

**COMMITTEE OF ADJUSTMENT PUBLIC HEARING B-03-21
HELD AT CIVIC COMPLEX, CITY OF CORNWALL
AT 4:30 P.M., ON TUESDAY, APRIL 13, 2021 (VIRTUAL MEETING)**

Mr. Ben de Haan chaired the meeting for Mr. Stephen Alexander. The meeting was called to order at 4:30 p.m. Member, Mr. Ray Contant and Mr. Stephen Alexander attended the Zoom meeting. Lindsay Parisien, Development Planner and Christina Seguin, Secretary-Treasurer were present.

The hearing was being held to consider an application by Christina & Robert Boileau (311, 313, 315, 317 Bedford Street) who are asking for: **Consent to convey a parcel of land as 4 separate parcels to allow for separate legal description of a four-unit row house located at 311, 313, 315, 317 Bedford Street.**

THAT the Agenda be approved.

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

Motion Carried

There were no conflicts of interest.

Mrs. Christina Boileau attended the virtual meeting.

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

DEPARTMENT/AGENCY COMMENTS:

Engineering Division

The lot drainage and common apron swale shown on the approved, issued for construction drawing "C1.2 - Memorial Park Development - Site Grading Plan", for the Memorial Park Subdivision Development, must be maintained (please see the drawing attached). No structures, obstructions or encumbrances are permitted to impede the common apron swale drainage.

Economic Development

No objections.

Traffic Division

No objections.

Municipal Works Division

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

Buildings and Permits Division

Building permits PR20200789, PR20200790, PR20200791 & PR20200792 are not finalised. Party wall separating units required to have 1-hour FRR (Fire Resistance Rating).

Zoning Section

No objections.

Planning Division

Planning has reviewed the application and inspected the site.

The property is located on (Lot 1, Plan 52M-51) in a Residential 30 (RES 30) zone. The linear townhouse (4 residential units) parcel is located at 311-317 Bedford Street and the applicant is requesting to sever the lot so as to create separate legal description.

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).

Moved By: Mr. Ray Contant
Seconded By: Mr. Stephen Alexander

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-03-21 Debate and Decision regarding: Four-unit row house

(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 4 separate parcels to allow for separate legal description of a four-unit row house located at 311, 313, 315, 317 Bedford Street.**
2. **The lots are serviced.**
3. **The land is suitable for the purpose for which it is to be subdivided.**
4. **There were no objections.**

Moved By: Mr. Ray Contant

Seconded By: Mr. Stephen Alexander

Motion Carried

RISE AND REPORT

Item 1– B-03-21

Motion to allow Consent for **(Four-unit row house)**.

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

**COMMITTEE OF ADJUSTMENT PUBLIC HEARING B-04-21
CIVIC COMPLEX, CITY OF CORNWALL
AT 4:30 P.M., ON TUESDAY, APRIL 13, 2021 (VIRTUAL MEETING)**

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

The hearing was being held to consider an application by Mohawk Council of Akwesasne (A/Julia Meldrum Smith) (A property on Montreal Road) who are asking for: **Consent to convey a parcel of land as two separate parcels in order to create a new lot for the construction of a new single-family home for Habitat for Humanity located on Montreal Road (Part east 1/2 of lot C, Concession 1 being Part 3 on 52R-4429).**

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

- The property proposed to be severed is not serviced.

- The property owner will need to install a water service from the City's existing 400mm diameter watermain on Montreal Road. The connection to the watermain will need to be a live tap, performed by the City's Waterworks Department, with the cost for the connection paid for by the property owner. A minimum of 48hrs notice is required for the connection.

- There is no sanitary sewer on Montreal Road at this location. A septic system is required. The proposed lot size may not be large enough to accommodate a septic system. The property owner will need to confirm that the lot size is adequate with the South Nation Conservation Authority and obtain a permit for a septic system from them. The City will not approve the site

servicing until a permit for a septic system is obtain from the South Nation Conservation Authority.

- There is no storm sewer on Montreal Road at this location. The property's storm sewer lateral needs to outlet to the ditch located on Montreal Road.
- The property owner will be required to provide a lot grading plan. The lot must have rear to front yard drainage to the ditch along Montreal Road. No rainwater run-off is permitted to drain onto the neighboring properties.
- The neighboring property to the West, 3350 Montreal Road, is a designated national historic site known as the "Inverarden House," owned by Public Works Canada.

Economic Development

No objections.

Traffic Division

No objections.

Municipal Works Division

There is no sewer main on this stretch of Montreal Road, only a watermain. Therefore, they will need to apply for a private septic system and the lot size will need to be increased. Also, I am not sure this is the best location for a single-family home.

Buildings and Permits Division

A Building Permit is required to be applied for and issued prior to construction of Single-Family Dwelling.

Zoning Section

The proposed lot boundaries are to be revised to accommodate the required 20-meter lot frontage and increase the lot area to 696 square meters since this lot will require private sanitary sewer services for the development of a future single detached dwelling.

The proposed single detached dwelling must comply with the current Zoning By-laws' zoning standards. A full zoning review will be conducted once a building permit application is submitted.

Planning Division

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

This applicant is requesting to sever a 50' x 150' (15.24m x 45.72m) parcel from the overall 2.54-acre lot legally described as East Half of Lot C, Concession 1, Being Parts 3 and 5 on Reference Plan 52R-4429. The proposed lot boundaries must be revised to ensure the minimum lot frontage (20 meters) and minimum lot area (696 square meters) requirements comply with the zoning standards since the proposed lot does not have access to municipal sanitary sewer services.

The severed parcel will be donated by the Mohawk Council of Akwesasne to Habitat for Humanity and will accommodate a single detached dwelling. The future dwelling would be subject to the current zoning standards.

Furthermore, the Raisin Region Conservation Authority (RRCA) provided the following comments regarding this severance application:

- The proposed development will not be a significant drinking water threat for the Glen Walter Water Treatment System.
- The location, proposal, and vulnerability score for that area are such, that it is not a concern.
- The RRCA, verified that there are no concerns regarding any natural heritage or natural hazards.
- No natural hazards or natural heritage features of concern are flagged upon the proposed severed portion.
- The woodland area on the retained portion may contain sensitive or endangered species.

If approved, the Committee shall apply the following conditions:

- 1) The applicant/owner submits a revised reference plan with new lot boundaries; or
- 2) Applies for a Minor Variance to address the reduced lot frontage requirement from 20 m to 15.24m; and
- 3) The applicant/owner receives approval from the South Nation Conversation Authority for the installation of a private septic system.

The Official Plan directs:

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

- d) conformity with Official Plan policies, zoning regulations and other municipal By-laws.
- f) the requirements or comments of other City and public agencies or authorities.
- g) The size and shape of the parcel created and the residual parcel and the effect upon proposed and existing uses.

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).

Moved By: Mr. Ray Contant
Seconded By: Mr. Stephen Alexander

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-04-21 Debate and Decision regarding: Single Family 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 in order to create a new lot for the construction of a new single-family home for Habitat for Humanity located on Montreal Road (Part east 1/2 of lot C, Concession 1 being Part 3 on 52R-4429).**
2. **The lots are not serviced.**
3. **The land is suitable for the purpose for which it is to be subdivided.**
4. **There were no objections.**

Moved By: Mr. Ray Contant
Seconded By: Mr. Stephen Alexander

Motion Carried

RISE AND REPORT

Item 2-- B-04-21

Motion to allow Consent for (Single Family Dwelling).

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

**COMMITTEE OF ADJUSTMENT PUBLIC HEARING A-10-21
HELD AT CIVIC COMPLEX- CITY OF CORNWALL (VIRTUAL MEETING)
AT 4:30 P.M., ON TUESDAY, APRIL 13, 2021**

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

The hearing was being held to consider an application by Annyssa Ruest (A/Paul Daigle) (1113 Fifth Street East) who are asking for: **Asking for relief from the Zoning By-law to recognize a technical parking stall to be located in the front yard setback and to permit 41% hard landscaping where the By-law requires 40%. This application is to allow the introduction of an accessory apartment at 1113 Fifth Street East.**

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, Mr. Paul Daigle attended the virtual meeting on behalf of Annyssa Ruest.

Department Comments read by Christina Seguin.

DEPARTMENT/AGENCY COMMENTS:

Engineering Division

No objections.

Economic Development

No objections.

Traffic Division

No objections.

Municipal Works Division

As long as basement apartments are permitted, Municipal Works has no issues. A driveway widening permit will be required through our ROW technologist.

Buildings and Permits Division

A building permit is required for the introduction of an accessory basement apartment.

Zoning Section

No objections. A driveway alteration application form will be required for the proposed driveway expansion.

Planning Division

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

The single detached dwelling is located in a Residential 10 (RES 10) zone and designated Urban Residential (U. RES) in the City's Official Plan.

The applicant is requesting a technical parking stall to be located in the front yard setback and for a proposed driveway expansion to increase the current driveway width from 13 feet (3.96m) to 20 feet (6m) which equates to a hard front yard landscape ratio of 41% when the Zoning By-law permits a 40% hard landscape ratio as indicated on the submitted Site Plan. The requested variances require relief from the Committee in order to accommodate a secondary residential basement apartment unit.

The applicant's desired driveway design is to accommodate side-by-side parking in the front yard instead of tandem parking. This parking arrangement offers better functionality and ensures that each parking stall can be accessed directly.

Furthermore, the applicant has been made aware that a driveway widening permit as well as a building permit is required for this proposed development. Also, it should be noted that both Traffic and Municipal Works departments have no objections or issues with the proposed application.

In 2019, the Province approved the "More Homes, More Choices: Ontario Housing Supply Action Plan." The intent of the Plan is to encourage small landlords to create new rental units by making it easier to build and establish secondary units.

The creation of secondary units is an essential part of the Province's action plan. Therefore, due to the changes to the Provincial Policy Statement, new Housing Policy 1.4.3 *f) establish development standards for residential intensification* is recognized to support local decision making for these types of applications.

In addition, the City's Official Plan Housing policies encourage accessory apartments and directs appropriate zoning regulation for such developer (Section 5.3.8).

The City's Official Plan also directs:

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

b) whether the intent and purpose of the Official Plan and Zoning By-law can still be met if the variance is granted

e) whether the resulting development would be compatible with adjacent uses and in character with the established development in the area.

f) comments from adjacent owners and residents

h) comments from City Departments.

DISCUSSION

Acting Chair, Mr. Ben de Haan asked Mr. Daigle if he was present on behalf of the applicant. He asked Mr. Daigle if there was anything further that he wanted to add to the application or did he have any questions regarding the department comments. Mr. Daigle told the Committee that the application was presented well and that he did not have any questions to add at this time but would wait to hear if there were any objections/concerns and then address them.

Mr. de Haan asked the other Committee members if they had any questions regarding the application. Mr. Ray Contant responded that he did not have any questions. Mr. Stephen Alexander said that the application was complete, and he understood the nature of the application therefore he had no questions.

The Acting Chair asked the Development Planner, Lindsay Parisien if this application was for the need to expand the driveway. Mrs. Parisien replied that the application was to accommodate a technical parking stall requirement in a side-by-side fashion vs a tandem fashion. She went on to say that side by side parking offers better functionality. Mr. de Haan mentioned that it was more of a functionality that affects the hard landscaping, and the widening of it does create a variance that we have to consider tonight. He asked the Planner, in terms of Zoning, is there anything that prohibits the creation of the accessory apartment in the basement and is it

permitted with all the appropriate building permits etc. Mrs. Parisien told the Committee that accessory units are only permitted in single detached dwellings and semi-detached dwellings.

Mr. de Haan recognized that there were neighbours that were in attendance with questions and concerns regarding the application and proceeded to ask that the attendees raise their hand if they would like to speak on the matter.

Mr. Andrew Hickman of 710 Guy Street said that overall, the single-family dwelling which was located at 1113 Fifth Street East was on an already busy street and that the accessory apartment would remove another on street parking space for the whole neighbourhood where there was already a problem. Another concern he had was that this was a single-family dwelling neighbourhood where people bought homes not to accommodate apartments rentals. He also felt that if one accessory apartment were allowed, would the whole neighbourhood essentially have rental buildings in the years to come. Mr. Hickman mentioned that he could not see the capacity for vehicles on the street and that accessory apartments would also changes the scope of the neighbourhood.

Mr. Mike Furniss of 708 Guy Street said that he agreed with Mr. Hickman regarding the accessory apartment changing the whole neighbourhood. He went on to say that he has lived in the neighbourhood for approximately 20 years and that it is a wonderful neighbourhood. He mentioned that he has been in his home since many of the original homeowners where there. Mr. Furniss told the Committee that there are young families in the neighbourhood who have small children and was concerned with the overwhelming amount of traffic and speed on the street. He added that the City Planning department and other departments have done a wonderful job bringing in jobs to the City and making the industrial park grow.

Mr. Furniss continued to say that he went around the neighborhood to speak to property owners and that 8 people gave him permission slips to speak on their behalf as many of them are seniors that do not have access to computers. Mr. Furniss went on to read a letter to the Committee of Adjustment.

SEE ATTACHMENT A – LETTER READ BY MIKE FURNISS REPRESENTING HOMEOWNERS' CONCERNS

Committee member, Mr. Ben de Haan asked Mr. Daigle if he had any clarity on the subjects that were of concern to the neighbours.

Mr. Daigle introduced himself and mentioned that he had an education background in Mechanical Engineering and has been working closely with the City (Planning, Building & Zoning Departments) for many years. The applicant said that he did understand all the concerns that were addressed by Mr. Furniss. He went on to say that he is a consultant that helps homeowners create legal basement accessory apartments with an exceptional rental property.

Mr. Daigle told the neighbours that he has been to many Committee of Adjustment meetings because in Cornwall the only actual way to get a secondary dwelling unit made legally is to go through the Committee of Adjustment for Minor Variance.

Mr. Daigle said that in terms of the number of tenants that are allowed in the units, if 4 to 6 people lived in a single-family home, each one could have a vehicle. He told the Committee that he has taken snap shoots along Fifth Street East, St. Felix & Guy Street that have multiple expansions of driveways that were probably done without City permits.

The agent said that most of their properties are occupied by people like (widows, retirees, or professionals) who want to move away from home ownership. He went on to say that they have an incredible screening process to make sure they get people that will pay their rent and take care of the property.

The agent mentioned that when they are looking for properties, such as this one that is run down but has great bones, they modernize everything to the legal requirements to the Ontario Building Code and City requirements. He mentioned that he has a unit on Hamilton Crescent with a retired woman in the upper unit and a professional in the lower unit. Mr. Daigle mentioned that they also have one on Leonia Street that his mother occupies the upper unit. He said that that these are the kind of tenants that they are attracting with a number of 2 cars maximum. In terms of the traffic, the agent said that they have a strict rental agreement for the number of cars, which addresses traffic and safety on the road quite well.

Mr. Daigle mentioned that there has been no issue with water supply and if the sewer system is no corrode, particularly in older homes, they get it scoped out and if they see any signs of it, they change it. He told the Committee that there is nothing missing from a construction standpoint.

Mr. Daigle said that regarding setbacks, there was a concern that the car would encroach on the already established walkways. He said that he could guarantee that the City would not let this happen and went on to say that there is enough room for a technical setback of 180 square feet in the zone that is proposed. He mentioned that they are trying to go at this by a legal standpoint with permits and the proper documentation that these are technical parking spots.

The agent added that they are taking a house that is in need of repair and making it a lot more attractive than it normally would be. Mr. Daigle told the Committee that he could share some pictures/videos of the projects that they have done. Mr. Ben de Haan told Mr. Daigle that we would not have to see the videos/pictures unless there would be an overwhelming desire to see them.

Mr. Jim Payette of 1114 Fifth Street East told Mr. Daigle that the residents, as well as himself, were concerned about what kind of tenants would be occupying the accessory apartment and how many cars would the rentals bring in. He continued to say that he is also concerned about traffic on the street and how this would affect the children in the neighbourhood. The Chair, Mr. Ben de Haan ask Mr. Paul Daigle to respond to Mr. Payette's concerns. Mr. Daigle said that he did understand Mr. Payette's concerns and said that they are governed by the Landlord and Tenant Board regarding bringing in tenants.

Mr. Andrew Hickman said that he lives around the corner on a street that already has many multi use apartment buildings and mentioned that the concerns for the residents on 5th Street as well as Guy Street that this will be the first multi use property on the street. He went on to say that there are single rentals but no multi use rentals and felt like this is the large concern that will be the first of many that will transform that whole block over time.

Mr. de Haan told the concerned attendees that the Committee has seen technical parking stall minor variances very often and it was not an uncommon occurrence to have these requests whether it be for rental units or for home base businesses. He continued to say that there is a changing market, therefore being a common request happening across the whole City.

Mr. de Haan asked Ms. Astrid Facette of 1116 Fifth Street to voice her concerns. She told the Committee that she grew up on the street and moved in approximately 1971. She went on to say that her mom still resides there, and she is very close to the property in question. Her concerns were regarding the seniors on the street, noise levels and safety if they were out walking. She said that these types of units are fine when they work but you have 2 units that are being rented out (upper and lower floor) so there is multi families living there. She continued to say that it is wonderful if Mr. Daigle is allowing retiree's, professionals etc., but what happens when you do get the rowdy neighbours.

Ms. Facette added that she was concerned for her mom feeling unsafe in her own home where she has been in for over 50 years. She also felt that if the Committee allowed the variance, there would be a commercial fell to it. She went on to say that it was a wonderful street to grow up on and would like it to continue that way. She added that if it was just 1 family in each unit, she would be fine with that but if it was going to be multiple people, this was a concern.

Committee member Mr. Stephen Alexander asked Mr. Daigle to describe what is in the basement at this time, and what does he see in terms of the conversions and number of bedrooms. The agent told the Committee that they have not applied for their permits yet but they normally do 2 + 1 bedroom which consists of an office type environment to attract professionals. He went on to say that the upstairs square footage is approximately 1100 square feet.

Mr. Alexander asked about the flooding history that Mr. Furniss raised. He asked Mr. Daigle if there was a bathroom in the basement. Mr. Daigle said that there is one and that sometimes flooding issues are caused by levels or how close the bathrooms is to the sewer outside. He also added that the bathroom has been there for a long time.

Mr. Mike Furniss told the Committee that he has rentals himself and that he was contacted about 8 to 10 months ago to rent to a group of workers that were coming to town. He went on to say that if they knew that this was just going to be that type of rental, could the single-family dwelling turn into a rooming house.

Mr. Daigle reiterated that he gets the concerns of the neighbours and moved from Montreal to Cornwall where he was raised in Eamers Corners. He went on to say that there is nothing more that he wants to see the City of Cornwall transform itself into a vibrant wonderful place to live. He added that there was a City official that asked him to be a member of the Building Standards Committee (which is no longer a committee). He felt that the official saw that he had an invested interest in seeing the City have legal safe places to live. He reiterated that he had presentations/video's that the neighbours could view.

The agent added that the properties that they convert attract people like his mother. He said that he thinks that there may be some confusion based on the fact that they did have the unit occupied with contractors for about 3 months. He added that maybe this created the illusion that there were a lot of people living in the dwelling.

Mr. Payette spoke and said that the steps going into the basement unit is one of the reasons why the previous owner moved. He said that in the last 3 months he has noticed a lot of vehicles (traffic) going in and out of the dwelling at 10:00 p.m. at night. Mr. Daigle told the neighbours that the construction workers had long hours.

Mr. Mike Furniss asked Mr. Daigle if the home would occupy a group of workers to go to work at a mill. Mr. Alexander said that at some point you could cross the line between a separate apartment and something that operating more like a rooming house. The Development Planner said that there are minimum and maximum numbers of rooms that can be permitted within the dwelling unit in order to be considered a boarding house and that at time of Building Permit application submission it would be reviewed.

Mr. de Haan asked Mr. Daigle to reconfirm. The applicant said that right now his mandate is to get approval of the minor variance, submit the permits, do the design drawings, and consult on the construction. He said that he is not in the business to have headaches and large files on a single property.

Mr. Furniss said that Mr. Daigle mentioned that he lives in the neighbourhood and if there would be problems regarding the proposed, could the residents call him directly. Mr. Daigle said that the City takes complaints and if any would arise, they would be sure to know.

The Chair said that he would like to close off the meeting and added that the Committee has heard and recognized all the concerns from the neighbours.

Mr. de Haan told Mrs. Turenne that the Committee deliberates in camera to make their decision and asked if she had anything further to add. Mrs. Turenne said that she just wanted to add that the neighbours are like family, everyone knows everyone, and they take care of each other which she felt is very important.

The Chair told the neighbours that the Committee members look at the request from a Planning point of view. The application is requesting a technical parking stall in the front yard and a change in the hard landscaping from 40 to 41%. He went on to say that it recognizes that it permits certain uses in the property, but the Committee is not approving that use nor do they enforce or provide enforcement with respect to who may or may not be living there in the future.

Ms. Astrid Facette spoke and reiterated that she worried about the property having that commercial feel, and with respect to selling her home one day, property values were also a concern. Mr. de Haan mentioned that when we purchase a home, everyone usually looks at the adjacent driveways and the character of those driveways. Ms. Facette told the Committee that she sent in additional comments via email. Mr. de Haan said that the Committee was circulated all the emails that were sent in by the neighbours.

Member, Mr. Ray Contant moved that the Committee go into camera and make their deliberations/decisions.

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).

Moved By: Mr. Ray Contant
Seconded By: Mr. Stephen Alexander

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 – A-10-21 Debate and Decision regarding: Hard landscaping, technical parking stall to be located in the front yard setback to allow for an accessory apartment.

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

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

1. Asking for relief from the Zoning By-law to recognize a technical parking stall to be located in the front yard setback and to permit 41% hard landscaping where the By-law requires 40%. This application is to allow the introduction of an accessory apartment at 1113 Fifth Street East.
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 objections.

Moved By: Mr. Ray Contant
Seconded By: Mr. Stephen Alexander

Motion Carried


NOTE:

- A driveway widening permit will be required through the ROW technologist.
- A building permit is required for the introduction of an accessory basement apartment.

RISE AND REPORT

Item 3 – A-10-21

Motion to allow Minor Variance for: Hard landscaping, technical parking stall to be located in the front yard setback to allow for an accessory apartment.



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

ATTACHMENT - A

Meeting of Committee of Adjustment for
1113 Fifth St. East, Cornwall, ON.

My name is Mike Furniss, I live at the corner of Fifth St. and Guy St. I am representing 8 households. I was given written permission from these home owners to represent them and bring forward their concerns. Many of the residents are seniors and do not have access to a computer.

Our concerns with this application are all very similar. Our neighbourhood consists of many seniors but as the homes here were built in approximately 1960 so our neighbourhood now has many young families with young children. I feel very fortunate to have lived here for the past 20 years. The reason that myself and my neighbours purchased here was because, it is a single family street.

At the top of our list is, safety.

We feel that there is a reason for the set back distances for houses set out by our city officials. The reason for full length driveways is to allow an automobile to be parked in a driveway so that there is a least the same set back distance from the back of the vehicle to the sidewalk. Having said that, if a vehicle is parked in front of a house, the chances of an accident happening to pedestrians or traffic, are greatly increased.

I believe the front set back distance for these houses is 20'. The average SUV is about 13' in length. There is a front walkway on this home that I would assume would need approximately 3' width to properly navigate. So, that will leave 4' from the sidewalk when parked in front of the house. This is unsafe!

As it stands now we are having a huge increase in traffic and speeding because of drivers trying to avoid the traffic line ups at McConnell Avenue and Marleau Ave. Drivers are trying to avoid this on their way towards the Industrial Park or on their way home from work.

I contacted our Municipal Public Works and was informed that the infrastructure in this area was installed around 1940, which makes it 80 years old. The sewer and water for this neighbourhood would have been designed for single family homes. I have upgraded my sewer lines and installed a back flow preventer. I pay an additional \$500 insurance rider because we are in a high flood zone.

The average bungalow here has 3 bedrooms. My understanding that when an infrastructure is designed/calculated for 2 people for each bedroom, which is a total of 6 persons. If we allow a basement apartment layout the same as the main floor, that gives way for another 3 bedrooms for another 6 people. Now we have the possibility of 12 people living in this residential single family neighbourhood.

Is it possible that this may become a rooming house? We understand if it is a single family rental, but we do not want a multi family or rooming house. This is not the place for it.

The applicant has only owned this home for a very short time.

Maybe they should have looked to buy a multi dwelling somewhere else that is more suiting to their needs.