

BELLEVILLE PLANNING ADVISORY COMMITTEE

A G E N D A

AUGUST 6, 2019

5:30 P.M.

COUNCIL CHAMBER

Starting
Page No.

CITY COUNCIL PLANNING COMMITTEE MEETING

1. ATTENDANCE

Councillor Paul Carr
Councillor Pat Culhane
Councillor Sean Kelly

Councillor Bill Sandison
Councillor Ryan Williams

2. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

3. PUBLIC MEETING - THE PLANNING ACT

3.1 NOTICE OF COMPLETE APPLICATION AND INTRODUCTORY PUBLIC MEETING FOR APPLICATION FOR PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 10245, AS AMENDED, 260 & 262 DUNDAS STREET EAST, CITY OF BELLEVILLE, COUNTY OF HASTINGS
FILE NUMBER: B-77-1086
APPLICANT/OWNER: JAMES MCMAHON DENTISTRY PROFESSIONAL CORPORATION
AGENT: TASKFORCE ENGINEERING INC.

Notice of Meeting and Map

1

4. ADJOURNMENT

BELLEVILLE PLANNING ADVISORY COMMITTEE

A G E N D A

AUGUST 6, 2019

5:30 P.M.

COUNCIL CHAMBER

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Page No.

PLANNING ADVISORY COMMITTEE MEETING

1. ATTENDANCE

Councillor Paul Carr
Councillor Pat Culhane
Councillor Sean Kelly
Councillor Bill Sandison
Councillor Ryan Williams

John Baltutis
Kathryn Brown
Paul Jennings
David Joyce

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 July 2, 2019

4. DEPUTATIONS

5. CORRESPONDENCE

6. REFERRALS FROM PUBLIC MEETING

- 6.1 **NOTICE OF COMPLETE APPLICATION AND INTRODUCTORY PUBLIC MEETING FOR APPLICATION FOR PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 10245, AS AMENDED, 260 & 262 DUNDAS STREET EAST, CITY OF BELLEVILLE, COUNTY OF HASTINGS**
FILE NUMBER: B-77-1086
APPLICANT/OWNER: JAMES MCMAHON DENTISTRY PROFESSIONAL CORPORATION
AGENT: TASKFORCE ENGINEERING INC.

Principal Planner's Report No. PP-2019-51

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RESOLUTION

"THAT Report No. PP-2019-51 dated August 6, 2019 regarding Notice of Complete Application and Introductory Public Meeting for Application for Proposed Amendment to Zoning By-law Number 10245, as amended - 260 and 262 Dundas Street East, City of Belleville, County of Hastings be received as information; and

THAT Staff report back at such time as input from the public, commenting agencies, and municipal departments has been received, assessed, and addressed to the satisfaction of the Engineering and Development Services Department."

7. REPORTS

- 7.1 **RECOMMENDATION REPORT FOR A PROPOSED CONDOMINIUM CONVERSION, 217 BRIDGE STREET EAST, CITY OF BELLEVILLE**
OWNER: PARKWOOD APARTMENTS LIMITED C/O REALSTAR MANAGEMENT
FILE NO.: 12CD-19002
AGENT: MHBC PLANNING LIMITED

Manager of Approvals' Report No. APS-2019-25

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RESOLUTION

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

THAT the Council of The Corporation of the City of Belleville approve the request for approval of a Plan of Condominium (File: 12CD-19002) for the 68 unit apartment building located at 217 Bridge Street East, more specifically described as Part of Lot 26 W, Registered Plan 166, and Part of lots 51 and 52, Registered Plan 267 (Being Part 1, Plan 21R-23803) City of Belleville, County of Hastings, subject to the draft plan conditions outlined in **Attachment #4** of the Manager of Approvals’ Report No. APS-2019-25.”

- 7.2 **RECOMMENDATION REPORT FOR A PROPOSED CONDOMINIUM CONVERSION, 230-232 MOIRA STREET EAST, CITY OF BELLEVILLE**
OWNER: MOIRA STREET APARTMENTS LIMITED C/O REALSTAR MANAGEMENT
FILE NO.: 12CD-19003
AGENT: MHBC PLANNING LIMITED
-

Manager of Approvals’ Report No. APS-2019-26

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RESOLUTION

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

THAT the Council of The Corporation of the City of Belleville approve the request for approval of a Plan of Condominium (File: 12CD-19003) for the two 12 unit apartment buildings located at 230-232 Moira Street East, more specifically described as part of Lots 1 and 2, East of James Street and Part of Lot A, West of Moira Street, Registered Plan 103 (being Part 1, Plan 21R-502), City of Belleville, County of Hastings, subject to the draft plan conditions outlined in **Attachment #4** of the Manager of Approvals’ Report No. APS-2019-26.”

8. INFORMATION MATTERS

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

Report to August 6, 2019

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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-77-1086

NOTICE OF PUBLIC MEETING ZONING BY-LAW AMENDMENT APPLICATION 260 & 262 Dundas Street East

CITY COUNCIL PLANNING COMMITTEE
CITY HALL - COUNCIL CHAMBER
169 FRONT STREET
Tuesday, August 6, 2019 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 Tuesday, August 6, 2019 at 5:30 P.M. to consider an amendment to Zoning By-Law Number 10245, as amended, for two adjacent properties located north of Dundas Street East, east of Dufferin Avenue, and west of MacDonald Avenue, which are municipally known as **260 & 262 Dundas Street East**.

The properties have a combined frontage of approximately 34 metres on Dundas Street East. The Applicant requests a rezoning from Residential Second Density (R2-3) Zone and Highway Commercial (C3-1) Zone to Highway Commercial (C3-58) Zone with special provisions to reduce the front yard setback to 7.5 metres and also permit uses listed under the Non-Retail Commercial (C5) Zone. A Location Plan is shown on APPENDIX 1 which is attached.

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

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.

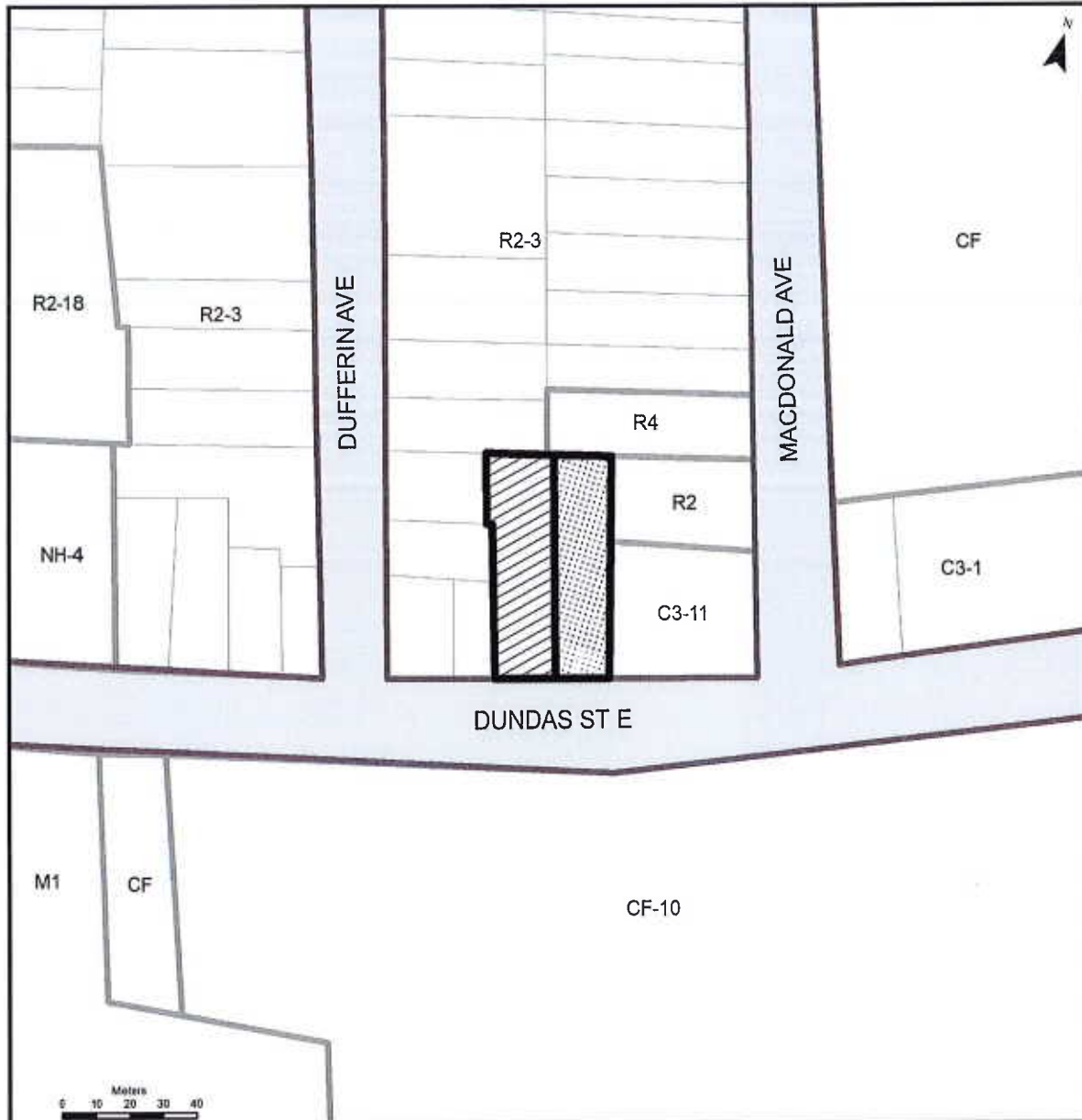
For more information contact the Planning Section, Engineering & Development Services Department, 2nd floor, Belleville City Hall, 169 Front Street, Belleville, K8N 2Y8 (Telephone: 613-967-3288).

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 12th day of July, 2019.


APPENDIX 1



PROPOSED ZONING BY-LAW AMENDMENT

LOCATION: 260-262 DUNDAS ST E

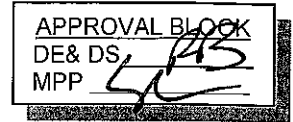
 PROPOSED ZONING CHANGE FROM R2-3 (RESIDENTIAL - SECOND DENSITY WITH SPECIAL PROVISIONS) TO C3 (HIGHWAY COMMERCIAL) WITH SPECIAL PROVISIONS

 PROPOSED ZONING CHANGE FROM C3-1 (HIGHWAY COMMERCIAL WITH SPECIAL PROVISIONS) TO C3 (HIGHWAY COMMERCIAL) WITH SPECIAL PROVISIONS



CITY OF BELLEVILLE
ENGINEERING & DEVELOPMENT SERVICES DEPARTMENT

B-77-1086



CITY OF BELLEVILLE

Thomas Deming, Principal Planner
Engineering and Development Services Department
Report No. PP-2019-51
August 6, 2019

To: Belleville Planning Advisory Committee

Subject: Notice of Complete Application and Introductory Public Meeting for Application for Proposed Amendment to Zoning By-Law Number 10245, As Amended
260 & 262 Dundas Street East
City of Belleville
APPLICANT/OWNER: James McMahon Dentistry Professional Corp.
AGENT: Taskforce Engineering Inc.

File: B-77-1086

Recommendation:

"That Report No. PP-2019-51 dated August 6, 2019 regarding Notice of Complete Application and Introductory Public Meeting for Application for Proposed Amendment to Zoning By-Law Number 10245, As Amended – 260 & 262 Dundas Street East, City of Belleville, County of Hastings be received as information, and;

That Staff report back at such time as input from the public, commenting agencies, and municipal departments has been received, assessed, and addressed to the satisfaction of the Engineering and Development Services Department."

Background:

The application for the proposed amendment to Zoning By-Law Number 10245 was received by the City of Belleville on July 3, 2019.

The initial public meeting is held in accordance with the requirements of the Planning Act. The purpose of this meeting is for Committee Members to formally hear and receive public comments. The intent of this statutory public planning meeting is to receive public feedback and incorporate it into a recommendation report from Staff.

The Applicant has indicated the intent of the rezoning is to permit the expansion of the existing medical office located at 262 Dundas Street East following the lot being merged with 260 Dundas Street East, which is the lot

directly to the west of 262 Dundas Street East.

The subject lands are identified on the attached Location Map (Attachment #1). Site Details for the subject lands:

Site Review	Description
Site Location	The subject lands are municipally known as 260 & 262 Dundas Street East which are two adjacent lots located north of Dundas Street East, east of Dufferin Avenue, and west of MacDonald Avenue
Site Size	260 Dundas Street East – 1548.88 m ² 262 Dundas Street East – 1011.71 m ²
Present Use	260 Dundas Street East – vacant 262 Dundas Street East – medical office
Proposed Use	Medical office
Belleville Official Plan Designation	Commercial Land Use
Present Zone Category	260 Dundas Street East – R2-3 262 Dundas Street East – C3-1
Proposed Zone Category	Highway Commercial (C3-58) Zone with special provisions to reduce the front yard setback to 7.5 metres and also permit uses listed under the Non-Retail Commercial (C5) Zone
Land uses to the north	Single detached dwellings (backyards)
Land uses to the east	Medical clinic
Land uses to the south	Belleville General Hospital
Land uses to the west	Single detached dwelling

No additional information, reports, or studies were provided with the rezoning application. A proposed site plan was provided to the City's Approvals Section for site plan approval (Attachment #2). This document has been available for public review at the Planning Department.

Proposal

The Application proposes to rezone the subject lands from Residential Second Density (R2-3) Zone and Highway Commercial (C3-1) Zone to Highway Commercial (C3-58) Zone with special provisions to reduce the front yard setback to 7.5 metres and also permit uses listed under the Non-Retail Commercial (C5) Zone.

Provincial Policy Statement

Municipalities are required to ensure all decisions related to land use planning matters shall be consistent with the Provincial Policy Statement. Planning Staff will consider the following policies in the PPS:

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;

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

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

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;
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;
3. minimize negative impacts to air quality and climate change, and promote energy efficiency;
4. support active transportation;
5. transit-supportive, where transit is planned, exists or may be developed; and
6. are freight-supportive; and

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.

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 "Commercial" in the City's Official Plan (Attachment #3 – Official Plan Designation Map). Planning Staff use the policies within the Official Plan to make recommendations.

The subject lands specifically fall within the Bayview Mall/Dundas Street East Corridor, which is identified as lands along Dundas Street East east of the City Centre to Haig Road. Permitted uses in this corridor include motels/hotels, conference facilities, restaurants, retail stores, personal service uses, automotive service uses, business, professional and administrative offices, recreational uses, places of entertainment, private clubs, theatres, community facilities, and all types of commercial services and parking lots.

The Official Plan states that redevelopment of residential properties located on the north side of Dundas Street East and in the vicinity of Bleecker and Dufferin Streets should be geared to uses that have minimal impact upon adjacent residential areas. Uses such as medical and business offices should be encouraged, but should be allowed through the appropriate assembly of lands to protect the interests of adjacent residential property owners.

Zoning By-law

Currently, 260 Dundas Street East is zoned Residential Second Density (R2-3) Zone and 262 Dundas Street East is zoned Highway Commercial (C3-1) Zone. The Application proposes to rezone both lots to Highway Commercial (C3-58) Zone with special provisions to reduce the front yard setback to 7.5 metres and also permit uses listed under the Non-Retail Commercial (C5) Zone. This will allow the expansion of the existing building once the two lots have been merged.

The front yard setback for the Highway Commercial (C3) Zone is 12 metres while the front yard setback for Non-Retail Commercial (C5) Zone is 7.5 metres).

Permitted Uses	
Highway Commercial (C3) Zone	Non-Retail Commercial (C5) Zone
• assembly hall;	• bank and/or trust company;
• bank and/or trust company;	• bus terminal;
• billiard parlour;	• business, professional, administrative and/or government offices;
• bowling alley;	• medical clinic;
• coin-operated laundry;	• veterinary hospital;
• dog kennel;	• transition home;
• drive-in restaurant;	• public use.
• dry-cleaning establishment;	
• eating establishment;	
• hotel;	
• motel;	
• motor vehicle body shop, only if wholly enclosed;	
• motor vehicle rental agency;	
• motor vehicle repair garage;	
• motor vehicle sales room and lot;	
• recreational vehicle sales and/or service outlet;	
• retail store;	
• service shop;	
• tavern;	
• theatre;	
• business, professional, administrative and/or government offices;	
• public use.	

Public Comments

On July 12, 2019 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 August 6, 2019.

Similarly, a sign was placed on the subject lands notifying the general public that a public meeting was scheduled for August 6, 2019.

At the time of writing this report, 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, Elexicon Energy, Hydro One, TransCanada Pipeline, Enbridge Pipelines, Trans-Northern Pipelines, MPAC, Quinte Conservation and the Health Unit.

Canadian Pacific Limited has also been notified of this application due to the lands' proximity to their railway line.

At the time of writing this report, 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 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.

The Approvals Section provided that they did not require a traffic impact study for this development as they determined traffic flow would not be adversely impacted.

The Parks & Open Spaces Department have provided correspondence and they have no concerns.

At the time of writing this report, no other comments have been received regarding this application.

Considerations:

Public

Circulation to the public complies with the requirements of the Planning Act, R.S.O. 1990.

Financial

The fees of the application have been received by the City.

Impact on and input from other Departments/Sources

Circulation of this application to other departments/agencies has occurred.

Strategic Plan Alignment

The City of Belleville's Strategic Plan identifies nine strategic themes including, Industrial and Commercial Development, and Community Health, Safety and Security.

Strategic objectives of the Industrial and Commercial Development theme include:

- Ensure suitable serviced employment lands are available to meet the needs of all potential industrial and commercial investments
- Market the City's unique strengths to attract leading-edge industries that provide high paying job opportunities
- Encourage remediation and redevelopment of underutilized lands
- Support initiatives that create an available skilled labour force, including programs to retain youth in the community

Strategic objectives of the Community Health, Safety and Security theme include:

- Support and advocate for the establishment of responsive public health services and accessible medical care
- Encourage development of a viable social safety net

Conclusion:

Comments received at this public meeting, as well as subsequent written comments will be considered by the Engineering and Development Services Department in analysis of the application received to amend the City of Belleville Zoning By-law 10245. A recommendation report will be brought forward upon receipt of all agency and public comments.

Respectfully submitted



Thomas Deming, CPT
Principal Planner, Policy Planning
Engineering and Development Services Department

Attachments


- Attachment #1 – Location Map
- Attachment #2 – Site Plan
- Attachment #3 – Official Plan Designation


Attachment #1 – Location Map



PROPOSED ZONING BY-LAW AMENDMENT

LOCATION: 260-262 DUNDAS ST E

 PROPOSED ZONING CHANGE FROM R2-3 (RESIDENTIAL SECOND DENSITY WITH SPECIAL PROVISIONS) TO C3 (HIGHWAY COMMERCIAL) WITH SPECIAL PROVISIONS

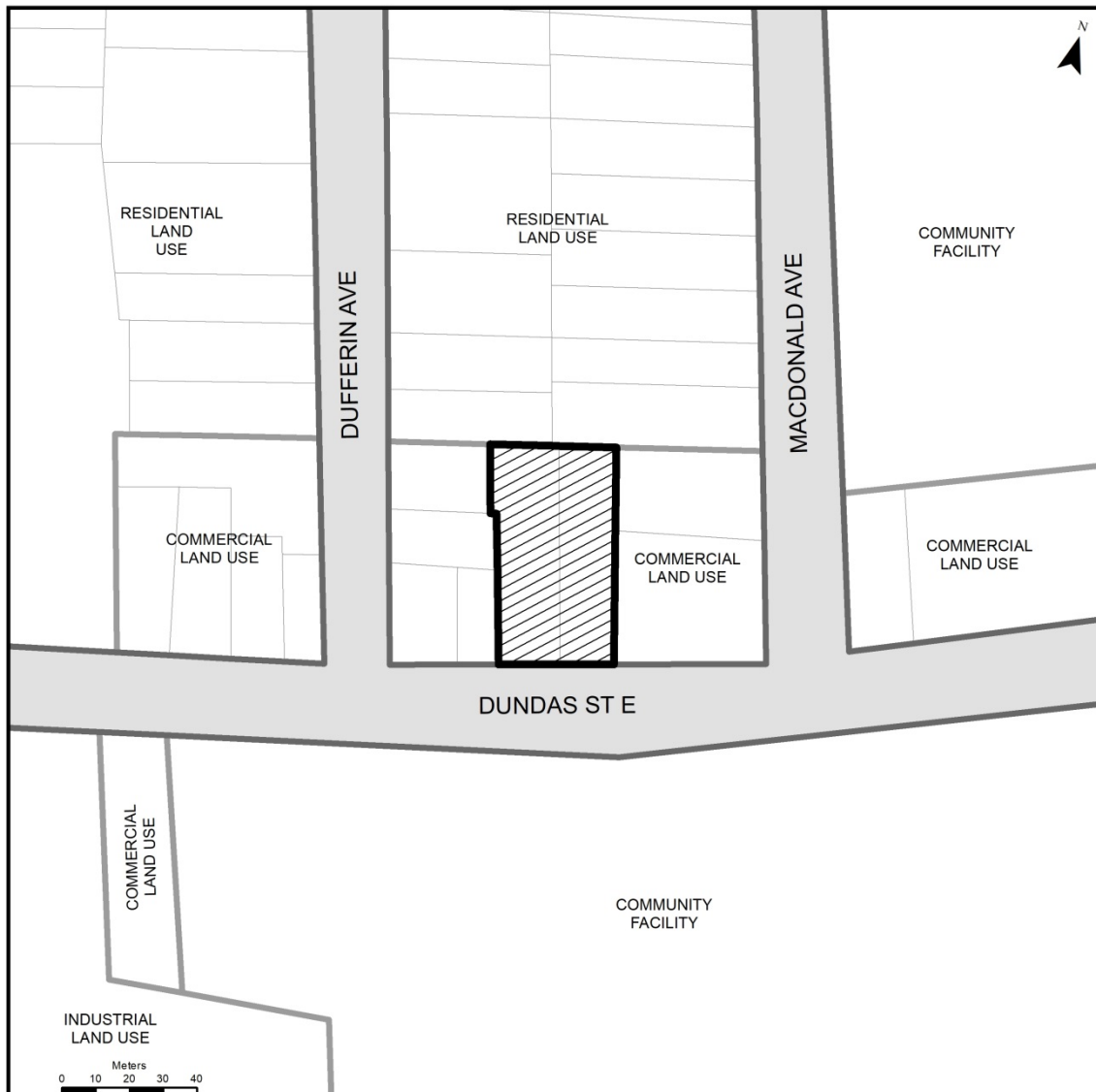
 PROPOSED ZONING CHANGE FROM C3-1 (HIGHWAY COMMERCIAL WITH SPECIAL PROVISIONS) TO C3 (HIGHWAY COMMERCIAL) WITH SPECIAL PROVISIONS

B-77-1086



CITY OF BELLEVILLE
ENGINEERING & DEVELOPMENT SERVICES DEPARTMENT

Attachment #3 – Official Plan Designation



LOCATION MAP

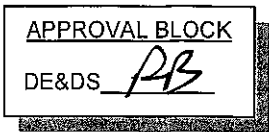
LOCATION: 260-262 DUNDAS ST E

 - SUBJECT LANDS



CITY OF BELLEVILLE
ENGINEERING & DEVELOPMENT
SERVICES DEPARTMENT

B-77-1086



CITY OF BELLEVILLE
Greg Pinchin
Manager of Approvals
Engineering & Development Services Department
Report No. APS-2019-25
August 6, 2019

To: Belleville Planning Advisory Committee

Subject: Recommendation Report for Proposed Condominium Conversion
217 Bridge Street East, City of Belleville
OWNER: Parkwood Apartments Limited c/o Realstar Management
Agent: MHBC Planning Limited

File: 12CD-19002

Recommendation:

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

That the Council of The Corporation of the City of Belleville approve the request for approval of a Plan of Condominium (File: 12CD-19002) for the 68 unit apartment building located at 217 Bridge Street East, more specifically described as Part of Lot 26 W, Registered Plan 166, and Part of Lots 51 and 52, Registered Plan 267 (Being Part 1, Plan 21R-23803) City of Belleville, County of Hastings, subject to the draft plan conditions outlined in **Attachment #4** of the Manager of Approvals' Report No. APS-2019-25”

Background:

An initial public meeting was held in accordance with the requirements of the Planning Act on July 2, 2019. The purpose of this meeting was for Committee Members to formally hear and receive public comments.

The Planning Advisory Committee reviewed Report No. APS-2019-22, included as **Attachment #1**, at the Public Meeting held on July 2, 2019. Staff has prepared a recommendation report to incorporate input from the public, commenting agencies, and municipal departments that have been received, assessed, and addressed to the satisfaction of the Engineering & Development Services Department.

The location of the property is identified on **Attachment #2**. Currently situated at 217 Bridge Street East is a 7 storey apartment building containing 68 units. This apartment building was constructed in 1971/72. The 68 apartment units are currently rented out by one owner.

The Owner proposes to convert the apartment buildings to condominium ownership.

The *Condominium Act* allows an owner of an existing development to apply to Council for exemption from the formal Condominium Review process that would be undertaken in a new development situation. The Owner applied for such an exemption from Council last fall, and the application was denied. Thus, the Owner is now making formal application to the City for approval of a Draft Plan of Condominium for the property.

In overview, this application is not about changing the use of the buildings or the property but rather about changing the type of tenure. The buildings and property will still be used for apartment type dwelling units, the question being are these units rented, or could they at some point be owned by the occupants.

In support of the application, the following was submitted:

- Draft Plan of Condominium – 217 Bridge Street East by MHBC Planning Ltd, dated March 13, 2019 (**Attachment #3**)
- Planning Justification Report – Application for Condominium Conversion, 217 Bridge Street East by MHBC Planning Ltd, dated April 2019 (**Attachment #5**)

These documents have been available for public review at the Approvals Section of the Engineering & Development Services Department.

Provincial Policy Statement:

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

Planning Staff will consider the following policies in the PPS:

- 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;
 - b) accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons) [...] to meet long-term needs;
 - c) avoiding development and land use patterns which may cause environmental or public health and safety concerns; and
 - e) promoting cost-effective development patterns and standards to minimize land consumption and servicing costs;

- 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;
 - 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
2. all forms of residential intensification

Official Plan:

The land is designated "Residential" in the City's Official Plan. The City's policies with regard to the conversion of existing rental dwellings to condominium or freehold tenure are set out in the Official Plan.

Section 3.10.2 i) of the Plan states that:

- i) This Plan supports the development of all forms of housing in all forms of tenure, being freehold, rental, cooperative, and condominium.

Conversion of existing rental dwellings to condominium or freehold is supported by this Plan, provided that prior to granting approval, Council considers:

- the appropriateness of the building for such conversion;
- site amenities and services;
- existing vacancy rates in the community;
- timing of the conversion; and
- arrangements made for addressing the needs of or the impact upon existing residents of the building.

Zoning By-law:

The subject lands are currently zoned R7 – Residential Seventh Density, which permits one or more apartment dwellings. There are no changes proposed to the zoning.

Public Circulation:

Notice of the subject application was mailed to all registered owners of land within 120 metres (400 feet) of the subject property on June 12, 2019. Notice was also provided by advertisement in The Intelligencer newspaper on June 12, 2019, in accordance with the notice provisions set out in the Planning Act. The notice provided information that a public meeting was scheduled for July 2, 2019.

Both notices state that additional information is available by contacting the Approvals Section of the Engineering & Development Services Department in person, by telephone, or by e-mail.

Four letters of support have been submitted from existing tenants, and one letter of support was received from a neighbouring property owner, these are included as **Attachment #6**. One resident contacted the City to obtain additional information, and submitted correspondence in opposition to the application by e-mail on June 27, 2019 that was provided to members of the Committee for the July 2, 2019 meeting, and is included as **Attachment #7**.

Public Meeting

The public meeting was held on July 2, 2019. The applicant was in attendance to speak to any questions, concerns or comments.

Three parties signed the Notification Sheet - the applicant, one tenant opposed to the application, and one neighbouring property owner supporting the application.

The following table provides a summary of concerns that were raised through the public process. These concerns include a response from the applicant where appropriate and/or a response from staff. Concerns listed in the Table may or may not be classified as planning issues on which a planning decision should be made but they are included in the Table with explanation of whether planning policy applies to the nature of the concern. It is noted that in the event of an appeal to the Local Planning Appeal Tribunal, only planning issues are considered.

Comment	Applicant Response (where appropriate)	Staff Response
Not in favour of reducing taxes, as it will result in an increase in taxes for other residential property owners across the City		The condominium conversion policies in the City’s Official Plan do not include changes to tax rates as criteria to be considered when reviewing the conversion of an existing rental property to a condominium.
Building is not wheelchair accessible		The Ontario Building Code sets out requirements for accessibility in new construction. These requirements are not retroactive, and the use of the building is not proposed to be changed, only the form of tenure.
No individual electrical or water metering, no laundry facilities in units		Should units be sold in the future, the condominium corporation would determine whether or not to establish suite metering, in-unit laundry facilities are not a requirement of the City.
Vacancy rate is 2.4%	The applicant notes that the vacancy rate has increased from 2.2% to 2.4% over the last two CMHC Rental Market Reports, and that this is above the Ontario-wide average of 1.8%. Further, they suggest	Staff notes that the Official Plan does not contain a numeric threshold vacancy rate at which to consider conversions.

	<p>that these reports actually underestimate the number of rental units by almost half when compared with numbers from the 2016 Census.</p>	
<p>Concern that tenants will be impacted as units could be sold once a tenant vacates, loss of security and unknown landlords</p>	<p>The Owner has agreed to a condition of approval that would prevent any unit from being sold for a period of 10 years from the date of conversion. This would provide added security for tenants that the ownership mix in the building will not change for some time, if at all.</p>	<p>Staff notes that even if units are sold beyond 10 years in the future, new owners would still be governed by the requirements of the condominium corporation, and existing tenants could not be displaced even if they did not wish to purchase their unit.</p>
<p>Concern that Tenancies may be terminated under Sections 48 or 49 of the Residential Tenancies Act (on the basis that the unit is needed for use by the landlord, or for renovation)</p>		<p>Section 51 of the Residential Tenancies Act, 2006 states that a landlord cannot terminate a tenancy under Sections 48 or 49 if the tenant was the tenant of the unit at the time it became a condominium</p>
<p>Concern that it will not create more affordable housing</p>	<p>“Affordable Housing” may be defined as a unit for which the rent is at or below the average market rent of a unit in the regional market area. It is noted that currently none of the units qualify as “affordable”. While all units would see a reduction in rent, the Applicant submits that following a \$100/month rent reduction two of the units in the building would qualify under the threshold of Affordable Housing. Should units be sold in future, anticipated selling prices would also fall into the category of affordable housing.</p>	<p>Staff is satisfied with this clarification.</p>

<p>Concern that there is no tax credit for existing residents, and that existing residents can already afford the units</p>	<p>When realty taxes are reduced by more than 2.49%, the law entitles existing tenants to receive a rent reduction equal to the Owner’s per-suite property tax reduction, estimated at between \$100 and \$125 per month.</p>	<p>Staff is satisfied with this clarification.</p>
<p>Residents were not notified of the current application</p>	<p>The Applicant committed to providing more information to existing tenants, and has since provided letters dated July 16, 2019 with additional information to residents.</p>	<p>Notice requirements under the Planning Act were complied with. Residents were aware of the proposal and contacted the City for more information.</p>
<p>Existing building does not meet minimum lot area, minimum parking spaces per unit, or maximum lot coverage under current zoning by-law.</p>		<p>The existing building pre-dates the current zoning by-law, and as such is legal non-conforming. The use of the building is not proposed to change, only the form of tenure, as a result it would remain legal non-conforming.</p>

Agency & Departmental Circulation:

1) Internal Departments

The subject application was circulated for comment to the Development Engineer, the Director of Fire and Emergency Services, the Director of Recreation, Culture and Community Services, the Manager of Policy Planning, the Chief of Police, the Manager of Parks & Open Spaces, the Manager of Transportation & Operations, and the Manager of Environmental Services on May 13, 2019.

None of the internal departments contacted have indicated any concerns with this proposal.

The Policy Planning Section advises that staff generally agrees with the conclusions of the Planning Justification Report prepared by MHBC in support of the proposed condominium conversion. It is noted that the policies of the current Official Plan provide the framework for decisions to be made regarding Planning Applications in conjunction with the Provincial Policy Statement.

2) **External Agencies**

The subject application was circulated for comment to the Algonquin & Lakeshore Catholic School Board, the Hastings & Prince Edward District School Board, Bell Canada, Canada Post, Cogeco, Union Gas (Enbridge), Veridian Connections (Elexicon), Hydro One Networks and CN Rail on May 13, 2019.

Bell Canada and Union Gas (Enbridge) advised that they will require easements for their existing services to be included as a condition of approval. Veridian Connections (Elexicon) has advised that suite metering may be available. No concerns have been received from external agencies regarding this application.

Considerations:

- **Public**

Public notice and circulation complies with the requirements of the Planning Act, R.S.O. 1990. The statutory public meeting was held July 2, 2019.

- **Financial**

The fees payable for processing the application have been received by the City. Any planning, engineering, surveying and legal costs to facilitate the condominium conversion of the subject lands will be at the Owner's expense.

- **Impact on and input from other Departments/Sources**

Comments from other departments/agencies have been received, and incorporated into the conditions of draft plan approval.

- **Strategic Plan Alignment**

The City of Belleville's Strategic Plan identifies nine strategic themes including Residential Development. A key strategic objective of the Residential Development theme is to:

- Provide for a variety of housing forms to reflect our changing demographics and need for affordability.

Analysis:

The City's policies with regards to the conversion of existing rental dwellings to condominium or freehold tenure are set out in the Official Plan.

Section 3.10.2 i) of the Plan states that:

- ii) This Plan supports the development of all forms of housing in all forms of tenure, being freehold, rental, cooperative, and condominium.

Conversion of existing rental dwellings to condominium or freehold is supported by this

Plan, provided that prior to granting approval, Council considers:

- the appropriateness of the building for such conversion;
- site amenities and services;
- existing vacancy rates in the community;
- timing of the conversion; and
- arrangements made for addressing the needs of or the impact upon existing residents of the building.

In terms of the subject property and the apartment units located thereon, it is felt that it would be appropriate to consider the conversion of this property to a condominium. The 68 apartment units located on the subject property lend themselves to be converted to condominium ownership.

The present site amenities and services would not hinder the conversion process. There are existing outdoor and underground parking areas that provide 70 parking spaces. The site is also landscaped with grass, flower beds and trees. Units are provided with their own individual balcony area. The subject property is fully serviced with municipal services.

The 68 apartment units in the building on the subject lands are composed of 13 1-bedroom units, 36 2-bedroom units, and 19 3-bedroom units.

Further to the applicant's planning justification report, MHBC has provided a letter summarizing the conversation at the July 2nd meeting, and providing additional information on the points raised. This letter is included as **Attachment #8**. The letter discusses the increase in affordable rental units brought about by this proposal, as well as the longer term potential as affordable condominium housing units.

The letter further discusses vacancy rates in terms of the Official Plan, an increase in the local vacancy rate in the most recent two CMHC Rental Market Reports, and the fact that the vacancy rate in the Belleville CMA is above the Ontario-wide average. The tenant mix in the building is discussed in the letter, and confirmation is included that tenants have been notified and received additional information regarding the proposed conversion – a copy of the letter sent out to tenants is included as **Attachment #10**.

Staff notes that a 2009 application for condominium conversion elsewhere in the City was denied on the basis of a financial impact to the City in terms of tax revenue. The decision of Council was overturned by the Ontario Municipal Board, as it was agreed that the condominium conversion policies in the City's Official Plan do not include such financial impact as criteria to be considered when reviewing the conversion of an existing rental property to a condominium.

It is also noted that the Owner has agreed to a 10-year moratorium on the sale of any units that are converted for added peace of mind to existing tenants, despite the fact that Section 51 of the Residential Tenancies Act specifically provides security of tenure for all existing residents at the time of conversion.

Consequently, if approval is given to convert an existing apartment unit on the subject property into a condominium unit, a tenant residing in that apartment unit cannot be

displaced unless they decide to move out. Similarly, if the tenant wishes to change from renting his/her apartment to purchasing it, they have the right to purchase their own unit prior to the unit being sold to a third party. If the unit is later sold to another party, they must continue to rent to the existing tenant. Therefore the proposed conversion of the existing dwellings to a condominium should have minimal or no impact on the existing tenants even after the 10-year moratorium on unit sales if the owner decides at that time to sell any of the units.

Conclusion:

It is felt that the request to convert the property at 217 Bridge Street East to a condominium meets the requirements set out in the City's Official Plan. As a result the Approvals Section of the Engineering and Development Services Department recommends to the Belleville Planning Advisory Committee that Belleville City Council be requested to formally issue draft plan of condominium approval for the property at 217 Bridge Street East subject to the conditions outlined in **Attachment #4** to this report.

Respectfully submitted.



Greg Pinchin

Attachments

- Attachment #1 – Report No. PP-2019-23
- Attachment #2 – Location Map
- Attachment #3 – Draft Plan of Condominium – 217 Bridge Street East by MHBC, dated March 13, 2019
- Attachment #4 – Conditions of Draft Plan of Condominium Approval
- Attachment #5 – Planning Justification Report – Application for Condominium Conversion, 217 Bridge Street East by MHBC Planning Ltd, dated April 2019
- Attachment #6 – Letters of Support
- Attachment #7 – Letter of Opposition
- Attachment #8 – Response from Applicant to Public Comments and Discussion at the July 2, 2019 Planning Advisory Committee meeting, letter dated July 23, 2019
- Attachment #9 – Letter from Realstar Management to Residents of The Parkwood dated July 16, 2019



APPROVAL BLOCK

DE&DS _____

CITY OF BELLEVILLE

Greg Pinchin

Manager of Approvals

Engineering & Development Services Department

Report No. APS-2019-22

July 2, 2019

To: Belleville Planning Advisory Committee**Subject:** Notice of Application and Introductory Public Meeting for a Proposed Condominium Conversion
217 Bridge Street East, City of Belleville
OWNER: Parkwood Apartments Limited c/o Realstar Management
Agent: MHBC Planning Limited**File:** 12CD-19002**Recommendation:**

“That Report No. PP-2019-22 dated July 2, 2019 regarding Notice of Application and Introductory Public Meeting for a Proposed Condominium Conversion, 217 Bridge Street East, City of Belleville be received as information; AND

That Staff report back at such time as input from the public, commenting agencies, and municipal departments has been received, assessed, and addressed to the satisfaction of the Engineering and Development Services Department.”

Background:

The initial public meeting is held in accordance with the requirements of the *Planning Act*. The purpose of this meeting is for Committee Members to formally hear and receive public comments. The intent of this statutory public planning meeting is to receive public feedback and incorporate it into a recommendation report from staff.

As shown in **Attachment #1**, currently situated at 217 Bridge Street East is a 7-storey 68-unit apartment building. This apartment building was constructed in 1971/72. The 68 apartment units are currently rented out by one owner.

The Owner proposes to convert the apartment building to condominium ownership.

The *Condominium Act* allows an owner of an existing development to apply to Council for exemption from the formal Condominium Review process that would be undertaken in a new development situation. The Owner applied for such an exemption from Council last fall, and the application was denied. Thus, the Owner is now making formal application to the City for approval of a Draft Plan of Condominium for the property.

APS-2019-22

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July 2, 2019

In overview, this application is not about changing the use of the building or the property but rather about changing the type of tenure. The building and property will still be used for apartment type dwelling units, the question being are these units rented, or could they at some point be owned by the occupants.

In support of the application, the following was submitted:

- Draft Plan of Condominium – 217 Bridge Street East by MHBC Planning Ltd, dated March 13, 2019 (**Attachment #2**)
- Planning Justification Report – Application for Condominium Conversion, 217 Bridge Street East by MHBC Planning Ltd, dated April 2019 (**Attachment #3**)

These documents have been available for public review at the Approvals Section of the Engineering & Development Services Department.

Provincial Policy Statement:

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

Planning Staff will consider the following policies in the PPS:

- 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;
 - b) accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons) [...] to meet long-term needs;
 - c) avoiding development and land use patterns which may cause environmental or public health and safety concerns; and
 - e) promoting cost-effective development patterns and standards to minimize land consumption and servicing costs;

- 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;
 - 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
 2. all forms of residential intensification

APS-2019-22

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July 2, 2019

Official Plan:

Planning Staff will use the policies within the Official Plan to make a recommendation. The land is designated "Residential" in the City's Official Plan. The City's policies with regard to the conversion of existing rental dwellings to condominium or freehold tenure are set out in the Official Plan.

Section 3.10.2 i) of the Plan states that:

- i) This Plan supports the development of all forms of housing in all forms of tenure, being freehold, rental, cooperative, and condominium.

Conversion of existing rental dwellings to condominium or freehold is supported by this Plan, provided that prior to granting approval, Council considers:

- the appropriateness of the building for such conversion;
- site amenities and services;
- existing vacancy rates in the community;
- timing of the conversion; and
- arrangements made for addressing the needs of or the impact upon existing residents of the building.

Zoning By-law:

The subject lands are currently zoned R7 – Residential Seventh Density, which permits one or more apartment dwellings. The existing building was constructed before the adoption of the current zoning by-law. There are no changes proposed to the zoning.

Public Circulation:

Notice of the subject application was mailed to all registered owners of land within 120 metres (400 feet) of the subject property on June 12, 2019. Notice was also provided by advertisement in The Intelligencer newspaper on June 12, 2019, in accordance with the notice provisions set out in the *Planning Act*.

To date, one resident has contacted City Staff to obtain additional information that was submitted with the application.

Agency & Departmental Circulation:

- 1) Internal Departments

The subject application was circulated for comment to the Development Engineer, the Director of Fire and Emergency Services, the Director of Recreation, Culture and Community Services, the Manager of Policy Planning, the Chief of Police, the Manager of Parks & Open Spaces, the Manager of Transportation & Operations, and the Manager of Environmental Services on May 13, 2019.

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July 2, 2019

None of the internal departments contacted have indicated any concerns with this proposal.

2) External Agencies

The subject application was circulated for comment to the Algonquin & Lakeshore Catholic School Board, the Hastings & Prince Edward District School Board, Bell Canada, Canada Post, Cogeco, Union Gas (Enbridge), Veridian Connections (Elexicon), and Hydro One Networks on May 13, 2019.

To date, Bell Canada and Union Gas (Enbridge) have advised that they will require easements for their existing services to be included as a condition of approval. No concerns have been received from external agencies regarding this application.

Considerations:

- **Public**

Public notice and circulation complies with the requirements of the *Planning Act, R.S.O. 1990*.

- **Financial**

The fees payable for processing the application have been received by the City. Any planning, engineering, surveying and legal costs to facilitate the condominium conversion of the subject lands would be at the Owner's expense.

- **Impact on and input from other Departments/Sources**

Circulation of this application to other departments/agencies has occurred.

- **Strategic Plan Alignment**

The City of Belleville's Strategic Plan identifies nine strategic themes including Residential Development. A key strategic objective of the Residential Development theme is to:

- Provide for a variety of housing forms to reflect our changing demographics and need for affordability.

Conclusion:

Comments received at this public meeting, as well as subsequent written comments will be considered by the Engineering and Development Services Department in analysis of this application for approval of a Draft Plan of Condominium to convert the existing apartment building to condominium ownership. A recommendation report will be brought forward upon receipt of all agency and public comments.

APS-2019-22

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July 2, 2019

Respectfully submitted.



Greg Pinchin

Attachments

- Attachment #1 – Location Map
- Attachment #2 – Draft Plan of Condominium – 217 Bridge Street East by MHBC Planning Ltd, dated March 13, 2019
- Attachment #3 – Planning Justification Report – Application for Condominium Conversion, 217 Bridge Street East by MHBC Planning Ltd, dated April 2019



Conditions of Draft Plan of Condominium Approval

THAT draft plan of condominium approval be granted for the lands identified as Part of Lot 26 W, Registered Plan 166, and Part of Lots 51 and 52, Registered Plan 267 (Being Part 1, Plan 21R-23803, City of Belleville, County of Hastings, municipally known as 217 Bridge Street East in the City of Belleville, County of Hastings (File No.: 12CD-19002), subject to the draft plan conditions outlined below.

The City of Belleville’s conditions and amendments to final plan approval for registration of this Condominium are as follows:

No.	Conditions
1.	That the surveyor(s) for the Owner shall provide the City’s Manager of Approvals copies of all plans to be registered by the Owner in order to achieve registration of the plan of condominium.
2.	That the final plan of condominium be consistent with the Draft Plan of Condominium prepared by MHBC, dated March 13, 2019.
3.	That satisfactory arrangements be made with the City of Belleville for the payment of any outstanding municipal property taxes, utility accounts, and/or other outstanding charges levied against the subject property.
4.	That prior to final approval the Owner shall indicate in the Agreement, in words satisfactory to Bell Canada, that it will grant to Bell Canada any easements that may be required, which may include a blanket easement, for communication/telecommunication infrastructure. In the event of any conflict with existing Bell Canada facilities or easements, the Owner shall be responsible for the relocation of such facilities or easements.
5.	That prior to the final approval of the plan, Bell Canada, Union Gas, Cogeco Cable and Veridian shall confirm that satisfactory arrangements, financial and otherwise, have been made for any communications and utility facilities servicing this plan of condominium.
6.	<p>That prior to final approval, the Owner shall submit a report, to the satisfaction of the City’s Chief Building Official, from an architect or professional engineer that addresses matters such as structural safety, the general condition of the buildings and servicing, and correct any deficiencies identified in the report and/or identified by the City. Said report to include:</p> <ul style="list-style-type: none"> • detailed list of exterior improvements that will be completed (i.e., windows, doors, privacy areas, etc.); • detailed list of interior improvements that will be completed (i.e., flooring, handrails, moisture repairs, leak repairs, electrical repairs, etc). • breakdown of work to be performed, including but not limited to plumbing, electrical, heating and ventilation, insulation (weatherproofing and

windows), internal structural deficiencies (walls, ceilings and floors) and any other deficiency deemed to impact on the safe habitation of each unit.

6. That the Owner submit a draft Condominium Declaration for approval by the City's Manager of Approvals containing but not limited to the following provisions:
 - 1) That the parking and storage of derelict vehicles and recreation vehicles on the subject lands is prohibited.
 - 2) That public and private sidewalks, driveways and parking areas be maintained in a snow free condition and void of any obstructions 12 months of the year. Snow shall not be piled on City lands and City lands shall not be impacted from runoff from the snow removal.
 - 3) The following warning clause:

"All owners and tenants/future purchasers acknowledge and agree that snow removal and the ownership and maintenance of the private land and driveways shall remain the sole responsibility of the Condominium Corporation under the provisions of the Condominium Act and the City of Belleville will have no jurisdiction and further liabilities within the private land and driveways."
7. That prior to final approval, the surveyor(s) for the Owner shall advise the City's Manager of Approvals, in writing, that the required description and other plans to be registered by the Owner in order to achieve registration of the condominium have been unconditionally approved as to form and content by the Land Registry Office.
8. That prior to final approval, the solicitor(s) for the Owner shall advise the City's Manager of Approvals, in writing, that the proposed condominium declaration has been unconditionally approved as to form and content by the Registry Office.
9. That prior to final approval, the solicitor(s) for the Owner advise the City's Manager of Approvals that the declaration has been executed on behalf of the Owner and that all of the schedules to the proposed condominium declaration have been signed by the requisite signatories including the Owner, the project surveyor, the project solicitor and the project engineer and/or architect and all mortgagees.
10. That the Owner agrees in wording acceptable to the City that no unit shall be sold for a minimum of 10 years following the conversion from rental to condominium.

NOTES TO DRAFT APPROVAL

1. Measurement

All measurements in the final condominium plans must be presented in metric

units.

2. Clearing Conditions

It is the Owner's responsibility to satisfy all conditions of draft approval in an expeditious manner. The conditions of draft approval may be reviewed periodically and may be amended by the City of Belleville at any time prior to final approval.

To expedite the approval for registration, the Owner shall submit to the City's Manager of Approvals a detailed written submission documenting how all conditions imposed by this approval that require completion prior to the registration of the plan, have been satisfied.

3. Registry Act

The final plans for Registration must be in conformity with Ontario Regulation 43/96, as amended, under the Registry Act. The condominium plan for registration must be in conformity with Ontario Regulation 43/96 as amended, under the Registry Act.

4. Final Plans – Condominium

When the survey has been completed and the final plan prepared to satisfy the requirements of the Registry Act, they should be forwarded to the City of Belleville. If the plans comply with the terms of approval, and we have received assurance from the applicable clearance agencies that the necessary arrangements have been made, the signature of the Manager of Approvals will be endorsed on the plan and it will be forwarded to the Registry Office for registration.

The following is required for registration under the Registry Act and for our use:

- One (1) original mylar copy of plan
- Six (6) mylar copies of plan
- Six (6) white paper prints of plan
- One (1) white paper print of plan with AOLS submission form
- One (1) Registry Office pre-approval print of plan
- Two (2) copies of Condominium Declaration
- One (1) electronic copy of the approved Condominium Plan

5. Further revisions to the draft plan may be required to incorporate changes required through the review and approval of studies and plans yet to be finalized and approved by the City of Belleville.

6. Lapsing

This draft plan approval expires on August 12, 2022 if all the conditions

contained herein are not satisfied by that date. The Owner shall apply for any extension at least 60 days prior to the lapsing date and such request for an extension shall not be unreasonably withheld.



KITCHENER
WOODBRIDGE
LONDON
KINGSTON
BARRIE
BURLINGTON

PLANNING JUSTIFICATION **REPORT**

Application for Condominium Conversion

217 Bridge Street East
City of Belleville

Date:

April 2019

Prepared for:

Realstar Management Partnership

Prepared by:

MacNaughton Hermsen Britton Clarkson Planning Limited (MHBC)

540 Bingemans Centre Drive, Suite 200

Kitchener, Ontario

T: 519.576.3650

F: 519.576.0121

Our File 10139Z

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- Figure 1 – Local Context Map
- Figure 2 – Draft Plan of Condominium
- Figure 3 – City of Belleville Official Plan – Land Use Map

1.0 INTRODUCTION

MacNaughton Hermsen Britton Clarkson Planning Limited (hereinafter “MHBC”) has been retained by Realstar Management Partnership (“Realstar”) in the submission of the required application to facilitate the conversion of the residential apartment building, presently existing on the property known as 217 Bridge Street East, Belleville (hereinafter referred to as the “subject property”), from rental to condominium tenure.

The subject property is situated south of Bridge Street East between Burnham Street and Bleecker Avenue and consists of one apartment building providing a total of 68 residential rental units. The purpose of this application is to convert the existing apartment building to a plan of condominium. It is noted that these applications for condominium conversion are considered to be technical as it is the intention of Realstar to maintain all units as rental. A request for exemption from condominium review was originally submitted to the City of Belleville for the subject property in October 2018. City Staff, after having reviewed the request against existing, relevant policies and legislation, provided Council with a recommendation to approve the requests for exemption from condominium review. Council decided against Staff’s recommendation and denied the request for exemption. This report has been prepared to provide Council with a fulsome justification in support of the condominium conversion that considers a number of factors including local and provincial policies; affordability; and tenant protection.

Realstar is a privately owned real-estate investment and management company focused largely on rental residential. Realstar manages approximately 25,000 rental suites across Canada, including four buildings in the City of Belleville. The subject lands are professionally maintained and managed by Realstar.

Given the ownership and management structure of the subject property, the existing building is intended to be maintained as rental. Realstar has completed approximately thirteen condominium conversion projects over the past 15 years. During this time, no units in any of the converted buildings have been sold and no tenant has been displaced by the conversions. Section 51 of the Residential Tenancies Act (RTA), 2006 provides security of tenure for existing tenants and for the first right of refusal on the purchase of an existing apartment unit for the existing tenant. Consequently, if approval is given to convert an existing apartment unit on the subject property into a condominium unit, a tenant residing in that apartment unit cannot be displaced unless they decide to move out. Similarly, if the tenant wishes to change from renting his/her apartment to purchasing it, they have the right to purchase their own unit prior to the unit being sold to a third party. Therefore, the proposed conversion of the existing dwellings to a condominium will have no impact on the existing tenants in terms of remaining where they currently live and in fact may result in a reduction in their rent.

The reasons for this condominium conversion is for administrative and management purposes. Given the technical nature of the proposed condominium conversion application, it is concluded

that there will be no significant impact on rental housing in the City of Belleville or the security of tenure for existing tenants in the buildings.

The purpose of this report is to provide the following:

- A description of the subject property and surrounding neighbourhood;
- A detailed description of the proposed plan of condominium;
- An overview of applicable Provincial and Municipal planning controls;
- Justification as to how the applications conform to these planning controls; and,
- An analysis of the City of Belleville's existing vacancy rate and affordability and how it is related to the proposed conversion.

This Planning Report will detail how this application complies with the policies of both Provincial Plans and the City of Belleville's Official Plan. Information obtained from Altus Group Economic Consulting ("Altus") assisted in the preparation of this report.

2.0 DESCRIPTION OF SUBJECT LANDS

The following section provides a detailed description of the subject property including its local context and existing conditions.

2.1 Subject Lands & Existing Conditions

The subject property, known municipally as 217 Bridge Street East was constructed in 1972 and is situated on the south side of Bridge Street East, approximately 40 metres west of Bleecker Avenue and 40 metres east of Burnham Street. The site is presently occupied by one mid-rise residential apartment building that consists of 68 rental apartment units ranging from one to three bedrooms. No development, site alteration or change to the existing number of units currently in existence is proposed as part of these applications. The existing development is described as follows:

Parkwood (217 Bridge Street East)

- Area of 0.41 ha
- Seven-storey apartment building with a total of 68 dwelling units, comprised of:
 - 13 one-bedroom
 - 36 two-bedroom
 - 19 three-bedroom
- Approximately 70 parking spaces, consisting of:
 - 18 surface parking spaces
 - 52 underground parking spaces

Access to the site is provided from Bridge Street East (northern lot line). This access is used for ingress and egress from the surface parking area and the underground garage, located on the west side of the subject building.

The subject building covers approximately 26 percent of the total site area. The subject building has a building footprint of approximately 1,068 square metres (11,496 square feet) and a total building area of approximately 7,478 square metres (80,493 square feet).

2.2 Local Context

The subject property is located to the east of the Moira River and is situated approximately one kilometer east of the City Centre.

The site is located within an area primarily comprised of low density residential with some commercial uses found to the north, east and south of the site (medical buildings including a surgical centre to the immediate north and individual practices/Life Labs Medical Laboratory Services further south). Directly north of the subject property and bordering the northwest corner of the Bridge Street East and Bleecker Avenue intersection is Robin Jeffrey Park. Surrounding the subject property to the east, west and south are single family residential homes. Figure 1 below illustrates the site's surrounding uses.



Figure 1 – Local Context

3.0 DESCRIPTION OF PROPOSAL

The purpose of this section is to provide a general description of plans of condominium and condominium conversions as well as the impact of the application on the subject property.

3.1 Condominium Conversion Description

A condominium can be a high-rise or low-rise apartment, townhouse, freehold or detached house, office complex or commercial mall. What sets a condominium apart is the way in which owners share the ownership of common elements (e.g. parking areas, roads and sidewalks, corridors, lobbies, elevators, heat and electrical systems) while having individual ownership of units. The condominium corporation must pay for the upkeep and maintenance of common elements.

Condominium conversion is the process of entitling a rental property held under one title to convert from sole ownership of the entire property into individually owned units which can be sold as condominiums.

In this case, the Owner's intend to maintain ownership of the subject property and plan to continue to operate the building as rental. No change to the operation and management of the apartment building will occur as a result of the proposed conversion. Tenants will not be displaced or disadvantaged by the proposed conversion.

The conversion is being requested for administrative and management purposes. Some benefits to a condominium conversion include the following:

- Condominium conversions often result in realty tax savings. The savings may result in the freeing up of additional funds which would allow for capital investments to the subject building.
- It is anticipated that the conversions will increase the property's market value. The increase in value provides an opportunity to leverage additional funds through traditional financial institutions.
- When realty taxes are reduced by more than 2.49% the Residential Tenancies Act ("RTA") entitles residents to receive a rent reduction. The reduction is equal to the Owner's per suite property tax reduction, but an accurate amount is unknown at this time. However, based on preliminary estimates, it is anticipated that the tenants of 217 Bridge Street East would receive a rent reduction of between \$100.00 and \$125.00 a month. The reduction in rent can also improve the financial performance of the building by reducing turnover and improving other operational metrics.

For these reasons, the proposed condominium conversion is considered to be technical. The subject property will continue to operate as a rental residential complex and no existing tenants will be impacted, apart from potential rent reductions.

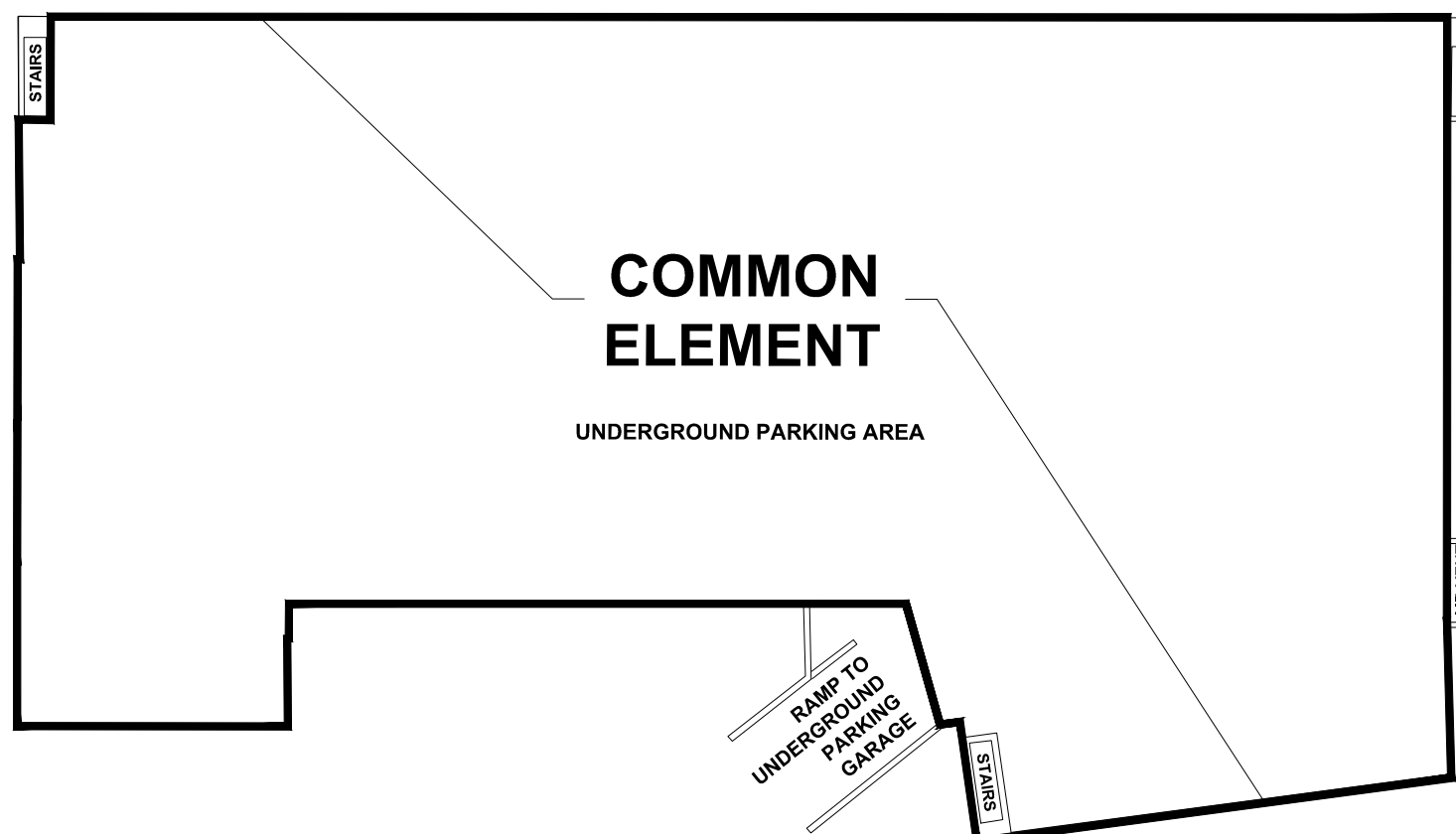
In addition, tenant security continues to be governed by the RTA following the proposed conversion. The RTA declares the right of residency in the building for each tenant. Hence, the current Owner or any subsequent Owner cannot terminate their residency to sell a unit. If the Owner ever decided to sell an apartment unit, the existing tenant would have first right to buy the unit. If the tenant declined the purchase of the unit they would continue to have a lifetime right to remain as a tenant in the apartment unit.

3.2 Draft Plan of Condominium

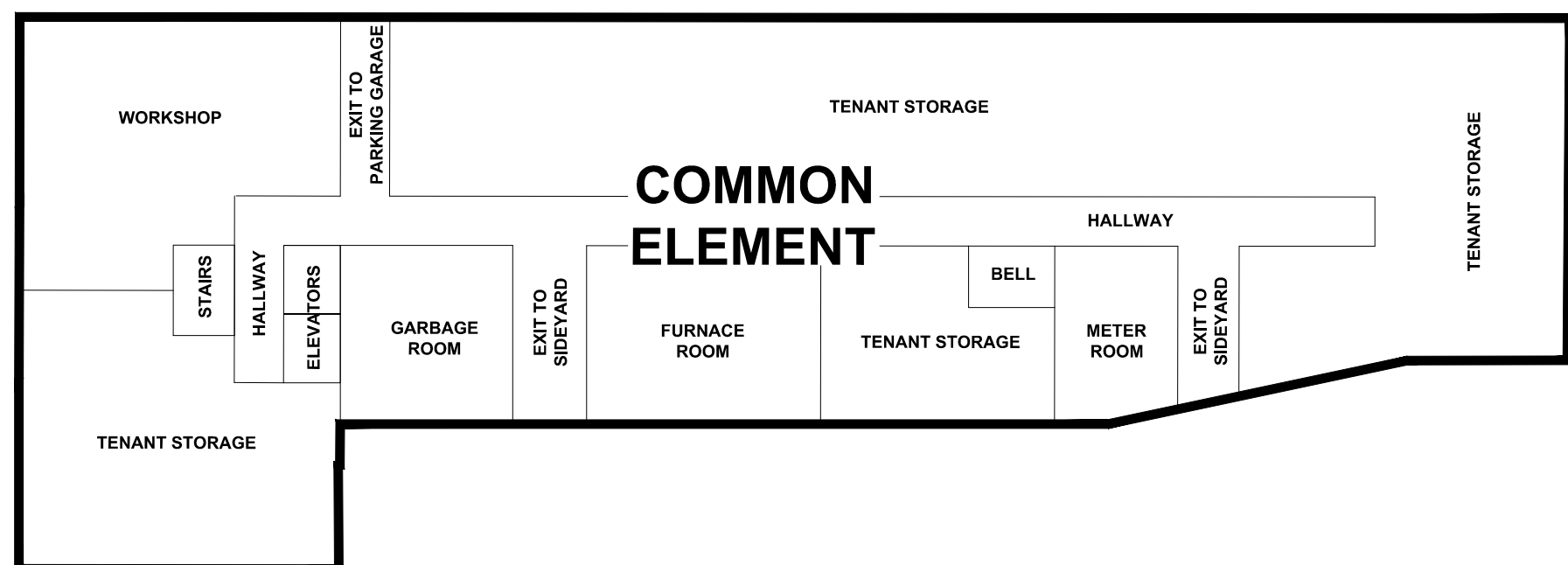
The Plan of Condominium application proposes the conversion of the existing rental apartment units to condominium tenure. No construction or demolition is proposed as part of these applications. There will be no modifications completed to the subject property as it presently exists. Notwithstanding the proposed condominium conversion, it is the intention of the Owner to maintain the existing apartment units as rental.

The proposed plan of condominium is to be a standard condominium consisting of both units and common elements. All parking spaces are to be unitized with the exception of the barrier-free parking spaces which are to be part of the common elements.

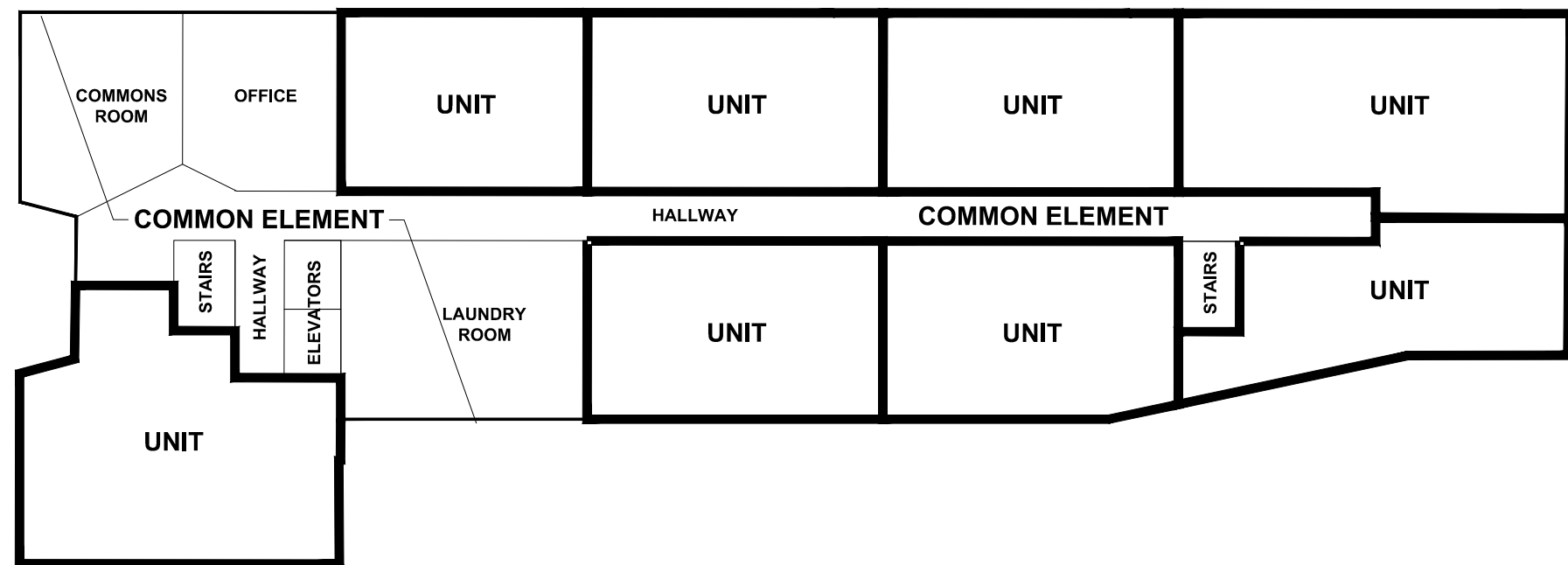
The common elements will include all landscaped open space, internal laneways and walkways, barrier free parking spaces and any elements internal to the building that are not within the units. Given that no construction or demolition is proposed, completion of a Draft Plan of Condominium will be required as a condition of approval. A preliminary Draft Plan of Condominium is included on the following page.



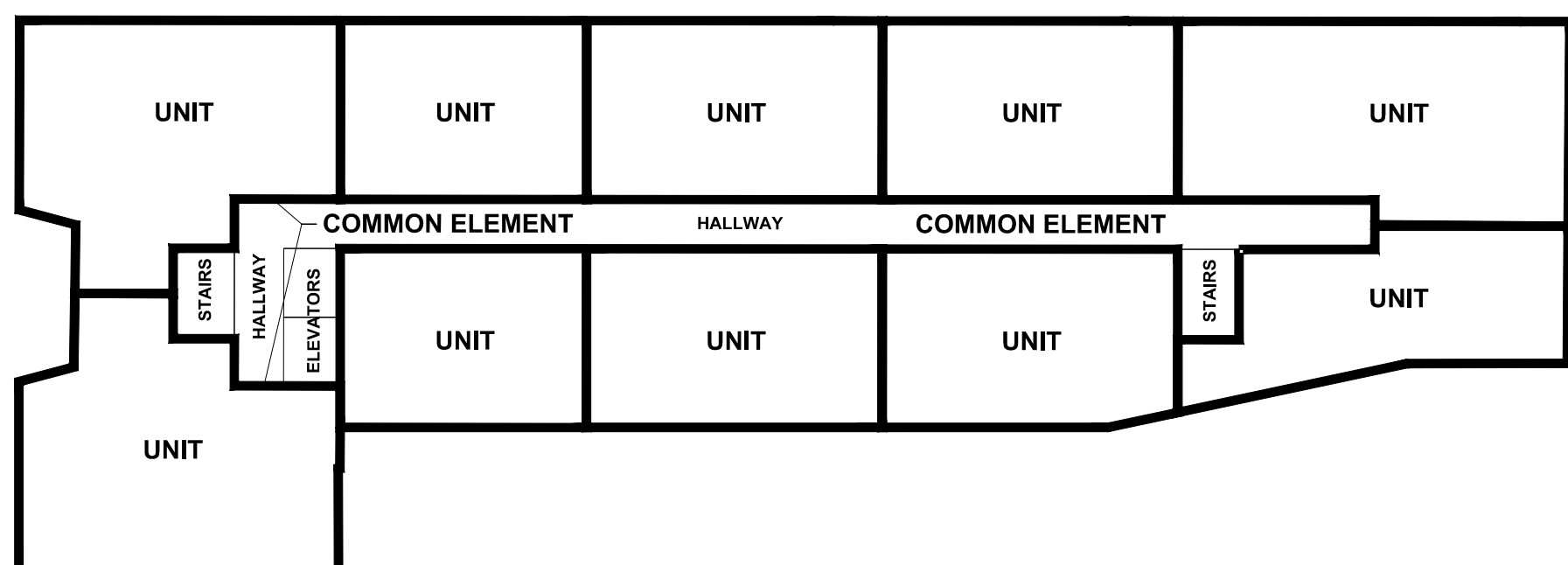
UNDERGROUND PARKING FLOOR PLAN
(not to scale)



BASEMENT FLOOR PLAN
(not to scale)



MAIN FLOOR PLAN
(not to scale)



LEVELS: 2-7, FLOOR PLAN
(not to scale)



Site Plan
1:250

Legal Description

217 Bridge Street East
PART OF LOT 26 W, REGISTERED PLAN 166, AND PART OF LOTS 51 AND 52,
REGISTERED PLAN 267 (BEING PART 1, PLAN 21R-23803), CITY OF BELLEVILLE

Owner's Certificate

I CERTIFY I AUTHORIZE MACNAUGHTON HERMSEN BRITTON CLARKSON PLANNING LIMITED TO
SUBMIT THIS PLAN FOR APPROVAL.

DATE: March 13, 2019

Wayne Squibb

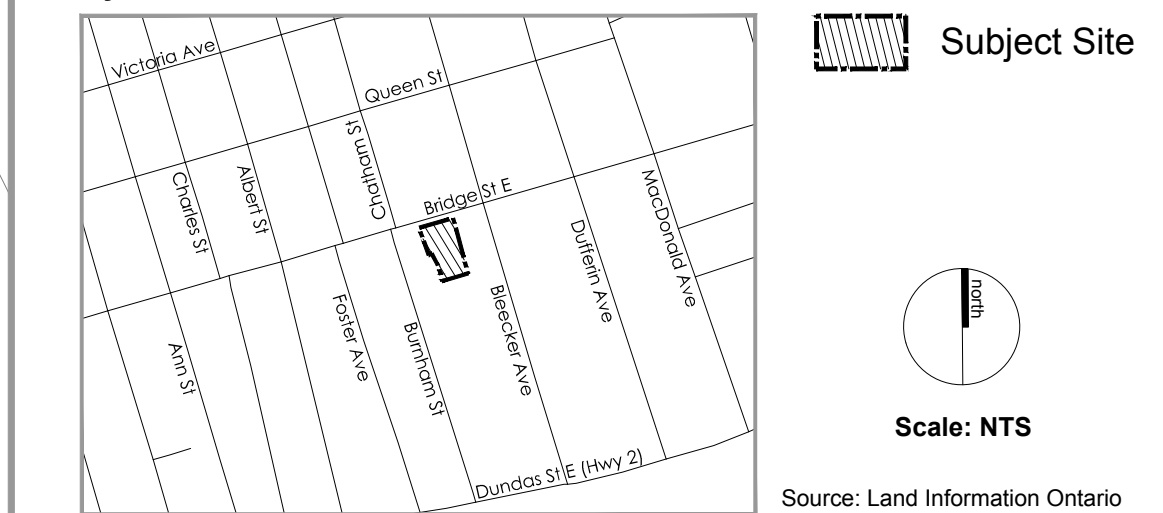
Surveyor's Certificate

I CERTIFY THAT THE BOUNDARIES OF THE LAND TO BE SUBDIVIDED ON THIS PLAN AND
THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN.

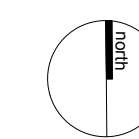
DATE: APRIL 9, 2019

DRAFT PLAN - OLS

Key Plan



Subject Site



Scale: NTS

Source: Land Information Ontario

**Additional Information Required Under Section 51(17) of the Planning Act
R.S.O. 1990, c.P.13 as Amended**

A. As Shown	B. As Shown	C. As Shown
D. Residential, Parking	E. Residential, Park Lands	F. As Shown
G. As Shown	H. Municipal Water Supply	I. Miscellaneous
J. As Shown	K. All Services As Required	L. As Shown

Area Schedule

Total Units	68
Total Site Area	4,233 m ²
Total Building Area	1,081 m ²
Total Asphalt Area	754 m ²
Total Landscape Area	2,398 m ²

- NOTES:
1. All dimensions are in metres unless otherwise shown.
2. Existing residential parcel fabric approximate
3. Survey Base prepared by J.D. Barnes Limited, 2019

1.	March 13, 2019	For client review;	G.C.
Revision No.	Date	Issued / Revision	By

200-540 BINGEMANS CENTRE DR. KITCHENER, ON, N2B 3X9 | P: 519.576.3650 F: 519.576.0121 | WWW.MHBCPLAN.COM

Approval Stamp	Date	March 13, 2019
	Drawn By	GC
	Plan Scale	See Plan
	File No.	101392
	Checked By	D.A.
Project	Other	

217 Bridge Street East

File Name **DRAFT PLAN OF CONDOMINIUM**



4.0 POLICY FRAMEWORK

This section demonstrates that the proposed Draft Plan of Condominium is consistent with and conforms to the applicable Provincial and Municipal planning policy regulatory framework.

4.1 Planning Act, R.S.O. 1990, c. P.13

Section 51(24) of the Planning Act relates to the approval of plans of subdivision and plans of condominium. The application has been reviewed with regard to Section 51(24) and it is concluded that the application satisfies each of the subdivision criteria. Specifically:

- a) *the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;*

Provincial interests have been addressed and discussed in the review of the Provincial Policy Statement (PPS).

- b) *whether the proposed subdivision is premature or in the public interest;*

The proposed conversion is not premature. The application meets the criteria that considers conversion set forth by the City of Belleville Official Plan as further addressed and discussed in Section 4.3.2 of this report.

The proposed development is in the public interest for the following reasons:

- i. The proposed units, if sold, will create affordable home ownership opportunities.
- ii. The “pass-through” of realty tax savings to existing tenants will result in additional affordable rental units and lower rental costs for all residents. Residents were informed of the potential rent reduction in correspondence dated September 10, 2018.
- iii. All forms of housing are required to meet the social, health and well-being requirements of current and future residents;
- iv. Tenant security for existing tenants will be provided and is enforced through the Residential Tenancies Act.
- v. The applicant is investing in the long-term maintenance of the property which represents a substantial investment in the property.

- c) *whether the plan conforms to the official plan and adjacent plans of subdivision, if any;*

The proposed condominium conversion conforms to the City of Belleville Official Plan and does not have an impact on adjacent plans of subdivision. This is further addressed below in Section 4.3 of this report.

d) the suitability of the land for the purposes for which it is to be subdivided;

The subject lands are presently being used for residential purposes. No change in use is proposed.

d1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;

The proposed conversion of the units to condominium tenure may result in additional affordable rental opportunities as a result of pass-through tax savings. In the event that the units were sold, all of the units would be considered to be affordable as they would have a selling price below the affordable ownership threshold of \$301,933.00 in the Belleville CMA.

f) The dimensions and shapes of the proposed lots;

The dimension and shape of the proposed lot is not relevant as no new development is proposed on the subject lands.

g) The restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;

The conditions of approval will sufficiently address any agency requirements.

h) Conservation of natural resources and flood control;

The conservation of natural resources and flood control is not relevant as no development is proposed.

i) The adequacy of utilities and municipal services;

The adequacy of utilities and services is not relevant to these applications as no new dwelling units will be created.

m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection

Site Plan Approval was previously issued for the existing development on the subject property. No new development is planned and no changes to the approved site plan are required to permit the requested conversion.

The Planning Act allows for the approval authority to impose appropriate conditions of approval. As such, the City of Belleville may impose conditions of approval to be satisfied prior to final condominium plan registration. Based on review of Section 51(24) of the Planning Act, the proposed conversion complies with all relevant conditions.

4.2 Provincial Policy Statement (2014)

Effective April 30, 2014, the Province of Ontario issued, in accordance with Section 3 of the *Planning Act*, a new Provincial Policy Statement (PPS). The PPS provides policy direction on matters of Provincial interest related to land use planning and development. It is to be considered in all planning decisions. One of the key considerations of the PPS is that planning decisions must be “consistent with” the PPS.

The PPS provides a vision for land use planning in Ontario that encourages an efficient use of land, resources and public investment in infrastructure. A range and mix of land uses is encouraged to provide choice and diversity. A variety of transportation modes are promoted to facilitate pedestrian movement and less reliance on the automobile, and public transit is encouraged as a means of creating more sustainable, livable and healthy communities. The PPS strongly encourages development that will provide long term prosperity, environmental health and social well-being.

Policy 1.1.1 of the PPS states that healthy, liveable and safe communities are sustained by promoting efficient land use and development patterns; accommodating an appropriate range and mix of land uses to meet long-term needs; avoiding development and land use patterns which may cause environmental or public health and safety concerns; and promoting cost-effective development patterns and standards to minimize land consumption and servicing costs, among others. The 2014 PPS specifically requires the provision of a “range and mix” of residential development.

Section 1.4.3 of the PPS requires that planning authorities provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents by establishing and implementing minimum targets for the provision of affordable housing; permitting and facilitating all forms of housing to meet the social, health and well-being requirements of current and future residents; and permitting and facilitating all forms of intensification.

Based on the 2018 CMHC Rental Market Report released on November 28, 2018, the number of existing rental units (mix of bachelor, one-bedroom, two-bedroom, and three-bedroom and larger) in the Belleville Census Metropolitan Area is 5,717 units. This does not include units in publicly owned rental apartment buildings, private rental townhouse units, condominium units that are rented out, secondary suites, or other types of rental accommodation that may exist. According to

the 2016 National Household Survey, there were 43,005 private households in the City of Belleville, of which 13,235 of those households rented their housing unit. Based on the data from the Survey, it is clear that the CMHC Rental Market Report takes into consideration only a portion of the entire rental housing stock within the City.

The proposed conversion will not alter the current mix of housing types in the City of Belleville; only tenure is affected. As a result, the current range of housing and supply of housing will be unaffected. Generally, in condominium conversion applications, security of tenure is provided for existing tenants through the Residential Tenancies Act. In this case, the Owner intends to maintain all existing units as rental following the proposed conversion. The proposed conversion is being requested for administrative, legal and financial reasons as detailed in Section 1.0 and 2.0 of this report. As a result, no residential units will be lost through the proposed conversions.

Additionally, based on information published by the City of Belleville's Building Department, building permits for 185 apartment units and 81 condominium units have been issued between January 1, 2016 and October 31, 2018. All of these new units are currently being constructed and have not yet been added to the rental housing supply. Furthermore, the City of Belleville has through the site plan process, approved or will shortly approve another 332 apartment units. These units will be eligible for building permits this year.

The proposed application for Draft Plan of Condominium is consistent with the PPS as the subject property presently consists of medium density residential development and is on full-municipal services. The change in ownership of these apartment units will not impact the range and mix of housing within the Town as no new development is planned and no loss of units will occur as a result of the proposed conversion. Further, there are no policies in the PPS related to tenancy of housing.

In summary, the proposed condominium conversion is consistent with the policies of the Provincial Policy Statement, 2014.

4.3 City of Belleville Official Plan

The City of Belleville Official Plan was adopted by City Council on June 18th, 2001 and approved by the Ministry of Municipal Affairs and Housing on January 7th, 2002 pursuant to Section 17 (34) of the Planning Act. The intent of this Plan is to provide for the orderly development of the City within the framework of the Vision Statement. It directs development in such a manner so that adjacent land uses are complementary to each other.

4.3.1 Residential Land Use Designation

The subject property is designated "Residential Land Use" by the City of Belleville's Official Plan, Schedule B as shown in Figure 3.



Figure: 3
City of Belleville
Official Plan
Schedule 'B'- Land
Use Plan- Urban
Serviced Area

217 Bridge St East
 Pt Lt 26w Pl 166 Thurlow; Pt Lt 51-52 Pl 267 Thurlow,
 Pt 1 21r23803; Belleville ; County Of Hastings

LEGEND

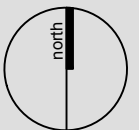
-  Subject Lands
-  **COMMERCIAL LAND USE**
-  **RESIDENTIAL LAND USE**
-  **OPEN SPACE**
-  **COMMUNITY FACILITY**

DATE: December 10, 2018

SCALE: NTS

FILE: 10139Z

DRAWN: GC



K10139Z_217 BRIDGE STRPTOP_SCHBD_URBANLANDUSE.DWG

This designation permits a range of residential uses including 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 and condominium). Residential development within this designation is encouraged to occur at various densities within the City. The Official Plan suggests that at a minimum, medium density residential developments provide a housing density of 60 units per hectare.

The existing building conforms to the policies of the "Residential Land Use" designation of the City of Belleville Official Plan.

4.3.2 **Condominium Conversion Policies**

Policy 3.10.2 (i) of the City of Belleville's Official Plan relates to the conversion of existing rental dwellings to condominium. The policy is stated as follows:

"This Plan supports the development of all forms of housing in all forms of tenure, being freehold, rental, cooperative, and condominium.

Conversion of existing rental dwellings to condominium or freehold is supported by this Plan, provided that prior to granting approval, Council considers:

- *The appropriateness of the building for such conversion;*
- *Site amenities and services;*
- *Existing vacancy rates in the community;*
- *Timing of the conversion; and*
- *Arrangements made for addressing the needs of or the impact upon existing residents of the building."*

Of the five criteria listed in the policy noted above, only one is quantitative in nature, that being the existing vacancy rates in the community, while the rest of the criteria listed are somewhat ambiguous. The following summarizes our response to the conversion criteria contained within Policy 3.10.2 (i):

The appropriateness of the building for such conversion: The subject property consists of one seven-storey apartment building with surface parking and an underground garage. The rear of the lot contains an open grassed area for use by the residents of the building for leisure activities. Based on review of the site, it would be relatively easy to create a plan to divide the building and property into common elements and private units. The parking areas, sidewalks, grassed area, the main lobby and the hallways etc. would be defined as common elements, while the individual rental units would then become the private units. As such, it appears that the building would be considered appropriate for this type of conversion.

Site Amenities and Services: Currently, the subject property enjoys full access to municipal services and contains all the normal site amenities including parking, grassed open space area,

recycling and waste storage, as well as laundry facilities and storage areas. There will be no change to site amenities and services as a result of the conversion.

Existing vacancy rates in the community: Based on review of the data collected and presented by Canada Mortgage and Housing Corporation (CMHC) in their 2018 Rental Market Report, the City of Belleville's vacancy rate has risen to 2.4 percent, a difference of 0.2 percent from 2017 and a difference of 0.6 percent from the Ontario-wide vacancy rate (1.8 percent). The average vacancy rate in the Belleville CMA over the past four years is 3.1 percent. The vacancy rate may soon increase even further as 266 approved apartment and apartment condominium units will become available after 2019 and another 332 apartment units are currently moving through the site plan approval process. The City's Official Plan does not currently specify what an appropriate vacancy rate should be when considering a conversion application. It simply states that Council should consider existing vacancy rates in the community and as such, it is left for Council to interpret this policy.

In considering the vacancy rate against this condominium conversion, it is important to note that the applicant has committed to a minimum 10-year moratorium in which legally no units can or will be sold. Tenants of the subject property will not be displaced or disadvantaged by this conversion and will be able to remain in their units for as long as they wish. Further tenant protection is provided through Section 51 of the Residential Tenancies Act of 2006. It provides security of tenure for existing tenants, which means that should approval be given to convert the existing apartment units on the subject property into condominium units, tenants cannot be displaced unless they themselves decide to move out. Similarly, tenants are given the first opportunity to purchase their unit should they choose to do so, prior to the unit being offered for sale to a third party. As such, the proposed conversion of the apartment units in the subject building to a condominium will have no impact on the existing tenants in terms of their current living situation.

Timing of the conversion: According to the 2018 CMHC Rental Market Report, the fixed sample average rent in Belleville increased by 4.9 percent in the last year, which is above the 2018 Ontario guideline of 1.8 percent. The approval of this condominium conversion application should ultimately result in a reduction in each of the tenant's rent of between \$100.00 and \$125.00 per month. As the subject building will be maintained as rental, the Residential Tenancies Act requires that any property tax savings resulting from a conversion must be passed down to the tenants in the form of reduced rental rates. This may also result in more units within the subject property being considered affordable, as discussed further in Section 5.0 of this report. Given the recent increases in rent within Belleville, the proposed conversion is timely in that it will likely result in rent decreases for existing tenants.

Arrangements made for addressing the needs of or the impact upon existing residents of the building: Tenants of the buildings were advised of the proposed conversion and the potential for a reduction of rent through a written statement delivered to each tenant in mid-September, as well as during an open information meeting organized by Realstar. Through the Planning Act requirements, existing tenants will be further informed of any public meetings held.

4.3.3 *City of Belleville Official Plan Summary*

Based on the foregoing, the proposed condominium conversion conforms to the City of Belleville Official Plan. The proposed condominium conversions will not negatively impact the City's supply of affordable housing and may result in additional affordable rental opportunities. The proposed condominium conversions satisfy the required considerations found in Section 3.10.2 (i) of the Official Plan.

4.4 Zoning By-law

The subject lands are zoned "Residential Seventh Density Zone" (R7) by the City of Belleville's Zoning By-law No. 10245. The zone permits a main residential building with one or more apartment dwellings, which is the current use on the subject lands. Specific performance standards from the Zoning By-law are denoted in the table below:

Regulation	Required in R7 Zone	Existing	Compliance (Yes/No)
Minimum Lot Frontage	45.7 metres	54.88 metres	Yes
Minimum Lot Area per dwelling unit	72.3 m ²	60 m²	No (total lot area of 4100 m² divided by 68 units)
Minimum Front Yard	10.6 meters	5.36 metres	No
Minimum Interior Side Yard Width	7.5 metres or one-half the height of the main building, whichever is greater.	13.75 metres	Yes
Minimum Rear Yard Depth	7.5 metres or one-half the height of the main building, whichever is greater.	20.15 metres	Yes
Minimum GFA per dwelling unit	Bachelor: 28 m ² One bedroom: 42 m ² Two bedroom: 55.5 m ² Three bedroom: 69.5 m ² Four bedrooms: 79 m ² For each additional bedroom: 9.3 m ²	Average one bedroom: 66.43 m² Average two bedroom: 83.14 m² Average three bedroom: 110.18 m²	Yes
Minimum Landscaped Area	40% of lot area	Approximately 54%	Yes
Minimum Parking Spaces	1.25 spaces per unit	Approximately 70 spaces according to the Physical Condition Assessment prepared by Halcrow Yolles and dated February 2012 (102 spaces required).	No
Maximum Building Height	None	7 storeys	Yes
Maximum Lot Coverage	20 percent	26 percent	No

Based on review of the relevant By-law performance standards, the subject property is non-conforming with a number of the current provisions including the minimum lot area per dwelling, minimum front yard setback, minimum number of required parking spaces and minimum lot coverage percentage. In reviewing the history of the City of Belleville's Zoning By-law, it appears that the current Zoning By-law was adopted by Council in 1977 and approved by the Ontario Municipal Board in 1978. As the subject building was constructed in 1972, prior to the approval of the current Zoning By-law, the property has legal non-conforming status. As such, an Amendment or Variance is not required for this application to proceed.

5.0 AFFORDABLE HOUSING ANALYSIS

The purpose of this section is to demonstrate that the proposed condominium conversion will not have a negative impact on the supply of affordable housing in the City. Given that the proposed condominium conversion is requested for administrative, legal and financial reasons and the existing building will be maintained as rental, this section examines the impact of the conversion on both affordable ownership and affordable rental opportunities.

In order to determine the affordable housing threshold in the City of Belleville, Altus Group was retained to review rent roles for the subject lands to determine the impact of the proposed conversions in terms of affordable rental and affordable ownership.

5.1 Rental Housing Affordability

The City of Belleville Official Plan supports the development of affordable housing and encourages all residential neighbourhoods to have a variety of housing types at various levels of affordability. The City's Official Plan does not provide a definition for "Affordable Housing", however, the PPS provides a definition for "Affordable". The definition is stated as follows:

"Affordable means:

- b) *In the case of rental housing, the least expensive of:*
- 1. A unit for which the rent does not exceed 30 percent of gross annual household income for low and moderate income households; or*
 - 2. A unit for which the rent is at or below the average market rent of a unit in the regional market area.*

Per the definition of "Affordable" provided above, there are two tests to determine the affordable rental threshold. The first test is based on a rent that does not exceed 30 percent of the gross annual household income for low and moderate income households. Low and moderate income households are those households with incomes in the lowest 60 percent of income distribution for the Regional Market Area. Based on 2016 Census information on household income for renter households, the 60th percentile income in the Belleville CMA as of 2016 is \$44,030. In order to provide a more recent representation of the household income, Altus Group indexed the 2016 income to 2018 at a rate of 2 percent per year which resulted in a household income of \$45,791.20. Based on the definition for "Affordable" in the case of rental housing, 30 percent of the annual household income in the Belleville CMA equated to \$13,737 per year, or \$1,145.00 per month. Thus, a unit that costs less than \$1,145.00 per month would be considered affordable rental housing under the first test.

The second test for affordable rental housing is based on the average rent of units with the regional market area. The 2018 CMHC Rental Market Report for the Belleville CMA identified the following average rents for each type of unit:

- Bachelor: \$722.00 per month;
- One-bedroom: \$918.00 per month;
- Two-bedroom: \$1,027 per month; and
- Three or more bedrooms: \$1,272.00 per month

Therefore, the second test provides a more refined approach than the first method as it provides affordability thresholds for rental units of varying types. As the average rent for all units under the second test (\$997.00 per month) is lower than the calculated costs under the first test (\$1,145 per month). Altus Group relied on the lower of the two thresholds in determining how many of the existing units in the subject building are affordable.

Altus Group reviewed rent roles for the subject building to complete a rental housing affordability analysis. As of December 2018, all 68 of the units in the subject building were occupied. Based on review of the rents as of this time and the affordable rent thresholds retrieved from the 2018 CMHC Rental Market Report for the Belleville CMA, none of the units have rents that meet the definition of affordable rents. Each of the 68 units are currently above the affordability thresholds and deemed to have ‘mid-range’ rents. It is important to once again note that Section 131 of the Residential Tenancies Act, and Section 41 of O.Reg. 516/06 require that reductions in municipal property tax rates greater than 2.49 percent for buildings with more than seven (7) units must be passed through to tenants via reduced rents. The following table shows the impact to rents if rents were decreased by \$50.00 per unit and \$100.00 per unit, for example.

Potential Rent Reductions and Affordability			
	Existing Affordable Units	Affordable Units following a \$50.00 Rent Reduction	Affordable Units following a \$100.00 Rent Reduction
217 Bridge Street East	0	0	2

Should the proposed conversion be approved, it is anticipated that a rental reduction of between \$100.00 and \$125.00 per month will occur. As such, it can be expected that two or more units will meet the definition of affordable. Any remaining units that would not meet the definition of affordable would still experience a rent reduction and therefore, would put money back into the pockets of the residents. It is noted that the above is an estimate only. Potential rent reductions cannot be determined until tax rates are revised.

5.2 Ownership Housing Affordability

Per the definition of “Affordable” found in the PPS, there are two tests to determine the affordable ownership threshold:

1. *Housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for low and moderate income households; or*
2. *Housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the regional market area.*

The first test for affordable home ownership is based on the annual gross household income of low and moderate income households. As demonstrated above, 30 percent of the annual household income in the Belleville CMA is \$13,737.00 per year, or \$1,145.00 per month. The income distribution in the Belleville CMA, as reported in the 2016 Census shows that the high-end of the \$60,000 to \$69,999 income range is the 55.5th percentile, while the high-end of the \$70,000 to \$79,999 income range is the 63.1st percentile. If we assume a straight-line distribution between these two points, it means that the 60th percentile income, as of 2016, would be approximately \$75,901. By applying an index factor of 4 percent to this 2016 income, the result represents the income value in 2018 terms, which equates to \$78,937.00. As such, 30 percent of this annual household income is \$23,681.00 per year, or \$1,973 per month.

Based on the following assumptions, Altus Group has estimated the “annual accommodation costs”:

- Mortgage Costs (4.64 percent interest rate, 25-year amortization period with monthly payments, 10 percent down payment);
- CMHC Mortgage Insurance Costs (based on the assumed down payment and a requirement to pay CMHC mortgage insurance, at a rate of 3.1 percent of house value, paid monthly over the life of the mortgage); and
- Property Tax Costs (the City's 2018 property tax rates, inclusive of education tax rates, of 1.607 percent)

Based on these assumptions, the affordable ownership threshold in the Belleville CMA equates to \$303,282.00.

The second test for affordable ownership is based on the average purchase price of a resale unit in the regional market area. Based on a December 2018 report from the Quinte & District Association of Realtors, the average purchase price of a resale unit was \$335,481.00. A reduction of this price by 10 percent would result in an affordable ownership housing threshold of \$301,933.00

As such, the lower of the calculated affordable home ownership thresholds is the second test, or \$301,933.00. Therefore, any unit offered for sale less than \$301,933.00 would be considered affordable housing.

The units in the subject building, should they be sold in the future, are expected to have a selling price below the affordable ownership threshold. Therefore, the conversion from rental to condominium tenure would result in all units meeting the definition of affordable ownership, generating a substantial increase in the number of affordable units on the site. In total, the conversion to ownership would increase the number of affordable units on the site from 0 units to 68 units.

5.3 Summary

The proposed conversion of the units to condominium tenure will not result in the removal of affordable rental units from the rental stock and therefore will have no effect on the supply of affordable housing. In fact, additional affordable rental opportunities may be created as a result of pass-through tax savings. In the event that units were sold, all would be considered to be affordable. The existing building will be maintained as a rental apartment building.

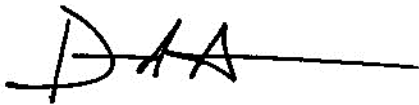
6.0 SUMMARY & CONCLUSIONS

It is our opinion, as outlined in this report, that the proposed Draft Plan of Condominium should be considered for recommendation by staff and approved by Council for the following reasons:

1. The proposed condominium conversion is consistent with the Provincial Policy Statement, 2014;
2. The proposed condominium conversion conforms to the policies of the City of Belleville Official Plan and satisfies the criteria for consideration of a conversion;
3. The proposed condominium conversion will not impact the supply of rental housing as all units are to be maintained as rental.
4. The proposed condominium conversion will not impact the supply of affordable rental as no rent increases are anticipated and any tax savings resulting from the conversion may result in a rent reduction, as required by the Residential Tenancies Act. As a result of the rent reduction, some units within the building may become affordable rental units, which none of the units in the building currently are.
5. If units were to be sold, all of the units would be considered to have a selling price below the ownership affordability threshold and therefore would be considered affordable.

We request that this report and all supporting material related to the applications be deemed complete and that the applications be processed.

Respectfully submitted,



David W. Aston, MSc, MCIP, RPP
Partner
MHBC Planning



Andrea Sinclair, BES, MUDS
Associate
MHBC Planning

Keays, Christina

From: Pinchin, Greg
Sent: Friday, July 19, 2019 9:28 AM
To: Keays, Christina
Subject: FW: Realstar Condominium Conversion/ 217 Bridge Street/ Our File 10139Z

Hi Christina, for the Bridge St file.

Thanks,
Greg.

From: Andrea Sinclair [<mailto:asinclair@mhbcplan.com>]
Sent: Thursday, July 18, 2019 6:23 PM
To: Pinchin, Greg
Cc: Jonathan Masse
Subject: Realstar Condominium Conversion/ 217 Bridge Street/ Our File 10139Z

External Email, use caution!

Greg,

We have received a further email in support of the conversion at 217 Bridge Street. Could you please ensure that the below email becomes part of the public record?

Thank you,

Andrea

ANDREA SINCLAIR BES, MUDS
Associate

Vacation Alert: Please note I will be away from the office July 29 to August 2, 2019 inclusive.

MHBC Planning, Urban Design & Landscape Architecture

540 Bingemans Centre Drive, Suite 200 | Kitchener | ON | N2B 3X9 | T 519 576 3650 X 750 | F 519 576 0121 | asinclair@mhbcplan.com

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From: Sandy Cairns <little.cairns@gmail.com>
Date: July 18, 2019 at 3:35:09 PM EDT
To: Jonathan Masse <jonathan.masse@realstar.ca>
Subject: Re: The Parkwood

Yes you may share my email with the city council.
Good luck.
Sandy

Sent from my iPad

On Jul 18, 2019, at 3:30 PM, Jonathan Masse <jonathan.masse@realstar.ca> wrote:

Hi Sandy,

Thank you so much for your support. Would you be okay if we shared your email with the city council, it goes a long way to helping us strengthen our case the more resident support we can demonstrate.

I really appreciate it.

Jonathan.

Sent from my iPhone

On Jul 18, 2019, at 3:18 PM, Sandy Cairns <little.cairns@gmail.com> wrote:

Jonathan Mass,

Would like to show my support for the condominium conversion initiative at The Parkwood. It would be a benefit to the residents.

It is a pleasure to live in such a well maintained and safe building.

Sincerely

Sandy Cairns
Apartment 709.

Sent from my iPad

Keays, Christina

From: Pinchin, Greg
Sent: Monday, July 22, 2019 9:27 AM
To: Keays, Christina
Subject: FW: The Parkwood

Hi Christina, for the file please.

From: Andrea Sinclair [<mailto:asinclair@mhbcplan.com>]
Sent: Monday, July 22, 2019 9:27 AM
To: Pinchin, Greg
Cc: Jonathan Masse
Subject: FW: The Parkwood

External Email, use caution!

Morning Greg,

Please see below.

Thank you,

Andrea

ANDREA SINCLAIR BES, MUDS
Associate

Vacation Alert: Please note I will be away from the office July 29 to August 2, 2019 inclusive.

MHBC Planning, Urban Design & Landscape Architecture

540 Bingemans Centre Drive, Suite 200 | Kitchener | ON | N2B 3X9 | T 519 576 3650 X 750 | F 519 576 0121 | asinclair@mhbcplan.com

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On Jul 20, 2019, at 1:51 PM, Carol Goerke <carolgoerke@hotmail.com> wrote:

Hello Jonathan

My name is Carol Goerke, I have lived at the Parkwood for the past 7 years.

I would like to say that I support your condo recommendation. It seems to be in the best interest of the building to do so.

This is a great and well managed building and I feel very blessed to live here. There is a wonderful community spirit here.

I wish you luck with your endeavours to make the Parkwood an even better home for us.

Sincerely

Carol Goerke Apt 606

Sent from my iPad

Keays, Christina

From: Pinchin, Greg
Sent: Monday, June 24, 2019 4:53 PM
To: MacDonald, Matthew
Cc: Pallo, Cheryl; Stitt, Jennifer; Bovay, Rod; Ashton, Stephen; Deming, Thomas; Baldwin, Erin; Keays, Christina
Subject: FW: Realstar - Application for Condominium Conversion

Matt, for the PAC agenda/correspondence please.
Thanks,
Greg.

-----Original Message-----

From: Andrea Sinclair [<mailto:asinclair@mhbcplan.com>]
Sent: Monday, June 24, 2019 11:38 AM
To: Pinchin, Greg
Subject: Realstar - Application for Condominium Conversion

I am forwarding along correspondence from one of the residents of the Parkwood building (217 Bridge Street) in support of the applications. He has provided his written consent that this correspondence can be provided to Council as he is unable to attend the meeting on Tuesday.

Kindly see below.

Thank you,

Andrea

ANDREA SINCLAIR BES, MUDS
Associate

MHBC Planning, Urban Design & Landscape Architecture
540 Bingemans Centre Drive, Suite 200 | Kitchener | ON | N2B 3X9 | T 519 576 3650 X 750 | F 519 576 0121
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> -----Original Message-----

> From: Dave Crockett [<mailto:ncrockett@cogeco.ca>]

> Sent: June 24, 2019 9:37 AM

> To: The Parkwood <theparkwood@realstar.ca>

> Subject: Realstar - Application for Condominium Conversion

>

> I understand that Bellville Council will hear a renewed application from Realstar for the conversion of 217 Bridge Street East from Apartment to Condominium status.

>

> I recall previous meetings with Realstar representatives, wherein clarification and undertakings were made in support of this endeavour. I am also aware that representation was made by an individual purporting to express the views and input of the residents of The Parkwood. No one had my permission to convey that message.

>

> I am a resident of this complex.

>

> I support the Realstar initiative and appreciate the benefits that will accrue both to the Corporation and to me as a resident.

>

> I want to make it clear that no other individual represents me , speaks for me or has the right to express an opinion on my behalf on this matter. I take umbrage at the inference that anyone is authorized to do so.

>

> Lastly, it is important to note, as I speak for myself, I do so without inducement or request from others.

>

> Realstar and more specifically the management team at The Parkwood have provided me with a lovely home over the past 5 years. My hope is that this mutually beneficial relationship will continue for many more.

>

>

> Sincerely

>

> N.E.J. Crockett

> Ste 505

Pinchin, Greg

From: Pinchin, Greg
Sent: Monday, June 24, 2019 5:01 PM
To: MacDonald, Matthew
Cc: Pallo, Cheryl; Stitt, Jennifer; Deming, Thomas; Bovay, Rod; Ashton, Stephen; Baldwin, Erin; Keays, Christina
Subject: FW: Application for Condominium Conversion for 217 Bridge Street East

Another for the agenda, please.
Thanks,
Greg.

From: Andrea Sinclair [<mailto:asinclair@mhbcplan.com>]
Sent: Monday, June 24, 2019 4:59 PM
To: Pinchin, Greg
Subject: FW: Application for Condominium Conversion for 217 Bridge Street East

I have received a second letter from another resident at 217 Bridge Street (see below).

Thank you,

Andrea

From: Jonathan Masse [<mailto:jonathan.masse@realstar.ca>]
Sent: June-24-19 3:57 PM
To: Andrea Sinclair
Subject: FW: Application for Condominium Conversion for 217 Bridge Street East

FYI

Jonathan Masse
Senior Director, Asset Management
realstar management
77 Bloor Street West, Suite 2000
Toronto, ON
M5S 1M2

Dir: (416) 966-8080
jonathan.masse@realstar.ca

From: The Parkwood <theparkwood@realstar.ca>
Sent: June 24, 2019 3:33 PM
To: Jonathan Masse <jonathan.masse@realstar.ca>

Cc: Rose Miller <rose.miller@realstar.ca>

Subject: FW: Application for Condominium Conversion for 217 Bridge Street East

Hi Jonathan,

Here is another letter from a resident.

Marilyn Metselaar
Resident Manager, The Parkwood
realstar management
217 Bridge Street E, Rental Office
Belleville, ON
K8N 5E4

Dir: (613) 968-9800
theparkwood@realstar.ca

From: William Woolgar [<mailto:wwoolgar@ciaccess.com>]
Sent: June 24, 2019 2:54 PM
To: The Parkwood <theparkwood@realstar.ca>
Subject: Application for Condominium Conversion for 217 Bridge Street East

Initially we had many concerns when we were advised that the owner was putting forth an application to convert this building to a condominium. This was mostly due to not knowing anything about a condominium conversation or if it would in fact change our day to day lives. We are also seniors who sold our home to move into what we thought would be our "forever" home, unburdened by the responsibility of home ownership. The thought of having to move because we could not afford to purchase our unit, caused us a great deal of anxiety.

Real Star arranged for their management team to attend at our building to explain the reason for the application as well as the outcome for the building and the residents should this application be approved. This meeting was open to all tenants and provided time for a question and answer period. The room was full to capacity indicating how important this issue was to the residents. At the end of the meeting all questions/concerns were answered in great detail and we had a clear understanding of what to expect.

Having said all of the above, we can now say that since that meeting we no longer feel anxious or uninformed regarding this application and give it our full support. We love living here and now know that no matter what the outcome of this application the decision to leave or stay here will be ours.

Bill and Helen Woolgar
217 Bridge Street East
Apt. 309



Re: Apartment Building 217 Bridge St. E.

186 Bleecker Ave

Belleville, On K8N 3T7 (613)962-2991

June 24 2019

To: Matt MacDonald

Secretary, Planning Advisory Committee, City Hall Belleville On

Dear Matt,

I wish to inform you and your committee that I fully support the conversion of all apartments at 217 Bridge St. E. Belleville, to condominiums

I support the conversion of apartment to condominiums for the following reasons:

- 1) there is a shortage of condominiums in the city of Belleville with attached outside balconies.
- 2) I think that the location of the proposed condominiums being close to grocery stores, pharmacies, medical practitioners, dentists, other stores and especially across from a park is a key factor. The building is located in a quiet section of the old East Hill which might be attractive to newcomers as it is not like any other subdivision. It is also within walking distance of the beautiful historic Corby Park, the Glanmore House Museum, the Belleville Public Library, historic churches and beautiful downtown Belleville. Many of these venues provide entertainment, and places of connection for retired people.
- 3) I have lived in the area pretty well all of my life, with some interruptions and was living at my present address when 217 Bridge St. was built. The neighbours fought its implementation and managed to get the building shortened by two storeys. I think that 217 Bridge St. should have been condominiums from the start as I think it fits in with the residential single-family homes in the area. There is a child care facility adjacent to the property of 217 Bridge St and I think that is a good thing as you might get families desiring condominiums since there is the park across the street proximity to local schools. In other words, I think you may get people wanting to live there who are busy families who do not have time for yard work, but still want to own their own space and have a balcony. I think it will also attract seniors and retirees from outside Belleville. Belleville needs to be seeking these newcomers by offering a variety of housing options. As I mentioned earlier, the area is a real gem in the city of Belleville, that I think will attract people moving from other areas who want an interesting, varied environment, that is not a subdivision. The area has many dog walkers in the evenings and I believe it is reasonably safe to walk at night. I think Belleville needs to be welcoming these newcomers.
- 4) I have spoken to many of my neighbours and they also support the conversion of apartments to condominiums.

In conclusion, I plan to attend the committee meeting and hope that the committee give serious consideration to my suggestions.

Yours truly,

Carol Beaton

City of Belleville Planning Committee

Tuesday, July 2, 2019

217 Bridge Street East

Application for Conversion from Apartments to Condominiums

File No. 12CD-19002

Good evening to all Committee members, Council members and Belleville staff.

My name is Bev Spence and my husband Bill and I have been tenants in the Parkwood Since July 2014. We sold our home as part of our estate planning to become tenants instead of home owners, adjusting our situation financially just as this application is trying to do for their financial benefit. The difference being, we weren't asking or expecting changes to other people's lives for our benefit, such as an increase in property taxes.

Firstly, as you all are aware City council recently bumped up residential tax increase to 3.2 per cent from 2.6 percent, partly as the City Treasurer is quoted as saying in a May 15th newspaper article: "tax increase issue stemmed from two factors, the first was lower than expected assessment from several multi-residential properties, the second provincial regulation. This obviously raises the question: "why are we considering tonight, yet another application for a residential apartment to be converted to a condominium; when converting an apartment building over 50 years old and continually rented to capacity, with a long waiting list, when the applicant gives the reason for doing so, "is for administrative and management purposes and the benefits for the conversion is towards Real star for the following reasons:

- Results in realty tax savings. As stated above, this appears that the City are now subsidizing Corporations and the loss is then put on the backs of taxpayers.
- Conversions increases the property's market value;
- The increase provides the Corporation the opportunity to leverage additional funds through financial institutions.

If City taxpayers weren't happy with the tax assessment on their property, they would attempt to have it lowered through the proper channels; not by requesting City Hall to make the changes as this application states the Corporation is trying to do.

The May 15th newspaper articles also says: "under Provincial legislation, if the multi-residential tax ratio is higher than 2.0, multi-residential taxes cannot be increased at a higher percentage than other property taxes, Belleville is one of 44 municipalities still working to get the multi-residential tax ratio to 2.0." So, my question to Committee members, council and staff, why not just follow the procedure already in place and let the Corporation wait until the City works to get the tax ratio adjusted? In the same article: a councilor is quoted as saying: "People are saying they can't afford more tax increases, NO MATTER WHAT THE REASON, passing this on to the taxpayer is not something I want to do. My preference is not to touch the rate. It's just not fair, said the Councilor.

So why even consider making this conversion for the benefit of some greedy corporation, Council's very own discussion and tax increases as stated above, flies in the face of the City's own decisions regarding the tax increases.

Now I will address the Application and my concerns in regards to the comments presented:

- The Parkwood is advertised and is, in fact, home to residents over 55 years of age and is perfect for mature adults. The average age is about 70 plus years and some older than 90 years of age.
- In the Belleville Official Plan 3.2.2 it stated:
"Population Growth increased to 25% up to 2016 in the 55-74 age group; 75+ age increased to 10% in 2016; and

City of Belleville has a higher share of older adults and seniors (55+). Therefore, the ageing of the City's population is anticipated to drive the need for seniors housing (i.e. affordable housing such as adult/lifestyle living). This is exactly what the Parkwood offers to all of the residents.

In considering Conversion of existing rental dwellings to condominiums, Council should first give consideration to:

- The appropriateness of the building for such conversion. The building is not wheelchair accessible, in the common area or the units themselves.
- Site amenities and services; there is not one unit that has its own meter in regards to heating or water usage; there are no laundry facilities in the units.
- The existing vacancy rate in the City of Belleville as of October 2018 is 2.4%;

The application remarks numerous times “existing tenants will not be impacted”. The tenants most certainly will be impacted. I interpret this comment to mean that once a tenant vacates, if the building is then a Condo, those units will be “For Sale” to anyone. With this condition hanging over our heads, who knows who our Landlord will be, who will reside here in this building.....our fear is that quickly we will lose the security we had when we first signed our lease.

Further, The Ontario Social Justice Tribunals, Landlord and Tenant Board, Interpretation Guideline 12 states: “A landlord may apply to terminate a tenancy on the basis the rental unit is needed for use by the landlord, spouse, a child, or parent, etc.” “A landlord may also apply to terminate a tenancy if the landlord needs vacant possession to do extensive repairs or renovations.

The Tribunal also states regarding Termination Notices: The termination date in the landlord’s notice of termination must be at least 60 days after the notice is given and must be the last day of a fixed term tenancy, or if there is no fixed term, on the last day of a rental period.

It goes on regarding Corporate Landlords and shareholders of a corporation: On September 2017, the RTA was amended to provide that section 48 only applies to rental units owned by landlords who are individuals. A corporate landlord cannot serve a notice under section 48 or obtain an eviction order. My concern here is if the building is converted to condos, and the units are sold to outside individuals, the current tenants would have no security. This would be an unsettling way to have to live.

Most everyone in this building are presently on a month to basis rental arrangement. This arrangement is offered once you have fulfilled your original tenancy agreement of a one-year lease. Again, this is an

arrangement that most seniors feel comfortable with because we do not what the future holds, such as a sudden death of a tenant, the apartment could be vacated in 60 days. Another example, if one of the tenants moved to a Nursing Home, the remaining spouse would have 60 days to make a decision to remain or make other arrangements for themselves. I hope you see what I am trying to impress upon you. The IMPACT of conversion will be very insecure for all of us. Certainly not the way seniors should have to live the last chapter in their lives. Someday, perhaps some of you will be, or already have, aging relatives in a similar situation: Would you want this kind of uncertainty hanging over their heads?

POLICY FRAMEWORK in Application:

Section 51(24) – in my opinion, the application DOES NOT meet the criteria under the Planning Act, and most definitely is not in the Public Interest:

- It will not create any more affordable housing than presently exists and all of the tenants, sold their family homes, and have decided to rent, not own.
- There is no “tax credit” for existing tenants, the units are already affordable and we can obviously afford the rent.
- The form of housing provided by Real star already meets the social, health and well-being of current and future residents;

Please be advised the tenants WERE NOT given any notification in regards to this current Application. Real star did provide a brief summary of the situation last fall, but other than that, we had no notification.

Section (23) CONSULTATION: All of the tenants certainly have a huge interest in this matter and should have been made aware of this meeting. I was advised, since I did not own the property it was not necessary to notify us, other than to put a notice in the local newspaper. Interestingly, homeowners on Lingham and Bleecker received notices and they don't even have an interest in this meeting, NOR, for that matter, this possible Condo Conversion will NO IMPACT on them, unlike the tenants at the Parkwood. This is 2019 and most people don't get the newspaper or don't even read it. I even requested a copy of the newspaper ad be posted in and around the building, I was told that wasn't the procedure. If Real star really was doing all this in the best interest of the tenants, surely, they

should have had the courtesy of putting a notice on the board, on a window, in the elevator and put a notice on each of our hallway doors; like they did the last time. Is there any wonder we have the impression that this is being fast tracked and seniors are being kept in the dark about what the future of their living arrangements will be?

As you all know, affordable rental housing is a problem in this area. This application is considering this condo arrangement to be affordable at a selling price in the area of \$300,000.00. Really? I emphasize again, none of us want to OWN a Condo, no matter what the price.

(24) CRITERIA: Regard should be had with health, safety, convenience, accessibility and welfare of present an inhabitant and to:

(d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable house.

Section 1.4.3 of the PPS

The Parkwood is affordable for all of us who reside here. The Parkwood is a unique place for seniors to live and meets all the social health and well-being requirements of current and future residents just the way it is. One owner, looking after the building and the wellbeing of all tenants. This particular type of apartment living will certainly be lost if you approve this Condo Conversion.

The offer and commitment to a minimum 10-year moratorium in which no units will be sold makes no sense. If that is what the Corporation is planning on doing, then why do the conversion? To save property tax at the expense of all other City taxpayers? Based on my earlier comments in regards to the 2019 Budget discussions, converting yet another residential building to a Condominium would have further property tax increases for the entire city.

Zoning By-law: in regards to Minimum lot area, 72.3 square meters are required for R7 Zone, existing is now 60 square meters, therefore application is not in compliance with the City's Zoning By-law No. 10245 Residential 7th Density. Further, existing minimum parking spaces is 1.25 spaces per unit, existing is approximately 70 spaces according to the Physical Condition assessment prepared in February 2012, (102 spaces are required). Therefore, application not in compliance with the City's

Zoning By-law No. 10245. Maximum Lot coverage existing is 26%, required in R7 Zone 20%, therefore not in compliance.

In the Summary & Conclusions of the application: the 5 reasons for the proposal have all been addressed in the above comments. #4 particularly, this building is affordable for all the tenants that reside here, perhaps not affordable to everyone, but obviously that has not and is not a problem at the Parkwood. That is exactly why it is always rented at full capacity and has a waiting list for units to become available.

For your information, in preparing my submission, I came across a publication from McGill University in regards to municipalities that are considering converting residential apartment buildings to be aware that Canada is losing long term rentals to Air BNB's and these are shifting from the larger cities to small communities such as Belleville. The larger cities have already addressed the problem and have put in place By-Laws in this regard. In fact, this past week, Prince Edward County Council are preparing By-laws to do the same thing. Converting our multi-residential apartments to Condos and losing much needed cash flow and increasing city taxes would not be in the best interest of anyone.

I would like to remind all of you that two earlier applications in regards to this matter were Denied in 2008 and 2007. So, what could possibly be offered this time that would change the outcome of this application.

Therefore, I respectfully request that this Application **BE DENIED**.

Respectfully submitted this 27th day of June, 2019.

Bill & Bev Spence

217 Bridge Street East, Apt. 608

Belleville, Ontario

K8N 5E4



KITCHENER
WOODBRIDGE
LONDON
KINGSTON
BARRIE
BURLINGTON

July 23, 2019

Greg Pinchin, B.E.S., MCIP, RPP
Manager of Approvals
Engineering & Development Services Department
City of Belleville, City Hall
169 Front Street
Belleville, Ontario K8N 2Y8

Dear Mr. Pinchin,

RE: Proposed Condominium Conversions / Parkwood Apartments Limited C/O Realstar Management, 217 Bridge Street East (File No. 12CD-19002) and Moira Street Apartments Limited C/O Realstar Management, 230-232 Moira Street East (File No. 12CD-19003)/ OUR FILES 10139Z and 10139AA

I'm writing as a follow up to the recent Planning Advisory Committee Meeting held on July 2, 2019 as it relates to the above noted applications. The purpose of this letter is to respond to various questions and comments received during the meeting. We respectfully request that you consider the attached information and that it become part of the formal record as it relates to these applications. We further request that copies of this correspondence be provided to members of the Planning Advisory Committee meeting.

Increase in Affordable Housing as a Result of Conversions

As of December 2018, all 68 of the units at The Parkwood were occupied. Based on the rents as of December 2018 and the affordable rent thresholds based on the 2018 CMHC Rental Market Report, none of the units have rents that meet the definition of affordable rents – all 68 units are above the affordability thresholds and deemed to have 'mid-range' rents.

As of December 2018, all but one of the 24 units in the Moira buildings was occupied. Of the 23 occupied units, eight (8) have rents that meet the definition of affordable rents – the other 15 occupied units are above the affordability thresholds and deemed to have 'mid-range' rents. We have assumed that the vacant unit would have mid-range rents once re-occupied.

If the conversions are approved and the units at the two properties are maintained as rental tenure (as proposed), **there can be expected to be an increase in the number of affordable units** on the sites combined:

- If the rents are reduced by \$50 per unit, then 21 additional units meet the definition of affordable, or an increase of 13 units.

- If the rents are reduced by \$100 per unit, then 25 additional units would meet the definition of affordable, or an increase of 23 units.

While the intent is to maintain the units as rental units, we have also estimated the number of units that would be affordable, once converted, by reviewing the City's definition of ownership housing.

The units on the subject sites, should they be sold (only once vacated by the existing tenant at the time of conversion) are expected to have a selling price below the affordable ownership threshold. Therefore, the conversion from rental to condominium tenure **would result in all units meeting the definition of affordable ownership**, generating a substantial increase in the number of affordable units on the site. In total, the conversion to ownership would see the number of affordable units on the sites increase from 8 units to 92 units, an increase of 84 units.

Planning Act Considerations

During the July 2nd Planning Advisory Committee Council referenced Section 2 (Provincial Interest) of the Planning Act, and specifically Section 2(j) and Section 2(l) and asked that staff consider these sections of the Planning Act in preparing their recommendations.

In response to Section 2(j) *"the adequate provision of a full range of housing, including affordable housing;"* we confirm:

- that the proposed applications contribute to the full range of housing in that all forms of housing are required to meet the social, health and well-being requirements of current and future residents;
- there are no policies in the PPS related to tenancy of housing or requiring municipalities to enact minimum affordable housing targets.
- that while it is not the intent of Realstar to sell the units, the proposed conversions will result in the creation of affordable home ownership opportunities as all the units will have a post-conversion value lower than the affordability threshold for Belleville;
- that currently a small number of existing units are considered to be affordable rental and that additional affordable rental units will be created through the condominium conversion process.
- that no units will be lost as a result of the conversion; and
- that the Planning Act does not distinguish between affordable rental and affordable ownership housing.

In response to Section 2(l) *"the protection of the financial and economic well-being of the Province and its municipalities:"*

- We confirm that the conversion is at no cost to the City of Belleville;
- In our opinion, the intent of Section 2 (l) of the Planning Act is to ensure a planning application does not result in a financial impact associated with municipal expenditures beyond budgeted considerations. For example, an application that would require the municipality to finance services beyond those planned in a master plan or 10-year capital budget, such as an unplanned expansion/upgrade to a wastewater treatment facility to accommodate a development proposal.

- We confirm that condominium conversions are both permitted and “supported” within the policies of the City of Belleville Official Plan.

Vacancy Rate

Council raised concerns to staff in regard to the 2.4% vacancy rate and the related housing crisis. A lack of rental units was noted as part of the crisis. In response we confirm:

- Official Plan policy 3.10.2 i) confirms that Conversion of existing rental dwellings to condominium or freehold is supported by the Plan, provided that prior to granting approval, Council considers (among other matters) existing vacancy rates in the community;
- The Official Plan does not provide a specific vacancy rate in which conversions are either acceptable or not acceptable;
- As of 2018, the vacancy rate in the Belleville CMA is 2.4%, up from 2.2% in 2017. The current vacancy rate in the Belleville CMA is above the Ontario-wide vacancy rate of 1.8%. The average vacancy rate in the CMA over the past four years is 3.1%.
- The CMHC Rental Market Report provides estimates of the number of purpose-built private rental apartment units. In total, there are 4,114 private rental apartment units in the City as of 2018. The 2016 Census reported a total of 8,225 renter households. Therefore, there are roughly 4,100 additional rental housing units in the City that are not in private apartment units. These units could be in rented single/semi-detached units, townhouses, public rental apartment units, secondary suites, basement apartments, student housing, etc. Therefore, the use of the City’s vacancy rate as an indicator of the ‘health’ of the rental market should be used with some caution, as there is another half of the rental housing market that the CMHC vacancy rate measure does not capture.
- Section 51 of the Residential Tenancies Act provides security for existing tenants. Under Section 51, existing tenants are granted security of tenure and the first right of refusal on the purchase of the unit. Consequently, the proposed conversion of should have minimal or no impact on the existing tenants. Realstar’s business model is rental housing, and none of the conversions completed by Realstar have resulted in the sale of a unit. Realstar has agreed to a 10 year moratorium on the sale of any units to provide tenants and the City with additional assurances.

Moira Street Tenant Mix

During the July 2nd meeting Council asked if Realstar could confirm the general tenant demographics at Moira Street. We confirm as noted at the meeting that the Moira Street buildings have a mix of tenants including seniors, families and young professionals. There are less seniors when compared to Parkwood, in large part because the Moira Street buildings do not have elevators.

Notification of Applications to Existing Tenants

We understand that the City of Belleville circulated notice of the two applications as required by the Planning Act. Notwithstanding, Realstar has provided additional information to current tenants in advance of a decision being made as it relates to these applications. I have attached copies of letters which were prepared by Realstar and distributed to existing tenants of the Bridge Street and Moira Street properties on July 17, 2019.

Public Comments

We acknowledge that we have reviewed all public comments both in support and in opposition of these applications. We would be happy to respond to any further questions that the Committee may have during the August 6 Planning Advisory Committee Meeting.

Yours truly,

MHBC

A handwritten signature in black ink, appearing to read "Andrea Sinclair", with a long horizontal flourish extending to the right.

Andrea Sinclair, MUDES, BES, MCIP, RPP

Cc Jonathan Masse (Realstar)
Dave Aston (MHBC Planning)



July 16, 2019

Residents of The Parkwood
217 Bridge Street East
Belleville, ON K8N 5E4

Dear Resident(s):

We wanted to update residents as to the progress of our condominium conversion initiative at The Parkwood. For any new residents at the property we had met with Belleville City Council November 5th, 2018 to discuss our condominium conversion initiative. Unfortunately our application to expedite the process through an exemption application was declined. City Council explained that the exemption process did not enable them to conduct a thorough enough analysis of the proposed conversion. City Planning staff were in support of the conversion at the time. While our other condominium conversion applications for neighbouring properties in Belleville, Prince William Apartments in 2016 and Bay Terrace Apartments in 2017, were approved through the exemption process, we have been asked to submit the application for The Parkwood through a formal Draft Plan of Condominium process. This allows the City to impose conditions on the approval of the condominium conversion.

As mentioned in an earlier communication **100% of tax savings as a result of the conversion go to the residents** and not the property owner. This is the law and will make all your suites more affordable. Along with the rent reduction, residents will maintain their legal right to remain in their apartment unit for as long as they choose, subject to the terms of their lease and Ontario's Residential Tenancies Act.

As an example, residents at Prince William now receive an average ongoing rent reduction of **\$84/month** and Bay Terrace residents now receive an average ongoing rent reduction of **\$76/month**. We anticipate that if our application for condominium conversion is successful at your property this conversion would result in an average ongoing rent reduction within a similar range.

As we mentioned in our previous communication Realstar is in the long term rental business and has no intention of selling. In fact, Realstar's application includes a 10-year moratorium on unit sales. Even after the 10-year moratorium

expires, residents continue to have the right of first refusal to buy their unit should it ever be offered for sale. If they choose not to buy, they retain their legal lifetime right to stay in the unit as per Ontario's Residential Tenancies Act. Realstar has completed approximately 10 condominium conversions across Ontario and in all cases the buildings continue to operate as rental properties.

Realstar has been working with the City through the Draft Plan of Condominium process for condominium conversion. Applications are required to meet Provincial and local policies and regulations associated with the Planning Act. A Public Meeting to receive the applications was held at City Hall on July 2nd. This meeting was for information purposes only and no decisions were made. City staff are now reviewing all circulation comments and will be bringing a recommendation report forward to Planning Committee on August 6th.

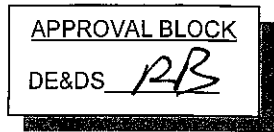
Our experience has been that the rent reductions have not only been a benefit to the residents, but also to the broader community that our residents are part of through them supporting local businesses and other community interests. Finally I wanted to thank all the residents that wrote to us in support of the application and allowed us to share those kind words and support with the City. The more support we can show for the application the stronger the application becomes.

If you have any questions or if you would also like to show your support for the application please email me at jonathan.masse@realstar.ca

Yours truly,



Jonathan Masse
Senior Director, Asset Management



CITY OF BELLEVILLE
Greg Pinchin
Manager of Approvals
Engineering & Development Services Department
Report No. APS-2019-26
August 6, 2019

To: Belleville Planning Advisory Committee

Subject: Recommendation Report for Proposed Condominium Conversion
230-232 Moira Street East, City of Belleville
OWNER: Moira Street Apartments Limited c/o Realstar Management
Agent: MHBC Planning Limited

File: 12CD-19003

Recommendation:

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

That the Council of The Corporation of the City of Belleville approve the request for approval of a Plan of Condominium (File: 12CD-19003) for the two 12 unit apartment buildings located at 230-232 Moira Street East, more specifically described as Part of Lots 1 and 2, East of James Street and Part of Lot A, West of Moira Street, Registered Plan 103 (being Part 1, Plan 21R-502), City of Belleville, County of Hastings, subject to the draft plan conditions outlined in **Attachment #4** of the Manager of Approvals' Report No. APS-2019-26"

Background:

An initial public meeting was held in accordance with the requirements of the Planning Act on July 2, 2019. The purpose of this meeting was for Committee Members to formally hear and receive public comments.

The Planning Advisory Committee reviewed Report No. APS-2019-23, included as **Attachment #1**, at the Public Meeting held on July 2, 2019. Staff has prepared a recommendation report to incorporate input from the public, commenting agencies, and municipal departments that have been received, assessed, and addressed to the satisfaction of the Engineering & Development Services Department.

The location of the property is identified on **Attachment #2**. Currently situated at 230-232 Moira Street East are two 3-storey apartment buildings, each containing 12 units. The buildings were constructed in 1983. The 24 apartment units are currently rented out by one owner.

The Owner proposes to convert the apartment buildings to condominium ownership.

The *Condominium Act* allows an owner of an existing development to apply to Council for exemption from the formal Condominium Review process that would be undertaken in a new development situation. The Owner applied for such an exemption from Council last fall, and the application was denied. Thus, the Owner is now making formal application to the City for approval of a Draft Plan of Condominium for the property.

In overview, this application is not about changing the use of the buildings or the property but rather about changing the type of tenure. The buildings and property will still be used for apartment type dwelling units, the question being are these units rented, or could they at some point be owned by the occupants.

In support of the application, the following was submitted:

- Draft Plan of Condominium – 230 Moira Street East by MHBC Planning Ltd, dated March 19, 2019 (**Attachment #3**)
- Planning Justification Report – Application for Condominium Conversion, 230-232 Moira Street East by MHBC Planning Ltd, dated April 2019 (**Attachment #5**)

These documents have been available for public review at the Approvals Section of the Engineering & Development Services Department.

Provincial Policy Statement:

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

Planning Staff considered the following policies in the PPS:

- 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;
 - b) accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons) [...] to meet long-term needs;
 - c) avoiding development and land use patterns which may cause environmental or public health and safety concerns; and
 - e) promoting cost-effective development patterns and standards to minimize land consumption and servicing costs;

- 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;
 - 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
2. all forms of residential intensification

Official Plan:

The land is designated "Residential" in the City's Official Plan. The City's policies with regard to the conversion of existing rental dwellings to condominium or freehold tenure are set out in the Official Plan.

Section 3.10.2 i) of the Plan states that:

- i) This Plan supports the development of all forms of housing in all forms of tenure, being freehold, rental, cooperative, and condominium.

Conversion of existing rental dwellings to condominium or freehold is supported by this Plan, provided that prior to granting approval, Council considers:

- the appropriateness of the building for such conversion;
- site amenities and services;
- existing vacancy rates in the community;
- timing of the conversion; and
- arrangements made for addressing the needs of or the impact upon existing residents of the building.

Zoning By-law:

The subject lands are currently zoned R6 – Residential Sixth Density, which permits one or more apartment dwellings. There are no changes proposed to the zoning.

Public Circulation:

Notice of the subject application was mailed to all registered owners of land within 120 metres (400 feet) of the subject property on June 12, 2019. Notice was also provided by advertisement in The Intelligencer newspaper on June 12, 2019, in accordance with the notice provisions set out in the Planning Act. The notice provided information that a public meeting was scheduled for July 2, 2019.

Both notices state that additional information is available by contacting the Approvals Section of the Engineering & Development Services Department in person, by telephone, or by e-mail.

There has been no correspondence received from members of the public.

Public Meeting

The public meeting was held on July 2, 2019. The applicant was in attendance to speak to any questions, concerns or comments.

No members of the public meeting signed the Notification Sheet, and no comments or concerns have been received regarding this application.

Agency & Departmental Circulation:

1) Internal Departments

The subject application was circulated for comment to the Development Engineer, the Director of Fire and Emergency Services, the Director of Recreation, Culture and Community Services, the Manager of Policy Planning, the Chief of Police, the Manager of Parks & Open Spaces, the Manager of Transportation & Operations, and the Manager of Environmental Services on May 13, 2019.

None of the internal departments contacted have indicated any concerns with this proposal.

The Policy Planning Section advises that staff generally agrees with the conclusions of the Planning Justification Report prepared by MHBC in support of the proposed condominium conversion. It is noted that the policies of the current Official Plan provide the framework for decisions to be made regarding Planning Applications in conjunction with the Provincial Policy Statement.

2) External Agencies

The subject application was circulated for comment to the Algonquin & Lakeshore Catholic School Board, the Hastings & Prince Edward District School Board, Bell Canada, Canada Post, Cogeco, Union Gas (Enbridge), Veridian Connections (Elexicon), Hydro One Networks and CN Rail on May 13, 2019.

Bell Canada and Union Gas (Enbridge) advised that they will require easements for their existing services to be included as a condition of approval. Veridian Connections (Elexicon) has advised that suite metering may be available. No concerns have been received from external agencies regarding this application.

Considerations:

- **Public**

Public notice and circulation complies with the requirements of the Planning Act, R.S.O. 1990. The statutory public meeting was held July 2, 2019.

- **Financial**

The fees payable for processing the application have been received by the City. Any planning, engineering, surveying and legal costs to facilitate the condominium conversion of the subject lands will be at the Owner's expense.

- **Impact on and input from other Departments/Sources**

Comments from other departments/agencies have been received, and incorporated into the conditions of draft plan approval.

- **Strategic Plan Alignment**

The City of Belleville's Strategic Plan identifies nine strategic themes including Residential Development. A key strategic objective of the Residential Development theme is to:

- Provide for a variety of housing forms to reflect our changing demographics and need for affordability.

Analysis:

The City's policies with regards to the conversion of existing rental dwellings to condominium or freehold tenure are set out in the Official Plan.

Section 3.10.2 i) of the Plan states that:

- ii) This Plan supports the development of all forms of housing in all forms of tenure, being freehold, rental, cooperative, and condominium.

Conversion of existing rental dwellings to condominium or freehold is supported by this Plan, provided that prior to granting approval, Council considers:

- the appropriateness of the building for such conversion;
- site amenities and services;
- existing vacancy rates in the community;
- timing of the conversion; and
- arrangements made for addressing the needs of or the impact upon existing residents of the building.

In terms of the subject property and the apartment units located thereon, it is felt that it would be appropriate to consider the conversion of this property to a condominium. The 24 apartment units located on the subject property lend themselves to be converted to condominium ownership.

The present site amenities and services would not hinder the conversion process. There is an existing parking area between the two buildings that provides 27 parking spaces. There is an existing treed lawn surrounding the buildings, and each building provides the upper 8 units with their own individual balcony area, and two of the four ground floor units with walk-out patios. The subject property is fully serviced with municipal services.

The 24 apartment units in the buildings on the subject lands are composed of 10 1-bedroom units and 14 2-bedroom units.

Further to the applicant's planning justification report, MHBC has provided a letter summarizing the conversation at the July 2nd meeting, and providing additional information on the points raised. This letter is included as **Attachment #6**. The letter

discusses the increase in affordable rental units brought about by this proposal, as well as the longer term potential as affordable condominium housing units.

The letter further discusses vacancy rates in terms of the Official Plan, an increase in the local vacancy rate in the most recent two CMHC Rental Market Reports, and the fact that the vacancy rate in the Belleville CMA is above the Ontario-wide average. The tenant mix in the building is discussed in the letter, and confirmation is included that tenants have been notified and received additional information regarding the proposed conversion – a copy of the letter sent out to tenants is included as **Attachment #7**.

Staff notes that a 2009 application for condominium conversion elsewhere in the City was denied on the basis of a financial impact to the City in terms of tax revenue. The decision of Council was overturned by the Ontario Municipal Board, as it was agreed that the condominium conversion policies in the City's Official Plan do not include such financial impact as criteria to be considered when reviewing the conversion of an existing rental property to a condominium.

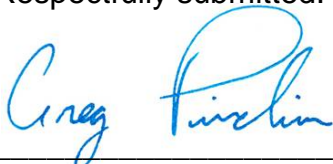
It is also noted that the Owner has agreed to a 10 year moratorium on the sale of any units that are converted for added peace of mind to existing tenants, despite the fact that Section 51 of the Residential Tenancies Act specifically provides security of tenure for all existing residents at the time of conversion.

Consequently, if approval is given to convert an existing apartment unit on the subject property into a condominium unit, a tenant residing in that apartment unit cannot be displaced unless they decide to move out. Similarly, if the tenant wishes to change from renting his/her apartment to purchasing it, they have the right to purchase their own unit prior to the unit being sold to a third party. If the unit is later sold to another party, they must continue to rent to the existing tenant. Therefore the proposed conversion of the existing dwellings to a condominium should have minimal or no impact on the existing tenants even after the 10-year moratorium on unit sales if the owner decides at that time to sell any of the units.

Conclusion:

It is felt that the request to convert the property at 230-232 Moira Street East to a condominium meets the requirements set out in the City's Official Plan. As a result the Approvals Section of the Engineering and Development Services Department recommends to the Belleville Planning Advisory Committee that Belleville City Council be requested to formally issue draft plan of condominium approval for the property at 230-232 Moira Street East subject to the conditions outlined in **ATTACHMENT #4** to this report.

Respectfully submitted.



Greg Pinchin

Attachments

- Attachment #1 – Report No. PP-2019-23
- Attachment #2 – Location Map
- Attachment #3 – Draft Plan of Condominium – 230 Moira Street East by MHBC, dated March 19, 2019
- Attachment #4 – Conditions of Draft Plan of Condominium Approval
- Attachment #5 – Planning Justification Report – Application for Condominium Conversion, 230-232 Moira Street East by MHBC Planning Ltd, dated April 2019
- Attachment #6 – Response from Applicant to Comments and Discussion at the July 2, 2019 Planning Advisory Committee meeting, letter dated July 23, 2019
- Attachment #7 – Letter from Realstar Management to Residents of Moira Apartments dated July 16, 2019



APPROVAL BLOCK

DE&DS _____

CITY OF BELLEVILLE

Greg Pinchin

Manager of Approvals

Engineering & Development Services Department

Report No. APS-2019-23

July 2, 2019

To: Belleville Planning Advisory Committee

Subject: Notice of Application and Introductory Public Meeting for a Proposed Condominium Conversion
 230-232 Moira Street East, City of Belleville
 OWNER: Moira Street Apartments Limited c/o Realstar Management
 Agent: MHBC Planning Limited

File: 12CD-19003**Recommendation:**

“That Report No. PP-2019-23 dated July 2, 2019 regarding Notice of Application and Introductory Public Meeting for a Proposed Condominium Conversion, 230-232 Moira Street East, City of Belleville be received as information; AND

That Staff report back at such time as input from the public, commenting agencies, and municipal departments has been received, assessed, and addressed to the satisfaction of the Engineering and Development Services Department.”

Background:

The initial public meeting is held in accordance with the requirements of the *Planning Act*. The purpose of this meeting is for Committee Members to formally hear and receive public comments. The intent of this statutory public planning meeting is to receive public feedback and incorporate it into a recommendation report from staff.

As shown in **Attachment #1**, currently situated at 230-232 Moira Street East are two 3-storey apartment buildings, each containing 12 units. This buildings were constructed in 1983. The 24 apartment units are currently rented out by one owner.

The Owner proposes to convert the apartment buildings to condominium ownership.

The *Condominium Act* allows an owner of an existing development to apply to Council for exemption from the formal Condominium Review process that would be undertaken in a new development situation. The Owner applied for such an exemption from Council last fall, and the application was denied. Thus, the Owner is now making formal application to the City for approval of a Draft Plan of Condominium for the property.

APS-2019-23

2

July 2, 2019

In overview, this application is not about changing the use of the buildings or the property but rather about changing the type of tenure. The buildings and property will still be used for apartment type dwelling units, the question being are these units rented, or could they at some point be owned by the occupants.

In support of the application, the following was submitted:

- Draft Plan of Condominium – 230 Moira Street East by MHBC Planning Ltd, dated March 19, 2019 (**Attachment #2**)
- Planning Justification Report – Application for Condominium Conversion, 230-232 Moira Street East by MHBC Planning Ltd, dated April 2019 (**Attachment #3**)

These documents have been available for public review at the Approvals Section of the Engineering & Development Services Department.

Provincial Policy Statement:

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

Planning Staff will consider the following policies in the PPS:

- 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;
 - b) accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons) [...] to meet long-term needs;
 - c) avoiding development and land use patterns which may cause environmental or public health and safety concerns; and
 - e) promoting cost-effective development patterns and standards to minimize land consumption and servicing costs;

- 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;
 - 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
 2. all forms of residential intensification

APS-2019-23

3

July 2, 2019

Official Plan:

Planning Staff will use the policies within the Official Plan to make a recommendation. The land is designated "Residential" in the City's Official Plan. The City's policies with regard to the conversion of existing rental dwellings to condominium or freehold tenure are set out in the Official Plan.

Section 3.10.2 i) of the Plan states that:

- i) This Plan supports the development of all forms of housing in all forms of tenure, being freehold, rental, cooperative, and condominium.

Conversion of existing rental dwellings to condominium or freehold is supported by this Plan, provided that prior to granting approval, Council considers:

- the appropriateness of the building for such conversion;
- site amenities and services;
- existing vacancy rates in the community;
- timing of the conversion; and
- arrangements made for addressing the needs of or the impact upon existing residents of the building.

Zoning By-law:

The subject lands are currently zoned R6 – Residential Sixth Density, which permits one or more apartment dwellings. There are no changes proposed to the zoning.

Public Circulation:

Notice of the subject application was mailed to all registered owners of land within 120 metres (400 feet) of the subject property on June 12, 2019. Notice was also provided by advertisement in The Intelligencer newspaper on June 12, 2019, in accordance with the notice provisions set out in the *Planning Act*.

No comments or concerns have been received regarding this application to date.

Agency & Departmental Circulation:**1) Internal Departments**

The subject application was circulated for comment to the Development Engineer, the Director of Fire and Emergency Services, the Director of Recreation, Culture and Community Services, the Manager of Policy Planning, the Chief of Police, the Manager of Parks & Open Spaces, the Manager of Transportation & Operations, and the Manager of Environmental Services on May 13, 2019.

None of the internal departments contacted have indicated any concerns with this proposal.

APS-2019-23

4

July 2, 2019

2) External Agencies

The subject application was circulated for comment to the Algonquin & Lakeshore Catholic School Board, the Hastings & Prince Edward District School Board, Bell Canada, Canada Post, Cogeco, Union Gas (Enbridge), Veridian Connections (Elexicon), Hydro One Networks and CN Rail on May 13, 2019.

To date, Bell Canada and Union Gas (Enbridge) have advised that they will require easements for their existing services to be included as a condition of approval. Veridian Connections (Elexicon) advises that suite metering may be available. No concerns have been received from external agencies regarding this application.

Considerations:

- **Public**

Public notice and circulation complies with the requirements of the *Planning Act, R.S.O. 1990*.

- **Financial**

The fees payable for processing the application have been received by the City. Any planning, engineering, surveying and legal costs to facilitate the condominium conversion of the subject lands would be at the Owner's expense.

- **Impact on and input from other Departments/Sources**

Circulation of this application to other departments/agencies has occurred.

- **Strategic Plan Alignment**

The City of Belleville's Strategic Plan identifies nine strategic themes including Residential Development. A key strategic objective of the Residential Development theme is to:

- Provide for a variety of housing forms to reflect our changing demographics and need for affordability.

Conclusion:

Comments received at this public meeting, as well as subsequent written comments will be considered by the Engineering and Development Services Department in analysis of this application for approval of a Draft Plan of Condominium to convert the existing apartment buildings to condominium ownership. A recommendation report will be brought forward upon receipt of all agency and public comments.

APS-2019-23

5

July 2, 2019

Respectfully submitted.



Greg Pinchin

Attachments

- Attachment #1 – Location Map
- Attachment #2 – Draft Plan of Condominium – 230 Moira Street East by MHBC Planning Ltd, dated March 19, 2019
- Attachment #3 – Planning Justification Report – Application for Condominium Conversion, 230-232 Moira Street East by MHBC Planning Ltd, dated April 2019

Location of Subject Property



Conditions of Draft Plan of Condominium Approval

THAT draft plan of condominium approval be granted for the lands identified as Part of Lots 1 and 2, East of James Street and Part of Lot A, West of Moira Street, Registered Plan 103 (Being Part 1, Plan 21R-502), City of Belleville, municipally known as 230-232 Moira Street East in the City of Belleville, County of Hastings (File No.: 12CD-19003), subject to the draft plan conditions outlined below.

The City of Belleville’s conditions and amendments to final plan approval for registration of this Condominium are as follows:

No.	Conditions
1.	That the surveyor(s) for the Owner shall provide the City’s Manager of Approvals copies of all plans to be registered by the Owner in order to achieve registration of the plan of condominium.
2.	That the final plan of condominium be consistent with the Draft Plan of Condominium prepared by MHBC, dated March 19, 2019.
3.	That satisfactory arrangements be made with the City of Belleville for the payment of any outstanding municipal property taxes, utility accounts, and/or other outstanding charges levied against the subject property.
4.	That prior to final approval the Owner shall indicate in the Agreement, in words satisfactory to Bell Canada, that it will grant to Bell Canada any easements that may be required, which may include a blanket easement, for communication/telecommunication infrastructure. In the event of any conflict with existing Bell Canada facilities or easements, the Owner shall be responsible for the relocation of such facilities or easements.
5.	That prior to the final approval of the plan, Bell Canada, Union Gas, Cogeco Cable and Veridian shall confirm that satisfactory arrangements, financial and otherwise, have been made for any communications and utility facilities servicing this plan of condominium.
6.	<p>That prior to final approval, the Owner shall submit a report, to the satisfaction of the City’s Chief Building Official, from an architect or professional engineer that addresses matters such as structural safety, the general condition of the buildings and servicing, and correct any deficiencies identified in the report and/or identified by the City. Said report to include:</p> <ul style="list-style-type: none"> <li data-bbox="284 1711 1435 1782">• detailed list of exterior improvements that will be completed (i.e., windows, doors, privacy areas, etc.); <li data-bbox="284 1787 1435 1858">• detailed list of interior improvements that will be completed (i.e., flooring, handrails, moisture repairs, leak repairs, electrical repairs, etc). <li data-bbox="284 1862 1435 1925">• breakdown of work to be performed, including but not limited to plumbing, electrical, heating and ventilation, insulation (weatherproofing and

windows), internal structural deficiencies (walls, ceilings and floors) and any other deficiency deemed to impact on the safe habitation of each unit.

6. That the Owner submit a draft Condominium Declaration for approval by the City's Manager of Approvals containing but not limited to the following provisions:
 - 1) That the parking and storage of derelict vehicles and recreation vehicles on the subject lands is prohibited.
 - 2) That public and private sidewalks, driveways and parking areas be maintained in a snow free condition and void of any obstructions 12 months of the year. Snow shall not be piled on City lands and City lands shall not be impacted from runoff from the snow removal.
 - 3) The following warning clause:

"All owners and tenants/future purchasers acknowledge and agree that snow removal and the ownership and maintenance of the private land and driveways shall remain the sole responsibility of the Condominium Corporation under the provisions of the Condominium Act and the City of Belleville will have no jurisdiction and further liabilities within the private land and driveways."
7. That prior to final approval, the surveyor(s) for the Owner shall advise the City's Manager of Approvals, in writing, that the required description and other plans to be registered by the Owner in order to achieve registration of the condominium have been unconditionally approved as to form and content by the Land Registry Office.
8. That prior to final approval, the solicitor(s) for the Owner shall advise the City's Manager of Approvals, in writing, that the proposed condominium declaration has been unconditionally approved as to form and content by the Registry Office.
9. That prior to final approval, the solicitor(s) for the Owner advise the City's Manager of Approvals that the declaration has been executed on behalf of the Owner and that all of the schedules to the proposed condominium declaration have been signed by the requisite signatories including the Owner, the project surveyor, the project solicitor and the project engineer and/or architect and all mortgagees.
10. That the Owner agrees in wording acceptable to the City that no unit shall be sold for a minimum of 10 years following the conversion from rental to condominium.

NOTES TO DRAFT APPROVAL

1. Measurement

All measurements in the final condominium plans must be presented in metric units.

2. Clearing Conditions

It is the Owner's responsibility to satisfy all conditions of draft approval in an expeditious manner. The conditions of draft approval may be reviewed periodically and may be amended by the City of Belleville at any time prior to final approval.

To expedite the approval for registration, the Owner shall submit to the City's Manager of Approvals a detailed written submission documenting how all conditions imposed by this approval that require completion prior to the registration of the plan, have been satisfied.

3. Registry Act

The final plans for Registration must be in conformity with Ontario Regulation 43/96, as amended, under the Registry Act. The condominium plan for registration must be in conformity with Ontario Regulation 43/96 as amended, under the Registry Act.

4. Final Plans – Condominium

When the survey has been completed and the final plan prepared to satisfy the requirements of the Registry Act, they should be forwarded to the City of Belleville. If the plans comply with the terms of approval, and we have received assurance from the applicable clearance agencies that the necessary arrangements have been made, the signature of the Manager of Approvals will be endorsed on the plan and it will be forwarded to the Registry Office for registration.

The following is required for registration under the Registry Act and for our use:

- One (1) original mylar copy of plan
- Six (6) mylar copies of plan
- Six (6) white paper prints of plan
- One (1) white paper print of plan with AOLS submission form
- One (1) Registry Office pre-approval print of plan
- Two (2) copies of Condominium Declaration
- One (1) electronic copy of the approved Condominium Plan

5. Further revisions to the draft plan may be required to incorporate changes required through the review and approval of studies and plans yet to be finalized and approved by the City of Belleville.

6. Lapsing

This draft plan approval expires on August 12, 2022 if all the conditions contained herein are not satisfied by that date. The Owner shall apply for any

extension at least 60 days prior to the lapsing date and such request for an extension shall not be unreasonably withheld.



KITCHENER
WOODBRIDGE
LONDON
KINGSTON
BARRIE
BURLINGTON

PLANNING JUSTIFICATION **REPORT**

Application for Condominium Conversion

230-232 Moira Street East
City of Belleville

Date:

April 2019

Prepared for:

Realstar Management Partnership

Prepared by:

MacNaughton Hermsen Britton Clarkson Planning Limited (MHBC)

540 Bingemans Centre Drive, Suite 200

Kitchener, Ontario

T: 519.576.3650

F: 519.576.0121

Our File 10139AA

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- Figure 3 – City of Belleville Official Plan

1.0 INTRODUCTION

MacNaughton Hermsen Britton Clarkson Planning Limited (hereinafter “MHBC”) has been retained by Realstar Management Partnership (“Realstar”) in the submission of the required application to facilitate the conversion of the residential apartment buildings, presently existing on the subject lands known as 230-232 Moira Street East, Belleville (hereinafter referred to as the “subject lands”), from rental to condominium tenure.

The subject lands are situated west of the Moira River with College Street East to the south, Prince of Wales Drive to the west and Elvins Street to the north. The subject lands consist of two 3-storey residential apartment buildings that contain 12 units each. The apartment buildings are separated by a surface parking area providing 27 parking spaces for residents of both buildings. The purpose of this application is to convert the existing apartment buildings to a plan of condominium. It is noted that this application for condominium conversion is considered to be technical as it is the intention of Realstar to maintain all units as rental. A request for exemption from condominium review was originally submitted to the City of Belleville for the subject property in October 2018. City Staff, after having reviewed the request against existing, relevant policies and legislation, provided Council with a recommendation to approve the requests for exemption from condominium review. Council decided against Staff’s recommendation and denied the request for exemption. This report has been prepared to provide Council with a fulsome justification in support of the condominium conversion that considers a number of factors including local and provincial policies; affordability; and tenant protection.

Realstar is a privately owned real-estate investment and management company focused largely on rental residential. Realstar manages approximately 25,000 rental suites across Canada, including four buildings in the City of Belleville. The subject lands are professionally maintained and managed by Realstar.

Given the ownership and management structure of the subject lands, the existing apartment buildings are intended to be maintained as rental. Realstar has completed approximately thirteen condominium conversion projects over the past 15 years. During this time, no units in any of the converted buildings have been sold and no tenant has been displaced by the conversions. Section 51 of the Residential Tenancies Act (RTA), 2006 provides security of tenure for existing tenants and for the first right of refusal on the purchase of an existing apartment unit for the existing tenant. Consequently, if approval is given to convert an existing apartment unit on the subject property into a condominium unit, a tenant residing in that apartment unit cannot be displaced unless they decide to move out. Similarly, if the tenant wishes to change from renting his/her apartment to purchasing it, they have the right to purchase their own unit prior to the unit being sold to a third party. Therefore, the proposed conversion of the existing dwellings to a condominium will have no impact on the existing tenants in terms of remaining where they currently live and in fact may result in a reduction in their rent.

The reasons for this condominium conversion is for administrative and management purposes. Given the technical nature of the proposed condominium conversion application, it is concluded that there will be no significant impact on rental housing in the City of Belleville or the security of tenure for existing tenants in the buildings.

The purpose of this report is to provide the following:

- A description of the subject lands and surrounding neighbourhood;
- A detailed description of the proposed plan of condominium;
- An overview of applicable Provincial and municipal planning controls;
- Justification as to how the application conforms to these planning controls; and,
- An analysis of the City of Belleville's existing vacancy rate and affordability and how it's related to the proposed conversion.

This Planning Report will detail how this application complies with the policies of both Provincial Plans and the City of Belleville's Official Plan. Information obtained from Altus Group Economic Consulting ("Altus Group") assisted in the preparation of this report.

2.0 DESCRIPTION OF SUBJECT LANDS

The following section provides a detailed description of the subject lands including its local context and existing conditions.

2.1 Subject Lands & Existing Conditions

The subject lands, known municipally as 230-232 Moira Street East are situated on the west side of Moira Street East, approximately 80 metres north of College Street East. The site is presently occupied by two three-storey residential apartment buildings consisting of 12 units each and a surface parking area providing 27 parking spaces for residents of both buildings. The subject buildings are identical with each providing one-bedroom and two-bedroom units. No development, site alteration or change to the existing number of units currently in existence is proposed as part of these applications. The existing development is described as follows:

Moira Apartments (230-232 Moira Street East)

- Area of approximately 0.4 hectares
- Two three-storey apartment buildings with a total of 24 units divided equally between both buildings. The units are comprised of:
 - 10 one-bedroom
 - 14 two-bedroom
- 27 surface parking spaces

Access to the subject lands is shared via a mutual driveway from Moira Street East (eastern lot line). This access is used for ingress and egress of the surface parking area benefitting both residential buildings. The subject buildings have a building footprint of approximately 380 square metres (4,090 square feet) each and a total building area of approximately 1,140 square metres (12,270 square feet) each.

2.2 Local Context

The subject lands are located to the west of the Moira River, situated approximately 80 metres north of College Street East, as illustrated in Figure 1 below.

The subject lands are located in an area comprised of primarily low density residential and institutional uses. Immediately to the east of the subject lands is the Moira River with open space alongside it. Residential uses consisting of single family detached homes are located south of the subject property, while townhomes are located immediately to the west. Directly to the north of

the subject property is the Prince of Wales Public Schoolhouse, which consists of the school building and a large outdoor recreational space. The closest major intersection to the subject lands is Moira Street East and College Street East, where a commercial vehicle sales centre and residential uses can be found.



3.0 DESCRIPTION OF PROPOSAL

The purpose of this section is to provide a general description of plans of condominium and condominium conversions as well as the impact of the application on the subject property. A description of the plan of condominium proposed for the subject lands are also provided.

3.1 Condominium Conversion Description

A condominium can be a high-rise or low-rise apartment, townhouse, freehold or detached house, office complex or commercial mall. What sets a condominium apart is the way in which owners share the ownership of common elements (e.g., parking areas, roads and sidewalks, corridors, lobbies, elevators, heat and electrical systems) while having individual ownership of units. The condominium corporation must pay for the upkeep and maintenance of common elements.

Condominium conversion is the process of entitling a rental property held under one title to convert from sole ownership of the entire property into individually owned units which can be sold as condominiums.

In this case, the Owners intend to maintain ownership of the subject lands and continue to operate the buildings as rental. No change to the operation and management of the buildings will occur as a result of the proposed conversions. Tenants will not be displaced or disadvantaged by the proposed conversion.

The conversion is being requested for administrative and management purposes. Some benefits to a condominium conversion include the following:

- Condominium conversions often result in realty tax savings. The savings may result in the freeing up additional funds which would allow for capital investments to the subject building.
- It is anticipated that the conversions will increase the property's market value. The increase in value provides an opportunity to leverage additional funds through traditional financial institutions.
- When realty taxes are reduced by more than 2.49% the Residential Tenancies Act ("RTA") entitles residents to receive a rent reduction. The reduction is equal to the Owner's per suite property tax reduction, but an accurate amount is unknown at this time. However, based on preliminary estimates, it is anticipated that the tenants of 230-232 Moira Street East would receive a rent reduction of between \$40.00 and \$50.00 per month. The reduction in rent can also improve the financial performance of the building by reducing turnover and improving other operational metrics.

For these reasons, the proposed condominium conversion is considered to be technical. The subject lands will continue to operate as a rental residential complex and no existing tenants will be impacted, apart from potential rent reductions.

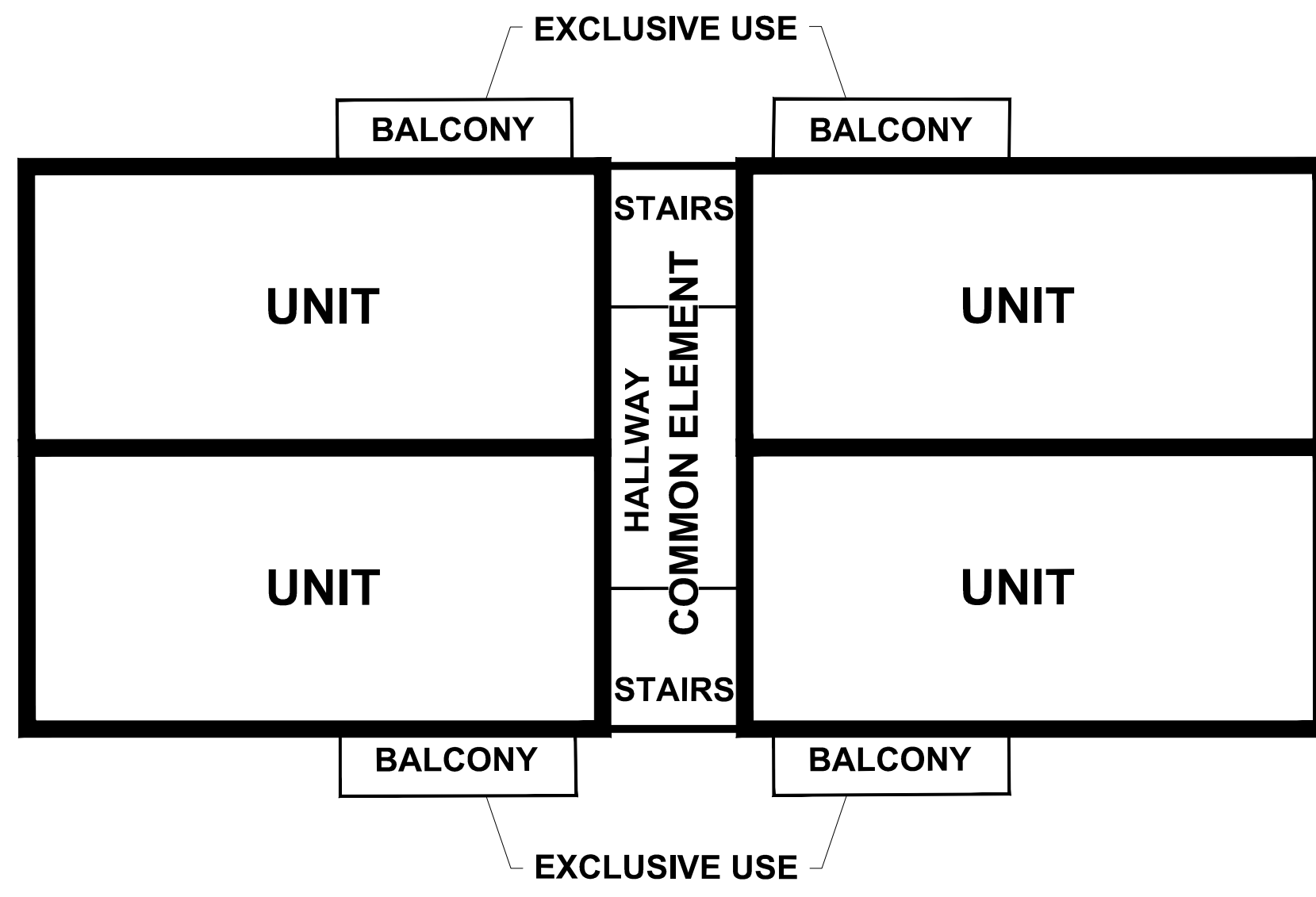
In addition, tenant security continues to be governed by the RTA following the proposed conversion. The RTA declares the right of residency in the building for each tenant. Hence, the current Owner or any subsequent Owner cannot terminate their residency to sell a unit. If the Owner ever decided to sell an apartment unit, the existing tenant would have first right to buy the unit. If the tenant declined the purchase of the unit they would continue to have a lifetime right to remain as a tenant in the apartment unit.

3.2 Draft Plan of Condominium

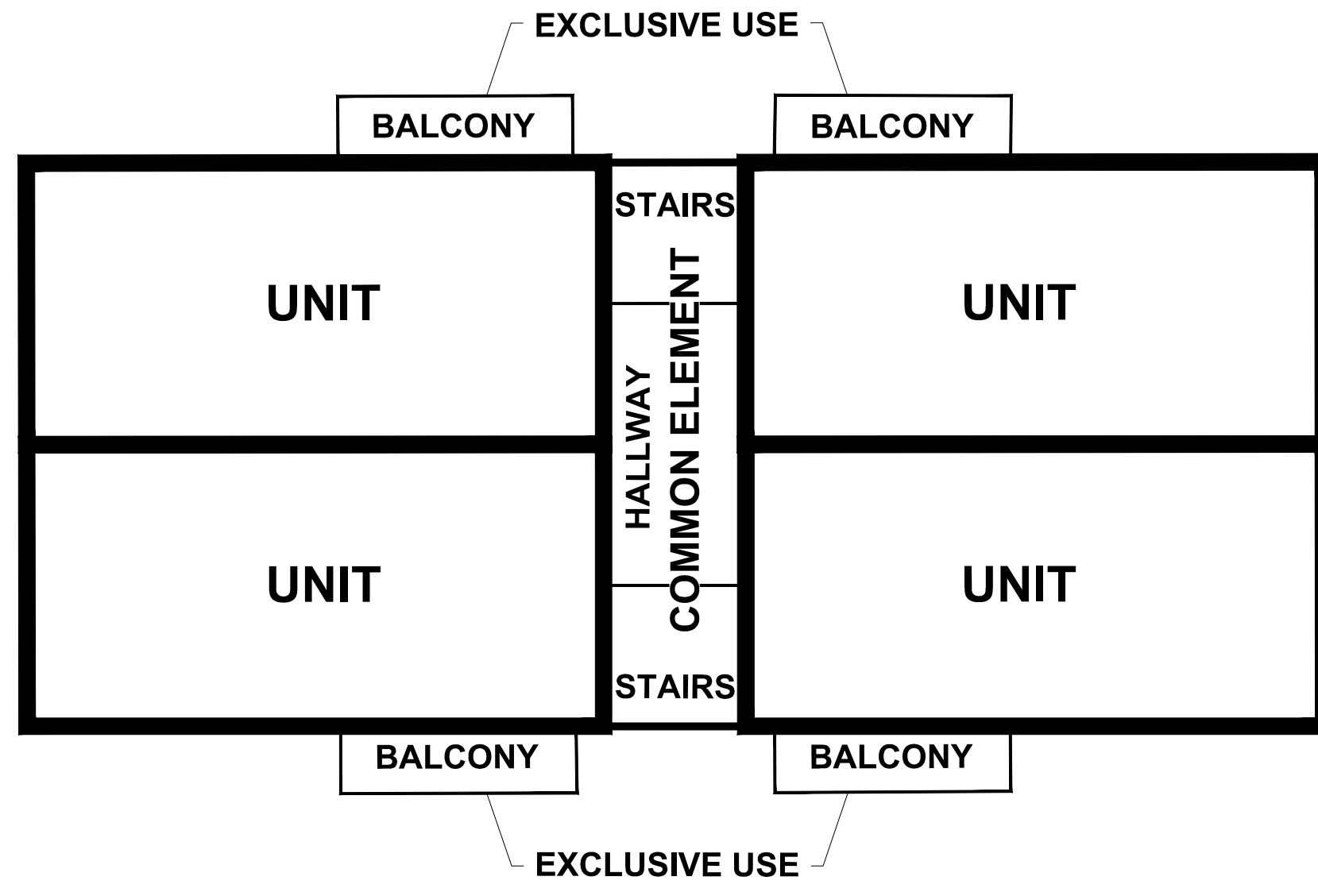
The Plan of Condominium application proposes the conversion of the existing rental apartment units in both buildings to condominium tenure. No construction or demolition is proposed as part of these applications. There will be no modifications to the subject lands as they presently exist. Notwithstanding the proposed condominium conversion, it is the intention of the Owner to maintain the existing apartment units as rental.

The proposed plans of condominium are to be standard condominiums consisting of both units and common elements. All parking spaces are to be unitized with the exception of the barrier-free parking spaces which are to be part of the common elements.

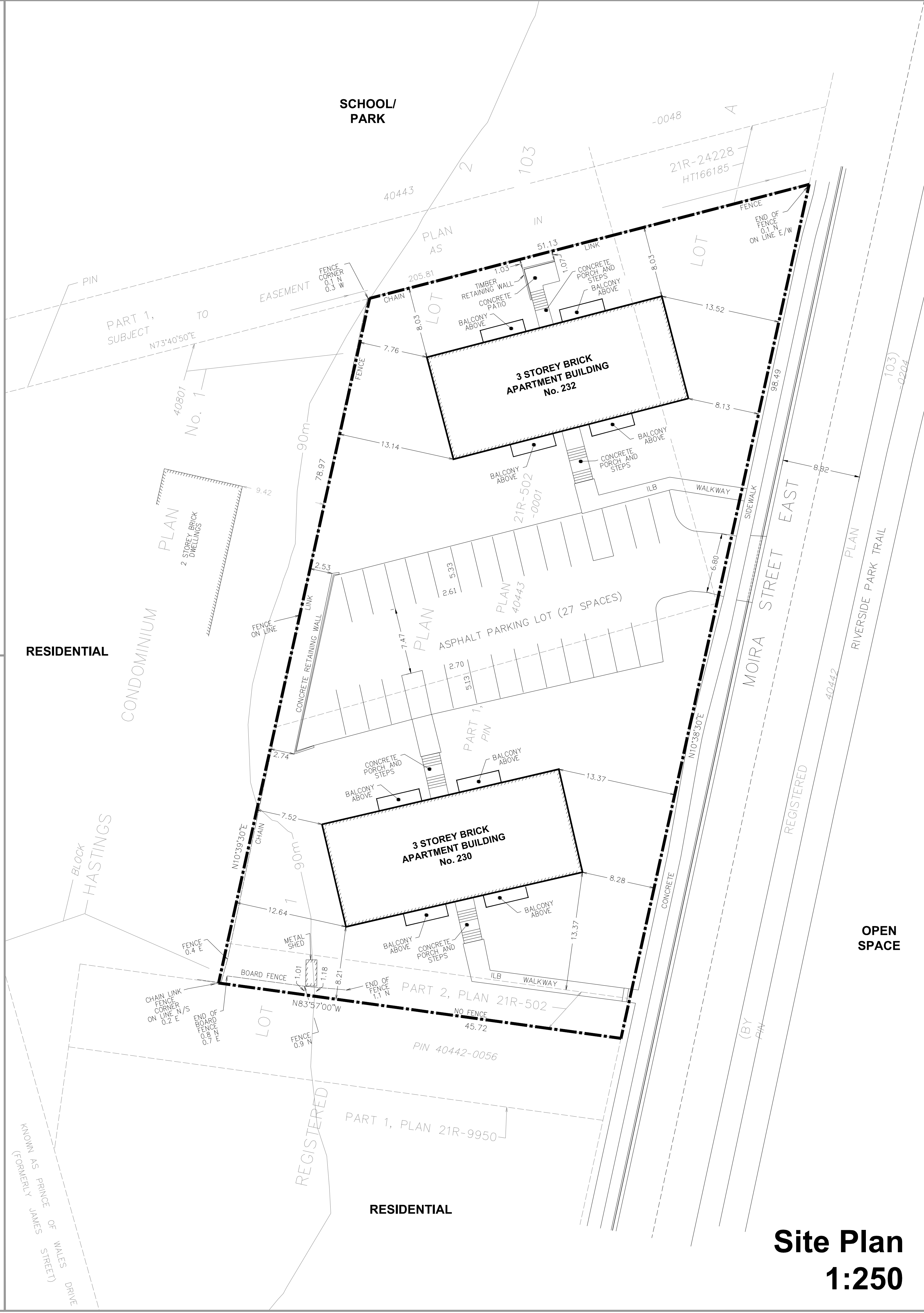
The common elements will include all landscaped space, internal laneways and walkways, barrier free parking spaces and any elements internal to the buildings that are not within the units. Given that no construction or demolition is proposed, completion of Draft Plans of Condominium will be required as a condition of approval. A preliminary Draft Plan of Condominium is included on the following page.



GROUND FLOOR PLAN (not to scale)



TYPICAL FLOOR PLAN (not to scale)



Site Plan 1:250

Legal Description

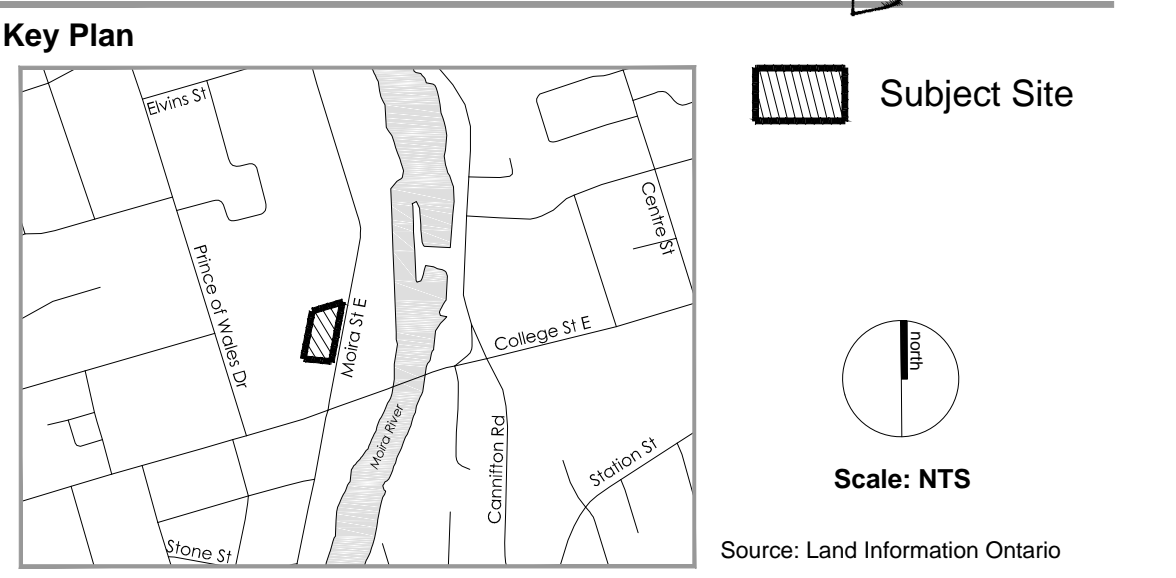
230 Moira Street East
PART OF LOTS 1 AND 2, EAST OF JAMES STREET AND PART OF LOT A, WEST OF MOIRA STREET, REGISTERED PLAN 103 (BEING PART 1, PLAN 21R-502), CITY OF BELLEVILLE

Owner's Certificate
I CERTIFY THAT THE BOUNDARIES OF THE LAND TO BE SUBDIVIDED ON THIS PLAN AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN.

DATE: March 19, 2019
Wayne Squibb

Surveyor's Certificate
I CERTIFY THAT THE BOUNDARIES OF THE LAND TO BE SUBDIVIDED ON THIS PLAN AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN.

DATE: APRIL 9, 2019
DRAFT PLAN - OLS



Additional Information Required Under Section 51(17) of the Planning Act R.S.O. 1990, c.P.13 as Amended

A. As Shown	B. As Shown	C. As Shown
D. Residential, Parking	E. As Shown	F. As Shown
G. As Shown	H. Municipal Water Supply	I. Miscellaneous
J. As Shown	K. All Services As Required	L. As Shown

Area Schedule

Total Units	24	Parking Provided	27
Total Site Area	11 1/4 A		
Total Building Area	11 1/4 A		
Total Asphalt Area	11 1/4 A		
Total Landscape Area	11 1/4 A		

NOTES:
1. All dimensions are in metres unless otherwise shown.
2. Existing residential parcel fabric approximate
3. Survey Base prepared by J.D. Barnes Limited, 2019

1.	Mar 19, 2019	For client review;	G.C.
Revision No.	Date	Issued / Revision	By

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MHBC
 200-540 BINGEMANS CENTRE DR. KITCHENER, ON. N2B 3X9 | P: 519.576.3650 F: 519.576.0121 | WWW.MHBCPLAN.COM

Approval Stamp	Date	March 19, 2019
	Drawn By	GC
	Plan Scale	See Plan
	File No.	10139AA
	Checked By	D.A.
Project	Other	

230 Moira Street East

File Name **DRAFT PLAN OF CONDOMINIUM**

Scale Bar

4.0 POLICY FRAMEWORK

This section demonstrates that the proposed Draft Plan of Condominium is consistent with and conforms to the applicable Provincial and Municipal planning policy regulatory framework.

4.1 Planning Act, R.S.O. 1990, c. P.13

Section 51(24) of the Planning Act relates to approval of plans subdivision and plans of condominium. The application has been reviewed with regard to Section 51(24) and it is concluded that the application satisfied each of the subdivision criteria. Specifically:

- a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;*

Provincial interests have been addressed and discussed in the review of the Provincial Policy Statement (PPS).

- b) whether the proposed subdivision is premature or in the public interest;*

The proposed conversion is not premature. The application meets the criteria that considers conversion set forth by the City of Belleville Official Plan as further addressed and discussed in Section 4.3.2 of this report.

The proposed development is in the public interest for the following reasons:

- i. The proposed units, if sold, will create affordable home ownership opportunities.
- ii. The “pass-through” of realty tax savings to existing tenants will result in additional affordable rental units and lower rental costs for all residents. Residents were informed of the potential rent reduction in correspondence dated September 10, 2018.
- iii. All forms of housing are required to meet the social, health and well-being requirements of current and future residents;
- iv. Tenant security for existing tenants will be provided and is enforced through the Residential Tenancies Act.
- v. The applicant is investing in the long-term maintenance of the property which represents a substantial investment in the property.

- c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;*

The proposed condominium conversion conforms to the City of Belleville Official Plan and does not have an impact on adjacent plans of subdivision. This is further addressed below in Section 4.3 of this report.

d) the suitability of the land for the purposes for which it is to be subdivided;

The subject lands are presently being used for residential purposes. No change in use is proposed.

d1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;

The proposed conversion of the units to condominium tenure may result in additional affordable rental opportunities as a result of pass-through tax savings. In the event that the units were sold, all of the units would be considered to be affordable as they would have a selling price below the affordable ownership threshold of \$301,933.00 in the Belleville CMA.

f) The dimensions and shaped of the proposed lots;

The dimension and shape of the proposed lots is not relevant as no new development is proposed on the subject lands.

g) The restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;

The conditions of approval will sufficiently address any agency requirements.

h) Conservation of natural resources and flood control;

The conservation of natural resources and flood control is not relevant as no development is proposed.

i) The adequacy of utilities and municipal services;

The adequacy of utilities and services is not relevant to these applications as no new dwelling units are proposed to be created.

m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection

Site Plan Approval was previously issued for the existing developments on the subject lands. No new development is planned and no changes to the approved site plan are required to permit the requested conversion.

The Planning Act allows for the approval authority to impose appropriate conditions of approval. As such, the City of Belleville may impose conditions of approval to be satisfied prior to final condominium plan registration. Based on review of Section 51(24) of the Planning Act, the proposed conversion complies with all relevant conditions.

4.2 Provincial Policy Statement (2014)

Effective April 30, 2014, the Province of Ontario issued, in accordance with Section 3 of the *Planning Act*, a new Provincial Policy Statement (PPS). The PPS provides policy direction on matters of Provincial interest related to land use planning and development. It is to be considered in all planning decisions. One of the key considerations of the PPS is that planning decisions must be “consistent with” the PPS.

The PPS provides a vision for land use planning in Ontario that encourages an efficient use of land, resources and public investment in infrastructure. A range and mix of land uses is encouraged to provide choice and diversity. A variety of transportation modes are promoted to facilitate pedestrian movement and less reliance on the automobile, and public transit is encouraged as a means of creating more sustainable, livable and healthy communities. The PPS strongly encourages development that will provide long term prosperity, environmental health and social well-being.

Policy 1.1.1 of the PPS states that healthy, liveable and safe communities are sustained by promoting efficient land use and development patterns; accommodating an appropriate range and mix of land uses to meet long-term needs; avoiding development and land use patterns which may cause environmental or public health and safety concerns; and promoting cost-effective development patterns and standards to minimize land consumption and servicing costs, among others. The 2014 PPS specifically requires the provision of a “range and mix” of residential development.

Section 1.4.3 of the PPS requires that planning authorities provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents by establishing and implementing minimum targets for the provision of affordable housing; permitting and facilitating all forms of housing to meet the social, health and well-being requirements of current and future residents; and permitting and facilitating all forms of intensification.

Based on the 2018 CMHC Rental Market Report released on November 28, 2018, the number of existing rental units (mix of bachelor, one-bedroom, two-bedroom, and three-bedroom and larger) in the Belleville Census Metropolitan Area is 5,717 units. This does not include units in publicly owned rental apartment buildings, private rental townhouse units, condominium units that are rented out, secondary suites, or other types of rental accommodation that may exist. According to the 2016 National Household Survey, there were 43,005 private households in the City of Belleville, of which 13,235 of those households rented their housing unit. Based on the data

from the Survey, it is clear that the CMHC Rental Market Report takes into consideration only a portion of the entire rental housing stock within the City.

The proposed conversion will not alter the current mix of housing types in the City of Belleville; only tenure is affected. As a result, the current range of housing and supply of housing will be unaffected. Generally, in condominium conversion applications, security of tenure is provided for existing tenants through the Residential Tenancies Act. In this case, the Owner intends to maintain all existing units as rental following the proposed conversion. The proposed conversion is being requested for administrative, legal and financial reasons as detailed in Section 1.0 and 2.0 of this report. As a result, no residential units will be lost through the proposed conversions.

Additionally, based on information published by the City of Belleville's Building Department, building permits for 185 apartment units and 81 condominium units have been issued between January 1, 2016 and October 31, 2018. All of these new units are currently being constructed and have not yet been added to the rental housing supply. Furthermore, the City of Belleville has through the site plan process, approved or will shortly approve another 332 apartment units. These units will be eligible for building permits this year.

The proposed application for Draft Plan of Condominium is consistent with the PPS as the subject property presently consists of medium density residential development and is on full-municipal services. The change in ownership of these apartment units will not impact the range and mix of housing within the Town as no new development is planned and no loss of units will occur as a result of the proposed conversion. Further, there are no policies in the PPS related to tenancy of housing.

In summary, the proposed condominium conversion is consistent with the policies of the Provincial Policy Statement, 2014.

4.3 City of Belleville Official Plan

The City of Belleville Official Plan was adopted by City Council on June 18th, 2001 and approved by the Ministry of Municipal Affairs and Housing on January 7th, 2002 pursuant to Section 17 (34) of the Planning Act. The intent of this Plan is to provide for the orderly development of the City within the framework of the Vision Statement. It directs development in such a manner so that adjacent land uses are complementary to each other.

4.3.1 Residential Land Use Designation


The subject property is designated "Residential Land Use" by the City of Belleville's Official Plan as shown in Figure 3 below:



Figure: 3
City of Belleville
Official Plan
Schedule 'B'- Land
Use Plan- Urban
Serviced Area

230-232 Moira St East
 Pcl 1-1 Sec 103 (belleville); Pt Lt 1 E/s James
 St Pl 103 Thurlow; Pt Lt 2 E/s James St Pl 103
 Thurlow Now Prince Of Wales Dr; Pt Lt A W/s
 Moira St Pl 103 Thurlow Parts 1 & 2 21f502;
 Belleville ; County Of Hastings

LEGEND

-  Subject Lands
-  COMMERCIAL LAND USE
-  RESIDENTIAL LAND USE
-  INDUSTRIAL LAND USE
-  OPEN SPACE
-  COMMUNITY FACILITY

DATE: December 10, 2018

SCALE: NTS

FILE: 10139AA

DRAWN: GC



K:\10139AA- 230 MOIRA STRIP\TOP_SCHDB_URBANLANDUSE.DWG



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This designation permits a range of residential uses including 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 and condominium). Residential development within this designation is encouraged to occur at various densities within the City. The Official Plan suggests that at a minimum, medium density residential developments provide a housing density of 60 units per hectare.

The existing building conforms to the policies of the "Residential Land Use" designation of the City of Belleville Official Plan.

4.3.2 *Condominium Conversion Policies*

Policy 3.10.2 (i) of the City of Belleville's Official Plan relates to the conversion of existing rental dwellings to condominium. The policy is stated as follows:

"This Plan supports the development of all forms of housing in all forms of tenure, being freehold, rental, cooperative, and condominium.

Conversion of existing rental dwellings to condominium or freehold is supported by this Plan, provided that prior to granting approval, Council considers:

- *The appropriateness of the building for such conversion;*
- *Site amenities and services;*
- *Existing vacancy rates in the community;*
- *Timing of the conversion; and*
- *Arrangements made for addressing the needs of or the impact upon existing residents of the building."*

Of the five criteria listed in the policy noted above, only one is quantitative in nature, that being the existing vacancy rates in the community, while the rest of the criteria listed are somewhat ambiguous. The following summarizes our response to the conversion criteria contained within Policy 3.10.2 (i):

The appropriateness of the building for such conversion: The subject property consists of two three storey apartment buildings and surface parking. The buildings are surrounded by generous landscaped areas. Based on review of the site, it would be relatively easy to create a plan to divide the building and property into common elements and private units. The parking area, sidewalks, grassed area, hallways and stairwells would be defined as common elements, while the individual apartment units would become the private units. As such, it appears that the building would be considered appropriate for this type of conversion.

Site Amenities and Services: Currently, the subject property enjoys full access to municipal services and contains all the normal site amenities including parking, grassed open space area,

recycling and waste storage, as well as laundry facilities and storage areas. There will be no change to site amenities and services as a result of the conversion.

Existing vacancy rates in the community: Based on review of the data collected and presented by Canada Mortgage and Housing Corporation (CMHC) in their 2018 Rental Market Report, the City of Belleville's vacancy rate has risen to 2.4 percent, a difference of 0.2 percent from 2017 and a difference of 0.6 percent from the Ontario-wide vacancy rate (1.8 percent). The average vacancy rate in the Belleville CMA over the past four years is 3.1 percent. The vacancy rate may soon increase even further as 266 approved apartment and apartment condominium units will become available after 2019 and another 332 apartment units are currently moving through the site plan approval process. The City's Official Plan does not currently specify what an appropriate vacancy rate should be when considering a conversion application. It simply states that Council should consider existing vacancy rates in the community and as such, it is left for Council to interpret this policy.

In considering the vacancy rate against this condominium conversion, it is important to note that the applicant has committed to a minimum 10-year moratorium in which legally no units can or will be sold. Tenants of the subject property will not be displaced or disadvantaged by this conversion and will be able to remain in their units for as long as they wish. Further tenant protection is provided through Section 51 of the Residential Tenancies Act of 2006. It provides security of tenure for existing tenants, which means that should approval be given to convert the existing apartment units on the subject property into condominium units, tenants cannot be displaced unless they themselves decide to move out. Similarly, tenants are given the first opportunity to purchase their unit should they choose to do so, prior to the unit being offered for sale to a third party. As such, the proposed conversion of the apartment units in the subject building to a condominium will have no impact on the existing tenants in terms of their current living situation.

Timing of the conversion: According to the 2018 CMHC Rental Market Report, the fixed sample average rent in Belleville increased by 4.9 percent in the last year, which is above the 2018 Ontario guideline of 1.8 percent. The approval of this condominium conversion application should ultimately result in a reduction in each of the tenant's rent of between \$40.00 and \$50.00. As the subject building will be maintained as rental, the Residential Tenancies Act requires that any property tax savings resulting from a conversion must be passed down to the tenants in the form of reduced rental rates. This may also result in more units within the subject property being considered affordable, as discussed further in Section 5.0 of this report. Given the recent increases in rent within Belleville, the proposed conversion is timely in that it will likely result in rent decreases for existing tenants.

Arrangements made for addressing the needs of or the impact upon existing residents of the building: Tenants of the buildings were advised of the proposed conversion and the potential for a reduction of rent through a written statement delivered to each tenant in mid-September, as well as during an open information meeting organized by Realstar. Through the Planning Act requirements, existing tenants will be further informed of any public meetings held.

4.3.3 *City of Belleville Official Plan Summary*

Based on the foregoing, the proposed condominium conversion conforms to the City of Belleville Official Plan. The proposed condominium conversions will not negatively impact the City's supply of affordable housing and may result in additional affordable rental opportunities. The proposed condominium conversions satisfy the required considerations found in Section 3.10.2 (i) of the Official Plan.

4.4 Zoning By-law

The subject lands are zoned "Residential Sixth Density Zone" (R6) by the City of Belleville's Zoning By-law No. 10245. The zone permits a main residential building with one or more apartment dwellings, which is the current use on the subject lands. Specific performance standards from the Zoning By-law are denoted in the table below:

Regulation	Required in R6 Zone	Existing	Compliance (Yes/No)
Minimum Lot Frontage	24.0 metres	98.49 metres	Yes
Minimum Lot Area per dwelling unit	161.5 m ²	166 m ²	Yes
Minimum Front Yard	7.5 meters	8.13 metres	Yes
Minimum Interior Side Yard Width	3.0 metres or one-half the height of the main building, whichever is greater.	8.03 metres	Yes
Minimum Rear Yard	7.5 metres	7.52 metres	Yes
Minimum GFA per dwelling unit	One bedroom: 42 m ² Two bedroom: 55.5 m ²	One bedroom: 49.5m ² Two bedroom: 68.8m ²	Yes
Maximum Building Height	10.6 metres	9.9 metres	Yes
Minimum Landscaped Area	40% of lot area	~60 % of the lot area	Yes
Minimum Parking Spaces	1.25 spaces per unit	27 spaces	No (30 spaces are required for 24 units)

Based on the above, the subject property complies with the existing zoning regulations, with the exception of the required number of standard parking spaces. Ensuring compliance with parking regulations could be dealt with as a condition of draft plan approval.

All other zoning regulations are met by the existing buildings.

5.0 AFFORDABLE HOUSING ANALYSIS

The purpose of this section is to demonstrate that the proposed condominium conversion will not have a negative impact on the supply of affordable housing in the City. Given that the proposed condominium conversion is requested for administrative, legal and financial reasons and the existing building will be maintained as rental, this section examines the impact of the conversion on both affordable ownership and affordable rental opportunities.

In order to determine the affordable housing threshold in the City of Belleville, Altus Group was retained to review rent roles for the subject lands to determine the impact of the proposed conversions in terms of affordable ownership and affordable rental.

5.1 Rental Housing Affordability

The City of Belleville Official Plan supports the development of affordable housing and encourages all residential neighbourhoods to have a variety of housing types at various levels of affordability. The City's Official Plan does not provide a definition for "Affordable Housing", however, the PPS provides a definition for "Affordable". The definition is stated as follows:

"Affordable means:

- b) In the case of rental housing, the least expensive of:*
 - 1. A unit for which the rent does not exceed 30 percent of gross annual household income for low and moderate income households; or*
 - 2. A unit for which the rent is at or below the average market rent of a unit in the regional market area."*

Per the definition of "Affordable" provided above, there are two tests to determine the affordable rental threshold. The first test is based on a rent that does not exceed 30 percentage of the gross annual household income for low and moderate income households. Low and moderate income households are those households with incomes in the lowest 60 percent of income distribution for the Regional Market Area. Based on 2016 Census information on household income for renter households, the 60th percentile income in the Belleville CMA as of 2016 is \$44,030.00. In order to provide a more recent representation of the household income, Altus Group indexed the 2016 income to 2018 at a rate of 2 percent per year which resulted in a household income of \$45,791.20. Based on the definition for "Affordable" in the case of rental housing, 30 percent of the annual household income in the Belleville CMA equated to \$13,737 per year, or \$1,145.00 per month. Thus, a unit that costs less than \$1,145.00 per month would be considered affordable housing under the first test.

The second test for affordable rental housing is based on the average rent of units with the regional market area. The 2018 CMHC Rental Market Report for the Belleville CMA identified the following average rents for each type of unit:

- Bachelor: \$722.00 per month;
- One-bedroom: \$918.00 per month;
- Two-bedroom: \$1,027 per month; and
- Three or more bedrooms: \$1,272.00 per month

Therefore, the second test provides a more refined approach than the first method as it provides affordability thresholds for rental units of varying types. As the average rent for all units under the second test (\$997.00 per month) is lower than the calculated costs under the first test (\$1,145 per month). Altus Group relied on the lower of the two thresholds in determining how many of the existing units in the subject building are affordable.

Altus Group reviewed rent roles for the subject property to complete a rental housing affordability analysis. As of December 2018, all but one of the 24 units in the Moira buildings were occupied. Based on review of the rents as of this time and the affordable rent thresholds retrieved from the 2018 CMHC Rental Market Report for the Belleville CMA, eight of the units meet the definition of affordable rents. The remaining 15 occupied units are above the affordability thresholds and are deemed to have 'mid-range' rents. Altus Group has assumed that the vacant unit would have a mid-range rent once re-occupied. It is important to once again note that Section 121 of the Residential Tenancies Act, and Section 41 of O.Reg. 516/06 require that reductions in municipal property tax rates greater than 2.49 percent for buildings with more than seven units must be passed through to tenants via reduced rents. The following table shows the impact to rents if rents were decreased by \$50.00 per unit and \$100.00 per unit, for example:

Potential Rent Reductions and Affordability			
	Existing Affordable Units (Occupied)	Affordable Units following a \$50.00 Rent Reduction (Occupied Units)	Affordable Units following a \$100.00 Rent Reduction (Occupied Units)
230-232 Moira Street East	8	21	23

Based on the table above, in the event that rents were decreased by \$50.00, a total of 21 occupied units would be considered affordable. If a rental reduction of \$100.00 were to occur, all 23 occupied units would be considered affordable. It is noted that the above is an estimate only. Potential rent reductions cannot be determined until tax rates are revised.

5.2 Ownership Housing Affordability

Per the definition of “Affordable” found in the PPS, there are two tests to determine the affordable ownership threshold:

1. *Housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for low and moderate income households; or*
2. *Housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the regional market area.*

The first test for affordable home ownership is based on the annual gross household income of low and moderate income households. As demonstrated above, 30 percent of the annual household income in the Belleville CMA is \$13,737.00 per year, or \$1,145.00 per month. The income distribution in the Belleville CMA, as reported in the 2016 Census shows that the high-end of the \$60,000 to \$69,999 income range is the 55.5th percentile, while the high-end of the \$70,000 to \$79,999 income range is the 63.1st percentile. If we assume a straight-line distribution between these two points, it means that the 60th percentile income, as of 2016, would be approximately \$75,901. By applying an index factor of 4 percent to this 2016 income, the result represents the income value in 2018 terms, which equates to \$78,937.00. As such, 30 percent of this annual household income is \$23,681.00 per year, or \$1,973 per month.

Based on the following assumptions, Altus Group has estimated the “annual accommodation costs”:

- Mortgage Costs (4.64 percent interest rate, 25-year amortization period with monthly payments, 10 percent down payment);
- CMHC Mortgage Insurance Costs (based on the assumed down payment and a requirement to pay CMHC mortgage insurance, at a rate of 3.1 percent of house value, paid monthly over the life of the mortgage); and
- Property Tax Costs (the City’s 2018 property tax rates, inclusive of education tax rates, of 1.607 percent)

Based on these assumptions, the affordable ownership threshold in the Belleville CMA equates to \$303,282.00.

The second test for affordable ownership is based on the average purchase price of a resale unit in the regional market area. Based on a December 2018 report from the Quinte & District Association of Realtors, the average purchase price of a resale unit was \$335,481.00. A reduction of this price by 10 percent would result in an affordable ownership housing threshold of \$301,933.00

As such, the lower of the calculated affordable home ownership thresholds is the second test, or \$301,933.00. Therefore, any unit offered for sale less than \$301,933.00 would be considered affordable housing.

The units in the Moira buildings, should they be sold in the future, are expected to have a selling price below the affordable ownership threshold. Therefore, the conversion from rental to condominium tenure would result in all units meeting the definition of affordable ownership, generating a substantial increase in the number of affordable units on the site. In total, the conversion to ownership would increase the number of occupied affordable units on the site from 8 units to 23 units.

5.3 Summary

The proposed conversion of the units to condominium tenure will not result in the removal of affordable rental units from the rental stock and therefore will have no effect on the supply of affordable housing. In fact, additional affordable rental opportunities may be created as a result of pass-through tax savings. In the event that units were sold, all units would be considered to be affordable. The existing building will be maintained as a rental apartment building.

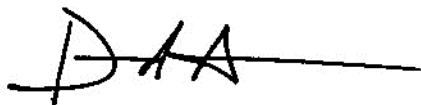
6.0 SUMMARY & CONCLUSIONS

It is our opinion, as outlined in this report, that the proposed Draft Plan of Condominium should be considered for recommendation by staff and approved by Council for the following reasons:

1. The proposed condominium conversion is consistent with the Provincial Policy Statement, 2014;
2. The proposed condominium conversion conforms to the policies of the City of Belleville Official Plan and satisfies the criteria for consideration of a conversion;
3. The subject property is compliant with the provisions of the Zoning By-law, with the exception of the required number of standard parking spaces. Compliance with parking regulations could be dealt with as a condition of draft plan approval.
4. The proposed condominium conversion will have no impact on the current tenants of the buildings other than the potential reduction of monthly rent.
5. The proposed condominium conversion will not impact the supply of rental housing as all units are to be maintained as rental.
6. The proposed condominium conversion will not impact the supply of affordable rental as no rent increases are anticipated and any tax savings resulting from the conversion may result in a rent reduction, as required by the Residential Tenancies Act. As a result of the rent reduction, a majority of the units in the subject buildings may become affordable, which currently only 8 units are.
7. If units were to be sold, all of the units would be considered to have a selling price below the ownership affordability threshold and therefore would be considered affordable.

We request that this report and all supporting material related to the applications be deemed complete and that the applications be processed.

Respectfully submitted,



David W. Aston, MSc, MCIP, RPP
Partner
MHBC Planning



Andrea Sinclair, BES, MUDS
Associate
MHBC Planning



KITCHENER
WOODBRIDGE
LONDON
KINGSTON
BARRIE
BURLINGTON

July 23, 2019

Greg Pinchin, B.E.S., MCIP, RPP
Manager of Approvals
Engineering & Development Services Department
City of Belleville, City Hall
169 Front Street
Belleville, Ontario K8N 2Y8

Dear Mr. Pinchin,

RE: Proposed Condominium Conversions / Parkwood Apartments Limited C/O Realstar Management, 217 Bridge Street East (File No. 12CD-19002) and Moira Street Apartments Limited C/O Realstar Management, 230-232 Moira Street East (File No. 12CD-19003)/ OUR FILES 10139Z and 10139AA

I'm writing as a follow up to the recent Planning Advisory Committee Meeting held on July 2, 2019 as it relates to the above noted applications. The purpose of this letter is to respond to various questions and comments received during the meeting. We respectfully request that you consider the attached information and that it become part of the formal record as it relates to these applications. We further request that copies of this correspondence be provided to members of the Planning Advisory Committee meeting.

Increase in Affordable Housing as a Result of Conversions

As of December 2018, all 68 of the units at The Parkwood were occupied. Based on the rents as of December 2018 and the affordable rent thresholds based on the 2018 CMHC Rental Market Report, none of the units have rents that meet the definition of affordable rents – all 68 units are above the affordability thresholds and deemed to have 'mid-range' rents.

As of December 2018, all but one of the 24 units in the Moira buildings was occupied. Of the 23 occupied units, eight (8) have rents that meet the definition of affordable rents – the other 15 occupied units are above the affordability thresholds and deemed to have 'mid-range' rents. We have assumed that the vacant unit would have mid-range rents once re-occupied.

If the conversions are approved and the units at the two properties are maintained as rental tenure (as proposed), **there can be expected to be an increase in the number of affordable units** on the sites combined:

- If the rents are reduced by \$50 per unit, then 21 additional units meet the definition of affordable, or an increase of 13 units.

- If the rents are reduced by \$100 per unit, then 25 additional units would meet the definition of affordable, or an increase of 23 units.

While the intent is to maintain the units as rental units, we have also estimated the number of units that would be affordable, once converted, by reviewing the City's definition of ownership housing.

The units on the subject sites, should they be sold (only once vacated by the existing tenant at the time of conversion) are expected to have a selling price below the affordable ownership threshold. Therefore, the conversion from rental to condominium tenure **would result in all units meeting the definition of affordable ownership**, generating a substantial increase in the number of affordable units on the site. In total, the conversion to ownership would see the number of affordable units on the sites increase from 8 units to 92 units, an increase of 84 units.

Planning Act Considerations

During the July 2nd Planning Advisory Committee Council referenced Section 2 (Provincial Interest) of the Planning Act, and specifically Section 2(j) and Section 2(l) and asked that staff consider these sections of the Planning Act in preparing their recommendations.

In response to Section 2(j) *"the adequate provision of a full range of housing, including affordable housing;"* we confirm:

- that the proposed applications contribute to the full range of housing in that all forms of housing are required to meet the social, health and well-being requirements of current and future residents;
- there are no policies in the PPS related to tenancy of housing or requiring municipalities to enact minimum affordable housing targets.
- that while it is not the intent of Realstar to sell the units, the proposed conversions will result in the creation of affordable home ownership opportunities as all the units will have a post-conversion value lower than the affordability threshold for Belleville;
- that currently a small number of existing units are considered to be affordable rental and that additional affordable rental units will be created through the condominium conversion process.
- that no units will be lost as a result of the conversion; and
- that the Planning Act does not distinguish between affordable rental and affordable ownership housing.

In response to Section 2(l) *"the protection of the financial and economic well-being of the Province and its municipalities:"*

- We confirm that the conversion is at no cost to the City of Belleville;
- In our opinion, the intent of Section 2 (l) of the Planning Act is to ensure a planning application does not result in a financial impact associated with municipal expenditures beyond budgeted considerations. For example, an application that would require the municipality to finance services beyond those planned in a master plan or 10-year capital budget, such as an unplanned expansion/upgrade to a wastewater treatment facility to accommodate a development proposal.

- We confirm that condominium conversions are both permitted and “supported” within the policies of the City of Belleville Official Plan.

Vacancy Rate

Council raised concerns to staff in regard to the 2.4% vacancy rate and the related housing crisis. A lack of rental units was noted as part of the crisis. In response we confirm:

- Official Plan policy 3.10.2 i) confirms that Conversion of existing rental dwellings to condominium or freehold is supported by the Plan, provided that prior to granting approval, Council considers (among other matters) existing vacancy rates in the community;
- The Official Plan does not provide a specific vacancy rate in which conversions are either acceptable or not acceptable;
- As of 2018, the vacancy rate in the Belleville CMA is 2.4%, up from 2.2% in 2017. The current vacancy rate in the Belleville CMA is above the Ontario-wide vacancy rate of 1.8%. The average vacancy rate in the CMA over the past four years is 3.1%.
- The CMHC Rental Market Report provides estimates of the number of purpose-built private rental apartment units. In total, there are 4,114 private rental apartment units in the City as of 2018. The 2016 Census reported a total of 8,225 renter households. Therefore, there are roughly 4,100 additional rental housing units in the City that are not in private apartment units. These units could be in rented single/semi-detached units, townhouses, public rental apartment units, secondary suites, basement apartments, student housing, etc. Therefore, the use of the City’s vacancy rate as an indicator of the ‘health’ of the rental market should be used with some caution, as there is another half of the rental housing market that the CMHC vacancy rate measure does not capture.
- Section 51 of the Residential Tenancies Act provides security for existing tenants. Under Section 51, existing tenants are granted security of tenure and the first right of refusal on the purchase of the unit. Consequently, the proposed conversion of should have minimal or no impact on the existing tenants. Realstar’s business model is rental housing, and none of the conversions completed by Realstar have resulted in the sale of a unit. Realstar has agreed to a 10 year moratorium on the sale of any units to provide tenants and the City with additional assurances.

Moira Street Tenant Mix

During the July 2nd meeting Council asked if Realstar could confirm the general tenant demographics at Moira Street. We confirm as noted at the meeting that the Moira Street buildings have a mix of tenants including seniors, families and young professionals. There are less seniors when compared to Parkwood, in large part because the Moira Street buildings do not have elevators.

Notification of Applications to Existing Tenants

We understand that the City of Belleville circulated notice of the two applications as required by the Planning Act. Notwithstanding, Realstar has provided additional information to current tenants in advance of a decision being made as it relates to these applications. I have attached copies of letters which were prepared by Realstar and distributed to existing tenants of the Bridge Street and Moira Street properties on July 17, 2019.

Public Comments

We acknowledge that we have reviewed all public comments both in support and in opposition of these applications. We would be happy to respond to any further questions that the Committee may have during the August 6 Planning Advisory Committee Meeting.

Yours truly,

MHBC

A handwritten signature in black ink, appearing to read "Andrea Sinclair", with a long horizontal flourish extending to the right.

Andrea Sinclair, MUDES, BES, MCIP, RPP

Cc Jonathan Masse (Realstar)
Dave Aston (MHBC Planning)



July 16, 2019

Residents of Moira Apartments
232 Moira Street East
Belleville, ON K8P 2T1

Dear Resident(s):

We wanted to update residents as to the progress of our condominium conversion initiative at Moira Apartments. For any new residents at the property we had met with Belleville City Council November 5th, 2018 to discuss our condominium conversion initiative. Unfortunately our application to expedite the process through an exemption application was declined. City Council explained that the exemption process did not enable them to conduct a thorough enough analysis of the proposed conversion. City Planning staff were in support of the conversion at the time. While our other condominium conversion applications for neighbouring properties in Belleville, Prince William Apartments in 2016 and Bay Terrace Apartments in 2017, were approved through the exemption process, we have been asked to submit the application for The Parkwood through a formal Draft Plan of Condominium process. This allows the City to impose conditions on the approval of the condominium conversion.

As mentioned in an earlier communication **100% of tax savings as a result of the conversion go to the residents** and not the property owner. This is the law and will make all your suites more affordable. Along with the rent reduction, residents will maintain their legal right to remain in their apartment unit for as long as they choose, subject to the terms of their lease and Ontario's Residential Tenancies Act.

As an example, residents at Prince William now receive an average ongoing rent reduction of **\$84/month** and Bay Terrace residents now receive an average ongoing rent reduction of **\$76/month**. We anticipate that if our application for condominium conversion is successful at your property this conversion would result in an average ongoing rent reduction within a similar range.

As we mentioned in our previous communication Realstar is in the long term rental business and has no intention of selling. In fact, Realstar's application

includes a 10-year moratorium on unit sales. Even after the 10-year moratorium expires, residents continue to have the right of first refusal to buy their unit should it ever be offered for sale. If they choose not to buy, they retain their legal lifetime right to stay in the unit as per Ontario's Residential Tenancies Act. Realstar has completed approximately 10 condominium conversions across Ontario and in all cases the buildings continue to operate as rental properties.

Realstar has been working with the City through the Draft Plan of Condominium process for condominium conversion. Applications are required to meet Provincial and local policies and regulations associated with the Planning Act. A Public Meeting to receive the applications was held at City Hall on July 2nd. This meeting was for information purposes only and no decisions were made. City staff are now reviewing all circulation comments and will be bringing a recommendation report forward to Planning Committee on August 6th.

Our experience has been that the rent reductions have not only been a benefit to the residents, but also to the broader community that our residents are part of through them supporting local businesses and other community interests. Finally I wanted to thank all the residents that wrote to us in support of the application and allowed us to share those kind words and support with the City. The more support we can show for the application the stronger the application becomes.

If you have any questions or if you would also like to show your support for the application please email me at jonathan.masse@realstar.ca

Yours truly,



Jonathan Masse
Senior Director, Asset Management

**Engineering and Development Services Department (Policy Planning Section)
Official Plan and Zoning By-Law Amendment Monitoring Report
(Shaded Area Indicates that Application is Complete)**

FILE NO.	APPLICANT/OWNER/AGENT	PROPOSAL	REPORT NO.	BY-LAW NO.	DATE REC'D	CIRCULATION	PAC DATE	APPROVAL (Y/N)	COUNCIL DATE	APPROVAL (Y/N)	NOTICE ISSUED	LAST DAY OF APPEAL	CLERK CERT.	# of DAYS
B-77-1021	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		Mar 21/17	Apr 11/17	May 1/17 Mar 5/18	Deferred at PAC, Draft Plan of Subdivision approved - Zoning By-law to be addressed later						
B-77-1040	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		Jan 10/18	Feb 13/18	Mar 15/18	Deferred at PAC, awaiting revised Site Plan based on CN comments						
B-77-1058	Paramathas Joseph Agent: 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		Aug 21/18	Sept 6/18	Oct 1/18	N	Oct 9/18	DENIED	Oct 12/18	Nov 9/18	APPEALED Hearing - May 10/19 * Motion Adjourned	
B-77-1059	Panagiotis Karagiannis Agent: 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		Aug 21/18	Sep 6/18	Oct 1/18	N	Oct 9/18	DENIED	Oct 12/18	Nov 9/18	APPEALED Hearing - May 10/19 * Motion Adjourned	
B-77-1069	Agent/Applicant/Owner: City of Belleville "CANNABIS"	Belleville, Thurlow, Sidney Zoning By-law amendment to 10245, 3014 & 2076-80 to update definitions relating to cannabis	PP-2019-07 PP-2019-22	2019-56 2019-57 2019-58	Jan 22/19	Feb 13/19	Mar 4/19 Apr 1/19	Y	Apr 8/19	Y	Apr 10/19	Apr 30/19	May 1/19	99 Days
B-77-1072	Owner/Applicant: Jeland Properties Agent: Fortenn Consultants Inc.	Lots 35 & 36, Concession 2 (Bell Blvd) Zoning By-law amendment to rezone lands to allow additional uses including retail	PP-2019-11 PP-2019-26	2019-59	Jan 22/19	Feb 13/19	Mar 4/19 Apr 1/19	Y	Apr 8/19	Y	Apr 10/19	Apr 30/19	May 1/19	99 Days
B-77-1073	Agent/Applicant: Alexander Wilson Architect Owner: Integrated Real Estate Investment Platform Inc.	2 Dundas Street Zoning By-law amendment to rezone lands to permit mixed use commercial & Residential development with reduced parking requirements	PP-2019-10 PP-2019-23	2019-60	Jan 25/19	Feb 13/19	Mar 4/10 Apr 1/19	Y	Apr 8/19	Y	Apr 10/19	Apr 30/19	May 1/19	96 Days
B-77-1074	Owner/Applicant: Covington Crescent JV Agent: Ainley Group	Part of Lots 1 & 2, Concession 3 (Covington Crescent) Zoning By-law amendment to rezone lands to permit 40 townhouse units and remove walk path to merge two adjacent residential lots	PP-2019-16 PP-2019-25 PP-2019-31	2019-92	Jan 29/19	Feb 13/19	Mar 4/19 Apr 1/19	N	Apr 8/19 Apr 30/19	**TABLED** Y By-law Approved May 13 Council	May 15/19	Jun 4/19	Jul 8/19	160 Days
B-77-1075	Owner/Applicant: Staikos Homes Agent: vanMEER limited	Zoning By-law amendment to rezone lands to permit single detached dwellings and to permit townhouse units with reduced setback requirements and increased lot coverage	PP-2019-17 PP-2019-24	2019-61	Jan 30/19	Feb 13/19	Mar 4/19 Apr 1/19	Y	Apr 8/19	Y	Apr 10/19	Apr 30/19	May 1/19	91 Days

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B-77-1076	Owner/Applicant: 2589989 Ont. Inc. Agent: RFA Planning Consultants	250 Sidney Street Zoning By-law amendment to Zoning By-law 10245 to add Cannabis Processing Facility as a permitted use to the Restricted Industrial Zone	PP-2019-15 PP-2019-49	2019-134	Jan 30/19	Feb 13/19	Mar 4/19 Jul 2/19	Y	Jul 8/19	Y	Jul 10/19	Jul 30/19		
B-77-1077	Agent/Applicant/Owner: City of Belleville "PUBLIC USES"	Belleville, Thurlow, Sidney Zoning By-law amendment to 10245, 3014 & 2076-80 to define public uses and to add general provisions in relation to those uses.	PP-2019-08 PP-2019-23	2019-62 2019-63 2019-64	Jan 22/19	Feb 13/19	Mar 4/19 Apr 1/19	Y	Apr 8/19	Y	Apr 10/19	Apr 30/19	May 1/19	99 Days
B-77-1078	Owner/Applicant: Schnell Investment Agent: Siegbert Schnell	150 St. Paul Street Zoning By-law amendment to Zoning By-law 10245 to permit mixed use (commercial/ residential) in an existing building	PP-2019-27 PP-2019-37	2019-93	Feb 7/19	Mar 6/19	Apr 1/19 May 6/19	Y	May 13/19	Y	May 15/19	Jun 4/19	Jun 5/19	117 Days
B-77-1079	Agent/Applicant: RFA Planning Owner: Heritage Park JV	427 Farnham Road Zoning By-law amendment to Zoning By-law 3014 to permit 13 townhouse units with reduced setbacks and increased lot coverage	PP-2019-28 PP-2019-45 PP-2019-46	2019-135	Feb 27/19	Mar 6/19 May 10/19	Apr 1/19 Jun 3/19 Jul 2/19	Y	Jul 8/19	N	Jul 12/19	Aug 1/19		
B-77-1080	Agent/Applicant/Owner: Ray & Jean O'Neill	4807 Old Highway 2 Zoning By-law amendment to Zoning By-law 3014 to rezone lands from Prime Agriculture to Rural Residential and Rural as a condition of a consent.	PP-2019-33 PP-2019-40	2019-112	Mar 27/19	Apr 17/19	May 6/19 Jun 3/19	Y	Jun 10/19	Y	Jun 12/19	Jul 2/19	Jul 3/19	98 Days
B-77-1081	Agent/Applicant/Owner: City of Belleville "AGRI-TOURISM"	Belleville, Thurlow, Sidney Zoning By-law amendment to 10245, 3014 & 2076-80 to define agr-tourism	PP-2019-34		Mar 27/19	Apr 17/19	May 6/19 Jun 3/19							
B-77-1082	Applicant: Tom Reid Owner: Tom Reid & Eleanor McEvoy Agent: Eleanor McEvoy	288 Pine Hill Crescent Zoning By-law amendment to Zoning By-law 3014 to rezone lands from Prime Agriculture to Rural Residential as a condition of consent	PP-2019-35 PP-2019-41	2019-113	Apr 1/19	Apr 17/19	May 6/19 Jun 3/19	Y	Jun 10/19	Y	Jun 12/19	Jul 2/19	Jul 3/19	93 Days
B-77-1083	Owner/Applicant: Meyers Creek Meyers Creek Development Group Agent: Joe Shunock	125 South Church Street Zoning By-law amendment to Zoning By-law 10245 to rezone lands to permit a methadone dispensary	PP-2019-36 PP-2019-38	2019-114	Apr 2/19	Apr 17/19	May 6/19 Jun 3/19	Y	Jun 10/19	Y	Jun 12/19	Jul 2/19	Jul 3/19	92 Days
B-77-1084	Owner/Applicant: Mark Glasford	9 & 13 Wilkie Street Zoning By-law amendment to Zoning By-law 10245 to rezone lands to recognize the existing dwelling units on the property	PP-2019-42		May 1/19	May 15/19	Jun 3/19							

Engineering and Development Services Department (Policy Planning Section)
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B-77-1085	Applicant/Agent: Clint Hamilton Owner: Robert Rollins	1437 & 1455 Mudcat Road Zoning By-law amendment to Zoning By-law 3014 to rezone lands from Prime Agriculture (PA) and Rural (RU) to Rural Residential (RR) and Prime Agriculture with special provisions to prohibit future severances as a condition of Consent	PP-2019-43 PP-2019-47	2019-136	May 10/19	May 13/19	Jun 3/19 Jul 2/19	Y	Jul 8/19	Y	Jul 10/19	Jul 30/19		
B-77-1086	Applicant/Owner: James McMahon Dentistry Agent: Taskforce Engineering, Inc.	260 & 262 Dundas Street East Zoning By-law amendment to Zoning By-law 10245 to rezone lands from Residential Second Density (R2-3) and Highway Commercial (C3-1) to Highway Commercial (C3-59) with special provisions to reduce the front yard setback to 7.5 metres and also permit uses listed under the Non-Retail Commercial (CS) Zone.	PP-2019-51		Jul 3/19	Jul 12/19	Aug 6/19							