

BELLEVILLE PLANNING ADVISORY COMMITTEE

A G E N D A

SEPTEMBER 2, 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, - 41 DUSSEK STREET, CITY OF BELLEVILLE, COUNTY OF HASTINGS
FILE NUMBER: B-77-966
APPLICANT/OWNER: VIRGINIA LAWSON
AGENT: RFA PLANNING CONSULTANT INC.**

Notice of Meeting and Map

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4. **ADJOURNMENT**

BELLEVILLE PLANNING ADVISORY COMMITTEE

A G E N D A

AUGUST 5, 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 August 5, 2014

4. DEPUTATIONS

5. COMMUNICATIONS**6. REFERRALS FROM PUBLIC MEETING**

- 6.1 PROPOSED AMENDMENT TO ZONING BY-LAW
NUMBER 10245, AS AMENDED, – 41 DUSSEK STREET,
CITY OF BELLEVILLE, COUNTY OF HASTINGS
FILE NUMBER: B-77-966
APPLICANT/OWNER: VIRGINIA LAWSON
AGENT: RFA PLANNING CONSULTANT INC.**
-

Manager of Policy Planning's Report No. PP-2014-27

4

RESOLUTION

“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 41 Dussek Street, City of Belleville, County of Hastings, be APPROVED as follows:

THAT Zoning By-law Number 10245, as amended, be amended by rezoning the subject land from 'M1 – Restricted Industrial' to a special 'M1' zone with an 'h' holding symbol to permit a portion of the existing building to be occupied as a dwelling unit accessory to the principal light manufacturing use. The 'h' symbol requires the filing of a Record of Site Condition before residential development is permitted to occur.”

7. REPORTS**8. INFORMATION MATTERS**

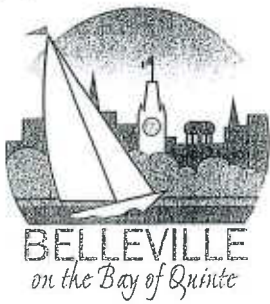
- 8.1 OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT
MONITORING REPORT**
-

Report to September 2, 2014

9

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-77-966

**PUBLIC MEETING
CITY COUNCIL PLANNING COMMITTEE
CITY HALL - COUNCIL CHAMBER
169 FRONT STREET
TUESDAY, SEPTEMBER 2, 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 an industrial building on approximately 1,334 square metres of land that is located at 41 Dussek Street. The land is zoned "M1 – Restricted Industrial" and the Applicant requests a rezoning to a special M1 zone to allow approximately 72 square metres of space to be occupied as a dwelling unit accessory to the principal light manufacturing use. The dwelling unit will be occupied by the owners of the building for live-work purposes and only interior renovations are proposed to accommodate the use.

The land is described as 41 Dussek Street, City of Belleville, County of Hastings.

OFFICIAL PLAN:

The land is designated "Industrial Land Use" in the Official Plan. Within this land use designation, accessory uses are permitted to the main industrial use.

ZONING BY-LAW:

The subject land is zoned "M1 – Restricted Industrial" in Zoning By-Law 10245, as amended. The applicant requests a special M1 zone to allow approximately 72 square metres of space to be occupied as a dwelling unit accessory to the principal light manufacturing use.

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 Christine Stewart, Acting Secretary, Planning Advisory Committee, City Hall, 169 Front Street, Belleville, K8N 2Y8 (Telephone: 613-967-3271, Fax: 613-967-3206, TTY: 613-967-3768, Email: cstewart@city.belleville.on.ca).

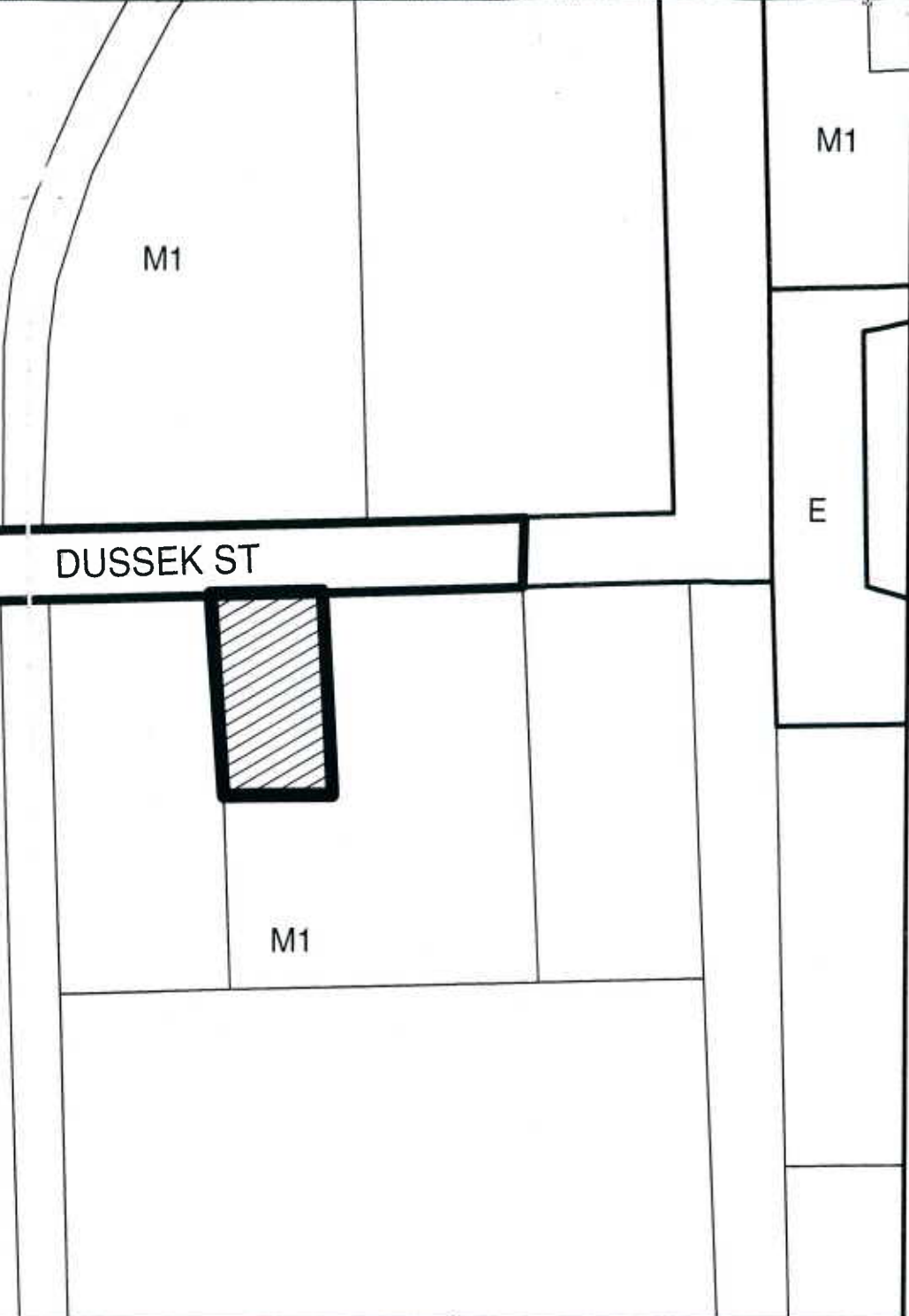
If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of Belleville before the by-law is passed, the person or public body is not entitled to appeal the decision of the City of Belleville to the Ontario Municipal Board and may not be added 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, Engineering & Development Services Department, City Hall, 169 Front Street, Belleville, K8N 2Y8 (Telephone: 613-967-3288, Fax: 613-967-3262, TTY: 613-967-3768).

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

Christine Stewart, Acting Secretary
Planning Advisory Committee

DATED at the City of Belleville this 13th day of August, 2014



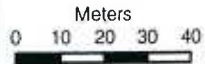
DUSSEK ST

M1

M1

E

M1



PROPOSED ZONING BY-LAW AMENDMENT

LOCATION: 41 DUSSEK ST



PROPOSED ZONING CHANGE FROM M1 (GENERAL INDUSTRIAL) TO M1 WITH SPECIAL PROVISIONS



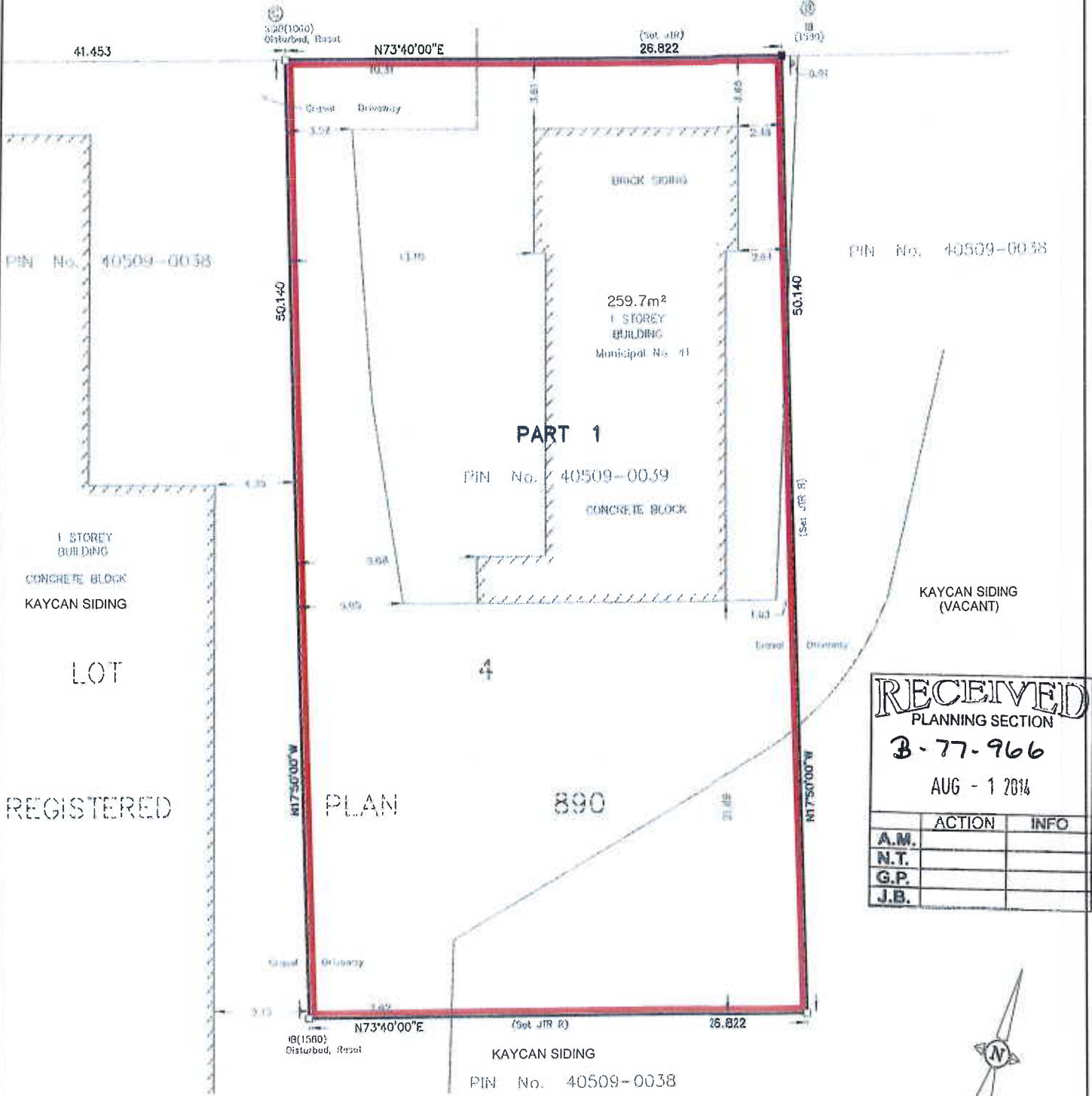
CITY OF BELLEVILLE
 Page 2
 ENGINEERING & DEVELOPMENT
 SERVICES DEPARTMENT

DUSSEK STREET

(Un-Named Street Plan 890)

PIN No. 40509-0036

PIN No. 40509-0038



RECEIVED
 PLANNING SECTION
B-77-966
 AUG - 1 2014

	ACTION	INFO
A.M.		
N.T.		
G.P.		
J.B.		



DATE: JULY 31, 2014
 SOURCE: WATSON LAND SURVEYORS LTD. (PROJECT No. 8235-L-14)

**ZONING BY-LAW 10245 - "M1" ZONE
 PART V, SECTION 2**

PROVISION	REQ'D	ACTUAL
(1) FRONT YARD DEPTH (min.)	15.0m	3.6m*
(2) REAR YARD DEPTH (min.)	7.5m	21.7m
(3) INTERIOR SIDE YARD WIDTH (min.)	7.5m	2.5m*
(4) LOT COVERAGE (max.)	65.0%	19.5%
(5) BUILDING HEIGHT (max.)	15.0m	6.0m
C.M. MIN. OFF-STREET PARKING (1 space/dwelling unit)		

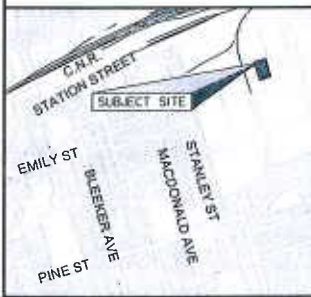
LAND USE SUMMARY

LAND USE	AREA (m²)	AREA (%)
MAIN BUILDING	259.7	19.5
GRAVEL PARKING AREA	295.4	41.6
LANDSCAPE AREA	518.9	38.9
TOTAL SITE AREA	1,334.0m²	100.0%

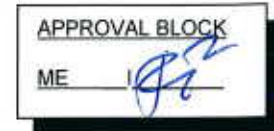
SURVEY PLAN

41 DUSSEK STREET
 PART OF LOT 4,
 REGISTERED PLAN 890 THUPLOW
 CITY OF BELLEVILLE
 COUNTY OF HASTINGS

SCALE: 1:300



211 Dundas Street East, Suite 302,
 Belleville, Ontario, K8N 1E2



CITY OF BELLEVILLE
ENGINEERING & DEVELOPMENT SERVICES DEPARTMENT
PLANNING SECTION
Arthur MacKay, Manager of Policy Planning
Report No. PP-2014-27
September 2, 2014

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

Subject: Proposed Amendment to Zoning By-Law Number 10245, As Amended -
41 Dussek Street, City of Belleville, County of Hastings
File Number: B-77-966
Applicant/Owner: VIRGINIA LAWSON
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 41 Dussek Street, City of Belleville, County of Hastings, be APPROVED as follows:

THAT Zoning By-Law Number 10245, as amended, be amended by rezoning the subject land from 'M1 – Restricted Industrial' to a special 'M1' zone with an 'h' holding symbol to permit a portion of the existing building to be occupied as a dwelling unit accessory to the principal light manufacturing use. The 'h' symbol requires the filing of a Record of Site Condition before residential development is permitted to occur."

SUMMARY:

The application pertains to an industrial building on approximately 1,334 square metres of land that is located at 41 Dussek Street. The land is zoned "M1 – Restricted Industrial" and the Applicant requests a rezoning to a special M1 zone to allow approximately 72 square metres of space to be occupied as a dwelling unit accessory to the principal light manufacturing use. The dwelling unit will be occupied by the owners

of the building for live-work purposes and only interior renovations are proposed to accommodate the use.

The land is designated "Industrial Land Use" in the Official Plan. Within this land use designation, accessory uses are permitted to the main industrial use.

In support of the application, a Phase I Environmental Site Assessment prepared by Lakeside Green Environmental Consulting has been submitted. If this application is approved, an 'h' holding symbol is recommended to be attached to the site requiring the filing of a Record of Site Condition before residential development is permitted to occur.

Planning Staff are satisfied that the use is appropriate for the location and therefore, it would be appropriate to approve the Zoning By-Law amendment.

BACKGROUND:

Purpose and Effect

The proposed Zoning By-Law amendment applies to approximately 1,334 square metres of land located at the end of Dussek Street on the south side.

The purpose of the application is to amend Zoning By-Law Number 10245, as amended, to permit a residential dwelling unit in the existing industrial building.

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

Subject Property

- Site Characteristics

The land contains an industrial building comprising a gross floor area of approximately 519 square metres.

- Adjacent Land Uses

To the north and to the west are located other industrial uses. To the east the land is vacant.

Official Plan

The land is designated "Industrial Land Use" in the Official Plan. Within this land use designation, accessory uses are permitted to the main industrial use.

Zoning By-Law

The subject land is zoned "M1 – Restricted Industrial" in Zoning By-Law Number 10245, as amended. The applicant requests a special M1 zone to allow approximately 72 square metres of space to be occupied as a dwelling unit accessory to the principal light manufacturing use. If this application is approved, an 'h' holding symbol is recommended to be attached to the site requiring the filing of a Record of Site Condition before residential development is permitted to occur.

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 August 13, 2014.

Quinte Conservation and Canada Post advise that they have no concerns with the application.

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 August 13, 2014.

The Approvals Section and Fire and Emergency Services advise that they have no concerns.

- 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 August 13, 2014.

No comments or concerns have been received.

Planning Analysis

The rezoning is requested to allow for the proprietors of the on-site industrially zoned business to live/work on the premises. It is not uncommon for municipal zoning by-laws to permit residential uses as an accessory component to the main permitted uses of industrial zones. Typically this is to allow occupancy by caretakers or for a watchman's quarters. The Thurlow Zoning By-Law currently permits residential uses in its M1 zones subject to the following provisions:

"The residential uses permitted on a lot in a General Industrial (M1) zone shall be secondary and incidental to the permitted non-residential use of the lot and shall be for the sole use of the owner, manager or other employee of the non-residential use."

Subject to these caveats being adhered to, Staff is satisfied that the requested zoning amendment would comply with the "Industrial Land Use" policies of the Official Plan and therefore can be supported. The requested living space of approximately 72 square metres would constitute about 14% of the total floor area of the building. In addition to the By-Law controlling who can occupy the space, it is also recommended that a restriction be placed on the floor area that can be used for residential purposes. This will further ensure the accessory nature of the occupancy.

In support of the application, a Phase I Environmental Site Assessment prepared by Lakeside Green Environmental Consulting has been submitted. The Report concludes that a Phase II Environmental Site Assessment is not required for the property. If this application is approved, an 'h' holding symbol is recommended to be attached to the site requiring the filing of a Record of Site Condition before the residential development is permitted to occur.

On the basis of the foregoing, the application is recommended for approval.


Arthur MacKay
Manager of Policy Planning

atta



M1

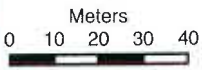
M1

E

DUSSEK ST



M1



PROPOSED ZONING BY-LAW AMENDMENT

LOCATION: 41 DUSSEK ST



PROPOSED ZONING CHANGE FROM M1 (GENERAL INDUSTRIAL) TO M1 WITH SPECIAL PROVISIONS



CITY OF BELLEVILLE

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ENGINEERING & DEVELOPMENT SERVICES DEPARTMENT

**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-77-952	Dec 12/13	Teddington Limited Stephen Hyndman	170 - 180 Coleman Street Zoning By-Law amendment to adjust northerly zone boundary to allow enlargement of the property & reduce size of structure required to accommodate on-site parking	Public Mtg: Feb 3/14 PAC Decision: Approved Council Approved: Feb 10/14 Appealed to OMB - File Forwarded Mar 10/14 OMB Hearing Date: July 15/14 Awaiting OMB Written Decision
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
B-77-963	Jun 16/14	Shady Ridge Stock Farms Inc.	773 Bell Boulevard Zoning By-Law amendment to add a medical clinic as a use	Public Mtg: Aug 5/14 PAC Decision: Approved Council Approved: Aug 11/14 Appeal Date: Sept 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
B-77-965	July 3/14	Kristian Bonn Tammy Talbot Tom McEvoy	10 Earl Street Zoning By-Law amendment to allow the land to be utilized as a parking area for the adjacent commercial property	Public Mtg: Aug 5/14 PAC Decision: Approved Council Approved: Aug 11/14 Appeal Date: Sept 2/14
B-77-966	Aug 1/14	Virginia Lawson RFA Planning Consultant Inc.	41 Dussek Street Zoning By-Law amendment to allow approximately 72 square metres of space to be occupied as a dwelling unit accessory to the principal light manufacturing use	Public Mtg: Sept 2/14