

**COMMITTEE OF ADJUSTMENT PUBLIC HEARING A-40-18  
HELD AT CIVIC COMPLEX, CITY OF CORNWALL  
AT 5:00 P.M., ON TUESDAY, JANUARY 15TH, 2019**

Mr. Wes Libbey called the meeting to order at 5:00 p.m. Mr. Naresh Bhargava attended the meeting. Mr. Karl Doyle, Senior Planner and Christina Seguin, Secretary Treasurer were in attendance. Mr. Kilborn Lutz was absent.

The hearing was being held to consider an application by Catholic District School Board of Eastern Ontario (Edward J Cuhaci & Assoc. Inc.) (323 Augustus Street) who are: **Asking for relief from the Zoning By-law for 48 technical parking stalls when 65 technical parking stalls are required. This application is to accommodate the redevelopment of the St. Columban's Catholic School at 323 Augustus Street.**

THAT the Agenda be approved.

**Motion Carried**

There were no conflicts of interest.

Mr. Mike Marsolais representing the Catholic District School Board attended the meeting.

Department comments were read by the Secretary/Treasurer, Christina Seguin.

**DEPARTMENT COMMENTS:**

**Engineering Division**

No objections.

**Economic Development**

No objections.

**Traffic Division**

No on-street parking will be provided.

**Municipal Works Division**

No objections.

## **Buildings and Permits Division**

No objections.

## **Zoning Section**

The site's location in a historic and heavily developed area limits the ability for expansion or addition to the property and building. The additional parking required from the change of use cannot be accommodated on site without significantly impacting the functionality (ex: access, circulation, green space and recreational areas) of the school.

In addition, most students either take the bus, walk, cycle or are dropped off by parents. The reduction in parking is minor and supports a functional development.

## **Planning Division**

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

The property located at 323 Augustus Street known as St. Columban's Elementary School is located in the Central Business District (CBD) zone.

Representatives from the Catholic District School Board have met with City staff to discuss the requirements for the redevelopment of the subject site and have recently submitted a Site Plan application.

St. Columban's Catholic School will be redeveloped in 2019 in order to accommodate intermediate and high school students from St. Mathews. The extent of the work will focus on the reconfiguration of the school yard, specifically improvements to the internalized vehicular, pedestrian networks and recreational areas.

Historically parking has been problematic on and around the development site. The property currently contains 23 technical parking stalls and the School Board is proposing to introduce an additional 25 for a total of 48 technical parking stalls.

As a result of converting from an elementary to a high school, the City's Zoning By-law Parking Provisions call for a more stringent parking requirement. The school board has indicated that students will not be permitted to drive and park on site as they are bused to the school.

It is our opinion that the proposed improvements to the development site is a sizeable enhancement and will address the historic parking challenges the institution previously faced.

The School Board and the City of Cornwall are continually negotiating the Site Plan Agreement for the redevelopment of the site.

The Official Plan directs:

## Section 14.8.2

- a) whether the requested variance would constitute a "minor" departure from the Zoning By-law;
- g) that in approving the minor variance no dangerous precedent would be created;
- h) comments from City Departments.

### **DISCUSSION**

Ms. Rose Fitch of 332 Augustus Street told the Committee that she resides across the road from St. Columban's School. She asked how they were going to accommodate the 15 parking spaces and went on to say that it is horrendous on the street as is. Mr. Mike Marsolais who attended the meeting representing the Catholic School Board said that currently parking is on the North side of the school and that there will be 65 new parking spots at the back of the school. He went on to say that the City requires 65 parking stalls but currently has 23 and will be adding another 25. The agent reassured Ms. Fitch that there will be no parking on the street.

Ms. Fitch said that you could go by the school any time even in the winter when the road is down to one lane and there are cars parked all along the east side of Augustus Street and a lot of times in everybody's driveway. She said she is worried about adding the high school element as the older student will have cars therefore more traffic and parking problems.

Mr. Doyle showed Mrs. Fitch the layout of the property. He said that the School board is reconfiguring the access of the bus route through Baldwin Avenue. He said that all the parking will be directed away from the residential components and will be placed at the back of the property. Drop off will be strictly prohibited where there will be signs saying "No Drop off Zone" on Augustus East side.

The Senior Planner reassured Ms. Fitch that it is more of a technical requirement from a parking perspective. He said that what is important to keep in mind that they are not expanding the school, they are not increasing the number of class rooms, therefore it is not going to change that technical requirement for parking. He mentioned that the City is going to go through a Site Plan process where they enter into a legal binding agreement with the Corporation that sets out all the external components of the school site.

### **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– A-40-18 Debate and Decision regarding: Parking Spaces**

(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 for 48 technical parking stalls when 65 technical parking stalls are required. This application is to accommodate the redevelopment of the St. Columban's Catholic School at 323 Augustus Street.**
- 2. The Variance is DESIRABLE for the appropriate development or use of the Land, Buildings and structures.**
- 3. The variances MAINTAIN the general intent and purpose of the Official Plan and Zoning By-law.**
- 4. There were objections.**

MOVED BY: Naresh Bhargava  
SECONDED BY: Mr. Wes Libbey

**Motion Approved**

**RISE AND REPORT**

**Item 1- A-40-18**

Motion to allow a Minor Variance for **(Parking Spaces)** at 323 Augustus Street.

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

**COMMITTEE OF ADJUSTMENT PUBLIC HEARING B-44-18  
HELD AT CIVIC COMPLEX, CITY OF CORNWALL  
AT 5:00 P.M., ON TUESDAY, JANUARY 15TH, 2019**

Mr. Wes Libbey called the meeting to order at 5:00 p.m. Mr. Naresh Bhargava was present. Mr. Karl Doyle, Senior Planner and Christina Seguin, Secretary Treasurer attended the meeting. Mr. Kilborn Lutz was absent.

The hearing was being held to consider an application for Robert J. Bourgon & Associates Ltd. (A/Sophie Jean) (260-262 Lourdes Avenue) who are asking for: **Consent to convey a parcel of land as two separate parcels to allow for separate legal description and sale of a semi-detached dwelling at 260-262 Lourdes Avenue.**

THAT the Agenda be approved

**Motion Carried**

There were no conflicts of interest.

The applicant/agent did not attend the meeting.

Department comments were read by the Secretary/Treasurer, Christina Seguin.

**DEPARTMENT COMMENTS:**

**Engineering Division**

No objections.

**Municipal Works Division**

No objections.

**Buildings and Permits Division**

No objections.

**Economic Development**

No objections.

**Traffic Division**

No objections.

### **Zoning Section**

No objections.

### **Planning Division**

Planning has reviewed the application and inspected the site.

The property is located on parcel (Lot 7, Plan 52M-33) in a RES 20 EXC zone. The applicant has constructed a semi-detached dwelling 260-262 Lourdes Avenue and is now requesting to sever the building so as to create separate legal description for purposes of sale.

The semi-detached dwelling obtained a minor variance approval A-37-17 in 2017 for a reduced rear yard setback and to accommodate part of the required technical parking stall to be located in the exterior side setback (severed parcel).

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-44-18 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:

**Reasons:**

1. **Consent to convey a parcel of land as two separate parcels to allow for separate legal description and sale of a semi-detached dwelling at 260-262 Lourdes Avenue.**
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. Naresh Bhargava

SECONDED BY: Mr. Wes Libbey

**Motion Approved**

**RISE AND REPORT**

**Item 2– B-44-18**

Motion to allow Consent for a: Semi-detached dwelling

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

**COMMITTEE OF ADJUSTMENT PUBLIC HEARING B-45-18  
HELD AT CIVIC COMPLEX, CITY OF CORNWALL  
AT 5:00 P.M., ON TUESDAY, JANUARY 15TH, 2019**

Mr. Wes Libbey called the meeting to order at 5:00 p.m. Mr. Naresh Bhargava was present. Mr. Karl Doyle, Senior Planner and Christina Seguin, Secretary Treasurer attended the meeting. Mr. Kilborn Lutz was absent.

The hearing was being held to consider an application for 2534794 Ontario Inc. (A/Vipin Bansal) (170-172 Bellwood Drive) who is asking for: **Consent to convey a parcel of land as two separate parcels to allow for separate legal description and sale of a semi-detached dwelling at 170-172 Bellwood Drive.**

THAT the Agenda be approved

**Motion Carried**

There were no conflicts of interest.

Mr. Vipin Bansal attended the meeting.

Department comments were read by the Secretary/Treasurer, Christina Seguin.

**DEPARTMENT COMMENTS:**

**Engineering Division**

No objections.

**Municipal Works Division**

No objections.

**Buildings and Permits Division**

No objections.

**Economic Development**

No objections.

### **Traffic Division**

No objections.

### **Zoning Section**

No objections.

### **Planning Division**

Planning has reviewed the application and inspected the site.

The property is located on (Lot 20, Plan M-38, Bellwood Ridge Estates Stage 1, Phase 2) in a Residential with Exceptions (RES 20 EXC) zone. The applicant has constructed a semi-detached dwelling located at 170-172 Bellwood Drive and is now 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-45-18 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:

**Reasons:**

1. **Consent to convey a parcel of land as two separate parcels to allow for separate legal description and sale of a semi-detached dwelling at 170-172 Bellwood 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. Naresh Bhargava  
SECONDED BY: Mr. Wes Libbey

**Motion Approved**

**RISE AND REPORT**

**Item 3– B-45-18**

Motion to allow Consent for a: Semi-detached dwelling

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

**COMMITTEE OF ADJUSTMENT PUBLIC HEARING B-37-18  
HELD AT CIVIC COMPLEX, CITY OF CORNWALL  
AT 5:00 P.M., ON TUESDAY, JANUARY 15<sup>TH</sup>, 2019**

Mr. Wes Libbey called the meeting to order at 5:00 p.m. Mr. Naresh Bhargava was present. Mr. Karl Doyle, Senior Planner and Christina Seguin, Secretary Treasurer attended the meeting. Mr. Kilborn Lutz was absent.

The hearing was being held to consider an application for Rajesh Parekh, Hotel Broker-Hotel Investments and Advisory Homelife Miracle Realty Ltd. (A/Sam Sargeos, Chamberlain Architect Services Ltd.) (1750 Vincent Massey Drive) who are asking for: **Consent to create an easement/right-of-way over two parcels of land for an existing staircase for pedestrian ingress and egress access to Vincent Massey Drive.**

THAT the Agenda be approved

**Motion Carried**

There were no conflicts of interest.

The applicant/agent did not attend the meeting.

Department comments were read by the Secretary/Treasurer, Christina Seguin.

**DEPARTMENT COMMENTS:**

**Engineering Division**

No objections.

**Municipal Works Division**

No objections.

**Buildings and Permits Division**

Required exterior exit stairs originating from neighbouring property located at 1730 Vincent Massey Drive encroach onto the subject property.

Exits as defined by the *Ontario Building Code*, means that part of a means of egress, including doorways, that leads from the floor area it serves to a separate building, an open public thoroughfare or an exterior open space protected from fire exposure from the building and having access to an open public thoroughfare.

**Conditions:**

- 1) That all required exits and exit stairs emanating from 1730 Vincent Massey are serviced by this right-of-way and easement. It would appear that only one exit is being served by the proposed R.O.W./Easement.
- 2) That as per the following articles of the *Ontario Fire Code* that the R.O.W./Easement complies with:

2.7.1.7. (1) Means of egress shall be maintained in good repair and free of obstructions.

2.7.1.8. (1) Exterior passageways, exterior stairways and fire escapes in occupied buildings shall be maintained in good repair, operational and kept free of snow and ice accumulations.

More specifically for clarity, that the R.O.W./Easement shall be maintained in accordance with the respective regulations and thus permitting the occupants of 1730 Vincent Massey Drive to properly evacuate the building in the event of an emergency to a public thoroughfare (street).

**Economic Development**

No objections.

**Traffic Division**

No objections.

**Zoning Section**

No objections.

**Planning Division**

The property in question 1750 Vincent Massey Drive is located in a Highway Commercial (C.H) zone. The land owner has obtained site plan approval for a future phased hotel, restaurant and banquet hall.

As detailed in the application, the applicant is requesting for a 1.8m easement and associated right-of-way to accommodate the location of an existing stairway for pedestrian access out to Vincent Massey Drive along the south easterly property limit. The easement and right-of-way will be in favor of 1730 Vincent Massey.

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

a) The requirements or comments of other City and Public Agencies.

City Departments are requesting this easement and associated right-of-way, 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 4– B-37-18 Debate and Decision regarding: Easement/Right of Way**

(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:

### **Reasons:**

- 1. Consent to create an easement/right-of-way over two parcels of land for an existing staircase for pedestrian ingress and egress access to Vincent Massey 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. Naresh Bhargava  
SECONDED BY: Mr. Wes Libbey

**Motion Approved**

**RISE AND REPORT**

**Item 4– B-37-18**

Motion to allow Consent for a: Easement/Right of Way

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