

Minutes

Planning Advisory and Hearing Committee

Meeting ID: 2012-04
Meeting Date: Mon June 18, 2012 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: Therese Guay, Administrative Assistant

Attendance Committee Members:

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:

Karl Doyle, Zoning and Site Plan Coordinator
Ken Bedford, Supervisor, Planning Division
Mark A. Boileau, Manager Economic Dev.
Mary Joyce-Smith, Senior Planner
Therese Guay, Administrative Assistant

Regrets:

Bob Kilger, Mayor

WELCOME AND CALL MEETING TO ORDER BY CHAIRMAN:

Attendance Media:

Cheryl Brink, Standard-Freeholder

Attendance Public:

Karen Burns, Cornwall Square - 1 Water Street East, Cornwall, ON K6H 6M2
Wayne Hargrove, 526 - 14th Street West, Cornwall, ON K6J 3J6
Peter Stibel, 311 First Street East, Cornwall, ON K6H 1L2
Brent Barnes, Ainley Group, 2724 Fenton Drive, Gloucester, ON K1T 3T7
James Warren, Fifth Wheel, 1574 Fenton Road, Milton, ON L9T 3G9
France Sauve, 1609 Morris Street, Cornwall, ON K6H 7G9

Norm Lalonde, 1601 Morris Street, Cornwall, ON 1601 Morris Street, Cornwall, ON K6H 7G9
Kathleen and Guy Willis, 115 Adolphus Street, Cornwall, ON K6H 3S3
Chris Cochrane, 1629 Morris Street, Cornwall, ON K6H 7G9
Joseph Last and Suzanne Plousos, 233 First Street East, Cornwall, ON K6H 5S5

ADOPTION OF THE AGENDA - ADDITIONS AND DELETIONS:

That the agenda be approved as presented.

Moved By: Bernadette Clément, Councillor
Seconded By: André Rivette, Councillor

MOTION APPROVED

ADOPTION OF THE MINUTES:

That the Minutes of May 22, 2012 be approved as presented.

Moved By: Maurice Dupelle, Councillor
Seconded By: Syd Gardiner, Councillor

MOTION APPROVED

DECLARATION OF CONFLICT OF INTEREST: None

BUSINESS ARISING FROM THE MINUTES:

Two items from the previous meeting are listed under the Information Section of this Agenda

PRESENTATION(S): None

REVIEW OF PUBLIC NOTICE REQUIREMENTS BY PAC SECRETARY:

Ken Bedford first advised that there were two omissions on the agenda. The meeting ID should have indicated 2012-04 and the note which normally appears at the end of this agenda which indicates the date the items from tonight's meeting will be considered by Council should have indicated that they will be on Council's agenda of Monday, June 25, 2012.

A Public Notice was advertised in the Standard-Freeholder on Tuesday, May 29, 2012 for PAC File No. Z04-12 (Business Park Rezoning) and PAC File No. Z05-12 (Former Si Miller Site Rezoning) and a 400 foot Notice to property owners for both files were mailed out on Friday, May 25, 2012. Various enquiries from the public for both files resulted from these notices, which

fulfill Planning Act requirements.

PUBLIC MEETING ITEM(S) - PUBLIC HEARING:

1. City Initiated - Planning Division and Economic Development Department, Applicant - Portions of Two Lots Described as Parts of the East and West Halves of Lot 5, Concession 2. A Site Specific Rezoning from Residential 20 (RES 20) to Manufacturing 30 (MFR 30) Zoning to Facilitate the Near Future Expansion of the City of Cornwall Business Park to its Western Most Limit South of Highway 401, Cornwall (PAC File # Z04-12)

Click for detail --> 

Ken Bedford reviewed a PowerPoint Presentation on PAC File # Z-04-2012.

The Chairperson asked the public for questions:

Chris Cochrane enquired whether there would be an access from the Business Park into the St. Antoine Subdivision.

Ken Bedford advised that there would not be any access. He further advised that there would be a Municipal Class Environmental Assessment (EA) Open House tomorrow regarding the future combined servicing corridor (including roadway) connecting the north and south City Business Park Sections through the Summerstown Swamp Provincially Significant Wetland (PSW). He encouraged people who had concerns to attend that meeting.

Peter Stiebel enquired about changes or disturbances to the wetlands. He explained that this was a natural filter for the environment and asked if the guidelines were sufficient enough to protect these lands.

Ken Bedford advised that the City has had meetings with Raisin Region Conservation Authority (RRCA) and the Ministry of Natural Resources (MNR) regarding these lands. Their issues will be addressed through a high level of design under a combination of Site Plan Control and Municipal Infrastructure Construction Techniques and part of that process would include looking at Environmental Impact Statements (EIS) with both the MNR and RRCA having sign off on these.

Peter Stiebel asked if someone with geological background was looking at the plan.

Ken Bedford advised that Shawn Thompson from MNR and a consultant at Genivar would also look at these issues.

Norm Lalonde asked if the 70 metres buffer would be left or would there be another buffer in the future and if there are to be any road(s) into the subdivision from the expanded Business Park. Also, if the subdivision were to expand, would the buffer stay the same.

Ken Bedford explained that the minimum distance buildings could be built is 70 metres (230 feet) from the property line. This represents the MOE Class I "D" Series Guidelines Separation Distance. If there are some concerns from MNR or RRCA, then the distance from the property line would be looked at further, at time of Site Plan Control. Ken Bedford advised that the Open

House for the E.A. would show various options for the future Business Park road pattern and none of the options propose direct access into the residential area. In addition to physical separations with B/L setbacks, additional design techniques such as accoustic fencing, berming and landscaping can be used at time of SPC.

France Sauvé asked about truck traffic if there is a warehouse operation going there.

Ken Bedford advised that the staff, during Site Plan Review, would address the issue(s) of impact on the residential neighbourhood, (i.e. where building would be built, etc.) based on any specific development proposal.

France Sauvé asked if Tollgate would be open.

Ken Bedford advised that it could open up to the Business Park, but no connection to Tollgate from the subdivision.

It was also asked what is the procedure once the land is purchased?

Ken Bedford advised that the Economic Development Department would look at how it would fit in the Business Park for any interested Companies looking to locate to Cornwall vis-a-vis size, parcel configuration and road locations.

Mark Boileau advised that Site Plan Control would ensure that any conditions or restrictions would be applied, agencies would have input and then it would be registered on title.

Ken Bedford also advised that the comments which are made tonight by the public would be taken into consideration when preparing Site Plans in the future.

Those in attendance were interested if there would be an announcement made when the property is purchased.

Mark Boileau gave an example of the Service Canada site on Campbell St. He advised that communication was made with the neighbours to receive their comments. He advised that the Department would be happy to show what is coming up, when the property is sold.

Ken Bedford advised that when the site plans are submitted they become a public document, therefore, anyone can make a request to come in and view the plans at that time.

Peter Stiebel advised that there should be a policy that Industrial clients have to leave some of the forested area around the Summerstown Swamp (PSW) to keep it natural.

Ken Bedford advised that this would be dealt with at Site Plan Control and is part of what the staff will have to look at with MNR and RRCA advice.

Questions from PAC Members:

Councillor Bernadette Clément asked about how the special 70 metre setback was determined and were they identified in a specific document,

Ken Bedford advised that such guideline setbacks are taken from the Ministry of Environment (MOE) "D" Series Guidelines for separation from sensitive land use and they depend on the

Class of manufacturing that proposes to establish. Class 1, 2 or 3 each have their separate setbacks. Class 2 for example, has a 300 metre setback, Class 3 has a 1,000 metre setback. Because we are looking at light manufacturing (Class 1), the setbacks are 70 metres. He further advised that the industry establishing there would primarily be of a Class 1 nature with some Class 2, and there would be more discussions on this issue during development approvals to determine if added noise attenuation or berming would be required.

In addition, Ken Bedford advised that development details/controls would form part of a Site Plan agreement that is legally binding. There is also a Letter of Credit that is held by the City until all Site Plan items are completed to the satisfaction of the Municipality.

Councillor Bernadette Clément asked if the setback needed to be adhered to by the developer.

Ken Bedford advised that no building can be sited in that special setback unless a successful Minor Variance is given by the Committee of Adjustment and then developers go through Site Plan Control to negotiate trees, buffers, and other physical design aspects of a project. If the setback (i.e. 300 metres) would be for full Class 2 Industry (and not a mix of Class 1 and 2), there would be another PAC public meeting and B/L amendment process required.

Councillor Bernadette Clément asked that since it is close to a residential area, more strict measures regarding the buffer be considered to be implemented. She advised that she would like to see more stringent guidelines applied in this case once specific projects come forward.

Ken Bedford advised that if that was the desire of PAC, they would have to give staff direction on this matter, as they are following the regulations but he advised that staff understands such impact concerns from PAC and that future designs will be examined carefully.

Councillor Gerald Samson wanted clarification on what is met by stringent and why this was not a given.

Ken Bedford advised that staff do look into such matters seriously and, in this case, because it is a Planned Municipal Business Park, it is very important to protect the residential area to the west. The matters brought forward would be taken into consideration when negotiating the site plan design. He advised that Zoning regulation and Site Development are generally more stringent than in the 1970's - 1980's, when the Park was first developed.

Councillor Bernadette Clément asked where we were on Municipal Class Environmental Assessment (EA) regarding a Service Corridor through the wetlands.

Ken Bedford advised that the first public E.A. open house will be held tomorrow night and various Infrastructure options will be discussed. Negotiations for a service corridor will be held with MNR and then it will be incorporated in an Engineering design phase and then it will go to Council for approval.

Councillor Maurice Dupelle asked if there would be a road access going southerly or easterly on Tollgate Road and he also asked about the impact it would have.

Ken Bedford reiterated that all the various options will be looked at and then they would be filtered to a few preferred technical options. He further advised that they were working with MNR to mitigate any impact on the Provincially Significant Wetland area and, in addition, no access from Tollgate to the residential area is proposed.

Councillor Syd Gardiner enquired about having a Hwy. 401 exit going directly into the Business Park to avoid having truck traffic going through the city.

Ken Bedford advised that exits from the Hwy. 401 are under the jurisdiction of the Ministry of Transportation (MTO). Ken Bedford further advised that it was his understanding that extra accesses were not an option, therefore, this is why they are upgrading some of the existing ones, as they are designed for certain distances between exits.

Mark Boileau advised that since the piece of land is slender it would compromise the marketability of land. He indicated that he understood that an exit from Hwy. 401 requires 30 acres per interchange "bubble".

Councillor Denis Thibault advised that he was happy to see this type of initiative going forward. He advised that we should look at the long term viability, and availability of land in the Business Park and start planning for the next 20 year development horizon.

Mark Boileau advised that in the last couple of years there has been a lot of take up of lands in the present Business Park and a priority is how to identify and subsequently develop another business park area soon.

Councillor Denis Thibault advised that we need to plan infrastructure for future development when we are examining subsequent Business Park land expansion.

2 CITY INITIATED APPLICATION - Review of an Application for a Zoning By-law Amendment from Open Space 10 (OSP 10) Zone to Central Business District (CBD) Zone and Central Business District (CBD) with a Hold (H) to Permit the Redevelopment of the Former Si Miller Arena Site at 229 Water Street East, Situated on Part of Lots 7, 8 and 9, North Side of Water Street and South Side of First Street, City of Cornwall (P.A.C. File # Z-05-2012)

Click for detail --> 

Stephen Alexander gave a history regarding this site:

- Benson Centre has replaced the ice for the Si Miller and the Bob Turner Memorial Centre
- Demolition of the building
- Environmental work
- Decommissioning of lands as hydro carbons found on north side of parking lot, probably due to a fuel tank
- RPI test
- Needed to know this before proceeding to rezoning
- Now looking at what can be done
- Staff feels CBD zoning is appropriate for development of the site and provides flexibility in project options.

Mary Joyce-Smith reviewed a PowerPoint Presentation.

Questions from the Public:

Suzanne Plousos requested that First Street East be left as it is and not have any development on that street, as some houses are very close to the sidewalk. The site would also be close to schools and more traffic could cause problems on First Street.

Ken Bedford advised that the staff recommendation is for a mixed zone that would allow for both residential and commercial options on various portions of the site.

Guy Willis advised that he agreed with Suzanne Plousos as far as increase in traffic for that area. Guy Willis described the neighbourhood and the buildings in the area. He advised that the point is that the neighbourhood is predominantly residential and he believed that the residents would not want to be surrounded by commercial businesses such as fast food, restaurants, bars, garages, high rise buildings, etc., as there would be a lot of noise and traffic. These are permitted uses under the CBD. He felt that the neighbourhood was on the border of the CBD, but not part of it. He further asked that if there are proposals for condos, then they look at the examples of the condos on the former Julius Miller site or Markell's condos, as these designs would be more suitable for the area. Therefore, it should be residential in nature and not commercial.

Ken Bedford advised that staff have looked at various strategies and felt that since it was close to the downtown, then CBD was a reasonable zone to propose, particularly since the Official Plan (OP) land use designation is "Business District" (B.D.)

Joseph Last advised that he applauded the City for wanting to develop the site, but felt that they should be mindful of the vistas, scope and scale of the development. He felt that if it goes ahead with this zoning it would be a "carte blanche" for a developer and the public would have very little input. The staff should also look at the massing and heights of potential structure(s).

Stephen Alexander advised that the CBD zoning does provide flexibility for mixed use, i.e. a building 3 to 4 floors could have the first floor as commercial and the rest as residential. He further advised that First Street East does not have the servicing that Water Street has, therefore, First Street would not be able to support commercial, but Water Street would. At Site Plan, staff would look at shadowing, impact on First Street. He further reiterated that staff would have to look at First Street as being different than Water Street and that staff would also rely on other tools. He advised that PAC recommends to Council on zoning, but Council would approve the purchaser of the site. Council will also be looking at what the potential purchaser is suggesting for the site to see if it is appropriate given the surrounding land use circumstance.

Peter Stiebel advised if there was to be a large complex on that site it would cause more traffic on First Street.

Stephen Alexander advised that the Site Plan process would look at this. He further advised that they would not set up circumstances that would give access to First Street and that there are ways to de-emphasize this. Staff have these tools and they would ensure that whatever is built is designed in a compatible manner.

Joseph Last advised that there is a 1860's map at the library that shows a creek along what is now Amelia Street and believed this is why the road periodically collapses in this area.

Questions from PAC Members:

Gerald Samson asked how many residences could be accommodated facing First Street. He

further advised that the north side should be left for residences.

Stephen Alexander referred to a concept drawing on page 110 of the Agenda package which shows three residential lots and that on page 112 it shows a cul-de-sac that would prevent any commercial being built on the south side having access to the residential on the north side. He further reiterated that this is why staff chose to recommend CBD as they felt that zoning had more flexibility.

Councillor Denis Thibault advised that it was his understanding that when the potential purchaser's proposal was brought forward to Council and if there were issues that were not acceptable, then Council could reject the offer. Council would review it and ensure that suggestions from community are taken into consideration. He asked if Council could make changes to zoning later.

Stephen Alexander advised that as part of the purchase, the developer has to declare the nature of the development. He reiterated again that it would have to be compatible to the neighbourhood and Site Plan would help to ensure that.

Councillor Denis Thibault gave the example that if Chateau Cornwall wanted to double the size of their complex, could they build the same type of building on that site.

Stephen Alexander advised that the City would not permit them to build such a potentially large structure on the north side of the property. They could be on the south side along Water Street.

Councillor Denis Carr asked about the 400 foot mail out and if there were any questions from owners of the former radio station site, the former curling club and the warehouse sites.

Mary Joyce-Smith advised that the owners of the former curling club and warehouse sites, sent an e-mail enquiring about the initiative, but were not objecting at that time.

Councillor Denis Carr asked if Part 2 was included in the sale and what the timelines were.

Stephen Alexander advised that it was not part of the sale and that there is a date of July 2, 2012, but if the projects are not suitable the date for offers would be extended.

Councillor Bernadette Clément advised that she understands that the residents of the area do not want more traffic on their street. There are two forms of control, including conditions of Council that requires the developer to declare their plans and the Comprehensive Site Plan Control process. With these two forms of control, she felt comfortable with staff's recommendation. Therefore, Council could decide not to have any commercial activity on this site. She further advised that this property is a very strategic and critical link between the Le Village and the Downtown districts.

PAC DISCUSSION OF PUBLIC MEETING ITEM(S):

1. City Initiated - Planning Division and Economic Development Department, Applicant - Portions of Two Lots Described as Parts of the East and West Halves of Lot 5, Concession 2. A Site Specific Rezoning from Residential 20 (RES 20) to Manufacturing 30 (MFR 30) Zoning to Facilitate the Near Future Expansion of the City of Cornwall Business Park to its Western Most Limit South of Highway 401, Cornwall (PAC File # Z04-

12)

Click for detail --> 

- i.) That the City initiated Zoning By-law application for a Rezoning on approximately 89 acres (36 hectares) of land on parts of Lot 5, Concession 2, Cornwall, from Residential 20 (RES 20) to Manufacturing 30 (MFR 30) with a special 70 metres (230 ft.) western limit setback, as herein described, to facilitate the expansion of the City Business Park, be approved;

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

MOTION APPROVED

and, As amended:

- ii.) That future Business Park development on the rezoned lands continue to be subject to a stringent site design, as implemented through the Site Plan Control process. For example, particular attention to incorporating proper separation buffering techniques (including both required setback adherence and physical site design) to the west abutting future residential development and south/east abutting portions of the Summerstown Swamp P.S.W. should be a priority.

Moved By: Bernadette Clément, Councillor
Seconded By: Maurice Dupelle, Councillor

MOTION APPROVED

2. CITY INITIATED APPLICATION - Review of an Application for a Zoning By-law Amendment from Open Space 10 (OSP 10) Zone to Central Business District (CBD) Zone and Central Business District (CBD) Hold (H) to Permit the Redevelopment of the Former Si Miller Arena Site at 229 Water Street East, Situated on Part of Lots 7, 8 and 9, North Side of Water Street and South Side of First Street, City of Cornwall (P.A.C. File # Z-05-2012)

Click for detail --> 

- i.) That the main Si Miller lands be rezoned from Open Space 10 (OSP 10) to Central Business District (CBD) zone; and
- ii.) That the site situated south of the former curling club, shown as Part 2 on Attachment I be rezoned from Open Space 10 (OPS 10) to Central Business District (CBD) with a "Hold" (H) provision, pending further site remediation.

Moved By: Syd Gardiner, Councillor

Seconded By: André Rivette, Councillor

MOTION APPROVED

OTHER / NEW BUSINESS:

None

INFORMATION:

1. Anticipated Timelines for Construction of Existing Twelfth Street Easterly to Ontario Street and Existing Lemay Street Easterly to McConnell Avenue.

An e-mail from Norm Levac was attached which explains the timelines. Subsequent discussion by Council on these projects will be encouraged when they are presented by the General Manager of Infrastructure and Municipal Works at a later date.

2. Vacant Gas Station Lots

A memo from Dana McLean was attached which explains what is going on regarding this matter.

Councillor André Rivette asked if the property belonged to a private individual or a gas company.

Ken Bedford advised that it is owned by a private individual.

Councillor Gerald Samson advised that we should have a policy that if a (new) gas station establishes and then shuts down, then the owner would be responsible to remove all structures/tanks and fully remediate the site in a timely manner.

Ken Bedford advised that they will be attending a Inter-Municipal Workshop/Conference next week in Kitchener and they will ask other municipalities what they are doing regarding abandoned/closed/derelict gas stations.

NEXT SCHEDULED MEETING:

Tentative - Monday, July 16, 2012 - To be finalized subject to PAC consensus on quorum

Alternate PAC Date: Monday, August 20, 2012 (Possible conflict with AMO Annual Conference - August 19, 20, 21, 22, 2012)

Other Alternate PAC Date: Monday, September 17, 2012

It was decided that staff send an e-mail to members to determine if there is quorum for the July PAC date.

ADJOURNMENT:

That the meeting be adjourned at 8:15 p.m.

Moved By: David Murphy, Councillor
Seconded By: Denis Carr, Councillor

MOTION APPROVED