

# Minutes

## Planning Advisory and Hearing Committee

**Meeting ID:** 2015-06  
**Meeting Date:** Mon August 24, 2015 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:**

Leslie O'Shaughnessy, Mayor  
Andre Rivette, Councillor  
Bernadette Clement, Councillor  
David Murphy, Councillor  
Maurice Dupelle, Councillor  
Brock Frost, Councillor  
Carilyne Hébert, Councillor  
Claude E. McIntosh, Councillor  
Justin Towndale, Councillor  
Mark A. MacDonald, Councillor

### **Attendance Staff:**

Dana McLean, Programs Coordinator Planning  
Division  
Ely Daniels, Administrative Assistant  
Ken Bedford, Supervisor, Planning Division  
Mark A. Boileau, General Manager, Economic  
Development, Planning, Parks and Recreation  
Mary Joyce-Smith, Senior Planner  
Nick Sutherland, Summer Student

### **Regrets:**

Elaine MacDonald, Councillor

### Attendance Media:

Brent Holmes, Standard Freeholder  
Bill Kingston, Cornwall Newswatch

### Attendance Public:

Marjorie Vallée, Representative of Heritage-Patrimoine Cornwall, Box 208, 17355  
Island Rd., St. Andrews  
Carole Libbey, Representative of Heritage-Patrimoine Cornwall, 1714 Jane  
Street, Cornwall  
Paul Vincent, Owner, Tri Co Sports Cornwall Ltd., 18359 Lana Dr., Cornwall  
Sandy Cameron, Agent, 21 Water Street West, Cornwall



**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: Leslie O'Shaughnessy, Mayor

Seconded By: Bernadette Clément, Councillor

**MOTION CARRIED**

**ADOPTION OF THE MINUTES:**

**1 June 15, 2015 Planning Advisory and Hearing Committee Meeting**

Click for detail --> 

That the Minutes of the Planning Advisory and Hearing Committee Meeting (No. 2015-05) of Monday, June 15, 2015 be approved as presented.

Moved By: Carilyne Hébert, Councillor

Seconded By: Claude E. McIntosh, Councillor

**MOTION CARRIED**

**DECLARATION OF CONFLICT OF INTEREST:**

Councillor Carilyne Hébert declared her involvement as a volunteer Board Member of the Agape Centre, relating to the CPPEG item Addendum Application BR#2015-02, 40 Fifth Street West.

Councillor Bernadette Clément also declared she is on the Fundraising Committee of the Agape Centre, relating to the same PAC Agenda item.

**BUSINESS ARISING FROM THE MINUTES:**

None

## PRESENTATION(S):

None

## REVIEW OF PUBLIC NOTICE REQUIREMENTS BY PAC SECRETARY:

PAC Secretary Ken Bedford stated there were three Public Meeting Items that were advertised in the Saturday, July 18, 2015 edition of the Standard-Freeholder. He added that mail-out letter notices to landowners within a radius of 400 feet were also sent out on July 7, 2015 for PAC File No. Z-06-15 (237 Water Street East). He also stated that an extensive pre-consultation had occurred in June and July 2015 with respect to the affected landowners for the Non-Designated Heritage Property Listing initiative, in the form of mail-out letters and various respondent e-mail conversational dialogue with Planning Staff.

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

**1 City Initiated Housekeeping No. 21 to introduce Health Canada Medical Marihuana Production Facilities (MMPF) land uses on a site specific basis to the Manufacturing 30 (MRF30) and Manufacturing 40 (MFR40) zones in the City of Cornwall North End Business Park, (PAC File Z-05-15).**

Click for detail --> 

Senior Planner Mary Joyce-Smith reviewed her PowerPoint presentation with respect to a city initiated exercise for Housekeeping No. 21 which is the introduction of zoning standards for Medical Marihuana Production Facilities into the Comprehensive Zoning By-Law. She advised that the City must have a new Definition for Medical Marihuana and Medical Marihuana Production Facilities (MMPF) added to the Zoning Bylaw; and that a Location Criteria also be added to the General Provisions section of the Comprehensive Zoning Bylaw. She explained that a Medical Marihuana Production Facility may be located on those lands zoned Manufacturing 30 (MFR30) and Manufacturing 40 (MFR40), and listed the following provisions that would apply; a Medical Marihuana Production Facility must be entirely conducted indoors, with no outside storage, within a licensed building; the facility must not be conducted within a private dwelling; use existing setbacks from Manufacturing 30 (MFR30) and Manufacturing 40 (MFR40) zoning respectively, however include a 150 metre setback from Residential and Institutional Zoning; it must be fenced and subject to Site Plan Control to address parking and loading for example; it must be equipped with

outdoor surveillance equipment; a notification of a licensed production application and granting of said licence from Health Canada, must be provided to the City of Cornwall and finally, a notice must be provided to the City of Cornwall Fire Services and City of Cornwall Police. She added that the preferred area for such a facility would be on the north end of the Cornwall Business Park (South of Hwy. 401), north of Tenth Street and West of Boundary Road. She also showed comparisons with other municipalities, which followed similar guidelines for medical marihuana facilities with most of them being located in industrial areas.

## **2 Tri Co Sports (Cornwall) Ltd. - (Agent - Sandy Cameron) Review of an application for a Zoning By-law Amendment from Residential 30 (RES30) zoning to Central Business District (CBD) zoning to permit the conversion of the former CJSS Broadcasting building to a Commercial Retail Use with associated office space on Part of Lot 7 & 8, North Side of Water Street East, municipally known as 237 Water Street East, (PAC File Z-06-15).**

Click for detail --> 

Mary Joyce-Smith provided a review of an application for a Zoning By-law Amendment from Residential 30 (RES30) zoning to Central Business District (CBD) zoning to permit the conversion of the former CJSS Broadcasting building to a Commercial Retail Use with associated office space, at 237 Water Street East. She added that this would also bring the zoning into conformity with the Official Plan designation being Business District (BD) and create a more economically viable / marketable property. The fact that the 8,800 square foot building has been unoccupied and with potential to become derelict for the past approximate 5 years, speaks to the need for proactive action, such as proposed in this application.

## **3 Proposed Municipal Register of Non-Designated Heritage Properties Within the City of Cornwall.**

Click for detail --> 

PAC Secretary Ken Bedford advised that this item is consideration for a proposed municipal register of Non-Designated Heritage Properties within the City of Cornwall. He advised this is a culmination of a number of years of work by Heritage-Patrimoine Cornwall in terms of setting up an official register for consideration by Council. He introduced two Heritage-Patrimoine Cornwall Representatives present, Marjorie Vallée and Carole Libbey, and stated they had done extensive research work with the Committee in terms of looking at the various properties that are being suggested to go on the list. He also introduced Nick Sutherland, Planning Summer Student and said that he had done extensive work over the summer on this initiative as well.

Summer student Nick Sutherland reviewed his PowerPoint Presentation which focused on the importance of identifying Heritage properties and officially recognizing them on a list. He reiterated how it is an important step in Heritage-Patrimoine Cornwall and the City of Cornwall's efforts to protect and promote/recognize its valuable heritage resources. He added that the process that was undertaken to identify and list the properties has been thorough and transparent; exceeding the legislative requirements. He stated that the approval of the Municipal Register of Non-Designated Properties is a positive measure towards recognizing and potentially preserving more of Cornwall's valuable heritage. The proposal will form the basis of an official municipal heritage register. He went on to explain that being on the register is not the same as properties being Designated heritage sites. Being listed does not hinder a property owner's ability to demolish or make changes to their property. The owner would however have to give a 60 days notice prior to being in a potential position (dependent upon issuance of a Demolition Permit by the Permits Dept.) to demolish a property, so that Heritage-Patrimoine Cornwall can go in, photograph the site and document it. He also noted that he had received 27 responses from property owners, 12 of which asked to be removed from the list, however, many of the responders approved of being on the list once they understood what it was about and that the listing does not mean the property is automatically a Designated heritage site.

Senior Planner Mary Joyce-Smith noted the new listing would officially recognize the list first assembled by Heritage-Patrimoine Cornwall in 1995 and in accordance with changes required by the Ontario Heritage Act, that requires the City Clerk to have a list of these properties. All of the 190 properties on the 2015 list were on the previous listing from May 2008.

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

**1 City Initiated Housekeeping No. 21 to introduce Health Canada Medical Marihuana Production Facilities (MMPF) land uses on a site specific basis to the Manufacturing 30 (MRF30) and Manufacturing 40 (MFR40) zones in the City of Cornwall North End Business Park.**

Click for detail --> 

Chair Maurice Dupelle asked three times if there were any questions/comments from the public, and hearing none, proceeded to close the public meeting portion and open discussion to PAC.

Councillor Bernadette Clément questioned about concerns over odours that may emanate from a production facility.

Mary Joyce-Smith replied that odours are the reason why it is preferred to keep the facility in an industrial area, however, there exists filtering systems that can mitigate any kind of smells that would emanate from a facility. Such facilities would involve a high degree of capital outlay to build and operate at Federal Standards.

Councillor Frost asked of the process that an applicant would go through to get a licence from Health Canada.

Mary Joyce-Smith replied that the process to become a licenced producer is extensive in terms of what the applicant needs to do; such as provide notification, so that Police and Fire are aware of what will be taking place there. The local government, local Police and local Fire is just one part of the licence application. She added that any additional criteria the City of Cornwall approves, would operate in addition to requirements in place federally and provincially, as well as in line with Health Canada's requirements.

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

That the Housekeeping items included in this Housekeeping No. 21 report be approved as presented.

Moved By: André Rivette, Councillor  
Seconded By: Brock Frost, Councillor

**MOTION CARRIED**

**2 Tri Co Sports (Cornwall) Ltd. - (Agent - Sandy Cameron) Review of an application for a Zoning By-law Amendment from Residential 30 (RES30) zoning to Central Business District (CBD) zoning to permit the conversion of the former CJSS Broadcasting building to a Commercial Retail Use with associated office space on Part of Lot 7 & 8, North Side of Water Street East, municipally known as 237 Water Street East, (PAC File Z-06-15).**

Click for detail --> 

Chair Maurice Dupelle asked three times if there were any questions/comments from the public, and hearing none, proceeded to close the public meeting portion and open discussion to PAC.

Councillor David Murphy stated he found it surprising that the property had been zoned residential for all these years.

Councillor Brock Frost asked what were the owners' intentions for the subject property.

Real estate agent Sandy Cameron told Councillors the rezoning would help make the property more appealing to buyers, by removing costly environmental reviews and establishing the proper Commercial/Mixed Zoning on-site. He stated that they were basically looking at legalizing the whole site as it is presently legal non-conforming, so that it doesn't have to be a radio station or something along those lines. He said that they envisage some kind of office space development in there. He added that the owners plan to sell the property, but they want to legalize the zoning first as this would make it easier to get financing. Moving away from the residential zoning will also alleviate the need for costly environmental property assessments or remediation at a Residential level with posted Records of Site Condition (RSC).

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

That the subject property at 237 Water Street East be rezoned from Residential (RES30) zone to Central Business District (CBD) zone; and that all existing zoning setbacks and lot occupancy standards of the structure at 237 Water Street be recognized as legal through a Notwithstanding clause in Section 03-10-5 to the Central Business District (CBD) zoning.

Moved By: André Rivette, Councillor  
Seconded By: David Murphy, Councillor

**MOTION CARRIED**

### **3 Proposed Municipal Register of Non-Designated Heritage Properties Within the City of Cornwall.**

Click for detail --> 

Chair Maurice Dupelle asked three times if there were any questions/comments from the public, and hearing none, proceeded to close the public meeting portion and open discussion to PAC.

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

That PAC approve the proposed Municipal Register of Non-Designated Heritage Properties (Attachment 2 in PAC Report No. 2015-28), as researched and offered from Heritage-Patrimoine Cornwall, to form the basis of an Official Municipal Heritage Register); and that a Draft Resolution be approved by Council at a subsequent meeting.



Moved By: Carilyne Hébert, Councillor  
Seconded By: André Rivette, Councillor

**MOTION CARRIED**

**OTHER / NEW BUSINESS:**

Dana McLean reviewed her PowerPoint Presentation on the following matters:

**1 CPPEG Recommendation July 9, 2015 HOTC#2015-10 311 Water St E**

Click for detail --> 

Dana McLean advised that this was an application by Randy Dennison at 311 Water Street East requesting HOTC funding assistance in an amount up to \$8,750 to assist with renovating the facade.

Following a brief discussion, it was moved:

That HOTC #2015-10 funding request by Randy Dennison at 311 Water Street East, be approved as follows:

**Program 8: Le Village Residential Facade Improvement - \$8,750**

Note: Design fees and permits to be included as eligible costs under Program 8, up to the program maximum of \$10,000.

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

**MOTION CARRIED**

**2 CPPEG Recommendation July 9, 2015 HOTC#2015-11 14-16 Edward St**

Click for detail --> 

Dana McLean advised that this was an application by Kathleen Willis at 14-16 Edward Street requesting HOTC funding assistance in an amount up to \$6,000 to assist in renovating the facade.

Following a brief discussion, it was moved:

That HOTC #2015-11 funding request by Kathleen Willis at 14-16 Edward Street, be approved as follows:

**Program 8: Le Village Residential Facade Improvement - \$ 6,000**

Note: Design fees and permits to be included as eligible costs under Program 8, up to the program maximum of \$10,000.

Moved By: Mark MacDonald, Councillor

Seconded By: André Rivette, Councillor

**MOTION CARRIED**

**3 CPPEG Recommendation July 9, 2015 HOTC#2011-05 Addendum 118 Pitt St**

Click for detail --> 

Dana McLean advised that this was an Addendum application by Gina Roach at 118 Pitt Street requesting HOTC funding assistance in an amount up to \$9,000 to assist in renovating the front and rear facade.

Following a brief discussion, it was moved:

That HOTC #2011-05 Addendum funding request by Gina Roach at 118 Pitt Street be approved as follows:

**Program 4: Facade Improvement and Sign Grant -\$9,000**

**Program 5: Municipal Planning/Development Fees Grant - Actual**

**Program 6: Discretionary Municipal Tipping Fees Grant - Actual**

Moved By: Mark MacDonald, Councillor

Seconded By: André Rivette, Councillor

**MOTION CARRIED**

**4 CPPEG Recommendation August 6, 2015 HOTC#2011-05 Addendum 118 Pitt St**

Click for detail --> 

Dana McLean advised that this was another Addendum application by Gina Roach at 118 Pitt Street requesting HOTC funding assistance in an amount up to \$1,240 to assist in obtaining a new sign and logo.

Following a brief discussion, it was moved:

That HOTC #2011-05 Addendum funding request by Gina Roach at 118 Pitt Street be approved as follows:

**Program 4: Facade Improvement and Sign Grant -\$1,240**

**Program 5: Municipal Planning/Development Fees Grant - Actual**

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

**MOTION CARRIED**

**5 CPPEG Recommendation August 6, 2015 HOTC#2006-02 Addendum  
227-231 Pitt St**

Click for detail --> 

Dana McLean advised that this was another Addendum application by Elizabeth Nurse at 227-231 Pitt Street requesting HOTC funding assistance in an amount up to \$2,500 to assist with a new sign and associated design requirements as per the Ontario Building Code.

Following a brief discussion, it was moved:

That HOTC #2006-02 Addendum funding request by Elizabeth Nurse at 227-231 Pitt Street be approved as follows:

**Program 3: Project Design Grant - \$500**

**Program 4: Facade Improvement and Sign Grant -\$2,000**

**Program 5: Municipal Planning/Development Fees Grant - Actual**

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

**MOTION CARRIED**

At this point, Councillor Bernadette Clément left the Council Chambers for the last CPPEG item that was to be discussed.

**6 CPPEG Recommendation August 6, 2015 BR#2015-02 Addendum 40  
Fifth St W**

Click for detail --> 

Dana McLean advised that this was an Addendum application by the Agape Centre at 40 Fifth Street West for Brownfields funding assistance in an amount up to \$7,500 which will assist with an Environmental Site Assessment Phase III Remediation asbestos abatement.

Following a brief discussion, it was moved:

That BR #2015-05 Addendum funding request by Agape Centre at 40 Fifth Street West, be approved as follows:

**Program 2: Environmental Site Assessment Grant - \$7,500**  
**Program 6: Discretionary Municipal Tipping Fees Grant - Actual**

Moved By: David Murphy, Councillor  
Seconded By: André Rivette, Councillor

**MOTION CARRIED**

**INFORMATION:**

PAC Secretary Ken Bedford stated that the last item is the release of the annual (2015) Data Book, which is generally used for demographics and different types of trends. He added that although it seems to be the same format annually, it is still a valuable and important document which receives positive feedback from its varied users.

Chair Maurice Dupelle announced that this meeting was the last for Councillor Bernadette Clément and wished her all the best in her Federal election campaign trail.

**NEXT SCHEDULED MEETING:**

The next scheduled meeting will be held on Monday, September 21, 2015.

**ADJOURNMENT:**

That the meeting be adjourned at 8:15 PM.

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

**MOTION CARRIED**

That the Minutes of the Planning Advisory and Hearing Committee Meeting (No. 2015-05) of Monday, June 15, 2015 be approved as presented.

Moved By: Claude E. McIntosh, Councillor  
Seconded By: André Rivette, Councillor

**MOTION APPROVED**