

BELLEVILLE PLANNING ADVISORY COMMITTEE

A G E N D A

NOVEMBER 26, 2014

5:30 P.M.

COUNCIL CHAMBER

Starting
Page No.

CITY COUNCIL PLANNING COMMITTEE MEETING

1. **ATTENDANCE**

Councillor Taso Christopher
Councillor Pat Culhane
Councillor Jackie Denyes

Councillor Tom Lafferty
Councillor Jack Miller

2. **DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF**

3. **PUBLIC MEETING - THE PLANNING ACT**

3.1 **PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 10245, AS AMENDED – 250 BRIDGE STREET WEST, CITY OF BELLEVILLE, COUNTY OF HASTINGS
FILE NUMBER: B-77-972
APPLICANT/OWNER: BELMONT LONG-TERM CARE FACILITY (FOR BELCREST NURSING HOMES LIMITED)
AGENT: RFA PLANNING CONSULTANT INC.**

Notice of Meeting and Map

1

4. **ADJOURNMENT**

BELLEVILLE PLANNING ADVISORY COMMITTEE

A G E N D A

NOVEMBER 26, 2014

5:30 P.M.

COUNCIL CHAMBER

Starting
Page No.

PLANNING ADVISORY COMMITTEE MEETING

1. ATTENDANCE

Councillor Taso Christopher
Councillor Pat Culhane
Councillor Jackie Denyes
Councillor Tom Lafferty
Councillor Jack Miller

Michael Graham
David Joyce
Mike Letwin
Ross Rae

2. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

3. CONFIRMATION OF MINUTES

3.1 Minutes of the City Council Planning Committee Meeting and Planning Advisory Committee Meeting held on November 3, 2014

4. DEPUTATIONS

5. COMMUNICATIONS

- 5.1 Letters were received objecting to Zoning Amendment Application B-77-972 (250 Bridge St. West) Referrals from Public Meeting Item 6.1 refers

5RESOLUTION

“THAT the following letters objecting to Zoning Amendment Application B-77-972 for 250 Bridge Street West, be received and referred to Referrals from Public Meeting Item 6.1:

- Letter from Susan Primeau
- Letter from Beverly & Donald Deacon
- Letter from David & Helen Livingston
- Letter from Martin Charron & Liz Gregory
- Letter from Cynthia & Frank Martineau.”

6. REFERRALS FROM PUBLIC MEETING

- 6.1 **PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 10245, AS AMENDED – 250 BRIDGE STREET WEST, CITY OF BELLEVILLE, COUNTY OF HASTINGS
FILE NUMBER: B-77-972
APPLICANT/OWNER: BELMONT LONG-TERM CARE FACILITY (FOR BELCREST NURSING HOMES LIMITED)
AGENT: RFA PLANNING CONSULTANT INC.**

Manager of Policy Planning’s Report No. PP-2014-36
Correspondence Item 5.1 refers

16RESOLUTION

“THAT the Belleville Planning Advisory Committee recommends to the Council of The Corporation of the City of Belleville that the application to amend the City’s Zoning By-law Number 10245, as amended, for 250 Bridge Street West, City of Belleville, County of Hastings, be DENIED.”

7. REPORTS**7.1 PROPOSED REVISIONS TO SUBDIVISION REVIEW AND APPROVAL PROCESS, CITY OF BELLEVILLE**

Manager of Approvals Section's Report No.APS-2014-38

40**RESOLUTION**

“THAT the Approvals Section recommends the following process to the Belleville Planning Advisory Committee:

1. “THAT all documentation related to the proposed revisions to the Subdivision Review and Approval Process for the City of Belleville, as outlined on Table 1 attached to the Manager of Approvals' Report No. APS-2014-38, be received for information.”
2. “THAT all documentation related to the proposed revisions to the Subdivision Review and Approval Process for the City of Belleville, as outlined on Table 1 attached to the Manager of Approvals' Report No. APS-2014-38, be circulated to other municipal departments and outside agencies, as appropriate, as well as to members of the local development industry for review and comment and that as part of this consultation process, meetings be held to receive input from the appropriate parties.”
3. “THAT following an appropriate period of consultation, pursuant to Recommendation No. 2 above, a public meeting will be held as part of a Planning Advisory Committee meeting in 2015, to review and consider all documentation related to the proposed revisions to the Subdivision Review and Approval Process for the City of Belleville.”
4. “THAT when deemed appropriate the Planning Advisory Committee will forward their recommendations to Belleville City Council on a new Subdivision Review and Approvals Process for the City of Belleville.”

8. INFORMATION MATTERS

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

Report to November 26, 2014

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9. GENERAL BUSINESS AND INQUIRIES

10. ADJOURNMENT



City of Belleville

Engineering & Development Services Department

169 Front Street

Tel: 613-968-6481

Fax: 613-967-3262

File No.: B-77-972

**PUBLIC MEETING
CITY COUNCIL PLANNING COMMITTEE
CITY HALL - COUNCIL CHAMBER
169 FRONT STREET
WEDNESDAY, NOVEMBER 26, 2014
AT 5:30 P.M.**

A Public Meeting will be held to consider an amendment to Zoning By-Law Number 10245, as amended. The application pertains to the Belmont Long-Term Care Facility located at 250 Bridge Street West and which is zoned "NH – Nursing Home" in the By-Law. The Applicant is requesting a modification to the "NH" zone to allow approximately 186 square metres of the accessory building located to the north of the nursing home to be used as a personal fitness training facility and massage therapy clinic.

The land is described municipally as 250 Bridge Street West, City of Belleville, County of Hastings.

OFFICIAL PLAN:

The land is designated "Residential Land Use" in the Official Plan.

ZONING BY-LAW:

The subject land is zoned "NH – Nursing Home" in Zoning By-Law Number 10245, as amended. The Applicant requests an amendment to the "NH" zone to allow approximately 186 square metres of an accessory building to be used as a personal fitness training facility and massage therapy clinic.

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, City Hall, 169 Front Street, Belleville, K8N 2Y8 (Telephone: 613-967-3256, Fax: 613-967-3206, TTY: 613-967-3768, Email: mtmacdonald@city.belleville.on.ca).

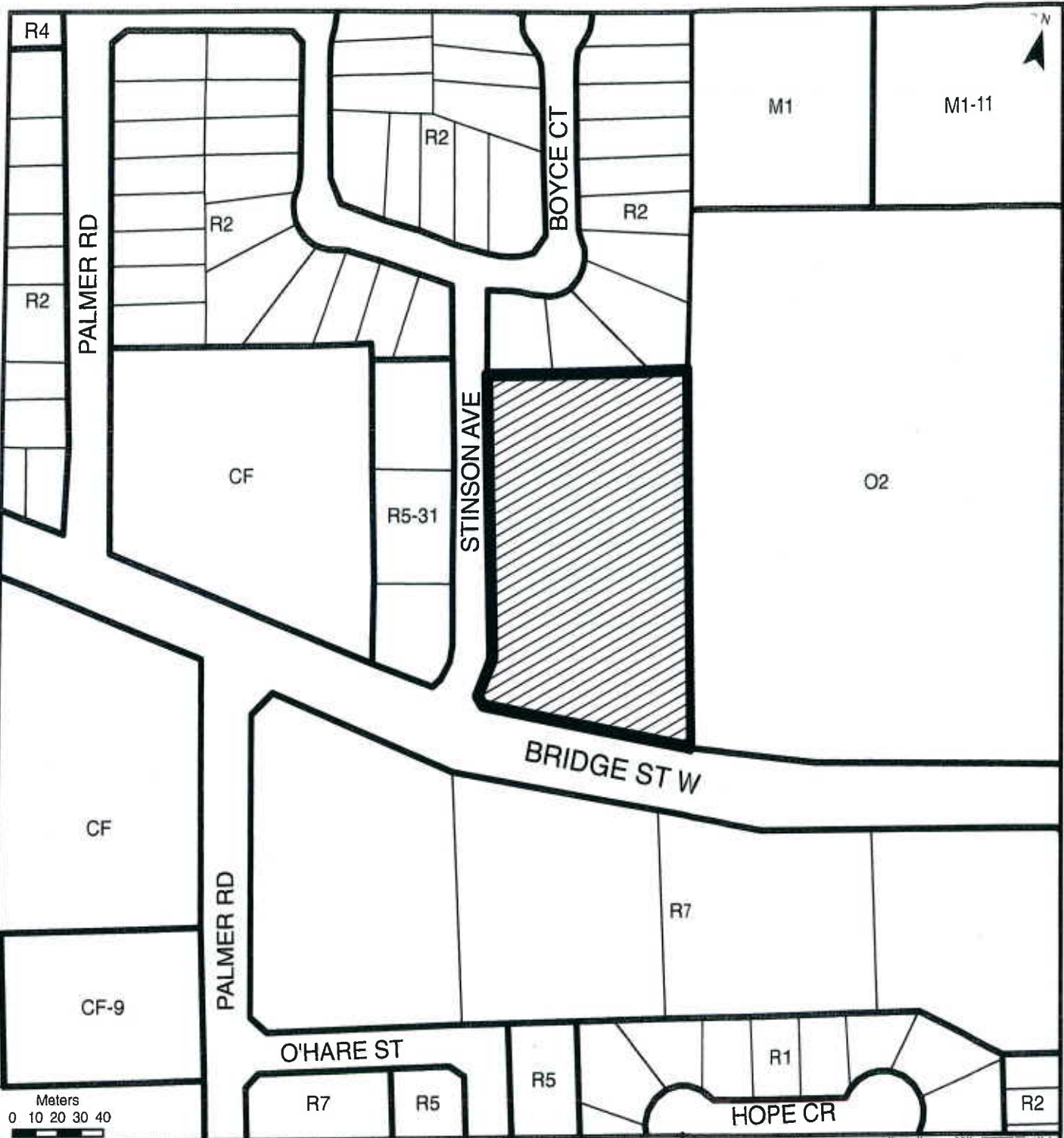
If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of Belleville before the zoning by-law is passed, the person or public body is not entitled to appeal the decision of the City of Belleville to the Ontario Municipal Board and may not be added as a party to a hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

Additional information is available by contacting or visiting the Planning Section, Development Services Department, City Hall, 169 Front Street, Belleville, K8N 2Y8 (Telephone: 613-967-3288, Fax: 613-967-3262).

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

Matt MacDonald, Secretary
Planning Advisory Committee

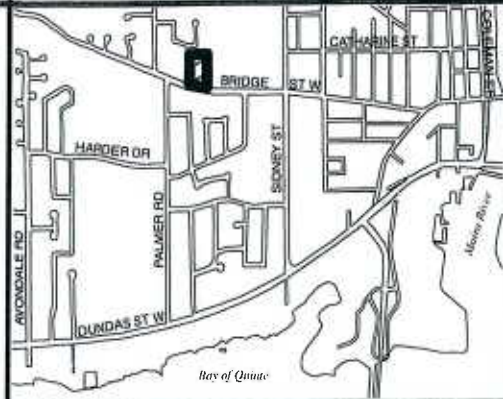
DATED at the City of Belleville this 6th day of November, 2014



PROPOSED ZONING BY-LAW AMENDMENT

LOCATION: 250 BRIDGE ST. W.

PROPOSED ZONING CHANGE FROM NH (NURSING HOME ZONE) TO NH WITH SPECIAL PROVISIONS



CITY OF BELLEVILLE
 ENGINEERING & DEVELOPMENT SERVICES DEPARTMENT

RESIDENTIAL
57M/30M

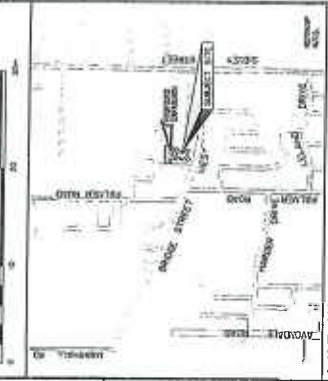
DENSITY

MEDIUM

FUTURE

SITE PLAN
BELCREST NURSING HOMES LIMITED
246 BRIDGE STREET WEST
PART OF PLAN 210000
REGISTERED PLAN 118
CITY OF BELLEVILLE
COUNTY OF HURON

SCALE = 1:500 METRIC



LAND USE SUMMARY

LAND USE	AREA (sqm)	AREA (%)
MAIN RESIDING HOME BUILDING	2,773	21.0
EXISTING BUILDINGS	97	4.3
EXISTING PARKING AREA	4,642	35.0
LANDSCAPED AREA	1,350	10.0
TOTAL SITE AREA	13,262	100.0

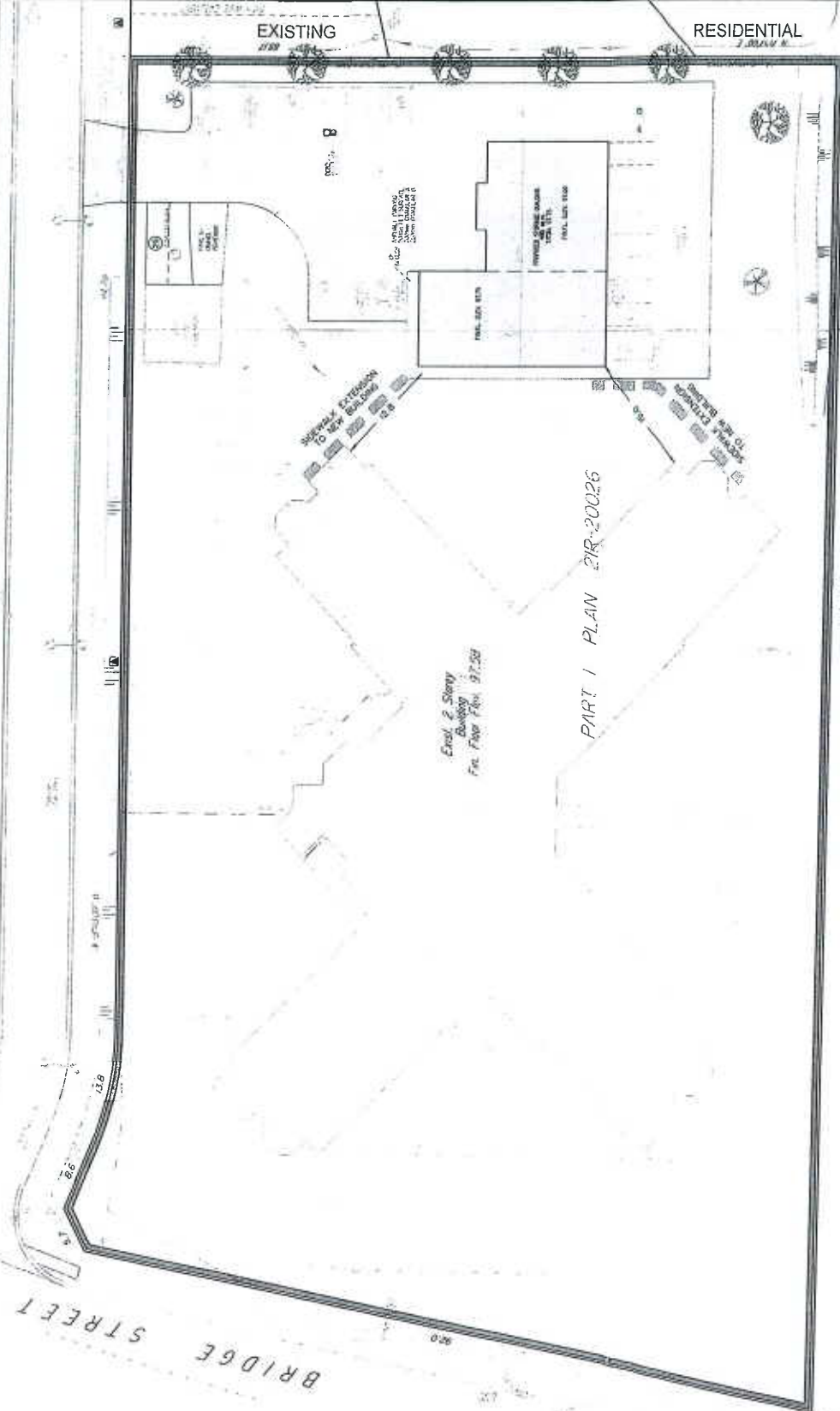
PARKING NOTES:

- SIXTEEN (16) ADDITIONAL PARKING SPACES TO BE DEDICATED TO BELMONT LONG TERM CARE FACILITY STAFF.
- NINE (9) ADDITIONAL PARKING SPACES TO BE DEDICATED TO PERSONAL FITNESS FRAMING FACILITY AND MASSAGE THERAPY CLINIC TENANTS.

NOTE:
DRAWING CREATED USING DATA FROM VANMEER LIMITED.



OCT 23, 2013
300 3P



EXISTING COMMUNITY FACILITY

Engineering and Development Services Department
169 Front Street
Belleville, Ontario

RE: Public Meeting Wednesday November 26, 2014
Re: An application by the Belmont Long-Term Care facility
for a modification to the "NH-Nursing Home" in Zoning
by-law 10245

Attn: Matt MacDonald, Secretary
Planning Advisory Committee

Dear sir:

This will officially notify you that I will make both oral and written submissions at the public meeting in respect of this application.

I will be opposing this zoning modification from Nursing Home /Residential/ Community Facility to allow a "commercial enterprise" in the "accessory building" that is on the north end of the property.

My grounds for opposing include the following and are not limited thereto:

1. No demonstrated need for the facilities proposed, not required for the residents of the nursing home. □
2. Not a service function necessary to support area residents. Sufficient services available within meters of the facility.
3. The building use does not conform to "accessory use" as was proposed to the Committee of Adjustment last year. □□

Please note, we reluctantly allowed the minor variance at that time, acting in good faith that both Mr. Clegg and Mr. Brad Stinson were forthright and honest in their representations that the building was needed for the nursing home and would be used 100% as required by the definition of "accessory use" in the by-law. □□

To date by our estimation only 14.1% of the building can be shown to have any relevance to the operation of the nursing home. The remaining percentages, if this commercial use is allowed would be **83.7% non-nursing home use** and 2.3% utility room.

Which therefore is not a proper use of an "accessory" building by definition. □

4. Currently there is insufficient parking for the nursing home activities, and staff on an ongoing basis.

The 9 spots currently being withheld from the employees use that are proposed for the fitness and massage commercial activities should be used to alleviate the street parking that occurs daily. □□

In addition, on a frequent basis fire routes at the entrance to the 250 Bridge St W facility are blocked by parked vehicles due to insufficient parking.

Allowing this proposed change would only serve to aggravate the current parking problems and intensify the issue. □

5. Stinson Builders has an approved development of 8 town-homes on the west side of Stinson Avenue, directly facing the created entrance of the accessory building. □□

When the town homes on Stinson Avenue are completed the garages will face on Stinson Avenue. □□

Allowing "commercial development" of the "accessory building" with the entrance from Stinson Avenue will create a safety issue and increased dangerous traffic flow in a low-medium density residential area, as those residents and Boyce Court residents normally enter and exit via Stinson Avenue. □

6. The traffic flow to the nursing home will increase. Currently a lot of traffic is from Palmer to Boyce and to Stinson where they have created the entrance to the accessory building. These streets contain (low) residential-single family dwellings. □

7. It creates a health and safety risk for the school children who use the street corner to wait for buses, and walk to and from area schools. □

8. There is no pedestrian sidewalk access to the "accessory building" from Stinson Avenue. □

9. The addition of the commercial personal fitness training facility and commercial massage clinic would increase the current activities in this accessory building to five or six uses, well beyond the three to four quoted in the proposal.

Listed:

□□1. Office of Mr Clegg

□2. Boardroom for Nursing home□

3. Massage Clinic

□4. Personal Fitness Studio

□5. Personal storage of boats, snowmobiles, collectible signs (or commercial storage it is not personal) □

6. Nursing home storage of equipment, tools, and records. □□□□

Additional, supporting documentation will be submitted in writing to the Planning Advisory Committee prior to the November 26 meeting. □□ I hereby request that this current letter be provided to all planning advisory committee members, all members of the committee of adjustments, all councillors current and elect and to the Mayor and Mayor Elect. □□

I have included some in my email for whom I have email addresses, the others I trust you to forward this information accordingly.

□□ In addition, I formally request any notes, minutes and paperwork relative to the upcoming meeting be provided in writing to me either by email or by paper copy that can be picked up in advance of the meeting. □

Thank you for your consideration.

Sincerely

Susan M. Primeau
45 Boyce Court
Belleville, Ontario
(613)966-1776□

November 12, 2014

Mr. Matt MacDonald,
Planning Advisory Committee,
City of Belleville, Ontario

Mr. MacDonald,

We are making this written submission in response to the notice of application for an amendment to Zoning By-Law Number 10245 as received yesterday. As residents of the adjoining Boyce Court subdivision since 2005, we have the following concerns regarding this proposal.

1-The notice states that the land is now designated "NH" but fails to indicate what an amended land use designation would be.

2-If, as appears obvious, that designation is Commercial in any degree, we strongly object as it sets precedent for future amendments.

3-Finally, the parking for such an enterprise is totally inadequate as the east side of Stinson Ave. from the mailbox south to Bridge St. is already in full use on a daily basis for parking associated with the nursing home.

In closing, we believe that the applicant has already stretched the terms of his original permit for the building as a storage and office facility for the nursing home and shouldn't be given any more concessions.

Sincerely,

Beverley K Deacon

Donald E. Deacon

Beverley Deacon
Donald Deacon
57 Boyce Court,
Belleville, Ont.
K8P 5N9



November 17, 2014

Matt MacDonald
Planning Advisory Committee
City of Belleville
169 Front Street
Belleville, ON
K8N 2YB

To: Dir. Eng & Dev Serv.,
Mgr., Policy & Planning, Mgr. Approvals
From: Acting Dir. Corp. Serv./City Clerk
November 17, 2014

RE: File No: B-77-972 Amendment to Zoning By-Law 10245 for Belmont Long Term Care Facility at 250 Bridge St W

I would like to say at the outset that we are strongly opposed to this amendment which seems to disguise the fact that in reality the building is really becoming Commercial in designation. This has another set of implications for homeowners and could set a precedent for future amendments.

There are currently two such facilities in the neighbourhood and if this was to be used for staff only we would have no objection but strongly object to it being available to the paying public.

We are also concerned about parking as Stinson Ave is regularly full on the east side (see pictures attached exhibits 1 & 2) . The west side proposal is for townhouses and as townhouses do not have a lot of extra parking this will cause further traffic stress on Stinson Ave. Also this street is on several designated school bus routes and is being used as a short cut by non residents to get from Bridge St to Palmer Road and vice versa.

Lastly I would like to refer to Mr Legere's letter dated October 23 to Mr. Art Mackay titled "Application to Amend By-Law Number 10245 " specifically to page 2 under separate uses allowed . This is erroneous in that the garage storage area is not currently being used for Belmont business purposes. It would seem that a further amendment to bylaw 10245 is required for boats and snowmobile storage in an NH Zone and that Mr Legere's submission is incomplete. (see pictures 3 & 4).

Sincerely,




David Livingston
Helen Livingston
43 Boyce Court
Belleville ON K8P 5N9

Cc: Mayor, Councilors, City Council Planning Committee

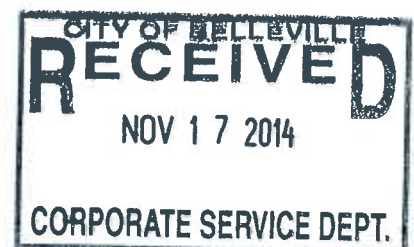




EXHIBIT 1
David Livingston

STINSON AVE LOOKING
NORTH FROM BRIDGE ST. W.
ON NOV 11 @ 3:43 PM 2014.



EXHIBIT 2
David Livingston

LOOKING FROM OUR DECK
WITH PARKING LOT FULL
AND CARS PARKED ON
STINSON AVE



EXHIBIT 3
David Livingston

SEPT 16, 2014 @ 2:00 PM.



EXHIBIT 4
DAVID LIVINGSTON

OCT 31, 2014

Engineering and Development Services Department
169 Front Street
Belleville, Ontario



Re: Public Meeting Wednesday November 26, 2014
Reference: An application by the Belmont Long-Term Care facility
for a modification to the "NH-Nursing Home" in Zoning
by-law 10245

Attn: Matt MacDonald, Secretary
Planning Advisory Committee

Dear sir:

This will officially notify you that we will be opposing this zoning modification from Nursing Home /Residential/ Community Facility to allow a "commercial enterprise" in the "accessory building" that is on the north end of the property. We will be in attendance at the meeting above.

Our grounds for opposing include the following and are not limited thereto:

- 1) The original request for variance did not include a commercial enterprise. The building was presented as solely for the use of the nursing home. It is not clear at what point the decision to request a commercial enterprise was made. It is concerning that this was not included in the original request for variance, especially considering that the new request for a commercial enterprise indicates that this enterprise will take up the greatest portion of the accessory building.
- 2) Currently it seems that the garage portion of the accessory building is being used for personal storage, boats, trailers, etc., not for nursing home use.
- 3) Nursing home staff / visitors are parking on Stinson Ave on a daily basis. During the winter the plow was unable to clear the road to the east curb. As a result Stinson Ave was reduced to a single lane for most of the winter months. Stinson Ave is the main entrance to Bridgecrest Park for residents and is also used by school buses. A single lane of traffic for months on end is simply not acceptable. The parking shortage will only increase with the addition of a commercial enterprise.
- 4) We have concerns that if this variance is granted that it might lead to a request for variance for the residential property on the west side of Stinson Ave, which has been awaiting development for some 9 years.
- 5) Our property taxes are in the area of \$5600.00. We would be looking for a significant reduction in our taxes if we are subject to having a commercial enterprise

mere metres away from our property. We made the decision to build in Bridgecrest Park because of the few lots and the accompanying minimal traffic. This would change significantly with the addition of a commercial enterprise.

We request that this letter be provided to all planning advisory committee members, all members of the committee of adjustments, all councillors current and elect and to the Mayor and Mayor Elect.

In addition, we formally request any notes, minutes and paperwork relative to the upcoming meeting be provided in writing either by email or by paper copy that can be picked up in advance of the meeting.

Regards,

Martin Charron & Liz Gregory
29 Boyce Court
Belleville
613-920-5050

62 Boyce Court
Belleville, ON
K8P 5N9

To: R. Bovay, A. MacKay, S. Hutchison
From: Matt MacDonald, City Clerk
Date: November 19, 2014

November 16, 2014

Planning Section
Developmental Services Department
City Hall
169 Front Street
Belleville, ON K8N 2Y8



Re: Zoning By-Law Number 10245

To Whom It May Concern:

It is with some dismay that we learned about the proposed amendment to Zoning By-Law 10245 affecting 250 Bridge Street West outside of any reasonable prescribed process as our residence exists outside the 400 feet notification area, yet relies on the access off Bridge Street as the closest entry points to our residence. When we purchased our property, it was with the understanding that the area was designated residential and a quiet cul-de-sac. The primary reason that we selected this area is because of our severely developmentally disabled and soon to be adult child (can be confirmed with documentation). The area provides a quiet area for her to take walks and ride her bicycle ensuring a degree of safety due to the lower traffic. Although she is always accompanied by a responsible adult, she is always at risk of venturing away and can move quickly if your attention is distracted. The proposed by-law change would result in increased traffic both on the road entering the cul-de-sac and from those just taking a 'look around' resulting in an increased safety risk to our daughter.

We also question the soundness of another fitness/massage studio in this area as the services are already locally available. The neighbourhood currently has exactly the same service immediately north of the residential area on the Avaya property that is publicly accessible. The building in question was built to support the nursing home as an ancillary building. This proposed modification is a departure from the original nursing home mandate and it does not align with the residential expectations of the area. This amendment would allow a private business to breach both the original intent of residential land and zoning of the nursing home to the disadvantage of residents in the area.

We have had no issue with the nursing home designated area and many of the families of the residents there also take advantage of the quiet area to walk with their loved ones during the warmer spring, summer and fall months. I wonder if the families of the residents at the long-term care home have been consulted in this process as the area they have relied on for outdoor access will have increased traffic making access to the residential area more tenuous with wheelchairs. Additionally, the lack of consultation for

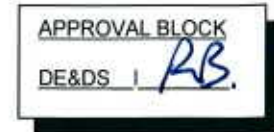
those outside of the 400 foot requirements despite being directly affected by the proposed change is **not acceptable**.

We expect council to represent the interests of all residents in this matter. Those families with elderly and/or disabled members must be especially considered as their welfare and safety are a responsibility of more than the household. Safe neighbourhoods and communities must also be a factor for serious consideration in this matter. Creating a private business that causes increased traffic in a residential area is not in the best or safe interests of our community.

With regards,

Handwritten signatures of Cynthia and Frank Martineau. The signature on the left is 'C. Martineau' and the signature on the right is 'F. Martineau'.

Cynthia and Frank Martineau



CITY OF BELLEVILLE
ENGINEERING & DEVELOPMENT SERVICES DEPARTMENT
PLANNING SECTION
Arthur MacKay, Manager of Policy Planning
Report No. PP-2014-36
November 26, 2014

To: Councillor Lafferty, Chair and
Members of the Belleville Planning Advisory Committee

Subject: Proposed Amendment to Zoning By-Law Number 10245, As Amended –
250 Bridge Street West, City of Belleville, County of Hastings
File Number: B-77-972
Applicant/Owner: BELMONT LONG-TERM CARE FACILITY
(FOR BELCREST NURSING HOMES LIMITED)
Agent: RFA PLANNING CONSULTANT INC.

Recommendation:

"THAT the Belleville Planning Advisory Committee recommends to the Council of The Corporation of the City of Belleville that the application to amend the City's Zoning By-Law Number 10245, as amended, for 250 Bridge Street West, City of Belleville, County of Hastings, be DENIED."

SUMMARY:

The application pertains to an accessory building located to the north of the Belmont Long-Term Care Facility which is situated at the north-east corner of Stinson Avenue and Bridge Street West. In December 2013 the accessory building received Committee of Adjustment approval to allow the building to be constructed to a height of 7.4 metres subject to it being located a minimum of 10 metres from the north property line and the construction of a 1.8 metre fence. In February 2014 site plan approval was granted for this building. The property is currently zoned "NH – Nursing Home" and the Applicant is requesting a zoning change to allow approximately 186 square metres of the building to be used for a personal fitness training facility and a massage therapy clinic. In the Planning Rationale submitted with the application the facility and clinic are to be used by Staff of the nursing home as well as private clients.

The land is designated "Residential Land Use" in the Official Plan and for reasons stated in this Report it is the opinion of Staff that the commercial use proposed does not comply with either the policies of the Plan or the Zoning By-Law. On that basis the application is recommended to be denied.

BACKGROUND:

Purpose and Effect

The proposed Zoning By-Law amendment applies to the Belmont Long-Term Care Facility located at 250 Bridge Street West.

The purpose of the application is to amend the zoning for this property to permit a personal fitness training facility and a massage therapy clinic in an accessory building located to the north of the nursing home.

The lands subject to the proposed amendment are shown on the attached location plan.

Subject Property

- Site Characteristics

The land contains a nursing home and an accessory building.

- Adjacent Land Uses

To the north and northwest are located single detached residential uses. To the east is a race track. To the west, across Stinson Avenue, are vacant lands zoned for future townhomes. To the south, across Bridge Street West, are located residential apartments.

Official Plan

The land is designated "Residential Land Use" in the Official Plan.

The Planning Rationale submitted with the application (attached) contends that the allowance of the proposed use meets the non-residential provisions (Subsections 3.10.1 and 3.10.3) of the "Residential Land Use" designation. In the Plan examples of such non-residential uses include small convenience retail and service shops and offices, churches, day care centres, branch libraries and home occupations. In addition these uses should only be permitted when they are compatible with adjacent residential uses, have a minor impact such that the location within residential areas is of little or no consequence and often perform a service function in support of the residential area.

Staff contend, however, that a personal fitness training facility and a massage therapy clinic is not contemplated or permitted by the non-residential policies of the Plan that have been cited. Notwithstanding the contention that the facility is to be partially used by nursing home staff, once established there is no ability to control the clientele that would use the facility. All users could be off-site to the property. In such a circumstance the commercial use will have an impact on the adjacent neighbourhood, relative to increased traffic flow. Nor is there evidence offered that the commercial use will provide a service function to the immediate residential community as per the cited policies of the Plan. Finally, it is noted that recreational uses are explicitly directed by the Plan to locate within areas designated "Commercial Land Use", not residentially designated areas.

On that basis the application does not comply with the Official Plan.

Zoning By-Law

The subject land is zoned "NH – Nursing Home" in Zoning By-Law Number 10245, as amended. The purpose of the application is to allow approximately 186 square metres of a building accessory to Belmont Long-Term Care Facility to be used as a personal fitness training facility and a massage therapy clinic. It is contended that the facility will be used by nursing home staff, as well as private clientele. Consequently, the Applicant has requested a special NH zone to permit the use.

In the Zoning By-Law "Accessory" is defined as "the use of land or a building or structure that is naturally and normally incidental subordinate, and exclusively devoted to the main use of the land, building or structure and located on the same lot therewith." As the main use of the property a nursing home is defined in the By-Law as "...any premises maintained and operated for persons requiring nursing care in which such care is provided to two (2) or more unrelated persons; as licensed by the Province of Ontario."

As noted, the end users of the proposed facility would be private clientele and nursing home staff. However, it is Planning staff's position that this would not meet the test of an accessory use to the nursing home, since none of the clientele would be the actual occupants of the nursing home and some (or all) of the clientele would be offsite. Even with regard to the provision of the service exclusively to nursing home staff, it is Planning staff's opinion that this scenario would not meet the accessory use test. Whether it was the proposed fitness facility or some other commercial service offered in the accessory building, the provision of that commercial use to nursing home staff is not viewed to be accessory to the nursing home operation.

Therefore a rezoning to a special "NH – Nursing Home" zone to allow the use cannot be supported.

Application Circulation

- External Agency Circulation

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, Ontario Power Generation, Union Gas, Hydro One, Veridian Connections, TransCanada Pipeline, Enbridge Pipelines, Trans-Northern Pipelines and Quinte Conservation on November 6, 2014.

Canada Post advises that there would be 1 drop for this facility.

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

- Internal Department Circulation

The subject application was circulated for comment to Belleville Fire and Emergency Services, Belleville Police Service, the Department of Engineering and Development Services, the Environmental & Operational Services Department, the Department of Recreation, Culture and Community Services and the Manager of Approvals on November 6, 2014.

The Manager of Approvals advises as follows:

"The subject building has already been before the Committee of Adjustment for approval of a minor variance to allow a maximum height of 24' 2" instead of the required 14.7 feet (File # A 20/13).

This application was of great concern to the abutting residential property owners to the north (see attached minutes). As part of the variance process it was noted that the proposed use was in conjunction with the nursing home (i.e. storage and office space).

The use now being proposed includes a commercial function that is open to the general public and will serve non-residents. This is not an appropriate use or location for this type of activity."

- Public Circulation

Notice of the subject application was circulated to all registered landowners within 120 metres (400 feet) of the subject property and notice was provided by advertisement in The Intelligencer on November 6, 2014.

Extensive comments and telephone calls have been received expressing opposition to this Application.

Planning Analysis

As described, it is the opinion of Planning Staff that the application does not comply with either the Official Plan or Zoning By-Law. The policies of the "Residential Land Use" designation does not allow the proposed use, nor can it be considered to be accessory to the nursing home for the reasons previously stated in this Report. Therefore, the allowance of a personal fitness training facility and a massage therapy clinic in the building would require both an Official Plan Amendment and a rezoning to a commercial zone classification. However, the location is in a residential area with both existing single detached homes located immediately adjacent to the north and north-west, as well as zoning for future townhomes located on the west side of Stinson Avenue and immediately opposite the accessory building.

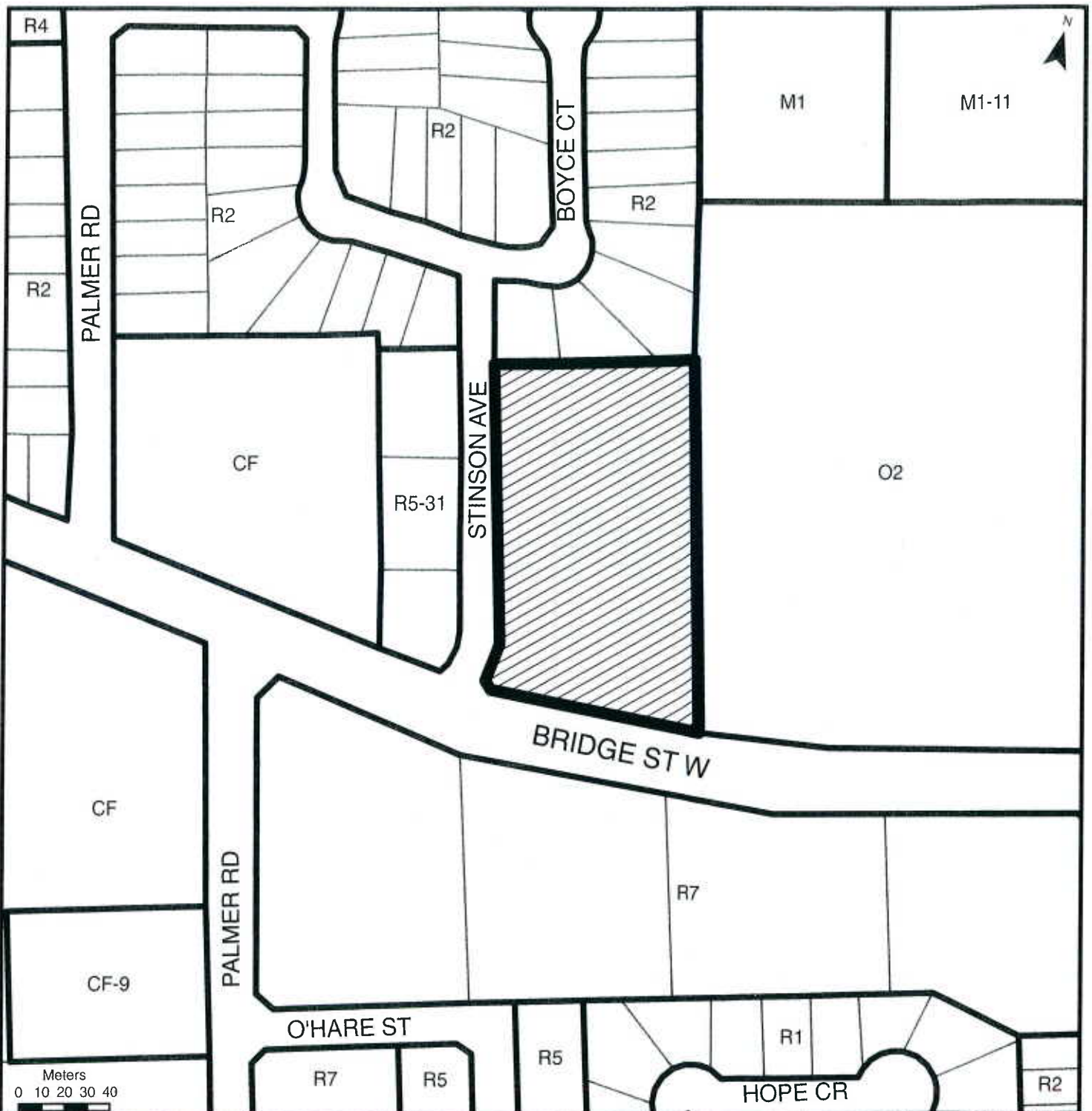
Notwithstanding that the nursing home fronts on Bridge Street West, vehicular access to the accessory building is only achievable via an entrance from Stinson Avenue. Based on both Staff visits as well as photographs submitted by the neighbours, on-street parking is presently occurring regularly on Stinson Street adjacent to the nursing home. The addition of a commercial use in this location will likely serve to compound the on-street parking situation further.

On that basis of the foregoing, the location is not appropriate for this use and therefore it is recommended that the application not be approved.



Arthur MacKay
Manager of Policy Planning

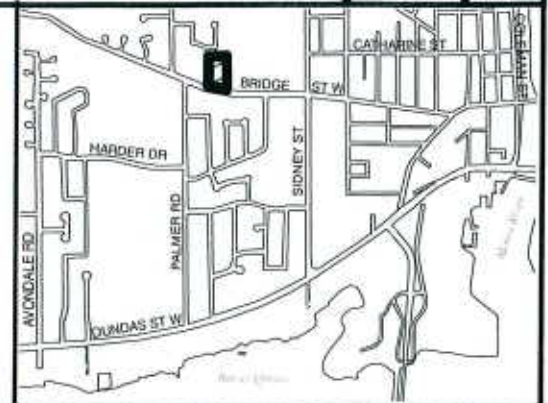
atta



PROPOSED ZONING BY-LAW AMENDMENT

LOCATION: 250 BRIDGE ST. W.

 PROPOSED ZONING CHANGE FROM NH (NURSING HOME ZONE) TO NH WITH SPECIAL PROVISIONS



CITY OF BELLEVILLE
 ENGINEERING & DEVELOPMENT SERVICES DEPARTMENT
 Page 21

SITE PLAN
 BELQUEST MANSION HOMES LIMITED
 205 BRIDGE STREET, WYKE
 BELMONT LONG TERN COMMUNITY
 PART OF LOTS 8 AND 9
 REGISTERED PLAN 1018
 BELMONT LONG TERN
 COUNTY OF HASTINGS

SCALE = 1:500 METRIC



LAND USE SUMMARY

EXISTING RESIDENTIAL HOME BUILDING	2,773	41.0
ACCESSORY BUILDING	1,142	17.0
ASPHALT PAVING AREA	5,560	84.0
LANDSCAPED AREA	13,240	200.0
TOTAL SITE AREA		322.0

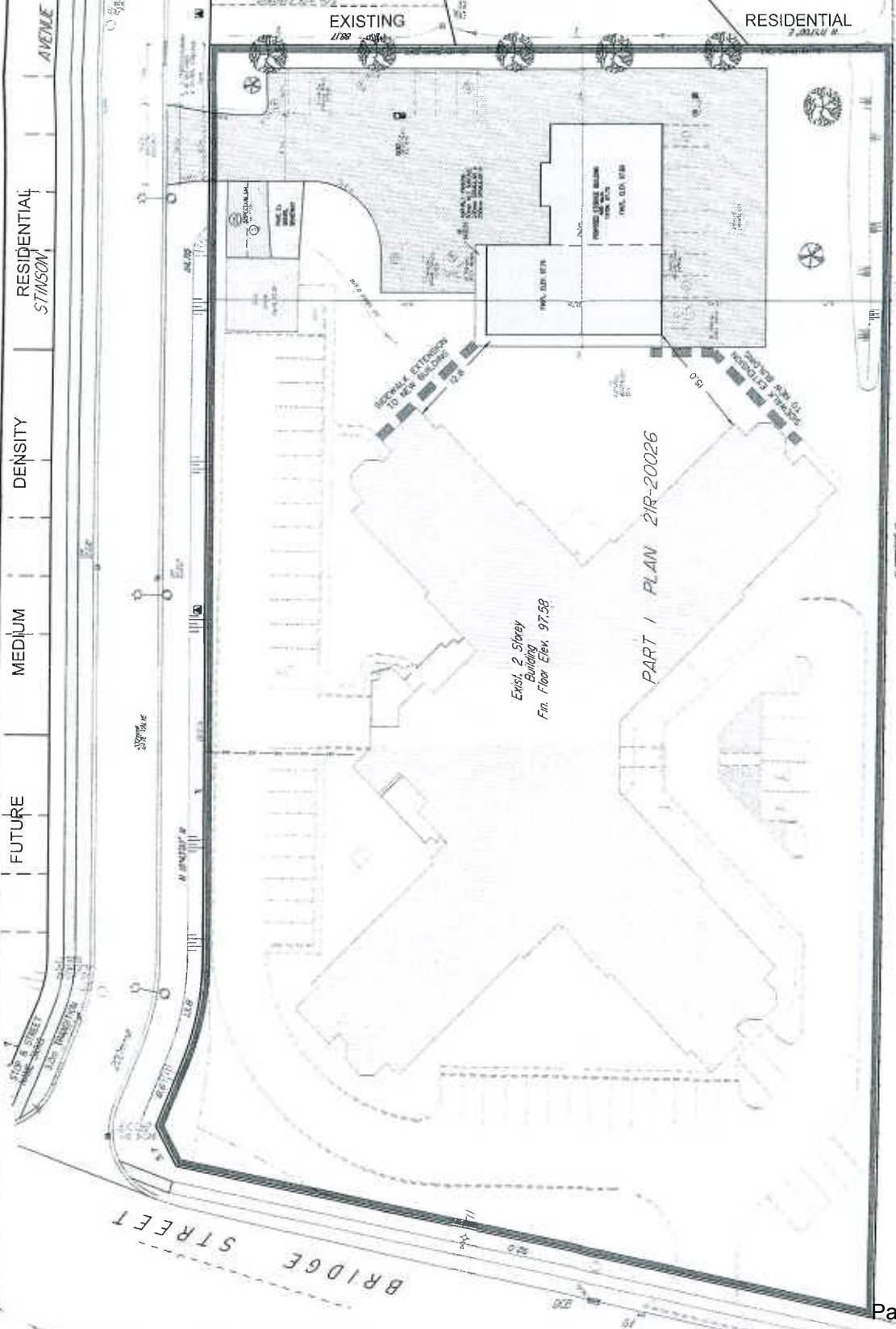
PARKING NOTES:
 - SIXTEEN (16) ADDITIONAL PARKING SPACES TO BE DEDICATED TO BELMONT LONG TERN CARE FACILITY STAFF.
 - NINE (9) ADDITIONAL PARKING SPACES TO BE DEDICATED TO PERSONAL FITNESS TRAINING FACILITY AND MASSAGE THERAPY CLINIC TENANTS.

NOTE:
 DRAWING CREATED USING DATA FROM VIMMER LIMITED.

AR
 ARCHITECTURAL RECORDS
 211 Dundas Street East, Suite 200,
 Toronto, Ontario, M5B 1T8

OCT. 23, 2013

886 - 8P



Exist. 2 Storey Building
 Fin. Floor Elev. 97.59

PART 1 PLAN 2/R-20026

EXISTING COMMUNITY FACILITY



October 23, 2014

Mr. Art Mackay, Manager Policy Planning
Policy Planning Section,
Engineering & Development Services Department
City of Belleville
169 Front Street
Belleville, ON, K8N 2Y8

Dear Art:

RE: Planning Rationale and Description of the Proposal – 250 Bridge Street West, City of Belleville, County of Hastings

It is proposed to use a portion of the new accessory building at the Belmont Long-Term Care Facility (approximately 186 square metres of floor area based on floor plan) as a personal fitness training facility and massage therapy clinic. The space will provide personal training and massage therapy to staff of the Belmont Long-Term Care Facility, as well as to private clients. There is 135 Belmont staff that will access personal training and massage therapy programming intended to be offered from the facilities. Direct sidewalk connections have been extended to the new accessory building from the existing main nursing home building and additional staff parking along with tenant parking has been dedicated around the new building.

- It is proposed to add personal fitness training facility and massage therapy clinic as permitted accessory uses to the NH Zone.

The property is designated as *Residential* in the Belleville Official Plan. The Plan permits secondary uses of a non-residential nature if they are compatible; perform a service function that supports the residential area; have minimal impact with little consequence on the area. Examples include convenience retail, service shops and offices, churches, and branch libraries. (3.10.1, enclosed)

There are more detailed policies for Non-Residential Uses in Section 3.10.3, enclosed. Some key points:

- Limited in size to no more than 200 square metres floor area;
 - Proposed personal fitness training facility and massage therapy clinic will be limited to 186 square metres floor area.

- Compatible with adjoining residential uses;
 - Personal fitness training facility and massage therapy clinic hours of operation will be daytime only, Monday to Friday.
 - The proposed uses are enclosed within the new accessory building, with enhanced landscape buffering/fencing and separation distance to surrounding sensitive land uses that exceed Zoning By-law 10245 requirements.
 - Minimal changes in traffic patterns are anticipated due to the minor and limited scale of the proposed personal fitness training facility and massage therapy clinic.
- Permitted where capable of serving the needs to the neighbourhood;
 - Personal fitness training and massage therapy are complementary personal service uses that can serve the needs of the surrounding area.
- Where grouped, no more than 3-4 separate uses allowed;
 - There is a total of four (4) separate uses grouped within the new accessory building – garage storage, meeting/office, personal fitness training facility and massage therapy clinic.
- High-Density Residential locational criteria;
 - Meets the locational criteria for high density residential uses – access to the proposed accessory uses is on a local street but leads directly to a Collector Street and does not travel through a low density residential area; it is across from future medium density uses; it is adjacent to the Community Facility Land Use designation in the OP.

Site development criteria are:

- Safe access from the street;
- Outdoor storage and garbage areas are screened;
- Improved appearance through enhanced landscaping of the property;
- Exterior lighting oriented away from residential properties;
- Impact of loading and parking areas on adjacent residential properties is minimized by increasing setbacks, buffers/berms, fence or plantings;
- Safe pedestrian access and circulation on site;
- Architectural design reflects the character of the surrounding area.

The Official Plan site development criteria have been addressed prior to this Application to Amend Zoning By-law Number 10245 through the previous Committee of Adjustment decision of December 12, 2013 (A 20/13) and registering an amended Site Plan on title to the subject property. Careful consideration has been given for barrier free accessibility to and within the new building with respect to the new Ontario Building Code.

Given the limited scale, size and range of proposed uses; that the Site Plan already provides for increased setbacks from abutting sensitive uses to the north, landscaping and fencing; that the personal fitness training and massage therapy uses will provide compatible services to the surrounding area, it is our opinion that the proposal does conform to the Official Plan policies for non-residential uses in a Residential Land Use designation and that no Official Plan Amendment is required. The proposed accessory uses also meet locational criteria for high-density residential – leading directly to a Collector Street; does not travel through a low density residential area; and is immediately adjacent to future medium residential uses and a Community Facility Land Use area in the Official Plan. The new accessory building is directly connected via sidewalks intended for staff access from the existing main nursing home building and the majority of the additional parking provided will serve the 135-Belmont Long Term Care Facility staff. A rezoning should be processed to add personal fitness training facility and massage therapy clinic as permitted accessory uses to the NH Zone.

Yours truly,



Shawn Legere, BCD Hons., Urban Designer/Planner
RFA Planning Consultant Inc.

SL/rfa



CITY OF BELLEVILLE

OFFICIAL PLAN

City of Belleville Development Services Department

3.10.1 Permitted Uses

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

Certain secondary uses of land of a non-residential nature may be permitted. Such uses would be restricted to those that are compatible with residential uses and which often perform a service function in support of the residential area within which they are located, or otherwise have such a minor impact that location within residential areas is of little or no consequence. Examples would include small convenience retail and service shops and offices, churches, day care centres, branch libraries, and home occupations.

3.10.2 Residential Policies

- a) Residential development within areas designated Residential land use should be permitted to occur at various densities within the City to ensure a full range of housing forms at different sizes and styles that meets the needs of all citizens is provided. The densities that are supported by this Plan are as follows:
- i) Low density residential uses would normally include one family detached and attached two-family dwellings, developed up to 18 units per hectare gross residential density¹ or 25 units per hectare net residential density².
 - ii) Medium density residential uses would normally include various types of attached, multiple or cluster housing projects such as row dwellings and small low-profile apartment complexes, developed up to 60 units per hectare net residential density².
 - iii) High density residential uses would normally include various types of multiple dwellings such as apartment complexes and stacked townhouses, developed up to 115 units per hectare net residential density².

The standards set out in these definitions should not be considered firm; circumstances or conditions will exist where the number of dwelling units permitted for a given area of land should be either higher or lower than defined in order to address other policies of this Plan.

Further, it is recognized that for certain forms of specialized housing, traditional forms of dwelling units may not be established, and the issue of density for such housing should be established on the comparative basis of the numbers of persons

¹ Gross residential density means the total number of residential dwelling units per hectare of land including all roads, stormwater management facilities, utility corridors, parklands and similar which are necessary to support the residential area.

² Net residential density means the total number of residential dwelling units per hectare of land excluding all roads, stormwater management facilities, utility corridors and similar which are necessary to support the residential area.

development (i.e. due to noise, light, or visual impact), Council should ascertain and provide for the most appropriate means of mitigating such impacts, including:

- buffering through use of plantings, fencing, berming;
- increased setbacks;
- solid structural barriers; and/or
- architectural design (orientation of building fenestrations).

Council may require the preparation of noise and vibration attenuation studies as set out in Section 7.7 of this Plan to ascertain the extent of the potential impact and to identify the most effective mitigative measures.

3.10.3 Non-Residential Policies

- a) Commercial uses within areas designated Residential land use should be restricted to uses that cater to the needs of the immediate residential neighbourhood, or which are of a minor nature (similar impact to a comparable residential use). As a guiding principle, such uses should be restricted to areas which are considered appropriate for large scale high density residential development as set out in Section 3.10.2 d) of this Plan. Generally, uses should be:
- limited in size to no more than 200 square metres floor area;
 - compatible with adjoining residential uses;
 - only permitted in areas which are capable of adequately servicing the needs of the neighbourhood or otherwise be inconsequential; and
 - where grouped, generally limited in size to a cluster of no more than three to four separate uses.

Where commercial development is permitted, site development criteria to be applied should ensure that:

- safe access from the public street is provided;
- all outdoor storage areas for garbage are fenced or screened from adjacent uses and preferably located away from the public street;
- the visual appearance of the property is enhanced through landscaping;
- all exterior lighting is oriented away from residential properties and adjoining streets; the impact of loading facilities, parking lots and service areas on adjacent residential uses is minimized through fencing or plantings, berming and buffer strips, or increased setbacks;
- safe pedestrian access and circulation is provided on-site; and
- the architectural approach recognizes the character of the surrounding neighbourhood.

Residential uses in combination with such development may be permitted provided both land uses are designed to exist compatibly on the same lot.

- b) Institutional and open space uses within areas designated Residential land use should be restricted generally to uses which cater primarily to the needs of the immediate residential neighbourhood within which they are located; examples would include churches, day care centres, and neighbourhood parks.

Institutional uses should be restricted to areas which are considered appropriate for medium or high density residential development as set out in Sections 3.10.2 d) and e) of this Plan, whereas open space uses may be permitted within any area designated Residential land use.

The impact of such uses on adjoining residential uses should be considered and mitigative measures taken to ensure impact on such adjoining uses is not excessive; the site development criteria set out in Section 3.10.3 a) should be applied to such situations.

- c) Within areas designated Residential land use, there are numerous existing commercial, quasi-commercial and institutional land uses that typically would not qualify as neighbourhood commercial land uses, including:
- the carpet outlet at the corner of Emily and Lingham Streets;
 - the financial institution and laundry business on the east side of Sidney Street south of Graham;
 - children's aid office and other commercial uses on the south side of Dundas Street West east of Wilkie Street;
 - dental and other clinics and child development centre on Bridge Street East;
 - retail shops on the east side of Sidney Street north of Tracy and on the east side of Pinnacle Street north of Grove; and
 - service station at the corner of Cannifton Road and McFarland Drive.

It is the intent of this Plan that any such uses that do not exhibit unreasonable impact upon the surrounding residential areas should be recognized and given reasonable opportunity for change of use and redevelopment in accordance with the Commercial land use policies of this Plan.

3.11 Community Facility

The purpose of the Community Facility designation as shown on the land use schedules is to recognize the most significant community or institutional uses located throughout the community, generally within areas predominantly used for residential purposes. This land use designation does not define all establishments that would qualify as community facilities or institutional land uses; institutional uses are located in, and are allowed to establish in a number of other land use designations established by this Plan.

3.11.1 Permitted Uses

The predominant uses of the land in areas designated Community Facility are uses which exist for the benefit of the residents of the community and which are operated for the most part by the City, senior levels of government, school boards, non-profit organizations such as church groups and public service agencies. The uses permitted would include education facilities including public, separate and private schools (including staff and student housing), churches, cemeteries, hospitals, fire halls, day nurseries, police stations, libraries, museums, galleries, theatres, community centres, service clubs, banquet halls, nursing homes, homes-for-the-aged, parks and playgrounds,

MINUTES OF THE REGULAR MEETING OF THE BELLEVILLE COMMITTEE OF
ADJUSTMENT HELD ON NOVEMBER 21, 2013, AT 3:30 P.M., IN THE COUNCIL CHAMBER,
CITY HALL, 169 FRONT STREET, BELLEVILLE

MEMBERS PRESENT: Mr. Brian Miller, Chair
Ms. Kay Manderville, Vice Chair
Mr. George Beer
Mr. Dale Burley
Mr. Mel Plewes

REGRETS: Mr. Peter Rooke
Mr. Joe Lentini

STAFF PRESENT: Mr. Spencer Hutchison, Secretary, Committee of Adjustment

1. **DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF**

None

2. **HEARING AND DECISION OF APPLICATIONS**

- a) Application A 20/13 Application for Minor Variance
 250 Bridge Street West
 Owner: David Clegg
 Agent: Brad Stinson

Brad Stinson was present to represent the application.

Mr. Burley: Any question of severance?

Mr. Stinson: Not the intention. Not thinking of that right now.

Mr. Burley: Can the building be rented out?

Mr. Stinson: Not the idea. The garage is for a lawn tractor, snow plowing, 4 wheel tractor and mechanic's tools. For use of the Belmont.

Mr. Burley: The fence was not put up along the rear property line.

Mr. Stinson: It will be put up to help block car head lights.

Mr. Plewes: Can the roof line be changed?

Mr. Stinson: That is the minimum pitch of roof. Don't want flat roof; we want to match residential look. In addition, the height of Bobcat on a trailer dictates higher middle garage door.

Mr. Plewes: Can you move the building to the South and have the driveway on the North side?

Mr. Stinson: Then there would be more traffic on North side and closer to the residential properties.

Mr. Plewes: Can fence be put up first?

Mr. Stinson: It will impact setting of final grades, therefore better to do it later. We can install temporary fence.

Mr. Beer: Can the building not be moved 4' to 8' to the South? Yes.

Ms. Sue Primeau (45 Boyce Court) submitted a letter. Her objections would be dealt with if a fence was installed and the building was moved to the South. Should look at bigger picture.

David Livingston (43 Boyce Court) read his letter (copy attached). He is strongly opposed. He has always had southern exposure. This building is not an accessory building.

Correspondence

Comments from Development Technologist, Manager of Approvals and Quinte Conservation were before the Committee.

Correspondence from Ms. Sue Primeau and Mr. David Livingston were before the Committee.

DECISION

Moved by Mr. Burley
Seconded by Mr. Plewes

THAT the Decision approving Application A 20/13 be incorporated and adopted as part of the Minutes of the Meeting.

Subject to:

1. Building being located 5 metres from the property line.
2. Privacy fence is installed.

- CARRIED -

- b) Application A 21/13 & B 34 /13 Application for Minor Variance & Land Severance
31 Wallbridge Crescent
Owner: Barry Raycroft
Agent: Keith Watson

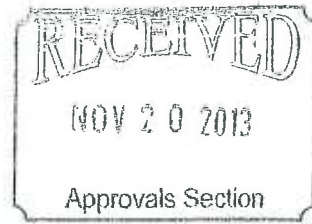
Keith Watson was present to represent the application.

Mr. Plewes: I don't want to give up on the landscape strip.

Mr. Beer: Should have defined entranceways.

Mr. Watson: This will cause parking problems.

David & Helen Livingston
43 Boyce Court
Belleville Ontario
K8P 5N9



Committee of Adjustment
City of Belleville
169 Front Street
Belleville ON K8V 3N4

File No: A20/13 City of Belleville Committee of Adjustment Notice of Minor
Variance Application (Height Increase from 14.76 ft to 18.5ft)

I would like to say at the outset that we are strongly opposed to this request and would sincerely hope that it will be turned down. By way of this letter we are also requesting to be notified by the Belleville Committee of Adjustment regarding this decision.

The variance addresses only the height of the building. We feel that this height will block the sun and our solar energy in the winter for the first hours of sunlight. We have a southern exposure and have always purchased a house with that criteria in order to optimize our solar energy. Our other concerns are:

We do not feel that 2 meters from our property line is reasonable .

Our property is situated directly behind the proposed building and our bedroom and deck are within 35 feet of the new building. We are concerned that our quality of life will be affected by people and vehicular traffic at all hours of the day.

Our bedroom is also located in the south and we like to sleep with the window open. If offices and conference rooms are allowed this means that human traffic and car traffic noise will affect our quality of life at all hours of the day. The bedroom window faces directly at the Belmont property and is within eight meters of the property line. We bought on this street because it is a dead end street and thus minimal traffic and maximum privacy. We will have more traffic and noise in our backyard.

Other Considerations

- 1) Quality of view from our deck is affected
- 2) Privacy of deck usage is degraded
- 3) Property value is decreased
- 4) Proximity of such a large building to our property (5220 sq ft)
- 5) Why is extra height required ?

I also have some concerns regarding the ultimate purpose of the building and feel that the long term strategy for the building has a hidden agenda. We would like information on details of what the building is being used for and the owners business case for justifying it as a profit center for the Belmont business. We do not believe this qualifies as an accessory building for the Belmont business and is in violation of the city of Belleville By-Law # 10245 particularly Part A 5 Definitions Part 1. I want to be advised as to what recourse we have to contest this interpretation because of the following concerns

- 1) The occupants of the Belmont cannot drive cars and thus I don't see any need for indoor parking for them.
- 2) If the indoor five bay garage is not for the occupants then what is the need for it.
- 3) The building size is huge at 5220 square feet ..
- 4) The current accessory building stores one riding lawnmower and is the only vehicle I am aware of that is utilized by the Belmont business.
- 5) The drawings already show an address of 27 Stinson Ave. Since when does an Accessory building require an address? To quote the planner "I think they're getting a little ahead of themselves".
- 6) When the planner was asked about the line between the existing building and the new building it was stated that this was the owner hypothesizing where a severance line would be. This would surely indicate that the real purpose of this building is not as an accessory building for the current business. This building in my opinion is not being built for the current Belmont business and in regards to the term accessory building does not qualify as an accessory building.
- 7) The planner indicated to my neighbour that a privacy fence existed between our two properties. Obviously the planner has not physically been on the site as a privacy fence has never existed. In regards to this apparently one was supposed to be built when our properties were built and if this building is approved we would want that built prior to any site construction.

With regards to the City of Belleville Official Plan we believe this building contravenes the spirit and possibly legalities of 3.1.2 Commercial and Industrial Policies and in particular sections f and g.

- f) All new commercial and industrial development should recognize and respect the historical or built heritage of the Hamlet; new development should be compatible with the historical scale, function, aesthetics and streetscape of the Hamlet.
- g) Adequate buffering should be provided between the commercial or industrial use and any adjacent residential areas

Also we have additional concerns about this building in regards to the interpretation of section 3.11.2

3.11.2 Policies

a) Uses permitted in the various areas designated Community Facility should be defined according to:

- the function for which the area is designated;
- the nature of access to the subject lands;
- the servicing limitations of the subject lands; and
- the nature of adjoining lands uses and the potential for land use conflict.

Facilities should be located where they are capable of adequately servicing their principal user groups and on lots which are adequately sized to accommodate buildings, parking, and landscaping.

Where lands designated Community Facility are located in predominantly residential areas, residential uses may be permitted where it has been determined:

- there are no appropriate government or other institutional uses apparent for such lands; and
- the residential land use is appropriate in keeping with the policies of Section 3.10 of this Plan.

Thank you for your consideration of these issues.

Yours truly,



David Livingston



Helen Livingston

November 18, 2013

City of Belleville
Committee of Adjustments
169 Front Street
Belleville, ON
K8V 3N4



Ladies and Gentlemen:

Re: An application under Section 45 of the Planning Act, submitted by Stinson Builders on behalf of David Clegg

I am an adjoining landowner (Lot 38 known as 45 Boyce Court) to the existing Belmont Long Term Care facility for which a new accessory building is proposed to be constructed. I have the following observations and concerns with regards to the proposed accessory building.

Observations

It is my understanding the said building will approximate 485 square meters (over 5,200 sq. ft.) and will include offices, training facilities, storage facilities and a five bay garage. A building this size built on land that is marked as 27 Stinson Avenue on the drawings with an obvious severance line shown appears to be commercial in nature and not fitting with zoning of Community Facility. This extremely large building is fully 18-20% of the size of the actual nursing home structure. It is larger than the square footage of the main floors of the three adjoining residential properties combined.

It is my understanding the property is one large parcel of land that includes the nursing home and a garage and is properly zoned as CF-Community Facility Zone.

However, I note that on the plans the location of the proposed building is shown as 27 Stinson Ave, being an address different from the nursing home address, which is located on Bridge St West. An entranceway off Stinson Avenue has been constructed. There is currently a gravel parking lot immediately east of this entranceway. If the property is not one parcel of land then the location of the building would not be accessory to the Nursing home.

It is my understanding the accessory building usage will have to comply with the CF zoning requirements and is to be used as accessory to the main building.
It is my understanding use of the accessory building for human habitation is prohibited.

It is my observation that the drawings indicate there is a privacy fence between the Belmont property and lots 38, 39 and 40. There is presently no fence between the said properties.

Concerns

I have some concerns with regards to the future uses of the proposed accessory building. The plan provided to me indicates a separate municipal address for the building and a description of the building as "Professional Offices". This raises the following questions:

Will approval of the minor variance application for a building that is being built under the zoning, planning and building codes, as an accessory building, allow future severance of the accessory building property at which point the use would not be in compliance with the CF zoning?

Will approval of the minor variance application allow a change to the current building plan or will the applicant be required to construct the building in accordance with the plan submitted to your committee?

Will the applicant be required to use the facility for CF zoned uses as they relate only to and incidental and subordinate to the main use as Belmont Long Term Care Facility?

To clarify, can the nursing home rent out or allow use of the building; to other people or entities for other uses? And /or to parties not directly engaged in nursing home activities? Examples are storage of boats, campers, trailers, personal vehicles, rental to landscaping companies, developers, builders, and so on, and not used or for the use of the nursing home? Could this become or be used as a commercial or industrial property? Who polices the uses of the building to ensure it complies with the said "accessory use"?

Can the applicant be prohibited from renting or leasing the facility to third parties?

Will the facility be used only to house vehicles and equipment that are required in the operation of the Belmont Long Term Care Facility?

Will the facility be used to store garbage, which would include food waste and incontinence products?

In explanation, the small garage on the site currently holds waste and recycling materials and the doors are not always closed, as they should be, when the waste bins overflow and the lids are not closed the prevailing winds blow waste on to my yard. Also, we have had ongoing problems with vermin and open bins encourage that issue.

Will a proper two-meter privacy fence be constructed between the Belmont property and lots 38, 39 and 40?

The plan shows a fence on the property line. It is my understanding that the developers should have built this fence when the residential properties were constructed due to the CF designation of the neighboring property. It has been over 8 years now and the developers have not built the fence, neither have they completed the subdivision as planned.

If the building should be approved I would ask that you order that the developers/builders put in the proper required privacy fence **prior to construction** of the accessory building. The prevailing winds are north and west if there is no fence all the debris, dust, and dirt will end up blowing into my property throughout the construction process. In addition the noise and fumes from the equipment and parking will impact the quiet enjoyment of my property.

The nursing home has shiftwork and with the increased parking at the property line, the noise factor of the employees arriving and leaving in the middle of the night will increase.

Will survey and drainage issues be properly addressed?

Official Plan

3.11 Community Facility

The purpose of the Community Facility designation as shown on the land use schedules is to recognize the most significant community or institutional uses located throughout the community, generally within areas predominately used for residential purposes. This land use designation does not define all establishments that would qualify as community facilities or institutional land use designations established by this plan.

3.11.1 Permitted uses

The predominant uses of the land in areas designated Community Facility are uses which exist for the benefit of the residents of the community and which are operated for the most part by the City, senior levels of government, school boards, non-profit organizations such as church groups and public service agencies. The uses permitted would include education facilities including public, separate and private schools, ... churches... **nursing homes**, homes-for the aged, ... and similar uses.

3.11.2 Policies

“paragraph d) clause two: Parking lots, service areas and outdoor activity areas should be located so as to minimize the effects of noise and fumes on nearby residential properties. Measures to mitigate the impact of such facilities on adjoining residential areas by fencing ... increased setbacks should be employed as required.”

Accessory Buildings or Structures Under the Official Plan

8. Part C-General Provisions-Interpretation

Paragraph (2) Accessory buildings or structures which are not attached to the main building on the lot, shall be erected in conformity with the minimum front yard and outside yard regulations of the Zone in which such main building is located, but shall not be located closer to the street line than the main building on the lot.

Any detached accessory building or structure shall not be erected less than 1.0 m. from an interior side or rear lot line, except that a mutual garage may be erected on a common lot line.

Paragraph (3) Where a detached accessory building or structure is erected on any lot, the distance between such detached accessory building or structure and the main building on the lot shall be:

11518 a) "where the detached accessory building or structure faces a wall of the main building containing a window or opening into a habitable room, 3.0m. ..."

Objections

1. Based on the concerns, and observations noted above, I object to the construction of an otherwise commercial building of that size and magnitude being built as an accessory building to the CF-zoned property. If the building were built closer to the main building and of the requisite height it would be more easily accepted as an accessory building. All indications on plans and drawings reviewed at City Hall appear to be something other than what is being proposed to the committee of adjustment at this time as only a minor variance. My impression by all appearances and conversations is that the long - term plan is to sever this portion of the property off as 27 Stinson Avenue.

2. Based on the information related to Accessory Buildings previously noted and the Official Plan, I also object for the following reasons:

Set off for the construction of the building should be increased in accordance with the Official Plan to 3.0 meters or greater because the north side of the building will face three homes with habitable rooms that are southern exposure.

Accessory Use as defined in the Official Plan shall mean a use that is naturally and normally incidental and subordinate to the main use and operated with the main use of the same lot. I fail to comprehend how a five bay garage is normal or incidental or subordinate to the main use of a nursing home. It is

observed over the past eight and one-half years that the nursing home has no identifiable vehicles used in the operation of the nursing home, other than, it has a riding lawnmower that is stored in the first accessory building and there is a large trailer, indicated to be a rental trailer sitting on the parking lot off Stinson Avenue.

3. In addition, I object to there being no fence as is required, and that the fence should be constructed so as to (Planning Act 3.11.2 d) "minimize the effects of noise and fumes on nearby residential properties." This fence should have been built on at least two previous occasions and was not, first when the homes were constructed and second when the parking lot was created. The fence should be built immediately regardless of the outcome of this hearing, and should be required to be completed prior to commencement of construction of any buildings on the CF zoned property.

It is my plan to attend the meeting on November 21, 2013 to address the committee on these issues, and answer any questions you may have.

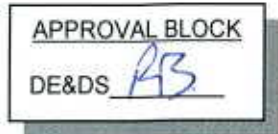
In addition, I ask that you consider this my formal request for written notification of the decision of the City of Belleville Committee of Adjustments in respect of the proposed minor variance.

I thank the Committee members for taking the time to address my observations and concerns.

Yours truly,



Susan Primeau
45 Boyce Court
Belleville, Ontario
K8P 5N9



CITY OF BELLEVILLE

Spencer Hutchison
Manager, Approvals Section
Engineering and Development Services Department
Report No. APS-2014-38
November 26, 2014

To: Belleville Planning Advisory Committee

Subject: Proposed Revisions to Subdivision Review and Approval Process
City of Belleville

Recommendation:

That the Approvals Section recommends the following process to the Belleville Planning Advisory Committee:

1. "THAT all documentation related to the proposed revisions to the Subdivision Review and Approval Process for the City of Belleville, as outlined on Table 1 attached to the Manager of Approvals' Report No. APS-2014-38, be received for information.
2. "THAT all documentation related to the proposed revisions to the Subdivision Review and Approval Process for the City of Belleville, as outlined on Table 1 attached to the Manager of Approvals' Report No. APS-2014-38, be circulated to other municipal departments and outside agencies, as appropriate, as well as to members of the local development industry for review and comment and that as part of this consultation process, meetings be held to receive input from the appropriate parties.
3. THAT following an appropriate period of consultation, pursuant to Recommendation No. 2 above, a public meeting will be held as part of a Planning Advisory Committee meeting in 2015, to review and consider all documentation related to the proposed revisions to the Subdivision Review and Approval Process for the City of Belleville.
4. THAT when deemed appropriate the Planning Advisory Committee will forward their recommendations to Belleville City Council on a new Subdivision Review and Approval Process for the City of Belleville."

Background:

For a considerable period of time Staff of the Approvals Section along with the development industry have been desirous of having a manual outlining the city's approval process for plans of subdivision while also setting out the city's design standards required for all new developments. In doing so, this documentation would assist in streamlining the approval process by attempting to eliminate all areas of uncertainty and confusion and limiting the possible areas of disagreement.

At this point in time, Staff have been able to pull together an extensive package of documentation all directly or indirectly related to the subdivision approval process as listed on Table 1 below and attached to this report. Some of the material is new and some of it revises and/or updates existing documentation. Item No. 15 is a document prepared and under the jurisdiction of the Environmental Services Section of the Environmental and Operational Services Department.

Table 1: Subdivision Approval Process and Related Documentation

1. Subdivision Development Manual - Volume 1: Procedures and Policies
2. Appendix I – Agency Circulation List
3. Appendix II – Cost Sharing Policies
4. Appendix III – Pre-Consultation Checklist
5. Appendix IV – Subdivision Application Form
6. Appendix V – Report and Drawing Specifications
7. Appendix VI – Standard Conditions of Draft Plan Approval
8. Appendix VII – Municipal Road Cross-Sections
9. Appendix VIII – Typical Roundabout Design
10. Appendix IX – Approved Lighting Equipment
11. Appendix X – Application Forms Related To Subdivision Agreements
12. Appendix XI – Sample Agenda For Pre-Construction Meeting
13. Appendix XII – Standard Subdivision Agreement
14. Volume 2: Engineering Design Standards and Specifications (except water)
15. Volume 3: Engineering Design Standards and Specifications – Water
16. Draft Official Plan Amendment to implement pre-consultation and define a complete application
17. a revised Subdivision Approval Delegation By-law
18. a "Site Alteration" By-law
19. a "Tree Cutting" By-law.

Since this documentation is quite extensive in nature and costly to reproduce, copies have **not** been included with this report. However, Staff can make available a digital and/or hard copy to any member of the Planning Committee who wishes it. In addition, when it comes time for

Background (cont'd):

formal consideration of this material by the Planning Advisory Committee, hard copies will be made available to all members of the Committee.

Consultation:

It is noted that while the aforementioned documentation has been prepared by consultants retained by the Approvals Section in conjunction with City Staff, this material has not been fully reviewed or considered by other city departments and stakeholders involved in the development process including our partners in the development industry. Thus, clearly there is a need to seek input from other sources, both inside and outside of City Hall before this documentation would be in a form that would be ready for official review and adoption.

In a similar vein, parts of the documentation being considered involve the implementation of policies that may or may not have political support. For example, a "tree cutting" by-law is being proposed. Public consultation on these policy matters needs to be carried out.

Process:

It is proposed that the documentation included with this report, excepting Volume 3, be officially received for information by the Planning Advisory Committee and that Staff be directed to prepare a thorough consultation process with all interested stakeholders.

Following the consultation period, Staff would then bring this documentation, as revised, back to the Planning Advisory Committee as part of a public meeting to seek formal public comment.

In time, once all issues have been dealt with to the satisfaction of the Planning Advisory Committee it is anticipated that a recommendation would be forwarded to Belleville City Council to accept and adopt the material so it would become the city's official approval process for plans of subdivision.

Respectfully submitted.



Spencer Hutchison/cm
attachments

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

FILE NO.	DATE REC'D	APPLICANT/OWNER/AGENT	PROPOSAL	STATUS
2013				
B-77-944	July 3/13	Brian & Karen Rosebush Watson Land Surveyors Ltd.	25 Blessington Road, Thurlow Zoning By-Law amendment to permit a proposed heating & plumbing shop with associated parking of trucks as well as allowance for a future store & lock facility. The severed parcel is to be rezoned to recognize the existing single detached dwelling.	Public Mtg: Aug 6/13 PAC Decision - Deferred pending Property Standards Order
2014				
B-77-962	Jun 10/14	Tulip Development Corporation McIntosh Perry	Bell Boulevard Zoning By-Law amendment to add a range of commercial uses & obtain relief on parking	Public Mtg: Aug 5/14 PAC Decision: Approved Council Approved: Aug 11/14 Appeal Date: Sept 2/14 Appealed to OMB
B-77-967	Aug 28/14	GCL Developments Ltd.	172 & 178 Tank Farm Road, Thurlow Zoning By-Law amendment to request a modification to C3-7 zone to add a 'non personal service or repair operation'	Public Mtg: Oct 6/14 PAC Decision: Approved Council Approved: Nov 10/14 Appeal Date: Dec 2/14
B-77-968	Sept 5/14	Irene Vancilief, c/o Sharron Huycke Watson Land Surveyors Ltd.	1695 Harmony Road, Thurlow Zoning By-Law amendment to rezone farmlands to allow disposal of surplus dwelling	Public Mtg: Oct 6/14 PAC Decision: Approved Council Approved: Nov 10/14 Appeal Date: Dec 2/14
B-77-969	Sept 30/14	East Marina Investments Ltd. RFA Planning Consultant Inc.	25 Dundas Street West Zoning By-Law amendment to rezone to permit mixed use 302 unit residential apartment development	Public Mtg: Nov 3/14 PAC Decision: Approved Council Approved: Nov 10/14 Appeal Date: Dec 2/14

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

FILE NO.	DATE REC'D	APPLICANT/OWNER/AGENT	PROPOSAL	STATUS
2014				
B-77-970	Oct 1/14	Manuel Pereira Alan D. Bridge	52 South Front Street Zoning By-Law amendment to rezone to a special "C6 – Water-Oriented Commercial" zone in order to permit a two-storey single detached dwelling on the foundation of the existing building, along with an addition to the south side for a two-car garage.	Public Mtg: Nov 3/14 PAC Decision: Deferred Pending Different Issues
B-77-971	Oct 1/14	First Adventure Child Dev Ctres Debbie Milne Melville & Patricia Abel/Kurt Abel	47 Maitland Drive, Thurlow Zoning By-Law amendment to permit the dwelling and property to be used as a day nursery to accommodate 40 children	Public Mtg: Nov 3/14 PAC Decision: Denied Council Denied: Nov 10/14 Appeal Date: Dec 2/14
B-77-972	Oct 24/14	Belmont Long-Term Care Facility RFA Planning Consultant Inc.	250 Bridge Street West Zoning By-Law amendment to permit personal fitness training facility & massage therapy clinic as an accessory use to nursing home	Public Mtg: Nov 26/14
B-77-973	Nov 14/14	CP REIT ON Zelinka Priamo Ltd.	400 & 420 Dundas Street East Zoning By-Law amendment to permit a 566 square metre retail commercial pad on the Dewe's grocery store property	Public Mtg: Jan 5/15