

# Minutes

## Planning Advisory and Hearing Committee

**Meeting ID:** 2017-05  
**Meeting Date:** Mon September 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

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### **Attendance Committee Members:**

André Rivette, Councillor  
Bernadette Clément, Councillor  
David Murphy, Councillor  
Elaine MacDonald, Councillor  
Maurice Dupelle, Councillor  
Claude E. McIntosh, Councillor  
Justin Towndale, Councillor  
Denis Carr, Councillor  
Jack Lindsay, Lay Member  
Ron Symington, Lay Member

### **Attendance Staff:**

Dana McLean, Development Coordinator  
Ely Daniels, Administrative Assistant  
Karl Doyle, Senior Planner  
Mark A. Boileau, General Manager, Planning,  
Development and Recreation

### **Regrets:**

Leslie O'Shaughnessy, Mayor  
Carilyne Hébert, Councillor  
Mark A. MacDonald, Councillor

### **Attendance Media:**

Two members of the media were present.

### **Attendance Public:**

Five (5) gallery members were 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: Claude E. McIntosh, Councillor

Motion Carried

**ADOPTION OF THE MINUTES:**

**1 August 21, 2017 Planning Advisory and Hearing Committee Meeting**

Click for detail --> 

Motion to adopt the Minutes as presented.

Moved By: Bernadette Clément, Councillor  
Seconded By: Ron Symington, Lay Member

Motion Carried

**DECLARATION OF CONFLICT OF INTEREST:**

None

**BUSINESS ARISING FROM THE MINUTES:**

None

**PRESENTATION(S):**

N/A

**REVIEW OF PUBLIC NOTICE REQUIREMENTS BY PAC SECRETARY:**

Acting PAC Secretary Mark Boileau advised that a public notice was advertised

in the Standard-Freeholder on Saturday, August 26th, 2017 covering two public meeting items with respect to a Zoning By-law Amendment Application - PAC File #Z-04-17 at 405 Ninth Street West & 1000 Cumberland Street, and PAC File #Z-06-17 at 1800 Vincent Massey Drive. In addition to the newspaper notice, a 400' radius letter notice was sent out to land owners around the subject properties on Friday, August 25<sup>th</sup>, 2017. He added that Senior Planner, Karl Doyle would provide a brief presentation for PAC discussion and final recommendation to Council.

### **PUBLIC MEETING ITEM(S) - PUBLIC HEARING:**

**1 Colonnade Bridgeport - Colonnade Real Estate Development LP I (Agent Kelly Rhodenizer). Review of an application for 1000 Cumberland Street, 405 Ninth Street West, and identified City owned lands; to rezone the residential property from Residential 20 (RES 20) to Highway Commercial (CH EXC) together with site specific exceptions for 28 reduced parking stall sizes, exterior side yard and rear yard requirements legally described as Part Lot 12, Con. 1, Plan 52R-1708 and 52R-4701, situated at 405 Ninth Street West, the former Monique's commercial building and the southerly lands identified on the preliminary site plan currently owned by the City of Cornwall, (PAC File No. Z-04-17). (This item was deferred from the PAC Meeting of Monday, August 21st, 2017).**

Click for detail --> 

Senior Planner, Karl Doyle advised that this application had been deferred from the previous PAC meeting of August 21, 2017. He added that the applicant, Colonnade Bridgeport - Colonnade Real Estate Development LP I (Agent Kelly Rhodenizer) is requesting a review of an application for 1000 Cumberland Street, 405 Ninth Street West, and identified City owned lands, to rezone the residential property from Residential 20 (RES 20) to Highway Commercial (CH EXC) together with site specific exceptions for 28 reduced parking stall sizes, exterior side yard and rear yard requirements situated at 405 Ninth Street West, the former Monique's commercial building and the southerly lands identified on the preliminary site plan currently owned by the City of Cornwall, (PAC File No. Z-04-17). He advised that the Planning Division reviewed the subject application for a Site Specific Rezoning and is conditionally supportive of the request based on the following:

-The principle of development was set for this site with the passing of By-law 021-1993, the current Official Plan in 2004 changed the previous designation of Highway Commercial (CH) to the present General Commercial (GC) and Business District (BD) designations. This application is further requesting site exceptions to the Highway Commercial (CH) zone which are supported.

-That the design for the commercial development accesses via Ninth Street West and Cumberland Street will be defined during the Site Plan approval process.

-Finally, all site design matters will be concluded through the City's Site Plan Control process and is overseen by Planning staff. Given the various departmental input and general level of support regarding the proposed preliminary Site Plan, staff will ensure existing access location, massing, fencing, lighting, signage, waste storage/collection etc., will be thoroughly analyzed to ensure the future commercial development is efficient and functional.

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

Colonnade Real Estate Development Agent, Kelly Rhodenizer advised that they have no intentions on touching any existing buildings located behind their site.

Gallery member Dean Melnick, asked for clarification on the emergency accesses for the redesign of the 4 unit commercial building in relation to the rear area.

Karl Doyle replied that the project redesign will have to adhere to the Ontario Building Code and Fire Code requirements. He added that the two exits will be reviewed at the Permit stage and the proponent will do an analysis in conjunction with the Site Plan approval process.

Chair Maurice Dupelle asked two more times if there were any questions/comments from the public, and as there were none, he opened discussions to PAC members.

**2 Sweetleaf Rx - (Michael Langburt). Site Specific Rezoning - Review of an application for a Site Specific Zoning exception to the Manufacturing 10 Zone (MFR 10) for the introduction of a Medical Marihuana Production Facility use. The property is legally described as Part of North Part Lot 15 and Part of Lot 16 Concession 1, being Parts 1 and 2 on Reference Plan 52R-750, municipally known as 1800 Vincent Massey Drive, City of Cornwall, (PAC File No. Z-06-17).**

Click for detail --> 

Senior Planner, Karl Doyle advised that the Planning Division had received and reviewed an application from Sweetleaf Rx - (Michael Langburt) for a Site Specific Rezoning exception to the Manufacturing 10 Zone (MFR 10) for the introduction of a Medical Marihuana Production Facility use at the property

municipally known as 1800 Vincent Massey Drive, City of Cornwall, (PAC File No. Z-06-17). The Planning Division is conditionally supportive of the request based on the following requirements:

- That the Medical Marihuana Production Facility may only commence operation once notification of a licensed production application, and granting of said licence from Health Canada is provided to the City of Cornwall, and;

-That the Medical Marihuana Production Facility may only commence operation once a CPTED (Crime Prevention Through Environmental Design) and CPTPD (Crime Prevention Through Physical Design) audit is conducted and approved by the City of Cornwall and all other Municipal development approvals are obtained conforming to By-law #2015-123 Locational Criteria for a Medical Marihuana Production Facility.

He added that if conditionally approved, the Planning Division is confident that the site will be of adequate size to support both the existing and proposed Medical Marihuana Production and Distribution use and associated activities.

Chair Maurice Dupelle asked three times if there were any questions/comments from the public, and as there were none, he opened discussions to PAC members.

### **PAC DISCUSSION OF PUBLIC MEETING ITEM(S):**

**1 Colonnade Bridgeport - Colonnade Real Estate Development LP I (Agent Kelly Rhodenizer). Review of an application for 1000 Cumberland Street, 405 Ninth Street West, and identified City owned lands; to rezone the residential property from Residential 20 (RES 20) to Highway Commercial (CH EXC) together with site specific exceptions for 28 reduced parking stall sizes, exterior side yard and rear yard requirements legally described as Part Lot 12, Con. 1, Plan 52R-1708 and 52R-4701, situated at 405 Ninth Street West, the former Monique's commercial building and the southerly lands identified on the preliminary site plan currently owned by the City of Cornwall, (PAC File No. Z-04-17). (Deferred from the PAC Meeting of Monday, August 21st, 2017).**

Click for detail --> 

Councillor André Rivette asked for clarification with respect to the sound barriers and the possibility of noise problems.

Senior Planner Karl Doyle confirmed that buffering in the form of fences and vegetation would be elements included in the redevelopment of the site.

Lay member Ron Symington asked if consideration had been given to extend the left turn lane on Ninth Street for the eastbound traffic and avoid any left runs off of Cumberland Street.

Karl Doyle replied that the applicants are presently working with the City's traffic engineer and different scenarios are being reviewed.

Lay member Jack Lindsay stated that the plan reflected only three accessible parking stalls, and asked if that was sufficient for a project lot of that size.

Karl Doyle replied that there are approximately 70 parking stalls, and that regulations require there be one barrier free stall for every fifty parking stalls. He added that the proponents have gone beyond City standards in order to accommodate their clientele.

Councillor Denis Carr asked if any comments/concerns had been received from abutting landowners with respect to the proposal.

Karl Doyle replied that three calls from abutting landowners had been received, and all were positive.

Councillor Bernadette Clément made an observation that one accessible parking stall for every 50 parking stalls seemed low in this day and age when looking at the City's demographics.

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

That the Planning Advisory Committee (PAC) recommends to Council the approval of the amendment(s) to:

(a) Rezone 1000 Cumberland Street from Residential 20 (RES 20) to Highway Commercial (CH EXC) on Part Lot 12, Concession 1, being Part 1 on Plan 52R-1708; and

(b) Rezone 1000 Cumberland Street, 405 Ninth Street West, and the southerly lands identified on the preliminary site plan currently owned by the City of Cornwall, to reflect the additional site specific exceptions for 28 reduced parking stall sizes, an exterior side yard setback of 5.0 metres and rear yard setback of 6.5 metres in support of a commercial redevelopment of the former Monique's retail development, including a new drive-thru commercial building on Part Lot 12, Concession 1, being Part 1 on Plan 52R-4701; and

(c) That the commercial development will be subject to the Site Plan approval process.

Moved By: André Rivette, Councillor  
Seconded By: Jack Lindsay, Lay Member

Motion Carried

**2 Sweetleaf Rx - (Michael Langburt). Site Specific Rezoning - Review of an application for a Site Specific Zoning exception to the Manufacturing 10 Zone (MFR 10) for the introduction of a Medical Marihuana Production Facility use. The property is legally described as Part of North Part Lot 15 and Part of Lot 16 Concession 1, being Parts 1 and 2 on Reference Plan 52R-750, municipally known as 1800 Vincent Massey Drive, City of Cornwall, (PAC File No. Z-06-17).**

Click for detail --> 

Councillor Claude McIntosh asked if there would be any smells emanating from the site.

Senior Planner Karl Doyle replied that no smells would emanate from the site, as well the proponent confirmed that carbon filtration would be used to avoid any such issues.

Councillor Bernadette Clément asked who owned the vacant residential property on the site, and whether any concerns had been received from them or any abutting neighbours. She also asked for clarification with respect to the building being shared by other tenants (air content, security, etc.).

Senior Planner Karl Doyle replied that Cartwave owned the abutting westerly vacant residential lands and that they had no concerns, as well, no negative comments were received from surrounding neighbours. With respect to sharing the building, he stated that security measures would have to be increased.

Councillor Bernadette Clément also asked if the City had looked at what other municipalities have done in the same situation.

Mark Boileau replied that some municipalities actually just allow this type of proposal within their manufacturing zones without any amendments, and others of a more significant size, request exceptions and setback requirements.

Director of Sweetleaf, Cornwall businessman Michael Langburt, then answered the members questions about his proposed operation. He advised that the next

step in making the operation a reality is getting a licence from the Federal government, which can take some time (1 year) and there is no guarantee that he will get approved to open the facility at all. He added that if Health Canada declines to give him a licence, there won't be a facility and he will not be coming back. If Health Canada permits him to do something other than the plans he has outlined to the city, Mr. Langburt advised he would come back to seek permission from City Council.

Councillor Bernadette Clément asked what impact Ontario's intention to only allow the sale of recreational marijuana through government-owned stores will have on Sweetleaf's plans.

Mr. Langburt replied there would be no impact in his plans as the facility will still be able to service the adult-use market, but right now there exists a void in the medicinal market. He added that the LCBO wants to sell marijuana for a reason. He added that the province is in the process of ending prohibition, but 20 years down the road, things might look very different than they do today.

Councillor Denis Carr advised that the proponent has spent over a year investigating this opportunity, and that his proposal is not nearly finished, as he will need approval from the Federal Health Minister. He added that Mr. Langburt has had thorough discussions with the police department and praised him as a long-time Cornwall businessman. For those reasons, he wished him every success and stated he would be supporting his proposal.

Councillor André Rivette advised that he also had no objections supporting the proposal as long as all security steps and due diligence were followed.

Councillor Claude McIntosh also spoke favourably and wondered about the tourism potential once legalization passes.

Councillor Dave Murphy said he was a firm believer in this medicine and supported the plan particularly after seeing how well medical marijuana had helped his mother during the last six months of her life, and the calmness it brought her.

Councillor Bernadette Clément stated that the site suitability report by David Hyde and Associates provided by Mr. Langburt is comprehensive and that she was glad the proponent was present to answer all their questions. She thanked Mr. Langburt and added that his local connection to the community is very important. She also added that if this proposal is to proceed properly, the City must make sure that the community feels comfortable with it and that a good flow of information around security issues is available to the public, as community comfort is extremely important for a successful business.



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

That the Planning Advisory Committee (PAC) recommends to Council the approval of the amendment(s) to:

(a) That the subject lands be rezoned from Manufacturing 10 (MFR 10) to Manufacturing 10 (MFR 10 EXC) with a site specific exception to introduce a Medical Marihuana Production Facility use on the subject site which includes refining of raw cannabis and distribution, and;

(b) That the Medical Marihuana Production Facility may only commence operation once notification of a licensed production application, and granting of said licence from Health Canada is provided to the City of Cornwall, and;

(c) That the Medical Marihuana Production Facility may only commence operation once a CPTED (Crime Prevention Through Environmental Design) and CTPPD (Crime Prevention Through Physical Design) audit is conducted and approved by the City of Cornwall and all other Municipal development approvals are obtained conforming to By-law #2015-123 Locational Criteria for a Medical Marihuana Production Facility.

Moved By: Claude McIntosh, Councillor

Seconded By: Justin Towndale, Councillor

Motion Carried

## **OTHER / NEW BUSINESS:**

### **1 Review of Draft Plan Approval for Phase 3B Adjustments to the 2012 Approved Bellwood Ridge Subdivision Draft Plan, being Part of Lots 8 and 9, Concession 2, File No. 252 04T-2006-02.**

Click for detail --> 

Senior Planner Karl Doyle advised that this plan is part of a very large Draft Plan that includes lands from Tollgate Road through to the Canadian National Railway (C.N.). The developer has been incrementally registering phases of the plan in accordance to the market demand. They are now requesting more semi-detached lots to be developed and the Planning Division is supportive of the request. Therefore, due to the fact that the request is a minor redesign of the lot fabric and an increase of 4 residential units, part of the recommendation acknowledges that the proposed modifications are minor in nature and not subject to Public Notice.

Following a brief discussion, it was moved, that the recommendation be

approved as follows:

a) That the revised Draft Plan for the Phase 3B Bellwood Ridge Draft Plan submitted by Ron M. Jason Surveying Ltd., OLS dated August 25th, 2017 be given Draft Approval subject to the Draft Plan Conditions Appendix A, as the amendment to the 2011 Draft Plan is considered to be minor in nature, as per section 51(47) of the Ontario Planning Act.

b) That PAC recommends to Council the approval of the amendment to the Draft Resolution (Attachment 3).

Moved By: André Rivette, Councillor

Seconded By: David Murphy, Councillor

Motion Carried

## **2 CPPEG Recommendation September 7, 2017 HOTC#2017-08 407 Pitt St**

Click for detail --> 

Dana McLean advised that this was an application by 2590147 Ontario Inc. at 407 Pitt Street for HOTC funding assistance in an amount up to \$33,244 that will assist with funds for interior and exterior renovations.

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

That HOTC#2017-08 funding request by 2590147 Ontario Inc. at 407 Pitt Street, be accepted as follows:

Program 2 - Building Restoration & Improvement Program - \$21,744

Program 3 - Project Design Grant - \$1,500

Program 4 - Facade Improvement Grant - \$8,000

Program 5 - Municipal Planning/Development Fees Grant- Actuals

Program 6 - Discretionary Municipal Tipping Fees Grant - Actuals

## **3 CPPEG Recommendation September 7, 2017 HOTC#2017-09 113 Amelia**

Click for detail --> 

Dana McLean advised that this was an application by 1408346 Ontario Inc. at 113 Amelia for HOTC funding assistance in an amount up to \$3,500 to assist with funds for design plans for the submission of the Building Permit as per the Ontario Building Code.

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

That HOTC#2017-09 funding request by 1408346 Ontario Inc. at 113 Amelia, be accepted as follows:

Program 3 - Project Design Grant - \$3,500

Program 5 - Municipal Planning/Development Fees Grant- Actuals

#### **4 CPPEG Recommendation September 7, 2017 HOTC#2017-06 Addendum 204 Second St E**

Click for detail --> 

Dana McLean advised that this was an application by Twelve R Squared Inc. at 204 Second Street East for HOTC funding assistance in an amount up to \$2,000 that will assist with funds for new sign to follow up on the full renovation of the property.

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

That HOTC#2017-06 Addendum funding request by Twelve R Squared Inc. at 204 Second Street East, be accepted as follows:

Program 4 - Facade Improvement & Sign Grant - \$2,000

Program 5 - Municipal Planning/Development Fees Grant- Actual

#### **5 CPPEG Recommendation September 7, 2017 HOTC#2013-13 Addendum 806 Pitt St**

Click for detail --> 

Dana McLean advised that this was an application by Dr. Steven Deneka at 806 Pitt Street for HOTC funding assistance in an amount up to \$5,305 to assist with funds for a facade improvement.

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

That HOTC#2013-13 Addendum funding request by Dr. Steven Deneka at 806 Pitt Street, be accepted as follows:

Program 4 - Facade Improvement Grant - \$5,305

Program 5 - Municipal Planning/Development Fees Grant- Actual

#### **6 CPPEG Recommendation September 7, 2017 HOTC#2017-07 Addendum 213 Montreal Rd**

Click for detail --> 

Dana McLean advised that this was an application by 1978648 Ontario Inc. at 213 Montreal Road for HOTC funding assistance in an amount up to \$40,000 to assist with funds for interior and exterior renovations.

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

That HOTC#2017-07 addendum funding request by 1978648 Ontario Inc. at 213 Montreal Road, be accepted as follows:

Program 2 - Building Restoration & Improvement Program - \$30,000  
Program 4 - Facade Improvement Grant - \$10,000  
Program 5 - Municipal Planning/Development Fees Grant- Actual  
Program 6 - Discretionary Municipal Tipping Fees Grant - Actual

Following a brief discussion by PAC,

There was a motion that the CPPEG recommendations #2 through to #6 be approved by PAC, as proposed, and recommend same to Council.

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

Motion Carried

**INFORMATION:**

None

**NEXT SCHEDULED MEETING:**

The next scheduled meeting will be held on Monday, October 16th, 2017.

**ADJOURNMENT:**

That the meeting be adjourned at 8:45 PM.

Moved By: Claude McIntosh, Councillor  
Seconded By: David Murphy, Councillor

Motion Carried

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**Councillor Maurice Dupelle, Chair**