

BELLEVILLE PLANNING ADVISORY COMMITTEE

A G E N D A

NOVEMBER 3, 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 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.
-

- 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**

Notice of Meeting and Map

5

- 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**

Notice of Meeting and Map

9

4. ADJOURNMENT

BELLEVILLE PLANNING ADVISORY COMMITTEE

A G E N D A

NOVEMBER 3, 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 October 6, 2014

4. DEPUTATIONS

5. COMMUNICATIONS

- 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 **13**

RESOLUTION

“THAT the October 18, 2014 letter from Ken Robertson objecting to Zoning Amendment Application B-77-970 for 52 South Front Street, be received and referred to Referrals from Public Meeting Item 6.2.”

- 5.2 Letters and/or emails were received objecting to Zoning Amendment Application B-77-971 (47 Maitland Drive) Referrals from Public Meeting Item 6.3 refers **14**

RESOLUTION

“THAT the following letters/emails objecting to Zoning Amendment Application B-77-971 for 47 Maitland Drive, be received and referred to Referrals from Public Meeting Item 6.3:

- Letter from Maitland Drive residents
- Email from Stephanie Webster
- Email from Bill and Sharon Jones
- Letter from Dave and Heather Quickert.”

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.**

RESOLUTION

“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.”

- 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.**

Manager of Policy Planning's Report No. PP-2014-31

61

RESOLUTION

“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.”

- 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**

Special Projects Planner's Report No. PP-2014-32
Correspondence Item 5.1 refers

68RESOLUTION**OPTION #1**

"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 DENIED."

- or -

OPTION #2

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."

- 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**

Manager of Policy Planning's Report No. PP-2014-33
Correspondence Item 5.2 refers

75

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 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.”

7. REPORTS

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

Manager of Policy Planning’s Report No. PP-2014-34

81

RESOLUTION

“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.”

8. INFORMATION MATTERS

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

Report to November 3, 2014

91

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 Nos.: B-77-969 & 12CD-14001

**PUBLIC MEETING
CITY COUNCIL PLANNING COMMITTEE
CITY HALL - COUNCIL CHAMBER
169 FRONT STREET
MONDAY, NOVEMBER 3, 2014
AT 5:30 P.M.**

A Public Meeting will be held to consider an amendment to Zoning By-Law Number 10245, as amended, and to consider 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.

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).

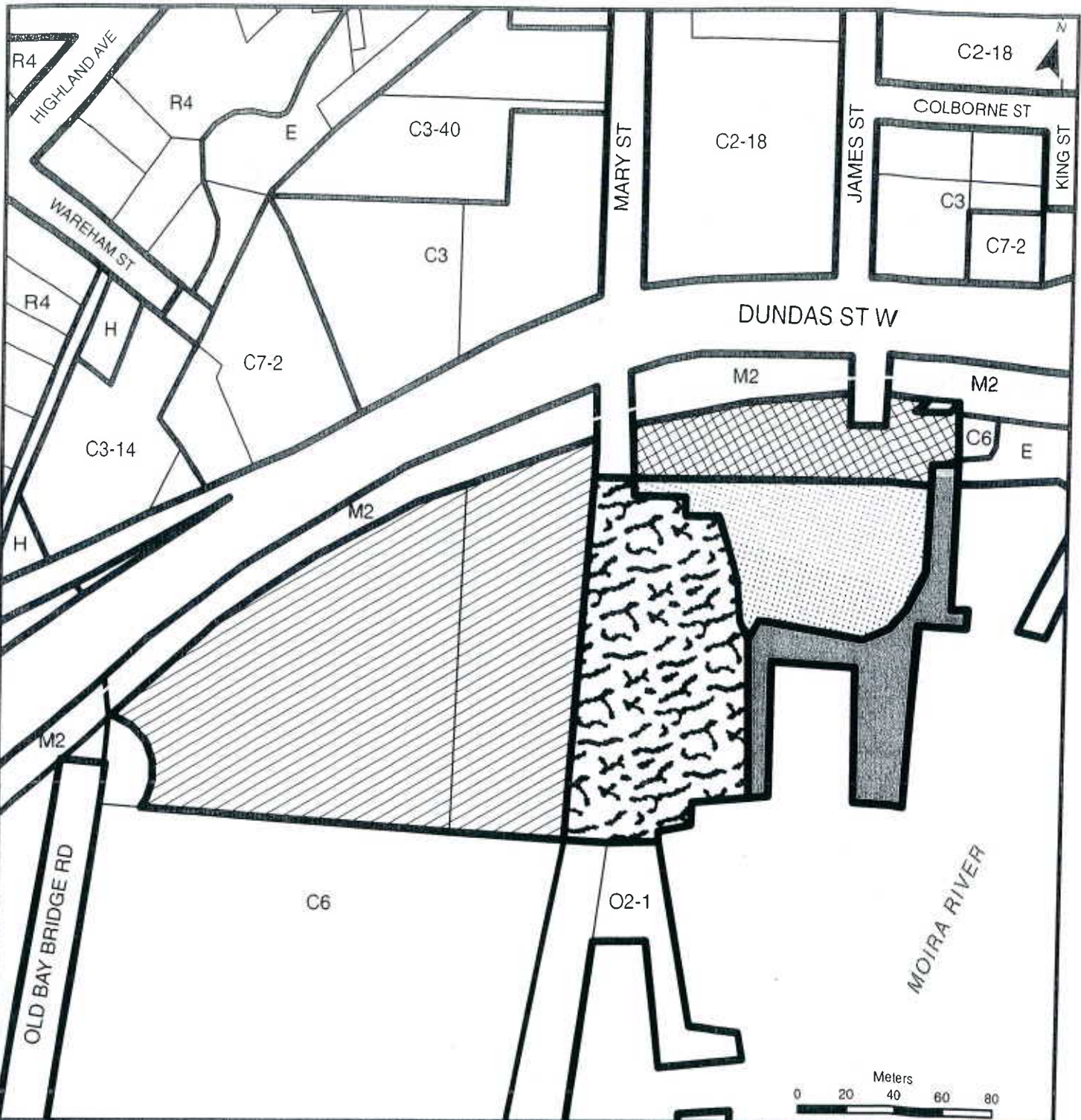
If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of Belleville before the zoning by-law is passed, or, in respect of the proposed plan of subdivision, before the approval authority gives or refuses to give approval to the draft plan of subdivision, 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

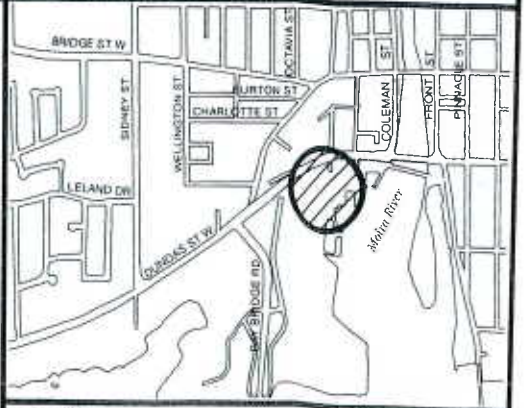
DATED at the City of Belleville this 14th day of October, 2014

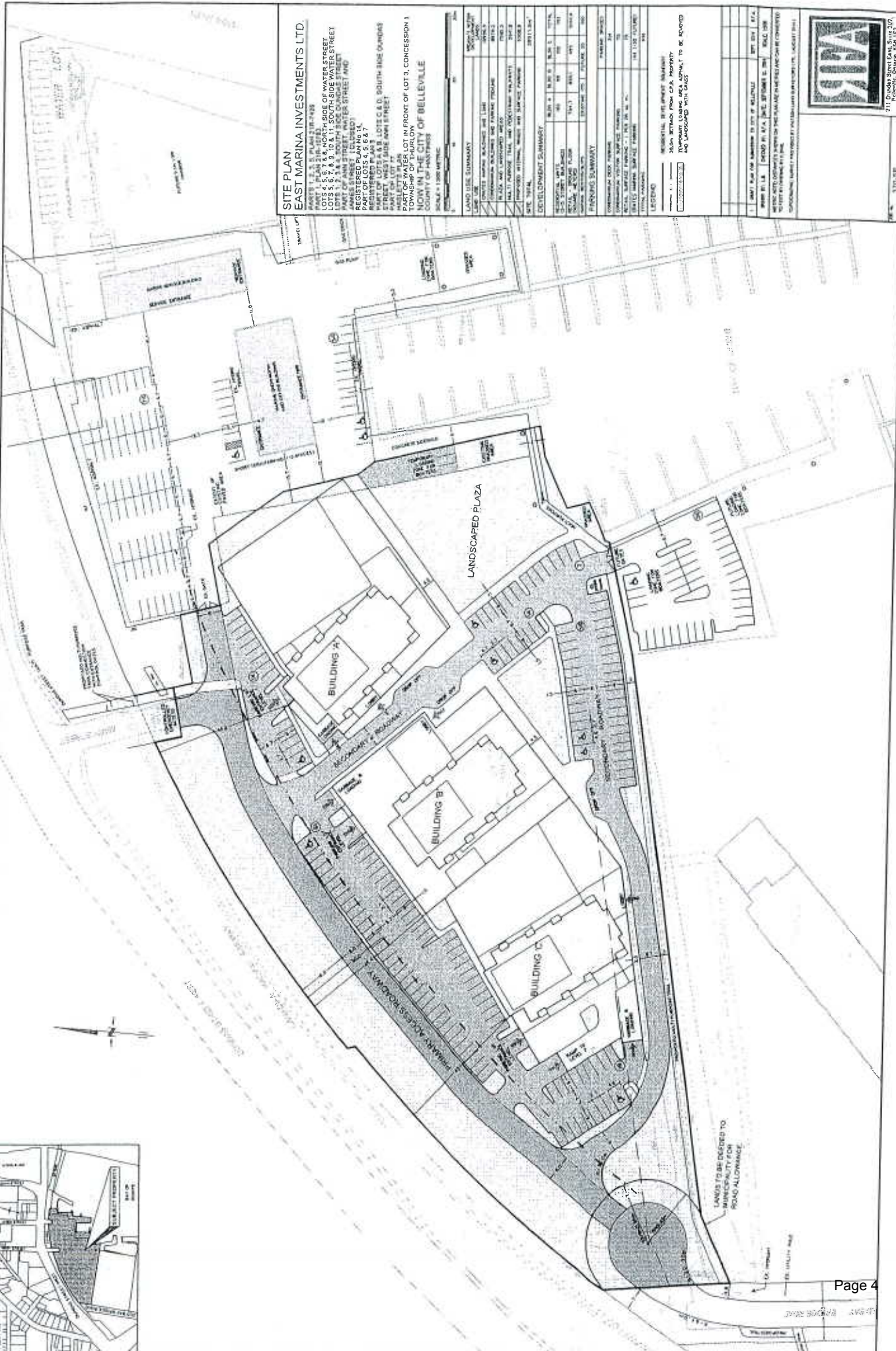


PROPOSED ZONING BY-LAW AMENDMENT & DRAFT PLAN OF SUBDIVISION/Common Element Condominium

LOCATION: 25 DUNDAS ST. W.

-  PROPOSED ZONING CHANGE FROM C6 (WATER-ORIENTED COMMERCIAL ZONE) TO C6-2 (WATER-ORIENTED COMMERCIAL ZONE WITH SPECIAL PROVISIONS) AS AMENDED
-  PROPOSED ZONING CHANGE FROM C6 (WATER-ORIENTED COMMERCIAL ZONE) TO C6-2-h (WATER-ORIENTED COMMERCIAL HOLDING ZONE WITH SPECIAL PROVISIONS) AS AMENDED
-  PROPOSED ZONING CHANGE FROM C6-2 (WATER-ORIENTED COMMERCIAL ZONE WITH SPECIAL PROVISIONS) TO C6-2-h (WATER-ORIENTED COMMERCIAL HOLDING ZONE WITH SPECIAL PROVISIONS) AS AMENDED
-  PROPOSED ZONING CHANGE FROM C6-2 (WATER-ORIENTED COMMERCIAL ZONE WITH SPECIAL PROVISIONS) TO AMENDED C6-2
-  EXISTING E (ENVIRONMENTAL CONTROL ZONE) TO REMAIN





SITE PLAN
EAST MARINA INVESTMENTS LTD.
 PART OF PLAN 21R-2428
 LOTS 4, 5, 6, 7 & 8, NORTH SIDE OF WATER STREET
 LOTS 9, 10, 11, 12, SOUTH SIDE WATER STREET
 PART OF ANN STREET, WATER STREET AND
 REGISTERED PLAN NO. 15
 PART OF LOTS 4, 5, 6 & 7
 PART OF LOTS 8, 9 & 10
 STREET WEST SIDE ANN STREET
 HAZELTOWN PLAZA
 TOWNSHIP OF PLURDOR
 NOW IN THE CITY OF BELLEVILLE
 COUNTY OF HASTINGS
 SCALE: 1:100 METRIC

LAND USE SUMMARY	
PROPOSED RESIDENTIAL DEVELOPMENT	200,000 SQ. FT.
PROPOSED OFFICE DEVELOPMENT	100,000 SQ. FT.
PROPOSED COMMERCIAL DEVELOPMENT	50,000 SQ. FT.
PROPOSED PARKING	1,000 SPACES
PROPOSED LANDSCAPING	10,000 SQ. FT.
PROPOSED UTILITIES	10,000 SQ. FT.
PROPOSED INFRASTRUCTURE	10,000 SQ. FT.
PROPOSED TOTAL DEVELOPMENT	370,000 SQ. FT.

DEVELOPMENT SUMMARY	
RESIDENTIAL UNITS	100
OFFICE SPACES	50
COMMERCIAL SPACES	25
PARKING SPACES	1,000
LANDSCAPING	10,000
UTILITIES	10,000
INFRASTRUCTURE	10,000
TOTAL DEVELOPMENT	370,000

LEGEND

- RESIDENTIAL DEVELOPMENT
- OFFICE DEVELOPMENT
- COMMERCIAL DEVELOPMENT
- PARKING
- LANDSCAPING
- UTILITIES
- INFRASTRUCTURE

211 Dundas Street East, Suite 200,
 Belleville, Ontario, K8N 1Z5



City of Belleville

Engineering & Development Services Department
169 Front Street
Tel: 613-968-6481
Fax: 613-967-3262

File No.: B-77-970

**PUBLIC MEETING
CITY COUNCIL PLANNING COMMITTEE
CITY HALL - COUNCIL CHAMBER
169 FRONT STREET
MONDAY, NOVEMBER 3, 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 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.

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).

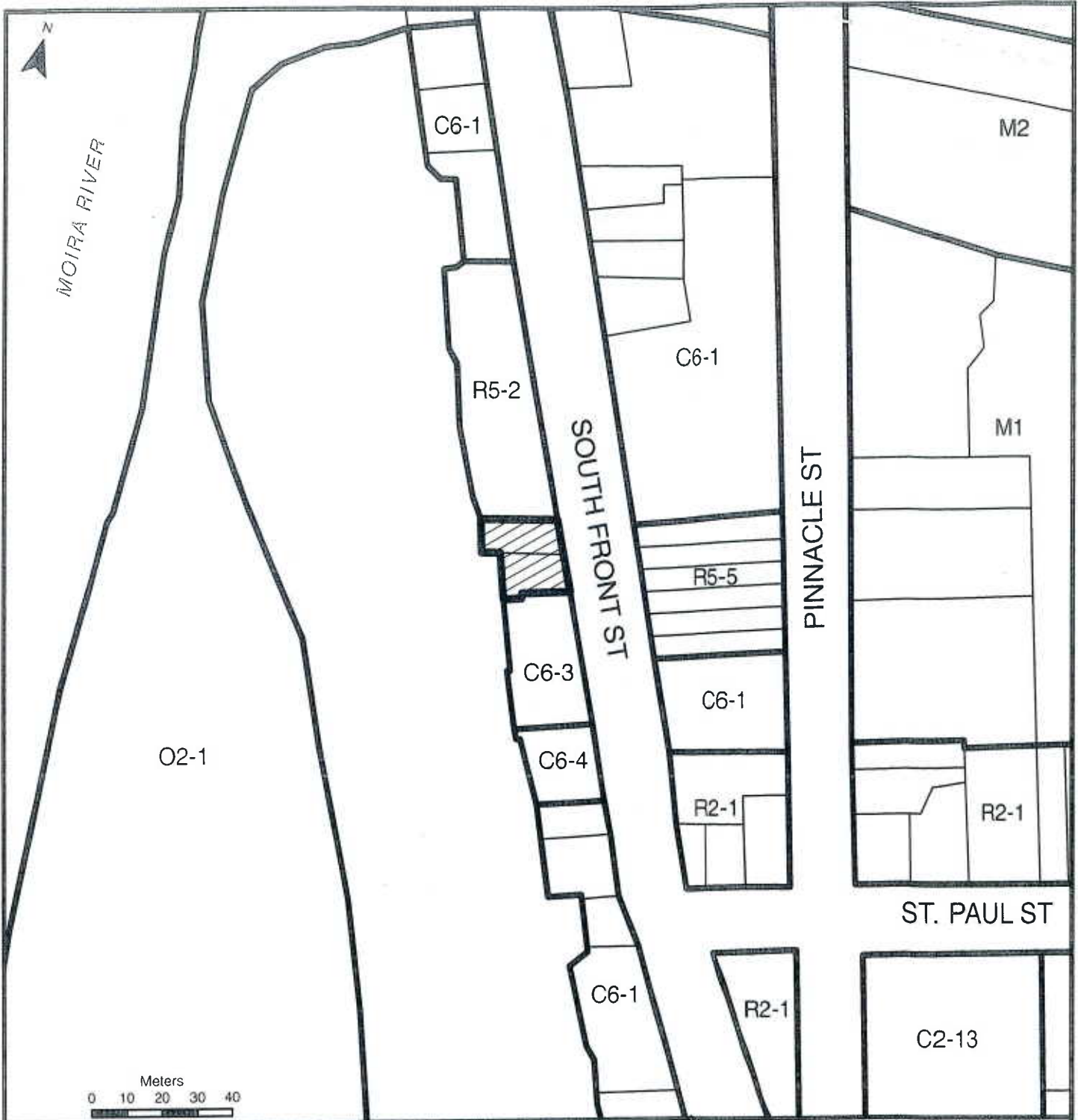
If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of Belleville before the by-law is passed, the person or public body is not entitled to appeal the decision of the City of Belleville to the Ontario Municipal Board and may not be added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

Matt MacDonald, Secretary
Planning Advisory Committee

DATED at the City of Belleville this 14th day of October, 2014

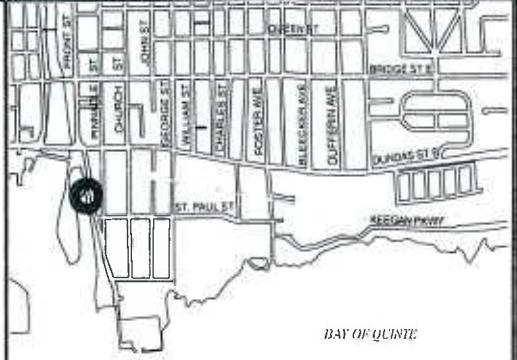


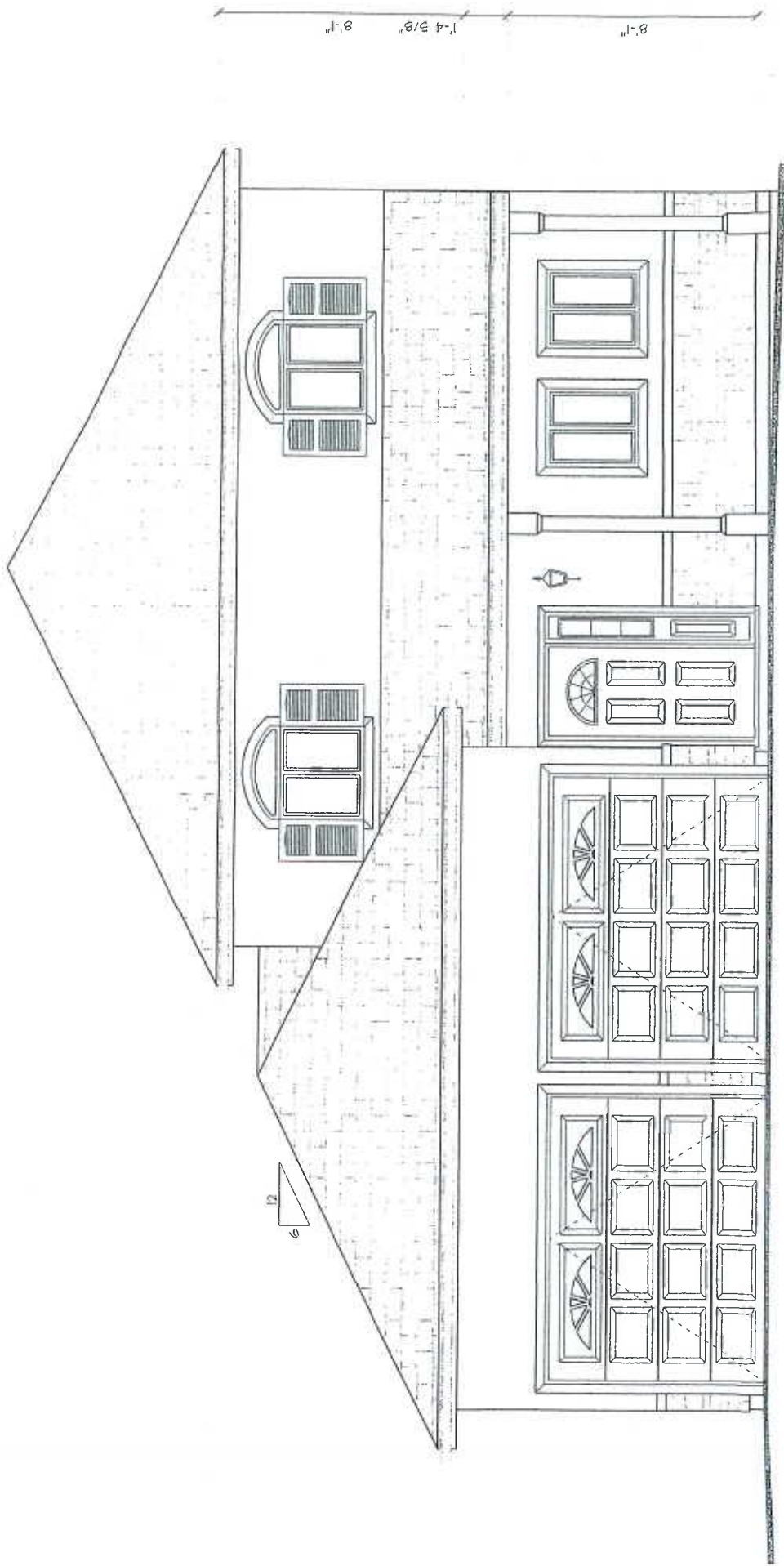
PROPOSED ZONING BY-LAW AMENDMENT

LOCATION: 52 SOUTH FRONT ST



PROPOSED ZONING CHANGE FROM C6-1 (WATER-ORIENTED COMMERCIAL WITH SPECIAL PROVISIONS) TO C6 WITH SPECIAL PROVISIONS





PROPOSED FRONT / EAST ELEVATION 52 SOUTH FRONT ST.
 BELLEVILLE, ONTARIO
 MANUEL PEREIRA
 CONVERSION OF BOAT HOUSE TO RESIDENCE

SURVEY INFORMATION TAKEN FROM
PLANS OF SURVEY BY
HINE AND PICKARD LTD. APRIL 28, 1988
AND
WATSON LAND SURVEYORS LTD. OCTOBER 23, 2003

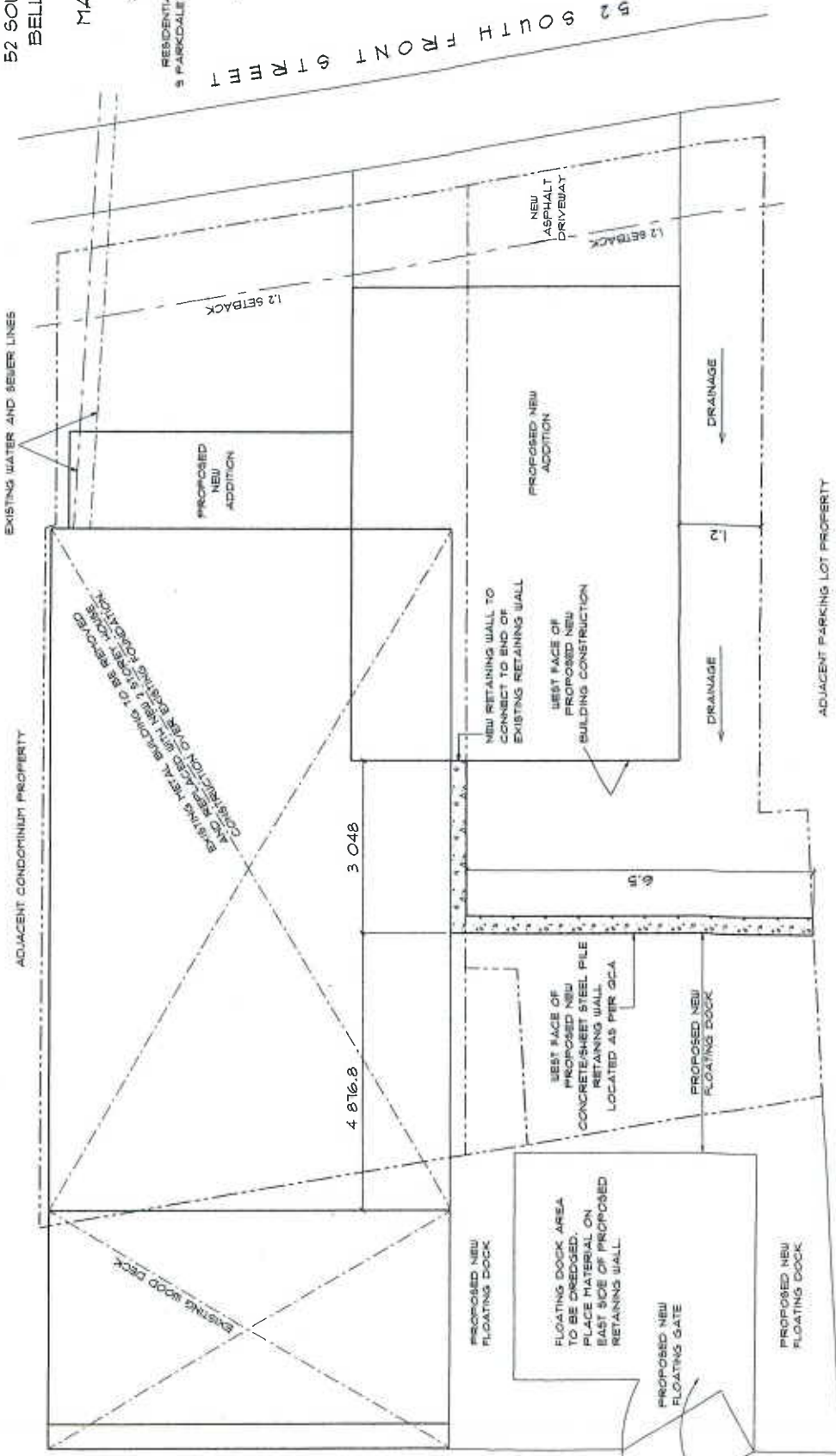
TOTAL SITE AREA = 250.9 SQ. METRES
LOT COVERAGE OF BUILDING = 156.7% SQ. METRES OR 62.4 % OF LOT
LOT COVERAGE OF EXISTING WOOD DECK = 30.2% SQ. METRES OR 11.6 % OF LOT

PROPOSED SKETCH LAYOUT
FOR
52 SOUTH FRONT STREET
BELLEVILLE ONTARIO
BY
MANUEL PEREIRA

30 SEPTEMBER 2014
RESIDENTIAL CONCEPTS INCORPORATED
5 PARKDALE DRIVE, BELLEVILLE ONT. K8P 2P1
413-968-2093
METRIC SCALE 1/15



RECEIVED	
PLANNING SECTION	
B-77-970	
OCT - 1 2014	
A.M.	ACTION
N.T.	REF.
G.P.	
J.B.	





City of Belleville

Engineering & Development Services Department
169 Front Street
Tel: 613-968-6481
Fax: 613-967-3262

File No.: B-77-971

**PUBLIC MEETING
CITY COUNCIL PLANNING COMMITTEE
CITY HALL - COUNCIL CHAMBER
169 FRONT STREET
MONDAY, NOVEMBER 3, 2014
AT 5:30 P.M.**

A Public Meeting will be held to consider an amendment to Zoning By-Law Number 3014, as amended. 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.

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 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 14th day of October, 2014



PROPOSED ZONING BY-LAW AMENDMENT

LOCATION: 47 MAITLAND DRIVE

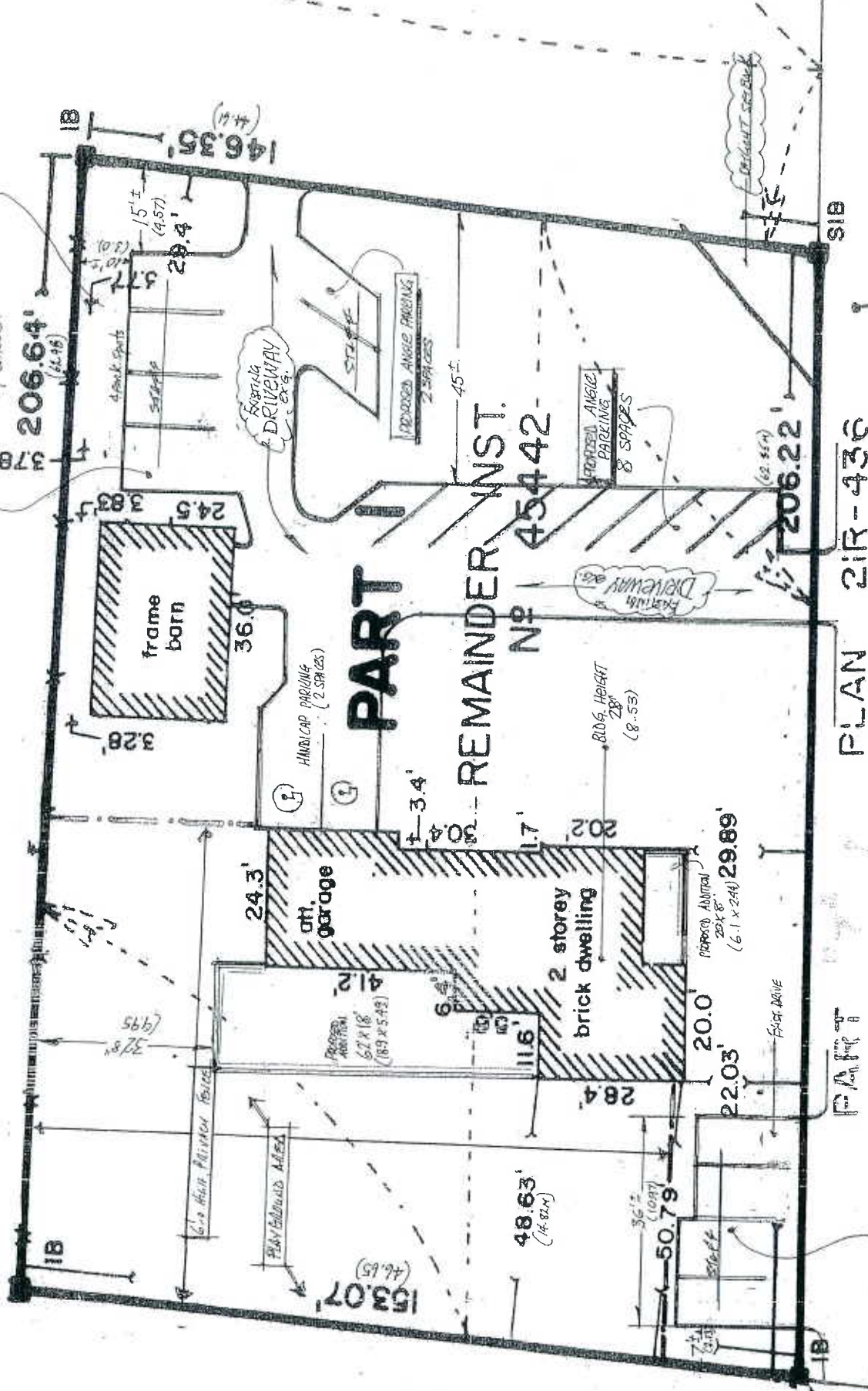


PROPOSED ZONING CHANGE FROM R1 (LOW DENSITY RESIDENTIAL - TYPE 1) TO R1 WITH SPECIAL PROVISIONS



CITY OF BELLEVILLE
 ENGINEERING & DEVELOPMENT SERVICES DEPARTMENT

INST. No 178709



PROPOSED ENLARGED PARKING AREA
4 SPACES

PLAN 21R-43C

INST. No 176963

MAITLAND

DRIVE

(COUNTY ROAD NO 271)

Copy to: R. Bovay, A. MacKay, S. Hutchison
From: Matt MacDonald
October 22, 2014

Oct. 18, 2014

City of Belleville
City Council Planning Committee
169 Front Street
Belleville, Ontario K8N 2Y8



Re file No. B-77-970 Public Meeting Monday November 3, 2014 at 5:30 pm

I am filing this written objection to the amendment as we will be out of the country at the time of the meeting.

The proposed addition creates a real safety issue for walkers, kids boarding and roller bladders as the two car garage extends to close to sidewalk. We do have a lot of walkers and joggers going past and to the water front.

We moved here 11 years ago from Barrie and was informed the boat house in question was grandfathered and lot was not large enough to construct a house let alone an attached garage.

We are not in agreement of the proposal of a 2 story building on current boat house footings and 2 car attached garage. We would agree to a single story building on existing boat house footings with no attached garage as the property is not large enough for standard set backs and create a real safety hazard.

Please keep us advised of any decision of the City of Belleville or Belleville Planning Advisory Committee in respect to this application. We also draw your attention your decision on File No.: B-77-751 application was refused on June 14th 2004.

Your rejection of this application as submitted will be appreciated.

Yours truly;


Ken Robertson 86 Pinnacle StS

✓ cc: Matt MacDonald
cc: Wayne Tod

Copy to: R. Bovay, A. MacKay, S. Hutchison
From: Matt MacDonald
October 24, 2014

Date: October 24, 2014

To: Matt MacDonald, Secretary, Planning Advisory Committee
City of Belleville

Fr: Residents of Maitland Drive as noted below

Re: Zoning request – First Adventure Child and Development Centre, 47 Maitland Drive, Belleville



This letter is in response to a zoning by request by First Adventure Child and Development Centre to change the zoning of the property at 47 Maitland Drive from R1-Low Density Residential Type 1 to a special R1 zoning designation to permit a day nursery as well as a parking lot at this location.

The residents of Maitland Drive as noted below oppose this change and would request that the Planning Advisory Committee consider our objections in the interest of our residential neighbourhood and its safety.

- Maitland Drive is an access often taken by drivers wishing to access Highway 62 from Sidney and vice versa in addition to new residents both in Settlers Ridge and Deerfield Park. Over the years, traffic on Maitland Drive has increased considerably also increasing the potential for accidents. One of our neighbours was struck by a vehicle less than 2 years ago while accessing her mail box on the opposite side of the street. This accident caused her to be hospitalized for several months and is still recovering. Several of the neighbours canvassed the entire Maitland/Settlers Ridge/ Deerfield Park area to petition the City to lower the speed limit which was implemented last summer. Unfortunately the speed of traffic has not noticeably decreased with many of the offenders also being residents of the new housing developments north and south of Maitland Drive. There are also visibility issues due to insufficient lighting on Maitland Drive.
- An additional 50+ vehicles per day visiting the area, especially during peak times of the day, would cause an additional level of concern for the residents as well as create an unsafe environment for children who attend school and use the school bus for their transportation. This additional traffic would make their safe walk home much more uncertain. This, along with the possibility of city busses at some point in the future, would further compound the situation.
- While the application calls for parking for 20 vehicles, this would not eliminate the problem of cars parking on the street to bring or collect their children. Half of this allocation would be used for staff (as it is at the Bridge/Bleeker location) and the remaining vehicles would be unable to find safe parking especially considering that this property does not have a sidewalk in front of it due to a large tree that has been allowed to grow and force walkers out onto the street. Street/sidewalk and snow clearing is also impeded by this situation.
- Also unlike First Adventure Child and Development Centre's location on Bleeker/Bridge, Maitland Drive is a residential area without 'businesses' on the street. Other than a couple of extremely low traffic volume home based businesses, the street has been a residential area for many years with a group of residents who value their properties and the area they have chosen

to call home. We built or bought our homes on Maitland Drive due to the quality of life on Maitland Drive. Having a day nursery on the street would impede on this quality of life and would impact on the residential character of the neighbourhood through unwanted noise and traffic. In the longer term, approval of an application such as this will open the doors for more commercial and businesses development in the area which would be unfair to the residents who pay taxes based on enjoying our homes and properties in a residential neighbourhood.

In summary, the residents listed below are opposed to any zoning change for the property in question at 47 Maitland Drive and do not support a day nursery at this location.

We respectfully request that you consider our concerns and help us maintain Maitland Drive as a residential area without the traffic and noise issues that would come with this new development.

- ① *Elmer*
69 Maitland Drive
- ② *Dr Corneley*
71 MAITLAND DRIVE
- ③ *Kathleen King*
59 maitland DR.
- ④ *Copex Reynolds*
74 Maitland Dr.
- ⑤ *Ashley McNamee*
68 Maitland DR.
- ⑥ *Diane & John Miller*
62 Maitland Dr.
- ⑦ *Sharon & Bill Jones*
48 maitland Dr
- ⑧ *Elvis Leonarduzzi*
42 MAITLAND DR.
- ⑨ *Wayne Warner*
26 MAITLAND
Drive
BELLEVILLE, ont.
- ⑩ *Daniel Howes*
35 Maitland
drive Belleville
ON
- ⑪ *Kyle Christopher*
36 maitland dr
- ⑫ *Nancy Jeffrey
pa Smith*
81 Maitland Drive

From: MacDonald, Matthew
Sent: Friday, October 24, 2014 12:31 PM
To: Pallo, Cheryl; Bovay, Rod; MacKay, Art; Hutchison, Spencer; Throop, Nina
Subject: Fw: File number B-77-971, Zoning

FYI

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Stephanie Webster <websterstephanie@hotmail.com>
Sent: Friday, October 24, 2014 12:29 PM
To: MacDonald, Matthew
Subject: File number B-77-971, Zoning

I have just read the letter from the City pertaining to the proposed changes to zoning at 47 Maitland Drive and my preliminary concerns, which I am requesting be addressed prior to the 3 November meeting, are as follows:

There is a contradictory statement in **the letter** sent out to area residents related to file number B-77-971. The letter states that "within this (the current) land use designation, a day nursery is a permitted use." This statement does not seem accurate as permission from the city is being sought to change the zoning for subject property at 47 Maitland Drive. Please clarify what is meant by this statement.

A change to the **current zoning** will be a trigger for other similar applications in the neighbourhood. This was not part of the original planning documents for the area and would have a significant negative impact on the existing neighbourhood plans, safety and security, community well-being, and property values.

A high level of traffic and congestion at this intersection already exists. **Public safety and security** is already questionable in this intersection and specifically on Scenic Drive which is supposed to be a low density, low traffic, neighbourhood street. Access via Scenic Drive is simply not feasible for drop-off and pick-up of 40 children (up to 4 times per day) plus daycare staff. Given the construction projects that will be ongoing for years to come (the home builders, the building of the parkland and structures, etc...), the planned growth rate of the community, the fact that this corner is already dangerous and congested with school buses and numerous mailboxes, it is too risky to add more traffic to this already congested corner.

Scenic drive is intended to be a secondary or tertiary street – it was **not built as a primary road for commercial use**. You may wish to re-visit the City plan as the cost to the City to upgrade this intersection (for safety) would outweigh any potential benefit of a commercial daycare facility.

The Proposed Plan

This type of daycare facility brings **no added value to the neighbourhood**. The City needs to focus on projects that build safe, healthy and vibrant communities with engaged residents.

Also of note, access via Scenic Drive to reference property on Maitland is, in fact, not an existing driveway it is an existing gravel path on the side-lawn of the property, which has likely escaped the notice of city officials. It is my understanding, that driveways are typically located on the municipal address side of a house - and two other driveways already exist off of Maitland for reference property. How many driveways can one home have? Let us be clear, this pathway on the side-lawn should likely not exist and should not be listed in the proposed plan as an existing driveway. Could you please clarify the city By-laws related to parking on your lawn? As that is what this gravel path truly is. Further, please advise when the permit was granted for subject property to create an access point for traffic from Scenic Drive when its municipal address is on Maitland.

Further, **property value will decrease** in the neighbourhood if the City allows the proposed project to move forward with the type of facility proposed at 47 Maitland Drive. The neighbouring properties recently built new homes based on the R1 zoning, and chose not to purchase a lot near the planned park for reduced traffic and noise pollution.

Should the City decide to make any changes to the Cannifton Planning Area, I may suggest the City focus on delivering on the existing plans (adding the neighbourhood park, completing roads, proper snow removal, etc...) prior to even entertaining additional changes to the neighbourhood.

The City has a responsibility to the existing residents who are paying a significant amount in taxes and receiving very little service. This large, high volume, facility is simply not feasible in this proposed location and the proposed plan is detrimental to the neighbours and the neighbourhood. Not only do I wish to be notified of a decision on this file, my expectation is that this application for an amendment to the zoning be denied.

Should you wish to discuss any of the concerns I have put forward, I may be reached by phone at 613-779-9590.

Sincerely,

Stephanie Webster

***** Stephanie A. Webster

Subject: FW: Proposed rezonig of 47 Maitland Dr.

From: MacDonald, Matthew
Sent: Monday, October 27, 2014 11:46 AM
To: Pallo, Cheryl; Throop, Nina; Bovay, Rod; MacKay, Art; Hutchison, Spencer
Subject: Fw: Proposed rezonig of 47 Maitland Dr.

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Sharon Jones <sharon_jones45@msn.com>
Sent: Monday, October 27, 2014 11:43 AM
To: MacDonald, Matthew
Subject: Proposed rezonig of 47 Maitland Dr.

ATT:CHAIR & PLANNING ADVISORY COMMITTEE:

As neither my husband or myself will be able to attend the public meeting on November 3rd, the purpose of this e-mail is to voice our objection to the proposed rezoning of 47 Maitland Dr to permit the First Adventure Child and Development Centre to use the dwelling as a day nursery to accommodate 40 children and 20 on-site parking spaces.

Our main concern is the safety issue the added traffic will create by the proposed rezoning and the traffic it self. Our home is located on the south of Maitland directly west of Scenic Dr and across the road from the present driveway at 47 Maitland. There is also a proposed 4 parking spaces a little to the west of the current driveway. We have a difficult time exiting our driveway at the present time due to all the traffic that is generated from the new subdivisions and those using the road from Hwy 62 and Sidney St. It has been suggested that there will be no added traffic as the traffic will be coming from the surrounding area anyway, but there is no guarantee that this will in fact be the case. Added to this are the school buses picking up and dropping off children at the corner of Scenic Dr. - we feel this is a real safety issue when you factor in another 40 or so vehicles.

Our next objection is the fact we will be looking out our livingroom window onto parking spaces. What with the 7 or 8 proposed parallel parking going up the driveway; 4 staff parking at the top of the lot and 2 going into the current green space, it is not a view we relish.

This is a residential area with lots of traffic, we respectfully request that you do not change the dynamics of the area any further by permitting this rezoning.

In closing, we request to be advised of any decision made by the committee.

Sincerely,
Bill and Sharon Jones
48 Maitland Dr
Belleville, Ont.

Copy to: R. Bovay, A. MacKay, S. Hutchison
From: Matt MacDonald
October 30, 2014

October 27, 2014

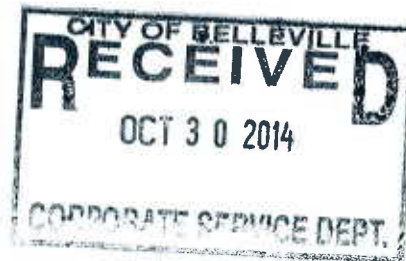
To: Matt MacDonald, Secretary, Planning Advisory Committee, City of Belleville.

Re: Zoning request: 47 Maitland Dr., Belleville.

I am a property owner on Scenic Dr. in Belleville. My family and I have lived there for two years. Scenic Dr. is a newly built residential road that gives access to the Settlers Ridge Subdivision from Maitland Dr. Maitland Dr. bisects the residential community of approximately 380 homes built within the past ten or so years as well as the 50 or so pre-existing homes on Maitland and Bird Cres. The properties range in value from \$200,000 to \$550,000.

The subject property is on the north- west corner of Maitland Dr. and Scenic Dr. and is a legal residential duplex. I have many concerns with regard to the zoning application.

My concerns are as follows:



PRECEDENT:

I have seen the various day care facilities in Belleville that are of a similar nature to the subject day care. They are located on Dundas St., Bridge St., MacDonald Ave. (pre-existing school) and Vermilyea Rd. They have ample parking and or additional street parking. They are businesses with employees, support staff and patrons frequenting the location. By nature, they are commercial in their use.

There are many opportunities north of the 401 for commercial uses on Millennium Parkway, Sidney St. and Hwy 62. The City has carefully planned for these commercially zoned areas, with traffic lights and turning lanes to accommodate the traffic. Maitland Dr. between Sidney St. and Hwy 62 and the various subdivision arteries north and south of Maitland Dr. are built to accommodate local residential traffic. The residential zoning there doesn't allow commercial uses for good reason. Commercial, by nature, attracts large volumes of traffic and noise.

There is a good reason why the existing day care facilities are located on major thoroughfares; the roads are built to accommodate the traffic volume. There is a precedent of commercial and or mixed commercial/residential uses on these major thoroughfares. These locations are convenient for the patrons of these businesses. 47 Maitland Dr. is in no way similar to these existing locations. This is a dangerous precedent to set. If we allow this commercial like use in a residential community, how will we deny future applicants from proposing similar applications? Are we to expect future commercial uses along Maitland Dr.?

SAFETY:

The subject site is proposing 20 parking spots, 10 for staff, 2 handicap and 8 for the patrons. With 40 or so children being dropped and pick up, in addition to 10 staff members, there is no provision for overflow parking. Maitland Dr. does not offer safe parking and is not wide enough. I would expect Scenic Dr. will be the choice by default as the entrance to the site is from Scenic Dr. Scenic Dr. is also where neighbourhood kids walk to and from the school bus pick up (on the same corner), the community mail boxes are located there as well and is congested as is. Neighbours are walking, riding bikes etc. on this sidewalk and crossing Maitland to access the walking trails off of Gavey St.

Scenic Dr. was designed and planned as a residential road, not meant to accommodate additional traffic and parking. Maitland Dr. is a through road, connecting Sidney St. with Hwy 62 and as such sees a high volume of traffic. The speed limit has been reduced to 50 Km/h to slow the traffic to safe speeds. Maitland Dr. is very busy as it is, adding unwanted traffic does not make sense from a safety aspect. The subject property does not even have a sidewalk along Maitland Dr. adding unplanned additional traffic and parking congestion will undoubtedly ensure unsafe conditions for all concerned on a daily basis.

RIGHT TO ENJOY AND PROTECT THE VALUE OF PROPERTY:

Responsible, careful planning with respect to zoning is, in my mind, not just a function of the City but an obligation the City has to its tax payers. We have made large investments in our properties. We were “sold” on the location, the “country feel” and the understanding that the current zoning would protect our investment. The developer and the City carefully planned the subdivision, ensuring drainage, sidewalks, green spaces, parks and safety are beneficial to all concerned. The neighbourhood restrictive covenants further protect us from less than desirable aspects of subdivision life.

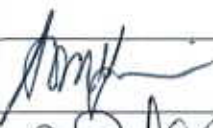
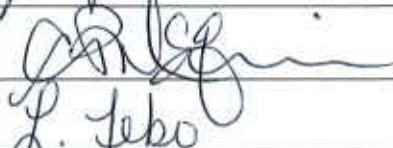
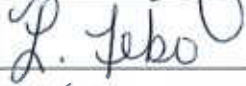



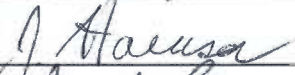
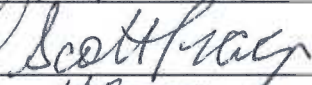
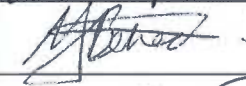





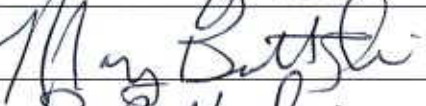
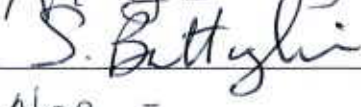
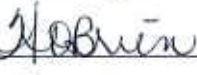
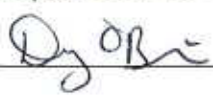
It goes without saying that a commercial like use located in a residential community has a detrimental effect on property values. As a Realtor, I can attest to that first hand. Many of my neighbours will be transferred and or redeployed and will need to sell their properties. The approval of this application will be seen as a negative with regard to re sale simply as a result of the traffic, noise and congestion caused by the commercial like use.

The City of Belleville has an obligation to protect our neighbourhoods through good, forward thinking planning where safety and consistent standards are upheld. I fail to see this application as being such.

A handwritten signature in blue ink, appearing to read 'Dave and Heather Quickert', written in a cursive style.

Dave and Heather Quickert

We the undersigned agree with the argument presented by Dave and Heather Quickert in the attached letter, and are opposed to a zoning change for the property in question at 47 Maitland Drive and do not support a Day Nursery at this location.

ADDRESS	PRINT NAME	SIGNATURE
12 SCENIC DR.	STEPHEN McALPINE	
"	CHANTAL McALPINE	
14 Scenic Dr.	Lindsay Tebo	
14 Scenic Dr.	Kirby Tebo	
20 Scenic Dr.	Barb Thompson	
22 Scenic Dr.	Cheryl Elder	
15 Scenic Dr.	JOE HARRISON	
17 SCENIC DR	SCOTT TRACZE	
11 SCENIC DR.	BENEDICT MENACHERY	
7 SCENIC DR.	TIM EBERWEIN	
7 SCENIC DR.	BONNIE BURLINGAME	
19 SCENIC DR.	SCOTT CAMERON	
7 CAVENDISH DR.	BOB DARR	
18 Bird Cres.	Kana Claus - R. Ford	
37 McDougall	Mary Battaglia	
20 McDougall	Shelly Battaglia	
8 Gardiner St	Heather O'Brien	
8 Gardiner St	Dan O'Brien	

Petition:

Note the petition is signed by both home builders currently building in the Settler's Ridge subdivision, Dave Miron- Mirtren Homes and Dustin VanSolen-Duvanco Homes.

Corner of Maitland and Scenic. Note school bus pick up for neighbourhood children and the proposed driveway entrance to 47 Maitland and the neighbourhood mail boxes.



Corner of Maitland and Scenic. Note, proposed driveway to subject property and community mail boxes.



Corner of Matiland and Scenic, note cars parked on Scenic picking up mail, same location as the proposed entrance to 47 Maitland.





APPROVAL BLOCK

DE&DS

RS

CITY OF BELLEVILLE

Spencer Hutchison
Manager, Approvals Section
Engineering and Development Services Department
Report No. APS-2014-36
November 3, 2014

To: Belleville Planning Advisory Committee

Subject: 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**)

OWNER: East Marina Investments Ltd.
AGENT: RFA Planning Consultant Inc.

File: 12CD-14001

Recommendation:

"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."

Background:

The subject lands are described in **APPENDIX 1** attached and this site is approximately 4 hectares (10 acres) in area.

As shown on **APPENDIX 2**, the subject lands are generally located west of the Moira River and south of Dundas Street West and the Canadian Pacific railway in the city centre of the City of Belleville.

Background: (cont'd)

Access to the property is currently provided at the Mary Street frontage from Dundas Street West, over a level CP rail crossing. The property also fronts onto Old Bay Bridge Road at the south-west limit.

The site is relatively flat and slopes slightly in an eastern direction towards the Bay. There is minimal vegetation existing on the property.

The site is currently vacant except for the existing Crate's marina operation which includes 2 sales and service buildings, parking areas, docks and 175 boat slips.

Surrounding uses include:

- 1) to the east: the Moira River;
- 2) to the north: CP rail line and Dundas St. W.; along the north side of Dundas Street West are highway commercial uses;
- 3) to the south: the Travel Lodge Hotel; further south and west are East Zwick's and West Zwick's Parks;
- 4) to the west: CP rail line and Dundas St. W.

The property is serviced with municipal water and sewer services, hydro and other utilities.

In support of this development the Owner's planning consultant RFA Planning Consultant Inc. submitted six studies including:

1. Planning Report - East Marina Investments Ltd. - RFA Planning Consultant Inc.; September 2014;
2. Functional Servicing Report (FSR) - John Towle Associates; September 2014;
3. Traffic Impact Study (TIS) - Tranplan Associates; September 2014;
4. Phase Two Environmental Site Assessment (ESA) - WESA; July 2014;
5. Railway Vibration Analysis - Dundas Street and Mary Street Proposed Residential Development - Valcoustics Canada Ltd.; September 2014;
6. Environmental Noise Assessment - Dundas Street and Mary Street Proposed Residential Development - Valcoustics Canada Ltd.; September 2014.

Proposal:

From a processing point of view this application consists of a Draft Plan of Subdivision application and a Draft Plan of Common Element Condominium application. Approval of the plan of subdivision is required to subdivide the

Proposal: (cont'd)

subject property to create blocks of land. Approval of the plan of common element condominium is required to create the common element (i.e.: the sharing of the common components contained within the Common Element).

As shown on Table 1 below, the proposed draft plan of subdivision consists of 7 blocks of land and a common element.

Situated on, and adjacent to Block 1 would be a 200 slip marina.

Situated on each of Blocks 2 to 4 inclusive would be a 15-storey apartment building with a total of 302 apartment units.

Situated on Block 7 would be the northern terminus of Old Bay Bridge Road.

Blocks 5 and 6 are set aside as 1' (0.3 metres) reserves.

Table 1: Proposed Plan of Subdivision

Block	Use	Area	Percentage
1	Commercial Marina	10,996 m ²	27.6%
2-4	Commercial and High Density Residential	3,363 m ²	23.5%
5 & 6	0.3 m reserves	11.5 m ²	0%
7	Municipal Road Allowance	1,162 m ²	2.9%
Common Element	Internal condominium road, surface parking, site servicing, pedestrian trails and landscaped areas	18,377 m ²	46%
Total		39,911 m ²	100%

It is proposed that each of the blocks in this proposed Plan of Subdivision would be serviced with municipal water and sewer from Dundas Street West via the "common element". Access to the subject lands would be from the southwest from Bay Bridge Road via a cul de sac at the northern terminus of Old Bay Bridge Road.

The "common element" also consists of surface parking, private roadways, landscaped open space and trails. All of these features will be constructed by the developer and registered as a condominium common element that will be owned and maintained by the condominium corporation that is established by the registration of the condominium.

Proposal: (cont'd)

On each of Blocks 2 to 4 is proposed to be constructed a 15-storey residential building with a total of 302 residential units in all three buildings. On Block 2 and 4 would be 102 residential units each while on Block 3 would be 98 residential units.

The overall height of each building would be 46 metres with a 5 metre mechanical penthouse on the roof which will bring the total building height to 51 metres.

Within each of the three apartment buildings would be located ground floor retail space with a total of 2,054m² of retail space in the three buildings as follows:

Building	Area
Building A (Block 2)	704 m ²
Building B (Block 3)	855 m ²
Building C (Block 4)	495 m ²
Total Non-Residential Floor Area	2,054 m ²

Provincial Policy Statement:

The Provincial Policy Statement (PPS) has applied to all planning applications since April 30, 2014. All decisions related to land use planning matters "shall be consistent with" the PPS. These two applications for draft plan approval are consistent with the 2014 PPS.

Specifically the Dockside – Quinte proposal is located within a designated urban settlement area of the City, which shall be the focus of growth; *"their vitality and regeneration shall be promoted"* (Policy 1.1.3.1).

Within settlement areas, land use patterns shall be based on densities that efficiently use land and resources, and are appropriate for and efficiently use the infrastructure and public service facilities that are available without the need for unjustified or uneconomical expansion; and which support active transportation and the use of transit (Policy 1.1.3.2).

The mixed-use nature and planned density of the Dockside – Quinte development allows for the efficient use of available land, infrastructure, public services, transit, and trails. (Policy 1.1.3.6)

Policy 1.1.3.3 directs municipalities to identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites. The City of Belleville has undertaken an

Provincial Policy Statement: (cont'd)

intensification study that promotes the Dockside – Quinte site for intensification.

The Dockside – Quinte project will promote healthy active communities by facilitating the safe movement of pedestrians along streets and trails; by providing a built setting for water-based recreation, and public access to the waterfront area (Policy 1.5.1).

The proposed development is consistent with Policy 1.6.6 of the PPS, as it will optimize the use of existing infrastructure and servicing for sewage, water and stormwater.

Official Plan and Zoning By-law:

The subject lands are designated "City Centre" in the City's Official Plan and are shown as being part of Special Policy Area #6 – City Centre Planning Area. Residential development in the form and density being proposed is permitted in the "City Centre" designation. Therefore, **no** amendment to the City's Official Plan is required.

The subject lands are currently zoned C6 - Water-Oriented Commercial Zone, C6-2 Zone and E - Environmental Control Zone according to Zoning By-law 10245. A rezoning of the subdivision lands to a modified C6-2 Zone with an H - Holding symbol is proposed as part of a concurrent rezoning application (File No.: B-77-969). It is not proposed to amend the existing E Zone.

The C6-2 Zone permits a wide variety of land uses that are proposed to be kept as permitted uses in the Dockside – Quinte project. This would include:

- an eating establishment;
- hotel;
- marina;
- tavern;
- water-oriented retail sales and services establishments;
- private boat house;
- public and private recreational facilities;
- tourist-oriented retail uses;
- outdoor patio;
- business, professional, administrative and/or government offices with a maximum floor area of 2,325m²;
- apartment units (to be added to new zoning).

Public Comments:

On October 14, 2014 a written notice and location map was mailed by first class mail to all persons who own land within 400 feet of the subject lands announcing that a Public Meeting was scheduled for November 3, 2014 to discuss this proposed plan of subdivision and proposed plan of common element condominium. In the notice it was indicated that additional information concerning this current subdivision application was available at City Hall.

Similarly, a newspaper ad was placed in the Belleville Intelligencer notifying the general public that a Public Meeting was scheduled for November 3, 2014 to discuss the plan of subdivision and common element condominium proposed for the subject lands. In the advertisement it was indicated that additional information concerning the plan of subdivision was available at City Hall.

Up until the present time, two owners of nearby properties have contacted Staff about this proposed development. One owner inquired about the absorption rate of condominium units and one owner was concerned about the ability to service this development.

Proposed Conditions of Draft Plan of Subdivision Approval:

Conditions No. 5 & 6 require the completion and subsequent implementation of a traffic study to support this development. This may require improvements to existing streets.

Conditions No. 3 & 7 deals with the proper construction of the street access to the subject lands.

Condition No. 4 requires the construction of an emergency entrance to the subject lands.

Condition No. 8 requires the construction of a public walking trail through this site from the City's existing parkland to the west to Dundas Street West.

Condition No. 10 restricts construction access to this site from Bay Bridge Road only.

Condition No. 12 ensures that this site is environmentally suited for residential development.

Conditions No. 13 to No. 17 ensure that the impacts of the adjacent railway line on this site are properly dealt with. Condition No. 18 requires future owners to be aware of the presence of the railway.

Proposed Conditions of Draft Plan of Subdivision Approval: (cont'd)

Conditions No. 20 & 21 ensure that issues dealing with stormwater and flood levels are addressed.

Conditions No. 22, No. 23 and No. 26 ensure that the requirements of the utilities required to service the subject lands are dealt with.

Condition No. 24 requires a cash in lieu of parkland payment to the city.

Condition No. 25 ensures that the requirements of Canada Post are met.

Conditions No. 28 & No. 29 require the Owner to enter into a subdivision agreement with the city which will be registered on the title of this property.

The approval of this subdivision lapses in three years (November 10, 2017)

Proposed Conditions of Draft Plan of Common Element Condominium Approval:

Condition No. 3 requires all related planning approvals to be completed before the condominium plan can be finalized.

Condition No. 5 lays out all of the responsibilities of the condominium corporation. In essence, the corporation and not the city is responsible for the development and on-going maintenance, repair and upkeep of all services required for the subject lands including snow removal, waste removal and the water and sewer lines.

Conditions No. 7 to No. 11 ensure that the city reviews and signs off on condominium documents and plans.

Lastly, draft plan approval expires on November 10, 2017 if all the conditions are not satisfied by that date.

Analysis of Proposed Draft Plan Approval

In terms of the Provincial Policy Statement, the proposed plan of subdivision helps meet policies set forth by the province. This proposed development is located within the centre of the city and will be constructed on full municipal services. Thus, the development could be considered both residential intensification and in-fill development and helps bring additional residents to the city's core area. Moreover, a public pathway will help connect and provide access from downtown Belleville to the city's large waterfront park and dog park.

Analysis of Proposed of Draft Plan Approval (cont'd)

It is also important to note that this development provides high density apartment units to complement the single detached and street townhouse dwellings being constructed in other parts of the city.

Moreover, non-residential uses are being incorporated into this development to ensure that there are complementary services provided for the future residents and the adjacent marina. These uses should also assist in promoting the economic vitality of the downtown core.

The proposed conditions for final approval of the plan of subdivision and plan of common element condominium for the subject lands essentially follow the standard city format.

These conditions require that all of the technical issues that arise from developing this specific site are addressed to the city's satisfaction before final approval is granted. These issues would include traffic generation, environmental clearance, railway noise and vibration and flood lines. To this end, the applicant has already submitted reports to review all of these issues.

Lastly, compared to most other recent subdivisions in the city in this development the city is faced with relatively little infrastructure to maintain in the future. The city will realize significant financial benefits from this project without the roads and other infrastructure to maintain.

Summary:

The proposed draft plan of subdivision and draft plan of common element condominium for Dockside - Quinte currently being considered by the Municipality reflects policies set forth by the province in the Provincial Policy Statement and the City in its Official Plan. This proposed development provides for residential growth in the centre of the city that helps strengthen the residential component of the city's core area.

Conclusion:

The Approvals Section supports the approval of a Draft Plan of Subdivision, for those lands described in **APPENDIX 1** (File: 12CD-14001), as submitted by RFA Planning Consultant Inc. on behalf of East Marina Investments Ltd. and recommends to the Belleville Planning Advisory Committee that Belleville City Council be requested to formally issue draft plan of subdivision approval for the Dockside - Quinte subdivision, as shown on **APPENDIX 4**, subject to the conditions outlined in **APPENDIX 5**.

Conclusion: (cont'd)

In addition, the Approvals Section supports the approval of a Draft Plan of Common Element Condominium, for those lands described in **APPENDIX 1** (File: 12CD-14001), as submitted by RFA Planning Consultant Inc. on behalf of East Marina Investments Ltd. and recommends to the Belleville Planning Advisory Committee that Belleville City Council be requested to formally issue draft plan of common element condominium approval for the Dockside - Quinte condominium, as shown on **APPENDIX 6**, subject to the conditions outlined in **APPENDIX 7**.

Respectfully submitted.

A handwritten signature in black ink that reads "Spencer Hutchison". The signature is written in a cursive style and is positioned above a horizontal line.

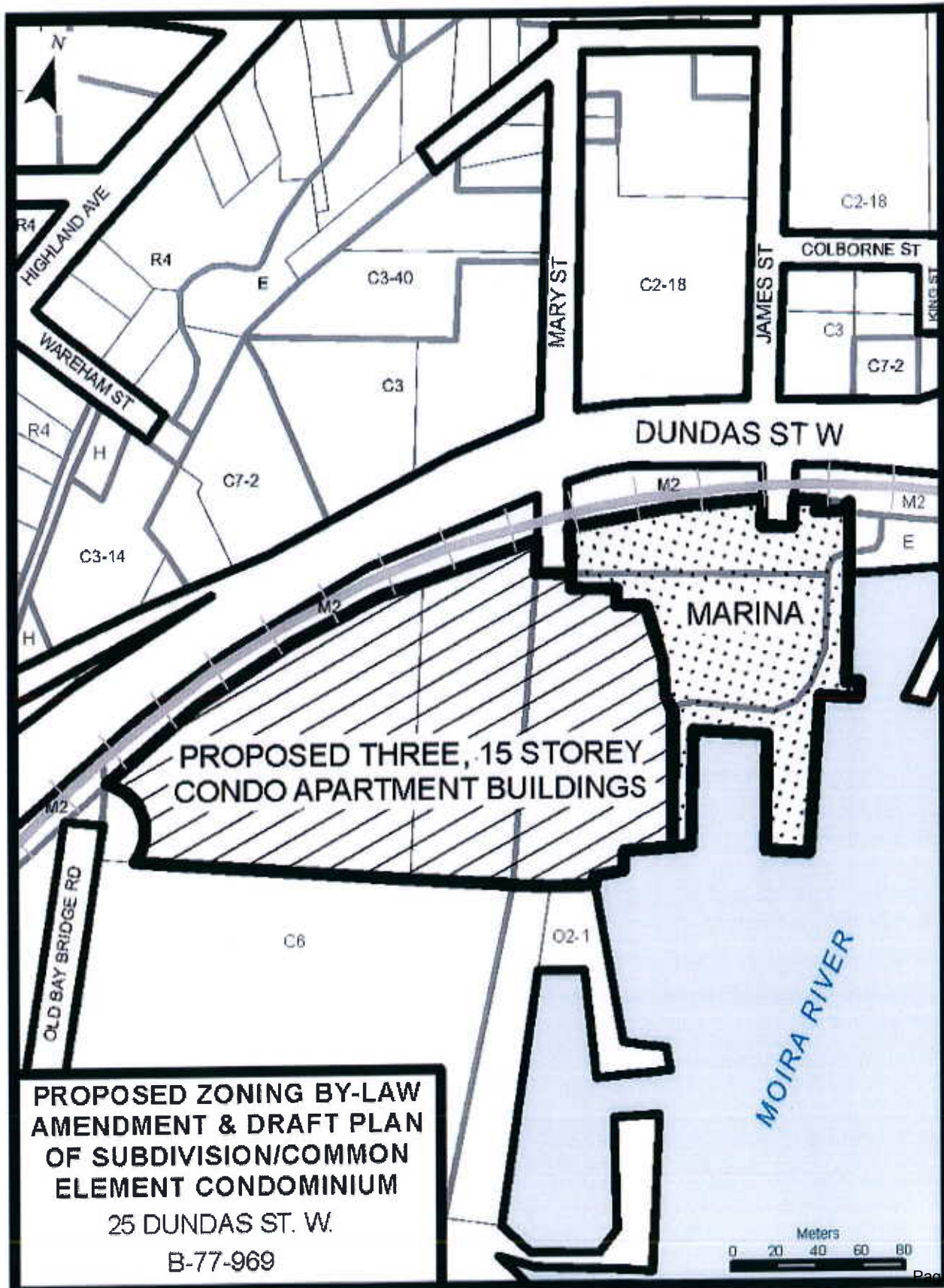
Spencer Hutchison/cm
attachments

APPENDIX 1**Legal Description of Subject Lands**

Parts 1, 2, 3, 5, Plan 21R-7426; Part 1, Plan 21R-10783
Lots 4, 5, 6, 7 & 8, North Side of Water Street
Lots 5, 6, 7, 8, 9, 10 & 11, South Side Water Street
Lots 1, 2, 3 & 4, South Side Dundas Street
Part of Ann Street, Water Street and James Street (Closed)
Registered Plan No 14,
Part of Lots 4, 5, 6 & 7 Registered Plan 9
Part of Lots A & B, Lots C & D, South Side Dundas Street, West
Side Ann Street
Part of Lot 77 Haslett's Plan
Part of Water Lot In Front of Lot 3, Concession 1
Formerly Township of Thurlow
Now In the City of Belleville
County of Hastings

APPENDIX 2

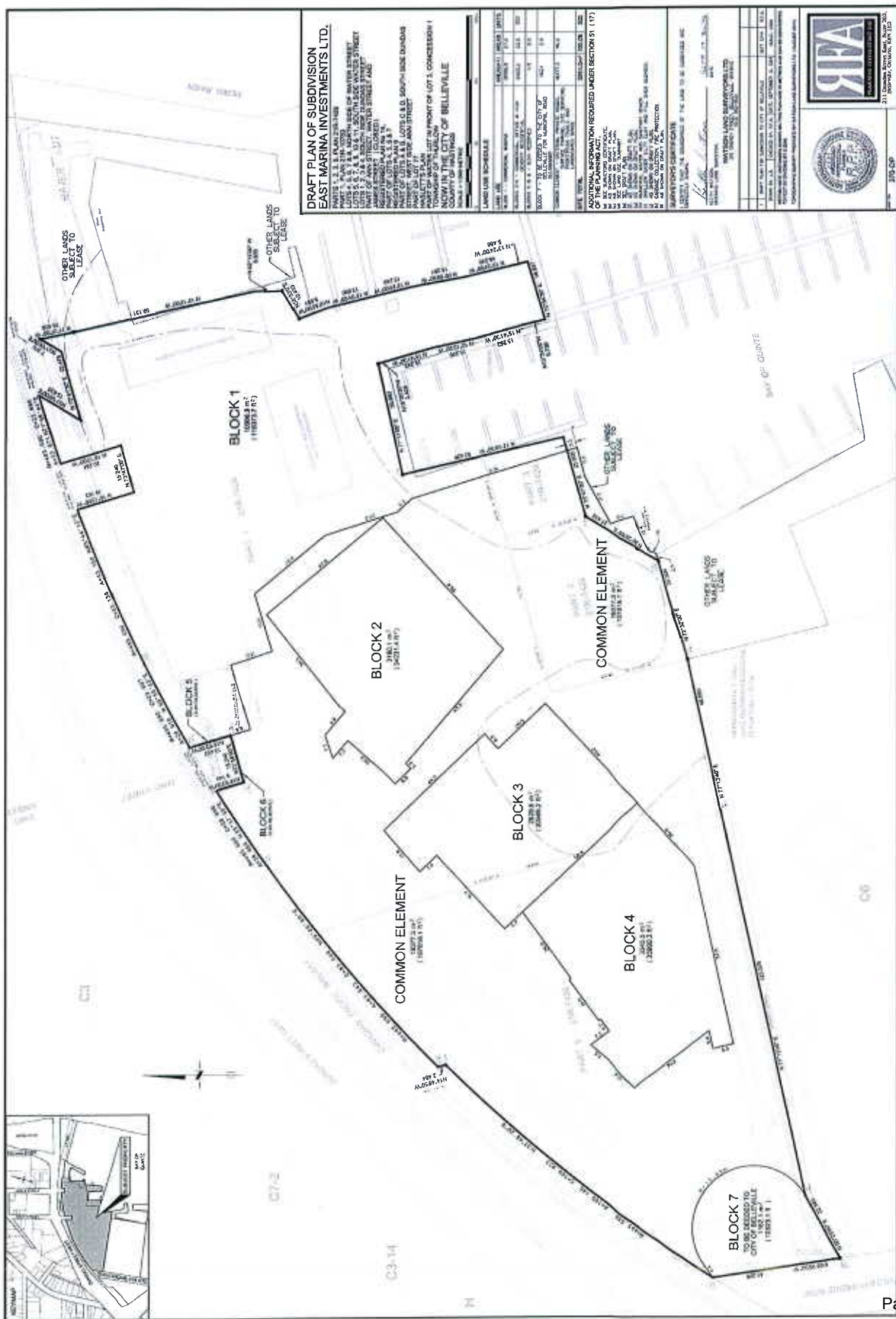
Location of Subject Lands



**PROPOSED ZONING BY-LAW
AMENDMENT & DRAFT PLAN
OF SUBDIVISION/COMMON
ELEMENT CONDOMINIUM**
25 DUNDAS ST. W.
B-77-969

APPENDIX 4

Proposed Draft Plan of Subdivision



APPENDIX 5**Draft Plan of Subdivision Conditions**

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

No.	Conditions
-----	------------

1. That this approval applies to the Draft Plan of Subdivision, Drawing: 370-DP prepared by RFA Planning Consultant Inc., dated September 12, 2014, to show a total of:
 - one (1) block for a commercial marina [Block 1];
 - three (3) blocks for 302 apartment units and 2,054m² of non-residential space [Blocks 2 to 4 inclusive];
 - two (2) 0.3 metre reserves [Blocks 5 and 6 inclusive];
 - one (1) road cul de sac block [Block 7];
 - one (1) common element block [Common Element].
2. That any dead ends and open sides of road allowance created by this draft plan be terminated in 0.3 m reserves to be conveyed to, and held in trust by, the City of Belleville.
3. That the road allowance included in this draft plan shall be shown and dedicated as a public highway.
4. That the Owner agrees in the subdivision agreement, in wording acceptable to the City of Belleville, to provide a primary as well as a secondary or emergency entrance for each phase or stage of this plan of subdivision as it is developed. The secondary or emergency entrance will be designed and constructed to the satisfaction of the City in accordance with a phasing or staging plan.
5. That prior to final approval of the plan, the Owner shall retain a consultant, approved by the City of Belleville, to prepare a traffic impact study, to the satisfaction of the City, to determine the need and timing for road improvements to serve this development such as the need for turning lanes, signalization or other road improvements on Bay Bridge Road and Dundas Street West including the intersection of Bay Bridge Road and Dundas Street West.

6. That prior to final approval of the plan, the Owner shall agree in writing in the subdivision agreement to cause to be carried out the works referred to in the traffic impact study undertaken pursuant to Condition No. 5.
7. That prior to the final approval of the plan, the Owner shall retain a professional engineer to design, to the satisfaction of the City of Belleville, the street within this subdivision, and if, required, the street leading to this subdivision. All streets will be constructed with a local road cross-section.
8. That the subdivision agreement between the developer and the City of Belleville shall include provisions whereby the Owner agrees to construct, at the Owner's expense, a continuous walking trail, to the satisfaction of the City, from the north end of Old Bay Bridge Road to Dundas Street West via Mary Street. An easement for this trail will be granted to the City.
9. That prior to final approval, the Owner shall agree in writing in the subdivision agreement to design and construct all servicing requirements (lanes, sidewalks, water, sanitary, storm, electrical, etc.) for this plan of subdivision, including any work required outside the limits of the subdivision required to facilitate this plan, all to the specifications of the approving authorities (the City of Belleville, Belleville Water, Veridian Connections, Quinte Conservation, Canadian Pacific Railway Company, etc.) and the cost thereof shall be paid by the Owner.
10. That the Owner agrees in the subdivision agreement, in wording acceptable to the City of Belleville, that all construction traffic involved in the servicing and development of this plan of subdivision, and subsequent residential construction, will only access the lands within this plan of subdivision via Bay Bridge Road.
11. That prior to final approval, the Owner shall provide to the City of Belleville a geotechnical report and a groundwater monitoring program report for this subdivision. Specifically the elevation of the high ground water level and the permanent ground water level as they relate to the footing elevations are to be addressed.
12. That prior to final approval, the Owner shall demonstrate that the soil and groundwater quality of the property is compatible with a residential land use as defined by the generic criteria listed within the Guideline for Use at Contaminated Sites in Ontario (MOE, rev. 1997). The acceptable method for this demonstration would be a Phase 1 Environmental Site Assessment (ESA) performed in accordance with

CSA standard Z768-01 and any required follow up investigations (Phase II ESA) or remediation. The recommendations of the Study shall be incorporated into the Subdivision Agreement and the Subdivision Agreement shall contain provisions whereby the Owner agrees to implement the Study recommendations to the satisfaction of the City.

Should site remediation be required to meet the applicable soil and ground water criteria set out in applicable guidelines, the Owner shall submit to the Municipality, prior to final plan approval, a copy of the Record of Site Condition acknowledged by a Provincial Officer of the Ministry of the Environment.

The Owner shall provide a certificate by a qualified professional that all lands within the Plan, and any lands and easements external to the Plan, to be dedicated to the Municipality meet the applicable soil and groundwater criteria.

13. That prior to final approval of the plan, the Owner shall retain a consultant, approved by the City of Belleville, to complete and submit to the City of Belleville for its approval, an acoustical report, recommending noise control features required due to the nearby railway.
14. That prior to final approval of the plan, the Owner shall agree in writing in the subdivision agreement to implement the noise control features recommended by the report referred to in Condition 13.
15. That the subdivision agreement between the Owner and the City of Belleville contain a provision wherein the Owner agrees to install and maintain a continuous fence along the full length of the northern lot line of this plan of subdivision which abuts the railway right-of-way.
16. That the subdivision agreement between the Owner and the City of Belleville contain a provision wherein the Owner agrees to install and maintain a continuous berm, along the full length of the northern lot of this plan of subdivision which abuts the railway right-of-way.
17. That the subdivision agreement between the Owner and the City of Belleville and all Offers of Purchase and Sale and any subsequent Offers of Purchase and Sale shall provide notice to all property owners that the fencing referred to in Condition 15, the berm referred to in Condition 16, and the noise control features referred to in Condition 14, are not to be removed or altered and further that the property owners shall have the sole responsibility for and shall maintain these features to the satisfaction of the City of Belleville and the Canadian

Pacific Railway Company.

18. That the subdivision agreement between the Owner and the City of Belleville and all Offers of Purchase and Sale and any subsequent Offers of Purchase and Sale related to the creation of future residential units shall contain the following warning clause:

WARNING: Canadian Pacific Railway Company or their assigns or successors in interest have a right-of-way within 100 metres from the land subject hereof. There may be alterations to or expansions of the rail facilities on such right-of-ways in the future including the possibility that the railways or their assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwellings(s). The Canadian Pacific Railway Company will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid right-of-way

19. That all street lighting required for the subdivision be completed to the satisfaction of the City of Belleville.
20. That prior to the commencement of any grading or construction on site, or final registration of the plan, the Owner shall submit and obtain approval of the City of Belleville and Quinte Conservation for reports describing the following:
1. a detailed Stormwater Management Plan which outlines the intended means of controlling stormwater runoff in terms of quantity, frequency and duration of events up to and including the regional storm;
 2. the intended means of conveying stormwater flows from the site and external areas that drain through this plan of condominium, including the location and design of water quality controls and facilities using stormwater management techniques outlined in provincial guidelines (i.e., Level 1 (enhanced) protection storage criteria set out in the Ministry of the Environment Stormwater Management Planning and Design Manual (2003)). Water quality will also have to meet the criteria set out in the Bay of Quinte Remedial Action Plan Stormwater;
 3. an assessment of the major and minor flow systems, identifying pre- and post- construction volumes, depths, velocities, points of discharge, and proposed methods for outlet treatment;

4. an Erosion and Sediment Control Plan detailing the means by which erosion and sedimentation and their effects will be minimized on the site during and after construction in accordance with provincial guidelines. The report must outline all actions to be taken to prevent an increase in the concentration of solids in any water body as a result of on-site, or other related works;
 5. site grading plan, including pre-development and final scenarios;
 6. requirements for the long-term maintenance of all proposed erosion and stormwater facilities and construction details relating to these conditions.
21. That prior to final approval of the plan, the Owner shall agree in writing in the subdivision agreement, in wording acceptable to the City of Belleville:
1. to cause to be carried out the works referred to in Condition 20;
 2. to design and implement on-site erosion and sediment control, in order to meet the requirements of the City of Belleville and Quinte Conservation;
 3. to maintain all stormwater management and erosion and sedimentation control structures operating and in good repair, in a manner satisfactory to the City of Belleville and Quinte Conservation.

The Owner will have to apply to the Conservation Authority for a permit pursuant to Ontario Regulation 149/06 prior to site grading or the development of the subject lands.

22. That such easements as may be required for utility, telecommunication services, drainage or servicing purposes shall be conveyed to the appropriate authority.
23. That prior to the final approval of the plan, Bell Canada, Union Gas, Cogeco Cable and Veridan Connections shall confirm that satisfactory arrangements, financial and otherwise, have been made for any communications and utility facilities servicing the plan of condominium, which facilities are required by the City of Belleville to be installed underground.
24. That at the time of the final registration of this plan, the Owner shall make a cash-in-lieu payment to the Municipality equal to 5% of the

value of the land within this plan for park purposes.

25. That the Owner shall comply with the requirements of Canada Post with respect to the provision of mail delivery to the subdivision. The location of a community mailbox for mail delivery, to service this subdivision, if required, shall be located to the satisfaction of Canada Post and the City of Belleville.
26. That the Owner shall meet the following conditions of Bell Canada:
 1. that the Owner shall agree in the Subdivision Agreement, in words satisfactory to Bell Canada, to grant Bell Canada any easements that may be required for telecommunication services. Easements may be required subject to final servicing decisions. In the event of any conflict with existing Bell Canada facilities or easements, the Owner/Developer shall be responsible for the relocation of such facilities or easements;
 2. The Developer is hereby advised that prior to commencing any work within the Plan, the Developer must confirm that sufficient wire-line communication/ telecommunication infrastructure is currently available within the proposed development to provide a communication/telecommunication service to the proposed development. In the event that such infrastructure is not available, the Developer is hereby advised that the Developer may be required to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure. If the Developer elects not to pay for such connection to and/or extension of the existing communication/telecommunication infrastructure, the Developer shall be required to demonstrate to the Municipality that sufficient alternative communication/telecommunication facilities are available within the proposed development to enable, at a minimum, the effective delivery of communication/telecommunication services for emergency management services (i.e., 911 Emergency Services).
27. That prior to final approval of the plan, appropriate zoning shall be in effect for all the lands in the proposed subdivision.
28. That the Owner and all encumbrancers (mortgagees) shall enter into a subdivision agreement with the City of Belleville. Without limiting the generality of the foregoing, the Owner shall agree in writing to satisfy all the requirements, financial and otherwise, of the City of Belleville, including the provision of roads, sidewalks, boulevards, installation of services, stormwater management and drainage.

29. That the subdivision agreement between the Owner and the City of Belleville shall be registered against the lands to which it applies once the plan of subdivision has been registered.
30. That the Owner shall agree in the subdivision agreement that no building permits will be applied for or issued until the City of Belleville is satisfied that adequate road access, municipal water supply, hydro service, sanitary sewers, and storm drainage facilities are available to service the proposed development.
31. That prior to final approval, the City of Belleville is advised by a letter on behalf of Quinte Conservation how Conditions No. 20 and 21 have been satisfied.
32. That prior to final approval, the City of Belleville is advised by letter by Canada Post how Condition No. 25 has been satisfied.
33. That prior to final approval, the City of Belleville is advised by letter by Bell how Condition No. 26 has been satisfied.
34. That prior to final approval, the City of Belleville is advised by a letter on behalf of Canadian Pacific Railway how Condition No. 4, 7, 14, 15, 16 have been satisfied.
35. That prior to final approval, the City of Belleville is advised by letter by Union Gas, Cogeco Cable and Hydro One how Condition No. 23 has been satisfied.

NOTES TO DRAFT APPROVAL

1. Measurements

All measurements in subdivision final plans must be presented in metric units.

2. Clearing Conditions

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

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

Clearance is required from the following agencies:

1. Quinte Conservation
2. Bell Canada
3. Canada Post
4. Canadian Pacific Railway Company

3. Red-Line Revisions

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

4. Registration

We suggest that you make yourself aware of:

- 1) Section 143(1) of the Land Titles Act, which requires all new plans be registered in a land titles system;
- 2) Section 143(2) allows certain exceptions.

5. Final Registration

The final plan approved by the City of Belleville must be registered within 30 days of approval or the City of Belleville may withdraw its approval under Section 51(59) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended.

6. Final Plans – Subdivision

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

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

- One (1) original mylar copy of the M-Plan
- Six (6) mylar copies of M-Plan
- Six (6) white paper prints of M-Plan
- One (1) white paper print of M-Plan with AOLS submission form
- One (1) Registry Office pre-approval print of M-Plan
- One (1) electronic copy of the approved M-Plan
- One (1) Surveyor's Certificate that the lots and blocks on the Plan conform to the Zoning By-law

7. Development Charges

That the payment of development charges will be required prior to the issuance of any building permits for any lots in the subdivision, in accordance with the City of Belleville's Development Charges By-law.

8. Lapsing

This draft plan approval expires on November 10, 2017 if all the conditions contained herein are not satisfied by that date. The Owner shall apply for any extension at least 60 days prior to the lapsing date and such request for an extension shall not be unreasonably withheld.

APPENDIX 6

Proposed Draft Plan of Common Element Condominium



APPENDIX 7

Draft Plan of Common Element Condominium Conditions

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

No. Conditions

1. That this approval applies to the Draft Plan of Common Element Condominium, Drawing: 370-DP of CE prepared by RFA Planning Consultant Inc., dated September 12, 2014, that shows:
 - A common element block which contains surface parking, private roadways, landscaped open space, trails and amenity space ["Common Element"].
2. That the final plan shall be prepared in accordance with the above noted plan, with a copy of the final plan being approved by the City's Manager of Approvals.
3. The Owner shall enter into a Condominium Agreement with the City and register it on title for the provision of facilities and services on the lands, if such a provision has not already been addressed as a condition of a related subdivision approval.
4. Related planning approvals must be completed prior to final condominium approval, including the registration of a plan of subdivision, and the coming into force and effect of the related Zoning By-law Amendment.
5. That the Owner submit a draft Condominium Declaration for approval by the City's Manager of Approvals containing but not limited to the following provisions:
 - a. That public and private sidewalks, trails, driveways and parking areas be maintained in a snow free condition and void of any obstructions 12 months of the year. Snow shall not be piled on City lands and City lands shall not be impacted from runoff from the snow removal. All owners and tenants/future purchasers acknowledge and agree that maintaining the common element unobstructed to ensure safe operations within this private development, and in the event of insufficient on-site snow storage, contracting for private snow removal from the site shall remain the sole responsibility of the Condominium Corporation;

- b. that neither the City or its agents are responsible for garbage or recycling pick up and that a private contractor will pick up and dispose of garbage refuse from the subject lands or any designated refuse area;
- c. that the location, design and construction of a communal mail box facility to serve the condominium will be the responsibility of the Owner, subject to the approval of Canada Post;
- d. That the Owner agrees to maintain the subject lands in compliance with the plan of subdivision approved by the City of Belleville, for the life of the development on the subject lands, including those site works within the common element.
- e. That access rights will be maintained for all utilities.
- f. The following clauses:
 - i. "All owners and tenants/future purchasers acknowledge and agree that the ownership and maintenance of the common element shall remain the sole responsibility of the Condominium Corporation under the provisions of the Common Element Condominium Act and the City of Belleville will have no jurisdiction and further liabilities within the common element. The City of Belleville will not agree to accept on-site roadways as public road allowances".
 - ii. **Entry for Emergency Repairs**

The Owner agrees that, at any time or from time to time, employees or agents of the Municipality may, in the Municipality's sole discretion, enter the subject lands for the purpose of making emergency repairs to any of the sanitary sewers, water mains, storm sewers, drainage systems, walkways, trails, amenities, roadways, curbs, sidewalks, parking areas, streetlights, and other services situated within and serving the condominium (hereinafter called the "Private Services"). Such entry and repairing shall not be deemed an acceptance of any of the Private Services by the Municipality, nor an assumption by the Municipality of any liability in connection therewith, nor a release of the Owner from any of its obligations under this Agreement.

iii. Use of Private Services by Municipality

The Owner agrees that the Municipality or other authorized persons may use any of the Private Services acting as agent for the Owner, for the purposes for which they are designed. Such entry and repairing shall not be deemed an acceptance of any of the Private Services nor an assumption by the Municipality of any liability in connection therewith nor ownership thereof, nor a release of the Owner from any of its obligations under this Agreement.

iv. Liability of Owner

1. The Owner covenants and agrees personally and on behalf of its successors and assigns that it shall be responsible for all required actions, works, costs, and expenses with respect to the use, operation, maintenance, repair, replacement and alteration of the Private Services in accordance with all required permits, authorizations or certificates of approval required from time to time.
2. Notwithstanding the sale of any part or all of the subject lands the Owner shall remain bound by all obligations, covenants and agreements whatsoever created by this Agreement, and shall remain jointly and severally liable therefore to the Municipality. The Owner hereby acknowledges and agrees that neither the Performance Guarantee, Maintenance Guarantee nor any policy of insurance that the Owner is required to provide or maintain, if any, shall in any way be deemed to limit the liability of the Owner.

v. Building Permits

The Municipality may refuse the issuance of a building permit for any structure or unit, if in the sole and unfettered opinion of the Municipality:

1. the Owner is in default of any of the provisions of this Agreement;
2. suitable access has not been provided by the Owner for vehicular traffic for the structure or Unit;

3. all applicable Laws have not been complied with.

vi. Occupancy Requirements

1. The Owner hereby agrees that no structure or unit erected shall be occupied for any purpose whatsoever until:
 - a. the completion of the structure as required by the Building Code Act, R.S.O. 1990, c. B.13, as amended; and
 - b. the structure has been completed in accordance with the plans and specifications submitted with the building permit; and
 - c. the Private Services have been installed and are operative; and
 - d. the road from Old Bay Bridge Road to and including the block on which the building is located, has been completed to the satisfaction of the Manager of Approvals; and
 - e. any other matter or thing being a requirement of this Agreement, with respect to compliance with any Applicable Laws.
2. The Owner hereby covenants and agrees to advise any purchaser of any Unit in the proposed Common Element Condominium or any part of the subject lands of the requirements pertaining to occupancy certificates as herein contained, and hereby further covenants and agrees that in any agreement whereby the Owner purports to sell, convey, transfer, assign, lease or otherwise deal with any Unit, the Owner shall obtain an acknowledgement from the other party to such an agreement that such other party is aware of the provisions of this Agreement pertaining to occupancy certificates. In the event the Owner does not obtain such an acknowledgement, the Owner shall be deemed to be in default pursuant to the terms of this Agreement.

3. The Municipality may refuse to issue an occupancy certificate if:
 - a. The Owner is in default of any of the provisions of this Agreement.
 - b. Private Services have not been installed, operative and available to the structure or Unit.
 - c. Suitable access for vehicular traffic for the Unit has not been provided by the Owner or is not continuing to be provided by the Owner, including secondary access if required by the Municipality, and for the purposes of this paragraph, suitable access shall be deemed to include keeping all roadways clear of debris and obstructions and free of snow and ice in accordance with Municipality standards.
 - d. The Owner has not furnished the Municipality with satisfactory evidence that the Private Services have been installed as required by the Municipality.
 - e.
 1. the installation of an electric distribution system to adequately service the lands, units and all structures to be erected on the lands has been completed;
 2. all fees, charges and costs required to be paid to the applicable electricity provider to provide for such a system have been paid; and
 3. the conveyance of all easements or lands or the execution of all agreements required by the said provider in connection with electric services for the lands, units and structures to be erected has been completed.
 - g. the structure has not been constructed in accordance with all plans in respect of which a building permit has been issued and in compliance with the Building Code Act, R.S.O.

including, gas, hydro, cable, telephone, fibre optics and telecommunications.

- c. all Private Services shall be and remain at all times under the separate ownership of the Condominium Corporation. The Condominium Corporation shall:
 - be responsible for the regular maintenance, repair and upkeep of the Private Services and,
 - such Private Services are to form part of the common elements comprising the condominium.
 - d. the Corporation of the City of Belleville is not responsible in any manner whatsoever with respect to the maintenance, repair or upkeep of such Private Services.
 - e. all costs and expenses associated with the construction, establishment, maintenance, repair and upkeep of such Private Services are the responsibility of the Condominium Corporation and the unit owners.
 - f. that access rights/easements shall be reserved and maintained for the Condominium Corporation and the Municipality for those purposes set out in paragraph 5.e. above.
7. Prior to registration of any Condominium Plan and Condominium Declaration and prior to occupancy of any structure or unit the Municipality shall be in receipt of written confirmation from the Owner's solicitor that those provisions contained in Conditions No. 5 and No. 6 of the City of Belleville's Draft Plan of Common Element Condominium Approval have been incorporated into the Condominium Agreement.
 8. That the surveyors for the Owner shall advise the City's Manager of Approvals, in writing, that the required description and other plans to be registered by the Owner in order to achieve registration of the common elements condominium have been unconditionally approved as to form and content by the Land Registry Office.
 9. That the solicitors for the Owner shall advise the City's Manager of Approvals, in writing, that the proposed condominium declaration has been unconditionally approved as to form and content by the Registry Office.

10. That the solicitors for the Owner advise the City's Manager of Approvals that the declaration has been executed on behalf of the Owner and that all of the schedules to the proposed condominium declaration have been signed by the requisite signatories including the Owner, the project surveyor, the project solicitor and the project engineer and/or architect and all mortgagees.
11. That the Owner submit a draft of the executed declaration, with the provisions as required in Condition No. 5 hereof, for approval by the City's Manager of Approvals.
12. That satisfactory arrangements be made with the City of Belleville for the payment of any outstanding municipal property taxes, utility accounts, and/or local improvement charges.

NOTES TO DRAFT APPROVAL

1. Measurement

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

2. Clearing Conditions

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

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

3. Registry Act

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

4. Final Plans – Condominium

When the survey has been completed and the final plan prepared to satisfy the requirements of the Registry Act, they should be forwarded to the City of Belleville. If the plans comply with the terms of

approval, and we have received assurance from the applicable clearance agencies that the necessary arrangements have been made, the signature of the Manager of Approvals will be endorsed on the plan and it will be forwarded to the Registry Office for registration.

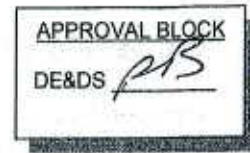
The following is required for registration under the Registry Act and for our use:

- One (1) original mylar copy of plan
 - Six (6) mylar copies of plan
 - Six (6) white paper prints of plan
 - One (1) white paper print of plan with AOLS submission form
 - One (1) Registry Office pre-approval print of plan
 - Two (2) copies of Condominium Declaration
 - One (1) electronic copy of the approved Condominium Plan
5. Further revisions to the draft plan may be required to incorporate changes required through the review and approval of studies and plans yet to be finalized and approved by the City of Belleville and Quinte Conservation.
6. Development Charges

That the payment of development charges will be required prior to the issuance of any building permits for any lots in the subdivision, in accordance with the City of Belleville's Development Charges By-law.

7. Lapsing

This draft plan approval expires on November 10, 2017 if all the conditions contained herein are not satisfied by that date. The Owner shall apply for any extension at least 60 days prior to the lapsing date and such request for an extension shall not be unreasonably withheld.



CITY OF BELLEVILLE
ENGINEERING & DEVELOPMENT SERVICES DEPARTMENT
PLANNING SECTION
Arthur MacKay, Manager of Policy Planning
Report No. PP-2014-31
November 3, 2014

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

Subject: 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.

Recommendation:

"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."

SUMMARY:

In addition to the rezoning the Applicant has submitted a Plan of Subdivision/Common Element Condominium application for the subject land. The Draft Plan of Subdivision is proposed to create four (4) development blocks comprising an existing commercial marina and a proposed commercial/high density residential development. 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

the site 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.

A Planning Report, Phase Two Environmental Site Assessment, Traffic Impact Study, Functional Servicing Report, Railway Vibration Analysis and an Environmental Noise Assessment have been submitted as supporting material.

The proposed residential blocks will be subject to an "h" holding symbol requiring the entering into of an appropriate Agreement to ensure that all the pertinent technical requirements (i.e. environmental, traffic, railway, etc.) are dealt with before development is allowed to proceed.

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.

The application is recommended for approval.

BACKGROUND:

Purpose and Effect

The Zoning By-Law amendment applies to approximately 4 hectares of land located south of the CPR mainline and west of the mouth of the Moira River.

The effect of the application would be to permit the site to be re-developed with commercial/high density residential uses via draft plan of subdivision/common elements condominium.

The land subject to the proposed amendment is shown on the attached location plan.

Subject Property

- Site Characteristics

The site comprises lands most recently used for a fitness club and restaurant uses, as well as the existing marina, previously known as Morch Marine.

- Adjacent Land Uses

To the south is located the Travel Lodge Hotel, East Zwick's Park and Belleville Harbour. To the east is the Moira River. To the north is the CPR mainline and Dundas Street West. To the west is Bay Bridge and West Zwick's Park.

Official Plan

The property is designated "City Centre" in the Official Plan.

The uses permitted in the City Centre include a broad range of commercial, residential and community facility uses. The Plan also has policies that permit higher density residential uses in this location.

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 zones 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.

The proposed residential component will also be subject to an "h" holding symbol requiring the entering into of an appropriate Agreement to ensure that all the pertinent technical requirements (i.e. environmental, traffic, railway, etc.) are dealt with before development is allowed to proceed.

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 October 14, 2014.

Detailed comments have been received from Bell Canada and Veridan who have no concerns with the proposal.

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

- Internal Department Circulation

The subject application was circulated for comment to the Belleville Fire Department, Belleville Police Service, the Engineering & Development Services Department, the Environmental and Operational Services Department, the Recreation, Culture and Community Services Department and the Manager of Approvals on October 14, 2014.

Belleville Fire Department, the Approvals Section and Recreation, Culture & Community Services have commented with no objections to this application.

- Public Circulation

Notice of the subject application was circulated to all registered owners of land within 120 metres (400 feet) of the subject property on October 14, 2014. Notice was also provided by advertisement in The Intelligencer.

A letter of objection has been received from Mr. Stewart O'Brien.

Planning Analysis

As noted the site is designated "City Centre" in the Official Plan and the Applicant requests the rezoning to both permit a common element condominium and to allow the site 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.

The policies of the "City Centre" designation encourage the development of a variety of compatible land uses in the City's core which serve to create a compact, attractive, accessible and economically stable City Centre. The policies are designed to encourage and enhance the downtown core as a major focus of activity, including a strong residential presence.

In 2012 these policies were further amended by Official Plan Amendment # 23 (OPA # 23) to encourage compact, intense development within the City Centre in order to ensure that the core area remains a key focal point in the City. In the subject instance the site is located within "The Flats" District of the City Centre. In support of OPA # 23 a City Centre Intensification Plan was prepared which identified the former Harbour Club site and marina lands as an opportunity for higher density residential development. Approved building heights are contained on Schedule D2 of the Plan which identifies building heights of 6-10 storeys at this location.

In the subject instance 15 storey building heights are proposed and a variance from the Plan's height provisions requires a site specific urban design study to be prepared indicating that taller buildings are compatible with the massing of surrounding buildings and neighbourhood and does not create shadowing or block important view corridors. The Applicant has conducted that analysis to the satisfaction of Staff as contained in the submitted Planning Report and architect's drawings.

In addition to the aforementioned Planning Report, the Applicant has also submitted a Phase Two Environmental Site Assessment, Traffic Impact Study, Functional Servicing Report, Railway Vibration Analysis and an Environmental Noise Assessment.

If approved, the proposed residential blocks will be subject to an "h" holding symbol requiring the entering into of an appropriate Agreement to ensure that all the pertinent technical requirements (i.e. environmental, traffic, railway, etc.) are dealt with before

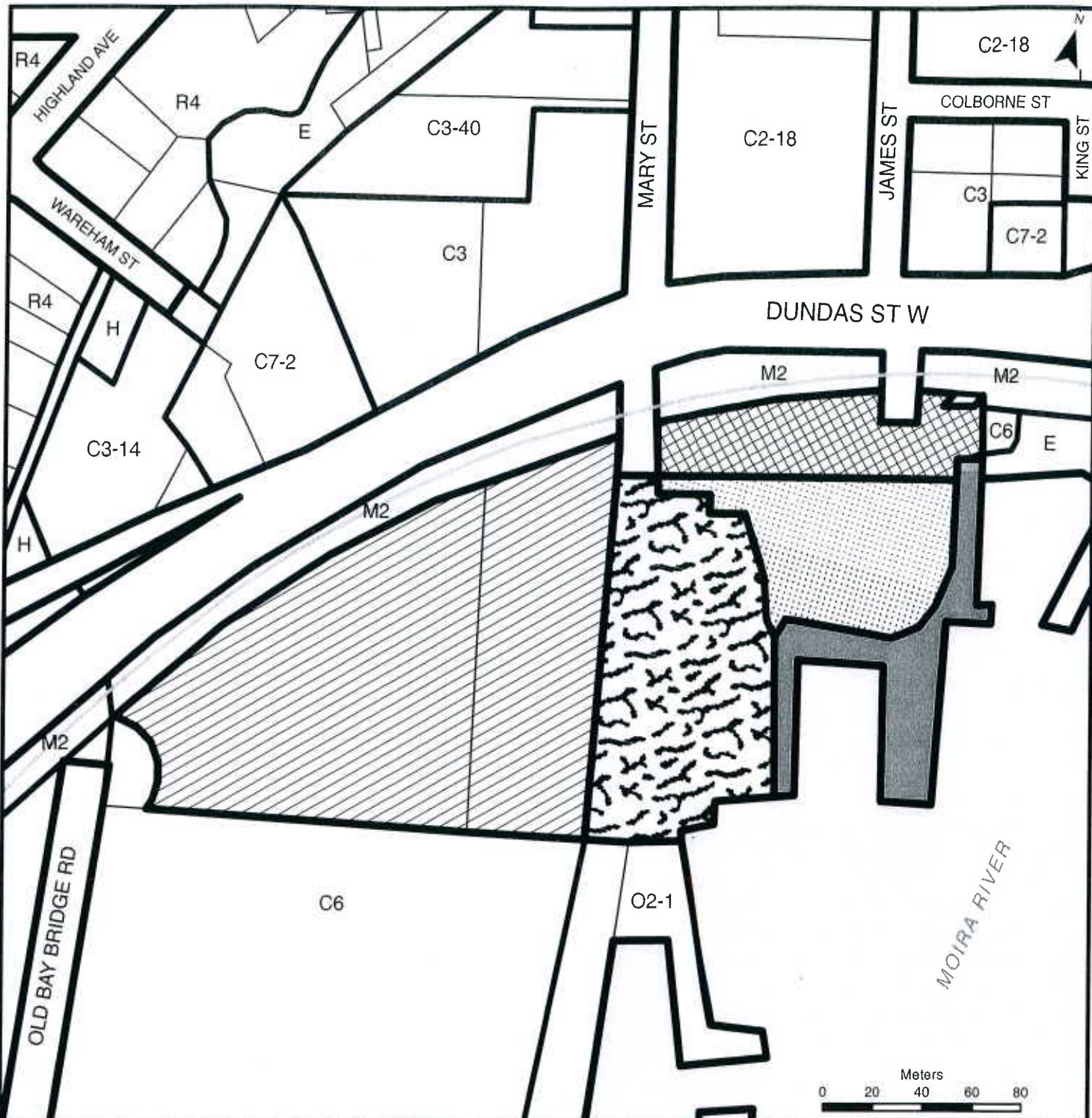
development is allowed to proceed.

In the opinion of Planning Staff, the proposed development is in keeping with the goals and objectives of the City Centre. On that basis the application is recommended for approval.

A handwritten signature in blue ink that reads "A. MacKay". The signature is written in a cursive style with a large, looping "A" and "K".






Arthur MacKay
Manager of Policy Planning

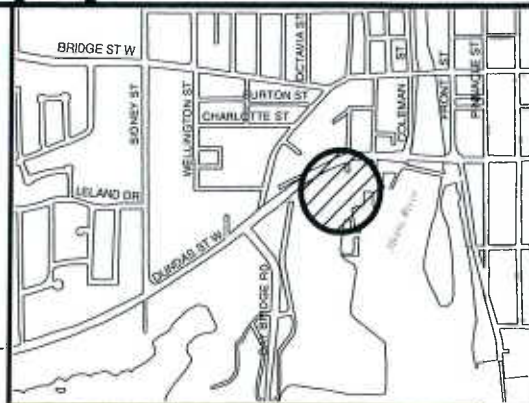
atta



PROPOSED ZONING BY-LAW AMENDMENT & DRAFT PLAN OF SUBDIVISION/Common Element Condominium

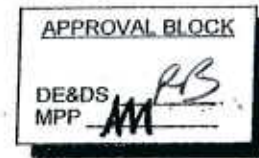
LOCATION: 25 DUNDAS ST. W.

-  PROPOSED ZONING CHANGE FROM C6 (WATER-ORIENTED COMMERCIAL ZONE) TO C6-2 (WATER-ORIENTED COMMERCIAL ZONE WITH SPECIAL PROVISIONS) AS AMENDED
-  PROPOSED ZONING CHANGE FROM C6 (WATER-ORIENTED COMMERCIAL ZONE) TO C6-2-h (WATER-ORIENTED COMMERCIAL HOLDING ZONE WITH SPECIAL PROVISIONS) AS AMENDED
-  PROPOSED ZONING CHANGE FROM C6-2 (WATER-ORIENTED COMMERCIAL ZONE WITH SPECIAL PROVISIONS) TO C6-2-h (WATER-ORIENTED COMMERCIAL HOLDING ZONE WITH SPECIAL PROVISIONS) AS AMENDED
-  PROPOSED ZONING CHANGE FROM C6-2 (WATER-ORIENTED COMMERCIAL ZONE WITH SPECIAL PROVISIONS) TO AMENDED C6-2
-  EXISTING E (ENVIRONMENTAL CONTROL ZONE) TO REMAIN



CITY OF BELLEVILLE

ENGINEERING & DEVELOPMENT SERVICES DEPARTMENT



CITY OF BELLEVILLE
ENGINEERING & DEVELOPMENT SERVICES DEPARTMENT
PLANNING SECTION
Greg Pinchin, Special Projects Planner
Report No. PP-2014-32
November 3, 2014

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

Subject: 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

Recommendation:

OPTION #1

"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 DENIED" or;

OPTION #2

"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."

SUMMARY:

The Applicant requests a rezoning of approximately 259 square metres of land with approximately 13 metres of frontage. The subject land is zoned "C6-1 – Water-Oriented

Commercial" and the Applicant requests an amendment to the C6 zone provisions in order to construct a two-storey single detached residential dwelling on the foundation of the existing boat house, with a new attached garage to be built to the south-east.

The site is designated "City Centre" in the City's Official Plan, and is part of "The Harbour" Neighbourhood. The Plan permits residential uses subject to satisfying various policies.

A similar application was submitted in 2004 to renovate the existing boathouse for residential purposes. The Applicant has since acquired the lot to the south to include in the proposal. Several concerns were identified with the previous application, including opposition from the adjacent Condominium Corporation and consequently it was denied by the Planning Committee and Council. Some of the original concerns have been addressed in this application, while others remain.

Planning Staff has concerns with regard to this proposal. Based on information submitted by the Applicant, the north limit of the existing boathouse wall ranges from .02 to .06 metres from the north property line, essentially resulting in an interior side yard width of NIL. The north property line is shared with the condominium lands (The Moorings) located to the north, and the water's edge. Without the establishment of any appreciable building setback the Applicant has no ability to conduct either maintenance to the building's façade or to achieve proper access or circulation around the building without encroaching on adjacent properties.

As per Reference Plan 21R-20865, there is evidence that a portion of the existing boathouse footprint encroaches within Harbour lands under the jurisdiction of the City. Staff has been advised by the City Solicitor that the lease with the Applicant allows the City to request the removal of this encroachment at the end of the lease period (2017), thus it would not be advisable to permit the corner of a new building within this area.

BACKGROUND:

Purpose and Effect

The proposed Zoning By-Law amendment applies to a total site area of approximately 259 square metres, which presently contains a boathouse and associated deck. The site is zoned "C6-1 – Water-Oriented Commercial" and the Applicant has requested an amendment to the C6 zone provisions in order to construct a two-storey single detached residential dwelling on the foundation of the existing boat house, with an attached garage to the south-east.

The purpose of the application is to amend Belleville Zoning By-Law Number 10245, as amended, to permit the use of the property for a two-storey single detached dwelling. As the existing boathouse is proposed to be removed and the dwelling constructed on the existing foundation, special provisions would be included to specify minimum yard setback requirements as proposed by the applicant.

The land subject to the proposed amendment is shown on the attached location plan.

Subject Property

- Site Characteristics

The site is located on the west side of South Front Street and contains a boathouse and associated deck. The subject land is made up of two smaller parcels that are currently deeded separately. Should the application be approved, the owner would need to take necessary steps to merge the parcels together prior to developing the property as proposed.

- Adjacent Land Uses

To the immediate north are located multiple attached condominium units. To the west is Victoria Harbour and the Moira River. To the east and south are located a mix of commercial and residential uses.

Official Plan

The land is designated "City Centre" in the City's Official Plan, and is part of "The Harbour" Neighbourhood. It is not specifically identified as an intensification site. The policies of this designation permit a wide range of residential uses subject to satisfying various policies in the Plan. The proposal represents a net residential density of 38.5 units per hectare, which fits within the category of medium density, as enabled by Section 3.8.2. Section 4.6.14 notes that redevelopment of low density uses should be undertaken in a manner sympathetic to the qualities of the existing residential community; and new structures should be sympathetic to the massing and scale of existing uses.

Zoning By-Law

The property is zoned "C6-1 – Water-Oriented Commercial" in Zoning By-Law Number 10245, as amended. The Applicant has requested an amendment to the C6 zone provisions in order to construct a two-storey single detached residential dwelling on the foundation of the existing boat house, with an attached garage to the south-east.

As per the provisions of the C6-1 zone, private boat houses are permitted with 0 metre rear and side yard setbacks. The minimum front yard depth requirement is 7.5 metres. The existing boat house has a front yard depth of approximately 4.8 metres, and a building height of approximately 5.5 metres. The proposal would create the following development scenario:

- Front Yard Depth – 1.2 metres (approx.);
- Interior Side Yard Width (north) – NIL (+/-);

- Interior Side Yard Width (south) – 1.2 metres (approx.);
- Rear Yard Depth – NIL (+/-) with some evidence of an apparent encroachment;
- Lot Coverage – 60.4 % (+/-); and
- Building Height – two storeys (+/- 7.3 metres scaled from drawing).

A typical residential standard (i.e. the R4 zone) would be the following minimums and maximums:

- Front Yard Depth – 3.6 metres;
- Interior Side Yard Width – 1.8 metres (2 storey dwelling);
- Rear Yard Depth – 7.5 metres;
- Lot Coverage – 35 %; and
- Building Height – 10.6 metres.

Council has approved 1.2 metre front and side yard setbacks in the past, as are proposed for the south and east yards. The condominium development to the north has staircases and concrete barriers between driveways that extend from the building to within 1.2 metres of the sidewalk.

The proposed north side yard setback reduction to **NIL** in this situation is unprecedented.

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 Pipelines, Enbridge Pipelines, Trans-Northern Pipelines, Quinte Conservation, and Hastings & Prince Edward Counties Health Unit on October 14, 2014.

Quinte Conservation advises that the application will require a review by the Quinte Conservation Executive Board, and that their next meeting is scheduled for Thursday, November 20, 2014.

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

- Internal Department Circulation

The subject application was circulated for comment to the Belleville Fire and Emergency Services Department, Belleville Police Service, the Engineering & Development Services Department, the Recreation, Culture and Community Services Department, the Environmental & Operational Services Department, and the Manager of Approvals on October 14, 2014. Due to additional questions about leased Harbour lands, the

application was further circulated to the Property Management Section on October 23, 2014.

The Approvals Section advises as follows:

"We have no objection to the proposed Zoning By-Law Amendment. The Applicant should be advised that the north existing driveway will need to be removed as part of the project."

The Manager of Approvals inquires about conformity with the City Centre Intensification Policies in the Official Plan.

The Recreation, Culture and Community Services Department advises that their only comment and/or concern is what plans are in place for docking.

The Belleville Fire Department advises that they have no issues surrounding the application.

The Property Management Section provided the following advice from the City's Solicitor:

"if the new dwelling occupies the same footprint as the existing metal building to be removed, the southwest corner of the new building (to the extent of Part 2 21R5423) will again encroach on the harbour lands"

The City's Solicitor recommends against allowing a new building to encroach as the lease allows the City to require removal of the structure at the end of the lease. He suggests the floating docks and decks would be less of a concern as they may be more readily removed.

No other comments have been received.

- Public Circulation

Notice of the subject application was circulated to all registered owners of land within 120 metres (400 feet) of the affected area on October 14, 2014. Notice was also provided by advertisement in The Intelligencer.

One letter has been received to date in opposition to the proposal, as the writer notes being unable to attend the Meeting. The letter presented concerns about pedestrian safety as the garage is to project close to the sidewalk, stated disagreement with the proposal of a two- storey building and two-car attached garage, and suggested limiting the building to a single storey on the existing boat house footprint only.

Planning Analysis

Planning Staff has concerns with regard to this proposal. The proposal is similar to the 2004 application B-77-751, which was denied by Council for various reasons. Since then, the Applicant has addressed some earlier issues by acquiring the abutting lot to the south, and modifying the building proposal to reduce the height, making the side wall approximately the same height as the existing boat house but adding a hip roof, an attached garage, and proposing 1.2 metre setbacks from the front and south side property lines.

The proposal still does not establish any interior side yard to the north. Consequently, access to the north side of the building is not obtainable without encroaching on adjacent properties. The Applicant does not enjoy any easement over the Condominium Corporation's lands for constructing or making changes, repairs or modifications to the building. It is not clear from the application package whether the proposed roof and eaves would overhang the north or west property lines.

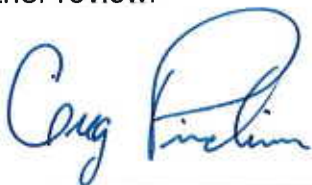
Planning Staff also note concerns with the apparent encroachment into leased City Harbour lands that takes in the south-west corner of the boat house building, and the majority of the existing deck. The City Solicitor has advised not to allow the corner of a new building to encroach into the leased land, as clauses in the lease allow the City to require its removal at the end of the lease period.

The Applicant should have the properties merged on title prior to any development taking place.

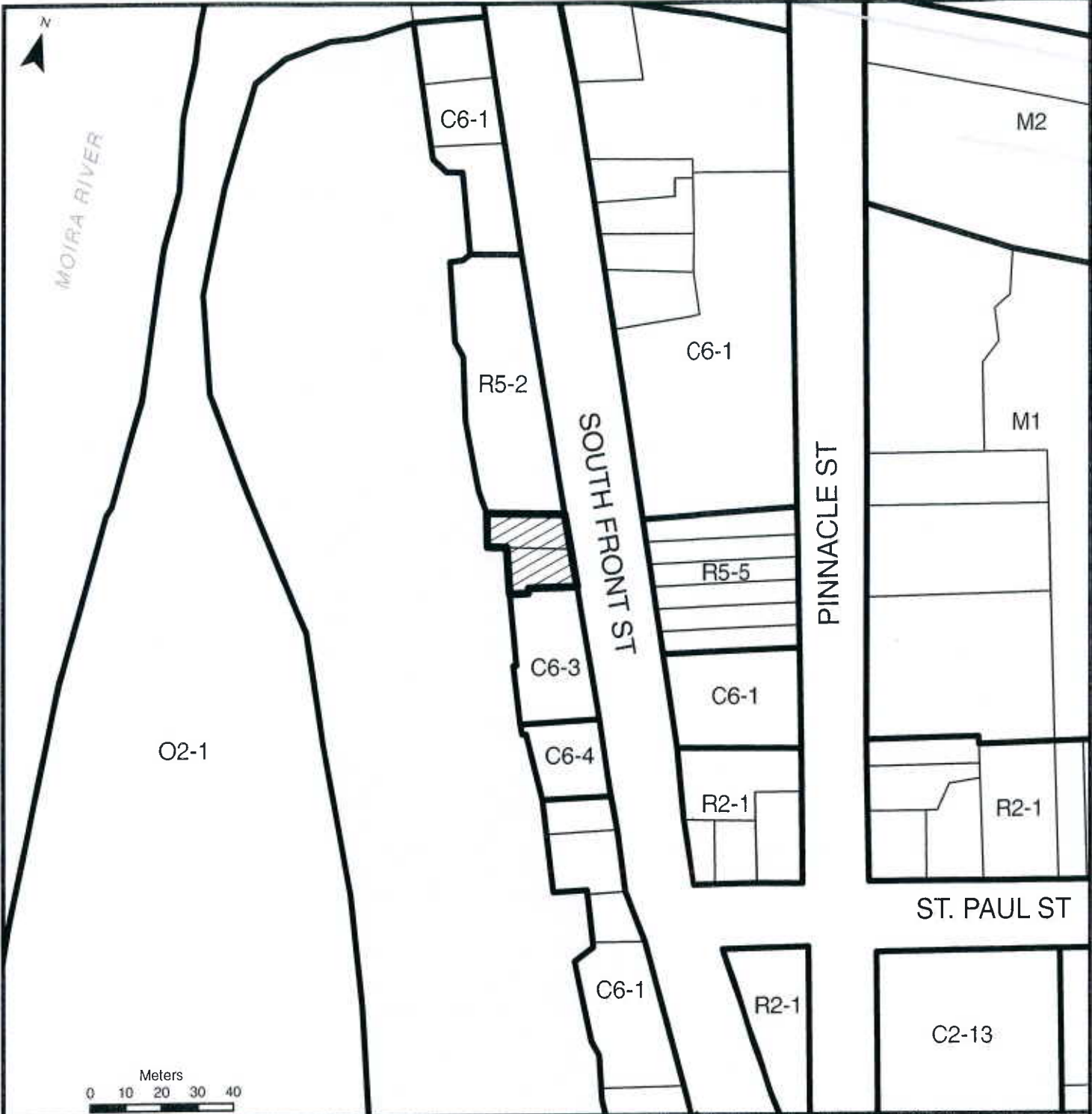
Recreation, Culture and Community Services may have future comments in relation to plans for docking at the site. The proposed new floating dock shown on the sketch layout submitted with the application would also need to be addressed through the terms of the lease.

Quinte Conservation has advised that this application will require a review by the Quinte Conservation Executive Board. Until this occurs, it is not known whether their organization could support the proposal. Conservation Authority approval would be required before such a project could proceed.

Clearly, the application has deficiencies and issues of concern that, at minimum, need further review.



Greg Pinchin
Special Projects Planner



PROPOSED ZONING BY-LAW AMENDMENT

LOCATION: 52 SOUTH FRONT ST



PROPOSED ZONING CHANGE FROM C6-1 (WATER-ORIENTED COMMERCIAL WITH SPECIAL PROVISIONS) TO C6 WITH SPECIAL PROVISIONS



CITY OF BELLEVILLE
 ENGINEERING & DEVELOPMENT SERVICES DEPARTMENT



APPROVAL BLOCK

DE&DS | RB

CITY OF BELLEVILLE
ENGINEERING & DEVELOPMENT SERVICES DEPARTMENT
PLANNING SECTION
Arthur MacKay, Manager of Policy Planning
Report No. PP-2014-33
November 3, 2014

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

Subject: 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
Owner: MELVILLE & PATRICIA ABEL AND KURT ABEL

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 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."

SUMMARY:

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 forty (40) children. The land is zoned "R1 – ~~Low~~ 75

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 the Day Nurseries Act. To accommodate the use, the Applicant also proposes additions to the dwelling totaling approximately 121 square metres. A total of twenty (20) on-site parking spaces are proposed to be provided.

The land is designated "Residential Land Use" in the Official Plan. Within this land use designation, a day nursery is a permitted use.

If approved, the proposal will be subject to site plan approval to address the technical requirements of development, including, driveway entrances in conformance with the City's Driveway Control By-Law Number 2001-129, buffering and fencing provisions, on-site parking, servicing and stormwater drainage.

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 a residential property located at 47 Maitland Drive.

The purpose of the application is to amend Zoning By-Law Number 3014, as amended, to permit a day nursery.

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

Subject Property

- Site Characteristics

The land is developed with a residential dwelling located on approximately 0.25 hectares of land.

- Adjacent Land Uses

The site is surrounded on all sides by single detached residential uses.

Official Plan

The land is designated "Residential Land Use" in the Official Plan as part of the Cannifton Planning Area.

These policies state the following:

(3.10.1) "Certain secondary uses of land of a non-residential nature may be permitted [in areas designated Residential land use]. 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."

The use is permitted by the policies of the Official Plan.

Zoning By-Law

The property is zoned "R1 – Low Density Residential Type 1" in Zoning By-Law Number 3014, as amended. The Applicant has requested a special "R1" zone to add a day nursery as a permitted use.

If this application is approved, allowance for parking to be located in the east yard of the property is also requested.

The Applicant proposes a total of twenty (20) parking spaces to accommodate the use (i.e. (fourteen) 14 staff spaces, a parent drop off, plus an additional five (5) spaces). The minimum requirement for parking under zoning would be eight (8) spaces based on a gross floor of more than 278 square metres. As a comparison, Belleville By-Law Number 10245 calculates a minimum parking requirement for a day nursery based on one (1) space per twelve (12) children and one (1) visitor space. This would require a minimum of five (5) spaces. The on-site parking proposed for this type of use well exceeds the minimums required under both By-Laws.

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 October 14, 2014.

No comments have been received.

- 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 October 14, 2014.

Recreation, Culture and Community Services Department and the Fire Department have no concerns or comments.

The Approvals Section comments as follows:

"We have no objection to the proposed Zoning By-Law Amendment. The Applicant should be advised that the property will need to be developed in accordance with the Site Plan Process which among other items will include the preparation and implementation of a Stormwater Management Report, meeting the City's requirements for driveways in conformance with the City's Driveway Control By-Law Number 2001-129 and the dedication of road widening to the City all to the satisfaction of the City. However, after review of the proposed site plan, we do not want the existing most westerly driveway on Maitland Drive to remain under the new use."

The Building Section advises that the change in use from Group "C" to "A2" will require compliance with Ontario Building Code Part 10 and possibly Part 11.

- 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 October 14, 2014.

Several comments and concerns have been submitted regarding such matters as traffic, safety and loss of property values.

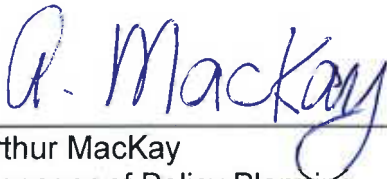
Planning Analysis

The Residential Land Use policies of the Official Plan permit day nurseries to locate in residential areas. Maitland Drive is also designated in the Plan as a collector road which is intended to carry higher volumes of traffic than a local road.

Regarding the entrances shown on the preliminary plot plan, Staff requests that the most westerly entrance be removed for the change in use should this application be approved. The location shown for the other two (2) proposed entrances would comply with the City's Driveway Control By-Law Number 2001-129. Acceptance of the entrance locations will be finalized at Site Plan Review and Approval stage which, in addition to

the aforementioned, will consider other technical requirements of the development including, buffering and fencing provisions, a paved parking area, servicing and storm water drainage. Also, the Applicant proposes to provide on-site parking to meet their requirements, which as previously noted, would well exceed the minimum standard required for this use by the Zoning By-Law.

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



Arthur MacKay
Manager of Policy Planning

atta



PROPOSED ZONING BY-LAW AMENDMENT

LOCATION: 47 MAITLAND DRIVE



PROPOSED ZONING CHANGE FROM R1 (LOW DENSITY RESIDENTIAL - TYPE 1) TO R1 WITH SPECIAL PROVISIONS



CITY OF BELLEVILLE
 ENGINEERING & DEVELOPMENT SERVICES DEPARTMENT



APPROVAL BLOCK

DE&DS | RB

CITY OF BELLEVILLE
Arthur MacKay, Manager of Policy Planning
Engineering & Development Services Department
Report No. PP-2014-34
November 3, 2014

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

Subject: Proposed Minutes of Settlement
CN Appeal of Official Plan Policies Respecting Development Adjacent to
the CN Belleville Rail Yard

Recommendation:

"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."

Background:

When the current Official Plan was adopted, CN appealed policies in the Plan respecting the potential allowance of sensitive land uses (i.e. residential) within 300 metres of the CN Belleville Rail Yard (appealed policies attached). Originally Mr. Geoff Woods, CN's Development Review Coordinator, was involved with this file and acceptable draft wording was in the process of being finalized with Staff. However, Mr. Woods subsequently left CN and the file remained dormant until CN's solicitor, Mr. Alan Heisey, became involved.

After discussions, Staff, the City Solicitor, and Mr. Heisey on behalf of CN, have agreed to a settlement of which the two (2) main points are as follows:

1. No sensitive land use is permitted within 300 metres of the rail yard. It is noted that the vast majority of lands within 300 metres of the yard are currently designated "Industrial land Use" in the Plan and these policies do not permit sensitive land uses (i.e. residential) to occur.
2. Development applications including Official Plan amendments, Plans of Subdivision, and Consents between 300 and 1,000 metres of the rail yard shall include a noise feasibility study that proves that noise is acceptable or can be mitigated but doesn't require it to be demonstrated through building design, materials, layout, etc. The

request for a detailed noise study (i.e. what mitigation is needed to achieve noise limits and to recommend conditions of approval) within this defined area is at the discretion of the City. The current appealed policy states that all residential development and other sensitive land uses within 1,000 metres of the railway yard should be subject to a noise and vibration study.

In addition to the revised policy wording, Subsection 7.7 is proposed to be re-named "Sensitive Land Uses" (currently labeled "Noise and Vibration Abatement and Attenuation") and CN also agrees to withdraw their appeal to Subsections 3.12.2 j) and k) of the Plan.

The City Solicitor and Staff fully endorse this Settlement, as does CN. The proposed revisions to the Official Plan are attached.

Respectfully submitted,



Arthur MacKay
Manager of Policy Planning

atta

services, and where municipal services are not yet available and are not intended to be extended to such lands in the immediate future.

- e) All industrial uses should meet the guidelines and requirements of the Ministry of Environment with respect to solid and liquid waste disposal and all emissions to the environment.
- f) Adequate off-street parking should be provided to accommodate employee parking requirements. Adequate off-street loading facilities should also be provided. Outdoor storage areas should be appropriately buffered from adjacent roads and properties that may be impacted by such areas through use of landscaped strips, plantings of trees, and berming.
- g) Small and isolated parcels of land designated Industrial land use located in predominantly residential areas may be redeveloped for residential purposes in accordance with the policies of Section 3.10 without amendment to this Plan provided that prior to such development being permitted, Council determines that:
 - should industrial use remain, land use conflicts could be unreasonably disruptive to the enjoyment of the residential area; and
 - environmental contamination issues (if any) have been or will be resolved to the satisfaction of the Municipality in accordance with guidelines established by the Ministry of Environment.
- h) General commercial, and convenience or service commercial uses may be established within areas designated Industrial land use to provide services to workers within the industrial areas of the City and to those who may be passing through, provided that such developments are generally limited in scale and do not detract from the general purpose of such areas to provide for intensive industrial activities.
- i) The lands located in the industrial area west of Sidney Street along Bell Boulevard are designated an enterprise zone as defined in this Plan, wherein a broad range of uses (including certain compatible commercial uses) may be permitted in addition to industrial uses.

3.12.2

- j) Within certain areas designated Industrial land use that have not yet been developed, natural drainage courses, wetlands and natural areas exist. When development of these areas is proposed, this Plan encourages the retention of such areas in their natural state. However, where site modification is necessary, steps to mitigate environmental impacts of developing such areas should be incorporated in development plans; new planting areas, engineered wetlands, and naturalized drainage courses are among the options that should be considered.
- k) Certain of the lands designated Industrial land use are used for railway purposes, either as rail corridors, spur lines or marshalling yards, together with maintenance

appealed

and support uses. The following policies apply to areas designated Industrial land use which are used for railway purposes:

- i) Railway corridors should be buffered from adjacent non-compatible land uses as much as possible through such measures as landscaped strips, berms, plantings of trees, and fencing.
- ii) Care should be exercised at all level crossings to maintain good sight lines to protect public safety and to enable rail operations to continue with as much security as possible.
- iii) As railway corridors and marshalling yards are a major source of noise and vibration, the policies of this Plan set out in Section 7.7 should be applied in new developing areas where development that may be subject to the impacts of rail operations is proposed in close proximity to railway lands.
- iv) Should any railway corridor be abandoned, the Municipality should endeavour to acquire the right-of-way or otherwise assure its protection as an open space corridor for such activities as recreation trails, service corridors, and transportation linkages. Where no appropriate use for an abandoned rail corridor is determined and acquisition of the corridor by the Municipality is not undertaken, the rail corridor may be used for uses consistent with adjoining land use designations in this Plan without amendment to this Plan.

appealed

Clear access for emergency vehicles should be provided and where required, fire routes of sufficient size should be designated and appropriately signed.

- e) Fencing, curbing, sidewalks, landscaped strips, planting areas, berms, and other landscape features should be employed as appropriate to clearly delineate different functional areas on development sites.
- f) Buffering between conflicting land uses is important to ensure all lands can be used to their maximum potential. Buffering should be employed as necessary to mitigate the effects of land uses upon other adjacent properties. Techniques that may be appropriate include barrier and boundary fencing, berming, extensive tree and shrub planting, and physical separation (i.e. the placement of a parking area between two buildings containing conflicting land uses). Use of existing natural features is a preferred method of buffering where possible.

7.6.5 Services for the Physically Disadvantaged

- a) All new buildings and sites to which the public have access should be developed so as to be accessible to the physically handicapped through use of ramps and railings that accommodate the needs of wheelchairs and walking aids. Sites should be adequately lighted to enable clear visibility of all features important to the movement about on such a site.
- b) Owners of existing buildings and sites which are not developed to accommodate the physically disadvantaged are encouraged by this Plan to modify the site and the building accordingly.
- c) This Plan encourages the Municipality to install ramps at intersections and across curbs and to avoid the use, wherever possible, of steps and other impediments to access for persons in wheelchairs and who use walking aids.
Where demand warrants, use of audible pedestrian signals should be employed to assist the visually impaired.
- d) Public parking areas should include spaces designated and designed for drivers who are physically challenged. The Municipality should require owners of private developments that are accessible to the public to include similar facilities.

7.7 Noise and Vibration Abatement and Attenuation

- a) Certain land uses can be impacted significantly by noise and vibration generated by rail lines, major highways, airports, and similar uses. Sensitive land uses should either be discouraged from locating in close proximity to such uses or otherwise incorporate suitable noise attenuation measures to reduce the effects of noise to acceptable levels in accordance with Ministry of Environment guidelines.

appealed

- b) Noise and vibration sensitive areas generally are considered to be those lands abutting or adjacent to significant sources of noise. Sensitive land uses include passive recreation, certain public assembly, and residential uses.
- In the vicinity of rail operations, lands that are sensitive to noise generally are within 500 metres of a main railway line and within 250 metres of a secondary railway, and lands that are sensitive to vibration are generally within 75 metres of railway lines.
- Respecting highways, lands that are sensitive to noise generally are within 250 metres of major Provincial highways and 100 metres of other major thoroughfares.
- c) Prior to the approval of any development sensitive to noise or vibration, comments should be sought from the appropriate rail company or authority with regard to the recommended noise, vibration and impact mitigative measures. The Municipality may require the proponent to engage a qualified acoustical consultant to undertake a noise assessment study and recommend appropriate noise attenuation measures to meet the Ministry of Environment's guidelines.
- d) The Municipality may require the proponent of a development that has the potential to generate significant noise and vibration to engage a qualified acoustical consultant to undertake an analysis of noise and/or vibration and to recommend abatement measures necessary to limit noise to the maximum noise level limits set by the Ministry of Environment.
- e) Among the remedies that the Municipality may employ to address issues of noise and vibration adjacent to rail operations, provision may be made for:
- the registration on title and insertion in agreements of purchase and sale or lease a warning clause with regard to the existence of and potential impacts of rail operations;
 - increased setbacks and berming to address rail safety concerns;
 - orientation of buildings away from rail lands; and
 - installation of combined security and acoustical fencing to prevent trespass onto the railway right-of-way and to attenuate noise to acceptable levels.
- f) All proposed development adjacent to railways should incorporate appropriate safety measures such as setbacks, berms, and security fencing to the satisfaction of the Municipality in consultation with the appropriate railway authority.
- g) New residential development and other sensitive land uses should not be located within 300 metres of a railway yard. Sensitive land uses that encroach to within less than 300 metres from railyards should only be considered where a noise and vibration feasibility study is conducted and where such study supports buffering and mitigative measures that adequately address noise and vibration issues in accordance with standards established by the Ministry of Environment.

appealed

All residential development and other sensitive land uses proposed to be located within 1,000 metres of a railway yard should be subject to a noise and vibration study to the satisfaction of the Municipality in consultation with the appropriate railway authority and the Ministry of Environment to determine its feasibility; any mitigative measures recommended in such studies should be required as a condition to the approval of such developments.

appealed

7.8 Hazardous Uses and Contaminated Lands

The policies of this Section are intended to address uses and lands that pose risk to human use and activity.

7.8.1 Salvage Yards

- a) A salvage yards includes premises where derelict, discarded, abandoned or inoperable motor vehicles and/or other goods, wares, merchandise or articles are stored wholly or partly in the open, including junk yards, scrap yards, recycling depots, and automobile wrecking yards.
- b) Salvage yards should be located a significant distance away from any existing or proposed residential, commercial, community facility, natural heritage and hazard, or open space uses to ensure that there would be no adverse impact from salvage yards on such land uses. The actual separation distance may vary depending on topography, intervening land uses or natural buffering.
- c) Salvage yards should be adequately screened on all sides either naturally or by artificial means so that no portion of the operation, including the storage area, is visible from a public road. Solid fencing and berming of sufficient height should be employed as required.
- d) Salvage yards should not cause or contribute to the pollution of any ground or surface water or natural heritage areas. The Municipality may require studies identifying impacts on ground or surface water or natural heritage features prior to approval of any new or the expansion of any existing salvage yard.

7.8.2 Waste Management Sites

- a) For the purposes of this Plan, waste management sites include:
 - sanitary landfill sites which may be either closed or operative;
 - recycling depots and transfer stations within which wastes are collected, stored, sorted and/or packaged for shipment to markets;
 - composting facilities upon which materials are managed to permit decomposition;
 - depots for the storage of industrial or toxic wastes pending transfer to recycling or disposal sites; and
 - depots for the temporary storage of used tires.

Proposed revisions to Belleville Official Plan: Settlement of CN Appeal

“That Subsection 7.7 **Noise and Vibration Abatement and Attenuation**’ be deleted in its entirety and replaced with the following:

7.7 Sensitive Land Uses

- a) Certain land uses can be impacted significantly by noise and vibration generated by rail lines, major highways, airports, and similar uses. Sensitive land uses should either be discouraged from locating in close proximity to such uses or otherwise incorporate suitable noise attenuation measures to reduce the effects of noise to acceptable levels in accordance with all applicable provincial guidelines, regulations and standards and all municipal by-laws and policies.
- b) For the purposes of highways, sensitive land uses include passive recreation, certain public assembly and residential land uses. Lands that are sensitive to noise generally are within 250 metres of major Provincial highways and 100 metres of other major thoroughfares.
- c) Development of noise sensitive land uses, in the vicinity of the CN Belleville Rail Yard and the rail line shall comply with all applicable provincial guidelines, regulations and standards and all municipal by-laws and policies.
- d) Any required noise or vibration study shall be prepared by a qualified professional, preferably a professional engineer with experience in environmental acoustics, in accordance with recognized noise and vibration measurement and prediction techniques, in accordance with all applicable provincial guidelines, regulations and standards and all municipal by-laws and policies.
- e) Development applications including Official Plan amendments, Zoning By-law amendments, Plans of Subdivision, and Consents, proposing residential or other noise sensitive land uses between 300 metres and 1000 metres from the limits of the CN Belleville Rail Yard or within 300 metres of the limits of a railway line shall include a noise feasibility study and such study shall be to the satisfaction of the City and the appropriate railway company. The City may also require, in addition to a noise feasibility study, a detailed noise study and if such is required it shall be to the satisfaction of the City and the appropriate railway company. Residential and other sensitive land uses are prohibited within 300 metres of the limits of the CN Belleville Rail Yard.

- f) As determined by the City in consultation with the appropriate railway company, a vibration study may be required to be submitted for development proposed within 75 metres of the CN Belleville Rail Yard or a railway line.
- g) Any required noise feasibility study, detailed noise study, or vibration study, shall be submitted prior to or at the time of application submission, and shall be completed to the satisfaction of the City and the appropriate railway company. The required studies shall provide recommendations for noise and/ or vibration mitigation, as appropriate, to ensure that predicted maximum sound levels do not exceed, and are in accordance, with the maximum noise level limits established by provincial guidelines, regulations and applicable municipal by-laws or policies.
- h) In compliance with other policies, the City shall ensure that land use arrangements which minimize the impact of noise and vibration be considered in the review of any development proposal.
- i) Where a noise study completed to the satisfaction of the City identifies and recommends appropriate mitigation measures, the recommendations shall be implemented as a condition of approval. Measures may include:
- sound isolation or sound reduction measures, construction techniques, and materials including the acoustical performance of exterior walls, windows and doors;
 - layout and design of the structure including the size and location of windows and doors, or outdoor living areas and the location of non-habitable space within the structure to further mitigate noise impacts;
 - spatial separation from the source, including the insertion of permitted sound-insensitive uses between the source and receivers;
 - acoustical barriers such as berms, sound barrier versions of living walls, walls, favourable topographic features, or other intervening structures, where appropriate and according to all other policies of this Plan.
- j) Where a noise study completed to the satisfaction of the City in consultation with the appropriate railway company identifies and recommends that potential noise impacts should be indicated to future tenants or purchasers, the recommendations shall be implemented as a condition of approval and registered agreements and may include noise impact advisories such as warning clauses, agreements such as subdivision and condominium agreements, agreements under the Industrial and Mining Lands Compensation Act,

covenants, and environmental easements granted by the proponent of sensitive land uses in favour of the appropriate railway company.

- k) The CN Belleville Rail Yard is recognized as a Class III Industrial Facility as set out in Provincial Guidelines as amended from time to time.
- l) A Class III Industrial Facility is defined as a place of business for large scale manufacturing or processing characterized by: large physical size, outside storage of raw and finished products, large production volumes and continuous movement of products and employees during daily shift operations. It has frequent outputs of major annoyance and there is high probability of fugitive emissions.
- m) Residential and other sensitive land uses are prohibited within 300 metres of the CN Belleville Rail Yard.
- n) All proposed adjacent to railways or the CN Belleville Rail Yard shall ensure that appropriate safety measures such as setbacks, berms, and security fencing are provided to the satisfaction of the City and in consultation with the appropriate railway company.
- o) For purposes of this Subsection 7.7, “noise sensitive land uses” means buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from noise or vibration discharges generated by the CN Belleville Rail Yard. Sensitive land uses may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centers, educational and health facilities.”

**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:
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:
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

**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
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
B-77-972	Oct 24/14	Belcrest Nursing Homes Limited 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