

CITY OF BELLEVILLE CITY COUNCIL PLANNING COMMITTEE

MINUTES

November 3, 2014

In accordance with advertisements placed in the press with respect to applications from East Marina Investments Ltd., Manuel Pereira, and Belleville and District Children's Services Committee, First Adventure Child Development Centres, a Public Meeting was held in the City Hall Council Chamber on the above date at 5:30 p.m. for the purpose of receiving submissions in connection with the applications.

PRESENT:

Councillor Tom Lafferty (Chair)
Councillor Jack Miller

Councillor Jackie Denyes
Councillor Taso Christopher

ABSENT

Councillor Pat Culhane

STAFF PRESENT:

Mr. Rod Bovay, Director of Engineering and Development Services
Mr. Art MacKay, Manager of Policy Planning
Mr. Spencer Hutchison, Manager of Approvals
Mr. Greg Pinchin, Special Projects Planner
Mr. Matt MacDonald, Acting Director of Corporate Services/City Clerk

The Chair proceeded to call the Public Meeting to order and outlined, for the benefit of those present, the procedure to be followed with respect to the hearing of presentations.

1. OPENING REMARKS BY THE CHAIR

"The Public Meeting is being heard by the City Council Planning Advisory Committee and public notice has been given in accordance with the Planning Act. The non-elected members of the Planning Advisory Committee are Mr. Michael Graham, Mr. David Joyce, Mr. Mike Letwin and Mr. Ross Rae. Citizen appointees may ask questions and participate in the discussion in order to assist in making recommendations to City Council but may not make motions or vote in connection with the Public Meeting.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the Planning Committee or City Council before the by-law is passed, the person or public body is not entitled to appeal the decision of City Council or the Planning Committee to the Ontario Municipal Board.

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

Any persons wishing to be advised of the Belleville Planning Advisory Committee's recommendation with respect to today's applications are requested to leave their name and address on the appropriate notification sheet located on the clipboard beside the podium. In general, any recommendation made today will be forwarded to the next City Council meeting."

2. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

There were no Disclosures of Pecuniary Interest.

3. PUBLIC MEETING - THE PLANNING ACT

**3.1 PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 10245, AS AMENDED AND PROPOSED PLAN OF SUBDIVISION/Common ELEMENT CONDOMINIUM – 25 DUNDAS STREET WEST, CITY OF BELLEVILLE, COUNTY OF HASTINGS
FILE NUMBER: B-77-969 & 12CD-14001
APPLICANT/OWNER: EAST MARINA INVESTMENTS LTD.
AGENT: RFA PLANNING CONSULTANT INC.**

At the request of the Chair, the Manager of Approvals described the subject application as follows:

"The application involves an amendment to Zoning By-law Number 10245, as amended, and consideration of a proposed Plan of Subdivision/Common Element Condominium for approximately four (4) hectares of land. The Draft Plan of Subdivision is proposed to create four (4) development blocks comprising an existing commercial marina (Block 1) and a proposed commercial/high density residential development (Blocks 2-4). The land is presently zoned 'C6 – Water-Oriented Commercial', 'C6-2 – Water-Oriented Commercial' and 'E - Environmental Control' and the applicant requests amendments to the C6 and C6-2 zones to both permit a common element condominium and to allow proposed Blocks 2-4 to be developed with three (3) residential condominium apartment buildings comprising 15 storeys (46 metres) in height and totaling 302 residential units. The ground floor commercial space in these buildings will total 2,054.8 square metres and the existing commercial marina is to continue.

Among other possible conditions, the proposed residential blocks will also be subject to an 'h' holding symbol requiring the filing of a Record of Site Condition before residential development is allowed to proceed.

OFFICIAL PLAN:

The land is designated 'City Centre' in the Official Plan as part of the City Centre Planning Area. Residential development of the form proposed is permitted by the Plan subject to satisfying various policies.

ZONING BY-LAW:

The land is zoned 'C6 – Water-Oriented Commercial', 'C6-2 – Water-Oriented Commercial' and 'E - Environmental Control' and those portions zoned C6 and C6-2 are to be amended to permit a common element condominium and to allow a portion of the site to be developed with three (3) residential condominium apartment buildings totaling 302 residential units. Among other possible conditions, the proposed residential component will also be subject to an 'h' holding symbol requiring the filing of a Record of Site Condition before development is allowed to proceed.

PLAN OF SUBDIVISION/COMMON ELEMENTS CONDOMINIUM:

The development will comprise a total of four (4) blocks consisting of the existing commercial marina and three (3) proposed high rise residential condominium apartment buildings. Primary access to the site will be from the Old Bay Bridge Road with the existing Mary Street CPR crossing being limited to emergency vehicles only. Full municipal services would be extended to the proposed development.”

Ms. Ruth Ferguson Aulhouse, agent for the applicant, was in attendance to provide a brief PowerPoint presentation and answer questions pertaining to the application.

Mr. Gary Smith, 69 Maitland Drive, spoke in support of the development's proposal.

Ms. J. Cornelisson, 18-15 Aldersgate Drive, stated that she is opposed to the intensification of the waterfront and resultant loss of view of the water.

Mr. Brian Magee, 503 Harmony Road, questioned whether there was market demand for the proposed 300 condominium units.

No other persons responded to the Chair's call upon those wishing to speak either for or against the application.

Moved by Councillor Miller
Seconded by Councillor Christopher

THAT the “East Marina Investments Ltd.” Planning Application be referred to the Regular Planning Meeting for further consideration.

- CARRIED -

**3.2 PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 10245, AS AMENDED – 52 SOUTH FRONT STREET, CITY OF BELLEVILLE, COUNTY OF HASTINGS
FILE NUMBER: B-77-970
APPLICANT/OWNER: MANUEL PEREIRA
AGENT: ALAN D. BRIDGE**

At the request of the Chair, the Special Projects Planner described the subject application as follows:

“The property is zoned ‘C6-1 – Water-Oriented Commercial’ and the applicant requests a rezoning to a special ‘C6 – Water-Oriented Commercial’ zone in order to permit a two-storey single detached dwelling. The applicant proposes to construct the dwelling on the foundation of the existing building, along with an addition to the south side for a two-car garage.

The property is described as 52 South Front Street, City of Belleville, County of Hastings.

OFFICIAL PLAN:

The land is designated ‘City Centre’ in the City's Official Plan as part of the Harbour Neighbourhood. Residential Uses are permitted in this designation subject to satisfying various policies in the Plan.

ZONING BY-LAW:

The subject land is zoned ‘C6-1 – Water-Oriented Commercial’ in Zoning By-Law Number 10245, as amended. The applicant is requesting a change in zoning to allow a single detached dwelling as a permitted use, in addition to the uses currently permitted under the C6-1 zone. The applicant proposes minimum yard setbacks for the front and south interior side yard of 1.2 metres and for the north interior side yard of nil.”

Mr. Alan Bridge, agent for the applicant, summarized the owner’s plans for development.

Mr. Billy Yellop, 68 South Front Street, indicated that he had voiced an objection to a prior application regarding this property and stated that he has issue with the zero setback for the north interior side yard.

No other persons responded to the Chair's call upon those wishing to speak either for or against the application.

Moved by Councillor Miller
Seconded by Councillor Denyes

THAT the "Manuel Pereira" Planning Application be referred to the Regular Planning Meeting for further consideration.

- CARRIED -

- 3.3 **PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 3014, AS AMENDED – 47 MAITLAND DRIVE, FORMERLY IN THE TOWNSHIP OF THURLOW, NOW IN THE CITY OF BELLEVILLE, COUNTY OF HASTINGS**
FILE NUMBER: B-77-971
APPLICANT/AGENT: BELLEVILLE & DISTRICT CHILDREN'S SERVICES COMMITTEE, FIRST ADVENTURE CHILD DEVELOPMENT CENTRES
OWNERS: MELVILLE & PATRICIA ABEL AND KURT ABEL
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At the request of the Chair, the Manager of Policy Planning described the subject application as follows:

"The application pertains to a parcel of land comprising approximately 2,456 square metres of area that contains a residential dwelling. The purpose of the rezoning is to permit First Adventure Child and Development Centre to use the dwelling and property as a day nursery to accommodate 40 children. The land is zoned 'R1 – Low Density Residential Type 1' and the applicant requests a special R1 zone to permit both the day nursery use, as well as allowance for parking to be located in the east yard of the property. Outdoor playground areas are proposed to locate in the west and rear yards in compliance with Day Nursery Outdoor Space Regulations. To accommodate the use the applicant also proposes additions to the dwelling totaling approximately 121 square metres. A total of 20 on-site parking spaces are proposed to be provided.

The land is described municipally as 47 Maitland Drive, City of Belleville, County of Hastings.

OFFICIAL PLAN:

The land is designated 'Residential Land Use' in the Official Plan, as part of the Cannifton Planning Area. Within this land use designation, a day nursery is a permitted use.

ZONING BY-LAW:

The subject land is zoned 'R1 – Low Density Residential Type 1' and the Applicant requests a special R1 zone to permit a day nursery, as well as allowance for parking to be located in the east yard of the property.”

Ms. Debbie Milne, representative for the applicant, was in attendance to speak to development plans for the property and the applicant's goal of becoming a good neighbour at this location.

Mr. Gary Smith, 69 Maitland Drive, objected to the application citing concern over the devaluation of his property and voiced safety concerns over the change of use for the property.

Mr. Dave Quicker, 16 Scenic Drive, objected to the application due to the precedent it may set in allowing commercial development in a residential area.

Mrs. Tina Leonarduzzi, 42 Maitland Drive, objected to the application due to increased traffic and resultant safety concerns.

Mr. Tim Eberwein, 7 Scenic Drive, objected to the application due to design and use issues.

Mariam and Joe Harrison, 15 Scenic Drive, objected to the application and stated concern over increased traffic and related safety issues.

Ms. Chantal McAlpine, 12 Scenic Drive, objected to the application due to the increase in traffic and concerns with property values.

Ms. Coreen Reynolds, 74 Maitland Drive, objected to the application due to the change of use and increased traffic.

Mr. Rakesh Dutta, 10 Scenic Drive, objected to the application due to traffic and safety concerns.

Scott and Michelle Tracze, 17 Scenic Drive, objected to the application stating that the infrastructure wasn't in place when the house was built and is concerned about water supply and demand. They also voiced concerns over increased traffic and safety issues.

Ms. Lindsay Tebo, 14 Scenic Drive, objected to the application due to traffic issues and the age of the existing traffic study. She stated that the street is not designed for the current volume of traffic.

Kurt and Janet Abel, current owners of the property were in attendance and spoke in favour of the application.

Mr. Matthew Cooke spoke in support of the application indicating that a daycare is needed and would be an asset to the neighbourhood.

Ms. Jacqueline Grimmon, 64 Hanover Court, spoke in support of the daycare development and cited a lack of daycare spaces at the north end of the City.

Ms. Kelly Allan, 37 Dunnett Blvd., spoke in support of the application.

No other persons responded to the Chair's call upon those wishing to speak either for or against the application.

Moved by Councillor Christopher

Seconded by Councillor Denyes

THAT the "Belleville & District Children's Services Committee, First Adventure Child Development Centres" Planning Application be referred to the Regular Planning Meeting for further consideration.

- CARRIED -

4. ADJOURNMENT

Moved by Councillor Christopher

Seconded by Councillor Denyes

THAT the Public Meeting be adjourned.

- CARRIED -

**CITY OF BELLEVILLE
PLANNING ADVISORY COMMITTEE MEETING**

MINUTES

November 3, 2014

A Regular Meeting of the Belleville Planning Advisory Committee was held in the City Hall Council Chamber on the above date at 5:30 p.m.

1. ATTENDANCE

Councillor Tom Lafferty (Chair)
Councillor Jackie Denyes
Councillor Taso Christopher
Councillor Jack Miller

Mr. David Joyce
Mr. Michael Graham
Mr. Ross Rae
Mr. Mike Letwin

ABSENT

Councillor Pat Culhane

STAFF PRESENT

Mr. Rod Bovay, Director of Engineering and Development Services
Mr. Art MacKay, Manager of Policy Planning
Mr. Spencer Hutchison, Manager of Approvals
Mr. Greg Pinchin, Special Projects Planner
Mr. Matt MacDonald, Acting Director of Corporate Services, City Clerk

2. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

There were no Disclosures of Pecuniary Interest.

3. CONFIRMATION OF MINUTES

3.1 Minutes of the City Council Planning Committee Meeting and Planning Advisory Committee Meeting held on October 6, 2014 had been circulated.

Moved by Mr. Graham
Seconded by Mr. Letwin

THAT the Minutes of the City Council Planning Committee Meeting and the Planning Advisory Committee Meeting held on October 6, 2014 be approved and adopted.

- CARRIED -

4. **DEPUTATIONS**

There were no Deputations.

5. **COMMUNICATIONS**

Moved by Councillor Christopher
Seconded by Mr. Joyce

THAT the following items of correspondence be received and referred as indicated:

- 5.1 October 18, 2014 letter from Ken Robertson objecting to Zoning Amendment Application B-77-970
Referrals from Public Meeting Item 6.2 refers
- 5.2 Letters and/or emails received objecting to Zoning Amendment Application B-77-971 (47 Maitland Drive)
Referrals from Public Meeting Item 6.3 refers
- Letter from Maitland Drive residents
 - Email from Stephanie Webster
 - Email from Bill and Sharon Jones
 - Letter from Dave and Heather Quickert
- 5.3 October 31, 2014 email from Elvis and Tina Leonarduzzi objecting to Zoning Amendment Application B-77-971
Referrals from Public Meeting Item 6.3 refers
- 5.4 October 29, 2014 letter from 1470757 Ontario Inc. objecting to Zoning Amendment Application B-77-969.
Referrals from Public Meeting Item 6.1(a) and Item 6.1(b) refer

- CARRIED -

6. **REFERRALS FROM PUBLIC MEETING**

- 6.1(a) **DOCKSIDE–QUINTE, PROPOSED DRAFT PLAN OF SUBDIVISION AND PROPOSED DRAFT PLAN OF A COMMON ELEMENT CONDOMINIUM (FOR DESCRIPTION OF SUBJECT LANDS PLEASE REFER TO APPENDIX 1), FILE NO. 12CD-14001**

**OWNER: EAST MARINA INVESTMENTS LTD.
AGENT: RFA PLANNING CONSULTANT INC.**

The Planning Advisory Committee considered the “East Marina Investments Ltd.” Proposed Draft Plan of Subdivision and Proposed Plan of a Common Element Condominium in light of the Public Meeting and Communications Item 5.4.

Moved by Councillor Miller
Seconded by Councillor Christopher

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

1. THAT approval of a Draft Plan of Subdivision, as shown on APPENDIX 4 attached to the Manager of Approvals’ Report No. APS-2014-36, be granted for those lands described in APPENDIX 1 (File: 12CD-14001), subject to the draft plan conditions outlined in APPENDIX 5 of same.
2. THAT approval of a Draft Plan of Common Element Condominium, as shown on APPENDIX 6 attached to the Manager of Approvals’ Report No. APS-2014-36, be granted for the lands described in APPENDIX 1 (File: 12CD-14001), subject to the draft plan conditions outlined in APPENDIX 7 of same.

- CARRIED -

**6.1(b) PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 10245,
AS AMENDED, 25 DUNDAS STREET WEST, CITY OF
BELLEVILLE, COUNTY OF HASTINGS
FILE NUMBER: B-77-969
APPLICANT/OWNER: EAST MARINA INVESTMENTS LTD.
AGENT: RFA PLANNING CONSULTANT INC.**

The Planning Advisory Committee considered the “East Marina Investments Ltd.” Planning Application in light of the Public Meeting and Communications Item 5.4.

Moved by Councillor Denyes
Seconded by Mr. Joyce

THAT the Belleville Planning Advisory Committee recommends to the Council of The Corporation of the City of Belleville that the application to amend Zoning By-law Number 10245, as amended, for the lands identified as 25 Dundas Street West, City of Belleville, County of Hastings, be APPROVED as follows:

THAT Zoning By-law Number 10245, as amended, be amended by rezoning the subject lands from “C6 – Water-Oriented Commercial”, and “C6-2 – Water-Oriented Commercial” to amended “C6-2 – Water-Oriented Commercial” and “C6-2-h – Water-Oriented Commercial-holding” zones, respectively.

- CARRIED -

**6.2 PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 10245,
AS AMENDED – 52 SOUTH FRONT STREET, CITY OF
BELLEVILLE, COUNTY OF HASTINGS
FILE NUMBER: B-77-970
APPLICANT/OWNER: MANUEL PEREIRA
AGENT: ALAN BRIDGE**

The Planning Advisory Committee considered the “Manuel Pereira” Planning Application in light of the Public Meeting and Communications Item 5.1.

Moved by Mr. Graham
Seconded by Mr. Letwin

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 52 South Front Street, City of Belleville, County of Hastings, be DEFERRED pending resolution of issues identified by Staff including the lack of a northerly side yard setback; encroachment onto waterfront leased land; the merging of title for the parcels; and further input from Quinte Conservation.

- CARRIED -

**6.3 PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 3014,
AS AMENDED – 47 MAITLAND DRIVE, FORMERLY IN THE
TOWNSHIP OF THURLOW, NOW IN THE CITY OF BELLEVILLE,
COUNTY OF HASTINGS
FILE NUMBER: B-77-971**

**APPLICANT/AGENT: BELLEVILLE & DISTRICT CHILDREN'S
SERVICES COMMITTEE, FIRST ADVENTURE CHILD
DEVELOPMENT CENTRES
OWNERS: MELVILLE & PATRICIA ABEL AND KURT ABEL**

The Planning Advisory Committee considered the "Belleville and District Children's Services Committee, First Adventure Child Development Centres" Planning Application in light of the Public Meeting and Communications Items 5.2 and 5.3.

Moved by Mr. Graham
Seconded by Mr. Rae

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 3014, as amended, for 47 Maitland Drive, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings, be APPROVED as follows:

THAT Zoning By-law Number 3014, as amended, be amended by rezoning the subject lands from "R1 – Low Density Residential Type 1" to a special "R1" zone to allow a day nursery as a permitted use subject to allowing parking to be located in the east yard of the property.

- FAILED -

Moved by Mr. Graham
Seconded by Mr. Letwin

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 3014, as amended, for 47 Maitland Drive, formerly in the Township of Thurlow, now in the City of Belleville, County of Hastings, be DENIED.

- CARRIED -

7. **REPORTS**

7.1 **PROPOSED MINUTES OF SETTLEMENT, CN APPEAL OF OFFICIAL PLAN POLICIES RESPECTING DEVELOPMENT ADJACENT TO THE CN BELLEVILLE RAIL YARD**

The Planning Advisory Committee considered the Manager of Policy Planning's Report No. PP-2014-34.

Moved by Councillor Christopher
Seconded by Mr. Rae

THAT Management be directed to prepare Minutes of Settlement with CN respecting their appeal to the Ontario Municipal Board of sensitive land use policies adjacent to the CN Belleville Rail Yard.

- CARRIED -

8. **INFORMATION MATTERS**

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

Report to November 3, 2014.

Moved by Mr. Joyce
Seconded by Mr. Rae

THAT the Official Plan and Zoning By-law Amendment Monitoring Report to November 3, 2014 be received.

- CARRIED -

9. **GENERAL BUSINESS AND INQUIRIES**

9.1 Councillor Christopher expressed thanks to Councillor Lafferty for his work as Chair of the Planning Advisory Committee over the past term of Council.

10. **ADJOURNMENT**

Moved by Councillor Miller
Seconded by Councillor Denyes

THAT the Regular Planning Advisory Committee
Meeting adjourn.

- CARRIED -