

Minutes

Planning Advisory and Hearing Committee

Meeting ID: 2016-03
Meeting Date: Mon March 21, 2016 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:

Leslie O'Shaughnessy, Mayor
André Rivette, Councillor
Bernadette Clément, Councillor
Elaine MacDonald, Councillor
Maurice Dupelle, Councillor
Carilyne Hébert, Councillor
Claude E. McIntosh, Councillor
Justin Towndale, Councillor
Mark A. MacDonald, Councillor
Denis Carr, Councillor

Attendance Staff:

Bob Peters, Senior Development Officer
Dana McLean, Programs Coordinator Planning
Division
Ely Daniels, Administrative Assistant
John St Marseille, General Manager, Infrastructure
and Municipal Works
Ken Bedford, Supervisor, Planning Division
Mark A. Boileau, General Manager, Economic
Development, Planning, Parks and Recreation
Mary Joyce-Smith, Senior Planner

Regrets:

David Murphy, Councillor

Attendance Media:

Greg Peerenboom, Standard Freeholder
Todd Lihou, Seaway News

Attendance Public:

There were 8 gallery members present.

WELCOME AND CALL MEETING TO ORDER BY CHAIRMAN:

Chair Maurice Dupelle called the meeting to order at 7:00 PM.

ROLL CALL:

Roll Call was conducted by the Recording Secretary.

ADOPTION OF THE AGENDA - ADDITIONS AND DELETIONS:

As there were no additions or deletions, the Agenda was approved as presented.

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

MOTION CARRIED

ADOPTION OF THE MINUTES:

1 February 16, 2016 Planning Advisory and Hearing Committee Meeting

Click for detail --> 

That the Minutes of the Planning Advisory and Hearing Committee Meeting (No. 2016-02) of Tuesday, February 16, 2016 be approved as presented.

Moved By: Carilyne Hébert, Councillor
Seconded By: Justin Towndale, Councillor

MOTION CARRIED

DECLARATION OF CONFLICT OF INTEREST:

Councillor Denis Carr declared his involvement as Program Coordinator for Heart of the City (HOTC) and advised he would not vote on any of the CPPEG items.

BUSINESS ARISING FROM THE MINUTES:

None

PRESENTATION(S):

None

REVIEW OF PUBLIC NOTICE REQUIREMENTS BY PAC SECRETARY:

PAC Secretary Ken Bedford advised there was one Public Meeting item, which was given due Notice and posted on the City of Cornwall Website as follows:

l) For PAC File Z-02-16 - City Initiated Port Divestiture lands (i.e. Harbour Lands) Official Plan (O.P.A. #31) and Zoning Bylaw Amendments, being a Planning Act related matter under Sections 17, 21 and 34, respectively, a (Bilingual) Notice of Public Meeting was advertised in the Standard-Freeholder on Saturday, February 27, 2016 with a supplemental 400' foot radius mail-out (bilingual) Notice to landowners on Friday, February 26, 2016. He added that this is the first of two anticipated PAC Public Meetings for this matter, with the second meeting to be held at the April 18th PAC, in order to present final recommendation(s).

PUBLIC MEETING ITEM(S) - PUBLIC HEARING:

1 Harbour Lands - Review of a City initiative for an Official Plan Amendment from Open Space (O.SP) to Business District (B.D.) and a corresponding rezoning from Manufacturing 20 (MFR 20) to Cotton Mills District Redevelopment (CMDR) zone or some version thereof. The property is legally described as Part of Lot 7, Con. 1, as shown on Reference Plan 52R-3083. The site is municipally known as 5, 540, 570 and 580 Harbour Road and commonly known as the Harbour Lands.

Click for detail --> 

Mary Joyce-Smith reviewed her power point presentation and advised that the potential changes to both Official Plan policy (i.e. Land Use Designation) and Regulatory Controls (i.e. Zoning) in the Harbour Area, as she described, coincide with both the present Port Divestiture efforts and actual redevelopment projects to the east at the Cotton Mills. The amendments being proposed in the Official Plan Designation and Zoning, will serve to promote the whole site as having potential for future mixes of commercial / recreational and residential components. This is consistent with recent development in the area, and moving away from Industrial land use. The change to a Business District (BD) Designation and some version of the Cotton Mills District Redevelopment (CMDR) zone will help to complete the total transformation activity of the site away from past historic uses towards future sustainable activity consistent with existing development to the east and of an environmentally compatible nature. The Public input session(s) offered at both this March PAC and future April (18th) PAC meetings are intended to facilitate constructive dialogue and input on this matter, with final recommendations being presented in April.

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

A member of the public stated that he was supportive of the proposal, however, he added it meant nothing if there is no date somewhere down the road. He asked when can people expect to look at some true action, as these lands are still owned by the Federal government.

PAC Secretary Ken Bedford replied that the specifics are not yet known.

Mayor Leslie O'Shaughnessy added that the details of the leases associated with these lands are confidential, as they are still the property of the Federal government. He added that there are escape clauses that fall short of the dates of the lease, but they cannot be discussed at this time, however, these will be revealed once the City and the Mohawk Council of Akwesasne (MCA) take ownership from the Federal government.

Another member of the public stated whether this proposal was premature as the Federal government does not recognize the City's zoning. He asked whether the MCA had disclosure of the report, and whether officials knew what the potential remediation costs would be to rectify environmental hazards to rezone the subject lands from Business District (BD) to Residential.

PAC Secretary Ken Bedford replied that this exercise was not premature as the City is planning for its' future. He added that surrounding land owners have a right to understand the City's planning of the entire district. He stated that although a decision will not be made at this PAC meeting, it is the City's wish to make its intentions known publicly in order to get feedback and support. He added that full disclosure has been provided to the MCA.

Mayor Leslie O'Shaughnessy added that the MCA is fully aware of the report and supportive of the proposal, and that the Council has been made aware of the remediation costs, but could not divulge any further details because the figures still belong to the Federal government and are under the confidentiality agreement.

A third member of the public involved in the Cotton Mills Redevelopment efforts, indicated his full support and that of the Developer in harmonizing the zoning and O.P. designations.

The Chair asked a second and third time for further questions or comments from the audience and, hearing none, subsequently closed the public meeting portion of the session.

PAC DISCUSSION OF PUBLIC MEETING ITEM(S):

1 Harbour Lands - Review of a City initiative for an Official Plan Amendment from Open Space (O.SP) to Business District (B.D.) and a corresponding rezoning from Manufacturing 20 (MFR20) to Cotton Mills District Redevelopment (CMDR) or some version thereof. The property is legally described as Part of Lot 7, Con. 1, as shown on Reference Plan 52R-3083. The site is municipally known as 5, 540, 570 and 580 Harbour Road and commonly known as the Harbour Lands.

Click for detail --> 

Mayor Leslie O'Shaughnessy asked what would happen if the Port Divestiture negotiations failed and a third party purchased those lands, would they be able to operate it to the existing zoning use? In that scenario, would the current uses conform to existing uses, and maintain a legal (non-conforming) status?

PAC Secretary Ken Bedford replied that the use would have to operate to the existing zoning standards. He added that Planning does not look at the ownership, and looks instead at the activity, therefore, it could continue as a legal activity under the manufacturing zoning, if the zone was not changed to CMDR, for example.

Councillor André Rivette expressed the same concerns and asked whether in the negotiations, the Federal government states that the Port has to continue to be an operational port for a period of time.

Mayor Leslie O'Shaughnessy replied that in the negotiation process, there is a section that speaks of a requirement to maintain the Port as an operational harbour for a period of time, with the understanding that there will be no cost to the City of Cornwall to operate it.

Councillor Bernadette Clément stated that it is exactly the right time to be going through this exercise. This will send a strong message to the landowners which will demonstrate that the City is seriously considering future land uses for the harbour and looking and planning for its' future. She also asked Mark Boileau, General Manager of Planning, Development and Recreation Department, whether it would be possible to remedy the existing deficiencies of the Port so that it could run as a fully operational harbour and be used as a deep sea port.

Mark Boileau, G.M. of Planning, Development and Recreation replied that if the

harbour is to continue for a period of time, its usage industrially will remain limited, due to a lack of storage and transportation amenities. He added that the chances of a more comprehensive industry developer showing interest in the harbour is not likely, due to the lack of a good land transportation network to access the harbour. He added that there used to be a rail service, but even trying to get trucks there is not as easy as it once used to be.

Councillor Carilyne Hébert questioned the time frame of the process and the negotiations.

PAC Secretary Ken Bedford replied that depending on the public feedback received and following a standardized process which includes an appeal period, the City may see a recommendation as soon as April 2016.

Mayor Leslie O'Shaughnessy added that the City and MCA do not have to formally conclude the land transfer as of March 31st, but that talks, scheduled in Toronto on March 30th and 31st, would have to be finished by then.

Councillor Mark MacDonald urged PAC to move quickly with this proposal, and reiterated that people want to see progress on the Waterfront within years, not decades. He added that he supported the proposal, on the condition that the City is made aware of what it is dealing with regarding the chemical tanks, and how long they will be located there.

Mayor Leslie O'Shaughnessy replied that once the Port Divestiture negotiations are completed, and everyone has given their approval, upon closing, all information will become public.

Following a brief discussion, it was moved that PAC receive the report as presented:

Moved By: Mark A. MacDonald, Councillor
Seconded By: Andre Rivette, Councillor

MOTION CARRIED

OTHER / NEW BUSINESS:

Dana McLean reviewed her power point presentation on the following matters:

**1 CPPEG Recommendation March 10, 2016 HOTC#2016-01 at 502 - 506
Pitt Street**

Click for detail --> 

Dana McLean advised that this was an application by Seaway Senior Citizens at

502 - 506 Pitt Street for HOTC funding assistance in an amount up to \$7,500 to assist with a Life Safety Study by an Architect or Engineer, and design fees for a building permit submission as per the requirements under the Ontario Building Code. Following a brief discussion by CPPEG, it was moved:

That HOTC#2016-01 funding request by Seaway Senior Citizens at 502-506 Pitt St, be approved as follows:

Program 3 - Project Design Fees Grant- \$7,500

2 CPPEG Recommendation March 10, 2016 HOTC#2016-03 at 229 - 231 Augustus Street

Click for detail --> 

Dana McLean advised that this was an application by Michele Hallis at 229 - 231 Augustus Street for HOTC funding assistance in an amount up to \$11,000 to assist with the design fees for a building permit submission as per the requirements under the Ontario Building Code and facade. Following a brief discussion by CPPEG, it was moved:

That HOTC#2016-03 funding request by Michele Hallis at 229 - 231 Augustus, be approved as follows:

Program 3 - Project Design Fees Grant- \$1,000

Program 4 - Facade Improvement and Sign Grant - \$10,000

Program 5 - Municipal planning/Development Fees Grant - Actual

Program 6 - Discretionary Municipal Tipping Fees Grant - Actual

3 CPPEG Recommendation March 10, 2016 HOTC#2016-04 at 237 Water Street East

Click for detail --> 

Dana McLean advised that this was an application by Fu Kuei Investments at 237 Water Street East for HOTC funding assistance in an amount up to \$7,500 to assist with the design fees for a building permit submission as per the requirements under the Ontario Building Code. Following a brief discussion by CPPEG, it was moved:

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

Program 3 - Project Design Fees Grant- \$7,500

Program 5 - Municipal planning/Development Fees Grant - Actual

Program 6 - Discretionary Municipal Tipping Fees Grant - Actual

4 CPPEG Recommendation March 10, 2016 HOTC#2016-05 at 413

Montreal Road

Click for detail --> 

Dana McLean stated that she had recently been made aware that the perspective owners of the property had withdrawn their purchase of sale.

Following a brief discussion, it was moved that PAC defer the application, until official confirmation of withdrawal from the applicant is received.

Moved By: Leslie O'Shaughnessy, Mayor
Seconded By: Justin Towndale, Councillor

MOTION CARRIED

5 CPPEG Recommendation March 10, 2016 HOTC#2016-02 Addendum 111-113 Pitt St

Click for detail --> 

Dana McLean advised that this was an application by Cailuan Inc. at 111 - 113 Pitt Street for HOTC funding assistance in an amount up to \$1,250 to assist with additional design fees for a building permit submission as per the requirements under the Ontario Building Code. Following a brief discussion by CPPEG, it was moved:

That HOTC#2016-02 Addendum funding request by Cailuan Inc. at 111 - 113 Pitt Street, be approved as follows:

Program 3 - Project Design Fees Grant- \$1,250

Program 5 - Municipal planning/Development Fees Grant - Actual

Program 6 - Discretionary Municipal Tipping Fees Grant - Actual

6 CPPEG Recommendation March 10, 2016 HOTC#2013-06 Addendum 2-6 Alice Street

Click for detail --> 

Dana McLean advised that this was an application by Amy and Luc Caron at 2 - 6 Alice Street for HOTC funding assistance for \$6,341 under Program 2 - Building Restoration and Improvement and Program 4 - Facade Improvement to upgrade and renovate the existing building. She added that the scope of work is for renovation to the residential owner occupied unit, not the commercial unit. Following a brief discussion by CPPEG, it was denied as this request did not meet the rehabilitation requirements of the Heart of the City CIP. It was suggested by CPPEG that the applicants make an application to the Renaissance Rehabilitation Program.

Following a further brief discussion by PAC, it was:

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

That Council endorse the five (5) remaining PAC Recommendations as presented.

MOTION CARRIED

INFORMATION:

None

NEXT SCHEDULED MEETING:

The next scheduled meeting will be held on Monday, April 18th, 2016.

ADJOURNMENT:

That the meeting be adjourned at 7:55 P.M.

Moved By: André Rivette, Councillor
Seconded By: Justin Towndale, Councillor

MOTION CARRIED

Maurice Dupelle, Chair

That the Minutes of the Planning Advisory and Hearing Committee Meeting (No. 2016-03) of Monday, March 21, 2016 be approved as presented.

Moved By: Andre Rivette, Councillor
Seconded By: Bernadette Clement, Councillor

MOTION APPROVED