

BELLEVILLE PLANNING ADVISORY COMMITTEE

A G E N D A

OCTOBER 1, 2018

5:30 P.M.

COUNCIL CHAMBER

Starting
Page No.

CITY COUNCIL PLANNING COMMITTEE MEETING

1. ATTENDANCE

Councillor Egerton Boyce
Councillor Paul Carr
Councillor Jackie Denyes

Councillor Mike Graham
Councillor Jack Miller

2. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

3. PUBLIC MEETING - THE PLANNING ACT

- 3.1 PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 10245, AS AMENDED – 55 CHURCH STREET SOUTH, CITY OF BELLEVILLE, COUNTY OF HASTINGS
FILE NO.: B-77-1058
OWNER: PARAMATHAS JOSEPH
AGENT: CHRIS NAVA

Notice of Meeting and Map

- 3.2 **PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER
10245, AS AMENDED – 59 CHURCH STREET SOUTH, CITY
OF BELLEVILLE, COUNTY OF HASTINGS
FILE NO.: B-77-1059
OWNER: PANAGIOTIS KARAGLAUS
AGENT: CHRIS NAVA**
-

Notice of Meeting and Map

3

- 3.3 **PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER
3014, AS AMENDED – 1334 CLEARVIEW ROAD,
FORMERLY TOWNSHIP OF THURLOW, NOW CITY OF
BELLEVILLE, COUNTY OF HASTINGS
FILE NO.: B-77-1060
OWNER: 2521461 ONTARIO LTD.
APPLICANT: JONATHAN VAN HUIZEN**
-

Notice of Meeting and Map

5

- 3.4 **PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER
10245, AS AMENDED – 58 AVONDALE ROAD, CITY OF
BELLEVILLE, COUNTY OF HASTINGS
FILE NO.: B-77-1061
OWNER: MARYANN & KEITH ROBERTON
APPLICANT/AGENT: RFA PLANNING CONSULTANT INC.**
-

Notice of Meeting and Map

7

- 3.5 **PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER
10245, AS AMENDED – 500 COLLEGE STREET EAST,
FORMERLY TOWNSHIP OF THURLOW, NOW CITY OF
BELLEVILLE, COUNTY OF HASTINGS
FILE NO.: B-77-1062
OWNER: SEARS CANADA INC.
APPLICANT: BELLEVILLE COMPLEX INC.
AGENT: RFA PLANNING CONSULTANT INC.**
-

Notice of Meeting and Map

9

4. **ADJOURNMENT**

BELLEVILLE PLANNING ADVISORY COMMITTEE

A G E N D A

OCTOBER 1, 2018

5:30 P.M.

COUNCIL CHAMBER

Starting
Page No.

PLANNING ADVISORY COMMITTEE MEETING

1. ATTENDANCE

Councillor Egerton Boyce
Councillor Paul Carr
Councillor Jackie Denyes
Councillor Mike Graham
Councillor Jack Miller

John Baltutis
David Joyce
Mike Letwin
Ross Rae

2. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

3. CONFIRMATION OF MINUTES

- 3.1 Minutes of the City Council Planning Committee Meeting and Planning Advisory Committee Meeting held on September 4, 2018

4. DEPUTATIONS

5. CORRESPONDENCE

- 5.1 September 21, 2018 memo from Committee of Adjustment **11**

RESOLUTION

“THAT the September 21, 2018 memo from the Committee of Adjustment forwarding concerns raised by residents of South Church Street regarding Proposed Zoning By-law Amendments for B-77-1058 (55 S. Church St.) and B-77-1059 (59 S. Church St.) be received and referred to Referrals from Public Meeting 6.1 and 6.2.”

6. REFERRALS FROM PUBLIC MEETING

- 6.1 **PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 10245, AS AMENDED – 55 CHURCH STREET SOUTH, CITY OF BELLEVILLE, COUNTY OF HASTINGS**
FILE NO.: B-77-1058
OWNER: PARAMATHAS JOSEPH
AGENT: CHRIS NAVA
-

Policy Planner's Report No. PP-2018-36
Correspondence 5.1 refers

17**RESOLUTION**

"THAT the Policy Planning Section of the Engineering and Development Services Department report back to Planning Advisory Committee at such time as input from the public, commenting agencies and departments has been received and assessed."

- 6.2 **PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 10245, AS AMENDED – 59 CHURCH STREET SOUTH, CITY OF BELLEVILLE, COUNTY OF HASTINGS**
FILE NO.: B-77-1059
OWNER: PANAGIOTIS KARAGLAUS
AGENT: CHRIS NAVA
-

Policy Planner's Report No. PP-2018-37
Correspondence 5-1 refers

35

RESOLUTION

"THAT the Policy Planning Section of the Engineering and Development Services Department report back to Planning Advisory Committee at such time as input from the public, commenting agencies and departments has been received and assessed."

- 6.3 **PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 3014, AS AMENDED – 1334 CLEARVIEW ROAD, FORMERLY TOWNSHIP OF THURLOW, NOW CITY OF BELLEVILLE, COUNTY OF HASTINGS**
FILE NO.: B-77-1060
OWNER: 2521461 ONTARIO LTD.
APPLICANT: JONATHAN VAN HUIZEN

Policy Planner's Report No. PP-2018-38

54

RESOLUTION

"THAT the Belleville Planning Advisory Committee recommends the following to City Council:

THAT the application to amend Zoning By-Law Number 3014, as amended, for land described as 1334 Clearview Road, City of Belleville, County of Hastings, be APPROVED as follows:

That Zoning By-Law Number 3014, as amended, be amended by rezoning the subject lands from the current 'RU – Rural' zone to 'RR – Rural Residential' zone."

- 6.4 **PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 10245, AS AMENDED – 58 AVONDALE ROAD, CITY OF BELLEVILLE, COUNTY OF HASTINGS**
FILE NO.: B-77-1061
OWNER: MARYANN & KEITH ROBERTON
APPLICANT/AGENT: RFA PLANNING CONSULTANT INC.

Manager of Policy Planning's Report No. PP-2018-39

62

RESOLUTION

"THAT the Belleville Planning Advisory Committee recommends the following to City Council:

THAT the application to amend Zoning By-Law Number 10245, as amended, for land described as 58 Avondale Road, City of Belleville, County of Hastings, be APPROVED as follows:

That Zoning By-Law Number 10245, as amended, be amended by rezoning the subject lands from the current 'R1 – Residential First Density' zone to 'R1 – 31 – Residential First Density' zone with special provisions to allow an secondary dwelling unit (accessory apartment)."

- 6.5 **PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 10245, AS AMENDED – 500 COLLEGE STREET EAST, FORMERLY TOWNSHIP OF THURLOW, NOW CITY OF BELLEVILLE, COUNTY OF HASTINGS**
FILE NO.: B-77-1062
OWNER: SEARS CANADA INC.
APPLICANT: BELLEVILLE COMPLEX INC.
AGENT: RFA PLANNING CONSULTANT INC.

Policy Planner's Report No. PP-2018-40

106

RESOLUTION

"THAT the Belleville Planning Advisory Committee recommends the following to City Council:

THAT the application to amend Zoning By-Law Number 10245, as amended, for land described as 500 College Street East, City of Belleville, County of Hastings, be APPROVED as follows:

That Zoning By-Law Number 10245, as amended, be amended by rezoning the subject lands from the current 'M2-1 – General Industrial' zone with special provisions to 'M2-10 – General Industrial' zone with special provisions. In addition, an 'H' holding symbol is recommended to be attached to the site

requiring that the applicant demonstrate that all licensing requirements of Health Canada have been satisfied before the use is permitted to operate.”

7. REPORTS

7.1 **PROPOSED EXPANSION OF MELROSE/LONGS QUARRY, TOWNSHIP OF TYENDINAGA**

Manager of Policy Planning's Report No. PP-2018-41

120

RESOLUTION

“THAT the Belleville Planning Advisory Committee recommends the following to City Council:

THAT Report No. PP-2018-41 dated October 1, 2018 titled 'Proposed Expansion of Melrose/Longs Quarry, Township of Tyendinaga' be received as information.”

8. INFORMATION MATTERS

8.1 **OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT MONITORING REPORT**

Report to October 1, 2018

125

9. GENERAL BUSINESS AND INQUIRIES

10. ADJOURNMENT



City of Belleville

Engineering & Development Services Department

Policy Planning Section

Telephone: 613-968-6481

Fax: 613-967-3262

File No.: B-77-1058

**NOTICE OF PUBLIC MEETING
ZONING BY-LAW AMENDMENT APPLICATION
55 SOUTH CHURCH STREET**

**CITY COUNCIL PLANNING COMMITTEE
CITY HALL - COUNCIL CHAMBER
169 FRONT STREET
MONDAY, October 1, 2018 AT 5:30 P.M.**

A Public Meeting, as noted above, will be held at City Hall in the Council Chambers (169 Front Street) on Monday, October 1, 2018 at 5:30 P.M. to consider an amendment to Zoning By-Law Number 10245, as amended, for a property located on the east side of South Church Street, south of St. Paul Street, and north of Harbour Drive, which is municipally known as **55 South Church Street**.

This property has frontage of 18.3 m on South Church Street. The Applicant requests a rezoning of the subject lands from Residential Second Density (R2-1) with special provisions to Residential Third Density (R3) to permit a semi-detached dwelling. A Location Plan is shown on APPENDIX 1 which is attached.

In the Official Plan, the subject land is designated as "City Centre".

If you wish to be notified of the decision of the City of Belleville or Belleville Planning Advisory Committee in respect of this application, you must submit a **written** request to Matt MacDonald, Secretary, Planning Advisory Committee in person or by mail at: Belleville City Hall, 169 Front Street, Belleville, K8N 2Y8, or by email at: mtmacdonald@city.belleville.on.ca.

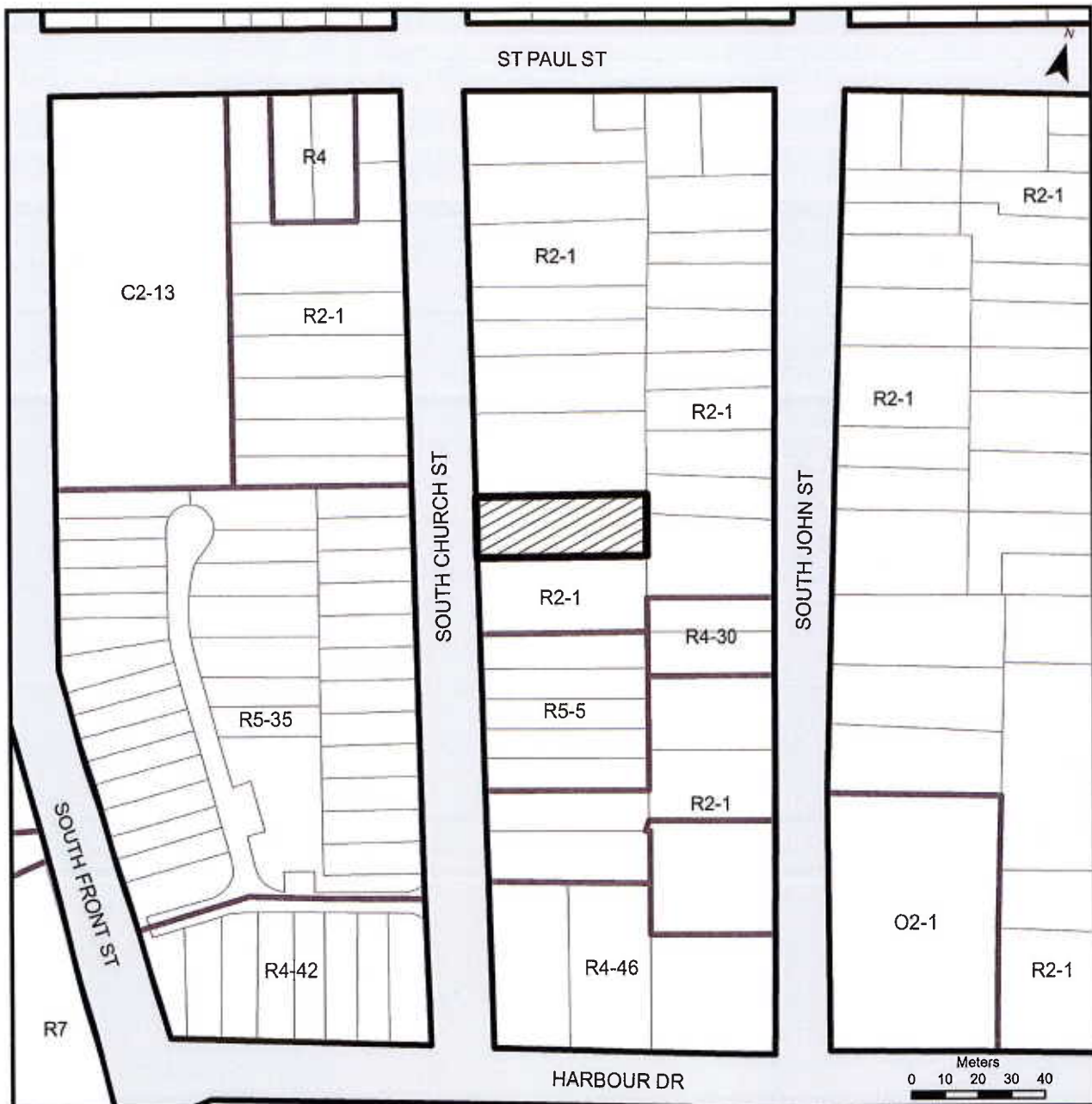
If a person or public body would otherwise have an ability to appeal the decision of the City of Belleville to the Local Planning Appeal Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the City of Belleville before the by-law is passed, the person or public body is **not** entitled to appeal the decision and that person or public body may **not** be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so. Please be further advised that written submissions received prior to the public meeting may be made available to the Applicant.

For more information contact the Planning Section, Engineering & Development Services Department, 2nd floor, Belleville City Hall, 169 Front Street, Belleville, K8N 2Y8 (Telephone: 613-967-3288).

As per the requirements of the Planning Act, this application is confirmed to be complete.

Matt MacDonald, Secretary
Planning Advisory Committee

DATED at the City of Belleville this 11th day of September, 2018



PROPOSED ZONING BY-LAW AMENDMENT

LOCATION: 55 SOUTH CHURCH ST



PROPOSED ZONING CHANGE FROM R2-1 (RESIDENTIAL
- SECOND DENSITY WITH SPECIAL PROVISIONS) TO R3
(RESIDENTIAL THIRD DENSITY)

B-77-1058



CITY OF BELLEVILLE
ENGINEERING & DEVELOPMENT
SERVICES DEPARTMENT



City of Belleville

Engineering & Development Services Department

Policy Planning Section

Telephone: 613-968-6481

Fax: 613-967-3262

File No.: B-77-1059

**NOTICE OF PUBLIC MEETING
ZONING BY-LAW AMENDMENT APPLICATION
59 SOUTH CHURCH STREET**

**CITY COUNCIL PLANNING COMMITTEE
CITY HALL - COUNCIL CHAMBER
169 FRONT STREET
MONDAY, October 1, 2018 AT 5:30 P.M.**

A Public Meeting, as noted above, will be held at City Hall in the Council Chambers (169 Front Street) on Monday, October 1, 2018 at 5:30 P.M. to consider an amendment to Zoning By-Law Number 10245, as amended, for a property located on the east side of South Church Street, south of St. Paul Street, and north of Harbour Drive, which is municipally known as **59 South Church Street**.

This property has frontage of 18.3 m on South Church Street. The Applicant requests a rezoning of the subject lands from Residential Second Density (R2-1) with special provisions to Residential Third Density (R3) to permit semi-detached dwelling. A Location Plan is shown on APPENDIX 1 which is attached.

In the Official Plan, the subject land is designated as "City Centre".

If you wish to be notified of the decision of the City of Belleville or Belleville Planning Advisory Committee in respect of this application, you must submit a **written** request to Matt MacDonald, Secretary, Planning Advisory Committee in person or by mail at: Belleville City Hall, 169 Front Street, Belleville, K8N 2Y8, or by email at: mtmacdonald@city.belleville.on.ca.

If a person or public body would otherwise have an ability to appeal the decision of the City of Belleville to the Local Planning Appeal Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the City of Belleville before the by-law is passed, the person or public body is **not** entitled to appeal the decision and that person or public body may **not** be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so. Please be further advised that written submissions received prior to the public meeting may be made available to the Applicant.

For more information contact the Planning Section, Engineering & Development Services Department, 2nd floor, Belleville City Hall, 169 Front Street, Belleville, K8N 2Y8 (Telephone: 613-967-3288).

As per the requirements of the Planning Act, this application is confirmed to be complete.

Matt MacDonald, Secretary
Planning Advisory Committee

DATED at the City of Belleville this 11th day of September, 2018



PROPOSED ZONING BY-LAW AMENDMENT

LOCATION: 59 SOUTH CHURCH ST



PROPOSED ZONING CHANGE FROM R2-1 (RESIDENTIAL - SECOND DENSITY WITH SPECIAL PROVISIONS) TO R3 (RESIDENTIAL THIRD DENSITY)



CITY OF BELLEVILLE
ENGINEERING & DEVELOPMENT
SERVICES DEPARTMENT

B-77-1059



City of Belleville

Engineering & Development Services Department

Policy Planning Section

Telephone: 613-968-6481

Fax: 613-967-3262

File No.: B-77-1060

**NOTICE OF PUBLIC MEETING
ZONING BY-LAW AMENDMENT APPLICATION
1334 CLEARVIEW ROAD**

**CITY COUNCIL PLANNING COMMITTEE
CITY HALL - COUNCIL CHAMBER
169 FRONT STREET
MONDAY, October 1, 2018 AT 5:30 P.M.**

A Public Meeting, as noted above, will be held at City Hall in the Council Chambers (169 Front Street) on Monday, October 1, 2018 at 5:30 P.M. to consider an amendment to Zoning By-Law Number 3014, as amended, for a property located south of Clearview Road, east of Wannamaker Road, and west of Gifford Road, which is municipally known as **1334 Clearview Road**.

This subject lands front on Clearview Road at two locations, 68.6 metres and 77.7 metres in width respectfully. The Applicant requests a rezoning of the subject lands from Rural (RU) Zone to Rural Residential (RR) Zone to permit a single detached dwelling. A Location Plan is shown on APPENDIX 1 which is attached.

In the Official Plan, the subject land is designated as "Rural".

If you wish to be notified of the decision of the City of Belleville or Belleville Planning Advisory Committee in respect of this application, you must submit a **written** request to Matt MacDonald, Secretary, Planning Advisory Committee in person or by mail at: Belleville City Hall, 169 Front Street, Belleville, K8N 2Y8, or by email at: mtmacdonald@city.belleville.on.ca.

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For more information contact the Planning Section, Engineering & Development Services Department, 2nd floor, Belleville City Hall, 169 Front Street, Belleville, K8N 2Y8 (Telephone: 613-967-3288).

As per the requirements of the Planning Act, this application is confirmed to be complete.

Matt MacDonald, Secretary
Planning Advisory Committee

DATED at the City of Belleville this 11th day of September, 2018



City of Belleville

Engineering & Development Services Department

Policy Planning Section

Telephone: 613-968-6481

Fax: 613-967-3262

File No.: B-77-1061

**NOTICE OF PUBLIC MEETING
ZONING BY-LAW AMENDMENT APPLICATION
58 AVONDALE ROAD**

**CITY COUNCIL PLANNING COMMITTEE
CITY HALL - COUNCIL CHAMBER
169 FRONT STREET
MONDAY, October 1, 2018 AT 5:30 P.M.**

A Public Meeting, as noted above, will be held at City Hall in the Council Chambers (169 Front Street) on Monday, October 1, 2018 at 5:30 P.M. to consider an amendment to Zoning By-Law Number 10245, as amended, for a property located on the west side of Avondale Road, north of Dundas Street West, which is municipally known as **58 Avondale Road**.

This property has frontage of 21.6 m on Avondale Road. The Applicant requests a rezoning of the subject lands from Residential First Density (R1) Zone to Residential Fourth Density (R4) Zone to permit a converted dwelling with two units. A Location Plan is shown on APPENDIX 1 which is attached.

In the Official Plan, the subject land is designated as "Residential".

If you wish to be notified of the decision of the City of Belleville or Belleville Planning Advisory Committee in respect of this application, you must submit a **written** request to Matt MacDonald, Secretary, Planning Advisory Committee in person or by mail at: Belleville City Hall, 169 Front Street, Belleville, K8N 2Y8, or by email at: mtmacdonald@city.belleville.on.ca.

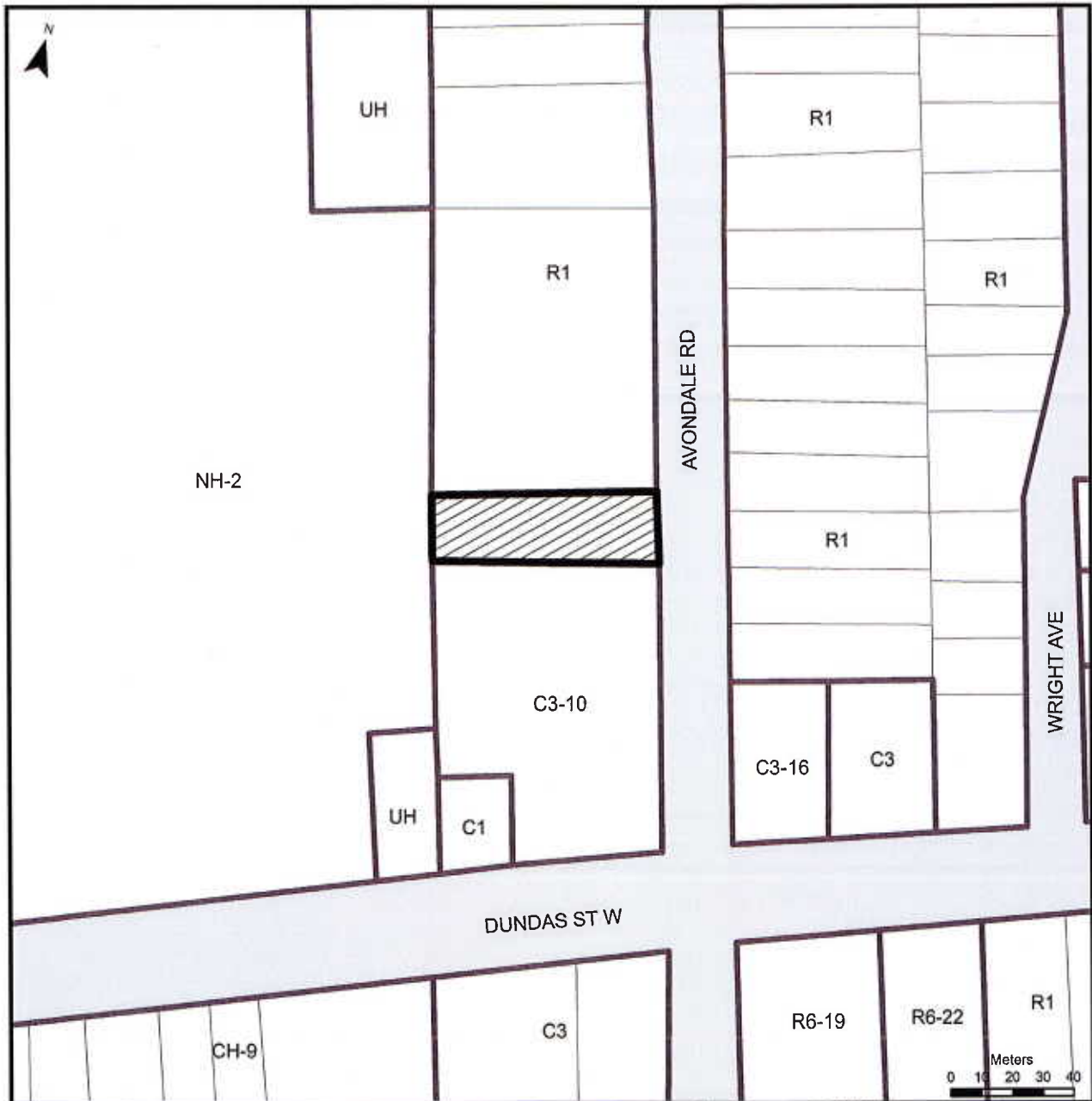
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For more information contact the Planning Section, Engineering & Development Services Department, 2nd floor, Belleville City Hall, 169 Front Street, Belleville, K8N 2Y8 (Telephone: 613-967-3288).

As per the requirements of the Planning Act, this application is confirmed to be complete.

Matt MacDonald, Secretary
Planning Advisory Committee

DATED at the City of Belleville this 11th day of September, 2018



PROPOSED ZONING BY-LAW AMENDMENT

LOCATION: 58 AVONDALE RD



PROPOSED ZONING CHANGE FROM R1 (RESIDENTIAL FIRST DENSITY) TO R4 (RESIDENTIALFOURTH DENSITY)

B-77-1061



CITY OF BELLEVILLE
ENGINEERING & DEVELOPMENT
SERVICES DEPARTMENT



City of Belleville

Engineering & Development Services Department

Policy Planning Section

Telephone: 613-968-6481

Fax: 613-967-3262

File No.: B-77-1062

**NOTICE OF PUBLIC MEETING
ZONING BY-LAW AMENDMENT APPLICATION
500 COLLEGE STREET EAST**

**CITY COUNCIL PLANNING COMMITTEE
CITY HALL - COUNCIL CHAMBER
169 FRONT STREET
MONDAY, October 1, 2018 AT 5:30 P.M.**

A Public Meeting, as noted above, will be held at City Hall in the Council Chambers (169 Front Street) on Monday, October 1, 2018 at 5:30 P.M. to consider an amendment to Zoning By-Law Number 10245, as amended, for a property located on the north side of College Street East, east of Jamieson Bone Road, which is municipally known as **500 College Street East**.

This property has frontage of 760.55 m on College Street East. The Applicant requests a rezoning of the subject lands from General Industrial (M2-1) Zone to General Industrial (M2-10) Zone with special provisions to permit a "Medical Marihuana Production Facility". A Location Plan is shown on APPENDIX 1 which is attached.

In the Official Plan, the subject land is designated as "Industrial".

If you wish to be notified of the decision of the City of Belleville or Belleville Planning Advisory Committee in respect of this application, you must submit a **written** request to Matt MacDonald, Secretary, Planning Advisory Committee in person or by mail at: Belleville City Hall, 169 Front Street, Belleville, K8N 2Y8, or by email at: mtmacdonald@city.belleville.on.ca.

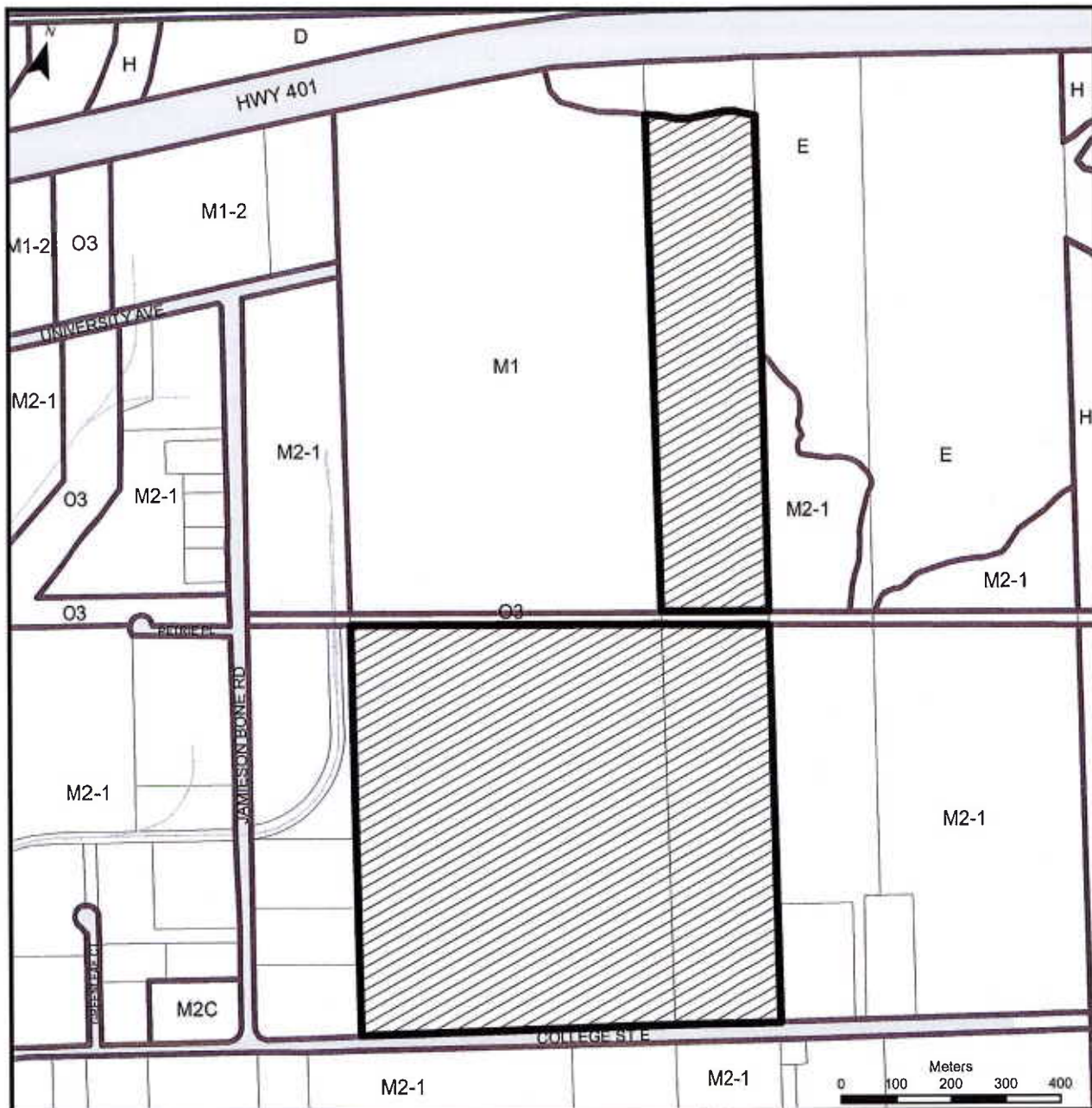
If a person or public body would otherwise have an ability to appeal the decision of the City of Belleville to the Local Planning Appeal Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the City of Belleville before the by-law is passed, the person or public body is **not** entitled to appeal the decision and that person or public body may **not** be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so. Please be further advised that written submissions received prior to the public meeting may be made available to the Applicant.

For more information contact the Planning Section, Engineering & Development Services Department, 2nd floor, Belleville City Hall, 169 Front Street, Belleville, K8N 2Y8 (Telephone: 613-967-3288).

As per the requirements of the Planning Act, this application is confirmed to be complete.

Matt MacDonald, Secretary
Planning Advisory Committee

DATED at the City of Belleville this 11th day of September, 2018

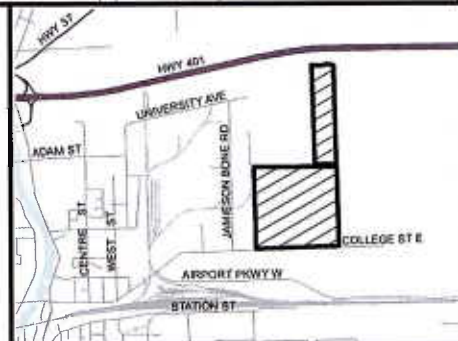


PROPOSED ZONING BY-LAW AMENDMENT

LOCATION: 500 COLLEGE ST E



PROPOSED ZONING CHANGE FROM M2-1 (GENERAL
- INDUSTRIAL WITH SPECIAL PROVISIONS) TO M2 WITH
SPECIAL PROVISIONS



CITY OF BELLEVILLE
ENGINEERING & DEVELOPMENT
SERVICES DEPARTMENT

B-77-1062

Memo

TO: Chair Denyes and
Members of the Planning Advisory Committee

FROM: Greg Pinchin
Secretary-Treasurer, Committee of Adjustment

DATE: September 21, 2018

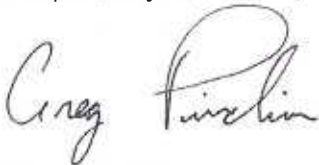
FILES: B-77-1058 and B-77-1059

RE: Comments from Committee of Adjustment Meeting held September 20, 2018
Related Severance Applications B 30/18 and B 31/18, South Church Street

The City of Belleville Committee of Adjustment was asked to consider applications to sever the properties at 55 and 59 South Church Street to enable the construction of semi-detached dwellings at each address. The applications have been deferred pending the outcome of the above-noted rezoning applications that relate to the properties in question.

The Committee of Adjustment requested that the attached correspondence received from neighbouring property owners be forwarded to the Planning Advisory Committee for consideration.

Respectfully submitted,



Greg Pinchin
GP

attachments

September 17, 2018

City of Belleville
Committee of Adjustment

Re: Severance Applications Number B 30/18
55 South Church St. 120801001015300

Severance Application Number B31/18
59 South Church St. 120801001015100

We the residents of South Church St. are against the above applications to firstly sever and secondly to re-zone the above properties.

The subject property known as 55 South Church St. is zoned R2-1 and the owner would like this re-zoned with special provisions to Residential Third Density R3 to permit a semi-detached dwelling. Where as 59 South Church St. is zoned R2-1 and the owner has applied to re-zone the property to Residential Third Density R3 and divide the property into two equal lots in order to construct a semi-detached dwelling.

The South Church St. area in question is an emerging residential community that is made up predominately of single family residences. In fact, new single family homes currently under construction at the south end of South Church St. are in the two million dollar range.

We are against these applications based on the following concerns:

1. Street Parking:

The attached document (A) takes a bird's eye view of 20 residences showing we have street parking for approximately 10 vehicles on this artery which is well used by residents, boaters and construction trucks. Now, where do we put the additional vehicles created by the higher density proposed dwellings? We suggest to you that this street is very unsafe for both vehicle and pedestrian traffic as it currently exists.

2. Failed Infrastructure :

South Church St. continually floods from moderate to heavy rainfall and in some cases does not recede for hours. This has been an on-going problem since day one. The depth of the water goes over the curbs and onto lawns along with covering driveways. The drainage of this street is inadequate and if we continue to allow more lot severances and higher density, more water from roof drainage enters the street drains to exacerbate the current problem. Don't forget South Church St. is also the only entrance / exit for 24 South Church St. which comprises another 31 residences and they must travel through this flooded section of road. As more vacant lots on the street are approved and built upon, this will have an impact on these drainage services in the future. The problem will not go away on its own!!

3. High Density Housing :

We were very surprised to learn that the design of both these builds known as 55 and 59 South Church St. could affect the pulse of our community. When you look at these two semi-detached residences together, a rational person must ask when are (5-10-15-20) bedrooms a rooming house, student housing or an Air B&B. Does this not raise a concern for you in a primarily single family residential area? Could it affect future building in the area and will it have a negative impact on resale prices of our existing homes?

We are opposed to these applications and urge the city to deny them. In addition, we the undersigned would like to be notified of your decision to allow us time to consult with our advocate.

With Respect ,

Residents of South Church St.

Name

Address

Kathy Seecombe 53 ^{SOUTH} Church St.

Brian Seecombe 53 ^{SOUTH} Church St

Jan Messer 57 S. Church St.

JOHN DODDS 28 CHURCH ST. S.

Martha Sherratt 24 South Church St Unit 10

Mary Lou Ross 37 S. Church St.

~~P. Q. Panentes~~ 41 S Church St

~~P. Q. Panentes~~ 41 S Church St

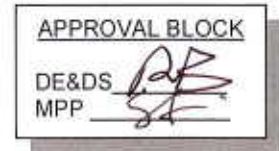
Glean Ryley Cotton 35 Church St S.

Vadine Louiel 39 Church St.

Name	Address
Leona Skanes	46 Church St. S.
Pat Skanes	" "
Forrest Sw-Sykes	48 Church St. S.
Margy Goodline	34 S. Church
Cothrine & McEachern	38 S. Church
Donna Grogan	50 " "
Antony GRAY	62 " "
Taylor Merritt	66 Church St.
Mike Di Donato	27. St. PAUL
BRALEY DUOLIN	25 ST. PAUL
LANA REID	32 CHURCH ST S.
KEVIN KEOGH	32 Church St S.
Mary Van Gaal	42 CHURCH ST. S.
MURRAY LABERGE	42 CHURCH ST. S.
DONNA LABERGE	38 S. CHURCH ST.
TOM WICKETT	



LEGEND: N NO PARKING
 I ONE PARKING SPOT
 • FIRE HYDRANT



CITY OF BELLEVILLE

Thomas Deming, Policy Planner
Engineering and Development Services Department
Report No. PP-2018-36
October 1, 2018

To: Belleville Planning Advisory Committee

Subject: Proposed Zoning By-law Amendment (By-Law 10245)
55 Church Street South
City of Belleville
AGENT: Chris Nava
OWNER: Paramathas Joseph

File: B-77-1058

Recommendation:

THAT the Policy Planning Section of the Engineering and Development Services Department report back to Planning Advisory Committee at such time as input from the public, commenting agencies and departments has been received and assessed.

Background:

The subject lands are located at 55 Church Street South, south of St. Paul Street and north of Harbour Drive. The subject lands have an area of approximately 919.86m². (See Location Map - Attachment #1).

The subject lands are currently used for a detached single family dwelling.

Surrounding uses include:

- 1) to the east: residential lots zoned R2-1;
- 2) to the north: residential lots zoned R2-1;
- 3) to the south: residential lots zoned R2-1, and R5-5;
- 4) to the west: residential lots zoned R5-35.

It should also be noted that extensive redevelopment has occurred in the area including medium density housing to the southwest of the subject lands (See Attachment #2 for aerial imagery of area).

Documents submitted in support of the application are included as Attachment #3 and are:

- exterior images of the existing dwelling;
- a proposed site plan and elevations; and
- floor plans.

These documents have been available for public review at the Planning Department.

Proposal:

The Applicant proposes to rezone the lands from the R2-1 – Residential Second Density Zone with special provisions to the R3 - Residential Third Density Zone that will permit a semi-detached dwelling.

The property is also subject to a Committee of Adjustment land severance application (Severance File # B 30/18) which, if approved, would permit the semi-detached dwelling to be constructed along a shared property line and thereby allow each dwelling unit to be conveyed independently of one another.

Provincial Policy Statement:

Municipalities are required to ensure all decisions related to land use planning matters shall be consistent with the Provincial Policy Statement.

Applicable policies in the PPS include:

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1.1.3.4 Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

1.4.1 To provide for an appropriate range and mix of housing types and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:

- a) maintain at all times the ability to accommodate residential growth for a minimum of 10 years through residential intensification and

redevelopment and, if necessary, lands which **are** designated and available for residential development;

1.6.7.4 A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.

Official Plan:

The land is designated "City Centre" in the City's Official Plan.

Official Plan policies that will help guide final recommendations include the following:

The City Centre encourages compact, intense development of lands in order to ensure the core area remains a key focal point in the City. To achieve this objective, buildings that maximize land utility should be encouraged.

In addition, the land is within the Special Policy Area #1 known as the Bayshore Planning Area. The area contains a low density residential neighbourhood interspersed with industrial, commercial, and high density residential uses.

Through Section 3.10.2 of the Official Plan, residential policies state that low density residential uses "would normally include one family detached and attached two family dwellings."

As per Section 3.8.9.c of the Plan, it is not the intent of this Plan that the low density residential areas are to be displaced with high density residential uses. Rather, the qualities of these areas should be recognized, and attempts employed when considering new projects to preserve the unique qualities of this area of the City. Vacant lands should be redeveloped for intensive commercial and/or residential uses, and redevelopment of low density uses undertaken in a manner sympathetic to the qualities of the existing residential community. New structures should be sympathetic to the massing and scale of existing uses. The interaction between residential and commercial uses is critical in this area.

Zoning By-law:

The subject lands are currently zoned R2-1 – Residential Second Density Zone with special provisions in Zoning By-Law Number 10245, as amended. The Applicant/Owner proposes to re-zone the lands to the R3 - Residential Third Density Zone to permit a semi-detached dwelling.

The R3 – Residential Third Density is primarily used for semi-detached

dwellings.

Public Comments:

On September 11, 2018 a written notice and location map was mailed by first class mail to all registered owners of land within 120 metres of the subject property. The notice provided information that a public meeting was scheduled for October 1, 2018.

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To date, no written correspondence from the public has been received by the City regarding this application. There have been some members of the public that have come into the planning office and have expressed concerns relating to parking, the number of bedrooms and bathrooms, and drainage in the neighbouring lot.

Committee of Adjustment Decision

On September 21, 2018, the Committee of Adjustment deferred a decision on the severance application B30/18 until the zoning amendment application was considered by Council and requested that correspondence (Attachment #4) received from the neighbouring property owners be forwarded to the Planning Advisory Committee for consideration.

Staff and Agency Comments:**External Agency Circulation**

The subject application was circulated for comment to the Algonquin & Lakeshore Catholic School Board, the Hastings & Prince Edward District School Board, Hastings and Prince Edward Health Unit, Bell Canada, Canada Post, Ontario Power Generation, Union Gas, Veridian Connections, Hydro One, TransCanada Pipeline, Enbridge Pipelines, Trans-Northern Pipelines, MPAC, Quinte Conservation, and the Health Unit.

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No other comments have been received regarding this application.

Planning Analysis:

Consistency with Provincial Policy Statement, Official Plan and Zoning By-law

This application is consistent with the Provincial Policy Statement as the proposed development would slightly intensify the density which means a more compact and efficient use of land.

The surrounding area contains a mix of housing types including low density units and medium density units. The proposed development would be defined as low density development according to the Official Plan. This would be consistent with the PPS as it would provide a range and mix of housing types.

The Official Plan encourages intensification of lands within the City Centre and permits a range of commercial and residential uses. The proposal is also within the Bayshore Planning Area which permits low density residential. Section 3.8.9.c states the intent of the area is not to replace low density residential with high density development but rather maintain the unique qualities of the area when considering an increase in density.

In summary, the Official Plan promotes increasing density in this area while considering the existing uses and maintaining the uniqueness of the area. The proposed rezoning of the lands from R2-1 Residential Second Density Zone with special provisions to R3 Residential Third Density Zone to permit a semi-detached dwelling in place of an existing single detached dwelling, slightly increases the density while maintaining the integrity of the Bayshore Planning Area.

Conclusion:

Based on comments received at this public meeting, as well as consideration for written comments received through the Committee of Adjustment which considered the proposed severances of the applications, the Engineering and Development Services Department will consider all information related to this application to amend the City of Belleville Zoning By-Law 10245. A recommendation report will then be brought forward for consideration.

Respectfully submitted



Thomas Deming, Policy Planner

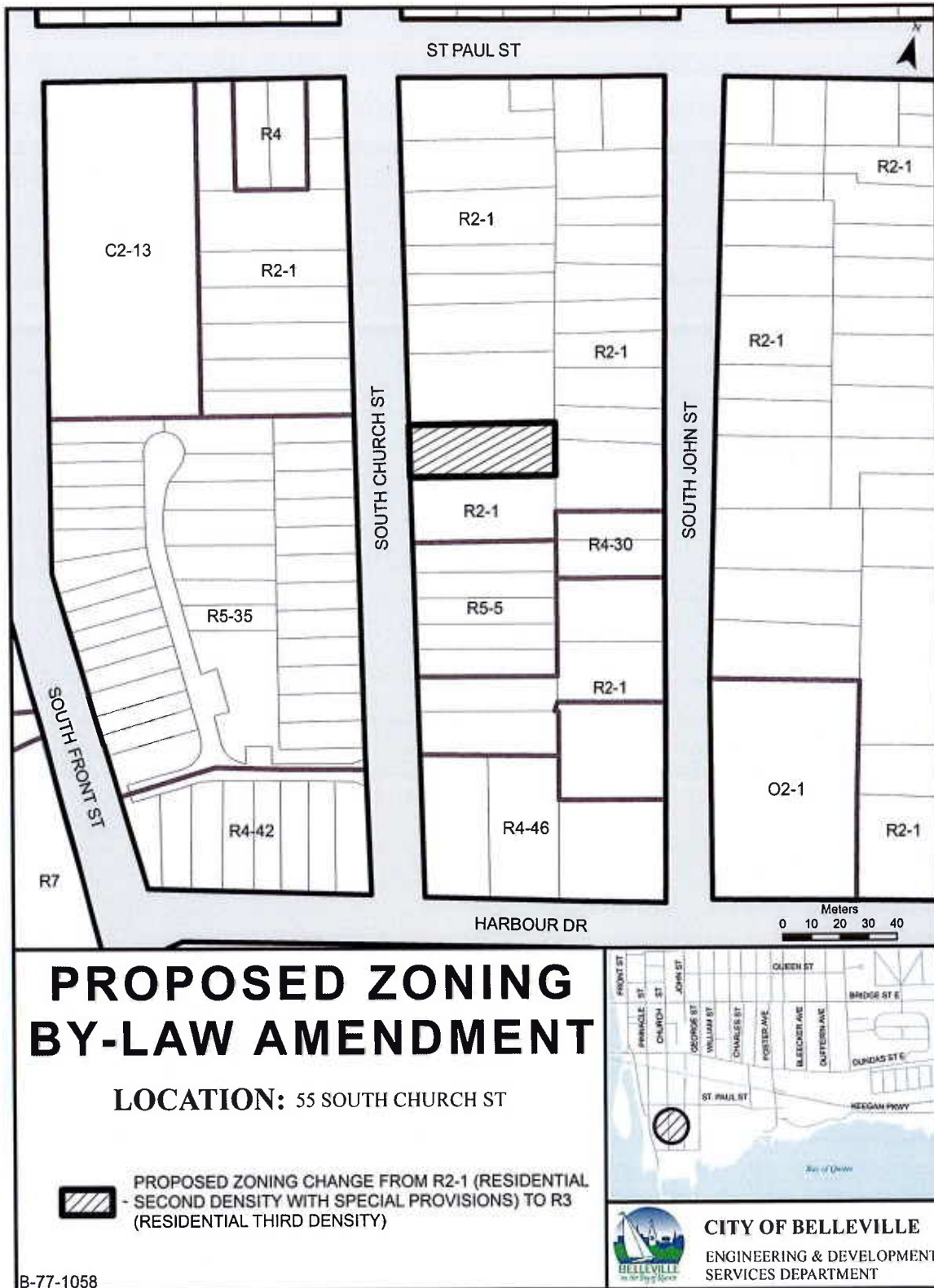
Attachments

Attachment #1 – Location Map

Attachment #2 – Aerial Imagery of Housing Types in Proximity to Subject Lands

Attachment #3 – Documents Submitted with Application, July 28, 2018

Attachment #4 – Committee of Adjustment Correspondence

Attachment #1 – Location Map



CITY OF BELLEVILLE
ENGINEERING & DEVELOPMENT
SERVICES DEPARTMENT

**Attachment #2
Aerial Imagery of Housing
Types in Proximity to Subject
Lands
55 & 59 SOUTH
CHURCH STREET**

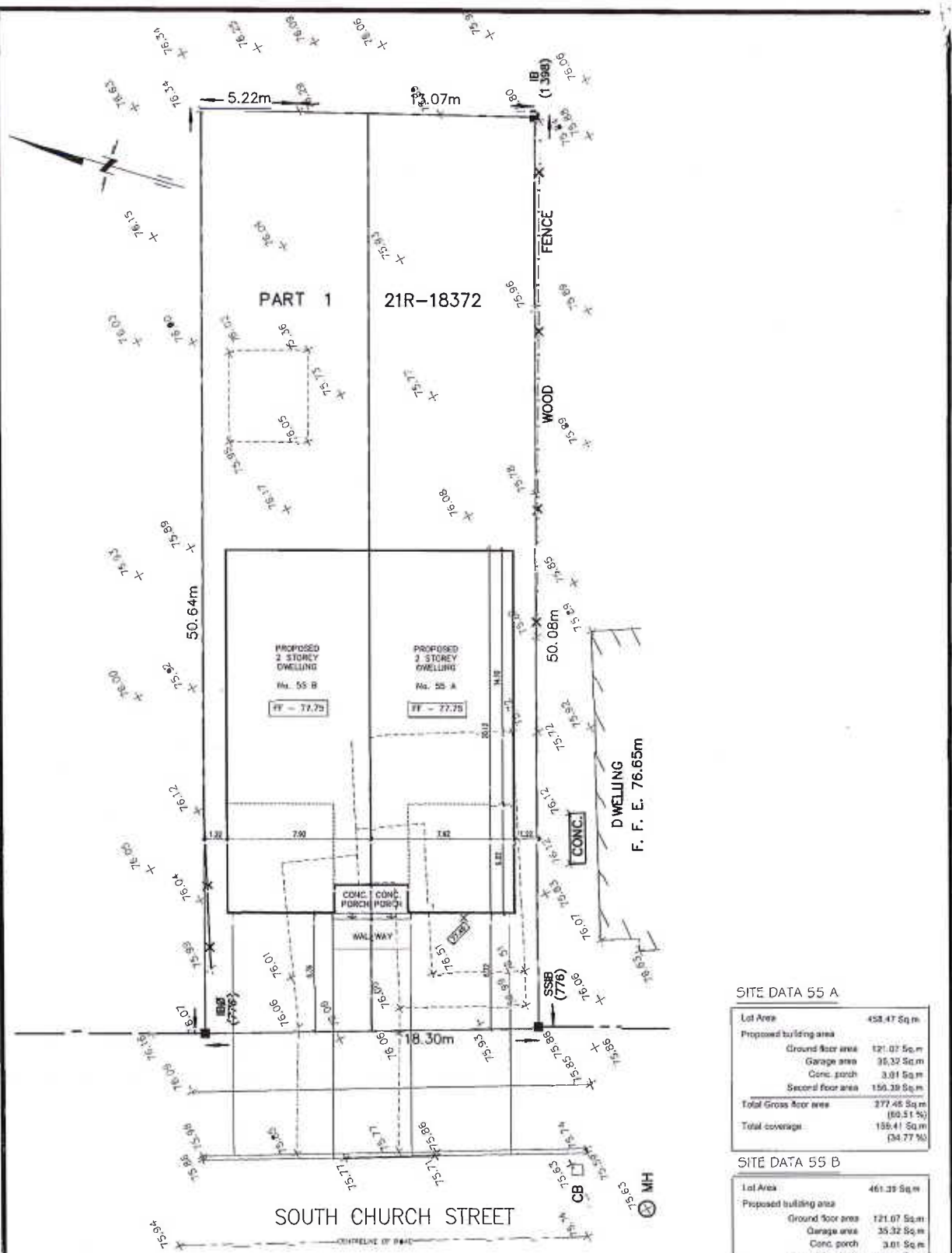


PP-2018-36

8

October 1, 2018





SITE DATA 55 A

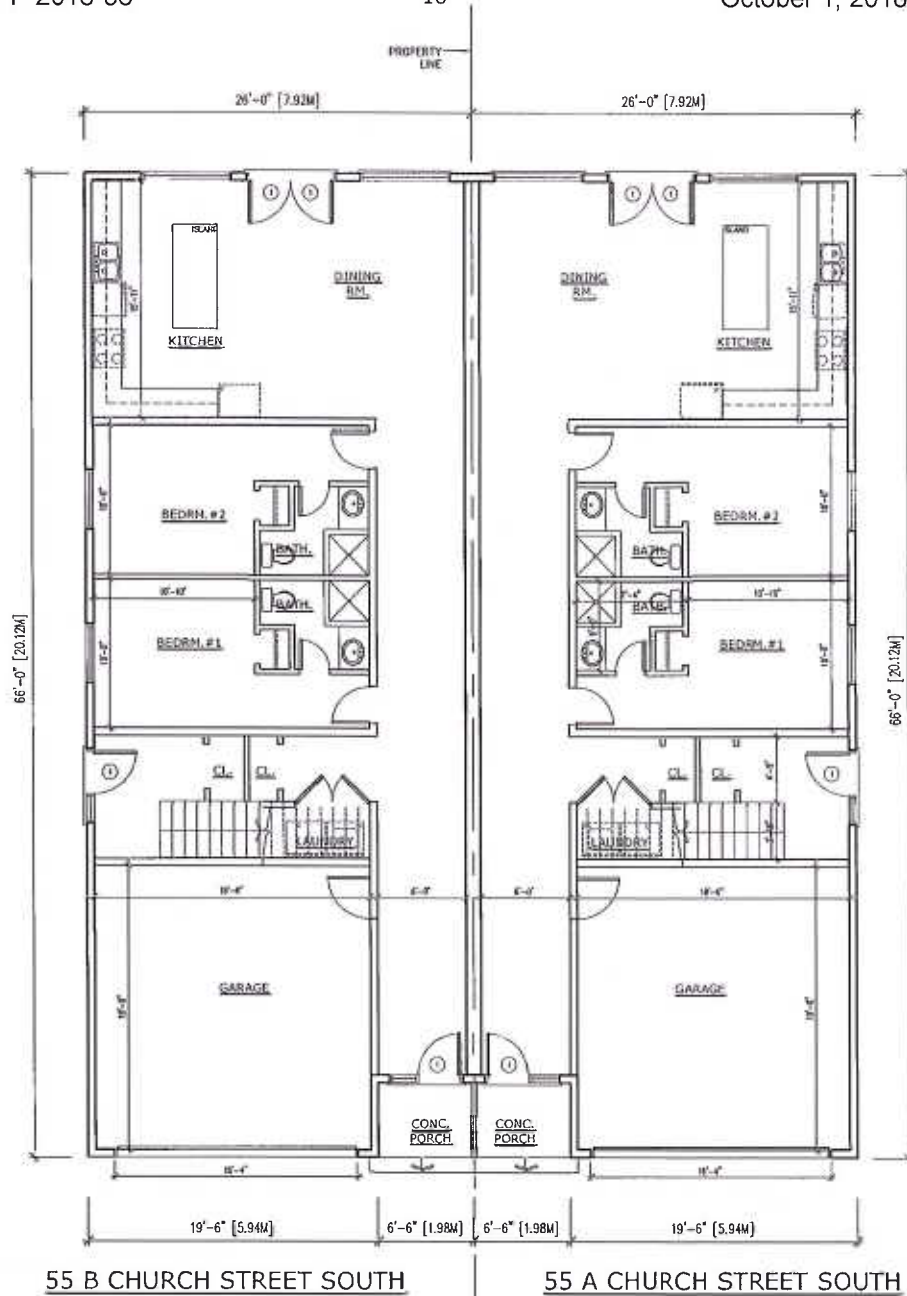
Lot Area	458.47 Sq.m
Proposed building area	
Ground floor area	121.07 Sq.m
Garage area	35.32 Sq.m
Conc. porch	3.01 Sq.m
Second floor area	156.39 Sq.m
Total Gross floor area	277.46 Sq.m (60.51 %)
Total coverage	158.41 Sq.m (34.77 %)

SITE DATA 55 B

Lot Area	461.39 Sq.m
Proposed building area	
Ground floor area	121.07 Sq.m
Garage area	35.32 Sq.m
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Total coverage	158.41 Sq.m (34.54 %)

Attachment #3
Documents Submitted with Application, July 28, 2018
 PP-2018-36 9 October 1, 2018

The undersigned has reviewed & takes responsibility for this design, and that the design meets the requirements set out in the Ontario Building Code to be a designer. Required unless design is exempt under 3.2.5.1 of the building code. ROCK, KIM 36340 Signature: <i>[Signature]</i> Date: JUL. 26, 2018 Required unless design is exempt under 3.2.5.1 of the building code. ROCKIM DESIGN INC. 45379 Signature: <i>[Signature]</i> Date:		PROPOSED SEMI-DETACHED DWELLING 55 A AND 55 B CHURCH ST S BELLEVILLE, ON	DRAWN BY: R. K. PROJECT: PP-2018-36 SCALE: 1:200 DATE: JULY, 2018 REVISIONS:	A-1
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GROUND FLOOR PLANS

SCALE: 1/8" = 1'-0"

The undersigned has reviewed & taken responsibility for this design, and that the qualifications and results are requirements set out in the Ontario Building Code to be a designer.

Required unless design is exempt under 3.2.5.1 of the building code.

ROCK KIM

36340

2018

Signature

JUL 26, 2018

Date

Required unless design is exempt under 3.2.5.1 of the building code.

ROCKIM DESIGN INC.

45379

Design license

2018

DESIGNER'S DECLARATION
I, the undersigned, am an individual or entity as described in and is the owner of the design. The design is the property of the owner and shall remain confidential. The design is not to be used for any other purpose without the written consent of the owner. The design is not to be used for any other purpose without the written consent of the owner. The design is not to be used for any other purpose without the written consent of the owner.

NO.	REVISIONS	DATE	BY
1			

PROJECT

PROPOSED
SEMI-DETACHED
DWELLING

55 A AND 55 B CHURCH ST S
BELLVILLE, ON

DATE

FLOOR PLAN

Drawn by

R.K.

Checked by

AS NOTED

Date

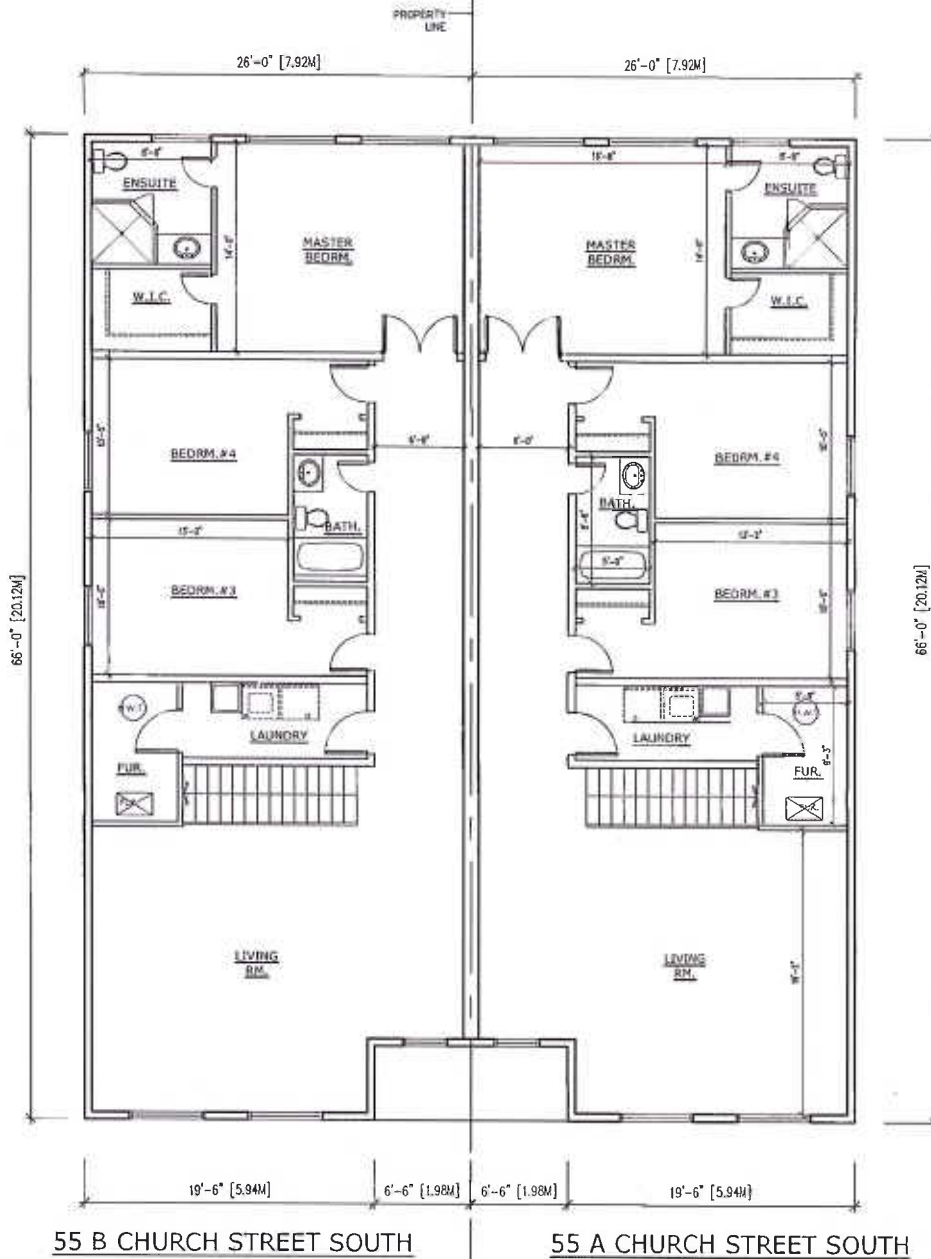
JULY, 2018

Project name

A-2



Attachment #3
Documents Submitted with Application, July 28, 2018
PP-2018-36 11 October 1, 2018



1 SECOND FLOOR PLANS
SCALE: 1/8" = 1'-0"

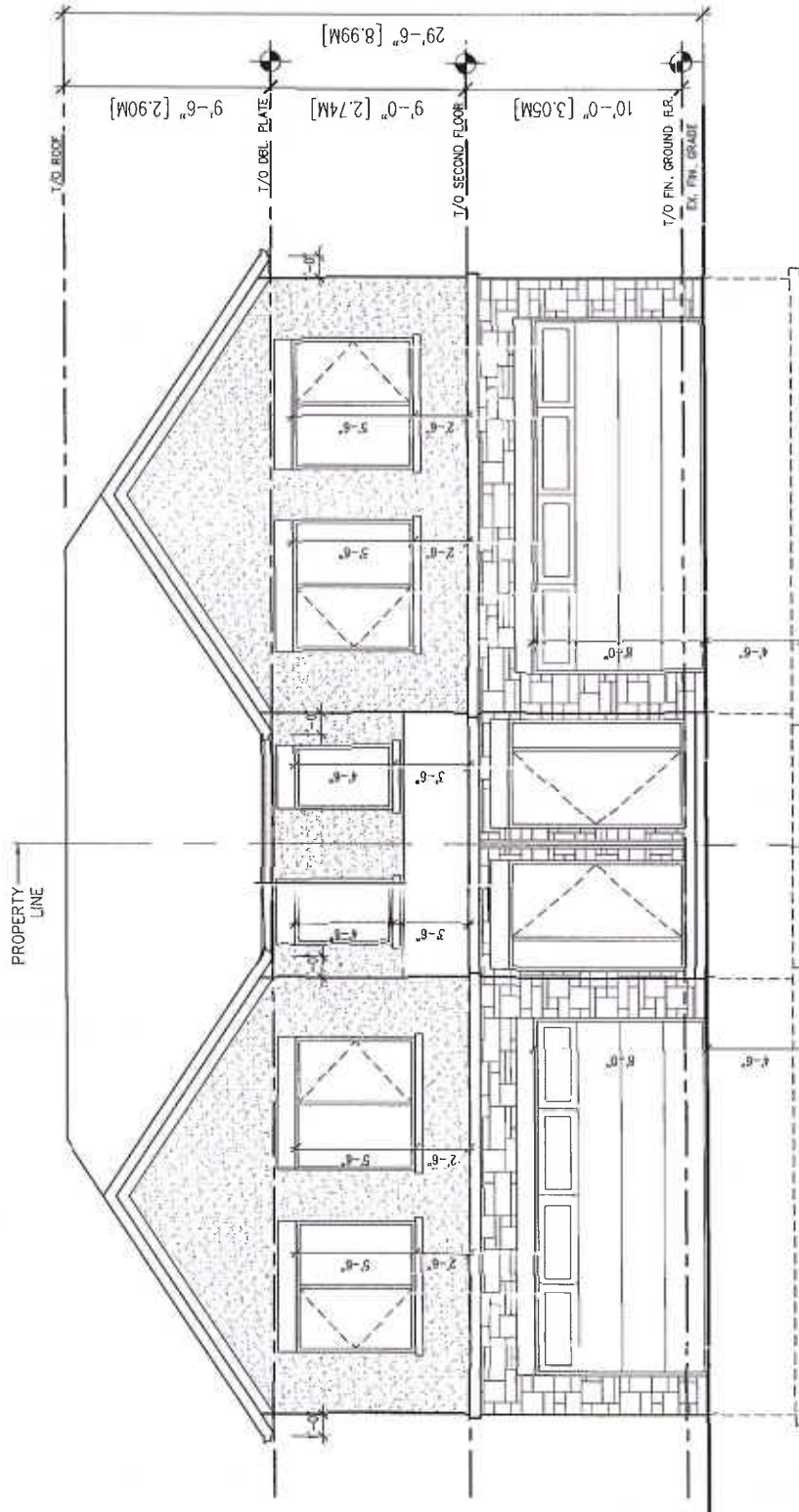
<p>The undersigned has reviewed & taken responsibility for this design, and has the Qualifications and meets the requirements set out in the Ontario Building Code for a designer.</p> <p>DESIGNER INFORMATION</p> <p>ROCK KIM 36340 BCH</p> <p><i>[Signature]</i> JUL 28, 2018 Date</p> <p>REGISTRATION 981060033 45379 BCH</p> <p>ROCKIM DESIGN INC.</p>		<p>REVISIONS</p> <table border="1"><thead><tr><th>NO.</th><th>DESCRIPTION</th><th>DATE</th><th>BY</th></tr></thead><tbody><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr></tbody></table>		NO.	DESCRIPTION	DATE	BY													<p>PROJECT</p> <p>PROPOSED SEMI-DETACHED DWELLING</p> <p>55 A AND 55 B CHURCH ST S BELLVILLE, ON</p> <p>DRAWING TITLE</p> <p>FLOOR PLAN</p>		<p>DESIGNER</p> <p>R.K.</p> <p>DATE</p> <p>AS NOTED</p> <p>DATE</p> <p>JULY, 2018</p> <p>PROJECT NUMBER</p>		<p>A-3</p>	
NO.	DESCRIPTION	DATE	BY																						

Attachment #3
 Documents Submitted with Application, July 28, 2018
 October 1, 2018

PP-2018-36

12

A-4



1 WEST SIDE ELEVATION
 SCALE: 3/16"=1'-0"

A4

REVISIONS	DATE	BY	DESCRIPTION
1	JULY, 2018	AS NOTED	AS NOTED

PROPOSED SEMI-DETACHED DWELLING	65 x AND 55 x CHURCH ST S BETHLEHEM, PA
ELEVATION	

REVISIONS	DATE	BY	DESCRIPTION
1	JULY, 2018	AS NOTED	AS NOTED

ROCK M DESIGN INC.	45379
REGISTERED DESIGN PROFESSIONAL	PA 0000000000
SIGNATURE	
DATE	JULY 28, 2018
SCALE	3/16"=1'-0"

Memo

TO: Chair Denyes and
Members of the Planning Advisory Committee

FROM: Greg Pinchin
Secretary-Treasurer, Committee of Adjustment

DATE: September 21, 2018

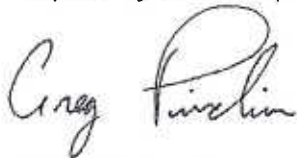
FILES: B-77-1058 and B-77-1059

RE: Comments from Committee of Adjustment Meeting held September 20, 2018
Related Severance Applications B 30/18 and B 31/18, South Church Street

The City of Belleville Committee of Adjustment was asked to consider applications to sever the properties at 55 and 59 South Church Street to enable the construction of semi-detached dwellings at each address. The applications have been deferred pending the outcome of the above-noted rezoning applications that relate to the properties in question.

The Committee of Adjustment requested that the attached correspondence received from neighbouring property owners be forwarded to the Planning Advisory Committee for consideration.

Respectfully submitted,



Greg Pinchin
GP

attachments

September 17, 2018

City of Belleville
Committee of Adjustment

Re: Severance Applications Number B 30/18
55 South Church St. 120801001015300

Severance Application Number B31/18
59 South Church St. 120801001015100

We the residents of South Church St. are against the above applications to firstly sever and secondly to re-zone the above properties.

The subject property known as 55 South Church St. is zoned R2-1 and the owner would like this re-zoned with special provisions to Residential Third Density R3 to permit a semi-detached dwelling. Where as 59 South Church St. is zoned R2-1 and the owner has applied to re-zone the property to Residential Third Density R3 and divide the property into two equal lots in order to construct a semi-detached dwelling.

The South Church St. area in question is an emerging residential community that is made up predominately of single family residences. In fact, new single family homes currently under construction at the south end of South Church St. are in the two million dollar range.

We are against these applications based on the following concerns:

1. Street Parking:

The attached document (A) takes a bird's eye view of 20 residences showing we have street parking for approximately 10 vehicles on this artery which is well used by residents, boaters and construction trucks. Now, where do we put the additional vehicles created by the higher density proposed dwellings? We suggest to you that this street is very unsafe for both vehicle and pedestrian traffic as it currently exists.

2. Failed Infrastructure :

South Church St. continually floods from moderate to heavy rainfall and in some cases does not recede for hours. This has been an on-going problem since day one. The depth of the water goes over the curbs and onto lawns along with covering driveways. The drainage of this street is inadequate and if we continue to allow more lot severances and higher density, more water from roof drainage enters the street drains to exacerbate the current problem. Don't forget South Church St. is also the only entrance / exit for 24 South Church St. which comprises another 31 residences and they must travel through this flooded section of road. As more vacant lots on the street are approved and built upon, this will have an impact on these drainage services in the future. The problem will not go away on its own!!

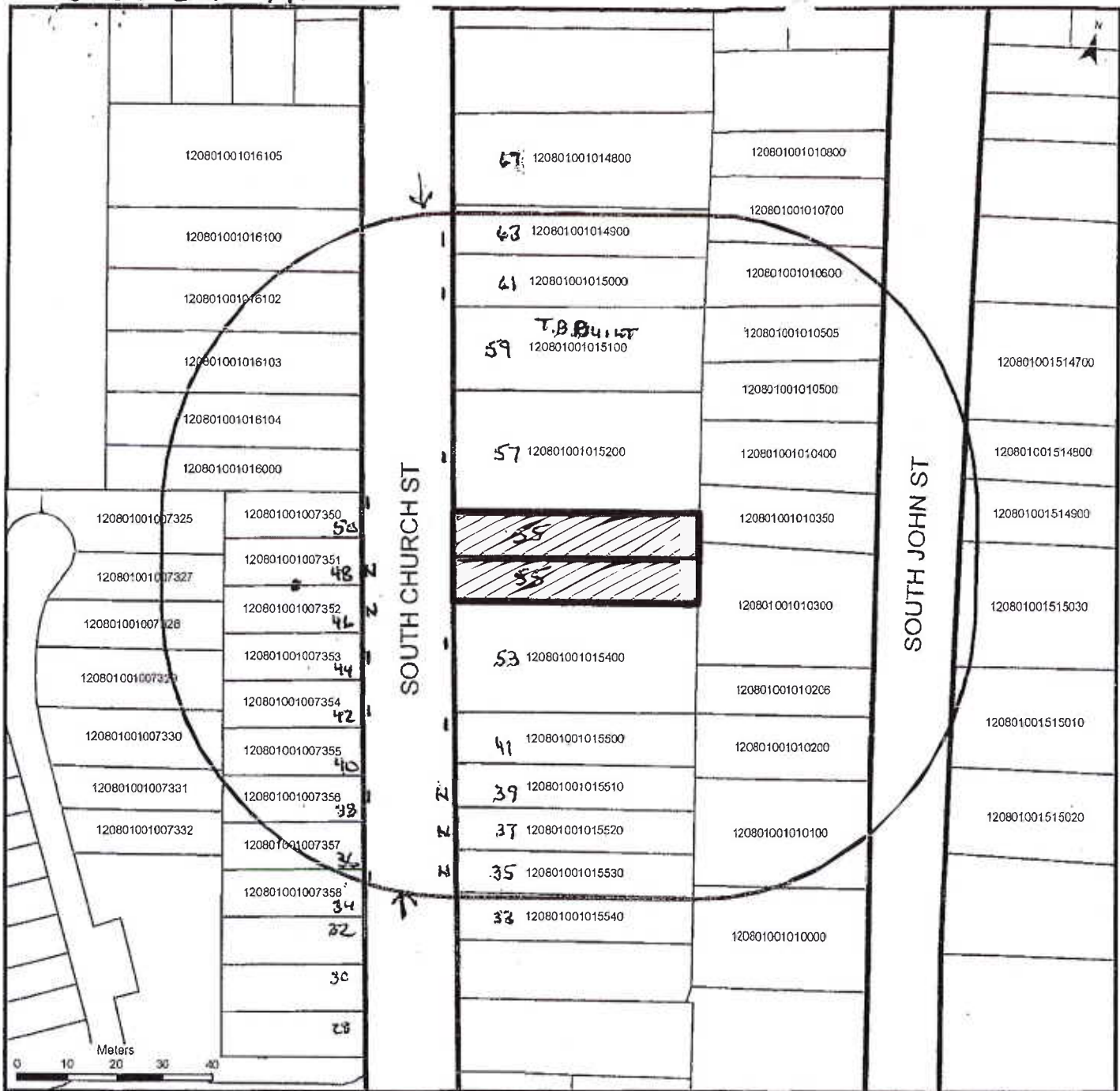
3. High Density Housing :

We were very surprised to learn that the design of both these builds known as 55 and 59 South Church St. could affect the pulse of our community. When you look at these two semi-detached residences together, a rational person must ask when are (5-10-15-20) bedrooms a rooming house, student housing or an Air B&B. Does this not raise a concern for you in a primarily single family residential area? Could it affect future building in the area and will it have a negative impact on resale prices of our existing homes?

We are opposed to these applications and urge the city to deny them. In addition, we the undersigned would like to be notified of your decision to allow us time to consult with our advocate.

With Respect ,

Residents of South Church St.



LEGEND: N NO PARKING
 1 ONE PARKING SPOT
 • FIRE HYDRANT

Attachment #4
 Committee of Adjustment Correspondence

PP-2018-36

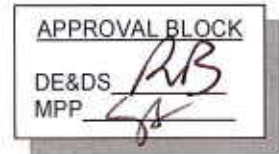
16

October 1, 2018

Name	Address	Phone Contact
Kathy Seecombe	53 ^{South} Church St.	613-770-8002
Brian Seecombe	53 ^{South} Church St	613 770 8002
Jan Messer	57 S. Church St.	613-962-2429
John Dodds	28 Church St. S.	613-967-1720
Martha Sherratt	24 South Church St Unit 10	613-922-0174
Mary Lou Ross	37 S. Church St.	613 968 3319
P. Q. Bannister	41 S. Church St	613-962-5655
P. Q. Bannister	41 S. Church St	613 962 5655
Glean Ryker Cohan	35 Church St S	613 962 9116
Nadine Loullet	39 Church St.	613 966-1150

18

Name	Address	Phone Contact
Leona Skates	46 Church St. S.	613-921-1523
Pat Skates	" "	905-875-8370
John Sw-Hykes	48 Church St. S.	613-969-5191
Carolyn Gaudin	34 S. Church	613-967-6199
Christine & McEachern	38 S. Church	613 962 7002
Donna Progan	50 " "	613-779-8232
Anthony Gray	62 " "	647-999-0993
Taylor Merritt	66 Church St.	613 813 2160
Mike Di Donato	27 St. Paul	613 848-3610
Bradley Duvalin	25 ST. PAUL	613-969-4423
LANA REID	32 CHURCH ST S.	613-966-6197
KEVIN KEOGH	32 Church St S.	613-966-6197
Mary Van Gaa	42 CHURCH ST. S.	613-779-5914
MURRAY LABERGE	42 CHURCH ST. S.	613-779-5914
DONNA LABERGE	38 S. Church St.	613 962-7002
TOM WICKETT		



CITY OF BELLEVILLE

Thomas Deming, Policy Planner
Engineering and Development Services Department
Report No. PP-2018-37
October 1, 2018

To: Belleville Planning Advisory Committee

Subject: Proposed Zoning By-law Amendment (By-Law 10245)
59 Church Street South
City of Belleville
AGENT: Chris Nava
OWNER: Panagotes Karaglaus

File: B-77-1059

Recommendation:

THAT the Policy Planning Section of the Engineering and Development Services Department report back to Planning Advisory Committee at such time as input from the public, commenting agencies and departments has been received and assessed.

Background:

The subject lands are located at 59 Church Street South, south of St. Paul Street and north of Harbour Drive. The subject lands have an area of approximately 919.86m². (See Location Map - Attachment #1).

The subject lands are currently vacant.

Surrounding uses include:

- 1) to the east: residential lots zoned R2-1;
- 2) to the north: residential lots zoned R2-1;
- 3) to the south: residential lots zoned R2-1;
- 4) to the west: a vacant lot, and residential lots zoned R2-1.

It should also be noted that extensive redevelopment has occurred in the area including medium density housing to the southwest of the subject lands (See Attachment #2 for aerial imagery of area).

Documents submitted in support of the application, and provided in Attachment #3, include:

- a proposed site plan;
- elevations of the proposed building; and
- floor plans.

These documents have been available for public review at the Planning Department.

Proposal:

The Applicant proposes to rezone the lands from the R2-1 – Residential Second Density Zone with special provisions to the R3 - Residential Third Density Zone that will permit a semi-detached dwelling.

The property is also subject to a Committee of Adjustment land severance application (Severance File # B 31/18) which, if approved, would permit the semi-detached dwelling to be constructed along a shared property line and thereby allow each dwelling unit to be conveyed independently of one another.

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Official Plan:

The land is designated "City Centre" in the City's Official Plan.

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In addition, the land is within the Special Policy Area #1 known as the Bayshore Planning Area. The area contains a low density residential neighbourhood interspersed with industrial, commercial, and high density residential uses.

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The R3 – Residential Third Density is primarily used for semi-detached dwellings.

Administrative Control Measures:

The subject lands are near the former coal gas plant and within the area identified as requiring additional administrative control measures. At this location coal was transformed to gas by heating it in retorts in the absence of air. This produced a gas, a solid (coke) and a tar. Some coal tar may have been released resulting in impacts to subsurface soil and groundwater quality.

The City has conducted environmental investigations in this area. The results of those investigations have not identified any adverse effect on the current residential, commercial, and industrial land uses in that area. If property uses are modified, or if construction is to take place, there is however the potential for adverse effects to occur. If property uses are modified, or if construction is to take place, there is an opportunity to mitigate any potential risks at the same time. Administrative Control Measures are required in order to determine if there is the potential for an adverse effect, and if so, to implement measures for the protection of occupants, employees and workers.

Public Comments:

On September 11, 2018, a written notice and location map was mailed by first class mail to all registered owners of land within 120 metres of the subject property. The notice provided information that a public meeting was scheduled for October 1, 2018.

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Consistency with Provincial Policy Statement, Official Plan and Zoning By-law

This application is consistent with the Provincial Policy Statement as the

proposed development would slightly intensify the density which means a more compact and efficient use of land.

The surrounding area contains a mix of housing types including low density units and medium density units. The proposed development would be defined as low density development according to the Official Plan. This would be consistent with the PPS as it would provide a range and mix of housing types.

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In summary, the Official Plan promotes increasing density in this area while considering the existing uses and maintaining the uniqueness of the area. The proposed rezoning of the lands from R2-1 Residential Second Density Zone with special provisions to R3 Residential Third Density Zone to permit a semi-detached dwelling slightly increases the density while maintaining the integrity of the Bayshore Planning Area.

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Respectfully submitted



Thomas Deming, Policy Planner

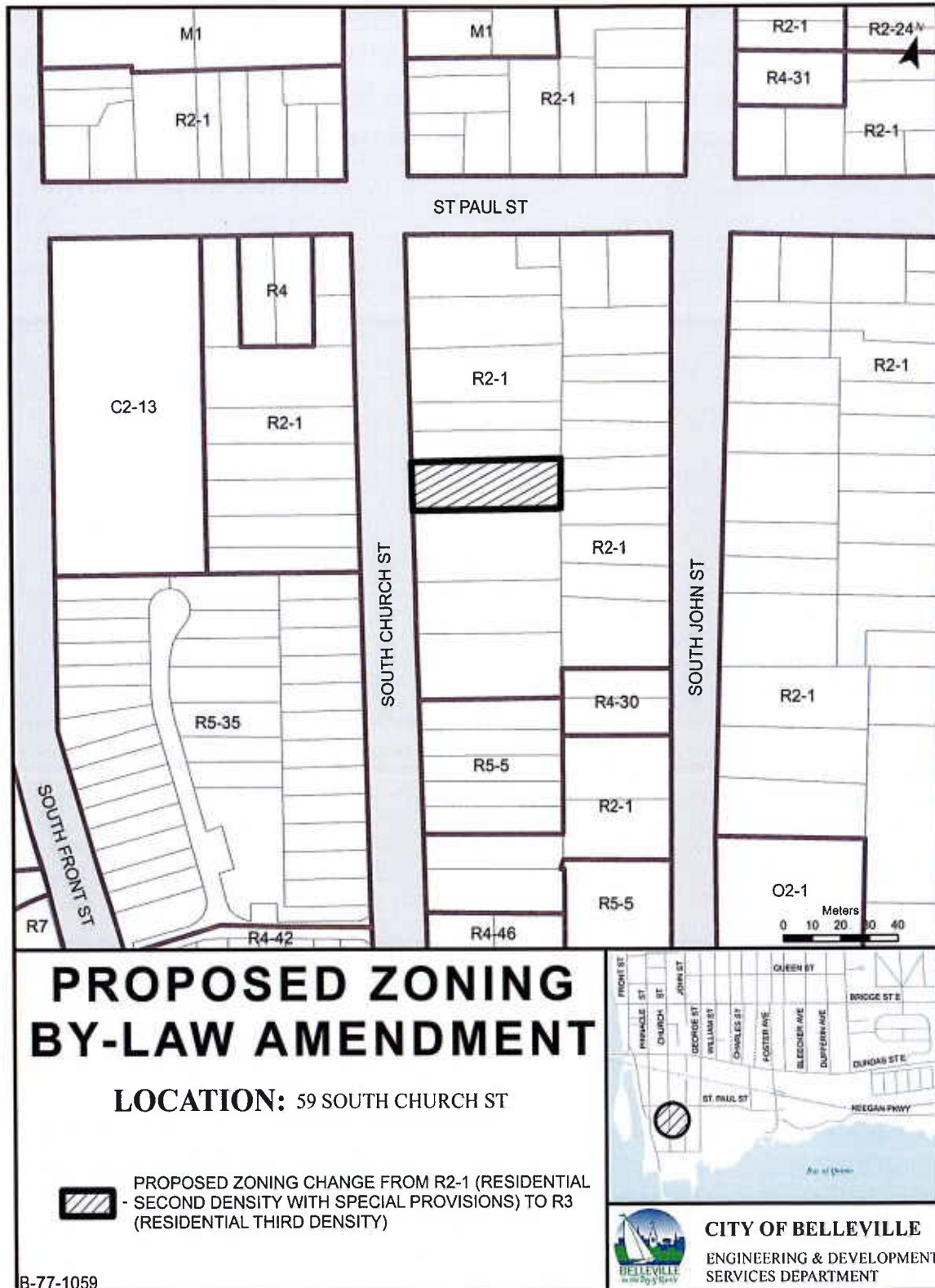
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Attachment #1 – Location Map

Attachment #2 – Aerial Imagery of Housing Types in Proximity to Subject Lands

Attachment #3 – Documents Submitted with Application, July 28, 2018

Attachment #4 – Committee of Adjustment Correspondence

Attachment #1 – Location Map



CITY OF BELLEVILLE
ENGINEERING & DEVELOPMENT
SERVICES DEPARTMENT

Attachment #2
Aerial Imagery of Housing
Types in Proximity to Subject
Lands
55 & 59 SOUTH
CHURCH STREET

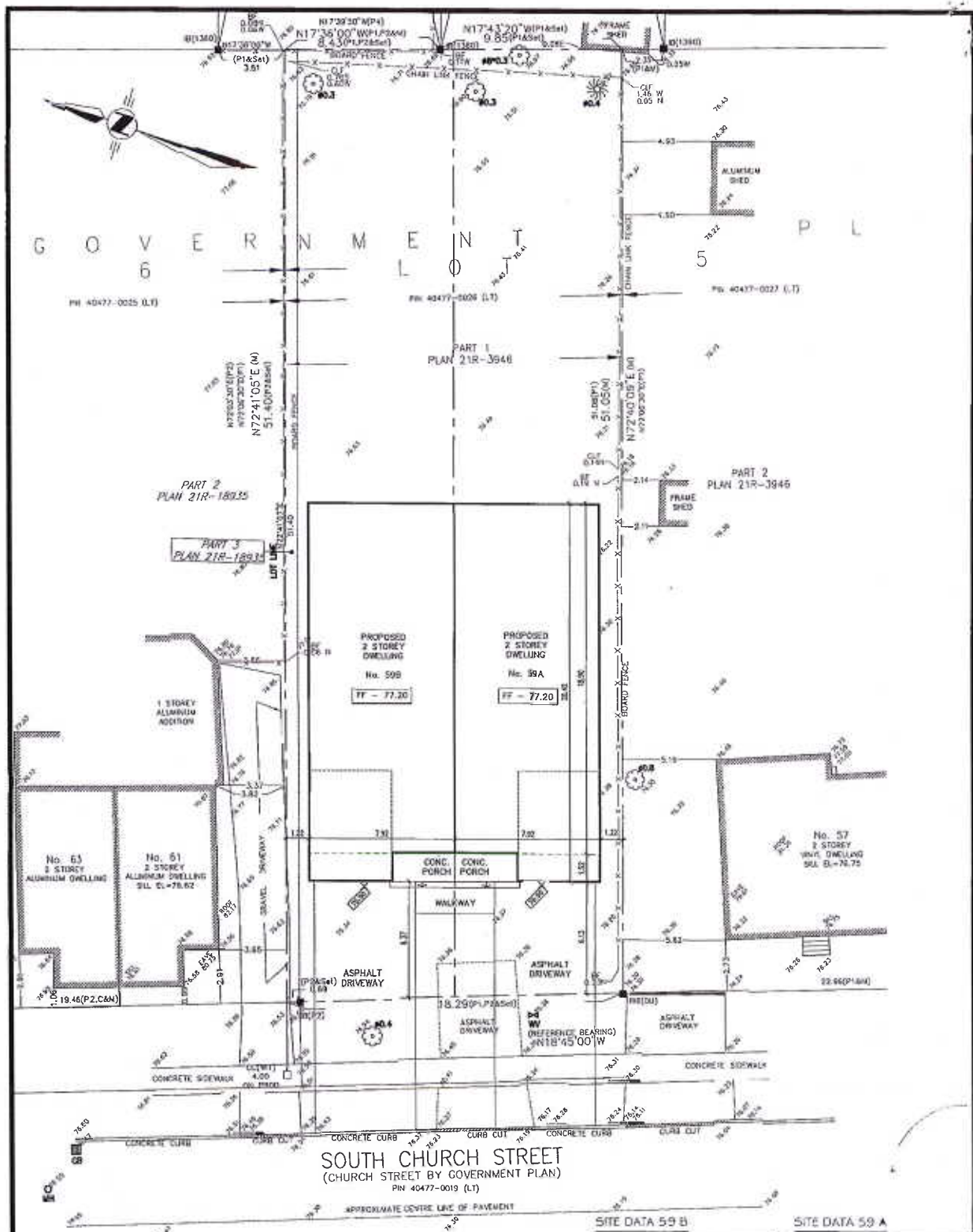


PP-2018-37

9

October 1, 2018





SOUTH CHURCH STREET
(CHURCH STREET BY GOVERNMENT PLAN)
PIN 40477-0019 (LT)

SITE DATA 59 B

Lot Area	468.88 Sq.m
Proposed building area	
Ground floor area	129.53 Sq.m
Garage area	27.09 Sq.m
Deck porch	6.10 Sq.m
Second floor area	148.75 Sq.m
Total Gross floor area	279.38 Sq.m (58.50%)
Total coverage	181.83 Sq.m (38.51 %)

SITE DATA 59 A

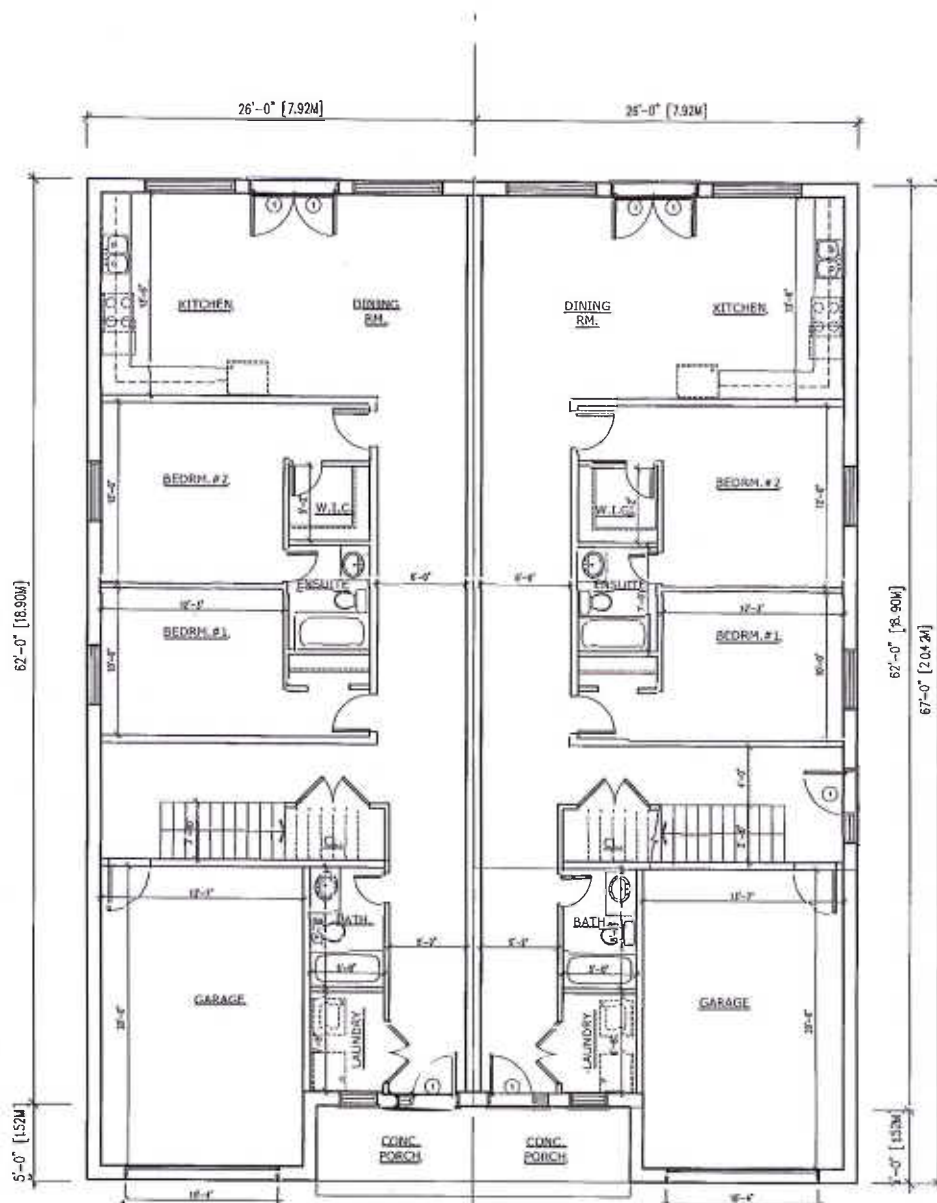
Lot Area	467.67 Sq.m
Proposed building area	
Ground floor area	129.53 Sq.m
Garage area	27.09 Sq.m
Deck porch	6.10 Sq.m
Second floor area	148.75 Sq.m
Total Gross floor area	279.38 Sq.m (59.76%)
Total coverage	181.83 Sq.m (38.64 %)

Attachment #3
Documents Submitted with Application, July 28, 2018
PP-2018-37 10 October 1, 2018

<p>The undersigned has reviewed & taken responsibility for this design, and has the Qualifications and meets the requirements set out in the Ontario Building Code to be a designer.</p> <p>QUALIFICATION INFORMATION</p> <p>Required unless design is exempt under 3.2.5.1 of the building code</p> <p>ROCK KM 36340</p> <p>Signature: <i>[Signature]</i> Date: JUL 28, 2018</p> <p>REGISTRATION INFORMATION</p> <p>Required unless design is exempt under 3.2.4.1 of the building code</p> <p>ROCKIM DESIGN INC. 45379</p> <p>Firm Name: ROCKIM</p>		<p>PROPOSED</p> <p>SEMI-DETACHED DWELLING</p> <p>55 AND 57 CHURCH ST. S. BOLLEVILLE, ON</p> <p>SITE PLAN</p>	<p>DESIGNED BY: R.K.</p> <p>DRAWN BY: R.K.</p> <p>DATE: JULY, 2018</p> <p>PROJECT NUMBER: 1000</p>	<p>A-1</p>
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Attachment #3
Documents Submitted with Application, July 28, 2018



59 B CHURCH ST SOUTH

59 A CHURCH ST SOUTH

1
A-2

GROUND FLOOR PLANS

SCALE: 1/8"=1'-0"

The undersigned has reviewed & taken responsibility for this design, and has the qualifications and made the requirements set out in the Ontario Building Code to be a designer.

Required unless design is exempt under 3.2.5.1 of the building code

ROCK KIM

36340

JUL 28, 2018

Date

Registration information:
Required unless design is exempt under 3.2.4.1 of the building code

ROCKIM DESIGN INC.

45379

File Name

BC18

GENERAL NOTE:
This drawing is an indication of intent. It is provided as aid to the owner of the project. The owner must verify and accept responsibility for all dimensions and details as they may vary from the information or data provided. The designer is not responsible for the accuracy of the information provided. Refer to the registered engineering drawing before construction with the work. Construction must conform to all applicable codes and regulations of the jurisdiction. This drawing is not to be used for any other purpose.

NO.	REVISIONS	DATE	BY
1			
2			
3			
4			

PROJECT:
PROPOSED
SEMI-DETACHED
DWELLING
59 A AND 59 B CHURCH ST S
BELLVILLE, ON

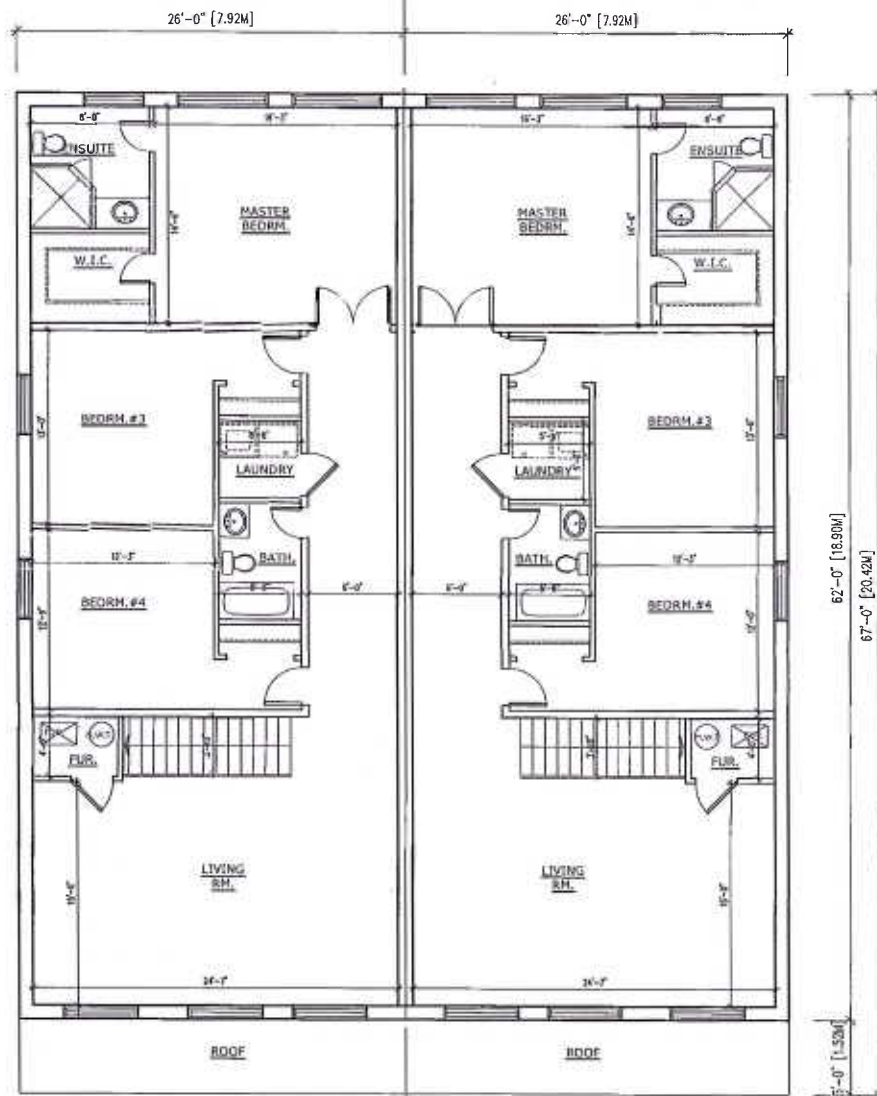
DRAWING TITLE:
FLOOR PLAN

DRAWN BY:
R.K.
CHECKED BY:
R.K.
SCALE:
AS NOTED
DATE:
JULY, 2018
PROJECT NAME:

A-2



Attachment #3
Documents Submitted with Application, July 28, 2018



59 B CHURCH ST SOUTH

59 A CHURCH ST SOUTH



SECOND FLOOR PLANS

SCALE: 1/8"=1'-0"

The undersigned has reviewed the design and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.

Required unless design is exempt under 3.2.5.1 of the building code

ROCK KM 36340

JUL 28, 2018

Required unless design is exempt under 3.2.5.1 of the building code

ROCKIM DESIGN INC.

45379

Firm Name

ID#

DESIGNER'S SIGNATURE
The undersigned is an individual or a firm, as indicated by the signature, and is responsible for the design and construction of the building. The undersigned is not responsible for the construction of the building.

REVISIONS	DATE	BY
1		
2		
3		
4		
5		

PROJECT

PROPOSED
SEMI-DETACHED
DWELLING
59 A AND 59 B CHURCH ST S
BELLEVILLE, ON

DRAWING TITLE

FLOOR PLAN

DESIGNED BY

R.K.

CHECKED BY

SCALE

AS NOTED

DATE

JULY, 2018

PROJECT NUMBER

A-3

PP-2018-37

13

October 1, 2018

Attachment #3
Documents Submitted with Application, July 28, 2018

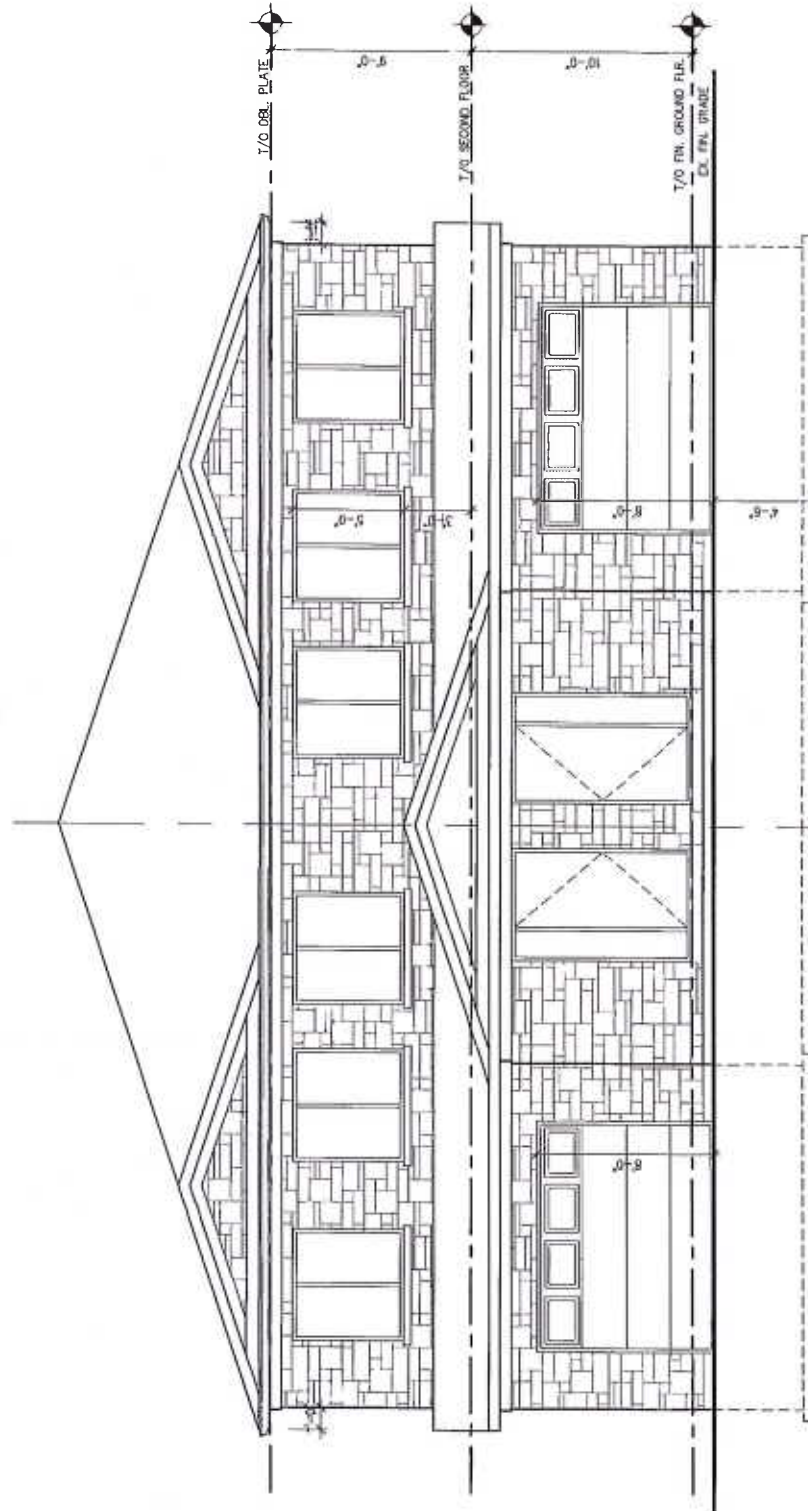
A-4

PROJECT NUMBER	7017
DATE	JULY, 2018
SCALE	AS NOTED
DESIGNED BY	R.K.

PROPOSED SEMI-DETACHED DWELLING 52 A AND 52 B CHURCH ST S BOLLEVILLE, MO	ELEVATION
--	-----------

REVISIONS	DATE	BY
NO. DESCRIPTION		

PROJECT INFORMATION	DATE	BY
36340	JUL. 28, 2018	
ROCKIM KIM		
DESIGNED BY	DATE	BY
45379		
ROCKIM DESIGN INC.		



1 WEST SIDE ELEVATION
SCALE: 3/16"=1'-0"

Attachment #4 - Committee of Adjustment Correspondence

Memo

TO: Chair Denyes and
Members of the Planning Advisory Committee

FROM: Greg Pinchin
Secretary-Treasurer, Committee of Adjustment

DATE: September 21, 2018

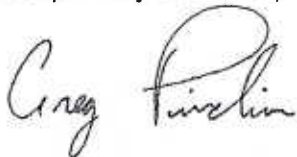
FILES: B-77-1058 and B-77-1059

RE: Comments from Committee of Adjustment Meeting held September 20, 2018
Related Severance Applications B 30/18 and B 31/18, South Church Street

The City of Belleville Committee of Adjustment was asked to consider applications to sever the properties at 55 and 59 South Church Street to enable the construction of semi-detached dwellings at each address. The applications have been deferred pending the outcome of the above-noted re-zoning applications that relate to the properties in question.

The Committee of Adjustment requested that the attached correspondence received from neighbouring property owners be forwarded to the Planning Advisory Committee for consideration.

Respectfully submitted,



Greg Pinchin
GP

attachments

Attachment #4 - Committee of Adjustment Correspondence

September 17, 2018

City of Belleville
Committee of Adjustment

Re: Severance Applications Number B 30/18
55 South Church St. 120801001015300

Severance Application Number B31/18
59 South Church St. 120801001015100

We the residents of South Church St. are against the above applications to firstly sever and secondly to re-zone the above properties.

The subject property known as 55 South Church St. is zoned R2-1 and the owner would like this re-zoned with special provisions to Residential Third Density R3 to permit a semi-detached dwelling. Where as 59 South Church St. is zoned R2-1 and the owner has applied to re-zone the property to Residential Third Density R3 and divide the property into two equal lots in order to construct a semi-detached dwelling.

The South Church St. area in question is an emerging residential community that is made up predominately of single family residences. In fact, new single family homes currently under construction at the south end of South Church St. are in the two million dollar range.

We are against these applications based on the following concerns:

1. Street Parking:

The attached document (A) takes a bird's eye view of 20 residences showing we have street parking for approximately 10 vehicles on this artery which is well used by residents, boaters and construction trucks. Now, where do we put the additional vehicles created by the higher density proposed dwellings? We suggest to you that this street is very unsafe for both vehicle and pedestrian traffic as it currently exists.

Attachment #4 - Committee of Adjustment Correspondence

2. Failed Infrastructure :

South Church St. continually floods from moderate to heavy rainfall and in some cases does not recede for hours. This has been an on-going problem since day one. The depth of the water goes over the curbs and onto lawns along with covering driveways. The drainage of this street is inadequate and if we continue to allow more lot severances and higher density, more water from roof drainage enters the street drains to exacerbate the current problem. Don't forget South Church St. is also the only entrance / exit for 24 South Church St. which comprises another 31 residences and they must travel through this flooded section of road. As more vacant lots on the street are approved and built upon, this will have an impact on these drainage services in the future. The problem will not go away on its own!!

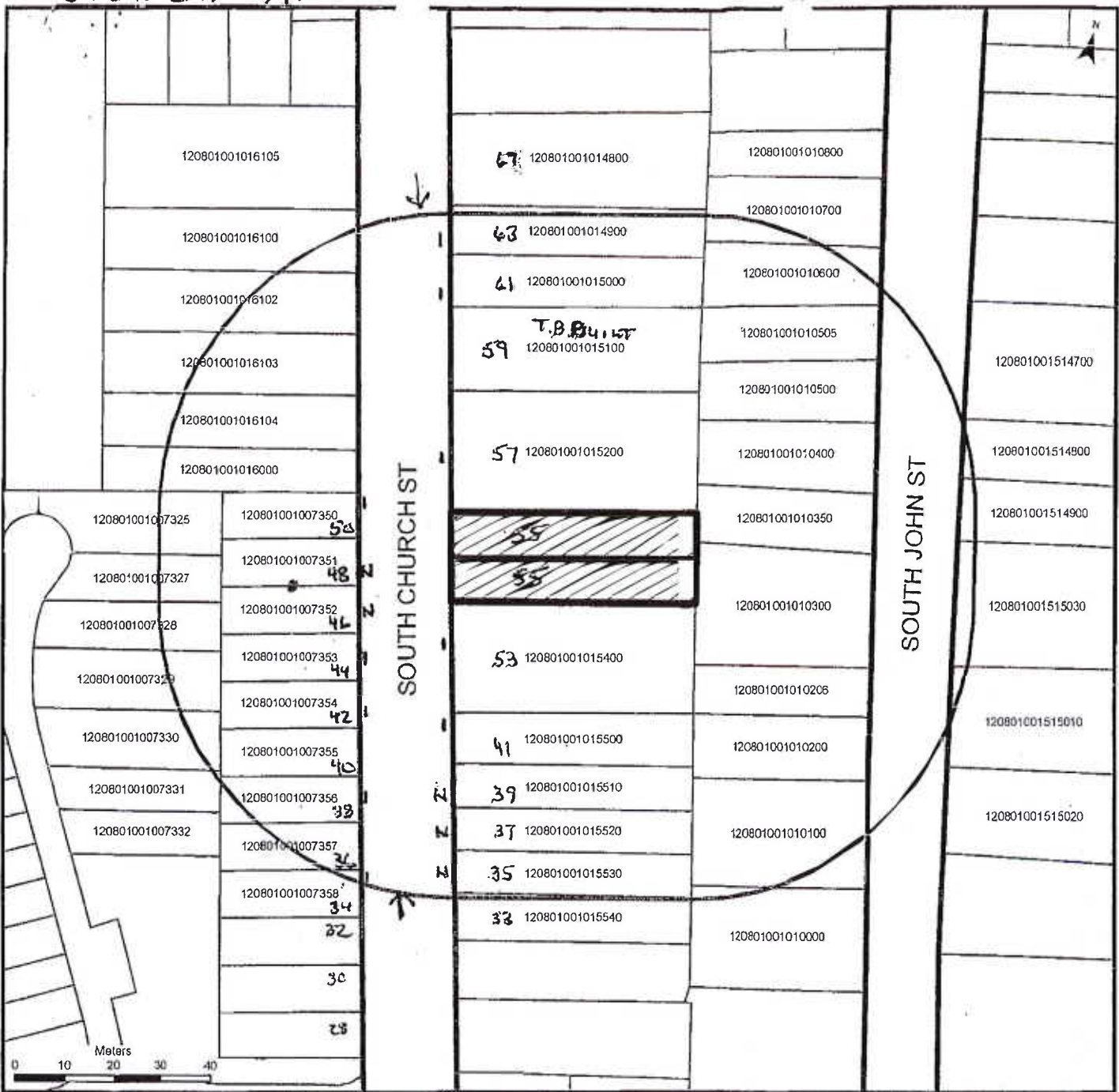
3. High Density Housing :

We were very surprised to learn that the design of both these builds known as 55 and 59 South Church St. could affect the pulse of our community. When you look at these two semi-detached residences together, a rational person must ask when are (5-10-15-20) bedrooms a rooming house, student housing or an Air B&B. Does this not raise a concern for you in a primarily single family residential area? Could it affect future building in the area and will it have a negative impact on resale prices of our existing homes?

We are opposed to these applications and urge the city to deny them. In addition, we the undersigned would like to be notified of your decision to allow us time to consult with our advocate.

With Respect ,

Residents of South Church St.



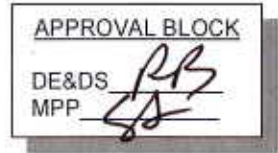
LEGEND: N NO PARKING
 I ONE PARKING SPOT
 • FIRE HYDRANT

Attachment #4 - Committee of Adjustment Correspondence

Name	Address	Phone Contact
Kathy Seecombe	53 ^{South} Church St.	613-770-8002
Brian Seecombe	53 ^{South} Church St	613 770 8002
Jan Messer	57 S. Church St.	613-962-2429
John Dodds	28 Church St. S.	613-967-1720
Martha Sherratt	24 South Church St Unit 10	613-922-0174
Mary Lou Ross	37 S. Church St.	613 968 3379
P. Q. Panenka	41 S. Church St	613-962-5655
St. Andrew	41 S Church St S	613 962 5655
Glean Riley Cotton	35 Church St S	613 962 9116
Madeline Loulal	39 Church St.	613 966-1150

Attachment #4 - Committee of Adjustment Correspondence

Name	Address	Phone Contact
Leona Skates	46 Church St. S.	613-921-1523
Pat Skates	" "	905-875-8370
John Swo-Sykes	48 Church St. S.	613-969-5191
Colleen Gaudin	34 S. Church	613-967-6199
Cosmine & McCracken	38 S. Church	613 962 7002
Donna Progan	50 " "	613-779-8232
Anthony Gray	62 " "	647-999-0993
Taylor Merritt	66 Church St.	613 813 2160
Mike Di Donato	27 St. Paul	613 848-3610
BRALEY DRUOLIN	25 ST. PAUL	613-969-4423
LANA REID	32 CHURCH ST S.	613-966-6197
KEVIN KEOGH	32 Church St S.	613-966-6197
Mary Van Gaal	42 Church St. S.	613-779-5914
MURRAY LABERGE	42 CHURCH ST. S.	613-779-5914
DONNA LABERGE	38 S. Church St.	613 962-7002
TOM WICKETT		



CITY OF BELLEVILLE

Thomas Deming, Policy Planner
Engineering and Development Services Department
Report No. PP-2018-38
October 1, 2018

To: Belleville Planning Advisory Committee

Subject: Proposed Zoning By-law Amendment (By-Law 3014)
1334 Clearview Road
City of Belleville
APPLICANT: Johnathon VanHuizen
OWNER: 2521461 Ontario Limited

File: B-77-1060

Recommendation:

1. That the Belleville Planning Advisory Committee recommends the following to City Council:

THAT the application to amend Zoning By-Law Number 3014, as amended, for land described as 1334 Clearview Road, City of Belleville, County of Hastings, be APPROVED as follows:

That Zoning By-Law Number 3014, as amended, be amended by rezoning the subject lands from the current "RU – Rural" zone to "RR – Rural Residential" zone.

Background:

The City approved a severance application to create two new lots at 1334 Clearview Road, and located south of Clearview Road, east of Wannamaker Road, and west of Gifford Road. The subject lands have an area of approximately 1.5 hectares (See Location Map - Attachment #1). Approval of the severance is conditional on the approval of the lands being rezoned.

The subject lands are currently vacant.

Surrounding uses include:

- 1) to the east: undeveloped land zoned RU - Rural;
- 2) to the north: the Municipality of Centre Hastings;
- 3) to the south: undeveloped land zoned H - Hazard;
- 4) to the west: undeveloped land zoned RU - Rural;

5) in addition: undeveloped land zoned H divides the subject lands.

An existing site plan was submitted (See Attachment #2).

This document has been available for public review at the Planning Department.

Proposal:

The Applicant proposes to rezone the lands from the RU – Rural Zone to the RR – Rural Residential Zone that will permit a single family dwelling on each of the two new lots.

This application will meet the condition of severance (Severance File # B 54/17 & B 55/17) which requires each of the two new lots to be rezoned.

Provincial Policy Statement:

Municipalities are required to ensure all decisions related to land use planning matters shall be consistent with the Provincial Policy Statement.

Applicable policies in the PPS include:

1.1.4.1 Healthy, integrated and viable rural areas should be supported by:

c) accommodating an appropriate range and mix of housing in rural settlement areas;

1.1.5.2 On rural lands located in municipalities, permitted uses are:

c) limited residential development;

Official Plan:

The land is designated "Rural" and "Environmental Protection" in the City's Official Plan.

The Rural land use is characterized by the rural landscape which reflects the historical relationship between settlement areas and farm and rural community to which the settlement areas provide basic services. These rural lands include areas which have strong mix of existing non-farm uses, and the agricultural land base may be fragmented to such a degree that it is no longer useful for agriculture. The amount and type of development in the Rural designation should be consistent with maintaining its rural landscape including maintenance of large open space areas.

Within areas designated Rural land use, a variety of land uses will be permitted including limited low density residential, commercial/industrial and conservation and small-scale outdoor recreation uses. Residential development that has minimal impact on natural environmental features and the rural character should be permitted. To that end, residential uses in areas designated Rural land use should reflect the character of existing development in the area, and should be encouraged on lots minimum .4 hectares in size with at least 50 metres of frontage on a public street.

Such development may be approved provided that:

- there is sufficient capacity in the natural systems to adequately service the residential use;
- the development does not interfere unreasonably with the normal functioning and the quality of natural features such as drainage courses and wetlands;
- the development fully complies with the minimum distance separation formulae discussed in Section 3.2.2 a) of the Official Plan;
- there is safe access to an open publicly maintained road that is designed to accommodate traffic generated by the residential development; and
- it does not preclude or hinder aggregate extraction in areas designated Mineral Aggregate (licensed and reserve areas) according to the policies of Section 3.7.2 of the Official Plan.

The lands designated Environmental Protection require special care and regulation due to their inherent natural characteristics. Official Plan policies state that no development, including the temporary or permanent placing or dumping of material of any kind (whether originating on or off site), should be permitted within a floodplain except for flood or erosion control works, shoreline stabilization works, water intake facilities and passive recreational facilities (i.e. trails, boat docking/launching facilities).

The Environmental Protection lands have been delineated to the Hazard (H) lands of the Zoning By-Law 3014, which are not being rezoned.

Zoning By-law:

The subject lands are currently zoned RU – Rural and H – Hazard in Zoning By-Law Number 3014, as amended. The Applicant/Owner proposes to re-zone the portion of the lands from RU to the RR – Rural Residential Zone to permit each new lot to be developed with a single family dwelling. The application does not affect the lands currently zoned H.

Public Comments:

On September 11, 2018 a written notice and location map was mailed by first class mail to all registered owners of land within 120 metres of the subject property. The notice provided information that a public meeting was scheduled for October 1, 2018.

Similarly, a sign was placed on the subject lands notifying the general public that a Public Meeting was scheduled for October 1, 2018.

Both notices state that additional information is available. This additional information includes the site plan submitted by the applicant and is in the City's Planning Files and is available for review by any member of the public during business hours.

To date, no correspondence from the public has been received by the City regarding this application.

Staff and Agency Comments:**External Agency Circulation**

The subject application was circulated for comment to the Algonquin & Lakeshore Catholic School Board, the Hastings & Prince Edward District School Board, Hastings and Prince Edward Health Unit, Bell Canada, Canada Post, Ontario Power Generation, Union Gas, Veridian Connections, Hydro One, TransCanada Pipeline, Enbridge Pipelines, Trans-Northern Pipelines, MPAC, Quinte Conservation, and the Health Unit.

To date, Veridian Connections and Quinte Conservation have provided correspondence and they have no comment on this application.

No other comments or concerns have been received regarding this application.

Internal Department Circulation

The subject application was circulated for comment to the Belleville Fire Department, Belleville Police Service, the Development Engineer, the General Manager of Transportation & Operations Department, General Manager of Environmental Services, the Director of Recreation, Culture and Community Services, the Manager of Parks & Open Spaces, the Chief Administrative Officer, the Manager of Economic & Strategic Initiatives, the City Clerk, and the Chief Building Official.

To date, the Belleville Fire Department, the City's Development Engineer,

and Recreation, Culture and Community Services Department have provided correspondence and they have no concerns.

No other comments have been received regarding this application.

Planning Analysis:Consistency with Provincial Policy Statement, Official Plan and Zoning By-law

This application is consistent with the Provincial Policy Statement as the proposed development would provide limited residential development within the rural area. Moreover, the proposed development would provide individual on-site water and sewer services. It is staff's opinion that the proposal is consistent with the PPS.

The Rural designation within the Official Plan encourages low density residential development that has minimal impact on the natural environment and rural character. The Official Plan states development should be on lots 0.4 hectares in size with at least 50 metres of frontage; the proposed development meets both of these criteria. It is staff's opinion that the application conforms to the City's Official Plan.

The proposed development of a single family dwelling on each of the new lots is a permitted use and will comply with the RR – Rural Residential Zone.

Conclusion:

The Policy Planning Section of the Engineering and Development Services support the rezoning of the subject lands from the RU - Rural Zone to RR - Rural Residential Zone. The lands currently zoned H – Hazard will not change through this application. If Council approves this Application for Amendment to Zoning By-law 3014, as amended, the lands shown in Attachment #1 will be rezoned to permit the development of a single family dwelling on each of the two new lots.

Respectfully submitted,



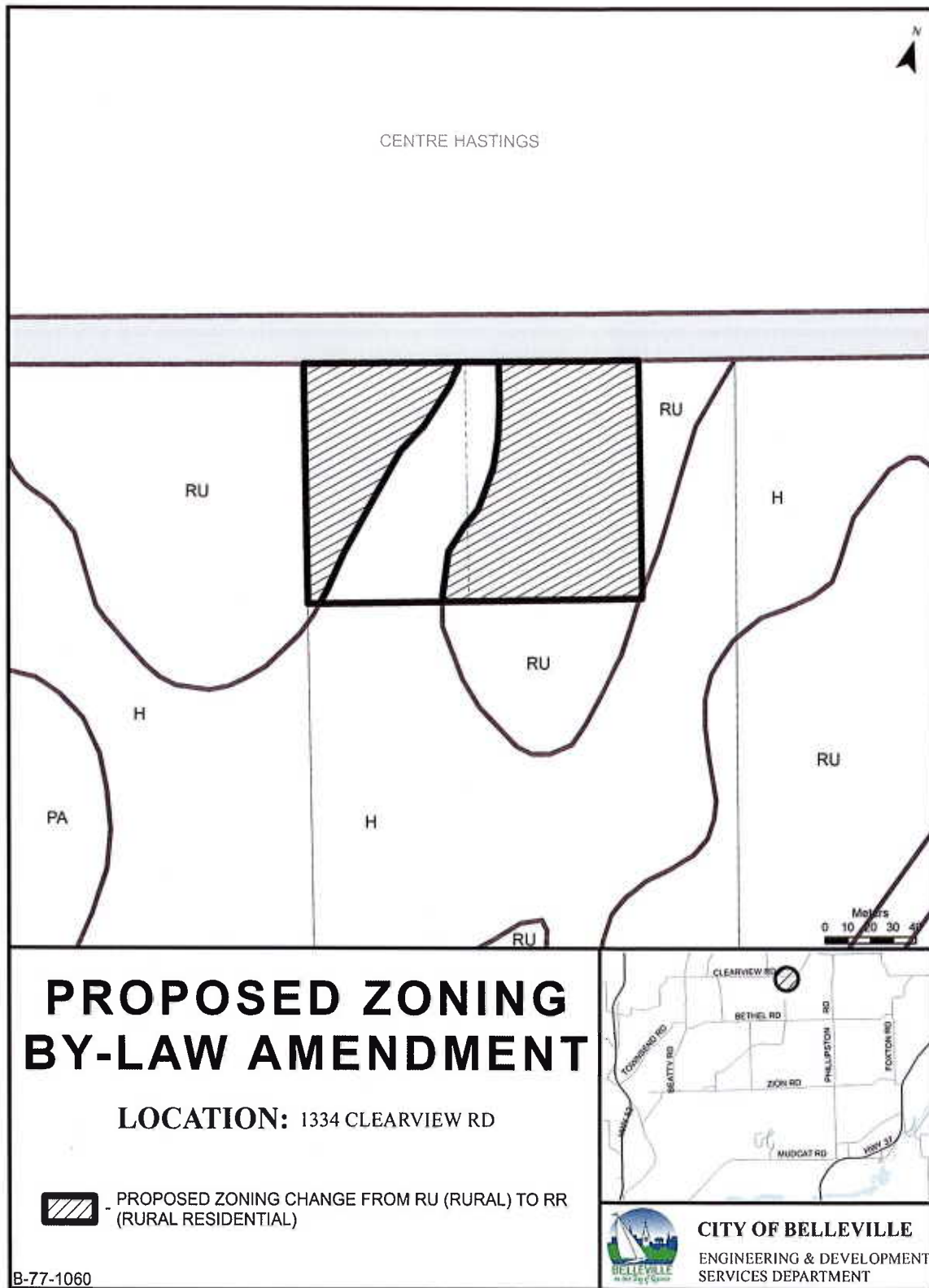
Thomas Deming, Policy Planner

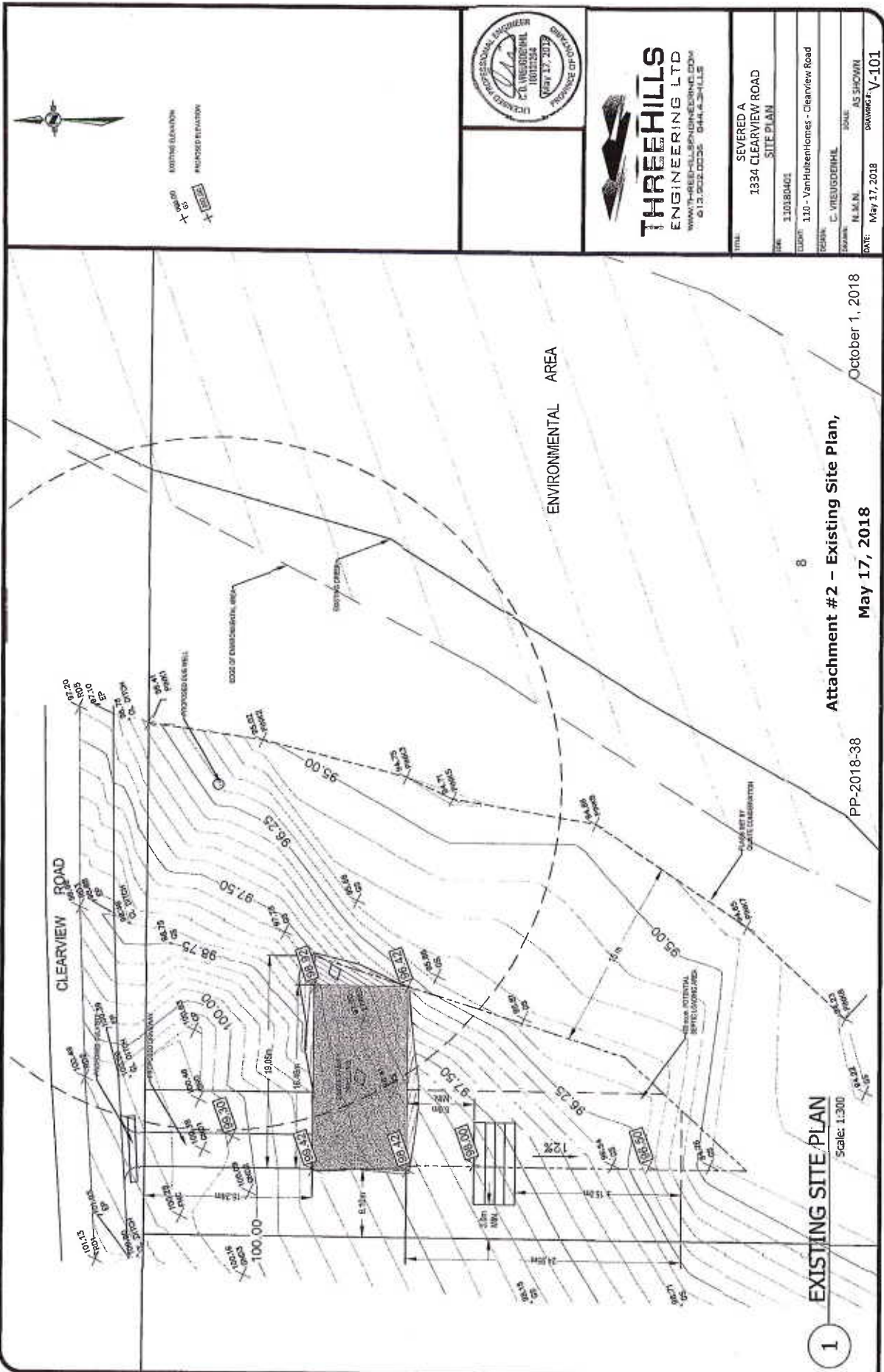
Attachments

Attachment #1 – Location Map

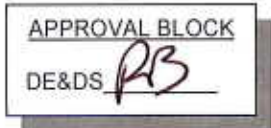
Attachment #2 – Existing Site Plan, May 17, 2018

Attachment #1 – Location Map





PLOTTED ON: 5/17/2018 12:47:37 PM



CITY OF BELLEVILLE

Stephen Ashton, Manager of Policy Planning
Engineering and Development Services Department
Report No. PP-2018-39
October 1, 2018

To: Belleville Planning Advisory Committee

Subject: Proposed Zoning By-law Amendment (By-law 10245)
58 Avondale Road
City of Belleville
APPLICANT: RFA Planning Consultant Inc.
OWNER: Maryann & Keith Robertson

File: B-77-1061

Recommendation:

1. That the Belleville Planning Advisory Committee recommends the following to City Council:

THAT the application to amend Zoning By-Law Number 10245, as amended, for land described as 58 Avondale Road, City of Belleville, County of Hastings, be APPROVED as follows:

That Zoning By-Law Number 10245, as amended, be amended by rezoning the subject lands from the current "R1 – Residential First Density" zone to "R1-31 – Residential First Density" zone with special provisions to allow an secondary dwelling unit (accessory apartment).

Background:

The subject lands are municipally known as 58 Avondale Road and located south of Aldersgate Drive, north of Dundas Street West, and on the east side of Avondale Road. The subject lands have an area of approximately 1,408 square metres (See Location Map - Attachment #1).

The subject lands are currently used for a single detached dwelling.

Surrounding uses include:

- 1) to the east: single detached dwellings zoned R1;
- 2) to the north: vacant residential lot zoned R1;

- 3) to the south: commercial development zoned C3-10;
- 4) to the west: a long term care facility zoned NH-2.

In support of the application, the following was submitted:

- Planning report prepared by RFA Planning Consultant Inc. (Attachment #2)
- 1985 survey of the subject lands (Attachment #3)
- Current photographs of the site were submitted (Attachment #4)

These documents have been available for public review at the Planning Department.

Proposal:

The Applicant proposes to rezone the lands from the R1 – Residential First Density Zone to an appropriate Residential Zone that will permit a secondary dwelling unit (accessory apartment) in addition to the detached dwelling unit.

Strong Communities Through Affordable Housing Act, 2011 and the Planning Act

Changes to the *Planning Act* [Section 16(3)] now require Municipal Official Plans to permit secondary dwelling units, as of right, in all detached dwellings, semi-detached dwellings, townhouses and in ancillary structures. It does limit this permission to one Secondary dwelling unit per lot. This means one accessory dwelling in either the primary dwelling unit or in an ancillary structure but not both.

Changes to Section 35.1 of the *Planning Act* requires that each local municipality ensure that it's zoning by-law put the action to the required policy changes. The Ministry of Municipal Affairs and Housing previously indicated the expectation of the Province is that Municipalities will come into compliance with the Planning Act by revising their Official Plans before December 2017 and their Zoning By-law by December 2018.

When updating the overall Official Plan policies and the overall zoning by-law document, the Planning Act does not permit appeals of secondary dwelling units in regards to Official Plan policies and/or zoning by-law provisions with the exception of the Minister. When updating policies of the Official Plan and Zoning By-law for this purpose, public notice needs to be provided and participation in the process should be welcomed. However, there is no right of appeal (See Attachment #5: Second Units -Info Sheet Spring 2017).

These changes to the Planning Act were the result of the Strong

Communities Through Affordable Housing Act, 2011 which, according to the Ministry's website, "includes a wide range of actions to improve the affordable housing system, including amendments to the Planning Act." The amendments provide municipalities with enhanced land use planning tools to support the creation of second units and garden suites. The changes to the *Planning Act* relating to Section 2 provincial interests and garden suites came into effect on May 4, 2011. The changes for second units came into effect on January 1, 2012.

Provincial Policy Statement:

Municipalities are required to ensure all decisions related to land use planning matters shall be consistent with the Provincial Policy Statement.

Speaking directly to the requirement for secondary units, Section 1.4.3 of the PPS directs municipalities to permit all forms of housing types and densities - including affordable housing. Specifically, Section 1.4.3 further states that municipalities shall permit and facilitate residential intensification and redevelopment including second units.

Other applicable policies in the PPS include:

1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

1.1.3.4 Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

1.4.1 To provide for an appropriate range and mix of housing types and densities required to meet projected requirements of current and future residents of the regional market area.

Official Plan:

The current Official Plan was adopted by City Council on June 18, 2001 and approved by the Ministry of Municipal Affairs and Housing on January 7, 2002. Since 2002, a significant number of new and updated policies and legislation has occurred at the provincial level. The City is currently undertaking a Municipal Comprehensive Review and update to the policies of the Official Plan to ensure they comply with current provincial policies and legislation. The City will have to comply with the province's new legislation, regulations, and policies when updating the Official Plan.

The land is designated "Residential" in the City's Official Plan. The Residential land use designation permits low to high density residential development in a variety of housing types and forms of tenure. The Plan supports the development of affordable housing, and ideally all residential neighbourhoods should have a variety of housing types at various levels of affordability.

In addition, the conservation and rehabilitation of existing housing stock is encouraged by this Plan in order to maintain the supply of older housing and to preserve the character of existing neighbourhoods. In some instances, conversion of larger existing residential dwellings into multiple uses is warranted provided sufficient parking can be provided and the character of the existing dwelling is not significantly altered.

Zoning By-law:

The subject lands are currently zoned R1 – Residential First Density Zone in Zoning By-Law Number 10245, as amended.

The application, as submitted, contemplates a main dwelling with secondary unit (accessory apartment).

Once the Official Plan is updated, there will be a new Zoning By-law created for the City which will consolidate and simplify the three existing zoning by-laws of the City. The new Zoning By-law would then implement the requirements of the Strong Communities Through Affordable Housing Act, 2011 and the Planning Act and allow secondary units in detached dwellings, semi-detached dwellings, townhouse dwellings, and ancillary buildings subject to basic zoning requirements such as minimum required parking spaces.

In general terms, the specific requirements for secondary units in other municipalities include the provision of three parking spaces: two for the main unit and one for the second unit onsite while meeting the driveway width requirements (or front yard landscape space).

For purposes of this application, staff is recommending rezoning to a R1-4 zone which was previously granted to property located at 301 Dundas Street West (File B77-942) through By-law 2013-114 that permits a second dwelling unit in addition to the main permitted use (single detached dwelling).

Public Comments:

On September 11, 2018 a written notice and location map was mailed by

first class mail to all registered owners of land within 120 metres of the subject property. The notice provided information that a public meeting was scheduled for October 1, 2018.

Similarly, a sign was placed on the subject lands notifying the general public that a Public Meeting was scheduled for October 1, 2018.

Both notices state that additional information is available. This additional information includes the Reports and supporting documents submitted by the applicant and are in the City's Planning Files and are available for review by any member of the public during business hours.

To date, no correspondence from the public has been received by the City regarding this application.

Staff and Agency Comments:

External Agency Circulation

The subject application was circulated for comment to the Algonquin & Lakeshore Catholic School Board, the Hastings & Prince Edward District School Board, Hastings and Prince Edward Health Unit, Bell Canada, Canada Post, Ontario Power Generation, Union Gas, Veridian Connections, Hydro One, TransCanada Pipeline, Enbridge Pipelines, Trans-Northern Pipelines, MPAC, and the Health Unit.

To date, no comments or concerns have been received regarding this application.

Internal Department Circulation

The subject application was circulated for comment to the Belleville Fire Department, Belleville Police Service, the Development Engineer, the General Manager of Transportation & Operations Department, General Manager of Environmental Services, the Director of Recreation, Culture and Community Services, the Manager of Parks & Open Spaces, the Chief Administrative Officer, the Manager of Economic & Strategic Initiatives, the City Clerk, and the Chief Building Official.

To date, the Belleville Fire Department, the City's Development Engineer, and Recreation, Culture and Community Services Department have provided correspondence and they have no concerns.

No other comments have been received regarding this application.

Planning Analysis:**Consistency with Provincial Policy Statement, Official Plan and Zoning By-law**

This application for a second dwelling unit is consistent with the Strong Communities Through Affordable Housing Act, 2011 and the Planning Act.

With the requirement for municipalities to include Official Plan Policies to allow secondary suites before the Ministry will approve any update to the Official Plan, the City should be in conformity with Provincial Legislation in 2019 when the Official Plan Update process is expected to conclude. With the Official Plan update, a new zoning by-law for the City will be developed that consolidates the three existing zoning by-laws. At this point in time, secondary suites will be permitted as a right in detached dwellings, semi-detached dwellings, townhouse dwellings, and ancillary buildings subject to meeting basic zoning requirements such as provision of parking.

Until these updates occur, applicants wanting to establish a secondary suite will have to undertake a site-specific zoning amendment.

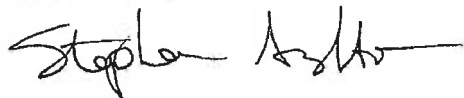
In terms of this property, there is adequate on-site parking for the main dwelling and accessory dwelling unit.

Staff is supportive of the application as this supply of a secondary dwelling unit (accessory apartment) is consistent with the Strong Communities Through Affordable Housing Act, 2011 and the Planning Act.

Conclusion:

The Policy Planning Section of the Engineering and Development Services support the rezoning of the subject lands from the R1 – Residential First Density Zone to R1-31 – Residential First Density Zone with special provisions to permit a secondary dwelling unit (accessory apartment) in addition to the detached dwelling unit.

Respectfully submitted



Stephen Ashton, MCIP, RPP, CAHP
Manager, Policy Planning
Engineering and Development Services Department

Attachments

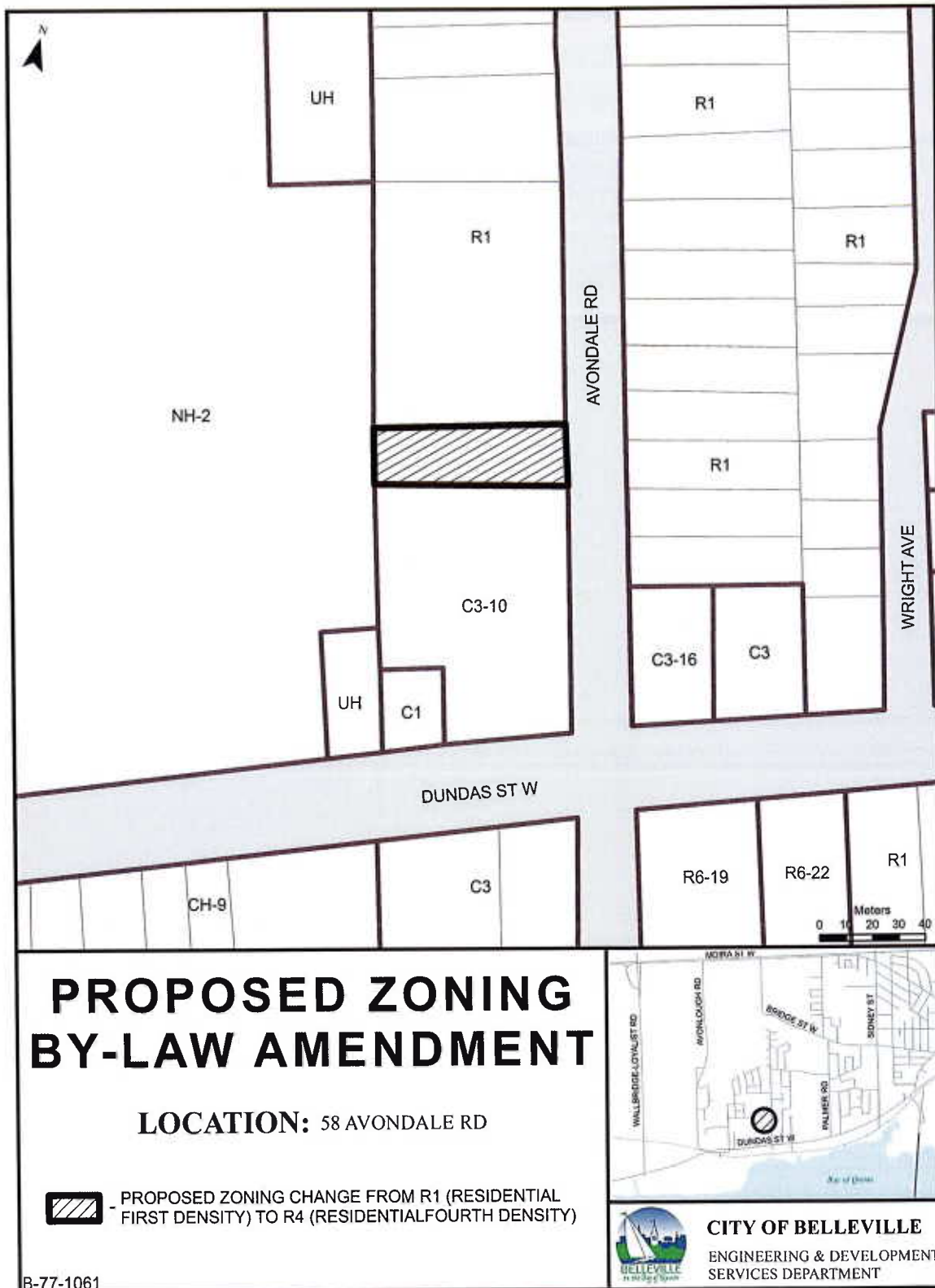
Attachment #1 – Location Map

Attachment #2 – Planning Report, RFA Planning Consultants Inc

Attachment #3 – 1985 Survey of Subject Lands

Attachment #4 – Photographs of Subject Lands

Attachment #5 - Second Units -Info Sheet Spring 2017

Attachment #1 – Location Map

Attachment #2 – Planning Report, RFA**Planning Consultants Inc.****PLANNING REPORT**

*58 AVONDALE ROAD
MARY ANN & KEITH ROBERTON
CITY OF BELLEVILLE*



Submitted By:

RFA Planning Consultant Inc.

202-211 Dundas Street East, Belleville, Ontario, K8N 1E2

AUGUST, 2018



58 AVONDALE ROAD, BELLEVILLE - PLANNING REPORT**1****Table of Contents**

1. Introduction	2
1.1 The Application	2
2. Background Information	2
2.1 Site Location	2
2.2 Surrounding Land Uses	2
2.3 Existing Site Features	3
2.4 Historical Uses of the Property	5
3. The 58 Avondale Road Proposal	6
3.1 Site Use	6
3.2 Vehicular Access	6
3.3 Residential Built Form	6
3.4 Parking and Transit	7
3.5 Pedestrian Access	7
3.6 Site Servicing	7
3.7 Neighbourhood Amenities	7
4. Provincial Policy Statement	7
5. Conformity to the Policies of the City of Belleville Official Plan	11
6. Zoning By-law 10245 Analysis	13
7. Planning Opinion and Conclusion	14
8. Report Signature	14

1. Introduction

1.1 The Application

RFA Planning Consultant has filed an application for Rezoning with the City of Belleville Planning Department on behalf of Mary Ann & Keith Robertson. This Planning Report has been prepared in support of the application to rezone the property known as 58 Avondale Road from “R1-Residential First Density” Zone” to a “R4-Residential Fourth Density” Zone in Zoning By-law Number 10245. It is proposed to permit 2 dwelling units in the existing residential building on the subject property. A Reference Plan has been included as Appendix A to this report.

2. Background Information

2.1 Site Location

The subject property is located in the west end of the City of Belleville at 58 Avondale Road and is designated Residential Land Use by the City’s Official Plan. The subject land is rectangularly shaped with a lot area of 1,408m² and 21.6 metres frontage on Avondale Road.

Table 1: Legal Description

Legal Description

Part of Lot 9; Part of Bogart Avenue; Registered Plan No. 179; City of Belleville, County of Hastings

2.2 Surrounding Land Uses

A summary of the surrounding land uses is as follows:

- Avondale Road is designated a Collector Road by the City of Belleville’s Official Plan and has a 30.5m (100’) wide right of way and is predominantly a street lined with single detached dwellings;
- Across the street from the subject property, on the east side of Avondale Road, is a row of single detached dwellings;
- To the north of the subject lands is open, undeveloped lands owned by Hastings County;
- To the west of the subject lands is a parking lot for Hastings Manor;
- To the south of the subject lands is a commercial plaza with a range of tenants;

58 AVONDALE ROAD, BELLEVILLE - PLANNING REPORT**3**

- Public Transit is available on Avondale Road, and in a couple of minutes' walk south to Dundas Street West, to provide access to other community services and shopping areas of the City.

a) Existing Site Features

- The site is currently developed with 1 dwelling unit and 3 large solar panels;
- There are two electrical meters on the existing dwelling; one for power being used on-site and one meter monitoring the flow of electricity back into the electrical grid from the solar panels;
- The original 2-storey brick dwelling on the subject lands is over 100 years old and would have been one of the original houses on Avondale Road;
- The property is flat with numerous trees on or adjacent to the subject lands.

Avondale Road Frontage looking west



Avondale Road Frontage looking southwest



Northern Property Line looking west



Abutting Property to North looking north



Abutting Property to West looking east



2.4 Historical Uses of the Property

According to data collected by MPAC the original dwelling on the subject lands was constructed in 1883 making this dwelling one of the original dwellings on the west side of Belleville. In its day, this property would have been surrounded by open fields until such time as the urban area of the city expanded westward. In 1984 an in-ground pool was installed on the property but in time filled in. Under the previous provincial government, three ground mounted solar panels were installed to generate green energy to be sold back to the power grid.

3. The 58 Avondale Road Proposal

This proposal is to a request to provide residential intensification within the existing building and in an existing residential area thereby maximizing the use of existing municipal infrastructure. The following is a description of the project from a land use planning perspective.

3.1 Site Use

It is proposed to permit a 2nd dwelling unit within the existing dwelling on the subject lands. No addition to or expansion of the existing building on this property is required or requested. All alternations would be internal to the existing footprint. Given the size of the two units, it is proposed that these two units would be rented out to two families.

With a lot area of 1,408m² (15,150ft²) and a large fenced and private back yard they is plenty of outdoor amenity space at the back of the subject lands for use by the residents.

3.2 Vehicular Access

The property fronts onto Avondale Road and has an exceptionally large driveway and parking area suitable for up to 6 motor vehicles.

3.3 Residential Built Form

Currently there is a 2-storey brick building on the subject property which has a ground floor area of just under 160.0m² with a further 160.0m² on the 2nd floor. The unfinished basement has an area of 63.0m². Pictures of the existing building have been provided above, on Page 4.

3.4 Parking and Transit

The existing paved parking area for residents and visitors is located in front of the existing building and there is enough space for three parking spaces per dwelling unit, if two dwelling units were permitted.

Two bus transit stops are located within a 3-minute walk of the subject property providing access to two different bus routes which provides the site with efficient access to the downtown, the North Front Street/Bell Boulevard corridor and Loyalist College.

3.5 Pedestrian Access

A sidewalk is provided along the east side of Avondale Road, across the street from the subject property.

3.6 Site Servicing

Municipal piped water and sanitary sewer services are provided to the subject property, together with hydro and other utilities. In addition, several storm water catch basins are located to the south at the corner of Avondale Road and Dundas Street West.

No change to the current servicing of the subject land is proposed because of the addition of a 2nd dwelling unit within the existing building.

3.7 Neighborhood Amenities

The subject property is a short walking distance from a range of neighbourhood services including several restaurants and convenient stores. Immediately south of the subject property is a small commercial plaza. In addition, there are range of parks and open space to use including a large field immediately to the north of the subject property.

4. Provincial Policy Statement

The Provincial Policy Statement (PPS) has applied to all planning applications since April 30, 2014. It provides policy direction on matters of provincial interest related to land use planning and development. All decisions related to land use planning matters "shall be consistent with" the PPS. This application for rezoning is consistent with the PPS as outlined below.

Policy:

1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

1.1.1 Healthy, liveable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;

This proposal would add a 2nd dwelling unit in larger, older dwelling on a very large lot. No need for additional municipal expenditure, only increased revenue through taxes.

- b) accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;

This project would easily provide a 2nd dwelling unit in an area that has all the amenities to support increased residential development.

- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;

This proposal meets this policy.

- d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;

N/A.

- e) promoting cost-effective development patterns and standards to minimize land consumption and servicing costs;

By providing a 2nd unit in an existing building this project would be providing more dwelling units in the same land area.

- f) improving accessibility for persons with disabilities and older persons by identifying, preventing and removing land use barriers which restrict their full participation in society;

The proposed 2nd dwelling unit has direct access from the street with minimal grade separation at their front door.

- g) ensuring that necessary infrastructure, electricity generation facilities and transmission and distribution systems, and public

service facilities are or will be available to meet current and projected needs; and

N/A.

- h) promoting development and land use patterns that conserve biodiversity and consider the impacts of a changing climate.
The location of the subject lands allows for the use of public transit and is within walking distance of neighbourhood amenities. It is not necessary to rely on a motor vehicle.

1.1.3 Settlement Areas

- 1.1.3.1 Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.

The subject property is on the west side of the settlement area and would help support the vitality of the west end of Belleville.

- 1.1.3.2 Land use patterns within settlement areas shall be based on:

- a) densities and a mix of land uses which:

1. efficiently use land and resources;
This proposal is the re-use and intensification of an existing property and building.
2. are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
Proposed development can be completed using existing municipal infrastructure and public services.
3. minimize negative impacts to air quality and climate change, and promote energy efficiency;
Proposed interior renovations will meet current Ontario Building Code requirements with regard to energy efficiency.
4. support active transportation;
Location of subject lands is within walking distance of bus stop and neighbourhood commercial uses and therefore it is not necessary to rely on a motor vehicle.
5. are transit-supportive, where transit is planned, exists or may be developed; and

Location of subject lands allows for the use of public transit with 2 bus routes found within a very short walk of the subject lands. Not necessary to rely on motor vehicle.

6. are freight-supportive; and
N/A.

- b) a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

This proposal represents the intensification in use from an original single detached dwelling to 2 dwelling units all within the existing building on the subject lands. The creation of 2 dwelling units where only 1 existed before.

- 1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

See 1.1.3.2. b) above.

1.4 Housing

- 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:

- a) establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate income households.

N/A.

- b) permitting and facilitating:

1. all forms of housing required to meet the social, health and well-being requirements of current and future residents, including special needs requirements; and
This proposal provides a form of housing with direct access to one of the dwelling units from the outside. No lobby or hallway.

2. all forms of residential intensification, including second units, and redevelopment in accordance with policy 1.1.3.3;

See 1.1.3.2. b) above.

- c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;

This proposal meets both of these policies.

- d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed; and

This proposal meets all of these policies.

5. Conformity to the Policies of the City of Belleville Official Plan

The subject property is in the “Residential” land use designation on Schedule ‘B’ Land Use Plan for the Urban Serviced Area of the City of Belleville Official Plan as shown on Appendix B attached to this report. This rezoning conforms to the “Residential Land Use” Official Plan policies which are outlined below.

3.10 Residential Land Use

The purpose of the Residential land use designation as illustrated in the land use schedules is to define the areas of the City within which the majority of housing development should be established.

3.10.1 Permitted Uses

Residential development will be permitted at low, medium and high densities with forms ranging from single family detached dwellings to various types of attached and multiple dwellings, under various forms of tenure (freehold, rental, cooperative, condominium). Specialized housing for groups such as the elderly and the physically and mentally challenged (i.e. lodge-care and nursing homes) would be permitted also.

3.10.2 Residential Policies (with comments)

- “Residential development within areas designated Residential land use should be permitted to occur at various densities within the City to ensure a full range of housing forms at different sizes and styles that meets the needs of all citizens is provided.”
 - “Medium density residential uses would normally be developed up to 60 units per hectare net residential density
 - “Low density residential uses would normally be developed up to 25 units per hectare net residential density”
Two dwelling units on a lot of 1,408m² equates to 14.2 units per hectare net residential density.
 - “Ideally all neighbourhoods should contain a mixture of dwelling types at different densities,”
This proposal is less than half what is considered low density development and it could be argued that further residential development could be warranted given the size of the subject property.
- f) Low density residential developments should be permitted in all areas designated Residential land use except in locations where low density uses would not be appropriate. The following principles should be employed by Council to determine the preferred locations for low density residential uses:
- i) Low density residential uses should not be permitted in any area where access to the roadway from individual driveways would create a traffic hazard.
The subject property already has an existing driveway onto Avondale Road which is a designated Arterial Road in the city’s Official Plan. As such Avondale Road is a long, straight roadway with clear sightlines.
 - ii) Low density residential uses should not be permitted in any area where the impact of adjoining non-residential uses would be excessively disruptive to the quiet enjoyment of the low density residential development.
The subject lands are physically separated from existing single detached dwellings which provides a significant buffer. Avondale Road has an over-sized road allowance with a width of 30.5m (100’).
 - iii) Low density residential uses are appropriate along arterial streets, but where there is concern about safe and/or efficient traffic movement along the arterial street, or where there is concern of unacceptable impacts on the low density residential development, use of reverse fronting lots should be considered, or where necessary development should be limited to medium or high density residential uses.
See i) above.

- h) The conservation and rehabilitation of existing housing stock is encouraged by this Plan in order to maintain the supply of older housing and to preserve the character of existing neighbourhoods. Infill housing should be encouraged in existing neighbourhoods to maximize land utilization and efficiency of municipal infrastructure, provided such development does not detract from the character of the neighbourhood. In some instances, conversion of larger existing residential dwellings into multiple use is warranted provided sufficient parking can be provided and the character of the existing dwelling is not significantly altered.

This proposal entails the reuse of an existing building which has existed within this neighbourhood for a considerable period of time. No expansion of the existing building is requested or planned. The proposed 2 dwelling units on the subject property would help maximize land utilization and the efficient use of existing municipal infrastructure.

6. Zoning By-law 10245 Analysis

The subject property is currently zoned "R1-Residential First Density" zone according to By-law 10245 for the City of Belleville, as amended as shown on Appendix C attached to this report. A rezoning to the "R4-Residential Fourth Density" is proposed to allow the existing building on the subject lands to be used for 2 dwelling units. No change to the existing footprint or building setbacks are required or requested.

Zoning By-law 10245, as amended, defines a "**Converted Dwelling**" as a dwelling, including any additions thereto, erected prior to January 1, 1935 and which has been, or is proposed to be, altered or converted so as to provide therein two or more dwelling units, each of which has an independent entrance.

The R4 Zone requirements for a converted dwelling are as follows:

- (1) Such dwelling shall have been erected as a detached one family dwelling prior to January 1, 1935. **Dwelling was built in 1880's.**
- (2) No dwelling unit shall contain a gross floor area of less than 55.5m² **A gross floor area of 160m² per dwelling unit to be provided.**
- (3) The minimum lot area per dwelling unit shall be 337m². **A lot area of 704m² per dwelling unit is provided.**
- (4) No addition or enlargement shall be made to the external walls or roof of the dwelling. **None planned.**
- (5) No external stairway, other than an open fire escape, shall be provided. **None provided.**

- (6) Such dwelling shall be certified by the Building Inspector to be structurally suitable for such conversion. **Building permit application will follow rezoning application.**

The R4 Zone requirements for a detached one family dwelling are as follows:

- | | | |
|--------------------------------|--|--|
| (1) Lot Frontage (minimum) | 12 m. | met |
| (2) Front Lot Line (minimum) | 10.6 m. | met |
| (3) Lot Area (minimum) | 371.5 sq. m. | met |
| (4) Front Yard Depth (minimum) | 3.6 m. | deficient because of City road widening |
| (5) Rear Yard Depth (minimum) | 7.5 m. | met |
| (6) Interior Side Yard Width | 1.2 m. on each side plus 0.6 m. for each additional or partial storey above one storey | met |
| (7) Lot Coverage (maximum) | 35% | met |
| (8) Building Height (maximum) | 10.6 m. | met |

By placing the subject property in the R4 Zone all of the requirements for a 2-unit converted dwelling would be met without any special relief required.

7. Planning Opinion and Conclusion

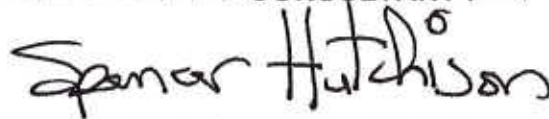
This Planning Report was prepared in support of an application by Mary Ann & Keith Robertson for rezoning in the City of Belleville. This rezoning application provides an opportunity for residential intensification that utilizes the site's existing size and the existing building on this property. Furthermore, this site is located in an existing urban area of Belleville with public transit and pedestrian access to other parts of the community readily available.

The application for rezoning:

- Is consistent with the 2014 PPS;
- conforms to Belleville Official Plan policies;
- represents appropriate development of the subject lands; and,
- represents good planning.

8. Report Signature

RFA PLANNING CONSULTANT INC.



Spencer Hutchison, MCIP, RPP
Senior Associate Planner



APPENDIX 'A'

REFERENCE PLAN



REFERENCE PLAN
SHOWING SURVEY OF
PART OF LOT 9.
PART OF BOGART AVENUE
REGISTERED PLAN N^o 179
CITY OF BELLEVILLE
COUNTY OF HASTINGS

SCALE 1" = 30'

WALTER I. WATSON O.L.S 1985

SCHEDULE			
PART	DESCRIPTION	AMT	AREA
1	PART OF LOT 9, REGD PLAN N ^o 179	257309	0.348 acres
2	Part of Bogart Avenue	257309	0.000 acres

RECEIVED AND DEPOSITED AS

PLAN 21R- 7999

(Date) Jan 30 1985

Walter I. Watson
DEPUTY LAND SURVEYOR
FOR THE REGISTRY
DIVISION OF HASTING (N.B.)

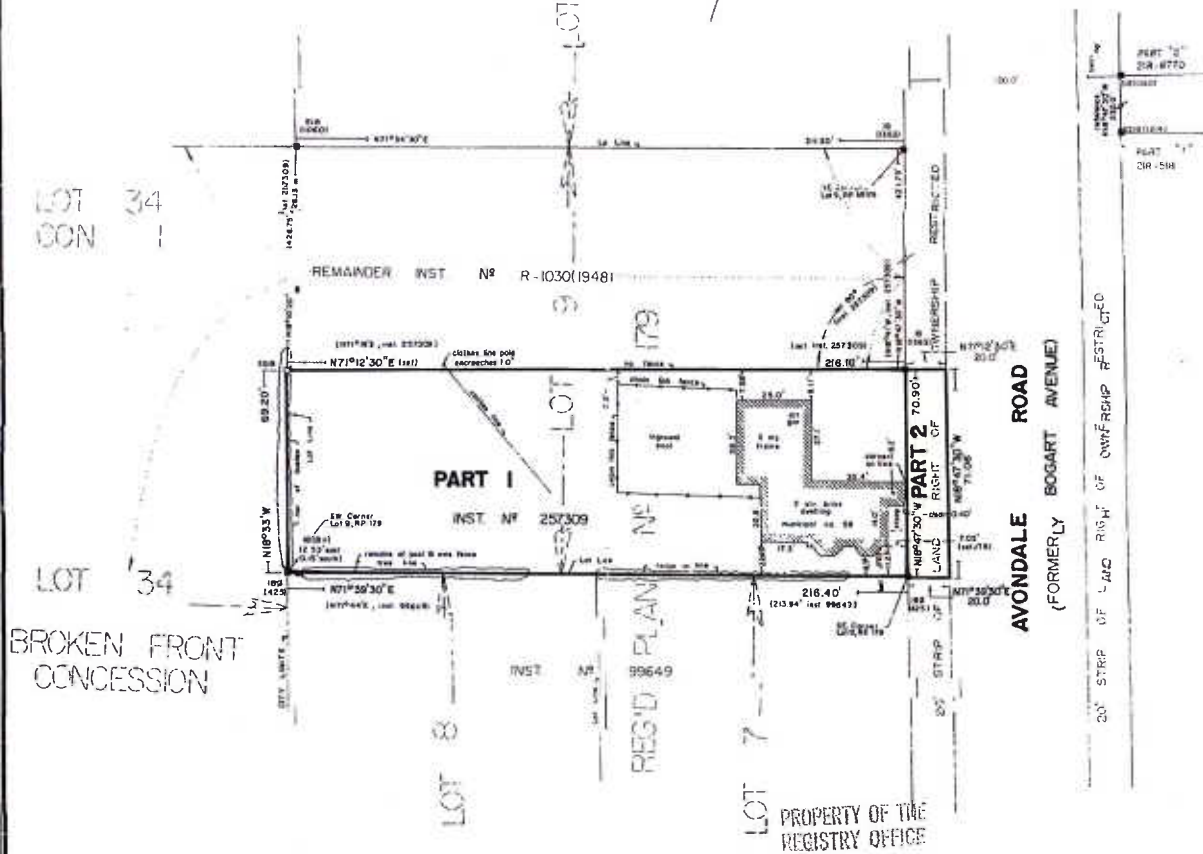
I REQUIRE THIS PLAN TO BE DEPOSITED
UNDER THE REGISTRY ACT

(Date) JANUARY 30/85, 1985

Walter I. Watson
WALTER I. WATSON
ONTARIO LAND SURVEYOR

PROPERTY OF THE
REGISTRY OFFICE

XX



PP-2018-39

25

October 1, 2018

NOTES

BEARINGS ARE ASTROMOMIC, DERIVED FROM THE EASTERLY LIMIT OF AVONDALE ROAD AS SHOWN ON PLAN 21R-6770 (shown as reference bearing on this plan) N18°47'30"W

1TH DENOTES FIELD NOTES BY J.T. WATSON O.L.S DATED MAY 8, 1985 & COPY OF WHICH IS ON FILE AT THE OFFICE OF W.I. WATSON LTD.

SURVEYOR'S CERTIFICATE

I CERTIFY THAT
THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT AND THE REGISTRY ACT AND THE REGULATIONS MADE THEREUNDER
2 THIS SURVEY WAS COMPLETED ON THE 24th DAY OF JANUARY 1985

JANUARY 29, 1985

Walter I. Watson
WALTER I. WATSON
ONTARIO LAND SURVEYOR

LEGEND

- DENOTES ROUND
- PLANTED
- SIB STANDARD IRON BAR
- SSIB SHORT STANDARD IRON BAR
- IB IRON BAR
- W- WATSON
- 0 ROAD

Walter I. Watson Ltd.

Ontario Land Surveyors
218 Church Street
Belleville, Ontario
K8N-3C3 (905) 962-9521

JOB N^o 8512-N-84

APPENDIX 'B'

CITY OF BELLEVILLE OFFICIAL PLAN SCHEDULE B EXTRACT



APPENDIX 'C'

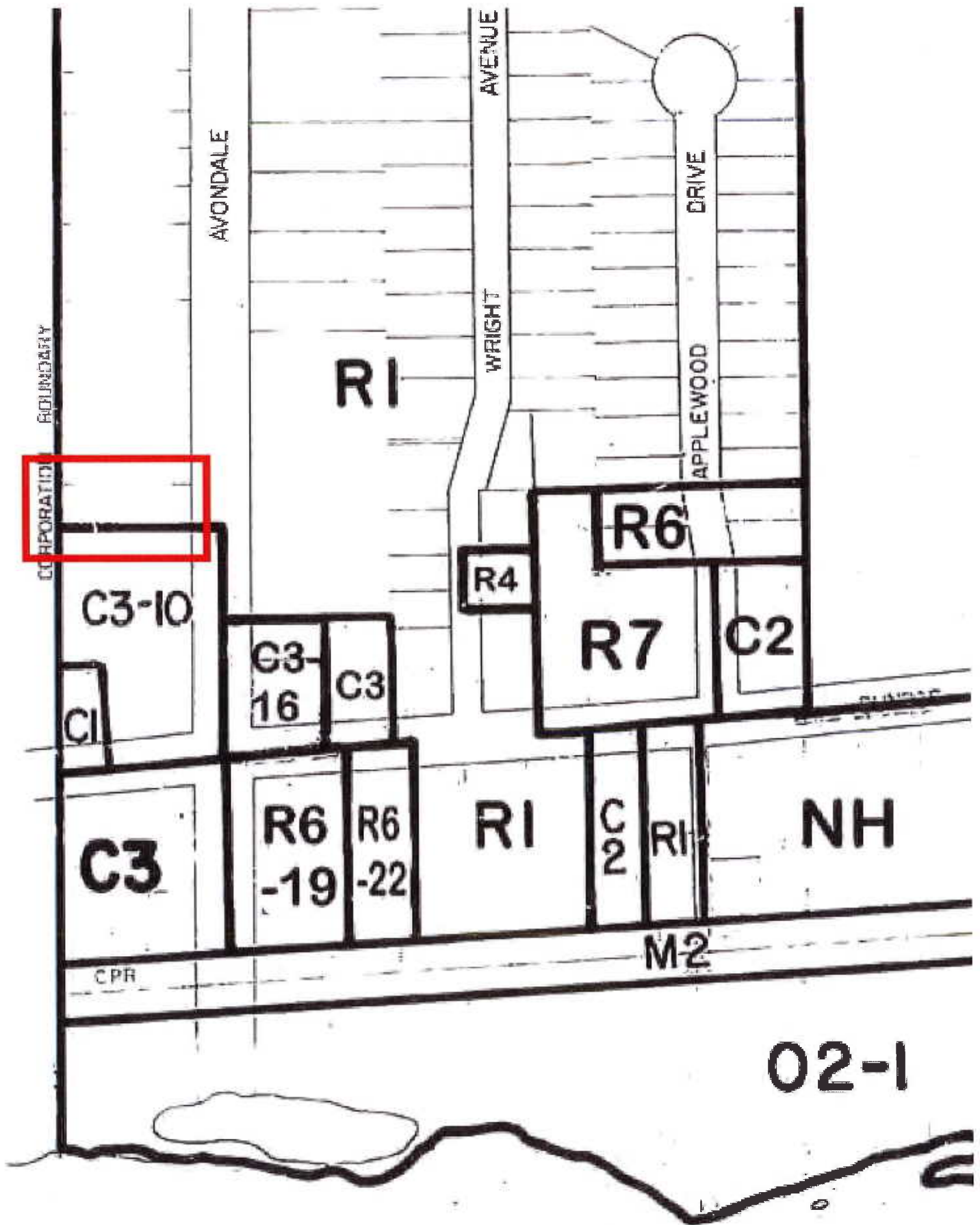
ZONING BY-LAW 10245 MAP, AS AMENDED EXTRACT



October 1, 2018

29

PP-2018-39



Current Zoning = R1 - Residential First Density

REFERENCE PLAN.

SHOWING SURVEY OF
PART OF LOT 9.
PART OF BOGART AVENUE
REGISTERED PLAN N^o 179
CITY OF BELLEVILLE
COUNTY OF HASTINGS

SCALE 1" = 30'

WALTER I. WATSON O.L.S 1985

SCHEDULE			
PART	DESCRIPTION	INST	AREA
1	PART OF LOT 9, REGD PLAN N ^o 179	257309	0.348 ACRES
2	Part of Bogart Avenue	257309	0.003 ACRES

RECEIVED AND DEPOSITED AS

PLAN 21R-7999

(Date) Jan 30 1985

Walter I. Watson
DEPUTY LAND SURVEYOR
FOR THE REGISTRY
DIVISION OF HASTINGS (ON)

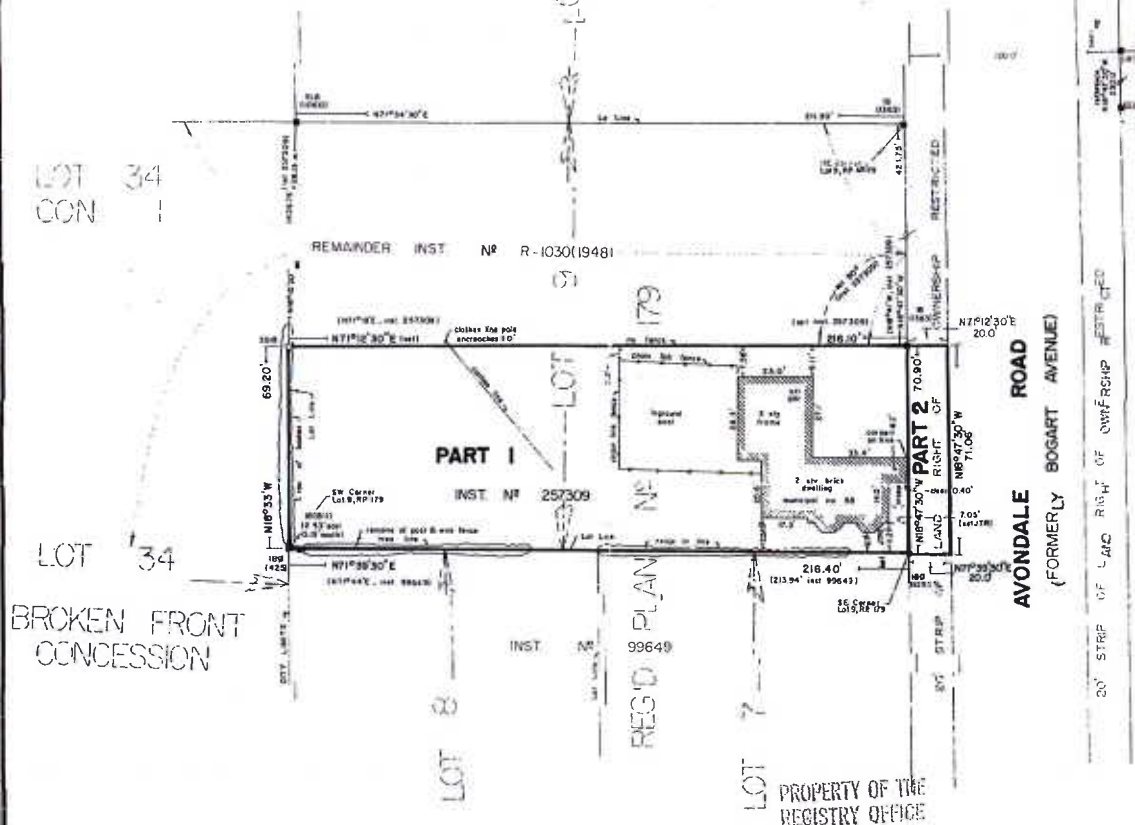
I REQUIRE THIS PLAN TO BE DEPOSITED
UNDER THE REGISTRY ACT

(Date) JANUARY, 31st, 1985

Walter I. Watson
WALTER I. WATSON
ONTARIO LAND SURVEYOR

PROPERTY OF THE
REGISTRY OFFICE

XX



PP-2018-39

30

October 1, 2018

Attachment #3 – 1985 Survey of Subject Lands

NOTES

BEARINGS ARE ASTRONOMIC, DERIVED FROM THE EASTERLY LIMIT OF AVONDALE ROAD AS SHOWN ON PLAN 21R-6770 (shown as reference bearing on this plan) N18°47'30"W

ORTHOGONAL FIELD NOTES BY J.T. WATSON O.L.S DATED MAY 8, 1985 & COPY OF WHICH IS ON FILE AT THE OFFICE OF W.I. WATSON LTD.

SURVEYOR'S CERTIFICATE

I CERTIFY THAT
THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE
SURVEY ACT AND THE REGISTRY ACT AND THE REGULATIONS MADE THEREUNDER
AND THIS SURVEY WAS COMPLETED ON THE 26th day of JANUARY 1985.

JANUARY 29, 1985

Walter I. Watson
WALTER I. WATSON
ONTARIO LAND SURVEYOR

LEGEND

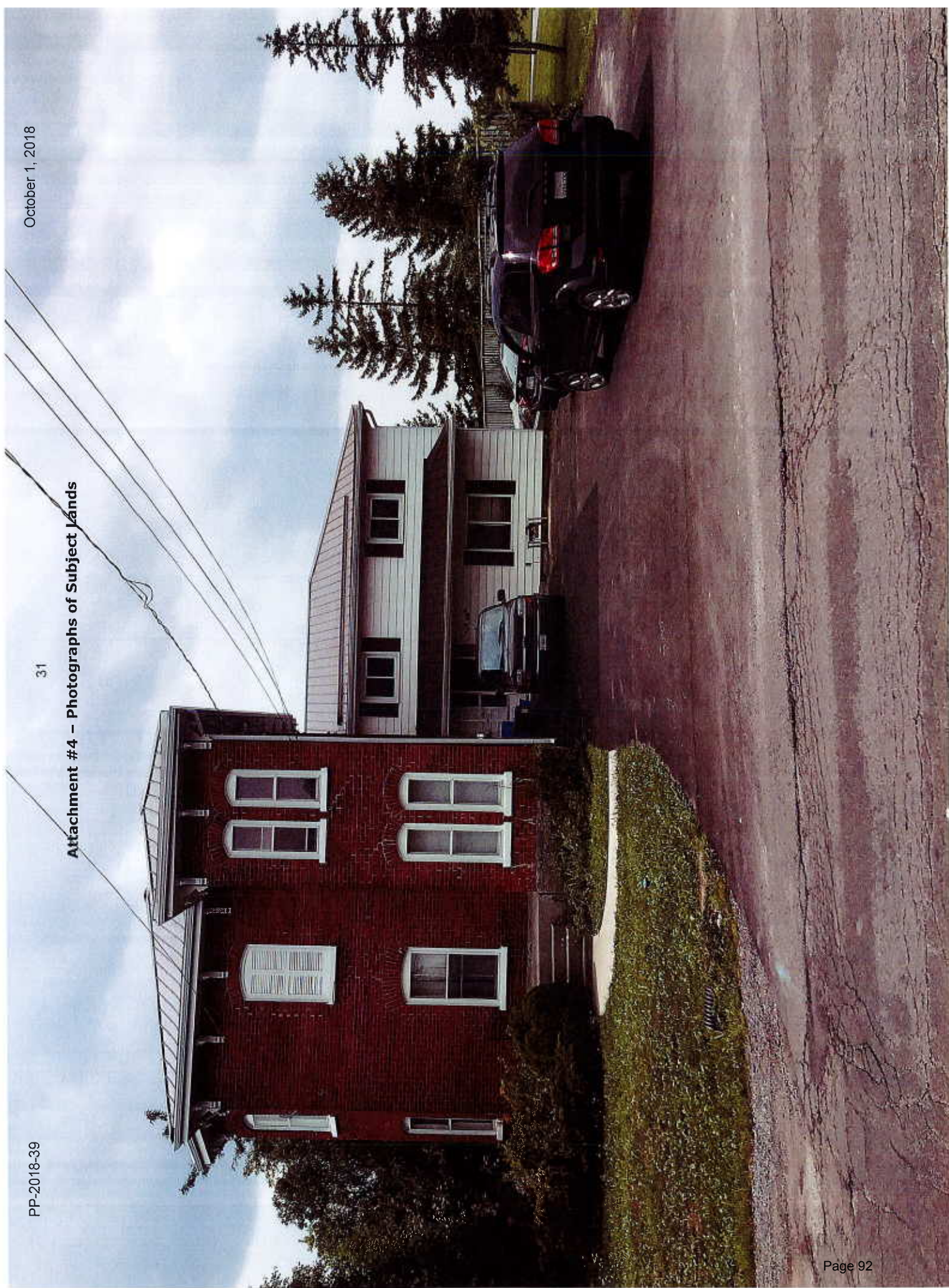
■ DENOTES FOUND
□ PLANTED
SIB STANDARD IRON BAR
SSB SHORT STANDARD IRON BAR
IB IRON BAR
WITNESS
O ROUND

Walter I. Watson Ltd.

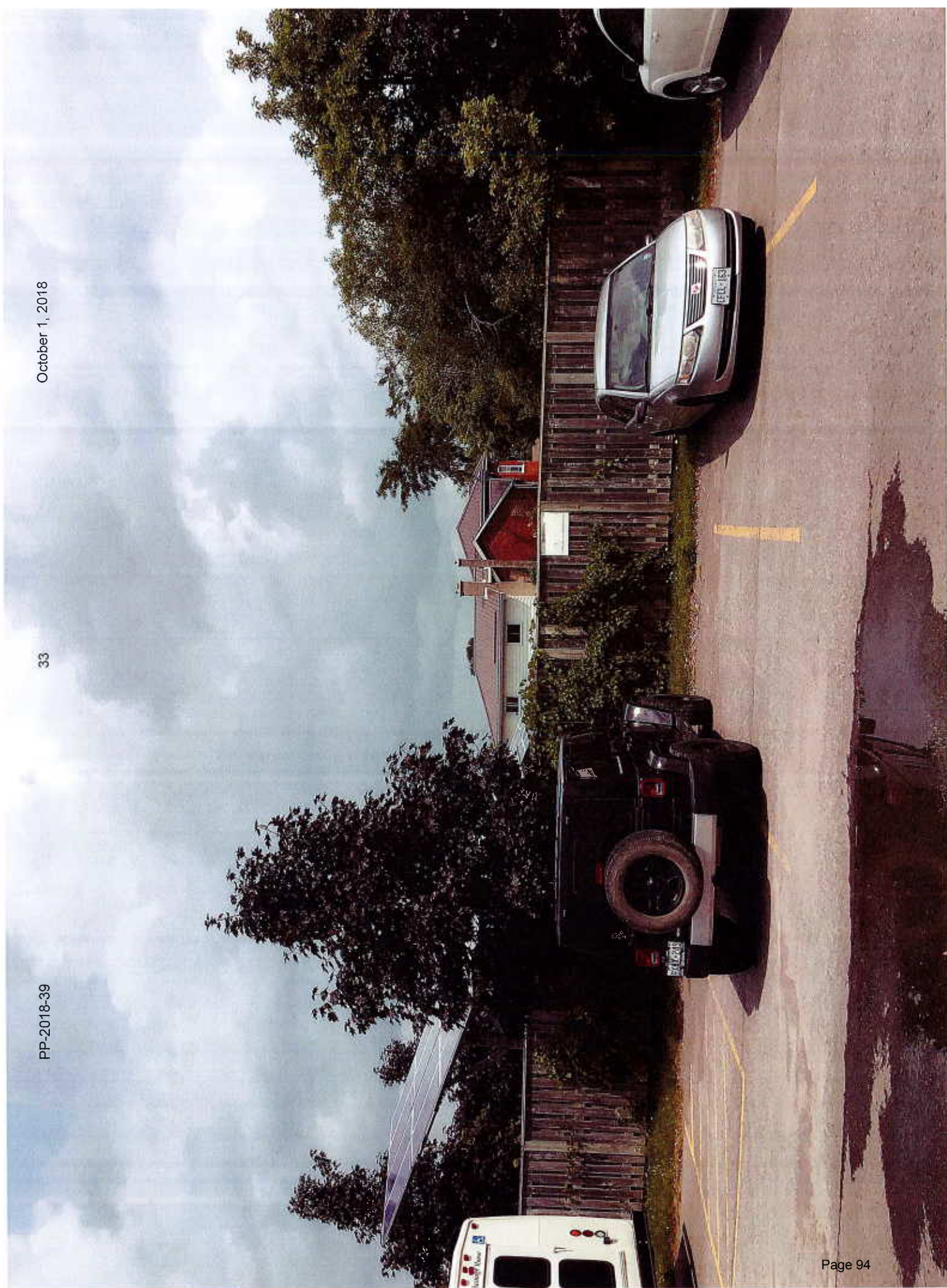
Ontario Land Surveyors
218 Church Street
Belleville, Ontario
K8N-3C3 (613) 962-9521

JOB N^o 8512-N-84

Attachment #4 – Photographs of Subject Lands













October 1, 2018

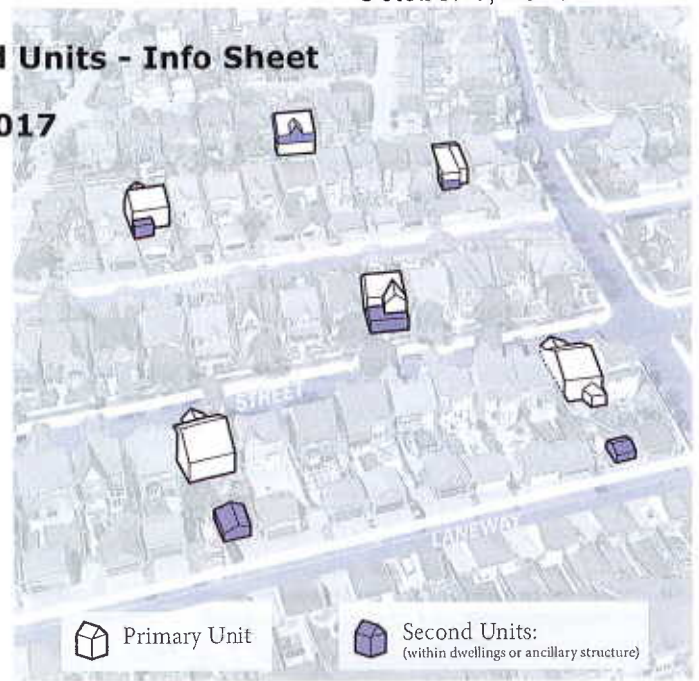
36

PP-2018-39



Attachment #5 – Second Units - Info Sheet**Spring 2017**

SECOND UNITS

Info Sheet - Spring 2017

Neighbourhood visualization of second units.

Purpose

This document is to assist municipalities and the general public to better understand what second units are, why they are important, and the legislative authority behind second units. It provides some examples of specific second unit policy and zoning best practice approaches currently in use in official plans or zoning by-laws by Ontario municipalities.

What are second units?

Second units are self-contained residential units with a private kitchen, bathroom facilities and sleeping areas within dwellings or within structures ancillary to a dwelling (e.g., above laneway garages).

Second units are also referred to as secondary suites, basement apartments, accessory apartments, granny flats, in-law apartments, or nanny suites.

What are the benefits of second units?

Second units increase the supply and range of affordable rental accommodation. In addition, they benefit the wider community in many ways as they:

- Allow homeowners to earn additional income to help meet the cost of homeownership
- Support changing demographics by providing more housing options for extended families or elderly parents, or for a live-in caregiver
- Help create mixed-income communities, which support local businesses and local labour markets
- Make more efficient use of existing infrastructure, including public transit where it exists or is planned
- Make more efficient use of the existing housing stock
- Create jobs in the construction/renovation industry
- Assist municipalities in meeting their goals regarding affordable housing, intensification and density targets, and climate change mitigation and greenhouse gas emissions reduction.

<http://www.mah.gov.on.ca/Page9575.aspx>

SECOND UNITS | Info Sheet - Spring 2017

Where are Second Units Located?

The majority of second units are created through internal alterations, although some are built as additions to the main house or in/above ancillary structures like garages. The size, type (e.g., internal, addition, ancillary structure) and location of the second unit will depend on the size and design of the house as well as its location on and the size of the lot.

Regardless of where they are located second units must comply with health, safety and municipal property standards, including but not limited to, the Ontario Building Code, the Fire Code and municipal property standards by-laws.

Background

The *Strong Communities through Affordable Housing Act, 2011*, amended the *Planning Act* to require that municipalities authorize second units in their official plans and zoning by-laws. The changes took effect on January 1, 2012.

Ontario's updated Long-Term Affordable Housing Strategy, 2016 continues this effort, with a focus on reducing the cost of constructing second units by:

- proposing changes to the Building Code to reduce the cost of construction of a new dwelling with a second unit, while maintaining occupant health and safety
- amending the *Development Charges Act, 1997* that, when in effect, would exempt second units in new dwellings from development charges in the same manner as second units in existing dwellings are exempted, as specified in a regulation.

Legislative Framework

Planning Act

Section 16(3) of the *Planning Act* requires municipal official plans to authorize second units:

- in detached, semi-detached and row houses if an ancillary building or structure does not contain a second unit; and
- in a building or structure ancillary to these housing types provided that the primary dwelling does not contain a second unit.

Section 35.1 requires that each local municipality ensure that its zoning by-law gives effect to the policies described in Section 16.3.

No appeals to the Ontario Municipal Board

The *Planning Act* restricts appeals of second unit official plan policies and zoning by-law provisions to the Ontario Municipal Board except by the Minister.

Provincial Policy Statement, 2014 (PPS)

The Provincial Policy Statement, 2014 (PPS) directs and promotes the development of healthy and complete communities. The goal is to create strong, livable, healthy and resilient communities through efficient land use (s.1.1.1).

Section 1.4.3 of the PPS directs municipalities to permit all forms of housing to provide an appropriate range and mix of housing types and densities – including affordable housing. Further, municipalities should permit and facilitate all forms of residential intensification and redevelopment, including second units.

Provincial plans

Some provincial plans contain specific policy which directly or indirectly relates to second units in the geographic areas they apply to (eg. the Oak Ridges Moraine Conservation Plan and Niagara Escarpment Plan). Municipalities need to consider and reflect any such policies in developing their official plans and zoning by-laws.

SECOND UNITS | Info Sheet - Spring 2017

Official Plans

Municipal official plans outline a community's vision and priorities. They contain policies to guide development in order to achieve land use goals. **Official plans must reflect any legislative requirements, be consistent with the PPS and conform to any applicable provincial plans.**

Zoning By-laws

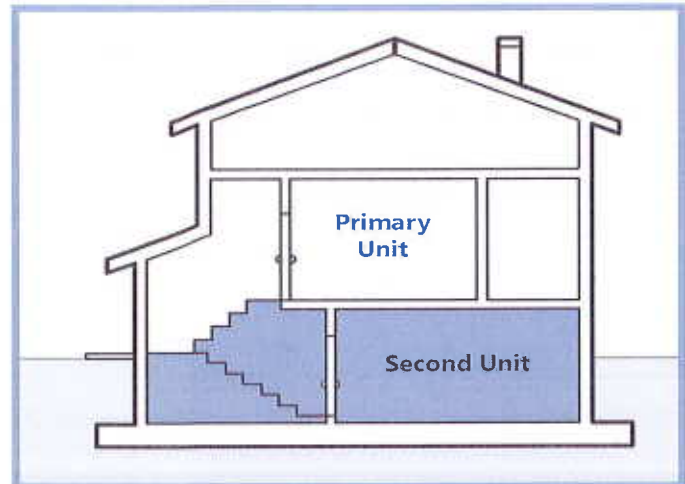
A zoning by-law sets standards for development and **must conform to a municipality's official plan.** Zoning by-laws must be updated within three years of a new or amended official plan and **must also reflect any requirements of the *Planning Act*, be consistent with the PPS and conform to any applicable provincial plan.**

Best Practices

The *Planning Act* provides a broad legislative foundation for permitting second units by requiring that they be authorized in single-detached, semi-detached and row dwellings, and in ancillary structures. In practice though, there are circumstances where second units are not appropriate based on good land use planning principles, including health and safety and environmental considerations. So **while official plan policies should be permissive and zoning by-laws should generally allow second units to be established "as of right",** there may be situations where second units should not be allowed and/or require some specific assessment prior to their establishment. The following are some examples of best practices in official plan policies and zoning by-laws, including specifics which relate to a number of these circumstances.

"As of right"

For the purposes of this document, "as of right" is a phrase used to refer to the ability to apply for a building permit without having to make a development application (e.g., an official plan or zoning bylaw amendment, a minor variance or a site plan). Similarly, homeowners generally should not need to produce any type of study to demonstrate that they conform to any policy or zoning provisions.



Second unit - Contained within primary dwelling.

Housing types and ancillary building structures

The *Planning Act* provides that **official plan policies and implementing zoning by-laws should permit second units in detached, semi-detached and row houses if an ancillary building or structure does not contain a second unit; and, in a building or structure ancillary to these housing types provided that the primary dwelling does not contain a second unit.**

In municipalities with limited housing types (e.g. only single detached dwellings), second units would only need to be authorized for that housing type.

Township of Wainfleet Official Plan, August 14, 2014

3.3.1.4 Secondary suites

Secondary suites shall be permitted in all Residential Area designations, and shall be subject to the following criteria and the regulations of the Zoning By-law:

- Only one *secondary suite* per single detached, semi-detached, or townhouse dwelling is permitted;
- The secondary suite may be contained within the primary residential dwelling or in a building or structure accessory to the residential dwelling, but not in both;

SECOND UNITS | Info Sheet - Spring 2017

Official plan designations

Municipalities should allow second units in designations or zones that permit detached, semi-detached, or row dwellings.

There may be circumstances where second units may not be appropriate given other planning considerations and policies, particularly relating to health and safety or the natural environment. For example:

- areas that are prone to flooding
- waterfront areas/developments on private roads that are not maintained and where emergency access may be limited
- areas adjacent to lakes with limited lake capacity
- areas of recreational dwellings where there may be a lack of year round roads and/or which lack other daily needs and services residents may require.

Tay Valley Township Official Plan, 2016

3.6.4(1)

...an accessory apartment (secondary suite) is permitted in residential areas within a four-season single detached, semi-detached, or row-house dwelling unit, or attached to a detached garage, located on a road maintained year-round and accessible by Emergency Services, subject to considerations of carrying capacity of lakes and hydrological capacity...

Second Units in existing dwellings and new dwellings

Second units should be allowed in both newly built and existing dwellings. Designing new houses to accommodate a second unit at the outset can be more efficient than retrofitting an existing home to have a second unit. Recent changes to the *Development Charges Act, 1997* and a potential regulation to exempt second units in new homes from development charges (once in effect), and proposed changes to the Building Code, if approved, are expected to reduce the cost of constructing second units in new dwellings. A proposed regulation under the *Planning Act*, if made, would permit second units without regard to the date of construction of the primary building.

Town of Smiths Falls Official Plan, October 2014

LU-2.14 Second Residential Units

The Town will permit the addition of one self-contained residential dwelling unit (i.e. second unit), within single-detached and semi-detached and row house dwellings in both existing and newly developing residential neighborhoods.

Parking

The maximum parking required per second unit should be one space. In some jurisdictions where transit is available, some municipalities have eliminated parking requirements for second units. Tandem parking (a parking space that is only accessed by passing through another parking space) should also be permitted. A proposed regulation under the *Planning Act* would, if made, restrict the maximum parking requirement for a second unit to one space while also requiring that tandem parking be allowed.

City of Ottawa Zoning By-law 2012-147 (June 10, 2015)

Secondary Dwelling Units
Sec. 133 (14)

Where a secondary dwelling unit is located on a lot subject to Section 139 - Low Rise Residential Development in Mature Neighbourhoods, no parking is required for the secondary dwelling unit.

Mississauga Zoning By-law 0158-2013 (July 2013)

4.1.20.10

Tandem parking spaces to accommodate a **second unit** shall be permitted.

SECOND UNITS | Info Sheet - Spring 2017

City of Toronto Zoning By-law 569-2013

800.50 Defined Terms

(850) Tandem Parking Space means a **parking space** that is only accessed by passing through another **parking space** from a **street, lane, drive aisle** or **driveway**.

Servicing

In areas with municipal services, second units should be permitted without a requirement to demonstrate sewer or water capacity, unless there are previously documented servicing constraints.

For second units in dwellings serviced by septic systems and private wells, there should be a demonstration of capacity to the satisfaction of the municipality. This is because Building Code permits for septic systems are, in part, based on the number of bedrooms and plumbing fixtures, because septs may be old and/or in order to ensure there is sufficient potable water from the private well.

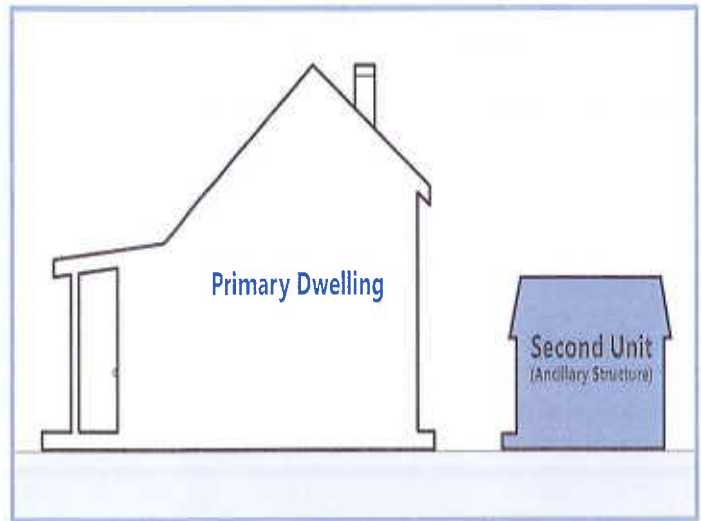
Howick Township OP, 2016

5. Settlement Areas

D. Policies and Actions

10.1 ... Second residential units are permitted in settlement areas and rural areas of the Township provided that:

f) It must be demonstrated that on-site servicing (e.g. water, sewage) have sufficient capacity for the additional dwelling unit.



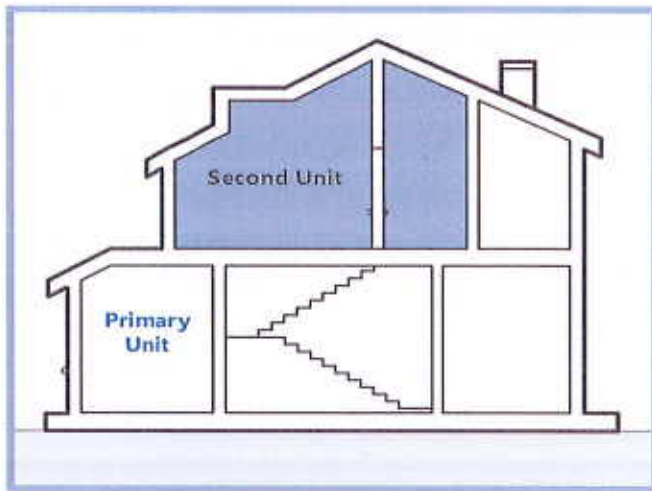
Second unit - Ancillary structure located on property.

Unit Size

The size of second units and the number of bedrooms should solely be regulated by the Building Code. The Building Code establishes health and safety standards for second units. As such, municipal by-laws should not seek to impose size or other standards that are regulated by the Building Code.

The *Development Charges Act, 1997* (via Ontario Regulation 82/98) states that, in order for second units in existing homes to be exempt from development charges, they must be less than or equal to the size of the primary dwelling. This is the only potential size standard a municipality should contemplate including in a by-law.

SECOND UNITS | Info Sheet - Spring 2017



Second unit - Contained within primary dwelling
(Above ground-level unit).

Egress

Requirements for entrances or means of egress for second units are set by the Ontario Building Code and Ontario Fire Code (which need to be referred to for specific standards). In general, second units can share a joint entrance with the primary unit, subject to having a fire separation with appropriate fire resistance rating, and at least two means of egress (exit) that may include windows of an appropriate size. Therefore, there is a need to ensure that by-laws do not contain any standards/provisions that differ from those in the Codes.

Streetscape and Architectural Design

Given most second units are internal to a primary dwelling, second units should have limited impact on streetscape and architectural design. In the case of an addition to a primary dwelling, there may be valid design considerations, particularly in heritage areas. If municipalities establish design standards in relation to streetscape or architectural design, they should be clearly set out in the zoning by-law so a second unit can be planned in accordance with the by-law and a homeowner can proceed directly to obtain a building permit.

Owner occupancy

The *Planning Act* does not allow zoning to have the effect of distinguishing on the basis of relationship. Zoning by-laws should permit occupancy of the primary or second unit regardless of whether or not the owner of the home is a resident of either unit. A proposed regulation under the *Planning Act*, if made, would establish a provision which precludes establishing occupancy requirements for either the primary or second unit.

Tracking and monitoring

A municipality should have a means for tracking and monitoring second units. A registry, in some form, could help the municipality be aware of where second units existed. This could assist in establishing inspection processes to help ensure public safety. It could also provide emergency services with the knowledge that there are two units in the home.

A registry could be established through a mandatory enrollment by the applicant when constructing a second unit or by having the municipal building official inform the appropriate office that a building permit has been issued for a second unit on a property. Ideally, there would be no or only modest fees for registration in order to encourage the creation and registration of second units.

City of Brantford OP

13.1.8

The City shall permit the creation of a self-contained second unit dwelling on lands designated to permit single detached dwellings, semi-detached dwellings, street townhouse dwellings, or accessory structures in accordance with the applicable zoning bylaw regulations and the following provisions: OPA #125 Dec. 3/08 OPA #180 Dec. 17/12

6. Second unit dwellings shall be registered with the Building Department.

SECOND UNITS | Info Sheet - Spring 2017

Additional Sources

Landlord Self Help Centre website
<http://www.landlordselfhelp.com/intro.htm>

Canada Mortgage and Housing Corporation –
Second Unit Policies –
<https://www.cmhc-schl.gc.ca/en/inpr/afhoce/afhoce/afhostcast/afhoid/pore/pesesu/index.cfm>

For More Information, Contact:

Ministry of Municipal Affairs, Provincial Planning
Policy Branch, (416) 585-6014

Municipal Services Offices:

Central (Toronto), 416-585-6226,
Toll Free: 1-800-668-0230

West (London), (519) 873-4020,
Toll Free: 1-800-265-4736

East (Kingston), (613) 545-2100,
Toll Free: 1-800-267-9438

Northeast (Sudbury), (705) 564-0120,
Toll Free: 1-800-461-1193

Northwest (Thunder Bay), (807) 475-1651,
Toll Free: 1-800-465-5027

Note to User

This Info Sheet summarizes complex matters and reflects legislation, policies and practices that are subject to change. It should not be a substitute for specialized legal or professional advice in connection with any particular matter and should not be construed as legal advice. The user is solely responsible for any use or the application of this information. As such, the Ministry of Municipal Affairs does not accept any legal responsibility for the contents of this Info Sheet or for any consequences, including direct or indirect liability, arising from its use.

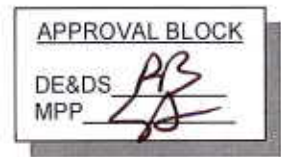
Ministry of Municipal Affairs

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CITY OF BELLEVILLE

Thomas Deming, Policy Planner
Engineering and Development Services Department
Report No. PP-2018-40
October 1, 2018

To: Belleville Planning Advisory Committee

Subject: Proposed Zoning By-law Amendment (By-law 10245)
500 College Street East
City of Belleville
APPLICANT: Belleville Complex Inc.
AGENT: RFA Planning Consultant Inc.
OWNER: Sears Canada Inc.

File: B-77-1062

Recommendation:

1. That the Belleville Planning Advisory Committee recommends the following to City Council:

"THAT the application to amend Zoning By-Law Number 10245, as amended, for land described as 500 College Street East, City of Belleville, County of Hastings, be APPROVED as follows:

That Zoning By-Law Number 10245, as amended, be amended by rezoning the subject lands from the current "M2-1 – General Industrial" zone with special provisions to "M2-10 – General Industrial" zone with special provisions. In addition, an 'H' holding symbol is recommended to be attached to the site requiring that the applicant demonstrate that all licensing requirements of Health Canada have been satisfied before the use is permitted to operate."

Background:

The subject lands are located at 500 College Street East, west of Jamieson Bone Road and on the north side of College Street East. The subject lands have an area of approximately 76.3 hectares. (See location map - Attachment #1).

The subject lands contain a 10.7 hectare industrial warehouse which was formally the Sears warehouse site.

Surrounding uses include:

- 1) to the east: industrial lands;
- 2) to the north: industrial lands;
- 3) to the south: industrial lands;
- 4) to the west: industrial lands.

Documents submitted as part of the application include:

- Planning Rationale – RFA Planning Consultant (Attachment #2)
- Existing Conditions Plan (Attachment #3)

These documents have been available for public review at the Planning Department.

Proposal:

The application proposes to rezone the lands from the M2-1 – General Industrial Zone with special provisions to an M2 – General Industrial Zone with special provisions to permit a medical marihuana production facility.

The applicant, Belleville Complex Inc. has entered into an agreement with the current owner for purchase of the lands. The building has a gross floor area of approximately 185,806 square meters (2,000,000 square feet) and Belleville Complex Inc. have entered into an agreement with Hexo, who, “intends to lease a portion of the building totaling 46,452 square meters (500,000 square feet) for the sorting, packaging and distribution of cannabis.” As provided through the application, it appears to be the intention of the parties to this business agreement that the overall size of the building leased to Hexo will increase over time. It is also identified in the Planning Rationale that the increased space could include production of cannabis.

Provincial Policy Statement:

Municipalities are required to ensure all decisions related to land use planning matters shall be consistent with the Provincial Policy Statement.

Applicable policies in the PPS include:

1.2.6.1 Major facilities and sensitive land uses should be planned to ensure they are appropriately designed, buffered and/or separated from each other to prevent or mitigate adverse effects from odour, noise and other

contaminants, minimize risk to public health and safety, and to ensure the long-term viability of major facilities.

1.3.1 Planning authorities shall promote economic development and competitiveness by:

- a) providing for an appropriate mix and range of employment and institutional uses to meet long-term needs;
- b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;

1.7.1 Long-term economic prosperity should be supported by:

- a) promoting opportunities for economic development and community investment-readiness;

Official Plan:

The land is designated "Industrial" in the City's Official Plan.

Areas designated as industrial are intended to serve as the major concentrations of industrial activity and employment in the City and the policies of this Plan are intended to provide flexibility to enable firms to respond quickly to changing economic conditions. This Plan encourages diversification of the types and sizes of industrial activities in the City.

Uses permitted in areas designated Industrial land use include activities associated with the manufacturing, assembling, fabricating, packaging or processing of goods and services, including transportation/truck terminals, warehouses, railway uses, and other similar uses.

All industrial uses should meet the guidelines and requirements of the Ministry of Environment with respect to solid and liquid waste disposal and all emissions to the environment.

Zoning By-law:

The subject lands are currently zoned M2-1 – General Industrial Zone with special provisions in Zoning By-Law Number 10245, as amended. The lands are being proposed to be re-zoned to the M2-10 – General Industrial Zone with special provisions to permit a medical marihuana production facility.

Zoning By-law 10245 was amended in 2012 to provide a definition for a medical marihuana production facility. By providing this use through a

specific definition ensures any new facility will require a site-specific zoning by-law amendment. Therefore, the establishment of these new facilities requires a public process and Council can provide consideration to each individual application on a case by case basis.

Currently there is a distinction between medical and non-medical cannabis production: namely that production and sales for non-medical cannabis is not authorized and no license can be obtained under current regulations. Starting October 17, 2018 all medical and non-medical cannabis production will fall under the same Health Canada License. In practical terms, this means that the site will be rezoned to allow medical marihuana under our current zoning and after October 17, 2018, the City will have to update its Zoning By-law to be consistent with cannabis legislation.

Council approved a similar application located at 321 University Avenue on June 11, 2018 by rezoning the lands to M2-10 – General Industrial Zone with special provisions to permit a medical marihuana production facility.

Public Comments:

On September 11, 2018 a written notice and location map was mailed by first class mail to all registered owners of land within 120 metres of the subject property. The notice provided information that a public meeting was scheduled for October 1, 2018.

Similarly, a sign was placed on the subject lands notifying the general public that a Public Meeting was scheduled for October 1, 2018.

Both notices state that additional information is available. This additional information includes the Planning Rationale submitted by RFA Planning Consultant on behalf of the applicant and are in the City's Planning Files and are available for review by any member of the public during business hours.

To date, no correspondence from the public has been received by the City regarding this application.

Staff and Agency Comments:

External Agency Circulation

The subject application was circulated for comment to the Algonquin & Lakeshore Catholic School Board, the Hastings & Prince Edward District School Board, Hastings and Prince Edward Health Unit, Bell Canada, Canada Post, Ontario Power Generation, Union Gas, Veridian Connections, Hydro One, TransCanada Pipeline, Enbridge Pipelines, Trans-Northern Pipelines, MPAC, Quinte Conservation, and the Health Unit.

To date, Quinte Conservation has provided correspondence and have no concerns. No other comments have been received regarding this application.

Internal Department Circulation

The subject application was circulated for comment to the Belleville Fire Department, Belleville Police Service, the Development Engineer, the General Manager of Transportation & Operations Department, General Manager of Environmental Services, the Director of Recreation, Culture and Community Services, the Manager of Parks & Open Spaces, the Chief Administrative Officer, the Manager of Economic & Strategic Initiatives, the City Clerk, and the Chief Building Official.

To date, the Belleville Fire Department, the City's Development Engineer, and Recreation, Culture and Community Services Department have provided correspondence and they have no concerns.

No other comments have been received regarding this application.

Planning Analysis:

Consistency with Provincial Policy Statement, Official Plan and Zoning By-law

This application is consistent with the Provincial Policy Statement as the proposed development would promote new economic development and help the City compete in an emerging market. This application should help diversify the economic base of the City. The proposed development is located in a designated industrial area which will assist in mitigation of nuisances such as odour which provides consistency with the PPS.

The Official Plan encourages flexibility within the Industrial land use area to allow for the ability to respond to changing economic conditions, including diversification of the types and sizes of industrial uses. The application is for an emerging product. However, the activity of the proposed use is similar to other industrial activities (i.e. manufacturing, assembling, and processing). It is staff's opinion that the application conforms to the Official Plan.

The subject lands are located in a designated industrial area and the rezoning of the lands is consistent with the City's Official Plan and Provincial Policy Statement.

Staff is recommending a holding provision be included with the zone which will be removed by Council once it has been demonstrated that all licensing requirements of Health Canada have been satisfied before the

use is permitted to operate.

Conclusion:

The Policy Planning Section of the Engineering and Development Services support the rezoning of the subject lands from the current "M2-1 – General Industrial" zone with special provisions to "M2-10 – General Industrial" zone with special provisions that permit a medical marihuana production facility. In addition, an 'H' holding symbol is recommended to be attached to the site requiring that the applicant demonstrate that all licensing requirements of Health Canada have been satisfied before the use is permitted to operate.

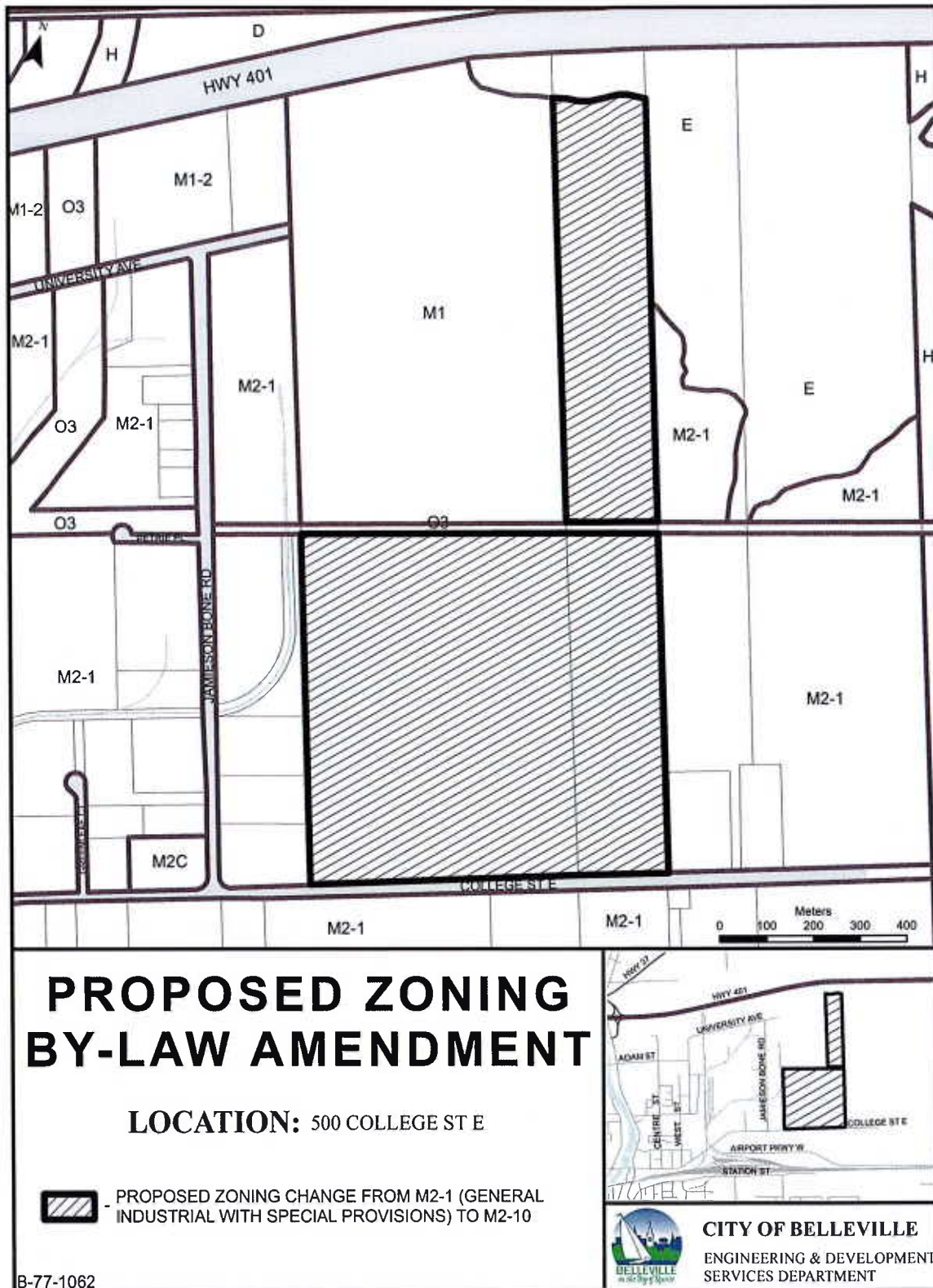
Respectfully submitted



Thomas Deming, Policy Planner

Attachments

- Attachment #1 – Location Map
- Attachment #2 – Planning Rationale – RFA Planning Consultant
- Attachment #3 – Existing Conditions Plan

Attachment #1 – Location Map

Attachment #2 – Planning Rationale

Planning Rationale

To: Stephen Ashton, MCIP, RPP, CAHP, Manager, Policy Planning
From: RFA Planning Consultant Inc.
Cc: Louis Allie, Belleville Complex Inc.
Date: August 29, 2018
Re: Application for an Amendment to the Zoning By-law – 500 College Street East, City of Belleville (Belleville Complex Inc.)

This memo is to summarize our planning opinion in support of the Application for an Amendment to the Zoning By-law for Belleville Complex Inc., for conformity to the Provincial Policy Statement and the Belleville Official Plan general policies within the Industrial land use designation. We have also assessed the applicable Zoning By-law provisions and offer the following planning opinion in support of the applications.

BACKGROUND

We were retained in August, 2018 by the applicant, Belleville Complex Inc., to undertake a rezoning application for the subject property. Sears Canada Inc. (c/o the Bank of Montreal) is the owner of the land described as Part of Lots 11, 12, and 13, Concession 2, Geographic Township of Thurlow, now in the City of Belleville, County of Hastings, more particularly described as Parts 1 to 9, Plan 21R-7327 and Parts 1 to 6, Plan 21R-13826, except Parts 1 to 17, Plan 21R-22046, except College Street. The subject property has an area of 76.2 hectares (188.3 acres) with 760.5 metres (2,495.2 feet) of frontage on the north side of College Street East and 188.6 metres (618.8 feet) of frontage on the south side of Highway 401. The land to be rezoned contains a 106,882-square-metre (1,150,468-square-foot) principal building footprint and four outbuildings, including a shipping and receiving entrance

211 Dundas Street East, Suite 202, Belleville, Ontario K8N 1E2

613.966.9070 www.rfaplanningconsultant.ca



building. Including a mezzanine level, the principal building has a gross floor area of approximately 185,806 square metres (2,000,000 square feet). The subject property is serviced by municipal piped water and sanitary services. The north, west and east yards are bordered by chain link perimeter fencing. There are a series of easements that traverse the property in favour of the City of Belleville, Bell Canada and the Hydro-Electric Power Commission of Ontario. The subject property is known as the former Sears warehouse site. Refer to enclosed **Existing Conditions Plan** for further detail.

The subject property is designated “Industrial Land Use” in the City of Belleville Official Plan and within the “Special General Industrial (M2-1) Zone” of Zoning Bylaw Number 10245. The special provision for the M2-1 Zone indicates that “*the maximum height requirement shall not apply.*” The surrounding land uses are predominantly industrial in nature. An open space corridor centrally bisects the property that consists of an easement in favour of the Hydro-Electric Power Commission of Ontario. A Canadian National Railway spur line traverses north-south along the west property line.

APPLICATION FOR REZONING

The purpose of the rezoning application is to request a site-specific M2 Zone to add a Medical Marihuana Production Facility as a permitted use on the subject property. The applicant, Belleville Complex Inc., intends to become the registered owner of the site pending completion of the Agreement of Purchase and Sale. Belleville Complex Inc. has partnered with Hexo, who intends to lease a portion of the building for the sorting, packaging and distribution of cannabis authorized by a licence issued by Health Canada under the Cannabis Act (Canada) coming into force on October 17, 2018. Hexo intends to lease approximately 46,452 square metres (500,000 square feet) of the overall facility. They anticipate their spatial requirements will increase over time – which may include production – along with the need to utilize a greater share of the overall facility. At this time, Hexo is the only prospective tenant of the former Sears warehouse at this time.

A Medical Marihuana Production Facility is defined in Zoning By-law Number 10245 but is not an as-of-right use and the City requires a site-specific rezoning to add this as a permitted use to the property. A Medical Marihuana Production Facility as defined in the Zoning By-law “*shall mean premises used for growing, producing, testing, destroying, storing, or distribution of medical marihuana or cannabis authorized by a license issued*

by Health Canada.” The existing M2-1 Zone special provision that “*the maximum height requirement shall not apply*” is requested to remain. All other provisions of the M2 Zone can be met and no other special provisions are necessary.

There is currently a distinction with Health Canada between the medical and non-medical cannabis. Production and sales for non-medical cannabis is not authorized and no licence from Health Canada can be obtained for this use under the Access to Cannabis for Medical Purposes Regulations. There will not however be such distinction through the Cannabis Act. All cannabis production, whether medical or not, will fall under the same Health Canada Licence starting October 17, 2018. On this basis, it appears there is a need for a “housekeeping” amendment to the Zoning By-law as early as the November 5, 2018 Planning Advisory Committee meeting to harmonize the terminology and definition of a Cannabis Production Facility to be consistent with the Cannabis Act (Canada). In consultation with planning staff, it is understood such a housekeeping amendment will be a city-led initiative.

CONFORMITY TO THE PROVINCIAL POLICY STATEMENT (2014)

The Provincial Policy Statement (PPS) has applied to all planning applications since April 30, 2014. It provides policy direction on matters of provincial interest related to land use planning and development. All decisions related to land use planning matters “shall be consistent with” the PPS. The application for Official Plan Amendment is consistent with the 2014 PPS.

The subject proposal will benefit the financial well-being of the Province and municipality over the long term since the commercial use will add to the local tax base of a currently vacant industrial site and distribute its products throughout the province under the new Health Canada/Cannabis Act system (PPS 1.1.1(a)). The development is an adaptive re-use of a vacant industrial site with municipal services, which is a cost effective development pattern that mitigates land consumption and servicing costs (PPS 1.1.1e)). Due to the nature of the proposed cannabis sorting, packaging and distribution facility, the subject property was selected as the required electricity infrastructure is available to the site to meet current needs and there are no apparent concerns for the electricity infrastructure to meet projected needs to due the previous Sears operations (PPS 1.1.1g)).

The proposed use is considered regeneration growth within a settlement area, which shall be promoted (PPS 1.1.3.1). The proposed use will be a pharmaceutical grade facility, which will consist of a “clean” operation that is not anticipated to contribute to any negative impact to air quality. The projected \$5 million to \$10 million in required renovations is intended to implement modern energy efficiency standards (PPS 1.1.3.2a)3.). A municipal transit stop is located on the east side of Jamieson Bone Road, approximately 325 metres from the western entrance to the site. On-street cycling lanes exist along both sides of College Street East, terminating immediately adjacent to the western entrance to the site, which will support active transportation to and from the site 1.1.3.2a)4/5.). The subject property is considered freight-supportive due to its close proximity (less than four kilometres) to the nearest Highway 401 transportation corridor on-ramp and the abutting Canadian National Railway spur line.

The business will provide additional employment opportunities. At full capacity it is anticipated that the proposed facility will employ approximately 100 shift workers. (1.3.1(a)). The site is located with Belleville's North-east Industrial Park, which provides a range and choice of sites suitable for employment uses for a wide range of employment activities (1.3.1(b)). The proposed use is considered packaging and processing of goods, which is a compatible employment use within a predominantly industrial area. The site is already developed, is within a built up area of the North-east Industrial Park – a designated employment area – and is considered compact on this basis (PPS 1.3.1c)). The necessary infrastructure is provided to support current and projected needs (PPS 1.3.1d)).

Municipal sewage and water services are provided to the site, which is the preferred form of servicing for settlement areas (1.6.6.2). The site is already developed and there are no apparent concerns with respect to minimizing or preventing increased contaminant loads or minimizing erosion. It is intended to maintain the expansive landscaped yards, which will also assist in maximizing the extent and function of vegetation and pervious surfaces (1.6.6.7).

CONFORMITY TO THE OFFICIAL PLAN

The subject property is designated “Industrial Land Use” on Schedule ‘B’ Land Use Plan – Urban Serviced Area, which forms part of the City of Belleville Official Plan. The Official Plan was approved by the Ministry of Municipal Affairs and Housing on

January 7, 2002. The relevant Industrial Land Use policies have been assessed below for conformity to the Official Plan.

Within the Industrial Land Use designation, activities associated with the manufacturing, assembling, fabricating, packaging or processing of goods and services, including transportation/truck terminals, warehouses, railway uses are permitted uses. Other compatible uses such as commercial uses accessory to industrial uses, commercial uses which primarily serve the industrial area, wholesale establishments, office uses, equipment rental uses, data processing establishments, other quasi-industrial service or business uses such as automotive services uses and utility or service companies and commercial uses which require large sites for storage are permitted (OP 3.12.1). Industrial Land Use areas are intended to serve as major concentrations of industrial activity and employment and are considered major enterprise zones (OP 3.12).

The lot area is 76.2 hectares and the lot coverage is 14.1%. The subject property appears to have sufficient area to accommodate the buildings, parking and loading areas along with landscaping. There are 1,601 existing parking spaces on-site, which exceeds the projected needs for off-street parking for manufacturing or warehousing uses with the anticipated number of employees working in shifts. At full capacity, it is anticipated that there will be approximately 100 shift employees working at the proposed facility. It has been calculated, assuming that all employees are shift employees and that the two largest shifts combined will consist of approximately 80 employees, that 54 parking spaces are needed to meet the off-street parking requirements. The precise number of company vehicles is currently unknown. The **Existing Conditions Plan** demonstrates that additional parking spaces can be accommodated in the remaining existing parking areas to meet projected needs for future additional staff (OP 3.12.2a)).

The previous Sears uses existed for 25 years and any impact from industrial uses in the immediate vicinity is considered to be a pre-existing condition. Notwithstanding this, the building will be outfitted with specialized air filtration systems to mitigate any odours that may occur as a result of the proposed cannabis sorting, packaging and distribution facility. There are otherwise no apparent land use concerns that may result from the proposed development and the location appears to be ideal (OP 3.12.2b/c)).

With respect to off-street parking requirements, the **Existing Conditions Plan** demonstrates that the available parking and loading areas exceed the requirements for the intended number of employees. The proposed cannabis facility is understood to have minimal outdoor storage, as the operations consisting of sorting, package and distribution will be contained within the principal building (OP 3.12.2f)).

The above analysis has carefully considered the applicable Official Plan general policies for development within Industrial Land Use areas. It is our planning opinion that the proposed rezoning application conforms to the intent of the Official Plan and that policies of the Official Plan appear to conform to the 2014 PPS.

DISCUSSION

It is proposed to rezone the subject property to a site-specific M2 Zone to add a Medical Marihuana Production Facility as a permitted use on a lot area of 76.2 hectares. The existing M2-1 Zone special provision that "*the maximum height requirement shall not apply*" is requested to remain. All other provisions of the M2 Zone can be met and no other special provisions are necessary.

The main purpose of this report is to assess whether the 2002 Belleville Official Plan is in conformity with the 2014 Provincial Policy Statement (PPS). From our analysis of the relevant policies for the above-noted planning policy documents, it is our planning opinion that the proposed rezoning application conforms to the intent of the Official Plan and that policies of the Official Plan appear to conform to the 2014 PPS.

If you have any questions about this information, please do not hesitate to contact me at extension 206.

Yours truly,



Shawn Legere, MCIP, RPP
RFA Planning Consultant Inc.

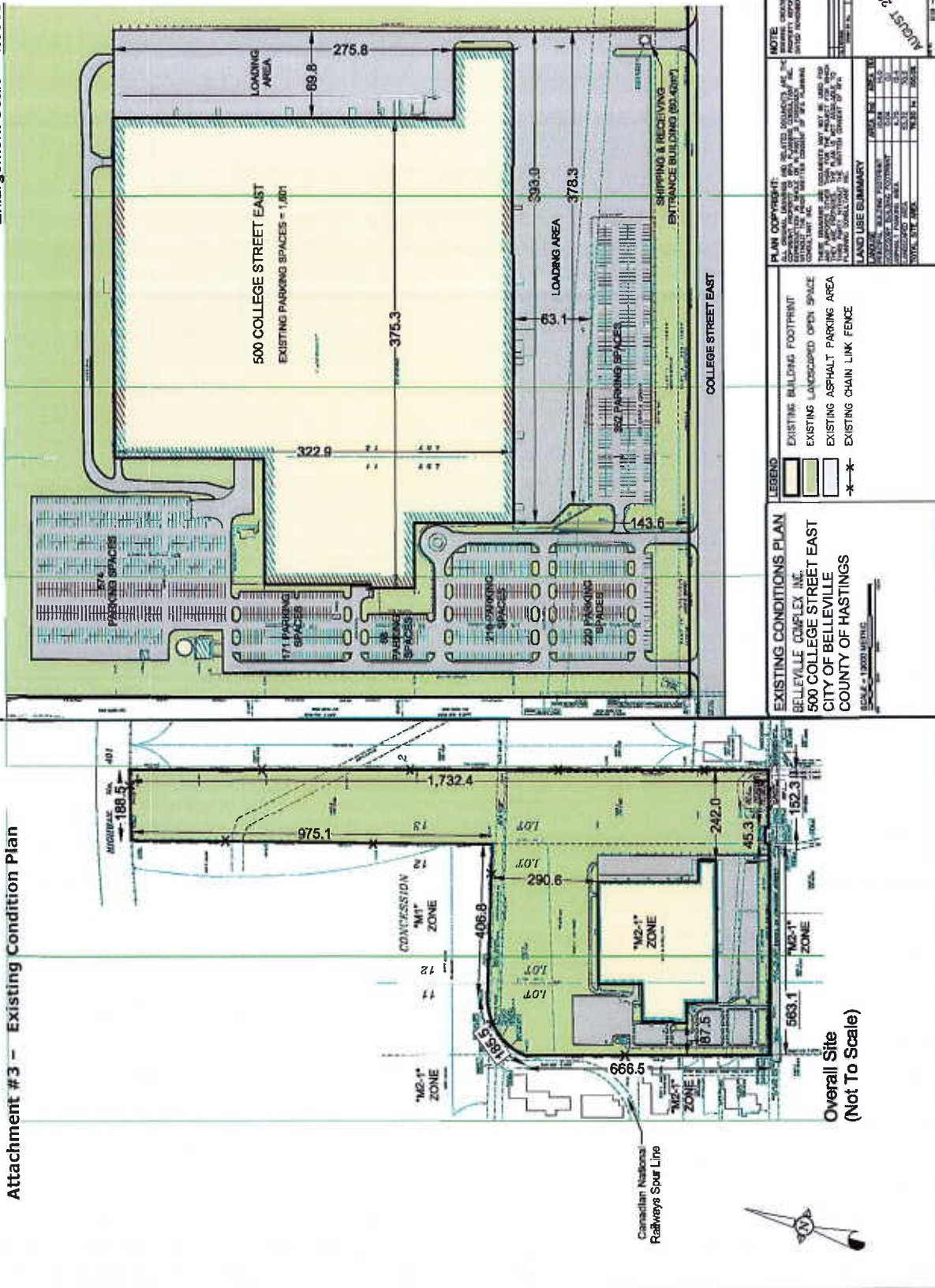
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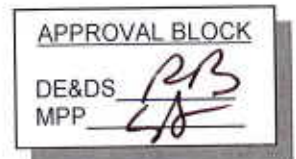
August, 2018



Attachment #3 – Existing Condition Plan

Enlargement Scale = 1:3000





CITY OF BELLEVILLE

Stephen Ashton, Manager of Policy Planning
Engineering and Development Services Department
Report No. PP-2018-41
October 1, 2018

To: Belleville Planning Advisory Committee

Subject: Proposed Expansion of Melrose/Longs Quarry
Township of Tyendinaga

Recommendation:

1. That the Belleville Planning Advisory Committee recommends the following to City Council:

"THAT Report No. PP-2018-41 dated October 1, 2018 titled "Proposed Expansion of Melrose/Longs Quarry, Township of Tyendinaga" be received as information.

Background:

In 2012, an application for the for the purposes of establishing a new quarry which is intended to be an extension/expansion of the existing Longs Quarry was submitted to The Township of Tyendinaga for lands located in the north east corner of the intersection of Shannonville Road and Melrose Road in Part of Lots 6 and 7, Concession 3 in the Township of Tyendinaga. These lands are approximately 2.05 kilometres from the boundary of Belleville (See Location Map – Attachment #1).

The application included the following documents:

- Noise Report, Demill Melrose Quarry (CD)
- Traffic Study, Longs Melrose Quarry (CD)
- Blast Design, MS386 CH, Demill BIA, Melrose Quarry (CD)
- Level 1 & 2 Nat. Env. Report Dec 2009, Melrose Quarry (CD)
- Melrose Hydro-G Level 1 & 2 (CD)
- Summary Statement and Planning Report, Melrose Quarry, September 2010 (3 copies)
- Stage 1, 2 & 3 Archaeological Assessment of the Melrose Quarry PIF 2009-P039-147, November 2009
- Level 1 and Level 2 Natural Environment Assessment, Category 2

Quarry License Application, Proposed Melrose Quarry, December 2009 (3 copies)

- Acoustic Assessment of the Melrose Quarry, Township of Tyendinaga, County of Hastings, 6 May 2010
- Traffic Assessment of the Melrose Quarry, Township of Tyendinaga, County of Hastings, August 3rd, 2011
- Blasting Impact Assessment, C.H. Demill Melrose Quarry Application, December 2009
- Level 1 and 2 Hydrogeological Study, Category 2 Application, Proposed Melrose Quarry, December 2009

Since the time the application was received by Tyendinaga Council in 2012, there have been ongoing peer review studies undertaken to ensure the submitted reports meet technical requirements.

With the conclusion of the peer reviews, a public meeting has been scheduled for Saturday October 13, starting at 10:00am at the Recreation Hall at 363 McFarlane Road in Tyendinaga Township. A meeting of Tyendinaga Council has also been tentatively scheduled for November 19, 2018 for a final decision.

A notice of the public meeting and complete file of documents which exceed 600 documents was circulated to the City of Belleville.

With the location of the proposed expansion of the quarry being approximately 2.05 kilometres from the boundary of the City of Belleville, one impact could be from Traffic. The Traffic Impact Study completed by Greer Galloway Group on behalf of the applicant stated that "Local roads have benefited from the proximity of the limestone products produced at this site. High quality limestone from Long's Quarry has been used in construction, reconstruction and rehabilitation of many local roads including Shannonville Road. The Long's Quarry limestone provides excellent strength to the base and extended service life to the road."

The report also concluded that:

- The network of roads surrounding and supporting the operation of Long's Quarry provides a safe environment for all vehicle operators.
- The subject license application will not necessarily increase traffic using the surrounding road network but will add to the life (years of continued operation) of the quarry.
- The safety of all drivers travelling through the Shannonville/Melrose/Casey Road intersection would be maintained at its highest possible level by keeping the driving surfaces clear of loose

gravel accumulation and by placing and maintaining pavement markings in a good state of repair.

- The volume of traffic generated by the Quarry operation is a direct function of the demand for the products being produced – the year 2010 was an anomaly caused by a substantial influx of federal and provincial funding of municipal infrastructure improvements in support of a weak economy.
- The approval of the subject Melrose Quarry license application will have a minimal impact on the daily use of the surrounding road network.

The report concluded with the opinion that "Approval to license Melrose Quarry and the continued quarry operation will not have any increased impact on the surrounding road network."

This report was peer reviewed by Jewell Engineering on behalf of the Township and they concluded that they agreed with the submitted traffic impact study and that the impacts would be minimal.

Planning Analysis:

Protecting Mineral Aggregate Resources is a priority for the Province of Ontario. Aggregate Resources in close proximity to the local market is necessary for the long-term prosperity of Ontario's economy. Section 2.5 of the Provincial Policy Statement is an extensive section which highlights the importance of mineral aggregate resource extraction. This includes:

2.5.2.1 As much of the mineral aggregate resources as is realistically possible shall be made available as close to markets as possible. Demonstration of need for mineral aggregate resources, including any type of supply/demand analysis, shall not be required, notwithstanding the availability, designation or licensing for extraction of mineral aggregate resources locally or elsewhere.

2.5.2.2 Extraction shall be undertaken in a manner which minimizes social, economic and environmental impacts.

In the case of the proposed expansion of the Melrose Quarry, it has been stated in submitted documents that the aggregate material has been used in local road construction historically and it would be expected that this will continue in the future. This would also include Belleville's road construction into the future.


There are also numerous reports which have been submitted to address and minimize social, economic and environmental impacts.

Conclusion:

The application process undertaken by Tyendinaga Township consists of extensive reports that have been peer reviewed by the Township's expert authorities and they have undertaken consultation with residents, surrounding municipalities, and government agencies resulting in over 600 documents. With a public meeting scheduled for October 13, 2018 it is expected that a thorough review process will have been undertaken before a final decision of Tyendinaga Council is made which is tentatively scheduled for November 19, 2018.

The proposed location of the quarry expansion is approximately 2 kilometers from Belleville's geographical boundary which minimizes potential impact on the City. Potential impacts could include trucks with mineral aggregate resources from the quarry coming into Belleville. However, if these trucks are travelling directly to Belleville from the quarry, it is likely they are bringing aggregate materials necessary for construction activities in Belleville.

Respectfully submitted

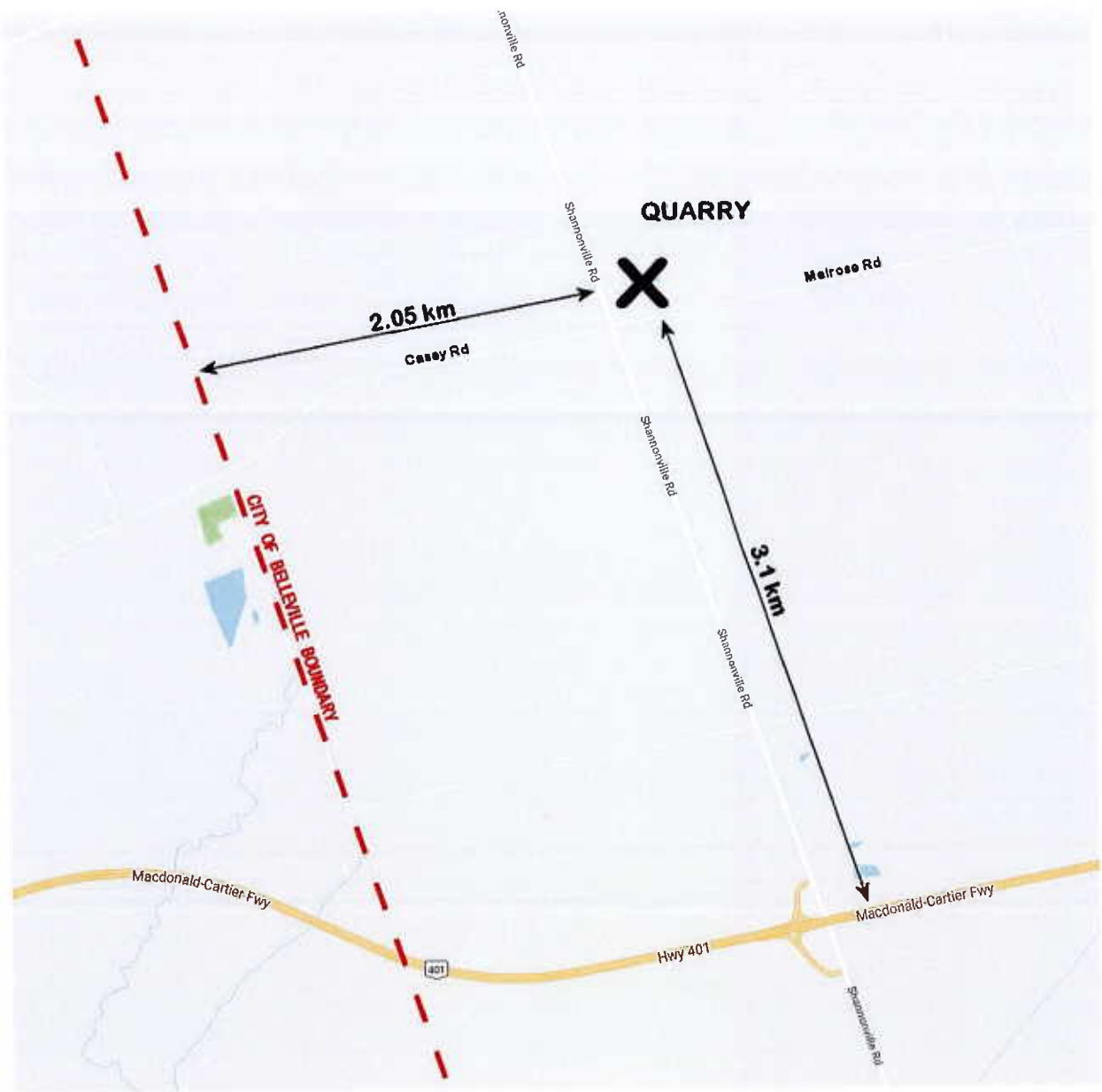


Stephen Ashton, MCIP, RPP, CAHP
Manager, Policy Planning
Engineering and Development Services Department

Attachments

Attachment #1 – Location Map

Attachment #1 – Location Map



**ENGINEERING AND DEVELOPMENT SERVICES DEPARTMENT
POLICY PLANNING SECTION
OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT MONITORING REPORT**

FILE NO.	DATE REC'D	APPLICANT/OWNER/AGENT	PROPOSAL	REPORT NO.	BY-LAW NO.	STATUS
2016						
B-77-1003	May 25/16	734371 Ontario Inc. / Glen Jarrell	970 Highway 37 Zoning By-Law amendment to permit commercial storage business.	PP 16-23 PP 16-31 PP 17-18	2017-76	Public Meeting: July 4/16 PAC Decision: be approved Council Approved: April 10/17 Appeal Date: May 3/17 Appeal Received May 2/17 Appeal Submitted to OMB May 10/17 Appeal to be heard by OMB Nov 15/17 OMB Appeal deferred to Jul/18 Appeal date for LPAT Sep 27/18 ***Appeal Postponed - Conditions met, and awaiting approval at October 9th Council Meeting
2017						
B-77-1021	March 21/17	Reginald & Janette Barkema/ G.D. Jewell Engineering Inc. c/o Steve Harvey	Trinity Court - Part Lot 2, Concession 3, Formerly Township of Thurlow Zoning By-Law amendment to permit a range of single detached residential lots and townhomes	PP 17-26 APS 18-07		Public Meeting: Mar 5/18 The Rezoning is attached as a condition of Subdivision approval.
2018						
B-77-1040	Jan 10/18	Rosebush Properties Inc./ Bel-Con Design-Builders Ltd.	330 College Street East Zoning By-Law amendment to permit a convenience store and associated gas bar in addition to the permitted uses of the zone	PP 18-02		Public Meeting: Mar 5/18 PAC Decision: deferred, awaiting revised Site Plan based on CN comments
B-77-1044	Jan 31/18	2589989 Ontario Inc./ Baldwin Law	250 Sidney Street Zoning By-Law Amendment to permit a modification to existing zone to permit a medical marihuana production facility.	PP 18-04		Public Meeting: Mar 5/18 PAC Decision: Approved Council Denied: Apr 9/18 Appeal Received: Apr 26/18 Appeal Submitted to LPAT May 23/18 Appeal Withdrawn: Sept 19/18
Page 1						
September 4, 2018						

FILE NO.	DATE REC'D	APPLICANT/OWNER/AGENT	PROPOSAL	REPORT NO.	BY-LAW NO.	STATUS
2018						
B-77-1051	May 30/18	1993388 Ontario Inc./ KGP Capital Realty/ RFA Planning Consultant Inc.	135 Station & 50 Albion Street Zoning By-Law Amendment to permit 51 street townhouses and an Open Space Zone to recognize the location of a proposed parkette.	PP 18-19 PP 18-26	2018-133	Public Meeting: July 3/18 PAC Decision: Tabled for applicant to address issues Council Approved: Aug 27/18 Appeal Date: Sept 18/18 Clerk's Cert: Sept 19/18
B-77-1052	May 31/18	2579024 Ontario Inc., Mike D'Agnillo/ RFA Planning Consultant Inc.	645 Sidney Street Zoning By-Law Amendment to construct a 103 unit 6-storey apartment building with first floor commercial space.	PP 18-20	2018-134	Public Meeting: July 3/18 PAC Decision: Approved Council Approved: Aug 27/18 Appeal Date: Sept 18/18 Clerk's Cert: Sept 19/18
B-77-1053	July 4/18	7137796 Canada Inc./ A. Dagenais & Associates	6745 Highway 62 Zoning By-law Amendment to allow for eventual redevelopment of property	PP 18-24	2018-131	Public Meeting: August 7/18 PAC Decision: Approved Council Approved: Aug 27/18 Appeal Date: Sept 18/18 Clerk's Cert: Sept 19/18
B-77-1054	July 4/18	Settlers Ridge Developments Inc./ FRA Planning Consultant Inc.	Block 82 on Plan 21M-271, Settlers Ridge Subdivision (Phase 2) Zoning By-law Amendment to create 4 new residential lots	PP 18-25	2018-132	Public Meeting: Aug 7/18 PAC Decision: Approved Council Approved: Aug 27/18 Appeal Date: Sept 18/18 Clerk's Cert: Sept 19/18
B-77-1055	July 27/18	Holgate Tire & Battery/ Adam Holgate	Cannifton Road North RP 278 Part of Block B Zoning By-law Amendment to permit use of food truck temporary presence of two storage trailers	PP 18-30		Public Meeting: Sept 4/18 PAC Decision: Approved Council Approved: Sept 10/18 Appeal Date: Oct 4/18 Clerk's Cert:
Page 2						
September 4, 2018						

FILE NO.	DATE REC'D	APPLICANT/OWNER/AGENT	PROPOSAL	REPORT NO.	BY-LAW NO.	STATUS
2018						
B-77-1056	Aug 1/18	Denis Peron & Mireille Laports RFA Planning Consultant Inc.	7 Cameron Street Zoning By-law Amendment to permit an additional dwelling unit within the existing building	PP 18-29		Public Meeting: Sept 4/18 PAC Decision: Approved Council Approved: Sept 10/18 Appeal Date: Oct 4/18 Clerk's Cert:
B-77-1057	Aug 2/18	2460467 Ontario Inc. Peter Jaruczik	240 Yeomans Street Zoning By-law Amendment to Rezoned lands from R6 - Residential Sixth Density to R5- Residential Fifth Density to permit a 62 unit-stacked townhome condominium	PP 18-30		Public Meeting: Sept 4/18 PAC Decision: Approved Council Approved: Sept 10/18 Appeal Date: Oct 4/18 Clerk's Cert:
B-77-1058	Aug 21/18	Paramathas Joseph Chris Nava	55 South Church Street Zoning By-law Amendment to rezone from (R2-1) to (R3) to permit a semi-detached dwelling	PP-2018-36		Public Meeting: Oct 1, 2018 PAC Decision: Council Approved: Appeal Date: Clerk's Cert:
B-77-1059	Aug 21/18	Panagiotis Karaglaous Chris Nava	59 South Church Street Zoning By-law Amendment to rezone from (R2-1) to (R3) to permit a semi-detached dwelling	PP-2018-37		Public Meeting: Oct 1/18 PAC Decision: Council Approved: Appeal Date: Clerk's Cert:
B-77-1060	Aug 27/18	2521461 Ontario Ltd. Jonathan Van Huizen	1334 Clearview Road Zoning By-Law Amendment to rezone from (RU) to (RR) to permit a single detached dwelling	PP-2018-38		Public Meeting: Oct 1/18 PAC Decision: Council Approved: Appeal Date: Clerk's Cert:
Page 3						
September 4, 2018						

FILE NO.	DATE REC'D	APPLICANT/OWNER/AGENT	PROPOSAL	REPORT NO. BY-LAW NO.	STATUS
2018					
B-77-1061	Aug 29/18	Maryann & Keith Robertson RFA Planning Consultant Inc.	58 Avondale Road Zoning By-law Amendment to rezone from (R1) to (R4) to permit a converted dwelling with two units	PP-2018-39	Public Meeting: Oct 1, 2018 PAC Decision: Council Approved: Appeal Date: Clerk's Cert:
B-77-1062	Aug 29/18	Owner: Sears Canada Inc. Applicant: Belleville Complex Inc. Agent: RFA Planning Consultant Inc.	500 College Street East Zoning By-law Amendment to Rezone from (M2-1) to (M2-10) to permit a "Medical Marihuana Production Facility"	PP-2018-40	Public Meeting: Oct 1/18 PAC Decision: Council Approved: Appeal Date: Clerk's Cert:
Page 4					
September 4, 2018					