

Minutes

Planning Advisory and Hearing Committee

Meeting ID: 2018-02
Meeting Date: Tue February 20, 2018 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, Lay Member
Ron Symington, Lay Member

Attendance Staff:

Ely Daniels, Administrative Assistant
Karl Doyle, Senior Planner
Mark A. Boileau, General Manager, Planning,
Development and Recreation
Mary Joyce-Smith, Division Manager, Planning
Nick Sutherland, Planner

Regrets:

Leslie O'Shaughnessy, Mayor

Attendance Media:

None

Attendance Public:

Four (4) 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: Jack Lindsay, Lay Member

Motion Carried

Adoption of the Minutes:

Motion to endorse the following Minutes as presented.

1 January 15, 2018 Planning Advisory and Hearing Committee Meeting

Click for detail --> 

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

Motion Carried

Declaration of Conflict of Interest:

There were no disclosures of interest declared.

Business Arising from the Minutes:

1 Condominium Conversion - Application for a Draft Plan of Condominium (Conversion) - PAC File CD-2018-01, located at 1430 and 1450 First Street East, (Lorneville Apartments), legally described as Part of Lot 3, Concession 1, as shown on Reference Plan 52R-762.

Click for detail --> 

Senior Planner, Karl Doyle provided additional details on an application for a Condominium Conversion of two (2) existing rental apartment buildings containing a total of 248 residential units at 1430 and 1450 First Street, (Lorneville Apartments), Cornwall, so that it can be re-examined and considered

for recommendation. This PAC Public Meeting item was deferred at its' regular meeting of January 15th, 2018 pending further review and analysis of the following items:

With respect to the **Baseline Property Assessment Report**, Karl Doyle advised that the assessment did not reveal any evidence of major structural failures, soil erosion or differential settlement, and that the Chief Building Official (CBO) is satisfied with the updated audit. In the CBO's commentary, it was noted that minor repairs to the roof, wall, balcony, underground parking and elevator systems should be corrected as part of a regular maintenance schedule, and that while there is no record of incident in over 40 years with respect to the present management of carbon monoxide in the underground parking, he strongly recommended that carbon monoxide actuated exhaust fans and detectors be introduced within the building.

A follow up took place with Social and Housing Services with respect to the **Supplementary Rental Units** and they have confirmed that there are 82 units within both building, and each building has its' own agreement. Upon review of the existing agreements, terms and conditions between the property owner and Cornwall Area Housing Corporation, Social and Housing Services administration are satisfied with what is currently in place and have no objections in continuing with the status quo. They will continue to work with the property owner and have no objections to the proposed condominium conversion. Planning staff will ensure that the status quo position is reflected in the Condominium Agreement.

In the legal opinion of City solicitors BLG with respect to the **Residential Tenancies Act Legislation** regarding the provisions contained in the Residential Tenancy Act, they have advised that there is no reason to doubt that the protections contained in Section 51 of the Act would be upheld and enforced should a landlord not abide by their terms.

With respect to the **Vacancy Rate** - Vacancy Rate statistics were provided by CMHC as well as a letter indicating how the vacancy rate is derived using weights; larger buildings have greater weight on the calculations than smaller buildings. The letter also stated that an annual rental market survey is conducted and published by CMHC every October and therefore, the rental market statistics collected then are the most up-to-date statistics. Because of this, they could not provide an current statistic in relation to the vacancy rate as they could only go by the October 2017 information. Karl Doyle added that in discussions with Mr. Scott from CMHC, he was advised that if there was a decrease in the vacancy rate, it would have a minimal impact on the overall vacancy rate. He added that it was important to note that at the time of the application, the City's vacancy rate

was at 4% and the City's Official Plan Policy requires that it does not fall below 3%.

Discussions also took place with the City's Finance Department regarding the **Property Value and Assessment changes as a result of the conversion** Karl Doyle advised that the City would face a +/- 75% increase in property value and +/- 25% decrease in municipal taxes.

PAC Chair, Maurice Dupelle asked if there were any questions from PAC members.

Lay Member, Ron Symington stated that in the report by Pinchin there was a number of items identified under the Draft Conditions as being deficient; elevator systems, part of the roof, mold in the duct work, possible aluminum wiring, etc. He asked whether these items were going to be rectified in the conditions for the health and safety of persons using the building.

PAC Secretary Mary Joyce-Smith advised that the Draft Plan Conditions have a customary condition that the building audit is addressed. She reiterated that the Chief Building Official (CBO) had reviewed the audit and supported the study, and that he had also been assured that the revised audit would be included in the Draft Plan Conditions.

Councillor Bernadette Clément asked whether the residents living in the social housing rental units would have the same protection as any other tenants in the buildings as well as for clarification with respect to the existing agreements, terms and conditions, between the property owner and Cornwall Area Housing Corporation. She also asked if the agreements would continue through the conversion and what impact they would have on the tenants.

PAC Secretary Mary Joyce-Smith replied that there are two existing agreements (one for each building) which are in place and are reviewed on an annual basis. She added that good discussions have taken place with Social Housing and that the status quo will be respected/recognized and included into the condominium agreement.

Following a brief discussion, it was moved that:

(a) The application dated June 13th, 2017, from Realstar Management, to convert the 248 residential apartments into condominiums at 1430 and 1450 First Street East, legally described as Concession 1, Part Lot 3, be given approval in principle, subject to the Draft Plan conditions contained in Appendix "A" to this technical report; and

(b) Upon final condominium drawings being prepared, reviewed and confirmed by an Ontario Land Surveyor, that final approval be granted to the Plan of Condominium.

**Moved By: David Murphy, Councillor
Seconded By: Justin Towndale, Councillor**

Motion Carried

PRESENTATION(S):

None

REVIEW OF PUBLIC NOTICE REQUIREMENTS BY PAC SECRETARY:

None

PUBLIC MEETING ITEM(S) - PUBLIC HEARING:

None

PAC DISCUSSION OF PUBLIC MEETING ITEM(S):

N/A

OTHER / NEW BUSINESS:

1 Cartwave Realty Limited - Minor changes to the Draft Plan for Blackburn Gardens located on Part of Lot 9, Concession 2, situated south of Tollgate Road, east of Pitt Street. The owner has made a request to remove the March 2018 lapse date from the Draft Plan Conditions and make minor changes to the lot fabric. This is not a Public Meeting item as per Section 51(47) of the Ontario Planning Act. (Folder 302 File No. 04T-2018-02).

Click for detail --> 

Planner, Nick Sutherland provided an overview of the 2018 application received by Cartwave Realty Ltd. to remove the March 2018 lapse date and make minor changes to the lot fabric of the Subdivision. He added that their request to remove the lapse date will provide the proponent with additional time to review the development of these lands and the Phases surrounding them, and is also reflective of the changing housing demands. He added that the proponent is requesting for an overall reduction in density and number of lots as well as the

removal of the lapse date, and that Planning Division staff is supportive of the proposal which is in keeping with the most recent Provincial Policy Statement and the City's Official Plan Policies.

PAC Chair, Maurice Dupelle asked if there were any questions from PAC members.

Lay Member Ron Symington asked for clarification with respect to whether the proposed owners would be notified of the presence and location of the railway tracks.

Planner Nick Sutherland replied that this would be addressed in the Subdividers Agreement and in some of the other phases of Bellwood and nearby developments, there are clauses in the conditions that state the usage of specific materials for sound attenuation for those lots facing the railway.

Councillor Bernadette Clément asked why the proponents were making these changes and whether they were responding to a different market trend. She also asked if these changes made sense to the Planning Division.

Planner Nick Sutherland replied that the proponents had previously planned for several small lot singles and found that with current housing conditions, those type of lots are less desirable. He added that the same applies for the row housing located in the middle of the development, so they replaced those for semi detached dwellings finding those to have a higher demand in the housing market.

PAC Secretary Mary Joyce-Smith also replied that Planning staff does support this new design and that the proponents are redesigning the subdivision to meet market demands. She added that the removal of the row houses will provide for an overall reduction in density as well as minimize traffic.

Councillor André Rivette asked whether this subdivision only had one entrance and exit.

PAC Secretary Mary Joyce-Smith replied that the Draft Plan was approved and that the traffic engineers recognized and were satisfied with there being only one entrance and exit in the subdivision.

Councillor Mark MacDonald suggested that it could be financially beneficial if the City build something similar to this subdivision at the Bob Turner site.

General Manager of Planning, Development and Recreation Department agreed and stated that discussions had taken place with people who use the field, but prior to making something happen there, the City would have to find an alternative location and build a better facility.

Following a brief discussion, it was moved that PAC conditionally recommends:

(a) That the request to amend the Draft Plan Approval Conditions for Blackburn Gardens Subdivision for the removal of the lapse date March 2018 and make minor changes to the lot fabric be approved.

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

Motion Carried

INFORMATION:

None

NEXT SCHEDULED MEETING:

Chair Maurice Dupelle advised that the next PAC meeting is scheduled for Monday, March 19th, but since no public meeting items have been received as of yet, there is a strong possibility that a March meeting may not occur. Members will be kept informed.

ADJOURNMENT:

Motion to adjourn the PAC Meeting at 7:55 pm.

**Moved By: André Rivette, Councillor
Seconded By: Ron Symington, Lay Member**

Motion Carried

Councillor Maurice Dupelle, Chair