

**COMMITTEE OF ADJUSTMENT PUBLIC HEARING B-16-21
HELD AT CIVIC COMPLEX, CITY OF CORNWALL
AT 4:30 P.M., ON TUESDAY, JUNE 8TH, 2021 (VIRTUAL MEETING)**

Chair, Mr. Stephen Alexander called the meeting to order at 4:30 p.m. Member, Mr. Ray Contant and Mr. Ben de Haan attended the Zoom meeting. Lindsay Parisien & Alex Gatien, Development Planners and Christina Seguin, Secretary-Treasurer were present.

The hearing was being held to consider an application by Allison Gibbs & Tara Pelley (A/Jeff Gibbs) (224-226 East Ridge Drive) who are asking for: **Consent to convey a parcel of land as two separate parcels to allow for separate legal description of a semi-detached dwelling at 224-226 East Ridge Drive.**

THAT the Agenda be approved.

Moved By: Mr. Ray Contant

Seconded By: Mr. Ben de Haan

Motion Carried

There were no conflicts of interest.

The applicant/agent did not attend the meeting.

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

DEPARTMENT/AGENCY COMMENTS:

Engineering Division

Engineering has no objections. Ensure lot drainage is maintained per the approved, construction drawing "C3.3 – Partial Site Grading Plan", for the East Ridge Subdivision Phase 7 & 8.

There is a common rear yard swale located along Lot 25, Plan 52M-53. No obstructions are permitted to impede the common rear yard swale.

Economic Development

No objections.

Traffic Division

No objections.

Municipal Works Division

No objections as long as each unit has its own water and sewer service.

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 25, Plan 52M-53 (East Ridge Subdivision, Phase 7) in a Residential 20 (RES 20) zone.

The semi-detached dwelling is located at 224-226 East Ridge Drive and the applicant is requesting to sever the lot so as to create a separate legal description for the sale of the property. 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 5:15 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).

Moved By: Mr. Ray Contant
Seconded By: Mr. Ben de Haan

Motion Carried

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-16-21 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 separate legal description of a semi-detached dwelling at 224-226 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. Ben de Haan
Seconded By: Mr. Ray Contant

Motion Carried

RISE AND REPORT

Item 1– B-16-21

Motion to allow Consent for (Semi-detached).

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

**COMMITTEE OF ADJUSTMENT PUBLIC HEARING B-17-21
HELD AT CIVIC COMPLEX, CITY OF CORNWALL
AT 4:30 P.M., ON TUESDAY, JUNE 8TH, 2021 (VIRTUAL MEETING)**

Chair, Mr. Stephen Alexander called the meeting to order at 4:30 p.m. Member, Mr. Ray Contant and Mr. Ben de Haan attended the Zoom meeting. Lindsay Parisien & Alex Gatién, Development Planners and Christina Seguin, Secretary-Treasurer were present.

The hearing was being held to consider an application by Allison Gibbs & Tara Pelley (A/Jeff Gibbs) (230-232 East Ridge Drive) who are asking for: **Consent to convey a parcel of land as two separate parcels to allow for separate legal description of a semi-detached dwelling at 230-232 East Ridge Drive.**

THAT the Agenda be approved.

Moved By: Mr. Ray Contant

Seconded By: Mr. Ben de Haan

Motion Carried

There were no conflicts of interest.

The applicant/agent did not attend the meeting.

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

DEPARTMENT/AGENCY COMMENTS:

Engineering Division

No objections. Ensure lot drainage is maintained per the approved construction drawing "C3.3 – Partial Site Grading Plan", for the East Ridge Subdivision Phase 7 & 8.

There is a common rear yard swale located along Lot 26, Plan 52M-53. No obstructions are permitted to impede the common rear yard swale.

Economic Development

No objections.

Traffic Division

No objections.

Municipal Works Division

No objections as long as each unit has its own water and sewer service.

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 26, Plan 52M-53 (East Ridge Subdivision, Phase 7) in a Residential 20 (RES 20) zone.

The semi-detached dwelling is located at 230-232 East Ridge Drive and the applicant is requesting to sever the lot so as to create a separate legal description for the sale of the property. 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 5:15 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).

Moved By: Mr. Ray Contant

Seconded By: Mr. Ben de Haan

Motion Carried

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-17-21 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 separate legal description of a semi-detached dwelling at 230-232 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. Ben de Haan
Seconded By: Mr. Ray Contant

Motion Carried

RISE AND REPORT

Item 2– B-17-21

Motion to allow Consent for (Semi-detached).

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

**COMMITTEE OF ADJUSTMENT PUBLIC HEARING B-18-21
HELD AT CIVIC COMPLEX, CITY OF CORNWALL
AT 4:30 P.M., ON TUESDAY, JUNE 8TH, 2021 (VIRTUAL MEETING)**

Chair, Mr. Stephen Alexander called the meeting to order at 4:30 p.m. Member, Mr. Ray Contant and Mr. Ben de Haan attended the Zoom meeting. Lindsay Parisien & Alex Gatién, Development Planners and Christina Seguin, Secretary-Treasurer were present.

The hearing was being held to consider an application by Jack Burelle (2305-2307 Watson Crescent) who is asking for: **Consent to convey a parcel of land as two separate parcels to allow for separate legal description of a semi-detached dwelling at 2305-2307 Watson Crescent.**

THAT the Agenda be approved.

Moved By: Mr. Ray Contant

Seconded By: Mr. Ben de Haan

Motion Carried

There were no conflicts of interest.

The applicant/agent did not attend the meeting.

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

DEPARTMENT/AGENCY COMMENTS:

Engineering Division

No objections. Ensure lot drainage is maintained per the approved construction drawing "C3.1 – Partial Site Grading Plan", for the East Ridge Subdivision Phase 7 & 8.

Economic Development

No objections.

Traffic Division

No objections.

Municipal Works Division

No objections as long as each unit has its own water and sewer service.

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 1, Plan 52M-53 (East Ridge Subdivision, Phase 7) in a Residential 20 (RES 20) zone.

The semi-detached dwelling is located at 2305-2307 Watson Crescent and the applicant is requesting to sever the lot so as to create a separate legal description for the sale of the property. 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 5:15 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).

Moved By: Mr. Ray Contant

Seconded By: Mr. Ben de Haan

Motion Carried

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-18-21 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 separate legal description of a semi-detached dwelling at 2305-2307 Watson Crescent.**
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. Ben de Haan

Seconded By: Mr. Ray Contant

Motion Carried

RISE AND REPORT

Item 3– B-18-21

Motion to allow Consent for (Semi-detached).

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

**COMMITTEE OF ADJUSTMENT PUBLIC HEARING B-19-21
HELD AT CIVIC COMPLEX, CITY OF CORNWALL
AT 4:30 P.M., ON TUESDAY, JUNE 8TH, 2021 (VIRTUAL MEETING)**

Chair, Mr. Stephen Alexander called the meeting to order at 4:30 p.m. Member, Mr. Ray Contant and Mr. Ben de Haan attended the Zoom meeting. Lindsay Parisien & Alex Gatién, Development Planners and Christina Seguin, Secretary-Treasurer were present.

The hearing was being held to consider an application by Jack Burelle (270-272 Gillis Avenue) who is asking for: **Consent to convey a parcel of land as two separate parcels to allow for separate legal description of a semi-detached dwelling at 270-272 Gillis Avenue.**

THAT the Agenda be approved.

Moved By: Mr. Ray Contant

Seconded By: Mr. Ben de Haan

Motion Carried

There were no conflicts of interest.

The applicant did not attend the meeting.

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

DEPARTMENT/AGENCY COMMENTS:

Engineering Division

No objections. Ensure lot drainage is maintained per the approved construction drawing "C3.1 – Partial Site Grading Plan", for the East Ridge Subdivision Phase 7 & 8.

There is a common rear yard swale located along Lot 37, Plan 52M-53. No obstructions are permitted to impede the common rear yard swale.

Economic Development

No objections.

Traffic Division

No objections.

Municipal Works Division

No objections as long as each unit has its own water and sewer service.

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 37, Plan 52M-53 (East Ridge Subdivision, Phase 7) in a Residential 20 (RES 20) zone.

The semi-detached dwelling is located at 270-272 Gillis Avenue and the applicant is requesting to sever the lot so as to create a separate legal description for the sale of the property. 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 5:00 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).

Moved By: Mr. Ray Contant

Seconded By: Mr. Ben de Haan

Motion Carried

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-19-21 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 separate legal description of a semi-detached dwelling at 270-272 Gillis 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. Ben de Haan

Seconded By: Mr. Ray Contant

Motion Carried

RISE AND REPORT

Item 4– B-19-21

Motion to allow Consent for (Semi-detached).

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

**COMMITTEE OF ADJUSTMENT PUBLIC HEARING B-14-21
HELD AT CIVIC COMPLEX, CITY OF CORNWALL
AT 4:30 P.M., ON TUESDAY, JUNE 8TH, 2021 (VIRTUAL MEETING)**

Chair, Mr. Stephen Alexander called the meeting to order at 4:30 p.m. Member, Mr. Ray Contant and Mr. Ben de Haan attended the Zoom meeting. Lindsay Parisien & Alex Gatien, Development Planners and Christina Seguin, Secretary-Treasurer were present.

The hearing was being held to consider an application by Rothmar Holdings Inc. (A/Stantec Consulting Ltd.) (127-141 First Street West) who are asking for: **Consent to convey a parcel of land at 127-141 First Street West into distinct parcels to facilitate separate legal description together with the creation of a block for associated parking for these units, and to recognize Easements and Rights of Way.**

THAT the Agenda be approved.

Moved By: Mr. Ray Contant

Seconded By: Mr. Ben de Haan

Motion Carried

There were no conflicts of interest.

The applicant and agent attended the meeting (Mr. Aaron Bell, Mr. Eric Bays, Mr. Gordon Gauthier and Mr. Anthony Vincelli).

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

DEPARTMENT/AGENCY COMMENTS:

Engineering Division

Please provide a Site Servicing Plan clearly indicating the existing/proposed water and sewer infrastructure for review and approval by the City.

Site servicing shall adhere to the attached sketch SK-01 – “Site Servicing – First & York Townhomes”, provided by the City of Cornwall Department of Infrastructure Planning.

Each unit shall have their own sanitary lateral, water service and curb stop. A gate valve at property line on York Street shall be provided for the private watermain.

The proposed shared watermain and sewer infrastructure located within Part 17 shall be owned, inspected, and maintained solely by the property owners by way of a Maintenance Agreement between property owners. The watermain, water services, sanitary sewer and sanitary laterals in Part 17 shall be private and not owned or maintained by the City.

The proposed shared infrastructure located within Part 17 shall be registered in favor of the property owners, not the City of Cornwall.

The two existing water services on First Street shall be disconnected and removed. All existing services (water or sewer) that are disconnected shall be capped and removed.

Economic Development

No objections.

Traffic Division

No objections.

Municipal Works Division

Each unit on York Street and First Street West should have its own water and sewer service. Rear parking lot has a catch water basin. The outlet lead should be investigated to ensure compliance.

Buildings and Permits Division

Confirm that the introduction of Part 17 & 18 does not establish new property lines. If new property lines are being established, the north face of all buildings and east face of the building located on Part 8 would be required to be evaluated for spatial separations under the Ontario Building Code.

Zoning Section

No objections.

Planning Division

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

The existing linear rowhouse dwelling is located in a Residential 40 (RES 40) zone, on the North/Side of First Street, Part Lot 21, being Part 4 on Reference Plan 52R-7888. The rowhouse

dwelling was constructed in the early 1900s and is municipally known as 127, 129, 131, 133, 135, 137, 139 and 141 First Street West. The applicant is seeking to sever the property so as to create separate parcels for legal description.

This Consent application is associated with Minor Variance application A-18-21 which has been submitted by the applicant to expand the legal non-conforming use of the existing linear rowhouse dwelling. Previously, this property was severed via Consent application B-20-13. The 2013 application established a portion of the shared Right-of-Way (Being Part 3, on Reference Plan 52R-7888).

The applicant is looking to further expand the shared access and Right-of-Way, allowing each dwelling unit shared ownership and rights over these common areas. The areas being proposing can be referred to as Part 17 and Part 18 on the submitted Site Plan.

As a result of the creation of the new lot boundaries, the applicant is proposing on site parking for each dwelling unit. Each Technical Parking Stall will be located within the existing lot boundary; however, the applicant is proposing a designated parking lot area (refer to Parts 10, 11, 12, 13, 14, 15 and 16) and has assigned one parking stall for the 7 dwelling units.

The parking stall referred to as Part 9 will be associated with the dwelling unit located 141 First Street West (Part 1) on the submitted Site Plan. The proposed parking assignments have been concisely organized as a chart on the submitted Site Plan for reference. The applicant's Solicitor will be responsible for ensuring the proposed parking arrangement is accurately reflected with any future purchase and sale of each dwelling unit.

Also, the Technical Parking requirements, for each dwelling unit being proposed adheres to the applicable Zoning standards.

Upon review of various Planning related documents, a series of Official Plan strategies and policies have been highlighted for the Committee to consider when reviewing this application. They are as follows:

Section 2.3.1, to achieve the Twenty-Year Visions, the City of Cornwall will follow these strategic directions:

To support redevelopment and enhancement of derelict and run-down residential areas/buildings.

Under Section 5.3. Housing Policies of the Official Plan, the City of Cornwall is to:

2. Encourage more housing projects in or immediately adjacent to the Downtown; and,

10. Maintain the existing stock of affordable housing units.

Furthermore, under Section 14.11.4. of the Official Plan, in reviewing Consent applications, the Committee of Adjustment shall have regard for:

h) previous consents granted on the land holding or in the area.

The Committee should be made aware that the lands located immediately along the South-East corner of the property (First Street West and York Street - Stormont Cottages) currently have separate legal descriptions that were established through "metes and bounds".

Therefore, if the Consent application is approved, the outcome will effectively be the same. Planning is of the opinion that this lot arrangement has already been established in this area.

DISCUSSION

See application B-15-21

IN-CAMERA SESSION

Motion to MOVE INTO A CLOSED MEETING after hearing all parties at the Committee of Adjustment meeting, at approximately 5:15 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).

Moved By: Mr. Ray Contant

Seconded By: Mr. Ben de Haan

Motion Carried

Exceptions

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

Item 5– B-14-21 Debate and Decision regarding: Rowhouse.

(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 at 127-141 First Street West into distinct parcels to facilitate separate legal description together with the creation of a block for associated parking for these units, and to recognize Easements and Rights of Way.
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. Ben de Haan

Seconded By: Mr. Ray Contant

Motion Carried

RISE AND REPORT

Item 5– B-14-21

Motion to allow Consent for **(Rowhouse)**.

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

**COMMITTEE OF ADJUSTMENT PUBLIC HEARING B-15-21
HELD AT CIVIC COMPLEX, CITY OF CORNWALL
AT 4:30 P.M., ON TUESDAY, JUNE 8TH, 2021 (VIRTUAL MEETING)**

Chair, Mr. Stephen Alexander called the meeting to order at 4:30 p.m. Members, Mr. Ray Contant and Mr. Ben de Haan attended the Zoom meeting. Lindsay Parisien & Alex Gatien, Development Planners and Christina Seguin, Secretary-Treasurer were present.

The hearing was being held to consider an application by Rothmar Holdings Inc. (A/Stantec Consulting Ltd.) (101-105 York Street) who are asking for: **Consent to convey a parcel of land at 101-105 York Street into 3 parcels to facilitate distinct legal description of the units together with the creation of a Block for 1 parking space to be assigned to First Street West property, and to recognize associated Easements and Right of Ways.**

THAT the Agenda be approved.

Moved By: Mr. Ray Contant

Seconded By: Mr. Ben de Haan

Motion Carried

There were no conflicts of interest.

The applicant and agent attended the meeting (Mr. Aaron Bell, Mr. Eric Bays, Mr. Gordon Gauthier, Matt Testa and Mr. Anthony Vincelli from EVB Engineering).

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

DEPARTMENT/AGENCY COMMENTS:

Engineering Division

Please provide a Site Servicing Plan clearly indicating the existing/proposed water and sewer infrastructure for review and approval by the City.

Site servicing shall adhere to the attached sketch SK-01 – “Site Servicing – First & York Townhomes”, provided by the City of Cornwall Department of Infrastructure Planning.

Each unit shall have their own sanitary lateral, water service and curb stop. A gate valve at property line on York Street shall be provided for the private watermain.

The proposed shared watermain and sewer infrastructure located within Part 17 shall be owned, inspected, and maintained solely by the property owners by way of a Maintenance

Agreement between property owners. The waterman, water services, sanitary sewer and sanitary laterals in Part 17 shall be private and not owned or maintained by the City.

The proposed shared infrastructure located within Part 17 shall be registered in favor of the property owners, not the City of Cornwall.

The two existing water services on First Street shall be disconnected and removed. All existing services (water or sewer) that are disconnected shall be capped and removed.

Economic Development

No objections.

Traffic Division

No objections.

Municipal Works Division

Each unit on York Street and First Street West should have its own water and sewer service. Rear parking lot has a catch water basin. The outlet lead should be investigated to ensure compliance.

Buildings and Permits Division

Confirm that the introduction of Part 17 & 18 does not establish new property lines. If new property lines are being established, the north face of all buildings and east face of the building located on Part 8 would be required to be evaluated for spatial separations under the Ontario Building Code.

The existing spatial separation requirements may change if any of the property lines are brought closer to any portion(s) of the existing building(s). If the new spatial separation conditions do not meet the requirements of the Building Code, one or more Limiting Distance Agreement(s) may be required.

Zoning Section

No objections.

Planning Division

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

The existing linear rowhouse dwelling is located in a Residential 40 (RES 40) zone, on the N/S of First Street, Part Lot 21, being Part 1 on Reference Plan 52R-7888. The rowhouse dwelling was constructed in 1926 and is municipally known as 101, 103 and 105 York Street. The applicant is seeking to sever the property so as to create separate parcels for legal description.

This Consent application is associated with Minor Variance application A-17-21 which has been submitted by the applicant to expand the legal non-conforming use of the existing linear rowhouse dwelling. Previously, this property was severed via Consent application B-20-13. The 2013 application established a portion of the shared Right-of-Way (being Part 3, on Reference Plan 52R-7888). The applicant is looking to further expand the shared access and Right-of-Way, allowing each dwelling unit shared ownership and rights over these common areas. The areas being proposing can be referred to as Part 17 and Part 18 on the submitted Site Plan.

As a result of the creation of new lot boundaries, the applicant is proposing on site parking in the rear yard setback for each dwelling unit. The proposed parking arrangements adhere to the applicable Zoning standards and satisfy the technical parking requirements.

Upon review of various Planning related documents, a series of Official Plan strategies and policies have been highlighted for the Committee to consider when reviewing this application.

They are as follows:

Section 2.3.1, to achieve the Twenty-Year Visions, the City of Cornwall will follow these strategic directions:

To support redevelopment and enhancement of derelict and run-down residential areas/buildings.

Under Section 5.3. Housing Policies of the Official Plan, the City of Cornwall is to:

2. Encourage more housing projects in or immediately adjacent to the Downtown; and,

10. Maintain the existing stock of affordable housing units.

Furthermore, under Section 14.11.4. of the Official Plan, in reviewing Consent applications, the Committee of Adjustment shall have regard for:

h) previous Consents granted on the land holding or in the area.

The Committee should be made aware that the lands located immediately along the South-East corner of the property (First Street West and York Street - Stormont Cottages) currently have separate legal descriptions that were established through "metes and bounds".

Therefore, if the Consent application is approved, the outcome will effectively be the same. Planning is of the opinion that this lot arrangement has already been established in this area.

DISCUSSION

Mr. Eric Bays from Stantec Consulting Ltd. submitted an overview (Attachment 1) to the Committee of Adjustment members and all other parties involved. He also went on to tell the Committee about the intentions of the Minor Variances and Consents.

Mr. Bays explained what the proposed severances were for. Rothmar Holdings Inc. is seeking to sever each of the dwellings into individually transferrable parcels. Parking areas interior to the lot would be allocated and linked to the new parcels. Laneways and drive aisles used to access the parking areas would be owned jointly by all parcels. Each townhouse dwelling would be located on its own parcel (127-141 First Street West – Parts 1 to 8 & 101 to 105 York Street – Parts 19 to 21).

Townhouse parcels fronting First Street West would be linked to individual parking areas in the rear of the site. Townhouse parcels fronting York Street are contiguous with their parking area- no linked spaces are required.

Laneway from First and York Street to the interior parking area will be jointly owned by all benefitting parcels. First Street townhouses are serviced (water and sanitary) through the rear lane-Part 17 will also include an easement in favour of the city.

Mr. Ray Contant asked if Part 9 had officially been separated legally (parking lot in favor of Part 1). Mr. Gordon Gauthier told Mr. Contant that they were waiting for approval of the Committee first.

The Committee members were in favor of attaching the following 2 conditions on the Decision.

- 1) The existing catch water basin located in the rear yard parking lot should be investigated to ensure the outlet lead complies with City design standards.**
- 2) A Site Servicing Plan indicating the existing and proposed water and sewer infrastructure is to be submitted to the City's Engineering Department for review and approval.**

Regarding Building and Permits comments:

The existing spatial separation requirements may change if any of the property lines are brought closer to any portion(s) of the existing building(s). If the new spatial separation

conditions do not meet the requirements of the Building Code, one or more Limiting Distance Agreement(s) may be required.

The Committee did not attach the above as a condition but a note to the file.

IN-CAMERA SESSION

Motion to MOVE INTO A CLOSED MEETING after hearing all parties at the Committee of Adjustment meeting, at approximately 5:15 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).

Moved By: Mr. Ray Contant
Seconded By: Mr. Ben de Haan

Motion Carried

Exceptions

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

Item 7– B-15-21 Debate and Decision regarding: Rowhouse.

(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 at 101-105 York Street into 3 parcels to facilitate distinct legal description of the units together with the creation of a Block for 1 parking space to be assigned to First Street West property, and to recognize associated Easements and Right of Ways.**
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. Ben de Haan
Seconded By: Mr. Ray Contant

Motion Carried

RISE AND REPORT

Item 7– B-15-21

Motion to allow Consent for **(Rowhouse)**.

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

**COMMITTEE OF ADJUSTMENT PUBLIC HEARING A-17-21
HELD AT CIVIC COMPLEX, CITY OF CORNWALL (VIRTUAL MEETING)
AT 4:30 P.M., ON TUESDAY, JUNE 8TH, 2021**

Chair, Mr. Stephen Alexander called the meeting to order at 4:30 p.m. Members of the Committee Mr. Ben de Haan and Mr. Ray Contant also attended the meeting. Mrs. Lyndsay Parisien & Alex Gatien, Development Planners & Christina Seguin, Secretary/Treasurer were present.

The hearing was being held to consider an application by Rothmar Holdings Inc. (A/Stantec Consulting Ltd. **(101-105 York Street)** who are asking for: **Asking for relief from the Comprehensive Zoning By-law #751-69 as amended, to allow the legal non-conforming status of the linear row house units at 101-105 York Street. This Minor Variance, under Section 34 (9) of the Planning Act, will recognize the existing setbacks/lot area and all Zoning provisions for each proposed parcel in support of the Consent application B-15-21 which will sever the units and provide separate legal description.**

THAT the Agenda be approved.

Moved By: Mr. Ray Contant

Seconded By: Mr. Ben de Haan

Motion Carried

There were no conflicts of interest.

The applicant and agent attended the meeting (Mr. Aaron Bell, Mr. Eric Bays, Mr. Gordon Gauthier and Mr. Anthony Vincelli).

Department Comments are read by Christina Seguin.

DEPARTMENT/AGENCY COMMENTS:

Engineering Division

Please provide a Site Servicing Plan clearly indicating the existing/proposed water and sewer infrastructure for review and approval by the City.

Site servicing shall adhere to the attached sketch SK-01 – “Site Servicing – First & York Townhomes”, provided by the City of Cornwall Department of Infrastructure Planning.

Each unit shall have their own sanitary lateral, water service and curb stop. A gate valve at property line on York Street shall be provided for the private watermain.

The proposed shared watermain and sewer infrastructure located within Part 17 shall be owned, inspected, and maintained solely by the property owners by way of a Maintenance Agreement between property owners. The watermain, water services, sanitary sewer and sanitary laterals in Part 17 shall be private and not owned or maintained by the City.

The proposed shared infrastructure located within Part 17 shall be registered in favor of the property owners, not the City of Cornwall.

The two existing water services on First Street shall be disconnected and removed. All existing services (water or sewer) that are disconnected shall be capped and removed.

Economic Development

No objections.

Traffic Division

No objections.

Municipal Works Division

No objections. Each unit on York Street and First Street West should have its own water and sewer service. Rear parking lot has a catch water basin. The outlet lead should be investigated to ensure compliance.

Buildings and Permits Division

Confirm that the introduction of Part 17 & 18 does not establish new property lines. If new property lines are being established, the north face of all buildings and east face of the building located on Part 8 would be required to be evaluated for spatial separations under the Ontario Building Code.

Zoning Section

No objections. This property was established in 1926 and predates the Zoning By-law.

Planning Division

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

The existing linear rowhouse dwelling is located in a Residential 40 (RES 40) zone, on the North/Side of First Street, Part Lot 21, being Part 1 on Reference Plan 52R-7888. The dwelling was constructed in 1926 and is municipally known as 101, 103 and 105 York Street.

The applicant is seeking an expansion to the legal non-confirming status of the linear rowhouse dwelling to recognize the existing property line setbacks, lot area and all Zoning provisions for each parcel of land being proposed.

This Minor Variance application is associated with Consent application B-15-21 which has been submitted by the applicant to sever the units in order to provide a separate legal description.

Furthermore, the applicant has provided on site parking for each dwelling unit. Each Technical Parking Stall will be located in the rear yard setback of each dwelling unit. Therefore, the applicant has satisfied the Technical Parking requirements, as per the submitted Site Plan.

Under Section 14.8.2. of the Official Plan – In considering applications for Minor Variances, the Committee shall consider:

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

In addition, Section 14.9 Non-Conforming Uses further supports this application as the Committee shall have consideration for:

1. Any land use which was lawfully in existence on the day of the passing of the Zoning By-law may continue to exist and shall be considered as a legal non-conforming use provided that it continues to be used for its original purpose; and,

4. In considering proposed extensions or enlargements of land, buildings or structures containing non-conforming uses, the Committee of Adjustment shall have due regard for the following considerations:

b) such land, building or structure will continue to be used in the same manner and for the same purpose as it was used on the day that the By-law was passed.

g) measures are taken to protect neighbouring uses and properties.

i) adequate parking, loading and on-site amenities and facilities are provided.

DISCUSSION

See application B-15-21

IN-CAMERA SESSION

Motion to MOVE INTO A CLOSED MEETING after hearing all parties at the Committee of Adjustment meeting, at approximately 5:15 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).

Moved By: Mr. Ray Contant
Seconded By: Mr. Ben de Haan

Motion Carried

Exceptions

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

Item 8 – A-17-21 Debate and Decision regarding: Rowhouse.

(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 Comprehensive Zoning By-law #751-69 as amended, to allow the legal non-conforming status of the linear row house units at 101-105 York Street. This Minor Variance, under Section 34 (9) of the Planning Act, will recognize the existing setbacks/lot area and all Zoning provisions for each proposed parcel in support of the Consent application B-15-21 which will sever the units and provide separate legal description.
2. The variance is **DESIRABLE** for the appropriate development or use of the land, building and structures.

3. The variance **MAINTAINS** the general intent and purpose of the **Official Plan and Zoning By-law**.
4. There were no objections.

Moved By: Mr. Ben de Haan
Seconded By: Mr. Ray Contant

Motion Carried

RISE AND REPORT

Item 8 – A-17-21

Motion to allow Minor Variance for: **Rowhouse**.

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

**COMMITTEE OF ADJUSTMENT PUBLIC HEARING A-18-21
HELD AT CIVIC COMPLEX, CITY OF CORNWALL (VIRTUAL MEETING)
AT 4:30 P.M., ON TUESDAY, JUNE 8TH, 2021**

Chair, Mr. Stephen Alexander called the meeting to order at 4:30 p.m. Members of the Committee Mr. Ben de Haan and Mr. Ray Contant also attended the meeting. Mrs. Lyndsay Parisien & Alex Gatien, Development Planners & Christina Seguin, Secretary/Treasurer were present.

The hearing was being held to consider an application by Rothmar Holdings Inc. (A/Stantec Consulting Ltd. (127-141 First Street West) who are asking for: **Asking for relief from the comprehensive Zoning By-law #751-69 as amended, to allow the legal non-conforming status of the linear row house units at 127-141 First Street West. This minor variance, under section 34 (9) of the Planning Act, will recognize the existing setbacks/lot area and all Zoning provisions for each proposed parcel in support of the consent application B-14-21 which will sever the units and provide separate legal description.**

THAT the Agenda be approved.

**Moved By: Mr. Ray Contant
Seconded By: Mr. Ben de Haan**

Motion Carried

There were no conflicts of interest.

The applicant and agent attended the meeting (Mr. Aaron Bell, Mr. Eric Bays, Mr. Gordon Gauthier and Mr. Anthony Vincelli).

Department Comments are read by Christina Seguin.

DEPARTMENT/AGENCY COMMENTS:

Engineering Division

Please provide a Site Servicing Plan clearly indicating the existing/proposed water and sewer infrastructure for review and approval by the City.

Site servicing shall adhere to the attached sketch SK-01 – “Site Servicing – First & York Townhomes”, provided by the City of Cornwall Department of Infrastructure Planning.

Each unit shall have their own sanitary lateral, water service and curb stop. A gate valve at property line on York Street shall be provided for the private watermain.

The proposed shared watermain and sewer infrastructure located within Part 17 shall be owned, inspected, and maintained solely by the property owners by way of a Maintenance Agreement between property owners. The watermain, water services, sanitary sewer and sanitary laterals in Part 17 shall be private and not owned or maintained by the City.

The proposed shared infrastructure located within Part 17 shall be registered in favor of the property owners, not the City of Cornwall.

The two existing water services on First Street shall be disconnected and removed. All existing services (water or sewer) that are disconnected shall be capped and removed.

Economic Development

No objections.

Traffic Division

No objections.

Municipal Works Division

No objections. Each unit on York Street and First Street West should have its own water and sewer service. Rear parking lot has a catch water basin. The outlet lead should be investigated to ensure compliance.

Buildings and Permits Division

Confirm that the introduction of Part 17 & 18 does not establish new property lines. If new property lines are being established, the north face of all buildings and east face of the building located on Part 8 would be required to be evaluated for spatial separations under the Ontario Building Code.

Zoning Section

No objections. This existing linear dwelling unit predates the current Zoning By-law.

Planning Division

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

The existing linear rowhouse dwelling is located in a Residential 40 (RES 40) zone, on the North/Side of First Street, Part Lot 21, Being Part 4 on Reference Plan 52R-7888. The dwelling was constructed in the early 1900s and is municipally known as 127, 129, 131, 133, 135, 137, 139 and 141 First Street West.

The applicant is seeking an expansion to the legal non-confirming status of the linear rowhouse dwelling to recognize the existing property line setbacks, lot area and all Zoning provisions for each parcel of land being proposed.

This Minor Variance application is associated with Consent application B-14-21 which has been submitted by the applicant to sever the units in order to provide a separate legal description.

Furthermore, the applicant has provided on site parking for each dwelling unit. Each technical parking stall will be located within the existing lot boundary; however, the applicant is proposing a designated parking lot area and has assigned one parking stall per dwelling unit. The applicant's Solicitor will be responsible for ensuring the proposed parking arrangement is accurately reflected with any future purchase and sale of each dwelling unit. Therefore, the applicant has satisfied the Technical Parking requirements, as per the submitted Site Plan.

Under Section 14.8.2. of the Official Plan – In considering applications for Minor Variances, the Committee shall consider:

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

In addition, Section 14.9 Non-Conforming Uses further supports this application as the Committee shall have consideration for:

1. Any land use which was lawfully in existence on the day of the passing of the Zoning By-law may continue to exist and shall be considered as a legal non-conforming use provided that it continues to be used for its original purpose; and,

4. In considering proposed extensions or enlargements of land, buildings or structures containing non-conforming uses, the Committee of Adjustment shall have due regard for the following considerations:

b) such land, building or structure will continue to be used in the same manner and for the same purpose as it was used on the day that the By-law was passed.

i) adequate parking, loading and on-site amenities and facilities are provided.

DISCUSSION

See application B-15-21

IN-CAMERA SESSION

Motion to MOVE INTO A CLOSED MEETING after hearing all parties at the Committee of Adjustment meeting, at approximately 5:15 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).

Moved By: Mr. Ray Contant
Seconded By: Mr. Ben de Haan

Motion Carried

Exceptions

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

Item 6 – A-18-21 Debate and Decision regarding: Rowhouse.

(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 comprehensive Zoning By-law #751-69 as amended, to allow the legal non-conforming status of the linear row house units at 127-141 First Street West. This minor variance, under section 34 (9) of the Planning Act, will recognize the existing setbacks/lot area and all Zoning provisions for each proposed parcel in support of the consent application B-14-21 which will sever the units and provide separate legal description.
2. The variance is **DESIRABLE** for the appropriate development or use of the land, building and structures.

3. The variance **MAINTAINS** the general intent and purpose of the **Official Plan and Zoning By-law**.
4. There were no objections.

Moved By: Mr. Ben de Haan

Seconded By: Mr. Ray Contant

Motion Carried

RISE AND REPORT

Item 6 – A-18-21

Motion to allow Minor Variance for: **Rowhouse**.

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