

PAC Secretary, Ken Bedford advised that it has been 3 1/2 years since the O.P. initiative began. Members of Council and staff were very involved in the public sessions and Open Houses which took place in 2014, and there was successful participation in that initiative with the Planning Consultants at that time. He added that a component of the Official Plan Review in 2014 was to create a Municipal Comprehensive Review which in essence, is a Lands Needs Assessment of the Community in terms of a 20 year outlook (Work done by Watson & Associates Economists Ltd.). Unfortunately, what occurred in 2015, was that a product / document was received and, that internally, Staff felt it to be insufficient to release to the public/community. For that reason, an in-house initiative was commenced which involved going through the document forensically and essentially rewriting many parts, so that a Draft No. 1 with Mapping was produced, released and posted in 2016 on the City's website for commentary. That commentary period received 6 respondents including the Ministry of Municipal Affairs and Housing under their required "One Window Review" process. A total of over 230 comments were received which needed to be deciphered and responded to. The attachments (maps and responses) provided in this Report are works that staff has produced in-house which took

approximately 8 months to complete, and now can be incorporated into a final Draft No. 2. This second draft would be released again to the public and posted on the City's website. The final steps will be to have a public Open House where items can be explained in more detail to individuals who have questions / concerns. This will lead to finally holding a mandatory Planning Act-based, Public Meeting, which would represent the effective conclusion of Planning's primary O.P. Review document drafting in this exercise. The ultimate goal is to have Council repeal and replace the City's existing Official Plan with a version of the Draft #2 documentation.

Coun. Bernadette Clément stated she was glad to see this project coming to an end in 2017. She questioned whether another commenting period would occur and personally thanked Ken and staff for their hard work.

PAC Secretary Ken Bedford replied that there was no need to open it up again for comments as that process was dealt with during the commenting period in the summer of 2016 for Draft No.1. He added that technically there is only a need to hold a Public Meeting. As a cautionary note, he stated that once this O.P. goes through to the Ministry of Municipal Affairs and Housing and they put in their modifications, anyone that provides comments will have the ability to appeal sections of the O.P. to the Ontario Municipal Board (OMB), however, the Urban Settlement Area Boundary is not appealable. Once the new O.P. is created, the City will have up to 3 years to follow-up with a new Comprehensive Review of the Zoning Bylaw.

PAC Member Ron Symington stated that it was very important for the public and interested parties to be aware that once the new O.P. is created, there is a regulation which does not allow any amendments to be done to it for a duration of 2 years.

Coun. Mark MacDonald added that the dynamics have changed substantially within the last 8 months, as the City just acquired 16 acres of prime land in partnership with the Mohawk Council of Akwasasne. He suggested that parameters be set; recreation, social housing, etc. to best manage that to the City's advantage.

PAC Secretary Ken Bedford advised that the land in question has been designated "Business District" (B.D.) and that two years ago had gone through a rezoning exercise to incorporate the Cotton Mills Redevelopment (CMDR) zone on the site. There are very good development policy and regulatory controls with respect to a wide range of uses that Councillor Mark MacDonald suggested.

Following a brief discussion by PAC, it was moved that the following three recommendations be approved and endorsed by PAC, as proposed, and recommend same to Council:

- i.) That Council receive this report for update information;
- ii.) That Planning Division Staff proceed to incorporate the revised wording and mapping, as identified in Attachments I, II into the text of a new final Draft 2, and subsequently post on the City's Website; and
- iii.) That prior to the setting of the Mandated Planning Act Public Meeting, which is to consider the final Draft 2 O.P., an advertised Open House/Drop-in Session be held to receive any additional input.

MOVED BY: Bernadette Clément, Councillor

SECONDED BY: Ron Symington, PAC Member

Motion Carried

INFORMATION:

N/A

NEXT SCHEDULED MEETING:

The next scheduled meeting will be held on Monday, May 15th, 2017.

ADJOURNMENT:

That the meeting be adjourned at 8:13 PM.

Moved By: Carilyne Hébert, Councillor

Seconded By: Justin Towndale, Councillor

Motion Carried

Councillor Maurice Dupelle, Chair