

**COMMITTEE OF ADJUSTMENT PUBLIC HEARING B-01-19
HELD AT CIVIC COMPLEX, CITY OF CORNWALL
AT 5:00 P.M., ON TUESDAY, JANUARY 29TH, 2019**

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

The hearing was being held to consider an application Cartwave Realty (270-272 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 270-272 Bellwood Drive.**

THAT the Agenda be approved.

There were no conflicts of interest.

Motion Carried

Mr. Alex Markell 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.

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 12, Plan M-45, Bellwood Ridge Estates Stage 1, Phase 3B) in a Residential 20 with Exceptions (RES 20 EXC) zone. The applicant will construct a semi-detached dwelling located at 270-272 Bellwood 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 5:30 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-01-19 Debate and Decision regarding: Semi-detached dwelling

(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 separate legal description and sale of a semi-detached dwelling at 270-272 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. Wes Libbey

SECONDED BY: Mr. Naresh Bhargava

Motion Approved

RISE AND REPORT

Item 1 – B-01-19

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

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

**COMMITTEE OF ADJUSTMENT PUBLIC HEARING B-02-19
HELD AT CIVIC COMPLEX, CITY OF CORNWALL
AT 5:00 P.M., ON TUESDAY, JANUARY 29TH, 2019**

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

The hearing was being held to consider an application Cartwave Realty (276-278 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 276-278 Bellwood Drive.**

THAT the Agenda be approved.

There were no conflicts of interest.

Motion Carried

Mr. Alex Markell 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.

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 11, Plan M-45, Bellwood Ridge Estates Stage 1, Phase 3B) in a Residential 20 with Exceptions (RES 20 EXC) zone. The applicant will construct a semi-detached dwelling located at 276-278 Bellwood 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 5:30 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-02-19 Debate and Decision regarding: Semi-detached dwelling

(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 separate legal description and sale of a semi-detached dwelling at 276-278 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. Wes Libbey

SECONDED BY: Mr. Naresh Bhargava

Motion Approved

RISE AND REPORT

Item 2 – B-02-19

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

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

**COMMITTEE OF ADJUSTMENT PUBLIC HEARING A-01-19
HELD AT CIVIC COMPLEX, CITY OF CORNWALL
AT 5:00 P.M., ON TUESDAY, JANUARY 29, 2019**

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

The hearing was being held to consider an application by M. Emard Properties Inc. (A/EVB Engineering) (2227B Pitt Street) who is: **Asking for relief from Section 01-2-5 multiple buildings on a lot, for the introduction of a fourplex on the parcel municipally known as 2227B Pitt Street.**

THAT the Agenda be approved.

There were no conflicts of interest.

Motion Carried

Mr. M. Emard and a representative from EVB Engineering 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

No objections.

Zoning Section

The Official Plan supports infill development and a mix of densities in residential areas. The lot is relatively large and will be able to accommodate a second building. Zoning is supportive.

Planning Division

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

The property is located in a Residential 20 (RES 20) zone and is situated along Pitt Street. The property is part of multi-residential development consisting of eight (8) parcels each accommodating a two storey four-plex dwelling.

As per the attached site plan, the multi residential development currently consists of:

- four two storey four-plex dwellings fronting Pitt Street situated on .3 acre parcels (2227A-2229A-2233A-2237A)
- four two storey four-plex dwellings located on separated parcels each being .67 acres to the west (2227B-2229B-2233B-2237B)

The overall development currently has shared common rights-of-ways as reflected on 52R-5161, Parts 2-4-8-10.

The applicant's proposal is to introduce 4 new two storey four-plex buildings at the rear parcels, specifically on Parts 3-6-9-12 on 52R-5161 (2227B-2229B-2233B-2237B Pitt Street).

The multi-residential development was constructed in 1995 after obtaining Committee approval for the current parcel configuration and associated minor variances for reduced frontage. The development also obtained site plan approval.

The applicant and his design team met with City staff to discuss the proposal in 2018. The purpose was to discuss Planning, Traffic and servicing related items. As a result of the meeting, EVB Engineering prepared the proposed plan which adheres to applicable zoning standards other than the multiple buildings on lot provision 01-2-5.

We are of the opinion that the proposal has a functional design from a servicing, vehicular and pedestrian perspective. It is understood that the proposal will be refined during the site plan process to address servicing, lot grading, drainage, fencing, landscaping etc... It should be noted that depending on the final servicing design, additional easements across the rear parcels may be required.

We would ask that if the Committee members approve the request, the following conditions are imposed;

1 - The applicant is to obtain an amending site plan approval for the multi-residential development.

2 - Parts 3-6-9-12 on 52R-5161 2227B-2229B-2233B-2237B Pitt Street cannot be severed in the future.

The Provincial Policy directs municipalities to:

1.4.3 Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market area by:

d) promoting densities for new housing which efficiently use land....

e) establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form....

The Official Plan further states:

4.3.3 To support and maintain the goals for the Urban Residential Areas, it will be the intention of the City to:

5) Encourage townhouse and apartment/condominium projects to be generally developed in appropriate clusters, in areas fulfilling particular location factors as opposed to allowing such development to be indiscriminately scattered throughout residential neighbourhoods.

6) Ensure medium and high density residential developments do not create traffic problems...

7) Determine locations for medium and high density housing and evaluate applications on the basis of conformity to the following criteria: d) to g)

The principal of low to medium density development has been set through the Zoning which is Residential 20 (RES 20). The current zoning promotes a medium density development which is consistent with the direction of the Provincial Policy Statement and City of Cornwall Official Plan which promotes infill development. Planning is therefore conditionally 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 5:30 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 – 2019 A-01-19 Debate and Decision regarding Minor Variance: Fourplex

(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 Section 01-2-5 multiple buildings on a lot, for the introduction of a fourplex on the parcel municipally known as 2227B Pitt 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 objections.**

MOVED BY: Mr. Wes Libbey

SECONDED BY: Mr. Naresh Bhargava

Motion Approved

RISE AND REPORT

Item 3 – A-01-19

Motion to allow a Minor Variance for **(fourplex)** at 2227B Pitt Street.

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

**COMMITTEE OF ADJUSTMENT PUBLIC HEARING A-02-19
HELD AT CIVIC COMPLEX, CITY OF CORNWALL
AT 5:00 P.M., ON TUESDAY, JANUARY 29, 2019**

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

The hearing was being held to consider an application by M. Emard Properties Inc. (A/EVB Engineering) (2237B Pitt Street) who is: **Asking for relief from Section 01-2-5 multiple buildings on a lot, for the introduction of a fourplex on the parcel municipally known as 2237B Pitt Street.**

THAT the Agenda be approved.

There were no conflicts of interest.

Motion Carried

Mr. M. Emard and a representative from EVB Engineering 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

No objections.

Zoning Section

Comments are the same as A-01-19.

Planning Division

Comments are the same as A-01-19.

DISCUSSION:

See A-01-19

IN-CAMERA SESSION

Motion to MOVE INTO A CLOSED MEETING after hearing all parties at the Committee of Adjustment meeting, at approximately 5:30 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-02-19 Debate and Decision regarding Minor Variance: Fourplex

(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:

- 2. Asking for relief from Section 01-2-5 multiple buildings on a lot, for the introduction of a fourplex on the parcel municipally known as 2237B Pitt Street.**
- 5. The variances are DESIRABLE for the appropriate development or use of the land, building and structures.**
- 6. The variances MAINTAIN the general intent and purpose of the Official Plan and Zoning By-law.**

7. There were no objections.

MOVED BY: Mr. Wes Libbey

SECONDED BY: Mr. Naresh Bhargava

Motion Approved

RISE AND REPORT

Item 4 – A-02-19

Motion to allow a Minor Variance for **(fourplex)** at 2237B Pitt Street.

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

**COMMITTEE OF ADJUSTMENT PUBLIC HEARING A-03-19
HELD AT CIVIC COMPLEX, CITY OF CORNWALL
AT 5:00 P.M., ON TUESDAY, JANUARY 29, 2019**

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

The hearing was being held to consider an application by M. Emard Properties Inc. (A/EVB Engineering) (2229B Pitt Street) who is: **Asking for relief from Section 01-2-5 multiple buildings on a lot, for the introduction of a fourplex on the parcel municipally known as 2229B Pitt Street.**

THAT the Agenda be approved.

There were no conflicts of interest.

Motion Carried

Mr. M. Emard and a representative from EVB Engineering 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

No objections.

Zoning Section

Comments are the same as A-01-19.

Planning Division

Comments are the same as A-01-19.

DISCUSSION:

See A-01-19

IN-CAMERA SESSION

Motion to MOVE INTO A CLOSED MEETING after hearing all parties at the Committee of Adjustment meeting, at approximately 5:30 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 5 – 2019 A-03-19 Debate and Decision regarding Minor Variance: Fourplex

(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:

- 3. Asking for relief from Section 01-2-5 multiple buildings on a lot, for the introduction of a fourplex on the parcel municipally known as 2229B Pitt Street.**
- 8. The variances are DESIRABLE for the appropriate development or use of the land, building and structures.**
- 9. The variances MAINTAIN the general intent and purpose of the Official Plan and Zoning By-law.**

10. There were objections.

MOVED BY: Mr. Wes Libbey

SECONDED BY: Mr. Naresh Bhargava

Motion Approved

RISE AND REPORT

Item 5 – A-03-19

Motion to allow a Minor Variance for **(fourplex)** at 2229B Pitt Street.

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

**COMMITTEE OF ADJUSTMENT PUBLIC HEARING A-04-19
HELD AT CIVIC COMPLEX, CITY OF CORNWALL
AT 5:00 P.M., ON TUESDAY, JANUARY 29, 2019**

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

The hearing was being held to consider an application by M. Emard Properties Inc. (A/EVB Engineering) (2233B Pitt Street) who is: **Asking for relief from Section 01-2-5 multiple buildings on a lot, for the introduction of a fourplex on the parcel municipally known as 2233B Pitt Street.**

THAT the Agenda be approved.

There were no conflicts of interest.

Motion Carried

Mr. M. Emard & a representative for EVB Engineering 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

No objections.

Zoning Section

Comments are the same as A-01-19.

Planning Division

Comments are the same as A-01-19.

DISCUSSION:

See A-01-19

IN-CAMERA SESSION

Motion to MOVE INTO A CLOSED MEETING after hearing all parties at the Committee of Adjustment meeting, at approximately 5:30 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 6 – 2019 A-04-19 Debate and Decision regarding Minor Variance: Fourplex

(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 Section 01-2-5 multiple buildings on a lot, for the introduction of a fourplex on the parcel municipally known as 2233B Pitt 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 objections.

MOVED BY: Mr. Wes Libbey

SECONDED BY: Mr. Naresh Bhargava

Motion Approved

RISE AND REPORT

Item 6 – A-04-19

Motion to allow a Minor Variance for **(fourplex)** at 2233B Pitt Street.

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

**COMMITTEE OF ADJUSTMENT PUBLIC HEARING A-05-19
HELD AT CIVIC COMPLEX, CITY OF CORNWALL
AT 5:00 P.M., ON TUESDAY, JANUARY 29, 2019**

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

The hearing was being held to consider an application by KEM Developments (A/J. F. Markell Homes Ltd.) (66 Mercier Avenue) who are: **Asking for relief from the Zoning By-law to allow for a side yard setback of 4'7" and lot occupancy of 37.5%, when the Zoning By-law requires a minimum side yard setback of 4' 11 1/2" and maximum lot occupancy of 35%. This application is to accommodate a new single family dwelling located at 66 Mercier Avenue East.**

THAT the Agenda be approved.

There were no conflicts of interest.

Motion Carried

Mr. Alex Markell 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

No objections.

Zoning Section

The requested variance is minor and should have no negative impacts on neighbouring properties.

Planning Division

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

The property is located on (Lot 1, Plan 52M-47) Phase 2 of the Northwoods Forest Subdivision in a RES 15 zone.

The applicant wishes to reduce the side yard setback from 4' 11 ½ " to 4' 7" and to increase the lot occupancy from a maximum of 35% to 37.5%.

The purpose of the proposed side yard reduction and lot occupancy increase is to accommodate the residential model that the proponent's client previously purchased as reflected on the submitted site plan.

Unfortunately the lot was sold to the client with the dwelling plan. When the Plan of Subdivision went for registration, there was an issue with the P.I.N and the lot in question was modified as a result of the adjustment.

We are of the opinion that both the side yard reduction and increase in lot occupancy is minor in nature.

The Official Plan states:

14.8.2. – In considering application for minor variances, the Committee shall consider:

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

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 5:30 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 7 – 2019 A-05-19 Debate and Decision regarding Minor Variance: SFD

(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 allow for a side yard setback of 4'7" and lot occupancy of 37.5%, when the Zoning By-law requires a minimum side yard setback of 4' 11 1/2" and maximum lot occupancy of 35%. This application is to accommodate a new single family dwelling located at 66 Mercier Avenue East.**
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. Wes Libbey

SECONDED BY: Mr. Naresh Bhargava

Motion Approved

RISE AND REPORT

Item 7 – A-05-19

Motion to allow a Minor Variance for **(SFD)** at 66 Mercier Avenue.

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

**COMMITTEE OF ADJUSTMENT PUBLIC HEARING A-06-19
HELD AT CIVIC COMPLEX, CITY OF CORNWALL
AT 5:00 P.M., ON TUESDAY, JANUARY 29, 2019**

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

The hearing was being held to consider an application by 2113467 Ontario Inc. (A/Paris Holdings) (800 Second Street West) who are: **Asking for relief from the Zoning By-law provision 04-2-2 item (t) to allow general professional office uses when the provision currently allows specific professional office uses at 800 Second Street West, specifically the former Domtar administration building.**

THAT the Agenda be approved.

There were no conflicts of interest.

Motion Carried

Mr. Shane Arbuthnot representing 2113467 Ontario Inc. 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

As per our building permit records, there hasn't been a permit application for the site for some time. There have been no recent permits submitted for the former Domtar Administration Building. Was construction done or is it proposed in order to accommodate this professional office?

Zoning Section

The intent of the Official Plan and Zoning By-law are maintained as the difference and impacts of a general professional office use and a specific professional office use is minor.

Planning Division

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

The property is located in a Manufacturing 20 (MFR 20) zone and is designated Comprehensive Redevelopment Area (CRA). The former Domtar Mill site is currently owned by Paris Holdings since 2006. The main administration building is currently partially occupied by EVB Engineering. They entered into a five year lease which began in 2019; Laplante Welding previously occupied the space.

The Engineering firm used to be located on Pitt Street and outgrew their previous location as they currently employ 24 employees and are continuously expanding. The building/property in question has a vast amount of office space, is serviced, adequate parking for staff and clients, secured and is ideally situated in proximity to the centre core.

In December of 2018, as a result of reviewing a permit application for a new freestanding sign, the Planning Division informed the applicant that the current zone allows a Business and Professional Office to establish, however the types of Professional Offices are restricted and do not include an Engineering firm.

As previously mentioned, the property is designated in a Comprehensive Redevelopment Area (CRA). The goals of the Official Plan with respect to Comprehensive Redevelopment Areas are to:

1. Identify those sites and locations within the City that have unique characteristics and redevelopment potential and provide the incentive to redevelop such areas.
2. Encourage a comprehensive development approach that will enhance and promote the most appropriate use of the site while preventing indiscriminate mixing of incompatible uses.

3. Provide for flexibility in the development of sites by encouraging a range of land uses that are integrated and compatible

The Planning Division has been in discussions with the land owners in the upwards of 10 years in order to derive a comprehensive development scheme for the entire 80 acre site. It's worth noting that some of the earlier plans propose mixed use potential including general professional office uses in the immediate area of the administration building. That being said, the earlier preliminary plans are not finite. The City is continually working with the land owners towards a final comprehensive plan.

As the proposal is not to introduce new construction and/or expand upon the existing administration building, we are of the opinion that a general intent of the Zoning By-law is being maintained and we would suggest the following conditions be imposed if the request is approved by the Committee members.

1 - This approval is valid until January 1st, 2025, unless the 80 acre parcel has a finalized comprehensive redevelopment scheme in place prior to the said date.

2 - The property owner is to discuss and tour the building with a City Building Inspector and if deemed necessary, they are to make a permit application and obtain a final no later than May 1st, 2019.

14.8.2. – In considering application for minor variances, the Committee shall consider:

a) whether the requested variance would constitute a "minor" departure from the Zoning By-law;

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 or residents;

g) that in approving the minor variance no dangerous precedent would be created;

h) comments from City Departments.

DISCUSSION:

The Chairman asked the representative how far along was the Comprehensive Plan and went on to say that this has been in the works now for 12 years and wondered if there was going to be any goal line. Mr. Shane Arbuthnot who was representing 2113467 Ontario Inc. told the Chairman that they were working on some preliminary documents and will go back to the City in 2 to 3 weeks time with an updated concept plan for final approval.

Mr. Kilborn Lutz asked the applicant if he had any problems with the 2 conditions the City will be attaching to the application. Mr. Arbuthnot said that he has no problems with the conditions.

Mr. Naresh Bhargava asked what has been done on the site in the last 12 years. The applicant told the Committee that the current site sits as the foundations are still there. This past spring they have undertaken all the soil remediation for the seaway for them to turn over the lands, therefore that is all complete. He went on to say that at the moment they are looking at interim uses of current space just to keep it occupied and are moving forward with the draft plan. Mr. Bhargava continued to ask if they have dug up anything on the site. The applicant said that they have not dug up anything other than for their environmental studies.

Mr. Arbuthnot assured the members that the building is safe and in good construction condition. Mr. Libbey said that there used to be a street that went in there with a name. Mr. Arbuthnot said that they think that they will incorporate some heritage back into naming the streets when that time comes.

Mr. Naresh Bhargava asked what the plan was for the stacks. Mr. Arbuthnot said that they were going to be left there as monuments! He went on to say that they have done some environment testing on the stacks and that they will be submitting a plan to the MOE for dust control and then give them the ok to drop the stacks in the near future.

IN-CAMERA SESSION

Motion to MOVE INTO A CLOSED MEETING after hearing all parties at the Committee of Adjustment meeting, at approximately 5:30 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 8 – 2019 A-06-19 Debate and Decision regarding: Professional Office Uses

(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 provision 04-2-2 item (t) to allow general professional office uses when the provision currently allows specific professional office uses at 800 Second Street West, specifically the former Domtar administration building.
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. Wes Libbey
SECONDED BY: Mr. Naresh Bhargava

Motion Approved

RISE AND REPORT

Item 8 – A-06-19

Motion to allow a Minor Variance for **(Professional Office Uses)** at 800 Second Street West.

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