

**COMMITTEE OF ADJUSTMENT PUBLIC HEARING B-03-19  
HELD AT CIVIC COMPLEX, CITY OF CORNWALL  
AT 5:00 P.M., ON TUESDAY, FEBRUARY 26<sup>TH</sup>, 2019**

Mr. Karl Doyle, Senior Planner called the meeting to order at 5:00 p.m. Mr. Ben de Haan & Mr. Ray Contant were present. Christina Seguin, Secretary Treasurer attended the meeting. Mr. Stephen Alexander was absent.

The hearing was being held to consider an application by 6803075 Canada Inc. (A/Maurice Gatien) (705-725-805 Boundary Road) who is asking for: **Consent to convey a parcel of land as three separate parcels to allow for separate legal description and to provide for all necessary easements and Rights of Way at 705-725 & 805 Boundary Road.**

THAT the Agenda be approved.

There were no conflicts of interest.

**Motion Carried**

Mr. Jon Huza from Maurice Gatien's Law Office attend the meeting.

Department Comments are read by Secretary/Treasurer, Christina Seguin.

**DEPARTMENT COMMENTS:**

**Engineering Division**

Existing grading/drainage plan needed to establish any need for drainage easements.

**Economic Development**

Economic Development supports this application as it will positively impact the future marketing and attractiveness of these subject properties.

**Traffic Division**

No objections.

**Municipal Works Division**

No objections.

## **Buildings and Permits Division**

Note: A number of building permit files remains open:

- 2017-0896 (705-725 Boundary Road)
- 2002-0581 (805 Boundary Road)
- 2009-0043 (805 Boundary Road)

## **Zoning Section**

No objections.

## **Planning Division**

Planning has reviewed details of the application, inspected the site and is conditionally supportive.

This application is to allow for separate legal description as demonstrated on the submitted site plan. The intent is to create three independent parcels for financing purposes as it's more difficult and costly to obtain one large mortgage with the current land configuration.

Historically the subject lands were developed by a common owner and each building on the subject lands is occupied by different tenants who operate independently. A mutual easement between 705 and 725 Boundary Road will be included for ease of circulation and access flexibility.

The applicable Zoning on the both sites is Manufacturing 40 with Exceptions (MFR 40 EXC) 805 Boundary Road and Manufacturing 40 (MFR 40) 705 and 725 Boundary Road, as such a variety of uses are permitted. Servicing and traffic management will need to be addressed. For that reason, this application is also recognizing applicable easements and rights of way.

We ask that the following conditions be imposed if the Committee approves the application:

1 - an existing grading / drainage plan is provided and approved by the Engineering Division to establish any need for drainage easements

2 - the following building permit files receive finals:

- 2017-0896 (705-725 Boundary Road)
- 2002-0581 (805 Boundary Road)
- 2009-0043 (805 Boundary Road)

14.11.4 In reviewing consent applications, the Committee of Adjustment shall have regard for:

c) the adequacy of site and road access and the impact upon existing or planned transportation facilities

e) the creation of an orderly development pattern: impact upon the comprehensive development of adjacent property

h) previous consents granted on land holding in the area

### **DISCUSSION**

There was no discussion pertaining to this application.

### **IN-CAMERA SESSION**

**Motion to MOVE INTO A CLOSED MEETING** after hearing all parties at the Committee of Adjustment meeting, at approximately 5:20 p.m. to address matters pertaining to Section 239 (2) and (3.1) of the Municipal Act, 2001 S.O. 2001 S.O. 2001, Chapter 25:

**239** (1) Except as provided in this section, all meetings shall be open to the public. 2001, c. 25, s. 239 (1).

### **Exceptions**

(2) A meeting or part of a meeting may be closed to the public if the subject matter being considered is,

#### **Item 1 – B-03-19 Debate and Decision regarding: Three separate parcels**

(g) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act (Planning Act Section 45 (6))

After some discussion, it was the Committee's unanimous decision that the application be **APPROVED** for the following reasons:

- 1. Consent to convey a parcel of land as three separate parcels to allow for separate legal description and to provide for all necessary easements and Rights of Way at 705-725 & 805 Boundary Road.**
- 2. The lots are serviced.**
- 3. The land is suitable for the purpose for which it is to be subdivided.**
- 4. There were no objections.**

MOVED BY: Mr. Raymond Contant

SECONDED BY: Mr. Ben de Haan

**Motion Approved**

**RISE AND REPORT**

**Item 1 – B-03-19**

Motion to allow Consent for **(Three separate parcels)**.

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Christina Seguin, Secretary/Treasurer  
Committee of Adjustment-City of Cornwall

**COMMITTEE OF ADJUSTMENT PUBLIC HEARING B-04-19  
HELD AT CIVIC COMPLEX, CITY OF CORNWALL  
AT 5:00 P.M., ON TUESDAY, FEBRUARY 26<sup>TH</sup>, 2019**

Mr. Karl Doyle, Senior Planner called the meeting to order at 5:00 p.m. Mr. Ray Contant & Mr. Ben de Haan were present. Christina Seguin, Secretary Treasurer attended the meeting. Mr. Stephen Alexander was absent.

The hearing was being held to consider an application by J. F. Markell Homes Ltd. (A/Alex Markell) (272-274 East Ridge Drive) who is asking for: **Consent to convey a parcel of land as two separate parcels to allow for a separate legal description and sale of a semi-detached dwelling located at 272-274 East Ridge Drive.**

THAT the Agenda be approved.

There were no conflicts of interest.

**Motion Carried**

Mr. Alex Markell attend the meeting.

Department Comments are read by Secretary/Treasurer, Christina Seguin.

**DEPARTMENT COMMENTS:**

**Engineering Division**

No objections.

**Economic Development**

No objections.

**Traffic Division**

No objections.

**Municipal Works Division**

No objections.

**Buildings and Permits Division**

No objections.

## **Zoning Section**

No objections.

## **Planning Division**

Planning has reviewed the application and inspected the site.

The property is located on (Lot 14, Plan M-42, East Ridge Subdivision Phase 6) in a Residential 20 (RES 20) zone. The applicant will construct a semi-detached dwelling located at 272-274 East Ridge Drive and is requesting to sever the building so as to create separate legal description for purposes of sale.

This is a technical severance, therefore Planning is supportive.

## **DISCUSSION**

There was no discussion pertaining to this application.

## **IN-CAMERA SESSION**

**Motion to MOVE INTO A CLOSED MEETING** after hearing all parties at the Committee of Adjustment meeting, at approximately 5:20 p.m. to address matters pertaining to Section 239 (2) and (3.1) of the Municipal Act, 2001 S.O. 2001 S.O. 2001, Chapter 25:

**239** (1) Except as provided in this section, all meetings shall be open to the public. 2001, c. 25, s. 239 (1).

## **Exceptions**

(2) A meeting or part of a meeting may be closed to the public if the subject matter being considered is,

### **Item 2 – B-04-19 Debate and Decision regarding: Semi-detached**

(g) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act (Planning Act Section 45 (6))

After some discussion, it was the Committee's unanimous decision that the application be **APPROVED** for the following reasons:

- 1. Consent to convey a parcel of land as two separate parcels to allow for a separate legal description and sale of a semi-detached dwelling located at 272-274 East Ridge Drive.**
- 2. The lots are serviced.**

3. The land is suitable for the purpose for which it is to be subdivided.
4. There were no objections.

MOVED BY: Mr. Ray Contant  
SECONDED BY: Mr. Ben de Haan

**Motion Approved**

**RISE AND REPORT**

**Item 2 – B-04-19**

Motion to allow Consent for **(Semi-detached)**

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Christina Seguin, Secretary/Treasurer  
Committee of Adjustment-City of Cornwall

**COMMITTEE OF ADJUSTMENT PUBLIC HEARING B-05-19  
HELD AT CIVIC COMPLEX, CITY OF CORNWALL  
AT 5:00 P.M., ON TUESDAY, FEBRUARY 26<sup>TH</sup>, 2019**

Mr. Karl Doyle, Senior Planner called the meeting to order at 5:00 p.m. Mr. Ray Contant & Mr. Ben de Haan were present. Christina Seguin, Secretary Treasurer attended the meeting. Mr. Stephen Alexander was absent.

The hearing was being held to consider an application by J. F. Markell Homes Ltd. (A/Alex Markell) (284-286 East Ridge Drive) who is asking for: **Consent to convey a parcel of land as two separate parcels to allow for a separate legal description and sale of a semi-detached dwelling located at 284-286 East Ridge Drive.**

THAT the Agenda be approved.

There were no conflicts of interest.

**Motion Carried**

Mr. Alex Markell attend the meeting.

Department Comments are read by Secretary/Treasurer, Christina Seguin.

**DEPARTMENT COMMENTS:**

**Engineering Division**

No objections.

**Economic Development**

No objections.

**Traffic Division**

No objections.

**Municipal Works Division**

No objections.

**Buildings and Permits Division**

No objections.



### **Zoning Section**

No objections.

### **Planning Division**

Planning has reviewed the application and inspected the site.

The property is located on (Lot 16, Plan M-42, East Ridge Subdivision Phase 6) in a Residential 20 (RES 20) zone. The applicant will construct a semi-detached dwelling located at 284-286 East Ridge Drive and is requesting to sever the building so as to create separate legal description for purposes of sale.

This is a technical severance, therefore Planning is supportive.

### **DISCUSSION**

There was no discussion pertaining to this application.

### **IN-CAMERA SESSION**

**Motion to MOVE INTO A CLOSED MEETING** after hearing all parties at the Committee of Adjustment meeting, at approximately 5:20 p.m. to address matters pertaining to Section 239 (2) and (3.1) of the Municipal Act, 2001 S.O. 2001 S.O. 2001, Chapter 25:

**239** (1) Except as provided in this section, all meetings shall be open to the public. 2001, c. 25, s. 239 (1).

### **Exceptions**

(2) A meeting or part of a meeting may be closed to the public if the subject matter being considered is,

#### **Item 3 – B-05-19 Debate and Decision regarding: Semi-detached**

(g) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act (Planning Act Section 45 (6))

After some discussion, it was the Committee's unanimous decision that the application be **APPROVED** for the following reasons:

1. Consent to convey a parcel of land as two separate parcels to allow for a separate legal description and sale of a semi-detached dwelling located at 284-286 East Ridge Drive.
2. The lots are serviced.
3. The land is suitable for the purpose for which it is to be subdivided.
4. There were no objections.

MOVED BY: Mr. Raymond Contant

SECONDED BY: Mr. Ben de Haan

**Motion Approved**

**RISE AND REPORT**

**Item 3 – B-05-19**

Motion to allow Consent for **(Semi-detached)**

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Christina Seguin, Secretary/Treasurer  
Committee of Adjustment-City of Cornwall

**COMMITTEE OF ADJUSTMENT PUBLIC HEARING A-07-19  
HELD AT CIVIC COMPLEX, CITY OF CORNWALL  
AT 5:00 P.M., ON TUESDAY, FEBRUARY 26, 2019**

Mr. Karl Doyle called the meeting to order at 5:00 p.m. Mr. Ray Contant & Mr. Ben de Haan were present. Christina Seguin, Secretary Treasurer attended the meeting. Mr. Stephen Alexander was absent.

The hearing was being held to consider an application by Ivan Cyr (A/Paul Daigle) (120 Leonia Street) who is: **Asking for relief from the Zoning By-law to recognize a front yard technical parking space in order to accommodate the introduction of a proposed accessory apartment located at 120 Leonia Street.**

THAT the Agenda be approved.

There were no conflicts of interest.

**Motion Carried**

Mr. Paul Daigle attended the meeting.

Department Comments are read by Secretary/Treasurer, Christina Seguin.

**DEPARTMENT COMMENTS:**

**Engineering Division**

No objections.

**Economic Development**

No objections.

**Traffic Division**

No objections.

**Municipal Works Division**

No objections.

**Building & Permits Division**

Obtain building permit for accessory apartment.

### **Zoning Section**

Zoning is supportive. The tandem parking is required to accommodate the basement apartment unit.

### **Planning Division**

Planning staff has inspected the site, reviewed the details of the application and is supportive.

The single family dwelling is located in a Residential 20 (RES 20) zone. The application is requesting a technical parking stall to be located on the expanded driveway in the front yard setback in order to accommodate a second residential basement apartment.

The parking stall will have to be positioned in a tandem fashion offset to the north side in the front yard as indicated on the submitted site plan.

It is too be noted that as a result of the driveway expansion it will not negatively impact other applicable zoning standards such as; landscaping requirements and driveway width.

Bill 73 came into effect in the summer of 2016. The Bill proposed changes to the Planning Act and supports municipalities in increased ability to establish secondary units in low density landuses (i.e. basement units).

The City of Cornwall's Zoning By-law does have policy to establish secondary units; parking standards need to be addressed.

The Official Plan directs:

14.8.2 In considering applications for Minor Variances, the Committee shall consider:

- b) whether the intent and purpose of the Official Plan and Zoning By-law can still be met if the variance is granted
- e) whether the resulting development would be compatible with adjacent uses and in character with the established development in the area;
- f) comments from adjacent owners and residents
- h) comments from City Departments.

## **DISCUSSION:**

Mr. Paul Daigle told the Committee that the accessory apartment will be occupied by his mother.

## **IN-CAMERA SESSION**

**Motion to MOVE INTO A CLOSED MEETING** after hearing all parties at the Committee of Adjustment meeting, at approximately 5:20 p.m. to address matters pertaining to Section 239 (2) and (3.1) of the Municipal Act, 2001 S.O. 2001 S.O. 2001, Chapter 25:

**239** (1) Except as provided in this section, all meetings shall be open to the public. 2001, c. 25, s. 239 (1).

## **Exceptions**

(2) A meeting or part of a meeting may be closed to the public if the subject matter being considered is,

### **Item 4 – 2019 A-07-19 Debate and Decision regarding: Accessory Apartment**

(g) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act (Planning Act Section 45 (6))

After some discussion, it was the Committee's unanimous decision that the application be **APPROVED** for the following reasons:

1. **Asking for relief from the Zoning By-law to recognize a front yard technical parking space in order to accommodate the introduction of a proposed accessory apartment located at 120 Leonia Street.**
2. **The variances are DESIRABLE for the appropriate development or use of the land, building and structures.**
3. **The variances MAINTAIN the general intent and purpose of the Official Plan and Zoning By-law.**
4. **There were no objections.**

MOVED BY: Mr. Raymond Contant

SECONDED BY: Mr. Ben de Haan

**Motion Approved**

**RISE AND REPORT**

**Item 4 – A-07-19**

Motion to allow a Minor Variance for **(Accessory Apartment)** at 120 Leonia Street.

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Christina Seguin, Secretary/Treasurer  
Committee of Adjustment-City of Cornwall