

**COMMITTEE OF ADJUSTMENT PUBLIC HEARING B-01-21
HELD AT CIVIC COMPLEX, CITY OF CORNWALL
AT 5:00 P.M., ON TUESDAY, JANUARY 19TH, 2021**

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, Kaveen Fernando Development Planners and Christina Seguin, Secretary-Treasurer were present.

The hearing was being held to consider an application by Ravishankar & Rajaramanan Ponnuthurai (A/Iyan Ponnudurai) (140 Ellen Street) 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 140 Ellen Avenue.**

THAT the Agenda be approved.

Moved By: Mr. Ray Contant

Seconded By: Mr. Stephen Alexander

Motion Carried

There were no conflicts of interest.

The applicant nor the agent attended the meeting.

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

DEPARTMENT/AGENCY COMMENTS:

Engineering Division

No objections.

Economic Development

No objections.

Traffic Division

No objections.

Municipal Works Division

No objections.

Buildings and Permits Division

No objections. If the proponent is to add an accessory dwelling unit in the basement in the future, a building permit will be required.

Zoning Section

No objections.

Planning Division

Planning has reviewed the application and inspected the site.

The property is located on (Lot 4, Plan 244) in a Residential 20 (RES 20) zone. The semi-detached parcel is located at 140-142 Ellen Avenue 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 5:00 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. 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-01-21 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 140 Ellen 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. Ray Contant
Seconded By: Mr. Ben de Haan

Motion Carried

RISE AND REPORT

Item 1 – B-01-21

Motion to allow Consent for (Semi-detached).

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

**COMMITTEE OF ADJUSTMENT PUBLIC HEARING A-01-21
HELD AT CIVIC COMPLEX, CITY OF CORNWALL
AT 5:00 P.M., ON TUESDAY, JANUARY 19TH, 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 Zoom meeting. Kaveen Fernando, Lyndsay Parisien, Development Planners and Christina Seguin, Secretary Treasurer were also present.

The hearing was being held to consider an application by Robbie Laroche & Angela Labelle (601 Kirkwood Street) who are asking for: **Asking for relief from the Zoning By-law to permit one technical parking stall in the front yard setback for the main dwelling and one additional technical parking stall in the front yard setback for the proposed home-based catering business to establish in the attached garage.**

THAT the Agenda be approved.

Moved By: Mr. Ray Contant

Seconded By: Mr. Stephen Alexander

Motion Carried

There were no conflicts of interest.

Ms. Angela Labelle attended the Zoom meeting.

Department Comments were read by Christina Seguin

DEPARTMENT/AGENCY COMMENTS:

Engineering Division

No objections.

Economic Development

No objections.

Traffic Division

No objections.

Municipal Works Division

No objections.

Buildings and Permits Division

A Building Permit is required to convert attached garage to conditioned liveable space. A Building Permit is required to convert the SFD to Live Work Unit.

Zoning Section

The dwelling requires 2 technical parking stalls, one for the main dwelling and the other for the home-based business. As per the proposed, the two technical parking stalls will be located in the technical front yard setback therefore complying with the parking stall standards in the Zoning By-law.

Planning Division

Planning staff have 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 in Phase 1 of the Lynwood Forest Subdivision on Lot 8, Plan 340.

The applicant is requesting to locate two technical parking stalls in the front yard setback to accommodate the technical parking requirements for the main dwelling and Home-Based Service Shop use (Home Catering Business) that will operate out of the garage.

The applicant has provided a floor plan of the attached garage which has been converted to accommodate this use. The garage conversion includes storage cupboards, a wash basin and kitchen area dedicated for business operations that will remain separate from the main dwelling.

Provision 01-3-3 indicates that required front yards abutting a street shall not be used for parking; and provision 01-2-18 requires that a second technical parking space be accommodated beyond the front yard setback and cannot be positioned in a tandem fashion.

The existing driveway (19.68' x 18.63') can accommodate two side-by-side technical parking stalls within the front yard setback based on further analysis of the property.

The homeowners will be required to obtain approvals from the Building Division for Municipal Business License and Building Permit for a Live Work Unit.

Planning is of the opinion that this Home-Based Service Shop is in keeping with the intent of the City's Official Plan (OP) and Zoning By-law. Planning would also comment that there has been an increase in the number of inquiries regarding the establishment of home-based businesses.

There have been no public inquiries for this item.

The Official Plan directs:

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

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

f) comments from adjacent owners and residents

h) comments from City Departments.

DISCUSSION

Mr. Stephen Alexander told the applicant that when he visited the site, he seen the accessory building in the properties back yard. He mentioned to the applicant that he was than aware that the home-based business would be in the attached garage. The Chair went on to asked the applicant what kind of food would be prepared in the garage. Ms. Labelle said that mostly platters containing sandwiches would be prepared.

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. 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 – A-01-21 Debate and Decision regarding: Catering business-technical parking.

(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 permit one technical parking stall in the front yard setback for the main dwelling and one additional technical parking stall in the front yard setback for the proposed home-based catering business to establish in the attached garage.
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. Ray Contant
Seconded By: Mr. Ben de Haan

Motion Carried

RISE AND REPORT

Item 2 – A-01-21

Motion to allow Minor Variance for **(Catering Business-technical parking)**.

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

**COMMITTEE OF ADJUSTMENT PUBLIC HEARING A-02-21
HELD AT CIVIC COMPLEX, CITY OF CORNWALL
AT 5:00 P.M., ON TUESDAY, JANUARY 19TH, 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 Zoom meeting. Mr. Kaveen Fernando, Lyndsay Parisien, Development Planners & Christina Seguin, Secretary/Treasurer were also present.

The hearing was being held to consider an application by: Cartwave Realty Ltd. (2311-2313 Watson Crescent) who are asking for: **Asking for relief from the Zoning By-law for an east side yard setback of 1.2 metres when the Zoning By-law requires a minimum setback of 1.5 metres. This application is to accommodate a new semi-detached dwelling at 2311-2313 Watson Crescent.**

THAT the Agenda be approved.

Moved By: Mr. Ray Contant

Seconded By: Mr. Stephen Alexander

Motion Carried

There were no conflicts of interest.

Mr. Marc Brisson attended the Zoom meeting.

Department Comments are read by Christina Seguin.

DEPARTMENT/AGENCY COMMENTS:

Engineering Division

No objections.

Economic Development

No objections.

Traffic Division

No objections.

Municipal Works Division

No objections.

Buildings and Permits Division

No objections. Building permits will be required for construction of the semi-detached dwellings.

Zoning Section

No objections.

Planning Division

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

The property is located on 2311-2313 Watson Crescent (Lot 2, Plan 52M-53) Phase 7 of the East Ridge Subdivision in a Residential 20 with Exceptions (RES 20 EXC) zone.

The applicant wishes to reduce the side yard setback from 1.5m to 1.2m which translates to a 0.3m differential.

The purpose of the side yard reduction is to accommodate the applicant's preferred residential semi-detached dwelling model as reflected on the submitted Site Plan and associated drawings.

There are no other Zoning deficiencies associated with the proposed semi-detached dwelling.

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:

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

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

- f) comments from adjacent owners and residents
- g) that in approving the minor variance no dangerous precedent would be created.
- h) comments from City Departments.

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. 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-02-21 Debate and Decision regarding: (Side yard setback-Semi)

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

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

1. **Asking for relief from the Zoning By-law for an east side yard setback of 1.2 metres when the Zoning By-law requires a minimum setback of 1.5 metres. This application is to accommodate a new semi-detached dwelling at 2311-2313 Watson Crescent.**

1. The variance is **DESIRABLE** for the appropriate development or use of the land, building and structures.
2. The variance **MAINTAINS** the general intent and purpose of the Official Plan and Zoning By-law.
3. There were no objections.

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

Motion Carried

RISE AND REPORT

Item 3 – A-02-21

Motion to allow Minor Variance for **(Side yard setback-Semi)**.

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

**COMMITTEE OF ADJUSTMENT PUBLIC HEARING A-03-21
HELD AT CIVIC COMPLEX, CITY OF CORNWALL
AT 5:00 P.M., ON TUESDAY, JANUARY 19TH, 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 Zoom meeting. Mr. Kaveen Fernando, Lyndsay Parisien, Development Planners & Christina Seguin, Secretary/Treasurer were also present.

The hearing was being held to consider an application by: Cartwave Realty Ltd., (A/Michelle Masse) (273 Gillis Avenue) who are asking for: **Asking for relief from the Zoning By-law for a rear yard setback of 8.1 metres when the Zoning By-law requires a minimum setback of 10 metres. This application is to accommodate a new single-family dwelling at 273 Gillis Avenue.**

THAT the Agenda be approved.

Moved By: Mr. Ray Contant

Seconded By: Mr. Stephen Alexander

Motion Carried

There were no conflicts of interest.

Mr. Marc Brisson attended the Zoom meeting.

Department Comments are read by Christina Seguin.

DEPARTMENT/AGENCY COMMENTS:

Engineering Division

No objections.

Economic Development

No objections.

Traffic Division

No objections.

Municipal Works Division

No objections.

Buildings and Permits Division

No objections. Building permits will be required for construction of the semi-detached dwellings.

Zoning Section

No objections, however, development should not occur on the 3-metre-wide easement located in the rear yard. Planning shall be consulted prior to any construction.

Planning Division

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

The property is located on 273 Gillis Avenue (Lot 11, Plan 52M-53) Phase 7 of the East Ridge Subdivision in a Residential 20 with Exceptions (RES 20 EXC) zone.

The applicant wishes to reduce the rear yard setback from 10m to 8.1m which translates to a 1.9m differential.

The purpose of the proposed reduction is to accommodate the applicant's preferred residential model as reflected on the submitted Site Plan and associated drawings.

The irregular parcel fabric has made it difficult to comply with the required setback. There are no other Zoning deficiencies associated with the proposed development.

Planning staff have historically supported limited reduced rear yard setbacks of up to 7m in other similar sized subdivision phases.

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

f) comments from adjacent owners and residents

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

h) comments from City Departments.

DISCUSSION

Mr. Stephen Alexander commented on the Easement located in the rear yard. Mr. Marc Brisson assured the Committee that there would be no construction on the 3-metre-wide easement.

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. 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 4 – A-03-21 Debate and Decision regarding: (Rear Yard Setback-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 for a rear yard setback of 8.1 metres when the Zoning By-law requires a minimum setback of 10 metres. This application is to accommodate a new single-family dwelling at 273 Gillis Avenue.
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. Ray Contant
Seconded By: Mr. Ben de Haan

Motion Carried

RISE AND REPORT

Item 4 – A-03-21

Motion to allow Minor Variance for **(Rear yard setback-SFD)**.

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