

TOWN OF CORNWALL

OFFICIAL PLAN REVIEW

SUMMARY

1. OFFICIAL PLAN

1.1 BACKGROUND

The Official Plan for the Town of Cornwall is a formalized statement of Goals, Objectives, Policies, and Plan Actions approved by the Town Council. The Plan addresses the nature, extent, and pattern of land use and development within the Town until 2036.

1) Climate Change

The Official Plan now contains a section outlining climate change vulnerabilities and considerations.

2) Future Concept

The Future Development Concept will continue to protect Cornwall's primarily rural, low-density character. Concentrating commercial, industrial, and residential growth in the community core will minimize the footprint of urban development. Effective buffers and high standards of design and visual appearance will continue to minimize the impact of new development. Higher density residential developments are ideally suited to young residents that the town wishes to attract, as well as aging residents who want to continue in the community with which they are familiar. Senior friendly housing must be provided with designs that include barrier free accessibility, single storey layouts, and options with and without garages.

3) Official Plan Framework

As required under the *Planning Act*, the Official Plan contains:

- A statement of economic, physical, social, and environmental objectives;
- A statement of policies for future land use, management, and development, expressed with reference to a specified period not exceeding fifteen years;
- Proposals for its implementation, administration, and the periodic review of the extent to which the objectives are achieved.

4) Major changes

The proposed new Official Plan, which will replace the existing 2014 Official Plan, retains many of the established goals, objectives, policies, and plan actions from the previous document. Significant changes or additions are highlighted below.

1.2 GENERAL

Additional goals related to cultural diversity, energy independence, development standards, the Main Street core area, new mixes of uses at the TCH interchange, storm water management, cost-recovery related to new developments, environmental protection, and climate changes responses.

1.3 AGRICULTURAL POLICIES (SECTION 4.1)

Agriculture-Urban Interface

- Farm gate outlets are supported in policy, although not a new use in the town.
- New plan action to support the development of a farmer's market.
- New plan action enabling Council to provide lots for community gardens.

Development of Agricultural Land

- New policy and plan actions regarding conversion of agricultural land adjacent to existing residential.
- Plan action regarding the criteria for potential conversion of agricultural land to planned unit residential development (PURD).

1.4 RESIDENTIAL POLICIES (SECTION 4.2)

Residential Development Standards

- New plan action related to multiple main buildings on properties in residential zones and site plan requirements.
- New plan action related to minimum requirements for accessible units in multi-unit dwelling buildings.

Alternate Residential Types

- New policy regarding potential future consideration of zoning land for mini home use through a bylaw amendment process.

Accessory Apartments / Secondary Suites

- Policy and plan actions to permit secondary suites in any single-detached dwelling, to increase the supply of housing and establishing criteria for those suites.

Summer Cottages

- Addition of policy criteria for potential future conversion of existing cottage lots to year-round use related to the installation of public roads by the property owners and adequate water and wastewater treatment options.

Bed & Breakfasts

- Requirements for operators to register with the municipality.

Short Term Rentals

- Policies and plan actions setting out an approach to exploring the regulation of short-term rentals.

1.5 COMMERCIAL POLICIES (SECTION 4.3)

General: new consideration of commercial options in the town, including around the new TCH interchanges and additional language in objective related to encouraging new commercial development.

1) General Commercial

- Plan action providing option to regulate and permit business activities through a bylaw under the *Municipal Government Act*.

2) Mixed Use Core (Main St.)

- Policy language around a Mixed Use Core on Main Street to be applied to lands in the vicinity of the intersection of Main Street with Meadowbank and Cornwall Roads to Hyde Creek to implement the significant components of the Spatial Plan.
- Plan actions around the criteria and standards to be implemented in the Development Bylaw in the Mixed-Use Core relating to streetwalls, building height, location of parking, open space and multi-use active transportation options.

3) Storm water Management and Lot Grading Policy.

- Sets up the establishment of a lot grading policy to create requirements for grading plans to address property specific draining problems.

4) Climate Change and Coastal Flooding

- New policies related to climate change and flood risks, as well as other general policy areas and plan actions relating to climate change generally.

1.6 TRANSPORTATION POLICIES (SECTION 4.5)

General: addition of a new objective related to promoting infrastructure to support e-vehicles.

1) Road Network Improvements

- Updated language around road network improvements to reflect the expected character of the new Main Street.
- Plan actions related to transportation design, climate change, emergency access, and internal drives providing circulation within parcels with multiple main buildings.

2) Pedestrian Circulation

- New ability to require the installation of sidewalks or other pedestrian infrastructure in conjunction with the new Transportation Strategy.
- New ability to require the installation of sidewalks or other pedestrian infrastructure for certain types of commercial and multi-unit residential developments.
- New ability to establish density or other bonusing options where developments voluntarily include the installation of sidewalks or other pedestrian infrastructure.

3) Public Transportation

- New plan actions related to transit-oriented design on Main Street.
- New plan action related to transit-related infrastructure on Main Street.

4) Active and Sustainable Transportation

- Slightly updated text.

1.7 WATER AND SEWER POLICIES (SECTION 4.6)

General: new objectives related to water distribution infrastructure and wellfield protection measures.

1) On-Site Sewage Treatment Systems

- New plan action to require on-site sewage treatment systems for undersized lots to be designed and certified by an engineer.

2) Central Water Supply

- New plan actions related to standards to protect designated wellfields.
- Plan actions to upgrading existing network components to ensure fire flow and encouraging water conservation strategies.

3) Private Shared Systems

- New policy and plan actions to establish standards for private shared water and sewer systems to ensure compliance with municipal utility standards in the event of future assumption of private systems.

4) Storm Water Management

- New plan actions requiring storm water management plans or drainage plans where appropriate, and requirements for developers to mitigate or retain storm water flow on site.
- New plan action encouraging the reduction of impermeable surfaces.

1.8 PROTECTIVE SERVICES POLICIES (SECTION 4.7)

1) Police Services

- New plan actions about monitoring service levels with the RCMP services and supporting the Citizens on Patrol program.

2) Fire Protection

- Adjustment to policy statement related to costs and services levels.
- Plan actions related to level of service and costs, and establishing a deadline for entering into a written agreement with the North River Fire Department.

3) Emergency Measures

- Updated language about the Town's emergency measures program, building in considerations relating to climate change, identifying areas at risk of flooding in advance of anticipated storm surge events, and encouraging the installation of underground services and minimizing interference in power lines by trees.

1.9 PARKS AND RECREATION POLICIES (SECTION 4.8)

1) Volunteerism

- Additional plan action related to promoting volunteerism in community organizations and social programs.

2) Interest Groups

- New policy and plan actions related to programs and strategies related to different cultural and recreational needs of the community.

3) Trails Development

- New policy and plan actions related to priorities for active and sustainable trail systems.

4) Waterfront Park Development

- New policy and plan action related to securing waterfront parklands.

5) Community Recreation Complex

- New policy and plan action related to assessing community recreation facility needs.

1.10 ENVIRONMENT POLICIES (SECTION 4.10)

General: new objectives related to renewable energy, cosmetic pesticides, and climate change.

1) Surface Water

- Slight wording adjustments.

2) Environmental Reserve Overlay Designation and Zone

- New policy and plan action supporting the environmental reserve overlay for wetland and watercourse buffers.

3) Vegetation

- New plan action related to the development of an urban forest management strategy and working with the Province and watershed groups regarding forest cover.

4) Integrated Community Sustainability Plan

- Updated plan action.

5) Renewable Energy Systems

- New policy and plan actions about renewable energy systems, including wind turbines, solar arrays, and other renewable infrastructure.

6) Sustainable Practices

- New policy and plan actions related to energy efficiency.

7) Flood and Erosion Protection

- New policy related to subdivisions and developments in areas adjacent to watercourses and wetlands and mitigating the risk of erosion and flooding.

- Plan actions establish standards for seeking a coastal hazard assessment and implementing horizontal and vertical setbacks.
- Plan action enabling the requirement of professional involvement in the design and siting of development near the coast.

1.11 FUTURE LAND USE MAP (PART 5)

1) Areas of Change

- New Main Street Mixed Use Core Area

1.12 IMPLEMENTATION (PART 6)

- Updates to implementation actions to reflect updated policies and plan actions.

2. BYLAW

2.1 DEVELOPMENT ZONES (PART 2)

1) New R3 Zone

Replaces current R2-S and adds townhouses as a permitted use. Properties currently zoned R2-S are largely unchanged in what they are permitted under the new R3 zoning. Properties currently zoned R3 will now be R4.

2.2 ADMINISTRATION (PART 3)

1) No Development Permits Required

- New provisions relating to the applicability of bylaw requirements even when no development permit is required and to the requirements for the National Building Code and a building permit from the Province.

2) Permit Applications

- Provision enabling the Development Officer to request information updates for applications with outdated information.

3) Development Permit

- Permits are valid for 12 months or additional time as authorized by the Development Officer and permits can be revoked where the information provided is found to be inaccurate.

4) Development Agreement

- Addition of parking lots and spaces in the list of matters that can be covered under Development Agreements.
- Requirements related to the registration of the agreement, permits referencing the agreements, and responsibility for the costs of registration.

5) Demolition or Moving Permits

- Two sections have been merged and updates to the requirements for grading after demolition or moving of structures.

6) Construction Plan

- Construction hours restricted to 7am-7pm.

7) Footing Plan Certificate

- Addition of elevations of door or window bucks in foundation in the list of information to be included in footing plan certificates.

8) Storm Water Management Plans

- Updated language and revisions to sections 3.18 and 3.19, including requirement for lot grading plans.

9) Fire Marshal Approval

- Updated language

2.3 GENERAL PROVISIONS (PART 4)

1) Accessibility

- Mandatory formula instead of an accessibility bonus of 1 barrier free access dwelling unit for every 12 units in residential developments featuring 12 or more units, and removal of previous bonusing option and language related to requirements now covered under the National Building Code.

2) Bed and Breakfast Establishments

- New requirement to be licensed by the Province and to submit copies of the license to the town.

3) Business Uses in Residential Zones (i.e., home occupations)

- New exclusions from requirement for a permit for personal home offices and instruction of up to two students in a dwelling.
- Updates to the list of permitted business uses in single-detached or semi-detached dwellings to ensure more flexibility.
- Updates to process, requirements, and prohibited uses.

4) Frontage on a Street

- Updated requirements relating to developments on existing private roads.

5) Secondary Suite

- New option to include a secondary suite within any single-detached dwelling, subject to a range of conditions relating to size, appearance, parking, and servicing.

6) Buffering

- New section title.

7) Main Building

- New limit on the number of main buildings in R3 and R4 zones and new criteria for site planning and streetscaping for multiple main buildings.
- New standards for review of design of internal drives providing for internal circulation between buildings on the same parcel.

8) Mixed Use

- New provision related to meeting the requirements related to each use where multiple uses are present.

9) Front Yard Setbacks Between Existing Buildings

- Reinstatement of previous requirement for new dwellings between existing dwellings to match the front yard setbacks.

10) Existing Non-conforming Lots

- Slight updates to wording and approach to regulating non-confirming uses and lots.

11) Outdoor Swimming Pools

- New setback from property lines and exemption added for temporary inflatable swimming pools.

12) Petroleum Storage

- Updated language related to underground petroleum storage tanks and provincial review.

13) Renewable Energy Systems

- Prohibition of wall-mounted solar arrays.
- Requirement for a certificate of compliance from structural engineers for roof-mounted solar arrays.
- Standards for height, setbacks, lot coverage, and yard placement for ground-mounted solar arrays.

14) Encroachments Permitted

- Heat pumps added to list of portions of structures that may project into a yard.

15) Development Adjacent to Wetlands and Watercourses

- Requirement to produce a Watercourse, Wetland and buffer Zone Activity Permit, where required.
- Setbacks along coastal areas and watercourses or wetlands to be the greater of 15m plus applicable building setbacks for the zone or 60 times the annual rate of erosion (where applicable).
- Requirement for provincial Coastal Hazard Assessments for developments or subdivisions that are 4.17m or less in elevation adjacent to or within 23m of a coastal area, wetland, watercourse, or shoreline.
- Potential requirement for the engagement of a professional regarding the design and location of coastal developments to take coastal hazards into consideration.
- Restrictions on placement of buildings or structures on portions of lots near coastal areas, wetlands, or watercourses that fall within the projected 2100 flood plain (3.05m or less in elevation), with certain exemptions.
- Ability to raise the grade of the lot (outside of any required buffer) to avoid restrictions on placement of structures.
- Potential requirement for an erosion management plan during construction.
- Requirement to comply with any provincial policies and regulations related to coastal flood risk, erosion, and environmentally sensitive areas.

16) Pedestrian Infrastructure

- A new requirement in PURD Zones to provide pedestrian walkways, with enablement for Council to require these in other locations where deemed necessary.
- Option for a density bonus for the voluntary installation of pedestrian infrastructure.

2.4 PARKING (PART 6)

1) Parking Requirements

- Restrictions on parking between structures and the street and removal of parking minimums in the Mixed Use Core.

2) Parking Lot Standards

- New option for cash-in-lieu of parking where parking can be publicly provided.

2.5 MINI HOME ZONE (RM1) (PART 7)

1) General

- Requirement for site plans delineating mini-home sites in new mini home courts or expansions of existing courts.

2) Special Permit Use

- New options for narrow lot single-detached dwelling subdivisions.

3) Other Requirements

- General wording updates.

2.6 RURAL RESIDENTIAL ZONE (RR) (PART 8)

1) Summer Cottages

- Updated wording linking to requirements under section 4.5 of the Bylaw relating to private road access.

2) Lot Requirements

- Update to maximum building height for consistency – 12.19 m (40 ft).

3) Servicing

- Updated language relating to requirements for engineered septic systems for undersized lots.
- Requirement for updated site assessments and sewage disposal system registration forms.

2.7 SINGLE-DETACHED RESIDENTIAL ZONE (R1) (PART 9)

- Updates to minimum lot area and frontage, language relating to developments within existing residential subdivisions, and lot coverage.

2.8 TWO-UNIT RESIDENTIAL ZONE (R2) (PART 10)

- Addition of option for narrow lot single-detached dwelling subdivisions and updates to language relating to developments within existing residential subdivisions.

2.9 ATTACHED RESIDENTIAL ZONE (R3) (PART 11)

- New zone between the existing Two-Unit and Multiple Unit Residential Zones permitting 100% two-unit dwellings.

2.10 MULTIPLE UNIT RESIDENTIAL ZONE (R4) (PART 12)

- Previously the R3 Zone.

2.11 PLANNED UNIT RESIDENTIAL ZONE (PURD) (PART 13)

1) Permitted Uses

- Addition of ancillary uses such as community facilities and laundromats.

2) Special Permit Uses

- Addition of convenience stores.

3) New PURD Developments

- New provisions and standards relating the development concepts for new PURD subdivisions or developments.

2.12 GENERAL COMMERCIAL ZONE (C1) (PART 14)

1) Lot Requirements

- New standards relating to the mixed use core covering commercial uses on ground flood, relationship to the street, location of parking, location of entrances, and lot size and building standards.

2.13 BUSINESS PARK ZONE (M2) (PART 15)

1) Special Permit Uses

- Inclusion of activities related to auto sales, service stations, and auto washing establishments.

2) Automobile Service Stations

- New lot requirements.

3) Telecommunications Towers

- New provisions and standards.

2.14 AGRICULTURAL RESERVE ZONE (A1) (PART 17)

1) Lot Requirements

- Update to maximum building height for consistency – 12.19 m (40 ft).
- New requirements relating to undersized lots and engineered septic systems.
- Requirement for updated site assessments and sewage disposal system registration forms.

2) Excavation Pits

- Updated language.

2.15 ENVIRONMENTAL RESERVE ZONE (O2) (PART 19)

1) Permitted Uses

- Updated to include wellfield protections.

2.16 VARIANCES (PART 21)

- Reinstatement of criteria related to intentional or negligent conduct of the owner.
- Updated language relating to variances in excess of 10%.

2.17 ZONING AND OFFICIAL PLAN AMENDMENTS (PART 22)

1) Amendment Procedures

- Updated language relating to procedures.
- Notification radius set to 75 metres (previously 60.96 metres).

2.18 GENERAL PROVISIONS FOR SUBDIVIDING LAND

1) Permission to Subdivide

- Addition of criteria relating to building and infrastructure in current or projected coastal floodplains.

2) Reduce Lot Frontage or Area

- Section moved from Part 4 and updated for clarity.
- Addition of option to create 1 panhandle lot where parcel was existing in separate ownership as of January 25, 1989.
- Provisions relating to the subdivision or consolidation of an existing non-confirming lot.

3) Changes to Existing Lots

- Notification radius changed to 75m (reduced from 150 metres) for consistency.

4) Subdivisions in Agricultural Reserve Zone

- Updated header
- Clarification of intention of subsection (1) and rewording.

5) Coastal and Watercourse Subdivision Requirements

- Clarification that areas that form part of a buffer zone may be included in the area of a lot being subdivided provided the lot is large enough to meet setbacks and accommodate on-site services, exclusive of the area of the buffer zone.
- Clarification that areas that form part of a buffer zone may be included in the area of a lot being subdivided provided the lot is large enough to meet minimum lot size requirements exclusive of the area of the buffer zone.

6) Road Standards

- Clarification that no new lots will be permitted on existing private roads – existing policy but was not clearly articulated previously.
- Clarification that no new private roads will be permitted – existing policy but was not clearly articulated previously.
- Addition of standards for collector roads, based on standards used in areas under provincial jurisdiction but with the additional option for lots approved on or after February 3, 1979. Not

currently likely to be needed as all collectors are designated as infill, but would be in place should new collectors be designated in the future.

7) Parkland Dedication and Parkland Dedication Fees

- Addition of clarity as to when the requirement for a parkland dedication or cash-in-lieu would kick in (subdivisions of 3 or more lots).
- Criteria for the location of the parkland and option to apply to open space areas with significant natural assets or for trails.
- Clarification that parkland dedication would be 10% of land, equivalent cash-in-lieu, or a combination thereof and the requirement to apply any cash-in-lieu to recreation and open space lands and uses.
- Criteria for assessing contribution requirements in the event of further subdivision of an area for which a parkland dedication has already been made.

8) Servicing

- Establishment of requirement to enter into an agreement with the Utility relating to new central water and sewer systems/extensions.
- New option to establish additional standards for private shared water and sewer systems.
- Clarification of responsibility of the developer for the costs associated with shared or central water or sewer.

9) Subdivision Agreements

- Subdivision agreements will now be required prior to preliminary approval rather than as a condition of preliminary approval.

10) Severances and Consolidations

- Requirement for deeds expressing new perimeter boundary.
- Option to skip preliminary approval stage in the case of lot consolidations or boundary line adjustments.

2.19 PENALTIES (PART 24)

- Updates to the approach to fines, offences, and enforcement.

2.20 DEFINITIONS (PART 26)

- Range of updated definitions and new definitions.

2.21 ZONING MAP (SCHEDULE A)

1) Major Areas of Change

- Business Park Zone (M2) applied to southeast quadrant of the new TCH interchange
- Comprehensive Development Area (CDA) applied to the remaining three quadrants of the interchange
- Planned Unit Residential Development (PURD) applied to extensive lands abutting the west side of Cornwall Road between Main Street and the new Interchange

- Designation of Mixed Use Core adding special provisions to encourage apartment construction on specified General Commercial Zone (C1) lands at the intersection of Main Street and Cornwall Road extending north to Hyde Creek
- Areas abutting the Business Park have been changed from CDA to C1 and PURD
- Lands immediately across Main Street from the Business Park have be changed from R2 to PURD