

# Minutes

## Planning Advisory and Hearing Committee

**Meeting ID:** 2020-01  
**Meeting Date:** Mon January 20, 2020 07:00 PM  
**Location:** City Hall Council Chambers, 360 Pitt Street, Cornwall, Ontario, K6J 3P9  
**Chair:** Elaine MacDonald, Councillor  
**Prepared By:** Ely Daniels, Administrative Assistant

The Planning Advisory & Hearing Committee Meeting

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### **Attendance Committee Members:**

Bernadette Clément, Mayor  
Elaine MacDonald, Councillor  
Maurice Dupelle, Councillor  
Carilyne Hébert, Councillor  
Claude E. McIntosh, Councillor  
Justin Towndale, Councillor  
Dean Hollingsworth, Councillor  
Glen Grant, Councillor  
Syd Gardiner, Councillor  
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  
Mary Joyce-Smith, Division Manager, Planning  
Maureen Adams, Chief Administrative Officer  
Tracey Bailey, General Manager, Financial Services

### **Regrets:**

Eric Bergeron, Councillor  
Todd Bennett, Councillor  
Amanda Brisson, Lay Member

### **Attendance Media:**

One member of the media was present.

### **Attendance Public:**

One gallery member signed the PAC public attendance sheet.

### **Welcome and Call Meeting to Order by Chair:**

Chair Elaine MacDonald called the meeting to order at 7:00 PM.

### **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: Bernadette Clément, Mayor**  
**Seconded By: Ron Symington, Lay Member**

**Motion Carried**

### **Adoption of the Minutes:**

Motion to endorse the following Minutes with an amendment to have the names of Lay Members, Ron Symington and Amanda Brisson, reflected under "Attendance Committee Members".

#### **1 October 22, 2019 Planning Advisory and Hearing Committee Meeting**

Click for detail --> 

**Moved By: Syd Gardiner, Councillor**  
**Seconded By: Glen Grant, Councillor**

**Motion Carried**

### **Declaration of Conflict of Interest:**

None

### **Business Arising from the Minutes:**

None

## **PRESENTATION(S):**

PAC Chair Elaine MacDonald advised that Dana McLean, Development Coordinator, would provide a presentation detailing key elements of funding programs of the three existing CIP's being: Renaissance, Brownfields, and Heart of the City (HOTC).

Development Coordinator, Dana McLean provided an overview of the funding programs for the three existing CIP's, and advised that PAC's secondary role is to approve recommendations forwarded by the Cornwall Planning Programs Evaluation Group (CPPEG). She touched on the history of the creation of the three CIP's and their application processes. She spoke of the Heart of the City CIP and how its' initiative is a broad based community rejuvenation plan which brings together the diversity of business, community and civic interests in the City to focus resources on the creation of a liveable and economically vibrant urban core for the City. Maps of the three CIPs Priority Areas were presented establishing the connectivity of the Downtown BIA and Le Village BIA including the expanded Central Business District Zone, incorporating the Si Miller Arena site. Dana explained that areas outside the Priority mapping but still within the HOTC Policy Area remain eligible but are evaluated on a case-by-case basis. She advised that the CIP efforts are partially supported from a financial aspect, and as a result of the forgiveness of the Cornwall Square loan by former Premier Dalton McGuinty in 2006 and direction to use this forgiveness on Community Renewal efforts in the core. The investment interest from the Principle of such forgiven monies is budgeted annually. She added that CPPEG will continue to promote the funding programs and monitor the effectiveness of such programs in meeting fundamental community renewal rehabilitation efforts with Council's continued support. Dana concluded that there are periodic reviews of the CIP Programs to see where the most effective emphasis should be placed, while gauging changing needs/trends within the core values/limitations of the funding mechanisms.

Councillor Glen Grant stated that the programs' initiatives help contribute to the revitalization and cleaning up of the sites which has made the city more attractive.

Councillor Syd Gardiner asked if a bylaw was in place ensuring that owners who leave their property vacant are still responsible for cleaning it up.

Development Coordinator, Dana McLean replied that owners must adhere to property standards regulations, such as making sure that the property is kept in order, grass is cut, weeds are addressed, etc., however, there are no bylaws with respect to contamination.

After a further brief discussion, there was a motion to receive the Community Improvement Plans orientation presentation.

**Moved By: Bernadette Clément, Mayor**  
**Seconded By: Justin Towndale, Councillor**

**Motion Carried**

### **Review of Public Notice Requirements by PAC Secretary:**

PAC Secretary Mary Joyce-Smith advised that there was one public meeting item for consideration by PAC which was advertised in the Standard-Freeholder on Saturday, December 21st, 2019 with respect to PAC File No. Z-01-20, referred to as Housekeeping #29; a City initiated application regarding technical modifications to the City of Cornwall's Comprehensive Zoning By-Law No. 751-1969, as amended.

### **Public Meeting Item(s) - Public Hearing:**

PAC Secretary Mary Joyce-Smith invited Senior Planner, Karl Doyle to provide a brief presentation on the PAC File Z-01-20 - Housekeeping #29 for PAC discussion and final recommendations to Council.

### **1 Proposed Modifications to the Comprehensive Zoning By-law No. 751, 1969, as amended (PAC File Z-01-20 - Housekeeping No. 29).**

Click for detail --> 

Senior Planner, Karl Doyle provided an overview of the Housekeeping No. 29 exercise, a tool used by the municipality to maintain a current and relevant Zoning By-law. The objective of Housekeeping No. 29 is to consider two proposed textual modifications to the City of Cornwall's Comprehensive Zoning By-Law No. 751-1969, as amended. The first modification to Provision (01-2-14), Areas Where Arcades Are Permitted, specifically, is to allow the Arcade use to establish in a stand alone commercial unit(s) in a commercial zone and to update the Notwithstanding locations. He advised that prior to 1992 Arcade use was considered a Place of Assembly and allowed in almost all commercial zones. Due to occurring issues focused heavily on social behavior, as well as conflicts rising with the use if not maintained and supervised in a responsible manner, a By-law was adopted which restricted the Arcade use to establish in stand-alone commercial units. In the almost three decades since the adoption of the arcade restriction, technology has evolved and the availability of video games in the home and on handheld devices has increased significantly. In this context, and in the interest of supporting small businesses, the Planning Division is of the

opinion that the By-law restriction may no longer be required given that the populace has the option to enjoy gaming anywhere for free on numerous platforms. As a result of the proposed modification, an operator would require licensing by the Municipality and if needed, be subject to Provincial requirements, Alcohol Gaming Commission of Ontario (AGCO). He advised that the DBIA, Economic Development, Chamber of Commerce, Le Village BIA and Cornwall Community Police were all in support of this initiative.

Karl stated that with respect to the second modification to Provision (01-2-10), Maximum Height, specifically, the removal of the 90' Maximum Building Height limitation, Planning staff had reviewed historical documents from the 1970's and had discussions with former City staff/administration to seek the rationale behind the height limitation. Based on the findings, the main determining factor was fire fighting abilities. The 90' limitation has historically been based on arbitrary height accessibility requirements of Fire Departments, and that there exists no known statutory obligation for the City or it's Fire Services to enforce such a requirement. He advised that due to modern construction technologies, the Ontario Building Code ensures Active and Passive Fire Protection and the 90' maximum height is no longer a critical factor. The Planning Division has recently hired a consultant to complete the required rewrite of the City's Comprehensive Zoning By-law. For this reason, it is recommended that the height item be analyzed by the consultant. Karl advised that part of the Zoning By-law rewrite will include a number of public and stakeholder consultations, and it would be beneficial to the community if this item can be further discussed and reviewed at that time. Therefore, the present provisions in Section (01-2-10), Maximum Height should remain until such time that the consultant can provide the City with the most current and thorough information on building heights and development practices/trends in Ontario.

#### **PAC Discussion of Public Meeting Item(s):**

Chair Elaine MacDonald asked if there were any questions/comments from PAC.

Councillor Glen Grant asked if the two recommendations can be dealt with separately, and that with respect to the first item "Arcades", he was prepared to make a motion to approve that Section (01-2-14) of the City's Zoning By-Law "Areas Where Arcades are Permitted" be amended.

Councillor Dean Hollingsworth advised he would second the motion and stated that arcades aren't going to cause any more problems than any other kind of commercial recreation establishment. He was glad to see the amendment of the By-Law.

Councillor Justin Towndale thanked Senior Planner Karl Doyle for the extensive report and stated that arcades are becoming a family activity and he was happy to see the recommendation for the change.

Mayor Bernadette Clément stated she was happy to support this amendment, and agreed with Councillor Towndale that this is a good report. She added that arcades have become a whole different entity since the 1970's when they faced moral opposition, and was pleased that the motion was going forward and city staff was recommending this amendment.

Hearing no further questions from PAC, Chair Elaine MacDonald asked three times if there were any comments from the public. Having no comments from the public, the Chair asked for support on the recommendation of the first item "Arcades".

A motion was made that the Planning Advisory and Hearing Committee (PAC) recommends to City Council the following:

- i) That Section (01-2-14) Areas Where Arcades are Permitted be amended.

**Moved By: Glen Grant, Councillor**

**Seconded By: Dean Hollingsworth, Councillor**

**Motion Carried**

With respect to the second item "Maximum Height", Chair Elaine MacDonald asked if there were any further questions/comments from PAC.

Lay Member Ron Symington asked whether, on the findings that will take place during the rewrite of the Zoning Bylaw, wind pattern studies would be conducted by the consultant.

Senior Planner Karl Doyle indicated that these types of studies are typically performed in major urbanized downtown cores with high density built form, however, the city's Official Plan does speak to requiring some studies when analyzing high density developments such as sun shadow studies.

Mayor Bernadette Clément asked when was the last time the City had reviewed the Comprehensive Zoning By-law, and who were the consultants hired for the rewrite.

PAC Secretary Mary Joyce-Smith replied that the City's Comprehensive Zoning By-law dates to 1969 as amended, and since then, there have been over 500 recommended amendments and 29 Housekeeping exercises. She advised that the consultant for the rewrite of the Zoning Bylaw is WSP.

Chair Elaine MacDonald asked whether the buildings listed on page 21 of the report all met the 90' feet height restriction.

Senior Planner Karl Doyle replied that prior to the introduction of the height restriction Bylaw created in 1977, some buildings were built higher than 90' feet.

Hearing no further questions from PAC, Chair Elaine MacDonald asked if there were any comments from the public.

A member of the public provided awareness with respect to height restrictions and agreed with the recommendation that the Maximum Height be reviewed during the rewrite of the City of Cornwall's Zoning Bylaw.

Chair Elaine MacDonald thanked him for his insight and asked if there were any further comments from the public. Having no comments from the public, the Chair asked for support on the recommendation of the second item "Maximum Height".

A motion was made that the Planning Advisory and Hearing Committee (PAC) recommends to City Council the following:

ii) That the request to amend Section (01-2-10) Maximum Height be considered by the Planning Consultant to further analyze with the most current recommendations during the Planning Act requirement of the rewrite of the City of Cornwall Zoning Bylaw #751-1969, as amended.

**Moved By: Syd Gardiner, Councillor**

**Seconded By: Ron Symington, Lay Member**

**Motion Carried**

**Other / New Business:**

PAC Secretary Mary Joyce-Smith advised that Development Coordinator Dana McLean would provide a brief presentation for PAC discussion and final recommendation to Council with respect to the following (3) funding applications related CPPEG items.

### **1 CPPEG Recommendation December 5, 2019 HOTC#2019-10 47 Cumberland**

Click for detail --> 

Dana McLean advised this is an application by JF Markell Homes at 47 Cumberland for HOTC funding assistance in an amount up to \$46,548. This request is for a tax increment grant for a new office building with 3 residential units.

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

That HOTC#2019-10 funding request by JF Markell Homes at 47 Cumberland, be accepted as follows:

Program 1 - HOTC Rehabilitation & Redevelopment Grant - \$46,548 (tax based).

### **2 CPPEG Recommendation December 5, 2019 HOTC#2016-04 237 Water St E**

Click for detail --> 

Dana McLean advised this is an application by Fu Kuei Investments at 237 Water Street East for HOTC funding assistance in an amount up to \$70,290. This request is for a tax increment grant for a redevelopment that has received final assessment by MPAC and reached full occupancy.

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

That HOTC#2016-04 Addendum funding request by Fu Kuei Investments at 237 Water Street East, be accepted as follows:

Program 1 - HOTC Rehabilitation & Redevelopment Grant - \$70,290 (tax based).

### **3 CPPEG Recommendation December 5, 2019 HOTC#2013-16 Addendum 108 Pitt St**

Click for detail --> 

Dana McLean advised this is an application by Chris Munro at 108 Pitt Street for HOTC funding assistance in an amount up to \$2,950. This request for funding is an addition to the amount approved in April 23, 2019 by Council under Program 2 - Building Restoration, to make a correction of the original amount.

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

That HOTC#2013-16 Addendum funding request by Chris Munro at 108 Pitt Street, be accepted as follows:

Program 2 - Building Restoration & Improvement Program - \$2,950

Following a further brief discussion by the PAC, it was:

**Moved by: Carilyne Hébert, Councillor**  
**Seconded by: Maurice Dupelle, Councillor**

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

**Motion Carried**

**Information:**

For further reference, an orientation document on Renaissance, Brownfields, and Heart of the City (HOTC) Community Improvement Plans was provided to members under separate cover.

**Next Scheduled Meeting:**

Having received no public meeting items as of yet, PAC Secretary Mary Joyce-Smith advised that there may not be a PAC meeting held in February. If a Planning meeting item should be received by week's end, the next scheduled PAC meeting will be held on Tuesday, February 18th, 2020 or at the call of the Chair.

**Adjournment:**

Motion to adjourn the public meeting of PAC at 8:15 p.m.

**Moved by: Glen Grant, Councillor**  
**Seconded by: Maurice Dupelle, Councillor**

**Motion Carried**

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**Elaine MacDonald, Chair**