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Zoning

- Zoning is a way for the community to regulate itself to ensure that proper land uses are grouped together
(Industrial, commercial, residential)
- Zoning is governed by Ontario's Provincial Planning Act
- How does this apply to you?
 - Locate your business within a zone that permits the use
 - Check permitted uses when speaking to prospective tenants



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Central Business District

- Cornwall's new Zoning By-Law was adopted in 2021
- It reaffirmed the broad selection of permitted uses in the Central Business District
 - 40 defined permitted uses
 - Spanning commercial, residential and institutional uses
- You can view the Zoning By-Law in detail on the City's website:
 - <https://www.cornwall.ca/en/do-business/zoning.aspx>



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Development Approvals - Zoning

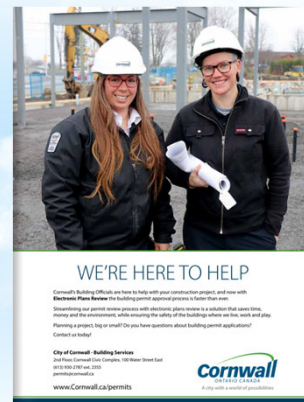
- Sometimes, the proposed use is not identified in the zone
- Property owners can seek remedy by applying for a development approval
 - Minor Variance
 - Cost \$580 to \$2,250; time 6 weeks
 - Site Specific Rezoning
 - Cost \$5,020+; time 120 days
 - <https://www.cornwall.ca/en/do-business/resources/Planning/Planning-Fees-2022-updated-December-2022.pdf>



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Building Permits

- Permits are a development approval process designed to protect people and property
 - Ontario Building Code – Provincial Legislation (not a municipal initiative)
 - Building officials are tasked with enforcing Provincial law
- Permits deal with structural changes to a building including plumbing, electrical
- Permits are the responsibility of the building owner



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Change of Use

- You may require other approvals the use you are planning is different from the previous use
 - (retail to restaurant, for example)
 - Responsibility of the building owner – not the tenant
- Change of Use Permit
 - Perhaps the most misunderstood type of permit, but one still required by Provincial law
 - Classifications - Place of Assembly, Institutional, Residential, Business & Personal Service, Mercantile and Industrial



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Building Permits

- The Ontario Building Code is a complex document
- If you are not sure you need a permit, ASK!
 - City staff in the Building Division are here to help you navigate the process



Building & By-Law Division

Civic Complex, 100 Water Street East, 2nd Floor

Phone: (613) 930-2787

- Ext # 2355 Permit application and general code questions
- Ext # 2310 Schedule a Fence Permit inspection
- Ext # 2323 Permit inquiries and to schedule Building Permit inspections
- Ext # 2312 Zoning questions



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Site Plan Control

- Does your project need Site Plan Control?
 - Site Plan Control is a development approval process that typically applies to new construction
 - Typically deals with building location plan, site servicing plan, ingress/egress issues, landscaping etc.
 - Design stage may take more time
 - Often requires supporting reports



Business Licenses

- Municipal business licences play a role in ensuring certain types of businesses are established correctly
 - Often deals with public safety issues
 - Eating establishments, second hand goods, certain services
- Some (not all) businesses need a municipal business license
- How much does a business license cost?
 - The fee varies from \$15 to \$1,400
 - Some expire annually, renewal fees are typically lower
 - <https://www.cornwall.ca/en/do-business/business-licenses.aspx>

Business Licenses

Why do I need a business license?

- Primarily for consumer protection, however some licenses seek to regulate transient businesses
- To ensure certain businesses conform to regulations:
 - Zoning, Fire Code, Building Code, Health Unit
- City By-Law is currently under review
- <https://www.cornwall.ca/en/do-business/business-licenses.aspx>



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How to apply for a business license

- Help us help you by being prepared
 - Clear and concise description of the business you want to operate
 - Any necessary supporting documentation
 - Complete the application form
- Inspections may be required
- In most cases, licenses may be issued within 3-4 weeks, some as quickly as a couple of hours



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Checklist

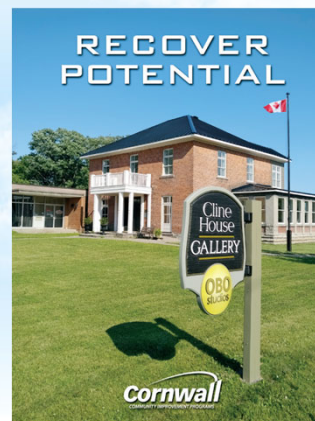
- **BEFORE** you buy a property, sign a commercial lease or otherwise invest in a location, undertake due diligence to determine what (if any) development approvals you may need!
 - Is the proposed use a permitted use in the Zone?
 - Is your business consistent with the prior use?
 - Are you making any physical improvements to the building or property?
 - Do you require a qualified professional? (Architect, Engineer, Designer)
 - Do you have plans for your proposed project?
 - Do you require a municipal business license?



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Encouraging Development

- Cornwall's Community Improvement Plans (CIP) encourage economic development in strategic areas of the city, as determined by Council
 - Brownfields CIP
 - Heart of the City CIP
 - No application fees



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CIP Assistance

- The CIPs have been successful in encouraging investment & development on previously developed properties.
- The Brownfield and Heart of the City CIPs provide financial assistance to offset the costs of developing a site
 - Tax grants
 - Renovation, rehabilitation
 - study/design fees
 - environmental assessment
 - planning/development fees, tipping fees



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Planning & Development Fees



- The CIPs can help offset the cost of fees such as:
 - Official Plan / Zoning Amendment (at building permit submission)
 - Site Plan Control (at building permit submission)
 - Minor Variance/Severance (at building permit submission)
 - Building Permit Fees (at occupancy)
- 100% reimbursement of the fee
- More info:
 - <https://choosecornwall.ca/business/community-improvement-program/>



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Heart of the City CIP



- The program recognizes the importance of a vibrant central core to the entire community
- The goal is to see sustainable improvement in central core properties
- If you reinvest in your property it has a positive affect on your neighbours
- Supports secondary uses such as 2nd floor residential (living vibrant core, pedestrian traffic)



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HOTC Policy and Priority Area






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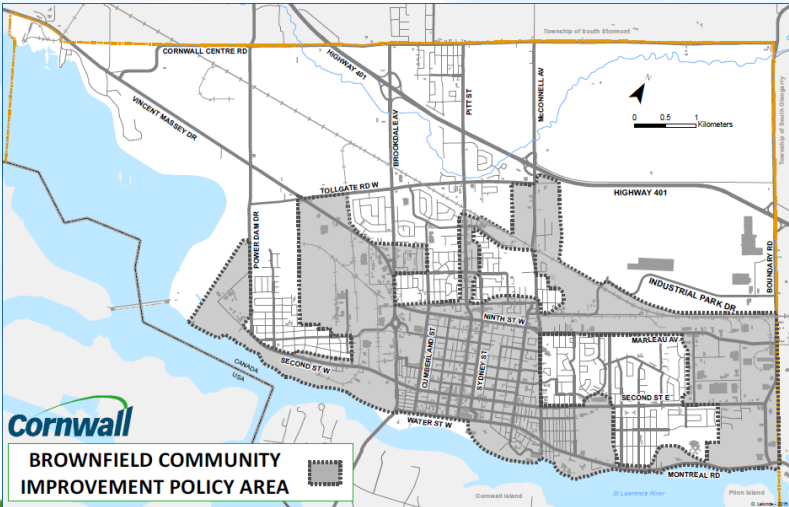
Brownfields



- Brownfields are abandoned, vacant, derelict or underutilized commercial and industrial properties, where past actions have resulted in actual or perceived contamination.





Brownfield Policy Area





Assistance

- Assistance is a phone call away! City staff are here to help.
 - Staff will guide you through the application process and try and identify potential challenges.

| | |
|---|---|
| Lindsay Parisien Senior Planner lparisien@cornwall.ca 613-930-2787 x 2312 | Charles Bray Chief Building Officer cbray@cornwall.ca 613-930-2787 x 2360 |
| Dana McLean Development Officer dmclean@cornwall.ca 613-330-5921 | Bob Peters Manager, Economic Development bpeters@cornwall.ca 613-551-6715 |



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Business Enterprise Centre

- The Cornwall Business Enterprise Centre offers free support and advice for small business owners in Cornwall, SDG & Akwesasne
- In addition to webinars and seminars, info is available online
- BusinessEnterpriseCentre.ca**

**HOW TO SERIES**

Signing Your First Commercial Lease: How to Prepare and What to Expect

Commercial leases can be complicated especially for entrepreneurs who have not signed a commercial lease before.

The lease document can be filled with legal terms and industry jargon that first time business owners may find difficult to understand. It is important to thoroughly review the lease or rental agreement before signing to ensure complete understanding of what you will be accountable for.

Here are a few quick tips to consider when looking to lease/rent commercial property:







- Ask an expert:** There are advantages to having a third party review the lease such as a lawyer or real estate agent and provide feedback. There may be small details when signing a new lease that could be missed that an expert will catch and question. Using an expert may also assist you in finding a suitable property and negotiating a fair price.
- Zoning:** It is also a good idea to confirm zoning on the property to ensure your business is permitted in that zone. An important consideration that is frequently mistaken is that the rules under the Ontario Building Code and Zoning By-law are the same – they are not. **The Building Code and Zoning By-law are two separate regulations.** The Ontario Building Code dictates the building code for all buildings in Ontario that is enforced by municipal Building and By-law Officials. The Zoning By-law is a separate document that regulates land use within municipalities and follows the regulations within the Planning Act. For example, you may confirm that your business is permitted under the municipalities Zoning By-law however, this does not mean that the building code requirements are met to obtain an occupancy permit. It is important to have a good understanding of what is required as there are no shortcuts.
- You can click the link below to see the City's Interactive Zoning Map:
<https://cornwallcity.ca/en/apps/webmapviewer/index.html?d=30&url=30&lat=44.3&lon=-76.67>
- Liens:** It is your responsibility to contact the municipality to obtain a business license. Not all municipalities require a business license but it is important to ask if a license is needed and then ask the landlord how they will help you meet the requirements. Obtaining the business license may require additional costs and time for you – make sure to build in extra time into your operating plan.
- Permits History:** It is very important to ask the landlord if there have been any renovations completed on the property in the past, what business did the last tenant operate, who would be responsible for applying for a permit and if they will cover some renovation costs.



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One website connects it all.

Visit ChooseCornwall.ca
for the latest business news
and employment opportunities.





2023