

BELLEVILLE PLANNING ADVISORY COMMITTEE

A G E N D A

JANUARY 4, 2016

5:30 P.M.

COUNCIL CHAMBER

Starting
Page No.

CITY COUNCIL PLANNING COMMITTEE MEETING

1. **ATTENDANCE**

Councillor Paul Carr
Councillor Jackie Denyes
Councillor Mike Graham

Councillor Kelly McCaw
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 NUMBERS 10245, 3014 AND 2076-80 AS AMENDED – DEFINING MEDICAL MARIHUANA & CANNABIS-RELATED USES, NOW IN THE CITY OF BELLEVILLE, COUNTY OF HASTINGS**
FILE NUMBER: B-77-991
APPLICANT/OWNER: CITY OF BELLEVILLE

Notice of Meeting and Map

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4. **ADJOURNMENT**

BELLEVILLE PLANNING ADVISORY COMMITTEE

A G E N D A

JANUARY 4, 2016

5:30 P.M.

COUNCIL CHAMBER

Starting
Page No.

PLANNING ADVISORY COMMITTEE MEETING

1. ATTENDANCE

Councillor Paul Carr	John Baltutis
Councillor Jackie Denyes	David Joyce
Councillor Mike Graham	Mike Letwin
Councillor Kelly McCaw	Ross Rae
Councillor Jack Miller	

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 December 7, 2015

4. DEPUTATIONS

5. CORRESPONDENCE

- 5.1 Email from Susan Sampson of Van Meer Limited regarding the naming of the park on Essex Drive 2

RESOLUTION

"THAT the email from Susan Sampson of Van Meer Limited requesting that the park being built on Essex Drive be named Canniff Park be received; and

- ** THAT the Planning Advisory Committee recommend to the Council of the Corporation of the City of Belleville that the park being built on Essex Drive, be named Canniff Park."

*** at the discretion of the Planning Advisory Committee*

6. REFERRALS FROM PUBLIC MEETING

- 6.1 **PROPOSED AMENDMENT TO ZONING BY-LAW NUMBERS 10245, 3014 AND 2076-80 AS AMENDED – DEFINING MEDICAL MARIHUANA & CANNABIS-RELATED USES, NOW IN THE CITY OF BELLEVILLE, COUNTY OF HASTINGS**
FILE NUMBER: B-77-991
APPLICANT/OWNER: CITY OF BELLEVILLE

Special Projects Planner's Report No. PP-2016-01 3

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 Numbers 10245, 3014, and 2076-80, as amended, be APPROVED, as follows:

That Zoning By-Law Numbers 10245, 3014, and 2076-80, as amended, be amended by incorporating the following definitions:

- 'Medical Marihuana Production Facility' shall mean premises used for growing, producing, testing, destroying, storing, or distribution of medical marihuana or cannabis authorized by a license issued by Health Canada;

- 'Marihuana Dispensary' shall mean a business selling or dispensing marihuana or cannabis products as the primary activity of the business;

That Zoning By-Law Numbers 10245, 3014, and 2076-80, as amended, be amended to clarify that any existing definitions of agriculture; farm; manufacturing; manufacturing, assembling, fabricating or processing plant; retail commercial establishment; and retail store shall not include uses otherwise defined in the By-Laws."

7. REPORTS

- 7.1 **PROPOSED AMENDMENT TO ZONING BY-LAW NUMBER 2076-80, AS AMENDED – 486 AND 488 DUNDAS STREET WEST, FORMER TOWNSHIP OF SIDNEY, NOW IN THE CITY OF BELLEVILLE, COUNTY OF HASTINGS**
FILE NUMBER: B-77-990
APPLICANT: THAMER YOUNES
OWNER: 1609416 ONTARIO INC.
AGENT: TASKFORCE ENGINEERING INC.

Manager of Policy Planning's Report No. PP-2016-02

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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 2076-80, as amended, for 486 and 488 Dundas Street, Former Township of Sidney, Now in the City of Belleville, County of Hastings, be APPROVED as follows:

THAT Zoning By-law Number 2076-80, as amended, be amended by rezoning the subject lands from 'CH-9 – Highway Commercial' to a modified CH zone by adding a medical clinic as a permitted use and permitting a rear yard depth of 2.5 metres. In addition it is recommended that an 'H' Holding symbol be attached to the zone requiring that stormwater management has been addressed as part of site plan review; and

THAT the Belleville Planning Advisory Committee recommends to the Council of The Corporation of the City of Belleville that no further notice is required pursuant to Subsection 34(17) of the Planning Act.”

8. INFORMATION MATTERS

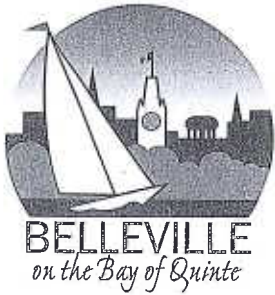
**8.1 OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT
MONITORING REPORT**

Report to January 4, 2016

10

9. GENERAL BUSINESS AND INQUIRIES

10. ADJOURNMENT



City of Belleville

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

File No.: B-77-991

**PUBLIC MEETING
CITY COUNCIL PLANNING COMMITTEE
CITY HALL - COUNCIL CHAMBER
169 FRONT STREET
MONDAY, JANUARY 4, 2016
AT 5:30 P.M.**

A Public Meeting will be held to consider general amendments to City of Belleville Zoning By-Laws Numbered 10245, 2076-80 and 3014, as amended. The purpose of the amendments is to define medical marihuana and cannabis-related uses in the by-laws, and to amend existing definitions where necessary to differentiate them from such uses.

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-laws are 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 15th day of December, 2015

Spencer,

As you are aware the playground in Canniff Mill Estates has been approved for construction on Essex Drive.

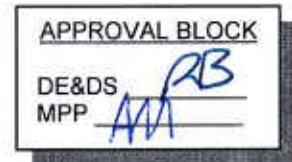
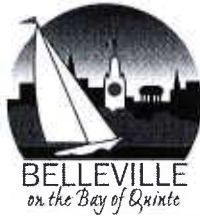
As a result I would like to begin the park name approval process by council as:

Canniff Park
(named after land owners from the Hastings Historical Atlas-1878)

Civic address would be:
Essex Drive

Thank you

Sue Sampson
Manager Design Services
van **MEER** limited
Land Development ~ Project Management ~ Engineering
14 Bridge Street West
Belleville ON K8P 1H7
613-969-0171 x202
613-969-1781 fax
613-961-9256 cell



CITY OF BELLEVILLE
ENGINEERING & DEVELOPMENT SERVICES DEPARTMENT
PLANNING SECTION
Greg Pinchin, Special Projects Planner
Report No. PP-2016-01
January 4, 2016

To: Chair and Members of the
Belleville Planning Advisory Committee

Subject: Proposed Amendment to Zoning By-Law Numbers 10245, 3014 and 2076-80, as Amended - Defining Medical Marihuana & Cannabis-Related Uses, Now in the City of Belleville, County of Hastings
File Number: B-77-991
Applicant/Owner: CITY OF BELLEVILLE, c/o MATT MACDONALD

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 Numbers 10245, 3014, and 2076-80, as amended, be APPROVED, as follows:

That Zoning By-Law Numbers 10245, 3014, and 2076-80, as amended, be amended by incorporating the following definitions:

- 'Medical Marihuana Production Facility' shall mean premises used for growing, producing, testing, destroying, storing, or distribution of medical marihuana or cannabis authorized by a license issued by Health Canada;
- 'Marihuana Dispensary' shall mean a business selling or dispensing marihuana or cannabis products as the primary activity of the business;

That Zoning By-Law Numbers 10245, 3014, and 2076-80, as amended, be amended to clarify that any existing definitions of agriculture; farm; manufacturing; manufacturing, assembling, fabricating or processing plant; retail commercial establishment; and retail store shall not include uses otherwise defined in the By-Laws."

SUMMARY:

If approved by the Committee, staff will prepare Zoning By-Law amendments that will define medical marihuana and cannabis-related uses. This Report outlines proposed new definitions, and amendments to clarify how they will fit with agriculture; farm; manufacturing, assembling, fabricating or processing plant; retail commercial establishment; and retail store definitions in the existing By-Laws.

The proposed amendments will apply to the whole municipality. No concerns or objections have been received to date in response to the circulation and public notice.

BACKGROUND:

The Belleville Planning Advisory Committee and Council recommended that a Zoning By-law Amendment Application be prepared to define medical marihuana and cannabis-related uses within the City of Belleville Zoning By-Laws. The proposed amendments will provide a distinction between manufacturing and retail uses and those relating to medical marihuana and cannabis across the municipality.

Purpose and Effect

The purpose of the application is to differentiate between currently defined manufacturing and retail uses and more specialized uses relating to the production and distribution of medical marihuana and cannabis-related products under the City's Zoning By-Laws.

The effect of the application will be to identify medical marihuana production facilities and marihuana dispensaries as distinct uses and, as a result, to require any such uses to be specifically zoned for that purpose.

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, Quinte Conservation, and the Hastings & Prince Edward Counties Health Unit on December 15, 2015.

- Internal Department Circulation

The subject application was circulated for comment to the Belleville Police Service, the Engineering & Development Services Department, the Environmental & Operational Services Department, the Fire and Emergency Services Department, the Recreation, Culture and Community Services Department and the Manager of Approvals on December 15, 2015.

The Belleville Fire Department advises that it has no issues surrounding the application.

Staff of the Recreation, Culture & Community Services Department advises that it has reviewed the application and has no comments at this time.

- Notice of the subject application was provided by advertisement in The Intelligencer on December 15, 2015.

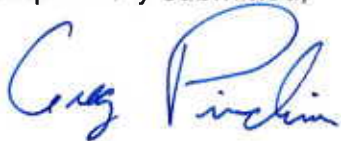
No comments have been received.

PLANNING ANALYSIS:

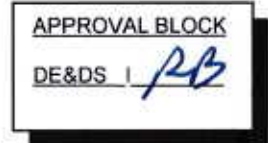
This amendment is intended to address the land use implications of both medical marihuana production facilities, and potential marihuana and cannabis retail and dispensary uses. Defining these uses in the City's zoning by-laws will allow the Planning Advisory Committee and Council to review and provide input on any proposed locations by way of zoning by-law amendments.

Current zoning by-laws predate the establishment of such uses, and thus it is unclear whether a *medical marihuana production facility* could currently be interpreted as an agricultural or industrial use. Further, it is noted that the Federal Government identified further legalization of marihuana as a priority during the fall election campaign, and it is not currently known what form that will take. Current zoning by-laws could likely interpret a dispensary as a form of retail. Specifically defining a *marihuana dispensary* will enable municipal input on land use issues should such a use be legalized in the future.

Respectfully submitted,



Greg Pinchin
Special Projects Planner



CITY OF BELLEVILLE
ENGINEERING & DEVELOPMENT SERVICES DEPARTMENT
PLANNING SECTION
Arthur MacKay, Manager of Policy Planning
Report No. PP-2016-02
January 4, 2016

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

Subject: Proposed Amendment to Zoning By-Law Number 2076-80, as Amended –
486 and 488 Dundas Street West, Former Township of Sidney, Now in the
City of Belleville, County of Hastings
File Number: B-77-990
Applicant THAMER YOUNES
Owner: 1609416 ONTARIO INC.
Agent: TASKFORCE ENGINEERING INC.

Recommendation:

"THAT the Belleville Planning Advisory Committee recommends to the Council of The Corporation of the City of Belleville that the application to amend the City's Zoning By-Law Number 2076-80, as amended, for 486 and 488 Dundas Street, Former Township of Sidney, Now in the City of Belleville, County of Hastings, be APPROVED as follows:

THAT Zoning By-Law Number 2076-80, as amended, be amended by rezoning the subject lands from 'CH-9 – Highway Commercial' to a modified CH zone by adding a medical clinic as a permitted use and permitting a rear yard depth of 2.5 metres. In addition it is recommended that an 'H' Holding symbol be attached to the zone requiring that stormwater management has been addressed as part of site plan review, and

THAT the Belleville Planning Advisory Committee recommends to the Council of The Corporation of the City of Belleville that no further notice is required pursuant to Subsection 34 (17) of the Planning Act."

SUMMARY:

As the Committee will recall, the subject Application pertains to two (2) contiguous parcels located at 486 Dundas Street West and 488 Dundas Street, respectively. The former contains a residential dwelling and the latter contains a gas station. It is the intent to remove the existing buildings and construct a two (2) storey commercial building. After the public meeting was held the Application was tabled by the Committee pending the Applicant providing further information as to the nature of the proposed dental office use desired by his client in a portion of the building.

Under the current "CH-9 – Highway Commercial" zone a professional dental office is permitted (i.e. "Business, Professional and/or Administrative Office") but is limited to a single dental practitioner. The Applicant advises that his client indicates that only one (1) dentist will be operating at any one time but there may be a few different dentist associates rotating on part time basis. To accommodate this occupancy, he requests the allowance for a "Medical Office" use which would allow for at least two (2) dentists in the event that the practice grows and things change.

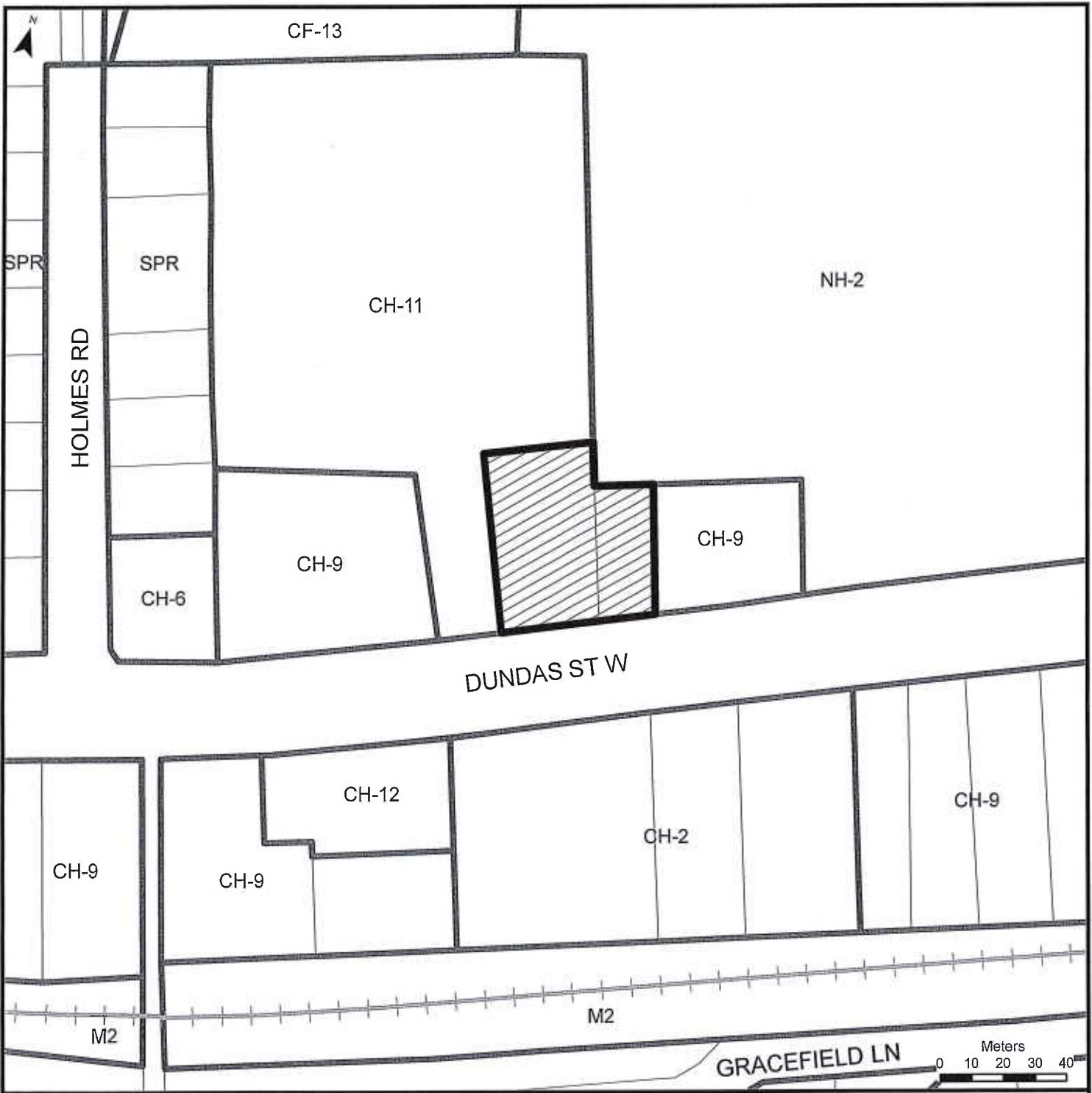
Given that the Professional office use permitted by the zone currently allows a dentist's office, doctor's office, as well as other individual medical practitioners, Staff considers the incorporation of a "Medical Office" use (which would permit more than one dentist, doctor, etc.) to the zone to be a minor modification to the Application and therefore not warranting that further notice be given. This provision is permitted by Subsection 34 (17) of the Planning Act.

As the Committee will also recall the Applicant requested a reduced rear yard depth of 2.5 metres for the proposed commercial office building versus the minimum requirement of 7.5 metres. A "H" Holding symbol is also to be attached to the site in order to address the concerns of the County of Hastings regarding storm water management. Finally, as previously discussed, the Applicant's request for allowing two (2) residential units on the 2nd floor of the building has been withdrawn.



Arthur MacKay
Manager of Policy Planning

atta



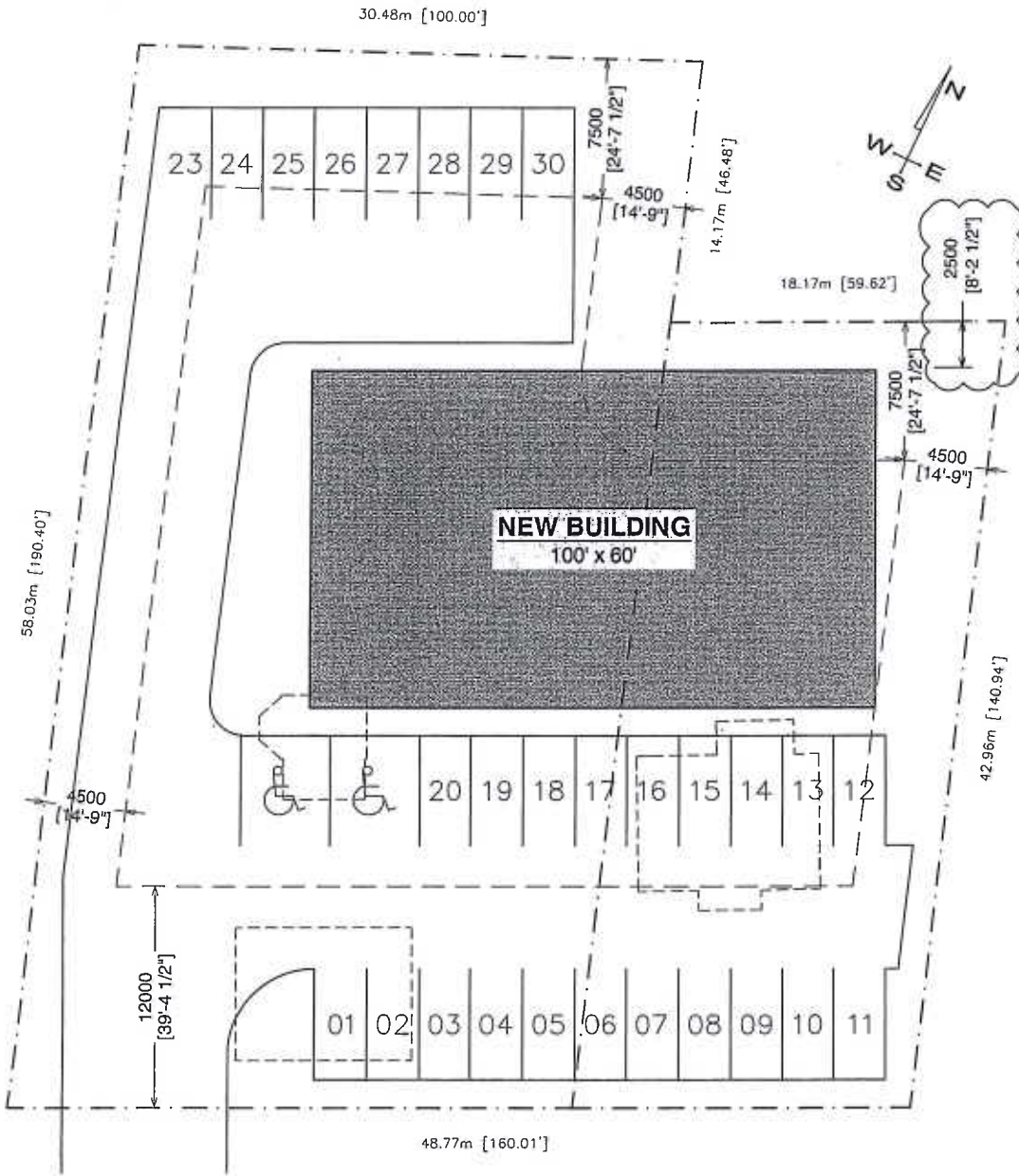
PROPOSED ZONING BY-LAW AMENDMENT

LOCATION: 486-488 DUNDAS ST W

 - PROPOSED ZONING CHANGE FROM CH-9 (HIGHWAY COMMERCIAL ZONE WITH SPECIAL PROVISIONS) TO CH WITH SPECIAL PROVISIONS



CITY OF BELLEVILLE
ENGINEERING & DEVELOPMENT SERVICES DEPARTMENT



DUNDAS STREET

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THE CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND PERMITS AND BE RESPONSIBLE TO ADDRESS DIMENSIONS AND PERMITS DISCREPANCIES WITH ANY WORK.

NO.	DATE	REVISION	BY

RECEIVED
PLANNING SECTION
B-77-990
NOV - 3 2015

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



TaskForce Engineering Inc.
24 Newberry Street
Suite 201
Belleville, Ontario
K8N 3N3
Voice (613) 966-5800
Fax (613) 966-5701
www.taskforce-eng.com

PROPOSED PROPERTY DEVELOPMENT
for Dr. YOUNES
DUNDAS STREET WEST,
BELLEVILLE, ONTARIO

PRELIMINARY SITE PLAN LAYOUT

DATE	BY	CHECKED BY	DATE
November 2nd, 2015	TP	TP	
	TP		
	ROW		

AS NOTED

SP.1

**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 PAC: Dec. 7/15 - Appl. to remain open.
2014				
B-77-970	Oct. 1/14	Manuel Pereira Alan D. Bridge	52 South Front Street Zoning By-Law amendment to rezone to a special "C6 - Water-Oriented Commercial" zone in order to permit a two-storey single detached dwelling on the foundation of the existing building, along with an addition to the south side for a two-car garage.	Public Mtg: Nov. 3/14 PAC Decision - Deferred pending different issues.
2015				
B-77-989	Oct. 30/15	Lloyd Prins Watson Land Surveyors Ltd.	56 Sills Road, Thurlow Zoning By-Law amendment to permit the severance of a surplus farm dwelling.	Public Mtg: Dec. 7/15 PAC Decision - Approved Council Approved - Dec. 14/15 Appeal Date: Jan. 4/16
B-77-990	Nov. 3/15	Thamer Younes 1609416 Ontario Inc. Taskforce Engineering Inc.	486-488 Dundas Street West Zoning By-Law amendment to permit two (2) residential units on the second floor of a proposed commercial building & obtain relief on the required rear yard depth.	Public Meeting: Dec 7/15 PAC Decision: Tabled to Jan. 4/16
B-77-991	Dec. 8/15	City of Belleville	Zoning By-Law amendments to define medical marijuana and cannabis-related uses.	Public Meeting: Jan. 4/16
B-77-992	Dec. 18/15	Shady Ridge Stock Farm Inc. and Jack and Charlie Real Estate Holdings Inc. Al Osbourne	773 & 777 Bell Boulevard Zoning By-Law amendment to add retail store and allow a common elements plan of condominium.	Public Meeting: Feb. 1/16